

From: ejcriden@hushmail.com
To: [AdministrativeServices](#)
Subject: Comments for ID# 24SS00009 & 24PUD00003
Date: Monday, August 18, 2025 11:04:36 AM

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

Hello,

I received a notice in the mail about the above property owned by City Point Landfall LLC. I am a commercial property owner within 500' of this zoning request. I am also a resident in the local neighborhood. So I have some concerns about what City Point Landfall is doing. One of the residential neighbors next to the listed property with tax ID #2411252, located at 3477 North Indian River Drive and owned by City Point Landfall wrote a very brief and detailed synopsis that cover my concerns. In her words,

City Point Landfall P&Z Meeting Concerns

The developer's revised plan going before the Planning and Zoning Board still has not solved the underlining problem which is he wants to change the Future Land Use Map to RES4 for the entire residential area of the property. As proposed, 10.96 acres will be RES4 and 1.92 acres on US 1 will be commercial. This means that 11 acres x 4 can potentially become as many as 44 houses. The PUD, as proposed, does address many of the concerns we had but we need to keep in mind that the PUD is a preliminary proposal and is not binding or permanent but the change to the Land Use Plan is fundamental. In a sense the PUD is a smokescreen, a distraction, a red herring. In the future, once the basic Land Use Map changes are in place, the developer can change his mind about the PUD and apply for revisions or changes. Or he can simply sell the property to another developer who may decide to submit a new, different PUD or simply build houses based on the new RES4 Land Use Plan designation. The danger for all of us is that allowing this change to occur unchallenged sets a precedent for similar high density development requests to occur anywhere within our Indian River neighborhood. We believe we must object to the RES4 re-designation and send a strong message to the P&Z Board and County Commissioners that this is a primary concern that must be addressed.

If you do a Sunbiz deep dive into City Point Landfall it is associated with a myriad of LLC's and Corps. Some of those are GIMME SHELTER LLC, GIMME SHELTER-14 (H) LLC, GIMME SHELIER-14 (P) LLC, GIMME SHELTER-14 (T) LLC, GIMME

SHELTER-14(D) LLC, IIWQ LENDING LLC, IIWQ LLC and HALL FAMILY FOUNDATION INC. In short the Gimme Shelter LLC's are heavily involved water close duplex rental properties that they own. The registered agents amongst the above LLC's and Corp are all the same people.

As stated by the local residential neighbor I think this is an end run in order to put in higher density residential units with eventual waterfront access to Indian River Drive. I am also concerned with they way they plowed ahead with clearing the land and building support structures without any proper permitting. Given that the parent LLC's are well established duplex rental companies operating in Brevard, I think they are fully aware of the paperwork needed to start their building processes. It really concerns me they opted for the ask for forgiveness route rather than getting permission route to start their development plans. I also wonder if they have worked with FDOT, like I have for my parcels, to get approved US1 access. That's an expensive and timely procedure. My guess is later on they will develop IRD primary access given th ecosts for doing ti on US1. We have seen this with other developments along IRD. As one of the Board of Directors for the Brookhill HOA, on Indian River Drive, I can attest to the fact that our biggest offenders are always the 2 rental houses in our HOA. I hate to think of what multiplying that to what City Point Landfall and their associated Gimme Shelter LLC's will do with high density Indian River Drive water front rental properties.

I spent a good deal of time searching for Brevard commercial property that I could use for what I'm planning on doing. My close parcels to City Point Landfall's fit within what they are zoned for and what I want to do. And also work within the neighborhood zoning surrounding the area. I even had the billboard removed to get rid of that eyesore on US1. I don't think City Point Landfall, and it's associated LLC's and Corp, could care less about the quiet neighborhood they are trying to develop into a much higher density rental nightmare. They are hiding their true intentions behind all their LLC's. They are solely in business to develop high density rental duplexes. And per their meeting last week hosted by MBV Engineering on 8/13 they are desperately trying to abolish the BDP associated with the parcel they bought. With their concessions from that meeting to add more high density dwellings. Therefore I am totally opposed to their rezoning request. I think it would be a travesty to the surrounding neighbors to change the current zoning for City Point Landfall in order for them to make a bunch of cash at the long term expense of a very nice and quiet neighborhood. It's zoned with the current Binding Development Plan, as it is, for a reason. And that is why I bought into the neighborhood. Not only as a commercial property owner, but it is also a close to my primary residence.

Thank You,
Eric Crider
3710 Windsor Drive

Cocoa, FL

Sent using Hushmail

From: [James Sudermann](#)
To: [AdministrativeServices](#)
Subject: Fwd: P&Z Speech on City Point Landfall PUD 2025-08-19
Date: Monday, August 18, 2025 2:40:28 PM

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

Text of speech concerning 23Z00038 & 24SS00009
Sent from my iPhone

Begin forwarded message:

From: James Sudermann <sudermaj@bellsouth.net>
Date: August 18, 2025 at 13:04:34 EDT
To: James Sudermann <sudermaj@bellsouth.net>, Beverly Sudermann <sudermab@bellsouth.net>
Subject: P&Z Speech on City Point Landfall PUD 2025-08-19

My name is James Sudermann and today I am here representing myself, my wife Beverly Sudermann and several of our neighbors who are are worried about this developer's request to change the Florida Land Use map and zoning from it's current FLU configuration which includes an overriding Binding Development Plan.

The developer, City Point Landfall, and their planner, MBV engineering, are back before you with a new revision that does address several of our concerns but continues to ignore our prime underlying concern - too much density. The developer continues to ask for the FLU to be changed to RES4 (4 units per acre) for the entire 10.86 acres of residential area in his proposed Planned Unit Development. Even though 10.86 acres times 4 units per acre results in a potential 44 units and his PUD calls out for "only" 23 units, 23 units is still more than three times the number of units he is currently allowed to build under the existing Binding Development Plan.

Changing to a greater allowed density will necessarily exacerbate our ongoing flooding problems both on Indian River Drive and all of the adjacent low lying areas. Increasing the housing density will, by his own PUD design, greatly increase the amount of surface area that is covered by asphalt, concrete, building roofs etc. This land currently is forested with trees and scrub and open permeable land that soaks up rainfall directly. The PUD shows a drainage plan that collects all of this runoff and directs it eastward towards first a holding pond which sits right on top of a coquina ridge, then

onto the low lying wetlands and the properties belonging to our neighbors on Indian River Drive, then onto Indian River Drive itself. This coquina ridge

connects to several local natural springs which further distribute the water onto low lying areas along the roadway. Indian River Drive to the east of the developers property already floods quite often. The proposed PUD will make this flooding even worse than it is now and will increase the frequency of these floods.

Here is a 30 second clip showing the extent of the flooding a couple days after a major rain last October. I have more clips and several pictures that we have collected over the years.

From: [James Sudermann](#)
To: [AdministrativeServices](#)
Subject: Re: P&Z Speech on City Point Landfall PUD 2025-08-19
Date: Tuesday, August 19, 2025 10:12:06 AM

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

These were the two pictures I put up on the screen. I meant to leave my copies with you, but by the time we left I had forgotten. I apologize.

Can you tell me when the meeting minutes will be posted for yesterday's meeting? Will there be a video posted?

Thank You,
James Sudermann



On Aug 18, 2025, a



t 4:48 PM, AdministrativeServices <administrativeservices@brevardfl.gov> wrote:

Good afternoon, Mr. Sudermann,

Please send us the pictures you presented at today's P&Z meeting; we need a copy for the record. If there are any other items you would like for us to add, please send those as well.

Thank you,

Jordan Sagosz
Operations Support Specialist
Direct: 321-350-8282
Brevard County Planning & Development Department
2725 Judge Fran Jamieson Way
Building A 114
Viera, FL 32940

From: James Sudermann <sudermaj@bellsouth.net>
Sent: Monday, August 18, 2025 2:40 PM
To: AdministrativeServices <administrativeservices@brevardfl.gov>
Subject: Fwd: P&Z Speech on City Point Landfall PUD 2025-08-19

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Date: August 18, 2025 at 13:04:34 EDT
To: James Sudermann <sudermaj@bellsouth.net>, Beverly Sudermann <sudermab@bellsouth.net>
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Here is a 30 second clip showing the extent of the flooding a couple days after a major rain last October. I have more clips and several pictures that we have collected over the years.

From: Beverly Sudermann <sudermab@bellsouth.net>
Sent: Wednesday, October 1, 2025 11:59 AM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>
Cc: Beverly Sudermann <sudermab@bellsouth.net>; James Sudermann <sudermaj@bellsouth.net>
Subject: October 2, at 5:00 pm City Point Landfall Commissioners Meeting

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

Hello Commissioner Delaney,

This is the message we are sending out to our Indian River Community.

There will be a Brevard County Commissioners Zoning Meeting tomorrow Thursday October 2, at 5:00 pm.

City Point Landfall is first on the agenda with the same two items they have been presenting for months. H1 to change the Future Land Use Map (FLUM), and H2 to change zoning and remove our existing Binding Development Plan (BDP) replacing it with their own Planned Unit Development (PUD). Please attend if you possibly can. The way we have been able to get results in the past has always been to show up. If the Commissioners see a large crowd, they know that the neighbors are concerned and engaged. If you want to speak, to voice your opinion, please, please do so. The Commissioners have been giving concerned individuals three minutes each for public comments.

Here are some points to consider based on how the situation has evolved since City Point Landfall first came forward last year. Through the combined efforts of our community, City Point Landfall has modified some of their proposed PUD to incorporate several of our community's concerns. They eliminated the eight high density townhouses, they removed their proposal to use Parkchester's Roundtree Drive as the primary entrance to the PUD, they eliminated the boat parking lot/marina from the design, they shrunk the RV storage garage from two buildings to one and they have designated the 2.44 acres closest to the river as a "Wetlands Conservation" area.

So presently, City Point Landfall is proposing a Planned Unit Development (PUD) with 23 new houses, a single RV parking garage, a new stormwater drainage scheme, a bike path and a substantial Wetlands Conservation area.

In order to accomplish this they are asking the Commission to re-classify the basic Florida State Future Land Use Map (FLUM) into two new designations - Community Commercial (CC) for the 1.92 acre RV parking garage and Residential 4 units per acre (RES4) for the remaining 10.96 acres of the property. Any new local Zoning will sit on top of the FLUM designations and must be compatible with them - so the FLUM is an important driver in any future development. It is key to remember that designating 10.96 acres as RES4 results in the potential of 10.96 times 4 or 44 units possibly being built on this property in the future.

They are also asking for the removal of our existing Binding Development Plan (BDP) that, among other things, limits the number of houses on the western half of the property to seven units total. In 2004, our community worked diligently and conscientiously with a previous County Commission to fashion his

BDP into an instrument that protected the interests, desires and character of our Indian River community. At the time it was implemented, there were successive proposals to build multi-story condominiums in our neighborhood. The BDP has been our protection from developer pressure to build at these high densities. We hate to see it discarded summarily without regard to all of the thought, effort and purpose our neighborhood put into it.

In their proposed PUD, City Point Landfall is self-declaring 2.44 acres as a “Wetland Conservation” area.

The wetlands are on the east side and are the lowest elevation area of the property. They are located adjacent to the Indian River Lagoon.

Using these wetlands as the final runoff area for their proposed stormwater drainage system is a key component of City Point Landfall’s stormwater system design.

At this point, our primary concern is that there is a fundamental mis-match between the underlying, basic Future Land Use Map designation of RES4 and the proposed use of the 2.44 acre wetland tract as a Wetland Conservation stormwater drainage repository. As a family that has lived right next to this land for 30 years, we totally agree that this is a wetland. It is low, swampy, boggy, mucky, frequently flooded and would be a real problem to build on. In order to use it to construct four houses per acre, it would have to have several feet of muck removed and then several more feet of fill dirt brought in to raise the land to an elevation high enough to build on. Raising the land elevation to this extent would be extremely disruptive to the neighbors on both sides (Zhang, Huang, Mest, and Wessner) as whatever water was draining into the City Point Landfall wetlands would now be flooding onto their land and into the Indian River Drive roadway.

We totally agree that this land is basically unbuildable and is best left as is.

As such, its current designation of RES4 is totally inappropriate. It should have a Future Land Use Map designation appropriate to its character and its most appropriate use. “Private Conservation” or PRCON, would seem to be the right choice.

We plan to ask the Commission to change the underlying FLUM to encompass the three designations that are appropriate to the actual character and intended uses of the property - 1.92 acres of Community Commercial (CC) on US1, 2.44 acres of PRCON on the east side, and the remaining 8.52 acres in the middle as RES4. This gives the developer a housing unit budget for his PUD of 8.52 acres times 4 for a total of a 34 units, easily covering the 23 units proposed in the PDP.

It also, most importantly, ensures that the wetlands remain wetlands. No matter what transpires in the future. We are extremely worried about the absolute fact that a 44 unit housing budget is the result of changing the FLUM to RES4 for the entire 10.96 acres. Just as our perceived certainty of the permanence of the existing Binding Development Plan has turned out to be an illusion, many things could happen to prevent the City Point Landfall’s PUD from being built as proposed. The property already has a history of being sold and resold. New owners could decide to scrap this PUD and start all over again with something totally different. Markets and the economy may change, prompting City Point Landfall or new owners to revise their plans.

We think it is a fair deal for the Commission to allow City Point Landfall to remove the existing Binding Development Plan and to increase the density on the western 8.52 acres of the property to RES4 in exchange for a legal, binding assurance of Wetland Conservation protection anchored in a proper FLUM

designation of PRCON on the eastern 2.44 acres adjacent to our beautiful Indian River Lagoon. In other words, put the RES4 where City Point Landfall needs it in exchange for creating a true Wetlands Conservation area on the river.