

From: Stephen Townsend
To: Jones, Jennifer; Commissioner_D2; Commissioner_D1; Commissioner_D3; Commissioner_D4; Commissioner_D5
Cc: prince.legacy@gmail.com; "3211 --- Frederick Solomon"; sghoa@live.com; "3211 Ann Solomon"; "3220 Everette & Tracy Stephens"; "3230 Jerry & Kathie Murr"; "3231 --- Valk"; "3240 Jim Robertson"; "3241 Roland and April Burson"; "3251 Michael & Chong Palmer"; "3260 Stephen Townsend"; "3261 Shahram Massihnia"; "3270 Gasey and Dana Franklin"; "3271 George & Audrey Lewis"; "3280 George Alden"; "3281 --- Sarah VerWiebe"; "3281 Don VerWiebe"; "3291 --- Robin Massetti"; "3300 Jim Larson"; "3301 (Rental) Alim & Syeda Ara Junaid"; "Jessica Beal"; "3310 Arch & Cynthia Stanton"; "3311 Kerry Peppers"; "3330 Phillip & Shelby Meade"; "3340 Peitro & Rose Dilecca"; "3341 Kevin Zart"; "3350 Jessica Beal"; "3350 Pat Stah"; "3360 Steve & Rose Phillips"; "3361 Richard & Michelle Bostrom"; "3370 John & Dianne Barks"; "3371 Steven & Kwang Bares"; "3380 Erik & Pamela Martin"; "3381 Carla & Tracy Dickinson"; "3390 Cliff & Norma Gaines"; "3391 Dave & Teresa Woodington"; "3410 Larry Cupac"; "3411 Jennifer Campbell"; "3420 Bob Wilcox and Heidi Bessley"; "3430 Ray Scarpa"; "3431 Bill Matans"; "3440 Mike & Maria Bradley"; "3441 Robert & Cornelia Reijn".
Date: Thursday, March 26, 2020 9:09:55 PM

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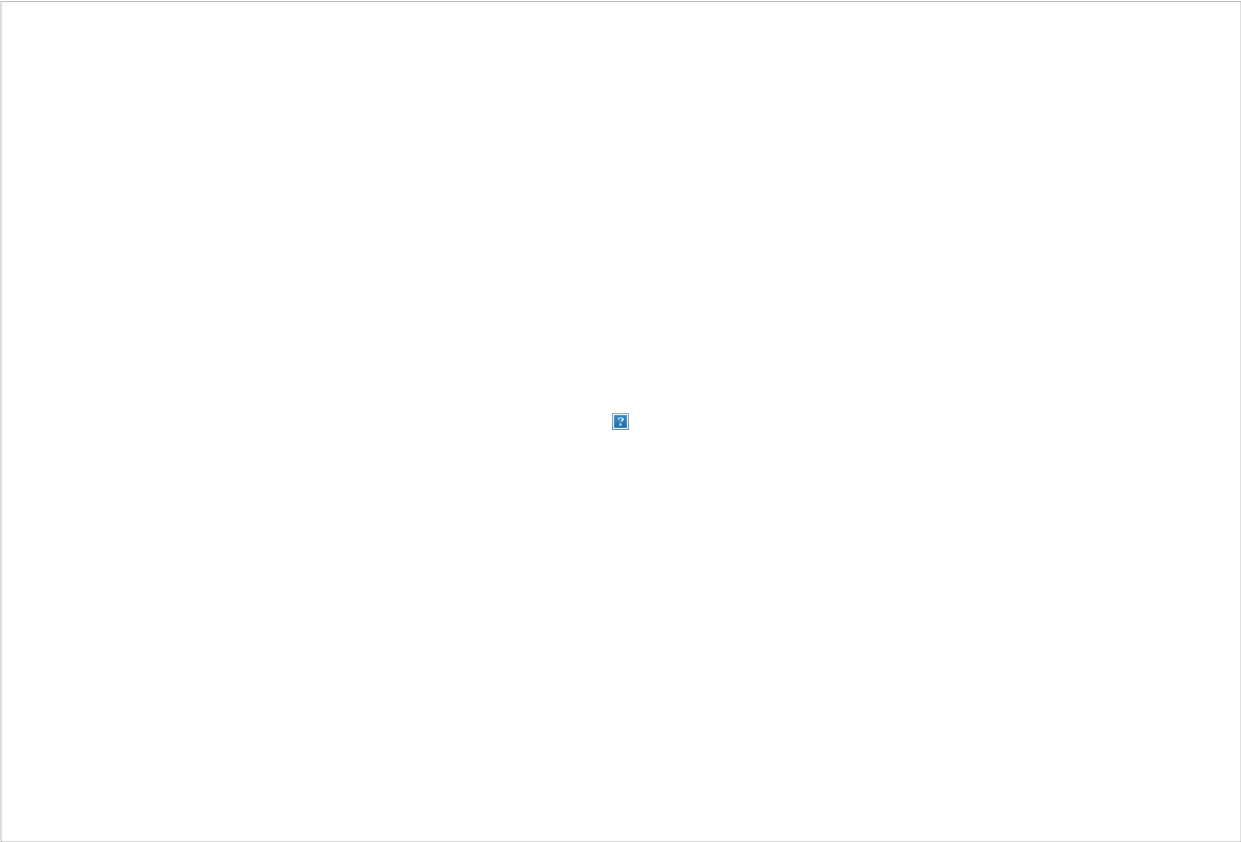
Hi I am Stephen Townsend I live behind the property that is on N Courtenay and is asking for a CUP for onsite alcohol consumption. The property is at the intersection of Duval Street and state rd 3 located on the South side of Duval Street. Duval is the only entrance to our neighborhood and is where the School bus stop is. We have established a long history of fighting these repeated attempts for businesses to obtain a CUP for this location. There are a ton of reasons why that is not a good idea and I will go over them later in this e-mail but let me first explain what has been established at least twice already at great expense and aggravation to our neighborhood. This property is non-compliant to code and has been since the day they built it and it cannot become compliant without costly modifications. These buildings were built right up to the FPL powerline easement to maximize utilization of the land and to provide added parking area under the FPL easement. Which if I remember correctly we established that the parking area on FPL's easement was not authorized by FPL. The reason I am pointing this out is simple when you think about it because FPL will not allow the 6 foot wall to be extended across their easement. I do not blame them I would not allow it either if I were them. What this does now is allow unabated foot traffic between our neighborhood and a property where a proposed CUP for onsite alcohol consumption is being asked for. See Fig 1 below the easement is marked in Red and the 100 foot long easement with no 6 foot wall is circled.

Here are a few facts directly related to just this one aspect of a long list of negative reasons for granting this CUP

1. Once issued the CUP goes with the property and owners can change business strategies and approaches to maximize financial returns on the CUP. There is a long history of attempts to get a CUP and turn this building into a bar.
2. Ultimately we will have a potential situation where drunks and others will have direct access to our neighborhood via the 100 foot opening on the FPL easement.
3. The county has denied the CUP twice before.
4. We have established that due to the configuration of the buildings and the FPL easement and the selfish decisions of the developer coupled with the County overlooking the non-compliance during construction and site plan review that there is no way to economically bring the property back into compliance.
5. Having irresponsible drinkers and drivers with direct foot access to your property is purely a diminution of property value. While I respect property rights fully I do not support lowering the value of other people's property.

This Cup should be denied flat out and myself and my neighbors should not have to repeatedly spend money to reestablish cause for not approving these repeated CUP attacks and even threats for slap suits and aggravation of having to continually go back over all the issues i.e. Traffic, safety, children's bus stop, poor road intersection designs and improper deceleration lanes, ingress egress into our community Please do what is right and deny this application for a CUP for this property for the third time. Thank You!

Fig 1



From: [Melissa Lamond](#)
To: [Jones, Jennifer](#); [Commissioner, D2](#); [Commissioner, D1](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: Rezoning Action #20PZ00027
Date: Wednesday, April 15, 2020 2:44:37 PM

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To Whom It May Concern,

I'm writing to express our concerns with the above referenced rezoning action that will allow for ANOTHER commercial cruise parking lot on North Merritt Island. The traffic on North Merritt Island is getting worse as more jobs open up at KSC and there are multiple new housing developments being built.

The existing roadway infrastructure on North MI is not designed to handle the existing traffic volume. Additionally, the barge canal bridge cannot handle the existing traffic, let alone the additional traffic from these new neighborhoods and new cruise parking. Nothing seems to be being done to address these existing infrastructure issues.

In addition to the new parking lot, a bar is being proposed to be located within a short distance of a school bus stop and residential sidewalks. This is not safe and introduces great risk to our North Merritt Island community.

This request brings no value to the NMI community and as residents of North Merritt Island we are asking that you please take these concerns under advisement and deny this rezoning request.

Thank you,
Todd and Melissa Lamond
635 Chase Hammock Rd
Merritt Island

From: [Jessica Schneider](#)
To: [Commissioner, D3](#)
Subject: Rezoning Action #20PZ0027
Date: Friday, April 10, 2020 5:01:51 PM

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Please don't rezone that lot into a cruise parking lot for the following reasons:

First, traffic at the Courtenay/Beachline interchange is already snarled enough. Around quitting time for the Cape or any time the drawbridge is stuck up traffic is a nightmare in that area. A third parking lot in that area will just make it worse

Second, there are already 2 lots being built as overflow for cruises from Port Canaveral. A third one is total overkill.

Third, it's never a good idea to have too much of the area's economy tied to one industry. The Space Shuttle program is proof of this concept.

I'm all for growth in the area. Fix traffic on and off the Beachline and put up a store, a housing development, a Mini golf. Anything but another parking lot please.

Respectfully,. John Schneider

From: [Patrick Stahl](#)
To: [Jones, Jennifer](#); [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#); [Abbate, Frank B](#); [Ball, Jeffrey](#)
Cc: [Jessica Beal](#)
Subject: Fwd: MI Plaza Group, LLC - Cruise Parking Lot on N. Courtenay Pkwy - Staff report
Date: Friday, April 10, 2020 1:37:25 PM
Attachments: [Applicant's Response 4.8.20 \(1\).pdf](#)

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

Dear County Commissioners, NMI Development Special District Board, County Manager and Planning and Zoning Dept Manager,

In regards to Rezoning Notice #20PZ00027, our neighborhood just received the attached letter from MI Plaza Group, LLC that "addresses" all of the concerns from letters written by residents of the Sunset Groves Subdivision and the Staff of Brevard County. In the letter, they reference a Proposed Site Plan dated 3/30/20 that was submitted to the County for review. Our residents have not had the opportunity to see the proposed plan. I was wondering since they were citing the plan in their response to our residents, is it possible to get a copy of the plan for our residents to review?

I am not going to go into the particulars and inaccuracies that they present in their response, but I assure you, there will be forthcoming rebuttals to their "answers" or lack there of.

v/r,

Patrick Stahl
3350 Biscayne Drive
Merritt Island, FL 32953
321-482-4204

----- Forwarded message -----

From: **David Leadbeater** <david@goport.com>
Date: Fri, Apr 10, 2020 at 12:02 PM
Subject: MI Plaza Group, LLC - Cruise Parking Lot on N. Courtenay Pkwy - Staff report
To: <sverwiebe@aol.com>, <bettiaanderson@yahoo.com>, <p_bennardo@yahoo.com>, <ja567m@att.com>, <deb.bannon@yahoo.com>, <jbealrx@gmail.com>, <prdicece@gmail.com>, <patrickwstahl@gmail.com>, <jimrobo50@hotmail.com>, <dwoodington@gmail.com>, <freddie321@gmail.com>, <annsolo212@gmail.com>, <tracystephens7@gmail.com>, <Jerry_Murr@hotmail.com>, <kymvalk@gmail.com>, <mpalmer37@cfl.rr.com>, <STownsend3@cfl.rr.com>, <smassihnia@hotmail.com>, <c.l.franklin@hotmail.com>, <Audreyjo316@bellsouth.net>, <cozycafe5@gmail.com>, <dverwiebe@yahoo.com>, <larsenjim@yahoo.com>, <JUNAID@cadence.com>, <arch.s.jr@chempoolspa.com>, <kapers@sbcglobal.net>, <pmeade00@gmail.com>, <zarij@cfl.rr.com>, <islander3360@gmail.com>, <rchbstrm@yahoo.com>, <jburke0234@bellsouth.net>, <sberes1@aol.com>, <pamanderic@earthlink.net>, <CD3MOM@aol.com>, <captgaines@msn.com>, <citruspit@gmail.com>, <cupac@aol.com>, <bill.matanis@gmail.com>, <vivianeq@gmail.com>, <wilc0@aol.com>,

<rscarpa@cfl.rr.com>, <mbradley38@cfl.rr.com>, <corienreijm@yahoo.com>
Cc: Kimberly Rezanka <kim@cglawoffice.com>, Matt Phillips <matt@goport.com>, Sharon
Galeano <sharon@goport.com>

Good morning Ladies & Gentlemen,

I hope everyone is doing well and staying safe. Please find attached below, our response answering the letters to the people living in Sunset Groves that were sent to the county. I truly thank you for your time reading and your consideration.

Sincerely,

--

David Leadbeater

Executive Assistant

david@goport.com

(321) 305-6969



273 Crockett Blvd
Merritt Island, FL 32953
www.goport.com

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**20PZ00027 – MI Plaza Group, LLC – Transportation Facility & Shuttle Service
Response to Staff Comments and Objections by Residents (April 8, 2020)**

- I. Proposed Use:** Primary Use of Shuttle Service, with overnight commercial parking and cocktail/meal service for customers only

This is a new use for this nearly vacant shopping center that was built in 2005. The shuttle service is only by reservation, most if not all will have a companion hotel package – all reserved by phone or internet prior to the customer arriving at the transportation facility.

The shuttle service is the primary use; the cocktail lounge/restaurant is an “accessory use” only for customers departing for Port Canaveral. Only those departing for Cape Canaveral will be permitted to purchase alcohol; customers arriving from Port Canaveral will not be allowed to purchase alcohol. There will be no other uses at this facility.

The maximum parking spaces for customers being shuttled to Port Canaveral is 232. Five additional spaces will be allocated to employees.

The shuttle buses are contractors to MI Plaza Group, LLC, and will not park on site. The buses are driven by licensed and insured professional drivers and will hold 25-35 passengers.

II. Sec. 62-1941.3 - Overnight commercial parking lot.

The following conditions are the minimum conditions necessary to mitigate adverse impacts upon surrounding properties.

- (1) Minimum lot size of not less than three acres for sites zoned: PIP. ✓
- (2) An overnight commercial parking lot which is secondary or accessory to a developed site shall demonstrate... . **NOT SECONDARY OR ACCESSORY**
- (3) All drive aisles and parking spaces shall be paved unless an alternative stabilized surface is approved. ✓
- (4) A routing map shall be provided which depicts the routes shuttle service vehicles used to transport passengers Shuttle routes shall avoid residential areas. **Duval Street and N. Courtenay Pkwy are in commercial Future Land Use zones.** ✓
- (5) A traffic study, statement or report of traffic patterns (incoming/outgoing) shall be provided for the board to review. ✓

III. Sec. 62-1906. - Alcoholic beverages for on-premises consumption.

“The sale of or serving of alcoholic beverages on the premises shall only be permitted in accordance with the following conditions: (1) a. A bar or cocktail lounge may be a conditional use in a general retail zoning classification... .”

Additional Conditions:

Only customers departing for Port Canaveral will be allowed to purchase alcohol. No customer shuttled to the transportation facility from Port Canaveral can purchase.

The alcohol service hours will be only from 9:30 a.m. to 12:30 a.m.

The seating will be limited to 100.

The cocktail lounge will not be open to the general public.

No pool hall.

IV. Operation of Facility:

All customers will have reservations for the shuttle service prior to arriving at the transportation facility. Most if not all will have companion hotel package with the shuttle service. Fifty percent (50%) will be traveling from the North, coming from Titusville hotels. This is known because of MI Plaza Group, LLC's current business model for this same service.

The reservations and thus, the number of vehicles going to the transportation facility will be based on five cruising days, as shown in the *Procedure for Taking in Customers* and the *Cars In and Out (for Illustration Purposes Only)*, attached to Trip Generation Analysis submitted March 30, 2020.

All three ingress/egress points on the Property will be open for use by customers, as depicted on the Proposed Site Plan dated 3/30/20 and described in the *Procedure for Taking in Customers*, referenced above. The current concrete barriers on Duval Street are to keep the uninvited commercial trucks that use the Property to make “u-turns” on Duval Street.

Not all customers will arrive or depart at the same time. This is not a Church Service or Movie Theatre. The vehicles will dribble in and out of the transportation facility over the six (6) hours the facility is open (6:30 to 12:30).

These vehicles “in and out” are **substantially less** than the daily trip rate for this current shopping center of **2,499 trips per day**. This is the actual number anticipated by the ITE Trip Manual if the 27,500 square foot shopping center was fully rented.

Also, because these vehicles are coming directly into the parking lot and parking in the available spaces (again, because of the reservation), there will be no queuing on Duval Street, North Courtenay Parkway or on the Property. There is a space for all that have reserved, and only those with reservations are accepted. As the site plan shows, there is a large drive area on site (close to 3000 feet of drive area) for drivers to select their space.

V. Legal Standard: The Applicant must present a prima facie case that the requested use of its land is consistent with the County's Comprehensive Plan and complied with the procedural requirements of the zoning ordinance. The burden then shifts to the zoning authority or opponent to show, based on clear and convincing evidence, that a specifically stated public necessity requires a more restrictive use *ABG Real Estate Dev. Co. of Fla. v. St. Johns Cty.*, 608 So. 2d 59, 63 (Fla. 5th DCA 1992), cause dismiss'd, 613 So. 2d 8 (Fla. 1993).

VI. Proposed Conditions by Staff:

- a. Buffering and landscaping – **not needed**. There exists 217' of natural wooded buffer on the west side of the property, and a block wall.
- b. Turn lane analysis - **not needed** - because this use has less traffic than the approved use of a 27,500 sq. ft. shopping center.
- c. Queuing plan – **not needed** – because there will be no queuing on ROW's or on site.
- d. No parking signs – **not needed** – all customers have reservations,
- e. Increased queuing distances – see c. above.
- f. Limiting hours of cocktail lounge/restaurant. **Agreed** to limit alcohol service to 9:30 – 12:30.
- g. Limiting seats in restaurant. **Agreed** to 100.
- h. Limiting to beer and wine only. **Not agreed**.
- i. No outside entertainment activities. **Agreed**.
- j. Limiting number of overnight commercial parking to "surplus parking". **Not agreed**. But will limit to 232, allowing for 5 employee parking spaces.

This is a completely new application that stands on its own. It is not bound by prior applications, testimony or decisions of the recommendation boards or County Commission.

From: rscarpa@cfl.rr.com
To: ["Jessica.Jones@BrevardFL.gov"](mailto:Jessica.Jones@BrevardFL.gov)
Cc: [Commissioner, D2](#); [Commissioner, D1](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: Rezoning Notice #20PZ00027
Date: Wednesday, April 8, 2020 7:31:03 AM

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

As an interested party in Rezoning Notice #20PZ00027 on the agenda for the North Merritt Island Dependent Special District Board meeting scheduled for Thursday at 6:00 pm, I would like to request the meeting be rescheduled due to the health concerns over COVID-19. With the health concerns, I will not be able to attend without seriously risking my exposure and potential illness.

There are a number of residents in our community that fall into the vulnerable age bracket of 60 years old or older that would be put at risk to attend this meeting. I, personally, do not feel that this CUP meeting warrants my risking my health and possibly my life to speak my mind to the county government representatives. I would hope that the county government representatives are like minded.

Please reconsider your decision to hold this meeting until the pandemic is over and we can all come and discuss the matter, safely, with the county representatives.

Sunset Groves Homeowner:

***Mr. Raymond Scarpa
3430 Biscayne Drive
Merritt Island, Florida 32953***

From: [Elizabeth Anderson](#)
To: [Commissioner, D3](#)
Subject: another proposed cruise ship parking lot
Date: Friday, April 3, 2020 10:16:16 AM

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Dear Mr. Tobia

After the parking lot construction on Courtenay Parkway near 528 was approved, it was my understanding that no additional overnight parking facilities would be allowed on North Merritt Island. Now I see that MI Plaza Group wants to build another parking lot AND a bar and restaurant.

I am not in favor of either of these proposals. We chose to retire on Merritt Island and purchase a home north of 528 BECAUSE there was not a lot of traffic and we had easy access to shopping on Merritt Island and the Orlando Airport. Traffic is getting worse, yet you approved one parking lot and are considering another. PLEASE DO NOT DO THIS!

I strongly urge you to deny the actions proposed by MI Plaza Group.

Sincerely,
Elizabeth J Anderson
Taxpayer and Voter

From: [Phil Bennardo](#)
To: [Jones, Jennifer](#); [Abbate, Frank B](#); [Denninghoff, John P](#); calkins@brevardfl.gov; [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Cc: [Jessica Beal](#); [Kim Smith](#); [Jack Ratterman](#); [Tamy Dabu](#); [Darleen Hunt](#)
Subject: Rezoning Notice #20PZ00027
Date: Thursday, April 2, 2020 1:02:22 PM

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As a resident of North Merritt Island (NMI), I disagree with the proposed Conditional Use Permit (CUP) for a commercial cruise ship parking lot and associated bar to serve alcohol to tourists awaiting shuttles to the port (per rezoning action #20PZ00027). I am opposed to this for the following primary reasons: (1) it will result in an increase in already existing traffic concerns and associated safety issues, and (2) it is incompatible with existing and planned residential and commercial areas on NMI.

As mentioned above, we are already experiencing traffic and safety issues on NMI and this is due to a rapid increase in development and growth in our area. Several new housing developments are currently in work or planned, and a large cruise ship parking lot (northeast of the barge canal drawbridge) is nearing completion. There are only 2 ways on or off NMI: south, via the barge canal drawbridge, or north, through the Kennedy Space Center. As a resident, the vast majority of trips from NMI are south, across the drawbridge. This is where we all go for shopping, doctor visits, school, church, etc. Unless we are going to work at the space center or have a need to go to Titusville, we are not travelling north. So for all other purposes, there is really only one way on or off the island. As traffic and congestion have continued to increase, the drawbridge has become more of a bottleneck, and this will only get worse with additional cruise ship parking on NMI. There are safety concerns associated with this traffic across the barge canal, and there is no traffic light at the entrance to the proposed cruise parking lot. So cruise patrons will either have to make a U turn when entering the lot or share the entrance to an existing subdivision.

A cruise ship parking lot and bar/restaurant is not consistent with the existing businesses in the immediate area and will bring no benefit to the residents and businesses already located here.

Once again, I am opposed to the proposed rezoning. Our area is already experiencing a large growth in both commercial and residential development, which is expected to continue well into the future. The establishment of these commercial parking lots will only make matters worse. They will contribute to already existing traffic and safety problems, and are incompatible with our area, as they provide no goods or services to our residents.

Charles Philip (Phil) Bennardo
321-266-5135

From: [Phil Bennardo](#)
To: [Abbate, Frank B](#); [Denninghoff, John P](#); [Calkins, Tad](#); [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [d4.commissioners@brevardfl.gov](#); [Commissioner, D5](#)
Subject: Schedule Delay for Upcoming Public Meetings
Date: Thursday, April 2, 2020 11:16:18 AM

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At present, there are 2 upcoming rezoning requests, of interest to residents of North Merritt Island (NMI), that are scheduled to be discussed at public meetings in April, and early May. The first public meeting where they will be discussed is at a Dependent Special District Board on April 9, followed by an LPA Board meeting on April 20, with a final decision to be made at a commissioners' meeting planned for May 7.

As a resident of NMI and board member of the NMI HOA, I have concerns with both of the above mentioned zoning requests, especially since one of them is addressing additional cruise ship parking on NMI (the other request involves a zoning change from GU to SEU on 2.22 acres at 5305 Country Lane). Therefore I plan to be involved in these meetings, as do several other residents of NMI.

Many residents of NMI are considered to be "at risk" or living with those "at risk" with regards to the current pandemic. Therefore I respectfully request that these upcoming meetings be delayed until we are able to return more to "business as usual" and can expect full participation from the public.

Also, although I did not view the commissioners' meeting held on March 31, I was advised that there was a motion made, and passed, at this meeting, that required County advisory board meetings to meet security and social distancing rules with regards to the virus, and that if the meetings could not do this, they would be cancelled. So hopefully, my concerns noted above are being addressed. Nevertheless, I do not see an urgent need to finalize a decision on either zoning request, and still believe the best approach is to delay all public meetings completely until after we resume normal operations.

Charles Philip (Phil) Bennardo
321-266-5135

From: [Deb Bannon](#)
To: [Commissioner_D3](#)
Subject: Rezoning Action #20PZ00027
Date: Wednesday, April 1, 2020 1:33:41 PM

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Dear Mr. Smith ,
Please help stop proposal of another parking lot in North Merritt. Please help residents to fight having the parking folks pave over our island for their profit. We do not need another lot here! They need to add adequate parking to the port so other communities are not impacted like this. Please help!

Deb Bannon
5490 Broad Acres ST.
Merritt Island, FL 32953

From: [Deb Bannon](#)
To: [Commissioner_D3](#)
Subject: Rezoning Action #20PZ00027
Date: Wednesday, April 1, 2020 1:27:20 PM

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Dear Mr. Tobia,

Please stop the rezoning proposal to build another cruise parking lot!!! North Merritt should not be paved over for parking lots. The port needs to be able to provide parking for their cruise guests, not our little island. Please stop this proposed action!!! One parking lot is already too many! We have one way on/off in North Merritt and do not want another parking lot.

Deb Bannon
5490 Broad Acres St
Merritt Island, FL 32953

From: [Kimberly Willey](#)
To: [Commissioner, D3](#)
Subject: Project #20PZ00027
Date: Monday, March 30, 2020 5:03:45 PM

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I have heard of plans for another cruise ship parking lot proposing to be built in North Merritt Island. Please consider the impact this will have on residents of this area.

>

> We already have 2 new housing developments and a cruise ship parking lot. Adding another will only increase the traffic in an already poorly configured system, especially on Courtenay by 528. It is already over congested with the amount of traffic we have now, and that is before the second housing development and cruise parking lot is complete.

>

> Please consider what the impact of even more development will have on the residents of the county you represent.

>

> It's sad that developers won't be happy until all the land is gone. Please help keep North Merritt Island from being overrun with development like the rest of the MI.

>

> Thank you,

> Kimberly Willey

>

>

> Sent from my iPhone

From: sverwiebe@aol.com
To: [Abbate, Frank B](#); [Denninghoff, John P](#); [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D5](#)
Subject: Re: Rezoning Notice #20PZ00027 - MI Plaza Group, LLC
Date: Monday, March 30, 2020 2:19:21 PM

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

Dear Board Members:

In response to the courtesy notice we received regarding a rezoning request by property owned by MI Plaza Group, LLC, located on the southwest corner of Duval St., and N. Courtenay Parkway, and the planned meetings to discuss, would you please reschedule. The first county public meeting when these changes will be addressed is Thursday, April 9 in Viera, the final one on Thursday, May 7, 2020.

My husband and I are in the "at risk" group as are many of our neighbors in this subdivision. If the county holds this/these meetings, even in larger rooms, in a time when the "at risk" group of people is being told to stay away from any public gatherings to avoid the risk of spreading COVID-19 to themselves and/or others, the county is taking away their rights to attend and speak at these public meetings.

Again, I request that you postpone these meetings to a safer time.

V/R

Donald VerWiebe
3281 Biscayne Drive
Merritt Island, Florida
32953

From: [Jessica Beal](#)
To: [Kim Smith](#); [Jones, Jennifer](#); fladerat@bellsouth.net; [Abbate, Frank B](#); [Denninghoff, John P](#); calkins@brevardfl.gov; [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); D4.commissioners@brevardfl.gov; [Commissioner, D5](#); p_bennardo@yahoo.com; t3ndabu@bellsouth.net
Subject: Rezoning Notice Opposition #20PZ00027
Date: Sunday, March 29, 2020 9:58:18 PM

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

As a long time Merritt Island resident, I am not excited about yet another proposed Commercial Cruise Parking Lot in our area and all the additional traffic that it will bring to N. Courtney Parkway Corridor. Sadly as a resident of Sunset Groves, we were notified that's exactly what is being proposed at the Southwest corner of Duval Street and N. Courtenay Parkway, across from Buffkin Tile. MI Plaza Group, LLC is trying to get a Conditional Use Permit (CUP) for both a commercial cruise parking lot and a CUP for a bar to serve alcohol to tourists waiting to be shuttled to the Port (Rezoning Action #20PZ00027).

How does this benefit residents and businesses in our area? The answer is, it doesn't. Along with the cruise parking lot currently being built at the Southeast corner of Smith Road and N Courtenay Parkway, all it does is add to the already existing traffic congestion North of the Barge Canal and increase accidents and safety concerns from tourist drivers and shuttles. This currently being built parking lot's impact haven't even been felt yet. Traffic is already congested and backs up from 528 to Duval Street at certain times of the day. The increased traffic will most likely mean more accidents as well. With the additional traffic from tourists that are focused on getting on a boat as opposed to watching for surrounding pedestrians and commuters and the increase of shuttles, I'm foreseeing extremely dangerous conditions for residents, businesses, commercial aerospace companies, NASA and the Air Force who use N. Courtenay Parkway to get to and from home and work.

As our area grows with the influx of commercial spaceflight companies, workers and new residents, we need to keep in mind what kinds of businesses will best suit this growth and what will detract. A cruise parking lot and bar/restaurant is not consistent with the businesses in immediate area.

In addition, the current proposal adds safety concerns with a bar and cruise ship guests being located within a short distance of a school bus stop, residential sidewalks and the only entrance to our neighborhood. This plaza shares a common entrance (Duval St.) and only entrance to our neighborhood which would have a profound effect on compatibility. With the added traffic the overnight cruise ship parking and a bar/restaurant would add, there is NO traffic light. Visitors have two options to turn into Duval or a U turn is required the southern driveway entrance for the strip mall. This is not safe and many accidents have occurred here. These are all recipes for disasters for either other vehicles, kids walking home from school or neighbor walking the sidewalks.

According to your ordinances from 2019 (4) it talks about shuttle routes for transporting passengers to and from the overnight commercial parking lot. It states, "Shuttle routes shall avoid residential areas." Duval Street is the entrance to our subdivision, our only entrance! So I would argue that no shuttle traffic should be able to use Duval Street for transporting passengers. The subject parcel has three ingress/egresses, the two off Duval Street and one

off of N. Courtenay Parkway. Without the use of the Duval Street access points, this leaves the one entrance/exit for the shuttles to come in and out off of N. Courtenay Parkway. Currently, the property owner has blocked off the entrances off Duval Street with concrete jersey barriers, so we can get an idea of how this will be a traffic issue if shuttles are only allowed to use the one entrance off N. Courtenay. Currently, there is no break in the median on N. Courtenay for this entrance, so either the shuttles will have to make a U-turn at the Duval Street median break or traffic improvements would need to be made for to make another break in the median. Currently, traffics backs up at the Duval Street turn lane numerous times a day and making a U-turns there would increasingly make this area accident prone. To make traffic improvements at the other entrance would be tough, as there is already a median break for the Storage Units just South of the parcel. The ordinance states that the applicant is responsible for all costs for a traffic study and roads improvements, including permitting, design and construction.

Lastly, the CUP for overnight parking ordinance (Sec. 62-1941.3 – Overnight commercial parking lot). Under (1) of the ordinance it states, the “minimum lot size shall be not less than three acres for sites zoned: BU-1, BU-2, PBP, PIP.” It goes on to say under (2), “An overnight commercial parking lot which is secondary or accessory to a developed site shall demonstrate the site has adequate surplus parking beyond the number of spaces required by the parking code to support the primary use or other uses occurring on the subject property.” At the present, the primary use of the site would be multiple retail units and a warehouse. The total acreage of the parcel is 5.48 acres per the notice. Subtracting the buildings, the parking associated with the buildings due to the parking code, the conservation area along the Western edge of the property, and the power line easement along the South side of the property, I don’t see where there would be a minimum of three acres that could be used for an overnight commercial parking lot.

Lastly, our district is set for large growth of both commercial and residential in the coming years with the expansion of commercial space flight. I feel that the establishment of these overnight parking lots and the increased traffic that it brings, will provide no benefit for these new residents and businesses. It provides no goods or services for these businesses and residents and detracts by increasing traffic for those trying to get to work or deliver goods.

Regards,
Jessica Beal, PharmD.

From: [Peter Dilecce](#)
To: [Commissioner, D5](#); [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#)
Subject: Fwd: Re-zoning request ***Please vote No****
Date: Sunday, March 29, 2020 4:08:53 PM

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

Begin forwarded message:

From: Peter Dilecce <prdilecce@gmail.com>
Subject: Re-zoning request ***Please vote No****
Date: March 29, 2020 at 4:01:55 PM EDT
To: jennifer.jones@brevardfl.gov, d2.commissioner@brevardfl.gov
Cc: hillberg@earthlink.net, sgHOA@live.com

Good Afternoon,

My name is Rose DiLecce and have been a resident of North Merritt Island for 21 years. I am writing to you today in regards to a notice I received in the mail yesterday afternoon referencing a rezoning request for the property located in the southwest corner of Duval Street and N Courtenay Parkway.
(3345 N Courtenay Pkwy., Merritt Island)

I am concerned that there is an attempt again to change the current zoning on this property from a Planned Industrial Park to a Conditional Use Permit for Overnight Parking and Conditional Use for Alcoholic Beverages. This request does not in my opinion align with the mission of the North Merritt Island Homeowners Association. The mission as stated on the website says "it is the purpose of the association to protect the interests of the property owners and individuals who reside on North Merritt Island with particular emphasis on controlled growth, life style of the residents, ecology, area appearance, and property values. The association strives to maintain an overall density of one unit per acre, in order to preserve the rural character of the community".

Those of us that live in Sunset Groves (the neighborhood directly behind this plaza) have fought this request before as you may recall.

My concerns are as follows: the already congested traffic, the safety of our kids, and the devaluation of our properties.

Our neighborhood has only one way in and out and increasing the traffic from the proposed commercial parking lot will surely create more congestion and more potential accidents. Please keep in mind that there is one short turn lane onto Duval street while heading north on Courtenay and on any given day from 3pm to 6pm both south bound lanes are backed up from 528 to passed Sunset Lakes.

In addition, there is already a planned designated cruise parking that is currently under construction off of N. Courtenay and Smith Road. This cruise parking will hold approximately 100 plus cars. Plus the land just north of our neighborhood is another planned cruise parking lot.

Do we really want North Merritt Island to become only cruise parking?

In addition, please note that Brevard Public Schools use Duval Street as a bus stop for three schools and this bus stop is very close to the proposed building that will be used for the permit regarding alcohol. The bus stop used to be right on the corner of N. Courtney and Duval but due to the safety of our children and the bus stop was moved to Duval Street.

Please see the times below:

Lewis Carroll Elementary Pick up time 7:20AM Drop off time 3:02PM

Jefferson Middle School Pick up time 8:55AM Drop off time 5:18PM

Merritt Island High School Pick up time 8:15AM Drop off time 4:06PM

My last point is simply that of devaluation of our neighborhood and homes. Over the last 20 years the plaza in front of our neighborhood has changed owners many times and been left vacant for several years with only the personal trainer occupying one unit. if this request is granted there is no telling what the next owner will do with the property.

I thank you for your time and consideration.

Rose DiLecce

From: [Commissioner, D2](#)
To: [jim robertson](#); [Abbate, Frank B](#); [Denninghoff, John P](#); [Calkins, Tad](#); [Commissioner, D1](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: Re: Seniors attendance of rezoning meeting scheduled 4-9-2020
Date: Sunday, March 29, 2020 10:41:47 AM

Mr. Robertson,

Thank you for reaching out.

I appreciate your concerns but the County has implemented policies to enable maintaining 6+ foot distances for public comment during noticed meetings.

So long as we're following CDC and FDOH guidelines, we have no basis to cancel. If we cannot maintain CDC guidelines, I will recommend cancellation.

Moreover, COVID-19 could be here for many months and we cannot simply stop all meetings with no end in sight.

If you are more comfortable emailing comments, that is another option which is certainly available should you still have lingering concern.

Kind regards,

Bryan

From: jim robertson <jimrobo50@hotmail.com>
Sent: Sunday, March 29, 2020 5:42 AM
To: Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Denninghoff, John P <John.Denninghoff@brevardfl.gov>; Calkins, Tad <tad.calkins@brevardfl.gov>; Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>
Subject: Seniors attendance of rezoning meeting scheduled 4-9-2020

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

We must delay this meeting and reschedule another date, I am James H. Robertson age 82, I am at risk for corona Virus COVID-19, and as per instructions from our Governor, Ron De Santis am told not to attend large gatherings for my own protection, and the protections of others. I am confining myself as are others in my predicament, Our lives are on the line here at Sunset groves subdivision, there are many many old persons living here who want to attend,

but would risk our lives by attending. My rights would be violated along with many others if we can not safely attend. I respectfully ask that we be considered and reschedule the meeting at a time when the virus isn't such a threat. Many seniors live here and want to attend the meeting, but can't chance contacting the Virus. Lives are more important than a bar rezoning, every time.

Sincerely;

James H. Robertson

3240 Biscayne Dr.

Merritt island, Fl. 32953

From: [jim.robertson](#)
To: [Jones, Jennifer](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D1](#); [Commissioner, D5](#)
Subject: Fw: NO Vote for MI Plaza Group's CUP FOR PROPERTY LOCATED ON southwest corner of Duval Street and North Courtenay Parkway. (3345 North Courtenay Parkway, Merritt Island) (20PZ00027)
Date: Saturday, March 28, 2020 7:30:46 AM

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

From:
Sent: Saturday, March 28, 2020 6:44 AM
To: jennifer.jones@brevardfl.gov <jennifer.jones@brevardfl.gov>; D2.Commissioner@brevardfl.gov <D2.Commissioner@brevardfl.gov>; D1.Commissioner@brevardfl.gov <D1.Commissioner@brevardfl.gov>; D3.Commissioner@brevardfl.gov <D3.Commissioner@brevardfl.gov>; D4.Commissioner@brevardfl.gov <D4.Commissioner@brevardfl.gov>; D5.Commissioner@brevardfl.gov <D5.Commissioner@brevardfl.gov>

Cc:

Gentlemen,

I am a property owner in Sunset Groves the housing development located behind the subject property. To approve this CUP would surely de-value each property in Sunset Groves, and many like myself checked out the use permit for this property prior to purchasing my property. A conservative estimate is that each property selling value would be lowered by more than 20% should that action be approved, we are talking millions. It surely would make the properties unsaleable to families with children. Where is the common good, our 47 homes are not included?

Before you make your final decision please consider the following: This is the third time applications have been made to establish sales of liquor on primacies, Two before have failed, the property was found not to meet community property guidelines of Florida statutes. How many times do we have to lay out the money to prove once again, this property is encroaching the FPL easement of major Power lines feeding our Grid. The Original developer decided to encroach when he constructed the property, FPL has said that A 6' wall would have to be erected at the north boundary of the easement which is on the doorsteps of the buildings there. It is costly to keep proving this over, over, and now once again.

- There are currently over 20 "Cruise Parking Lots within 10 miles of the port with a new lot being constructed on Smith road adjacent to N. Courtney along with a new lot at the Port itself for Carnival Cruise lines. To add to this mix seems illogical at best.

- To add an additional bar on North Courtney across from and adjacent to a children's bus stop is a disaster waiting to happen. These are not just the high school children but also the little ones in Elementary School who use this bus stop. What would the traffic congestion do to our one and only
-
- entrance easement? If the owners are set in operating a new Bar in the area they might look at the property just south of the 528 interchange which was a bar for years backing up to the county buildings and is now vacant.
- Currently there are well over 30 Drinking Establishments within 10 miles of the Cruise Port, which in my mind is more than enough to handle the thirst of any cruise passenger coming or leaving the county. Is it the owners intent to load Cruise Passengers up with booze before they board or after they return to send them home with a Snoot Full to drive on our County Roads.
- The access to this facility will require a "U-Turn" off of N. Courtney to enter the facility, exasperating an already crowded traffic pattern coming and going to KSC. Most will miss this "U - Turn" and end up in our development where small children routinely play on the sidewalks and streets. Since we have only one street in and out of our development with the addition of a Bar and Cruise Parking make our development the brunt of all the wrong turns, Drunk Drivers, etc. Has an "In - Depth " traffic study been completed for our review or your review prior to making an re-zoning decision.
- What is the environment impact of changing the use of this facility? Has anyone completed an environmental impact statement. What does High intensity lighting do to us, We are 100' away, what about car horn, alarm systems, engine noises, and other air pollution and wandering traffic at 2 AM.? If a study was completed, where can the property owners in Sunset Groves review the document. This property is too close and to dangerous for our subdivision to be considered for the CUP.

James H. Robertson
 3240 Biscayne Drive
 Merritt Island, FL 32953

From: [dave woodington](#)
To: [Jones, Jennifer](#); [Commissioner, D2](#); [Commissioner, D1](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Cc: [prince.leacy@gmail.com](#); 3211 -- Frederick Solomon; SGHOA Officers; 3211 Ann Solomon; 3220 Everett & Tracy Stephens; 3230 Jerry & Kathie Murr; 3231 -- Valk; 3240 Jim Robertson; 3241 Roland and April Burson; 3251 Michael & Chong Palmer; 3260 Stephen Townsend; 3261 Shahram Massihnia; 3270 Casey and Dana Franklin; 3271 George & Audrey Lewis; 3280 George Alden; 3281 -- Sarah VerWiebe; 3281 Don VerWiebe; 3291 -- Robin Massetti; 3300 Jim Larson; 3301 (Rental) Alim & Syeda Ara Junaid; Jessica Beal; 3310 Arch & Cynthia Stanton; 3311 Kerry Peppers; 3330 Phillip & Shelby Meade; 3340 Peitro & Rose Dilecce; 3341 Kevin Zari; 3350 Jessica Beal; 3350 Pat Stahl; 3360 Steve & Roe Phillips; 3361 Richard & Michelle Bostrom; 3370 John & Dianne Burke; 3371 Steven & Kuang Beres; 3380 Eric & Pamela Martin; 3381 Carla & Tracy Dickinson; 3390 Cliff & Norma Gaines; 3391 Dave & Teresa Woodington; 3410 Larry Cupac; 3411 Jennifer Campbell; 3420 Bob Willcox and Heidi Beasley; 3430 Ray Scarpa; 3431 Bill Matanis; 3440 Mike & Maria Bradley; 3441 Robert & Cornelia Reijm
Subject: NO Vote for MI Plaza Group"s CUP FOR PROPERTY LOCATED ON southwest corner of Duval Street and North Courtenay Parkway. (3345 North Courtenay Parkway, Merritt Island) (20PZ00027)
Date: Saturday, March 28, 2020 6:44:58 AM

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

Gentlemen,

I am a property owner in Sunset Groves the housing development located behind the subject property. To approve this CUP would surely de-value each property in Sunset Groves, and many like myself checked out the use permit for this property prior to purchasing my property. A conservative estimate is that each property selling value would be lowered by more than 20% should that action be approved. It surely would make the properties unsaleable to families with children.

Before you make your final decision please consider the following:

- There are currently over 20 "Cruise Parking Lots within 10 miles of the port with a new lot being constructed on Smith road adjacent to N. Courtney along with a new lot at the Port itself for Carnival Cruise lines. To add to this mix seems illogical at best.
- To add an additional bar on North Courtney across from a children's bus stop is a disaster waiting to happen. These are not just the high school children but also the little ones in Elementary School who use this bus stop. If the owners are set in operating a new Bar in the area they might look at the property just south of the 528 interchange which was a bar for years backing up to the county buildings and is now vacant.
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- What is the environment impact of changing the use of this facility? Has anyone completed an environmental impact statement. If so where can the property owners in Sunset Groves review the document.

Dave Woodington
3391 Biscayne Drive
Merritt Island, FL 32953