MINUTES
CITY OF COCOA
PLANNING & ZONING BOARD/ LOCAL PLANNING AGENCY
REGULAR MEETING
April 6, 2022

A Regular meeting of the Planning & Zoning Board Local Planning Agency was held on April 6, 2022 at City Hall, 65 Stone Street, Cocoa, FL, as publicly noted.

I. CALL TO ORDER:

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

ROLL CALL:

Michael Dobrin	Chairperson
Al Washington	Vice Chairperson
Todd Anderson	Board Member
Jeri Blanco	Board Member
Veronica Lopez	Board Member
Marilyn Green	Board Member
Susan Mock	Board Member
Russell Sengel	Board Member
Justin Simpson	Board Member
Aleck Greenwood	Alternate Member
Merrybeth Burgess	Alternate Member
Debbie Joyce	School Board Representative

PRESENT:

Michael Dobrin	Chairperson
Al Washington	Vice Chairperson
Todd Anderson	Board Member
Jeri Blanco	Board Member
Marilyn Green	Board Member
Susan Mock	Board Member
Russell Sengel	Board Member
Justin Simpson	Board Member
Aleck Greenwood	Alternate Member
Merrybeth Burgess	Alternate Member

ABSENT:

Veronica Lopez	Board Member
Debbie Joyce	School Board Representative

STAFF PRESENT:

Angela Essing, Growth and Economic Development Director; Kristin Eick, Board Attorney; Cindy Thurman, Planning and Zoning Manager; Sandra Leone, Planner; Paul Body, Senior Planner; Lavander Hearn, Board Liaison; Michael Blake, Mayor; Alex Goins, Councilmember; Stockton Whitten, City Manager; and Monica Arsenault, Recording Secretary.

Chairperson Dobrin led the assembly in the Pledge of Allegiance.

II. APPROVAL OF AGENDA AND MINUTES:

1. AGENDA: Meeting of April 6, 2022

* **MOTION BY BOARD MEMBER BLANCO; SECONDED BY BOARD MEMBER SENGEL TO APPROVE THE AGENDA FOR THE APRIL 6, 2022 REGULAR PLANNING AND ZONING MEETING.**

AYES: DOBRIN, WASHINGTON, ANDERSON, BLANCO, GREEN, GREENWOOD, MOCK, SENGEL, SIMPSON

MOTION PASSED UNANIMOUSLY (9-0)

2. MINUTES: Meeting of December 1, 2021
Meeting of March 2, 2022

* **MOTION BY BOARD MEMBER BLANCO; SECONDED BY BOARD MEMBER SENGEL TO APPROVE THE MINUTES FOR THE DECEMBER 1, 2021 REGULAR PLANNING AND ZONING BOARD MEETING AS WRITTEN.**

AYES: DOBRIN, WASHINGTON, ANDERSON, BLANCO, GREEN, GREENWOOD, MOCK, SENGEL, SIMPSON

MOTION PASSED UNANIMOUSLY (9-0)

* **MOTION BY BOARD MEMBER SIMPSON; SECONDED BY BOARD MEMBER BLANCO TO APPROVE THE MINUTES FOR THE MARCH 2, 2022 REGULAR PLANNING AND ZONING BOARD MEETING AS WRITTEN.**

AYES: DOBRIN, WASHINGTON, ANDERSON, BLANCO, GREEN, GREENWOOD, MOCK, SENGEL, SIMPSON

MOTION PASSED UNANIMOUSLY (9-0)

III. OLD BUSINESS:

None.

IV. NEW BUSINESS:

A. Election of Chairman and Vice Chairman of the Board

* **MOTION BY ALTERNATE MEMBER GREENWOOD TO REAPPOINT MICHAEL DOBRIN AS CHAIRPERSON AND AL WASHINGTON AS VICE CHAIRPERSON.**

In response to Alternate member Greenwood's motion, Mr. Dobrin respectfully declined to be considered for reappointment.

Board Attorney Eick pointed out the proper procedure for nominations.

* **MOTION BY BOARD MEMBER BLANCO; SECONDED BY BOARD MEMBER GREEN TO APPOINT RUSTY SENGEL AS CHAIRPERSON.**

AYES: DOBRIN, WASHINGTON, ANDERSON, BLANCO, GREEN, GREENWOOD, MOCK, SENGEL, SIMPSON

MOTION PASSED UNANIMOUSLY (9-0)

As a point of clarification, Board member Sengel pointed out that his term would end in November of this year so at that time a new Chair would need to be elected.

Alternate member Greenwood nominated Mr. Washington as Vice Chairperson, however Mr. Washington also declined to be considered for reappointment as Vice Chairperson.

* **MOTION BY BOARD MEMBER BLANCO; SECONDED BY BOARD MEMBER ANDERSON TO APPOINT MARILYN GREEN AS VICE CHAIRPERSON.**

AYES: SENGEL, GREEN, ANDERSON, BLANCO, DOBRIN, MOCK, SIMPSON, WASHINGTON

NAYES: GREENWOOD

MOTION PASSED (8-1)

B. PZ-22-02100001 (ModWash, LLC) TABLED

Ms. Thurman explained that the applicant has requested that their items be tabled to the next regular meeting. They had originally planned for a public workshop to be held, which was postponed, however they would still like to have the public meeting prior to appearing before the Planning and Zoning Board.

Chairperson Sengel opened the hearing to the public.

Ms. Kristin Lortie read an email[1] into the record that she had submitted to the Board.

Eva Marlow, Village Cycle Shoppe, Cocoa Village, asked to clarify that the project location was on SR520 and US1. In response, the Board confirmed Ms. Marlow was correct.

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

* **MOTION BY ALTERNATE MEMBER GREENWOOD; SECONDED BY BOARD MEMBER ANDERSON TO TABLE ITEMS B & C RELATING TO MODWASH, LLC TO THE REGULAR PLANNING AND ZONING MEETING SCHEDULED FOR MAY 4, 2022.**

AYES: SENGEL, GREEN, ANDERSON, BLANCO, DOBRIN, GREENWOOD, MOCK, SIMPSON, WASHINGTON

MOTION PASSED UNANIMOUSLY (9-0)

C. <u>PZ-22-02100001 (ModWash, LLC)</u> TABLED

D. <u>PZ-21-02100022 (603 Brevard Ave.)</u>

Ms. Thurman provided a staff report, explaining that the applicant proposes to develop a new seven story hotel building with an 8th floor roof top bar and architecturally integrated multi-level parking garage in central Cocoa Village on 1.25 acres. The hotel will have 107 hotel rooms and amenities with an overall square footage of 202,846. The hotel will have its main entrance and lobby on Brevard Avenue. The first level will consist of hotel lobby, garage accesses, open air café, retail, office and meeting spaces.

The hotel rooms are primarily on three levels, the fifth, sixth and seventh floors. There will be a swimming pool on the 5th level. Factory street will be partially vacated but will remain a two-way street. The architectural plans show an overall proposed building height of 85'.

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[1] Email from Kristin Lortie

The site is formerly known as the old Cocoa City Hall site. The subject property consists of the three parcels that are currently marginally improved. The area is sparse of landscaping and is impervious and primarily used for parking.

Ms. Thurman further discussed the timeline and the details for the Development Agreements between the Cocoa CRA Amended and Restated Redevelopment Agreement and the developer, the City of Cocoa's Development Agreement and the developer; the site plan sufficiency in compliance with the development agreements, project enhancements in the development agreements and the site plans substantial conformance with those project enhancements and a description of the variances and waivers contained in the development agreement and the site plan's compliance with the variances.

Bruce Moia, MBV Engineering President and applicant of the project, spoke regarding the hotel. He pointed out that Hotel Melby in downtown Melbourne has been very successful and believes that this hotel will do the same for Cocoa Village. He added that off-street parking will be provided and the pavers will match what is already there as well as pedestrian connections.

Alternate member Greenwood announced that at this time he needed to recuse himself due to his involvement with the project.

Vice Chairperson Green asked Mr. Moia where the hundred public parking spaces are located on the first two floor plans and how they will control the use. In response, Mr. Moia explained that he is not sure how the security inside the garage will work, however Hotel Melby keeps theirs open to the public so that is probably what will happen here.

Mr. Moia also pointed out that although thirteen spots will be initially lost, fifteen will be gained back as they will have fourteen on John Garren Lane and one on Brevard Avenue. The hotel project is required to have one hundred and two parking spaces; however, they will be providing two hundred and ninety-seven parking spaces.

Vice Chairperson Green also asked how parking will be controlled when the hotel hosts various events such as conferences. In response, Mr. Moia explained that in most cases when people attend a conference, they choose to stay at the hotel in which the conference is being held. This can be a positive thing as guests will more than likely explore Cocoa Village and what it has to offer.

Mr. Jack Brown, CEO of Lodging Decisions Inc. and the developer, explained that the plan is to have valet service which will be capable of parking the cars. There will be one hundred seven rooms in the hotel and there will be a parking space allotted to each room and the balance will be available for the public to use.

Mike Kelley, Principal Architect at DFI, explained the parking layout in furtherance and noted where the elevators will be located in the hotel to provide access to the parking garage.

Board member Simpson asked if there was a way to differentiate public parking from hotel guest parking. He further asked what kind of security will be in place so that the public cannot access the various floors of the hotel. In response, Mr. Kelley explained that there will be three elevators inside of the hotel which will not stop on the first or second floor of the parking garage. Additionally, there will be signs posted on the inside of the parking garage to keep the public from accessing the upper floors of the hotel. There is also a possibility that a gate will be installed.

Board member Simpson asked for clarification on where the pool will be dechlorinated. In response, Mr. Moia explained that it will not be emptied into the City's storm drain system and will be drained into their underground system in the parking lot.

Chairperson Sengel opened the discussion to the public.

Ms. Lortie stated that she is not weighing in for or against the project itself, however she wished to comment on the process and referred to her email that she sent to the Board members. She has concerns due to the inadequate time for public review of the information put forward. She pointed out that over three hundred pages of information was not uploaded to the website until the last minute and she would appreciate it if alerts could be sent out to citizens so they could be made aware of when information has been pushed out.

Board member Blanco agreed with Ms. Lortie; however, she wished to point out that out of three hundred- and eighty-eight-pages there were five attachments that were four pages or less, two duplicates, one conceptual plan, a revised conceptual plan and an eighty-eight-page traffic report study. These were all uploaded within a 24-hour window of the meeting, which she feels was enough time to review and that many people may not necessarily be interested in reading an eighty-eight-page traffic report study.

Donna Kettner, owner of Green Apples in Cocoa Village, 111 Harrison St., has had her business in the Village for many years and cares deeply about the downtown. She is afraid that this is going to be a skyscraper in Cocoa Village. She's also afraid that it will attract the wrong sort of tourism. She is concerned about whether or not there will be security and if there will be an issue with garbage and dumpsters in the future. She does not want the Village to turn into a "Wal-Mart". This is a charming, quaint village and she hopes for growth but the developers are not going to be living in the Village like she does. She only wants good development and feels that a four-story building could be put there instead. She feels that there are other options that would be better for that site.

Aleck Greenwood, 630 Brevard Ave., explained that staff has done a tremendous amount of research on each part of this project and he believes that this project will make Cocoa better. He pointed out that he has heard comments such as "we don't need a skyscraper", however this project will not be a skyscraper. He asked if the public is aware what the height of the Playhouse and City Hall are. The tallest structure in the area is a condominium on the water. Additionally, the hotel will be tiered like a wedding cake and will not just be a large wall.

Mr. Greenwood mentioned that there are eight oak trees that are located on the property. He asked, for the record, if someone could confirm whether or not those trees will remain. In response, it was confirmed that the trees will be staying.

Furthermore, Mr. Greenwood provided a brief history on how the Cocoa CRA came to be back when he served on the City Council.

Lastly, he pointed out that the code has been followed and complied with, staff has looked at this project upside down and sideways and the City needs to continue with the momentum it has and move forward with the project.

Ann Temple, a resident of Coventry, attended a meeting on March 10th regarding the old bank building on 430 Brevard Avenue. She recently moved here but has been visiting family here for years. She was drawn to the Village due to its historic feel and charm. She shared that she is from Cape Cod where they have very strict zoning restrictions and height limitations. She is afraid that when historical villages start to incorporate modern projects that it can begin to set a precedent. In saying that, she is not necessarily opposed to this project as she feels it is far enough outside of the main part of the Village. She is mostly just concerned that somewhere down the line more and more projects such as this will make their way into the Village and it will lose its historic charm.

Mr. Brown addressed some of the concerns by saying first, that this is not a high-rise project. If anything, it could be considered a mid-rise. Also, he considers this project to be located just outside of Cocoa Village. He also cares about the Village and thinks it is beautiful. They are saving the trees and re-doing the roads among other enhancements. The last thing he wished to point out was how many people this hotel will attract to the shops located in the Village.

Ed Green, 104 Riverside Dr., spoke to Ms. Lortie's comments and stated that "adequate time" is in the eye of the beholder. He had plenty of time to review all of the documents. Additionally, as Ms. Lortie noted, we are not here to discuss what has been done or decided on in the past and he urged the Board to focus on the task at hand and to ignore the distractions.

Eva Marlow, owner of Village Cycle Shoppe in Cocoa Village, hopes that the developers are considerate of the needs of the local business owners.

Chris Hyskell, 638 Brevard Ave., stated that he is for the project and feels it will revitalize the south end of the village.

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

Ms. Thurman reviewed the zoning classifications and requirements of the project to provide further clarification. Additionally, she discussed the details regarding the square footage of the retail and meeting spaces that will be fronting Brevard Avenue and she can assure everyone that she is certainly not anticipating any big corporate businesses as the retail spaces are appropriately sized for Cocoa Village.

Ms. Thurman pointed out that staff recommends approval of a Large-Scale Site Plan consistent with Appendix A, Zoning, Article XIII, Section 1, to construct a 107-room mixed use hotel totaling approximately 202,044 square feet on 1.25 acres with the following conditions:

- The Applicant shall be required to obtain all other applicable state and federal permits necessary for the development prior to commencement of the development, which shall include, but not be limited to, a Brevard County Right-of-Way Permit, the St. John's River Water Management District permit. Issuance of a development permit by the City does not create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the City for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

- The site plan shall be subject to and conditioned upon the City Council's approval of the vacation of approximately 4,200 square feet of Factory Street as outlined in the plans and providing the public easements required in the Development Agreement.

  The vacation shall not become effective until the commencement of construction pursuant to the Development Agreement with the City and in accordance with the schedule contained in the Amended and Restatement Redevelopment Agreement.

- All utilities comments shall be satisfied prior to final site plan approval.
- The spot in front of the FDC & Hydrant shall be marked as "No Parking – Fire Lane."

- Provide a de-chlorinator for the swimming pool and proposed discharge connection to the stormwater system.

* **MOTION BY BOARD MEMBER ANDERSON; SECONDED BY BOARD MEMBER WASHINGTON TO RECOMMEND APPROVAL TO CITY COUNCIL OF A LARGE-SCALE SITE PLAN CONSISTENT WITH APPENDIX A, ZONING, ARTICLE XIII, SECTION 1, TO CONSTRUCT A 107-ROOM MIXED USE HOTEL TOTALING APPROXIMATELY 202,044 SQUARE FEET ON 1.25 ACRES WITH THE CONDITIONS RECOMMENDED BY STAFF.**

AYES: SENGEL, GREEN, ANDERSON, BLANCO, DOBRIN, MOCK, SIMPSON, WASHINGTON

MOTION PASSED UNANIMOUSLY (8-0)

VII. NEXT MEETING DATE:

The next scheduled meeting for the Planning and Zoning Board will be held on Wednesday, May 4, 2022 at 6pm in Cocoa City Hall, 65 Stone St, Cocoa, FL 32922.

VIII. ADJOURNMENT:

* **MOTION BY BOARD MEMBER BLANCO; SECONDED BY BOARD MEMBER WASHINGTON TO ADJOURN THE REGULAR MEETING OF APRIL 6, 2022.**

AYES: SENGEL, GREEN, ANDERSON, BLANCO, DOBRIN, GREENWOOD, MOCK, SIMPSON, WASHINGTON

MOTION PASSED UNANIMOUSLY (9-0)

MEETING WAS ADJOURNED AT 7:30 PM.

Russell Sengel, Chairperson

Respectfully Submitted By:

Monica Arsenault, Recording Secretary