

From: Mike Futch <mfutch@tompkinsrobotics.com>
Sent: Saturday, October 11, 2025 2:58 PM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>
Cc: Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>; Gilliam, Trina <Trina.Gilliam@brevardfl.gov>; NaturalResources <Natural.Resources@brevardfl.gov>
Subject: City Pointe Landfall PUD

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Commissioner Delany,

I reside at 3620 Indian River Drive which is not far from the proposed City Pointe Landfall project. I am writing to make know my opposition to the proposal put forth by the developer. While I agree some development is agreeable under the current, in place plan, I object strongly to the RES 4 designation. I see the RES 4 request as a means to later apply for 44 to 58 units on the property as clearly noted in the county's own Staff Comment which I quote below.

Page 5.

Residential Land Use Designations

FLUE Policy 1.1

Criteria:

B. Land use compatibility pursuant to Administrative Policy 3;

The RES 4 land use can be considered consistent with the existing larger lot patterns of surrounding development. The RES 4 designation would allow up to 43 residential units.

Additionally, the requested companion PUD zoning could result in a density bonuses, should Policy 1.2 be met, that would allow 54 residential units with a density of 5 units to the acre on 10.96 acres.

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Residential 4 (maximum of 4 dwelling units per acre)

FLUE Policy 1.7

D. Up to a 25% density bonus to permit up to five (5) dwelling units per acre may be considered where the Planned Unit Development concept is utilized, where deemed compatible by the County with adjacent development, provided that minimum infrastructure requirements set forth in Policy 1.2 are available. Such higher densities should be relegated to interior portions of the PUD tract, away from perimeters, to enhance blending with adjacent areas and to maximize the integration of open space within the development and promote inter-connectivity with surrounding uses. This density bonus shall not be utilized for properties within the CHHA.

The subject property has requested PUD zoning classification under application (24PUD00003). The eastern portion of the subject property is within the CHHA. The RES 4 designation would allow up to 46 residential units. Additionally, the requested companion PUD zoning could result in a density bonuses, should Policy 1.2 be met, that would allow 58 residential units with a density of 5 units to the acre on 11.71 acres. The PDP does not illustrate enhancement of blending with

adjacent areas with the development to promote inter-connectivity with the proposed commercial use. The Board may consider whether the proposed is consistent.

I strongly object to this being approved by the commissioners. The surrounding infrastructure will not support even the 23 currently proposed units. The flooding happening right now in front of this very tract of land clearly shows this entire project is a bad idea and will lead to further problems that the development will create. In fact, the very nature of their supposed sincere proposal for only 23 units while pushing for RES 4 should tell us all this will be only the first foray into what happens with this property. There is a binding land use plan that was in effect when the property was purchased. If the commissioners deviate from that in place plan, then they will be not doing what is in the best interests of the county, their constituents, and the local area affected by any such decision. Keep the binding plan in place when bought by the developer and allow no modifications. The county needs to focus on how to improve the area and the current problems such as flooding, road erosion, etc. and totally reject any proposal that creates more problems and solves none.

Mike

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From: [James Sudermann](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Cc: [Gilliam, Trina](#); [NaturalResources](#); [Beverly Sudermann](#); [James Sudermann](#)
Subject: Message to Commissioners Regarding City Pointe Landfall 10-17-2025
Date: Saturday, October 18, 2025 10:12:15 AM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Message to Commissioners Regarding City Pointe Landfall 10-17-2025

Re:

City Pointe Landfall LLC (David Bassford) requests a Small-Scale Comprehensive Plan Amendment (24S.11) to change the Future Land Use designation from RES-1, RES- 2, RES-4, and NC to CC and RES-4. (24SS00009) (Tax Account 2411252) (District 1)

City Pointe Landfall LLC (David Bassford) requests a change in zoning classification from EU and RP with an existing BDP to PUD with the removal of existing BDP. (24PUD00003) (Tax Account 2411252) (District 1)

Commissioners,

We continue to object to City Pointe Landfall's request to change the underlying Future Land Use Map to Residential 4 over the entire 10.96 acre non-commercial tract.

We appreciate the changes they made to their proposed PUD to accommodate some of our community's concerns, but the fact remains that changing all 10.96 acres to RES4 will enable the property to be developed with a density far beyond anything we and our neighbors would find in any way acceptable.

Your own County Staff Comments to 24SS00009 state: "***The RES 4 designation would allow up to 46 residential units. Additionally, the requested companion PUD zoning could result in a density bonus[es], should Policy 1.2 be met, that would allow 58 residential units with a density of 5 units to the acre on 11.71 acres.***"

All through this process City Pointe Landfall has been resolute in their demand for RES4 for the entire non-commercial property. We have become increasingly disturbed by this insistence and have begun to suspect that there is more to it than just building the proposed PUD.

We realize that we must focus on the proposed changes to the Future Land Use Map. The FLUM sets the fundamental underlying potential density and uses for any property. The PUD itself is zoning that sits on top of the FLUM and the property may or may not be built precisely as the submitted PUD proposes. We have been recently schooled on the fact that a PUD, like the existing Binding Development Plan, is not really permanent and can be changed or discarded at the discretion of the Board of Commissioners. We must therefore look to the FLUM as our basic line of defense to keep high density development from changing the fundamental character of our community.

The whole purpose of the 2008 Binding Development Plan was to put to rest attempts by a previous owner of this property to build seven separate six story tall condominium buildings on it from US1 to Indian River Drive. Our community had to fight long and hard to change the FLUM to its current configuration of RES1 on the central seven acres, Neighborhood Commercial on the 2 acres on US1, and leaving RES4 and

RES2 on the remaining low-lying riverfront acres. In cooperation with the Board of Commissioners at the time, our community was not only trying to address the 2004-2008 condo attempt, but to safeguard our community against future attempts at emplacing high density development inappropriately into our midst.

So what bothers us the most is that if City Pointe Landfall is allowed to walk away with a new FLUM designation of RES4 on the **entire** 10.96 acres of non-commercial property they, or any future owner, will have the possibility of constructing up to 55 housing units on it. The proposed PUD currently calls for 23 single family houses (up from 19 units in their original proposed PUD), but we all know that can be changed in the future. City Pointe Landfall could simply sell the property to a new owner who could start the PUD/Rezoning process all over again, this time with a starting FLUM of RES4 everywhere, resulting in possibly 44 units, maybe even 55 with a PUD bonus. Or, once the FLUM is changed, City Pointe themselves could come back at a later date and restart with a new or amended development plan.

Also, importantly, it has become more and more apparent that the low-lying 2.44 acre riverfront acreage is very problematic as far as its ability to support development. It is very wet, fed by stormwater runoff and continuously flowing groundwater springs above on the west and the Indian River lagoon overtopping its banks below on the east. The Indian River Drive roadway and the eastern parts of the property adjacent have been flooded with brackish saltwater for weeks now, even without a hurricane, just rain. By their own admission, City Pointe Landfall is declaring this lowest 2.44 acre area as a wetland. We agree. The County Department of Natural Resources has flagged this portion of the property as having a possible Wetland issue and is requiring an official delineation before land clearing activities can begin.

FLUM Modifications* - If City Pointe Landfall is serious and committed to building out the PUD as described in their Preliminary Development Plan, then it would stand to reason they would be amenable to a FLUM designed to accommodate that plan. To preserve the wetlands most effectively, the 2.44 acres should have a FLUM designation of Private Conservation or PRCON. The commercial 1.92 acres could be changed to CC from NC as requested. The rest of the property (8.52 acres) should have a FLUM designation of RES2 which would allow for 21 housing units (8.52 acres x 2 + 25% PUD bonus).

This proposal would allow City Pointe Landfall to develop their property as they have been envisioning it, with a much more robust protection of the wetlands and with a better guarantee of lower density in our community. While it does not preserve the lower housing density that we fought so hard for between 2004 to 2008 with our BDP, it may be a compromise that enables us all to move forward.

Please either reject City Pointe Landfall's request for a FLUM change outright and keep our BDP as is, OR if a development is inevitable, accept their request with the FLUM modifications outlined above.

James and Beverly Sudermann
3469 Indian River Drive
Cocoa, Florida

* The proposed modifications to City Pointe Landfall's FLUM change request is a new idea of our own and does not represent a validated, vetted or voted-on position of our whole community, but if you check the Public Comments recorded to date concerning this issue, you will find a common concern about high density expressed by most members of our community from High Point to the south all the way up to Five Points Fire Station (where Indian River Drive reconnects to US1) to the north. This includes individual home owners all along Indian River Drive and Home Owner Associations including High Point, Point Place, City Point Road, Parkchester, Twin Lakes, Sable Chase, Brookhill, and Briarwood Manor. Twin Lakes Homeowners Association even submitted for the record a petition signed by 28 members requesting the Commissioners leave the FLUM and BDP in place unchanged. (You can find this petition on page 65 of the 195 pages of comments at [Public Comment for 3/17/2025 P&Z/LPA](#)). Additionally, flooding and the connection between it and high density development is quite frequently cited as a major concern.

From: [David Jackson](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); D3.Commissioner@brevardfl.gov; [Commissioner, D4](#); [Commissioner, D5](#)
Subject: City Pointe Landfall PUD
Date: Friday, October 24, 2025 1:13:08 AM
Importance: High

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hello Commissioners,

This e-mail is to inform you of my opposition to the proposed City Pointe Landfall PUD. I live in the Parkchester neighborhood which is just to the north of this proposed development. I'm opposed to this project because of the increased stormwater it will cause to run down to the homes on Indian River Drive due to the topography of the land stretching from U.S. 1 to the west down to the Indian River Lagoon (IRL). This stormwater along with water from the IRL occasionally flood a part of Indian River Drive near the intersection of City Point Road. The flooding has even occurred at times outside of hurricane season. This flooding restricts the residents along IRL from getting out of their homes. The project would make a bad situation worse.

I'm also opposed to this project because the proposed increase in density to the current Binding Development Plan from a total of seven units being developed on seven acres of land (one unit per lot) to four units per acre on the 10.96 acres of non-commercial land represents 44 housing units on the property. Based on staff comments, the proposed development can receive a 25% "PUD density bonus." Which means the owner can build as many as five units per acre equaling potentially 55 housing units. The County Planning & Zoning (P & Z) Board completely ignored the opposition to this proposed PUD. NO one from the public spoke in favor of this project at either of the two zoning meetings or either of the community meetings. The P & Z Board and the owner completely ignored the residents' concerns about density.

In addition, I'm opposed to City Point Landfall PUD because of the proposed storage facility. The owner has reduced the number of buildings making up the storage facility from two to one. However, I'm still opposed to any commercial development on this property. About half a mile to the north of the proposed development the former site of a Kane's Furniture store has been redeveloped into a two story storage facility. On the north side of Roundtree Drive which leads into the Parkchester neighborhood from U.S. 1, there is the construction site of the U.S. 1 Business Center (3500 N. Highway 1, Cocoa, FL 32926). This construction has been occurring on and off (mainly off) for over 10 years. Per the current (and 2nd) development plan this project consists of 15 warehouse buildings and one large three story building consisting of nine indoor parking spaces, warehousing, storage and a security apartment all sitting on two parcels totaling 2.58 acres. The U.S. 1 Business Center project is currently being marketed for office space. This is overkill in terms of commercial development.

Cordially,
David W. Jackson
Parkchester resident