

City of Cocoa

*65 Stone Street
Cocoa, FL 32922*



Meeting Agenda

Wednesday, December 6, 2023

6:00 PM

Cocoa City Council Chambers

Planning and Zoning / Local Planning Agency

I. CALL TO ORDER

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

II. APPROVAL OF AGENDA AND MINUTES:

AGENDA:

[23-735](#) Request Board Approval of the Short Agenda for the Planning & Zoning December 6, 2023, Regular Meeting, either as is or with amendments.

Attachments: [PZ Short Agenda December 6, 2023.pdf](#)

MINUTES:

[23-737](#) Request Approval of the Minutes from the October 4, 2023, Planning & Zoning Meeting, either as written or with amendments.

Attachments: [10-4-2023 DRAFT.docx](#)

[23-740](#) Request Board Members approve the Minutes from the November 1, 2023, Planning & Zoning Meeting, either as written or with amendments.

Attachments: [11-1-2023 Final.docx](#)

III. OLD BUSINESS:

IV: NEW BUSINESS:

A. [23-739](#) Annual Election of Chairperson and Vice Chairperson for the Planning & Zoning Board.

Attachments: [Planning Roster.pdf](#)

- B.** [23-754](#) Approval of a PUD / Rezoning (Ordinance 22-2023) for one (1) parcel from Brevard County General Use (GU) to City of Cocoa Planned Unit Development (PUD), a Large-Scale Site Plan, and a Preliminary Subdivision consistent with Chapter 18 Subdivisions and Appendix A Zoning of the City Code for Windward Preserve.

Attachments:

[Ordinance No 22-2023 Rezoning Windward Preserve GU to PUD.pdf](#)
[Appendix A - Prelim Plat Submittal 3 v2.pdf](#)
[Appendix B - PUD Submittal 3 v2.pdf](#)
[Windward Preserve Location.pdf](#)
[Windward Preserve FLU.pdf](#)
[Windward Preserve Zoning.pdf](#)
[Full Engineering Plans.pdf](#)
[Landscape Plans.pdf](#)
[Windward Preserve - Draft Plat.pdf](#)
[Full Survey.pdf](#)
[Revised Potable Water Report 3.pdf](#)
[Windward Preserve School Concurrency Letter-SCADL-2023-25-Cocoa.pdf](#)
[2023-11-20_Windward Preserve_Trail and Park exhibit.pdf](#)
[Amenity Plan Set.pdf](#)
[23-00300001 Traffic Study Windward Preserve \(2023.04.03\) S&S.pdf](#)
[5799.16 - Silvestri Property - Traffic Calming Study - Response to City Comment Development Timeline.pdf](#)
[Stormwater Report 6-REVISED.pdf](#)
[Wetland SJRWMD - RAI Response Windward Preserve 5.17.23.pdf](#)
[Assessment Report Windward Preserve Environmental .pdf](#)
[Cocoa Barrera Shores LLC DA - November 7, 2006.pdf](#)
[Cocoa Hagen-Nicholson Properties DA - March 8, 2005.pdf](#)
[Exhibit B-Beachline Prelim Site Plan 09-28-2021.pdf](#)
[Recorded Beachline Partners Settlement Implementation Agreement.pdf](#)
[Stipulated Settlement Agreement 12-11-07 RECORDED.pdf](#)
[Legal Affidavit Windward Preserve.pdf](#)

- C. [23-755](#) Consideration of a Zoning Map Amendment for a +/- 1.002-acre portion of property located at 825 Forrest Ave., from INST (Institutional) to RU-2-15 (Multiple Family Dwelling).
- Attachments:** [Ordinance No. 23-2023 Rezoning Mathews Hope Institutional to RU-2-15 Mathews Hope Area of Rezoning.pdf](#)
[Mathews Hope Location.pdf](#)
[Mathews Hope Existing Zoning.pdf](#)
[Application Package for Mathews Hope Rezone.pdf](#)
[Legal Affidavit MH, Kava, P&Z, Flag FI ad 9542285.pdf](#)
- D. [23-756](#) Recommend approval of proposed Ordinance 24-2023, a zoning text amendment, amending Chapter 3, *Advertising and Signs*, Section 3-23, General Regulations, of the Code of the City of Cocoa regarding Flags, providing for the repeal of prior inconsistent ordinances and resolutions, incorporation into the code severability, and an effective date.
- Attachments:** [Ordinance No. 24-2023 Revising Sign Code Flags.pdf](#)
[Legal Affidavit MH, Kava, P&Z, Flag FI ad 9542285.pdf](#)
- E. [23-757](#) Recommend approval of proposed Ordinance 25-2023, a zoning text amendment amending Appendix A, Zoning, Article XIII, *Supplementary District Regulations*, of the Zoning Ordinance of the City of Cocoa to add a new Section 33, *Kava and Kratom*, establishing distancing requirements between establishments selling Kava beverages and/or Kratom products and certain other enumerated land uses; providing for the repeal of prior inconsistent ordinances and resolutions, incorporation into the code, severability, and an effective date.
- Attachments:** [Exhibit A - Ordinance No. 25-2023 Regulating Kava and Kratom PZ.pdf](#)
[Legal Affidavit MH, Kava, P&Z, Flag FI ad 9542285.pdf](#)
- F. [23-758](#) Recommend approval of proposed Ordinance 26-2023, a zoning text amendment, amending Appendix A, Article XIX, Section 2, Relating to the meeting schedule of the Planning and Zoning Board; providing for the repeal of prior inconsistent ordinances and resolutions, incorporating into the code, severability, and an effective date.
- Attachments:** [Ordinance No. 26-2023 Amending Article XIX P&Z Board Meeting Schedule](#)
[Legal Affidavit MH, Kava, P&Z, Flag FI ad 9542285.pdf](#)

V. TREE BOARD:

VI. OTHER BUSINESS:

VII. NEXT MEETING DATE:

The next regularly scheduled meeting of the Planning & Zoning Board will be on Wednesday, January 3, 2023, 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.

This agenda is posted on the Municipal Bulletin Board and at the Central Brevard Library and Reference Center in Cocoa for public review.

