



Legislation Text

File #: 23-546, Version: 1

CITY COUNCIL AGENDA ITEM

Memo Date: September 5, 2023
Agenda Date: September 12, 2023
Prepared By: Charlene Neuterman, Community Services Director
Through: Stockton Whitten, City Manager
Requested Action:

Adopt on **Second and Final Reading** Ordinance 18-2023, a Zoning Text Amendment to Appendix A, Article XI, Section 22 of the Zoning Ordinance of the City of Cocoa to allow Large Scale Commercial/Mixed-Use Buildings on certain properties within the Cocoa Waterfront Overlay District and to amend the list of permitted and special exception uses in the South End Subdistrict of the Cocoa Waterfront Overlay District.

BACKGROUND:

The applicant, City of Cocoa, is requesting an amendment to Land Development Code Amendment to Appendix A, Article XI, Section 22 of the Zoning Ordinance of the City of Cocoa to allow Large Scale Commercial/Mixed-Use Buildings on certain properties within the Cocoa Waterfront Overlay District. The parcel proposed to be added has the following Brevard County Parcel ID number 24-36-33-80-23 (915 Florida Ave.). In addition, the proposed ordinance would add permitted and special exception uses in the South End Subdistrict with Core Commercial underlying zoning.

Background:

The proposed LDC amendment has been administratively initiated by the City of Cocoa. The Planning and Zoning Board is required to make recommendations to the City Council regarding the proposed LDC amendments based on the criteria set forth below.

Over the last several years, the City of Cocoa has created multiple policies to ensure that redevelopment opportunities within the Community Redevelopment Agency (CRA) are available. The City created the MU, Mixed Use, Future Land Use (FLU) Designation. The FLU Element of the City's Comprehensive Plan states that the Mixed-Use land use category (MU FLU) is intended to provide a mixture of residential, commercial, office, recreational and institutional uses along the major transportation corridors. The majority of parcels within the City that are designated as MU are generally located adjacent to certain portions of SR 520, US 1, Brunson Blvd., King St., and the Cocoa Village Area, as more accurately shown on the attached FLU Map.

The density that is allowed within the MU FLU category is 25 du/acre and includes a bonus of up to 5 du/acre if residential housing units are developed as part of a vertical mixed-use project, per FLU Element Policy 1.1.2.6, which brings the max du/acre total to 30 du/acre. To create additional opportunities, the City adopted policies that allow for vertically mixed-use

projects to occur on four (4) parcels, that total +/- 4.5 acres within the Cocoa Village Subdistrict to develop at densities of up to 125 du/acre with a Developer's Agreement.

In addition, four parcels totaling +/- 1.4 acres have been designated with a commercial/mixed use large (CL) building type on the Cocoa Waterfront Overlay District Regulating Plan, which allowed vertically mixed-use buildings constructed to a maximum of eight (8) stories in height.

The current request looks to build upon those adopted policies. The City of Cocoa owns +/- 4.32 acres of property (subject property) at the southwest corner of Rosa Jones Dr., and Florida Ave. The subject property is currently noted within the Regulating Plan of the City of Cocoa Waterfront Overlay District as part of the South End (SE) Sub-District. The subject property also has the MU, Mixed Use, FLU designation, and the C-C, Core Commercial, zoning district. The City wishes to maximize the redevelopment potential of the subject property by designating the subject property as "CL" on the City of Cocoa Waterfront Overlay District Regulating Plan. This would allow the subject property to be developed with a vertically mixed-use building at a maximum of eight (8) stories in height, subject to and conditioned upon City Council approval of a development agreement following consideration of multiple factors. Additional updates are being provided in Appendix A, Article XI, Section 22, of the City Code to allow for certain additional permitted and special exception uses within the Waterfront Overlay District, South End Subdistrict, with Core Commercial underlying zoning.

The following analysis provides for technical detail related to the request and the potential impact to City services.

I. Staff Analysis

Pursuant to Appendix A, Zoning, Article XXI, Amendment, Section 1(G)(2), the planning board shall consider and study:

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

a. Need and justification for the change

Staff Finding: Currently, the tallest building that could be constructed on the 915 Florida Avenue property is a five-story, commercial/mixed-use medium building type in accordance with the Cocoa Waterfront Overlay District Regulating Plan.

The proposed amendment is not contrary to the established land use pattern based on the goals and objectives of the Waterfront Master Plan, Cocoa CRA Redevelopment Plan, and existing Comprehensive Plan MU FLU policies which encourage density through vertical mixed-use buildings. The proposed change allows the physical structure necessary to accommodate increased densities up to 125 du/acre should the companion Comprehensive Plan amendment be adopted, through height at a maximum of 8-stories.

As explained in the companion staff report for the Comprehensive Plan amendment related to 915 Florida Avenue, the 915 Florida Avenue subject property was the former Oaks Mobile Home site,

which the City acquired for purposes of redevelopment in 2016. The Cocoa Redevelopment Agency (Cocoa CRA) continues to seek major redevelopment opportunities to revitalize the Cocoa Community Redevelopment Area. The proposed amendment will continue to promote a more intense redevelopment consistent with the Redevelopment Plan. Specifically, the Redevelopment Plan identifies 915 Florida Avenue as one of two “High Priority” “Catalyst Mixed Use Development Sites” in the Cocoa Community Redevelopment Area.

Construction of taller mixed-use projects within the City’s urban core provides for coherent and economical use of the City’s resources and infrastructure. These potential developments will reduce automobile dependency and increase the ability of residents to live a more sustainable lifestyle due to residents’ proximity to services, job opportunities, retail and entertainment.

The City Council will consider factors such as economic and social benefits to City and CRA, aesthetic quality and character, architectural design, physical and visual scale, compatibility with the Cocoa Village and South End when a particular development project is proposed and prior to approving a development agreement request to achieve the maximum of eight stories, in its sole discretion.

Furthermore, the uses to be added to the South End (all properties with C-C underlying zoning) to promote vertical mixed-use projects are as follows:

- Professional offices, studios, clinics, labs, general offices
- Bar or lounge (SE)
- Cultural centers, museums, galleries, community centers (commercial)
- Gym and Fitness Facilities of less than 7500 square feet
- Package store, beer and wine (SE)
- Pharmacy, Optical Services
- Recreation structures, theaters, driving ranges, bowling alleys (not drive in theaters) (SE)
- Retail stores (except automotive)

In accordance with Appendix A, Zoning, Article XI, Section 18, uses in the Core-Commercial District are based on the redevelopment plan and are intended to be low to medium intensity commercial, office and professional uses, in areas located adjacent to and between major transportation corridors.

The uses selected for addition to the South End Subdistrict with underlying C-C zoning promote neighborhood commercial uses of low to medium intensity and add office and professional uses in keeping with the intent of the C-C zoning district.

b. The relationship of the proposed amendment to the purposes and objectives of the comprehensive planning program and to the comprehensive plan, with appropriate consideration as to whether the proposed change will further the purposes of this zoning code and other codes, regulations, and actions designed to implement the comprehensive plan.

Staff Finding:

Since the zoning district will not change, there will be no conflict with the comprehensive plan. This request is being done in conjunction with the FLU Element which allows the subject property to be developed at a maximum of 125 du/acre. This amendment is consistent with the following policies:

Future Land Use Element, Policy 1.1.2.6 Mixed-Use (MU). The Mixed-Use land use category is intended to provide a mixture of residential, commercial, office, recreational and institutional uses along the major transportation corridors (such as SR 520 and US 1). Based on current land use trends, the City estimates that the mix of uses in the mixed-use category will be 50 percent residential and 50 percent non-residential. The Floor Area Ratio (FAR) measure shall not be applied to residential developments, or the residential portion of a mixed-use building or development.

Future Land Use Element, 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.

Future Land Use Element, Policy 1.2.1.6: New development, as well as infill development shall provide interconnected street grid networks, where feasible, to disperse traffic and encourage walkability. Developments may include a hierarchy of narrow streets, boulevards, and alleys; high quality pedestrian networks; designs that encourage a greater use of bicycles, rollerblades, scooters and walking as daily transportation; connectivity to public transit; and a land use mix that demonstrates reduced external trips by encouraging internal trips.

Housing Element, GOAL 3.1: The City shall encourage and promote the provision of decent, safe, and sanitary housing to meet the needs of the present and future population of the City.

Objective 3.1.1, Housing Supply: Assist the private sector to create additional units and preserve existing units to satisfy the projected demand of dwelling units of various types, sizes, and costs which will be needed to house the City’s anticipated population through the planning horizon.

Policy 3.1.1.1: The City’s Future Land Use Map shall provide adequate lands to accommodate the projected housing growth.

Policy 3.1.1.2: The City shall continue to provide land use designations and zoning districts on the Future Land Use and the Official Zoning Maps to ensure a variety of housing types including single family, duplex, and multifamily are allowed within the City.

Policy 3.1.1.6: The City shall promote mixed-use developments that include provisions for a wide variety of housing types and prices.

GOAL 3.7: The City shall promote opportunities for the creation of housing and infill development within the City.

Objective 3.7.1, Infill Development: The City shall continue to promote infill housing development by supporting alternative development standards where appropriate and feasible.

STRATEGIC PLAN CONNECTION:

N/A

BUDGETARY IMPACT:

N/A

PREVIOUS ACTION:

Planning & Zoning recommended approval at the August 16, 2023 meeting.
City Council approved First Reading at the August 22nd, 2023 meeting.

RECOMMENDED MOTION:

Adopt on **Second and Final Reading** Ordinance 18-2023, a Zoning Text Amendment to Appendix A, Article XI, Section 22 of the Zoning Ordinance of the City of Cocoa to allow Large Scale Commercial/Mixed-Use Buildings on certain properties within the Cocoa Waterfront Overlay District and to amend the list of permitted and special exception uses in the South End Subdistrict of the Cocoa Waterfront Overlay District.