

*The Michael Gaich Company*

FEB. 17, 2025

May 23, 2024

Planning and Zoning Board (email to [Kristen.Champion@brevardfl.gov](mailto:Kristen.Champion@brevardfl.gov) and [Jeffrey.Ball@brevardfl.gov](mailto:Jeffrey.Ball@brevardfl.gov))

ALICE. RANDALL@BREVARDFL.GOV

Re: ~~23PUD00001~~ - ~~Modera Indian River~~ **MASTRON**

My name is Michael Gaich, and I purchased 8± acres of riverfront property in 1973. The Brevard County property ID is **2600109**. The property address is 6035 S Hwy 1, Rockledge, FL. You will note that the property is now titled Visions Twenty Inc. containing 6.44 acres of residential property and Visions Thirty, LLC containing 2.1 Acres. I have a real estate background as a licensed Real Estate Broker in Brevard County since 1973. In addition, I became a commercial developer in 1985 developing commercial properties for sale for major tenants.

The combination of Visions Twenty Inc, and Visions Thirty LLC has approximately 330 feet on the Indian River. This location is approximately 400 feet south from the proposed PUD on US Hwy 1. Both parcels of land have the zoning classification of **RU-2-10 (cap of 6)** since at least 1996. The property also includes approvals by the Army Corp of Engineers, Saint Johns River Water Management, including a 5-year mitigation plan for replanting a wetland which has now been completed. Currently, Visions Twenty Inc. has received a site plan approval of 22 luxury Condominiums.

Mill Creek is proposing to build 252 apartments on 14.8 acres of land East of Hwy US 1, which is wholly incompatible with the area, and with the **County's Comprehensive Plan** and **violates** the administrative policy 4, as the property to the south and north are high value single family residences.



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Visions Twenty Inc. property is south of Laguna Vista and has a site plan approved for 24 Luxury Condominiums each intended to sell for \$1,000,000 and up! Before discussing this PUD violation, the developer is disingenuous about the actual zoning of the 14.8 acres. The zoning is RU2-10 (cap of 6). This density cap was put in place to protect the residential river side lands as discussed in **FLU POLICY 1.2**. The PUD seeks to introduce commercial apartments use on an area protected by the stated policy. To approve this PUD would violate this policy also a great deal of the property is the coastal high hazard area, as shown by the attachment to this letter. **Comprehensive Coastal Management Element objective 7**, demands that the County Limits Densities within the coastal high hazard area. To increase the density beyond the limit of 6 units per acre would violate the objective. Similarly, over half of the PUD property is in a special flood zone area, zoned **AE Coastal Flood Plane**, and the number of units should not be increased.

Finally, this apartment complex contemplated by the PUD will increase traffic on US1 by 1691 trips per day for the 252 units, from 88 units, with approximately 840 trips per day from the PUD site.

More importantly, this will result in a decrease of two intersections level of service as shown in table 9 of the LTG Traffic Impact Report dated January 2024, attached for your reference. This is a concurrency deficiency caused by this PUD and the PUD should not be approved. Please deny this PUD request.

Thank you for your cooperation.

**MICHAEL**

Michael G. Gaich, CCIM

Attachments:

CHAA Map / LTG Table 9



2600118 X Q



### Brevard County Coastal Setback Line

- Brevard County Coastal Setback Line
- Natural Resources (ERM)**
- Coastal High Hazard Area

- Parcels**
- Block Text

- Subdivisions**
- 

- Parcels**
- 

- Parcel Property**



### 2027 Build-Out Intersection Analysis

The study area intersections were analyzed to determine the operational LOS under build-out conditions. Table 9 presents the anticipated LOS for the study area intersections during the PM peak hour. The Synchro summary sheets are provided as Appendix G.

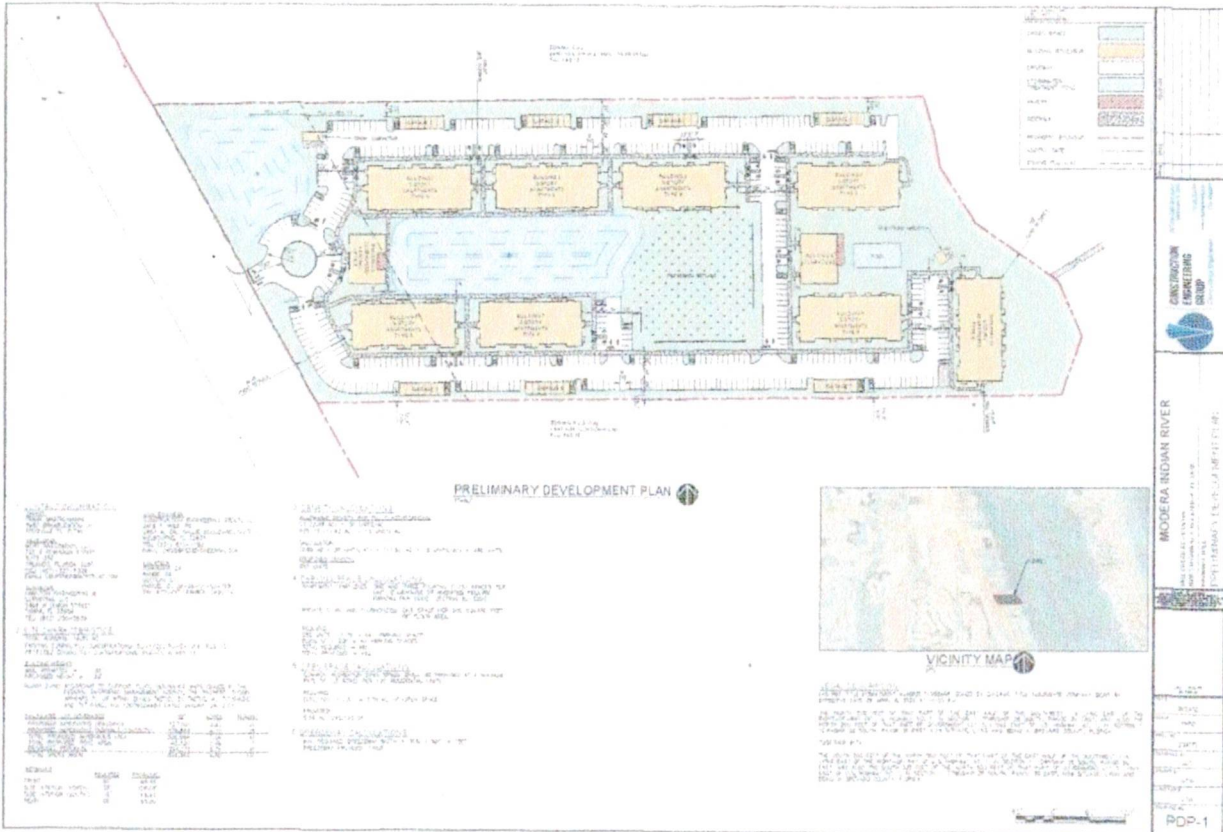
**Table 9  
Build-out PM Peak Hour LOS – Intersections  
Modera Indian River**

Intersection	Adopted LOS	Critical Approach	PM Peak Hour			
			Delay (sec.)	LOS	V/C greater than 1.0?	Overall Highest V/C
1. US 1 at Suntree Boulevard	D		44.8	D	Yes	1.160
2. US 1 at Full Median Opening/Project Driveway	D	WB	90.2	F	No	0.373
3. US 1 at Viera Boulevard	D		66.5	E	Yes	1.270

As indicated in the table, the intersections of US 1 at Suntree Boulevard and US 1 at Viera Boulevard are anticipated to continue to operate with v/c ratios greater than 1.000 during the PM peak hour. Additionally, the intersection of US 1 at Viera Boulevard is anticipated to continue to operate outside the adopted LOS during the PM peak hour. Please note, for the US 1 at Full Median Opening/Project Driveway intersection, it is common that unsignalized intersections operate at higher levels of service with extended delay on the minor street approaches during peak hour when conflicted with high major street volumes.

### 2027 Build-Out Conditions Roadway Segment Analysis

The build-out daily and PM peak hour two-way LOS for the study area roadway segments are presented in Table 10. As indicated in the table, the build-out volumes along both study area roadway segments are anticipated to operate within the daily and peak hour capacities.



PRELIMINARY DEVELOPMENT PLAN

1.0 PROJECT LOCATION  
 2.0 PROJECT DESCRIPTION  
 3.0 SITE ANALYSIS  
 4.0 DEVELOPMENT PLAN  
 5.0 UTILITIES  
 6.0 TRAFFIC AND CIRCULATION  
 7.0 LANDSCAPE ARCHITECTURE  
 8.0 CONSTRUCTION NOTES  
 9.0 LEGEND  
 10.0 SCALE

1.1 PROJECT LOCATION  
 1.2 PROJECT DESCRIPTION  
 1.3 SITE ANALYSIS  
 1.4 DEVELOPMENT PLAN  
 1.5 UTILITIES  
 1.6 TRAFFIC AND CIRCULATION  
 1.7 LANDSCAPE ARCHITECTURE  
 1.8 CONSTRUCTION NOTES  
 1.9 LEGEND  
 1.10 SCALE



1.11 PROJECT LOCATION  
 1.12 PROJECT DESCRIPTION  
 1.13 SITE ANALYSIS  
 1.14 DEVELOPMENT PLAN  
 1.15 UTILITIES  
 1.16 TRAFFIC AND CIRCULATION  
 1.17 LANDSCAPE ARCHITECTURE  
 1.18 CONSTRUCTION NOTES  
 1.19 LEGEND  
 1.20 SCALE

**CONSULTING ENGINEERING GROUP**  
 MODIRA INDIAN RIVER  
 PRELIMINARY DEVELOPMENT PLAN  
 PDP-1

March 3, 2025

***Sent via email***

Board of County Commissioners  
Brevard County  
2725 Judge Fran Jamieson Way  
Viera, FL 32940

**Re: Rezoning Application No. 24Z00062 (Tax Account 2600118 – Frank Mastroianni)**

Dear Commissioners:

My name is Michael Gaich and I am the sole Director of Visions Twenty, Inc. Visions Twenty, Inc. owns approximately 6.44 acres of residential Property at 6035 S Highway 1, Rockledge, Florida. Also, I have also worked as a licensed real estate broker in Brevard County since 1973.

I write to you regarding the rezoning request for tax account 2600118 owned by Frank Mastroianni (Rezoning Application No.: 24Z0062). The property owned by Visions Twenty, Inc. is 330 feet south of the Property subject to the rezoning request. This subject Property has been zoned BU-1 (General Commercial) and RU-2-10 (cap 6) (Multiple-Family Residential) since at least 1996.

The rezoning application for your consideration requests a change of zoning designation from BU-1 on 2.88 acres and RU-2-10(6) on the remaining 11.92 acres all to RA-2-6 (Single-Family Attached Residential) with removal of the 6 unit per acre cap on the entirety of the property. The Applicant claims in its application that it wishes to “correct inconsistency currently with the existing future land use map designations and carry forward the intent of 6 units per acre density cap”. However, the application as presented and the refusal to limit the entire site to 6 units to the acre is disingenuous. The applicant merely needs to change the BU-1 to RA-2-6, and limit that density to 6 units to the acre to achieve what he claims he wants to build: allegedly townhomes at 6 units to the acre, for a total of 88 units. RU-2-10 allows single-family attached homes; BU-1 also allows attached single-family homes if a small component is commercial, per Sec. 62-2106. To truly cure the inconsistency, the Future Land Use of the entire 14.8 acres should be changed to RES6!

The problem with the developer’s stated intent is that he fails to mention FLU Policy 2.10: “Residential development is permissible in these commercial land use designations at density of up to one category higher than the closest residentially designated area on the Future Land Use Map (FLUM) which is on the same side of the street.” Therefore, the 2.88 acres can still have 30 units to the acre, without any commercial use.

Additionally, RES15 allows a 25% density bonus if the developer again attempts a PUD, which now would not be limited by the density cap of 6 units to the acre. Anything more than 6 units to the acre is incompatible.

So, if the developer’s intent is to build 157 single-family attached residences, townhomes, on the 14.8 acres of land east of Highway 1, those extra 88 units are wholly inconsistent and incompatible with the surrounding area, with the County’s Comprehensive Plan and with development in the Coastal High Hazard Area. The property to the north and to the south are high value single family residences. More specifically, the subject Property is located next to five single family homes to the north, valued conservatively between

\$1,200,000 \$500,000. To the south is Laguna Vista Condominiums, with 24 luxury condominiums, each valued conservatively between \$890,000 and \$500,000.

I'd like to underscore the misleading nature of the developer's rezoning request. The request is to remove the current zoning of BU-1 and RU-2-10, specifically with the removal of the density cap of 6 units per acre. Removing this limitation of 6 units to the acre, but leaving the RES15 future land use designation is clearly calculated to attempt to spread density of 157 townhomes over the entire 14.8 acres.

Please deny this rezoning request as to the 11.92 acres as it is unnecessary and creates opportunity for the developer to build more than 6 units to the acre. Thank you for your consideration.

Sincerely,

*Michael Gaich*

Michael Gaich  
Visions Twenty Inc.  
Managing Director

Sent to:

Commissioner Katie Delaney (D1.Commissioner@BrevardFL.gov)  
Commissioner Tom Goodson (D2.Commissioner@BrevardFL.gov)  
Commissioner Kim Adkins (D3.Commissioner@BrevardFL.gov)  
Commissioner Rob Feltner (D4.Commissioner@BrevardFL.gov)  
Commissioner Thad Altman (D5.Commissioner@BrevardFL.gov)