

City of Cocoa

*65 Stone Street
Cocoa, FL 32922*



Meeting Agenda

Wednesday, June 7, 2023

6:00 PM

Cocoa City Council Chambers

Planning and Zoning / Local Planning Agency

I. CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

II. APPROVAL OF AGENDA AND MINUTES:

AGENDA:

[23-353](#) Approve the June 7, 2023 Planning & Zoning Regular meeting agenda as written or with amendments.

Attachments: [PZ Short Agenda June 7 2023.pdf](#)

MINUTES:

[23-334](#) Approve the April 5, 2023 Regular meeting minutes as written or with amendments.

Attachments: [04-05-2023 DRAFT.pdf](#)
[Exhibit 1 - Advantage Self Storage Small-Scale Site Plan.pdf](#)
[Exhibit 2 - Cindy Thurman's Resume & Section 19 City of Cocoa Ordinances.pdf](#)
[Exhibit 3 - Grissom Parkway Storage Large-Scale Site Plan.pdf](#)
[Exhibit 4 - Variety of Documentation, Emails, Etc.pdf](#)
[Exhibit A - April 5 2023 PZ Presentation.pdf](#)

III: OLD BUSINESS:

IV: NEW BUSINESS:

[23-347](#) Consideration of Ordinance 06-2023, 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 5.88 acres from City of Cocoa "Commercial" to City of Cocoa "High Density Residential."

Attachments: [Exhibit A - Location Map.pdf](#)
[Exhibit B - FLU Map.pdf](#)
[Exhibit C Legal AD_.pdf](#)
[Exhibit D - Zoning Map.pdf](#)
[Ord 06-2023.docx](#)

[23-350](#) Consideration of Ordinance 07-2023, adopting a Large-Scale Comprehensive Plan Text Amendment; amending figure FLU-1 set forth in the Future Land Use element to provide the RU-1-7 Zoning District as an allowable Zoning District in the Medium Density Residential Future Land use category and to provide the Institutional Zoning District as an allowable Zoning District in multiple Future Land Use categories.

Attachments: [Exhibit A RU-1-7 Zoned Parcels.pdf](#)
[Exhibit B MDR FLU in Conflict.pdf](#)
[Exhibit C Figure FLU-1.pdf](#)
[Exhibit D Legal AD.pdf](#)
[Exhibit E Ordinance No. 07-2023.pdf](#)

[23-345](#) Consider providing a recommendation of approval to the City Council regarding Ordinance 08-2023: Zoning Text AMENDMENT regarding accessory structure regulations.

Attachments: [Ordinance No. 08-2023 - Regarding Accessory Structures.docx](#)
[Legal Ad June 7.pdf](#)

[23-346](#) Consider providing a recommendation of approval to the City Council regarding Ordinance 09-2023: Zoning Text AMENDMENT regarding the list of permitted and special exception uses related to Self-Service Storage Facilities within the M-2 Zoning District and certain subdistricts of the Cocoa Waterfront Overlay District and related to Retail Automotive Gasoline/Fuel Sales and Accessory Convenience Storages and Restaurants in the M-2 Zoning District.

Attachments: [Ordinance No. 09-2023 - Self Service Storage M2 CWOD and Gasoline Sales M](#)
[Legal Ad M-2.pdf](#)
[M-2 Less Than or Equal to 4 Acres.pdf](#)

[23-335](#) Recommend approval of granting an easement to Pivotal Utility Holdings, Inc. (a.k.a. Florida City Gas) for the purposes of constructing, operating, and maintaining a pipeline located in Lee Wenner Park for the transportation of gas through the pipeline.

Attachments: [FCG Offer Letter City of Cocoa 3.6.23.pdf](#)
[FCG Perm EA City of Cocoa 3.6.23.pdf](#)
[FGT Proposed Easement Lee Wenner - TMV Sketch 12-6-21.pdf](#)
[FCG TCE City of Cocoa 3.6.23.pdf](#)

V. TREE BOARD UPDATE:

VI. OTHER BUSINESS (OPEN DISCUSSION):

VII. NEXT MEETING DATE:

The next regularly scheduled meeting of the Planning & Zoning Board will be on Wednesday, August 2, 2023 at 6:00 PM at the Cocoa City Hall, 65 Stone Street, Cocoa, Florida.

VIII. ADJOURNMENT

NOTICE TO THE PUBLIC:

This is a public meeting. All interested parties may attend in person. The facility wherein this public meeting will be held is accessible to the physically handicapped. In accordance with the Americans With Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk of the City of Cocoa, listed below, at least 48 hours prior to the meeting: Carie Shealy, City Clerk, 65 Stone Street, Cocoa, by telephone at (321) 433-8484 or via email at cshealy@cocoafl.org.

Additionally, interested persons may view or listen to the meeting electronically at the following internet sites:

- (1) <https://tinyurl.com/s5e875r> or
- (2) <https://cocoa.legistar.com/DepartmentDetail.aspx?ID=26365&GUID=FF9D3369-D354-4FAB-800A-57D0AEE30153&Mode=MainBody>

However, the City is not responsible for technical difficulties that may occur while attempting to view or listen to the meeting on the internet.

Interested persons may submit their written comments or questions regarding the meeting prior to the meeting through Email at meetings@cocoafl.org, or via E-comments through the online agenda. Any electronic comments submitted will be made part of the meeting record. Written comments or questions not relevant to the Council meeting agenda will not be made part of the meeting record but will be maintained as public record.

Pursuant to Section 286.0105, Florida Statutes, the City hereby advises the public that: if a person decides to appeal any decision made by the City Council with respect to any matter considered at its meeting or hearing, that person will need a record of the proceedings and for such purpose, affected persons may need to assure that a verbatim record of the proceedings is made, and such record shall include the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission into evidence of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals otherwise not allowed by law.

Although members of the public are entitled to be heard by the City Council on certain items on the meeting agenda pursuant to the City Council Rules of Procedure, members of the public are not entitled to an immediate response by either administrative staff members or Council; however, the City Council or administrative staff may provide a response at their discretion. When presenting before the City Council, all comments or questions should be directed to the Mayor or the chair of the meeting. Comments or questions should not be made directly to administrative staff without permission from the Mayor or chair.

Public debate by individual speakers from the audience on public hearing items shall be limited to three (3) minutes. Applicants or representatives of recognized groups with special interests in a matter shall be limited to ten (10) minutes; and total debate on a single issue shall be limited to thirty (30) minutes. Only one presentation per person per item shall be allowed.

A Council member may add an item to the agenda during the meeting only at the time the agenda is approved. If the item requires action by the Council, then it may be added to the agenda by an affirmative vote of the Council, and written documentation must be submitted at the time the item is added to the agenda. Matters may also be raised by the Council, City Manager or City Attorney under reports and acted upon by the City Council.



Legislation Details (With Text)

File #: 23-353 **Version:** 1 **Name:**
Type: Agenda **Status:** Agenda Ready
File created: 6/1/2023 **In control:** Planning and Zoning / Local Planning Agency
On agenda: 6/7/2023 **Final action:**
Title: Approve the June 7, 2023 Planning & Zoning Regular meeting agenda as written or with amendments.
Sponsors:
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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PLANNING & ZONING BOARD/LOCAL PLANNING AGENCY AGENDA ITEM

Memo Date: June 1, 2023
Agenda Date: June 7, 2023
Prepared By: Monica Arsenault, Recording Secretary
Through: Luci Ribeiro, Planner
Requested Action:
Approve the June 7, 2023 Planning & Zoning Regular meeting agenda as written or with amendments.

BACKGROUND:

N/A

BUDGETARY IMPACT:

N/A

PREVIOUS ACTION:

N/A

RECOMMENDED MOTION:

Approve the June 7, 2023 Planning & Zoning Regular meeting agenda as written or with amendments.



CITY OF COCOA
Planning & Zoning Board /
Local Planning Agency
City Council Chambers

Cocoa City Hall
65 Stone Street
Cocoa, FL 32922

AGENDA
Regular Meeting
June 7, 2023
6:00 p.m.

I. OPENING MATTERS:

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE

II. APPROVAL OF AGENDA AND MINUTES:

1. AGENDA: Meeting of June 7, 2023
2. MINUTES: Meeting of April 5, 2023

III. OLD BUSINESS: None

IV. NEW BUSINESS:

A. PZ-23-00500001 Ordinance 06-2023 | Parcel ID: 24-36-28-76-A

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 OF REAL PROPERTY WITHIN THE CITY OF COCOA, CONSISTING OF APPROXIMATELY 5.88 ACRES, MORE OR LESS, LOCATED NORTHWEST OF THE INTERSECTION OF FORREST AVENUE AND GRIMES STREET AND IS IDENTIFIED BY THE BREVARD COUNTY PROPERTY APPRAISER'S OFFICE AS PARCEL ID: 24-36-28-76-A, BEING LEGALLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO; CHANGING THE FUTURE LAND USE DESIGNATION OF THE REAL PROPERTY FROM COMMERCIAL TO HIGH 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.

B. PZ-23-00500002 Ordinance 07-2023 | Comp Plan FLU-1 RU-1-7

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA, ADOPTING A LARGE-SCALE COMPREHENSIVE PLAN TEXT AMENDMENT; AMENDING FIGURE FLU-1 SET FORTH IN THE FUTURE LAND USE ELEMENT TO PROVIDE THE RU-1-7 ZONING DISTRICT IS AN ALLOWABLE ZONING DISTRICT IN THE MEDIUM DENSITY RESIDENTIAL FUTURE LAND USE CATEGORY AND TO PROVIDE THE INSTITUTIONAL ZONING DISTRICT IS AN ALLOWABLE ZONING DISTRICT IN MULTIPLE FUTURE LAND USE CATEGORIES; PROVIDING DATA AND ANALYSIS AND THE LEGAL BASIS SET FORTH IN THE RECITALS TO SUPPORT THE PROPOSED COMPREHENSIVE AMENDMENT; 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.

C. PZ-23-02000003 Ordinance 08-2023 | Accessory Structure

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; AMENDING THE SUPPLEMENTAL DISTRICT REGULATIONS OF THE ZONING ORDINANCE OF THE CITY OF COCOA RELATED TO ACCESSORY STRUCTURES; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, INCORPORATION INTO THE CODE, SEVERABILITY, AND AN EFFECTIVE DATE.

D. PZ-23-02000004 Ordinance 09-2023 | M-2

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; AMENDING APPENDIX A, ARTICLE XI, SECTIONS 19 AND 22, OF THE ZONING ORDINANCE OF THE CITY OF COCOA TO AMEND THE LIST OF PERMITTED AND SPECIAL EXCEPTION USES RELATED TO SELF-SERVICE STORAGE FACILITIES IN THE M-2 DISTRICT AND CERTAIN SUBDISTRICTS OF THE COCOA WATERFRONT OVERLAY DISTRICT AND RELATED TO RETAIL AUTOMOTIVE GASOLINE/FUEL SALES AND ACCESSORY CONVENIENCE STORES AND RESTAURANTS IN THE M-2 DISTRICT; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, INCORPORATION INTO THE CODE, SEVERABILITY, AND AN EFFECTIVE DATE.

E. Lee Wenner Park Utility Easement

RECOMMEND APPROVAL OF GRANTING AN EASEMENT TO PIVOTAL UTILITY HOLDINGS, INC. (A.K.A. FLORIDA CITY GAS) FOR THE PURPOSES OF CONSTRUCTING, OPERATING AND MAINTAINING A PIPELINE LOCATED IN LEE WENNER PARK FOR THE TRANSPORTATION OF GAS THROUGH THE PIPELINE.

V. TREE BOARD:

None

VI. OTHER BUSINESS:

Planning and Zoning Board Open Discussion

VII. NEXT MEETING DATE:

Wednesday, August 2nd at 6:00 pm

VIII. ADJOURNMENT

General Notice Information:

This is a public meeting. Interested parties are hereby advised that they may appear at said meeting and be heard. The facility wherein this public meeting will be held is accessible to the physically handicapped. In accordance with the Americans With Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk of the City of Cocoa, listed below, at least 48 hours prior to the meeting: Carie Shealy, City Clerk, 65 Stone Street, Cocoa, by telephone at (321) 433-8484 or via email at cshealy@cocoafl.org.

Pursuant to Section 286.0105, Florida Statutes, the City hereby advises the public that if a person decides to appeal any decision made by the BOA, P&Z Board/LPA or City Council with respect to any matter considered at its meeting or hearing, that person will need a record of the proceedings and for such purpose, affected persons may need to assure that a verbatim record of the proceedings is made, and such record shall include the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission into evidence of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals otherwise not allowed by law.

The BOA or PZ Board/LPA meeting may include the attendance of one (1) or more members of the Cocoa City Council who may or may not participate in the Board discussions held at this public hearing. The BOA, PZ Board/LPA and City Council reserve the right to continue or postpone hearings to a date certain without re-advertising.

Public Participation Information:

Members of the public may view the meeting agenda, ordinances, project applications, supporting documents, and staff reports on the City's website at the following link prior to attending or commenting:

- City of Cocoa meeting calendar at <https://cocoa.legistar.com/Calendar.aspx>

Documents pertaining to the above may also be inspected at the Community Services Department, between 8:00 a.m. and 5:00 p.m., Monday through Friday, or by phoning (321) 433-8535.

Interested persons may submit their written comments or questions prior to the meeting through Email at meetings@cocoafl.org, or via E-comments through the online agenda at the link above. Any electronic comments submitted will be made part of the meeting record.

Viewing In Real Time. Interested persons are encouraged to view and listen to the hearings live by accessing the meetings at the following internet address:

- City of Cocoa meeting calendar at <https://cocoa.legistar.com/Calendar.aspx>

However, the City is not responsible for technical difficulties that may occur while attempting to view or listen to the meeting on the internet.

Special Information for Quasi-Judicial Hearings:

Any person that (1) can demonstrate that they may suffer special damages different in kind and degree from that of the general public at large; and (2) wishes to present factual or expert witnesses and/or evidence at the quasi-judicial hearing is highly encouraged to immediately contact Dodie Selig, Planning and Zoning Manager, at (321) 433-8535 or lribeiro@cocoafl.org, to make proper arrangements for presentation of witnesses and/or evidence. All witnesses should be identified and all evidentiary documents and exhibits that are intended to be distributed to the BOA, P&Z/LPA and City Council should be submitted to Ms. Selig via email or mail at least three (3) days prior to the hearing.



Legislation Details (With Text)

File #: 23-334 **Version:** 1 **Name:**

Type: Minutes **Status:** Agenda Ready

File created: 5/22/2023 **In control:** Planning and Zoning / Local Planning Agency

On agenda: 6/7/2023 **Final action:**

Title: Approve the April 5, 2023 Regular meeting minutes as written or with amendments.

Sponsors:

Indexes:

Code sections:

Attachments: [04-05-2023 DRAFT.pdf](#)
[Exhibit 1 - Advantage Self Storage Small-Scale Site Plan.pdf](#)
[Exhibit 2 - Cindy Thurman's Resume & Section 19 City of Cocoa Ordinances.pdf](#)
[Exhibit 3 - Grissom Parkway Storage Large-Scale Site Plan.pdf](#)
[Exhibit 4 - Variety of Documentation, Emails, Etc.pdf](#)
[Exhibit A - April 5 2023 PZ Presentation.pdf](#)

Date	Ver.	Action By	Action	Result
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PLANNING & ZONING BOARD/LOCAL PLANNING AGENCY AGENDA ITEM

Memo Date: May 22, 2023
Agenda Date: June 7, 2023
Prepared By: Monica Arsenault, Recording Secretary
Through:
Requested Action:
Approve the April 5, 2023 Regular meeting minutes as written or with amendments.

BACKGROUND:

N/A

BUDGETARY IMPACT:

N/A

PREVIOUS ACTION:

N/A

RECOMMENDED MOTION:

Approve the April 5, 2023 Regular meeting minutes as written or with amendments.

**MINUTES
CITY OF COCOA
PLANNING & ZONING BOARD/ LOCAL PLANNING AGENCY
REGULAR MEETING
April 5, 2023**

A Regular meeting of the Planning & Zoning Board Local Planning Agency was held on April 5, 2023 at City Hall, 65 Stone Street, Cocoa, FL, as publicly noted.

I. CALL TO ORDER:

Chairperson Simpson called the meeting to order at 6:00 PM.

ROLL CALL:

Justin Simpson	Chairperson
Michael Dobrin	Vice Chairperson
Todd Anderson	Board Member
Chris Bankhead	Board Member
Ron Chabot	Board Member
Aleck Greenwood	Board Member
Veronica Lopez	Board Member
Wesley Park	Board Member
Marcus Wheeler	Board Member
Merrybeth Burgess	Alternate Member
Katherine Stewart	Alternate Member

PRESENT:

Justin Simpson	Chairperson
Michael Dobrin	Vice Chairperson
Chris Bankhead	Board Member
Ron Chabot	Board Member
Aleck Greenwood	Board Member
Wesley Park	Board Member
Marcus Wheeler	Board Member
Merrybeth Burgess	Alternate Member
Katherine Stewart	Alternate Member

ABSENT:

Todd Anderson	Board Member
Veronica Lopez	Board Member

STAFF PRESENT:

Bryant Smith, Public Works Director & Interim P&Z Manager; Kristin Eick, Board Attorney; Lorraine Koss, Councilmember; and Monica Arsenault, Recording Secretary.

Chairperson Simpson led the assembly in the Pledge of Allegiance.

- * **MOTION BY VICE CHAIRPERSON DOBRIN; SECONDED BY BOARD MEMBER PARK TO ALLOW THREE MINUTES PER INDIVIDUAL DELEGATION UNDER EACH ITEM.**

AYES: SIMPSON, DOBRIN, BANKHEAD, CHABOT, GREENWOOD, PARK, WHEELER, BURGESS, STEWART

MOTION PASSED UNANIMOUSLY (9-0)

II. APPROVAL OF AGENDA AND MINUTES:

1. AGENDA: Meeting of April 5, 2023

- * **MOTION BY BOARD MEMBER WHEELER; SECONDED BY BOARD MEMBER BANKHEAD TO APPROVE THE APRIL 5, 2023 REGULAR MEETING AGENDA AS WRITTEN.**

AYES: SIMPSON, DOBRIN, BANKHEAD, CHABOT, GREENWOOD, PARK, WHEELER, BURGESS, STEWART

MOTION PASSED UNANIMOUSLY (9-0)

2. MINUTES: Meeting of March 1, 2023

- * **MOTION BY BOARD MEMBER WHEELER; SECONDED BY BOARD MEMBER BANKHEAD TO APPROVE THE MARCH 1, 2023 MINUTES AS WRITTEN.**

AYES: SIMPSON, DOBRIN, BANKHEAD, CHABOT, GREENWOOD, PARK, WHEELER, BURGESS, STEWART

MOTION PASSED UNANIMOUSLY (9-0)

III. OLD BUSINESS:

None.

IV. NEW BUSINESS:

1. PZ-23-002000002 – Small-Scale Site Plan Appeal (Advantage Self Storage)

Board Attorney Eick provided clarification on the appeal process for this evening.

Ms. Kim Rezanka, Lacey Lyons Rezanka Attorneys at Law, and representing ADG Cocoa Holding LLC, shared that this process started in March 2022. The client met and communicated with staff several times over a length of time and were told that this was an approved use which is why they purchased the parcel.

She pointed out that there were several staff members that reviewed this project. According to Ms. Rezanka, there was a Preliminary meeting that was held where notes were taken and ADG's intentions to build a storage facility in Grissom Park were discussed. Ms. Rezanka stated that ADG has spent thousands of dollars on the site-plan and purchased the property on September 9, 2022.

After they were told repeatedly that this was a permitted use, Mr. Smith sent an email stating that this was not a permitted use. They are asking that the Board overturn the decision made by the Interim Planning and Zoning Director to deny the request. She provided evidence¹ of the site plan.

John King, ADG Cocoa Holding LLC, shared that in March of last year he had a discussion with Paul Body, the City's previous Planner. He stated that an informal meeting was held on May 23, 2022 with Sandra Leone and Paul Body. Mr. King stated that they were told that this use was permitted. He was told that the next step was to have a pre-app meeting to go over the site plan application. A local civil engineering firm was hired to go over signage. The plans were at least seventy percent complete at this point. Mr. King stated that the land use was never in question.

Additionally, the site plan was submitted on October 7, 2022. After not hearing anything for a few weeks, he called and found out that essentially there were no staff to speak with but someone would get back to him. On November 1, 2022 Mr. Smith reached out and provided an application number and let them know the application was deemed complete, however on November 14, 2022 he explained that he was not sure that a pre-app meeting was held and the project was being denied, however he offered to refund their check. This created a shock as they were so far along in the process.

Jeff Kinder, Manager of Advantage Development Group, stated that he has done a lot of research and felt they had conducted their due diligence. He feels this is a suitable project for the area. Mr. Kinder stated that self-storage has become a vibrant trend. This is a small-scale development and would sit on a three-acre site. He named several types of businesses and organizations that use self-storage facilities as the industry grows and slows. At the request of City staff, they have submitted for the right of way easements with the County, flood zone certifications, etc.

When the package was complete, they submitted the revised plans and they bought the land. This is a ten-million-dollar investment in this community. Mr. Kinder believes they had done everything the right way and are only coupled with the unfortunate timing of the

¹ Exhibit 1: Advantage Self Storage Small-Scale Site Plan

City losing its Planning staff. He hopes the Board will reconsider the decision that was made.

Ms. Rezanka provided two further exhibits².

Cynthia Fox Thurman, the previous Planning & Zoning Manager for the City of Cocoa, reviewed the M-2 Manufacturing and Industrial District section of the City's code from the hand out that was provided to the Board. She shared that last month the Board approved what she believed to be a similar project called Grissom Parkway Storage which is a recreational RV storage facility.

She pointed out a section of the Code that states that storage facilities are allowed. In her view, a self-storage facility is still a storage facility. She pointed out that the Board has an opportunity to approve a ten-million-dollar project and approving this project will not cause the City any harm. Research and demographics show that there is a need for storage facilities. This is not a difficult decision; however, it will be very difficult for the applicant who has spent a lot of money on this project and relied on the voice of City staff. She asked the Board to overturn the denial of the project.

Ms. Rezanka provided exhibit 4³, a packet of documents containing emails between the applicant and City staff as well as ADG's Civil Engineer's resume, and other reports. She briefly reviewed the documents in the packet, explaining the timeline of events.

In closing, they asked the Board to consider equity. A property owner, on good faith of City staff, has incurred extensive costs for this project. They are asking the Board to look at the fairness of this case and someone from the City should have let the applicant know throughout the nine months that this took place that this project was not allowed in the zoning they were proposing. Ms. Rezanka asked the Board to consider the testimony that was heard and consider this project as they did the similar project that was approved last month.

Mr. Smith shared a power point presentation⁴ and explained that in October 2022, Advantage Self Storage provided a small-scale site plan application for a Self-Service Storage Facility on Grissom Parkway. On November 14, 2022 the Director notified the applicant that the project was being denied since Self-Service Storage is not a permitted use within the M-2 Zoning District, which is the district this project is proposed. On December 14, 2022 the applicant provided a letter to appeal the denial of the site plan to the Board.

Mr. Smith provided an aerial photo of the location as well as the zoning map for the parcel. He pointed out that Self-Service Storage was removed from the M-2 zoning district through Ordinance 06-2020 on July 8, 2020. Additionally, the Planning and Zoning Board reviewed and recommended the removal of this use to Council on June 16, 2020. Ordinance 06-2020 revamped Self-Service Storage and removed references to personal storage in M-2, as well as the CBD. It also provided specific design requirements for

² Exhibit 2: Cindy Thurman's Resume and Section 19 - City of Cocoa Ordinances

Exhibit 3: Grissom Parkway Storage Large-Scale Site Plan

³ Exhibit 4: Packet containing a variety of documents, including emails, reports, etc.

⁴ Exhibit A: 04/05/2023 P&Z Meeting

Self-Service Storage in other zoning categories such as C-R, C-G as Special Exception, and C-W, M-1, PUD, UMD as Principal Use. The purpose of removing this from M-2 zoning was to help control the proliferation of Self-Service Storage facilities around the City and that M-2 was intended for more intense industrial uses, making this use incompatible with the District's intent.

Mr. Smith addressed that the applicant has argued within their appeal that Self-Service Storage facilities are included in the definition of Warehousing/Distribution.

Mr. Smith provided the definitions of Self-Service Storage facilities as well as Warehousing/Distribution and noted that staff disagrees with this interpretation as it is very clear that warehousing and distribution is defined as a transition point in the supply chain, not an individual unit for personal use. Additionally, while "General Storage" is included as a principal use as part of the allowed uses within M-2, Self-Service Storage is not within those allowed uses and is also a specifically defined use in the City Code of Ordinances. The M-2 Zoning District prohibits: "All uses not specifically or provisionally permitted herein". Therefore, since it is not specifically permitted in the principal or special exception uses within M-2, it is a prohibited use and there is no uncertainty regarding those terms.

Furthermore, a full site-plan analysis was not completed since the project does not meet the applicable code requirements related to M-2 uses.

Mr. Smith apologized for the incorrect information that was provided by previous staff in any pre-app meetings that were held, however the Code does not permit for self-storage facilities.

Chairperson Simpson asked if there is any way for staff to consider a rezoning. There is one recreational business out there that stands alone compared to the other industrial businesses that are there. In response, Mr. Smith explained that rezoning is usually done in clusters.

Board member Greenwood stated that a lot of work has been done on this project and it is no fault of Mr. Smith and the current staff. However, in 2020 there was an error in the verbiage that is causing an issue now. A lot of money has been spent and it is a situation now where this could create spot zoning if this is allowed, however if this hadn't happened, the ordinance could stay the same. In response, Mr. Smith explained that if this was rezoned to M-1 it could create spot zoning.

Board member Greenwood asked if the Board could make a one-time exception, due to Covid, the shortness of staff and the events that transpired. In response, Mr. Smith noted that if this is approved they cannot limit it to a one-time exception. This would set a precedent for future applications unless the zoning was changed in the future.

Board member Wheeler asked about including Special Exceptions in the Code. In response, Mr. Smith noted that in the future, if the Board would like to recommend to Council to include Special Exceptions for future applications they could do that but it would not apply at this time.

Vice Chairperson Dobrin stated that he feels that due to the mistakes made by Mr. Smith's predecessors, he would like to find a way to rectify this.

Alternate member Stewart asked if the City Council makes the final decision or if this Board does. In response, Mr. Smith stated that the Planning & Zoning Board will make the final decision this evening.

Board member Chabot feels that the Board should be careful in their consideration due to intent. A self-storage facility may employ a couple of people; however, a large industrial company will employ hundreds which is why the language may have changed back in 2020 when Covid was at its height. A larger industrial business could offer more jobs. He feels that the intent of the language needs to be deeply considered.

Board member Greenwood asked if the identity of the business was changed if they could move forward with the project.

Board member Bankhead asked, if prior to this point, a meeting was held to try to make the project work within the language of the ordinance. In response, Ms. Rezanka stated that several meetings and conversations have been held with staff and her client was essentially told there is nothing they can do.

Board member Greenwood asked Ms. Thurman, in her opinion, if she sees any way to make this project work within the language of the ordinance. In response, Ms. Thurman shared that she felt the ordinance approved in 2020 was overreaching. Back then, there was an applicant who requested the change because the language wasn't working for what they were trying to do. She feels that staff may want to go back and look at the intent of the change back in 2020 as it applied to one individual at the time. The Board would need to go back and do what they did in 2020 to rectify this issue now.

Mr. Smith explained the parking requirements for storage facilities.

Chairperson Simpson opened the hearing to the public.

Jennifer Kornas, College Green, noted that while this could be a great use, why not incorporate it as a commercial space and allow use of the bays for small businesses who cannot run their businesses out of their homes, such as mechanics.

There being no further questions or comments, the public portion of the hearing was closed.

Board member Wheeler asked if the applicant reviewed the Code in the beginning before any of this happened as the definition is clearly defined. In response, Mr. Kinder stated he saw that general storage facilities are allowed per item 4. He thought general storage facilities included self-storage facilities. In response to Board member Chabot's remarks, he reiterated that this is a small three-acre parcel and no matter what business goes there they will not employ hundreds of employees. He has been doing this for thirty-five years and this is the first time this has ever happened.

Further discussion was held on various ways to rectify this issue. Mr. Smith noted that he feels the best avenue would be a text amendment to allow special exceptions, that way the Board still has a little control over how many of these types of businesses go into the M-2 District.

Ms. Rezanka asked to focus back on the City's Code. For nine months, this went on and staff did not let the applicant know this was not a permitted use. There is already a storage facility next door that was just approved and they are not employing a large amount of people if that is a concern. The Board has heard testimony by several individuals who have many years of experience and she is asking that the Board reject the opinion of staff and approve their appeal.

* **MOTION BY BOARD MEMBER GREENWOOD; SECONDED BY BOARD MEMBER CHABOT TO TABLE THE ITEM.**

Ms. Eick stated that she does not recommend tabling the item. All of the information that both parties can provide has been presented to the Board in order for them to determine whether or not they need to affirm or deny the recommendation put forward by staff.

Board member Greenwood explained that he would like to make a motion to affirm the determination made by Mr. Smith, but then consider a second motion to direct staff to come back with a text amendment to rectify the issue.

A timeline estimate was given of about three months for staff to come back with a text amendment and for it to move through the process, including the approval process through City Council.

Mr. Kinder offered to change the name of the business to fit the criteria throughout the next three months while staff works on their end to do what needs to be done, however he would still like to ask that the Board consider denying the determination made by City staff.

* **MOTION BY BOARD MEMBER GREENWOOD; SECONDED BY BOARD MEMBER CHABOT TO AFFIRM THE DETERMINATION OF THE COMMUNITY DEVELOPMENT DIRECTOR TO DENY THE SMALL-SCALE SITE PLAN APPLICATION FOR A SELF-SERVICE STORAGE FACILITY IN THE MANUFACTURING AND INDUSTRIAL DISTRICT (M-2).**

AYES: SIMPSON, BANKHEAD, CHABOT, GREENWOOD, PARK, STEWART

NAYES: DOBRIN, BURGESS, WHEELER

MOTION PASSED (6-3)

* **MOTION BY CHAIRPERSON SIMPSON; SECONDED BY BOARD MEMBER GREENWOOD TO DIRECT CITY STAFF TO BRING BACK A**

**TEXT AMENDMENT FOR SELF STORAGE AS A SPECIAL EXCEPTION
ON OR BEFORE THE MAY OR JUNE MEETING.**

**AYES: SIMPSON, DOBRIN, BANKHEAD, CHABOT, GREENWOOD,
PARK, WHEELER, BURGESS, STEWART**

MOTION PASSED UNANIMOUSLY (9-0)

2. PZ-23-02100002 - (Quail Ridge)

Mr. Smith explained this item is to consider a Zoning Map Amendment to change the zoning designation of approximately 11.59 acres and 77 parcels from Commercial Neighborhood (C-N) to Multiple Family Residential (RU-2-15). This request is to correct a conflict between the current zoning and the Future Land Use, which is Medium Density Residential. He added that C-N is not an allowed zoning district within that land use classification. The requested zoning is consistent with the surrounding uses and zoning districts. Both C-N and RU-2-15 allow multiple family residential and a correction to the Zoning or Land Use would still allow for Multifamily. Additionally, RU-2-15 is an appropriate zoning category because of the existing multifamily within the Quail Ridge Condominiums.

Mr. Smith shared a location and zoning map of the parcels and explained that staff has determined this amendment to be consistent with both the Code of the City of Cocoa and the Comprehensive Plan Policies and Objectives. Staff is recommending that the Planning & Zoning Board recommend approval to the City Council of the Zoning Map amendment consistent with Appendix A, Zoning, Article XXII, to change the Official Zoning Map designation of 77 parcels totaling ±11.59 acres from C-N to RU-2-15 as described in Ordinance No. 03-2023.

Chairperson Simpson opened the hearing to the public.

Jennifer Kenny, resident of Quail Ridge, stated that while she understands the purpose of the item this evening, she has met with many of her neighbors to put together a petition to oppose the apartment complex project that may come before the Board at a later date. She wished to point out that she looked up on Sunbiz the name “Quail Ridge LLC” which is different from the “Quail Ridge Condominium Association” which is where they live. The neighborhood is made up of many older residents that are mostly retired or living on a fixed income and there are concerns that the association would not be able to afford any liabilities brought on by this apartment complex.

Jennifer Kornas, College Green resident, asked for clarification on the zoning. She is concerned for additional traffic in the area.

Janina Day, Courtyards of Cocoa, asked for clarification on the density. In response, Mr. Smith explained what is allowed in C-N and RU-2-15 to help her understand what is being presented before the Board for consideration. He clarified that this will not affect the density as it will stay the same.

There being no further questions or comments, the public portion of the hearing was closed.

*

MOTION BY BOARD MEMBER GREENWOOD; SECONDED BY BOARD MEMBER BANKHEAD TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF THE ZONING MAP AMENDMENT CONSISTENT WITH APPENDIX A, ZONING, ARTICLE XXII, TO CHANGE THE OFFICIAL ZONING MAP DESIGNATION OF 77 PARCELS TOTALING ABOUT 11.59 ACRES FROM C-N TO RU-2-15 AS DESCRIBED IN ORDINANCE 03-2023.

AYES: SIMPSON, DOBRIN, BANKHEAD, CHABOT, GREENWOOD, PARK, WHEELER, BURGESS, STEWART

MOTION PASSED UNANIMOUSLY (9-0)

3. PZ-23-02100001 - 63 Mulberry Street (DRH Designs, Inc.)

Mr. Smith explained that this item is to consider a Zoning Map Amendment to change the zoning designation of an approximately 0.27-acre parcel from Core Commercial (C-C) to Multiple Family Residential (RU-2-25).

This request is to correct a conflict between the current zoning and the Future Land Use, which is High Density Residential C-C which is not an allowed zoning district within that land use classification. The requested zoning is consistent with the surrounding uses and zoning districts, and would bring the property into conformance. Due to the lot characteristics of this parcel, only a single-family dwelling would be permitted.

Mr. Smith shared a location and zoning map and explained that staff has determined that this amendment is consistent with both the Code of the City of Cocoa and the Comprehensive Plan Policies and Objectives.

Staff is recommending that the Planning and Zoning Board recommend approval to the City Council of Ordinance No. 04-2023, 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 ± 0.27-acre parcel from the CC to the RU-2-25 district.

Chairperson Simpson opened the hearing to the public.

There being no further questions or comments, the public portion of the hearing was closed.

*

MOTION BY BOARD MEMBER BANKHEAD; SECONDED BY BOARD MEMBER WHEELER TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF ORDINANCE 04-2023, 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 ABOUT A 0.27 ACRE PROPERTY FROM THE CC TO THE RU-2-25
DISTRICT.**

**AYES: SIMPSON, DOBRIN, BANKHEAD, CHABOT, GREENWOOD,
PARK, WHEELER, BURGESS, STEWART**

MOTION PASSED UNANIMOUSLY (9-0)

4. PZ-23-02000001 – Gym and Fitness – Zoning Text Amendment

Mr. Smith shared that this item is to consider a Zoning Text Amendment to change district regulations regarding Gym and Fitness Facilities in various zoning districts. At the March 1st, 2023 Planning & Zoning meeting the Board requested that a definition be included in the Ordinance.

Mr. Smith provided the definition as follows:

Gym and Fitness Facility: a privately-owned, indoor establishment offering individuals or groups the ability to engage in exercise or sport related activities for the purpose of physical fitness, health, and recreation, whether or not on a membership basis. This use may include indoor gymnasiums, gymnastics centers, dojos, exercise or dance studios, yoga studios, or similar facilities where individuals may engage in regular physical activities including exercise, sports, or recreation. This use may also include incidental accessory uses such as food and beverage sales, game courts, locker rooms, training facilities, and/or saunas. This term does not include indoor playgrounds or play areas primarily designed for children.

Currently, Gym and Fitness Facilities are only allowed within the Central Business District and Urban Mixed-Use District. There are currently several of these facilities in other zoning districts where they are not permitted and staff has received interest from other parties wishing to create new gym and facilities in the City.

Staff reviewed the City's zoning districts to determine which one may be appropriate for the gym and fitness use. Limitations on square footage were also included as necessary.

Mr. Smith provided a summary chart of the proposed changes and stated that staff recommends that the Planning and Zoning Board recommend approval to the City Council of the requested zoning text amendment related to gym and fitness facilities as provided in the proposed Ordinance No. 02-2023.

Chairperson Simpson opened the hearing to the public.

There being no further questions or comments, the public portion of the hearing was closed.

*

**MOTION BY BOARD MEMBER WHEELER; SECONDED BY BOARD
MEMBER BANKHEAD TO RECOMMEND APPROVAL TO THE CITY**

**COUNCIL OF THE REQUESTED ZONING TEXT AMENDMENT
RELATED TO GYM AND FITNESS FACILITIES AS PROVIDED IN THE
PROPOSED ORDINANCE 02-2023.**

**AYES: SIMPSON, DOBRIN, BANKHEAD, CHABOT, GREENWOOD,
PARK, WHEELER, BURGESS, STEWART**

MOTION PASSED UNANIMOUSLY (9-0)

V. OTHER BUSINESS:

- 1. Tree Board Update**
- 2. Recent Development**
- 3. Open Discussion by Board Members**

Board member Greenwood asked if state law requires any arborist employed by the City to be certified and licensed. In response, Mr. Smith stated no, the City requires their arborists to be licensed.

Board member Greenwood asked staff, in the future, if an oak tree is being considered for removal, if staff can identify what type of oak tree it is.

VI. NEXT MEETING DATE:

The next scheduled meeting for the Planning and Zoning Board will be held on Wednesday, May 3, 2023 at 6pm in Cocoa City Hall, 65 Stone St, Cocoa, FL 32922.

VII. ADJOURNMENT:

- * MOTION BY BOARD MEMBER GREENWOOD; SECONDED BY BOARD
MEMBER PARK TO ADJOURN THE REGULAR MEETING OF APRIL 5,
2023.**

**AYES: SIMPSON, DOBRIN, BANKHEAD, CHABOT, GREENWOOD,
PARK, WHEELER, BURGESS, STEWART**

MOTION PASSED UNANIMOUSLY (9-0)

MEETING WAS ADJOURNED AT 8:50 PM.

Justin Simpson, Chairperson

Respectfully Submitted By:

Monica Arsenault, Recording Secretary

CONSTRUCTION PLANS
for A SMALL SCALE SITE PLAN APPLICATION
ADVANTAGE SELF STORAGE

TOWNSHIP 24 SOUTH, RANGE 35 EAST, SECTION 12
COCOA, FLORIDA
TAX ACCT. NO. 2404120, PARCEL ID. 24-35-12-00-759

GOVERNING SPECIFICATIONS

1. FOOT STANDARD SPECIFICATIONS FOR ROADS AND BRIDGE CONSTRUCTION, LATEST EDITION
2. FOOT STANDARD PLANS, LATEST EDITION
3. MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, LATEST EDITION
4. CITY OF COCOA LATEST SPECIFICATIONS AND DETAILS
5. FLORIDA STORMWATER EROSION AND SEDIMENTATION CONTROL MANUAL (JULY 2018)

CITY OF COCOA NOTES

1. THREE SETS OF AS-BUILT DRAWINGS, A COMPLETE SET OF ORIGINAL TESTING REPORTS FOR THE ENTIRE PROJECT, AND A CITY OF COCOA AS-BUILT CERTIFICATION FORM (SIGNED AND SEALED BY THE EOR) MUST BE SUBMITTED BEFORE SCHEDULING A FINAL INSPECTION.
2. PAINTED PAVEMENT MARKINGS SHALL INCLUDE TWO APPLICATIONS, WITH SECOND APPLICATION A MINIMUM OF 14 DAYS AFTER FIRST APPLICATION. SECOND APPLICATION MUST BE APPLIED PRIOR TO FINAL INSPECTION OF PROJECT.
3. THE DEVELOPMENT AND USE OF THIS SITE WILL COMPLY WITH THE CITY OF COCOA'S PERFORMANCE STANDARDS.
4. ALL SIGNS MUST COMPLY WITH SIGN CODE OF THE CITY OF COCOA REGULATIONS. SIGNS CAN BE SUBMITTED FOR ZONING REVIEW WITH THE SITE PLANS OR CAN BE REVIEWED THROUGH THE BUILDING PERMIT PROCESS.
5. SITE PLAN REVIEW AND APPROVAL DOES NOT CONSTITUTE CITY APPROVAL OR REVIEW OF ANY PRIVATE PARTY DEED RESTRICTIONS, COVENANTS, PRIVATE EASEMENTS, OR OTHER PRIVATE AGREEMENTS. ANY CHANGES TO THE APPROVED PLANS MUST BE COORDINATED THROUGH THE CITY. THE APPLICANT ASSUMES THE RISK THAT THE SITE PLAN MAY REQUIRE ADDITIONAL CITY REVIEWS INCLUDING ENGINEERING REVISIONS OR OTHER APPLICABLE CITY REVIEW PROCESSES SHOULD ANY ACTION ENFORCE ANY SUCH RESTRICTION REQUIRES REDESIGN OF THE SITE.
6. ALL CONSTRUCTION SHALL CONFORM TO THE CRITERIA FOR WATER AND SANITARY SEWAGE SYSTEMS WITHIN THE CITY OF COCOA (LATEST EDITION).

RISK MANAGEMENT

THE USES PROPOSED AS PART OF THIS SITE PLAN DO NOT REQUIRE A SUBMITTAL OF A RISK MANAGEMENT PLAN PURSUANT TO U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) REGULATIONS AND SHALL NOT EXCEED EPA'S RISK MANAGEMENT PLAN (RMP) THRESHOLD QUANTITIES OF LISTED SUBSTANCES.

SURVEYOR NOTES

-THE BEARINGS SHOWN ARE BASED ON AN ASSUMED NORTH MERIDIAN, BEING S 00° 10' 48" W ALONG THE EAST LINE OF SE 1/4 SEC. 12-24-35

-ELEVATIONS SHOWN HEREON BASED ON NGVD23.
ORIGINATING BENCHMARK IS BREVARD COUNTY P.L.D. D1661

DELINEATION OF WETLANDS

-NO WETLANDS WERE FOUND TO EXIST ON THE PROPERTY. AS SUCH, DEVELOPMENT OF THIS SITE IS NOT EXPECTED TO REQUIRE ANY WETLAND PERMITTING OR MITIGATION.

EXISTING SOILS

SOIL TYPE: 28-IMBACALLEE SAND, 0 TO 2 PERCENT SLOPES (ENTIRE SITE)

PERMIT	NUMBER	DATE

SITE LIGHTING NOTE

SITE LIGHTING MUST CONFORM TO CITY OF COCOA PERFORMANCE STANDARD.

LIGHTING SHALL BE DESIGNED, INSTALLED, MAINTAINED, AND DIRECTED SO AS TO AVOID GLARE ON ADJOINING PROPERTIES AND RIGHTS-OF-WAY THROUGH THE USE OF SEMI-AND-FULL-CUT-OFF SHIELDS.

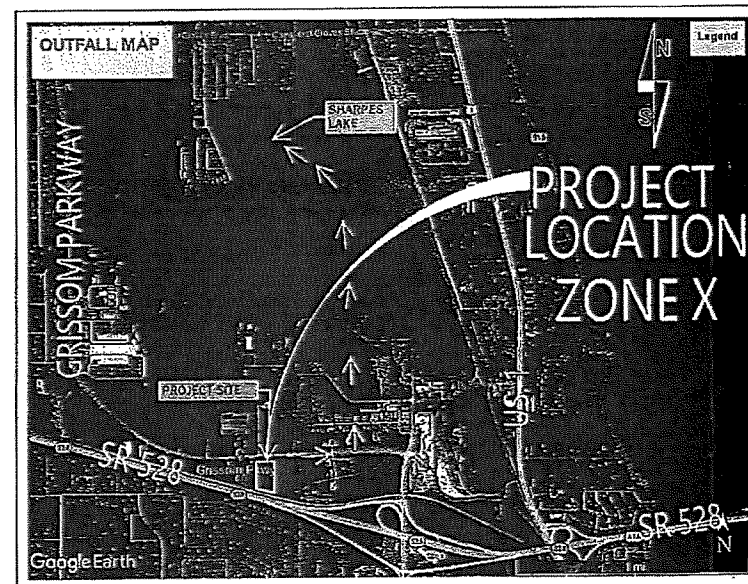
LANDSCAPE

LANDSCAPING FOR THE NEW FACILITY SHALL MEET THE CITY OF COCOA LANDSCAPE REQUIREMENTS.

GENERAL STATEMENT

1. THE OVERALL OBJECTIVE OF THIS PROJECT IS TO DEVELOP A STORAGE FACILITY THAT WILL EFFECTIVELY FACILITATE THE ACCOMMODATIONS OF EXISTING AND ADDITIONAL RESIDENTS TO THE CITY.
2. PUBLIC SEWER SYSTEM WILL BE UTILIZED.
3. STORM WATER MANAGEMENT SYSTEM FOR THE PROJECT WILL BE ACCOMPLISHED BY A SYSTEM OF OVERLAND FLOW AND UNDERGROUND PIPING, WHICH WILL COLLECT GENERATED RUNOFF AND CONVEY IT TO A PROPOSED DRY STORAGE POND. ULTIMATE DISCHARGE, AFTER TREATMENT AND DETENTION, WILL BE INTO THE EXISTING INLET ALONG NORTH SIDE OF THE SITE WITHIN THE GRISSOM PARKWAY RIGHT OF WAY.
4. FIRE PROTECTION WATER WILL BE SUPPLIED BY THE EXISTING AND PROPOSED FIRE HYDRANTS.
5. THE DRIVEWAY AND PARKING FACILITIES TO REMAIN PRIVATE.
6. TRASH RECEPTACLES MEETING CITY STANDARDS SHALL BE USED FOR REUSE STORAGE AND COLLECTION VIA "CURB SIDE PICK UP" BY WASTE MANAGEMENT.

NOTE: THIS IS FOR A SMALL SCALE SITE PLAN APPLICATION.



VICINITY MAP

SITE DATA

PARCEL ID: 24-35-12-00-759	sf	ac	%
TOTAL SITE AREA:	130,650	3.00	100.0%
TOTAL BLDGS (FOOTPRINT)	37,900		
DECK	0		
PERV CONCRETE	0		
REG PAVT/SIDEWALK	48,600		
RET AREA (BOTTOM)	14,925		
OPEN SPACE:	29,225	0.67	22.4%
IMPERVIOUS AREA			
IMPERVIOUS:	86,500	1.99	66.2%
PERVIOUS:	44,150	1.01	33.8%
TOTAL:	130,650	3.00	100.0%
BUILDING INFO:			
NO. OF BUILDINGS:	2		
NO. OF FLOORS:	3 Floors		
1ST FLOOR AREA (S.F.):	27,625	sf	
2ND FLOOR AREA (S.F.):	27,625	sf	
3RD FLOOR AREA (S.F.):	27,625	sf	
NO. OF FLOORS:	1 floor		
1ST FLOOR AREA (S.F.):	10,275	sf	
BUILDING COVERAGE:	29.0%		
BUILDING CONSTRUCTION:	CMU/METAL		
MAX. BUILDING HEIGHT (FT.):	FT.		FT.
REQUIRED:	60	PROPOSED	<41
ZONING INFO:			
FLUM DESIGNATION:	INDUSTRIAL		
CURRENT ZONING:	M-2 -> INDUSTRIAL		
REQUIRED:	REQUIRED	PROPOSED	
DENSITY (UNITS/ACRE):	N/A	N/A	
MINIMUM LOT SIZE (S.F.):	20,000	130,650	
SETBACK REQ:			
FRONT YARD (FT):	25	N/A	
SIDE YARD (FT):	0	N/A	
SIDE CORNER (FT):	0	N/A	
REAR YARD (FT):	0	N/A	
FLOOD INFO:			
FIRM MAP PANEL:	12009C0320H		1/29/2021
FLOOD ZONE:	X		
100 YR FLOOD ELEVATION:	N/A		
AREA 100 YR FLOOD EL (S.F.):	N/A		
AREA IMPACTED 100 YR FLOOD EL (S.F.):	N/A		
COMPENSATORY STORAGE (CF):			
REQUIRED:	N/A	PROVIDED:	N/A
PARKING REQ:			
SELF STORAGE FACILITY/ MANAGER OFFICE		REQUIRED	PROPOSED
1 SPACE/600 S.F.	2	2	
OFFICE			
STORAGE			
1 SPACE PER 50 UNITS (700 TOTAL)	14	15	
TOTAL SPACES	16	17	
OF WHICH (HC SPACES)	1	1	

PREPARED BY:

CCEI

CONSULTING CIVIL ENGINEERS, INC.

3650 BOBBY LANE, SUITE 119
TITUSVILLE, FLORIDA 32780
VOICE: (321) 269-9930
E-MAIL: INFO@CCEI71.COM

CERTIFICATE OF AUTHORIZATION
NUMBER 00007522

INDEX OF SHEETS

SHEET	DESCRIPTION
CS-1	COVER SHEET
SWPP	STORMWATER POLLUTION PREVENTION NOTES AND DETAILS
CD-001	GENERAL NOTES
CD-101	EROSION CONTROL AND SITE DEMOLITION PLAN
CS-101	SITE DEVELOPMENT PLAN
CG-101	GRADING AND DRAINAGE PLAN
CU-101	SITE UTILITY PLAN
CS-401 thru CS-402	SITE DETAILS
CG-401	SITE GRADING DETAILS AND SECTIONS
CU-401 thru CU-402	CITY OF COCOA UTILITY DETAILS
CU-403	LIFT STATION DETAIL
BC-1	BREVARD COUNTY NOTES
SURV L-1	TOPOGRAPHIC AND BOUNDARY SURVEY LANDSCAPE PLAN BY OTHERS

UTILITIES ENCOUNTERED

WATER: CITY OF COCOA UTILITIES _____ 639-7500
SEWER: CITY OF COCOA UTILITIES _____ 639-7500
STORM: ST. JOHNS R.W. MANAGEMENT _____ 984-4940
POWER: FLORIDA POWER & LIGHT (FPL) _____ 726-4801

REVISIONS

DATE BY

CITY APPROVAL AREA

PROJECT NO:

220513

START DATE:

08-06-22

CS-1

ADVANTAGE SELF STORAGE

CALL SUNSHINE:
1-800-432-4770
BEFORE YOU DIG
FOR UTILITY LOCATION

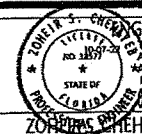


OWNER
ADG COCOA HOLDINGS LLC,
A COLORADO
LIMITED LIABILITY COMPANY
P.O. BOX 271107
LOUISVILLE, CO 80027

CLIENT
ADVANTAGE ADVISORS, LLC
P.O. BOX 271107
LOUISVILLE, CO 80027
PH (720) 220-7799

ENGINEER OF RECORD
CONSULTING CIVIL ENGINEERS, INC.
3650 BOBBY LANE, SUITE 119
TITUSVILLE, FLORIDA 32780
PH (321) 269-9930

SURVEYOR OF RECORD
ERIC NIELSEN LAND SURVEYING, INC.
12 STONE STREET
COCOA, FL 32922
PH 321-631-5554

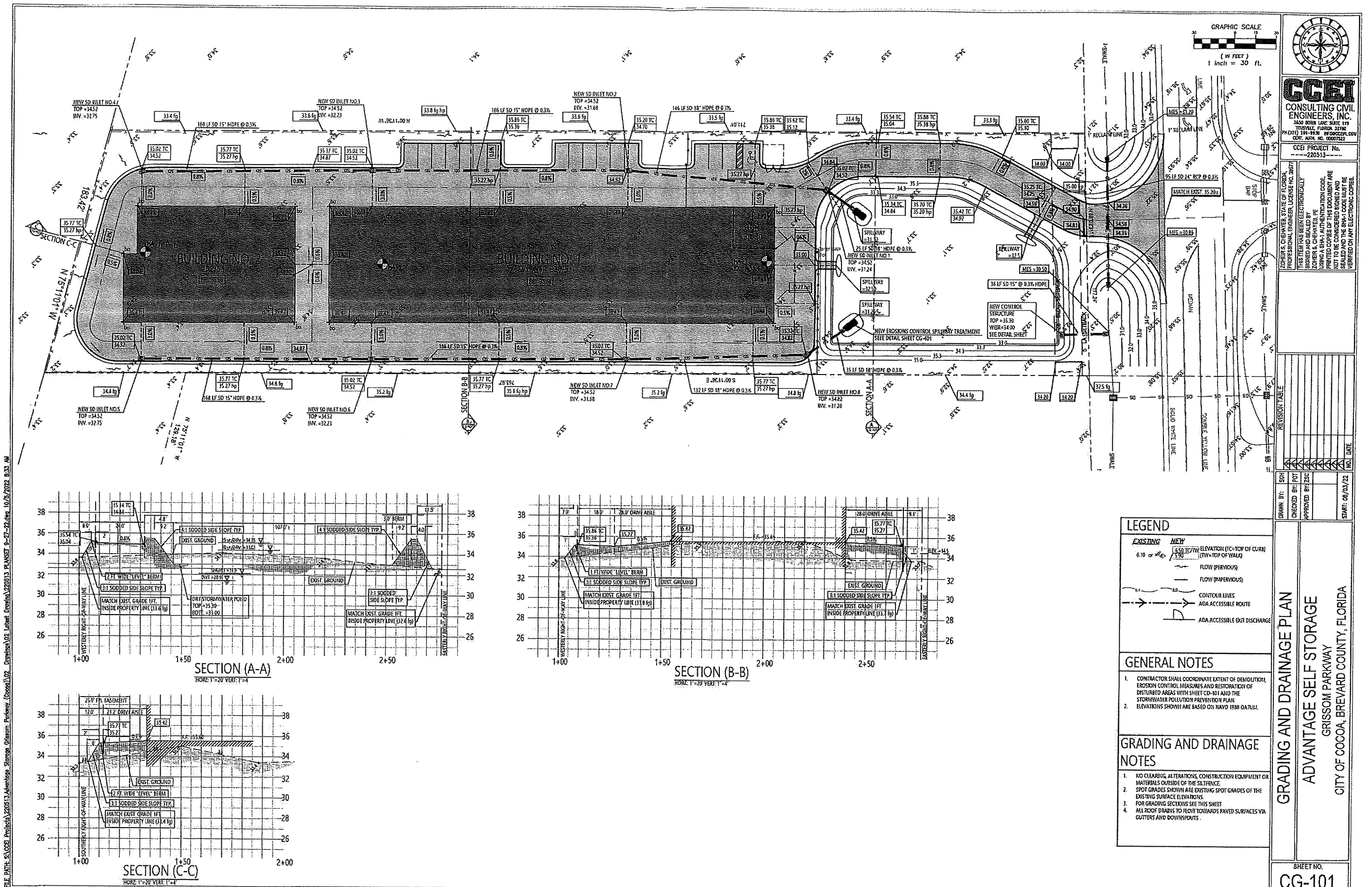


ENGINEER OF RECORD:

THIS ITEM HAS BEEN ELECTRONICALLY SIGNED
AND SEALED BY ERIC S. CHEYAYEB, P.E. USING
AUTHENTICATION CODE. PRINTED COPIES OF THIS
DOCUMENT ARE NOT TO BE CONSIDERED SIGNED
AND SEALED AND THE SIGNATURE MUST BE
VERIFIED ON ANY ELECTRONIC COPIES.

DATE

Exh. 1



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EXPERIENCE

October 2021- Planning & Zoning Manager
July 2022 Growth and Economic Development (Community Services), *City of Cocoa, FL*

Responsibilities included the administration and supervision of the Planning and Zoning Division which prepares, interprets, reviews, and advises the City of the planning development and zoning regulations. Serves as planning and zoning liaison for intergovernmental review and coordination. Drafts technical and regulatory reports, including but not limited to ordinances, staff reports, interlocal and development agreements. Makes presentations to City boards, stakeholder groups and the general public. Advises officials on project feasibility, cost-effectiveness, regulatory conformance, and possible alternatives; and discuss the purpose of land use projects such as transportation, conservation, residential, commercial, industrial, and other uses. Prepares and coordinates amendments to the City's Comprehensive Plan and Land Development Code. Provides technical support or serves as a technical expert to task forces, commissions and/or advisory committees. Researches grant sources and, in conjunction with the City's Grants Administrator, may prepare grant applications and oversee grant funded programs

April 2018- Land Development Manager/ Special Projects Coordinator
October 2021 *Merritt Island Redevelopment Agency – Brevard County Board of County Commissioners Community Redevelopment Agency, Merritt Island, FL*

Leading team member of the County's unique CRA, responsible for over one million in TIF annual income. Responsibilities vary greatly running the second highest urbanized and unincorporated area in the County, much like that of a city. Monthly Board of Director's meetings, securing over 2 million in grants from federal and local sources over the last three years and a first time ever 50-thousand-dollar donation as part of MIRA's most recent improvement initiatives.

July 2017- Planning & Zoning Manager
April 2018 *City of Cocoa, FL*

Responsibilities included the administration and supervision of the Planning and Zoning Division which prepares, interprets, reviews, and advises the public of the development and zoning regulations. The Planning & Zoning Manager supervises staff that provides information and technical assistance to members of the public, neighborhood groups, developers, and landowners as it relates to existing land use and zoning matters. The Planning & Zoning Manager also works on long range planning efforts in collaboration with Planning team and other city staff.

May 2009- Planning & Zoning Manager
July 2017 *Brevard County, FL*

Responsibilities included the day-to-day administration and supervision of the Planning and Zoning Department which prepares, interprets, reviews, and advises the public of the development and zoning regulations. The Planning & Zoning Manager supervises a team of planners that provide information and

technical assistance to members of the public, neighborhood groups, developers and landowners as it relates to land use and zoning matters. The Planning & Zoning Manager also works on long range planning efforts in collaboration with other County departments for effective implementation of planning activities such as the Comprehensive Plan. Performs managerial work under the direction of the Director of the Planning & Development Department.

December 2000- May 2009 **Planner I, II, III/ Assistant Zoning Manager**
Brevard County Planning & Zoning Office, Viera FL

Responsibilities included reviewing development and zoning related plans and applications. Providing information and assistance to the general public regarding the County's Land Development Code and Comprehensive Plan policies. Preparing land use analyses and code amendments. Exercising a high degree of professionalism and independent judgment. Representing items in front of the Local Planning Agency, Citizen Review Groups, Board of Adjustment and the Board of County Commissioners as directed.

January 2000- November 2000 **ADMINISTRATIVE ASSISTANT**
City of Austin, Austin Public Library System, Austin TX

Responsibilities included customer service, data entry and database management in a high-volume central branch.

March 1999- November 1999 **PROJECT COORDINATOR**
Carlson, Brigance and Doering, Inc. Austin, TX

Responsibilities included all aspects of processing preliminary subdivision plans and final plats with local municipalities and governments. Required knowledge of civil engineering, surveying, and land development regulations. Worked independently managing projects with clients, scheduling, addressing comments and submitting permits.

May 1998- March 1999 **ASSISTANT TO ENGINEERING DIRECTOR**
Travis County, Transportation and Natural Resources, Austin, TX

Responsibilities included preparing and tracking Commission agenda items, authoring correspondence, database management, researching data for various reports. Supervising four full-time administrative assistants in support of the planning, engineering, and natural resources staff.

July 1995- January 1998 **TECHNICAL ASSISTANT SUPERVISOR**
University of Central Florida Library, Serials Department, Orlando, FL

Responsibilities included all operations of the bindery unit, coordination of monthly out-of-state shipments, thesis and dissertation binding preparation, fiscal budgeting, and supervision of full-time and part-time technicians.

July 1994- June 1995 **SENIOR TECHNICAL ASSISTANT**
University of Central Florida Library – Serials Department, Orlando, FL

Served as a liaison through consultation and research services. Involved supervision of part-time staff, informational presentations, contract negotiation, and marketing. Oversight of the extensive document

delivery operation, preparation of invoices, record maintenance, generation of statistical reports and budget analysis.

**August 1992-
June 1994**

TECHNICAL ASSISTANT/CLAIMS CORRESPONDENT

University of Central Florida Library – Serials Department, Orlando, FL

A technically driven clerical position that handled acquisition of materials through online vendors and publishers. It required continuous creation and maintenance of library databases, and a familiarity of a periodical collection of over 4,000 titles.

EDUCATION

Master of Public Administration, MPA
Urban Planning Specialization
University of Central Florida, Orlando
May 1995

Bachelor of Arts, Journalism
Advertising/ Public Relations Specialization
University of Central Florida, Orlando
May 1990

SKILLS

Microsoft Office Suite Proficient
Microsoft Teams
Accela
Arc GIS Pro
Power Point

Sec. 19. - District and Intent—M2 Manufacturing and Industrial District.

The provisions of this district are intended to preserve the function of various industrial activities, warehousing and distribution without creating hazards or negatively influencing surrounding land uses. This district shall be located in areas accessible to collector or higher classification roadways and be served by public services and facilities. These districts shall be discouraged from locating next to areas designated for residential or low-intensity commercial uses.

- (A) **PRINCIPAL USES AND STRUCTURES.** The following uses and structures are permitted for any use or group of uses that are developed, either separately, or as a unit with certain site improvements shared in common:
- (1) Industrial uses, industrial processing, and manufacturing.
 - (2) Commercial greenhouses.
 - (3) Schools (industrial and vocational in nature).
 - (4) Storage facilities (excluding salvage yards), including automobiles, mobile homes, commercial vehicles and heavy equipment, building materials, general, refrigerated, and recreational vehicles pursuant to Appendix A, Article XIII, Sec. 5 of the Code of the City of Cocoa.
 - (5) Research facilities:
 - a. Where the use does not involve:
 1. Creation of excessive noise, fumes, dirt; or
 2. Damage or interference with other properties.
 - b. Where all work is done within an enclosed structure.
 - (6) Transportation facilities; passenger and/or freight.
 - (7) Warehousing and distribution.
 - (8) Mobile home repair facilities.
 - (9) Contractor's office and storage yard, except scrap materials. Outside storage shall be effectively screened on all sides to avoid any deleterious effect upon adjacent properties and right of ways.
 - (10) Sales or rental of new and/or used commercial vehicles and heavy equipment, major recreational equipment, and mobile homes as regulated by appendix A, article XIII, section 28 of the Code of the City of Cocoa.
 - (11) Limited commercial uses, as identified in this section, shall be permitted with the following conditions:
 - a. Commercial uses shall only be located on property having a minimum of one hundred fifty (150) feet of frontage along Grissom Parkway.
 - b. Commercial uses shall only be located within four hundred (400) feet of Grissom Parkway, as measured from the right-of-way line. All on-site commercial-related improvements, such as retention, parking, loading/unloading, etcetera, shall be contained within this four hundred (400) foot area. Retention areas may be provided outside of the four hundred (400) foot requirement if the proposed commercial use is part of a master planned industrial park with an associated retention system.
 - c. Commercial uses shall have no outdoor storage or display.
 - d. Commercial uses shall be limited to:
 1. Retail sales of carpet, tile, pool, furniture, construction products or materials sold directly to the end user (builder, installer, or homeowner).
 2. Restaurants located within one (1) principal structure, including the sale of beer and wine for on-site consumption only, with a minimum three thousand (3,000) linear feet spacing requirement between

restaurant uses as measured between the nearest property lines. This distance requirement shall not apply if the proposed restaurant is part of a master planned industrial park and the restaurant is located within four hundred (400) feet of Grissom Parkway.

3. Business service establishments.
4. Veterinary hospitals, clinics, and animal boarding facilities.
5. Indoor shooting ranges, with ancillary retail sales and restaurant subject to the requirements of subsection (A)(12)(d)2. of this section, shall be permitted with the following conditions:
 - a. All firing shall take place within a completely enclosed building.
 - b. Site plan applications for the development of an indoor shooting range shall include a plan by a Florida registered engineer demonstrating that the building is soundproof and appropriately designed for such use.

(B) ACCESSORY USES AND STRUCTURES.

- (1) Customary accessory buildings and uses are permitted; including operations required to maintain, or support any industrial use permitted in this district.
- (2) Office buildings as an accessory to primary use and structure.
- (3) Accessory retail sales on site.

(C) SPECIAL EXCEPTIONS.

- (1) Principal structures listed in subsection (A) exceeding sixty (60) feet in height.
- (2) Sewer lift stations, plants, power plants, and other utility activities.
- (3) Telecommunication towers and facilities.
- (4) Security trailers on public and private property.
- (5) Salvage yards, subject to the following provisions:
 - (a) *Enclosed storage area:* Salvage yards shall be within an enclosed storage area, which shall be a continuous fence or wall. Such enclosure, including any gates, shall be a minimum six (6) feet in height and be constructed of solid material that is opaque. All gates shall be kept closed at all times except when ingress and egress is being made to or from the storage space. No materials, equipment, supplies or other form of tangible personal property shall at any time be placed, stored, or kept within the storage space so as to exceed the height of the fence or wall constituting the enclosure, or so as to be visible from adjoining properties or from any public right-of-way.
 - (b) *Vegetative buffer:* In addition to conditions set forth in paragraph (C)(4)(a) above and requirements set forth in Article XIII, Section 22, the outside portion of an enclosure (the side nearest and facing abutting property) shall contain a vegetative buffer along its entire perimeter. Such buffering shall consist of decorative shrubs and bushes with a minimum height of three (3) feet to form a visual screen with a density of eighty percent (80%) opacity within two (2) years of planting. Additionally, there shall be one (1) tree with minimum two (2) inches dbh and grade of Florida #1 or better, planted every thirty-five (35) feet along said buffer area.
 - (c) *Residential zoning district buffer:* The outside portion of an enclosure (the side nearest and facing abutting property) shall have a minimum buffer of twenty-five (25) feet from any residential zoning district.
 - (d) *Unobtrusive in nature:* Salvage yards shall be designed to prevent any toxic or environmentally damaging spillage, leakage, or venting into the atmosphere, soil, aquifer, or any other ecosystem. Such salvage yard shall not be arranged as to promote a harboring of insects, vermin, or wild animals, nor present any hazard

to the general health and sanitation of surrounding properties and neighborhood. Said storage shall also be subject to Chapters 9 (Health and sanitation) and Chapter 10 (Junk) of the Code of the City of Cocoa.

- (6) Automotive repair, conducted within an enclosed structure. Repair bays shall not be permitted to face the right-of-way.
- (7) Hotels/motels, including accessory restaurants and gift sales contained within the confines of the hotel. Hotels/motels shall only be permitted on the south side of Grissom Parkway, with the following conditions:
 - (a) Minimum required lot size: Three (3) acres of usable uplands.
 - (b) Minimum required number of units: Twenty-five (25).
 - (c) Minimum required floor area of each unit: Four hundred (400) square feet.
 - (d) A minimum of ten (10) semi-trailer truck parking spaces shall be required on-site.
 - (e) No permanent residency shall be permitted.
 - (f) On-site staffing shall be available twenty-four (24) hours a day.
 - (g) Daily housekeeping service, at no additional cost to the customer, shall be required.
- (8) Retail automotive gasoline/fuel sales and accessory convenience stores and restaurants subject to the following conditions:
 - (a) Minimum required lot size: One-and-a-half (1.5) acres of usable uplands.
 - (b) Minimum required floor area of principal structure: Two thousand (2,000) square feet.
 - (c) Access: Retail automotive gasoline/fuel sale uses shall be located on arterial roadways or on corner lots at intersections of collector roads or roads of higher functional classification.
 - (d) Minimum spacing shall be four thousand (4,000) linear feet between retail automotive gasoline/fuel sales uses, as measured between the nearest property lines.
 - (e) Minimum number of required gas pumps: Eight (8). A minimum of twenty-five percent (25%) of all on-site pumps shall be diesel, and all diesel pumps shall be accessible to semi-trailer trucks.
 - (f) A semi-trailer truck wash shall be permitted, as an accessory use to the retail gasoline/fuel sales use, if located to the rear of the principal structure.
- (9) Outdoor firearm testing facility, when ancillary to a permitted firearm manufacturing use, subject to the following conditions:
 - (a) No sales or consumption of alcoholic beverages shall be permitted on the property.
 - (b) Hours of operation shall be established for each outdoor firearm testing facility. No nighttime testing shall be permitted.
 - (c) Measures shall be implemented to mitigate the sound impacts of the facility to the surrounding community. Noise impacts caused by the facility shall not exceed 40 dBA. Outdoor sound testing shall be performed on a semi-annual basis or more frequently, as determined necessary by Cocoa, to ensure compliance with this subsection. Said sound testing shall be in accordance with American Society for Testing and Materials (ASTM) standards.
 - (d) The following shall be submitted with all applications for an outdoor firearm testing facility special exception permit for informational purposes only:
 - (i) A list of the types of firearms, ammunition, and shooting to be allowed at the facility.
 - (ii) All existing and proposed structures and appurtenances on the range including landscaping, screening, buildings, driveways, parking areas, walkways, utilities, etc.

- (iii) Information pertaining to firing lines, firing positions, target lines, shotfall zones and related data.
 - (iv) The location, composition and dimensions of all baffles, safety berms, backstops and related safety features.
 - (v) Other information deemed necessary by the Community Development Director.
- (10) Outdoor propulsion testing facilities, used for testing of aircraft, space vehicle, or guided missile engines and propulsion units, subject to the following conditions:
- (a) Testing shall not include launching rockets, aircraft, engines or propulsion units of any kind.
 - (b) Hours of operation shall be established for each outdoor propulsion testing facility. No nighttime testing shall be permitted.
 - (c) No more than five (5) test firings per day may be performed.
 - (d) Measures shall be implemented to mitigate the sound impacts of the facility to the surrounding community. Noise impacts caused by the facility shall not exceed 90 dBA when measured at or within the property boundary nearest to the test area. Outdoor sound testing shall be performed on a semi-annual basis or more frequently, as determined necessary by Cocoa, to ensure compliance with this subsection. Said sound testing shall be in accordance with American Society for Testing and Materials (ASTM) standards. Testing conducted in accordance with this subsection shall not be considered a noise disturbance under section 13.5-23 of this Code.
 - (e) Testing shall not be conducted that will impact environmentally sensitive lands where habitats for protected or endangered species are likely to be found.
 - (f) A written safety plan developed for each different type of propulsion engine shall be submitted fourteen (14) business days prior to commencing testing for each type of propulsion engine, which includes the following information:
 - (i) Exact location of the test site, including distances from adjacent buildings and structures, and description of supporting or anchoring structures used to conduct test firings;
 - (ii) Number of tests to be performed per day and length of each test;
 - (iii) Type of propulsion engine;
 - (iv) Noise expected to be generated by the test firings;
 - (iv) Description of the fuel to be used in the engine or propulsion unit and during testing;
 - (v) Location and protocol for storage of fuels or other combustible components of the engine or propulsion unit;
 - (vi) Description of test operations and safety controls, including automatic and manual shut-off or abort mechanisms; physical safety and/or sound barriers to be used during testing; procedures to limit pedestrian and observer access during testing; and emergency procedures, including fire and evacuation procedures; and
 - (vii) Identification of smoke or fumes that may impact nearby properties.

Review and approval of the written safety plan by the city fire chief, or his or her designee, shall be required. The written safety plan shall be subject to on-going monitoring by the city fire chief and shall be subject to modification by the city to adequately address safety concerns. A special exception issued under this subsection shall be subject to suspension or revocation by the city council, after written notice and hearing, if the outdoor propulsion testing facility is found in violation of the conditions of the written safety plan.

(g) A site plan shall be required in accordance with article XIII, Supplementary District Regulations, section 1.

- (i) Exact location of the test site, including distances from adjacent buildings, structures, and rights of way shall be depicted.
- (ii) Supporting and or anchoring structures used to conduct test firings shall be clearly delineated on the site plan, to include any sound or exhaust deflectors.
- (iii) Exhaust area(s) from test firings shall be depicted.

(D) PROHIBITED USES AND STRUCTURES.

- (1) All uses not specifically or provisionally permitted herein.
- (2) Production of materials by nuclear fusion.
- (3) Rendering or refining of fats and oils, and poultry and animal slaughtering and dressing.
- (4) Adult entertainment establishments and sexually-oriented businesses.
- (5) Residential land uses.
- (6) Sales or rental of new and/or used automotive vehicles.

(E) BULK REGULATIONS.

- (1) Minimum lot area: Twenty-thousand (20,000) square feet.
- (2) Minimum lot width: One-hundred (100) feet.
- (3) Minimum lot depth: Two-hundred (200) feet.
- (4) Maximum lot coverage: One hundred percent (100%) except for required yards, retention areas, and off-street parking and loading requirements.
- (5) Maximum building height: Sixty (60) feet, except as provided by special exception.
- (6) Minimum building size: Three hundred (300) square feet. All proposed uses shall require a principal structure with permanent foundation, roof, and walls.

(F) MINIMUM YARD REQUIREMENTS.

- (1) Special yard setback: Zero (0) feet, where a lot line abuts railroad rights-of-way or tracks.
- (2) Front setback: Twenty-five (25) feet.
- (3) Side interior lot setback: None, except twenty-five (25) feet if abutting a residential zoning district.
- (4) Side corner lot setback: Fifteen (15) feet.
- (5) Rear setback: Fifteen (15) feet, except twenty-five (25) feet if abutting a residential zoning district.

(Ord. No. 2-2001, § 1, 1-23-01; Ord. No. 06-2007, §§ 2, 4, 3-13-07; Ord. No. 05-2013, § 2, 3-26-2013; Ord. No. 10-2017, § 2, 8-8-2017; Ord. No. 04-2019, § 2, 5-8-2019; Ord. No. 06-2020, § 2, 7-8-2020)

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Details Reports

File #:	23-144	Version: 1	Name:	
Type:	Agenda		Status:	Agenda Ready
File created:	2/22/2023		In control:	Planning and Zoning / Local Planning Agency
On agenda:	3/1/2023		Final action:	

Title: Consideration of a Large-Scale Site Plan consistent with Appendix A, Zoning, Article XI, Section 19, Manufacturing and Industrial District (M-2) to allow construction of a storage facility for recreational vehicle parking with associated infrastructure on a 9.66-acre portion of a site identified as Parcels 24-35-12-00-760, 24-35-12-00-766, 24-35-12-00-778, 24-35-12-00-779, 24-35-12-00-780 through the Brevard County Property Appraiser. .End .body body BACKGROUND: Project Name: Grissom Parkway Storage Project No: PZ-22-00200012 Applicant: Tannath Design, Inc. Bryan Potts 2494 Rose Spring Drive Orlando, FL, 32825 Property Owner: OSG Storage Cocoa, LLC Thomas Martucci 2277 Lee Road, Suite B Winter Park, FL, 32789 Project Location: The subject property is comprised of five separate parcels located south of Grissom Parkway and north of State Road 528. The property is identified by the Brevard County Property Appraiser as Parcel ID 24-35-12-00-760, 24-35-12-00-766, 24-35-12-00-778, 24-35-...

Attachments: 1. [Exhibit A - Location Map](#), 2. [Exhibit B - Zoning Map](#), 3. [Exhibit C - Future Land Use Map](#), 4. [Exhibit D - Site Plan](#), 5. [Exhibit E - Application](#), 6. [Legal Ad 2-22-23.pdf](#), 7. [Hydraulic Report for Grissom Parkway Storage Revised 12-29-22.pdf](#), 8. [Landscape Plans.pdf](#), 9. [Photometric Plan.pdf](#), 10. [Traffic Letter.pdf](#), 11. [Geotech Report.pdf](#), 12. [Stormwater Report.pdf](#), 13. [Grissom Pkwy. 9.67 Acres Env. Rpt.pdf](#), 14. [TSR - Grissom.pdf](#)

History (0) Text

PLANNING & ZONING BOARD/LOCAL PLANNING AGENCY AGENDA ITEM

Memo Date: February 6, 2023
 Agenda Date: March 1, 2023
 Prepared By: Justin Lee - Senior Planner
 Through: Bryant Smith III, P.E., CFM - Interim Growth and Economic Development
 Director

Requested Action:

Consideration of a Large-Scale Site Plan consistent with Appendix A, Zoning, Article XI, Section 19, Manufacturing and Industrial District (M-2) to allow construction of a storage facility for recreational vehicle parking with associated infrastructure on a ±9.66-acre portion of a site identified as Parcels 24-35-12-00-760, 24-35-12-00-766, 24-35-12-00-778, 24-35-12-00-779, 24-35-12-00-780 through the Brevard County Property Appraiser.

BACKGROUND:

Project Name: Grissom Parkway Storage
Project No: PZ-22-00200012
Applicant: Tannath Design, Inc. Bryan Potts 2494 Rose Spring Drive Orlando, FL, 32825
Property Owner: OSG Storage Cocoa, LLC Thomas Martucci 2277 Lee Road, Suite B Winter Park, FL, 32789
Project Location: The subject property is comprised of five separate parcels located south of Grissom Parkway and north of State Road 528. The property is identified by the Brevard County Property Appraiser as Parcel ID 24-35-12-00-760, 24-35-12-00-766, 24-35-12-00-778, 24-35-12-00-779, 24-35-12-00-780 and is depicted within Exhibit A - Location Map.
Public Notice Advertised in the newspaper on February 22, 2023.

Project Information:

The applicant is proposing to construct a recreational vehicle (RV) storage facility within the Manufacturing and Industrial Zoning District (M-2). RV Storage facilities are an allowed use within this Zoning District. The project proposes two enclosed RV storage buildings, an office, covered recreational vehicle storage, open-air RV storage, and the associated infrastructure related to the construction of this site. The Office Building is 640 SF, but the square footage less then restroom and storage areas is about 360 SF. The enclosed RV storage is 51,750 SF. The remaining open-air and canopy RV storage areas are 85,150 SF. The site overview is provided as Exhibit D.

Future Land Use Designation: Industrial/Conservation
Zoning District: Manufacturing and Industrial (M-2)
Existing Land Use: Vacant Land
Council District: District 3 - Councilmember Rip Dyal

Please see the existing site and surrounding zoning and future land uses on the map included as Exhibits "B" and "C"

Overview of Surrounding Area:

	Future Land Use Designations	Zoning Districts	Land Uses
North	Industrial	M-2	Vacant
South	Unincorporated County	Unincorporated County	Single Family Residence south of SR 528
East	Industrial/Conservation	M-2	Manufacturing
West	Industrial	M-2	Manufacturing

I. Site Plan Analysis

"Consistent with Appendix A, Article XIII, Section 1(D), "All site plans shall be required to meet all current applicable code requirements."

Consistency with the Code of the City of Cocoa

The Development Review Committee, consisting of the Building Official, the Code Enforcement Manager, the Environmental Control Coordinators, the Fire Department Chief and/or Inspector, the Planning & Zoning Manager and/or staff, the Public Works Director, and the Utilities Director, have reviewed the site plan and determined that it generally meets the minimum requirements of all applicable City Code requirements.

The site is 9.66 acres. The maximum impervious area is .90 and .725 is provided. A maximum of 1.0 FAR is allowed, and 0.315 is provided.

Building setbacks required are:

Front:	25 feet
Side Interior:	None, except 25 feet if abutting a residential zoning district.
Side Corner:	15 feet
Rear:	15 feet

These setbacks have been satisfied.

The maximum height allowed by the zoning code is 60 feet and the highest building is 20 feet.

The project is required to provide parking in accordance with Appendix A, Zoning, Article XII, Off Street Parking. There is no specific parking requirement established in the City Code for RV storage uses. However, Section 1(d)(41) was utilized since it provides similar requirements for RV storage when combined with self-service storage facilities. Per Section 1(d)(44), when a use is not specifically defined, a similar use can be utilized. Self-service storage parking requirements are the most similar use provided. Section 1(d)(41) provides: *Storage facilities*. One (1) space for every thousand (1,000) gross square feet of floor area. **Self-service storage facilities shall have one (1) parking space for the office manager, one (1) parking space for each six hundred (600) square feet of office space, one (1) parking space for each fifty (50) storage units, and one (1) parking space for each 5,000 square feet of major recreational equipment storage area.** Since all of the storage units are for major recreational equipment, the 1 parking space for each 5,000 square feet of major recreational equipment storage area standard was used. The site plan provides 2 handicapped parking and 27 regular parking spaces, for a total of 29 spaces. Based on the RV storage standard, a total of 29 spaces would be required, which is met by the site plan provided by the applicant. Calculations are provided below:

136,900 SF RV Parking X 1 spot/5000 SF =	27.38 Spots
360 SF Office X 1 spot/600 SF =	0.60 Spots
<u>1 Spot for office manager =</u>	<u>1 Spot</u>
Total =	28.98 Spots

Landscaping and tree removals are addressed in the Site Plan. The site was previously cleared in the 1980s and tree mitigation requirements are met through the landscaping plans. Landscaping has been provided to concentrate trees on the frontage of the property along Grissom Parkway, the stormwater pond, and the perimeter of the site.

Consistency with Comprehensive Plan Policies and Objectives

Future Land Use Element, Policy 1.1.2.13: The Conservation Future Land Use Category is intended to protect environmentally sensitive natural resource systems as defined in Chapter 163 Part II F.S.

B. The boundaries of the Conservation Future Land Use category may be adjusted to be consistent with a wetland jurisdictional line determination by the SJRWMD without the need for a comprehensive plan amendment. In those areas initially presumed but later determined not to be classified as a wetland will take on the future land use category assigned to the upland portion of the development site.

Staff Response: The current boundaries of the Conservation FLU are not within the jurisdictional line determination of the wetlands onsite. Therefore, the upland portion of the site is to be considered Industrial, which is the future land use category assigned to the rest of the development site.

Future Land Use Element, Comprehensive Plan, Policy 1.1.2.10: Industrial (IND): Industrial areas shall be regarded as appropriate for activities associated with industrial development, which can include materials processing, materials assembly, product manufacturing, and storage of finished products. Uses can include manufacturing facilities, warehouse distribution centers and truck terminals.

Staff Response: The proposed use of RV Storage will serve the surrounding neighborhoods to provide additional storage options in this area.

Conservation Element, Policy 12.1.6.15: Wetlands and wetland functions shall be protected and conserved by restricting direct and indirect development impacts.

C. New development and redevelopment with no significant impact. New development and redevelopment having no significant impact on the net wetland functions shall be permitted.

Staff Response: The proposed project has 5 isolated wetlands that will be impacted by this project. The wetlands, as determined by the St. Johns River Water Management District, do not necessitate mitigation. The wetlands were determined not to be used by endangered or threatened species, are not located in an "area of critical state concern", are not connected by standing or flowing surface water at the seasonal high water level to one or more wetlands, and do not provide more than a minimal value to fish and wildlife. Therefore, no significant impact on wetland functions is present since the wetlands are not considered significant.

E. Upland buffers.

1. General. Upland buffers are considered an integral component of a functioning wetland and shall be afforded the same types and levels of protection as the wetland itself. Upland buffers shall not be developed, cleared, or landscaped that would decrease their effectiveness in supporting wetland functions, and shall not include turfed, landscaped, or impervious surfaces.

2. Minimum width. Where wetlands exist, upland buffers shall be provided at a minimum width of fifteen (15) feet and an average width of twenty-five (25) feet beyond the perimeter of the wetland.

Staff Response: Existing wetlands on-site will be impacted. The wetlands will be removed from the site with no required mitigation per the response as part of Conservation Element, Policy 12.1.6.15. No upland buffers will be provided since no wetlands will exist post development.

Conservation Element, Objective 12.1.9: Floodplain Management. The City shall protect the flood storage and conveyance functions of the 100-year floodplain.

Policy 12.1.9.1: In order to reduce the adverse consequences of floodplain development and simultaneously encourage the conservation of natural habitat, the City's Flood Damage Prevention ordinance shall be updated as needed to maintain compliance with the National Flood Insurance Program and to discourage construction in the floodplain, unless the proposed construction is expressly authorized by this Comprehensive Plan. Developmental plans shall preserve the natural functions of floodplains when practical. The provision of compensatory storage for fill placed within the floodplain shall be allowed only when the applicant demonstrates the absence of adverse consequences of compensatory storage and demonstrates compliance with other applicable provisions of this Comprehensive Plan.

Policy 12.1.9.2: Developers shall be encouraged to incorporate those portions of sites that are within the 100-year floodplain as open space preservation.

Staff Response: The proposed site is not within the 100-year floodplain.

Conservation Element, Policy 12.1.6.6: The City shall protect species which are listed as Endangered, Threatened or a Species of Special Concern by the Florida Fish and Wildlife Conservation Commission, the U.S. Fish and Wildlife Service or the Florida Committee on Rare and Endangered Plants and Animals (FCREPA) and shall not approve any development which proposes to destroy natural vegetative communities known to provide habitat to listed species except where the developer has submitted a management plan which minimizes adverse effects on the species to the greatest extent possible. The management plan shall be approved by St. John's River Water Management District.

Policy 12.1.6.12: The City shall protect the habitat of gopher tortoises, gopher frogs, eastern indigo snakes, eagles, ospreys, alligators, pileated woodpeckers, manatees, and river otters.

Staff Response: An Environmental Report was provided indicating that the project does not anticipate impacting the species listed as part of the US Fish and Wild Service, Florida Fish and Wildlife Conservation Commission, and Florida Department of Agriculture and Consumer Services Regulatory Reviews.

Concurrency Management/Adequate Public Facilities

Wastewater

The proposed project will not exceed the City of Cocoa Wastewater System capacity.

Stormwater Management

The Level of Service (LOS) for Stormwater Management is as follows:

Design Storm Event	25-year frequency/24-hour duration event
On-site Stormwater Management:	Retention of the first one inch of rainfall for areas of more than one acre.
Stormwater Quantity:	Post development Stormwater runoff flow rates, quantities, peaks, and velocities shall be equal to or less than levels that existed prior to development.
Stormwater Quality:	No significant degradation of water quality in receiving water bodies.

Staff Response: The proposed project meets or exceeds the City of Cocoa Stormwater Requirements. The project will require a SJRWMD Permit prior to the start of construction.

Potable Water

Policy 7.1.1.3:

The City shall issue no development orders or permits without first determining whether adequate water supplies to serve the development will be available no later than the anticipated date of issuance by the City of a certificate of occupancy or its functional equivalent. The City will also ensure that adequate water supplies and facilities are available and in place prior to issuing a certificate of occupancy or its functional equivalent.

Staff Response: The Utilities Department has reviewed the proposed project and capacity is available.

Solid Waste

Policy 5.1.1.3: The City shall ensure adequate equipment to maintain the following level of service standard for solid waste collection:

Solid Waste	Disposal (Brevard County Landfill) Cocoa Distribution Rate: 1.2 tons per capita per year
	Collection Residential: 1 to 2 times per week as needed, each household Non- residential: 2 to 6 times per week as needed, each location Green Waste and Recyclable: Once per week

Staff Response: Staff finds that this project will not exceed this LOS standard.

Roadways (Transportation)

The main entry/exit location for this project is located on Grissom Parkway.

Policy 2.1.1.1 of the City's Transportation Element: The City shall maintain for the purpose of issuing building permits and development orders the following list of major roadway facilities: Grissom Parkway has Minimum LOS E. Utilizing the ITE Code 151 Mini-Warehouse (ITE Trip Generation, 11th Edition), the following is the Engineer's Trip Generation Estimate for the Project:

- Average Daily Trips: 75
- PM Peak Hour Trips: 12
- AM Peak Hour Trips: 7

A Traffic Impact Analysis was performed for this project and indicated all study segments will continue to operate at a satisfactory LOS.

BUDGETARY IMPACT:

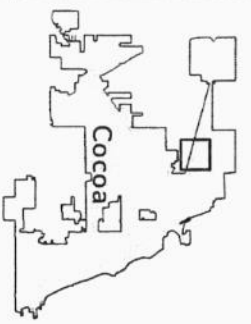
N/A

PREVIOUS ACTION:

N/A

RECOMMENDED MOTION:

Staff recommends APPROVAL of a Large-Scale Site Plan consistent with Appendix A, Zoning, Article XI, Section 19, Manufacturing and Industrial District (M-2) to allow construction of a storage facility for recreational vehicle parking with associated infrastructure on a ±9.66-acre portion of a site identified as Parcels 24-35-12-00-760, 24-35-12-00-766, 24-35-12-00-778, 24-35-12-00-779, 24-35-12-00-780 through the Brevard County Property Appraiser.



PARCEL OVERVIEW MAP

February 16, 2023

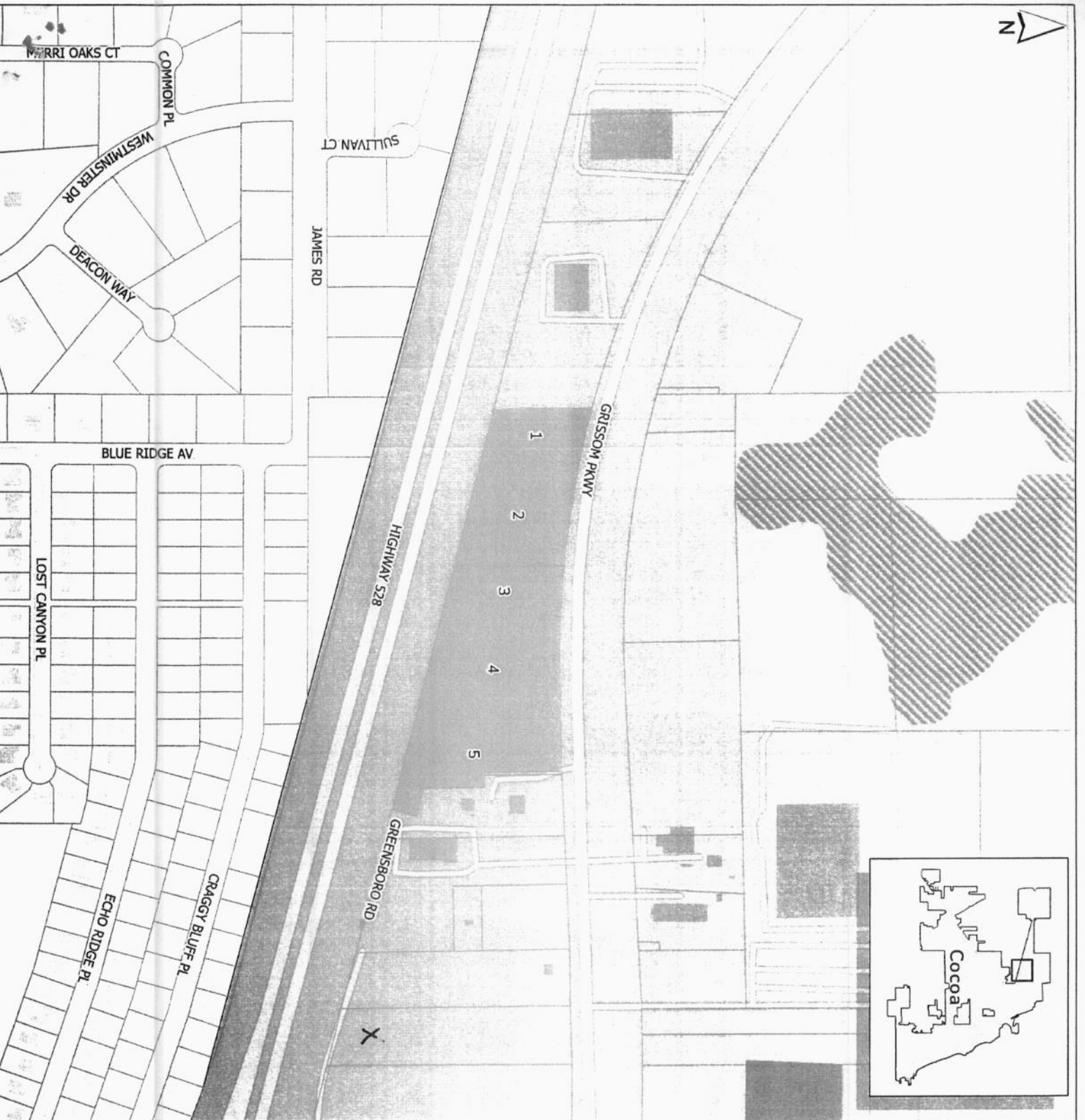
Subject Parcels

Parcels

Cocoa City Boundary

Map ID	Parcel ID
1	24 3512-00-766
2	24 3512-00-780
3	24 3512-00-779
4	24 3512-00-778
5	24 3512-00-760

0 200 400 Feet



GRISSOM PARKWAY STORAGE

LARGE SCALE SITE PLAN

3300 GRISSOM PARKWAY
COCOA, FL 32926

PARCEL ID #'s 24-35-12-00-760, 24-35-12-00-766, 24-35-12-00-778,
24-35-12-00-779, & 24-35-12-00-780

ENGINEER:

TANNATH DESIGN, INC.
2494 ROSE SPRING DRIVE
ORLANDO, FL 32825
(407) 375-2474
CONTACT: Bryan Potts, P.E.

OWNER:

OSG STORAGE COCOA, LLC
2277 LEE ROAD, SUITE B
WINTER PARK, FL 32789

GEOTECH:

KSM ENGINEERING AND TESTING
11345 US HIGHWAY 1
SEBASTIAN, FL 32958
(772) 589-0712
CONTACT: Cody C. Clawson, P.E.

SURVEYOR:

ATWELL
1800 PARKWAY PLACE, SUITE 700
MARIETTA, GA 30067
(770) 423-0807
CONTACT: Clyde Eldridge, PSM

LANDSCAPE:

CADDSCAPES, INC.
432 NOWELL LOOP
DELAND, FL 32724
(407) 310-5567
CONTACT: Jason Bridgewater, RLA

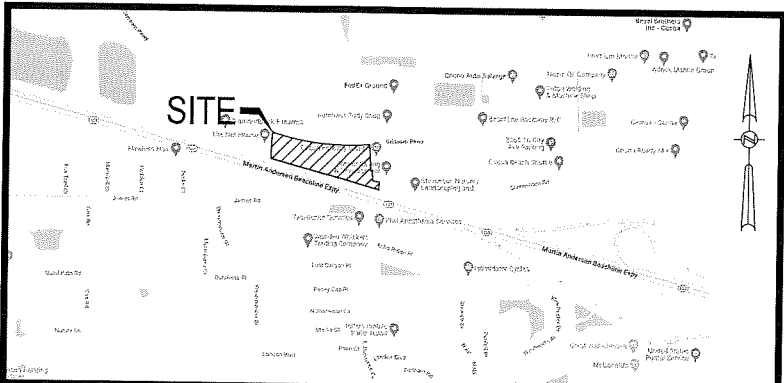
PREPARED FOR:
EDGE REALTY ADVISORS
2277 LEE ROAD, SUITE B
WINTER PARK, FL 32789
(407)435-8785

CONTACT: Thomas S. Martucci, MAI, CCIM

GENERAL STATEMENT:

THIS IS A 9.66 ACRE UNDEVELOPED INDUSTRIAL SITE WITH A 640 SF OFFICE, A 35,250 SF SINGLE STORY STORAGE BUILDING, A 16,500 SF STORAGE SINGLE STORY STORAGE BUILDING, 2- 31,482 SF OPEN CANOPIES, AND A 17,432 SF OPEN CANOPY. THE 2 STORAGE BUILDINGS WILL BE SPRINKLED. THE BUILDINGS WILL BE DEDICATED TO STORE RV'S. THE SITE WILL INCLUDE SIX PARKING STALLS AT THE OFFICE INCLUDING ONE ADA ACCESSIBLE, A DUMPSTER, DRY DETENTION POND, AND A DRIVEWAY CONNECTION TO GRISSOM PARKWAY.

SHEET INDEX OF DRAWINGS	
SHEET	NAME
CIVIL	
C-0.0	COVER SHEET
	BOUNDARY SURVEY
C-1.0	EROSION CONTROL & DEMOLITION PLAN
C-2.0	SITE PLAN
C-3.0	GRADING, PAVING AND DRAINAGE PLAN
C-4.0	UTILITY PLAN
C-4.1	BORE PROFILE
C-5.0	SECTIONS
C-5.1	SECTIONS
C-6.0	PAVING DETAILS
C-7.0	DRAINAGE DETAILS
C-8.0	UTILITY DETAILS
PH-1	PHOTOMETRIC PLAN
LANDSCAPE PLANS	
L-1	LANDSCAPE PLAN
L-2	LANDSCAPE PLAN
L-3	LANDSCAPE DETAILS
L-4	IRRIGATION PLAN
L-5	IRRIGATION PLAN
L-6	IRRIGATION DETAILS



LOCATION SKETCH

BREVARD COUNTY R.O.W. NOTES:

1. THE OWNER IS AWARE THAT THE ENGINEER OF RECORD (E.O.R.) SERVICES ARE NEEDED DURING THE CONSTRUCTION AND CLOSE-OUT PHASE OF THE PROJECT..
2. RIGHT-OF-WAY REVIEW AND APPROVAL DOES NOT CONSTITUTE COUNTY APPROVAL OR REVIEW OF ANY PRIVATE PARTY DEED RESTRICTIONS, COVENANTS, PRIVATE EASEMENTS, OR OTHER PRIVATE AGREEMENTS. ANY CHANGES TO THE APPROVED PLAN MUST BE COORDINATED THROUGH THE PUBLIC WORKS ENGINEERING PROGRAM. THE APPLICANT ASSUMES THE RISK THAT THE RIGHT-OF-WAY PERMIT MAY REQUIRE ADDITIONAL COUNTY REVIEWS INCLUDING ENGINEERING REVISIONS OR OTHER APPLICABLE COUNTY REVIEW PROCESSES SHOULD ANY ACTION TO ENFORCE ANY SUCH RESTRICTIONS REQUIRE REDESIGN OF THE PROJECT.
3. CONTRACTOR SHALL UTILIZE DITCHES, PIPES, AND/OR PUMPS AS NECESSARY TO MAINTAIN THE EXISTING DRAINAGE DURING ALL PHASES OF CONSTRUCTION. EXISTING DRAINAGE SHALL NOT BE BLOCKED OR ADVERSELY AFFECTED DURING CONSTRUCTION.
4. WHERE NEW PAVEMENT IS CONSTRUCTED ADJACENT TO EXISTING PAVEMENT, THE EXISTING ASPHALT SHALL BE SAW CUT AND REMOVED 12 INCHES FROM THE EDGE OF THE ASPHALT TO OFFSET THE ASPHALT/BASE COURSE JOINT.

CITY APPROVAL

THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY BRYAN POTTS ON THE DATE ADJACENT TO THE SEAL. PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.



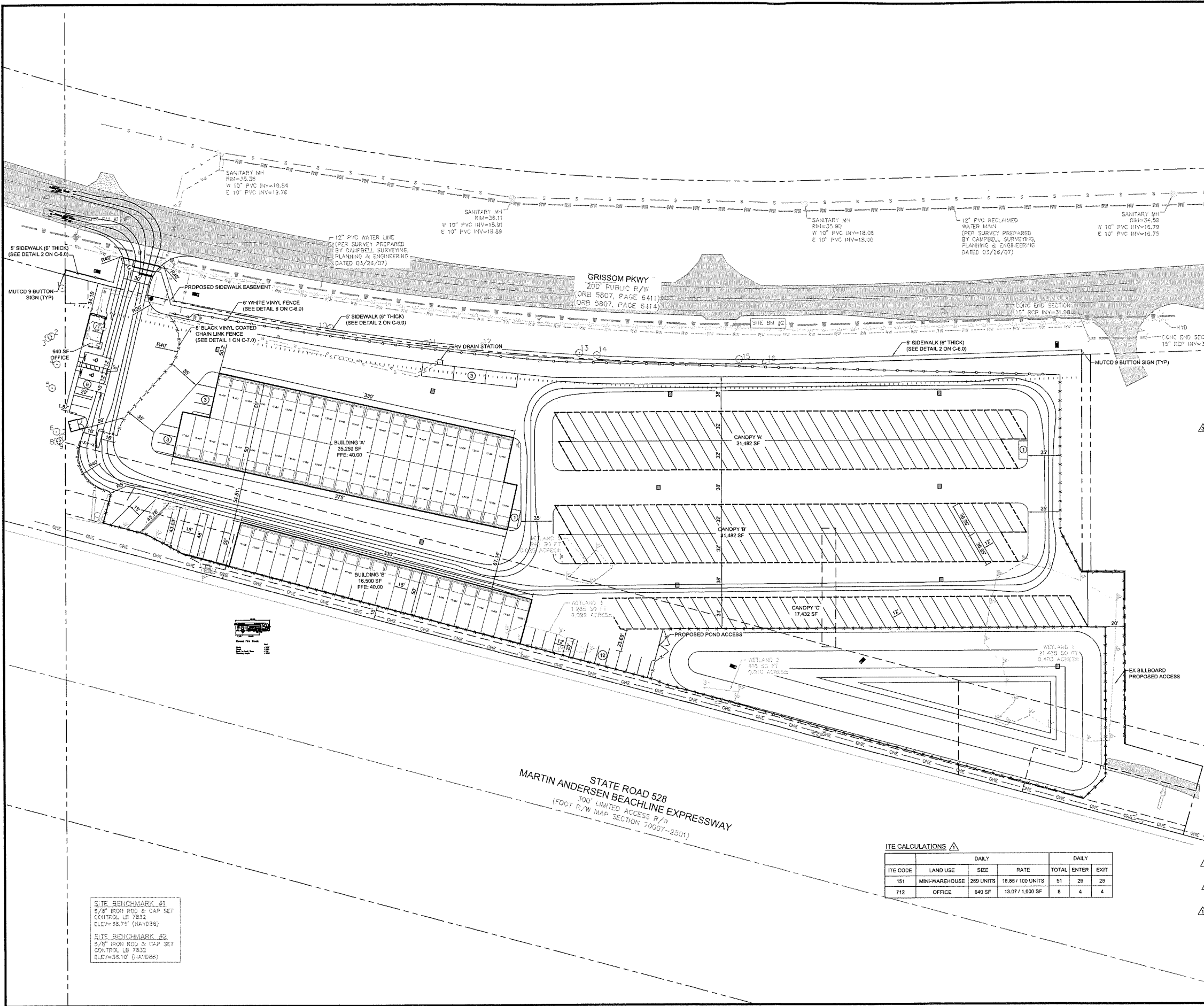
TANNATH DESIGN, INC.
2494 ROSE SPRING DRIVE
ORLANDO, FL 32825
(407) 375-2474
www.tannathdesign.com
FL CERT. OF AUTH. #27199



COVER SHEET
LARGE SCALE SITE PLAN
GRISSOM PARKWAY STORAGE
3300 GRISSOM PARKWAY
COCOA, FLORIDA

DATE	06/15/22
SCALE	NTS
DRAWN-BY	DDP
PROJECT NUMBER	102-002
C-0.0	
SHEET NO.	

Exh. 3



GRAPHIC SCALE

1"=50'

DATUM: NAVD83

SITE DATA

PROPERTY LOCATION: 3300 GRISSOM PARKWAY

PARCEL ID'S: 24-35-12-00-780, 24-35-12-00-786, 24-35-12-00-779, & 24-35-12-00-780

LOCAL MUNICIPALITY: CITY OF COCOA

FUTURE LAND USE: INDUSTRIAL (IND)

CURRENT ZONING: M-2

PROPOSED USE: RV PARKING

TOTAL OVERALL PARCEL AREA: 9.66 AC

IMPERVIOUS SURFACE RATIO: 305,338.8 / 420,883.8 = .725

PROPOSED FAR: .315

MIN. OPEN SPACE: 0%

PROPOSED OPEN SPACE: 27.5%

YARDS

FRONT (NORTH): 25'

SIDE (EAST): 0'

SIDE (WEST): 0'

REAR (SOUTH): 15'

BUILDING HEIGHT MAXIMUM 60'

SOILS

SOIL NUMBER	NAME	USDA TEXTURE	HYDROLOGIC GROUP
28	IMMOKALEE	SAND	B/D
36	MYAKKA	SAND	A/D
49	POMELLO	SAND	A
54	ST. JOHNS	SAND	B/D

SOILS DATA FROM USDA NRCS ONLINE SOILS SURVEY DATED AUGUST 25, 2021

FLOOD ZONE

THE SITE IS LOCATED IN FLOOD ZONE X, NOT A SPECIAL FLOOD AREA, PER FEMA F.I.R.M. PANEL 12009C022H, DATED JANUARY 29, 2021 BREVARD COUNTY, FLORIDA.

WETLANDS

THERE ARE NO WETLANDS LOCATED ON THE PROJECT SITE.

VEGETATION

THE SITE IS CURRENTLY A WOODED FIELD.

PARKING REQUIRED

STORAGE FACILITY 103,240 SQ. FT. X (1 SPACE PER 250 SQ. FT.) 8 SPACES

TOTAL PARKING REQUIRED 8 SPACES

PARKING PROVIDED

STANDARD PARKING SPACES 27 SPACES

HANDICAPPED PARKING SPACES 2 SPACES

TOTAL PARKING PROVIDED 29 SPACES

STORAGE PARKING

	(35,250 SF)	(16,500 SF)	(31,482 SF)	(31,472 SF)	(17,432 SF)
BUILDING A	47 SPACES	22 SPACES	71 SPACES	71 SPACES	37 SPACES
BUILDING B	22 SPACES	71 SPACES	71 SPACES	37 SPACES	7 SPACES
CANOPY A	22 SPACES	71 SPACES	71 SPACES	37 SPACES	7 SPACES
CANOPY B	22 SPACES	71 SPACES	71 SPACES	37 SPACES	7 SPACES
CANOPY C	22 SPACES	71 SPACES	71 SPACES	37 SPACES	7 SPACES
OPEN RV SPACE	22 SPACES	71 SPACES	71 SPACES	37 SPACES	7 SPACES
STORAGE PARKING PROVIDED	225 SPACES				

STORMWATER MANAGEMENT:

STORMWATER FACILITIES SHALL BE DESIGNED AND PERMITTED IN ACCORDANCE WITH THE CITY OF COCOA AND ST. JOHNS RIVER WATER MANAGEMENT DISTRICT.

GENERAL SITE NOTES:

- THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL PERMITS PRIOR TO START OF CONSTRUCTION.
- ALL DIMENSION ARE FROM THE FACE OF CURB.
- ALL RADII ARE 3' UNLESS OTHERWISE NOTED.
- ALL EXISTING UTILITIES SHALL BE FIELD VERIFIED AT ALL POINTS OF CONNECTION AND AREAS OF CONFLICT.
- ALL PUBLIC IMPROVEMENTS, INCLUDING ADJACENT SIDEWALKS, WILL BE CHECKED AT FINAL INSPECTION. ANY DAMAGED, BROKEN, OR CRACKED SECTIONS SHALL BE REPLACED PRIOR TO ISSUANCE OF CERTIFICATIONS OF OCCUPANCY.
- ALL CONSTRUCTION SHALL MEET CITY REQUIREMENTS.
- ALL SITE IMPROVEMENTS SHALL CONFORM TO A.D.A. AND FLORIDA ACCESSIBILITY CODE.
- THE CONTRACTOR IS RESPONSIBLE FOR THE NOTIFICATION, LOCATION AND PROTECTION OF ALL UTILITIES THAT MAY EXIST WITHIN THE PROJECT LIMITS. THE CONTRACTOR SHALL NOTIFY SUNSHINE LOCATORS FORTY-EIGHT (48) HOURS PRIOR TO BEGINNING CONSTRUCTION AT 1:00-4:30 PM, MONDAY THROUGH FRIDAY 7:00 AM TO 4:30 PM.
- ALL CONSTRUCTION MATERIAL AND METHODS, SHALL MEET THE CURRENT EDITIONS OF THE DESIGN STANDARDS, THE STANDARD SPECIFICATION FOR ROAD AND BRIDGE CONSTRUCTION AND THE UTILITY ACCOMMODATION MANUAL.
- EXISTING STRUCTURES WITHIN CONSTRUCTION LIMITS ARE TO BE ABANDONED, REMOVED, OR RELOCATED PER PLANS. ALL COST SHALL BE INCLUDED IN BASE BID.
- CONTRACTOR SHALL BE RESPONSIBLE FOR ALL RELOCATIONS INCLUDING BUT NOT LIMITED TO, ALL UTILITIES, STORM DRAINAGE, SIGNS, TRAFFIC SIGNALS AND POLES, ETC. AS REQUIRED PER PLANS.
- CONTRACTOR SHALL MATCH EXISTING PAVEMENT IN GRADE AND ALIGNMENT.
- ALL DISTURBED AREAS WITHIN THE FOOT RIGHT OF WAY SHALL BE GRADED AND SOODED WITH ARGENTINE BAHIA SOD.
- ALL STRIPING WITHIN THE FOOT RIGHT OF WAY SHALL BE LEAD-FREE THERMOPLASTIC.
- ALL MAINTENANCE OF TRAFFIC SHALL ADHERE TO THE REQUIREMENTS OF THE DESIGN STANDARDS 102-600 INDEXES.
- ANY SIGN, PAVEMENT MARKINGS OR RPM'S THAT ARE DAMAGED DURING THE INSTALLATION OF THE NEW DRIVEWAY SHALL BE REPLACED, RESTRIPTED OR REINSTALLED AS PART OF THIS PROJECT. IF ANY SIGNS OR POSTS ARE DAMAGED PLEASE REFER TO FOOT STANDARD PLANS FY 2022-23 INDEX 711-001 PAVEMENT MARKINGS BOLD EXHIBIT 26 FOR THE REPLACEMENT REQUIREMENTS. THIS IS ALSO TO INCLUDE ANY PAVEMENT MARKINGS OR RPM'S THAT ARE DAMAGED 100FT EITHER SIDE OF THE PROJECT LIMITS.
- IF ANY STOP SIGNS OR REGULATORY SIGNS ARE REQUIRED TO BE TAKEN DOWN DURING THE WORK DAY HOURS, THEY SHALL BE REINSTALLED OR RELOCATED IMMEDIATELY AND BEFORE THE CONTRACTOR LEAVES THE SITE FOR THE DAY.
- ANY PROPOSED EASEMENT SHALL BE RECORDED BEFORE THE CERTIFICATE OF COMPLETION WILL BE ISSUED.

LIGHTNING NOTE:

1. LIGHTING SHALL BE DESIGNED, INSTALLED, MAINTAINED, AND DIRECTED SO AS TO AVOID GLARE ON ADJOINING PROPERTIES AND RIGHTS-OF-WAY THROUGH THE USE OF SEMI-AND FULL-CUTOFF SHIELDS

ITE CALCULATIONS

ITE CODE	LAND USE	SIZE	DAILY RATE	DAILY TOTAL	DAILY ENTER	DAILY EXIT
151	MINI-WAREHOUSE	289 UNITS	18.85 / 100 UNITS	51	26	25
712	OFFICE	640 SF	13.07 / 1,000 SF	8	4	4

SITE BENCHMARK #1

5/8" IRON ROD & CAP SET

CONTROL LB 7832

ELEV=38.75' (NAVD83)

SITE BENCHMARK #2

5/8" IRON ROD & CAP SET

CONTROL LB 7832

ELEV=38.10' (NAVD83)

SITE PLAN

LARGE SCALE SITE PLAN

GRISSOM PARKWAY STORAGE

3300 GRISSOM PARKWAY

COCOA, FLORIDA

DATE: 07/01/22

SCALE: 1"=50'

DRAWN-BY: DDP

PROJECT NUMBER: 102-002

C-2.0

SHEET NO.

REVISIONS

NO.	DATE	BY
1	07/01/22	DDP
2	08/23/22	DDP
3	07/05/22	BRP

THESE PLANS ARE PREPARED IN COMPLIANCE WITH

FLA. STAT. § 320.03

TANNATH DESIGN, INC.

2454 ROSE SPRING DRIVE

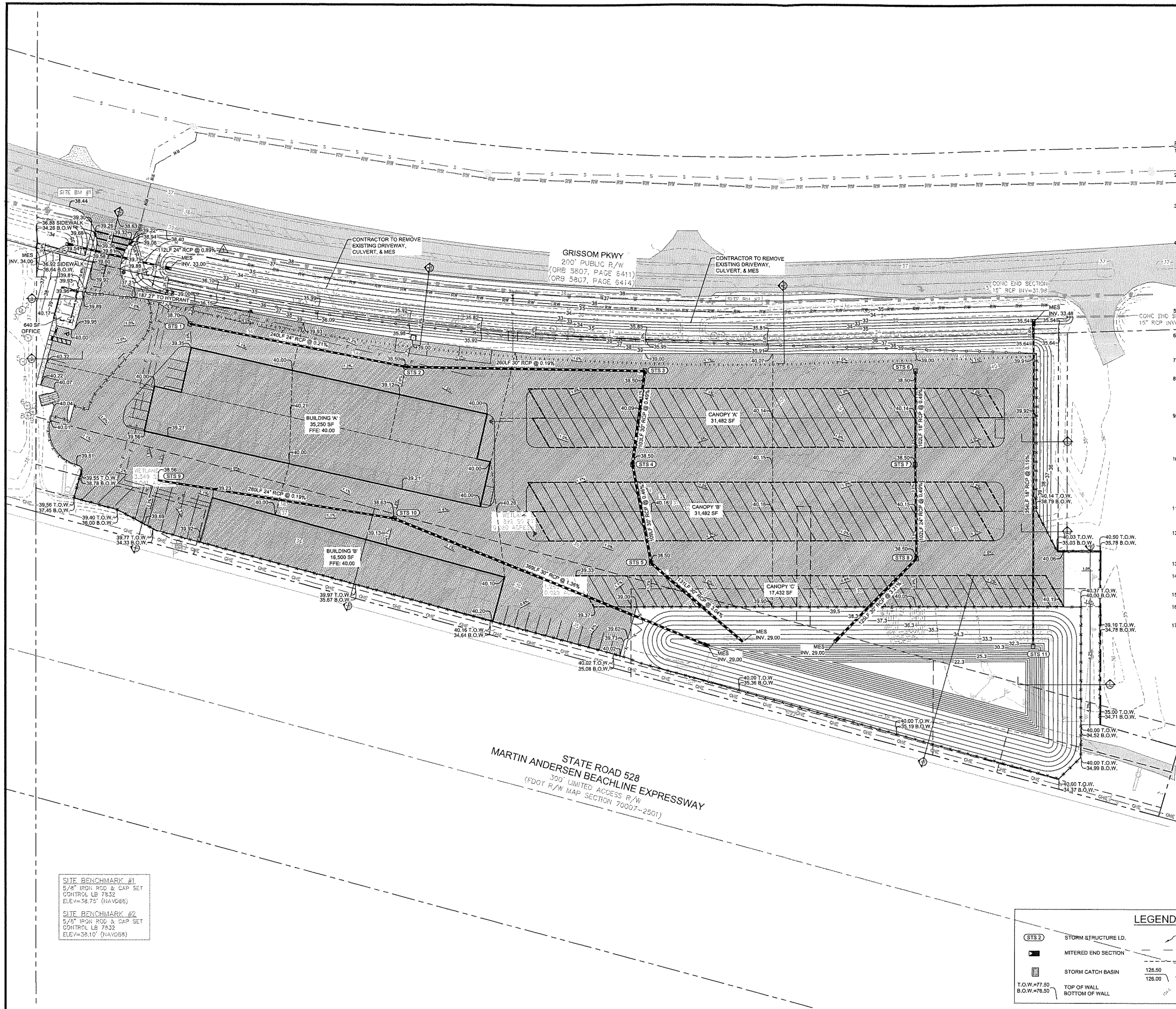
ORLANDO, FLORIDA 32825

(407) 982-9878

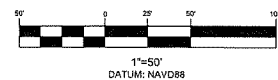
info@tannathdesign.com

FL. REG. #59451

FL. CERT. OF AUTH. #27199



GRAPHIC SCALE



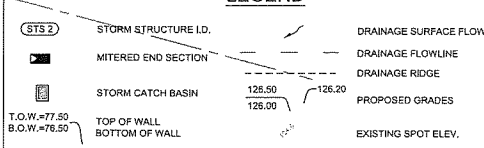
PAVING AND DRAINAGE NOTES

1. THE ENTITY THAT WILL OWN, OPERATE, AND MAINTAIN THE STORM SEWER SHOWN ON THESE PLANS IS EDGE REALTY ADVISORS. THE CONTRACTOR SHALL BE EXPECTED TO MEET ALL THE REQUIREMENTS OF THE PERMITS OBTAINED.
2. THE CONTRACTOR SHALL PERFORM HIS OWN INVESTIGATIONS AND CALCULATIONS AS NECESSARY TO ASSURE HIMSELF OF EARTHWORK QUANTITIES. THERE IS NO IMPLICATION THAT EARTHWORK BALANCES AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY IMPORT FILL NEEDED, OR FOR REMOVAL AND DISPOSAL OF EXCESS MATERIALS.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY TESTING TO ASSURE THAT THE PROPER COMPACTION HAS BEEN ACHIEVED ON THE SUBGRADE, BASE, AND ALL OTHER PERTINENT AREAS THAT HAVE BEEN COMPLETED. THE CONTRACTOR SHALL BEAR ALL COSTS ASSOCIATED WITH TESTING AND SHALL PROVIDE THE OWNER AND THE ENGINEER WITH COPIES OF THE CERTIFICATION OF COMPACTION FROM THE TESTING COMPANY.
4. PRIOR TO BID PREPARATION, THE CONTRACTOR MUST BECOME FAMILIAR WITH THE OVERALL SITE CONDITIONS AND PERFORM ADDITIONAL INVESTIGATIONS AS DETERMINED NECESSARY TO UNDERSTAND THE LIMIT AND DEPTH OF EXPECTED ORGANIC SILT PEAT AREAS, ADEQUACY OF EXISTING MATERIALS AS FILL, DEWATERING REQUIREMENTS, CLEAN FILL REQUIRED FROM OFF-SITE AND MATERIALS TO BE DISPOSED OF OFF-SITE, ALL OF WHICH WILL AFFECT HIS PRICING. ANY DELAY, INCONVENIENCE, OR EXPENSE CAUSED TO THE CONTRACTOR DUE TO INADEQUATE INVESTIGATION OF EXISTING CONDITIONS SHALL BE INCIDENTAL TO THE CONTRACT, AND NO EXTRA COMPENSATION WILL BE ALLOWED. THE MATERIALS ANTICIPATED TO BE ENCOUNTERED DURING CONSTRUCTION MAY REQUIRE DRYING PRIOR TO USE AS BACKFILL, AND THE CONTRACTOR MAY HAVE TO IMPORT MATERIALS, AT NO EXTRA COST, FROM OFF-SITE TO MEET THE REQUIREMENTS FOR COMPACTION AND PROPER FILL.
5. IT IS THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE EXISTING SITE CONDITIONS OF SOIL PRIOR TO N.T.P. TO DETERMINE IF ANY OFF-SITE MATERIALS WILL NEED TO BE IMPORTED TO ACHIEVE THE GRADES SPECIFIED ON THE PLANS.
6. THE CONTRACTOR SHALL NOTIFY THE OWNER AND ENGINEER WHEN ALL WORK IS LAID OUT (SURVEY STAKED), SO THAT A DETERMINATION MAY BE MADE OF SPECIFIC TREES TO BE REMOVED. A TREE REMOVAL PERMIT IS REQUIRED TO BE OBTAINED BY THE CONTRACTOR.
7. ALL FILL MATERIALS SHALL BE FREE OF MUCK, STUMPS, ROOTS, BRUSH, VEGETATIVE MATTER, RUBBISH, OR OTHER UNSUITABLE MATTER.
8. ALL MATERIALS EXCAVATED SHALL REMAIN THE PROPERTY OF THE OWNER AND SHALL BE STOCKPILED AT ON-SITE LOCATIONS AS SPECIFIED BY THE OWNER. MATERIALS SHALL BE STOCKPILED SEPARATELY AS TO USABLE (NONORGANIC) FILL, STOCKPILE AND ORGANIC MUCK/STOCKPILE. IF MUCK IS ENCOUNTERED, CONTRACTOR SHALL BE RESPONSIBLE FOR THE REMOVAL OF ALL UNSUITABLE FILL MATERIALS FROM THE SITE.
9. FILL MATERIALS PLACED UNDER ROADWAYS SHALL BE COMPACTED TO AT LEAST 98% MAXIMUM DENSITY AS SPECIFIED IN AASHTO T-180. ALL OTHER AREAS ARE TO BE COMPACTED TO AT LEAST 95% MAXIMUM DENSITY AS SPECIFIED IN AASHTO T-180. FILL MATERIALS SHALL BE PLACED AND COMPACTED IN A MAXIMUM OF 12" LIFTS. REFER TO SOILS REPORT FOR ADDITIONAL INFORMATION. THE CONTRACTOR SHALL PROVIDE THE ENGINEER AND THE OWNER WITH ALL (PASSING AND FAILING) TESTING RESULTS. RESULTS SHALL BE PROVIDED ON A TIMELY AND REGULAR BASIS PRIOR TO CONTRACTOR'S PAY REQUEST SUBMITTAL.
10. GRADING SHOWN ON THESE PLANS IS PROVIDED TO THE CONTRACTOR TO EXPRESS THE GENERAL GRADING INTENT OF THE PROJECT. THE CONTRACTOR SHALL GRADE THE ENTIRE SITE TO PROVIDE POSITIVE DRAINAGE IN ALL AREAS. SMOOTH TRANSITIONS SHALL BE PROVIDED BETWEEN CONTOURS OR SPOT ELEVATIONS AS SHOWN ON THE PLANS TO ACCOMPLISH THE GRADING INTENT. ALL SLOPES SHALL BE STABILIZED IMMEDIATELY AFTER FINAL GRADING HAS BEEN COMPLETED. CONTRACTOR SHALL NOTIFY OWNER AND ENGINEER A MINIMUM OF FORTY-EIGHT (48) HOURS PRIOR TO DEMOLITION OF GRADING EQUIPMENT TO DETERMINE THAT THE GRADING INTENT HAS BEEN ACHIEVED.
11. REINFORCED CONCRETE PIPE (RCP) SHALL BE CLASS III WITH RUBBER GASKET JOINTS. RCP SHALL CONFORM TO FOOT STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION (LATEST EDITION) SECTION 941. RUBBER GASKETS SHALL CONFORM TO SECTION 942.
12. ALL OTHER RELATED ITEMS REQUIRED FOR THE CONSTRUCTION OF THE STORM SEWER (OUTFALL PROTECTION, POLLUTION CONTROL, ETC.) ARE TO BE IN ACCORDANCE WITH DETAILS SHOWN ON THE CONSTRUCTION PLANS, FOOT ROADWAY AND TRAFFIC DESIGN STANDARDS, AND FOOT STANDARD SPECIFICATIONS FOR ROADWAY AND BRIDGE CONSTRUCTION (LATEST EDITION).
13. ALL PIPE CALL OUTS ARE MEASURED CENTERLINE TO CENTERLINE FOR MANHOLES AND INLETS.
14. ALL ON-SITE AREAS DISTURBED BY THE CONSTRUCTION SHALL BE STABILIZED WITH A SEED AND MULCH MIXTURE UNLESS OTHERWISE NOTED.
15. ALL OFF-SITE AREAS DISTURBED BY CONSTRUCTION SHALL BE SOODED WITH BAHIA.
16. NO HARD WOOD TREES MAY BE PLANTED OVER OR WITHIN 5' OF UTILITY LINES OR STORM PIPES. ONLY SOD OR SOFT WOOD SHRUBS MAY BE PLANTED OVER UTILITY LINES.
17. ALL MITERED END SECTIONS TO BE CONSTRUCTED IN ACCORDANCE WITH FDOT INDEX 430-022.

STRUCTURE TABLE

STRUCTURE NAME:	DETAILS:	PIPES IN:	PIPES OUT:
STS 1	TYPE "F" INLET RIM ELEV. 38.70		INV. 35.00 E 24" RCP
STS 2	TYPE "F" INLET RIM ELEV. 38.50	INV. 34.50 W 24" RCP	INV. 34.50 E 30" RCP
STS 3	TYPE "F" INLET RIM ELEV. 38.50	INV. 34.00 W 30" RCP	INV. 34.00 S 30" RCP
STS 4	TYPE "F" INLET RIM ELEV. 38.50	INV. 33.50 N 30" RCP	INV. 33.50 S 30" RCP
STS 5	TYPE "F" INLET RIM ELEV. 38.50	INV. 33.00 N 30" RCP	INV. 33.00 SE 30" RCP
STS 6	TYPE "F" INLET RIM ELEV. 38.50	INV. 33.50 N 18" RCP	INV. 34.00 S 18" RCP
STS 7	TYPE "F" INLET RIM ELEV. 38.50	INV. 33.50 N 24" RCP	INV. 33.50 S 24" RCP
STS 8	TYPE "F" INLET RIM ELEV. 38.50	INV. 33.00 N 24" RCP	INV. 33.00 SW 30" RCP
STS 9	TYPE "F" INLET RIM ELEV. 38.56		INV. 34.50 E 24" RCP
STS 10	TYPE "F" INLET RIM ELEV. 38.63	INV. 34.00 W 24" RCP	INV. 34.00 E 30" RCP
STS 11	CONTROL STRUCTURE TYPE "D" INLET (SEE DETAIL 7 ON C-7.0) RIM ELEV. 38.20		INV. 34.00 N 18" RCP

LEGEND



SITE BENCHMARK #1
5/8" IRON ROD & CAP SET
CONTROL LB 7532
ELEV.=38.75' (NAVD83)

SITE BENCHMARK #2
5/8" IRON ROD & CAP SET
CONTROL LB 7532
ELEV.=38.10' (NAVD83)

STATE ROAD 528
300' LIMITED ACCESS R/W
(FOOT R/W MAP SECTION 70007-2501)

MARTIN ANDERSEN BEACHLINE EXPRESSWAY

PAVING, GRADING AND DRAINAGE PLAN

LARGE SCALE SITE PLAN

GRISSEM PARKWAY STORAGE

3300 GRISSEM PARKWAY
COCOA, FLORIDA

DATE	06/28/22
SCALE	1"=50'
DRAWN-BY	DDP
PROJECT NUMBER	102-002
C-3.0	
SHEET NO.	



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FL. CERT. OF AUTH. #27199



NO.	REVISIONS	DATE
1	ISSUED FOR PERMITTING	
2	REVISED PER COMMENTS	
3	REVISED PER COMMENTS	
4	DDP	12/3/22
5	BRP	06/25/22
6	BY	

Kim Rezanka

From: johnking storageanalysts.com <johnking@storageanalysts.com>
Sent: Wednesday, November 23, 2022 12:28 PM
To: Kim Rezanka
Subject: Re: Advantage Self Storage - Application Rejection

Follow Up Flag: Follow up
Flag Status: Completed

John King
720-220-7799
www.linkedin.com/in/johnhkingiii

From: Bryant Smith <bsmith@cocoafl.gov>
Sent: Monday, November 14, 2022 7:38 AM
To: johnking storageanalysts.com <johnking@storageanalysts.com>; Z. Sid Chehayeb, PE (CCEI) <sid@cceifl.com>; CCEI Project Admin <admin@cceifl.com>
Cc: Kristin Eick (keick@Orlandolaw.net) <keick@Orlandolaw.net>; Stockton Whitten <swhitten@cocoafl.gov>; Beth Clendenin <bclendenin@cocoafl.gov>; Charlene Neuterman <cneuterman@cocoafl.gov>
Subject: Advantage Self Storage - Application Rejection

All,

I am not sure if a Pre-Application Meeting was held with the previous Planning Staff regarding this self-storage project. I do not believe a zoning confirmation letter was ever generated for this site as well. Unfortunately, based on the zoning category and proposed use, this project cannot proceed as Self Storage and this application is being rejected. If payment has been sent, we can either provide a refund or proof of a destroyed check.

The parcels associated with this project are located within the M-2 Zoning which does not allow for Self-Storage. The Code section below details the allowable uses within M-2. Note that the Storage Uses within (4) do not include Self Storage. Self Storage is a specific use only allowed in certain zoning categories.

https://library.municode.com/fl/cocoa/codes/code_of_ordinances?nodeId=PTIICO_APXAZO_ARTXISCDIRE_S19DIIN2MAINDI

Regards,
Bryant



Bryant Smith III, P.E., CFM
Public Works Director / City Engineer
Interim Growth & Economic Development Director
155 N. Wilson Ave • Cocoa, FL 32922
☎ (321) 433-
8770 ✉ bsmith@cocoafl.gov 🌐 www.CocoaFL.gov

Zoheir S. Chehayeb

Consulting Civil Engineers, Inc (CCEI)

3650 Bobbi Lane #119 ♦ Titusville, FL 32780 ♦ (321) 269-9930 ♦ Sid@cceifl.com

MAJOR FUNCTION/ROLE

Senior civil development engineer and a principal engineer in a full-service consulting civil engineering firm. Provides the technical expertise and direction for diverse civil engineering activities and function as a lead designer and technical consultant that has full responsibility for interpreting organizing and executing assignments. Performs routine engineering work while continuing to develop professional proficiency.

TYPICAL JOB DUTIES AND RESPONSIBILITIES

Land development; typically perform project design, planning and review, developing and evaluating plans and criteria for new projects. Analyze technical problems assessing the feasibility of proposed techniques and procedures devising new approaches and alternative solutions. In addition, develops the scope of work for new project, select problem areas that need to be investigated. Develops solutions and cost-effective design recommendations.

JOB SCOPE/COMPLEXITY

Work involves coordination, research and problem solving on various projects with unique or controversial issues, the solution of which has an important effect on major organizational programs and opens the way for extensive related development. (PMC wetland and coleman ditch)

DECISION MAKING

Make preliminary selections, minor modifications, adaptation of alternatives and perform broader assignment using prescribed methods. Act independently on technical related fields. Make decisions and recommendations that are recognized as authoritative and have an important impact on extensive engineering activities. (Walkabout Golf Course a 1400 acre project, FDOT roadway design and analysis)

SUPERVISION OF OTHERS

Typically coordinate with and/or guide the work of junior professionals and technicians to include working with subconsultants on a daily basis in support of the development projects at hand.

CONTACTS

Maintains extensive contact with clients and prospective clients, key engineers and officials of other organizations. Also participate in technical and professional organizations.

EDUCATION

University of South Florida, Tampa, Florida, Bachelors of Science in Engineering with emphasis on civil engineering.

George Washington University, Washington DC, pre-engineering curriculum

St. Petersburg College, St. Petersburg, Florida, Associates degree in Mechanical Engineering

RELATED EXPERIENCE

Over 40 years of civil engineering and project management experience, past 27+ years with Consulting Civil Engineers, Inc. and remainder with other firms such as Fred Deuel and Associates, Allen Engineering, Post Buckley Schue and Jernigan and Dyer Riddle Mills and Precort.

▪ REGISTRATIONS:

Professional Engineer with an active registration from the state of Florida (38577) since 1978 and active licenses in the state of North Carolina (053228) and the State of Mississippi (15985).

Zoheir S. Chehayeb

Résumé, Page 2

SPECIAL SKILLS

Participated on the City of Titusville Boards as a voluntary service to the community: Board of Adjustment and Appeals, Titusville Housing Authority and the Titusville Environmental Commission. Also, being a lead engineer and a project manager, presented numerous times before public meetings, city council sessions, planning and zoning boards and before City and County Boards. Maintained professional rapport with clients and prospective clients and staff at jurisdictional agencies. Participate in technical and professional organizations. Took lead roles in coordinating with other disciplines related to civil engineering (soils, surveys, environmental, architectural). Worked as a consultant to architectural firms and managed architectural firms as subconsultants. Oversee budgeting and accounting.

COMPUTER SKILLS

Design and Drafting Software (ACAD, Land Development Desktop)

Microsoft Office (Excel, Word, Powerpoint, Publisher)

Microsoft Project Software, for scheduling

Ponds design stormwater program

Advanced interconnected pond routing program or ADICP for Stormwater Modeling

StormCAD software for stormwater network design

WaterCad software for water distribution systems design

CURRENT AND PAST MAJOR TASKS

Prepare feasibility studies

Paving, grading, and drainage design analysis and construction plans preparation

Prepare permitting packages for the Water Management District, LEED Certification, Local Government, Florida Dept of Environmental Protection (sanitary sewer and water), Florida Dept of Transportation (drainage and driveway)

Conduct master drainage studies, drainage analysis and prepare applicable reports

Minor and major roadway design

Fuel depot retrofit study

Water distribution system modeling, utility planning, design and analysis

Sanitary sewer planning, sewer collection and transmission system design and analysis

Commercial developments and subdivisions feasibility studies and design, from concept planning to final design, to construction plans preparation, to permitting and construction observation, to certification.

Roadway vertical and horizontal alignment, existing utilities retrofit, stormwater infrastructure, Sidewalks, sanitary sewer and water utility service

ENVIRONMENTAL ENGINEERING SERVICES

Permitting of environmentally sensitive lands

Wetland preservation and impact mitigation

Dredge and fill areas for development

Storm water pollution prevention plans (SWPPP) for construction activities, water quality analysis

Zoheir S. Chehayeb

Consulting Civil Engineers, Inc (CCEI)

3650 Bobbi Lane #119 ♦ Titusville, FL 32780 ♦ (321) 269-9930 ♦ Sid@cceifl.com

MAJOR FUNCTION/ROLE

Senior civil development engineer and a principal engineer in a full-service consulting civil engineering firm. Provides the technical expertise and direction for diverse civil engineering activities and function as a lead designer and technical consultant that has full responsibility for interpreting organizing and executing assignments. Performs routine engineering work while continuing to develop professional proficiency.

TYPICAL JOB DUTIES AND RESPONSIBILITIES

Land development; typically perform project design, planning and review, developing and evaluating plans and criteria for new projects. Analyze technical problems assessing the feasibility of proposed techniques and procedures devising new approaches and alternative solutions. In addition, develops the scope of work for new project, select problem areas that need to be investigated. Develops solutions and cost-effective design recommendations.

JOB SCOPE/COMPLEXITY

Work involves coordination, research and problem solving on various projects with unique or controversial issues, the solution of which has an important effect on major organizational programs and opens the way for extensive related development. (PMC wetland and coleman ditch)

DECISION MAKING

Make preliminary selections, minor modifications, adaptation of alternatives and perform broader assignment using prescribed methods. Act independently on technical related fields. Make decisions and recommendations that are recognized as authoritative and have an important impact on extensive engineering activities. (Walkabout Golf Course a 1400 acre project, FDOT roadway design and analysis)

SUPERVISION OF OTHERS

Typically coordinate with and/or guide the work of junior professionals and technicians to include working with subconsultants on a daily basis in support of the development projects at hand.

CONTACTS

Maintains extensive contact with clients and prospective clients, key engineers and officials of other organizations. Also participate in technical and professional organizations.

EDUCATION

University of South Florida, Tampa, Florida, Bachelors of Science in Engineering with emphasis on civil engineering.

George Washington University, Washington DC, pre-engineering curriculum

St. Petersburg College, St. Petersburg, Florida, Associates degree in Mechanical Engineering

RELATED EXPERIENCE

Over 40 years of civil engineering and project management experience, past 27+ years with Consulting Civil Engineers, Inc. and remainder with other firms such as Fred Deuel and Associates, Allen Engineering, Post Buckley Schue and Jernigan and Dyer Riddle Mills and Precort.

▪ REGISTRATIONS:

Professional Engineer with an active registration from the state of Florida (38577) since 1978 and active licenses in the state of North Carolina (053228) and the State of Mississippi (15985).

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From: John King <jhking2010@gmail.com>
Sent on: Thursday, May 5, 2022 6:20:07 PM
To: Paul Body <pbody@cocoafi.gov>
Subject: 3 Acre Parcel Near 528 & Industry Road
Attachments: 3AC Grissom Pky Pre-ap Narative.docx (11.27 MB), 3AC Grissom Pky Prel Sketch Plan 11X17.pdf (119.6 KB), 3AC Grissom Pky Prel Sketch Plan 24X36.pdf (151.64 KB), 2011 247 Aerial Tower.pdf (187.75 KB), Tax Appraiser Card.pdf (82.81 KB)

EXTERNAL MESSAGE - USE CAUTION WITH LINKS AND ATTACHMENTS!

I am requesting a pre-ap meeting on May 23, 2022. Please see the attachments for information. If something formal is not possible, I would appreciate an informal meeting(s).

Thank you.

--

John King
 720-220-7799

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X

EXTERNAL MESSAGE - USE CAUTION WITH LINKS AND ATTACHMENTS!

From: CCEI Project Admin <admin@cceifl.com>
Sent on: Thursday, June 30, 2022 5:46:42 PM
To: Sandra Leone <sleone@cocoafl.gov>
CC: Z. Sid Chehayeb, PE (CCEI) <sid@cceifl.com>; John King (johnking@storageanalysts.com) <johnking@storageanalysts.com>
Subject: Advantage Storage - Pre Application Request
Attachments: Advantage Storage Pre-Application Request Letter.pdf (257.33 KB), BCPAO - Location Map.pdf (628.68 KB), Advantage Storage -Grissom Pkwy Tree Survey.pdf (640.86 KB), Advantage Storage-Grissom Parkway Binder 063022.pdf (797.42 KB)

Good Afternoon Sandra,

Attached, find our Pre-Application Meeting Request submittal for the Advantage Storage project. Enclosed for your review are the following:

- Advantage Storage Pre-Application Request Letter
- BCPAO - Location Map
- Advantage Storage -Grissom Pkwy Tree Survey
- Advantage Storage -Grissom Pkwy Binder 063022
- Pre-Application fee

Note: The application fee will be paid to the City of Cocoa once the amount is provided.

Best Regards,

Valerie Leone
 Project Assistant
Consulting Civil Engineers, Inc.
 3650 Bobbi Lane, Suite 119
 Titusville, FL 32780
 (321) 269-9930

6

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From: Sandra Leone <sleone@cocoafl.gov>
Sent on: Thursday, June 30, 2022 5:58:31 PM
To: CCEI Project Admin <admin@cceifl.com>
CC: Z. Sid Chehayeb, PE (CCEI) <sid@cceifl.com>; John King
 (johnking@storageanalysts.com) <johnking@storageanalysts.com>
Subject: RE: Advantage Storage - Pre Application Request

Good afternoon Valerie,

The earliest we have available would be Thursday the 28th of July at 10am. This would be a in person meeting at the City of Cocoa on the 2nd floor conference room.
 Please let me know if this will work for you, and who needs to be invited?

Thank you,



Sandra Leone, City Planner

65 Stone Street • Cocoa, FL 32922
 (321) 433-8535 ✉ sleone@cocoafl.gov
 📌 www.ChooseCocoa.gov



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Check out our new online permit portal where you can easily apply, pay and search for building permits online.

Grissom Storage Pre-Con

SL

Sandra Leone <sleone@cocoafl.gov>

Required Z. Sid Chetayeb, PE (CCEI); John King (johnking@storageanalysts.com); CCEI Project Admin; Abigail Morgan; Bryant Smith;

Charlene Neuterman; Cynthia Thurman; Dennis Bunt; Frank Mirabito; Guillermo Carbonell; John "Jack" Walsh; Johnathon Combs; Jonathan Lamm; Michael Henderson; Paul Body; Samuel Byrd; Samuel Schaller; Utilities Development; Wendell Ripoll

Fri 7/1/2022 9:58 AM

✓ Accept v

? Tentative v

X Decline v

🕒 Propose New Time v



🕒 As the meeting organizer, you do not need to respond to the meeting.



220513 CONCEPT -6-30-22-CS-101.pdf
1 MB



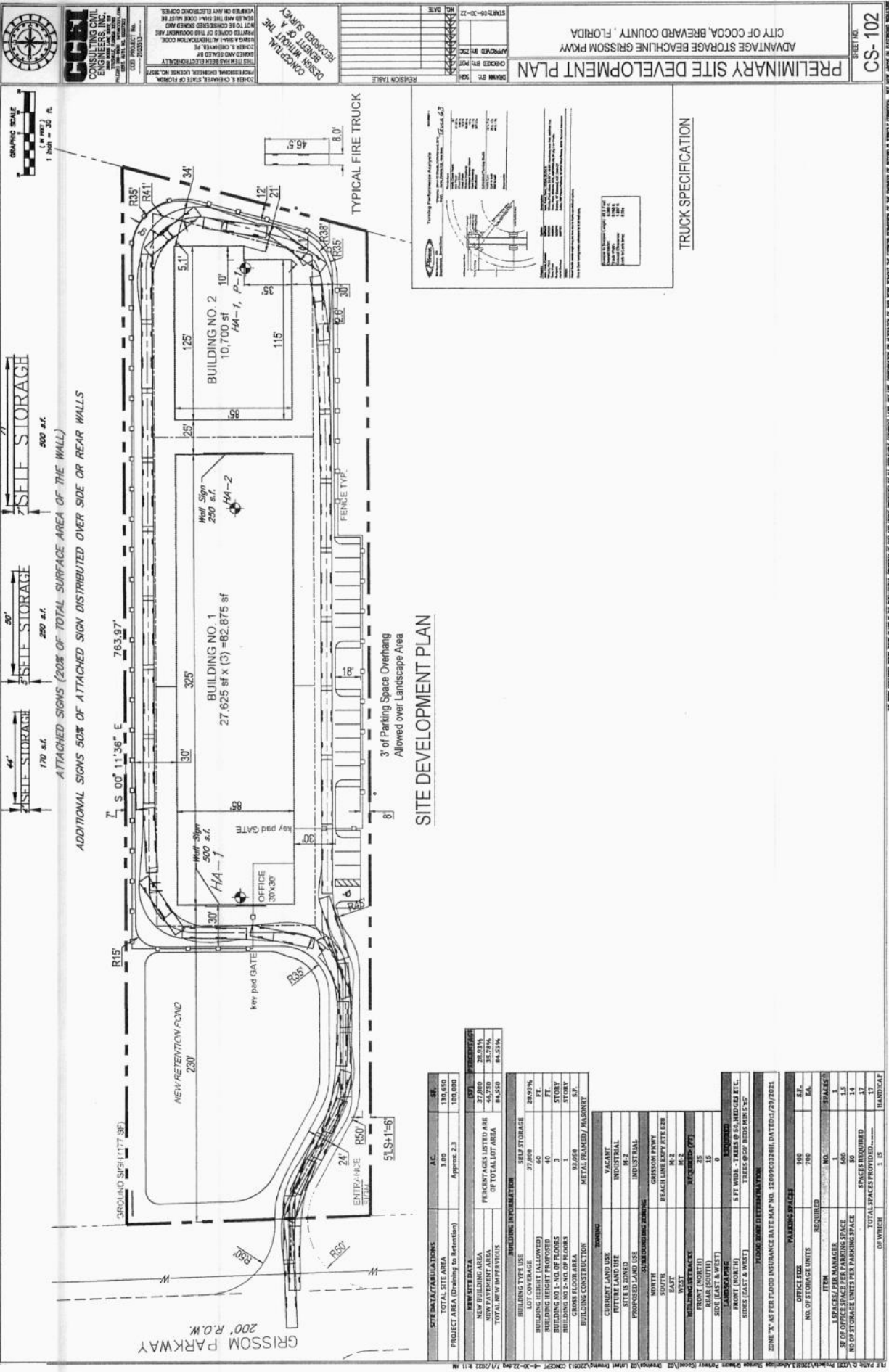
220513 CONCEPT -6-30-22-CG-101.pdf
179 KB

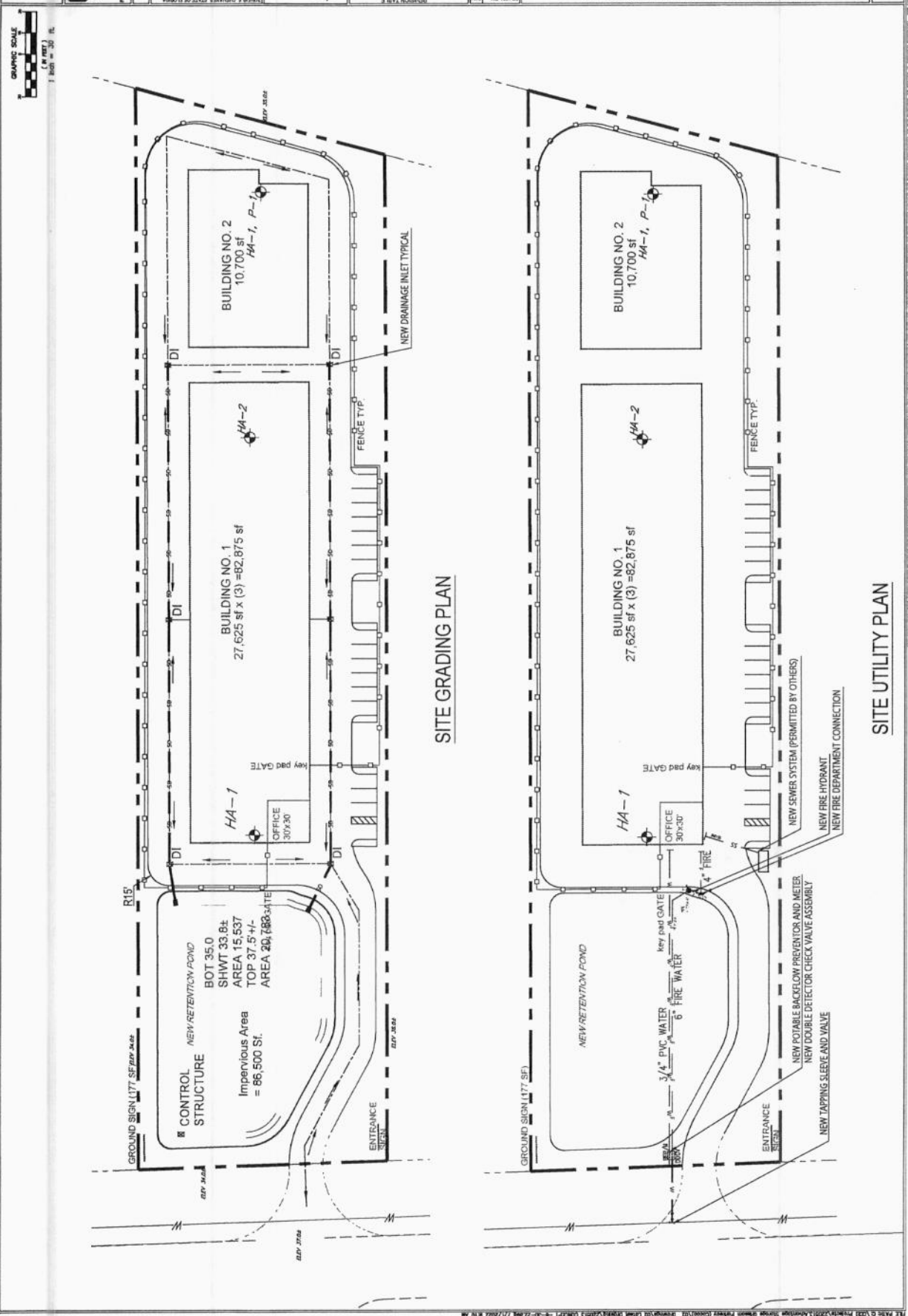


John King v
1 KB

🕒 Thursday, July 28, 2022 10:00 AM-11:00 AM 📍 2nd floor conference room City Hall

PLEASE NOTE: Florida has a very broad public records law. Most written communications (including contents of emails and email addresses) to or from City of Cocoa officials and employees regarding public business are public records available to the public and media upon request. Your written and e-mail communications may be subject to public disclosure. If you do not want your written and email communications released in response to a public records request, do not send written or email communications to City of Cocoa officials and employees. Instead, contact this office by phone.





CCEI

Meeting Notes

DATE: July 29, 2022

PROJECT: Advantage Storage Grissom Prkwy
City of Cocoa

CCEI PROJ NO. 220513

LOCATION: City of Cocoa planning and Zoning office,

ATTENDEES: City of Cocoa staff, Client, Client Contractor,

CCEI: Sid, Stavros

NOTES:

1. Utility Department Sewer Comments:
 - possible connection to gravity sewer across Grissom, Sanitary force main available as well.
 - potential private lift station to pump via force main to gravity sewer along north side of Grissom.
 - if force main connection to existing gravity is proposed the existing ss MH must be "updated" to City standards to handle the additional acids. MH to be "lined" by the City of Cocoa requirements, FDEP requirements
 - Manholes of concern potential connection #01353 and MH #01354
 - City does not have specific force main line size requirements within Grissom Parkway Right-of-way, County may have specific requirements.
2. Reclaim Water Comments:
 - A reuse line and meter connection for irrigation will be required through the City, a tapping sleeve and valve w/ the meter at the property line
 - City staff estimates existing reclaim line has 50/60psi in line
 - client stated irrigation system will be low pressure dosing
 - a ¾" line and meter across the Grissom Parkway will be accepted
3. Fire Department Comments:
 - A Fire Hydrant shall be located within 50' of the FDC
 - the FDC must be located 1.5x the height of the bldg., to be considered outside the "collapse zone"
 - A utility easement may be required over the Fire hydrant and fire line
 - city may allow domestic and fire line connection from single Tapping sleeve and valve, with the use of a "1" MACH 3" meter and use of a "ByPass" meter

CONSULTING CIVIL ENGINEERS, INC.
3650 Bobbi Lane, Suite 119, Titusville, Florida 32780
(TEL) 321-269-9930 (EMAIL) info@cceifl.com

-fire department may allow a DDCV w/ FDC mounted to DDCV

4. Fire:

- A fire line pressure test will be required by the City
- knock box and key will be required at the locations of the entrance gates
- second building will require Fire suppression or 2,499 sf compartments separated by fire walls
- 400' is the maximum allowable separation between fire hydrants and building

5. Public Works:

- Grissom Parkway is a County roadway
- A sidewalk waiver can be applied for to the City, waiver approval can be forwarded to the County
 - Brian (City Engineer) will provide waiver determination, can be submitted as a simple letter of determination (waiver request)
- driveway connection to Grissom will meet the requirements of the County, approval through the County

5. Drainage:

- County will review Drainage Report
- we can submit the Drainage Report concurrently to the City and to SJRWMD
- the City usually requires 3 weeks for review and response

6. Building:

- An approved site plan is required prior to a formal review by building department
 - the building department will consider review of building plans after the first review
 - the proposed building will be a type IIB — metal building

7. Planning Department:

- dumpster provision shall be verified by the City, client request the use of "roll out" trash cans
- the client declared the use of the project will not be for "Park -N- Ride" concept
- the official name of the project will be Advantage Storage Beachline Grissom Parkway
- Entrance sign will require permitting through the City

8. City and County Requirements:

Landscaping
Irrigation
Topographic Survey and Tree Survey
Site Lighting Plan/ photometrics

- The site lighting may consist of flood lighting on the building: since this would be part of the building review, we have requested a note placed on the Cover sheet of the Civil plans that flood mounted lights are proposed and if different it will meet the city and county standards.

End of Meeting Notes

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(TEL) 321-269-9930 (EMAIL) info@cceifl.com

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From: Kathleen Burson <kburson@cranstonengineering.com>

Sent: Tuesday, August 9, 2022 8:14 AM

To: Sandra Leone <sleone@cocoafl.gov>

Subject: Advantage Storage

EXTERNAL MESSAGE - USE CAUTION WITH LINKS AND ATTACHMENTS!

Hello Sandra,

Thanks! Good to speak w you....

Yes, please send me the cheat sheet and any add'l. codes I may need. I printed Sec. 22 Landscape Requirements.

Kathleen Burson, ASLA

Senior Landscape Architect

Main Office: [706.722.1588](tel:706.722.1588) ext 153

Direct Office: 706.941.8100

Mobile: 321.543.2574

[452 Ellis Street](#)

[Augusta, Georgia 30901](#)



CranstonEngineering.com



CRANSTON

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From: Sandra Leone <sleone@cocoafl.gov>
Sent on: Thursday, August 25, 2022 12:02:15 PM
To: Kathleen Burson <kburson@cranstonengineering.com>
Subject: RE: Advantage Storage

Kathleen,

Just the list with the type and size will do.

Thank you,

Sandra Leone, City Planner

65 Stone Street • Cocoa, FL 32922

☎ (321) 433-8535 ✉ sleone@cocoafl.gov

👉 www.ChooseCocoa.gov



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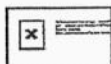
From: Kathleen Burson <kburson@cranstonengineering.com>
Sent: Thursday, August 25, 2022 7:53 AM
To: Sandra Leone <sleone@cocoafl.gov>
Subject: Advantage Storage

EXTERNAL MESSAGE - USE CAUTION WITH LINKS AND ATTACHMENTS!

14

CCEI Project Admin

From: WeTransfer <noreply@wetransfer.com>
Sent: Friday, October 07, 2022 12:31 PM
To: CCEI Project Admin
Subject: Advantage Self Storage- Site Plan Submittal sent successfully to bsmith@cocoafl.gov and 2 others



Advantage Self Storage- Site Plan Submittal sent to bsmith@cocoafl.gov and 2 others

12 items, 45.3 MB in total • Expires on 14 October, 2022

Thanks for using WeTransfer. We'll email you a confirmation as soon as your files have been downloaded.

Recipients

bsmith@cocoafl.gov sid@cceifl.com johnking@storageanalysts.com

Download link

<https://we.tl/t-mBILMOdpkG>

12 items

1.) CRL-ADVANTAGE SELF STORAGE.pdf
242 KB

10.) LSP-ADVANTAGE SELF STORAGE.pdf

10.1 MB

11.) CORP-ADVANTAGE SELF STORAGE.pdf

9.67 MB

12.) RPT-FF-WS-ADVANTAGE SELF STORAGE.pdf

2.44 MB

2.) APP-SS-ADVANTAGE SELF STORAGE.pdf

5.52 MB

3.) LOA-ADVANTAGE SELF STORAGE.pdf

623 KB

+ 6 more

Message

Good afternoon,

This is our formal submittal for a small-scale site plan for Advantage Self Storage. This project is located just west of the interchange of Beachline Expressway and Industry Road on Grissom Parkway. The address has yet to be assigned. Enclosed for your review are the following:

1. CRL-ADVANTAGE SELF STORAGE
2. APP-SS-ADVANTAGE SELF STORAGE
3. LOA-ADVANTAGE SELF STORAGE
4. CPS-ADVANTAGE SELF STORAGE
5. SRVY-ADVANTAGE SELF STORAGE
6. RPT-ENV-ADVANTAGE SELF STORAGE
7. RPT-SW-ADVANTAGE SELF STORAGE
8. CORP-ADVANTAGE SELF STORAGE
9. DEED-ADVANTAGE SELF STORAGE
10. LSP-ADVANTAGE SELF STORAGE
11. CORP-ADVANTAGE SELF STORAGE
12. RPT-FF-WS-ADVANTAGE SELF STORAGE

Best Regards,

Valerie Leone

Project Assistant



Consulting Civil Engineers, Inc.

October 7, 2022

Sandra Leone
City Planner
65 Stone St
Cocoa, FL 32922
Tel: (321) 433-8535 | Em: Sleone@cocoafl.org

Subject: Advantage Self Storage – Site Plan Submittal
Parcel ID: 24-35-12-00-759
Tax Account #: 2404120
CCEI Project #: 220513

Sandra,

This is our formal submittal for a small-scale site plan for the above project. This project is located just West of the interchange of Beachline Expressway and Industry Road on Grissom Parkway. The address has yet to be assigned. The proposed developments include the construction of two buildings with an approximate footprint of 2.99 ± acres. Enclosed for your review are the following:

- APP-SS-ADVANTAGE SELF STORAGE
- LOA-ADVANTAGE SELF STORAGE
- CPS-ADVANTAGE SELF STORAGE
- SRVY-ADVANTAGE SELF STORAGE
- RPT-ENV-ADVANTAGE SELF STORAGE
- RPT-SW-ADVANTAGE SELF STORAGE
- CORP-ADVANTAGE SELF STORAGE
- DEED-ADVANTAGE SELF STORAGE
- LSP-ADVANTAGE SELF STORAGE
- CORP-ADVANTAGE SELF STORAGE
- RPT-FF-WS-ADVANTAGE SELF STORAGE
- PHOTOMETRICS (This will be part of a later submittal as the lights are already on the building.)

NOTE: The \$375 fees will be paid directly by the owner. If you need additional information, please contact me at your earliest convenience. Thank you for your assistance.

Digitally signed by Zoheir S Chehayeb
DN: c=US, o=consulting civil engineers inc,
dnQualifier=A01410D000001832D548B710
005FCCA, cn=Zoheir S Chehayeb
Date: 2022.10.07 12:18:24 -04'00'

Z. Sid Chehayeb, P.E.
Project Engineer
(321) 269-9930 | Sid@cceifl.com



SITE PLAN APPLICATION

Community Services Department
Planning and Zoning Division
65 Stone Street

Phone: (321) 433-8535
Fax: (321) 433-8543
Web:
<http://www.cocoafl.org>

For Office Use Only - Date Received
Note: Applications received after 3:00 pm will be
date stamped the next day.

This form is divided into steps, which will help you prepare your application and provide supplemental items. A pre-application meeting with Staff is **recommended**.

All applications MUST be complete in order to be reviewed by staff. Incomplete applications will be returned.

Please TYPE or PRINT this application legibly.

1. Type of Application: (select the one that best describes your project)

☐ **Minor Amendment**

- Any site plan amending a previously approved site plan or existing development by 25% or less, being that any structural or impervious surface area is increased by 25% or less of the existing amount of structure or impervious surface area.
- Notwithstanding, any site plan containing a structure greater than 50 feet in height shall be subject to the site plan submittal requirements of a large-scale review.

☒ **Small-Scale**

- Any multi-family structure or combination of structures containing less than 25 units and less than 45,000 square feet; or
- Any non-multi-family structure or combination of structures of less than 45,000 square feet.
- Notwithstanding, any site plan containing a structure greater than 50 feet in height shall be subject to the site plan submittal requirements of a large-scale review.

☐ **Large-Scale**

- Any multi-family structure or combination of structures containing greater than or equal to 25 units and greater than or equal to 45,000 square feet; or
- Any non-multi-family structure or combination of structures of greater than or equal to 45,000 square feet.

2. Project Name: Advantage Self Storage

3. Applicant Information: * NOTE: For Large-Scale the Applicant is the main contact and must attend the meeting.

Company (if applicable): ADG COCOA HOLDING LLC

Name: John King

Mailing Address: P.O. Box 271107

City: Louisville State: Co Zip Code: 80027

Phone #: 303-642-7198 Fax #: _____

Mobile #: 720-220-7799 E-mail: johnking@storageanalysts.com

4. Property Owner Information:

* Check here if same as Applicant → ☒

* If more than one owner, attach additional sheet with names and addresses.

Company (if applicable): ADG COCOA HOLDING LLC

Name: _____

Mailing Address: P.O Box 271107

City: Louisville State: CO Zip Code: 80027

Phone #: _____ Fax #: _____

Mobile #: _____ E-mail: _____

5. Engineer/Architect/Planner:

* Check here if same as Applicant → ☐

Company (if applicable): Consulting Civil Engineers, Inc

Name: Z. Sid Chehayeb P.E.

Mailing Address: 3650 Bobbi Lane Suite 119

City: Titusville State: FL Zip Code: 32780

Phone #: 321-269-9930 Fax #: _____

Mobile #: _____ E-mail: sid@cceifl.com

6. Property Information:

Street Address and Location: Not yet assigned

Parcel ID: * If more than two Parcel IDs, attach additional sheet with Parcel IDs.

24-35-12-00-759 . - .

 - - - - . - .

Tax Account Numbers: * If more than two Tax Account #s, attach additional sheet with Tax Account #s.

2404120

Land Area: _____ square feet or 2.99 acres

Future Land Use (to be completed by City): IND - Industrial

Zoning District (to be completed by City): M-2 Manufacturing and Industrial

Existing Use(s) on Property: Vacant Industrial land

Proposed Use(s) on Property: Self Storage

7. Minor Site Plan Amendment - Please submit the following items in order complete a Minor Amendment application only:

- a. ☒ **Notarized application.**
- b. ☒ **Application fee.** Please make checks payable to the 'City of Cocoa' and submit payment **ONLY** to the Community Services Department. See Schedule of Fees, Charges and Expenses for applicable fees.
- c. ☒ **Proof of ownership.** A copy of the most recent recorded warranty deed is required.
- d. ☒ **Letter of authorization.** If the applicant is not the property owner, a notarized letter of authorization or agent affidavit is required, unless the applicant is the Attorney of the owner. Each property owner must complete a separate authorization form or other suitable documentation to allow the agent to act upon his/her behalf.
- e. ☒ **Corporate documents.** If the applicant/owner is representing a company, articles of incorporation which show the applicant/owner is authorized to represent the company is required. A data record printout from the Florida Department of State, Division of Corporations website may also be provided (<http://www.sunbiz.org/corpweb/inquiry/search.html>).
- f. ☒ **Utility plans.** Site plan approval is contingent on approval of your Utility plans. Please submit potable, reclaim and waste water plans along with the following documents directly to the Utilities Department (351 Shearer Blvd., Cocoa, Florida 32922):
 - 1. \$500 Plan Review Fee
 - 2. One hard copy set of signed and sealed plans for the initial review.
 - 3. Hydraulic Analysis Report supporting the Required Fire Flow plus the Max Day Flow.
 - 4. Lift Station Calculations
- g. ☒ **Certified boundary survey.** Submit a certified survey showing all existing structures, easements, driveways, etc.
- h. ☒ **Certified site plan.** Submit 2 paper copies (folded to about 8-1/2 x 11") and 1 electronic file in pdf format of a plan drawn to scale and showing the required site plan elements. See the site plan checklist below for details. Minor Site Plans shall not be smaller than 11 x 17".
- i. ☒ **Additional information (optional).** Submit any information that may be helpful in understanding the request. This may include photos, sketches, elevations, or letters from adjoining property owners.

8. Small-Scale Site Plan - In addition to the items in #7 above, please submit the following items in order complete a Small-Scale application:

- a. ☒ **Certified site plan.** Small Scale Site Plans shall not be smaller than 24" x 36".

9. Large-Scale Site Plan - In addition to the items in #7 above, please submit the following items in order complete a Large-Scale application:

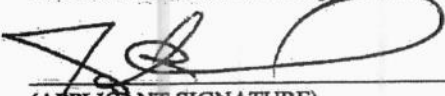
- a. ☐ **List of owners within 500 feet.** A "radius map package" from Brevard County containing a certified mailing list with mailing labels and a map of all property owners of record who reside within a 500-foot radius of the subject property is required for public notice. It is the applicant's responsibility to obtain these materials from the following for a nominal fee:
Brevard County Planning and Zoning, Attn: Graphics.
Brevard County Government Center, Building A
2725 Judge Fran Jamieson Way
Viera, FL 32940
Phone: (321) 633-2060 Fax: (321) 633-2152
- b. ☐ **Application fee.** Public notice mailing and legal advertising fees must also be paid a few weeks after application submittal. Contact the Planning and Zoning Division for details.
- c. ☐ **Certified site plan.** The site plan shall not be smaller than 24" x 36".

Signatures and Notarization.

STATE OF Colorado COUNTY OF Boulder I, _____
being first duly sworn, depose and say that:

- ☒ I am the applicant, or if corporation, I am the officer of the corporation authorized to act on this request.
- ☐ I am the legal representative of the applicant of this application and a notarized Letter of Authorization form or agent affidavit accompanies this application giving written, unless the applicant is the Attorney representing the owner.

I hereby certify that I have read, completed and understand this application and understand that if my application and all associated attachments are not complete and accurate in all respects, the application will not be scheduled for a public hearing. I further understand that this application must be complete and accurate prior to the legal advertising of a public hearing.


(APPLICANT SIGNATURE)

Aditya Shrestha
(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known ☐ OR Produced Identification ☒




(NOTARY PUBLIC SIGNATURE)

STATE OF FLORIDA, COUNTY OF BREVARD

Sworn and subscribed to before me this _____ day of _____, 20 _____

FOR OFFICE USE ONLY

Fee of \$ _____ in cash ☐ or check ☐ (No. _____) payable to the "City of Cocoa".

Receipt Number: _____

Date: _____

Signature from Planning & Zoning Division:

STORMWATER MANAGEMENT REPORT

ADVANTAGE STORAGE Grissom Parkway, Cocoa Parcel ID: 24-35-12-00-759

Submitted to
CITY OF COCOA, BREVARD COUNTY
& SJRWMD

CCEI PROJECT NO. 220513

AUGUST 2, 2022

Submitted by:

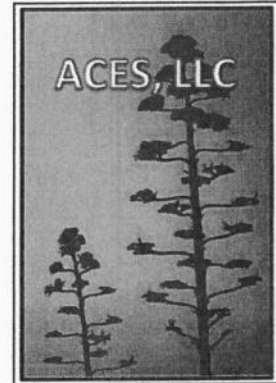


**Consulting Civil Engineers Inc
3650 Bobbi Lane, Suite 119
Titusville FL 32780**

Phone: (321) 269-9930
Email: sid@cceifl.com

ANDREW CONKLIN ENVIRONMENTAL SERVICES, LLC
INTEGRATING SUCCESSFUL DEVELOPMENT AND ENVIRONMENTAL INTEGRITY

P.O. Box 500407, MALABAR, FLORIDA, 32950
PHONE: (321) 848-1143 EMAIL: ACESLLC7@GMAIL.COM



June 24, 2022

Mr. John H. King III
7620 Frontier Circle
Morrison, CO 80465

Re: Parcel No. 24-35-12-00-759, Grissom Parkway, Cocoa, Florida
ACES File No. 22351

Dear Mr. King,

Andrew Conklin Environmental Services, LLC (ACES) has completed a review of environmental issues associated with the above-referenced +/-2.99-acre property, located in Section 12, Township 24 South, Range 35 East, Brevard County, Florida. Figure 1 depicts the location of the subject site, and Figure 2 is a recent aerial photograph of the site depicting current conditions thereon. On June 14, 2022, ACES inspected the property for the presence of wetlands, surface waters, protected species, and indications of protected species habitat. The purpose of our study was to estimate the current extent of wetlands and protected species habitat on the site. To assess the presence and extent of wetlands, we implemented the jurisdictional wetland identification methodologies of the St. Johns River Water Management District (SJRWMD) and the U.S. Army Corps of Engineers (ACOE), which incorporate an analysis of on-site vegetation, soils, and hydrology to determine the presence or absence of state-jurisdictional wetlands. Where jurisdictional wetlands were found to exist, ACES identified their boundaries on a recent aerial photograph of the site. The likelihood of protected species habitation was determined by identifying the various vegetative communities, habitat types, and species indicators currently present on the site, and referencing these against standards and indicators used by the Florida Fish and Wildlife Conservation Commission (FWC) and the U.S. Fish and Wildlife Service (USFWS). Following is a presentation of our findings.

Soil Types

The USDA Natural Resource Conservation Service (NRCS) identifies one soil type on the property (see Figure 3). Soil maps are used by the environmental regulatory agencies as a general guideline to determine the likelihood of wetland and upland conditions on reviewed properties; soils more commonly associated with wetland conditions potentially indicate areas of lower elevation and greater surface hydrology, whereas soil types that are more commonly associated with uplands are expected to exhibit fewer or no wetland characteristics. Potentially hydric (i.e., wetland) soil types are listed in the *Hydric Soils of Florida Handbook* (Victor W. Carlisle, et al., 2000). It should be noted that the soil type listed by NRCS is based on a 1974 soil survey of Brevard County by the USDA Soil Conservation Service, and no comprehensive soil survey of the county has been completed since 1974. As such, it is not uncommon for there to be some inconsistencies between historically-mapped soil types and current on-site soil conditions. ACES sampled soil types throughout the subject property by excavating 6-inch diameter, 12-inch-deep cylindrical plugs from the surface and assessing the soil profiles and characteristics

FIRE FLOW AND WATER DEMAND ANALYSIS REPORT

ADVANTAGE SELF STORAGE

COCOA INDUSTRIAL PARK

Parcel ID: 24-35-12-00-759

Submitted to
CITY OF COCOA

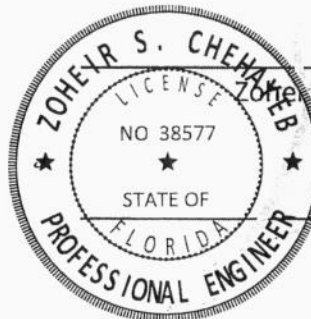
AUGUST, 2022

CCEI PROJECT NO.220513

Submitted by:



Consulting Civil Engineers, Inc.
3650 Bobbi Lane, Suite 119
Titusville FL 32780
Phone: (321) 269-9930
Email: info@cceifl.com



Digitally signed by Zoheir
S. Chehayeb
DN: cn=Zoheir S. Chehayeb, o=Zoheir S.
civil engineers inc,
dnQualifier=A01410D000
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FIRE FLOW AND WATER DEMAND ANALYSIS REPORT

Advantage Self Storage COCOA INDUSTRIAL PARK

1. BRIEF SUMMARY WITH FIRE FLOW REQUIREMENTS

The proposed facility consists of two enclosed storage facility (27,625 SF and 10275 SF) and the associated infrastructure. The project is located within the City of Cocoa area, more particularly along the south side of Grissom Parkway and west of Industry Road. Sanitary sewer and water connections area available through the City of Cocoa and are located north of the site and within the Grissom Parkway Right of Way.

There is a 12" water line at the south side of the parkway that we are planning to tap with an 8" line to serve the site. i.e. The proposed improvement is to connect to 12" water line with an 8" tapping valve and sleeve, place a double detector check valve assembly to serve for the fire sprinkler system and low flow 1-inch water meter that will also meter the domestic flow use. There are two components to the water demand: one is the fire flow and the other is domestic use. In this particular project, the domestic use is minimal (0.3 GPM) when compared to the required fire flow of 1,500 GPM.

The NFPA 1 Fire Code was utilized to determine the fire flow required for the properties. The anticipated type of construction is Type II (000) NFPA which is equivalent to Type II (B) IBC. The area of the building of 27,625 SF will require a fire flow of 6,000 GPM and, with the use of the fire sprinkler system, the fire flow could be reduced to 1,500 GPM. The domestic flow is estimated to be less than 1 GPM.

There are two existing fire hydrant along the south side of Grissom Parkway that were used for the fire flow test. Both of the existing hydrants are more than 500 feet from the building. We are also proposing to construct two hydrants on site to serve the fire department connection. The hydrants will be located in the proximity of the building and outside the building fall zone.

- This project will not utilize a new or altered drinking water source.
- Hydraulic analysis of the proposed water line and nearby existing system is included as a part of this submittal. The model analysis indicates that the water supply is adequate to serve the fire flow and the anticipated residential needs. The hydraulic analysis based on the City's information and a model that mimics the existing water system.
- There are no conflicts with the manholes proposed for this site.
- City-recommended details are included as a part of the construction plans. A City of Cocoa Standard Water Meter and Check Valve for ¾" - 2" Service Lines will be constructed within the right of way and will be per City Standard.
- All installations of the new water main will be in a trench. No water lines will be constructed in aggressive soils or over/under surface water.
- The proposed water line's connection point to the existing system will be via removing the existing two (2") blow off and extending the line. For filling, testing and disinfecting the new water system, a temporary jumper connection will be included.



From: CCEI Project Admin
To: Bryant Smith
Cc: Z. Sid Chehayeb, PE (CCEI)
Subject: RE: Baldwin Industrial - Plaza Parkway, Cocoa, FL (Advantage Self Storage Submittal Expires 10/25/22)
Date: Wednesday, October 19, 2022 11:47:20 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image009.png](#)
[image011.png](#)
[Second we transfer submittal 10-17-22.pdf](#)

EXTERNAL

Hi Bryant,

Thank you for getting back to me. I understand you are short staffed.

When you have a moment, I would really appreciate it if you can you please check on this submittal before it expires?

Best Regards,

Valerie Leone
Project Assistant
Consulting Civil Engineers, Inc.
3650 Bobbi Lane, Suite 119
Titusville, FL 32780
(321) 269-9930

From: Bryant Smith
Sent: Wednesday, October 19, 2022 11:01 AM
To: CCEI Project Admin <admin@cceifl.com>
Subject: Baldwin Industrial - Plaza Parkway, Cocoa, FL

I received your voicemail. We are working to compile the comments and provide you with a comment letter in the near future. Please bear with us right now as Sandra and Angela recently left the City. Currently, I am working all of the roles of the Planning and Zoning Department, in the interim, along with my current duties.



Bryant Smith III, P.E., CFM
Public Works Director / City Engineer

155 N. Wilson Ave • Cocoa, FL 32922
(321) 433-8770 bsmith@cocoafl.gov
www.CocoaFL.gov



From: Abigail Morgan <amorgan@cocoafl.gov>
Sent: Thursday, October 27, 2022 1:55 PM
To: Bryant Smith
Subject: RE: Application Checklist - Advantage Self Storage
Attachments: Checklist Check-off APP-SS-ADVANTAGE SELF STORAGE_AM.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Bryant,

Attached is the checklist check-off. The submittal is complete with the exception of items within the major deliverables, i.e. dumpster details, site lighting fixtures and locations, sidewalk, etc. Those would be addressed as part of the development review process.

Thank you.
Abby

Abigail Morgan, P.E.
Assistant City Engineer/Streets & Stormwater Manager
City of Cocoa

From: Bryant Smith <bsmith@cocoafl.gov>
Sent: Thursday, October 27, 2022 9:08 AM
To: Abigail Morgan <amorgan@cocoafl.gov>
Subject: Application Checklist - Advantage Self Storage

\\chv-file03\dept5\Planning\PLANNING PROJECT FILES\PZ-22-XXX\2022 Site Plans\Advantage

Here is the project file. The application has a checklist. Please go through and just use Adobe to check each item and verify it was submitted.

Thank you,
Bryant



Bryant Smith III, P.E., CFM
Public Works Director / City Engineer

155 N. Wilson Ave • Cocoa, FL 32922

☎ (321) 433-

8770 ✉ bsmith@cocoafl.gov

🖱 www.CocoaFL.gov



From: Bryant Smith
To: CCEI Project Admin
Cc: Z. Sid Chehayeb, PE (CCEI)
Subject: RE: Advantage Self Storage
Date: Tuesday, November 1, 2022 12:14:00 PM

We have reviewed the application and it appears to be complete. The Project Number will be: PZ-22-00000022. The review fee is \$1500 + \$50/additional acre, so the total fee for a 3.0 acre site, per the site plan would be \$1,600. Once the check is received and processed, we can begin the site plan review process.

Bryant Smith III, P.E., CFM
Public Works Director / City Engineer
City of Cocoa

From: CCEI Project Admin <admin@cceifl.com>
Sent: Tuesday, November 1, 2022 9:01 AM
To: Bryant Smith <bsmith@cocoafl.gov>
Cc: Z. Sid Chehayeb, PE (CCEI) <sid@cceifl.com>
Subject: Advantage Self Storage

Good morning Bryant,

Hope you're doing well.

Can you please confirm the review fee amount for this project and provide me with a reference number if there is one?

Best Regards,

Valerie Leone
Project Assistant
Consulting Civil Engineers, Inc.
3650 Bobbi Lane, Suite 119
Titusville, FL 32780
(321) 269-9930



**Utilities Department
Engineering Division**

351 Shearer Blvd • Cocoa, FL 32922
PHONE: (321) 433-8797

February 27, 2023
COSTS VALID FOR 45 DAYS

Zoheir S Chehayeb, PE
Consulting Civil Engineers Inc
3650 Bobbi Lane, Suite 119
Titusville, FL 32780

Re: ADVANTAGE SELF STORAGE (Grissom Pkwy)
24-35-12-00-759 Tax# 2404120 Project# CB23AS

Dear Mr. Chehayeb:

We have approved the referenced plans.

Items required for acceptance of the utility infrastructure by the City of Cocoa are as follows:

1. Preconstruction meeting with Cocoa Engineering Division. Meeting can be held in the field.
 - A. The costs associated with this project must be paid first per the requirements of this letter
 - B. All required permits to include FDEP Permits must be acquired and a copy given to the City prior to work starting.
 - C. Call the Engineering Division at 321-433-8797 to schedule meeting
2. Materials inspection
3. Successful open ditch inspection
4. As-builts* (in accordance with City of Cocoa Technical Provisions)
5. Executed Bill of Sale. The form is located on the City of Cocoa's website at <https://www.cocoafl.org/FormCenter/Utilities-10/Bill-Of-Sale-94>.
6. Executed Water and/or Sewer Easement. The forms are located on the City of Cocoa's website at <https://www.cocoafl.org/250/Engineering-Inspection-Land-Development>.
7. Final inspection of all utility appurtenances
8. DDCV report from your fire line installer

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The costs associated with this project are:

Jumper	\$ 840.00
Meter Station Painting	230.00
First Year Fire Line 8"	1,575.84
Fire Line Painting	230.00

Total \$ 2,875.84

The above costs are due prior to scheduling the preconstruction meeting

The cost for a 1" water meter (on a service provided by your contractor) is:

Impact Fee (#09)	\$ 4,375.00	
1" Water Meter	460.00	
1" RP	450.00	
Deposit	70.00	(recalculated after 6 months usage)
Total	\$ 5,355.00	

The cost for an 8" master meter (on a service line provided by your contractor) is:

8" Protectus Meter	\$ 20,340.11
Deposit	370.00
Total	\$ 20,710.11
Contractor to install RP	

All new accounts with the City of Cocoa are billed a Service Initiation Fee. A Request for Service Application must be completed and a valid photo ID must be submitted with payment to the Utility Customer Service Division. The application can be found on our web site www.cocoafl.gov.

All commercial accounts are billed a utility deposit and calculated amounts may be reviewed and updated based on historical data per the Utility Handbook.

Please include with payment, a site address including a billing address, driver's license, Social Security number or Tax ID number, as well as a contact telephone number and email address.

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30

The water meter will be set after all of the above requirements are satisfied and payments are received. Payments should be remitted to our Utility Customer Service Division, 65 Stone Street, Cocoa, Florida 32922.

A COPY OF THIS LETTER WILL BE REQUIRED WITH THE PAYMENT.

FEES ARE ADOPTED BY CITY COUNCIL AND MAY BE ADJUSTED AS REQUIRED BASED ON CURRENT FEES.

THE COSTS LISTED ON THIS LETTER WILL BE VALID FOR 45 DAYS AND EVALUATED AT TIME OF PAYMENT. RATES ARE REVIEWED ANNUALLY AND MAY BE SUBJECT TO CHANGE.

Please call the Engineering office at (321) 433-8797 for further assistance.

Utilities Development
Engineering Division
utildevelopment@cocoafl.gov
Ph: 321-433-8797 cc: Customer Service Division

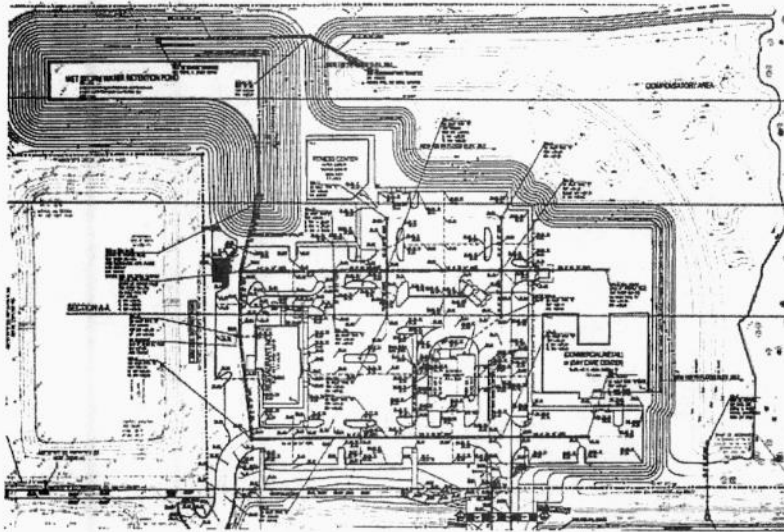
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- **Site Planning / Development**
- **Roadway Design**
- **Permit Applications**
- **Due Diligence / Feasibility Studies**
- **Grading**
- **Stormwater**
- **Sanitary Sewer**
- **Water Systems**
- **SWPPP**



Who We Submit Construction Plans To

- **City and County Governments**
- **Water Management Districts**
- **Florida Department of Transportation**
- **Florida Department of Environmental Protection**
- **Florida Department of Health**

CONTACT INFORMATION

Consulting Civil Engineers, Inc. (CCEI)

32



Planning and Zoning Board Meeting

April 5, 2023

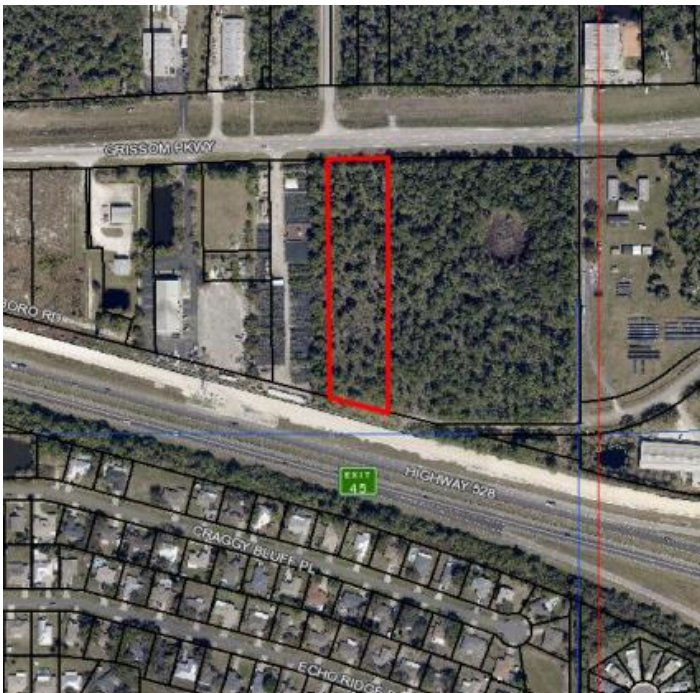
Applicant appeal to the decision of the Community Development Director regarding Self-Service Storage in the M-2 Zoning District

- October 2022 – Advantage Self Storage provided a small-scale site plan application for a Self-Service Storage Facility on Grissom Parkway.
- November 14, 2022 – Director notified the Applicant that the project is being denied since Self-Service Storage is not a permitted use within the M-2 Zoning District, which is the district this project is proposed.
- December 14, 2022 – Applicant provided a letter to appeal the denial of the site plan to the Board, per Appendix A, Article XIII, Section 1(H)(1)



Applicant appeal to the decision of the Community Development Director regarding Self-Service Storage in the M-2 Zoning District

➤ Location and Zoning:



Applicant appeal to the decision of the Community Development Director regarding Self-Service Storage in the M-2 Zoning District

- Self-Service Storage Removal from M-2 History:
 - Removed through Ordinance 06-2020 on July 8, 2020 (P&Z reviewed and recommended the removal of this use to Council on June 16, 2020)
 - Ordinance 06-2020 revamped self-service storage and removed references to personal storage in M-2, as well as the CBD. It also provided specific design requirements for self-service storage in other zoning categories (C-R, C-G as Special Exception, and C-W, M-1, PUD, UMD as Principal Use)
 - Rational to remove from M-2 was to help control the proliferation of self-service storage facilities around the City and that M-2 was intended for more intense industrial uses, making this use incompatible with the District's intent



Applicant appeal to the decision of the Community Development Director regarding Self-Service Storage in the M-2 Zoning District

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.

WHEREAS, the City is granted the authority, under Section 2(b), Article VIII, of the State Constitution, to exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, the City's Zoning Code provides for the location of self-service storage facilities, using various terms such as "personal storage," "personal storage warehouses," or "mini-warehouses"; and

WHEREAS, the City Council desires to amend the Zoning Code to alter the permitted locations for self-service storage facilities and to provide additional regulations relating parking, outdoor storage of major recreational equipment, and landscaping as provided further herein; and

WHEREAS, the City Council of the City of Cocoa, Florida, hereby finds this Ordinance to be in the best interests of the public health, safety, and welfare of the citizens of Cocoa.



Applicant appeal to the decision of the Community Development Director regarding Self-Service Storage in the M-2 Zoning District

Sec. 19. - District and Intent—M2 Manufacturing and Industrial District.

The provisions of this district are intended to preserve the function of various industrial activities, warehousing and distribution without creating hazards or negatively influencing surrounding land uses. This district shall be located in areas accessible to collector or higher classification roadways and be served by public services and facilities. These districts shall be discouraged from locating next to areas designated for residential or low-intensity commercial uses.

(A) **PRINCIPAL USES AND STRUCTURES.** The following uses and structures are permitted for any use or group of uses that are developed, either separately, or as a unit with certain site improvements shared in common:

- (1) Industrial uses, industrial processing, and manufacturing.
- (2) Commercial greenhouses.
- (3) Schools (industrial and vocational in nature).
- (4) Storage facilities (excluding salvage yards), including automobiles, mobile homes, commercial vehicles and heavy equipment, building materials, general, refrigerated, and recreational vehicles pursuant to Appendix A, Article XIII, Sec. 5 of the Code of the City of Cocoa.

(5) —Personal storage warehouses.



Applicant appeal to the decision of the Community Development Director regarding Self-Service Storage in the M-2 Zoning District

Excerpt from Appendix A, Article XI, Section 19-Manufacturing and Industrial District, Part (A)-Principal Uses and Structures

(A) PRINCIPAL USES AND STRUCTURES. The following uses and structures are permitted for any use or group of uses that are developed, either separately, or as a unit with certain site improvements shared in common:

- (1) Industrial uses, industrial processing, and manufacturing.
- (2) Commercial greenhouses.
- (3) Schools (industrial and vocational in nature).
- (4) Storage facilities (excluding salvage yards), including automobiles, mobile homes, commercial vehicles and heavy equipment, building materials, general, refrigerated, and recreational vehicles pursuant to Appendix A, Article XIII, Sec. 5 of the Code of the City of Cocoa.
- (5) Research facilities:
 - a. Where the use does not involve:
 1. Creation of excessive noise, fumes, dirt; or
 2. Damage or interference with other properties.
 - b. Where all work is done within an enclosed structure.
- (6) Transportation facilities; passenger and/or freight.
- (7) Warehousing and distribution.
- (8) Mobile home repair facilities.
- (9) Contractor's office and storage yard, except scrap materials. Outside storage shall be effectively screened on all sides to avoid any deleterious effect upon adjacent properties and right of ways.
- (10) Sales or rental of new and/or used commercial vehicles and heavy equipment, major recreational equipment, and mobile homes as regulated by appendix A, article XIII, section 28 of the Code of the City of Cocoa.



Applicant appeal to the decision of the Community Development Director regarding Self-Service Storage in the M-2 Zoning District

(11) Limited commercial uses, as identified in this section, shall be permitted with the following conditions:

- a. Commercial uses shall only be located on property having a minimum of one hundred fifty (150) feet of frontage along Grissom Parkway.
- b. Commercial uses shall only be located within four hundred (400) feet of Grissom Parkway, as measured from the right-of-way line. All on-site commercial-related improvements, such as retention, parking, loading/unloading, etcetera, shall be contained within this four hundred (400) foot area. Retention areas may be provided outside of the four hundred (400) foot requirement if the proposed commercial use is part of a master planned industrial park with an associated retention system.
- c. Commercial uses shall have no outdoor storage or display.
- d. Commercial uses shall be limited to:
 1. Retail sales of carpet, tile, pool, furniture, construction products or materials sold directly to the end user (builder, installer, or homeowner).
 2. Restaurants located within one (1) principal structure, including the sale of beer and wine for on-site consumption only, with a minimum three thousand (3,000) linear feet spacing requirement between restaurant uses as measured between the nearest property lines. This distance requirement shall not apply if the proposed restaurant is part of a master planned industrial park and the restaurant is located within four hundred (400) feet of Grissom Parkway.
 3. Business service establishments.
 4. Veterinary hospitals, clinics, and animal boarding facilities.
 5. Indoor shooting ranges, with ancillary retail sales and restaurant subject to the requirements of subsection (A)(12)(d)2. of this section, shall be permitted with the following conditions:
 - a. All firing shall take place within a completely enclosed building.
 - b. Site plan applications for the development of an indoor shooting range shall include a plan by a Florida registered engineer demonstrating that the building is soundproof and appropriately designed for such use.



Applicant appeal to the decision of the Community Development Director regarding Self-Service Storage in the M-2 Zoning District

Excerpt from Appendix A, Article XI, Section 15-Commercial Wholesale, Item (15)

Self-service storage facilities subject to the following provisions:

- a. Minimum lot area: An area not less than twenty thousand (20,000) square feet having a minimum width of one hundred (100) feet and a minimum depth of two hundred (200) feet.
- b. There shall be a minimum of one (1) parking space for the office manager, one (1) parking space for each six hundred (600) square feet of office space, one (1) parking space for each fifty (50) storage units, and one (1) parking space for each five thousand (5,000) square feet of major recreational equipment storage area.
- c. Where a self-service storage facility abuts residentially-zoned property, an opaque fence or wall, at least six (6) feet in height, shall be provided.
- d. All lights shall be shielded to focus and direct light onto the uses established, and away from adjacent property or street/roads. The lighting may be of sufficient intensity to discourage vandalism and/or theft.
- e. The structure shall not be utilized as a place of business by renters or lessors of space and no local business tax receipt shall be approved where the business operation takes place on the property other than that of the self-service storage facility owner/operator.
- f. Outdoor storage of major recreational equipment shall be permitted with the following conditions:
 1. Outdoor storage areas shall be screened from view on all sides visible from rights-of-way and adjoining property by either a solid wall or opaque fence at least ten (10) feet in height or an on-site building. Where such outdoor storage area abuts a right-of-way, the required wall or fence shall be set back a minimum of five (5) feet from the property line and a landscape buffer installed between the property line and the fence. See subsection (g) below on landscaping.
 2. Gates in fencing shall be of the same opaque material as the fence. Gates in a wall shall be of an opaque material.
 3. Gate width for vehicle entry/exit and interior drive access aisles shall be sized to accommodate the turning radius needed for large vehicles.
 4. Outdoor storage of vehicles such as cars or trucks shall be permitted in an outdoor storage area, not to exceed a maximum of ten (10) vehicles.
 5. Outdoor storage of major recreational equipment exceeding thirteen and one-half (13½) feet in height shall not be permitted.
 6. On-site light, minor maintenance and cleaning of any major recreational equipment permitted by this section is allowed. However, the following shall be strictly prohibited: refueling, oil and engine fluid changes, major restoration, part salvage, major part replacement, engine repair, transmission repair, body repair, and other heavy and major repairs.
 7. No major recreational equipment may be stored which is wrecked, being stripped for parts, awaiting salvage or recycling, or inoperable.
 8. Major recreational equipment permitted under this section shall not be used as living quarters.
- g. Landscaping: A five-foot landscape buffer shall be provided along all road rights-of-way and shall consist of trees and high profile shrubs together with suitable ground cover to include native grasses and mulching, where appropriate. Landscaping shall be designed, placed and maintained in such a manner as not to impair vehicle visibility at corner intersections. The landscaping requirements shall conform to article XIV, Landscaping Requirements of the zoning code, of the city.



Applicant appeal to the decision of the Community Development Director regarding Self-Service Storage in the M-2 Zoning District

- Self-Service Storage Removal from M-2 History:
 - *The provisions of this district are intended to preserve the function of various industrial activities, warehousing and distribution without creating hazards or negatively influencing surrounding land uses. This district shall be located in areas accessible to collector or higher classification roadways and be served by public services and facilities. These districts shall be discouraged from locating next to areas designated for residential or low-intensity commercial uses.*
 - The applicant has proposed within their appeal that self-service storage facilities are included in the definition of Warehousing/Distribution



Applicant appeal to the decision of the Community Development Director regarding Self-Service Storage in the M-2 Zoning District

➤ Self-Service Storage Removal from M-2 History:

*SELF-SERVICE STORAGE FACILITIES. A fully enclosed building or buildings having individual compartmentalized units, stalls or lockers with privately controlled access points which **are to be rented only as storage space for customer's goods, wares or personal property.** The term is synonymous with mini-warehouses, mini-storage, self-storage facilities and self-storage warehouses.*

*WAREHOUSING/DISTRIBUTION. An activity involving the storage of goods or materials **before or after manufacture and before final sales or use, and includes transshipment of such goods or materials** (loading and unloading) but excludes manufacturing and processing.*



Applicant appeal to the decision of the Community Development Director regarding Self-Service Storage in the M-2 Zoning District

- Self-Service Storage Removal from M-2 History:
 - Staff disagrees with this proposal as it is very clear that Warehousing/Distribution is clearly defined as a transition point in the supply chain, not an individual unit for personal use.
 - Additionally, while “General Storage” is included as a principal uses as part of the allowed uses within M-2, Self-Service Storage is not within those allowed uses and is also a specifically defined use in the City Code of Ordinances.
 - The M-2 Zoning District prohibits: “All uses not specifically or provisionally permitted herein”
 - Therefore, since it is not specifically permitted in the principal or special exception uses within M-2, it is a prohibited use and there is no uncertainty regarding those terms.



Applicant appeal to the decision of the Community Development Director regarding Self-Service Storage in the M-2 Zoning District

- A site-plan analysis was not completed since the project does not meet the applicable code requirements related to M-2
- Staff is requesting the Planning and Zoning Board to affirm the determination of the Community Development Director to deny the Small-Scale Site Plan application for a self-service storage facility pursuant to Appendix A, Zoning Article XIII, Section 1 (H) in the Manufacturing and Industrial District (M-2).



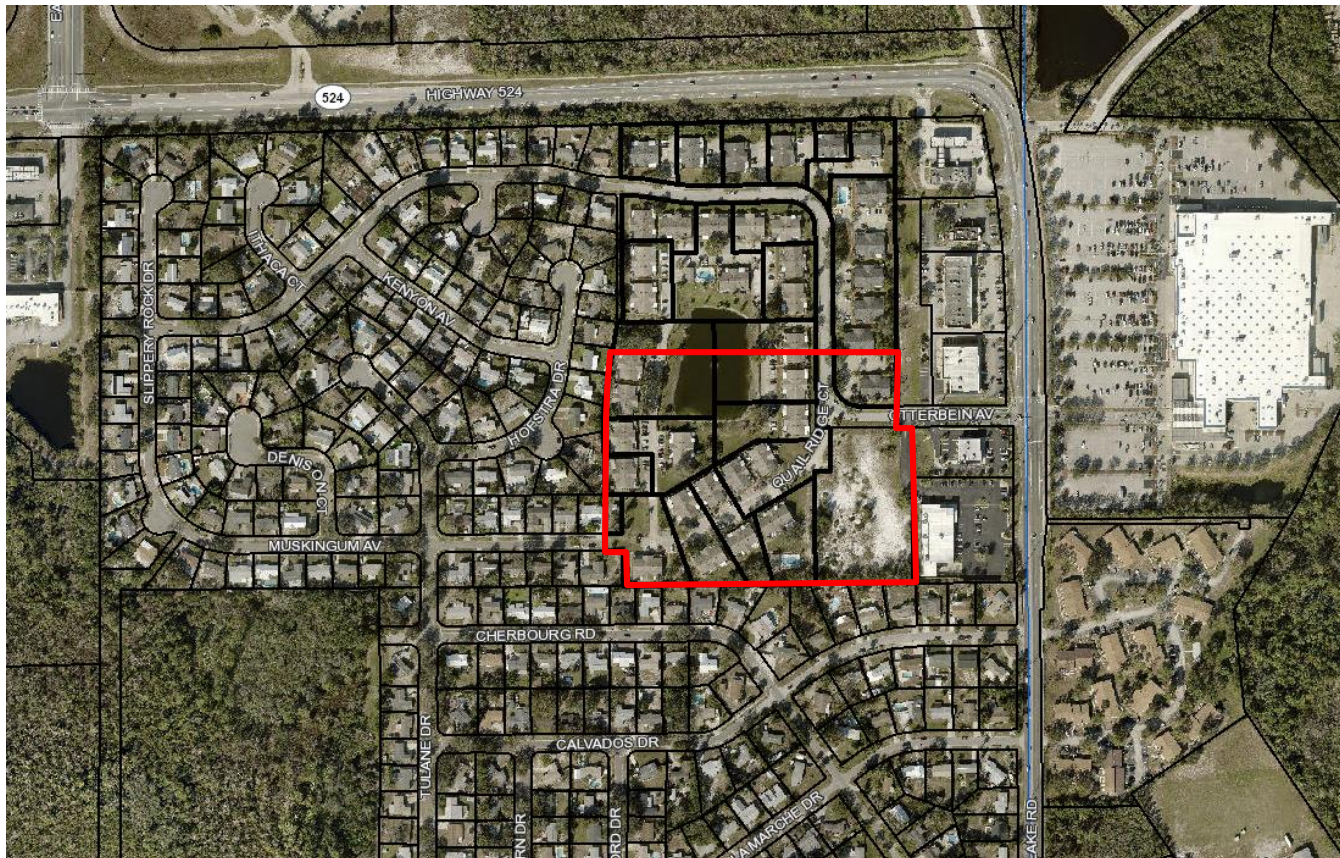
PZ-23-02100002 — Consideration Zoning Map Amendment (Ordinance 03-2023)

- Consideration of a Zoning Map Amendment to change the zoning designation of approximately 11.59 acres and 77 parcels from Commercial Neighborhood (C-N) to Multiple Family Residential (RU-2-15)
- This request is to correct a conflict between the current zoning and the Future Land Use, which is Medium Density Residential
 - C-N is not an allowed zoning district within that land use classification
- The requested zoning is consistent with the surrounding uses and zoning districts
- Both C-N and RU-2-15 allow multiple family residential
 - A correction to the Zoning or Land Use would still allow for Multifamily
 - RU-2-15 is a appropriate zoning category because of the existing multifamily within the Quail Ridge Condominiums



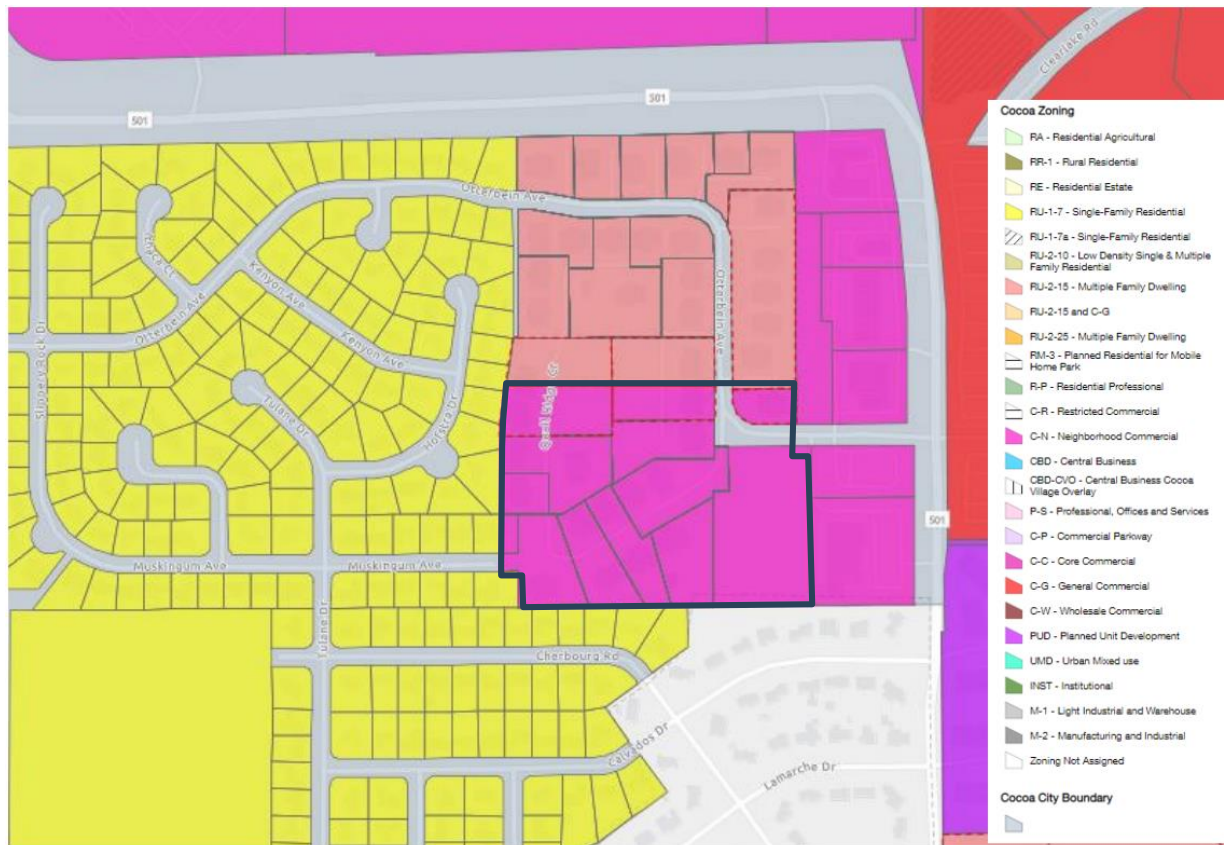
PZ-23-02100002 — Consideration Zoning Map Amendment (Ordinance 03-2023)

➤ Location Map:



PZ-23-02100002 — Consideration Zoning Map Amendment (Ordinance 03-2023)

➤ Zoning Map:

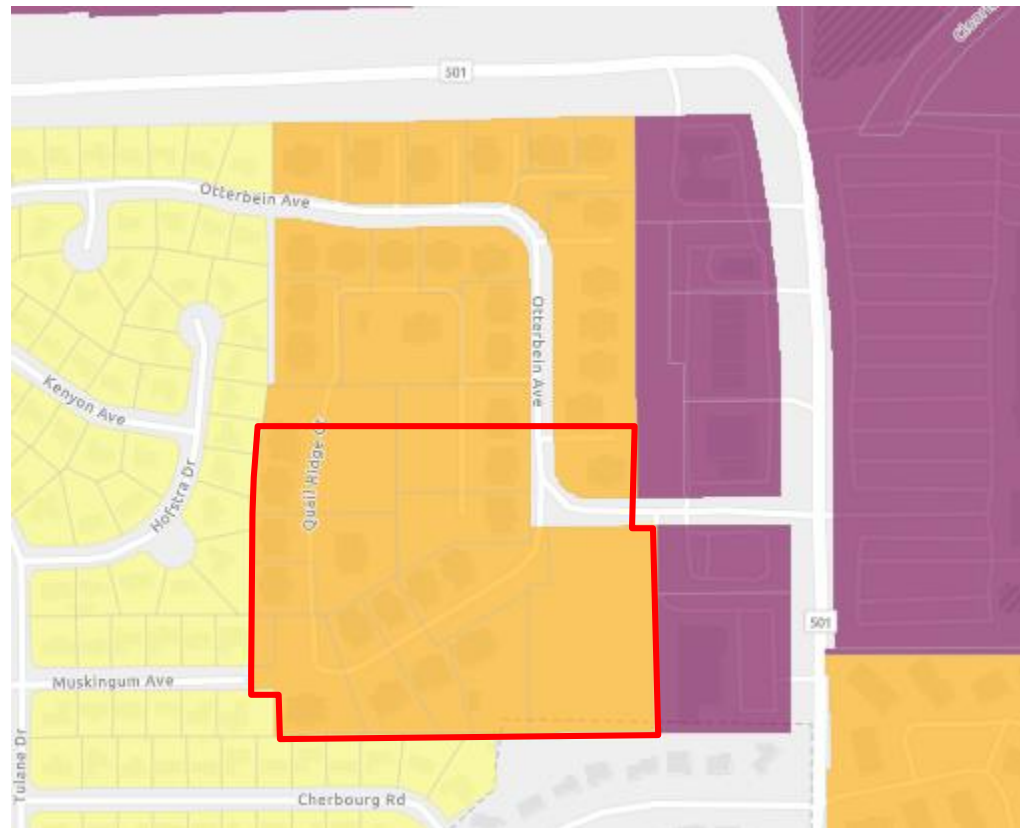


PZ-23-02100002 — Consideration Zoning Map Amendment (Ordinance 03-2023)

➤ Future Land Use Map:

Future Land Use

-  Very Low Density Residential
-  Low Density Residential
-  Medium Density Residential
-  High Density Residential
-  Neighborhood Commercial
-  Commercial
-  Mixed Use
-  Industrial
-  Conservation
-  Institutional
-  Recreation/Open Space
-  Regional Activity Center
-  County Zoning



PZ-23-02100002 — Consideration Zoning Map Amendment (Ordinance 03-2023)

- Staff has determined this amendment to be consistent with both the Code of the City of Cocoa and the Comprehensive Plan Policies and Objectives
- Staff recommends that the Planning & Zoning Board recommend **APPROVAL** to the City Council of the Zoning Map amendment consistent with Appendix A, Zoning, Article XXII, to change the Official Zoning Map designation of 77 parcels totaling ±11.59 acres from C-N to RU-2-15 as described in Ordinance 03-2023.



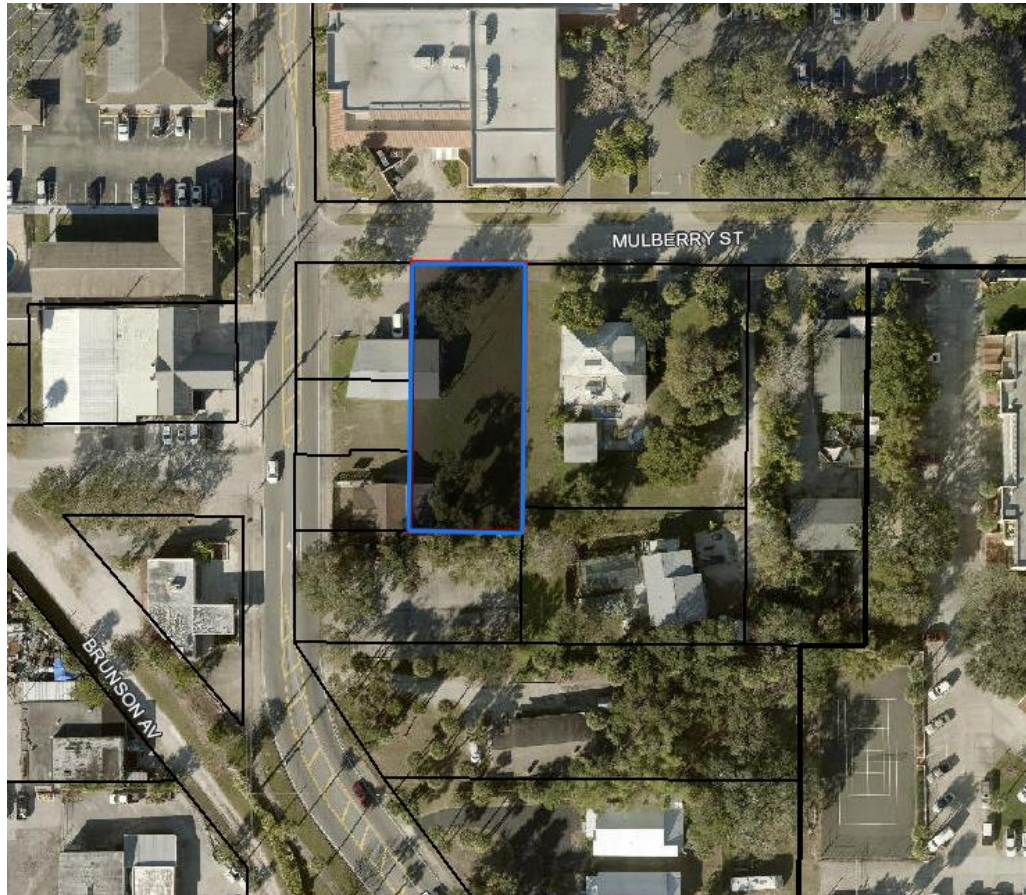
PZ-23-02100001 — Consideration of Applicant Requested Zoning Map Amendment (Ordinance 04-2023)

- Consideration of a Zoning Map Amendment to change the zoning designation of an approximately 0.27 acre parcel from Core Commercial (C-C) to Multiple Family Residential (RU-2-25)
- This request is to correct a conflict between the current zoning and the Future Land Use, which is High Density Residential
 - C-C is not an allowed zoning district within that land use classification
- The requested zoning is consistent with the surrounding uses, zoning districts, and would bring the property into conformance
- Due to the lot characteristics of this parcel, only a single-family dwelling would be permitted
 - Lot Width: 70' – 150' Required for Multifamily; 50' required for single family
 - Lot Area: 11,870 SF – 15,000 required for Multifamily; 5,445 for single family



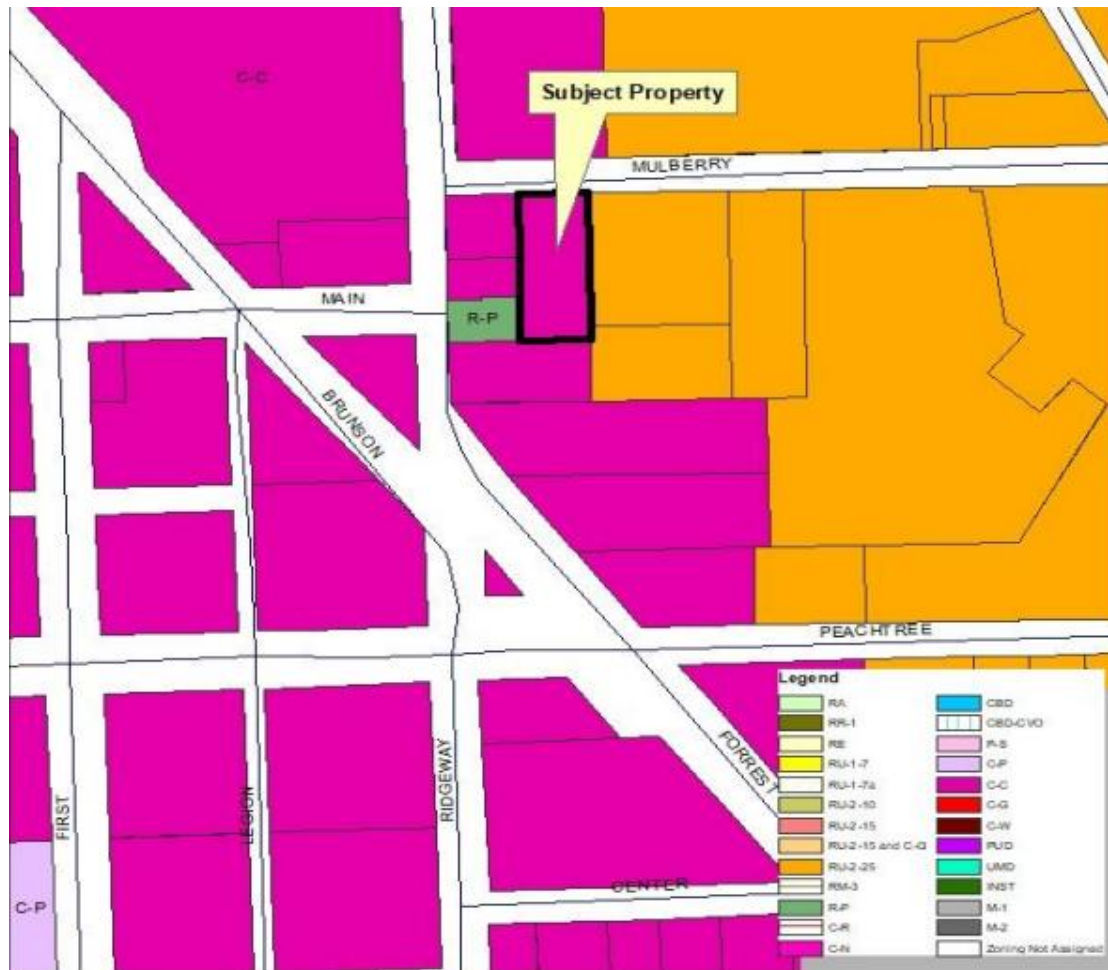
PZ-23-02100001 — Consideration of Applicant Requested Zoning Map Amendment (Ordinance 04-2023)

➤ Location Map:



PZ-23-02100001 — Consideration of Applicant Requested Zoning Map Amendment (Ordinance 04-2023)

➤ Zoning Map:

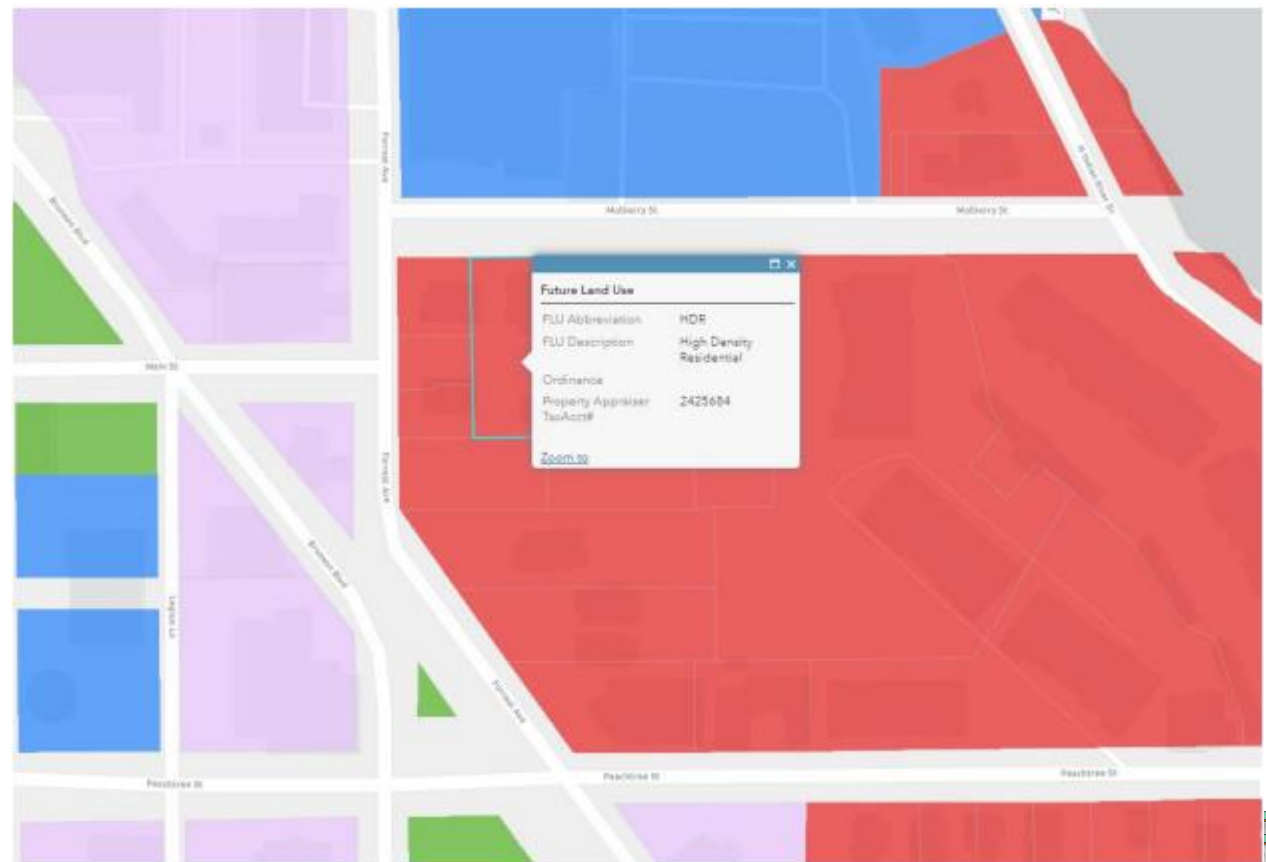


PZ-23-02100001 — Consideration of Applicant Requested Zoning Map Amendment (Ordinance 04-2023)

➤ Future Land Use Map:

Future Land Use

-  Very Low Density Residential
-  Low Density Residential
-  Medium Density Residential
-  High Density Residential
-  Neighborhood Commercial
-  Commercial
-  Mixed Use
-  Industrial
-  Conservation
-  Institutional
-  Recreation/Open Space
-  Regional Activity Center
-  County Zoning



PZ-23-02100001 — Consideration of Applicant Requested Zoning Map Amendment (Ordinance 04-2023)

- Staff has determined this amendment to be consistent with both the Code of the City of Cocoa and the Comprehensive Plan Policies and Objectives
- Staff recommends that the Planning & Zoning Board recommend **approval** to City Council of Ordinance 04-2023, 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 ±0.27-acre parcel from the CC to the RU-2-25 district.



PZ-23-02000001 — Consideration of Staff Requested Zoning Text Amendment (Ordinance 02-2023)

- Consideration of a Zoning Text Amendment to change district regulations regarding Gym and Fitness Facilities in various zoning districts.
- March 1 – Board requested that a definition be included
- Gym and fitness facility: a privately-owned, indoor establishment offering individuals or groups the ability to engage in exercise or sport related activities for the purpose of physical fitness, health, and recreation, whether or not on a membership basis. This use may include indoor gymnasiums, gymnastics centers, dojos, exercise or dance studios, yoga studios, or similar facilities where individuals may engage in regular physical activities including exercise, sports, or recreation. This use may also include incidental accessory uses such as food and beverage sales, game courts, locker rooms, training facilities, and/or saunas. This term does not include indoor playgrounds or play areas primarily designed for children



PZ-23-02000001 — Consideration of Staff Requested Zoning Text Amendment (Ordinance 02-2023)

- Currently, Gym and Fitness Facilities are only allowed within the Central Business District and Urban Mixed Use District
- There are currently several of these facilities in other zoning districts where they are not permitted and staff has received interest from other parties wishing to create new gym and facilities in the City
- Staff reviewed the City's zoning districts to determine the which one may be appropriate for the gym and fitness use. Limitations on square footage were also included as necessary.



PZ-23-02000001 — Consideration of Staff Requested Zoning Text Amendment (Ordinance 02-2023)

➤ Summary of Proposed Changes:

District	Appendix A Article XI Section #	Current Status of Gym and Fitness Facilities	Proposed Change
CR	10A	Not allowed	Permitted < 7500sqft Special Exception > 7500sqft
CN	11	Not allowed	Permitted < 7500sqft Special Exception > 7500sqft
CG	12	Not allowed	Allowed as permitted use any size
CBD	13	Allowed as principal use; no size restriction	Allowed as principal use; must be < 7500sqft
CP	15	Not allowed	Allowed as permitted use any size
CW	15	Not allowed	Allowed as permitted use any size
M-1	16	Not allowed	<i>Will be allowed any size as a result of cumulative zoning with C-W</i>
PUD	17	Not allowed	Allowed as permitted use any size
CWOD	22	Permitted use in certain subdistricts; no size restriction	Permitted in certain subdistricts < 7500sqft; newly added to North of Village and additional areas of King Willard



PZ-23-02000001 — Consideration of Staff Requested Zoning Text Amendment (Ordinance 02-2023)

- Staff recommends that the Planning and Zoning Board recommend approval to City Council of the requested zoning text amendment related to gym and fitness facilities as provided in the proposed Ordinance 02-2023.





Legislation Details (With Text)

File #: 23-347 **Version:** 1 **Name:**
Type: Ordinance **Status:** Agenda Ready
File created: 5/31/2023 **In control:** Planning and Zoning / Local Planning Agency
On agenda: 6/7/2023 **Final action:**
Title: Consideration of Ordinance 06-2023, 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 5.88 acres from City of Cocoa "Commercial" to City of Cocoa "High Density Residential."

Sponsors:

Indexes:

Code sections:

Attachments: [Exhibit A - Location Map.pdf](#)
[Exhibit B - FLU Map.pdf](#)
[Exhibit C Legal AD .pdf](#)
[Exhibit D - Zoning Map.pdf](#)
[Ord 06-2023.docx](#)

Date	Ver.	Action By	Action	Result
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PLANNING & ZONING BOARD/LOCAL PLANNING AGENCY AGENDA ITEM

Memo Date: May 31, 2023
Agenda Date: June 7, 2023
Prepared By: Bryant Smith III, P.E., CFM - Public Works Director
Through: Bryant Smith III, P.E., CFM - Public Works Director

Requested Action:

Consideration of Ordinance 06-2023, 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 5.88 acres from City of Cocoa "Commercial" to City of Cocoa "High Density Residential."

BACKGROUND:

The subject property for this Future Land Use amendment is comprised of a 5.88-acre parcel, owned by Charity Properties LLC. The parcel is located west of Forrest Avenue, east of US-1 and north of Hillcrest Drive and Grimes Street. A map depicting the location of the subject parcel is attached as Exhibit "A". The City is requesting to change the Future Land Use Map designation from this property from Commercial (COMM) to High Density Residential (HDR). The current future land use map is provided as Exhibit B. The assignment of a Future Land Use designation must be consistent with the City's Comprehensive Plan. Policy 1.1.2.5 states that High-density residential areas shall be deemed to be areas of attached multi-unit dwellings and detached housing where a mixture of unit types and

a variety of buildings may be permitted. The property owner intends to construct multi-family units on a portion of the property should the future land use amendment and a partial rezone be approved. The existing Matthew's Hope facilities and daycare are expected to remain on the property. Following the proposed future land use amendment, the property owner is expected to propose a rezone to RU-2-25 on the western portion of the site.

Future Land Use Designation: Current: Commercial
Proposed: High Density Residential

Zoning District: Current: Institutional
Proposed: RU 2-25 and Institutional

Existing Land Use: Religious / Social Service Area
Council District: District 2 - Deputy Mayor Lavander Hearn
Project Number: 23-00500001

Overview of Surrounding Area:

	Future Land Use Designations	Zoning Districts	Land Uses
North	Commercial	Neighborhood Commercial	Bank and Retail/Offices
South	Commercial	Multiple Family Dwelling (RU-2-15)	Residential and Offices
East	Neighborhood Commercial and Commercial	Neighborhood Commercial	Residential and Retail
West	Commercial	Wholesale Commercial	Storage and Auto Repair

I. Comprehensive Plan Amendment Analysis

Consistency with Code of the City of Cocoa

Planning & Zoning staff has addressed the criteria contained in Chapter 15, Article II, Sections 15-10 and 15-11 below:

- (1) Whether the proposed amendment will have a favorable or unfavorable effect on the city's budget, or the economy of the city or the region;

Staff Finding: Application of a City of Cocoa HDR Future Land Use designation would allow for multi-family use on the property. This will increase the potential of tax revenue and capital investments.

- (2) Whether the proposed amendment will diminish the level of service of public facilities;

Staff Finding: The future land use amendment will not negatively impact or diminish the service level of public facilities. The current land use of Commercial is one of the broadest land use

categories and could potentially allow a number of high intensity commercial developments on the 5.88 acres. The amendment to high density residential most likely would not increase the intensity beyond the existing land use and therefore would not diminish the level of service if amended.

Potable Water: The subject parcel is served by the City of Cocoa Utilities Department for water service. The current potable water capacity available in the City can provide service to this location, given the maximum number of achievable units on the property. Any site modifications that will increase the existing demand will be reviewed as part of the engineering review process and the applicant proposing the increase will be responsible for any modifications, as needed, to the potable water system.

Sanitary Sewer: The subject parcel is served by the City of Cocoa Utilities Department for sewer service. The current sewer capacity available in the City can provide service to this location, given the maximum number of achievable units on the property. Any site modifications that will increase the existing demand will be reviewed as part of the engineering review process and the applicant proposing the increase will be responsible for any modifications, as needed, to the sewer system.

Solid Waste: The solid waste service to this parcel is provided through the City's Solid Waste Agreement. Solid Waste service shall be provided to the site in accordance with the applicable LOS standards and pursuant to the applicable requirements of the Waste Management Agreement and City Code.

Stormwater Management: The application is subject to the City of Cocoa's stormwater utility program. The applicant will be required to adhere to the City's stormwater level of service standards upon submittal of any site plan application, if site plan modifications are applied for in the future.

Transportation: The subject property has existing access locations from Hillcrest, Grimes, and Forrest Ave. Forrest Avenue is a minor arterial roadway that has direct access to a signalized intersection at Forrest and US-1. If the site is modified from its current use to multi-family, a traffic impact analysis or Trip memorandum will be required to determine potential traffic impacts. The maximum achievable units on this site would not lead to the roadways exceeding their maximum allowable volume (MAV). The latest traffic counts indicate 11,871 Average Daily Trips (ADT) with a MAV of 15,600 ADT.

Parks: The LOS level is 1.25 acres of developed recreational area per 1000 population. The number of park acreage within the City already far exceeds the minimum requirement of the comprehensive plan. Multi-family projects typically provide on site open space for their residents as well.

Schools: A Concurrency Determination must be performed by the School District prior to a site plan being issued for the property in accordance with Policy 11.1.2.2 of the Comprehensive Plan, Public School Facilities Element.

- (3) Whether there will be a favorable or unfavorable impact on the environment or the natural or historical resources of the city or the region as a result of the proposed amendment;

Staff Finding: The subject site has already been developed and unfavorable impacts would not be expected. Any major site modifications would require the site to come into compliance with current codes, which would likely benefit the environment related to stormwater requirements. Natural/historic resources of the city should not be affected.

- (4) Whether the proposed amendment is consistent with and its effect upon the goals, objectives, and policies of the state comprehensive plan set forth in Chapter 187, Florida Statutes, and the East Central Florida Comprehensive Regional Policy Plan, adopted by Rule 29F-19.001, Florida Administrative Code;

Staff Finding: The proposed FLUM amendment meets the following goal of the State Comprehensive Plan, Chapter 187.201(15) LAND USE - "In recognition of the importance of preserving the natural resources and enhancing the quality of life of the state, development shall be directed to those areas which have in place, or have agreements to provide, the land and water resources, fiscal abilities, and service capacity to accommodate growth in an environmentally acceptable manner".

- (5) Whether the city is able to provide adequate service from public facilities to the affected property, if the amendment is granted, and whether the amendment will promote the cost/effective use of or unduly burden public facilities below the level of service set in the comprehensive plan;

Staff Finding: As provided above, staff does not anticipate any negative impact greater than these services can handle. Further, police protection is provided by the City of Cocoa Police Department. They indicate that they will be able to provide crime prevention and police protection services at the same level of service provided to other City residents and businesses with existing resources.

Fire Protection is provided by the City of Cocoa's Fire Station No. 2 (300 Brunson Avenue) which is located south of the subject parcel. All stations will continue to provide Enhanced BLS (Basic Life Support) services and fire prevention and protection services.

- (6) Whether the amendment is compatible with surrounding neighborhoods and land use;

Staff Finding: The surrounding properties all carry a FLU of Commercial or Neighborhood

Commercial. However, a large area south of Highland Street to Center Street east of Forrest Avenue in the nearby vicinity of the subject property has a High Density Residential FLU. Further, a large area south of Olive Street and continuing into the Cocoa Village has a Mixed Use FLU in the nearby vicinity. Both of these future land use categories encourage high density residential development.

Further, although the existing uses to the south are single-family residential, such area is zoned RU-2-15, permitting multi-family residential development. In addition, the nearby area south of Olive Street to Center Street is zoned RU-2-25, high density residential. It should also be noted that, prior to 2016, the subject parcel was previously zoned as RU-2-25 on the western portion of the property and RU-2-15 on the eastern portion. In 2016 the church on the subject property applied to rezone to Institutional to accommodate an electronic sign. There are existing high density residential land uses located south of this parcel and a number of RU-2-25 zoned parcels located north and south of this parcel. With the subject parcel being located between a principal arterial roadway (US-1) and minor arterial (Forrest Avenue) and considering the close proximity of property zoned and with future land use categories encouraging high density residential development, staff believes this land use is appropriate and meets the intention of the comprehensive plan related to the HDR land use.

- (7) If the amendment being requested is consistent with all the elements of the comprehensive plan.

Staff Finding: The subject property is consistent with the following goals of the comprehensive plan. The property has direct access to a minor arterial roadway which connects to a principal urban arterial roadway. Both principal and minor arterial roadways are higher classifications than collector roadways. Pedestrian access is also provided along Forrest and US-1.

Future Land Use Element

GOAL 1.1: Create and maintain a broad range of activities that maximize the City's potential as a growth center while protecting the public health, safety, welfare and appearance through the thoughtful planned use and development of the land and public facilities.

Policy 1.1.2.5: High Density Residential (HDR). High-density residential areas shall be deemed to be areas of attached multi-unit dwellings and detached housing where a mixture of unit types and a variety of buildings may be permitted. The following criteria shall be used for determining appropriate locations for high density residential areas.

- A. High-density residential areas shall have access to a major collector street or a roadway with a higher functional classification.
- B. It is the intent of the City to provide these areas with safe and convenient pedestrian access to nearby recreation and shopping facilities.

Objective 1.2.1: Smart Growth Principles. New development in the City shall incorporate "Smart Growth" principles that will lead to compact development standards as opposed to conventional development standards that encourage urban sprawl.

- (8) Whether the amendment will have a favorable or adverse effect on the ability of people to find

adequate housing reasonably accessible to their places of employment;

Staff Finding: The proposed FLUM amendment will provide a favorable effect on the ability of people to find adequate housing by increasing available units and choice of housing type.

- (9) Whether the proposed amendment will promote or adversely affect the public health, safety, welfare, economic order, or aesthetics of the region or the city.

Staff Finding: The proposed application will reinforce the positive elements of the City by paving the way for future economic vitality without any negative impacts to public health, safety, and welfare.

BUDGETARY IMPACT:

None.

PREVIOUS ACTION:

Ordinance 14-2016 was approved on November 7, 2016 to amend the zoning map from RU-2-15 and RU-2-25 to Institutional by request of the owner.

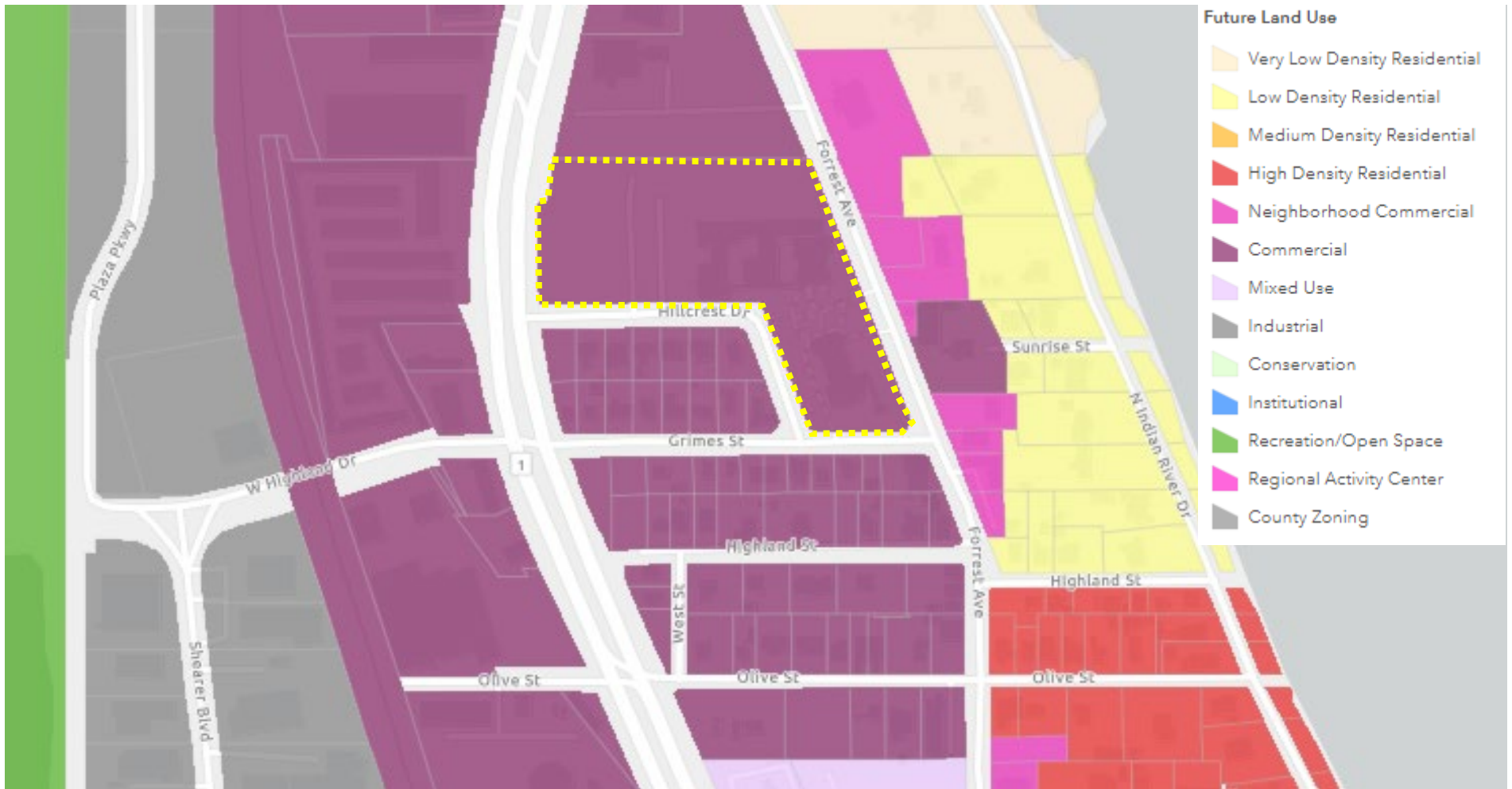
RECOMMENDED MOTION:

Staff recommends the Planning and Zoning Board recommend approval of Ordinance 06-2023, 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 5.88 acres from City of Cocoa "Commercial" to City of Cocoa "High Density Residential."

Exhibit A – Location Map



Exhibit B – Future Land Use Map



Final Publication Date
5/26/2023

City
Cocoa

Ad Number
GCI1066321

State
FL

Publication
FLORIDA TODAY

ZIP Code
32922-7982

Market
Brevard

Your Name
Jennifer DeWitt

Delivery Method
Both

Email Address
jldewitt@gannett.com

Number of Affidavits Needed
1

Customer Email
Iribeiro@cocoafl.gov

Customer Name
FLORIDA TODAY

Customer Phone Number
(321) 639-7555

Customer Address
65 Stone ST
Cocoa, FL 32922-7982

Account Number (If Known)
6CI200

Name
Lucilene Ribeiro

Street
65 Stone ST



CITY OF COCOA TE
65 STONE ST
COCOA, FL 32922
ATTN LUCILENE RIBEIRO

STATE OF FLORIDA COUNTY OF BREVARD

Before the undersigned authority personally appeared said legal clerk, who on oath says that he or she is a Legal Advertising Representative of the FLORIDA TODAY a daily newspaper published in Brevard County, Florida that the attached copy of advertisement, being a Legal Ad in the matter of

PUBLIC NOTICE

as published in FLORIDA TODAY in the issue(s) of

5/26/2023

Affiant further says that the said FLORIDA TODAY is a newspaper in said Brevard County, Florida and that the said newspaper has heretofore been continuously published in said Brevard County, Florida each day and has been entered as periodicals matter at the post office in MELBOURNE in said Brevard County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

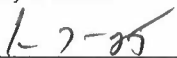
Sworn to and Subscribed before me this 26TH DAY OF MAY, 2023 by legal clerk who is personally known to me



Affiant



Notary State of Wisconsin County of Brown



My commission expires

PUBLICATION COST: \$623.60
AD NO: GCI1066321
CUSTOMER NO: 6CI200
PO#: PUBLIC NOTICE

KATHLEEN ALLEN
Notary Public
State of Wisconsin

CITY OF COCOA NOTICE OF PUBLIC HEARING

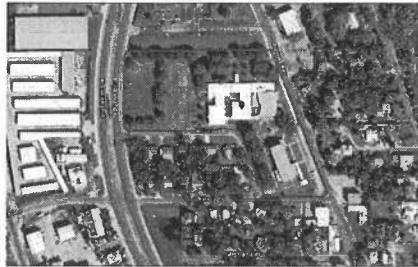
NOTICE IS HEREBY GIVEN THAT
THE PLANNING & ZONING BOARD/LOCAL
PLANNING AGENCY
AND THE COCOA CITY COUNCIL

PROPOSE TO CONSIDER THE FOLLOWING:

Ordinance 06-2023 | Parcel ID: 24-36-28-76-A

A. 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 OF REAL PROPERTY WITHIN THE CITY OF COCOA, CONSISTING OF APPROXIMATELY 5.88 ACRES, MORE OR LESS, LOCATED NORTHWEST OF THE INTERSECTION OF FORREST AVENUE AND GRIMES STREET AND IS IDENTIFIED BY THE BREVARD COUNTY PROPERTY APPRAISER'S OFFICE AS PARCEL ID: 24-36-28-76-A, BEING LEGALLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO; CHANGING THE FUTURE LAND USE DESIGNATION OF THE REAL PROPERTY FROM COMMERCIAL TO HIGH 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.

Firm Foundation Preschool - Madhwa Hope



Ordinance 07-2023 | Comp Plan FLU-1 RU-1-7

B. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA ADOPTING A LARGE SCALE COMPREHENSIVE PLAN TEXT AMENDMENT; AMENDING FIGURE FLU-1 SET FORTH IN THE FUTURE LAND USE ELEMENT TO PROVIDE THE RU-1-7 ZONING DISTRICT IS AN ALLOWABLE ZONING DISTRICT IN THE MEDIUM DENSITY RESIDENTIAL FUTURE LAND USE CATEGORY AND TO PROVIDE THE INSTITUTIONAL ZONING DISTRICT IS AN ALLOWABLE ZONING DISTRICT IN MULTIPLE FUTURE LAND USE CATEGORIES; PROVIDING DATA AND ANALYSIS AND THE LEGAL BASIS SET FORTH IN THE RECITALS TO SUPPORT THE PROPOSED COMPREHENSIVE AMENDMENT; 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..

Ordinance 08-2023 | Accessory Structure

C. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; AMENDING THE SUPPLEMENTAL DISTRICT REGULATIONS OF THE ZONING ORDINANCE OF THE CITY OF COCOA, RELATED TO ACCESSORY STRUCTURES; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, INCORPORATION INTO THE CODE, SEVERABILITY, AND AN EFFECTIVE DATE.

PLANNING & ZONING BOARD/ LOCAL PLANNING AGENCY
PUBLIC HEARING WILL BE HELD ON

June 7, 2023

CITY COUNCIL 1st PUBLIC HEARING WILL BE HELD ON

July 11, 2023

ALL HEARINGS WILL TAKE PLACE AT 6:00 P.M. OR SOON THEREAFTER IN THE
COCOA CITY HALL COUNCIL CHAMBERS LOCATED AT
65 STONE STREET, COCOA, FL

General Notice Information:

This is a public meeting. Interested parties are hereby advised that they may appear at said meeting and be heard. The facility wherein this public meeting will be held is accessible to the physically handicapped. In accordance with the Americans With Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk of the City of Cocoa, listed below, at least 48 hours prior to the meeting: Carie Shealy, City Clerk, 65 Stone Street, Cocoa, by telephone at (321) 433-8484 or via email at cshealy@cocoafl.org.

Pursuant to Section 286.0105, Florida Statutes, the City hereby advises the public that if a person decides to appeal any decision made by the BOA, P&Z Board/LPA or City Council with respect to any matter considered at its meeting or hearing, that person will need a record of the proceedings and for such purpose, affected persons may need to assure that a verbatim record of the proceedings is made, and such record shall include the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission into evidence of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals otherwise not allowed by law.

The BOA, PZ Board/LPA and City Council reserve the right to continue or postpone hearings to a date certain without re-advertising.

Public Participation Information:

Members of the public may view the meeting agenda, ordinances, project applications, supporting documents, and staff reports on the City's website at the following link prior to attending or commenting:

- City of Cocoa meeting calendar at <https://cocoa.legistar.com/Calendar.aspx>

Documents pertaining to the above may also be inspected at the Community Services Department, between 8:00 a.m. and 5:00 p.m., Monday through Friday, or by phoning (321) 433-8451.

Interested persons may submit their written comments or questions prior to the meeting through Email at meetings@cocoafl.org, or via E-comments through the online agenda at the link above. Any electronic comments submitted will be made part of the meeting record.

Viewing In Real Time. Interested persons are encouraged to view and listen to the hearings live by accessing the meetings at the following internet address:

- City of Cocoa meeting calendar at <https://cocoa.legistar.com/Calendar.aspx>

However, the City is not responsible for technical difficulties that may occur while attempting to view or listen to the meeting on the internet.



today.com

our Advertising Dept. All ads are subject
to the final say of publication. Payment for
ads is in advance.

Notice of Sales

Miami, FL 32754
 321-505-6444
 Auction Date: 06/08/2023
 Auction Time: 09:00am
 2017 Buick Encore
 VIN:KL4CJCSBXHB011625
 Color: WHITE


Legal Notices

COCOA
PUBLIC HEARING

**BEING GIVEN THAT
BOARD/LOCAL
AGENCY
CITY COUNCIL
FOR THE FOLLOWING:**

A. OF THE CITY OF COCOA, BREVIA PRELIMINARY PLANNING AMENDING T

CANCEL OF REAL PROPERTY WITHIN T

IMATELY 5.86 ACRES, MORE OR LESS

TION OF FOREST AVENUE AND GROUND

REAL COUNTY PROPERTY APPRAISE

BEING LEGALLY DESCRIBED ON EMB

FUTURE LAND USE DESIGNATION O

HIGH DENSITY RESIDENTIAL, PROVIDE

MENT ORDINANCES AND RESOLUTION

ACHIEVE PLAN, SEVERABILITY, AND

THE PLAN AMENDMENT.

By: [Signature] Date: [Blank]

[Stamp]

[Image]

OF THE CITY OF COCOA. BREVA
SCALE COMPREHENSIVE PLAN T
SET FORTH IN THE FUTURE LAND
DISTRICT IS AN ALLOWABLE ZON
DENTIAL FUTURE LAND USE CATE
ZONING DISTRICT IS AN ALLOWA
LAND USE CATEGORIES, PROVID
BASIS SET FORTH IN THE REGULA
NSIVE AMENDMENT, PROPOSING
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NSIVE PLAN, SEVERABILITY, AND

OF THE CITY OF COCOA, BREVIA
SUPPLEMENTAL DISTRICT REGULATORY
OF COCOA, RELATED TO ACCESS
REPEAL OF PRIOR INCONSISTENT
INCORPORATION INTO THE CO
LOCAL PLANNING AGENCY
ALL BE HELD ON
2023
HEARING WILL BE HELD ON
2023
P.M. OR SOON THEREAFTER IN THE
CHAMBERS LOCATED AT
T. COCOA, FL

he hereby advised that they may appear at the public meeting which will be held on the date and at the place set forth herein in accordance with the Americans with Disabilities Act, 28 C.F.R. 28.101, to participate in any of these proceedings. The public is hereby advised that the public is invited to appear at the public hearing, listed below, at least 48 hours prior to the hearing, at the following address: 1000 North Main Street, Cocoa, by telephone at (321) 733-1111.

[illegible]

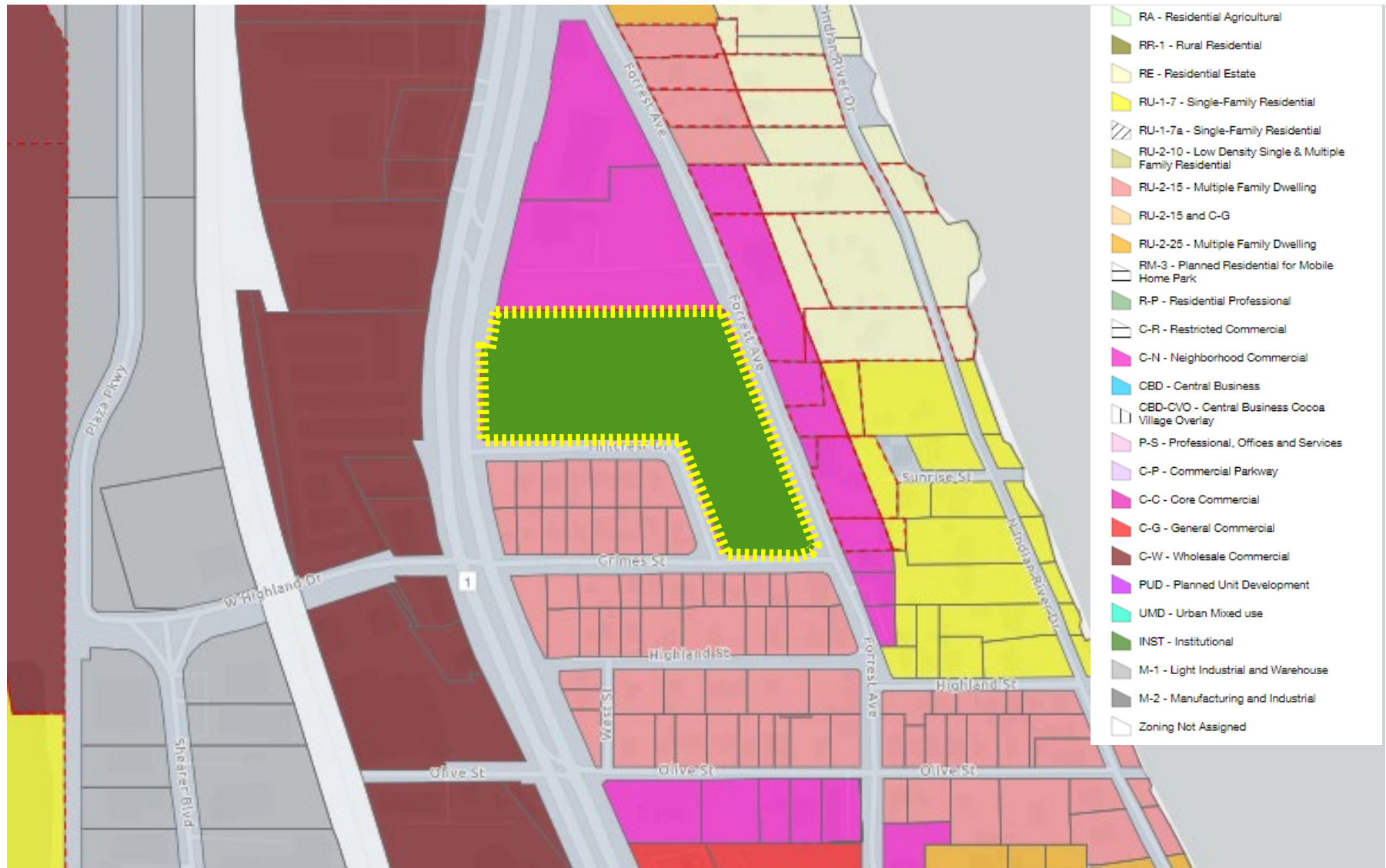
Comments submitted through the online application system will be made part of the meeting record. Comments submitted by email will be made part of the meeting record. Comments submitted by mail will be made part of the meeting record. Comments submitted by fax will be made part of the meeting record. Comments submitted by other means will be made part of the meeting record.

or a special needs person, please contact the program at 703-261-2345. For more information, visit our website at www.housingmanager.com. If you are unable to access this website to complete an application, you may go to a public library or other computer location to complete an application. For more information, visit our website at www.housingmanager.com. If you are unable to access this website to complete an application, you may go to a public library or other computer location to complete an application. For more information, visit our website at www.housingmanager.com.

Licensed Insured: CCC1326437
 Free Estimates: 321-676-3034
 321-508-5562

Tuesday, May 30, 2023, for assistance to file a web-based application.
E.O.E. D.F.W.P. SEC 3

Exhibit D – Zoning Map





Legislation Details (With Text)

File #:	23-350	Version:	1	Name:	
Type:	Ordinance	Status:		Agenda Ready	
File created:	5/31/2023	In control:		Planning and Zoning / Local Planning Agency	
On agenda:	6/7/2023	Final action:			
Title:	Consideration of Ordinance 07-2023, adopting a Large-Scale Comprehensive Plan Text Amendment; amending figure FLU-1 set forth in the Future Land Use element to provide the RU-1-7 Zoning District as an allowable Zoning District in the Medium Density Residential Future Land use category and to provide the Institutional Zoning District as an allowable Zoning District in multiple Future Land Use categories.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	Exhibit A RU-1-7 Zoned Parcels.pdf Exhibit B MDR FLU in Conflict.pdf Exhibit C Figure FLU-1.pdf Exhibit D Legal AD.pdf Exhibit E Ordinance No. 07-2023.pdf				

Date	Ver.	Action By	Action	Result
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PLANNING & ZONING BOARD/LOCAL PLANNING AGENCY AGENDA ITEM

Memo Date: May 30, 2023
Agenda Date: June 7, 2023
Prepared By: Lucilene Ribeiro - Planner
Through: Bryant Smith III, P.E., CFM - Public Works Director

Requested Action:

Consideration of Ordinance 07-2023, adopting a Large-Scale Comprehensive Plan Text Amendment; amending figure FLU-1 set forth in the Future Land Use element to provide the RU-1-7 Zoning District as an allowable Zoning District in the Medium Density Residential Future Land use category and to provide the Institutional Zoning District as an allowable Zoning District in multiple Future Land Use categories.

BACKGROUND:

In order to encourage redevelopment, the City proposes a Comprehensive Plan Text Amendment (Ordinance 07-2023), amending the Comprehensive Plan Future Land Use figure FLU-1 (Policy 1.1.1.2) by adding RU-1-7 Zoning as a Medium-Density Residential (MDR) Future Land Use, thus making the single-family residential an allowable option under the Medium-Density Residential FLU. The proposed plan amendment is anticipated to assist in attaining the following cited goals and objectives and appears to be consistent with the following cited policies of the Comprehensive Plan.

GOAL 1.1: *Create and maintain a broad range of land use activities that maximize the City's potential as a growth center while protecting the public health, safety, welfare, and appearance through the thoughtful planned use and development of the land and public facilities.*

Policy 1.1.1.1: *Land Use Categories. The adopted FLUM contains and identifies appropriate locations for the following land use categories. The maximum densities/intensities shown in Figure FLU-1 are not guaranteed for all sites within each category. The zoning map and land development regulations may impose tighter densities and intensities of development based on land use allocation criteria policies.*

Policy 1.1.2.4 Medium Density Residential (MDR). *Medium-density residential areas shall be regarded as areas of moderate-density detached and attached housing. The following criteria shall be used for determining appropriate locations for medium-density residential areas.*

Staff determined that there was a need to revise the standards for Future Land Use categories in order to better position the city and the development community for further single-family housing development and construction. In multiple areas of the City, particularly in the Diamond Square Redevelopment Area, the Medium Density Future Land Use is not consistent with the existing RU-1-7 zoning because RU-1-7 is not currently an allowable zoning district in MDR in accordance with Figure FLU-1. This amendment will resolve the inconsistency for many properties in the City. Moreover, the addition of RU-1-7 as an allowable zoning district in the Medium Density Residential FLU is consistent with existing zoning regulations. Specifically, the Medium Density Residential FLU already permits RU-2-15 as an allowable zoning district. However, single-family residential development is permitted under the RU-2-15 zoning district, as regulated by RU-1-7. Accordingly, the addition of RU-1-7 as an allowable zoning district in MDR FLU will be consistent with already existing zoning regulations and development.

Also, the City of Cocoa has initiated an amendment under the same Ordinance, intended to clarify that the Institutional Zoning District, as cited in Ordinance 13-2012, is an allowable Zoning District in the High-Density Residential, Neighborhood Commercial, and Commercial Future Land Use categories rather than in only the Open Space Recreational and Institutional Future Land Use categories.

On August 14, 2012, the City Council of the City of Cocoa adopted Ordinance 13-2012 to create the Institutional Zoning District which intended to provide locations for public and semipublic facilities of a religious, educational, health, or cultural nature. This district is further intended to provide a set of setbacks and other standards that are responsive to the unique scale and other considerations common to these types of uses. This district is further intended to reduce land use conflicts and ensure that institutions are appropriately integrated into the community. Institutional uses are already allowed in almost all Future Land Use categories of the City. The amendment is consistent with the following cited policies of the City of Cocoa Comprehensive Plan because public and semipublic facilities of a religious, educational, health, or cultural nature are compatible with commercial and high density residential areas and uses.

GOAL 1.1: *Create and maintain a broad range of land use activities that maximize the City's potential as a growth center while protecting the public health, safety, welfare, and appearance through the thoughtful planned use and development of the land and public facilities.*

Policy 1.1.1.1: *Land Use Categories. The adopted FLUM contains and identifies appropriate locations for the following land use categories. The maximum densities/intensities shown in Figure FLU-1 are not guaranteed for all sites within each category. The zoning map and land*

development regulations may impose tighter densities and intensities of development based on land use allocation criteria policies.

Policy 1.1.2.5: High Density Residential (HDR). *High-density residential areas shall be deemed to be areas of attached multi-unit dwellings and detached housing where a mixture of unit types and a variety of buildings may be permitted. The following criteria shall be used for determining appropriate locations for high density residential areas.*

Policy 1.1.2.8: Neighborhood Commercial (NCOMM). *Neighborhood commercial areas are intended to be low-impact in nature and serve the needs of the immediate residential area. The following criteria shall be used for determining appropriate locations for neighborhood commercial land use designations on the future land use map.*

Policy 1.1.2.9: Commercial (COMM). *Commercial areas are intended to be areas that serve several neighborhoods, sub-regional and regional areas and provide an array of retail, personal and professional uses. The following criteria shall be used for determining appropriate locations for commercial land use designations on the future land use map.*

I. Comprehensive Plan Amendment Analysis

Consistency with Code of the City of Cocoa

Planning & Zoning staff has addressed the criteria contained in Chapter 15, Article II, Sections 15-10 and 15-11 below:

- (1) Whether the proposed amendment will have a favorable or unfavorable effect on the city's budget or the economy of the city or the region;

Staff Finding The proposed amendment resolves Zoning inconsistencies with the Future and Land Use (FLUM) and the City of Cocoa Comprehensive Plan standards for Future Land Use categories, establishing a more appropriate and logical land use pattern in certain areas within the City of Cocoa. It also increases property value, the potential for additional tax revenue, and other benefits to the local economy.

The second proposed text amendment, allowing Institutional uses in almost all Future Land use categories, expands the zone designation as an effective local planning strategy for stimulating investments in areas previously not permitted, giving the community an option for new museums, libraries, schools publicly-owned recreational facilities or places of worship.

- (2) Whether the proposed amendment will diminish the level of service of public facilities;

Staff Finding: The proposed amendments will not negatively impact or diminish the service level of public facilities. Allowing single-family residential in the MDR FLU designation will increase the land area available in the City for residential housing developments. The impact of any proposed residential development on public facilities will be analyzed on a case-by-case basis for any proposed new residential development.

The increase in the Future Land Use categories that allow Institutional Zoning Districts broadens the potential for new public facility locations throughout the City.

Potable Water: The City of Cocoa Utilities Department serves the subject area for water service. Any site modifications that will increase the existing demand will be reviewed as part of the engineering review process, and the applicant proposing the increase will be responsible for any modifications, as needed, to the potable water system.

Sanitary Sewer: The subject area is served by the City of Cocoa Utilities Department for sewer service. The current sewer capacity in the City can provide service to the area. Any site modifications that will increase the existing demand will be reviewed as part of the engineering review process, and the applicant proposing the increase will be responsible for any modifications, as needed, to the sewer system.

Solid Waste: The solid waste service to this parcel is provided through the City's Solid Waste Agreement. Solid Waste service shall be provided to the site in accordance with the applicable LOS standards and pursuant to the applicable requirements of the Waste Management Agreement and City Code.

Stormwater Management: The application is subject to the City of Cocoa's stormwater utility program. Submittal for new developments will be required to adhere to the City's stormwater level of service standards upon submittal of any site plan application if site plan modifications or building permits are applied for in the future.

Transportation: If a property is modified from its current use, a traffic impact analysis or Trip memorandum may be required to determine potential traffic impacts

Parks: The LOS level is 1.25 acres of developed recreational area per 1000 population. The number of park acreage within the City already far exceeds the minimum requirement of the comprehensive plan. Multi-family projects typically provide on-site open space for their residents as well.

Schools: A Concurrency Determination must be performed by the School District prior to a site plan being issued for the property in accordance with Policy 11.1.2.2 of the Comprehensive Plan, Public School Facilities Element.

(3) Whether there will be a favorable or unfavorable impact on the environment or the natural or

historical resources of the city or the region as a result of the proposed amendment;

Staff Finding: The text amendments will not impact natural or historical resources.

- (4) Whether the proposed amendment is consistent with and its effect upon the goals, objectives, and policies of the state comprehensive plan set forth in Chapter 187, Florida Statutes, and the East Central Florida Comprehensive Regional Policy Plan, adopted by Rule 29F-19.001, Florida Administrative Code;

Staff Finding: The proposed text amendment meets the following goal of the State Comprehensive Plan, Chapter 187.201(15) LAND USE - "In recognition of the importance of preserving the natural resources and enhancing the quality of life of the state, development shall be directed to those areas which have in place, or have agreements to provide, the land and water resources, fiscal abilities, and service capacity to accommodate growth in an environmentally acceptable manner."

- (5) Whether the city is able to provide adequate service from public facilities to the affected property, if the amendment is granted, and whether the amendment will promote the cost/effective use of or unduly burden public facilities below the level of service set in the comprehensive plan;

Staff Finding: The proposed text amendment would not alter the City's ability to provide service capacity to lands under the Medium-Density Residential FLU designation.

The initiative to add Institutional uses in almost all Future Land use categories benefits the local Council Districts by creating a far-reaching area for new public facilities that can support the City of Cocoa's thriving community.

- (6) Whether the amendment is compatible with surrounding neighborhoods and land use;

Staff Finding: The surrounding properties all carry a FLU of Commercial or Medium Density Residential.). Staff believes this land use is appropriate and meets the intention of the comprehensive plan related to the MDR land use. The proposed FLU text amendment will provide an opportunity for an additional form of housing closer to commercial uses and job centers.

- (7) If the amendment being requested is consistent with all the elements of the comprehensive plan.

Staff Finding: The proposed FLUM amendment is consistent with the following Comprehensive Plan policies:

Land Use Element

GOAL 1.1: *Create and maintain a broad range of land use activities that maximize the City's*

potential as a growth center while protecting the public health, safety, welfare, and appearance through the thoughtful planned use and development of the land and public facilities.

Policy 1.1.1.1: *Land Use Categories.* The adopted FLUM contains and identifies appropriate locations for the following land use categories. The maximum densities/intensities shown in Figure FLU-1 are not guaranteed for all sites within each category. The zoning map and land development regulations may impose tighter densities and intensities of development based on land use allocation criteria policies.

Policy 1.1.2.4 *Medium Density Residential (MDR).* Medium-density residential areas shall be regarded as areas of moderate-density detached and attached housing. The following criteria shall be used for determining appropriate locations for medium-density residential areas.

Policy 1.1.2.5: *High Density Residential (HDR).* High-density residential areas shall be deemed to be areas of attached multi-unit dwellings and detached housing where a mixture of unit types and a variety of buildings may be permitted. The following criteria shall be used for determining appropriate locations for high density residential areas.

Policy 1.1.2.8: *Neighborhood Commercial (NCOMM).* Neighborhood commercial areas are intended to be low-impact in nature and serve the needs of the immediate residential area. The following criteria shall be used for determining appropriate locations for neighborhood commercial land use designations on the future land use map.

Policy 1.1.2.9: *Commercial (COMM).* Commercial areas are intended to be areas that serve several neighborhoods, sub-regional and regional areas and provide an array of retail, personal and professional uses. The following criteria shall be used for determining appropriate locations for commercial land use designations on the future land use map.

B. It is the intent of the City to provide these areas with safe and convenient pedestrian access to nearby recreation and shopping facilities.

- (8) Whether the amendment will have a favorable or adverse effect on the ability of people to find adequate housing reasonably accessible to their places of employment;

Staff Finding: The proposed FLUM amendment will provide a favorable effect on the ability of people to find adequate housing by increasing available units and choice of housing type.

- (9) Whether the proposed amendment will promote or adversely affect the public health, safety, welfare, economic order, or aesthetics of the region or the city.

Staff Finding: The proposed application will reinforce the positive elements of the City by paving the way for future economic vitality without any negative impacts on public health, safety, and welfare.

BUDGETARY IMPACT:

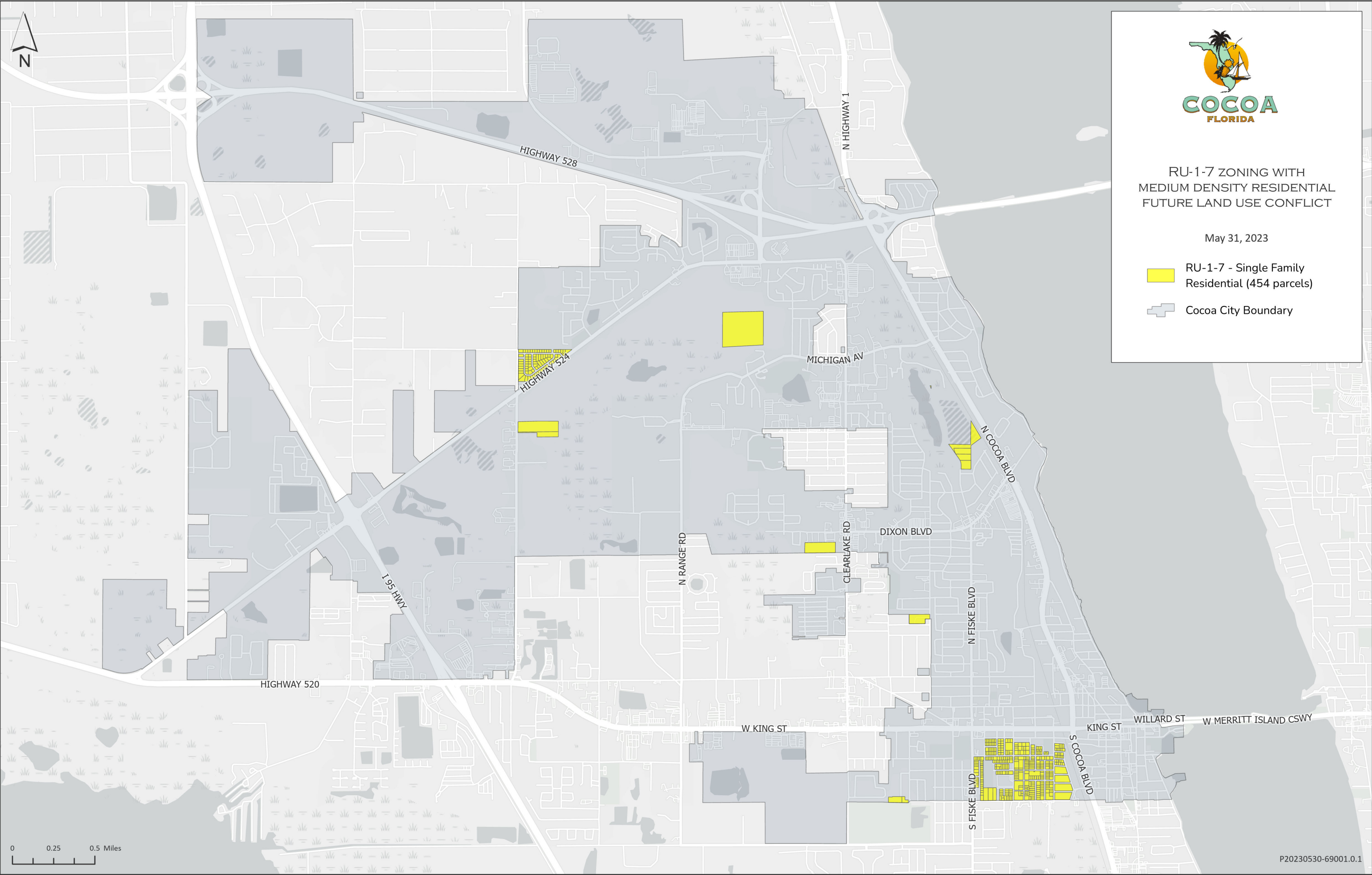
N/A

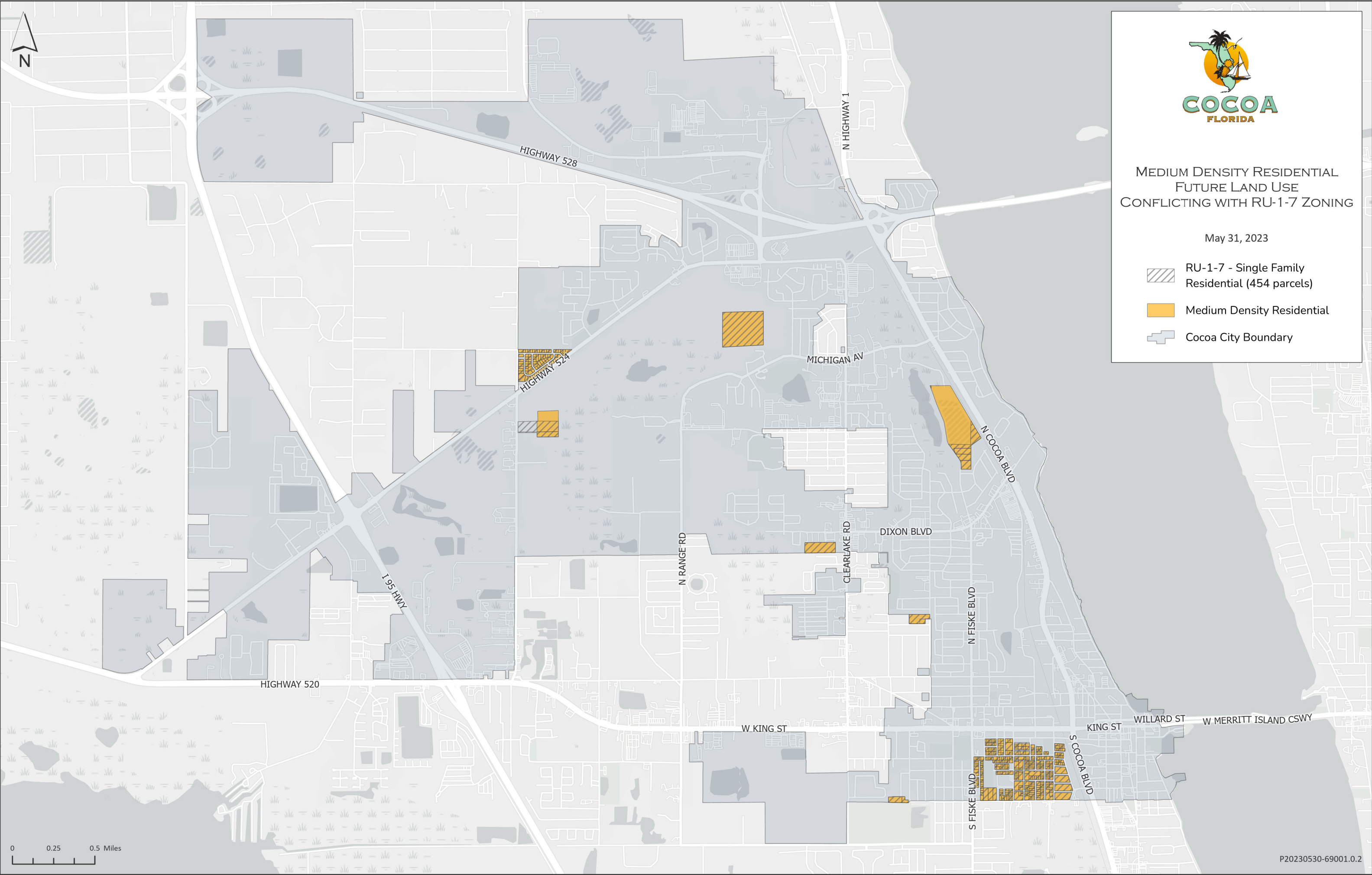
PREVIOUS ACTION:

N/A

RECOMMENDED MOTION:

Staff recommends the Planning & Zoning Board recommend **APPROVAL** to the City Council of Ordinance 07-2023.





FUTURE LAND USE ELEMENT

* * *

FIGURE FLU-1
STANDARD FOR FUTURE LAND USE CATEGORIES

* * *

Residential and Conservation Future Land Use Categories:

	Very Low Density Residential	Low Density Residential	Medium Density Residential	High Density Residential	Conservation	Rural Urban Transition
Maximum Density	4 du/acre	7 du/acre ¹	15 du/acre	25 du/acre		1 du/2.5 acres
Allowable Uses	Residential, Institutional, and Open Space/ Recreational	Residential, Institutional, and Open Space/ Recreational	Residential, Institutional, and Open Space/ Recreational	Residential, Institutional, Office and Open Space/ Recreational	Conservation and Open Space/ Recreational	Residential, Conservation, Open Space/ Recreational, and Agriculture
Applicable Zoning Districts	RE, RA, RR- 1, RR-2, RU- 1-10, RU 1-7, RU 1-7A, RM-3, and PUD	RU-1-10, RU- 1-7, RU-1-7A, RU-2-10, RU- 2-15, RM-3, RM-4, and PUD	<u>RU-1-7</u> , RU 2-15, RM-4, and PUD	RU-2-15, RU 2-25, <u>Inst.</u> , and PUD	Not Applicable	RA, RR-1, and RR-2
Maximum Impervious Surface Ratio	.40 .65 w/PUD	.65	.70	.80	.10	.30

Commercial, Industrial, Open Space/Recreational, Institutional and Mixed-Use Future Land Use Categories

	Commercial	Neighborhood Commercial	Regional Activity Center	Industrial	Open Space Recreational	Institutional	Mixed Use
Maximum Intensity/Density	1.0 FAR, 25 du/acre ⁷	0.75 FAR, 25 du/acre ⁷	0.50 FAR, 25 du/acre, and 45 hotel rooms /acre	1.50 FAR	0.25 FAR	1.0 FAR 25 du/acre	25 du/acre ^{2,3&9} 1.0 FAR ³
Allowable Uses	Commercial, Office, Institutional, Residential ⁸ , and Open Space/ Recreational	Commercial, Residential, Office, Institutional, and Open Space/ Recreational	Commercial, Industrial, Hotel, office, Residential, Institutional, and Open Space/ Recreational	Industrial and Commercial ⁶	Not Applicable	Institutional	Commercial, Industrial, Hotel, Office, Residential, Institutional, and Open Space/ Recreational
Minimum Transportation Access	4 lane collector 2 lane arterial	2 lane collector	1 lane arterial that intersects SR 528 or I-95	2 lane collector 2 lane arterial	Not applicable	Not applicable	Not applicable
Applicable Zoning Districts	C-G, C-W, C-P, C-C, P-S, <u>Inst</u> , and PUD	C-N, C-R, R-P, P-S, <u>Inst</u> and PUD	UMD	M-1 and M-2	All Districts	All Districts	CBD, CBD-CVO, C-C, C-N, C-R, P-S, PUD, R-P, UMD
Maximum Impervious Surface Ratio	0.90	0.80	0.95	0.75	0.25	0.65	0.95 1.0 in CBD

Final Publication Date
5/26/2023

City
Cocoa

Ad Number
GCI1066321

State
FL

Publication
FLORIDA TODAY

ZIP Code
32922-7982

Market
Brevard

Your Name
Jennifer DeWitt

Delivery Method
Both

Email Address
jldewitt@gannett.com

Number of Affidavits Needed
1

Customer Email
Iribeiro@cocoafl.gov

Customer Name
FLORIDA TODAY

Customer Phone Number
(321) 639-7555

Customer Address
65 Stone ST
Cocoa, FL 32922-7982

Account Number (If Known)
6CI200

Name
Lucilene Ribeiro

Street
65 Stone ST



CITY OF COCOA TE
65 STONE ST
COCOA, FL 32922
ATTN LUCILENE RIBEIRO

STATE OF FLORIDA COUNTY OF BREVARD

Before the undersigned authority personally appeared said legal clerk, who on oath says that he or she is a Legal Advertising Representative of the FLORIDA TODAY a daily newspaper published in Brevard County, Florida that the attached copy of advertisement, being a Legal Ad in the matter of

PUBLIC NOTICE

as published in FLORIDA TODAY in the issue(s) of

5/26/2023

Affiant further says that the said FLORIDA TODAY is a newspaper in said Brevard County, Florida and that the said newspaper has heretofore been continuously published in said Brevard County, Florida each day and has been entered as periodicals matter at the post office in MELBOURNE in said Brevard County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

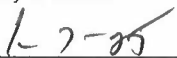
Sworn to and Subscribed before me this 26TH DAY OF MAY, 2023 by legal clerk who is personally known to me



Affiant



Notary State of Wisconsin County of Brown



My commission expires

PUBLICATION COST: \$623.60
AD NO: GCI1066321
CUSTOMER NO: 6CI200
PO#: PUBLIC NOTICE

KATHLEEN ALLEN
Notary Public
State of Wisconsin

CITY OF COCOA NOTICE OF PUBLIC HEARING

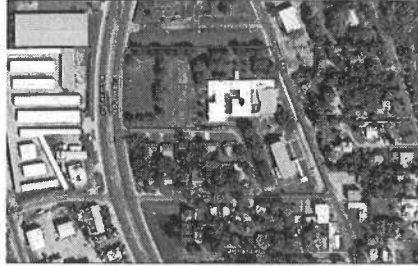
NOTICE IS HEREBY GIVEN THAT
THE PLANNING & ZONING BOARD/LOCAL
PLANNING AGENCY
AND THE COCOA CITY COUNCIL

PROPOSE TO CONSIDER THE FOLLOWING:

Ordinance 06-2023 | Parcel ID: 24-36-28-76-A

A. 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 OF REAL PROPERTY WITHIN THE CITY OF COCOA, CONSISTING OF APPROXIMATELY 5.88 ACRES, MORE OR LESS, LOCATED NORTHWEST OF THE INTERSECTION OF FORREST AVENUE AND GRIMES STREET AND IS IDENTIFIED BY THE BREVARD COUNTY PROPERTY APPRAISER'S OFFICE AS PARCEL ID: 24-36-28-76-A, BEING LEGALLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO; CHANGING THE FUTURE LAND USE DESIGNATION OF THE REAL PROPERTY FROM COMMERCIAL TO HIGH 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.

Firm Foundation Preschool - Madhwa Hope



Ordinance 07-2023 | Comp Plan FLU-1 RU-1-7

B. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA ADOPTING A LARGE SCALE COMPREHENSIVE PLAN TEXT AMENDMENT; AMENDING FIGURE FLU-1 SET FORTH IN THE FUTURE LAND USE ELEMENT TO PROVIDE THE RU-1-7 ZONING DISTRICT IS AN ALLOWABLE ZONING DISTRICT IN THE MEDIUM DENSITY RESIDENTIAL FUTURE LAND USE CATEGORY AND TO PROVIDE THE INSTITUTIONAL ZONING DISTRICT IS AN ALLOWABLE ZONING DISTRICT IN MULTIPLE FUTURE LAND USE CATEGORIES; PROVIDING DATA AND ANALYSIS AND THE LEGAL BASIS SET FORTH IN THE RECITALS TO SUPPORT THE PROPOSED COMPREHENSIVE AMENDMENT; 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..

Ordinance 08-2023 | Accessory Structure

C. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; AMENDING THE SUPPLEMENTAL DISTRICT REGULATIONS OF THE ZONING ORDINANCE OF THE CITY OF COCOA, RELATED TO ACCESSORY STRUCTURES; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, INCORPORATION INTO THE CODE, SEVERABILITY, AND AN EFFECTIVE DATE.

PLANNING & ZONING BOARD/ LOCAL PLANNING AGENCY
PUBLIC HEARING WILL BE HELD ON

June 7, 2023

CITY COUNCIL 1st PUBLIC HEARING WILL BE HELD ON

July 11, 2023

ALL HEARINGS WILL TAKE PLACE AT 6:00 P.M. OR SOON THEREAFTER IN THE
COCOA CITY HALL COUNCIL CHAMBERS LOCATED AT
65 STONE STREET, COCOA, FL

General Notice Information:

This is a public meeting. Interested parties are hereby advised that they may appear at said meeting and be heard. The facility wherein this public meeting will be held is accessible to the physically handicapped. In accordance with the Americans With Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk of the City of Cocoa, listed below, at least 48 hours prior to the meeting: Carie Shealy, City Clerk, 65 Stone Street, Cocoa, by telephone at (321) 433-8484 or via email at cshealy@cocoafl.org.

Pursuant to Section 286.0105, Florida Statutes, the City hereby advises the public that if a person decides to appeal any decision made by the BOA, P&Z Board/LPA or City Council with respect to any matter considered at its meeting or hearing, that person will need a record of the proceedings and for such purpose, affected persons may need to assure that a verbatim record of the proceedings is made, and such record shall include the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission into evidence of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals otherwise not allowed by law.

The BOA, PZ Board/LPA and City Council reserve the right to continue or postpone hearings to a date certain without re-advertising.

Public Participation Information:

Members of the public may view the meeting agenda, ordinances, project applications, supporting documents, and staff reports on the City's website at the following link prior to attending or commenting:

- City of Cocoa meeting calendar at <https://cocoa.legistar.com/Calendar.aspx>

Documents pertaining to the above may also be inspected at the Community Services Department, between 8:00 a.m. and 5:00 p.m., Monday through Friday, or by phoning (321) 433-8451.

Interested persons may submit their written comments or questions prior to the meeting through Email at meetings@cocoafl.org, or via E-comments through the online agenda at the link above. Any electronic comments submitted will be made part of the meeting record.

Viewing In Real Time. Interested persons are encouraged to view and listen to the hearings live by accessing the meetings at the following internet address:

- City of Cocoa meeting calendar at <https://cocoa.legistar.com/Calendar.aspx>

However, the City is not responsible for technical difficulties that may occur while attempting to view or listen to the meeting on the internet.



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Legal Notices

HEREBY GIVEN THAT
 & ZONING BOARD/LOCAL
 PLANNING AGENCY
 COCOA CITY COUNCIL
 CONSIDER THE FOLLOWING:
 16-28-78-A
 COUNCIL OF THE CITY OF COCOA, BREVARD
 TO COMPREHENSIVE PLANNING, AMENDING TIT
 IN PARCEL OF REAL PROPERTY WITHIN
 OF APPROXIMATELY 5.6 ACRES, MORE OR LE
 INTERSECTION OF FORREST AVENUE AND GRIK
 THE BREVARD COUNTY PROPERTY APPRAISE
 16-78-A, BEING LEGALLY DESCRIBED ON EXHIB
 THE FUTURE LAND USE DESIGNATION OF
 RURAL TO HIGH DENSITY RESIDENTIAL, PROVIDE
 INCONSISTENT ORDINANCES AND RESOLUTION
 COMPREHENSIVE PLANNING, SEVERABILITY, AND
 STATUS OF THE PLAN AMENDMENT.
 (s/s) (Chairman) Deborah Ayres

[illegible]

COUNCIL OF THE CITY OF COCOA, BREVIA
TO THE SUPPLEMENTAL DISTRICT REGULATION
OF THE CITY OF COCOA, RELATED TO ACCESS TO
OR THE REPEAL OF PRIOR INCONSISTENT
ZONATIONS, INCORPORATION INTO THE CODE
OF ORDINANCES.

BOARD/LOCAL PLANNING AGENCY
HEARING WILL BE HELD ON
June 7, 2023
PUBLIC HEARING WILL BE HELD ON
July 11, 2023
AT 6:00 PM, OR SOON THEREAFTER IN THE
CITY OF COCOA, COCONA, LOCATED AT
101 STREET, COCOA, FL

parties are hereby advised that they may apply
facility wherein this public meeting will be held
in accordance with the Americans with
disability to participate in any of these proceedings
in the City of Cocoa, Florida, at least 48 hours in
advance, at 101 STREET, COCOA, FL by telephone at

Council reserves the right to continue or postpone advertising.

meeting agenda, ordinances, project applications

on the City's website at the following link:

<http://www.ci.mesa.arizona.gov/calendar.aspx>

may also be inspected at the Community Services Center, 600 N. Broadway, Mesa, AZ 85201, from 9:00 p.m. - Monday through Friday, or by phone at 480-977-7700.

written comments or questions prior to the meeting, or via E-comments through the online application submitted will be made part of the meeting agenda.

PUBLIC NOTICE

SFR, S/OB0028

of Triunfante will accept 500 applications for
PNC's Program Waiting List on Thursday.
online at [Triunfante.housingmanager.com](#). Start
applications have been submitted. Any applica-
tion submitted shall be disqualified.

URS, WALK-IN, E-MAILS OR HAND DELIVERED
THE WEB BASED APPLICATION PROCESS WILL
SUBMITTED ONLINE.

ered the very-low income limits, as shown below:

4 Person
\$43,000

8 Person
\$56,800

If at home, you may go to a public library or available to access this website to complete

Application for a special needs person, please come 8 a.m. E.S.T and 2:30 p.m. E.S.T. no later than 10:00 a.m. to file a web based application.

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ORDINANCE NO. 07-2023

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA, ADOPTING A LARGE SCALE COMPREHENSIVE PLAN TEXT AMENDMENT; AMENDING FIGURE FLU-1 SET FORTH IN THE FUTURE LAND USE ELEMENT TO PROVIDE THE RU-1-7 ZONING DISTRICT IS AN ALLOWABLE ZONING DISTRICT IN THE MEDIUM DENSITY RESIDENTIAL FUTURE LAND USE CATEGORY AND TO PROVIDE THE INSTITUTIONAL ZONING DISTRICT IS AN ALLOWABLE ZONING DISTRICT IN MULTIPLE FUTURE LAND USE CATEGORIES; PROVIDING DATA AND ANALYSIS AND THE LEGAL BASIS SET FORTH IN THE RECITALS TO SUPPORT THE PROPOSED COMPREHENSIVE AMENDMENT; 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.

WHEREAS, section 163.3161 et. seq., Florida Statutes, established the Community Planning Act, which was formerly known as the Local Government Comprehensive Planning and Land Development Regulation Act; and

WHEREAS, the Community Planning Act requires each municipality in the State of Florida to prepare, adopt, and update a Comprehensive Plan; and

WHEREAS, the purpose of this Ordinance is to amend Figure FLU-1 set forth in the Future Land Use Element of the Comprehensive Plan, which establishes the uses and zoning districts allowed in each future land use category; and

WHEREAS, the City Council finds that it is desirable to enact this amendment, and hereby provides the data and analysis and legal basis set forth herein to support the Comprehensive Plan amendment approved hereunder; and

WHEREAS, the first text amendment herein is intended to add the RU-1-7, Single Family Residential Zoning District, to the list of “Applicable Zoning Districts” in the Medium Density Residential Future Land Use category; and

WHEREAS, adding the RU-1-7 zoning district to the list of allowable zoning districts in the Medium Density Residential Future Land Use category will resolve an existing inconsistency for many single-family residential neighborhoods, particularly in the Diamond Square area of the City; and

WHEREAS, the addition of the RU-1-7 zoning district to the Medium Density Residential Future Land Use category is consistent with medium density residential zoning districts, such as the RU-2-15 zoning district, which already allow for single-family residential development as regulated by the RU-1-7 zoning district; and

WHEREAS, the second text amendment is intended to clarify that the Institutional zoning district, created via Ordinance in 2012, is an allowable zoning district in the High Density Residential, Neighborhood Commercial, and Commercial Future Land Use categories, rather than in only the Open Space Recreational and Institutional Future Land Use Categories; and

WHEREAS, institutional uses are allowable in almost all Future Land Use categories in the City, but the Institutional zoning district has rarely been utilized and implemented since its adoption in 2012 because of the time and resources that must necessarily be expended to apply for further comprehensive plan amendments to change the future land use map to Institutional or Open Space/Recreational for a particular property; and

WHEREAS, institutional uses, such as government administrative offices, public safety buildings, public and private schools and learning centers, religious institutions, hospitals and nursing homes, cultural institutions, such as museums, libraries, community centers, and art galleries, public playgrounds, and utility facilities, are all uses that are appropriate and common in commercial and high-density residential settings; and

WHEREAS, the City Council of the City of Cocoa held two duly noticed public hearings on the proposed amendment set forth hereunder and considered findings and advice of staff, citizens, and all interested parties submitting written and oral comments and supporting data and analysis, and after complete deliberation, hereby approves and adopts the Comprehensive Plan Amendment set forth hereunder; and

WHEREAS, the City Council of the City of Cocoa hereby finds that this Ordinance is in the best interests of the public health, safety, and welfare of the citizens of Cocoa.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COCOA HEREBY ORDAINS, AS FOLLOWS:

Section 1. Recitals. The foregoing recitals are true and correct and are fully incorporated herein by this reference as data and analysis to support the adoption of this Ordinance.

Section 2. Authority. This Ordinance is adopted in compliance with, and pursuant to, the Community Planning Act, sections 163.3161 et. seq., Florida Statutes, and in furtherance of compliance with the Consent Decree.

Section 3. Purpose and Intent. It is hereby declared to be the purpose and intent of this Ordinance to adopt a comprehensive plan amendment incorporating the revisions stated herein as part of

the City of Cocoa Comprehensive Plan.

Section 4. Adoption of Amendment to the Future Land Use Element. The City of Cocoa Comprehensive Plan, Future Land Use Element, is hereby amended as follows (underlined type indicates additions and ~~strikeout~~ type indicates deletions, while asterisks (* * *) indicate a deletion from this Ordinance of text existing in the Cocoa Comprehensive Plan, Future Land Use Element. It is intended that the text in the Future Land Use Element denoted by the asterisks and set forth in this Ordinance shall remain unchanged from the language existing prior to adoption of this Ordinance):

FUTURE LAND USE ELEMENT

* * *

FIGURE FLU-1 STANDARD FOR FUTURE LAND USE CATEGORIES

* * *

Residential and Conservation Future Land Use Categories:

	Very Low Density Residential	Low Density Residential	Medium Density Residential	High Density Residential	Conservation	Rural Urban Transition
Maximum Density	4 du/acre	7 du/acre ¹	15 du/acre	25 du/acre		1 du/2.5 acres
Allowable Uses	Residential, Institutional, and Open Space/ Recreational	Residential, Institutional, and Open Space/ Recreational	Residential, Institutional, and Open Space/ Recreational	Residential, Institutional, Office and Open Space/ Recreational	Conservation and Open Space/ Recreational	Residential, Conservation, Open Space/ Recreational, and Agriculture
Applicable Zoning Districts	RE, RA, RR-1, RR-2, RU-1-10, RU 1-7, RU 1-7A, RM-3, and PUD	RU-1-10, RU-1-7, RU-1-7A, RU-2-10, RU-2-15, RM-3, RM-4, and PUD	<u>RU-1-7</u> , RU-2-15, RM-4, and PUD	RU-2-15, RU 2-25, <u>Inst.</u> , and PUD	Not Applicable	RA, RR-1, and RR-2
Maximum Impervious Surface Ratio	.40 .65 w/PUD	.65	.70	.80	.10	.30

Commercial, Industrial, Open Space/Recreational, Institutional and Mixed-Use Future Land Use Categories

	Commercial	Neighborhood Commercial	Regional Activity Center	Industrial	Open Space Recreational	Institutional	Mixed Use
Maximum Intensity/Density	1.0 FAR, 25 du/acre ⁷	0.75 FAR, 25 du/acre ⁷	0.50 FAR, 25 du/acre, and 45 hotel rooms /acre	1.50 FAR	0.25 FAR	1.0 FAR 25 du/acre	25 du/acre ^{2,3&9} 1.0 FAR ³
Allowable Uses	Commercial, Office, Institutional, Residential ⁸ , and Open Space/ Recreational	Commercial, Residential, Office, Institutional, and Open Space/ Recreational	Commercial, Industrial, Hotel, office, Residential, Institutional, and Open Space/ Recreation al	Industrial and Commercial ⁶	Not Applicable	Institutional	Commercial, Industrial, Hotel, Office, Residential, Institutional, and Open Space/ Recreational
Minimum Transportation Access	4 lane collector 2 lane arterial	2 lane collector	1 lane arterial that intersects SR 528 or I-95	2 lane collector 2 lane arterial	Not applicable	Not applicable	Not applicable
Applicable Zoning Districts	C-G, C-W, C-P, C-C, P-S, <u>Inst.</u> and PUD	C-N, C-R, R-P, P-S, <u>Inst.</u> and PUD	UMD	M-1 and M-2	All Districts	All Districts	CBD, CBD-CVO, C-C, C-N, C-R, P-S, PUD, R-P, UMD
Maximum Impervious Surface Ratio	0.90	0.80	0.95	0.75	0.25	0.65	0.95 1.0 in CBD

NOTES FOR FIGURE FLU-1:

1. Maximum density may be increased up to 12 du/acre as part of a planned residential development or planned redevelopment activities (*Policy 1.2.3.C*).
2. An additional 5 units per acre may be achieved if residential units are developed as part of a vertical mixed use project.
3. Maximum FAR in the Cocoa RDA is 2.0 and a bonus may permit up to an additional 2.5 FAR in the Central Business District outside the Cocoa Village Overlay sub-district. An additional 25 units per acre may be achieved in certain areas within the Cocoa RDA.
4. Four (4) acre maximum land area for new Neighborhood Commercial and one (1) acre maximum site land area.
5. Minimum land area of 50 acres and minimum cumulative gross floor area of 500,000 sq. ft. for all structures.
6. Commercial uses that are complementary to and support industrial development and operations.
7. Maximum residential density shall be 25 du/acre, except where reduced by the underlying zoning district regulations.
8. Residential uses shall be permitted only where allowed in the underlying zoning district.
9. Notwithstanding the base level maximum density stated in the above chart and Notes 2 & 3, the maximum density may be increased by the City Council for certain approved redevelopment projects on properties designated Cocoa Village Subdistrict with a Commercial/Mixed Use Large (CL) building type on the Cocoa Waterfront Overlay District Regulating Plan pursuant to Policy 1.1.2.6.

* * *

Section 5. **Repeal of Prior Inconsistent Ordinances and Resolutions.** All prior inconsistent ordinances and resolutions adopted by the City Council, or parts of prior ordinances and resolutions in conflict herewith, are hereby repealed to the extent of the conflict.

Section 6. **Severability.** If any section, subsection, sentence, clause, phrase, word or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 7. **Incorporation into Comprehensive Plan.** Upon the effective date of the Comprehensive Plan Amendment adopted by this Ordinance, said Amendment shall be incorporated into the City of Cocoa Comprehensive Plan and any section or paragraph number or letter and any heading may be changed or modified as necessary to effectuate the foregoing.

Section 8. **Effective Date.** The effective date of the Comprehensive Plan Amendment adopted by this Ordinance shall be thirty-one (31) days after the state land planning agency notifies the City that the plan amendment package is complete pursuant to section 163.3184(3)(c)(4.), Florida Statutes. If the plan amendment is timely challenged, the plan amendment shall not become effective until the state

land planning agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance. No development orders, development permits, or land use dependent on this plan amendment may be issued before it has become effective. After and from the effective date of this plan amendment, the Comprehensive Plan Amendment set forth herein shall amend the City of Cocoa Comprehensive Plan and become a part of that plan and the plan amendment shall have the legal status of the City of Cocoa Comprehensive Plan, as amended.

ADOPTED by the City Council of the City of Cocoa, Florida, in a regular meeting assembled on the _____ day of _____, 2023.

Michael C. Blake, Mayor

ATTEST:

Carie Shealy, MMC, City Clerk

LPA/P&Z: _____

First Reading: _____

Second Reading: _____

Effective Date: _____



Legislation Details (With Text)

File #: 23-345 **Version:** 1 **Name:**

Type: Ordinance **Status:** Agenda Ready

File created: 5/31/2023 **In control:** Planning and Zoning / Local Planning Agency

On agenda: 6/7/2023 **Final action:**

Title: Consider providing a recommendation of approval to the City Council regarding Ordinance 08-2023: Zoning Text AMENDMENT regarding accessory structure regulations.

Sponsors:

Indexes:

Code sections:

Attachments: [Ordinance No. 08-2023 - Regarding Accessory Structures.docx](#)
[Legal Ad June 7.pdf](#)

Date	Ver.	Action By	Action	Result
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PLANNING & ZONING BOARD/LOCAL PLANNING AGENCY AGENDA ITEM

Memo Date: May 31, 2023
Agenda Date: June 7, 2023
Prepared By: Bryant Smith III, P.E., CFM - Public Works Director
Through: Bryant Smith III, P.E., CFM - Public Works Director
Requested Action:
Consider providing a recommendation of approval to the City Council regarding Ordinance 08-2023:
ZONING TEXT AMENDMENT regarding accessory structure regulations.

BACKGROUND:

Project Name: Zoning Ordinance Text Amendment - Accessory Structures
Project No.: 23-02000003
Meeting Date: June 7, 2023
Applicant: City of Cocoa
Property Owner: N/A
Project Location: Various Zoning Districts
Future Land Use Designation: Various
Zoning District: Various
Existing Land Use: N/A
Council District: City-wide

Legal Ad Date:

May 26, 2023

I. Zoning Ordinance Amendment Analysis

In accordance with Section 1(G)(2), Article XXII, Appendix A (Zoning), of the Code of the City of Cocoa, the Planning and Zoning Board shall consider and study the following when an amendment to the zoning code is proposed:

- a. *The need and justification for the change.*
- b. *The relationship of the proposed amendment to the purposes and objective of the comprehensive planning programs and to the comprehensive plan, with appropriate consideration as to whether the proposed changes will further the purposes of [the] zoning code and other codes, regulations, and actions designed to implement the comprehensive plan.*

Need and justification for change

At the April 25, 2023 City Council Meeting, the City Council discussed the recommended changes related to setback requirements for accessory structures and requested that a text amendment ordinance be prepared. Through these changes, the requirements can be more clearly understood. Additional changes were also made to modify or eliminate requirements that are not necessary. Accessory Structure requirements can be found in Appendix A, Article XIII, Section 6 of the City of Cocoa Code of Ordinances. The specific requirements are below:

Sec. 6. - Accessory structures.

- A. *No accessory structures shall be erected in any required front or side yard, and shall not cover more than thirty percent (30%) of any required rear yard. No separate accessory structure shall be erected within ten (10) feet of any building on the same lot or within five (5) feet of any lot line and shall not exceed twenty-four (24) feet in height. Accessory buildings must be constructed simultaneously with, or following, the construction of the main building, and shall not be used until after the principal structure has been fully erected. Erection of tents as accessory structures is prohibited. No occupation or business may be conducted in an accessory building. No accessory building which contains living quarters shall be built on any lot in any residential district except servants quarters for persons, other than the immediate family, employed on the premises.*
- B. *Accessory buildings erected on lots fronting on two (2) streets shall conform to main structure setbacks for rear yard.*
- C. *One (1) accessory structure may be erected on a lot of at least two (2) acres in the Rural Residential Zoning Classification (RR-1) prior to building of the principal structure. The accessory building shall be constructed for use by the property owner only and shall not be used for any commercial venture (i.e., commercial boarding of horses or horses for hire); also, it shall not be used for purposes of human occupancy. Setbacks shall be as follows if built prior to the principal structure:
Front setback: One hundred fifty (150) feet.
Side interior lot setback: Fifty (50) feet.*

Side corner lot setback: One hundred (100) feet.

Rear setback: Fifty (50) feet.

Within two (2) years of the issuance of the building permit for the said accessory structure a building permit for the principal structure shall be issued.

Following Staff analysis, the proposed amendments to the Zoning Ordinance, attached as Exhibit A, Ordinance 08-2023, were recommended:

- Remove the requirement for accessory structure-to-building separation entirely. If an accessory structure is proposed to be attached to an existing structure, in some cases it would be considered an addition. There are a number of situations involving residents placing small sheds next to their principal structure. Currently, this would not be allowed. However, no accessory structure may be erected so as to obstruct any ingress or egress to or from the main structure, such as windows or exterior doors to maintain safety in the event of a fire.
- Clarify that while no occupation or business may be conducted in an accessory building, home-based businesses compliant with the Florida State Statute 559.955 would be allowed, except that retail transactions may not be conducted in an accessory building or structure in accordance with the statute.
- Clarify the language that when a building is erected on “lots fronting two streets”, this means on a through lot, which sits parallelly between two public or private roadways, and not to corner lots. For through lots, the main structure setbacks for the rear yard would apply.
- Provide direction that when an accessory building is constructed on a corner lot, the side corner lot setbacks for the yard that is not considered the front yard and that is adjacent to the roadway will apply. This will mean the accessory building setbacks will be the same as the main structure setbacks on the side corner lot.

Under this proposed amendment, accessory structures will still not be permitted in any required front or side yard as determined by the applicable zoning district. Further, accessory structures will still be permitted in the rear yard (except for through lots), but not within 5 feet of the lot line.

BUDGETARY IMPACT:

None.

PREVIOUS ACTION:

At the March 20, 2023 City Council Meeting, the City Council directed staff to bring back a discussion item regarding the requirements for accessory structures.

At the April 25, 2023 City Council Meeting, the City Council discussed the recommended changes to the requirements for accessory structures and requested an ordinance be prepared.

RECOMMENDED MOTION:

Staff recommends that the Planning and Zoning Board recommend approval of Ordinance 08-2023 regarding Accessory Structure Requirements to the City Council.

CITY OF COCOA NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT
THE PLANNING & ZONING BOARD/LOCAL
PLANNING AGENCY
AND THE COCOA CITY COUNCIL
PROPOSE TO CONSIDER THE FOLLOWING:

Ordinance 06-2023 | Parcel ID: 24-36-28-76-A

- A. 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 OF REAL PROPERTY WITHIN THE CITY OF COCOA, CONSISTING OF APPROXIMATELY 5.88 ACRES, MORE OR LESS, LOCATED NORTHWEST OF THE INTERSECTION OF FORREST AVENUE AND GRIMES STREET AND IS IDENTIFIED BY THE BREVARD COUNTY PROPERTY APPRAISER'S OFFICE AS PARCEL ID: 24-36-28-76-A, BEING LEGALLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO; CHANGING THE FUTURE LAND USE DESIGNATION OF THE REAL PROPERTY FROM COMMERCIAL TO HIGH 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.

Firm Foundation Preschool - Mathews Hope



Ordinance 07-2023 | Comp Plan FLU-1 RU-1-7

- B. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA** ADOPTING A LARGE SCALE COMPREHENSIVE PLAN TEXT AMENDMENT; AMENDING FIGURE FLU-1 SET FORTH IN THE FUTURE LAND USE ELEMENT TO PROVIDE THE RU-1-7 ZONING DISTRICT IS AN ALLOWABLE ZONING DISTRICT IN THE MEDIUM DENSITY RESIDENTIAL FUTURE LAND USE CATEGORY AND TO PROVIDE THE INSTITUTIONAL ZONING DISTRICT IS AN ALLOWABLE ZONING DISTRICT IN MULTIPLE FUTURE LAND USE CATEGORIES; PROVIDING DATA AND ANALYSIS AND THE LEGAL BASIS SET FORTH IN THE RECITALS TO SUPPORT THE PROPOSED COMPREHENSIVE AMENDMENT; 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..

Ordinance 08-2023 | Accessory Structure

- C. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA;** AMENDING THE SUPPLEMENTAL DISTRICT REGULATIONS OF THE ZONING ORDINANCE OF THE CITY OF COCOA, RELATED TO ACCESSORY STRUCTURES; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, INCORPORATION INTO THE CODE, SEVERABILITY, AND AN EFFECTIVE DATE.

**PLANNING & ZONING BOARD/ LOCAL PLANNING AGENCY
PUBLIC HEARING WILL BE HELD ON**

June 7, 2023

CITY COUNCIL 1st PUBLIC HEARING WILL BE HELD ON

July 11, 2023

**ALL HEARINGS WILL TAKE PLACE AT 6:00 P.M. OR SOON THEREAFTER IN THE
COCOA CITY HALL COUNCIL CHAMBERS LOCATED AT
65 STONE STREET, COCOA, FL**

General Notice Information:

This is a public meeting. Interested parties are hereby advised that they may appear at said meeting and be heard. The facility wherein this public meeting will be held is accessible to the physically handicapped. In accordance with the Americans With Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk of the City of Cocoa, listed below, at least 48 hours prior to the meeting: Carie Shealy, City Clerk, 65 Stone Street, Cocoa, by telephone at (321) 433-8484 or via email at cshealy@cocoafl.org.

Pursuant to Section 286.0105, Florida Statutes, the City hereby advises the public that if a person decides to appeal any decision made by the BOA, P&Z Board/LPA or City Council with respect to any matter considered at its meeting or hearing, that person will need a record of the proceedings and for such purpose, affected persons may need to assure that a verbatim record of the proceedings is made, and such record shall include the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission into evidence of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals otherwise not allowed by law.

The BOA, PZ Board/LPA and City Council reserve the right to continue or postpone hearings to a date certain without re-advertising.

Public Participation Information:

Members of the public may view the meeting agenda, ordinances, project applications, supporting documents, and staff reports on the City's website at the following link prior to attending or commenting:

- City of Cocoa meeting calendar at <https://cocoa.legistar.com/Calendar.aspx>

Documents pertaining to the above may also be inspected at the Community Services Department, between 8:00 a.m. and 5:00 p.m., Monday through Friday, or by phoning (321) 433-8451.

Interested persons may submit their written comments or questions prior to the meeting through Email at meetings@cocoafl.org, or via E-comments through the online agenda at the link above. Any electronic comments submitted will be made part of the meeting record.

Viewing In Real Time. Interested persons are encouraged to view and listen to the hearings live by accessing the meetings at the following internet address:

- City of Cocoa meeting calendar at <https://cocoa.legistar.com/Calendar.aspx>

However, the City is not responsible for technical difficulties that may occur while attempting to view or listen to the meeting on the internet.



Legislation Details (With Text)

File #: 23-346 **Version:** 1 **Name:**
Type: Ordinance **Status:** Agenda Ready
File created: 5/31/2023 **In control:** Planning and Zoning / Local Planning Agency
On agenda: 6/7/2023 **Final action:**
Title: Consider providing a recommendation of approval to the City Council regarding Ordinance 09-2023: Zoning Text AMENDMENT regarding the list of permitted and special exception uses related to Self-Service Storage Facilities within the M-2 Zoning District and certain subdistricts of the Cocoa Waterfront Overlay District and related to Retail Automotive Gasoline/Fuel Sales and Accessory Convenience Storages and Restaurants in the M-2 Zoning District.

Sponsors:

Indexes:

Code sections:

Attachments: [Ordinance No. 09-2023 - Self Service Storage M2 CWOD and Gasoline Sales M2 v.2.docx](#)
[Legal Ad M-2.pdf](#)
[M-2 Less Than or Equal to 4 Acres.pdf](#)

Date	Ver.	Action By	Action	Result
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PLANNING & ZONING BOARD/LOCAL PLANNING AGENCY AGENDA ITEM

Memo Date: May 31, 2023
Agenda Date: June 7, 2023
Prepared By: Bryant Smith III, P.E., CFM - Public Works Director
Through: Bryant Smith III, P.E., CFM - Public Works Director
Requested Action:

Consider providing a recommendation of approval to the City Council regarding Ordinance 09-2023: **ZONING TEXT AMENDMENT** regarding the list of permitted and special exception uses related to Self-Service Storage Facilities within the M-2 Zoning District and certain subdistricts of the Cocoa Waterfront Overlay District and related to Retail Automotive Gasoline/Fuel Sales and Accessory Convenience Storages and Restaurants in the M-2 Zoning District.

BACKGROUND:

Project Name: Zoning Ordinance Text Amendment - Self-Service Storage and Retail Automotive Gasoline/Fuel Sales
Project No.: PZ-02000004
Meeting Date: June 7, 2023
Applicant: City of Cocoa
Property Owner: N/A
Project Location: Various Zoning Districts

Future Land Use Designation:	Various
Zoning District:	Various
Existing Land Use:	N/A
Council District:	City-wide
Legal Ad Date:	May 26, 2023

I. Zoning Ordinance Amendment Analysis

In accordance with Section 1(G)(2), Article XXII, Appendix A (Zoning), of the Code of the City of Cocoa, the Planning and Zoning Board shall consider and study the following when an amendment to the zoning code is proposed:

- a. *The need and justification for the change.*
- b. *The relationship of the proposed amendment to the purposes and objective of the comprehensive planning programs and to the comprehensive plan, with appropriate consideration as to whether the proposed changes will further the purposes of [the] zoning code and other codes, regulations, and actions designed to implement the comprehensive plan.*

Need and justification for change

- **Self-Service Storage:**
The Planning and Zoning Board directed staff to include self-service storage facilities as a special exception use within the M-2 Zoning District with limitations. The addition of self-service storage facilities within this district will continue to encourage the growth of businesses and the expansion of commerce within the City, while limiting the use as a special exception to lots of 4 acres or less. This will continue to preserve larger parcels within the District for heavier industrial uses, which are encouraged in the M-2 District. Also, as part of Ordinance 06-2020, the City Council removed “personal storage” as a special exception in the Central Business District but did not address areas within the Cocoa Waterfront Overlay District with underlying Central Business District zoning. The proposed change would remove the special exception use within the Central Business District subdistricts.
- **Retail automotive gasoline/fuel sales and accessory convenience stores and restaurants:**
The City has received an application to amend the special exception requirements of this use, which provides for a minimum spacing of 4,000 linear feet from one property to another with this use, regardless of the property’s zoning district. The proposed amendment will clarify that the spacing of 4,000 linear feet only applies to properties within the M-2 Zoning District. This will continue to preserve parcels within this district for heavier industrial uses, maintain separation of these uses within the district, and provide for larger gasoline stations capable of servicing heavy industrial uses.

Relationship and consistency with Comprehensive Plan Policies and Objectives

The proposed changes will not negatively impact the intended use of the Industrial Future Land Use. The proposed changes will further enhance the ability to develop parcels under 4 acres that would not typically be utilized for larger heavy industrial type uses into Self-Service Storage. Allowing for the distance limitation between properties for automotive fuel sales to only apply within the district will allow this type of use to serve the heavy industrial type vehicles within the district. Currently, there are a very limited number of parcels located in areas typical for automotive fuel sales that could be utilized.

Policy 1.1.2.10: Industrial (IND). Industrial areas shall be regarded as appropriate for activities associated with industrial development, which can include materials processing, materials assembly, product manufacturing, and storage of finished products. Uses can include manufacturing facilities, warehouse distribution centers and truck terminals. The following criteria shall be used for determining appropriate locations for industrial land use designations on the future land use map.

- Industrial areas shall also serve as an area to locate businesses with principal uses and activities which could have adverse secondary effects (i.e., increase crime; neighborhood deterioration and blight; property devaluation; economic deterioration; and health risks) on residential areas, religious establishments, schools, parks, or day care centers located within the City; including, but not limited to adult entertainment establishments.

These proposed changes will not have any adverse impacts on residential areas, religious establishments, schools, parks, or day care centers located within the City. The proposed changes only occur within the M-2 District and correct the use table for the Waterfront Overlay to further limit this use by removing it within the CBD Subdistrict.

- Commercial and office uses that are complementary to and support industrial development and operations may be permitted within industrial designated areas.

The proposed changes are complementary to the designated areas and the changes will allow for automotive gasoline and fuel sales to directly benefit the Industrial District. The expansion of the self-service storage use to properties of 4 acres or less will enhance development of those smaller parcels while preserving the larger parcels for the heavier industrial uses.

BUDGETARY IMPACT:

None.

PREVIOUS ACTION:

The Planning and Zoning Board requested Staff to bring back an ordinance to allow self-service storage facilities within the M-2 Zoning District at the April 5, 2023 Planning and Zoning Board Meeting.

RECOMMENDED MOTION:

Staff recommends that the Planning and Zoning Board recommend approval of Ordinance 09-2023 to the City Council.

CITY OF COCOA

NOTICE OF PUBLIC HEARING

ZONING MAP AND TEXT

AMENDMENTS

**NOTICE IS HEREBY GIVEN THAT
THE PLANNING & ZONING BOARD/LOCAL PLANNING AGENCY
AND THE COCOA CITY COUNCIL
PROPOSE TO CONSIDER THE FOLLOWING:**

Ordinance 09-2023 | M-2

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; AMENDING APPENDIX A, ARTICLE XI, SECTIONS 19 AND 22, OF THE ZONING ORDINANCE OF THE CITY OF COCOA TO AMEND THE LIST OF PERMITTED AND SPECIAL EXCEPTION USES RELATED TO SELF-SERVICE STORAGE FACILITIES IN THE M-2 DISTRICT AND CERTAIN SUBDISTRICTS OF THE COCOA WATERFRONT OVERLAY DISTRICT AND RELATED TO RETAIL AUTOMOTIVE GASOLINE/FUEL SALES AND ACCESSORY CONVENIENCE STORES AND RESTAURANTS IN THE M-2 DISTRICT; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, INCORPORATION INTO THE CODE, SEVERABILITY, AND AN EFFECTIVE DATE.

**PLANNING & ZONING BOARD/ LOCAL PLANNING AGENCY
PUBLIC HEARING WILL BE HELD ON
June 7, 2023**

**CITY COUNCIL 1st PUBLIC HEARING WILL BE HELD ON
July 11, 2023**

**ALL HEARINGS WILL TAKE PLACE AT 6:00 P.M. OR SOON THEREAFTER IN THE
COCOA CITY HALL COUNCIL CHAMBERS LOCATED AT
65 STONE STREET, COCOA, FL**

General Notice Information:

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Pursuant to Section 286.0105, Florida Statutes, the City hereby advises the public that if a person decides to appeal any decision made by the BOA, P&Z Board/LPA or City Council with respect to any matter considered at its meeting or hearing, that person will need a record of the proceedings and for such purpose, affected persons may need to assure that a verbatim record of the proceedings is made, and such record shall include the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission into evidence of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals otherwise not allowed by law.

The BOA, PZ Board/LPA and City Council reserve the right to continue or postpone hearings to a date certain without re-advertising.

Public Participation Information:

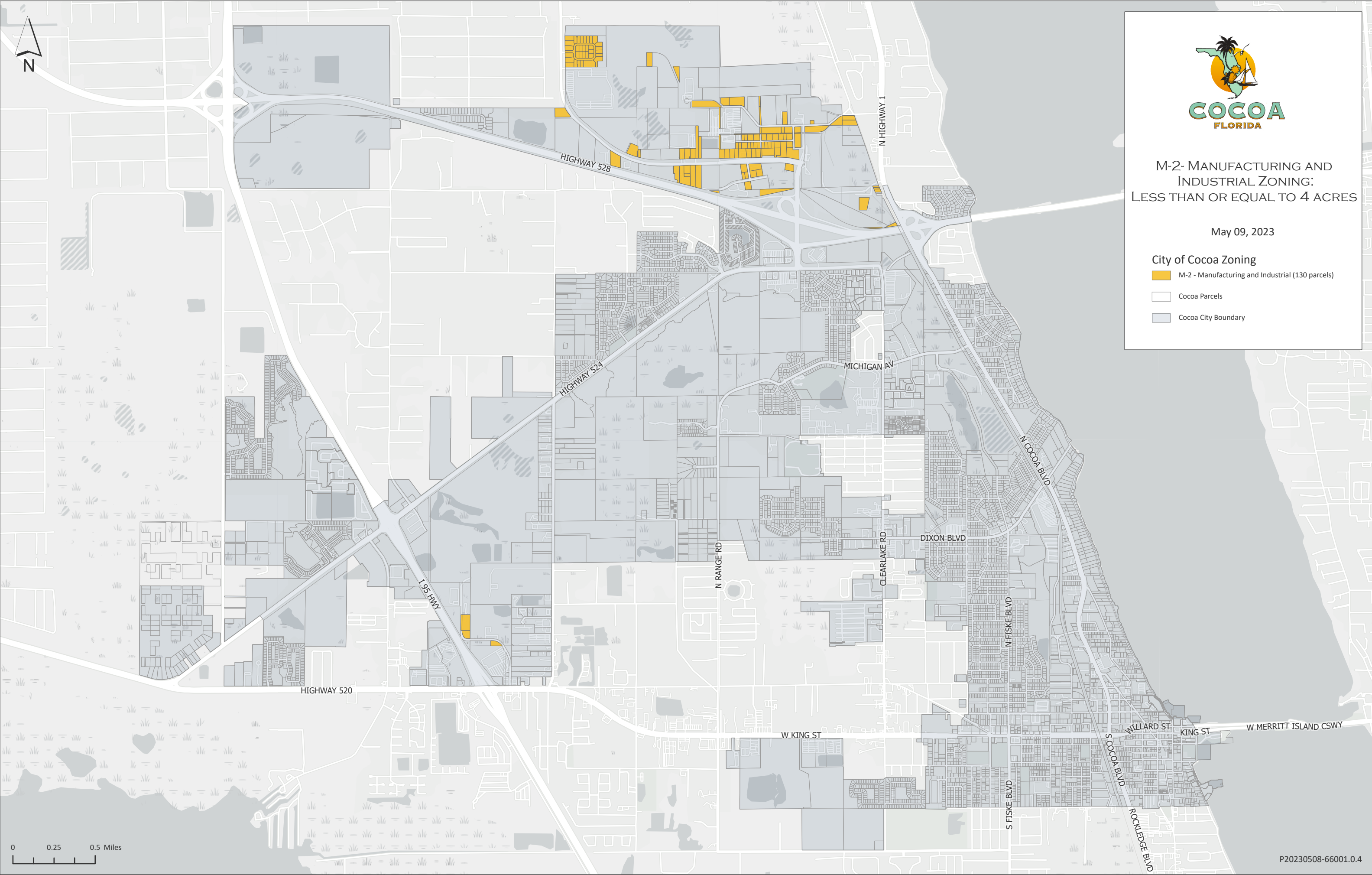
Members of the public may view the meeting agenda, ordinances, project applications, supporting documents, and staff reports on the City's website at the following link prior to attending or commenting:

- City of Cocoa meeting calendar at <https://cocoa.legistar.com/Calendar.aspx>
- Documents pertaining to the above may also be inspected at the Community Services Department, between 8:00 a.m. and 5:00 p.m., Monday through Friday, or by phoning (321) 433-8451.

Interested persons may submit their written comments or questions prior to the meeting through Email at meetings@cocoafl.org, or via E-comments through the online agenda at the link above. Any electronic comments submitted will be made part of the meeting record.

Viewing In Real Time. Interested persons are encouraged to view and listen to the hearings live by accessing the meetings at the following internet address:

- City of Cocoa meeting calendar at <https://cocoa.legistar.com/Calendar.aspx>
- However, the City is not responsible for technical difficulties that may occur while attempting to view or listen to the meeting on the internet.



M-2- MANUFACTURING AND INDUSTRIAL ZONING:
LESS THAN OR EQUAL TO 4 ACRES

May 09, 2023

City of Cocoa Zoning

- M-2 - Manufacturing and Industrial (130 parcels)
- Cocoa Parcels
- Cocoa City Boundary



Legislation Details (With Text)

File #: 23-335 **Version:** 1 **Name:**
Type: Agenda **Status:** Agenda Ready
File created: 5/22/2023 **In control:** Planning and Zoning / Local Planning Agency
On agenda: 6/7/2023 **Final action:**
Title: Recommend approval of granting an easement to Pivotal Utility Holdings, Inc. (a.k.a. Florida City Gas) for the purposes of constructing, operating, and maintaining a pipeline located in Lee Wenner Park for the transportation of gas through the pipeline.

Sponsors:

Indexes:

Code sections:

Attachments: [FCG Offer Letter City of Cocoa 3.6.23.pdf](#)
[FCG Perm EA City of Cocoa 3.6.23.pdf](#)
[FGT Proposed Easement Lee Wenner - TMV Sketch 12-6-21.pdf](#)
[FCG TCE City of Cocoa 3.6.23.pdf](#)

Date	Ver.	Action By	Action	Result
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PLANNING & ZONING BOARD/LOCAL PLANNING AGENCY AGENDA ITEM

Memo Date: May 22, 2023
Agenda Date: June 7, 2023
Prepared By: Charlene Neuterman, Community Services Director
Through: Bryant Smith III, P.E., CFM, Public Works Director
Requested Action:

Recommend approval of granting an easement to Pivotal Utility Holdings, Inc. (a.k.a. Florida City Gas) for the purposes of constructing, operating, and maintaining a pipeline located in Lee Wenner Park for the transportation of gas through the pipeline.

BACKGROUND:

Pursuant to Appendix A, Zoning, Article IV, Section 2, the City Council shall be required to authorize all uses of land and development projects on any and all lands owned, leased, or controlled by the City of Cocoa within and outside the boundaries of the City. Further, the Planning and Zoning Board is required to provide a recommendation to the City Council regarding such proposed uses of land and development projects on City-owned land.

Pivotal Utility Holdings, Inc. (Florida City Gas) desires to construct, operate and maintain a pipeline through Lee Wenner Park for the purposes of transporting natural gas through a line that connects the mainland with Merritt Island. As part of their request, an easement agreement is required to grant an easement for their construction and installation of the gas pipeline through Lee Wenner Park.

Staff worked with Florida City Gas to place the gas line in an area that is least likely to impact future construction/renovations of Lee Wenner Park. Florida City Gas will be required to carry the necessary insurance as required by this agreement and agrees to assume all responsibility for costs associated with improvements made to the easement. The agreement notes the legal description, and a map is attached showing the location of the approved easement. Additional important easement terms are as follows:

- The proposed easement is 10' wide and will be through the southern parking lot at Lee Wenner Park and exiting into the Indian River Lagoon near the southern end of Lee Wenner Park.
- Florida City Gas must repair any damage to the City property and restore it to the same or substantially similar condition prior to performance of any activities contemplated by the easement.
- Initial construction of the pipeline will be coordinated with the City Manager to minimize interference with the City's planned Lee Wenner Park parking lot improvements.
- Thirty (30) days' written notice must be provided to the City prior to performing any work that (1) involves heavy equipment or machinery; (2) disturbance or excavation of the surface of the Property; or (3) materially interferes with the City's use of the property, except in emergencies.
- Florida City Gas is required to provide at least ten (10) days' written notice to the City prior to closing any parking spaces while conducting work or inspections on the property.
- Florida City Gas is required to relocate the pipeline to another location upon the City's request for any reason, which must be accomplished at Florida City Gas's sole cost and expense and must commence within 30 days of the City's notice to relocate. In the event of relocation, the City must cooperate in good faith with Florida City Gas regarding an alternate location, footprint, and design for the new easement area.
- Florida City Gas agrees to indemnify, defend and hold the City harmless against any and all claims, liabilities, fines, etc., related to the presence of, release of, or exposure to any Hazardous Substances on the Property caused by Florida City Gas or its contractors/agents.

Florida City Gas has also requested a temporary construction easement through Lee Wenner Park in order to perform construction related to the initial installation of the pipeline, which is 20' in width.

Florida City Gas has prepared an offer letter to the City Council, which includes compensation for the easement based on an appraisal.

BUDGETARY IMPACT:

N/A

PREVIOUS ACTION:

N/A

RECOMMENDED MOTION:

Recommend approval of granting an easement to Pivotal Utility Holdings, Inc. (a.k.a. Florida City Gas) for the purposes of constructing, operating, and maintaining a pipeline located in Lee Wenner Park for the transportation of gas through the pipeline.



March 6, 2023

Stockton Whitten
City Manager
City of Cocoa
65 Stone Street
Cocoa, FL 32922

Dear Mr. Whitten:

Florida City Gas (FCG) is proposing to relocate and install gas main through city property located at Lee Wenner Park off State Road 520, Cocoa, Florida, Brevard County Parcel ID/Folio number 24-36-33-00-43.

FCG is in the process of acquiring and perfecting existing easement rights to improve the natural gas pipeline project known as SR 520 Gas Main Relocation. In order to make this project possible, **0.105-acre** of Permanent Easement and **0.611-acre** of Temporary Construction Easement are required. FCG is offering **\$112,400.00** for the aforementioned easements.

SinglePoint Acquisitions Group has engaged with FCG to acquire the necessary easements and easement rights. As Project Manager, I represent FCG and am authorized to explain this and discuss the full effect of the purchase, the easement(s) and your rights, as provided by law. I may be reached by email at email at hgardner@singlepointag.com or by phone at 770-519-5861.

If you agree to the terms expressed herein, please sign on page two where indicated. This document will be forwarded to FCG to process the check request. Upon my receipt, I will make arrangements with you to sign the easement agreement and deliver the check.

Very truly yours,

Heidi Gardner
Project Manager
SinglePoint Acquisitions Group
Contractor for Florida City Gas

*Disclaimer: Florida City Gas reserves the right of final review and approval of said agreement prior to the acceptance and disbursement of funds.

Easement granted by Owner:

City of Cocoa

By: _____

Print Name: _____

Title: _____

Date: _____

Witness:

By: _____

Print Name: _____

**This instrument was prepared by
and upon recording return to:**

Florida City Gas
700 Universe Boulevard
Juno Beach, Florida 33408
Attn: Corporate Real Estate Department

EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT (this “**Agreement**”) is made and entered into as of the ____ day of _____, 2023 by and between the **CITY OF COCOA**, a Florida municipal corporation (“**Grantor**”), having a post office address of 65 Stone Street, Cocoa, Florida 32922, and **PIVOTAL UTILITY HOLDINGS, INC.**, a public utility corporation of the State of New Jersey (f/k/a NUI Utilities, Inc.) d/b/a **FLORIDA CITY GAS** (“**Grantee**”), having a post office address of 700 Universe Boulevard, Juno Beach, Florida 33408.

W I T N E S S E T H:

WHEREAS, Grantor is the owner of that certain tract of land located in Brevard County, Florida which is more particularly described in Exhibit A attached hereto and made a part hereof by this reference (the “**Property**”); and

WHEREAS, Grantee desires to construct, operate and maintain pipelines and related facilities for the transportation of gases, liquids, substances or other materials on the portion of the Property described in Exhibit “B” attached hereto and made a part hereof by this reference (the “**Easement Area**”); and

WHEREAS, Grantor agrees to permit such activities on the Easement Area upon the terms and conditions set forth in this Agreement.

NOW THEREFORE, for and in consideration of the premises, the mutual covenants and agreements hereinafter set forth, Ten and No/100 Dollars (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the parties hereto, Grantor and Grantee hereby agree as follows:

1. **Recitals.** Grantor and Grantee hereby mutually acknowledge and agree that the foregoing recitals are true and correct and hereby incorporated into this Agreement by this reference.

2. **Grant of Easement.** Grantor hereby grants and conveys to Grantee the following irrevocable, perpetual easements, rights and interest in gross:

(i) A non-exclusive easement in, under, over, across and through the Easement Area for the purpose of constructing, reconstructing, improving, expanding, reducing, installing, operating, maintaining, repairing, replacing and inspecting above ground and below ground

appurtenances, pipelines and any related facilities (collectively, the “**Facilities**”) now or hereafter located thereon and/or thereunder for the transportation of gas or any liquids, gases, substances or other materials that can be transported by or conducted through the Facilities;

(ii) The right to keep the Easement Area free from (a) trees, undergrowth and/or other obstructions, whether natural or artificial, upon prior notice to and approval by the Grantor’s City Manager or his or her designee, which shall not be unreasonably withheld, conditioned or delayed, except in the case of an emergency where no such approval is required; (b) anything which may constitute a hazard or endanger persons attempting to construct, reconstruct, improve, expand, reduce, install, operate, maintain, repair, replace or inspect any of the Facilities; (c) anything which may increase the cost of constructing, reconstructing, improving, expanding, reducing, installing, operating, maintaining, repairing, replacing or inspecting any of the Facilities, except that the existing parking lot surface and supporting structures, which may be maintained, repaired, and resurfaced, shall not be considered to increase such cost and may remain on the Easement Area; and (d) anything which may unreasonably interfere with the Facilities and/or any of Grantee’s easements, rights and interest under this Agreement, and

(iii) A non-exclusive right-of-way easement of ingress, egress and access across the entirety of the Property as may be reasonably necessary or convenient for the full use and enjoyment by Grantee of its easements, rights and interest under this Agreement including, without limitation, the right to bring equipment, persons and materials onto the Property and Easement Area, subject to the requirements of Section 4 below.

3. **Restoration of Property.** Grantee shall repair any damage to the Property or Easement Area to the extent that such damage is caused by Grantee or its contractors, employees or agents. Grantee shall restore, or cause to be restored, the surface and subsurface of the Property and Easement Area to the same or substantially similar condition as reasonably practical said Property or Easement Area was in prior to Grantee’s performance of any activities contemplated by this Agreement for the Grantee’s Facilities. Grantee shall use its best efforts in its use of the Easement Area to not unreasonably interfere with use by Grantor, its guests and invitees.

4. **Coordination of Work.** With regard to initial construction of the Grantee’s Facilities, Grantee shall coordinate the timing of such construction with the City Manager and may not commence construction absent City Manager approval, which shall not be unreasonably withheld, conditioned, or delayed, and which shall be given to minimize interference with the City’s planned Lee Wenner Park parking lot improvements. Grantee agrees to provide at least thirty (30) days’ written notice to Grantor prior to performing any inspection, alteration, construction, reconstruction, improvement, replacement, maintenance or repair of Grantee’s Facilities which may either (1) involve heavy equipment or machinery; (2) disturbance or excavation of the surface of the Property; or (3) materially interfere with Grantor’s use of Grantor’s Property, except in an event of an emergency in which life or property is in imminent danger of destruction or injury. Except in the event of an emergency, Grantee further agrees to provide at least ten (10) days’ written notice to Grantor prior to closing any parking spaces on the Property while conducting any inspection, alteration, construction, reconstruction, improvement, replacement, maintenance or repair of Grantee’s Facilities that may affect park operations. Except in the case of such emergency, Grantee shall be required to coordinate the timing, staging and

specific location of the work to be performed and materials and equipment to be placed on the Property with the City Manager's Office. Except in case of an emergency, Grantee shall coordinate the timing and closure of parking spaces with the City's Leisure Services Department.

5. **Relocation of Facilities.** Grantee agrees that should Grantor request Grantee to relocate the Grantee's Facilities to another location on the Property for any reason, Grantee shall be required to do so at its sole cost and expense and shall commence such relocation within thirty (30) days' notice from the Grantor. Grantee acknowledges and agrees that the Property is a premiere waterfront park in the City of Cocoa and located within the Cocoa Community Redevelopment Area and subject to a Waterfront Master Plan, which may be amended from time to time to include varying economic redevelopment projects and enhanced recreational and community opportunities. The Grantor shall use reasonable efforts to avoid requiring Grantee to relocate its Facilities, but this Agreement shall not under any circumstances be construed to preclude the Grantor or the Cocoa Community Redevelopment Area, in its sole discretion, from amending its vision for the Property or taking action to enhance the available recreational and community opportunities on the Property in order to serve the best interests of the City's residents. In the event the Grantor requires the relocation of the Grantee's Facilities, Grantor and Grantee shall cooperate and work together in good faith to agree upon an alternate location, footprint, design and construction plan for the new easement area ("**New Easement Area**") which shall be similar to the Easement Area in area and appropriateness for the use of Grantee's purposes, in which event the New Easement Area shall be deemed to be the Easement Area for all purposes under this Agreement.

6. **Grantor's Use of Easement Area.** Subject to Grantor's rights described in Section 5 above, Grantor hereby covenants and agrees that it shall not construct, or permit any person or entity other than Grantee to construct, any buildings, towers or other structures on the Easement Area, nor shall it cause or permit any person or entity other than Grantee to cause the grade of the Easement Area to be changed in any manner prior to obtaining the prior written consent of Grantee.

7. **Grantor's Non-Interference.** Subject to and conditioned upon the provisions of Sections 4 and 5 of this Agreement, Grantor hereby reserves for itself the right to use the Easement Area; provided, however, that Grantor's use may not (i) violate any provision of this Agreement, (ii) constitute, in Grantee's reasonable opinion, a hazard or endanger persons attempting to construct, reconstruct, improve, expand, reduce, install, operate, maintain, repair, replace or inspect any of the Facilities, or (iii) unreasonably interfere with any of the Facilities and/or Grantee's easements, rights or interest under this Agreement.

8. **Amendment; Easement Runs with the Land.** This Agreement may only be amended by a writing signed by all of the parties hereto, and no other purported amendment hereof shall be of any force or effect. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, personal representatives, successors and assigns, as applicable. All rights granted to Grantee hereunder are hereby also expressly granted to Grantee's servants, agents, employees, contractors and subcontractors.

9. **Release of Easement.** In the event of the Grantee's complete non-use and abandonment of the Grantee's Facilities within the Easement Area, at such time Grantor may

request a release of this Agreement to record in the public records.

10. **Hazardous Substances.** Grantee hereby agrees to indemnify, defend and hold harmless Grantor and its directors, officers, employees, contractors, agents, successors and assigns, from and against all claims, causes of actions, liabilities, obligations, judgments, damages, penalties, fines, losses, costs and expenses (including, without limitation, reasonable attorneys' fees and disbursements), whether foreseen or unforeseen, directly or indirectly arising from or related to the presence of, release of or exposure to any Hazardous Substance on, under or from the Property caused by Grantee, its agents, employees, contractors, or subcontractors in performing its activities hereunder or any non-compliance by Grantee, its agents, employees, contractors, or subcontractors with any present or future federal, state or local law, rule, regulation or order pertaining to the environmental regulation, health, safety, contamination or clean-up (an "**Environmental Law**"), except to the extent caused by Grantor's negligence or misconduct. As used herein, "Hazardous Substance" means any hazardous, toxic or harmful substance, waste, pollutant or contaminant (including, without limitation, asbestos, polychlorinated biphenyls, petroleum products, flammable explosives, radioactive materials, infectious substances and raw materials which include hazardous constituents) and any other substance or material which is regulated by any Environmental Law.

11. **Indemnification.** Grantee further agrees to indemnify, defend, and hold Grantor, its officers, officials, employees, agents, authorized contractors and volunteers harmless from any and all claims, injuries, damages, losses or suits, including attorney's fees, resulting from the negligent, grossly negligent and/or intentional acts, errors or omissions of Grantee, its agents, employees, contractors, or subcontractors arising out of or in connection with the performance of this Agreement and use of the Property, except to the extent such injuries and/or damages are caused by the negligence or intentional acts of Grantor, or its officers, officials, employees, agents, authorized contractors and volunteers; provided however, in no event shall Grantee be liable for special, consequential or punitive damages.

The indemnification provided in Sections 10 and 11 shall obligate Grantee to defend at its own reasonable expense or to provide for such defense, at the option of Grantor, as the case may be, of any and all claims of liability and all suits and actions of every name and description that are brought against Grantor as a direct result under this Agreement. In all events, Grantor shall be permitted to choose legal counsel of its sole but reasonable choice, the actual and reasonable fees for which shall be subject to and included with this indemnification provided herein, as long as said fees are not greater than a rate deemed reasonable in Brevard County, Florida. In the event any of the Grantee's employees bring an action against the Grantor, arising out of, or in any way connected with, the use of the Property, the Grantee agrees that it shall not assert immunity under Section 440.11, Florida Statutes, as a defense to an indemnity action or obligation asserted by the Grantor in such circumstances pursuant to this Agreement.

12. **Grantor's Representations.** Grantor for itself and its successors and assigns, does hereby warrant to Grantee and its successors and assigns, that Grantor holds fee title to the Easement Area, and warrants the title to the easements herein described and granted, and will defend the same and Grantee's right to use and quietly enjoy such easements and the Easement Area against the lawful claims of all persons whomsoever.

13. **Sovereign Immunity.** Notwithstanding any other provision set forth in this Agreement, nothing contained in this Agreement shall be construed as a waiver of the Grantor's right to sovereign immunity under section 768.28, Florida Statutes, or other limitations imposed on the Grantor's potential liability under state or federal law, if applicable. As such, the Grantor shall not be liable under this Agreement for punitive damages or interest for the period before judgment. Further, the Grantor shall not be liable for any claim or judgment, or portion thereof, to any one person for more than two hundred thousand dollars (\$200,000.00), or any claim or judgment, or portion thereof, which, when totaled with all other claims or judgments paid by the State or its agencies and subdivisions arising out of the same incident or occurrence, exceeds the sum of three hundred thousand dollars (\$300,000.00). This paragraph shall survive termination of this Agreement.

14. **Governing Law; Venue; Waiver of Jury Trial.** This Agreement shall be governed by the laws of the State of Florida. Venue for all disputes shall be properly placed in Brevard County, Florida for state court actions and Orlando, Florida for federal court actions. The parties agree that this Agreement was consummated in Brevard County, and the site of the easement is in Brevard County, Florida. The parties hereby voluntarily, knowingly, and intentionally agree, to the extent permitted by law, to the waiver of a jury trial in any legal action or proceeding arising under or in connection with this Agreement.

15. **Notices.** All notices, demands, requests, consents, approvals or other communications (collectively, "**Notices**") required or permitted to be given hereunder or which are given with respect to this Agreement shall be effective only if in writing and delivered by personal service, or delivered to an overnight courier service with guaranteed next day delivery, or mailed by registered or certified mail, return receipt requested, postage prepaid, addressed as follows:

To Grantor:	Attn: Stockton Whitten, City Manager City of Cocoa, Florida Stone Street Cocoa, FL 32922
To Grantee:	Florida City Gas 700 Universe Boulevard Juno Beach, Florida 33408 Attn: Corporate Real Estate Department
With Copy To:	Florida City Gas 700 Universe Boulevard Juno Beach, Florida 33408 Attn: General Counsel

Any Notice given as provided herein shall be deemed received as follows: if delivered by personal service, on the date so delivered; if delivered to an overnight courier service, on the business day immediately following delivery to such service; and if mailed, on the third business day after

mailing.

16. **Counterparts.** This Agreement may be executed in separate counterparts, each of which is an original, and all of which together constitute one and the same instrument.

17. **Injunctive Relief.** The parties agree that, in the event of default, there may not be an adequate remedy at law, and therefore, it is agreed the parties shall be entitled to seek injunctive relief, including a mandatory injunction.

18. **Entire Agreement.** This Agreement constitutes the full and entire agreement between the parties hereto and supersedes any oral or written prior communications between the parties related to the subject matter contained in this Agreement.

19. **Attorney's Fees.** In the event it shall be necessary for Grantor or Grantee to bring suit for specific performance or damages or to enforce any provision hereof, each party shall be responsible for its own attorney's fees, costs and expenses.

20. **Severability.** If any provision, or a portion thereof, of this Agreement, or the application thereof to any person or circumstances shall, to any extent, be held invalid, inoperative or unenforceable, the remainder of this Agreement or the application of such provision, or portion thereof, to any persons or circumstances shall not be affected thereby and the remainder of this Agreement shall be given effect as if such invalid, inoperative or unenforceable portion has not been included; such invalid, inoperative or unenforceable provision, or portion thereof, or the application thereof to any person or circumstances, shall not be given effect.

[Signatures appear on the following page.]

IN WITNESS WHEREOF, the Grantor and Grantee has hereunto set their hands and affixed their seals as of the date first above written.

WITNESSES:

Signed, sealed and delivered
in the presence of:

GRANTOR:

CITY OF COCOA,
a Florida municipal corporation

Witness Signature

Print Name

By: _____

Print Name: _____

Title: _____

Witness Signature

Print Name

ACKNOWLEDGMENT

STATE OF FLORIDA)
) SS:
COUNTY OF BREVARD)

The foregoing instrument was acknowledged before me by means of ☐ physical presence
or ☐ online notarization, this ____ day of _____, 2023, by
_____, as _____ of the City
of Cocoa, a Florida municipal corporation, on behalf of the City.

[NOTARIAL SEAL]

Notary: _____

Print Name: _____

Notary Public, State of Florida

My commission expires: _____

☐ Personally Known **OR** ☐ Produced Identification

Type of Identification Produced _____

WITNESSES:

Signed, sealed and delivered
in the presence of:

Witness Signature

Print Name

Witness Signature

Print Name

GRANTEE:

PIVOTAL UTILITY HOLDINGS, INC.,
a public utility corporation of the State of
New Jersey (f/k/a NUI Utilities, Inc.) d/b/a
FLORIDA CITY GAS

By: _____
Print Name: _____
Title: _____

ACKNOWLEDGMENT

STATE OF FLORIDA)
) SS:
COUNTY OF PALM BEACH)

The foregoing instrument was acknowledged before me by means of ☐ physical presence
or ☐ online notarization, this ____ day of _____, 2023, by
_____, as _____ of
PIVOTAL UTILITY HOLDINGS, INC., a public utility corporation of the State of New Jersey,
on behalf of the corporation.

[NOTARIAL SEAL]

Notary: _____
Print Name: _____
Notary Public, State of Florida
My commission expires: _____

☐ Personally Known **OR** ☐ Produced Identification
Type of Identification Produced _____

Exhibit A

Legal Description of the Property

A parcel of filled land adjacent to and East of Section 33, Township 24 South, Range 36 East, Brevard County, Florida, being more, particularly described as follows:

Begin at the intersection of the North line of the State of Florida Board of Trustees of the Internal Improvement Trust Fund Dedication No. 25177 (2328-05) and the Easterly right of way line of River Edge Boulevard as shown on the Cocoa River Development according to the plat thereof recorded in Plat Book 11 at Page. 75 of the Public Records of Brevard County, Florida and run N.00°56'32"W., along said Easterly right-of-way line for 118.56 feet to the Point of Curvature of a circular curve to the right having a radius of 49.80 feet; thence run Northeasterly along the arc of said curve and said Easterly right-of-way line through a central angle of 50°24'50" for 43.82 feet to the North line of the parcel released by the State of Florida Department of Transportation recorded in Official Records Book 2549 at Page 2910, of the Public Records of Brevard County, Florida; thence run N.89°18'48"E., along the North line of said release parcel for 120.15 feet; thence run N.79°08'43"E., along said North line for 244.45 feet; thence run N.86°55'19"E., along said North line for 347.14 feet; thence run N.03°04'41"W., along said North line for 32.00 feet; thence run N.86°55'19"E., along North line for 305.71 feet to the safe upland line of the Indian River; thence meander said safe upland line the following courses; S.31°33'01"E., for 28.55 feet; S.04°05'19"W., for 1.34 feet; S.04°05'19"W., for 17.13 feet; S.04°05'19"W., for 14.29 feet; S.04°16'18"W., for 2.84 feet; S.04°16'18"W., for 25.14 feet; S.42°11'59"W., for 31.14 feet; S.38°39'28"W., for 76.67 feet; S.39°43'35"W., for 83.66 feet; S.44°24'03"W., for 9.08 feet to the North line of said I.I.T.F. Dedication; thence run S.86°55'19"W., along said North line for 315.15 feet to the Point of Curvature of a circular curve to the right having a radius of 23,113.13 feet; thence run Westerly along the arc of said curve through a central angle of 01°04'00" for 430.25 feet to the Point of Tangency of said curve; thence run S.89°18'48"W., for 162.99 feet to the Point of Beginning, said parcel contains 4.49 acres, more or less.

and

All of that portion of Lot 8 of the Cocoa River Development in the City of Cocoa, Brevard County, Florida, as shown by the Plat of and Subdivision recorded in Plat Book 11, Page 7, of the Public Records of Brevard County, Florida, lying East of and within 400 feet to River Edge Boulevard as shown on said Plat, together with the submerged lands in the Indian River and the riparian or littoral rights thereunto appurtenant to the East of said River Edge Boulevard.

Note: The specific legal description of all Land South of the above legal descriptions pertaining to Parcel I.D. 24-36-33-00-43 were not found within the Public Records. This said land was apparently described as follows:

All of Lot 9, Cocoa River Development, according to the Plat of said subdivision recorded in Plat Book 11, Page 75, Public Records of Brevard County, Florida, lying East of the centerline of River Edge Boulevard as shown on said Plat, and all submerged lands in the Indian River and all riparian or littoral rights which may appertain to said Lot 9, Cocoa River Development.

and

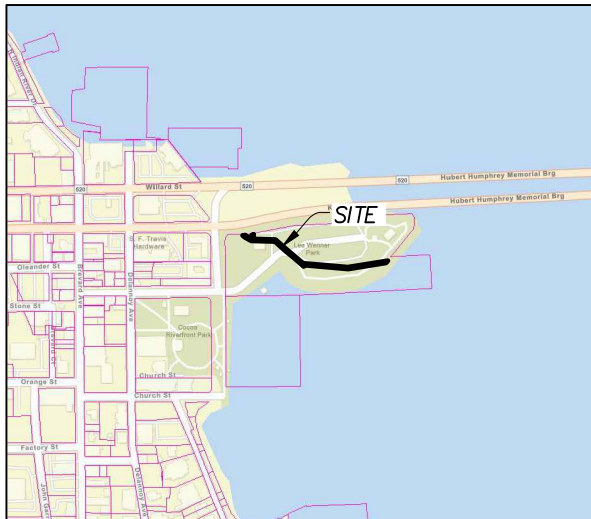
All of Lots 9 and 10, Cocoa River Development, according to the Plat of said Subdivision in Plat Book 11, Page 75, Public Records of Brevard County, Florida, lying East of the centerline of River Edge Boulevard, as shown on said Plat, and all submerged lands in the Indian River and any and all riparian or littoral rights which may appertain to said Lot 9 and 10, Cocoa River Development.

EXHIBIT "B" LEGAL DESCRIPTION:

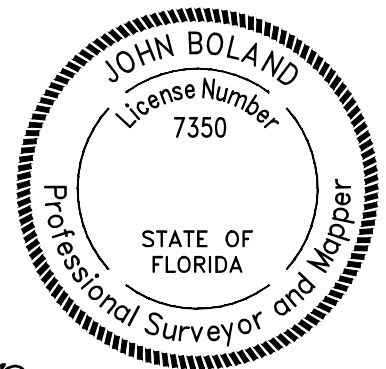
A PORTION OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 8063, PAGE 1885, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LYING IN SECTION 33 & 34, TOWNSHIP 24 SOUTH, RANGE 36 WEST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 520 ALSO KNOWN AS MERRITT ISLAND CAUSEWAY (A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SECTION 70100-2517) BEING MARKED BY A FOUND IRON ROD; THENCE RUN ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE S89°10'52"W FOR 27.36 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID RIGHT-OF-WAY RUN S49°56'33"E FOR 4.00 FEET; THENCE S59°57'21"E FOR 34.32 FEET; THENCE N00°01'31"E FOR 21.20 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF SAID STATE ROAD 520; THENCE RUN ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE N79°00'47"E FOR 10.19 FEET; THENCE S00°01'31"W FOR 24.14 FEET; THENCE S88°39'11"E FOR 120.77 FEET; THENCE S47°40'19"E FOR 78.51 FEET; THENCE S50°00'48"E FOR 118.45 FEET; THENCE S85°06'38"E FOR 245.15 FEET; THENCE N80°52'26"E FOR 219.72 FEET; THENCE S45°38'55"W FOR 14.18 FEET; THENCE S53°47'09"W FOR 4.00 FEET; THENCE S80°52'26"W FOR 205.81 FEET; THENCE N85°06'38"W FOR 236.67 FEET; THENCE S40°25'43"W FOR 7.51 FEET; THENCE N49°34'17"W FOR 70.34 FEET; THENCE N50°25'09"W FOR 61.93 FEET; THENCE N47°40'19"W FOR 75.01 FEET; THENCE N88°39'11"W FOR 128.21 FEET; THENCE N59°57'21"W FOR 39.35 FEET; THENCE N49°56'33"W FOR 16.42 FEET; THENCE N89°10'52"E FOR 15.28 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 8,584 SQUARE FEET (0.197 ACRES) MORE OR LESS.



VICINITY MAP
(NOT TO SCALE)



John Boland

JOHN M. BOLAND
PROFESSIONAL SURVEYOR & MAPPER
LICENSE NUMBER LS 7350

02/16/23
DATE

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A
FLORIDA LICENSED SURVEYOR AND MAPPER

SHEET INDEX:

SHEET 1: LEGAL DESCRIPTION
SHEET 2: LEGEND, NOTES
SHEETS 3-5: SKETCH OF DESCRIPTION

SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.

SHEET 1 OF 5

SKETCH OF DESCRIPTION OF
**PROPOSED EASEMENT ACROSS THE
LANDS OF CITY OF COCOA
(LEE WENNER PARK)**
SECTION 33 & 34, TOWNSHIP 24 SOUTH, RANGE 36 EAST
BREVARD COUNTY, FLORIDA
PREPARED FOR:
FLORIDA CITY GAS

SGC ENGINEERING, LLC

SURVEY AND MAPPING

1001 TOWN PLAZA COURT, SUITE 1032
WINTER SPRINGS, FLORIDA 32708
PHONE: (800) 581-4031
WWW.SGCSURVEY.COM
LB 7979



DATE: 02/16/23 SCALE: 1" = 40' DRAWN: SAS CHECK: JMB

FILE: \\scwbl\data\sgc_data\PROJECTS\1877001-Kimley Horn - FL520 Replacement\DWG\WORKSHEETS\1877001_Plots_esmt_sgs.dwg
LOGIN: John Boland
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SKETCH NOTES:

1. BEARINGS AND COORDINATES SHOWN HEREON, IF ANY ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983.
2. THIS SKETCH MEETS THE APPLICABLE "STANDARDS OF PRACTICE" AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN RULE 5J17.050 THROUGH 5J17.052, FLORIDA ADMINISTRATIVE CODE.
3. ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988(NAVD 88) [GEOID 12B].
4. IMPROVEMENTS SHOWN HEREON ARE THE RESULT OF A FIELD SURVEY CONDUCTED BY SGC ENGINEERING, LLC BETWEEN APRIL 14, 2020 AND OCTOBER 19, 2020.
5. PROPERTY SUBJECT TO ANY VALID & ENFORCEABLE EASEMENTS, RESTRICTIONS, & RIGHTS OF WAY.
6. PER FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION MEMORANDUM TO BEN DESLAURIERS DATED OCTOBER 20, 2020 AN ORDINARY HIGH WATER LINE (OHWL) HAS NOT BEEN DETERMINED AT THIS SITE. AN ELEVATION OF -0.30 FEET, NORTH AMERICAN VERTICAL DATUM 1988, ALONG THE NATURAL SHORELINE IS SUFFICIENT FOR SAFE UPLAND LINE.

LEGEND:

	SUBJECT EASEMENT
	EXISTING R/W
	PARCEL LINES
	TIE LINE
	GAS LINE
R/W	RIGHT OF WAY
ORB	OFFICIAL RECORDS BOOK
PB	PLAT BOOK
PG(S)	PAGE(S)
SF	SQUARE FEET
AC	ACRES
SEC	SECTION
RNG	RANGE
TWN	TOWNSHIP
	FOUND IRON ROD

SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.

SHEET 2 OF 5

SKETCH OF DESCRIPTION OF
**PROPOSED EASEMENT ACROSS THE
LANDS OF CITY OF COCOA
(LEE WENNER PARK)**

SECTION 33 & 34, TOWNSHIP 24 SOUTH, RANGE 36 EAST
BREVARD COUNTY, FLORIDA

PREPARED FOR:
FLORIDA CITY GAS

SGC ENGINEERING, LLC

SURVEY AND MAPPING

1001 TOWN PLAZA COURT, SUITE 1032

WINTER SPRINGS, FLORIDA 32708

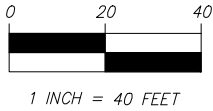
PHONE: (800) 581-4031

WWW.SGCSURVEY.COM

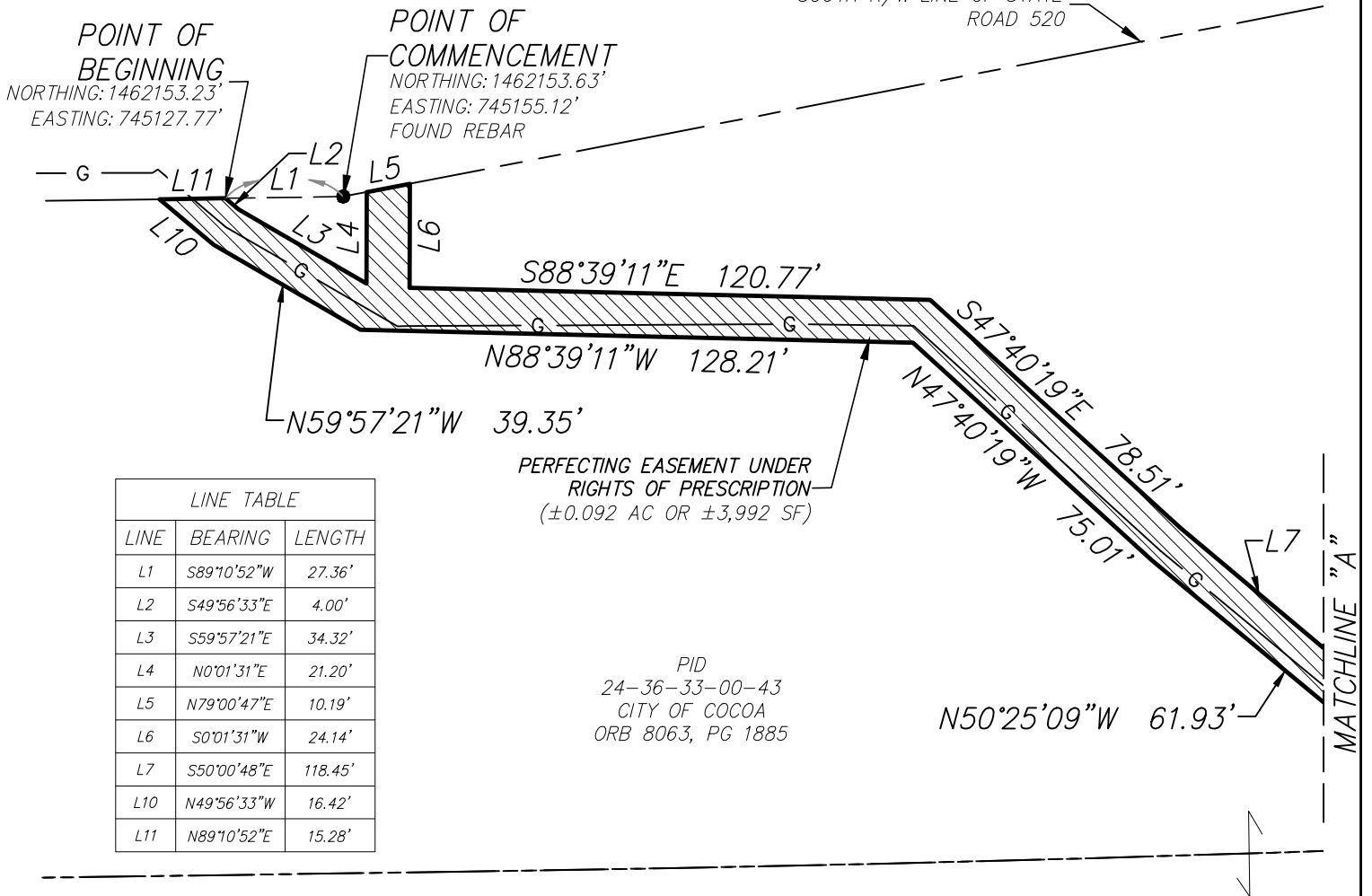
LB 7979

DATE: 02/16/23 SCALE: 1" = 40' DRAWN: SAS CHECK: JMB





STATE ROAD 520 (MERRITT ISLAND CAUSEWAY)
(A VARIABLE WIDTH PUBLIC R/W PER FLORIDA DEPARTMENT OF
TRANSPORTATION RIGHT-OF-WAY MAP, SECTION 70100-2517)



LINE TABLE		
LINE	BEARING	LENGTH
L1	S89°10'52"W	27.36'
L2	S49°56'33"E	4.00'
L3	S59°57'21"E	34.32'
L4	N0°01'31"E	21.20'
L5	N79°00'47"E	10.19'
L6	S0°01'31"W	24.14'
L7	S50°00'48"E	118.45'
L10	N49°56'33"W	16.42'
L11	N89°10'52"E	15.28'

SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.

SHEET 3 OF 5

SKETCH OF DESCRIPTION OF
PROPOSED EASEMENT ACROSS THE
LANDS OF CITY OF COCOA
(LEE WENNER PARK)

SECTION 33 & 34, TOWNSHIP 24 SOUTH, RANGE 36 EAST
BREVARD COUNTY, FLORIDA

PREPARED FOR:
FLORIDA CITY GAS

SGC ENGINEERING, LLC

SURVEY AND MAPPING

1001 TOWN PLAZA COURT, SUITE 1032

WINTER SPRINGS, FLORIDA 32708

PHONE: (800) 581-4031

WWW.SGCSURVEY.COM

LB 7979

DATE: 02/16/23 SCALE: 1" = 40' DRAWN: SAS CHECK: JMB



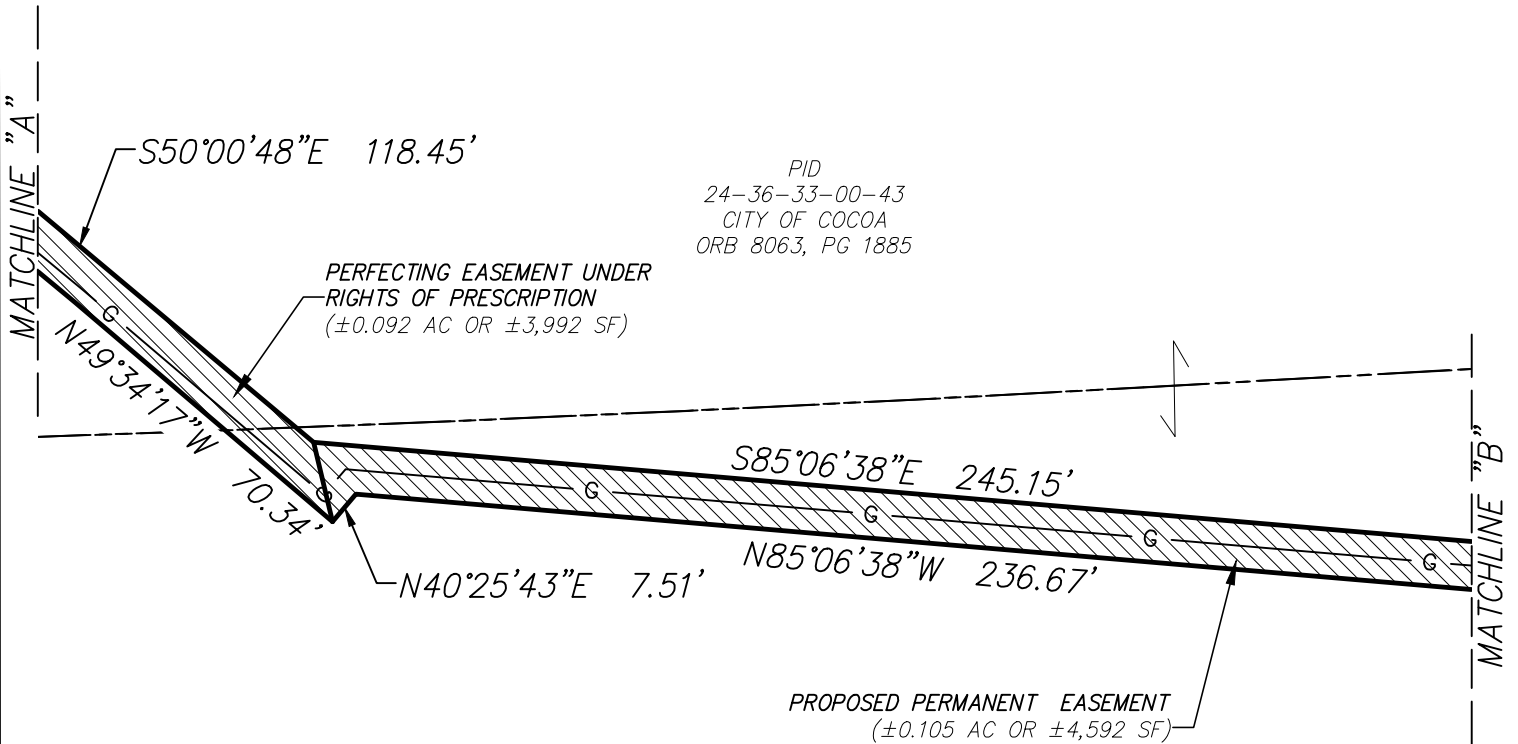


0 20 40
1 INCH = 40 FEET

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LOGIN: John Boland

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SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.

SHEET 4 OF 5

SKETCH OF DESCRIPTION OF
**PROPOSED EASEMENT ACROSS THE
LANDS OF CITY OF COCOA
(LEE WENNER PARK)**

SECTION 33 & 34, TOWNSHIP 24 SOUTH, RANGE 36 EAST
BREVARD COUNTY, FLORIDA

PREPARED FOR:
FLORIDA CITY GAS

SGC ENGINEERING, LLC

SURVEY AND MAPPING

1001 TOWN PLAZA COURT, SUITE 1032

WINTER SPRINGS, FLORIDA 32708

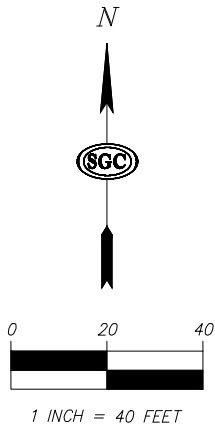
PHONE: (800) 581-4031

WWW.SGCSURVEY.COM

LB 7979

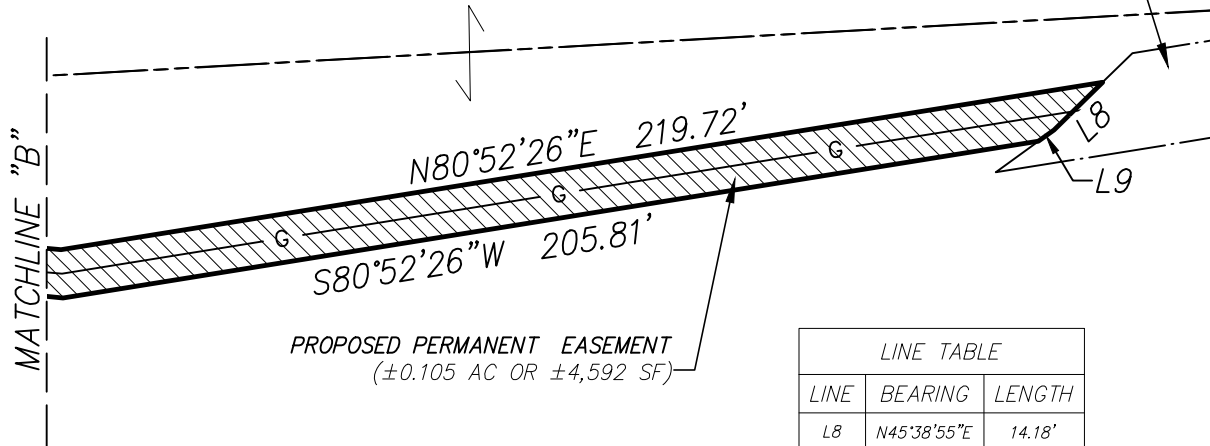
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PIVOTAL UTILITY HOLDINGS, INC.,
A NEW JERSEY CORPORATION,
D/B/A FLORIDA CITY GAS
SOVEREIGNTY SUBMERGED LANDS
EASEMENT
SSL NO. 050358424
EASEMENT NO. 42515

PID
24-36-33-00-43
CITY OF COCOA
ORB 8063, PG 1885



PROPOSED PERMANENT EASEMENT
(± 0.105 AC OR $\pm 4,592$ SF)

LINE TABLE		
LINE	BEARING	LENGTH
L8	N45°38'55"E	14.18'
L9	N53°47'09"E	4.00'

SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.

SHEET 5 OF 5

SKETCH OF DESCRIPTION OF
**PROPOSED EASEMENT ACROSS THE
LANDS OF CITY OF COCOA
(LEE WENNER PARK)**

SECTION 33 & 34, TOWNSHIP 24 SOUTH, RANGE 36 EAST
BREVARD COUNTY, FLORIDA

PREPARED FOR:
FLORIDA CITY GAS

SGC ENGINEERING, LLC

SURVEY AND MAPPING

1001 TOWN PLAZA COURT, SUITE 1032

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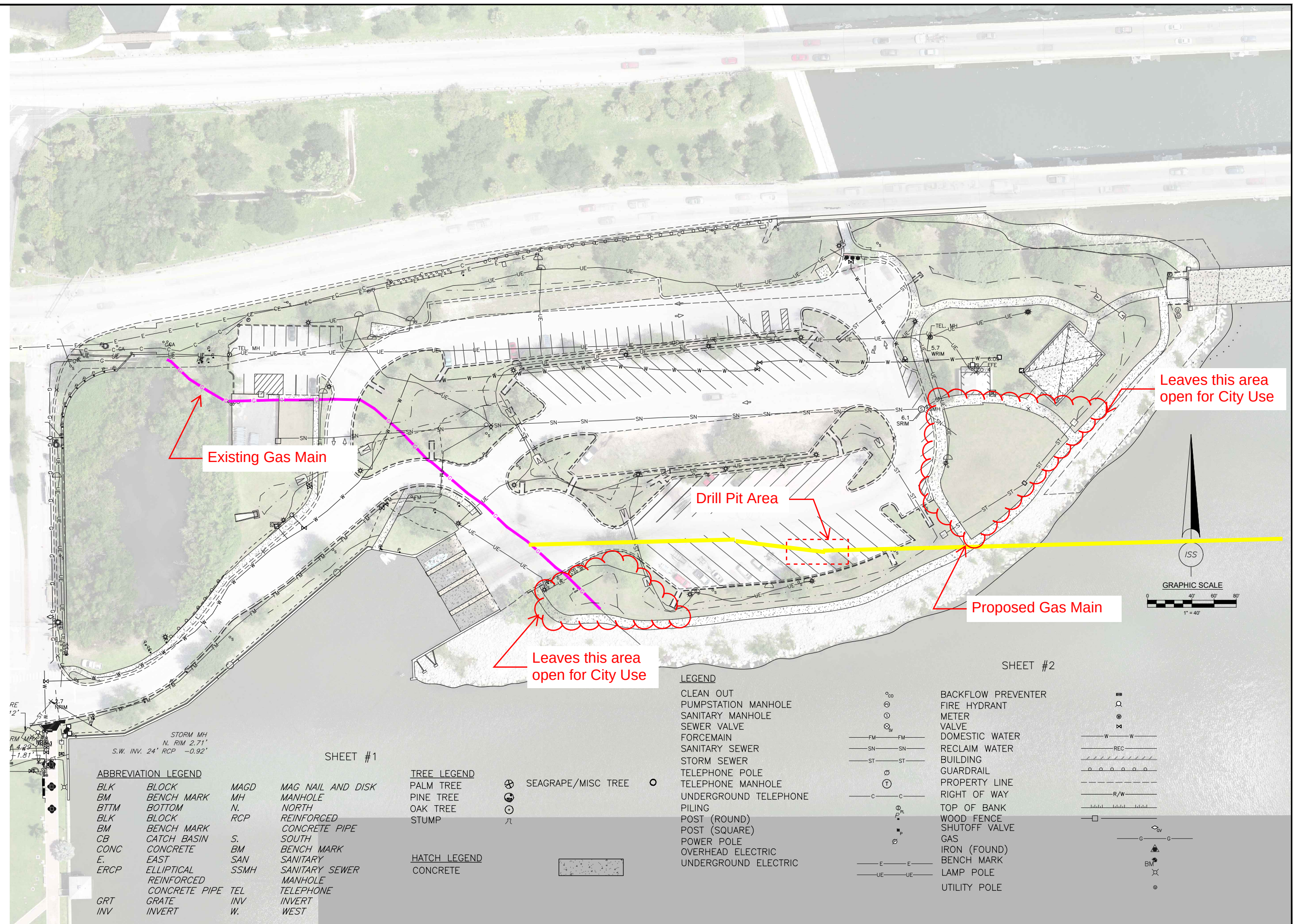


DATE: 02/16/23 SCALE: 1" = 40' DRAWN: SAS CHECK: JMB

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LOGIN: John Boland

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[illegible]

**INFRASTRUCTURE
SOLUTION SERVICES**

ISS

7185 Murrell Road, Suite 101
Melbourne, Florida 32940
Phone: (321) 622-4646
www.infrastructureSS.com

EXISTING SITE CONDITIONS LEE WENNER PARK	CITY OF COCOA
CLIENT:	

PROJECT NO.: COC015	PROJ. MGR.: TMV
DATE: 8/22/19	DRWN. BY: CMS
SCALE: 1" = 40'	CHKD. BY: MBH
DRAWING NO: 1	
SHEET NO. KEY MAP	

Prepared by and after recording return to:
Florida City Gas
700 Universe Boulevard
Juno Beach, Florida 33408

FLORIDA CITY GAS

TEMPORARY CONSTRUCTION EASEMENT AGREEMENT

THIS TEMPORARY CONSTRUCTION EASEMENT AGREEMENT ("Agreement"), is made and executed this _____ day of _____, 2023, by and between the **CITY OF COCOA**, a Florida municipal corporation, located at 65 Stone Street, Cocoa, Florida, 32922 ("**Property Owner**" or "**Grantor**"), and PIVOTAL UTILITY HOLDINGS, INC. d/b/a FLORIDA CITY GAS, a public utility corporation of the State of New Jersey, having a post office address of 700 Universe Boulevard, Juno Beach, Florida 33408 ("**Grantee**").

W I T N E S S E T H:

WHEREAS, Property Owner is the owner of certain real property more particularly described on **Exhibit "A,"** which is attached to this Agreement and which is incorporated herein by reference (the "**Property**"); and

WHEREAS, Grantee requires temporary easements over a portion of the Property as approximately depicted on **Exhibit "B"** attached to this Agreement and made a part hereof by reference (the "**Temporary Easement Area**") in order to conduct construction activities in connection with certain property Grantee has rights to use as provided by that certain Easement Agreement executed by the Grantor and the Grantee on the Property ("**Easement Agreement**") (the "**Grantee Property**") (and which Grantee Property may be a part of the Property); and

WHEREAS, Property Owner is willing to grant to Grantee temporary easements as provided in this Agreement.

NOW THEREFORE, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars, cash in hand paid by Grantee to Property Owner, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties covenant and agree as follows:

1. Grant of Easements. Property Owner hereby grants and conveys to Grantee the following temporary easements, rights and privileges (collectively called the "**Temporary Easements**"):

(A) an exclusive easement in, upon, under and through the Temporary Easement Area to move, stage and store construction and other machinery, apparatus, equipment, vehicles and personnel and to do such other activities as Grantee shall deem necessary in connection with certain activities on, in, under or above the Grantee Property, such activities on the Grantee Property including, without limitation, the construction, installation, laying, inspection, testing, operation, of pipes, mains, equipment, cables, lines, conduits, valves, regulators, heaters, meters, anodes, ground beds, fittings, markers, cathodic protection facilities, regulator stations, and data and voice transmission lines, of every nature and description (collectively called the "**Facilities**");

(B) a non-exclusive easement of unrestricted and free access, ingress and egress to and from the Temporary Easement Area on, over and through the Property;

(C) a non-exclusive easement to go on, over and through Property and the Temporary Easement Area to inspect and survey the Property and Temporary Easement Area and Easement Area as defined in the Easement Agreement;

(D) a non-exclusive easement to cut, clear, remove, and dispose of trees, undergrowth, , and other obstructions located in the Temporary Easement Area that would hinder the exercise of the rights and privileges of the Temporary Easement granted in this Agreement upon prior notice to and approval by the Grantor's City Manager or his or her designee, which shall not be unreasonably withheld;

(E) all other rights, privileges, and easements necessary for the full enjoyment and use of the Temporary Easement Area, the Easements and the rights and privileges of the Grantee in this Agreement; and

(F) the right to erect a construction security fence around the Temporary Easement Area and Easement Area as defined in the Easement Agreement during construction for safety purposes.

2. Commencement of Construction, Expiration of Agreement, and Restoration of Property.

Pursuant to the Easement Agreement, with regard to initial construction of the Grantee's Facilities, Grantee shall coordinate the timing of such construction with the City Manager and may not commence construction absent City Manager approval, which shall not be unreasonably withheld, conditioned, or delayed, and which shall be given to minimize interference with the City's planned Lee Wenner Park parking lot improvements. This Agreement shall expire automatically upon Grantee's completion of construction of the Facilities on the Grantee Property. Grantee assumes sole and full responsibility for any loss or damage to equipment and material stored on the Temporary Easement Area during the term of this Agreement unless such damage or loss is caused by the sole negligence of the Property Owner; in which case Property Owner shall be responsible for the loss or damage caused by its own acts and omissions. Upon completion of the Facilities, Grantee shall provide written notice of completion to the Property Owner. Further, Grantee shall leave the Property, including but not limited to the Easement Area and Temporary Easement Area, in as near as the same or substantially similar condition it was in prior to the commencement of construction as practical, subject to those improvements made pursuant to the project plans, if any. The Grantee shall, at its sole cost and expense, restore any improvements on the Property that are damaged by Grantee or its contractors, employees, or agents, incident to its construction of the project to a condition which approximates as closely as is reasonably practicable the condition of said improvements prior to being damaged. Grantee agrees to fill any holes Grantee created, level the ground of the Easement Area and Temporary Easement Area to approximately the same contour as existed just prior to the commencement of construction, to spread grass seed over the Temporary Easement Area or replace asphalt removed which were removed by Grantee in the course of Grantee's use of the Temporary Easement Area.

3. Maintenance of the Property. During the term of this Agreement, Grantee shall perform its activities upon the Property in a reasonably safe manner and perform or have performed the work required by the project in a workman like manner that minimizes, to the extent practicable, the amount of dust, debris, noise and/or other construction impacts on the Property. In addition, Grantee shall not unreasonably obstruct traffic or eliminate access to the Property (especially during peak times of the day), except as necessary to complete construction of the Facilities pursuant to the project plans.

4. Enforcement; Strict Compliance. Grantee shall have the right to take any action, at law and in equity, to enforce or prevent the interference with the easements, rights and privileges granted in this Agreement. Failure of any party to exercise any power or right given hereunder or to insist upon strict compliance with the terms hereof shall not be, or be deemed to be, a waiver of such party's right to demand strict compliance with the terms of this Agreement.

5. Transferability. Grantee shall not have the right to assign or subcontract this Agreement or any rights hereunder, without the prior written consent of Property Owner. Nothing in this Agreement shall be construed to give any rights or benefits in this Agreement to any party other than Grantee and Property Owner, and all duties

and responsibilities under this Agreement will be for the sole and exclusive benefit of Grantee and Property Owner and not for the benefit of any other party.

6. **Authority.** The parties warrant and represent one to the other that they have full power and authority to enter into this Agreement.

7. **Integrated Agreement; Modification.** This Agreement constitutes the entire and complete agreement between the parties with respect to the transaction contemplated hereby, and conversations, representations, promises, inducements, warranties, or statements not reduced to writing and expressly set forth in this Agreement shall be of no force or effect whatsoever. No conduct or course of action undertaken or performed by the parties shall have the effect of, or be deemed to have the effect of, modifying, altering or amending the terms, covenants and conditions of this Agreement. This Agreement may not be modified, altered or amended except by a written instrument executed by the party to be bound and signed by both parties to the Agreement.

8. **Severability.** If any of the provisions of this Agreement are hereinafter expressly declared by a court of competent jurisdiction to be invalid or unenforceable, then any such provision shall be canceled and severed from this Agreement and the other provisions of this Agreement shall continue in full force and effect.

9. **Headings.** The headings of this Agreement are for convenience only, shall in no way define or limit the scope or content this Agreement, and shall not be considered in any construction or interpretation of the provisions of this Agreement or any part of this Agreement.

10. **Construction.** No provision of this Agreement shall be construed against or interpreted to the disadvantage of any party by any court or other governmental or judicial authority by reason of such party's having or being deemed to have prepared or imposed such provision.

11. **Exhibits.** Each exhibit referred to or otherwise mentioned in this Agreement is attached to this Agreement and shall be construed to be a part of this Agreement by such reference or other mention at each point in which such reference or other mention occurs, in the same manner and with the same effect as if each exhibit were set forth in full and at length every time such terms are used.

12. **Counterparts.** This Agreement may be signed in counterparts and shall be considered a complete instrument when all parties have affixed their signatures.

13. **Governing Law.** This Agreement shall be construed, enforced, and interpreted in accordance with the laws of the State of Florida and those laws shall control in the event of any conflict of laws.

14. **Venue.** The venue for any action brought or arising out of this Agreement shall be Brevard County, Florida for state court actions and Orlando, Florida for federal court actions.

15. **General Contractor Requirements.** Grantee may retain the services of a construction contractor to construct the improvements required by the project plans at its sole cost and expense. If retained, Grantee shall require the general contractor to construct the improvements in a workmanlike manner and in compliance with the applicable statutes, ordinances, rules and regulations of all governing public authorities as those statutes, ordinances, rules and regulations are amended from time to time.

Grantee agrees to also require the general contractor to maintain a minimum of one million dollars (\$1,000,000.00) of general liability insurance coverage for purposes of covering any and all potential claims, actions, causes of action, loss, damage, injury, liability, cost or expense caused by or arising out of the contractor's performance to construct the improvements required by the project. Grantee shall require that said general contractor's insurance company list the Property Owner and Grantee as additional named insureds on the general contractor's insurance

policy. Further, the general contractor shall provide proof of said insurance to Property Owner and Grantee. In addition, the construction contractor shall be required to provide the City and its officials and employees with a written indemnification and hold harmless agreement in accordance with Florida Statutes for public construction contracts. The form of said indemnification shall be subject to approval of the City Attorney.

16. Improvements to Property. Grantee agrees that all costs, expenses and/or obligations for labor, materials and/or services for or in connection with all improvements constructed on the Easement Area pursuant to the project plans shall be paid for by Grantee, and that Grantee shall protect the Property from the filing of mechanics' liens relating to said improvements. In the event that any such mechanics' liens are filed against the Property, Grantee shall promptly take such steps, at its expense, to cause a release of the mechanics' lien or liens to be filed with the Official Records of Brevard County.

17. Notices. Any notices required by this Agreement shall be in writing and delivered by personal service, or delivered to an overnight courier service with guaranteed next day delivery, or mailed by registered or certified mail, return receipt requested, postage prepaid, addressed as follows:

For Grantee:
Florida City Gas
700 Universe Boulevard
Juno Beach, Florida 33408

For Grantor:
City of Cocoa
Attention: City Manager
65 Stone Street
Cocoa, Florida 32922
(321) 433-8686

Any Notice given as provided herein shall be deemed received as follows: if delivered by personal service, on the date so delivered; if delivered to an overnight courier service, on the business day immediately following delivery to such service; and if mailed, on the third business day after mailing. The Grantor and Grantee may freely modify the notice address at any time by providing written notice to the other party.

18. Attorney's Fees. Should either party bring an action to enforce any of the terms of this Agreement, each party shall bear their own attorney's fees, costs and expenses of any such action.

19. Indemnification. Grantee further agrees to indemnify, defend, and hold Grantor, its officers, officials, employees, agents, authorized contractors and volunteers harmless from any and all claims, injuries, damages, losses or suits, including attorney's fees, resulting from the negligent, grossly negligent and/or intentional acts, errors or omissions of Grantee, its agents, employees, contractors, or subcontractors arising out of or in connection with the performance of its activities under this Agreement, except to the extent such injuries and/or damages are caused by the negligence or intentional acts of Grantor, or its officers, officials, employees, agents, authorized contractors and volunteers; provided however, in no event shall Grantee be liable for special, consequential or punitive damages.

The indemnification provided in this section shall obligate Grantee to defend at its own reasonable expense or to provide for such defense, at the option of Grantor, as the case may be, of any and all claims of liability and all suits and actions of every name and description that are brought against Grantor as a direct result under this Agreement. In all events, Grantor shall be permitted to choose legal counsel of its sole but reasonable choice, the actual and reasonable fees for which shall be subject to and included with this indemnification provided herein, as long as said fees are not greater than a rate deemed reasonable in Brevard County, Florida. In the event any of the

Grantee's employees bring an action against the Grantor, arising out of, or in any way connected with, the use of the Property, the Grantee agrees that it shall not assert immunity under Section 440.11, Florida Statutes, as a defense to an indemnity action or obligation asserted by the Grantor in such circumstances pursuant to this Agreement.

20. Sovereign Immunity. Notwithstanding any other provision set forth in this Agreement, nothing contained in this Agreement shall be construed as a waiver of the Grantor's right to sovereign immunity under section 768.28, Florida Statutes, or other limitations imposed on the Grantor's potential liability under state or federal law, if applicable. As such, the Grantor shall not be liable under this Agreement for punitive damages or interest for the period before judgment. Further, the Grantor shall not be liable for any claim or judgment, or portion thereof, to any one person for more than two hundred thousand dollars (\$200,000.00), or any claim or judgment, or portion thereof, which, when totaled with all other claims or judgments paid by the State or its agencies and subdivisions arising out of the same incident or occurrence, exceeds the sum of three hundred thousand dollars (\$300,000.00). This paragraph shall survive termination of this Agreement.

(Signatures Appear on following page)

IN WITNESS WHEREOF, the parties hereto have subscribed their names and have caused this Temporary Construction Easement Agreement to be executed as of the day and year first above written.

GRANTOR: CITY OF COCOA,
a Florida municipal corporation

_____	By: _____
(Witness signature)	(Grantor's signature)
Print Name: _____	Print Name: _____
(Witness)	Title: _____

_____	By: _____
(Witness signature)	(Grantor's signature)
Print Name: _____	Print Name: _____
(Witness)	Title: _____

ACKNOWLEDGMENT

STATE OF FLORIDA)
) SS:
COUNTY OF BREVARD)

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this ____ day of _____, 2023, by _____, as _____ of the City of Cocoa, a Florida municipal corporation, on behalf of the City.

[NOTARIAL SEAL]

Notary: _____
Print Name: _____
Notary Public, State of Florida
My commission expires: _____

☐ Personally Known **OR** ☐ Produced Identification
Type of Identification Produced _____

Signed, sealed and delivered in the presence of:

GRANTEE:
PIVOTAL UTILITY HOLDINGS, INC.,
a public utility corporation of the State of
New Jersey (f/k/a NUI Utilities, Inc.) d/b/a
FLORIDA CITY GAS

_____	By: _____
(Witness signature)	(Grantor's signature)
Print Name: _____	Print Name: _____
(Witness)	Title: _____

(Witness signature)

Print Name: _____

(Witness)

ACKNOWLEDGMENT

STATE OF FLORIDA)
) SS:
COUNTY OF PALM BEACH)

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this ____ day of _____, 2023, by _____, as _____ of **PIVOTAL UTILITY HOLDINGS, INC.**, a public utility corporation of the State of New Jersey (f/k/a NUI Utilities, Inc.) d/b/a FLORIDA CITY GAS, on behalf of the corporation.

[NOTARIAL SEAL]

Notary: _____
Print Name: _____
Notary Public, State of Florida
My commission expires: _____

☐ Personally Known **OR** ☐ Produced Identification
Type of Identification Produced _____

EXHIBIT "A"

LEGAL DESCRIPTION OF THE PROPERTY

A parcel of filled land adjacent to and East of Section 33, Township 24 South, Range 36 East, Brevard County, Florida, being more, particularly described as follows:

Begin at the intersection of the North line of the State of Florida Board of Trustees of the Internal Improvement Trust Fund Dedication No. 25177 (2328-05) and the Easterly right of way line of River Edge Boulevard as shown on the Cocoa River Development according to the plat thereof recorded in Plat Book 11 at Page. 75 of the Public Records of Brevard County, Florida and run N.00°56'32"W., along said Easterly right-of-way line for 118.56 feet to the Point of Curvature of a circular curve to the right having a radius of 49.80 feet; thence run Northeasterly along the arc of said curve and said Easterly right-of-way line through a central angle of 50°24'50" for 43.82 feet to the North line of the parcel released by the State of Florida Department of Transportation recorded in Official Records Book 2549 at Page 2910, of the Public Records of Brevard County, Florida; thence run N.89°18'48"E., along the North line of said release parcel for 120.15 feet; thence run N.79°08'43"E., along said North line for 244.45 feet; thence run N.86°55'19"E., along said North line for 347.14 feet; thence run N.03°04'41"W., along said North line for 32.00 feet; thence run N.86°55'19"E., along North line for 305.71 feet to the safe upland line of the Indian River; thence meander said safe upland line the following courses; S.31°33'01"E., for 28.55 feet; S.04°05'19"W., for 1.34 feet; S.04°05'19"W., for 17.13 feet; S.04°05'19"W., for 14.29 feet; S.04°16'18"W., for 2.84 feet; S.04°16'18"W., for 25.14 feet; S.42°11'59"W., for 31.14 feet; S.38°39'28"W., for 76.67 feet; S.39°43'35"W., for 83.66 feet; S.44°24'03"W., for 9.08 feet to the North line of said I.I.T.F. Dedication; thence run S.86°55'19"W., along said North line for 315.15 feet to the Point of Curvature of a circular curve to the right having a radius of 23,113.13 feet; thence run Westerly along the arc of said curve through a central angle of 01°04'00" for 430.25 feet to the Point of Tangency of said curve; thence run S.89°18'48"W., for 162.99 feet to the Point of Beginning, said parcel contains 4.49 acres, more or less.

and

All of that portion of Lot 8 of the Cocoa River Development in the City of Cocoa, Brevard County, Florida, as shown by the Plat of and Subdivision recorded in Plat Book 11, Page 7, of the Public Records of Brevard County, Florida, lying East of and within 400 feet to River Edge Boulevard as shown on said Plat, together with the submerged lands in the Indian River and the riparian or littoral rights thereunto appurtenant to the East of said River Edge Boulevard.

Note: The specific legal description of all Land South of the above legal descriptions pertaining to Parcel I.D. 24-36-33-00-43 were not found within the Public Records. This said land was apparently described as follows:

All of Lot 9, Cocoa River Development, according to the Plat of said subdivision recorded in Plat Book 11, Page 75, Public Records of Brevard County, Florida, lying East of the centerline of River Edge Boulevard as shown on said Plat, and all submerged lands in the Indian River and all riparian or littoral rights which may appertain to said Lot 9, Cocoa River Development.

and

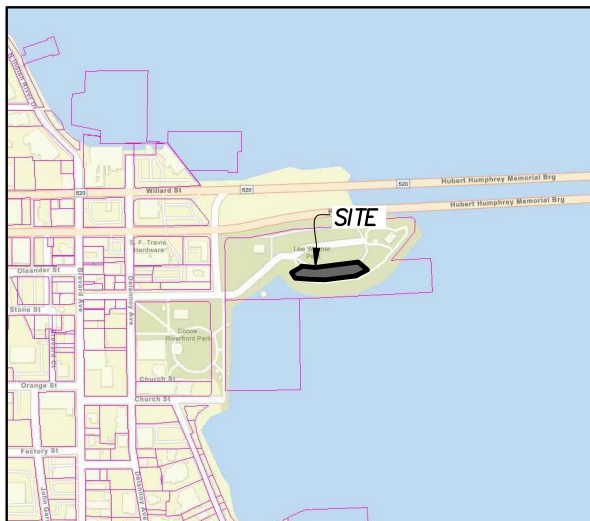
All of Lots 9 and 10, Cocoa River Development, according to the Plat of said Subdivision in Plat Book 11, Page 75, Public Records of Brevard County, Florida, lying East of the centerline of River Edge Boulevard, as shown on said Plat, and all submerged lands in the Indian River and any and all riparian or littoral rights which may appertain to said Lot 9 and 10, Cocoa River Development.

EXHIBIT "B" LEGAL DESCRIPTION:

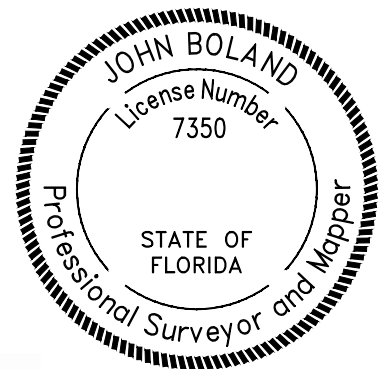
A PORTION OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 8063, PAGE 1885, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LYING IN SECTION 33 & 34, TOWNSHIP 24 SOUTH, RANGE 36 WEST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 520 ALSO KNOWN AS MERRITT ISLAND CAUSEWAY (A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SECTION 70100-2517) BEING MARKED BY A FOUND IRON ROD; THENCE DEPARTING SAID RIGHT-OF-WAY, RUN S50°44'19"E FOR 297.91 FEET TO THE POINT OF BEGINNING; THENCE N59°42'24"E FOR 55.38 FEET; THENCE N40°25'43"E FOR 10.00 FEET; THENCE S85°06'38"E FOR 77.25 FEET; THENCE N82°32'56"E FOR 237.58 FEET; THENCE S50°00'53"E FOR 67.13 FEET; THENCE S62°33'26"W FOR 72.61 FEET; THENCE S82°32'56"W FOR 170.32 FEET; THENCE N88°11'31"W FOR 84.09 FEET; THENCE N85°41'50"W FOR 80.42 FEET; THENCE N34°25'28"W FOR 36.64 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 26,624 SQUARE FEET (0.611 ACRES) MORE OR LESS.



VICINITY MAP
(NOT TO SCALE)



John Boland

JOHN M. BOLAND
PROFESSIONAL SURVEYOR & MAPPER
LICENSE NUMBER LS 7350

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A
FLORIDA LICENSED SURVEYOR AND MAPPER

12/16/22

DATE

SHEET INDEX:

SHEET 1: LEGAL DESCRIPTION

SHEET 2: LEGEND, NOTES

SHEETS 3-5: SKETCH OF DESCRIPTION

SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.

SHEET 1 OF 4

**SKETCH OF DESCRIPTION OF
PROPOSED EASEMENT ACROSS THE
LANDS OF CITY OF COCOA
(LEE WENNER PARK)**

SECTION 33 & 34, TOWNSHIP 24 SOUTH, RANGE 36 EAST
BREVARD COUNTY, FLORIDA

PREPARED FOR:
FLORIDA CITY GAS

SGC ENGINEERING, LLC

SURVEY AND MAPPING

1001 TOWN PLAZA COURT, SUITE 1032

WINTER SPRINGS, FLORIDA 32708

PHONE: (800) 581-4031

WWW.SGCSURVEY.COM

LB 7979

DATE: 12/16/22 SCALE: 1" = 40' DRAWN: SAS CHECK: JMB



FILE: K:\PROJECTS\1877001-Kimley Horn - FL520 Replacement\DWG\WORKSHEETS\1877001-Plats_esmt_TCE.dwg
LOGIN: Steven Sluglik
PLOTTED: 12/16/2022 1:51:11 PM

SKETCH NOTES:

1. BEARINGS AND COORDINATES SHOWN HEREON, IF ANY ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983.
2. THIS SKETCH MEETS THE APPLICABLE "STANDARDS OF PRACTICE" AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN RULE 5J17.050 THROUGH 5J17.052, FLORIDA ADMINISTRATIVE CODE.
3. ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988(NAVD 88) [GEOID 12B].
4. IMPROVEMENTS SHOWN HEREON ARE THE RESULT OF A FIELD SURVEY CONDUCTED BY SGC ENGINEERING, LLC BETWEEN APRIL 14, 2020 AND OCTOBER 19, 2020.
5. PROPERTY SUBJECT TO ANY VALID & ENFORCEABLE EASEMENTS, RESTRICTIONS, & RIGHTS OF WAY.
6. PER FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION MEMORANDUM TO BEN DESLAURIERS DATED OCTOBER 20, 2020 AN ORDINARY HIGH WATER LINE (OHWL) HAS NOT BEEN DETERMINED AT THIS SITE. AN ELEVATION OF -0.30 FEET, NORTH AMERICAN VERTICAL DATUM 1988, ALONG THE NATURAL SHORELINE IS SUFFICIENT FOR SAFE UPLAND LINE.

LEGEND:

	SUBJECT EASEMENT
	EXISTING R/W
	PARCEL LINES
	TIE LINE
	GAS LINE
R/W	RIGHT OF WAY
ORB	OFFICIAL RECORDS BOOK
PB	PLAT BOOK
PG(S)	PAGE(S)
SF	SQUARE FEET
AC	ACRES
SEC	SECTION
RNG	RANGE
TWN	TOWNSHIP
	FOUND IRON ROD

SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.

SHEET 2 OF 4

SKETCH OF DESCRIPTION OF
**PROPOSED EASEMENT ACROSS THE
LANDS OF CITY OF COCOA
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SECTION 33 & 34, TOWNSHIP 24 SOUTH, RANGE 36 EAST
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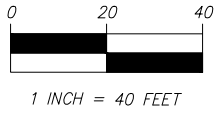
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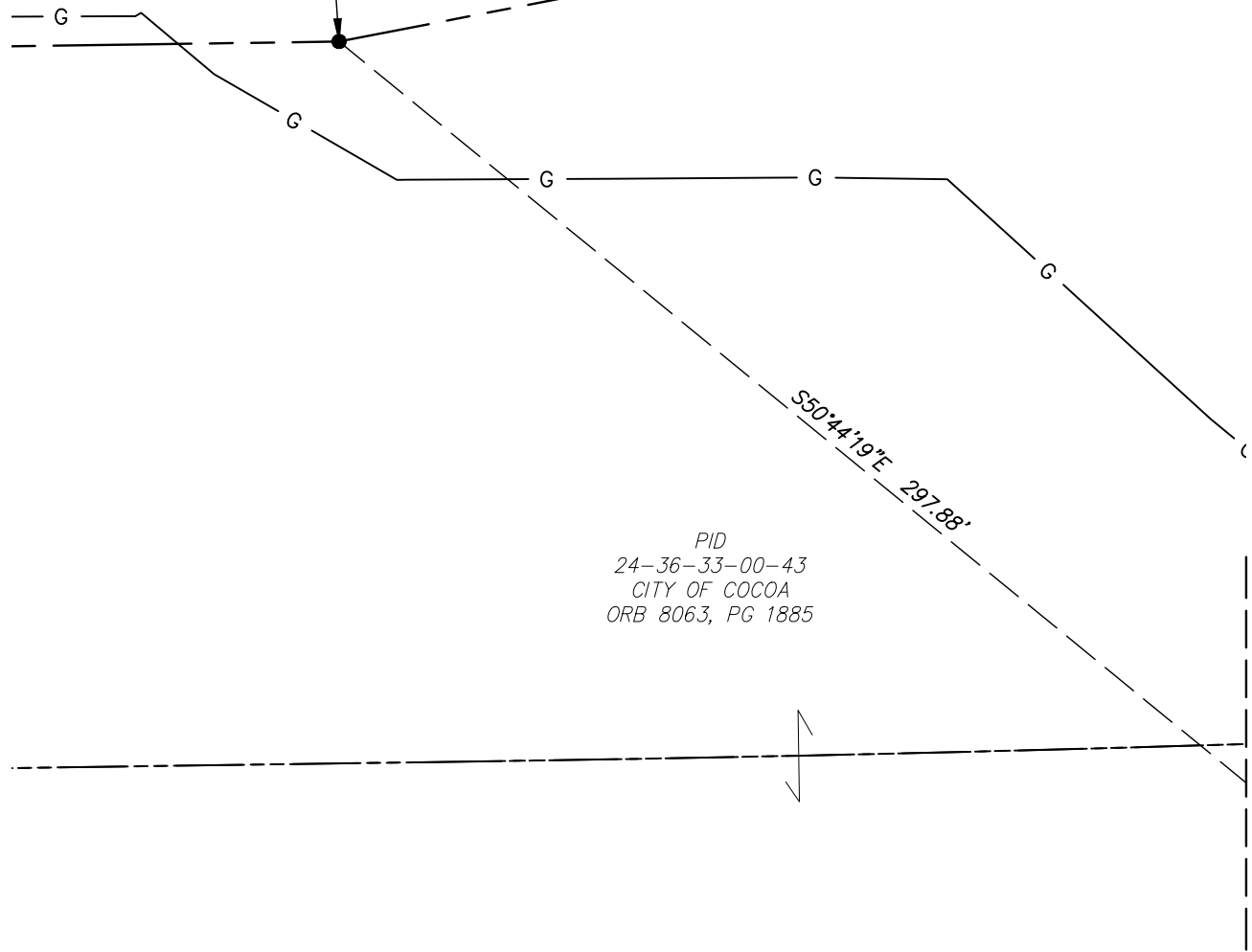




STATE ROAD 520 (MERRITT ISLAND CAUSEWAY)
(A VARIABLE WIDTH PUBLIC R/W PER FLORIDA DEPARTMENT OF
TRANSPORTATION RIGHT-OF-WAY MAP, SECTION 70100-2517)

POINT OF
COMMENCEMENT
NORTHING: 1462153.63'
EASTING: 745155.12'
FOUND REBAR

SOUTH R/W LINE OF STATE
ROAD 520



PID
24-36-33-00-43
CITY OF COCOA
ORB 8063, PG 1885

S50°44'19"E 297.88'

MATCHLINE "A"

SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.

SHEET 3 OF 4

SKETCH OF DESCRIPTION OF
**PROPOSED EASEMENT ACROSS THE
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SECTION 33 & 34, TOWNSHIP 24 SOUTH, RANGE 36 EAST
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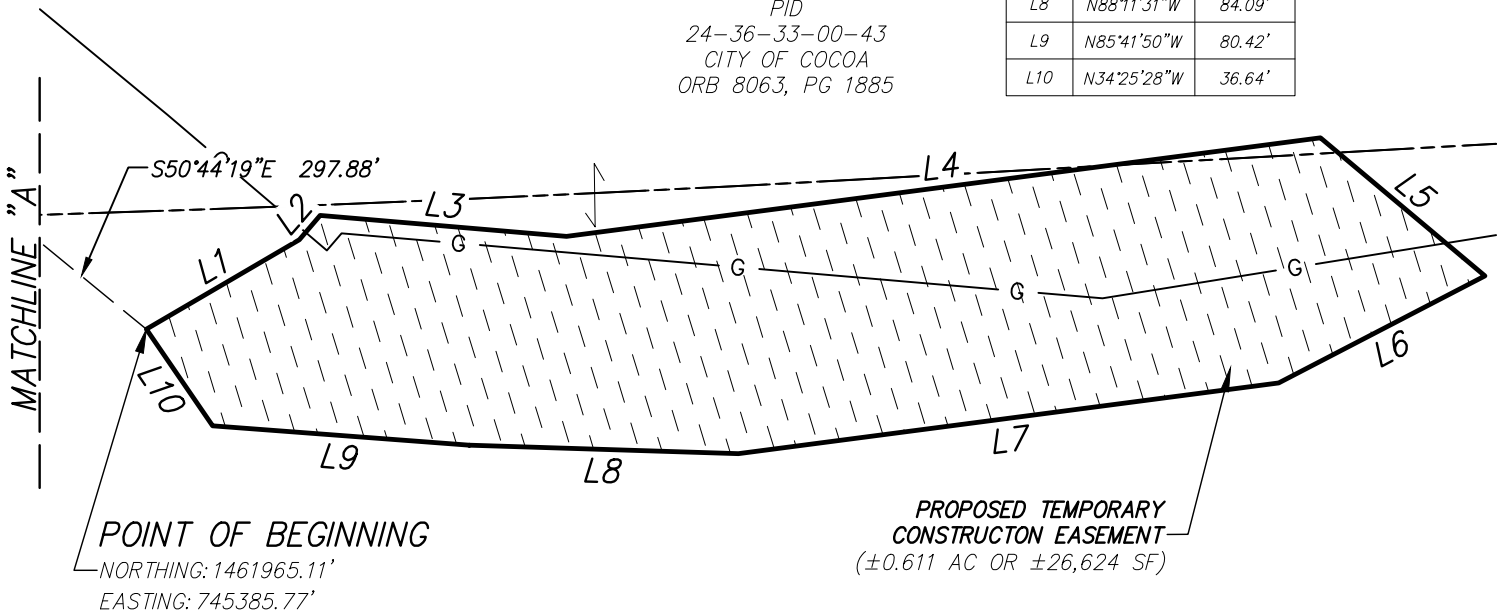
FILE: K:\PROJECTS\1877001-Kimley Horn - FL520 Replacement\DWG\WORKSHEETS\1877001-Plats_esmt_TCE.dwg
LOGIN: Steven Sluglik
PLOTTED: 12/16/2022 1:51:11 PM



0 30 60
1 INCH = 60 FEET

LINE TABLE		
LINE	BEARING	LENGTH
L1	N59°42'24"E	55.38'
L2	N40°25'43"E	10.00'
L3	S85°06'38"E	77.25'
L4	N82°32'56"E	237.58'
L5	S50°00'53"E	67.13'
L6	S62°33'26"W	72.61'
L7	S82°32'56"W	170.32'
L8	N88°11'31"W	84.09'
L9	N85°41'50"W	80.42'
L10	N34°25'28"W	36.64'

PID
24-36-33-00-43
CITY OF COCOA
ORB 8063, PG 1885



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SHEET 4 OF 4

SKETCH OF DESCRIPTION OF
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