



PLANNED UNIT DEVELOPMENT
- PRELIMINARY APPLICATION -

**Community Services Department
Planning and Zoning Division
65 Stone Street
Cocoa, Florida 32922**

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

This form is divided into steps, which will help you prepare your application, provide supplemental items, and prepare for the Planning & Zoning Board and City Council hearings. A pre-application or a tentative development plan meeting with Staff is **required**.

For Office Use Only - Date Received

Stamp Only When Application is Fully Complete

Please TYPE or PRINT this application neatly.

1. Preliminary PUD Project Name: _____

2. Applicant Information: ** NOTE: Applicant is the main contact, who must attend the meeting!*

Company (if applicable): _____

Name: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____ Fax #: _____

Mobile #: _____ E-mail: _____

3. Property Owner Information: ** Check here if same as Applicant →*

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

Company (if applicable): _____

Name: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____ Fax #: _____

Mobile #: _____ E-mail: _____

4. Surveyor:

Company (if applicable): _____

Name: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____ Fax #: _____

Mobile #: _____ E-mail: _____

5. Engineer:

Company (if applicable): _____

Name: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____ Fax #: _____

Mobile #: _____ E-mail: _____

6. Property Information:

Street Address and Location: _____

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

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

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Land Area: _____ square feet or _____ acres

Existing Use(s) on Property: _____

Proposed Use(s) on Property: _____

Existing Zoning Category: _____

Existing Future Land Use Category: _____

7. Please submit the following items in order complete the application:

- a. **Notarized application.**
- b. **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
- c. **Petition.** Complete the Preliminary Planned Unit Development petition form. A sample “Petition” form is available from the City.
- d. **Application fee.** Please make checks payable to the ‘City of Cocoa’ and submit payment **ONLY** to the Community Services Department. Public mail notice and legal advertising fees must also be paid a few weeks after application submittal. See Schedule of Fees, Charges and Expenses for applicable fees.
- e. **Proof of ownership.** A copy of the most recent recorded warranty deed is required.
- f. **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. A sample “Letter of Authorization” form is available from the City.
- g. **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>).
- h. **Legal description.** Submit a typed copy of the legal description.
- i. **Certified topographic data map.** Submit a topographic data map drawn to a scale of two hundred (200) feet to one inch or larger by a registered surveyor and/or engineer showing, at a minimum, the following: The location of existing property lines both for private property and public property, streets, buildings, watercourses, transmission lines, sewers, bridges, culverts and drain pipes, water mains, any public utility easements, wooded areas, streams, lakes, marshes, and any physical conditions affecting the site.
- j. **Preliminary development plan.** Submit 2 paper copies (folded to about 8-1/2 x 11”) and 1 electronic copy of a plan drawn to scale along with the required exhibits. The preliminary development plan shall not be smaller than 11” x 17”, and shall, at a minimum, include the items below (combine elements on several sheets where applicable):
 - 1. Vicinity map indicating the relationship between the planned unit development and its surrounding area including adjacent streets and thoroughfares.
 - 2. Proposed name or title of project, the name of the engineer, architect, and developer.
 - 3. North arrow, scale (1" = 200' or larger) date and legal description of the proposed site.
 - 4. Boundaries of tract shown with bearings, distances and closures and bulkhead lines. All existing easements, section lines, and all existing streets and physical features in and adjoining the project, and the existing zoning.
 - 5. Names and locations of adjoining developments and subdivisions.
 - 6. Proposed parks, school sites, or other public or private open space.
 - 7. Vehicular and pedestrian circulation systems including off-street [parking] and loading areas, driveways and access points.

8. Site data including tabulation of the total number of gross acres in the project, the acreage to be devoted to each of the several types of primary residential and secondary nonresidential uses, and the total number of dwelling units. All potential uses must be clearly listed on the preliminary development plan.
 9. Proposed common space by type, including the proposed improvements and any complementary structures and the tabulation of the per cent of the total area devoted to common space by type. Areas qualifying for common space shall be specifically designated on the site plan.
 10. Delineation of specific areas designated as a proposed stage. Commercial and residential areas being clearly delineated as separate areas.
 11. General statement indicating proposed means of drainage for the site to insure conformity with natural drainage within the vicinity area or with the drainage plan established within the vicinity area.
 12. General location within site of each primary residential and nonresidential use, and the proposed amount of land to be devoted to individual ownership.
 13. Schematic drawings of the elevation and architectural construction of the proposed structures.
 14. The proposed method of dedication and administration of proposed common open space.
 15. Title Opinion: A title opinion from an attorney or a property information report that is prepared within the preceding 90 days showing the status of the title to the site encompassed by the preliminary development plan and all liens, encumbrances and defects, if any.
 16. Traffic Report: A traffic study and analysis, prepared by a duly qualified expert, regarding both the estimated impact of the proposed preliminary development plan on the neighborhood and surrounding properties and the established level of service on affected roads.
- k. **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.
- l. **Resubmittals.** Resubmittals should be accompanied by a list of changes and a certified statement by the preparer that no other changes have been made to the drawings. Otherwise, delays may be experienced due to extra staff review time. Each resubmittal shall follow the same requirements.

8. **Application filing procedure.** This application, together with all required exhibits and attachments, shall be completed and filed with the Planning and Zoning Division.

Public hearings process information – please read this!

9. **Dates and locations of public hearings.** Preliminary Planned Unit Development applications require one hearing in front of the Planning & Zoning Board and one hearing in front of the City of Cocoa Council. All regularly scheduled Planning & Zoning Board hearings are held on the first Wednesday of each month at 6:00 pm in the Cocoa City Council Chambers located at 65 Stone Street, Cocoa, Florida unless otherwise notified. All regularly scheduled City of Cocoa Council meetings are held on the second and fourth Tuesday of each month at 6:00 pm in the Cocoa City Council Chambers located at 65 Stone Street, Cocoa, Florida unless otherwise notified.
10. **Board types.** With respect to this type of application, the Planning & Zoning Board is an advisory board to the City Council and therefore is only authorized to make recommendations. City Council is an authoritative body and is able to make binding decisions.
11. **Presence required at the public hearings.** The applicant or his/her representative must be present to answer any questions concerning the application. If there are extenuating circumstances why the applicant or his/her representative cannot attend, he or she must notify the City in writing prior to the public hearing.
12. **Preparing for the public hearings.** It is the applicant's responsibility to research and know all laws that may be applicable and may affect the outcome of any decision on the application request. The City assumes no responsibility or liability relating to the applicant's failure to research and know all applicable laws including, but not limited to state, federal, and city laws, codes, land development regulations, and the comprehensive plan.
13. **Exhibits at public hearings.** If photographs, documents, maps or other materials are provided to the Board/Council as evidence at the public hearing, the applicant must leave those instruments with the Recording Secretary. By law those instruments automatically become part of the public records and cannot be returned to the applicant.
14. **Witnesses at public hearings.** For the purposes of making a decision on the application, the Board/Council shall only consider testimony of qualified witnesses. A witness is determined by the Board/Council and is generally based on:
- a. The witness has personal knowledge of the fact in which the witness will testify; and/or
 - b. In the case of testimony consisting of opinions or inferences, the testimony is qualified as the following:
 1. *Layman witness:* Testimony of a witness other than an expert witness is qualified only if:
 - The witness can readily, and with equal accuracy and adequacy, communicate what he or she perceived to the Board without testifying in the form of opinions or inferences.
 - The opinions and inferences do not require any special knowledge, skill experience or training.
 2. *Expert witness.* Testimony of an expert witness is qualified only if:
 - The subject matter is proper for expert testimony because scientific, technical, or other specialized skill will help the Board understand the evidence being presented, or helps establish a fact in issue.
 - The witness is adequately qualified to express an opinion on the matter.
15. **Planning & Zoning Board vs. City Council actions.** If the Planning & Zoning Board finds that the facts presented in the matter justify approval, it may recommend to approve the request, or a portion thereof, and it may specify any conditions deemed necessary to preserve the intent of the City of Cocoa Code. If the Board finds that the facts presented do not justify approval, it may recommend to deny the request and will specify the reasons for denial. A decision is usually made at the same meeting that the hearing is held. Regardless of the outcome, the application will be forwarded to the City Council for consideration where a final decision can be made.

In order to approve a Preliminary Planned Unit Development, the Planning & Zoning Board and City Council must consider and study the criteria listed below (as described in Appendix A, Article XI, Section 17 (I)(2)e. of the City of Cocoa Code) and include the findings of fact that serve as a basis for its recommendation. Please provide your consideration of the following criteria and any pertinent data and evidence that may be useful to the Planning & Zoning Board and City Council. Use extra sheets if necessary.

1. Degree of departure of proposed planned unit development from surrounding areas in terms of character and density.

The proposed development is located in the midst of a variety of lots that vary in size from 40 feet to 100 feet in width. The lots to the north and partially to the west are larger parcels of land. The lots to the east and south vary in size with single family residential lots. The properties located to the south of the property are in unincorporated Brevard County while the remaining lots to the north, east, and west are within the city limits of Cocoa. The proposed lots are 40 feet wide are similar to some of the properties to the south of the proposed development that have duplex units on lots that are 37.5 feet wide (Sabal Lake Estates and Space Coast Garden). The proposed lots for this property will be detached single family homes. Some of the lots located to the northeast of the property are 50 feet wide with detached single-family homes (Clear Lake Village) and the property located on the northwest corner of Range Road and Hooper Road (PZ-13-00800001) was previously approved by the City of Cocoa for 50-foot-wide lots.

2. Compatibility within the planned unit development and relationship with surrounding neighborhoods.

The proposed development will be compatible with the surrounding properties in that they will be detached single family homes like a majority of the adjacent properties and the proposed development will provide buffers from the adjacent property via landscape buffer areas as well as the existing wetlands located along the eastern portion of the property.

3. Prevention of erosion and degrading of surrounding area.

The site will protect against erosion via the Stormwater Pollution Prevention Plan that addresses the Florida Department of Environmental Protection's National Pollution Discharge Elimination System (NPDES) program during construction and via permanent vegetation of either sod or landscaping on all disturbed areas. The open space, stormwater management, and landscape areas will be maintained long term by a Homeowner's Association that will be responsible to keep the common areas in good condition.

4. Provision for future public education and recreation facilities, transportation, water supply, sewage disposal, surface drainage, flood control and soil conservation as shown in the preliminary development plan.

The project will not provide any public education on-site, but will need to address any concurrency issue for school. On-site, the project proposes a recreational tract as well as walking paths throughout the property and along the stormwater pond banks for dog walks and residences uses. The proposed development will have two (2) entrances to accommodate emergency access should one of the entrances become blocked; water and sewer services will be provided by the City of Cocoa Utilities via an existing water line along the west side of Range Road and an existing lift station located along the east side of Range Road; surface drainage, flood control, and soil conservation will be addressed with the proposed stormwater pond that are designed to comply with the water quality and quantity requirements of the City and state, as well as compensating storage for any flood plain encroachment of the development.

5. The nature, intent and compatibility of common open space, including the proposed method for the maintenance and conservation of said common open space.

The proposed recreation and open space tracts are located throughout the development and along the stormwater ponds that will provide for recreation and walking along the pathways provided. All of the recreation and open spaces areas will be in separate tracts that will be owned and maintained by the Homeowner's Association in perpetuity. The preserved wetland areas will also be owned by the Homeowner's Association with a conservation easement over it to St. Johns River Water Management District.

6. The feasibility and compatibility of the specified stages contained in the preliminary development plan to exist as an independent development.

The proposed development will be constructed in a single phase and will not require any connection or infrastructure support of the adjacent residential developments. The only connections made outside of the property will be for water, sewer, stormwater, and transportation along Range Road.

7. The availability and adequacy of primary streets and thoroughfares to support traffic to be generated within the proposed planned unit development.

The internal roadways are local roadways that will have two (2) access points to Range Road. The traffic will be minimal (approximately 676 average daily trips) and can access other parts of the City by either going north on Range Road to Michigan Avenue and then east on Michigan Avenue to State Road A1A or by going south on Range Road to either Lake Drive or State Road 520

8. The availability and adequacy of water and sewer service to support the proposed planned unit development.

As mentioned, the proposed project will connect to an existing 12-inch water line located along the west side of Range Road. Sewer service will connect into an existing lift station located on the east side of Range Road that will pump the flow to the utility's wastewater treatment plant.

9. The benefits within the proposed development and to the general public to justify the requested departure from standard land use requirements inherent to a planned unit development classification.

The proposed development will take into account the existing environmental wetlands located on the property to preserve a majority of them on-site. The overall project has been designed to minimize the impact to the large wetland system on the east side of the property such that it can remain and provide a buffer between this property and the property to the east. In addition, the location of Street A has been adjusted to align with the existing Hooper Road to the west to allow the future connection of it to the existing Ivy Drive roadway located in the development to the east of the property once the needed right-of-way is obtained from others.

10. The conformity and compatibility of the planned unit development with any adopted development plan of the City of Cocoa.

The smaller lots are consistent with other previous approvals in the general areas as previously noted. The development located west of the project was previously approved for 50-foot-wide lots as well as existing lots located in the development to the northeast of the property (Clear Lake Village). Although the project will include smaller lots, the overall density for the property is 2.49 dwelling units per acre, which is less than the allowable density of 6 dwelling units per are allowed for a Low Density Residential Future Land Use designation. This doesn't include the approximately 28.7 acres of wetland and wetland buffer area that will be retained on the property undisturbed.

11. The conformity and compatibility of the proposed common open space, primary residential and secondary nonresidential uses within the proposed planned unit development.

This project is a single-family residential development that will not have any non-residential development uses included with it. The single-family component of the development is consistent with the other developments in the areas and includes common open space areas within it to be used by the residences of the development.

16. Signatures and Notarization.

STATE OF Florida COUNTY OF Orange I, SRINIVAS Seela
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.

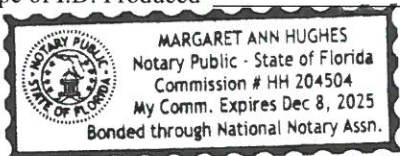
I hereby certify that I have read, completed and understand this application and applicable petition, and understand that if my application and all associated attachments are not complete and accurate in all respects, the application will not be scheduled for a public hearing. I further understand that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

[Signature]
(APPLICANT SIGNATURE)

MARGARET A. Hughes
(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known OR Produced Identification

Type of I.D. Produced _____



[Signature]
(NOTARY PUBLIC SIGNATURE)

STATE OF FLORIDA, COUNTY OF BREVARD

Sworn and subscribed to before me this 13th day of June, 2022

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:
