



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.11.

2/5/2026

Subject:

Merritt Bidco SPV, LLC (Kim Rezanka) requests a zoning classification change from AU with a BSP to RU-2-15 and RU-2-30 with removal of BSP. (25Z00054) (Tax Account 2412106) (District 2)

Fiscal Impact:

None

Dept/Office:

Planning & Development

Requested Action:

It is requested that the Board of County Commissioners conduct a public hearing to consider a change of zoning classification from AU (Agricultural Residential) with a BSP (Binding Site Plan) to RU-2-15 (Medium-Density Multiple-Family Residential) and RU-2-30 (High-Density Multiple-Family Residential) with removal of BSP (Binding Site Plan).

Summary Explanation and Background:

The applicant is requesting to rezone the subject property from AU (Agricultural Residential) with a Binding Site Plan (BSP) to RU-2-15 (Medium-Density Multiple-Family Residential) with the removal of the BSP on an 11.24-acre parcel for the development of 222 units.

While Binding Site Plans are no longer a mechanism used by Brevard County, Section 62-1157(4), Brevard County Code of Ordinances, states that "existing binding site plans shall be treated as binding development plans insofar as they are consistent with the 1988 county comprehensive plan, as amended, and more restrictive ordinances of the county, and the plans shall continue to be binding on the applicant and his assigns, heirs and successors in title or possession of the lot, tract or parcel of land. . ."

The BSP on the property also includes the developed medical center property abutting the subject property. The BSP includes an access point on the north side of the medical center property, accessing N. Courtenay Pkwy. The second access point in the BSP is on the south side of the medical center property on Pioneer Rd. In addition, the BSP has a 50-foot-wide vegetative buffer along the northeast corner of the subject property, then south along the property line down to Pioneer Rd. The vegetative buffer includes ten (10) live oak trees, forty-three (43) slash pine trees, one-hundred eighty-one (181) Surinam cherry trees, and eighty (80) wax myrtle trees.

North of the subject parcel is one parcel, owned by Brevard County, 0.68 acres, BU-1 zoning with CC FLU designation and RU-1-11 zoning with NC FLU designation. In addition, there are four (4) parcels, approximately 0.19-0.25 acres each, developed with single-family detached dwellings in a platted subdivision, Villa de Palmas

with RU-1-11 zoning and RES 6 FLU designation. South of the subject parcel is one parcel, 4.46 acres, developed with a medical facility which is owned by the applicant for this rezoning, which has AU zoning with NC FLU designation. Another parcel, across Pioneer Road, 6.62 acres, developed with an assisted living facility that has BU-1 zoning with CC FLU designation. East of the subject property are nine (9) parcels, approximately 0.18-0.26 acres each, developed with single-family detached dwellings in Raintree by the Lake, a platted subdivision, which has RU-1-11 zoning with RES 6 FLU designation. West of the subject property is N. Courtenay Pkwy., a State-maintained roadway.

Concurrency analysis associated with a rezoning application is preliminary in nature and approval of the rezoning does not vest the applicant against the application of concurrency regulation associated with future applications (site plan/subdivision plan and building permits). The section of N. Courtenay Pkwy. from Pioneer Rd. to Southern Ramps of S.R. 528 has a current Maximum Allowed Volume (MAV) utilization at 87.56% capacity, with a potential utilization increasing to 93.57% with the proposed development (about 48% of remaining capacity). Brevard County Code Section 62-602 (F)(6)(b), regarding maximum capacity allotment states: “. . . a site plan or subdivision shall be allotted no more than 25 percent of the remaining capacity of a facility . . . No more than one phase shall be approved for development until 50 percent of the residential lots or units or commercial projects approved for that phase have been sold or developed.”

The applicant has supplied a concept plan for illustrative purposes, attached. Please note that this concept plan is nonbinding and has not been reviewed for consistency with Brevard County Code.

The Board may consider if the request is consistent and compatible with the surrounding area. The Board may consider the impact of increased traffic to the surrounding area and whether measures would be appropriate and sufficient to mitigate potential traffic LOS impacts to the area.

On January 12, 2026, the Planning and Zoning Board heard the request, and the vote twice resulted in a 7:7 tie (one motion to recommend approval, the other to recommend denial).

Staff has provided an addendum to its staff comments in order to address concerns raised during the public hearing at the Planning and Zoning board. The addendum is attached.

Clerk to the Board Instructions:

Upon receipt of the resolution, please execute and return a copy to Planning and Development.

ADMINISTRATIVE POLICIES OF THE FUTURE LAND USE ELEMENT

Administrative Policies in the Future Land Use Element establish the expertise of staff with regard to zoning land use issues and set forth criteria when considering a rezoning action or request for Conditional Use Permit, as follows:

Administrative Policy 1

The Brevard County zoning official, planners and the Director of the Planning and Development, however designated, are recognized as expert witnesses for the purposes of Comprehensive Plan amendments as well as zoning, conditional use, special exception, and variance applications.

Administrative Policy 2

Upon Board request, members of the Brevard County planning and zoning staff shall be required to present written analysis and a recommendation, which shall constitute an expert opinion, on all applications for zoning, conditional uses, comprehensive plan amendments, vested rights, or other applications for development approval that come before the Board of County Commissioners for quasi-judicial review and action. The Board may table an item if additional time is required to obtain the analysis requested or to hire an expert witness if the Board deems such action appropriate. Staff input may include the following:

Criteria:

- A. Staff shall analyze an application for consistency or compliance with comprehensive plan policies, zoning approval criteria and other applicable written standards.
- B. Staff shall conduct site visits of property which are the subject of analysis and recommendation. As part of the site visit, the staff shall take a videotape or photographs where helpful to the analysis and conduct an inventory of surrounding existing uses. Aerial photographs shall also be used where they would aid in an understanding of the issues of the case.
- C. In cases where staff analysis is required, both the applicant and the staff shall present proposed findings of fact for consideration by the Board.
- D. For development applications where a specific use has not been proposed, the worst case adverse impacts of potential uses available under the applicable land use classification shall be evaluated by the staff.

Administrative Policy 3

Compatibility with existing or proposed land uses shall be a factor in determining where a rezoning or any application involving a specific proposed use is being considered. Compatibility shall be evaluated by considering the following factors, at a minimum:

Criteria:

- A. Whether the proposed use(s) would have hours of operation, lighting, odor, noise levels, traffic, or site activity that would significantly diminish the enjoyment of, safety or quality of life in existing neighborhoods within the area which could foreseeably be affected by the proposed use.

- B. Whether the proposed use(s) would cause a material reduction (five percent or more) in the value of existing abutting lands or approved development.
- C. Whether the proposed use(s) is/are consistent with an emerging or existing pattern of surrounding development as determined through analysis of:
 - 1. historical land use patterns;
 - 2. actual development over the immediately preceding three years; and
 - 3. development approved within the past three years but not yet constructed.
- D. Whether the proposed use(s) would result in a material violation of relevant policies in any elements of the Comprehensive Plan.

Administrative Policy 4

Character of a neighborhood or area shall be a factor for consideration whenever a rezoning or any application involving a specific proposed use is reviewed. The character of the area must not be materially or adversely affected by the proposed rezoning or land use application. In evaluating the character of an area, the following factors shall be considered:

Criteria:

- A. The proposed use must not materially and adversely impact an established residential neighborhood by introducing types of intensity of traffic (including but not limited to volume, time of day of traffic activity, type of vehicles, et cetera), parking, trip generation, commercial activity or industrial activity that is not already present within the identified boundaries of the neighborhood.
- B. In determining whether an established residential neighborhood exists, the following factors must be present:
 - 1. The area must have clearly established boundaries, such as roads, open spaces, rivers, lakes, lagoons, or similar features.
 - 2. Sporadic or occasional neighborhood commercial uses shall not preclude the existence of an existing residential neighborhood, particularly if the commercial use is non-conforming or pre-dates the surrounding residential use.
 - 3. An area shall be presumed not to be primarily residential but shall be deemed transitional where multiple commercial, industrial or other non-residential uses have been applied for and approved during the previous five (5) years.

Administrative Policy 5

In addition to the factors specified in Administrative Policies 2, 3, and 4, in reviewing a rezoning, conditional use permit or other application for development approval, the impact of the proposed use or uses on transportation facilities either serving the site or impacted by the

use(s) shall be considered. In evaluating whether substantial and adverse transportation impacts are likely to result if an application is approved, the staff shall consider the following:

Criteria:

- A. Whether adopted levels of services will be compromised;
- B. Whether the physical quality of the existing road system that will serve the proposed use(s) is sufficient to support the use(s) without significant deterioration;
- C. Whether the surrounding existing road system is of sufficient width and construction quality to serve the proposed use(s) without the need for substantial public improvements;
- D. Whether the surrounding existing road system is of such width and construction quality that the proposed use(s) would realistically pose a potential for material danger to public safety in the surrounding area;
- E. Whether the proposed use(s) would be likely to result in such a material and adverse change in traffic capacity of a road or roads in the surrounding area such that either design capacities would be significantly exceeded or a de facto change in functional classification would result;
- F. Whether the proposed use(s) would cause such material and adverse changes in the types of traffic that would be generated on the surrounding road system, that physical deterioration of the surrounding road system would be likely;
- G. Whether projected traffic impacts of the proposed use(s) would materially and adversely impact the safety or welfare of residents in existing residential neighborhoods.

Administrative Policy 6

The use(s) proposed under the rezoning, conditional use or other application for development approval must be consistent with, (a), all written land development policies set forth in these administrative policies; and (b), the future land use element, coastal management element, conservation element, potable water element, sanitary sewer element, solid waste management element, capital improvements element, recreation and open space element, surface water element, and transportation elements of the comprehensive plan.

Administrative Policy 7

Proposed use(s) shall not cause or substantially aggravate any, (a), substantial drainage problem on surrounding properties; or (b), significant, adverse and unmitigatable impact on significant natural wetlands, water bodies or habitat for listed species.

Administrative Policy 8

These policies, the staff analysis based upon these policies, and the applicant's written analysis, if any, shall be incorporated into the record of every quasi-judicial review application for development approval presented to the Board including rezoning, conditional use permits, and vested rights determinations.

Section 62-1151(c) of the Code of Ordinances of Brevard County directs, "The planning and zoning board shall recommend to the board of county commissioners the denial or approval of each application for amendment to the official zoning maps based upon a consideration of the following factors:

- (1) The character of the land use of the property surrounding the property being considered.
- (2) The change in conditions of the land use of the property being considered and the surrounding property since the establishment of the current applicable zoning classification, special use or conditional use.
- (3) The impact of the proposed zoning classification or conditional use on available and projected traffic patterns, water and sewer systems, other public facilities and utilities and the established character of the surrounding property.
- (4) The compatibility of the proposed zoning classification or conditional use with existing land use plans for the affected area.
- (5) The appropriateness of the proposed zoning classification or conditional use based upon a consideration of the applicable provisions and conditions contained in this article and other applicable laws, ordinances and regulations relating to zoning and land use regulations and based upon a consideration of the public health, safety and welfare.

The minutes of the planning and zoning board shall specify the reasons for the recommendation of approval or denial of each application."

CONDITIONAL USE PERMITS (CUPs)

In addition to the specific requirements for each Conditional Use Permit (CUP), Section 62-1901 provides that the following approval procedure and general standards of review are to be applied to all CUP requests, as applicable.

- (b) Approval procedure. An application for a specific conditional use within the applicable zoning classification shall be submitted and considered in the same manner and according to the same procedure as an amendment to the official zoning map as specified in Section 62-1151. The approval of a conditional use shall authorize an additional use for the affected parcel of real property in addition to those permitted in the applicable zoning classification. The initial burden is on the applicant to demonstrate that all applicable standards and criteria are met. Applications which do not satisfy this burden cannot be approved. If the applicant meets its initial burden, then the Board has the burden to show, by substantial and competent evidence, that the applicant has failed to meet such standards and the request is adverse to the public interest. As part of the approval of the conditional use permit, the Board may prescribe appropriate and reasonable conditions and safeguards to reduce the impact of the proposed use on adjacent and nearby properties or the neighborhood. A nearby property, for the purpose of this section, is defined as any property which, because of the character of the proposed use, lies within the area which may be substantially and adversely impacted by such use. In stating grounds in

support of an application for a conditional use permit, it is necessary to show how the request fulfills both the general and specific standards for review. The applicant must show the effect the granting of the conditional use permit will have on adjacent and nearby properties, including, but not limited to traffic and pedestrian flow and safety, curb-cuts, off-street loading and parking, off-street pickup of passengers, odors, glare and noise, particulates, smoke, fumes, and other emissions, refuse and service areas, drainage, screening and buffering for protection of adjacent and nearby properties, and open space and economic impact on nearby properties. The applicant, at his discretion, may choose to present expert testimony where necessary to show the effect of granting the conditional use permit.

(c) General Standards of Review.

- (1) The planning and zoning board and the board of county commissioners shall base the denial or approval of each application for a conditional use based upon a consideration of the factors specified in Section 62-1151(c) plus a determination whether an application meets the intent of this section.
 - a. The proposed conditional use will not result in a substantial and adverse impact on adjacent and nearby properties due to: (1), the number of persons anticipated to be using, residing or working under the conditional use; (2), noise, odor, particulates, smoke, fumes and other emissions, or other nuisance activities generated by the conditional use; or (3), the increase of traffic within the vicinity caused by the proposed conditional use.
 - b. The proposed use will be compatible with the character of adjacent and nearby properties with regard to use, function, operation, hours of operation, type and amount of traffic generated, building size and setback, and parking availability.
 - c. The proposed use will not cause a substantial diminution in value of abutting residential property. A substantial diminution shall be irrebuttably presumed to have occurred if abutting property suffers a 15% reduction in value as a result of the proposed conditional use. A reduction of 10% of the value of abutting property shall create a rebuttable presumption that a substantial diminution has occurred. The Board of County Commissioners carries the burden to show, as evidenced by either testimony from or an appraisal conducted by an M A I certified appraiser, that a substantial diminution in value would occur. The applicant may rebut the findings with his own expert witnesses.
- (2) The following specific standards shall be considered, when applicable, in making a determination that the general standards specified in subsection (1) of this section are satisfied:

- a. Ingress and egress to the property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire and catastrophe, shall be: (1), adequate to serve the proposed use without burdening adjacent and nearby uses, and (2), built to applicable county standards, if any. Burdening adjacent and nearby uses means increasing existing traffic on the closest collector or arterial road by more than 20%, or 10% if the new traffic is primarily comprised of heavy vehicles, except where the affected road is at Level of Service A or B. New traffic generated by the proposed use shall not cause the adopted level of service for transportation on applicable roadways, as determined by applicable Brevard County standards, to be exceeded. Where the design of a public road to be used by the proposed use is physically inadequate to handle the numbers, types or weights of vehicles expected to be generated by the proposed use without damage to the road, the conditional use permit cannot be approved without a commitment to improve the road to a standard adequate to handle the proposed traffic, or to maintain the road through a maintenance bond or other means as required by the Board of County Commissioners.
- b. The noise, glare, odor, particulates, smoke, fumes or other emissions from the conditional use shall not substantially interfere with the use or enjoyment of the adjacent and nearby property.
- c. Noise levels for a conditional use are governed by Section 62-2271.
- d. The proposed conditional use shall not cause the adopted level of service for solid waste disposal applicable to the property or area covered by such level of service, to be exceeded.
- e. The proposed conditional use shall not cause the adopted level of service for potable water or wastewater applicable to the property or the area covered by such level of service, to be exceeded by the proposed use.
- f. The proposed conditional use must have existing or proposed screening or buffering, with reference to type, dimensions and character to eliminate or reduce substantial, adverse nuisance, sight, or noise impacts on adjacent and nearby properties containing less intensive uses.
- g. Proposed signs and exterior lighting shall not cause unreasonable glare or hazard to traffic safety, or interference with the use or enjoyment of adjacent and nearby properties.
- h. Hours of operation of the proposed use shall be consistent with the use and enjoyment of the properties in the surrounding residential community, if any. For commercial and industrial uses adjacent to or near residential uses, the hours of operation shall not adversely affect the use and enjoyment of the residential character of the area.
- i. The height of the proposed use shall be compatible with the character of the area, and the maximum height of any habitable structure shall be not more than 35 feet higher than the highest residence within 1,000 feet of the property line.

- j. Off-street parking and loading areas, where required, shall not be created or maintained in a manner which adversely impacts or impairs the use and enjoyment of adjacent and nearby properties. For existing structures, the applicant shall provide competent, substantial evidence to demonstrate that actual or anticipated parking shall not be greater than that which is approved as part of the site plan under applicable county standards.

FACTORS TO CONSIDER FOR A REZONING REQUEST

Section 62-1151(c) sets forth factors to consider in connection with a rezoning request, as follows:

“The planning and zoning board shall recommend to the board of county commissioners the denial or approval of each application for amendment to the official zoning maps based upon a consideration of the following factors:

- (1) The character of the land use of the property surrounding the property being considered.
- (2) The change in conditions of the land use of the property being considered and the surrounding property since the establishment of the current applicable zoning classification, special use or conditional use.
- (3) The impact of the proposed zoning classification or conditional use on available and projected traffic patterns, water and sewer systems, other public facilities and utilities and the established character of the surrounding property.
- (4) The compatibility of the proposed zoning classification or conditional use with existing land use plans for the affected area.
- (5) The appropriateness of the proposed zoning classification or conditional use based upon a consideration of the applicable provisions and conditions contained in this article and other applicable laws, ordinances and regulations relating to zoning and land use regulations and based upon a consideration of the public health, safety and welfare.”

These staff comments contain references to zoning classifications found in the Brevard County Zoning Regulations, Chapter 62, Article VI, Code of Ordinances of Brevard County. These references include brief summaries of some of the characteristics of that zoning classification. Reference to each zoning classification shall be deemed to incorporate the full text of the section or sections defining and regulating that classification into the Zoning file and Public Record for that item.

These staff comments contain references to sections of the Code of Ordinances of Brevard County. Reference to each code section shall be deemed to incorporate this section into the Zoning file and Public Record for that item.

These staff comments contain references to Policies of the Brevard County Comprehensive Plan. Reference to each Policy shall be deemed to incorporate the entire Policy into the Zoning file and Public Record for that item.

These staff comments refer to previous zoning actions which are part of the Public Records of Brevard County, Florida. These records will be referred to by reference to the file number. Reference to zoning files are intended to make the entire contents of the cited file a part of the Zoning file and Public Record for that item.

DEFINITIONS OF CONCURRENCY TERMS

Maximum Acceptable Volume (MAV): Maximum acceptable daily volume that a roadway can carry at the adopted Level of Service (LOS).

Current Volume: Building permit related trips added to the latest TPO (Transportation Planning Organization) traffic counts.

Volume with Development (VOL W/DEV): Equals Current Volume plus trip generation projected for the proposed development.

Volume/Maximum Acceptable Volume (VOL/MAV): Equals the ratio of current traffic volume to the maximum acceptable roadway volume.

Volume/Maximum Acceptable Volume with Development (VOL/MAV W/DEV): Ratio of volume with development to the Maximum Acceptable Volume.

Acceptable Level of Service (CURRENT LOS): The Level of Service at which a roadway is currently operating.

Level of Service with Development (LOS W/DEV): The Level of Service that a proposed development may generate on a roadway.



BOARD OF COUNTY COMMISSIONERS

Planning and Development Department

2725 Judge Fran Jamieson Way
 Building A, Room 114
 Viera, Florida 32940
 (321)633-2070 Phone / (321)633-2074 Fax
<https://www.brevardfl.gov/PlanningDev>

**STAFF COMMENTS
 25Z00054**

Merritt Bidco SPV, LLC

AU (Agricultural Residential) w/ Binding Site Plan (BSP) to RU-2-15 (Medium-Density Multiple-Family Residential) & RU-2-30 (High-Density-Multiple-Family Residential) w/ removal of BSP

Tax Account Number: 2412106
 Parcel I.D.: 24-36-14-00-259
 Location: Eastside of N. Courtenay Pkwy., approximately 400 ft. south of Via De La Reina (District 2)
 Acreage: 11.24 acres
 MIRA Board: 12/11/2025
 Planning & Zoning Board: 01/12/2026
 Board of County Commissioners: 02/05/2026

Consistency with Land Use Regulations

- Current zoning is consistent under the Future Land Use Designation, Section 62-1255.
- The proposed zoning and Future Land Use Designation is consistent per Section 62-1255.
- The proposal would maintain acceptable Levels of Service (LOS).

	CURRENT	PROPOSED
Zoning	AU	RU-2-30 & RU-2-15
Potential*	5 Single-family residences	222 Multiple-family residential units
Can be Considered under the Future Land Use Map	YES NC, RES 15	YES NC, RES 15

* Zoning potential for concurrency analysis purposes only, subject to applicable land development regulations.

Background and Purpose of Request

The applicant is requesting to rezone the subject property from AU (Agricultural Residential) with a Binding Site Plan (BSP) to RU-2-15 (Medium-Density Multiple-Family Residential) with the removal of the BSP on an 11.24-acre parcel for the development of 222 units.

The BSP on the property also includes the developed medical center property abutting the subject property. The BSP includes an access point on the north side of the medical center

property, accessing N. Courtenay Pkwy. The second access point in the BSP is on the south side of the medical center property on Pioneer Rd. In addition, the BSP has a 50-foot-wide vegetative buffer along the northeast corner of the subject property, then south along the property line down to Pioneer Rd. The BDP stipulates that the vegetative buffer shall include ten (10) live oak trees, forty-three (43) slash pine trees, one-hundred eighty-one (181) Surinam cherry trees, and eighty (80) wax myrtle trees.

The applicant is requesting 222 multi-family units calculated below:

- Approximately 7.64 acres at 15 units to the acre equals 114 units.
- Approximately 3.6 acres is NC with a density bonus to RES 30 which equals 108 units.
- The density bonus is based on FLU Policy 2.10, which states: Residential development is permissible in these commercial land use designations at a 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.

Development on the site may be impacted by the following:

- Within approximately 660 feet of the site, there is a mapped eagle nest (#BE124).
- Relating to Natural Resources, Brevard County Code Sec. 65 3694(c)(6): For subdivisions and multi-family parcels greater than five acres in area, the preceding limitation of one dwelling unit per five (5) acres within wetlands may be applied as a maximum percentage limiting wetland impacts to not more than 1.8% of the total non-commercial and non-industrial acreage on a cumulative basis. **This means that residential development is allowed 1.8% max impacts (with mitigation for impacts).**
- Relating to traffic concurrency, Brevard County Code Section 62-602(F)(6) states: For site plans and subdivisions, the vesting provisions shall apply in the following circumstances: (a)(1): Road Capacity: The affected roads are operating or committed at a level equal to or less than 85 percent of the acceptable level of service. **Currently, the roadway is operating at 88% capacity, per the most recent Space Coast TPO traffic counts.**
- Also relating to traffic concurrency, Brevard County Code Section 62-602(F)(6)(b) states: The threshold capacity restrictions described in subsection (f)(6)a. of this section, a site plan or subdivision shall be allotted no more than 25 percent of the remaining capacity of a facility. Project size shall be determined utilizing the most restrictive of the facilities named in subsection (f)(6)a. of this section. No more than one phase shall be approved for development until 50 percent of the residential lots or units or commercial projects approved for that phase have been sold or developed. **The proposed development would utilize more than the allowable 25% of the remaining capacity.**
- Based on staff analysis, the above impacts could lead to a finding of concurrency deficiency at site plan as it is anticipated that the development will increase the roadway utilization by 6% bringing the roadway to 93.57% daily use, reduce operating times of construction, reduce the maximum density of the property, and phase development based on concurrency to ensure no reduction in the traffic level of service. A finding of deficiency may be the effect of preventing future development approval on the site and the surrounding area.

The information above regarding concurrency is preliminary, as outlined in Section 62-602(b)-“Preliminary evaluation prior to zoning action. For review of zoning applications, a preliminary concurrency evaluation shall be completed as part of the zoning review process to illustrate the relationship between the proposal and the availability of services and facilities for the planning and zoning board, the School Board of Brevard County, and the board of county commissioners. This review will be based on the information described in the zoning application. The results of this preliminary review are for the use of the county in its review of the zoning application and a school area impact analysis application.” (See also Sec. 62-604(e),” For review of zoning applications, the preliminary concurrency evaluation shall be used for general information purposes only as part of the zoning review. Subsequent to the approval of a zoning application, a formal concurrency evaluation prior to site plan, subdivision plat or building permit approval shall be required.”) Binding concurrency analysis will occur at the Subdivision/Site Plan stage of development.

Brevard County Utility Service Comments state: In the context of onsite sewage treatment and disposal systems, “Available” is defined in F.S. 381.0065 (2)(a) and the requirements to connect to an existing onsite sewage treatment and disposal system to central sewerage system are defined in F.S. 381.00655 (1)(a). Brevard County has the exclusive right to furnish the sewer service per Section 110-181 BCCO because this is within the Brevard County Utility Services Department Service Area. Please note that a Brevard County gravity main runs through this parcel. The existing Brevard County utilities that cross the property serve 2400 and 2404 N Courtenay. If parcel is developed, the Brevard County infrastructure must remain accessible. Brevard County Utilities Services Department will require a completed easement for the Brevard County sewer infrastructure on the parcel. The developer will be responsible for any improvements to the lift station needed if capacity is not sufficient for planned development.

The subject property’s current configuration was recorded in DB RR, PG 282, which was before the establishment of the Brevard County Zoning Code in 1958.

The AU zoning is the original classification established on the subject property in 1958.

The subject property retains the original two (2) FLU designations, Neighborhood Commercial (NC) and Residential 15 (RES 15), established by the 1988 Brevard County Comprehensive Plan.

The current AU zoning classification encompasses lands devoted to agricultural pursuits and single-family residential development of spacious character on 2.5-acre lots, with a minimum lot width and depth of 150 feet. The AU classification also permits the raising/grazing of animals, fowl, and beekeeping.

The proposed RU-2-15 classification medium-density multiple-family residential zoning classifications encompass lands devoted to medium-density multifamily residential purposes, together with such accessory uses as may be necessary or are normally compatible with residential surroundings. RU-2-15 permits multiple-family residential uses or single-family residences at a density of up to 15 units per acre on 7,500 square foot lots.

The proposed RU-2-30 high-density multiple-family residential zoning classification encompasses lands devoted to multiple-family residential development, together with such accessory uses as may be necessary or are normally compatible with residential surroundings, permits high density multi-family residential development of up to 30 unit per acre. Multiple-family residential structures may be constructed on a minimum lot size of 10,000 square feet, with at least 100' of lot width and 100' of lot depth. Single-family residences are also permitted on minimum lot sizes of 7,500 square feet with at least 75' of lot width and 75' of lot depth.

The subject parcel is located on the east side of N. Courtenay Pkwy., approximately 400 ft. south of Via De La Reina, a county-maintained road.

As of November 25, 2025, there are no current active code enforcement actions on the subject property.

Surrounding Area

	Existing Land Use	Zoning	Future Land Use
North	Vacant land, single-family residence	BU-1, RU-1-11	CC, NC, RES 6
South	Medical facility, assisted living facility	AU, BU-1	NC, CC
East	Single-family residence	RU-1-11	RES 6
West	N. Courtenay Pkwy., Professional office building	BU-1	CC

North of the subject parcel is one parcel, owned by Brevard County, 0.68 acres, BU-1 zoning with CC FLU designation and RU-1-11 zoning with NC FLU designation. In addition, there are four (4) parcels, approximately 0.19-0.25 acres each, developed with single-family detached dwellings in a platted subdivision, Villa de Palmas with RU-1-11 zoning and RES 6 FLU designation.

South of the subject parcel is one parcel, 4.46 acres, developed with a medical facility which is owned by the applicant for this rezoning, which has AU zoning with NC FLU designation. Another parcel, across Pioneer Road, 6.62 acres, developed with an assisted living facility that has BU-1 zoning with CC FLU designation.

East of the subject property are nine (9) parcels, approximately 0.18-0.26 acres each, developed with single-family detached dwellings in Raintree by the Lake, a platted subdivision, which has RU-1-11 zoning with RES 6 FLU designation.

West of the subject property is N. Courtenay Pkwy., a State-maintained roadway. A property improved with a professional office building and zoned BU-1 with a CC FLU is located directly west of the subject property across N. Courtenay Parkway.

AU zoning classification encompasses lands devoted to agricultural pursuits and single-family residential development of spacious character on 2.5 acre lots, with a minimum lot width and depth of 150 feet. The minimum house size in AU is 750 square feet. The AU classification also permits the raising/grazing of animals, fowl, and beekeeping.

RU-1-11 classification encompasses lands devoted to single-family residential development of spacious character, together with such accessory uses as may be necessary or are normally compatible with residential surroundings on minimum 7,500 square foot lots, with a minimum width and depth of 75 feet. The minimum house size is 1,100 square feet. RU-1-11 does not permit horses, barns or horticulture

BU-1 classification allows retail commercial land uses on minimum 7,500 square foot lots. The BU-1 classification does not permit warehousing or wholesaling.

Future Land Use

The subject property's AU zoning classification is consistent with the NC and RES 15 Future Land Use designation provided on the FLUM series contained within Chapter XI – Future Land Use Element of Brevard County's Comprehensive Plan. The applicant's request for RU-2-15 zoning classification can be considered consistent under the existing Future Land Use.

FLUE Policy 1.2- Public Facilities and Service Requirements

Minimum public facilities and services requirements should increase as residential density allowances become higher. The following criteria shall serve as guidelines for approving new residential land use designations:

Criteria:

- A. Adequate roadways, solid waste disposal, drainage and recreation facilities to serve the needs of associated development shall be available concurrent with development in all residential land use designations.

The proposed development is anticipated to create a deficiency in LOS, other than a potential traffic concurrency issue due to the roadway being at 88% MAV utilization currently.

The proposed development will be required to connect to Brevard County sewer system.

- B. Fire and police protection and emergency medical services to serve the needs of associated development shall be available concurrent with development in all residential land use designations in accordance with policies set forth in the 'Service Delivery, Concurrency and Growth' section of this Future Land Use Element.

No issues are anticipated with regards to fire and emergency medical services.

C. In the Residential 30, Residential 15, Residential 10, Residential 6 and Residential 4 land use designations, centralized potable water and wastewater treatment shall be available concurrent with the impact of the development.

The proposed development will connect to Brevard County sewer via a force main that runs along N. Courtenay Pkwy. There is also a gravity main that runs through the subject property. Brevard County Utilities will provide the sewer service to the property.

The proposed development is within the service area for City of Cocoa Utilities to provide the potable water service.

D. Where public water service is available, residential development proposals with densities greater than four units per acre shall be required to connect to a centralized sewer system.

The density of the proposed is a maximum of thirty (30) and fifteen (15) units per acre and will require a connection to a centralized sewer system.

FLUE Policy 2.10- Residential Development in Neighborhood Commercial and Community Commercial Land Use Designations

Residential development or the integration of residential development with commercial development shall be permitted in the Neighborhood Commercial and Community Commercial land use designations, provided that the scale and intensity of the residential/mixed use development is compatible with abutting residential development and areas designated for residential use on the Future Land Use Map. 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. Increases in density beyond this allowance may be considered through a public hearing. In the CHHA, however, residential development is strictly limited to the density of the closest residentially designated area on the FLUM that is on the same side of the street. Such residential development, as described above, shall be allowed to utilize the following characteristics:

Criteria:

- A. Residential uses within Neighborhood Commercial and Community Commercial designations shall be encouraged to utilize neo-traditional neighborhood development techniques, such as narrower road rights-of-way, mid-block pedestrian pass-throughs, alleys, smaller lot sizes, on-street parking, reduced lot line setbacks and public transit facilities.

The owner proposes to develop a vacant, undeveloped parcel with medium and high-density multi-family residential units. The development is proposed to have

walkable areas for pedestrian accessibility to the on-site amenities. A Space Coast Area Transit (SCAT) bus stop is located directly adjacent to the proposed development across N. Courtenay Parkway.

- B. Residential density bonuses as set forth in Policy 11.2 may be considered in addition to the bonus stated in the above policy within Neighborhood Commercial and Community Commercial designations as an incentive for redevelopment and regeneration if the proposed development will address serious incompatibility with existing land uses, is adequately buffered from other uses, is located along major transportation corridors, and meets the concurrency requirements of this Comprehensive Plan.

The property is located adjacent to N. Courtenay Pkwy., classified as an urban principal arterial road by the SCTPO.

As the property is placed under contiguous ownership and is to be developed with internal connectivity, it can be considered to be on the same side of the road.

The Board should evaluate the compatibility of this application within the context of Administrative Policies 2 – 8 of the Future Land Use Element.

Analysis of Administrative Policy #3 - Compatibility between this site and the existing or proposed land uses in the area:

Compatibility shall be evaluated by considering the following factors, at a minimum:

Criteria:

- A. Whether the proposed use(s) would have hours of operation, lighting, odor, noise levels, traffic, or site activity that would significantly diminish the enjoyment of, safety or quality of life in existing neighborhoods within the area which could foreseeably be affected by the proposed use.

The corridor currently operates at 88% capacity, and the proposed development is anticipated to increase the traffic to a level of 93.57% of daily capacity. Specific concurrency issues will be addressed at the time of site plan review. This is only a preliminary review and is subject to change.

Development would need to meet performance standards set forth in code sections 62-2251 through 62-2272 and will be reviewed at the site plan review stage.

- B. Whether the proposed use(s) would cause a material reduction (five per cent or more) in the value of existing abutting lands or approved development.

Only a certified MAI (Master Appraiser Institute) appraisal can determine if a material reduction has or will occur due to the proposed request.

C. Whether the proposed use(s) is/are consistent with an emerging or existing pattern of surrounding development as determined through an analysis of:

1. historical land use patterns;

The proposed use is not consistent with the existing pattern of surrounding development, which is characterized as single-family residential to the east, a medical facility to the west, and an assisted living facility to the south. The proposed development could be considered a transition from the high intensity uses along N. Courtenay Pkwy. and the low intensity uses to the east which is the platted single-family residential subdivision.

There are five (5) FLU designations: Community Commercial (CC), Neighborhood Commercial (NC), Residential 15 (RES 15), Residential 6 (RES 6) and Residential 4 (RES 4) within a 0.5-mile radius of the subject property. RES 6 is the prominent FLU in the surrounding area on the east side of N. Courtenay Pkwy.

There are eleven (11) zoning classifications within a 0.5-mile radius of the subject property: RU-2-15, IN(L), BU-1, RU-1-11, RU-1-7, BU-2, EA, AU, RU-2-10, PUD, and BU-1-A zoning classifications. RU-1-11 is the predominant zoning on the east side of N. Courtenay Pkwy.

2. actual development over the immediately preceding three years; and

There have been three new developments within 0.5 miles of the subject property within the last three years. Three (3) developments have been on commercial properties with a bank, a car wash, and an assisted living facility.

3. development approved within the past three years but not yet constructed.

There has not been any approved development within this area in the preceding three (3) years that has yet to be constructed. However, there was one zoning action:

- **25AA00030: Administrative approval on 06/23/2025 for one premise consumption of beer and wine, 2COP, for unit #31.**

D. Whether the proposed use(s) would result in a material violation of relevant policies in any elements of the Comprehensive Plan.

The Board may consider whether the proposed development results in a material violation based on Administrative Policy 5.

Analysis of Administrative Policy #4 - Character of a neighborhood or area.

Character of a neighborhood or area shall be a factor for consideration whenever a rezoning or any application involving a specific proposed use is reviewed. The character of the area must

not be materially or adversely affected by the proposed rezoning or land use application. In evaluating the character of an area, the following factors shall be considered:

Criteria:

- A. The proposed use must not materially and adversely impact an established residential neighborhood by introducing types or intensity of traffic (including but not limited to volume, time of day of traffic activity, type of vehicles, etc.), parking, trip generation, commercial activity or industrial activity that is not already present within the identified boundaries of the neighborhood.

Based on preliminary concurrency with the proposed development, MAV utilization is shown to increase by 6.01%. The corridor is anticipated to operate at 93.57% of capacity daily. This has the potential to cause traffic impacts that could adversely impact the established residential areas, agricultural lands, and a residential subdivision by introducing types or intensity of traffic, parking, or trip generation. This is not an introduction of commercial activity within the identified boundaries of a neighborhood.

- B. In determining whether an established residential neighborhood exists, the following factors must be present:

- 1. The area must have clearly established boundaries, such as roads, open spaces, rivers, lakes, lagoons, or similar features.

The subject property is in a highly developed area with a mixture of commercial and residential properties. There are a couple of subdivisions in the area as well. There are clearly established boundaries such as roads, canals, lakes, open spaces, or similar features.

- 2. Sporadic or occasional neighborhood commercial uses shall not preclude the existence of an existing residential neighborhood, particularly if the commercial use is non-conforming or pre-dates the surrounding residential use.

The surrounding is considered a mixed area with residential and commercial uses. The proposed use would not preclude the existence of the existing residential neighborhood.

- 3. An area shall be presumed not to be primarily residential but shall be deemed transitional where multiple commercial, industrial, or other non-residential uses have been applied for and approved during the previous five (5) years.

This area is presumed to be predominantly residential. However, there are commercial uses within the area of the subject property, along with large lot undeveloped properties.

Administrative Policy #5 - Transportation facilities either serving the site or impacted by the use(s)

In addition to the factors specified in Administrative Policies 2, 3, and 4, in reviewing a rezoning, conditional use permit or other application for development approval, the impact of the proposed use or uses on transportation facilities either serving the site or impacted by the use(s) shall be considered. In evaluating whether substantial and adverse transportation impacts are likely to result if an application is approved, the staff shall consider the following criteria:

Criteria:

- A. Whether adopted levels of service will be compromised;

Current traffic counts provided by SCTPO for this section of N. Courtenay Pkwy. from Pioneer Rd. to S. Ramps (S.R.528), indicates the roadway is operating at 87.56% capacity. Approval of the rezoning request for 222 units has the potential to increase roadway MAV utilization by 6.01%. The corridor is anticipated to operate at 93.57% of capacity daily.

- B. Whether the physical quality of the existing road system that will serve the proposed use(s) is sufficient to support the use(s) without significant deterioration;

Has not been evaluated at this time.

- C. Whether the surrounding existing road system is of sufficient width and construction quality to serve the proposed use(s) without the need for substantial public improvements;

Has not been evaluated at this time.

- D. Whether the surrounding existing road system is of such width and construction quality that the proposed use(s) would realistically pose a potential for material danger to public safety in the surrounding area;

Has not been evaluated at this time.

- E. Whether the proposed use(s) would be likely to result in such a material and adverse change in traffic capacity of a road or roads in the surrounding area such that either design capacities would be significantly exceeded or a de facto change in functional classification would result;

The proposed development has the potential to cause traffic capacity issues that potentially could impact design capabilities or a de facto change in functional classification.

- F. Whether the proposed use(s) would cause such material and adverse changes in the types of traffic that would be generated on the surrounding road system, that physical deterioration of the surrounding road system would be likely;

The proposed development has the potential to produce 2,308 trips daily. The physical deterioration of the surrounding roadway has not been evaluated at this time.

- G. Whether projected traffic impacts of the proposed use(s) would materially and adversely impact the safety or welfare of residents in existing residential neighborhoods.

This development has the potential to cause traffic impacts that could adversely impact the safety or welfare of residents in the existing surrounding residential neighborhoods.

Analysis of Administrative Policy #7

Proposed use(s) shall not cause or substantially aggravate any (a) Substantial drainage problem on surrounding properties; or (b) significant, adverse and unmitigable impact on significant natural wetlands, water bodies or habitat for listed species.

The subject parcel contains mapped National Wetlands Inventory (NWI) and St. Johns River Water Management District (SJRWMD) wetlands and hydric soils. For subdivisions and multi-family parcels greater than five acres in area, the preceding limitation of one dwelling unit per five (5) acres within wetlands may be applied as a maximum percentage limiting wetland impacts to not more than 1.8% of the total non-commercial and non-industrial acreage on a cumulative basis as set forth in Sec. 65 3694(c)(6). The entire property is mapped within the Indian River Lagoon Nitrogen Reduction Overlay. Approximately within 660 feet of the site there is a mapped eagle nest (#BE124).

Please refer to all comments provided by the Natural Resource Management Department at the end of this report.

Preliminary Concurrency

The closest concurrency management segment to the subject property is N. Courtenay Pkwy. (S.R. 3) between Pioneer Road and S. Ramps (S.R. 528), which has a Maximum Acceptable Volume (MAV) of 38,430 trips per day, a Level of Service (LOS) of D, and currently operates at 87.56% of capacity daily. The maximum development potential from the proposed rezoning increases the percentage of MAV utilization by 6.01%. The corridor is anticipated to operate at 93.57% of capacity daily.

There is the potential to have concurrency issues related to traffic at the site plan stage due to Brevard County Code Section 62-602:

- (F)(6) states for site plans and subdivisions, the vesting provisions shall apply in the following circumstances: (a)(1): Road Capacity: The affected roads are operating or committed at a level equal to or less than 85 percent of the acceptable level of service.
- (F)(6)(b) Maximum capacity allotment: The threshold capacity restrictions described in subsection (f)(6)a. of this section, a site plan or subdivision shall be allotted no more than

25 percent of the remaining capacity of a facility. Project size shall be determined utilizing the most restrictive of the facilities named in subsection (f)(6)a. of this section. No more than one phase shall be approved for development until 50 percent of the residential lots or units or commercial projects approved for that phase have been sold or developed.

Staff analysis has determined that a reduction of the proposed development, for example, to 130 multi-family units, would increase the MAV utilization by 3.01%. The corridor would be anticipated to operate at 90.57% of capacity daily. Reduction of units may be a consideration by the Board, and such a reduction would meet the requirement that restricts utilization of no more than 25% of the remaining roadway capacity.

School concurrency information provided from the Brevard County School Board has determined that Lewis Carroll Elementary School, Thomas Jefferson Middle School and Merritt Island Senior High School are projected to have capacity for the projected and potential students from the development.

Potable water is provided by the City of Cocoa Utilities. Centralized sewer will be provided by Brevard County Utilities.

Summary of Mapped Resources and Noteworthy Land Use Issues:

- Wetlands and Hydric Soils
- Indian River Lagoon Nitrogen Reduction Septic Overlay
- Protected and Specimen Trees
- Protected Species

For Board Consideration

The Board should consider whether the proposed request is consistent and compatible with the surrounding area.

The Board may consider the impact of increased traffic to the surrounding area and whether measures (such as a BDP) would be appropriate and sufficient to mitigate potential traffic LOS impacts to the area.

The section of N. Courtenay Pkwy. from Pioneer Rd. to Southern Ramps of S.R. 528 has a current MAV utilization at 87.56% capacity, with a potential utilization increasing to 93.57% with the proposed development. Brevard County Code Section 62-602 (F)(6)(b), regarding maximum capacity allotment states: The threshold capacity restrictions described in subsection (f)(6)a of this section, a site plan or subdivision shall be allotted no more than 25 percent of the remaining capacity of a facility. Project size shall be determined utilizing the most restrictive of the facilities named in subsection (f)(6)a of this section. No more than one phase shall be approved for development until 50 percent of the residential lots or units or commercial projects approved for that phase have been sold or developed.

The Board should also evaluate the application based on Administrative Policy 5: In

addition to the factors specified in Administrative Policies 2, 3, and 4, in reviewing a rezoning, conditional use permit or other application for development approval, the impact of the proposed use or uses on transportation facilities either serving the site or impacted by the use(s) shall be considered. In evaluating whether substantial and adverse transportation impacts are likely to result if an application is approved, the staff shall consider the factors in Administrative Policy 5 which are based on staff preliminary concurrency evaluation.

NATURAL RESOURCES MANAGEMENT DEPARTMENT
Zoning Review & Summary
Item No. 25Z00054

Applicant: Kimberly Rezanka (Owner: Merritt Bidco SPV LLC)

Zoning Request: AU to RU-2-15 with removal of BDP

Note: to develop 222 mf units (in MIRA)

Zoning Hearing: 01/12/2026; **BCC Hearing:** 02/05/2026

Tax ID No.: 2412106

- This is a preliminary review based on best available data maps reviewed by the Natural Resources Management Department (NRM) and does not include a site inspection to verify the accuracy of the mapped information.
- In that the rezoning process is not the appropriate venue for site plan review, specific site designs submitted with the rezoning request will be deemed conceptual. Board comments relative to specific site design do not provide vested rights or waivers from Federal, State or County regulations.
- **This review does not guarantee whether the proposed use, specific site design, or development of the property can be permitted under current Federal, State, or County Regulations.**

Summary of Mapped Resources and Noteworthy Land Use Issues:

- Wetlands and Hydric Soils
- Indian River Lagoon Nitrogen Reduction Septic Overlay
- Protected and Specimen Trees
- Protected Species

Land Use Comments:

Wetlands and Hydric Soils

A portion of the subject parcel contains mapped National Wetlands Inventory (NWI) and St. Johns River Water Management District (SJRWMD) wetlands and hydric soils (Myakka sand, depressional; and Anclote sand); indicators that wetlands may be present on the property. **A wetland delineation will be required prior to any land clearing activities, site plan design, or building permit submittal.**

Per Section 62-3694(c)(1), residential land uses within wetlands shall be limited to not more than one (1) dwelling unit per five (5) acres unless strict application of this policy renders a legally established parcel as of September 9, 1988, which is less than five (5) acres, as unbuildable. **For subdivisions and multi-family parcels greater than five acres in area, the preceding limitation of one dwelling unit per five (5) acres within wetlands may be applied as a maximum percentage limiting wetland impacts to not more than 1.8% of the total non-commercial and non-industrial acreage on a cumulative basis as set forth in Sec. 65 3694(c)(6).** Any permitted wetland impacts must meet the requirements of Section 62-3694(e) including avoidance of impacts and will require no net loss mitigation in Brevard

County in accordance with Section 62-3696. **The applicant is encouraged to contact NRM at 321-633-2016 prior to any plan or permit submittal.**

Indian River Lagoon Nitrogen Reduction Septic Overlay

The entire property is mapped within the Indian River Lagoon Nitrogen Reduction Overlay. Per Chapter 46, Article II, Division IV - Nitrogen Reduction Overlay, if adequate sewer for the development is not available, then the use of an alternative septic system, designed to provide at least 65% total nitrogen reduction through multi-stage treatment processes, shall be required. NRM requires a Septic Maintenance Notice be filed with the Brevard Clerk of Courts.

Protected and Specimen Trees

Protected and Specimen trees likely exist on the parcel. The applicant shall perform a tree survey prior to any site plan design in order to incorporate valuable vegetative communities or robust trees into the design. Per Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, Section 62-4341(18), Specimen and Protected Trees shall be preserved or relocated on site to the Greatest Extent Feasible. Greatest Extent Feasible shall include, but not be limited to, relocation of roads, buildings, ponds, increasing building height to reduce building footprint or reducing Vehicular Use Areas. The applicant is advised to refer to Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, for specific requirements for preservation and canopy coverage requirements. **Applicant should contact NRM at 321-633-2016 prior to performing any land clearing activities.**

Protected Species

Federally and/or state protected species may be present on the property. Specifically, there is a mapped eagle nest (#BE124) within 660 feet of the site. The applicant should obtain any necessary permits or clearance letters from the U.S. Fish and Wildlife Service at 352-406-6780 prior to any plan, permit submittal, or development activity, including land clearing.



BOARD OF COUNTY COMMISSIONERS

Planning and Development Department

2725 Judge Fran Jamieson Way

Building A, Room

114 Viera,

Florida 32940

(321)633-2070 Phone / (321)633-2074 Fax

<https://www.brevardfl.gov/PlanningDev>

Addendum 25Z00054 Merritt Bidco SPV, LLC

This addendum is provided to address comments and statements made during the Planning and Zoning Board public hearing and to clarify staff's analysis regarding traffic concurrency, transportation impacts, Comprehensive Plan consistency, and applicable zoning approval criteria for the subject rezoning request. The applicant's representative, Kim Rezanka, stated during the hearing that she does not believe traffic concerns are an issue that can be considered at this stage. However, these concerns are applicable under Administrative Policies 3 and 4, which address neighborhood and area impacts. Administrative Policy 5 further requires that, when reviewing a rezoning request, the impacts of the proposed use on transportation facilities be considered, including adopted levels of service, roadway capacity and construction quality, public safety, and whether projected traffic would materially and adversely affect surrounding residential neighborhoods. At the time of rezoning, no traffic study or transportation analysis has been submitted to demonstrate compliance with these criteria (nor is one required as part of this application). Therefore, staff defers to the Board for this determination.

The applicant stated a willingness to provide proportionate fair-share contributions and to extend Pioneer Road, including extending or improving the northbound turn lane, and to complete any transportation improvements required by the County. Staff notes that while such statements indicate a willingness to address future impacts, no formal commitment, proportionate fair-share agreement, or traffic mitigation plan has been submitted for review at the rezoning stage. The applicant provided a concept plan for illustrative purposes only. Staff notes that the concept plan is non-binding and has not been reviewed for compliance with the Land Development Regulations. As this request is not for a Planned Unit Development, which allows for conditions of approval, there is no mechanism to establish conditions as part of the Board's approval of this rezoning request, nor is there a Preliminary Development Plan (as opposed to a nonbinding conceptual plan).

The applicant stated a willingness to provide a fifty (50) foot setback along the northern property boundary to remain undisturbed, as well as a one hundred (100) foot buffer along the eastern boundary, including a fifteen (15) foot landscaped buffer combined with storm water retention ponds and vegetation, to preserve tree canopy adjacent to nearby residences and provide separation from parking areas and a proposed single-story clubhouse. While these buffering concepts may address compatibility concerns, any such commitments would need to be memorialized through enforceable conditions, such as a Binding Development Plan, in order to be binding and tracked through subsequent development review.

The proposed development includes three-story residential buildings with primary access from North Courtenay Parkway. The applicant cited Housing Element Objective 4 of the Comprehensive Plan, which encourages providing adequate lands for residential uses and a variety of housing types. Staff notes, however, that Policy 4.1 under Objective 4 also requires that residential development occur where public facilities and services are available at adopted levels of service. Based on staff's analysis, the affected roadway operating at approximately 88 percent capacity exceeds the 85 percent threshold identified in Section 62-602 and raises concerns regarding the availability of transportation facilities at adopted levels of service, which is inconsistent with Policy 4.1(B).

Pursuant to Administrative Policy 2, staff is required to analyze rezoning applications for consistency with Comprehensive Plan policies, zoning approval criteria, and other applicable written standards. Based on the policies cited above, staff notes that traffic, roadway capacity, and drainage impacts are applicable considerations at the rezoning stage, even if detailed engineering analysis would occur during later phases of development review. The Board may consider memorializing any commitments offered by the applicant

regarding traffic mitigation, roadway improvements, buffering, or proportionate fair-share contributions through an enforceable mechanism such as a Binding Development Plan in order to ensure consistency with applicable policies and allow for effective review and enforcement during subsequent development approvals. Alternatively, the applicant could submit a request for a Planned Unit Development, which would allow consistency with the Comprehensive Plan while allowing clustering where appropriate. Such a PUD application would also allow the applicant the opportunity to demonstrate consistency with policies referenced above through the approval of the associated Preliminary Development Plan (PDP), and give the Board the opportunity to condition approval based on circumstances in the area. It should be noted, however, that this would be a distinct application from the one at hand, and would require a new application and new review.

Zoning & Future Land Use Map



Future Land Use
Parcel Property

RANGEWATER



PROJECT DATA:

ZONE 1: Neighborhood Commercial
3.659 acres
109 units max
AMENITY: 6,500 S.F.

BUILDING TYPE 2:
Building 4
3 Stories
30 Units

BUILDING TYPE 3:
Buildings 1- 2
3 Stories
24 Units/EA

BUILDING TYPE 4:
Building 3
3 Stories
30 Units

ZONE 2: Residential
7.581 acres
113 units max

BUILDING TYPE 2:
Buildings 7-8
3 Stories
30 Units/EA

BUILDING TYPE 3:
Building 5
3 Stories
23 Units

BUILDING TYPE 4:
Building 6
3 Stories
30 Units

TOTAL: 222 Units

PARKING:

TOTAL: 396 Spaces
(1.78 Spaces/Unit)



November 18, 2025

0000.00

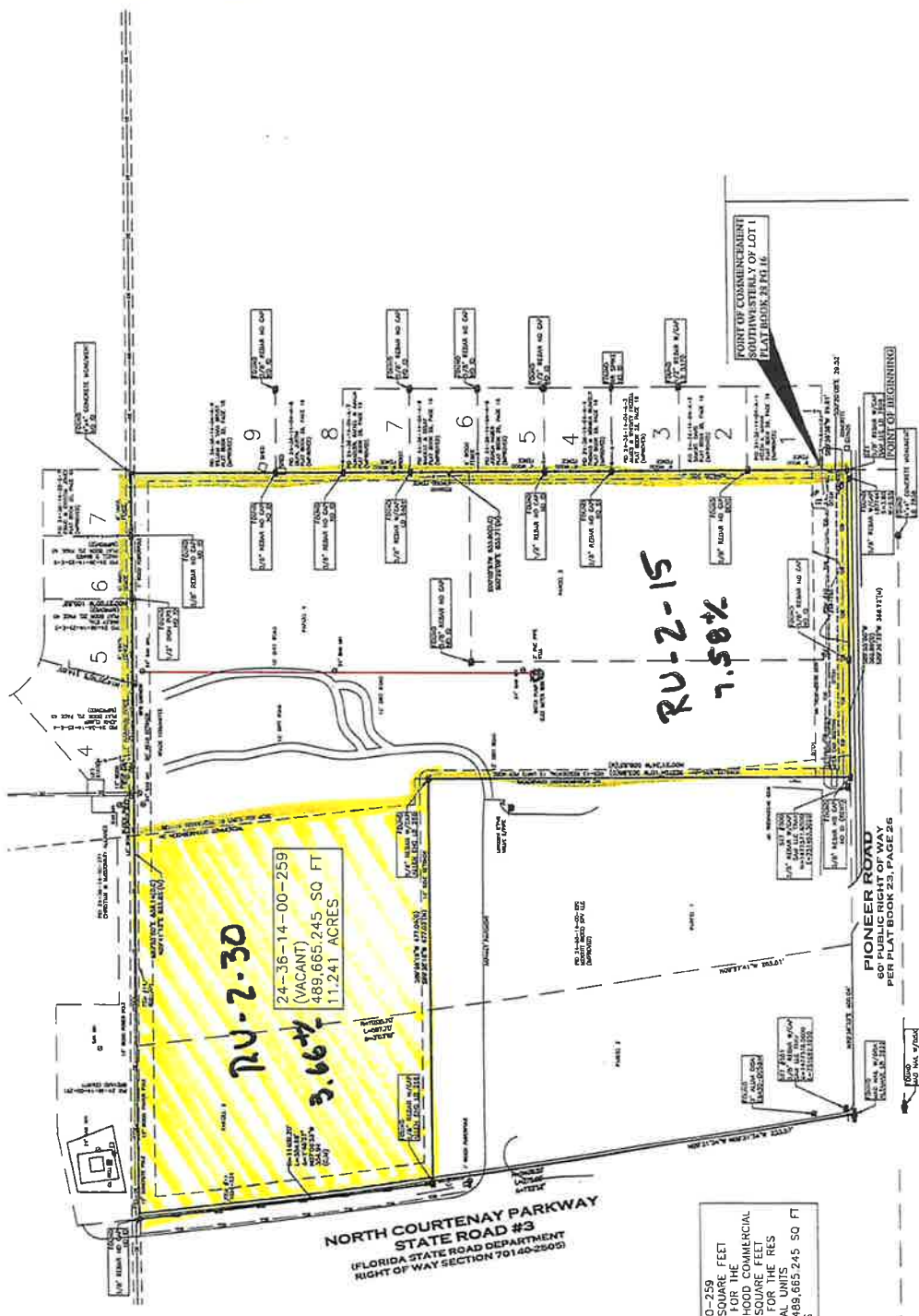
1 Density Study - Option 1
Scale: 1"=100'-0"

Merritt Island

© 2025 Poole & Poole Architecture, LLC 4240 Park Place Court, Glen Allen, Virginia 23060 Phone 804.225.0215 Internet www.2pa.net

MAP SHOWING
ALTA/NSPS BOUNDARY SURVEY
OF

BEING A PORTION OF SECTION 14, TOWNSHIP 24 SOUTH, RANGE 36 EAST OF BREVARD COUNTY,
FLORIDA, MORE PARTICULARLY DESCRIPTION IN OFFICIAL RECORDS BOOK 10286, PAGE 655.



24-36-14-00-259
(VACANT)
489,665.245 SQ FT
11.241 ACRES

24-36-14-00-259
3,419,748.4 SQUARE FEET
3,659 ACRES FOR THE
NC NEIGHBORHOOD COMMERCIAL
330,237,351 SQUARE FEET
7.581 ACRES FOR THE RES
15-RESIDENTIAL ZONES
11,241 ACRES

**NORTH COUNTEY PARKWAY
STATE ROAD #3**
(FLORIDA STATE ROAD DEPARTMENT
RIGHT OF WAY SECTION 70140-2505)

PIONEER ROAD
60' PUBLIC RIGHT OF WAY
PER PLAT BOOK 29, PAGE 26

Zoning & Future Land Use Map



Zoning & Future Land Use Map



Zoning

Parcel Property

1:4,514



On motion of Commissioner York, seconded by
Commissioner Wickham, the following resolution was
unanimously adopted:

WHEREAS, ALMA E. FIELD, TRUSTEE
has/have applied for a change of classification from AU to RU-2-15 to ALL AU
with a Conditional Use Permit for a Clinic and a Conditional Use Permit for a Hospital
on property described as SEE ATTACHED LEGAL DESCRIPTION

Section 14 Township 24 S, Range 36 E, and,

WHEREAS, a public hearing of the Brevard County Planning and
Zoning Board was advertised and held, as required by law, and
after hearing all interested parties and considering the adjacent
areas, the Planning and Zoning Board recommended that the appli-
cation be *approved and,

WHEREAS, the Board, after considering said application and
the Planning and Zoning Board's recommendation and hearing all
interested parties and after due and proper consideration having
been given to the matter, find that the application should be
*approved, now therefore,

BE IT RESOLVED by the Board of County Commissioners of Brevard
County, Florida, that the requested change of classification & CUP's
be *approved and, that the zoning classification relating
to the above described property be changed to AU
and the Planning and Zoning Director is hereby directed to make
this change on the official zoning maps of Brevard County, Florida.

BE IT FURTHER RESOLVED that this resolution shall become
effective as of December 22, 1983.

BOARD OF COUNTY COMMISSIONERS
Brevard County, Florida

ATTEST:
R. C. WINSTEAD, JR., Clerk

by VAL M. STEELE
Chairman

by D.C.
(SEAL)

(Hearing - November 29, 1983)

*Approved subject to a Binding Site Plan showing access and a 50 ft. landscaped
buffer

101
Z-6584



Wuesthoff Memorial Hospital

Post Office Box 6

110 Longwood Avenue

Rockledge, Florida 32955

305/638-2211

December 14, 1983

Mr. James Ford
Brevard County Director of Planning & Zoning
2575 N. Courtenay Parkway
Merritt Island, Florida 32952

Subject: Binding Site Plan - Wuesthoff Project
State Route 3 and Pioneer Road

Dear Mr. Ford:

Please consider the following information as part of the Binding Site Plan for Wuesthoff Hospital in its request for zoning modifications of the approximate fourteen (14) acres located east of State Route 3 and north of Courtenay Parkway.

1. No incineration facility has been planned for nor will it be included in that project.
2. In reference to a heliport, the hospital has not applied for and does not plan to apply for approval to establish a helipad at that facility.
3. As it relates to height considerations, the hospital does not plan, nor will they build, a facility higher than four (4) stories on the six (6) acres included in the Binding Site Plan for development for initial phases and will not build facilities on the remainder of the fourteen (14) plus or minus acres in excess of two (2) stories.

~~All other items that were previously stated in the Binding Site Plan remain accurate and are totally acceptable to Wuesthoff Hospital as firm commitments as it relates to that program.~~

I am hopeful that this will address the remaining issues that needed to be clarified in order for your office and the County Commissioners to feel that Wuesthoff is sincerely interested in compliance with reasonable requests and stipulations to be included as part of our Binding Site Plan.



IO13

Z-6584 535

Mr. James Ford
Brevard County Director of Planning & Zoning
December 14, 1983
Page 2

Should you need additional information, please bring this to my attention at your earliest convenience so that we might take the necessary steps to assure full information available to your office and the Commission prior to the next meeting on December 22, 1983. I remain,

Sincerely yours



Robert O. Carman
President

ROC/ar

STATE OF FLORIDA
COUNTY OF BREVARD

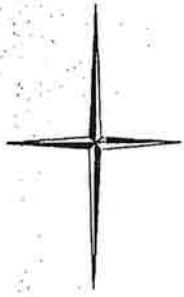
SWORN TO AND SUBSCRIBED BEFORE ME this 14th day of December,
1983.


NOTARY PUBLIC

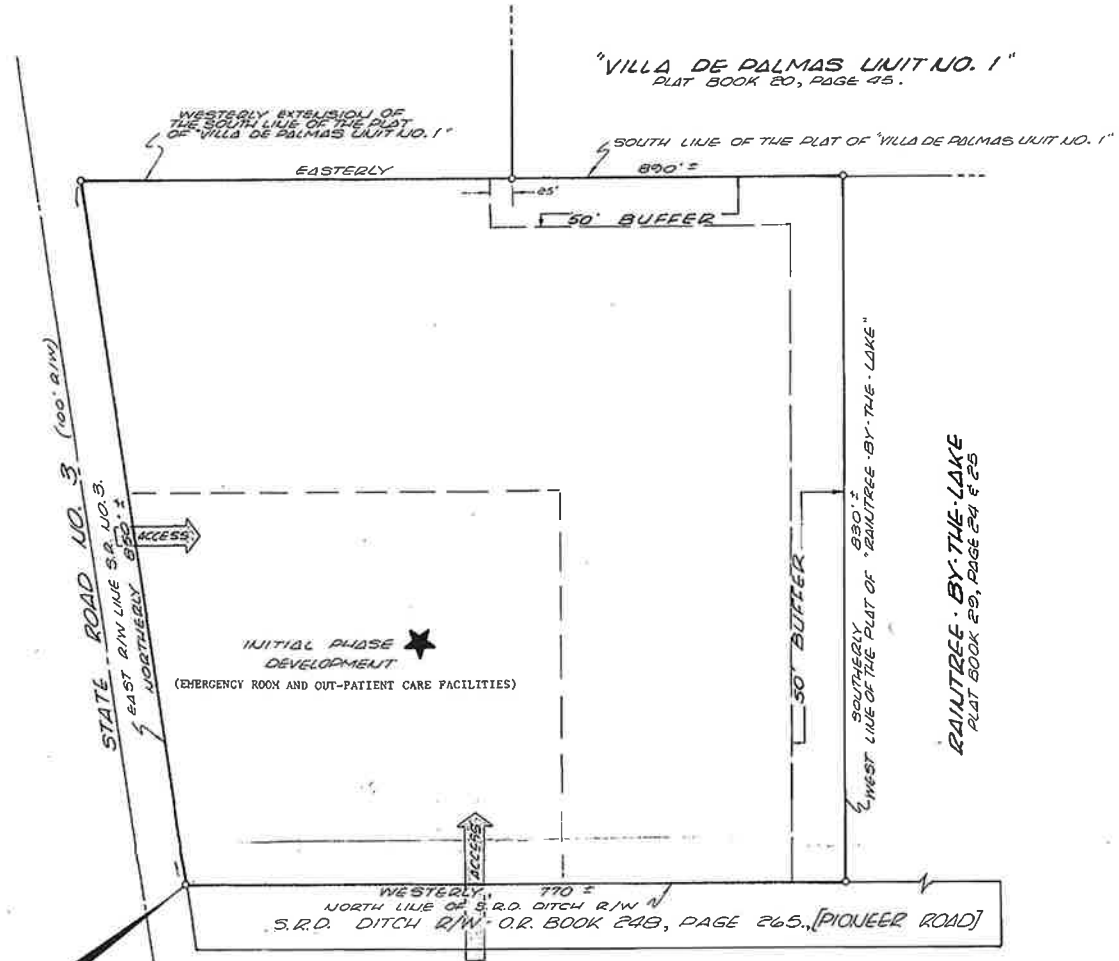
Notary Public, State of Florida at Large
My Commission Expires May 17, 1987
BONDED THRU AGENT'S NOTARY BROKERAGE

IO14
Z-6584 536

N



"VILLA DE PALMAS UNIT NO. 1"
PLAT BOOK 20, PAGE 45.



BUSSEN ENGINEERING GROUP INC. PH. NO. (305) 453-0010
905 NORTH COURTENAY PARKWAY, MERRITT ISLAND, FLA., 32952

★ Additional related services and hospital beds will be considered for future phase development, depending on need of the Merritt Island community and receipt of approvals from regulatory agencies.

SURVEYOR'S DESCRIPTION:

A parcel of land lying in the Northwest 1/4 of Section 14, Township 24 South, Range 36 East, Brevard County, Florida, lying East of the right-of-way of State Road No. 3 (a 100.00 foot right-of-way), South of the south line of the plat of "Villa de Palmas Unit No. 1" and its westerly extension of said south line as recorded in Plat Book 20, Page 45 of the Public Records of Brevard County, Florida, West of the plat of "Rain-tree-by-the-Lake" as recorded in Plat Book 23, Pages 24 and 25 of said Public Records, and North of the north line of an existing State Road Department ditch right-of-way as recorded in O.R. Book 248, Page 265 of said Public Records, said parcel being more fully described as follows:

Being at the intersection of the north line of said State Road Department ditch right-of-way with the easterly right-of-way line of State Road No. 3; thence Northerly, along said easterly right-of-way line, a distance of 850 feet, more or less, to an intersection with said westerly extension of the south line of the plat of "Villa de Palmas Unit No. 1"; thence Easterly, more or less, to an intersection with the west line of said plat of "Rain-tree-by-the-lake"; thence Southerly, along said west line, a distance of 830 feet, more or less, to an intersection with the aforesaid north line of said State Road Department ditch right-of-way line; thence Westerly, along said north line, a distance of 770 feet, more or less, to the Point-of-Beginning.

Containing 15 acres, more or less, and being subject to any easements and/or rights-of-way of recorded and the findings of an accurate survey.

SURVEYOR'S NOTES:

- 1. The information shown depicts the Surveyor's Description hereon and is not intended to represent a boundary survey.
- 2. Title report not furnished.
- 3. Subject to easements and/or rights-of-ways of recorded.

NOTES

- 1. Height of building will not exceed 4 stories within 6 acre parcel encompassing initial phase of development.
- 2. Height of building will not exceed 2 stories outside of said 6 acre parcel.
- 3. No applications will be made for heliport.
- 4. No incinerator will be allowed anywhere on the property.

BINDING SITE PLAN

Pursuant to: Section 77
Reviewed by: BTR
Posted by: JPM
Date: 12/21/83

**MEDICAL FACILITY
MERRITT ISLAND SITE**

SEC. 14, TWP. 24 S., RG. 36 E.

Scale: 1"=100'	Drn. By: JAM	Sheet
Date: 11-7-83	Job No.: 256	
Brian J Bussen P.E. No. 19012		

mo2
Z-6584

Z-6584

RESOLUTION NO. Z-10781(26)

On motion by Commissioner Pritchard, seconded by Commissioner Scarborough, the following resolution was adopted by a unanimous vote:

WHEREAS, at the direction of the Board of County Commissioners of Brevard County and pursuant to the provisions of Ordinance 99-43, adopted August 3, 1999, the following proposal was submitted:

Removal of Conditional Use Permit Z-6584 for Clinic & Hospital

on property owned by Weusthoff Memorial Hospital, Inc. and described as Section 14, Township 24, Range 36, Parcel 259; and

WHEREAS, a public hearing of the Brevard County Planning and Zoning Board was advertised and held, as required by law, and after hearing all interested parties and considering the adjacent areas, the Planning and Zoning Board recommended that the application be approved and,

WHEREAS, the Board, after considering said application and the Planning and Zoning Board's recommendation and hearing all interested parties and after due and proper consideration having been given to the matter, find that the application should be Denied, now therefore,

BE IT RESOLVED by the Board of County Commissioners of Brevard County, Florida, that the requested Removal of Conditional Use Permit Z-6584 for Clinic & Hospital be DENIED, and that the zoning classification relating to the above described property remain unchanged, and the Planning and Zoning Official or designee is hereby directed to make this change on the official zoning maps of Brevard County, Florida.

BE IT FURTHER RESOLVED that this resolution shall become effective as of March 6, 2003.

BOARD OF COUNTY COMMISSIONERS
Brevard County, Florida
As Approved by the Board on March 6, 2003.

ATTEST:

Scott Ellis

SCOTT ELLIS, CLERK

(SEAL)

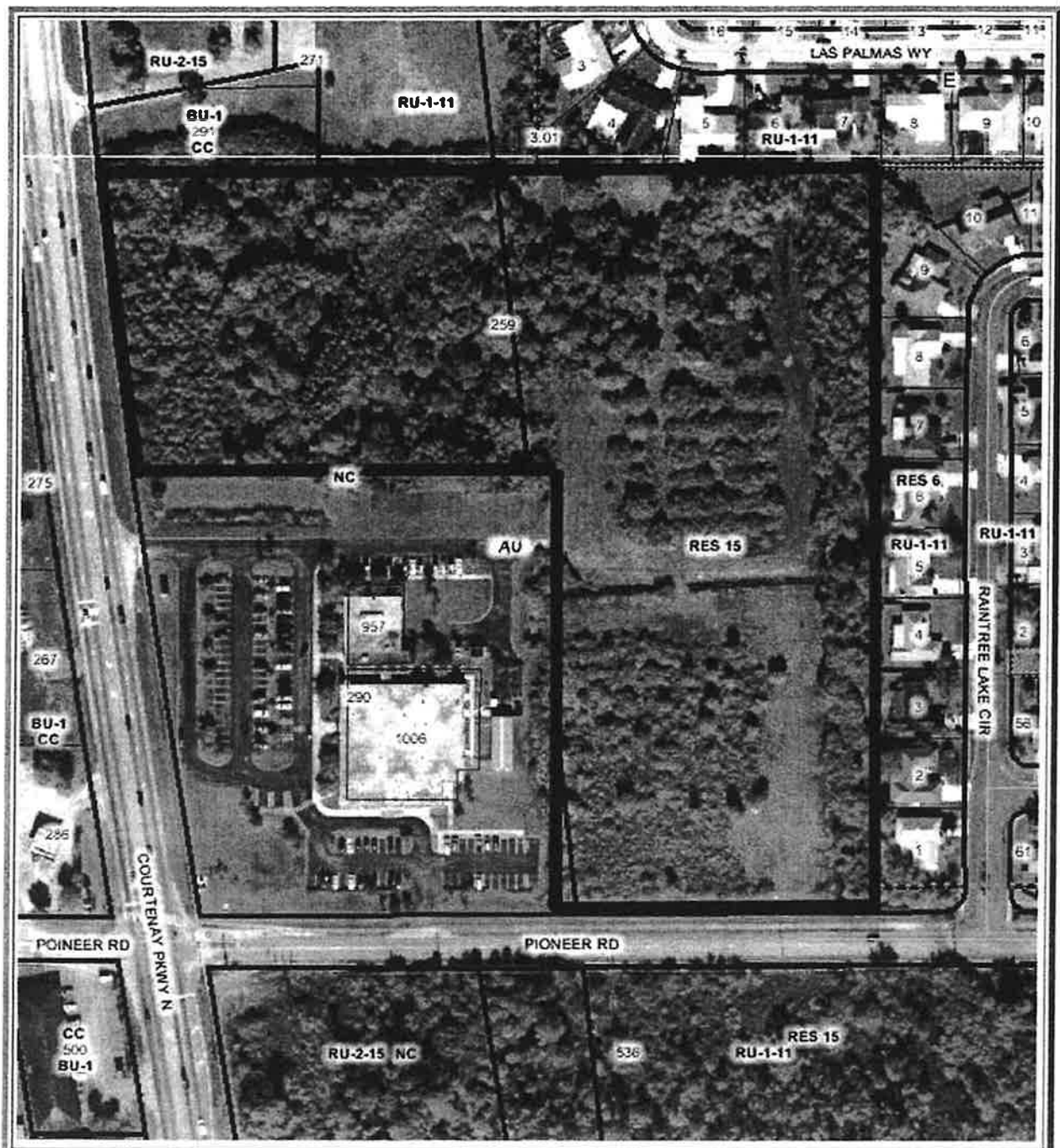
(Hearing - February 10, 2003)

by JACKIE COLON
Chairperson

Jackie Colon

Z-10781 (26)

26



Z-6584
Clinic & Hospital

scale: 1"=2,110.78'
 created: 1/22/2003

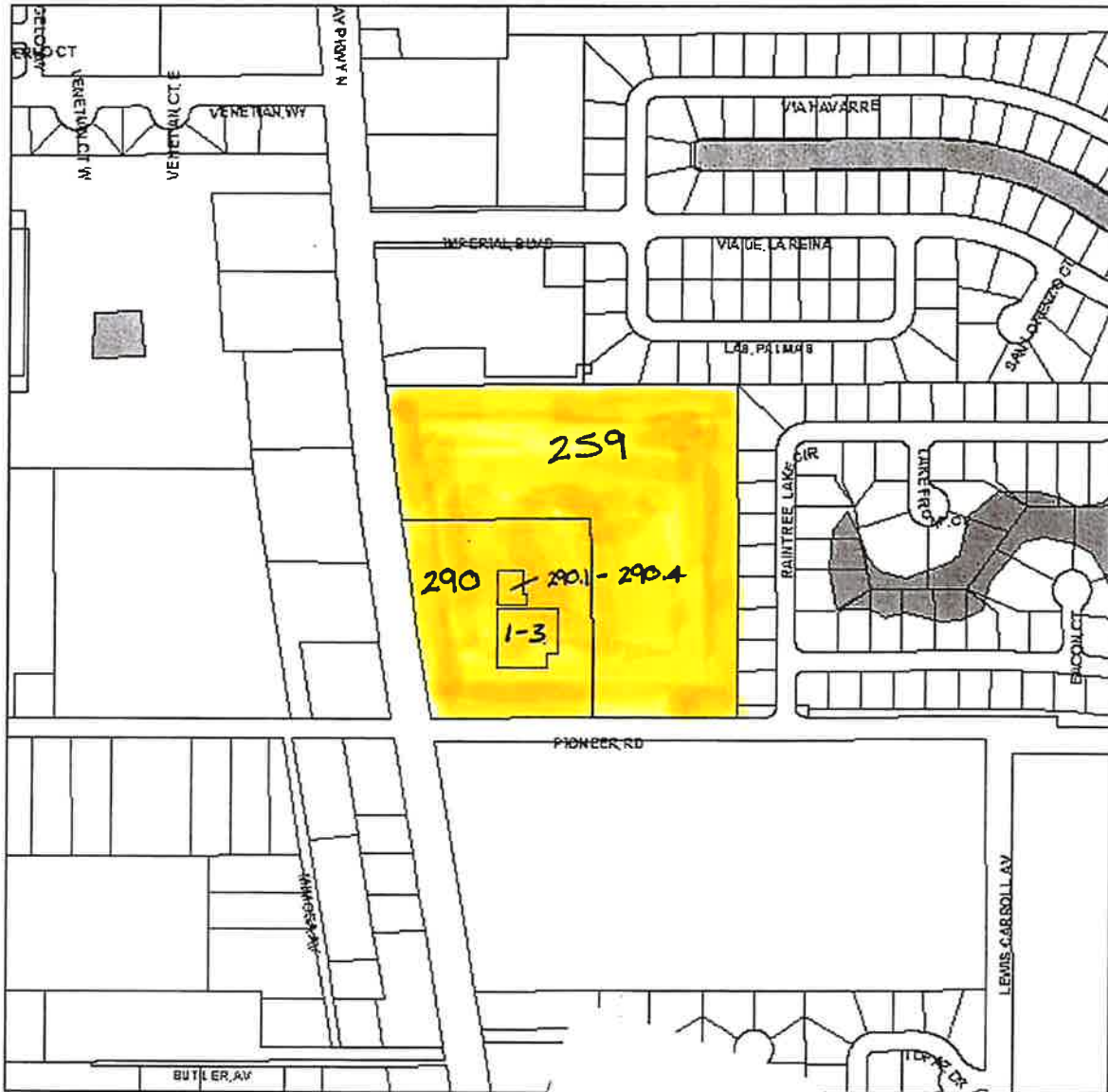


Z10781

Z10781

2

Jim Ford, CFA Brevard County Property Appraiser - Map Search



259 only

Clinic + Hospital

Z10781

Z - 6584 24-36-14 - # 1A - 1-3 - , 259, 290, ~~290.1 - 290.4~~

<http://205.172.172.144/scripts/esrimap.dll?name=Brevard1&id=200201231834421695&Parcels> 1/23/02

Jim Ford, C.F.A.
Property Appraiser
Brevard County, FL



**Property
 Research**

[\[Home\]](#) [\[Meet Jim Ford\]](#) [\[FAQ\]](#) [\[General Info\]](#) [\[Save Our Homes\]](#) [\[Exemptions\]](#) [\[Contact Us\]](#) [\[Forms\]](#) [\[Appeals\]](#)
[\[Property Research\]](#) [\[Map Search\]](#) [\[Maps & Data\]](#) [\[Unusable Property\]](#) [\[Tax Authorities\]](#) [\[What's New\]](#) [\[Links\]](#)

General Parcel Information for 24-36-14-00-00259.0-0000.00

Parcel Id:	24-36-14-00-00259.0-0000.00	Map	Millage Code:	2200	Exemption:		Use Code:	9909
Property Address:							Tax Account:	2412106

Owner Information

Owner Name:	WUESTHOFF MEMORIAL HOSPITAL INC
Second Name:	
Third Name:	
Mailing Address:	P O BOX 565002
City, State, Zipcode:	ROCKLEDGE, FL 32956

Legal Description

PART OF S 1/2 OF NW 1/4 E OF ST RD 3 AS
 DESC IN ORB 2478 PGS 2258 2260 & 2262
 EXC ORB 2656 PG 360PAR 279

Value Summary for 2002

Market Value:	\$1,101,630
Agricultural Assessment:	\$0
Assessed Value:	\$1,101,630
Homestead Exemption:	\$0
Other Exemptions:	\$0
Taxable Value:	\$1,101,630

Land Information

Acres:	11.24
Lots/Units:	0
Front Feet:	0
Depth:	0
Site Code:	370
Land Value:	\$1,101,630

* This is the value established for ad valorem purposes in accordance with s.193.011(1) and (8), Florida Statutes. This value does not represent anticipated selling price for the property.

Sales Information

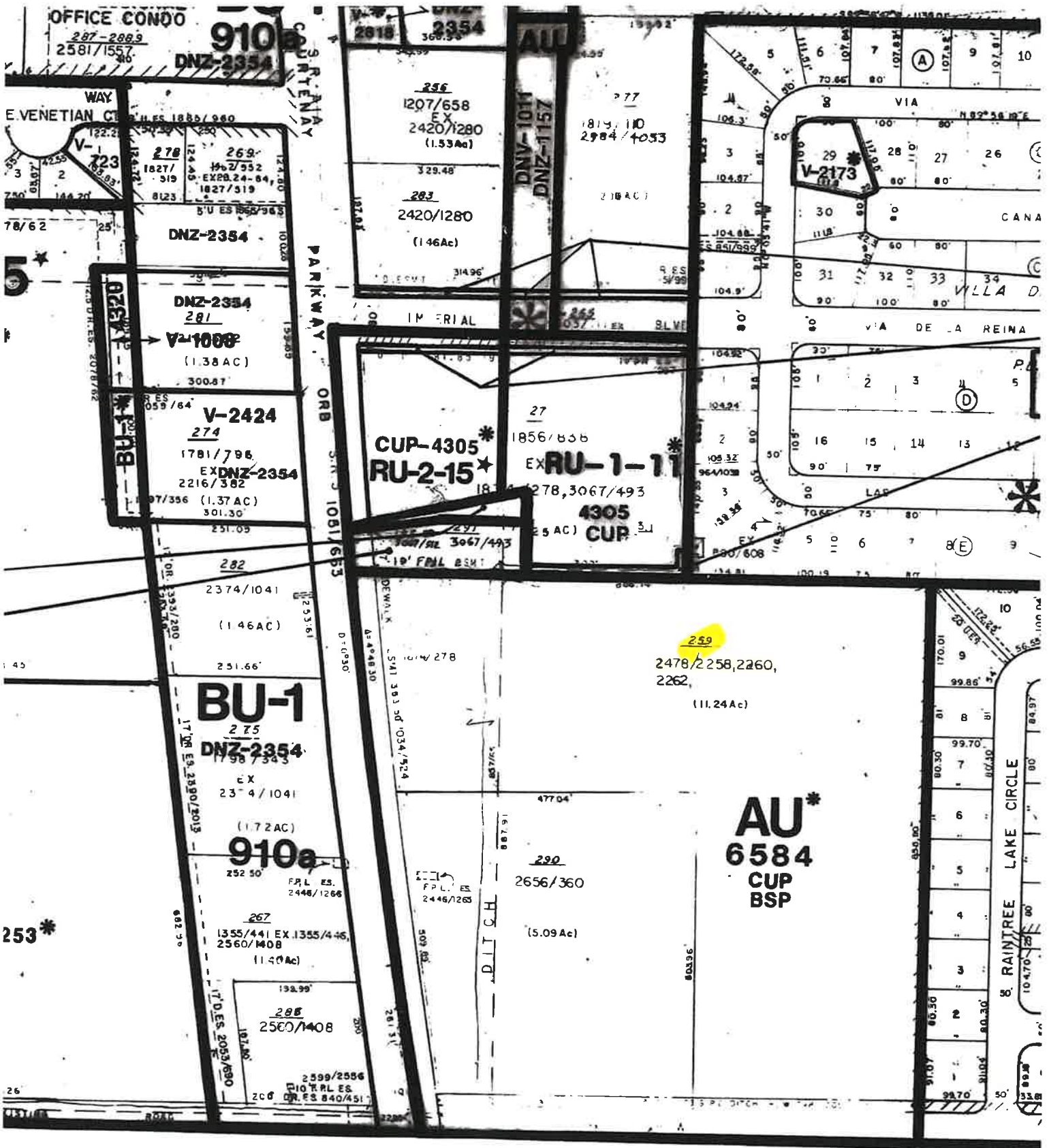
OR Book/Page	Sale Date	Sale Amount	Deed Type	Disqualification Code	Disqualification Source	Vacant/Improved
2544/2286	9/1984	\$100	NN			
2468/1675	11/1983	\$0	DC			
2450/0935	8/1983	\$100	PT			

Extra Feature Information

Pool	Fireplace	Fence	Driveway	Lawn Irrigation	Shed	Dock	Seawall	Other
No	No	No	No	No	No	No	No	No

6581

210781



SCALE 1"=200'

NW 14 2436

10781 (26) ✓

School Board of Brevard County

2700 Judge Fran Jamieson Way • Viera, FL 32940-6699
Dr. Mark J. Rendell, Ed.D., Superintendent



November 20, 2025

Ms. Desiree Jackson, Planner I
Planning & Development Department
Brevard County Board of County Commissioners
2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940

**RE: Proposed Range Water Merritt Island Development
School Impact Analysis –Capacity Determination CD-2025-23**

Dear Ms. Jackson,

We received a *School Facility Planning & Concurrency Application* for the referenced development on November 19, 2025 for the subject property consisting of Tax Account 2412106 (Parcel ID: 24-36-14-00-259), containing approximately 11.24 acres in District 2, Brevard County, Florida. The maximum number of units permitted for development by this proposal is 222 multi-family units. The School Impact Analysis of this portion of the proposed development has been undertaken and the following information is provided for your use.

The calculations used to analyze the prospective student impact are consistent with the methodology outlined in Section 13.2 and Amended Appendix "A"-School District Student Generation Multiplier (approved April 11, 2022) of the *Interlocal Agreement for Public School Facility Planning & School Concurrency (ILA-2014)*. The following capacity analysis is performed using capacities/projected students as shown in years 2025-26 to 2029-30 of the *Brevard County Public Schools Financially Feasible Plan for School Years 2024-25 to 2029-30* which is attached for reference.

Multi-Family Apartments		222	
Students Generated	Student Generation Rates	Calculated Students Generated	Rounded Number of Students Generated
Elementary	0.11	24.42	24
Middle	0.02	4.44	4
High	0.05	11.1	11
Total	0.18		39

Facilities Services, Planning & Project Management
Phone: (321) 633-1000, x11418



School Board of Brevard County

2700 Judge Fran Jamieson Way • Viera, FL 32940-6699
Dr. Mark J. Rendell, Ed.D., Superintendent



At the October 20, 2025, Capital Outlay Committee (COC) meeting, committee members reviewed and discussed methods to incorporate charter school capacity into the district's school concurrency review process. The COC unanimously approved using the *Brevard*

Charter Schools From Analysis, Fall Final Membership Count, which is published in the District's Student Accommodation Plan annually, to determine charter percentages. The Charter School From Analysis is attached for your reference.

The following analysis is performed using the annually published table from the District's SY2025-2026 Student Accommodation Plan, Section 4, the *Brevard Charter Schools: From Analysis, Fall Final Membership Count*, which illustrates the number of students from each traditional school concurrency service area (CSA) (attendance boundary or zone) attending the district's public charter schools and the total percentage of students from each school attendance boundary currently attending charter schools. The percentages shown are the actual percentage of resident public school students attending charter schools from each school CSA. The number of students highlighted in green indicates the number of students expected to attend Charter schools which are subtracted from the projected number of students affecting the BPS traditional schools affected by the development.



School Board of Brevard County

2700 Judge Fran Jamieson Way • Viera, FL 32940-6699

Dr. Mark J. Rendell, Ed.D., Superintendent



FISH Capacity (including relocatable classrooms) from the Financially Feasible Plan (FFP) Data and Analysis for School Years 2025-26 to 2029-30

School		2025-26	2026-27	2027-28	2028-29	2029-30
Carroll	Affected	751	751	751	751	751
Jefferson	School	873	873	873	873	873
Merritt Island	(CSAs)	1,966	1,966	1,966	1,966	1,966

FISH Capacity

Projected Student Membership

School		2025-26	2026-27	2027-28	2028-29	2029-30
Carroll		624	607	576	546	488
Jefferson		481	450	437	513	528
Merritt Island		1,328	1,272	1,231	1,149	1,135

Projected Number of Students

Students Generated by Newly Issued SCADL Reservations Since FFP

School		2025-26	2026-27	2027-28	2028-29	2029-30
Carroll		-	-	22	22	22
Jefferson		2	2	2	2	2
Merritt Island		3	3	14	14	14

+ Students expected from previous reservations

Cumulative Total Public School Students Generated by Proposed Development

School		2025-26	2026-27	2027-28	2028-29	2029-30
Carroll		-	-	24	24	24
Jefferson		-	-	4	4	4
Merritt Island		-	-	11	11	11

+ Total number of students expected to be generated from this development

Cumulative Public CHARTER School Students Generated by Proposed Development

School	% to Charters	2025-26	2026-27	2027-28	2028-29	2029-30
Carroll	1.4%	-	-	0	0	0
Jefferson	1.4%	-	-	0	0	0
Merritt Island	0.0%	-	-	-	-	-

- % of students leaving each CSA to attend Charter Schools

% of students leaving each CSA to attend Charter Schools

Total Projected Student Membership (includes Cumulative Impact of Proposed Development)

School		2025-26	2026-27	2027-28	2028-29	2029-30
Carroll		624	607	622	592	534
Jefferson		483	452	443	519	534
Merritt Island		1,331	1,275	1,256	1,174	1,160

= Total number of students projected to BPS Traditional Schools

Projected Available Capacity = FISH Capacity - Total Projected Student Membership

School		2025-26	2026-27	2027-28	2028-29	2029-30
Carroll		127	144	129	159	217
Jefferson		390	421	430	354	339
Merritt Island		635	691	710	792	806

Capacity - Total (Table 1-Table 6) = Number of available seats

Facilities Services, Planning & Project Management
Phone: (321) 633-1000, x11418

School Board of Brevard County

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Dr. Mark J. Rendell, Ed.D., Superintendent



At this time, Lewis Carroll Elementary School, Thomas Jefferson Middle School and Merritt Island Senior High School are projected to have enough capacity for the total of projected and potential students from the Range Water Merritt Island development.

This is a **non-binding** review; a *Concurrency Determination* must be performed by the School District prior to a Final Development Order and the issuance of a Concurrency Evaluation Finding of Nondeficiency by the Local Government.

We appreciate the opportunity to review this proposed project. Please let us know if you require additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Karen M. Black".

Karen M. Black, AICP
Manager – Facilities Planning & Intergovernmental Coordination
Planning & Project Management, Facilities Services

Enclosure: *Brevard County Public Schools Financially Feasible Plan for School Years 2024-25 to 2029-30*
Brevard Public Schools: Brevard Charter Schools: From Analysis, Fall Final Membership Count-October 14, 2024

Copy:

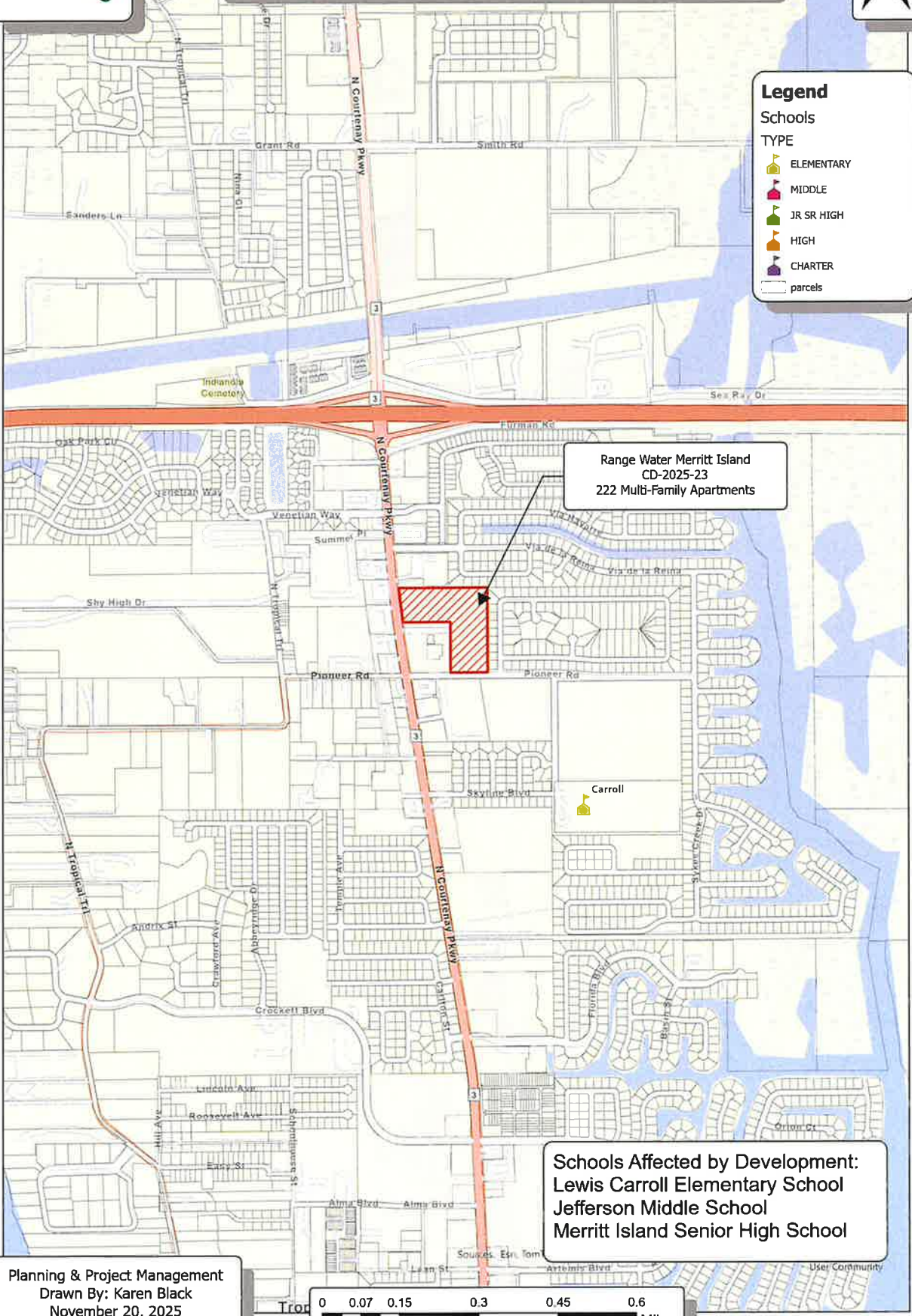
Susan Hann, P.E., AICP, Assistant Superintendent of Facility Services
File CD-2025-23

David G. Lindemann, AICP
Director of Planning & Project Management, Facilities Services
File CD-2025-23





Range Water Merritt Island Location Map



Legend

Schools

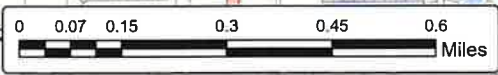
TYPE

- ELEMENTARY
- MIDDLE
- JR SR HIGH
- HIGH
- CHARTER
- parcels

Range Water Merritt Island
CD-2025-23
222 Multi-Family Apartments

Schools Affected by Development:
Lewis Carroll Elementary School
Jefferson Middle School
Merritt Island Senior High School

Planning & Project Management
Drawn By: Karen Black
November 20, 2025





Brevard County Public Schools

Financially Feasible Plan To Maintain Utilization Rates Lower than the 100% Level of Service

Data and Analysis for School Years 2024-25 to 2029-30

School	Type	Grades	Utilization Factor	School Year 2024-25			School Year 2025-26			School Year 2026-27			School Year 2027-28			School Year 2028-29			School Year 2029-30		
				FISH Capacity	10/14/24 Member-ship	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization
Summary				100%	105%	99%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%		
Highest Utilization Elementary Schools:				83%	81%	81%	81%	81%	81%	81%	81%	81%	81%	81%	81%	81%	81%	81%	81%		
Highest Utilization Middle Schools:				81%	81%	81%	81%	81%	81%	81%	81%	81%	81%	81%	81%	81%	81%	81%	81%		
Highest Utilization Jr / Sr High Schools:				81%	81%	81%	81%	81%	81%	81%	81%	81%	81%	81%	81%	81%	81%	81%	81%		
Highest Utilization High Schools:				81%	81%	81%	81%	81%	81%	81%	81%	81%	81%	81%	81%	81%	81%	81%	81%		
Elementary School Concurrency Service Areas																					
Allen	Elementary	PK-6	100%	751	620	83%	751	635	85%	751	650	87%	751	680	91%	751	695	93%	751	710	95%
Andersen	Elementary	K-6	100%	757	481	64%	757	457	60%	757	455	60%	757	419	55%	757	401	53%	757	390	52%
Apollis	Elementary	K-6	100%	902	596	66%	902	579	64%	902	560	61%	902	518	57%	902	494	55%	902	480	53%
Atlanta	Elementary	PK-6	100%	739	653	88%	739	632	86%	739	613	83%	739	599	81%	739	580	80%	739	578	78%
Audubon	Elementary	PK-6	100%	761	415	55%	761	420	55%	761	422	55%	761	413	54%	761	398	52%	761	386	51%
Cambriidge	Elementary	PK-6	100%	787	477	61%	787	491	62%	787	507	64%	787	538	68%	787	556	71%	787	566	72%
Cape View	Elementary	PK-6	100%	570	273	48%	570	263	46%	570	284	46%	570	279	49%	570	277	49%	570	276	48%
Carroll	Elementary	PK-6	100%	751	636	85%	751	624	83%	751	607	81%	751	578	77%	751	546	73%	751	488	65%
Challenger 7	Elementary	PK-6	100%	573	431	75%	573	408	71%	573	393	69%	573	360	63%	573	345	60%	573	346	60%
Columbia	Elementary	PK-6	100%	751	573	76%	751	638	85%	751	682	91%	751	732	97%	751	795	100%	751	839	100%
Coquina	Elementary	PK-6	100%	1,114	450	40%	1,114	472	43%	1,114	464	42%	1,114	474	43%	1,114	466	42%	1,114	473	43%
Creel	Elementary	PK-6	100%	795	464	58%	795	451	57%	795	470	59%	795	469	59%	795	482	61%	795	488	61%
Discovery	Elementary	PK-6	100%	980	690	70%	980	716	73%	980	752	77%	980	789	81%	980	791	81%	980	809	83%
Endeavour	Elementary	PK-6	100%	968	744	77%	968	751	78%	968	750	77%	968	766	79%	968	729	75%	968	708	73%
Enterprise	Elementary	PK-6	100%	729	597	82%	729	585	80%	729	563	77%	729	557	76%	729	557	76%	729	554	76%
Fairglen	Elementary	PK-6	100%	789	466	59%	789	460	58%	789	470	60%	789	464	59%	789	463	59%	789	461	57%
Gennifer	Elementary	PK-6	100%	711	410	58%	711	401	56%	711	374	53%	711	349	49%	711	332	47%	711	309	43%
Gothview	Elementary	PK-6	100%	777	448	58%	777	474	61%	777	480	62%	777	480	62%	777	500	64%	777	517	67%
Harbor City	Elementary	PK-6	100%	629	390	62%	629	389	62%	629	428	68%	629	452	73%	629	464	74%	629	458	73%
Holland	Elementary	PK-6	100%	605	444	73%	605	416	69%	605	406	67%	605	379	63%	605	364	60%	605	351	58%
Imperial Estates	Elementary	PK-6	100%	729	607	83%	729	628	86%	729	607	83%	729	598	82%	729	576	79%	729	562	77%
Indalantic	Elementary	K-6	100%	796	664	83%	796	646	81%	796	641	80%	796	629	79%	796	606	76%	796	584	73%
Jupiter	Elementary	PK-6	100%	930	856	92%	930	974	105%	930	1,018	109%	930	1,062	115%	930	1,059	114%	930	1,149	125%
Lockmar	Elementary	PK-6	100%	892	573	64%	892	567	64%	892	585	66%	892	586	66%	892	591	66%	892	595	67%
Longleaf	Elementary	PK-6	100%	790	579	73%	790	562	71%	790	549	69%	790	524	66%	790	528	67%	790	535	68%
Loneleaf	Elementary	PK-6	100%	998	910	91%	998	900	90%	998	930	93%	998	941	94%	998	932	93%	998	987	99%
Manatee	Elementary	PK-6	100%	838	667	80%	838	705	84%	838	726	87%	838	745	89%	838	765	91%	838	777	93%
McAuliffe	Elementary	PK-6	100%	1,004	778	77%	1,004	764	76%	1,004	742	74%	1,004	712	71%	1,004	704	70%	1,004	708	71%
Meadowlane Intermediate	Elementary	3-6	100%	824	604	73%	824	553	67%	824	565	68%	824	596	72%	824	598	73%	824	591	72%
Meadowlane Primary	Elementary	PK-6	100%	707	382	54%	707	384	54%	707	377	53%	707	367	52%	707	329	47%	707	319	45%
Mia	Elementary	PK-6	100%	725	395	54%	725	420	58%	725	442	61%	725	443	61%	725	460	63%	725	476	66%
Mims	Elementary	PK-6	100%	968	473	49%	968	480	51%	968	480	51%	968	480	51%	968	482	50%	968	496	51%
Oak Park	Elementary	PK-6	100%	654	489	76%	654	486	75%	654	463	71%	654	448	68%	654	418	64%	654	395	60%
Ocean Breeze	Elementary	PK-6	100%	983	583	59%	983	565	57%	983	601	61%	983	605	62%	983	591	60%	983	587	60%
Palm Bay Elem	Elementary	PK-6	100%	613	501	82%	613	519	85%	613	535	87%	613	541	88%	613	541	88%	613	541	90%
Pinewood	Elementary	PK-6	100%	852	628	74%	852	662	78%	852	679	80%	852	725	85%	852	787	92%	852	820	96%
Port Malabar	Elementary	PK-6	100%	932	690	74%	932	675	72%	932	674	72%	932	662	71%	932	637	68%	932	630	68%
Quest	Elementary	PK-6	100%	733	721	98%	733	765	104%	733	821	112%	733	867	118%	733	931	127%	733	900	123%
Riviera	Elementary	PK-6	100%	599	275	46%	599	295	49%	599	294	49%	599	294	49%	599	305	51%	599	314	52%
Roosevelt	Elementary	K-6	100%	785	483	61%	785	495	63%	785	489	62%	785	475	61%	785	476	61%	785	467	59%
Sabal	Elementary	PK-6	100%	998	682	68%	998	634	64%	998	633	63%	998	622	62%	998	600	60%	998	579	58%
Salton	Elementary	PK-6	100%	461	308	67%	461	308	67%	461	313	68%	461	310	67%	461	305	66%	461	301	65%
Sea Park	Elementary	PK-6	100%	609	494	81%	609	511	84%	609	520	85%	609	522	86%	609	522	86%	609	532	87%
Shenwood	Elementary	PK-6	100%	957	907	95%	957	984	103%	957	1,045	109%	957	1,120	117%	957	1,236	128%	957	1,338	140%
Sunrise	Elementary	K-6	100%	755	585	78%	755	574	76%	755	565	74%	755	532	70%	755	530	70%	755	536	71%
Surfside	Elementary	K-6	100%	541	404	75%	541	412	76%	541	410	76%	541	392	72%	541	391	72%	541	390	72%
Tropical	Elementary	K-6	100%	910	569	63%	910	550	60%	910	540	59%	910	532	58%	910	498	55%	910	490	54%
Turner	Elementary	PK-6	100%	874	589	68%	874	569	65%	874	568	65%	874	567	65%	874	567	65%	874	565	65%
University Park	Elementary	PK-6	100%	811	529	65%	811	548	68%	811	571	70%	811	617	76%	811	649	80%	811	685	82%
Viera Elem	Elementary	K-6	100%	1,030	895	86%	1,030	960	93%	1,030	979	95%	1,030	997	97%	1,030	1,001	97%	1,030	1,002	97%
Westside	Elementary	K-6	100%	941	984	105%	941	1,041	111%	941	1,112	119%	941	1,227	130%	941	1,296	137%	941	1,425	151%
Williams	Elementary	PK-6	100%	715	436	61%	715	395	55%	715	387	54%	715	371	52%	715	353	49%	715	329	46%
Elementary Totals				42,106	30,023	61%	42,348	30,425	61%	42,546	30,883	61%	42,876	31,251	61%	43,338	31,428	61%	43,690	31,653	61%

School	Type	Grades	Utilization Factor	School Year 2024-25			School Year 2026-27			School Year 2027-28			School Year 2028-29			School Year 2029-30		
				FISH Capacity	Member-ship	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization
Middle School Concurrency Service Areas																		
Central	Middle	7-8	90%	1,514	1,058	70%	1,514	1,048	69%	1,514	1,101	73%	1,514	1,161	77%	1,514	1,158	76%
Dalaura	Middle	7-8	90%	960	440	46%	960	416	44%	960	446	46%	960	430	45%	960	411	43%
Hoover	Middle	7-8	90%	680	473	70%	680	451	66%	680	460	68%	680	480	72%	680	486	71%
Jackson	Middle	7-8	90%	660	505	77%	660	454	69%	660	446	68%	660	434	66%	660	411	62%
Jefferson	Middle	7-8	90%	873	479	55%	873	450	52%	873	437	50%	873	418	48%	873	528	60%
Johnson	Middle	7-8	90%	1,064	577	54%	1,064	633	59%	1,064	682	64%	1,064	718	67%	1,064	686	65%
Kennedy	Middle	7-8	90%	869	449	52%	869	327	38%	869	368	42%	869	368	42%	869	348	40%
Nicholson	Middle	7-8	90%	781	446	57%	781	412	53%	781	463	59%	781	482	62%	781	436	56%
Richardson	Middle	7-8	90%	616	262	43%	616	258	42%	616	282	46%	616	324	53%	616	322	52%
Southwest	Middle	7-8	90%	1,281	1,001	78%	1,281	1,073	84%	1,281	1,224	96%	1,281	1,439	112%	1,281	1,468	115%
Stone	Middle	7-8	90%	1,076	556	52%	1,076	564	52%	1,076	612	57%	1,076	651	61%	1,076	746	69%
Vierra Middle	Middle	7-8	90%	896	742	83%	896	843	94%	896	925	103%	896	955	107%	896	988	110%
Middle Totals				11,270	7,096	63%	11,329	7,052	62%	11,329	7,460	66%	11,487	7,877	69%	11,507	7,928	69%

Junior / Senior High School Concurrency Service Areas																		
School	Type	Grades	Utilization Factor	FISH Capacity	Member-ship	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization
Cocoa	Jr / Sr High	PK, 7-12	90%	2,085	1,435	69%	2,085	1,320	63%	2,085	1,270	61%	2,085	1,306	63%	2,085	1,317	63%
Cocoa Beach	Jr / Sr High	7-12	90%	1,464	1,049	72%	1,464	966	66%	1,464	912	62%	1,464	894	61%	1,464	859	59%
Space Coast	Jr / Sr High	7-12	90%	1,852	1,505	81%	1,852	1,482	80%	1,852	1,476	80%	1,852	1,433	77%	1,852	1,392	75%
Jr / Sr High Totals				5,401	3,989	75%	5,401	3,768	70%	5,401	3,658	68%	5,401	3,633	67%	5,401	3,558	66%

Senior High School Concurrency Service Areas																		
School	Type	Grades	Utilization Factor	FISH Capacity	Member-ship	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization
Astronaut	High	9-12	95%	1,451	1,054	73%	1,451	1,034	71%	1,451	984	68%	1,451	953	66%	1,451	970	67%
Bayside	High	9-12	95%	2,358	1,736	74%	2,358	1,451	61%	2,358	1,429	61%	2,358	1,429	61%	2,358	1,429	61%
Eau Gallie	High	PK, 9-12	95%	2,211	1,416	64%	2,211	1,429	65%	2,211	1,446	65%	2,211	1,530	69%	2,211	1,588	72%
Heritage	High	9-12	95%	2,314	1,989	86%	2,314	1,978	86%	2,314	1,922	83%	2,314	1,923	83%	2,314	1,989	85%
Melbourne	High	9-12	95%	2,370	2,102	89%	2,370	2,199	93%	2,370	2,214	93%	2,370	2,278	96%	2,370	2,369	97%
Merritt Island	High	PK, 9-12	95%	1,966	1,328	68%	1,966	1,272	65%	1,966	1,231	63%	1,966	1,149	58%	1,966	1,135	58%
Palm Bay	High	9-12	95%	2,642	1,966	74%	2,642	1,907	72%	2,642	1,825	69%	2,642	1,410	53%	2,642	1,435	54%
Rockledge	High	9-12	95%	1,636	1,577	96%	1,636	1,592	97%	1,636	1,555	95%	1,636	1,528	93%	1,636	1,560	95%
Satellite	High	PK, 9-12	95%	1,551	1,436	93%	1,551	1,317	85%	1,551	1,232	79%	1,551	1,213	78%	1,551	1,178	76%
Titusville	High	9-12	95%	1,801	1,277	71%	1,801	1,206	67%	1,801	1,141	63%	1,801	1,141	63%	1,801	1,104	61%
Vierra	High	PK, 9-12	95%	2,461	2,379	97%	2,461	2,375	97%	2,461	2,422	98%	2,461	2,421	98%	2,461	2,435	99%
High Totals				22,961	18,026	79%	22,961	18,014	78%	22,961	17,918	78%	22,961	18,038	78%	22,961	18,467	80%

Schools of Choice (Not Concurrency Service Areas)																		
School	Type	Grades	Utilization Factor	FISH Capacity	Member-ship	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization
Freedom 7	Elementary	K-6	100%	475	408	86%	475	414	87%	475	414	87%	475	414	87%	475	414	87%
Stevenson	Elementary	K-6	100%	569	481	85%	569	486	85%	569	486	85%	569	486	85%	569	486	85%
South Lake	Elementary	K-6	100%	639	469	73%	639	486	76%	639	496	78%	639	496	78%	639	486	76%
West Melbourne	Elementary	K-6	100%	654	605	93%	654	625	96%	654	625	96%	654	625	96%	654	625	96%
Edgewood	Jr / Sr High	7-12	90%	1,077	940	87%	1,077	945	88%	1,077	945	88%	1,077	945	88%	1,077	945	88%
West Shore	Jr / Sr High	7-12	90%	1,264	947	75%	1,264	945	75%	1,264	945	75%	1,264	945	75%	1,264	945	75%
Schools of Choice				4,678	3,850	82%	4,784	3,911	82%	4,784	3,911	82%	4,784	3,911	82%	4,784	3,911	82%
Brevard Totals				86,416	63,174	73%	86,823	63,325	73%	87,422	64,199	74%	88,185	64,887	74%	88,771	65,517	74%

Notes

- FISH Capacity is the sum of the factored permanent capacity and the factored relocatable capacity. Permanent and relocatable capacities for 2024-25 are reported from the FISH database as of November 13, 2024.
- Student Membership is reported from the Fall Final Membership Count (10/14/2024).
- Davis Demographics SchoolSite Enrollment Forecasting Extension for ArcGIS estimates future student populations by analyzing the following data:
 - Development Projections from Brevard County Local Government Jurisdictions
 - Brevard County School Concurrency Student Generation Multipliers (SGM)
 - Fall Membership student addresses and corresponding concurrency service areas
 - Student Mobility Rates / Cohort Survival Rates
 - Brevard County Birth rates by zip code
- Davis Demographics estimates are then adjusted using the following factors:
 - PK (Pre-Kindergarten) and AH (Daycare for students with infants) enrollment number are assumed to be constant
 - Current From/To attendance patterns are assumed to remain constant.
 - Nonprojected student addresses are assumed to continue in their attendance schools.
 - Charter School Growth.
- In order to maintain utilization rates lower than the 100% Level of Services, Permanent Capacity and Relocatable Classrooms are assumed to add future student stations as necessary. If student projections are accurate, the school board could add additional classroom capacity. Implement attendance boundary changes, or add relocatable classrooms. A south area elementary school is planned for the future growth, but the exact timing hasn't been established. If only relocatable classrooms are used for the next 5 years, the following changes would be needed to accommodate projected growth. These schools are being analyzed for the best options to accommodate additional students.
 - Primary relocatable classrooms (Grades K-3) = 18 student stations, Intermediate (Grades 4-8) relocatable classrooms = 22 student stations, and High School (Grades 9-12) relocatable classrooms = 25 student stations
 - For school year 2025-26, a total of 13 intermediate classrooms are projected for Jupiter (2), Riviera (2), Sunrise (2), and Westside (4) Elementary Schools and Vierra Middle School (5).
 - For school year 2026-27, a total of 9 intermediate classrooms are projected for Jupiter (2), Riviera (2), Sunrise (2), and Westside (5) Elementary Schools.
 - For school year 2027-28, a total of 15 intermediate classrooms are projected for Jupiter (2), Riviera (3), Sunrise (4), Turner (1) and Westside (5) Elementary Schools, Southwest Middle School (8) and 6 High School relocatable classrooms are proposed for Bayside High School.
 - For school year 2028-29, a total of 29 intermediate classrooms are projected for Columbia (2), Jupiter (2), Sunrise (5), Turner (3), and Westside (5) Elementary Schools, Southwest Middle School (1) and 9 High School relocatable classrooms are proposed for Bayside.
 - For school year 2029-30, a total of 17 intermediate classrooms are projected for Columbia (2), Jupiter (2), Sunrise (5), Turner (3), and Westside (4) Elementary Schools, Southwest Middle School (1) and 9 High School relocatable classrooms are proposed for Bayside.
- A classroom addition is planned to open at West Melbourne School of Science for 2025-26. The factored capacity is adjusted for the proposed 106 student stations.



BREVARD CHARTER SCHOOLS: FROM ANALYSIS Fall Final Membership Count - October 14, 2024

Students' School of Residence		Students' School of Enrollment																	Total Charter Students FROM District School Boundaries	Percentage of Resident Public School Students Attending Charter Schools
		Charter Schools																		
		Kennedy	Imagite Schools	Odey Charter Pub	Odey Prep	Palm Bay Academy	Phoenicia One	Placerville Cove at Lockstar	Placerville Cove at West Melbourne	Placerville Academy Ignite Coast	Brevard Charter	Bayard Palm Charter	Placerville Charter Pub	Vero Charter	W. Melrose Ed. Heritage Chtr					
Boy Alva	415	505	3	14	1	2	10	10	20	11	3	14	19	168	13.4%					
Andrews	477	642	1						33				112	177	13.7%					
Apollo	573	782	3						1				66	72	10.3%					
Arlanta	627	653	2										66	44	6.7%					
Audrey	391	329	6	2									2	11	3.1%					
CashCoast	417	433	11	1									12	39	8.4%					
Cape View	264	393												9	3.0%					
Carroll	621	693											4	9	1.5%					
Chaloner 2	459	495	5										1	34	6.9%					
Columbia	379	399		19	147	95	4	41	88	14			47	190	48.4%					
Cocoma	499	466	2											31	6.0%					
Coyd	496	772		2	2			1	4	3	4	19		73	9.3%					
Conna	154	613		8				6	2	2	15			54	9.1%					
Discovery	831	948		40	88	80	15	20	30	47	3		8	241	28.4%					
Endeavour	867	898	151											188	18.8%					
Enterprise	558	479	5											34	7.1%					
Fargless	429	492	2						3					24	4.3%					
Grimes	499	395												8	1.6%					
Golfview	109	618	16											79	11.2%					
Harbor City	364	421		8	2		2		8	4	4			4	1.1%					
Holland	443	335			1	1								2	0.5%					
Imperial Estates	391	391	2											121	14.1%					
Inkblotline	859	887		1										1	0.1%					
Jupiter	766	1,267		41	188	94	11	61	98	43	4			235	24.5%					
Lockstar	511	735		24	92	95	5	36	89	27	2			11	1.5%					
Londorf	347	458						1						28	8.1%					
Manatee	399	975	2											44	10.0%					
McKellar	615	859		22	39	39	11	26	48	85	3			9	1.1%					
Meadowland Primary	364	789		27	8	1	3	13	28	56	1			1	0.1%					
Meadowland Intermediate	778	1,028		25	17	2	6	24	39	110	1			2	0.2%					
Mile	349	485		11										8	2.3%					
Mino	347	361		2										22	6.3%					
Oak Park	438	499	1											36	8.2%					
Ocean Breeze	493	521			1									1	0.2%					
Palm Bay Elem	509	727		29	33	15	55	10	14	19	4			15	2.0%					
Pinecreek	482	478												1	0.2%					
Port Malabar	599	758		24	46	85	14	28	35	22				21	2.8%					
Quest	645	1,081	1						1					97	15.0%					
Rivers	642	1,036		112	86	16	41	29	41	86	3			14	1.4%					
Roseville	723	211												6	0.8%					
Sabal	443	484		13	1				1	18	6			12	2.7%					
Saturn	535	820		37										10	1.9%					
Sea Park	249	293												4	1.6%					
Sherrwood	415	448		4					2	3	19			35	8.4%					
Summer	642	1,102		10	70	40	11	83	39	14	1			19	2.1%					
Sunshine	540	648		3										20	3.7%					
Surfside	492	395												3	0.8%					
Terrace	559	657		1	1									36	6.4%					
Tanner	549	1,017		22	138	88	17	52	81	85	2			34	3.3%					
University Park	436	913		2	140	7	6	48	12	15	22	3		9	1.0%					
Vera Dale	884	946							1	2	86			118	13.2%					
Woodsley	949	1,324		15	164	87	9	94	86	86	1			33	2.5%					
Williams	487	428												21	4.3%					
Non Geo-located		30		2	3	1	1	1	2	2				2	0.6%					
Total Number of K-6 Elementary Students Attending School	38,391	87,133	394	613	991	483	260	347	593	563	516	257	481	1,191	187	6,971	18.0%			
Middle Schools	Central	1,058	1,327		14	97		8	82	89	102	2	22	19	7	379	34.8%			
	DeLora	548	385												2	0.4%				
	Hoover	479	358		2	2			1	1	1	1	3	3	14	2.9%				
	Jackson	585	812		1										66	11.1%				
	Johnson	378	668		3	1									2	0.5%				
	Jupiter	577	789		1	3			1	1	10	73	3		84	14.5%				
	Kennedy	449	129		2										1	0.2%				
	Madison	446	513												97	2.2%				
	McKellar	293	301		15										1	0.3%				
	Southwest	1,001	1,588		5	381		43	81	58	39	2	3	42	2	546	44.5%			
Stone	556	914		1	26	88		53	22	89	39		16	24	3	286	31.1%			
Vero Middle	742	1,458												64	1	198	26.8%			
High Schools	Conna	1,422	1,972		18										8	20	47	3.4%		
	Coona Beach	1,018	1,066														5	0.5%		
	Coona Coast	1,385	1,422		5	1									29	2	32	2.3%		
	Astronaut	1,651	1,810															0.0%		
	Brevard	2,138	2,874					259		133					31	31	123	15.8%		
	East Galois	1,288	1,385					5		7					4	29	26	2.0%		
	Heritage	1,892	2,044					86		68					17	34	228	11.5%		
	Melbourne	2,110	2,164					11		41					24	39	115	5.3%		
	Merritt Island	1,429	1,620															0.0%		
	Palm Bay	1,533	1,858					118		62					31	49	249	13.6%		
Rockledge	1,577	1,422															0.0%			
Satellite	1,419	1,294													3	5	8.4%			
Titusville	1,277	1,299														1	0.1%			
Vero	2,312	2,901													3	5	0.2%			
Non Geo-located		87														8	0.0%			
Total Number of Secondary Students Attending School	29,296	84,828	15	49	921	-	109	518	491	289	323	224	62	127	337	-	2,955	9.8%		
Total Number of K-12 Students Attending School	37,590	71,136	339	664	1,912	163	369	1,065	794	552	649	281	189	558	1,528	187	9,926	14.8%		



MERRITT ISLAND REDEVELOPMENT AGENCY

INTER-OFFICE MEMORANDUM

DATE: December 12, 2025

TO: Billy Prasad, Planning & Development Director
Trina Gilliam, Planning & Zoning Manager
Paul Body, Senior Planner
Jacqueline Gonzalez, Planner III
George Ritchie, Planner III
Alice Randall, Operations Support Specialist

FROM: Lisa Nicholas, Community Development Manager, on behalf of the
Merritt Island Redevelopment Agency Board of Directors

RE: **MIRA Board of Directors Rezoning Review – Application #25Z00054
Request to rezone property (Parcel ID 2412106) located behind medical complex
(formerly owned by Steward Health) with frontage on SR 3 and Pioneer Road from AU
to RU-2-15 and RU-2-30**

As set forth in Sec. 62-2114 of the Brevard County Code, when an application is made to the Planning and Zoning Board for a change in zoning that pertains to property located in the Merritt Island Redevelopment Area, the application shall be forwarded to the Merritt Island Redevelopment Agency for review prior to the applicable public hearing before the Planning and Zoning Board.

At its regular meeting on December 11, 2025, the MIRA Board of Directors reviewed the proposed rezoning application, #25Z00054. This proposal would rezone +/- 3.66 acres of a +/- 11-acre property from AU to RU-2-30, and would also rezone +/-7.58 acres of said +/- 11-acre parcel from AU to RU-2-15. The project would provide for a medium- to high-density multi-family project featuring approximately 220 Class A, luxury apartments. The parcel has frontage on both Courtenay Parkway and Pioneer Road.

Numerous residents spoke in opposition to the project, primarily because of concerns surrounding increased traffic on Pioneer Road and Courtenay Parkway, along with the excess intensity of vehicular traffic proximate to Lewis Carroll Elementary School. Other concerns expressed included stormwater management and flooding, and a potential decrease in the amount of mature vegetation and trees on the property. After discussion, **the Board voted unanimously (7-0) to recommend denial** of the rezoning from AU to RU-2-15 and RU-2-30, stating that it would add too much density in this area at this time and that additional information would be needed to ensure an informed decision.

ALTA/NSPS LAND TITLE SURVEY

PROMINENCE ALTA PARCELS

PROPERTY ADDRESS: NORTH COURTENAY, MERRITT ISLAND, FL
PARCEL ID: 24-36-14-00-259



SURVEYOR'S NOTES (AS APPL. CH. 11)

1. THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE FLORIDA SURVEYING AND MAPPING ACT, CHAPTER 461, F.S., AND THE RULES OF THE BOARD OF SURVEYING AND MAPPING, CHAPTER 61G15, F.A.C.

2. THE SURVEY WAS CONDUCTED ON 08/17/2023 BY SURVEYOR JOHN S. THOMAS, LICENSE NO. 12345, AND ASSISTANT SURVEYOR JANE D. SMITH, LICENSE NO. 67890.

3. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE FLORIDA SURVEYING AND MAPPING ACT, CHAPTER 461, F.S., AND THE RULES OF THE BOARD OF SURVEYING AND MAPPING, CHAPTER 61G15, F.A.C.

4. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE FLORIDA SURVEYING AND MAPPING ACT, CHAPTER 461, F.S., AND THE RULES OF THE BOARD OF SURVEYING AND MAPPING, CHAPTER 61G15, F.A.C.

5. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE FLORIDA SURVEYING AND MAPPING ACT, CHAPTER 461, F.S., AND THE RULES OF THE BOARD OF SURVEYING AND MAPPING, CHAPTER 61G15, F.A.C.

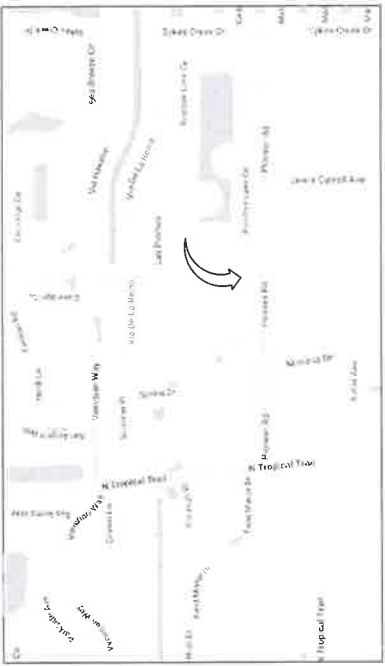
6. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE FLORIDA SURVEYING AND MAPPING ACT, CHAPTER 461, F.S., AND THE RULES OF THE BOARD OF SURVEYING AND MAPPING, CHAPTER 61G15, F.A.C.

7. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE FLORIDA SURVEYING AND MAPPING ACT, CHAPTER 461, F.S., AND THE RULES OF THE BOARD OF SURVEYING AND MAPPING, CHAPTER 61G15, F.A.C.

8. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE FLORIDA SURVEYING AND MAPPING ACT, CHAPTER 461, F.S., AND THE RULES OF THE BOARD OF SURVEYING AND MAPPING, CHAPTER 61G15, F.A.C.

9. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE FLORIDA SURVEYING AND MAPPING ACT, CHAPTER 461, F.S., AND THE RULES OF THE BOARD OF SURVEYING AND MAPPING, CHAPTER 61G15, F.A.C.

10. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE FLORIDA SURVEYING AND MAPPING ACT, CHAPTER 461, F.S., AND THE RULES OF THE BOARD OF SURVEYING AND MAPPING, CHAPTER 61G15, F.A.C.



VICINITY MAP

LEGEND (AS APPLICABLE)

1	1/4 SECTION
2	1/2 SECTION
3	3/4 SECTION
4	SECTION
5	1/4 SECTION
6	1/2 SECTION
7	3/4 SECTION
8	SECTION
9	1/4 SECTION
10	1/2 SECTION
11	3/4 SECTION
12	SECTION
13	1/4 SECTION
14	1/2 SECTION
15	3/4 SECTION
16	SECTION
17	1/4 SECTION
18	1/2 SECTION
19	3/4 SECTION
20	SECTION

ABBREVIATIONS

1	1/4 SECTION
2	1/2 SECTION
3	3/4 SECTION
4	SECTION
5	1/4 SECTION
6	1/2 SECTION
7	3/4 SECTION
8	SECTION
9	1/4 SECTION
10	1/2 SECTION
11	3/4 SECTION
12	SECTION
13	1/4 SECTION
14	1/2 SECTION
15	3/4 SECTION
16	SECTION
17	1/4 SECTION
18	1/2 SECTION
19	3/4 SECTION
20	SECTION

LEGAL DESCRIPTION PER SURVEYOR

THIS PARCEL IS LOCATED IN SECTION 24, TOWNSHIP 24 SOUTH, RANGE 36 EAST, OF ALTA COUNTY, FLORIDA. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE FLORIDA SURVEYING AND MAPPING ACT, CHAPTER 461, F.S., AND THE RULES OF THE BOARD OF SURVEYING AND MAPPING, CHAPTER 61G15, F.A.C.

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SCHEDULE B-II TITLE EXCEPTIONS

1. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE FLORIDA SURVEYING AND MAPPING ACT, CHAPTER 461, F.S., AND THE RULES OF THE BOARD OF SURVEYING AND MAPPING, CHAPTER 61G15, F.A.C.

2. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE FLORIDA SURVEYING AND MAPPING ACT, CHAPTER 461, F.S., AND THE RULES OF THE BOARD OF SURVEYING AND MAPPING, CHAPTER 61G15, F.A.C.

3. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE FLORIDA SURVEYING AND MAPPING ACT, CHAPTER 461, F.S., AND THE RULES OF THE BOARD OF SURVEYING AND MAPPING, CHAPTER 61G15, F.A.C.

4. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE FLORIDA SURVEYING AND MAPPING ACT, CHAPTER 461, F.S., AND THE RULES OF THE BOARD OF SURVEYING AND MAPPING, CHAPTER 61G15, F.A.C.

5. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE FLORIDA SURVEYING AND MAPPING ACT, CHAPTER 461, F.S., AND THE RULES OF THE BOARD OF SURVEYING AND MAPPING, CHAPTER 61G15, F.A.C.

6. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE FLORIDA SURVEYING AND MAPPING ACT, CHAPTER 461, F.S., AND THE RULES OF THE BOARD OF SURVEYING AND MAPPING, CHAPTER 61G15, F.A.C.

7. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE FLORIDA SURVEYING AND MAPPING ACT, CHAPTER 461, F.S., AND THE RULES OF THE BOARD OF SURVEYING AND MAPPING, CHAPTER 61G15, F.A.C.

8. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE FLORIDA SURVEYING AND MAPPING ACT, CHAPTER 461, F.S., AND THE RULES OF THE BOARD OF SURVEYING AND MAPPING, CHAPTER 61G15, F.A.C.

9. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE FLORIDA SURVEYING AND MAPPING ACT, CHAPTER 461, F.S., AND THE RULES OF THE BOARD OF SURVEYING AND MAPPING, CHAPTER 61G15, F.A.C.

10. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE FLORIDA SURVEYING AND MAPPING ACT, CHAPTER 461, F.S., AND THE RULES OF THE BOARD OF SURVEYING AND MAPPING, CHAPTER 61G15, F.A.C.

SURVEYORS CERTIFICATION:

MURRIE BIDCO SPV, LLC
FIRST AMERICAN TITLE INSURANCE COMPANY

DATE OF SURVEY: 08/17/2023

DATE OF THIS CERTIFICATION: 08/17/2023

ALTA/NSPS BOUNDARY SURVEY

PROPERTY ADDRESS: NORTH COURTENAY, MERRITT ISLAND, FL

PARCEL ID: 24-36-14-00-259

DATE: 08/17/2023

BY: JOHN S. THOMAS, LICENSE NO. 12345

ASSISTANT SURVEYOR: JANE D. SMITH, LICENSE NO. 67890

DATE: 08/17/2023

BY: JOHN S. THOMAS, LICENSE NO. 12345

ASSISTANT SURVEYOR: JANE D. SMITH, LICENSE NO. 67890

DATE: 08/17/2023

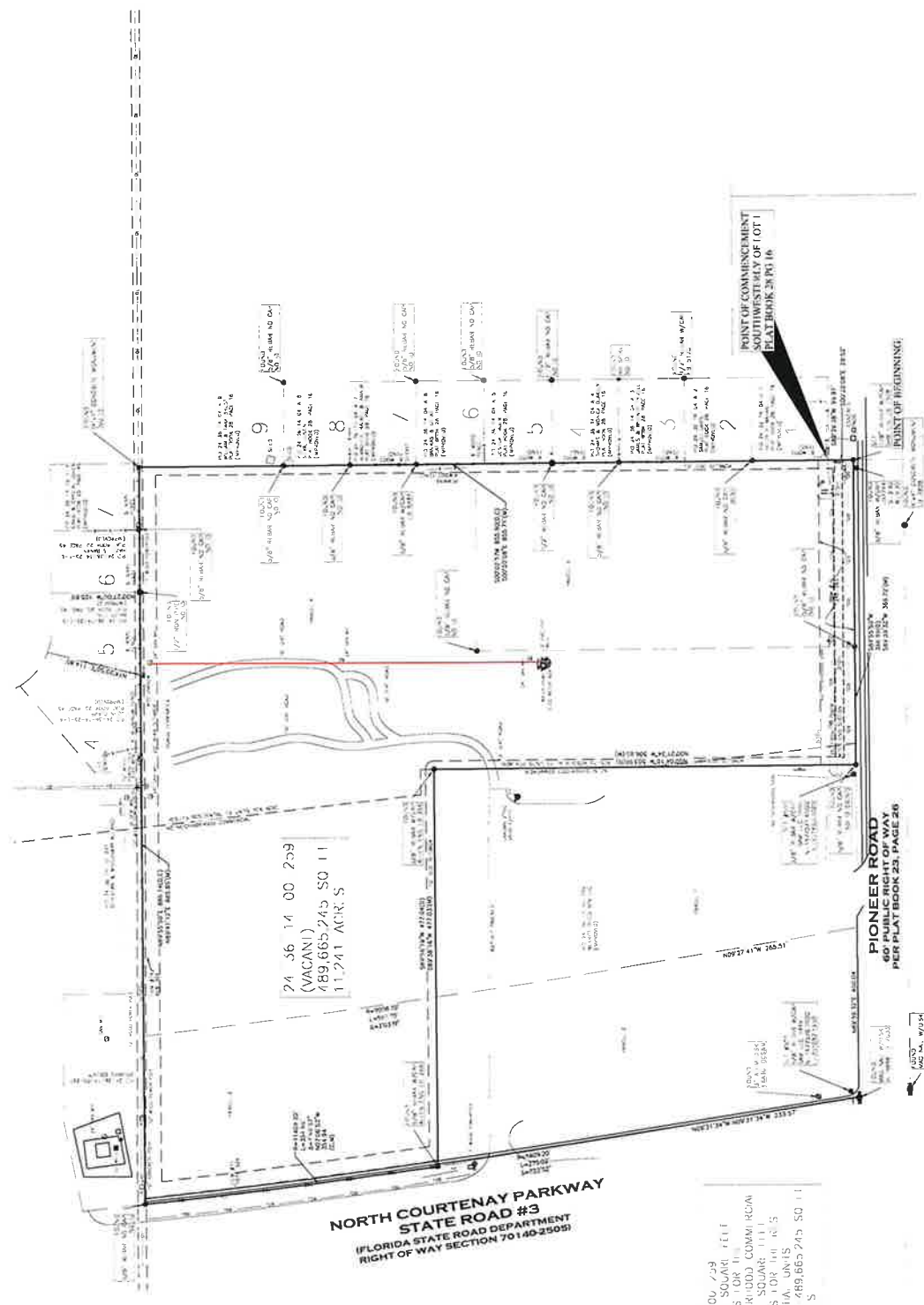
BY: JOHN S. THOMAS, LICENSE NO. 12345

ASSISTANT SURVEYOR: JANE D. SMITH, LICENSE NO. 67890

MAP SHOWING
ALTA/NSPS BOUNDARY SURVEY
 OF

BEING A PORTION OF SECTION 14, TOWNSHIP 24 SOUTH, RANGE 36 EAST, OF BREVARD COUNTY, FLORIDA, MORE PARTICULARLY DESCRIPTION IN OFFICIAL RECORDS BOOK 10286, PAGE 665.

SAM
 SURVEYING AND MAPPING, LLC.
 ALTA/NSPS BOUNDARY SURVEY
 PROPERTY ADDRESS: NORTH COURTENAY PARKWAY, VERRILL, FLORIDA
 PARCEL ID: 24-36-14-00-259



24 36 14 00 259
 59,427,894 SQUARE FEET
 3.69 ACRES (FOR THE
 NC N. CIBERI-DOO COMMI ROW)
 330,237.257 SQUARE FEET
 7.91 ACRES (FOR THE R/W'S
 TO THE 300' WIDE DRIVEWAY)
 TOTAL 489,665.245 SQ FT
 11.241 ACRES

**NORTH COURTENAY PARKWAY
 STATE ROAD #3**
 (FLORIDA STATE ROAD DEPARTMENT
 RIGHT OF WAY SECTION 70140-2505)

PIONEER ROAD
 PER PLAT BOOK 28, PAGE 16

POINT OF COMMENCEMENT
 SOUTH CORNER OF LOT 1
 PLAT BOOK 28 PAGE 16



GRAPHIC SCALE

0	100	200	300	400	500	600	700	800	900	1000
0	10	20	30	40	50	60	70	80	90	100

LOCATION MAP

MERRITT BIDCO SPV LLC

25Z00054





1:24,000 or 1 inch = 2,000 feet

Buffer Distance: 500 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

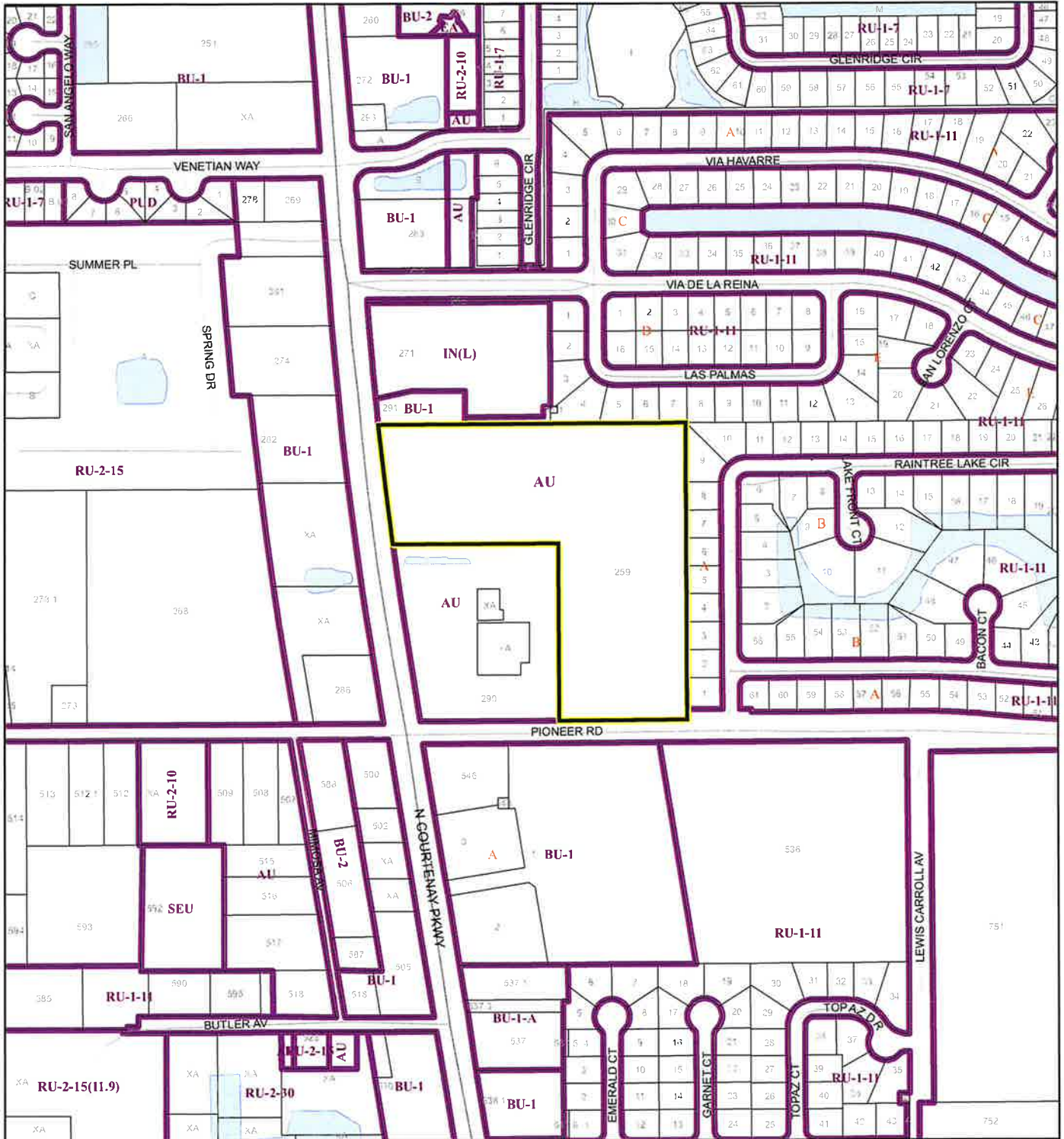
Produced by BoCC - GIS Date: 11/19/2025

-  Buffer
-  Subject Property

ZONING MAP

MERRITT BIDCO SPV LLC

25Z00054



1:4,800 or 1 inch = 400 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

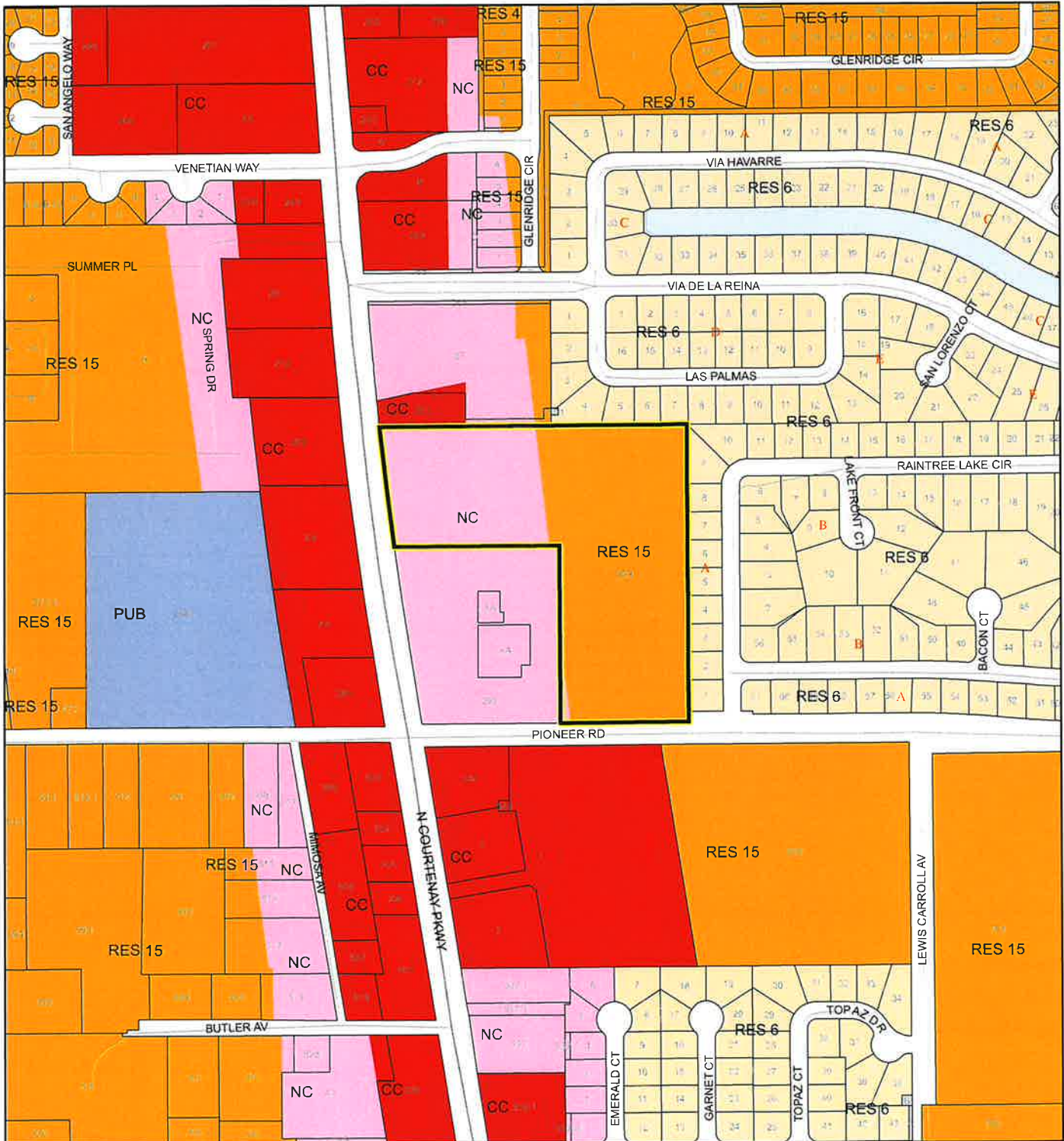
Produced by BoCC - GIS Date: 11/19/2025

-  Subject Property
-  Parcels
-  Zoning

FUTURE LAND USE MAP

MERRITT BIDCO SPV LLC

25Z00054



1:4,800 or 1 inch = 400 feet

- Subject Property
- Parcels

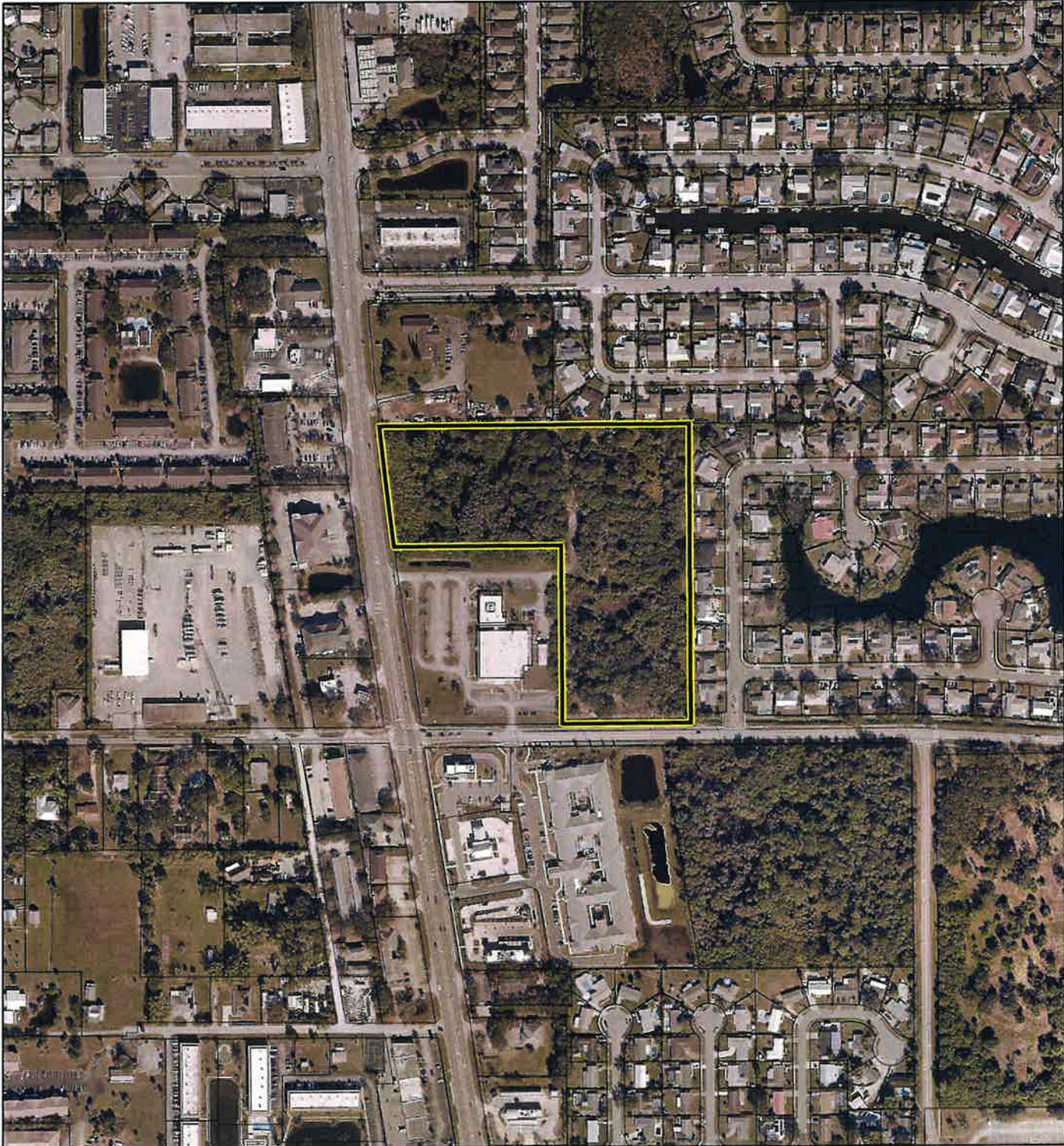
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 11/19/2025

AERIAL MAP

MERRITT BIDCO SPV LLC

25Z00054



1:4,800 or 1 inch = 400 feet

PHOTO YEAR: 2025

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 11/19/2025

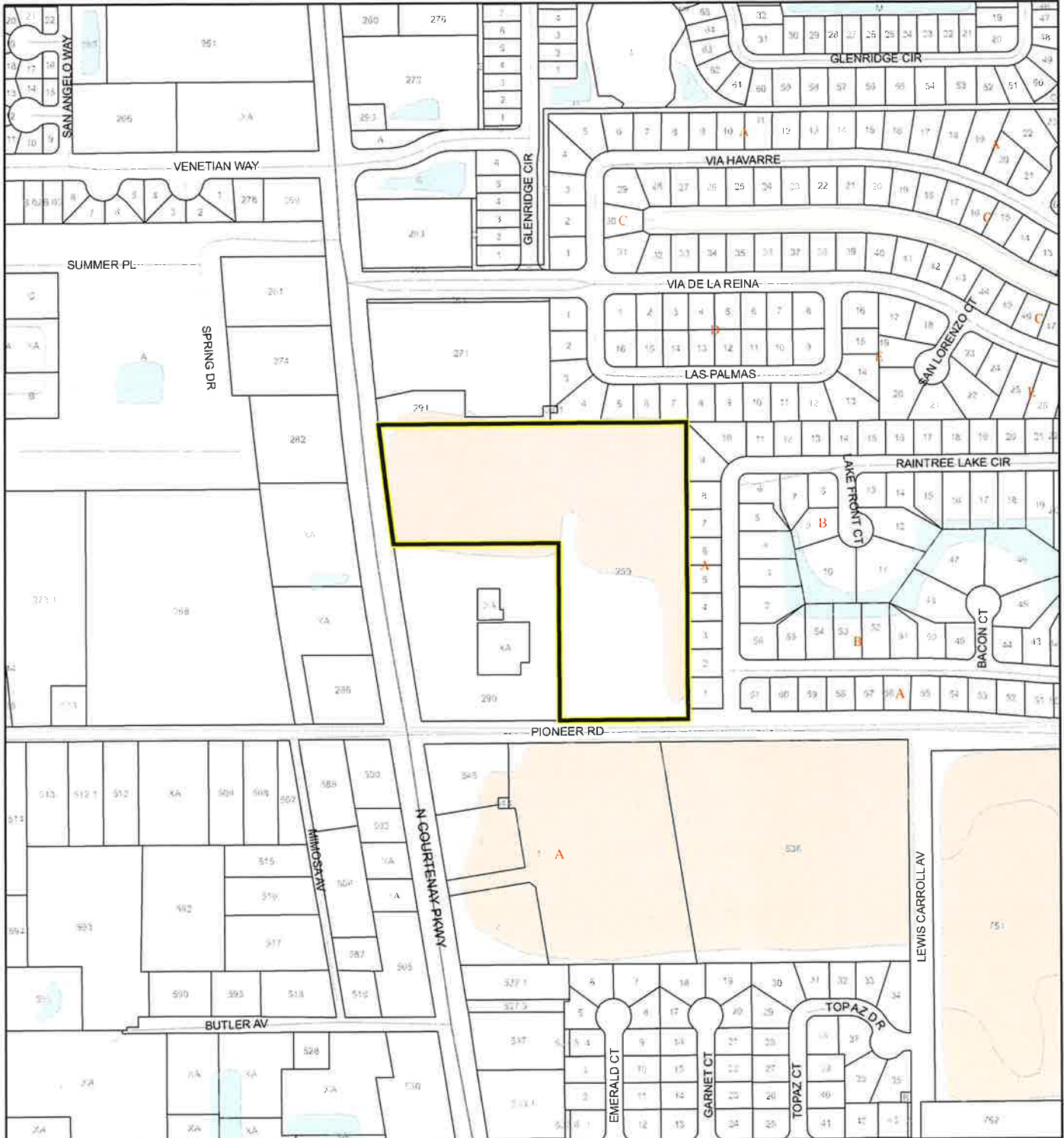
 Subject Property

 Parcels

NWI WETLANDS MAP

MERRITT BIDCO SPV LLC

25Z00054



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 11/19/2025

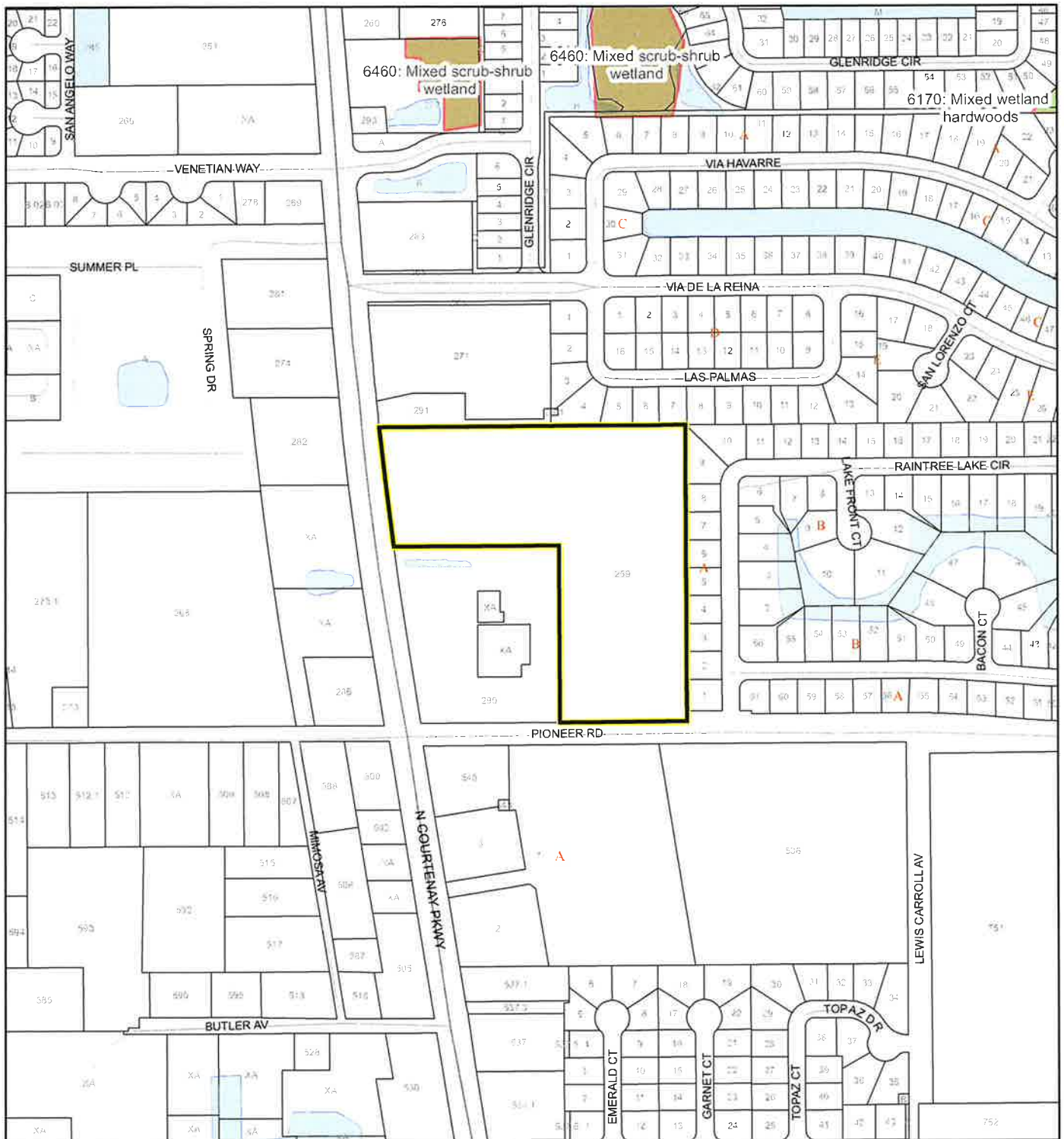
National Wetlands Inventory (NWI)

- | | |
|--|--|
|  Estuarine and Marine Deepwater |  Freshwater Pond |
|  Estuarine and Marine Wetland |  Lake |
|  Freshwater Emergent Wetland |  Other |
|  Freshwater Forested/Shrub Wetland |  Riverine |
| |  Subject Property |
| |  Parcels |

SJRWMD FLUCCS WETLANDS - 6000 Series MAP

MERRITT BIDCO SPV LLC

25Z00054



1:4,800 or 1 inch = 400 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

SJRWMD FLUCCS WETLANDS

- Wetland Hardwood Forests - Series 6100
- Wetland Coniferous Forest - Series 6200
- Wetland Forested Mixed - Series 6300
- Vegetated Non-Forested Wetlands - Series 6400
- Non-Vegetated Wetland - Series 6500

Produced by BoCC - GIS Date: 11/19/2025

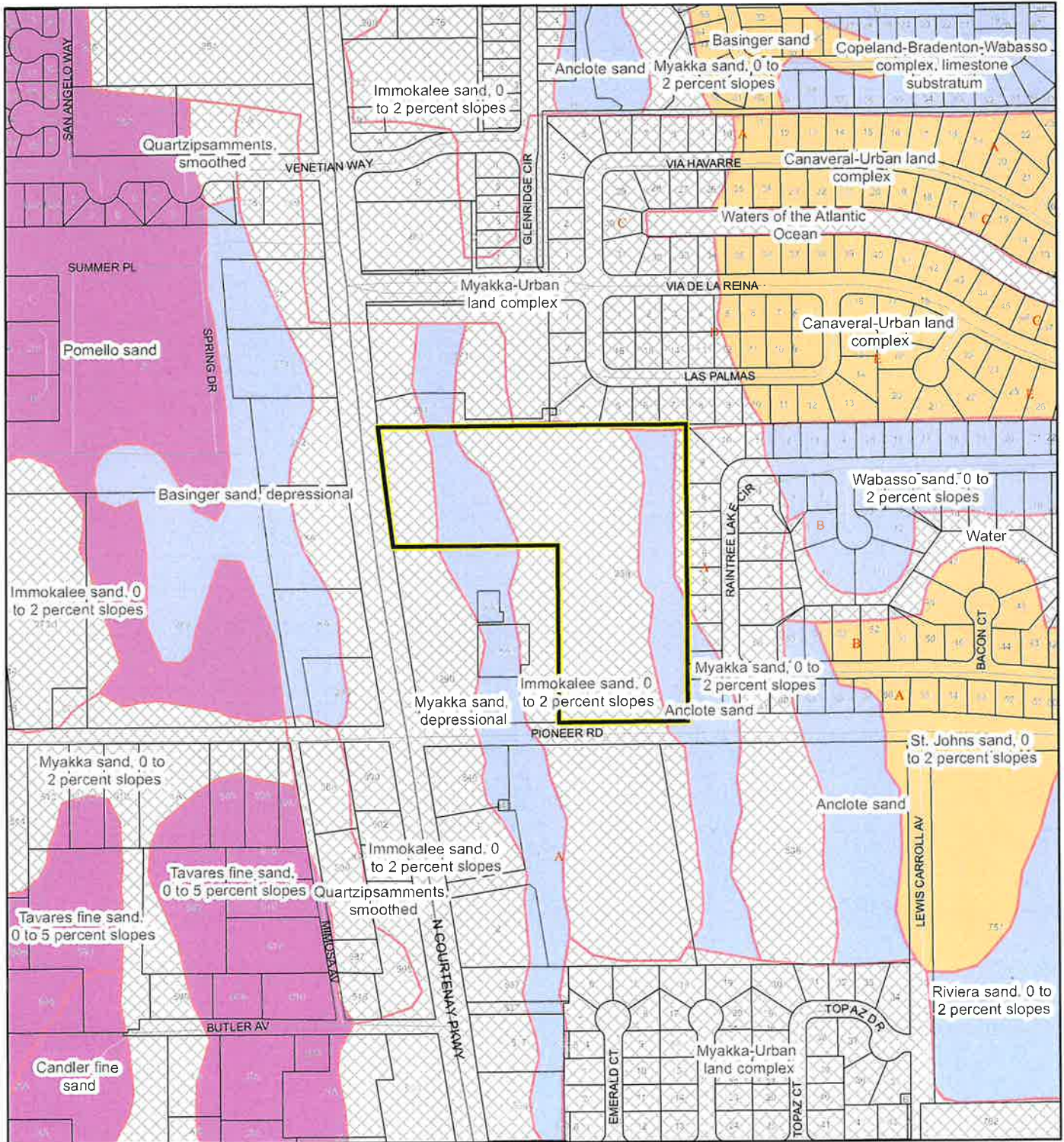
Subject Property

Parcels

USDA SCSSS SOILS MAP

MERRITT BIDCO SPV LLC

25Z00054



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 11/19/2025

USDA SCSSS Soils

- Aquifer and Hydric
- Aquifer
- Hydric
- None
- Subject Property
- Parcels

FEMA FLOOD ZONES MAP

MERRITT BIDCO SPV LLC

25Z00054



1:4,800 or 1 inch = 400 feet

FEMA Flood Zones

- A
- AE
- AH
- AO
- Open Water
- VE
- Subject Property
- Parcels
- X

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 11/19/2025

COASTAL HIGH HAZARD AREA MAP

MERRITT BIDCO SPV LLC

25Z00054



1:4,800 or 1 inch = 400 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 11/19/2025

 Subject Property

 Parcels

Coastal High Hazard Area

 SurgeZoneCat1

INDIAN RIVER LAGOON SEPTIC OVERLAY MAP

MERRITT BIDCO SPV LLC

25Z00054



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 11/19/2025

 Subject Property

 Parcels

Septic Overlay

 40 Meters

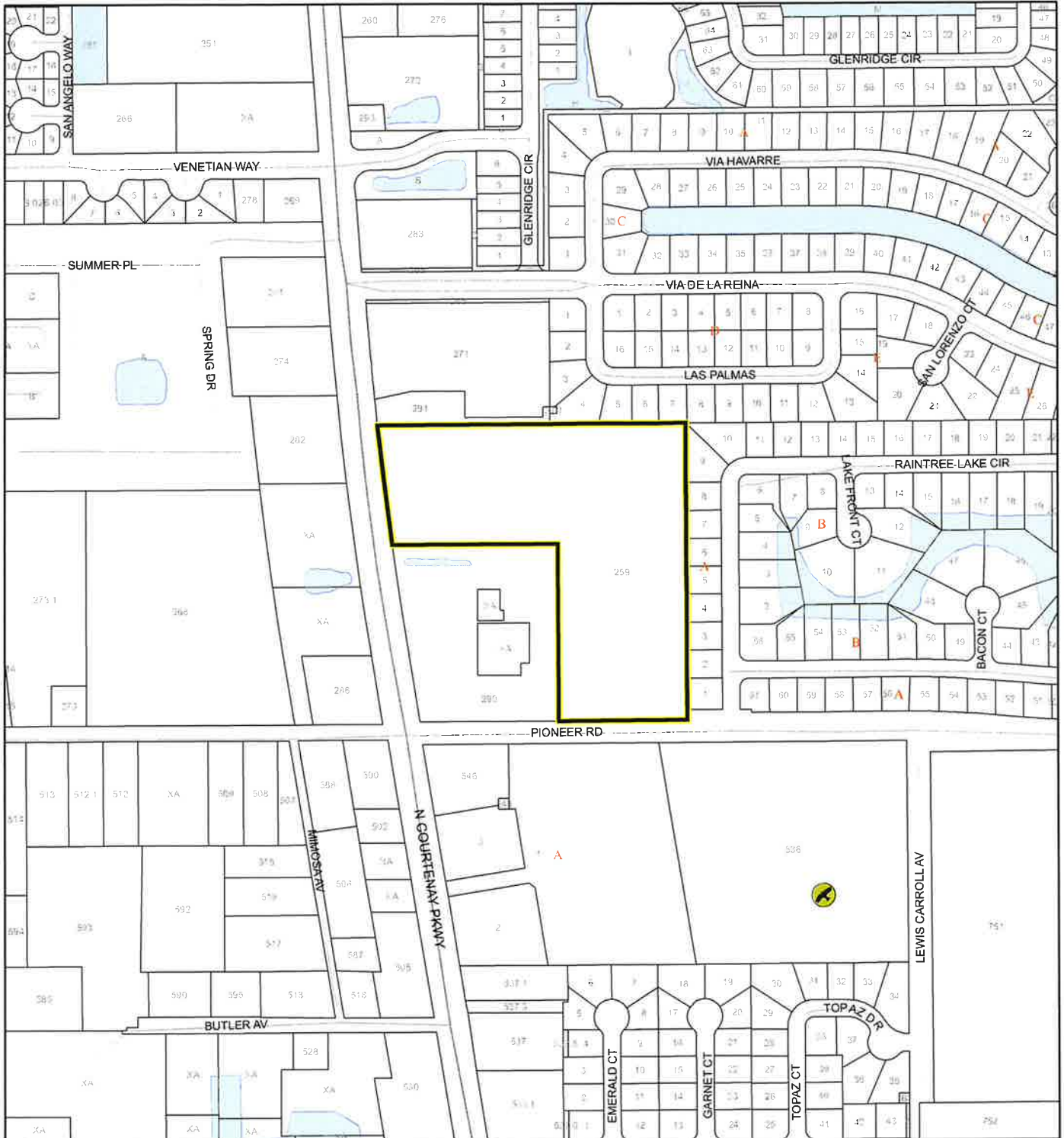
 60 Meters

 All Distances

EAGLE NESTS MAP

MERRITT BIDCO SPV LLC

25Z00054



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 11/19/2025

 Subject Property

 Parcels

 Eagle Nests FWS

SCRUB JAY OCCUPANCY MAP

MERRITT BIDCO SPV LLC




25Z00054



1:4,800 or 1 inch = 400 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 11/19/2025

-  Subject Property
-  Parcels
-  Scrub Jay Occupancy

SJRWMD FLUCCS UPLAND FORESTS - 4000 Series MAP

MERRITT BIDCO SPV LLC

25Z00054



1:4,800 or 1 inch = 400 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 11/19/2025

SJRWMD FLUCCS Upland Forests

- Upland Coniferous Forest - 4100 Series
- Upland Hardwood Forest - 4200 Series
- Upland Mixed Forest - 4300 Series
- Tree Plantations - 4400 Series

Subject Property

Parcels

11.11

RANGEWATER



PROJECT DATA:

ZONE 1: Neighborhood Commercial
3.659 acres
109 units max

AMENITY: 6,500 S.F.

PARKING:

Surface: 368 Spaces
Parallel: 21 Spaces

TOTAL: 389 Spaces
(1.75 Spaces/Unit)

BUILDINGS 1-2:

Building Type 1
24 Units/EA

BUILDING 3:

Building Type 3
30 Units/EA

BUILDING 4:

Building Type 4
31 Units

ZONE 2: Residential

7.581 acres
113 units max

BUILDING 5:

Building Type 2
29 Units

BUILDING 6:

Building Type 4
30 Units/EA

BUILDING 7:

Building Type 2
30 Units/EA

BUILDING 8:

Building Type 1
24 Units/EA

TOTAL: 222 Units
(930 S.F./Average)



January 8, 2026

0000.00



Plan

1 Density Study - Option 1
Scale: 1"=100' 0"

Merritt Island

© 2026 Poole & Poole Architecture, LLC 4240 Park Place Court, Glen Allen, Virginia 23060 Phone 804.225.0215 Internet www.zpa.net

RANGEWATER N COURTENAY PARKWAY MERRITT ISLAND
ROADWAY CAPACITY ANALYSIS - WEEKDAY

Roadway ⁽¹⁾	From ⁽¹⁾	To ⁽¹⁾	ID # ⁽¹⁾	2024 Existing Volume ⁽¹⁾	MAV ⁽¹⁾	V/C Ratio ⁽¹⁾	Reg.	Growth Rate ⁽²⁾	2027 No Build Volumes	Remaining Capacity	No Build V/C Ratio	Daily Project Traffic Trip Dist % ⁽³⁾	Site Trips ⁽⁴⁾	% Of Available Capacity	2027 Build Volumes	V/C Ratio
N. Courtenay Pkwy (SR 3)	Pioneer Rd.	S Ramps SR 528	152	33,650	38,430	0.88	Linear	1.34%	35,003	3,427	0.91	62%	855	24.95%	35,858	0.93

(1) Information from Space Coast TPO Context Classification Spreadsheet downloaded on 11/17/2025

(2) Per approved Traffic Impact Study Scope - Growth Rates

(3) Extracted from approved Traffic Impact Study Scope - Trip Distribution

Prepared by: Kimberly Bonder Rezanka
Address: Lacey Rezanka
6013 Farcenda Pl #101
Melbourne, FL 32940

BINDING DEVELOPMENT PLAN

THIS AGREEMENT, entered into this __ day of _____, 2026 between the BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, a political subdivision of the State of Florida (hereinafter referred to as "County") and MERRITT BIDCO SPV, LLC, a Florida Limited Liability Company (hereinafter referred to as "Developer/Owner").

RECITALS

WHEREAS, Developer/Owner owns property (hereinafter referred to as the "Property") in Brevard County, Florida, as more particularly described in **Exhibit "A"** attached hereto and incorporated herein by this reference; and

WHEREAS, Developer/Owner has requested, pursuant to the Brevard County Code, Section 62-1157, a rezoning of the Property to RU-2-15 and RU-2-30 zoning classifications with a Binding Development Agreement, desiring to develop the Property as an apartment complex as more particularly described herein, and;

WHEREAS, as part of its plan for development of the Property, Developer/Owner wishes to mitigate negative impacts on abutting land owners and affected facilities or services; and

WHEREAS, the County is authorized to regulate development of the Property.

NOW, THEREFORE, the parties agree as follows:

1. Recitals. The above recitals are true and correct and are incorporated into this Agreement by their reference.
2. The County shall not be required or obligated in any way to construct or maintain or participate in any way in the construction or maintenance of the improvements. It is the intent of the parties that the Developer/Owner, its grantees, successors or assigns in interest or some other association and/or assigns satisfactory to the County shall be responsible for the maintenance of any improvements constructed on the Property.

3. During site plan permitting for the Property, Developer/Owner will permit and extend the west bound, right turn lane currently existing on Pioneer Road approximately three hundred (300) feet, from the turn lane's current eastern terminus, for a total length of 480 feet, to provide additional capacity for that turn lane. This turn lane will be constructed with proper authorization and permits from Brevard County, and will be accepted by Brevard County for maintenance upon proper inspection. If the Property does not receive site plan approval for the intended use of an apartment complex, this condition shall become null and void.

4. Developer/Owner will provide a one hundred (100) foot building setback from its east Property boundary, including 15-foot-wide landscaping buffer, disturbing the buffer only as necessary. Developer/Owner will work with NRMO to establish the buffer with similar type of plants and trees that currently exist, if the existing buffer cannot be maintained.

5. Developer/Owner will maintain a fifty (50) foot landscape buffer along its north Property boundary for the land zoned RU-2-15, adjacent to the residentially developed property, preserving all protected trees.

6. Developer/Owner will enter into a cross-access agreement with the adjacent Property Owner to its south, that abuts Pioneer Drive, to utilize the driveway that currently exists from the adjacent Property to Pioneer Road, to minimize traffic conflict points onto Pioneer Road.

7. Developer/Owner will enter into a Proportionate Fair Share Agreement, to address traffic capacity on N. Courtenay Parkway (SR3) with the County, if SR3 is determined to be deficient at time of site plan submittal.

8. Developer/Owner intends to utilize landscape buffers, to the extent allowed by County Code, for usable common open space for use of tenants.

9. Developer/Owner shall comply with all regulations and ordinances of Brevard County, Florida. This Agreement constitutes Developer's/Owner's agreement to meet additional standards or restrictions in developing the Property. This Agreement provides no vested rights against changes to the Brevard County Comprehensive Plan or land development regulations as they may apply to this Property.

10. Developer/Owner, upon execution of this Agreement, shall pay to the Clerk of Court all costs of recording this Agreement in the Public Records of Brevard County, Florida.

11. This Agreement shall be binding and shall inure to the benefit of the successors or assigns of the parties and shall run with the subject Property unless or until rezoned and shall be binding upon any person, firm or corporation who may become the successor in interest directly or indirectly to the subject Property, and shall be subject to the above referenced conditions as approved by the Board of County Commissioners on _____. In the event the subject Property is annexed into a municipality and rezoned, this Agreement shall be null and void.

12. Violation of this Agreement shall constitute a violation of the zoning classification and of this Agreement. This Agreement may be enforced by Sections 1-7 and 62-5 of the Code of Ordinances of Brevard County, Florida, as may be amended.

13. Conditions precedent. All mandatory conditions set forth in this Agreement mitigate the potential for incompatibility and shall be satisfied before Developer/Owner may implement the approved use(s), unless stated otherwise. The failure to timely comply with any condition is a violation of this Agreement and constitutes a violation of the Zoning Classification and is subject to enforcement action as described in Paragraph 12, above.

14. Severability clause. If any provision of this BDP is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provision shall continue in full force and effect without being impaired or invalidated in any way.

[THIS SPACE LEFT INTENTIONALLY BLANK]

IN WITNESS THEREOF, the parties hereto have caused these presents to be signed all as of the date and year first written above.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA
2725 Judge Fran Jamieson Way
Viera, FL 32940

Rachel M. Sadoff, Clerk of Court
(SEAL)

Thad Altman, Chairman
As approved by the Board on _____

WITNESSES:

MERRITT BIDCO SPV LLC
399 Park Avenue, FL 16
New York, NY 10022

(Witness Name typed or printed)

Authorized Member

(Witness Name typed or printed)

(Name typed, printed or stamped)

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of physical presence, this ___ day of ___, 2026, by _____, for MERRITT BIDCO SPV LLC, who is personally known to me/presented ___ as identification.

My commission expires: _____

Notary Public

SEAL

Commission No.:

(Name typed, printed or stamped)

EXHIBIT "A"

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF BREVARD, STATE OF FLORIDA, AND IS DESCRIBED AS FOLLOWS:

LEGAL DESCRIPTION "A" A PARCEL OF LAND LYING IN SECTION 14, TOWNSHIP 24 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE INTERSECTION OF THE NORTH LINE OF PIONEER ROAD AS SHOWN IN PLAT BOOK 23 AT PAGE 26 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND THE WEST LINE OF RAINTREE BY THE LAKE EXTENDED SOUTHERLY AS SHOWN ON THE PLAT THEREOF RECORDED IN PLAT BOOK 28 PAGE 16 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA THENCE RUN S 89° 55' 50" W ALONG THE NORTH RIGHT-OF-WAY OF SAID PIONEER ROAD FOR 563.86 FEET TO A POINT LYING 203.03 FEET EAST OF THE EAST RIGHT-OF-WAY LINE OF STATE ROAD NO. 3 AS SHOWN ON STATE OF FLORIDA, STATE ROAD DEPARTMENT, RIGHT OF WAY MAP OF STATE ROAD NO. 3, BREVARD COUNTY, SECTION 70140-2505, AS MEASURED ALONG THE NORTH RIGHT OF WAY LINE OF SAID PIONEER ROAD; THENCE CONTINUE S 89° 55' 50" W FOR 203.03 FEET TO THE EASTERLY RIGHT OF WAY LINE OF SAID STATE ROAD NO. 3, THENCE RUN N 09° 07' 55" W ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR 234.87 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT, HAVING A RADIUS OF 11409.20 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE AND SAID EASTERLY RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 03° 09' 41" FOR 629.52 FEET TO THE WESTERLY EXTENSION OF THE SOUTH LINE OF VILLA DE PALMAS, UNIT NO. 1 ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 20 AT PAGE 45 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE RUN N 89° 56' 19" E ALONG THE SAID SOUTH LINE FOR 201.59 FEET TO A POINT LYING ON THE ARC OF A CIRCULAR CURVE, CONCAVE TO THE EAST WHOSE CENTER BEARS N 83° 55' 24" E FROM SAID POINT AND HAVING A RADIUS OF 11208.70 FEET, SAID CURVE IS CONCENTRIC WITH AND 200.50 FEET EAST OF THE EAST RIGHT OF WAY LINE OF SAID STATE ROAD NO. 3; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 03° 03' 19" FOR 597.71 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE RUN S 09° 07' 55" E PARALLEL WITH AND 200.50 FEET EAST OF THE EAST RIGHT OF WAY LINE OF SAID STATE ROAD NO. 3, FOR 266.85 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION "B" A PARCEL OF LAND LYING IN SECTION 14, TOWNSHIP 24 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE INTERSECTION OF THE NORTH LINE OF PIONEER ROAD AS SHOWN IN PLAT BOOK 23 AT PAGE 26 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND THE WEST LINE OF RAINTREE BY THE LAKE EXTENDED SOUTHERLY AS SHOWN ON THE PLAT THEREOF RECORDED IN PLAT BOOK 28 PAGE 16 OF THE

PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, THENCE RUN S 89° 55' 50" W ALONG THE NORTH RIGHT OF WAY OF SAID PIONEER ROAD FOR 225.00 FEET TO A POINT LYING 541.89 FEET EAST OF THE EAST RIGHT OF WAY LINE OF STATE ROAD NO. 3 AS SHOWN ON STATE OF FLORIDA, STATE ROAD DEPARTMENT, RIGHT OF WAY MAP OF STATE ROAD NO. 3, BREVARD COUNTY, SECTION 70140-2505, AS MEASURED ALONG THE NORTH RIGHT OF WAY LINE OF SAID PIONEER ROAD.; THENCE RUN N 00° 02' 57" W PARALLEL WITH THE WEST LINE OF SAID RAIN TREE BY THE LAKE FOR 452.08 FEET; THENCE RUN N 89° 55' 50" E FOR 225.00 FEET TO THE WEST LINE OF SAID RAIN TREE BY THE LAKE; THENCE RUN S 00° 02' 57" E ALONG SAID WEST LINE FOR 452.08 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION "C" A PARCEL OF LAND LYING IN SECTION 14, TOWNSHIP 24 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE INTERSECTION OF THE NORTH LINE OF PIONEER ROAD AS SHOWN IN PLAT BOOK 23 AT PAGE 26 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND THE WEST LINE OF RAIN TREE BY THE LAKE EXTENDED SOUTHERLY AS SHOWN ON THE PLAT THEREOF RECORDED IN PLAT BOOK 28 PAGE 16 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA THENCE RUN S 89° 55' 50" W ALONG THE NORTH RIGHT-OF-WAY OF SAID PIONEER ROAD FOR 225.00 FEET TO A POINT LYING 541.89 FEET EAST OF THE EAST RIGHT OF WAY LINE OF STATE ROAD NO. 3 AS SHOWN ON STATE OF FLORIDA, STATE ROAD DEPARTMENT, RIGHT OF WAY MAP OF STATE ROAD NO. 3, BREVARD COUNTY, SECTION 70140-2505, AS MEASURED ALONG THE NORTH RIGHT OF WAY LINE OF SAID PIONEER ROAD SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUE S 89° 55' 50" W ALONG SAID NORTH RIGHT OF WAY LINE FOR 338.86 FEET; THENCE RUN N 09° 07' 55" W PARALLEL WITH AND 200.5 FEET EAST OF THE EAST RIGHT OF WAY LINE OF SAID STATE ROAD NO. 3 FOR 266.85 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 11208.70 FEET, SAID CURVE BEING CONCENTRIC WITH AND 200.50 FEET EAST OF SAID EAST RIGHT OF WAY LINE; THENCE RUN NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 03° 03' 19" FOR 597.71 FEET TO THE WESTERLY EXTENSION OF THE SOUTH LINE OF VILLA DE PALMAS, UNIT NO. 1 ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 20 AT PAGE 45 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, THENCE RUN N 89° 56' 19" E ALONG THE SAID SOUTH LINE FOR 684.55 FEET TO THE NORTHERLY EXTENSION OF THE WEST LINE OF SAID RAIN TREE BY THE LAKE, THENCE RUN S 00° 02' 57" W ALONG SAID WEST LINE FOR 403.82 FEET; THENCE RUN S 89° 55' 50" W FOR 225.00 FEET; THENCE RUN S 00° 02' 57" E FOR 452.08 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PROPERTY: A PARCEL OF LAND LYING IN SECTION 14, TOWNSHIP 24 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF PIONEER ROAD (AS SHOWN IN PLAT BOOK 23 AT PAGE 26 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA) WITH THE WEST LINE OF RAIN TREE-BY-THE-LAKE (AS SHOWN ON THE PLAT THEREOF RECORDED IN PLAT BOOK 28 AT PAGE 16 OF SAID PUBLIC RECORDS) EXTENDED SOUTHERLY; THENCE RUN S 89° 55' 50" W ALONG SAID NORTH RIGHT-OF-WAY LINE OF PIONEER ROAD FOR 366.89 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S 89° 55' 50" W FOR 400.00 FEET TO A POINT LYING ON THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 3, AS SHOWN ON FLORIDA STATE ROAD DEPARTMENT, RIGHT-OF-WAY MAP OF STATE ROAD NO. 3, BREVARD COUNTY, SECTION 70140-2505; THENCE RUN N 09° 07' 55" W ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR 234.87 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 11409.20 FEET; THENCE RUN

NORTHERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 01° 22' 52" FOR 275.02 FEET; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE, RUN N 89° 56' 19" E FOR 477.04 FEET; THENCE RUN S 00° 04' 10" E FOR 503.96 FEET TO THE POINT OF BEGINNING.

PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY MINUTES

The Brevard County Planning & Zoning Board met in regular session on **Monday, January 12, 2026**, at **3:00 p.m.**, in the Florida Room, Building C, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, Florida.

The meeting was called to order at 3:00 p.m.

Board members present were Mark Wadsworth, Chair (D4); Henry Minneboo, Vice-Chair (D1); Jerrad Atkins (D1); John Hopengarten (D1); Ruth Amato (D1); Ron Bartcher (D2); Robert Wise (D2); Erika Orriss (D3); Eric Michajlowicz (D3); Debbie Thomas (D4); Neal Johnson (D4); Robert Brothers (D5); Ana Saunders (D5); and Melissa Jackson (D5).

Staff members present were Trina Gilliam, Planning and Zoning Manager; Paul Body, Planner; George Ritchie, Planner; Derrick Hughey, Planner; Alex Esseesse, Deputy County Attorney; and Alice Randall, Operations Support Specialist.

EXCERPT OF COMPLETE MINUTES

H.11. Merritt Bidco SPV, LLC (Kim Rezanka) requests a zoning classification change from AU with a BSP to RU-2-15 and RU-2-30 with removal of BSP. (25Z00054) (Tax Account 2412106) (District 2)

Paul Body read the item into the record.

Kim Rezanka spoke to the application. Here with me is Michael Oliver from Rangewater, the engineer of record. Kyle Shasteen, and the traffic engineer, Daniela Gerard, and Tom Lee is also here with Rangewater. This is a rezoning. It looks a lot like a future lane use change, but it's not. This is 11.24 acres that is on Pioneer and Courtney. The request is for RU-2-15 on the portion that's RES 15 already future land use, that's 7.5 acres to RU-2-15 from AU. And then on the front portion on Courtenay it's 3.66 acres currently neighborhood commercial that we're seeking to go to RU-2-30 which is allowed by the comprehensive plan FLU policy 2.10. The goal is to put 222 units. It's approximately 19.75 units to the acre. As you know, there have been very few new apartments in Merritt Island. Woodfield is going in behind the mall, but that's been the first apartment complex in the last 35 years from what I understand. This is also seeking a removal of a binding site plan that was done many, many years ago to allow the current medical complex there. The entire property is subject to a BSP for a hospital and medical use. So, in theory, a hospital could be built there. I think that was the intent is to expand the medical facility. It was never done. So, this property is laying vacant and went into bankruptcy. This was the old steward property. It went out of bankruptcy. The owner is a Merritt Bidco which we're under contract with to purchase. That CUP will go away if this property is rezoned. We did have a community meeting on November 24th. Over 200 invitations went out. Approximately 20 neighbors showed up and all the MIRA representatives showed up as well. This also did go to MIRA, that recommended denial as you're aware because of traffic concerns. I would assert that traffic concerns are not the issue at this point. Florida statutes do not let you deny projects because of capacity. It just requires proportionate fair share agreement. We've run those numbers. The developer is willing to donate a proportionate fair share. That is an option and he's willing to do that. At the community meeting, there was a site plan shown, a concept plan, again, not fully engineered, and the neighbors had concerns about height, parking, traffic, flooding, buffering, windows, balconies, location of buildings, and the removal of trees. You've seen that in what appear to be AI generated responses sent to you via emails. We run it through an AI generator, and most of it is done through AI. Spot zoning is a unique term and somehow it came up in AI generated documents. So based upon what the community says the developer is willing to put into a binding development plan that they will have buffers to the east setback for building of 100 ft. Willing to have

setbacks from the north to the building of 50 feet and keep that in Native Preserve. As to traffic, they are willing to work and extend the turn lane on Pioneer that goes to the north and will do whatever is necessary to do a proportionate fair share. That traffic concurrency issue is kind of unique. I've not run into it before where if it's over 85% capacity, you're only allowed to have a certain percentage designated. That's something new. To me it's contrary to Florida law but we have disagreement on that but again Florida law says you can't deny it because of capacity so you have to go into a proportionate fair share. I do want to say that the impact fees generated from this will be over half a million dollars which the county could indeed use to try to improve Pioneer Road. Part of that problem is it's not our right-of-way. We can do the right-of-way on the property under contract to extend that turn lane, but there's nothing else we can do. There's Florida Power and Light poles to the south and that would be something that the county would have to work with FP and L if that were intended to be done. That's just an overview of the project. Mr. Oliver would like to speak a little bit about the company and Kyle Shasteen, the engineer of record will talk about the changes that were made to the concept plan based upon what the neighbors said and then Danielle Gerardo will talk about her traffic study that she did to do the actual counts. The counts currently are used by Space Coast TPO. Her counts came out similar to it, but I'll let her explain it and about the improvements that would be made.

Michael Oliver stated he is the managing director of development for Rangewater for the state of Florida. We develop in Tampa, Jacksonville, Orlando, and here in Brevard County. With me here is Tom Lee, development manager for this proposed project. Rangewater is a national multi-family developer active here in Florida but also across the Sunbelt. In Florida, we've developed 6,000 homes and managed 20,000 units. And then nationally, we have developed 25,000 homes and manage 100,000 units. Over the past decade we have been recognized by the National Association of Homebuilders as the developer of the year. We share this not as a point of pride but to demonstrate the depth of experience, the long-term commitment that we bring to the communities that we build in. Our development philosophy is centered on community focused placemaking, long-term neighborhood compatibility, high quality design and responsiveness to local contexts. As Kim mentioned, we met with the neighborhood and the neighbors, many of which are here today, and we listened to their concerns at a community meeting in November. We heard about building heights, proximity of parking to property lines, building setbacks, and traffic. And we have done everything that we feel is reasonable to alter the conceptual plan that is shown in front of you and on this board right here to accommodate and to be the best neighbor that we can possibly be. Kyle will speak a little bit to this, but I think primarily of note, we are committed to providing a 100-foot building setback on the east property line, to three story residential buildings, which is, as I think most people here are aware, a much larger building setback that is required by most zoning designations. Additionally, we committed early on to doing three-story product, three-story apartment buildings here in lieu of four-story just based on the proximity of the homes to residential neighbors. And the conceptual plan accommodates that. Additionally, we met with neighbors on the north property line, specifically Mr. Clamp and we heard about some pine trees on our property that are mature and they feel suit the needs and aspect of the neighborhood and we have committed to Mr. Clamp and those neighbors to preserve that tree canopy adjacent to their homes within 50 ft to allow for that buffer, adequate buffer between those homes and the parking lot and single-story clubhouse that we have on the other side of that. I say all this to say that we have 13 immediate residential neighborhood neighbors and our goal with the latest iteration of the conceptual plan is to maintain privacy, separation, and enhanced buffering through that landscaping, through storm water features, and long-term maintenance. These refinements were made intentionally and directly in response to the neighbors and their concerns.

Kyle Shasteen stated he will be the engineer of record for this project and responsible for making sure that this site plan meets the county's applicable land development codes as well as any storm water requirements set forth by the state and other agencies once this moves forward to the site planning stage. As Mike said, we have met with the residents nearby two times now. First at a neighborhood meeting and second at the MIRA board meeting. We've heard a lot of input from the neighbors and this site plan has really come a long way to accommodate some of those requests. Being the 100-foot building setback, the setback to the north. Bowman's gone out there. We've conducted a tree survey. I believe it was 20 feet from the north and the east property lines to see what kind of native vegetation is currently there so that we could provide a natural buffer to keep what the residents are used to seeing. Part of that buffer along the east is going to be our storm water retention ponds. We've done some preliminary calculations. We found a model that was done by the county looking at Pioneer Road. There's a ditch along the north side there that kind of drains a larger basin which eventually ends out in Sykes Creek. So, once we do the engineering for this site, we're going to be looking at that base and making sure there's no adverse impacts to the surrounding area. There are also some wetlands on site that we're preserving. You can kind of see it there on the east side. It's the green cluster. So that has been delineated by an environmental scientist locally here in town and confirmed by St. John's. So that area has been delineated. So, we are going to preserve what's required by the county. I'm here to answer any questions. Anything comes up regarding storm water site layout. And I will say just about Rangewater, they have been willing to change their plan to meet some input from the community. It's something that I haven't always seen in the line of work that I do. And I really I'm very impressed with this site plan has come given the process that we've been through.

Daniella Jurado stated she is the traffic engineer with the project. Rangewater Residential has 222 low-rise residential units. It would be three floors and per ITE this is considered low-rise residential. The anticipated daily trip generation of the site is 1,379 daily trips. This would be inbound and outbound trips. The anticipated peak hour trip generation of the site would be 91 morning peak hour trips and 115 pm peak hour trips. That would be for the pm for example would be 72 inbound trips and 43 outbound trips. We have received several complaints or comments regarding the possibility of the impacts of the traffic in the roads and so we reviewed the daily capacity of the roads and based on current volumes the road, North Courtenay operates at 0.88 volume to capacity ratio and under build conditions North Courtenay will be operating at 0.93 volume to capacity ratio. So, the calculated impact of the project would be on the remaining capacity would be 24.95%. We've done a scope with the county and FDOT. We have agreed to a scope and methodology for the traffic impact analysis. This scope contains all the intersections that we're going to be analyzing in the traffic impact study. We have already collected the data and we're currently analyzing all the intersections. We hope to have results by the end of the month. There have been some changes in the access conditions currently but we're still working on analyzing the driveways. For the intersections that we're analyzing, the intersection of Pioneer and North Courtenay. We're analyzing the two ramps and all the driveways. We have also collected two counts at Pioneer, and we also collected videos for the cues along Pioneer Road to make sure that the cues were not backing up to the driveway. The current volume to capacity ratio of Pioneer Road is 0.32. That is one of the biggest concerns of the community. We've also reviewed the peak hour volumes of pioneer especially during the school dismissal and what the peak hour capacity of that road would be 1,333 peak hour trips and the existing school dismissal volumes are 448 peak hour trips from 2 to 3 p.m. And from 3 to 4 p.m. we've collected data and made sure that we had the volumes in that road. We also reviewed the videos, and we also had site visits to make sure that the cues were not backing up into the side driveway and

we are analyzing that data. And for the traffic impact study, we will be addressing any queuing issues along Pioneer Road both onto North Courtenay and onto the side driveway.

Mr. Oliver added North Courtenay Parkway, state road 3, we believe it's Merritt Island's primary north south connector, an arterial and a critical transportation employment corridor. We are aware based on our conversations with MIRA, FDOT, everyone else that it is the focus of many redevelopment planning efforts and corridor studies and infrastructure investments being advanced. This corridor directly serves the region's largest employment centers including the Kennedy Space Center, the growing commercial space industry in Port Canaveral, all of which continue to drive job creation across aerospace defense, logistics, maritime, tourism and advanced manufacturing. That's exactly why we believe that this is a suitable location for a multi-family property. These industries collectively support tens of thousands of direct and indirect jobs and are projected to continue expanding over the coming years. From a land use and planning perspective, as Kim mentioned, this site is appropriately located for a higher density residential development along a major arterial within the urban service area and is in close proximity to major job centers. The project represents from our perspective responsible infill development that aligns with the county's long-term growth strategy and the future land use plan. As mentioned, we have met with the neighbors. We have heard the neighbors' concerns, and we have done our best to reasonably accommodate those comments in the latest iteration of the conceptual plan.

Ms. Rezanka stated I'm not sure the neighbors have seen this plan. I do not believe they've seen the extra buffers. This is North Courtenay. This is Pioneer. They will extend the turn lane that goes onto Courtenay heading north. This is a 100-foot buffer to the east to the building line, where currently the existing BSP only requires a 50-ft buffer and then an additional 50-ft buffer which is in the old BSP and a natural landscape to the north. So again, that's willing to commit to that in a BSP to have the 50-foot buffer to the building line, 100-foot buffer to the building line, and extending the Pioneer Road. And we'll do whatever else the county tells us to do that's within our ability to do, including the proportionate fair share. I did also want to bring up the issue that this is infill as Michael stated, this is an infill development. This is a site that's underutilized. This binding site plan has been on it since 1983 and has not been developed. Meaning it wasn't going to be developed. It wasn't primed to be developed. Wasn't right to be developed. This is an opportunity to have a different type of residential use in Merritt Island. The housing element objective four says that Brevard County shall continue to provide for adequate lands for residential land uses in a wide variety of housing types. Again, there's not been any new apartments in Merritt Island for a good 30 to 35 years, except for Woodfield that's being built behind the mall. There were also issues about the drawbridge and the impact on traffic there. As I mentioned previously that drawbridge is not allowed to be opened between 6:15 a.m. and 8:15 a.m. or between 3:10 p.m. and 6:10 p.m. And, I did want to indicate that there are multiple types of uses. There are condominiums to the north and west of this property. There are single family. There is a mobile home park to the west and there down by Merritt Island High there are some apartments, also JB Somerset. With that, we would ask that you recommend approval of the RU-2-15 and the RU-2-30 on the portion next to Courtenay.

Mr. Minneboo commented under most projects we're not supposed to help you design anything, but this is such a significant traffic issue that if I was the one that was submitting, I would say I would need to show you the geometrics of Pioneer. My calculations showed you almost have 3,000 trips every day over and exceeding what's already there. The generation went right out of the manual and unless we've significantly reduced the number of units you're going to look tend to the box. So, I'm

using 3,000 because it's a lot easier for the world to understand 3,000 more cars that are potentially going to be at this intersection.

Ms. Jurado stated yes it's based on the ITE and that's based on national data. That has more than 250 different data points and throughout the nation. The anticipated trip generation of the site is 1,379 trips and that is including inbound and outbound. That's inbound and outbound. It would be 690 trips inbound and 689 trips outbound.

Mr. Minneboo commented I'm not debating this, but in this case, the staff and I agreed. The staff that's going to review it. So, we're close. Saying that, there's no geometric shown for what I think is going to be the primary access to the north. If nothing else, it's going to be an exclusive outbound direction. It's going to go west and north. So, you're going to have significant movements there because the backup on Pioneer now is atrocious. And it's sort of neat to watch. If you can get the timing just perfect, you may be able to get all the way to Sykes Creek. And that's just not a bunch of bull. But you get the mamas out there bringing their kids home. You got Starbucks now that's open all the time. You got the car wash in there. You got the old people's place in there. List goes on that can clutter up at one time. I wish we could have seen the geometrics. I'm debating on what somebody said about the amount of right-of-way that's on Pioneer. I'm going from memory, but I thought it was greater than 50 ft. Every foot there is going to be extremely important, especially when you're going to go to a minimum of 10-foot lanes. So, you really have a tremendous problem and traffic-wise. I don't need to expound upon it. Staff what's the closest RU-2-30 to this site?

Ms. Gilliam responded there's RU-2-30 to the south, south of Butler Avenue.

Mr. Minneboo commented way down there. That's another issue. This intersection was commercially designed because all four quadrants are commercialized with no intent of single-family residents going beyond there. And now we've overloaded it with some additions. How many units do we have in here?

Ms. Jurado responded 222.

Mr. Minneboo stated we don't require that. But to me, something of this nature with this magnitude in the traffic side, we should have had some geometry that clearly depicted what you guys are going to do. The center lane of North Courtenay is nothing more than a left turn bidirectional. That's all it is. It's not what every person uses it for. A deceleration or acceleration. It is not designed for that. That's what it's being used for. So, there's going to be a treatment that's got to be better than what's there.

Ms. Jurado responded this will go on the site plan review once the rezoning is approved, but it must be approved for them to move into like the site design and any geometrical reviews of that intersection. So, for now the only thing that we know is that there is availability for that right turn lane and that they would be able to construct it because that's part of their frontage. That's the amount of information that we have for now. We are looking into that part of the traffic. We know that for example if those are two different lots, if for example the lot on Pioneer was developed without the other one all that traffic would be impacting the road along Pioneer Road. In this case the trip distribution and based on the regional planning model that we use for the trip distribution, is showing that 68% of the trips would go to and from the north. 32% would go to and from the south. That is showing the number of trips that would be allocated to Pioneer. They would still use that road, but not all the trips would be using that road. We're expecting 35 peak hour trips and that is close to one

vehicle per minute on the peak hour and based on that we'll be doing all the reviews and everything but if for example another development was proposed here and they would not have the access along North Courtenay, those trips would be only allocated to Pioneer. If a development that is less intense than what Rangewater is proposing, they would likely not be analyzing any traffic impacts at the intersection. So that's one of the things that we fortunately are reviewing, are the impacts on that intersection and we can propose improvements that can mitigate not just the impacts of the development but also can help with the current queuing issues that they have.

Ms. Rezanka added what I was trying to explain is that there would be a 100-foot buffer here and that Pioneer would be extended eastward because right now the turn lane ends right at this property line. The turn lane to go north would be extended because it's going to be property that they're purchasing. This is multifamily. The trip generation is about 7 and a half per trip. So that's why it's less than 3,000. Also, as you may be aware, FDOT is putting a median in down this road. And they're not going to let any new median cuts. They're in discussions with the current owner of the health center complex there to do a cross access so people can get through the median. Right now, it's a right in right out on the north entrance there. So again, this could be commercial. It's RES 15 with neighborhood commercial on the north portion. If it was intended to have commercial here, the trips generated would be substantially more than that. Also too, if peak hour going on to Pioneer is only 35, that's one every two minutes. That's not a great amount. She did do the school counts as well. We have looked at the school and we would work with the school board to try to figure out how to manage some of their traffic. Right now, we were told by the residents that they're cutting through the subdivision to go north because the turn lane doesn't go east enough. So, that's what we would be working on. Again, there is still capacity on Courtenay. Just the county's ordinance won't let us take it all. We wouldn't take it all and we would enter into a proportionate fair share agreement to assist the county with whatever they thought needed to be done, because to try to align to the west if you add an extra lane to go south it messes up the alignment on the west side of the road. The best we can offer right now is Pioneer Road, extending the turn lane to the east to go north, and then our proportionate fair share so the county can try to fix this problem. We don't have all the answers, and we don't have the right-of-way to fix it.

Mr. Hopengarten inquired if this is going to have security gates.

Mr. Rezanka answered no. There would be queuing that would back up, so no.

Mr. Oliver added the initial plan that we contemplated did have security gates but based on the constraints that we were working around; it got too tight to allow for queuing.

Mr. Hopengarten continued with in this diagram here, it's different than the one that we received originally in our package. Where is the access going to be on the south side here?

Mr. Oliver stated we've negotiated a cross-access easement with the medical office property so that we have a secondary access point which is required for emergency services but also it would be contemplated as a secondary access point but as you can see from the site plan most residents are going to use the main entrance going north south. And that's with the current owner of the medical office property. That's also under contract. We've negotiated with the individual that has it under contract.

Mr. Hopengarten stated he lives north of that area. The traffic going toward the barge canal, highway 528 is horrendous. It backs up all the way to Pioneer. By putting that many units at that spot are going to cause a problem. There must be a better way. There is a traffic light at Pioneer, which means that the better decision would be to have the traffic come out of Pioneer rather than to come out onto Courtenay directly from your site. It would alleviate a lot of the traffic problems that you would have. However, the people that live down the road off Pioneer in those neighborhoods onto Sykes Creek will probably object to that because it would back up all the way to Sykes Creek. It's a strange request here to have that many units, that many vehicles to be right there. I'm all for apartments being put up. So, they're all renters. I think it's a problem. Are there any wetlands on the site?

Mr. Oliver responded there are. The pocket of green north of the medical office is wetlands that we are preserving. We're preserving about an acre of wetlands. And that's formally delineated with St. John's River Water Management District.

Mr. Hopengarten continued with the 100-foot buffer is a good idea. I think the neighbors would like that, but I think that many units are going to be a problem.

Mr. Oliver responded we contemplated having a primary access point off Pioneer based on the feedback that we received from the community. That was not well received. So that is why we've shifted the focus and the primary access off North Courtenay. As mentioned, there will be a median installed along North Courtenay Parkway that is slated for spring of 2027 to commence. By the time this property is built in early to mid-2028, if we're successfully rezoned and permitted, the median would be installed. On North Courtenay. FDOT restricts the number of accident-prone turns that are being generated left and right coming out of the neighboring communities north and south of this property. We initially contemplated a higher zoning designation, RU-2-30 for the entire site. Since the future land use for the east side of the property was RU-2-15, we decided that it was best to proceed with that just given the proximity to the residential neighbors. So, we originally were showing 240 to 250 units. That has been dropped down to 222 units based on that zoning designation.

Mr. Hopengarten asked could you drop it down even more and still be profitable.

Mr. Oliver responded no.

Mr. Michajlowicz inquired what determination or what considerations do you take when you decide to build apartments instead of condominiums.

Mr. Oliver responded our entire business model is apartments, rental housing. Condominium housing is a challenging business to be in. Based on the events of 2007 2008, the GFC, and then subsequently in Florida the challenges with high rises in South Florida. It is a very challenging and sticky business proposition. So, most developers outside of your major cities, New York, Miami are it's rental housing that is being developed across the nation. It's not condominium development. It's just a challenging business model.

Mr. Bartcher inquired if the clubhouse is single story.

Mr. Oliver responded yes.

Mr. Bartcher continued with where you got rid of the retention pond, you put in the 100 buffer. Is that buffer going to be vegetative or just going to be grass?

Mr. Oliver responded it'll be a mixture. We are still working on it. There are new storm water requirements that are affecting the state level. So, we're still determining if that's a retention pond, if that's native grasses and dry retention. It's going to be a combination of water and vegetation, and tree preserve along that 10-foot buffer along the east side as well as the 50 ft on the north side.

Mr. Bartcher asked if it's possible to make that 10-foot buffer a little bigger.

Mr. Oliver responded we can make it 15. Yes.

Mr. Bartcher stated I'm sure the residents would appreciate having a bigger thicker buffer there. Are you going to be able to preserve the trees?

Mr. Oliver responded we are going to be able to preserve the trees. We had a tree we had a tree survey completed. The trees along the north side, there are several trees, and we met with Mr. Clamp on his property, reviewed them that are very mature and beautiful. So, we were focused on maintaining those. On the east side there are mature trees. It's not to the scale that it was on the north side.

Ana Saunders inquired what type of trees were on that east property line.

Mr. Shasteen responded it was a mixture of all species. There was some native vegetation. There's some exotics and stuff in there. It's kind of all over the place. Palm trees, pines, couple oaks.

Ms. Saunders I'm not so worried about oak trees in a 10-foot buffer, but the pine trees will die. You look at them and they die. You drive by it, it's dead. So, those won't make it. From a buffer perspective, I guess through the site plan process, you could enhance that with plantings and stuff.

Mr. Oliver responded absolutely. And that's our plan.

Mr. Hopengarten stated the neighbor to your west; it seems it's somebody's parking lot. But the building, the larger building is a condominium project.

Mr. Oliver responded correct to both. There are three ownership entities and they collectively own, the two condo owners that own the two smaller portions of the property have an easement with the owner of the parking lot and then we have negotiated an easement with the owner of the parking lot with the approval of the existing owners of the condos.

PUBLIC COMMENT

Chelsey True stated she lives in the neighborhood directly adjacent to this site. I want to be clear. I'm not opposed to development. Growth is inevitable and it can bring positive improvements to our community. My concern is that this specific project at this scale on this corner does not align with safe or responsible planning for Merritt Island. I also want to stress that I am not opposed to multi-family housing. I previously worked for a firm involved in multi-family construction and development services in Seattle, Washington. This request is a rezoning that enables a significant increase in density immediately adjacent to single family neighborhoods and that deserves careful scrutiny. I understand the sale is contingent on a rezoning which underscores how significant this change of land use is. According to the Space Coast TPO data, traffic on North Courtenay Parkway has increased by over 40% in roughly two years, rising from 27,000 vehicles per day to over 38,000 today. This corridor is

already experiencing peak hour congestion and is scheduled for major access changes, including median modifications and new signalization at Via Delerena. While the project may technically meet concurrency today, concurrency measures, thresholds and not real-world functionality during peak hours are under changed access conditions. Traffic studies conducted in the coming month will capture a snapshot in time, but they won't reflect what this corridor will look like after continued growth and planned roadway reconfiguration in 2027. Additionally, clearing remaining tree canopy on the site reduces natural storm water absorption and shifts runoff impacts to surrounding neighborhoods, often requiring public drainage retrofits later. My request is not to halt growth, but to ensure density is approved where infrastructure readiness and neighborhood compatibility are aligned. Approval decisions would account for documented growth trends and planned roadway changes rather than assuming current conditions will remain unchanged. That's why MIRA voted to recommend denial. The concerns align with long-term planning and not opposition to housing.

Susan Cole stated she was at the meeting in December as well and doesn't want to go over all the stuff. We've already been there before, but generally I'm concerned that this new development will negatively affect all the existing residents in the neighborhood there. The desirability of our neighborhood is going to go down and that of course is going to affect our home values which will also go down. Specifically, I'm concerned a little bit about the parking because they did say it was going to be 1.6 spaces per unit, but it's going to be one to three-bedroom apartments. This area is not walkable. We must drive everywhere we go. We drive to our grocery stores, work, everything. So now with parking, even a one-bedroom place is going to have two cars more than likely or a three-bedroom could have three or four people in there driving. So, there's not enough parking. What's the plan for the overflow parking? What's the plan for the guests, the holidays when they come? Are they going to go on Pioneer? Are going they going to park in front of the houses, find parking, and just walk to the apartments? That's not a good option. I'm worried also about the traffic. One thing that hasn't been mentioned is there are two ways to get into the development. They're going to go around into Via Delarena and people bike, kids bike, they do their scooters, people are walking dogs. It's a very walkable, lovely neighborhood. And now once people get that little trick that we can cut through the neighborhood 3,000 times, the amount of traffic they were saying more people, cars going through. People are going to get hurt and it's going to really be hard again for the desirability of the people that are there now.

Gregory McClasky stated coming here today it was backed up from the school all the way around Pioneer almost to Courtenay and cars are parked half on the shoulder half on the street, so people must go in the left lane to get around all these cars. So, we've got a safety issue with an elementary school with young kids walking to and from as well. So, the safety issue is important. We didn't talk about the evacuation plan. It's very difficult to get in and out of there. It's going to make much worse if we get into a hurricane situation where we're in an evacuation. I want to remind everybody that this was rejected unanimously by the North Merritt Island Development Agency because of these issues. The flooding has gotten worse because of the increase from Starbucks and the assisted living home and the car wash. So, we're having a lot more trouble in the neighborhoods with the flooding. I don't think that they've considered the groundwater rising like was discussed earlier in the meeting. Privacy issues. It sounds like they've taken care of a lot of it. Parking was already addressed. Somebody had mentioned also that there may be a wildlife issue across Pioneer that there's an eagle nest or something in there and that might be an issue as well because they were saying that that would obviously cause them to have to deal with a lot more.

Kimberly Jarvis stated I am a volunteer with Audubon's Eagle Watch program and I'm the person that spoke at the Merritt Island Redevelopment Agency meeting. I wish I had bigger paper, but there's a little blue dot right here. That's my eagle nest. That's an active eagle nest. There's a 660 ft buffer we're supposed to maintain between us and the nest. I'm guessing all these houses were built before the eagles moved in. It is an active nest. (showing pictures) That's one of the adults. And as you can see, there are two eaglets in the nest. There's one of them and one of the adults. And it appears that they are incubating a third egg. So, there's a possibility of three eaglets in there. All the noise from the construction, the additional traffic is going to disturb that nest. The 660 ft buffer cuts the southeast corner of the projected development. And all that noise, all the construction, that will affect the eagles in a negative manner. And I don't think FWC would be very happy about that because bald eagles are a federally protected species.

END PUBLIC COMMENT

Mr. Oliver stated to address Miss Jarvis's detail on the bald eagle's nest. As Miss Jarvis mentioned US Fish and Wildlife Service, there are two radiuses that they document, 330 ft and 660 ft. To impact and develop within 330 ft is a much more intensive permitting process to get approved, within 660 ft. it's a different process. But as Miss Jarvis mentioned, it does intersect the very corner of our property right here, and we are prepared to preserve that sliver of the land to not impact that 660 ft.

Ms. Rezanka stated this is an unusual project for Merritt Island. I agree. It's a needed project. It's an infill project. We'll bring new apartments, will be new opportunities for people to move into the area to work in this area. Most of this property is already residential 15. We're asking for RU-2-15. Which makes sense. Everything to the east is like RES 6, although it's developed that as single-family home. Then the RU-2-30 is just those four buildings that are on the west side there, that abut Courtenay and then there's neighborhood commercial which could be developed 4 acres of neighborhood commercial which could be intense traffic as well. Regarding the FDOT improvements, FDOT is doing that to help the situation. They're also putting in another stoplight to the north of this which was supposed to be put in. Our traffic engineer spoken to them and they don't know how that's going to impact capacity and concurrency. However, that's something that is a site plan issue. If we get the zoning and we can't build or have to reduce lots, that's how it works. I did want to cite to the county code section 62-613 that if there is a lack of capacity to satisfy transportation concurrency, the applicant shall be notified in writing of the opportunity to satisfy transportation concurrency. So, we're asking for that opportunity. The road is not at capacity, but the county regulations make it at capacity and concurrency is an issue because of that. The other issue is flooding. Again, section 6237241 says that the flood water discharge shall not impact neighbors, and they will make sure that it does not. They've been out there, they've looked at the canals, they understand what's going on. They will take whatever water is coming off the road as they have to do. So those again are site plan issues. The engineers don't look at a snapshot in time. They look at what's existing and what's proposed. They use a concurrency rate. They use an average rate. It's not just what's there today. It's what's projected for a period of time. The parking issue is a code issue. They've suggested 1.75 parking spaces. That's higher than Woodfield and that's an agreement with whatever happens. If it's not at code, there's an alternate parking agreement that must be approved through county commission. Parking will meet code; that's not an issue for rezoning. Evacuation plan, those are all things that are considered. Evacuations happen over time. Not everyone jumps on the road at one time unless they're just behind. The flooding because of Starbucks, again, if that's true, that's going to be picked up by the engineer of record. And the wildlife issue, we've already agreed that they're not going to impact that range there. This lightning site plan was put in place in 1983, and it hasn't been

developed because it didn't make sense. This is an infill project that does make sense and that the developer's working with the neighbors to give them the buffers that they want, and they deserve and that they will do whatever is needed for transportation concurrency.

Ms. Saunders commented I totally understand it's a site plane issue, but traffic is the topic at hand. With respect to this kind of built-in moratorium that happens when you hit 85% capacity. You talked about the PFS, I understand that component. Have you guys had a conversation with Brevard County traffic? You said you want the opportunity to talk with them to figure out how to mitigate it. Do you know what that mitigation strategy is if in fact that comes to be? And is that something that the project financially can bear?

Ms. Rezanka responded we've run the numbers, and the developer has assured me that he can bear that amount. So, the traffic engineer, because the formulas in the ordinances and Danielle did run them, and Michael has agreed that he can afford that built into the project in addition to the half-million-dollar impact fees.

Ms. Saunders inquired do you know what those impacts are? What those improvements would necessitate or require.

Ms. Rezanka responded we don't know because of that alignment with that intersection and because of the Starbucks and the power poles and the light poles. We don't know.

Ms. Saunders continued so, you're just making an assumption on whatever that cost is for making that work.

Ms. Rezanka responded if they demand more, they demand more. I mean, it's the development is willing to take that on.

Mr. Hopengarten commented I noticed that you have a lot of impermeable surfaces here. Are you putting in any retention ponds because you're not showing any on this.

Mr. Shasteen responded yes, the area along the east.

Mr. Hopengarten continued if you do that, then there won't be really a buffer because you wouldn't be able to put trees in it. So, the neighbors to the east would be looking at a pond or a dry pond.

Mr. Shasteen responded there are two shades of green on the plan that you have there. The darker green is going to be the buffer. And the other will be retention.

Mr. Hopengarten stated so it's not really a buffer. Because you're giving them 100 ft and you're not utilizing that as an obstruction for view.

Mr. Shasteen responded there will be along the property line.

Mr. Hopengarten stated I see the trees that you have there, but it may not be sufficient for three story buildings on the other side.

Ms. Saunders inquired based on what you said, it could be wet retention? It could be dry. We don't know yet because of the new rules, St. John's rules trying to figure out the new nitrogen phosphorus, how to buy.

Mr. Shasteen stated you're aware of what's going on, the new rule and unfortunately this is discharging into Sykes Creek, which you know has the most stringent criteria based on the new rule. So, we're in the process of figuring combination of dry retention, wet retention, other mechanical systems, combination of different ways to meet the new criteria.

Mr. Hopengarten commented sewer capacity. I know Sykes Creek sewage treatment plant is almost at capacity. Where are you getting sewage?

Ms. Rezanka stated they're not at capacity.

Mr. Hopengarten stated they're 90%, aren't they?

Ms. Rezanka responded it would be no difference.

Mr. Minneboo added that flow may be going north.

Mr. Shasteen stated I don't know the answer to that yet. I know that there's sewer available. There are mains that were put in as part of the previous development.

Mr. Hopengarten replied I understand that part, but you're adding to it now with 200 units.

Mr. Shasteen responded of course the county is not going to let us put more capacity to their plant than what's available. So that's something that we'll obviously have to address. If it becomes an issue that's something that we'll have to address at that time.

Mr. Johnson inquired if this zoning isn't changed to allow this, what can that property be used for now? What can they do there now?

Ms. Gilliam responded currently, right now, the property is zoned AU, which is agricultural residential. It requires 2 and a half acre lots. It would be all the permitted uses under the AU zoning classification, but primarily it's residential. It can have some agricultural uses on it.

Ms. Rezanka added I would also argue it's vested for a hospital and additional clinic uses because it's an existing use that's there and it's covered by a binding site plan.

Ms. Gilliam responded I was going to follow up with that because there's a BSP on the property it wouldn't be able to be used for the residential. It would have to be used for additional medical center buildings to go on the site.

Mr. Wadsworth asked staff if there was a hospital hypothetically built there, what's the highest we could go with a hospital there? How many floors? Is it 32 feet?

Mr. Body responded it would be 35 feet. The residential would be restricting it, also the AU zoning.

Thomas Leigh wanted to add I think this was mentioned by one of the neighbors and I wanted to address it directly about property values and all the issues presenting the surrounding neighborhood, the traffic. Part of what we do and the reason we love what we do is we improve the areas around where we build. We're not the sort of developers who come in bulldoze and leave. We are integrated into these communities deeply. The reason this site plan has been changed, I don't even know how many times, is because we want to respect and honor everyone around us. Typically, our renters have less cars than single family residents. Merritt Island is going through significant changes based on the employment coming to town. The makeup of the American household is changing with it, and we want to offer that option close to the employment that they have. But we're not building, not that there's anything wrong with affordable workforce housing, but this is a beautiful luxury amenities product that young engineers, very highly paid engineers need somewhere to live and there isn't the existing stock. That's the only comment I wanted to mention. And I hope that when we leave the area will be better for it. The roadway, the storm water, all of it. We're not adding problems. We want to remove problems that exist in the locale.

Mr. Bartcher added just reminder; the Merritt Island board recommended a denial. I would like to commend the organization for the response they've made to people's requirements. I think they've did a very admirable job. My concern with this though is I drive that road occasionally. It's never a pleasant experience. Never. It's always backed up. And as John said, it's backed up from 520 or about half a mile down maybe sometimes longer when I'm there and all these people are going in that direction and just make that worse. And then on top of that I just heard that the state's going to come in and put a median in there. That takes up a whole roadway. So, unless they're going to expand the total size of the roadway that's going to make that thing worse. It may be better from a safety point of view making left turns but traffic-wise now it's going to back up way past Pioneer.

Mr. Wadsworth stated I don't want to misspeak but aren't you willing to look at that as far as the traffic issue.

Ms. Jurado responded we're analyzing existing no build and build conditions, and the median will be part the considerations that we take but that's an FDOT project so it would be under no build conditions and the build conditions.

Motion to recommend approval of Item H.11. with a BDP by Neal Johnson, seconded by Debbie Thomas. Motion failed with a tie vote of 7:7.

Motion to recommend denial of Item H.11. by John Hopengarten, seconded by Ruth Amato. Motion failed with a tie vote of 7:7.

Mr. Esseeesse informed the board they could either table the item or move it forward to the County Commissioners with the tie vote of 7:7 either way.

Ms. Rezanka indicated they would like to move forward with the tie vote recommendation.

Mr. Esseeesse stated we'll report to the board that it was a 7:7 tie either way.

Meeting adjourned at 6:28 p.m.

From: [Chelsey True](#)
To: [AdministrativeServices](#)
Subject: Public comment for planning and zoning review - Courtenay and Pioneer
Date: Saturday, November 29, 2025 1:04:39 PM

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

To Planning and Zoning for Brevard County

Re: Proposed Rezoning for 11-acre Parcel at Courtenay Pkwy & Pioneer Rd

Parcel ID: 24-36-14-00-259

Dear Members of the Agency,

My name is Chelsey True and I live in the neighborhood directly adjacent to the proposed multifamily development on Courtenay Parkway and Pioneer Road. I am submitting my public comment regarding the rezoning request for the parcel at Courtenay Parkway and Pioneer Road. I understand this item may be scheduled for the upcoming planning and zoning agenda and I would like my comments distributed to the board.

I want to be clear from the start: I am not opposed to development. Growth is inevitable, and it can bring positive improvements to our community. My concern is that this specific project, at this scale, on this particular corner, does not align with safe or responsible planning for Merritt Island.

This is an 11-acre parcel proposed for 222 multifamily units, three stories tall, with multiple access points feeding directly into a two-lane road in a school zone and a heavily congested five-lane arterial operating at 88% of capacity. When I reviewed and researched the data, the concerns fell into three key areas: traffic, compatibility, and environmental impact.

1. Traffic & Safety Concerns

A. Courtenay Parkway is already operating at 0.88 V/C

The Space Coast TPO confirmed that the corridor’s current volume-to-capacity ratio is 0.88, meaning it is approaching its allowable limit.

A development generating 1,400–1,600 trips per day (a standard estimate for 222 units) would materially worsen congestion right where:

- A school creates daily queuing
- A drawbridge produces routine traffic backups
- Pioneer Road narrows to two lanes and funnels directly into neighborhoods

It is also worth noting that since 2022 this section of roadway has had an increase in ADT of 42%.

B. Pioneer Rd cannot safely absorb apartment-level traffic

Pioneer is a constrained two-lane road with no room for expansion. It already backs up during school drop-off/pickup. Adding a direct entrance from a 222-unit community would worsen this bottleneck.

C. The bridge, freeway on-ramps, and school traffic create compounding pressure

This is not a normal intersection. It is a stacked conflict zone where several congestion factors overlap. Adding several hundred daily apartment trips to this mix creates an obvious safety and mobility issue for residents, school families, and emergency vehicles.

2. Neighborhood Compatibility & Scale

This proposal changes the parcel from AG/Residential to Multifamily, jumping from very low-density use to one of the densest housing types available. Our surrounding neighborhoods consist of single-family homes with substantially lower density and height.

A three-story, 222-unit complex on an 11-acre site is a drastic departure from the existing pattern. It overwhelms the character, privacy, and scale of the adjacent neighborhoods. This is especially concerning because Merritt Island is unincorporated, and our infrastructure and services were not designed for high-density infill of this magnitude. Parking Demand: The developer is proposing 396 parking spaces for 222 units, or 1.78 spaces per unit. However, every available data source shows this is inadequate for a suburban, car-dependent community like Merritt Island:

- The U.S. Census Bureau ACS shows renter households in suburban areas average 2 vehicles per unit.
- The Institute of Transportation Engineers (ITE) Parking Generation Manual indicates mid-rise suburban apartments generate 2.0–2.3 parked vehicles per unit, well above the 1.78 proposed here.
- FDOT and the UF Shimberg Center report similar suburban averages of 1.9–2.2 vehicles per renter household.

Based on this, the proposed parking ratio is underbuilt by approximately 50–100 parking spaces, which would force overflow parking onto surrounding streets, nearby businesses, and neighborhood entrances. This is not compatible with surrounding single-family communities

3. Environmental & Stormwater Impact

A. Loss of 11 acres of mature tree canopy

Removing essentially the entire canopy will:

- Increase stormwater runoff
- Reduce natural drainage
- Raise localized flood risk
- Increase heat and reduce habitat

While developers may engineer stormwater ponds, engineered systems do not replace lost

natural retention. With recent storms and flooding across the county, removing this many acres of trees needs careful analysis.

B. This area has known drainage challenges

Even with engineered retention, clearcutting this much acreage on a low-lying barrier island, next to residential areas and near the river, carries meaningful impacts that should be fully evaluated before rezoning.

4. About the Developer

RangeWater is a high-volume multifamily developer known for:

- Producing dense, three-story, garden-style apartments
- Maximizing units per acre
- Removing most existing tree canopy
- Using surface parking with high turnover and vehicle demand
- Building “efficient” mid-range communities designed for quick leasing

This model may fit highly urban corridors with excess roadway capacity. It is not typically compatible with single-family neighborhoods or constrained arterial roads already approaching capacity.

This is not an issue with renters or multifamily housing. It is an issue of scale, location, and fit.

Conclusion

I support growth. I support improvement. But it must be responsible growth, aligned with the real conditions on the ground especially in areas already strained by traffic, school congestion, and constrained roadways.

This proposal, in its current form, does not meet that standard.

The applicant has acknowledged that the purchase of this property is contingent upon the approval of a rezoning that would allow significantly higher density than what the current zoning permits. This is a clear indication that the proposed development cannot be supported by the land under its existing constraints. If a project is only financially viable by increasing density threefold, that suggests the underlying capacity of the site (traffic, safety, stormwater, and compatibility) is already stretched.

I respectfully ask the Agency to consider the traffic capacity, neighborhood compatibility, and environmental impacts thoroughly before making a recommendation. We deserve development that enhances Merritt Island; not development that overwhelms it.

Thank you for your time and consideration. I look forward to discussing this further at the rezoning meeting.

Respectfully,

Chelsey True

Merritt Island Resident

Subject: Comprehensive Request for Denial of Zoning Application 25Z00054 – Parcel ID 24-36-14-00-259

Dear Members of the Planning and Zoning Board,

I am writing to formally and respectfully request denial of **Zoning Application No. 25Z00054**, which seeks a change in zoning classification for the property identified as **Parcel ID 24-36-14-00-259 (Tax Account No. 2412106)**, located on North Courtenay Parkway in Merritt Island.

I am a former Chairman of a Local Development Finance Authority in Huron Township, Michigan, where I worked closely with planning staff, zoning boards, and elected officials on land-use, redevelopment, and zoning matters. I am also a Merritt Island resident who owns property in close proximity to the subject parcel. I submit these comments based on that experience and on a careful review of the application materials, staff analyses, mapped resource data, and Brevard County's adopted Comprehensive Plan and zoning framework.

This letter is not an objection to growth or development in principle. Rather, it is a request that the County apply its zoning standards consistently, as it has done in prior cases, and deny a rezoning that is not supported by the record and that raises significant concerns related to plan consistency, compatibility, precedent, and long-term land-use integrity.

I. Inconsistency with the Comprehensive Plan and Classic Spot Zoning Indicators

The requested rezoning from **AU to RU-2-15**, with an associated development intensity of approximately **220 multi-family dwelling units**, represents a substantial increase in density and intensity that is not consistent with the intent, structure, or expectations established by the adopted Comprehensive Plan for this area.

Rezoning actions are intended to **implement** the Comprehensive Plan, not to override it or create parcel-specific exceptions that function as de facto policy changes. When a rezoning request introduces a use or density that materially departs from what the surrounding area has been planned to accommodate, it raises classic **spot zoning** concerns.

Spot zoning is not defined by size alone. It is identified by context: whether a single parcel is being singled out for preferential treatment that is inconsistent with surrounding zoning and land-use patterns, and whether the change advances a broad public purpose or primarily benefits a particular development proposal. In this case, the requested rezoning would single out one parcel for a level of intensity that is not reflected in the surrounding zoning framework, undermining the predictability and coherence of the Comprehensive Plan.

Approval under these circumstances would weaken the Plan's role as a guiding document and invite further requests that rely on exception rather than compliance.

II. Incompatibility with Surrounding Uses and Established Development Pattern

The subject property is located within an area characterized by lower-density residential development and long-established neighborhood patterns. These patterns reflect decades of zoning decisions and planning expectations that residents and property owners have relied upon.

Introducing multi-family development at the proposed density would significantly alter the character of the area and create incompatibilities related to:

- Scale and massing
- Intensity of use
- Traffic generation and circulation impacts
- Long-term land-use expectations

These impacts are not speculative. They are the predictable and cumulative effects of inserting a higher-intensity zoning district into an area that has not been planned, zoned, or built to support it.

In prior zoning cases, the County has routinely cited incompatibility with surrounding uses as a valid and sufficient basis for denial, particularly where a proposal represents a clear departure from the established development pattern.

III. Consistency with Prior Planning and Zoning Board Denials

Brevard County has a well-documented history of recommending and issuing denials where rezoning requests are inconsistent with adopted policy, incompatible with surrounding uses, or likely to set problematic precedent. The current request aligns closely with scenarios in which the Board has previously recommended denial.

A. Merritt Island Rezoning Denial (22Z00033 – August 15, 2022)

On August 15, 2022, the Planning and Zoning Board **unanimously recommended denial** of a rezoning request (**Application 22Z00033**) involving a change from **AU to RU-1-13** for a property located on **North Tropical Trail in Merritt Island**.

In that case, the Board heard testimony that the requested zoning was **out of character, incompatible with the surrounding area**, and would set a precedent encouraging similar requests. A Board member specifically noted that approving the request would “open the door” to additional rezonings and concluded that the proposal was “not conducive to this particular area.” The motion to recommend denial passed unanimously.

This case is directly relevant. It demonstrates the Board’s willingness to recommend denial where increased residential intensity would disrupt established land-use patterns and create precedent pressures—precisely the concerns raised by Application 25Z00054.

B. PUD Rezoning Denial (23PUD00001 – October 14, 2024)

Similarly, on October 14, 2024, the Planning and Zoning Board **unanimously recommended denial** of **Application 23PUD00001**, which sought to rezone property from **BU-1 and RU-2-10 to PUD**.

The minutes reflect that the request had been previously considered and that the Board had already recommended denial. Upon reconsideration, the Board again voted unanimously to recommend denial, reinforcing the principle that rezoning should not be approved simply because it is requested or resubmitted.

This case underscores that the Board consistently applies its standards and does not hesitate to recommend denial when the record does not support approval.

C. Broader Pattern of Denials to Preserve Plan Integrity

In addition to zoning cases, the Planning and Zoning Board has also recommended denial of **small-scale Comprehensive Plan amendments** where proposals were inconsistent with adopted policy or premature. For example, on August 12, 2024, the Board unanimously recommended denial of multiple plan amendment items, reinforcing the broader principle that the County prioritizes plan consistency over ad hoc changes.

Together, these actions demonstrate a clear and consistent history: when a request undermines adopted planning policy, compatibility, or long-term land-use coherence, **denial is not only appropriate but expected**.

IV. Reasonable and Economically Viable Use Exists Under Current Zoning

Denial of this application does not deprive the property of reasonable or economically viable use. The existing zoning designation allows lawful development that is consistent with surrounding land uses and long-standing planning objectives.

Rezoning is not intended to maximize development yield on a parcel-by-parcel basis, particularly where such maximization conflicts with adopted land-use policy. The existence of viable development options under current zoning weighs strongly against approval of the requested change.

V. Infrastructure Availability Does Not Cure the Land-Use Conflict

It is acknowledged that the subject property is served by an existing sewer system, eliminating the need for septic-based nitrogen mitigation. However, infrastructure availability alone does not

justify a zoning change that is otherwise inconsistent with the Comprehensive Plan or incompatible with surrounding development.

Environmental considerations—including wetlands, protected species, and tree preservation requirements—remain applicable. More importantly, zoning decisions must be based on land-use compatibility and policy consistency, not solely on the presence or absence of utilities.

VI. Public Interest, Precedent, and Long-Term Consequences

Zoning decisions are cumulative. Each approval sets expectations and shapes future requests. Approving this rezoning would:

- Signal that parcel-specific exceptions are acceptable
- Encourage similar requests in the surrounding area
- Weaken the County’s ability to defend future denials

Denial, by contrast, reinforces predictability, fairness, and adherence to adopted policy. It protects both nearby property owners and the County’s long-term planning framework.

Conclusion

For the reasons outlined above—including inconsistency with the Comprehensive Plan, classic spot zoning concerns, incompatibility with surrounding uses, a clear history of similar denials by the Planning and Zoning Board, the availability of reasonable use under current zoning, and the absence of a demonstrated public benefit—I respectfully request that **Zoning Application No. 25Z00054** be denied and that the existing zoning classification for **Parcel ID 24-36-14-00-259** remain unchanged.

Such a decision would be consistent with prior County actions, preserve the integrity of the zoning map, and uphold the principles that guide responsible land-use planning in Brevard County.

Respectfully submitted,

John C. Golovich
2540 Raintree Lake Circle
Merritt Island, FL 32953

I. Findings of Fact – Outline Supporting Denial

(Zoning Application No. 25Z00054 | Parcel ID 24-36-14-00-259)

A. Jurisdiction and Application

1. The Board has jurisdiction over **Zoning Application No. 25Z00054**, which requests a change in zoning classification for **Parcel ID 24-36-14-00-259**, located on North Courtenay Parkway, Merritt Island.
 2. The application requests a rezoning from **AU to RU-2-15**, allowing a significant increase in residential density and intensity.
-

B. Comprehensive Plan Consistency

3. The Brevard County Comprehensive Plan serves as the controlling policy framework for zoning decisions.
 4. Rezoning actions are intended to implement the Comprehensive Plan and are not intended to create parcel-specific exceptions or de facto plan amendments.
 5. The requested rezoning would allow a residential density and intensity that is not consistent with the intent and expectations of the adopted Comprehensive Plan for this area.
 6. Approval of the requested rezoning would undermine the role of the Comprehensive Plan as a predictable, guiding document for land-use decisions.
-

C. Spot Zoning Considerations

7. The requested rezoning would single out one parcel for treatment that is materially different from the surrounding zoning framework.
 8. The surrounding area is characterized by lower-density residential development and established land-use patterns.
 9. The requested zoning change exhibits characteristics of **spot zoning**, including preferential treatment of a single parcel without a corresponding public benefit or plan amendment.
 10. Approval of the request would weaken the consistency and integrity of the County's zoning map.
-

D. Compatibility with Surrounding Uses

11. The proposed rezoning would introduce a higher-intensity residential use that is incompatible with surrounding land uses in terms of scale, intensity, and character.
 12. Increased traffic, development intensity, and land-use impacts are foreseeable consequences of the proposed rezoning.
 13. The surrounding infrastructure and neighborhood pattern were not designed to accommodate the level of development intensity proposed.
-

E. Precedent and Consistency with Prior Board Actions

14. The Planning and Zoning Board has previously recommended denial of rezoning requests where increased intensity was incompatible with surrounding uses or inconsistent with adopted planning policy.
 15. Prior Board actions, including unanimous recommendations of denial for similar rezoning requests, demonstrate a consistent application of zoning standards.
 16. Approval of the requested rezoning would depart from this established pattern and make future denials of similar requests more difficult to defend.
-

F. Reasonable Use Under Existing Zoning

17. The subject property retains reasonable and economically viable use under its current zoning classification.
 18. Denial of the requested rezoning does not deprive the property owner of all reasonable use of the land.
 19. Rezoning is not required to ensure reasonable use of the property.
-

G. Infrastructure and Environmental Context

20. The property is served by an existing sewer system; however, infrastructure availability alone does not justify a zoning change that is inconsistent with adopted policy.
 21. Environmental considerations, including wetlands, protected species, and tree preservation requirements, remain applicable to the property.
 22. These considerations further support cautious, plan-consistent land-use decision-making.
-

H. Public Interest and Long-Term Planning

23. Zoning decisions have cumulative impacts and set expectations for future land-use requests.

24. Approval of the requested rezoning would encourage similar requests and erode predictability in the zoning process.
 25. Denial of the application is consistent with the public interest, long-term planning objectives, and the County's responsibility to apply zoning regulations uniformly.
-

I. Conclusion

26. Based on the foregoing findings, the requested rezoning is not consistent with the Comprehensive Plan, is incompatible with surrounding uses, raises spot zoning concerns, and is not required to ensure reasonable use of the property.
27. Denial of **Zoning Application No. 25Z00054** is supported by competent, substantial evidence in the record.

From: [Bob Davis](#)
To: [AdministrativeServices](#)
Cc: [Bob Davis](#)
Subject: Change of Zoning Classification ID# 25Z0054
Date: Sunday, January 11, 2026 9:20:15 AM

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

Sadly I am unable to attend the P&Z Board meeting Monday, 12 Jan on the above subject.

I would like to voice my concern of rezoning this area from AU to the proposed RU-2-15 Medium and RU-2-30 High density.

To increase to a medium and high density for this property just adds more traffic to an area that is already saturated due to the nearby public elementary school, single family homes and recently, the assisted living/rehab facility and of course creature comfort businesses (car wash, coffee (yuk) and bank). Try getting around in your car from say 7:00- 9:00a.m. and of course in the afternoon from 2:00-3:30pm. Even during the M-F afternoon rush at the nearby SR 528 traffic can back up to this property. I live in the Villa DePalma subdivision which adjoins this property, making an easterly turn from Southerly SR3 onto Via De La Renia is impossible (so much so I have to traverse to the light at Pioneer). Now it is proposed to add additional traffic?

That said until the Florida State DMV traffic plan for State Road 3 (Courtenay Pkwy) corridor is finalized this property, and all others, should remain at the lowest density. Most definitely NOT high density as proposed! Even if this is approved the developer should be held responsible for accommodating access to and from this property (turn lanes, no left turn to southerly SR3, barrier to prevent, etc.,) and also accommodate homeowner's requests whose property is directly against this property to help soften the massive proposed 3 story facility or parking lots.

Has the P&Z considered looking at traffic accidents at SR 3 and Via De La Renia (Villa DePalmas entrance) or Ventian Way intersections? It should be part of the discussions!

Thank you.

Robert Davis
102 Via Havarre
Merritt Island, FL 32953
321-480-5693

From: [Gayle Allenback](#)
To: [AdministrativeServices](#)
Subject: Request for Denial of Zoning Application 25Z00054 – Parcel ID 24-36-14-00-259
Date: Monday, January 12, 2026 1:23:06 AM

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

Dear Members of the Planning and Zoning Board,

My name is Gayle Allenback, and I live here on Merritt Island near the parcel that's the subject of Zoning Application No. 25Z00054, located on North Courtenay Parkway.

I understand that our community will continue to change, and I support development when it's done thoughtfully and responsibly. My concern today isn't about development itself, or even about the possibility of higher-density residential use. It's specifically about the proposal to remove the Building Site Plan requirement.

Building Site Plans exist to give everyone—neighbors, future residents, and the County—some clarity and confidence about how a property will be developed. They help ensure that projects meet safety standards, follow established development rules, and fit reasonably with surrounding properties. From a neighbor's perspective, they provide predictability, and that predictability matters in a community like ours.

Removing that requirement creates uncertainty. It makes it harder for nearby residents to understand what may be built and how it could affect traffic, infrastructure, and neighborhood character over time. Those safeguards don't just protect current homeowners; they also help ensure that any future development on the parcel is successful and well-integrated into the community.

Based on these concerns—along with issues of compatibility, consistency with existing planning policies, previous Board decisions on similar requests, and the fact that the property already has reasonable use under its current zoning—I respectfully ask that this zoning application be denied. I also want to echo concerns already raised by fellow resident John Golovich regarding the lack of a clear public benefit associated with this request.

Thank you for listening and for the work you do on behalf of our community. I appreciate your consideration of the perspectives of those of us who live nearby and care deeply about Merritt Island's future.

Respectfully,

Gayle Allenback

2405 Raintree Lake Circle

Merritt Island, FL 32953





From: Amanda Smith <321smithamanda@gmail.com>
Sent: Thursday, January 15, 2026 4:56 PM
To: Zoning <Zoning@brevardfl.gov>
Subject: Rezoning 25Z00054

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

To: Brevard County Zoning Department
Re: Rezoning Application 25Z00054

To whom it may concern,

I am writing to formally express my strong opposition to Rezoning Application 25Z00054 due to the significant negative impacts it would have on traffic safety, infrastructure capacity, and long-established surrounding neighborhoods.

Courtenay Parkway already experiences heavy traffic congestion throughout the day, particularly during peak commuting hours. Any additional traffic generated by a proposed 222-unit apartment complex would substantially worsen existing conditions. This congestion is not merely inconvenient—it presents serious and ongoing safety concerns for residents who depend on this corridor for daily travel.

Of particular concern is Pioneer Road, which serves as a designated school zone for Lewis Carroll Elementary School. Traffic is already heavy during morning drop-off and afternoon pick-up hours. Adding traffic from a development of this size would further strain this roadway, increasing risks to children, pedestrians, school staff, and residents.

I am a resident of Villa de Palmas, and I experience these issues firsthand. Turning south onto Courtenay Parkway from Via de la Reina is already dangerous due to traffic volume and speed. I am frequently forced to exit the neighborhood from the rear and use the traffic light at Pioneer Road simply to travel south safely. Additional traffic from this development would create even more congestion and delays at an already overburdened intersection, negatively impacting all surrounding communities.

Another major concern is parking inadequacy. The proposed complex provides only 394 parking spaces for 222 units, which is insufficient when accounting for residents, multiple-vehicle households, and visitors. This shortfall will inevitably result in overflow parking along Pioneer Road, which would further disrupt traffic flow and create additional safety hazards for pedestrians and cyclists who use this corridor.

Additionally, stormwater and water management must be carefully considered. Residents in Rain Tree by the Lake and Villa de Palmas already experience flooding issues during heavy storms. Existing pump stations frequently become overwhelmed and back up during significant rainfall events. Increasing impervious surfaces and runoff from a development of this size would place further strain on an already stressed drainage system, increasing the likelihood of flooding for residents who have lived in these neighborhoods for decades.

This rezoning request raises serious concerns regarding traffic safety, school-zone congestion, parking overflow, and flood risk. The existing infrastructure is not equipped to safely or responsibly support a development of this scale.

For these reasons, I respectfully urge the Commissioners to **deny approval of Rezoning Request 25Z00054** and to prioritize the safety, infrastructure limitations, and quality of life of current residents and families in the surrounding communities.

Thank you for your time and consideration.

Sincerely,

Amanda Smith

116 Via Havarre, Merritt Island

Resident/Owner, Villa de Palmas

Greetings Mrs. Katie Delaney and staff,

I am emailing you to state the importance of maintaining Merritt Island's current zoning laws and codes. The proposed development of the lot on Pioneer and Courtney is a grave flooding risk for nearby homes. That wetland absorbs rain water, and is one of the reasons the local neighborhood has been protected from flooding. Housing is a critical issue, and so any development plan which puts current housing at risk as well as reducing the quality of life for current residents is not a smart development plan. I urge to vote against the proposed rezoning.

Thank you.

Best regards,
Ethan Herrell

Merritt Island resident

From: [Dan Tweed](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Cc: [Lynn Tweed](#)
Subject: Rezoning Proposal for Merritt Island Apartment Units at Pioneer Road and Courtenay Parkway
Date: Monday, January 19, 2026 3:03:42 PM

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

We are writing in vigorous opposition to subject rezoning proposal and strongly urging you to deny it. We understand that the Merritt Island Redevelopment Agency recommended against the request but that there was a tie vote by the Planning and Zoning Board, and that it is now up to our County Commissioners to disposition the request. PLEASE do the right and sensible thing and kill this project!!

We have lived on Raintree Lake Circle for over 4 decades and have endured countless negative effects due to nearby residential and commercial growth, with a substantial spike in just the past few years with Hampton Manor, Starbucks, Twins Car Wash and Space Coast Credit Union all chipping away at our green spaces and tranquility.

We are all for progress and sensible development but this proposal is a terrible idea. It would exacerbate the already extremely congested and unsafe conditions on both Courtenay Parkway and Pioneer Road. On a daily basis, we witness red light runners at the intersection of Courtenay Parkway and Pioneer Road. Courtenay currently backs up frequently in both directions from SR 528 past Pioneer, and Pioneer already backs up nearly to Courtenay every afternoon with Lewis Carroll Elementary traffic. Dumping additional vehicles from hundreds of new residences would create serious logjams on both roads and preclude the ability to properly and safely manage traffic flow and signal timing. In addition, this project will have a significant impact on existing storm drainage systems and greatly increase the potential for flooding our homes.

I'm sure you have been made aware of a few key points that should make for an easy decision to deny this request:

- Affected roadway(s) already at 88% capacity and this proposed project exceeds the "25% of remaining capacity" rule
- The proposed project is clearly incompatible with our community, with the rezoning report admitting that a complex with 222 units is not consistent with the surrounding single family neighborhoods
- This proposed project represents "spot zoning," placing a high density apartment complex in a low density residential pocket. Under Administrative Policy #3, this use will significantly diminish the quality of life and the safety of existing neighborhoods through noise and traffic.

We must acknowledge that zoning rules are in place for good reason. Please do your duty, stand up for your constituents, and deny this rezoning proposal.

Thank you for your time and serious attention to this important matter.

Daniel and Lynn Tweed
2855 Raintree Lake Circle

Merritt Island

Sent from my iPad

Commissioner,

Please vote no on re-zoning the property on the corner of Courtney and Pioneer Rd!

Thank you,

David Pratt

1645 Seashell

Merritt Island

From: [Dave P](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: Please vote no
Date: Monday, January 19, 2026 10:57:19 AM

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

Commissioner,
Please vote no on re-zoning the property on the corner of Courtney and Pioneer Rd!

Thank you,
David Pratt
1645 Seashell
Merritt Island

From: [Dan Tweed](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Cc: [Lynn Tweed](#)
Subject: Rezoning Proposal for Merritt Island Apartment Units at Pioneer Road and Courtenay Parkway
Date: Monday, January 19, 2026 3:03:42 PM

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

We are writing in vigorous opposition to subject rezoning proposal and strongly urging you to deny it. We understand that the Merritt Island Redevelopment Agency recommended against the request but that there was a tie vote by the Planning and Zoning Board, and that it is now up to our County Commissioners to disposition the request. PLEASE do the right and sensible thing and kill this project!!

We have lived on Raintree Lake Circle for over 4 decades and have endured countless negative effects due to nearby residential and commercial growth, with a substantial spike in just the past few years with Hampton Manor, Starbucks, Twins Car Wash and Space Coast Credit Union all chipping away at our green spaces and tranquility.

We are all for progress and sensible development but this proposal is a terrible idea. It would exacerbate the already extremely congested and unsafe conditions on both Courtenay Parkway and Pioneer Road. On a daily basis, we witness red light runners at the intersection of Courtenay Parkway and Pioneer Road. Courtenay currently backs up frequently in both directions from SR 528 past Pioneer, and Pioneer already backs up nearly to Courtenay every afternoon with Lewis Carroll Elementary traffic. Dumping additional vehicles from hundreds of new residences would create serious logjams on both roads and preclude the ability to properly and safely manage traffic flow and signal timing. In addition, this project will have a significant impact on existing storm drainage systems and greatly increase the potential for flooding our homes.

I'm sure you have been made aware of a few key points that should make for an easy decision to deny this request:

- Affected roadway(s) already at 88% capacity and this proposed project exceeds the "25% of remaining capacity" rule
- The proposed project is clearly incompatible with our community, with the rezoning report admitting that a complex with 222 units is not consistent with the surrounding single family neighborhoods
- This proposed project represents "spot zoning," placing a high density apartment complex in a low density residential pocket. Under Administrative Policy #3, this use will significantly diminish the quality of life and the safety of existing neighborhoods through noise and traffic.

We must acknowledge that zoning rules are in place for good reason. Please do your duty, stand up for your constituents, and deny this rezoning proposal.

Thank you for your time and serious attention to this important matter.

Daniel and Lynn Tweed
2855 Raintree Lake Circle

Merritt Island

Sent from my iPad

From: [Ethan Guthrie Herrell](#)
To: [Commissioner, D4](#)
Subject: Vote Against Merritt Island Rezoning
Date: Monday, January 19, 2026 4:32:35 PM

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

Greetings Mr. Rob Feltner and staff,

I am emailing you to state the importance of maintaining Merritt Island's current zoning laws and codes. The proposed development of the lot on Pioneer and Courtney is a grave flooding risk for nearby homes. That wetland absorbs rain water, and is one of the reasons the local neighborhood has been protected from flooding. Housing is a critical issue, and so any development plan which puts current housing at risk as well as reducing the quality of life for current residents is not a smart development plan. I urge you to vote against the proposed rezoning.

Thank you.

Best regards,
Ethan Herrell
Merritt Island resident

From: [Chelsey Bjork](#)
To: [AdministrativeServices](#)
Cc: [Commissioner. D1](#); [Commissioner. D2](#); [Commissioner. D3](#); [Commissioner. D4](#); [Commissioner. D5](#)
Subject: Public comment for record - rezoning application 25Z00054
Date: Tuesday, January 20, 2026 11:42:11 AM

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

Dear Planning and Zoning Staff,

Please include the following statement as part of the public record for the referenced rezoning application:

“For clarity, the proposed three-story height reflects the maximum height permitted under the requested zoning and should not be characterized as a voluntary reduction or mitigation measure. Compliance with height limitations does not reduce the intensity, traffic generation, or infrastructure demands associated with the proposed density.”

Thank you for ensuring this clarification is included in the official record.

Respectfully,

Chelsey True

Merritt Island Resident

From: [Marlene Corbett](#)
To: [Commissioner, D1](#); [Commissioner, D5](#); [Commissioner, D4](#); [Commissioner, D3](#); [Commissioner, D2](#)
Subject: NO to Rezoning on Merritt Island
Date: Tuesday, January 20, 2026 12:20:24 PM

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

Urge Brevard County Commissioners to oppose rezoning on Merritt Island.

From: [Teresa Nick](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: Rezoning 25Z00054
Date: Tuesday, January 20, 2026 12:49:56 PM

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

Dear Commissioners,

I have been made aware of a rezoning meeting/ vote that will be occurring on February 5th for the land north of pioneer road. I encourage you to leave this land alone. These rare parcels of land are needed for wildlife corridors and are detrimental to maintaining Florida's natural beauty and endangered habitats. This is one of the few areas that exist for wildlife to pass from Ulumay Sanctuary to north of the barge and potential up to Pine Island Sanctuary and Merritt Island National Wildlife Refuge.

LEWIS Carroll Elementary School families will also be negatively impacted by the extra traffic and congestion and construction. This area is already a mess during pickup and drop off times. I URGE you to be an advocate for Merritt Islands minimal untouched lands. Thank you!

The local advisory boards (MIRA and P&Z) couldn't find a majority to support this project. As representatives of the entire county, the Commissioners should not override the local experts and the very residents who will be most impacted by this decision.

- The road is already at 88% capacity and this project exceeds the "25% of remaining capacity" rule
- Compatibility: The report admits 222 units is "not consistent" with the surrounding single-family neighborhoods.
- This project represents 'Spot Zoning'—placing a high-density apartment complex in a low-density residential pocket. Under Administrative Policy #3, this use will significantly diminish the quality of life and safety of the existing neighborhood through noise and congestion.



REZONING NOTICE

25Z00054

The Brevard County Planning & Zoning Board will hold a public hearing at 3:00 P.M. on **JANUARY 12, 2026**, at the Brevard County Government Center, Building C, 2725 Judge Fran Jamieson Way, Viera, FL, to consider the proposed zoning action on the property as indicated below:

Owner: Merritt Bidco SPV LLC (Kim Reznick)

Present Zoning: AU with BSP

Acres: 11.24 ACRES

Requested Action(s): RU-2-15 (Medium-Density Multiple-Family Residential) & RU-2-30 (High-Density Multiple-Family Residential with removal of BSP)

The recommendations from the aforementioned public hearing will be presented to the County Commission at 1:00 P.M. on **FEBRUARY 05, 2026**, at the Brevard County Government Center, Building C, 2725 Judge Fran Jamieson Way, Viera. Interested parties are invited to appear and be heard. Written comments filed with the Brevard County Zoning Official, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, FL 32940 will be considered.

Removal of this sign prior to **FEBRUARY 05, 2026**, is illegal and subject to prosecution.

GEWATER

BUILDING #1 TYPE 4

BUILDING #2 TYPE 4

BUILDING #3 TYPE 4

BUILDING #4 TYPE 4

BUILDING #5 TYPE 3

BUILDING #6 TYPE 4

BUILDING #7 TYPE 2

BUILDING #8 TYPE 2

CLUB HOUSE

RECREATION POND

SW-1
(0.14 ac. ±)

Merritt Island

Density Study - Option 1
Scale: 1"=100'-0"

PIC·COLLA

23 Poole & Poole Architecture, LLC 4240 Park Place Court Palm Beach, Florida 33480

Warm Regards,
Teresa V. Nick
321-704-4161

"To love a place is not enough. We must find ways to heal it."

– Robin Wall Kimmerer, *Braiding Sweetgrass: Indigenous Wisdom, Scientific Knowledge and the Teachings of Plants*

From: [Thomas Dixon](#)
To: [Commissioner, D4](#)
Date: Friday, January 23, 2026 7:28:03 PM
Attachments: [.png](#)
[.png](#)
[.png](#)
[.png](#)
[.png](#)

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

We are closing in on 1,500 signatures to stop the 222-apartment complex at the corner of Pioneer and N. Courtenay. This location cannot support this project 🚧

We are so close! Our petition is gaining major traction, and we've confirmed the County Commissioners are officially paying attention. To protect our island, we are aiming for 1,500+ signatures by next week!

If you can't attend the upcoming meeting, your email is your vote. Please take 60 seconds to send a quick message to the Commissioners letting them know we demand Smart Growth, not dangerous over-development.

Why this project is wrong for Merritt Island:

⚠️ **PUBLIC SAFETY:** The Staff Report (p. 10) explicitly warns of a "Material Danger to Public Safety."

🚗 **TRAFFIC:** Our roads are already at 88% capacity. This project violates the "25% remaining capacity" rule.

🏠 **INCOMPATIBLE:** Even the county admits 222 units is NOT consistent with our single-family neighborhoods.

🚫 **NO LOCAL SUPPORT:** Our local advisory boards (MIRA/P&Z) refused to back this project
Sent from my iPad

From: [Greg McClasky](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: Please reject the 222-apartment complex at the corner of Pioneer and N. Courtenay
Date: Friday, January 23, 2026 9:44:42 PM

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

Please reject the 222-apartment complex at the corner of Pioneer and N. Courtenay.

Why this project is wrong for Merritt Island:

⚠️ **PUBLIC SAFETY:** The Staff Report (p. 10) explicitly warns of a "Material Danger to Public Safety." If you've ever tried to drive on Pioneer or turn onto Courtenay when the elementary school children are being dropped off and picked up, you'd have a better understanding of one of the safety issues. I also know that it is very risky trying to turn left (southbound) on Courtenay from Venetian Way.

TRAFFIC: North Courtenay is already at 88% capacity. This project violates the "25% remaining capacity" rule.

INCOMPATIBLE: Even the county admits 222 units is NOT consistent with our single-family neighborhoods.

NO LOCAL SUPPORT: Our local advisory boards (MIRA/P&Z) refused to back this project. Many residents in the area are also concerned about lower property values and privacy issues with being so close to the 3-story buildings. After increase issues with flooding since developers built Starbucks, Hampton Manor, and the car wash on the southwest corner, many concerned about flooding issues even though this developer says "trust us".

From: [Tina McClasky](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: Please reject the 222-apartment complex at the corner of Pioneer and N. Courtenay.
Date: Friday, January 23, 2026 9:52:37 PM

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

Please reject the 222-apartment complex at the corner of Pioneer and N. Courtenay.

Why this project is wrong for Merritt Island:

⚠️ **PUBLIC SAFETY:** The Staff Report (p. 10) explicitly warns of a "Material Danger to Public Safety." If you've ever tried to drive on Pioneer or turn onto Courtenay when the elementary school children are being dropped off and picked up, you'd have a better understanding of one of the safety issues. I also know that it is already very risky trying to turn left (southbound) on Courtenay from Venetian Way.

TRAFFIC: North Courtenay is already at 88% capacity. This project violates the "25% remaining capacity" rule.

INCOMPATIBLE: Even the county admits 222 units is NOT consistent with our single-family neighborhoods.

NO LOCAL SUPPORT: Our local advisory boards (MIRA/P&Z) refused to back this project. Many residents in the area are also concerned about lower property values and privacy issues with being so close to the 3-story buildings. After increased issues with flooding since developers built Starbucks, Hampton Manor, and the car wash on the southwest corner, many residents are concerned about flooding issues even though this developer says "trust us" ,as I suspect the other developer also said.

Dear Members of the Planning Commission,

I am writing to formally oppose the proposed apartment development planned for my neighborhood.

First, the traffic impact alone makes this project inappropriate. The primary roadway serving this area is already operating at approximately 88% capacity. Approving a development of this size would exceed the established policy limiting projects to no more than 25% of remaining roadway capacity. This is not a theoretical concern—it directly affects daily safety, emergency response times, and overall livability for current residents.

Second, the project fails the most basic test of compatibility. The development report itself acknowledges that 222 apartment units are “not consistent” with the surrounding single-family residential neighborhoods. This admission alone should disqualify the proposal. Introducing high-density housing into a clearly low-density area disregards the existing character and long-term planning intentions for this neighborhood.

Finally, this proposal conflicts with Administrative Policy #3, which exists specifically to prevent situations like this. Placing a high-density apartment complex within a low-density residential pocket will significantly diminish the quality of life and safety of the existing neighborhood. Increased traffic congestion, noise, and overcrowding are unavoidable consequences that current residents will be forced to absorb.

Growth should be intentional, compatible, and infrastructure-supported. This project is none of those. I respectfully urge the Commission to deny approval and protect the safety, character, and quality of life of our neighborhood.

Thank you for your time and consideration.

Sincerely,

Amanda Palmer

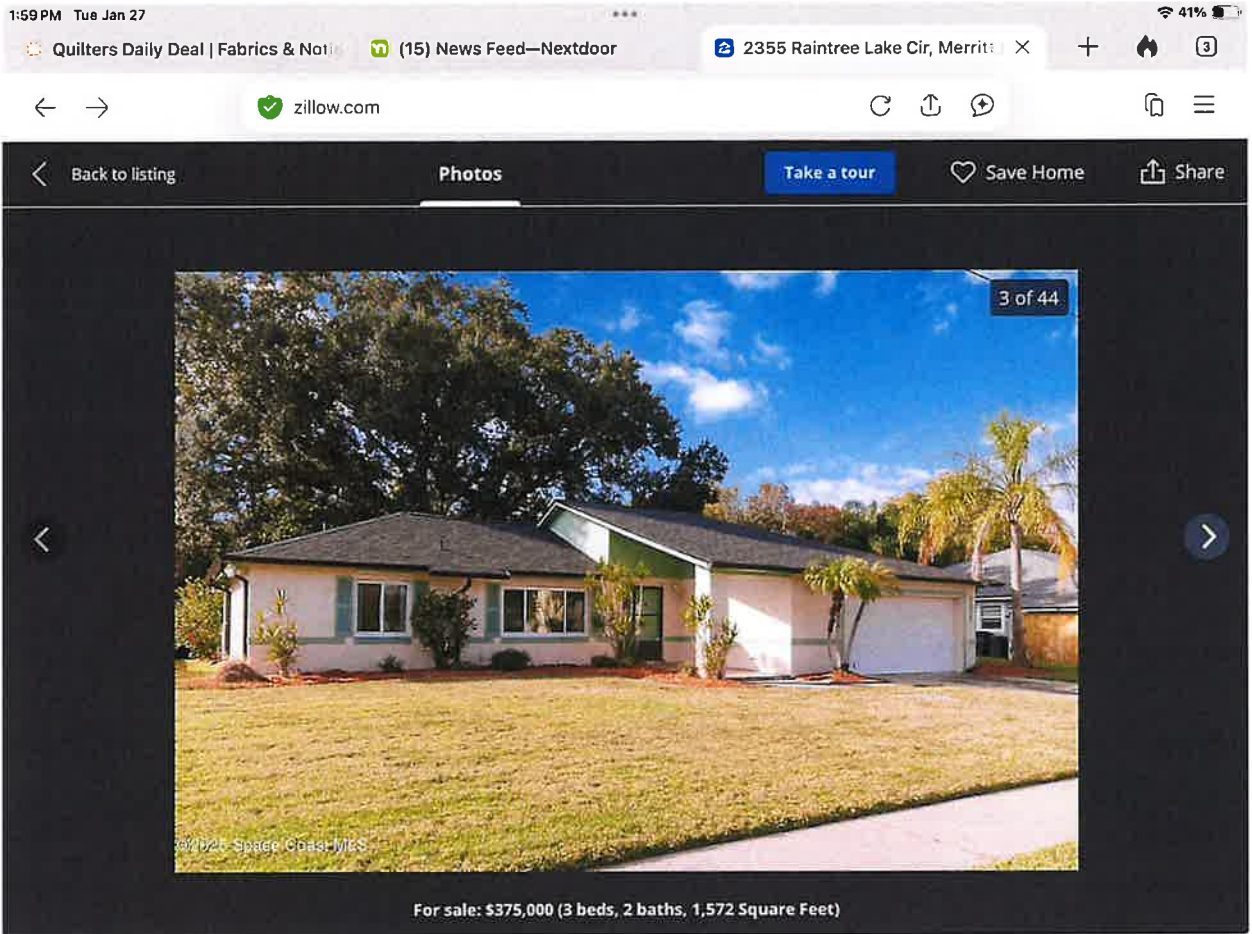
Concerned Resident

ts and concerns regarding the zoning request on Merritt Island.

1. Property values. Please see the attached photo. This home is for sale in Raintree. You can see in the background beautiful live oak trees and other foliage. This homes property line borders the proposed site of a towering apartment complex. Won't that be a lovely sight when everything is cleared from that lot and viewing that home, instead of nature, you will see tall buildings with a direct view of everything you do. Gatherings in back yard, pool time, etc. No privacy whatsoever. Values for homes bordering that complex will plummet. I would venture to say all homes in Raintree will suffer. Who will want to purchase in there when as soon as you enter the neighborhood the entire length of the road you enter borders towering apartment buildings.
2. Traffic. The proposed main entrance appears to be via Courtenay. Since there are 0 grocery stores, 0 retail shops, 0 restaurants to the north of there, it only makes sense 200+ car owners will be using Pioneer as the exit point from that complex if they want to go south. Only someone with a death wish try's to make a left turn onto Courtenay without a light. Pioneer is heavily travelled. There is only one way in/out of Raintree, that is via Pioneer. Lewis Carroll grade school is only about 1/4 mile down off Pioneer. Traffic backs up terribly, and with Pioneer and Courtenay light being a school crossing, there are numerous walkers/riders of grade school age as well as cars both at drop off and pickup. Courtenay in itself is sometimes a nightmare. With drawbridge only 1/2 mile north of Pioneer, I have seen traffic back up south of Pioneer.
3. Safety. In event of evacuation, we are talking possibility of an extra 300 cars or more trying to exit the island, all jammed right at the Beachline. Is our small island Fire department equipped to handle a major emergency such as fire in a complex this size, especially with homes in such close proximity?
4. Schools. Possible impact to our schools. They already use trailers placed for extra classrooms.
5. I fail to see any benefit whatsoever for rezoning this land to multi family. Too many vehicles, too much impact on our roads and schools, and possible devastation to property values. Towering apartments are meant for people who want water views, not looking into people's backyards and onto a busy road.

Thank you for taking these thoughts into consideration when you vote.


PLEASE vote NO!





Sent from my iPad


Please Stop this action for the following reasons (to name a few)...

Why this project is wrong for Merritt Island:

 **PUBLIC SAFETY:** The Staff Report (p. 10) explicitly warns of a "Material Danger to Public Safety."

 **TRAFFIC:** Our roads are already at 88% capacity. This project violates the "25% remaining capacity" rule.

 **INCOMPATIBLE:** Even the county admits 222 units is NOT consistent with our single-family neighborhoods.

 **NO LOCAL SUPPORT:** Our local advisory boards (MIRA/P&Z) refused to back this project.

And don't forget the growing flooding issue in this area...

Sincerely

Jean Nordfors

Sandra Muller called our office to say she is opposed to the proposed apartment complex on or near Courtney and Pioneer.



District 1 Office

COMMISSIONER KATIE DELANEY

☎ 321-607-6901
✉ d1.commissioner@brevardfl.gov
📍 400 South St., 4th Floor
Titusville, FL 32780

From: [Debbie Montgomery](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: Fwd: Rezoning
Date: Wednesday, January 28, 2026 9:30:01 PM
Attachments: [Screenshot 2026-01-27 at 1.59.08 PM.png](#)

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

Sent from my iPad

Begin forwarded message:

From: Debbie Montgomery <debmontgomery09@gmail.com>
Date: January 28, 2026 at 9:06:05 PM EST
To: Debbie Montgomery <debmontgomery09@gmail.com>
Subject: Rezoning

ts and concerns regarding the zoning request on Merritt Island.

1. Property values. Please see the attached photo. This home is for sale in Raintree. You can see in the background beautiful live oak trees and other foliage. This homes property line borders the proposed site of a towering apartment complex. Won't that be a lovely sight when everything is cleared from that lot and viewing that home, instead of nature, you will see tall buildings with a direct view of everything you do. Gatherings in back yard, pool time, etc. No privacy whatsoever. Values for homes bordering that complex will plummet. I would venture to say all homes in Raintree will suffer. Who will want to purchase in there when as soon as you enter the neighborhood the entire length of the road you enter borders towering apartment buildings.
2. Traffic. The proposed main entrance appears to be via Courtenay. Since there are 0 grocery stores, 0 retail shops, 0 restaurants to the north of there, it only makes sense 200+ car owners will be using Pioneer as the exit point from that complex if they want to go south. Only someone with a death wish try's to make a left turn onto Courtenay without a light. Pioneer is heavily travelled. There is only one way in/out of Raintree, that is via Pioneer. Lewis Carroll grade school is only about 1/4 mile down off Pioneer. Traffic backs up terribly, and with Pioneer and Courtenay light being a school crossing, there are numerous walkers/riders of grade school

age as well as cars both at drop off and pickup. Courtenay in itself is sometimes a nightmare. With drawbridge only 1/2 mile north of Pioneer, I have seen traffic back up south of Pioneer.

3. Safety. In event of evacuation, we are talking possibility of an extra 300 cars or more trying to exit the island, all jammed right at the Beachline. Is our small island Fire department equipped to handle a major emergency such as fire in a complex this size, especially with homes in such close proximity?
4. Schools. Possible impact to our schools. They already use trailers placed for extra classrooms.
5. I fail to see any benefit whatsoever for rezoning this land to multi family. Too many vehicles, too much impact on our roads and schools, and possible devastation to property values. Towering apartments are meant for people who want water views, not looking into people's backyards and onto a busy road.

Thank you for taking these thoughts into consideration when you vote.
PLEASE vote NO!

Sent from my iPad

From: [qiqi nordfors](#)
To: [Commissioner_D1](#); [Commissioner_D2](#); [Commissioner_D3](#); [Commissioner_D4](#); [Commissioner_D5](#)
Subject: Proposed 222 Unit Apartment complex, Corner of Pioneer and Courtenay, Merritt Island
Date: Wednesday, January 28, 2026 7:47:48 PM

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

Please Stop this action for the following reasons (to name a few)...

Why this project is wrong for Merritt Island:

PUBLIC SAFETY: The Staff Report (p. 10) explicitly warns of a "Material Danger to Public Safety."
TRAFFIC: Our roads are already at 88% capacity. This project violates the "25% remaining capacity" rule.
INCOMPATIBLE: Even the county admits 222 units is NOT consistent with our single-family neighborhoods.
NO LOCAL SUPPORT: Our local advisory boards (MIRA/P&Z) refused to back this project.

And don't forget the growing flooding issue in this area...

Sincerely
Jean Nordfors

Sent from my iPad

From: [Thomas Dixon](#)
To: [Commissioner, D2](#)
Date: Friday, January 23, 2026 7:27:25 PM
Attachments: [.png](#)
[.png](#)
[.png](#)
[.png](#)

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

We are closing in on 1,500 signatures to stop the 222-apartment complex at the corner of Pioneer and N. Courtenay. This location cannot support this project

We are so close! Our petition is gaining major traction, and we've confirmed the County Commissioners are officially paying attention. To protect our island, we are aiming for 1,500+ signatures by next week!

If you can't attend the upcoming meeting, your email is your vote. Please take 60 seconds to send a quick message to the Commissioners letting them know we demand Smart Growth, not dangerous over-development.

Why this project is wrong for Merritt Island:

PUBLIC SAFETY: The Staff Report (p. 10) explicitly warns of a "Material Danger to Public Safety."

TRAFFIC: Our roads are already at 88% capacity. This project violates the "25% remaining capacity" rule.

INCOMPATIBLE: Even the county admits 222 units is NOT consistent with our single-family neighborhoods.

NO LOCAL SUPPORT: Our local advisory boards (MIRA/P&Z) refused to back this project
Sent from my iPad

From: [Chelsey Bjork](#)
To: [Chelsey True](#)
Cc: [Commissioner, D2](#)
Subject: Re: Request for brief meeting regarding the Courtenay and Pioneer rezoning: Application 25Z00054
Date: Wednesday, January 21, 2026 1:03:44 PM

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

Dear Commissioner,

I wanted to follow up on my earlier email regarding the rezoning application scheduled for a vote on February 5.

I know schedules are full, but I wanted to reiterate my interest in briefly sharing concerns related to concurrency, environmental review timing, and the potential loss of County leverage if the rezoning proceeds prior to completion of key analyses.

I have meetings scheduled with other commissioners this week and wanted to be sure you had the same opportunity to hear these concerns if your availability allows.

Thank you again for your time and consideration.

Respectfully,
Chelsey True
206-300-0013

Sent from my iPhone

On Jan 16, 2026, at 8:14 PM, Chelsey True <bjork.chelsey@gmail.com> wrote:

Dear Commissioner Goodson,

My name is Chelsey True and I live immediately adjacent to the proposed rezoning at Courtenay Parkway and Pioneer Road.

I attended the developer outreach meeting, the MIRA meeting and the planning and zoning hearing. Based on Staff analysis identifying potential traffic concurrency deficiencies, unresolved environmental constraints and compatibility concerns, I am respectfully requesting a brief meeting or call prior to the upcoming vote to share my perspective as a nearby resident.

I'm not opposed to development, my concerns are specific to whether this rezoning meets County's adopted standards at this stage.

If you or your staff have availability next week I would appreciate the opportunity to speak for a few minutes.

Thank you for your time and consideration,

Chelsey True
Merritt Island resident

From: [Commissioner, D2](#)
To: [Smith, Susan](#)
Subject: Fw: Rezoning notice 25Z00054
Date: Wednesday, January 21, 2026 9:28:01 AM

From: Bill Cauffman <otisdog361@gmail.com>
Sent: Wednesday, January 14, 2026 10:52 AM
To: Commissioner, D2 <D2.Commissioner@brevardfl.gov>
Subject: Rezoning notice 25Z00054

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

Hello Tom, the proposed zoning change for 10 acres to medium and high density residential at Pioneer and Courtenay is extreme and will cause many problems. I understand that there must be growth, but 3 story high density dwellings in such an already busy area doesn't appear to be well planned. Please try to convince your fellow Commissioner to reject the proposal. Best regards, Bill Cauffman

From: mmcb23@comcast.net
To: [Commissioner, D2](#)
Subject: RangeWater apartment complex
Date: Tuesday, January 20, 2026 8:14:49 PM

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

Good Evening Mr. Goodson,

I am a resident in your district and am among the thousands of local residents who oppose the zoning change and the proposed apartment complex by RangeWater. I live on Oak Park Circle and use Pioneer road as my way of going north on Courtenay to get to Route 528 for both work and recreation. It would be closer for me to use Venetian Way to get onto Courtenay but it's a hazard trying to make a left onto Courtenay most times of the day. As it stands now, it is often a stressful frenzy of traffic in the immediate area trying to get from my house to 528. There is significantly more traffic in this area since I purchased the house in 2017. I cannot fathom additional traffic.

Additionally, seeing our beautiful trees razed and our landscape raped by never ending development is sickening. It's one of the reasons I moved from Philadelphia suburbs to what was a little piece of heaven here on Merritt Island. The urban sprawl took over the suburbs and our voices at the community meetings fell on deaf ears.

Please hear our voices and vote no on this project. Also, I have been a real estate appraiser for over 30 years and can assure you that there is only an adverse effect on value and marketability of our current properties in this area from this proposed project.

Thank you for your time,

Marie Vassalotti

625 Oak Park Cir

Merritt Island

From: [Jason via Change.org](#)
To: [Commissioner, D2](#)
Subject: You've been identified on a petition: Urge Brevard County Commissioners to oppose rezoning on Merritt Island
Date: Monday, January 19, 2026 7:16:28 PM

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



Hi Tom Goodson,

My name is Jason, and I'm reaching out from Change.org to let you know that you've been tagged on a petition on our platform: '**Urge Brevard County Commissioners to oppose rezoning on Merritt Island**'.

[View the petition](#)

With over 500 million users worldwide, Change.org is the world's largest platform for civic participation. Every day, people use our nonpartisan platform to speak up about the issues that matter to them and reach the elected officials who can make change happen.

Being tagged on a petition means that **people believe you have the power to influence this issue**. It's a sign that your leadership is needed, and **your constituents are eager to engage**.

If you'd like to learn more about the petition or discuss next steps, we're here to help. You can reach our team anytime at decision.makers@change.org or by phone at 415-907-4737.

Thank you for your time and consideration. We look forward to connecting with you soon.

Best,

no of Jason



Jason Barnaby
Decision Maker Outreach
415-907-4737
jason@change.org

This is an informational notification sent to the email address listed as the decision maker for this petition. If you are not the decision maker, let us know by replying directly to this email.

[Privacy policy](#)

We'd love to hear from you! [Contact us](#) through our help center.

Change.org · 548 Market St #29993, San Francisco, CA 94104-5401, USA

From: [Jason Barnaby](#)
To: [Commissioner, D2](#)
Subject: Tom, can you share a quick update?
Date: Monday, January 19, 2026 9:31:11 AM
Attachments: [Screenshot 2025-07-02 at 2.49.06 PM.png](#)

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

Hello Tom — I know you're busy, and that our outreach is just one of many you receive each day from people across the community. We also know you work hard on behalf of the community you serve and may have preferences or rules for how constituents share feedback on the issue elevated in the petition.

Before you close this email, **would you review the summary below and reply with a brief statement noting that you've seen and reviewed the petition, or clarify if you'd rather constituents share feedback directly with you?** Petition starters and signers appreciate hearing from public officials like you — even a quick acknowledgment that you've seen the petition.

We're also happy to share a link or statement if you've already addressed this issue elsewhere.

Even a sentence or two we can pass along would mean a lot. Thank you!

Petition Title: Urge Brevard County Commissioners to oppose rezoning on Merritt Island

Summary: This petition urges Brevard County Commissioners to oppose a proposed rezoning on Merritt Island, citing concerns over increased traffic congestion, potential flooding, and the loss of vital green spaces that contribute to the community's unique character. It matters to the petition signers as they seek to protect their home environment and ensure that future developments align with the existing infrastructure and the safety of residents.

Link: <https://change.org/p/urge-brevard-county-commissioners-to-oppose-rezoning-on-merritt-island>



Jason Barnaby
Senior Civic Engagement Specialist
jason@change.org
(415) 907-4737

--

Is this email not relevant to you? Click [here](#)

From: [Don Peplow](#)
To: [Commissioner, D2](#)
Subject: please reject rezoning the parcel along SR 3 just south of the beachline
Date: Friday, January 16, 2026 9:02:59 PM

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

Don Peplow

From: [Budd Fisher](#)
To: [Commissioner, D2](#)
Subject: Apartment complex between Pioneer and Courtenay
Date: Thursday, January 15, 2026 6:42:37 PM

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

Dear Mr. Goodson

I wanted to make sure you are aware of the petition against this new development. Over 800 local residents have already signed a petition against. While we know you voted for the development we are respectfully asking you to reverse your decision. We do not want the added cars and congestion especially around Lewis Carroll elementary. .

I trust you will respect your constituents wishes.

Sincerely
Budd Fisher

1893 Sykes Creek Dr.
Merritt Island, Fl
[Sent from Yahoo Mail for iPad](#)

From: [Jason Barnaby](#)
To: [Commissioner, D2](#)
Subject: Response Requested: 652 Constituents Oppose Rezoning on N. Courtenay Parkway
Date: Thursday, January 15, 2026 6:01:21 AM
Attachments: [Screenshot 2025-06-30 at 11.48.42 AM-3.png](#)
[Screenshot 2025-07-02 at 2.49.06 PM.png](#)

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

Hello Tom Goodson,

My name is Jason, and I'm part of the Civic Engagement team at Change.org. Nice to meet you! I'm reaching out because a petition on our platform is currently trending among your constituents: Urge Brevard County Commissioners to oppose rezoning on Merritt Island <https://change.org/p/urge-brevard-county-commissioners-to-oppose-rezoning-on-merritt-island>



Because you haven't publicly responded to the petition, your status currently appears as unresponsive. **Would you like to update your response status? You can simply reply to this email with the message you'd like to share, and I'll post it on your behalf.** This would let your constituents know that you're aware of the issue, engaged, and listening.

A response does not mean you endorse the petition. In your response, you can:

- Acknowledge you've seen the petition, aware of the concerns raised, and share any relevant updates
- Share details for the next public meeting where constituents can share their views
- Any relevant updates, resources, or information

If you have any questions, please feel free to reach me directly at +1 415-907-4737. Look forward to hearing from you soon!

Best,
Jason



Jason Barnaby
Senior Civic Engagement Specialist
jason@change.org
(415) 907-4737

--

Is this email not relevant to you? Click [here](#)

From: [Chelsey Bjork](#)
To: [Commissioner_D2](#); [Commissioner_D3](#); [Commissioner_D1](#); [Commissioner_D4](#)
Subject: Rezoning application 25Z00054 - Public Comment
Date: Wednesday, January 14, 2026 7:58:43 PM

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

Dear Commissioner Goodson and fellow Commissioners,

My name is Chelsey True, and I am a Merritt Island resident who lives immediately adjacent to the proposed rezoning at Courtenay Parkway and Pioneer Road.

As a resident who attended the developer meeting held on November 24, 2025, the MIRA meeting, and the Planning and Zoning hearing, I am writing ahead of the upcoming Board of County Commissioners hearing to respectfully share my concerns and provide context for my position. I also want to note that I spoke with Marcus Herman, a board member of the Merritt Island Redevelopment Agency (MIRA), following the Planning and Zoning meeting. He encouraged me to reach out directly and to continue grounding my comments in fact and adopted policy, which I have attempted to do throughout this process.

I want to be clear from the start: I am not opposed to multifamily housing. I have worked professionally within multifamily development in the past. My concerns here are specific to location, intensity, and infrastructure compatibility.

Staff analysis indicates that the proposed development does not align with the existing or recent development pattern of the surrounding area. Adjacent land uses are predominantly single-family residential to the east, with institutional and commercial uses along Courtenay Parkway. Notably, no multifamily residential development has been approved or constructed within the immediate area in recent years, which undermines the claim that this proposal represents a natural continuation of established land use patterns.

From an infrastructure standpoint, staff has identified potential traffic concurrency deficiencies. Courtenay Parkway is already operating above the 85% threshold required for concurrency vesting, and the proposed development would exceed the 25% remaining capacity limitation. Staff further notes that this could result in a concurrency deficiency at the site plan stage. These findings suggest that concurrency issues are not hypothetical, but a real risk at this stage. As stated in the staff analysis, "the proposed development has the potential to cause traffic capacity issues that could impact design capabilities or a de facto change in functional classification."

Staff analysis also indicates that the proposed development has the potential to generate approximately 2,308 trips per day. Given the existing operating level of this corridor and the added trip generation, my concern is that the rezoning is being requested prior to the completion of the evaluations required under the County's

adopted concurrency policies.

These concerns are compounded by existing constraints, including school-related congestion, proximity to the SR-528 interchange, drawbridge operations, and the scheduled 2027 FDOT median and signalization project, which will alter traffic patterns in ways current studies cannot fully capture. A development cannot assume capacity from future roadway projects. Because these improvements are not yet constructed, they cannot be relied upon for concurrency or mitigation purposes. Approving a rezoning before these changes are operational and their impacts understood creates additional uncertainty for an already constrained roadway.

Additionally, I contacted Brevard County Natural Resources Management to confirm whether a formal wetland delineation has been completed for the subject property. Staff confirmed in writing that a site-specific wetland delineation has not yet been performed and would only be required at the site plan stage. As a result, current review relies on mapped resources rather than field-verified conditions. Given the presence of mapped wetlands and hydric soils, the site's location within the Indian River Lagoon Nitrogen Reduction Overlay, and proximity to a documented bald eagle nest, the full environmental constraints of the site are not yet known. Advancing a rezoning prior to completion of this analysis shifts risk forward and limits the County's ability to evaluate environmental impacts at the appropriate stage.

I would also like to acknowledge the applicant's revised site plan, which includes a 100-foot buffer along the east side and a 50-foot buffer along the north side of the property. While these revisions reflect an effort to reduce impacts, the updated plan also removes the previously proposed retention pond and instead relies on dry stormwater mitigation. Given the site's environmental context, I respectfully ask that these stormwater revisions be carefully evaluated for long-term performance, maintenance, and cumulative impact. Buffer enhancements alone do not resolve the outstanding infrastructure, traffic, and environmental concerns identified in the staff analysis.

I respectfully ask that you give weight to the Planning and Zoning staff findings, MIRA's recommendation, and the unresolved infrastructure and compatibility concerns when considering this rezoning request. My goal is not to oppose growth, but to advocate for development that aligns with adopted standards and protects the long-term functionality and character of our community. Planning and Zoning could not reach a majority in favor of approval, staff analysis raised multiple substantive concerns, and MIRA formally recommended against the proposal. Advancing this rezoning under these conditions would transfer unresolved risk to the surrounding community rather than address it at the appropriate stage.

Thank you for your time and consideration.

Respectfully,

Chelsey True

Merritt Island Resident

Sources:

Brevard County Planning and Zoning Staff Analysis
Space Coast Transportation Planning Organization (TPO)

From: [Marie-Claire Villanueva, DPM](#)
To: [Commissioner, D2](#)
Subject: Please vote NO
Date: Wednesday, January 14, 2026 4:22:02 PM

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

Dear Commissioner Goodson,
Please vote NO on the rezoning of Merritt Island off Pioneer Rd. and N. Courtenay Blvd. As a long time resident, our community is vehemently opposed to the proposed changes.
Thank you very much for your time and service.

--
Marie-Claire Villanueva, D.P.M.
mobile (321) 213-0249
fax (866) 590-7237

From: [Heike Jahnert](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: Rezoning on North Courtenay Pkwy
Date: Wednesday, January 14, 2026 9:26:42 AM

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

Good Morning Commissioners !

Ask any resident on Merritt Island and they will tell you that Merritt Island is getting too crowded and too busy.

Rezoning a property on the East Side of North Courtenay Pkwy just 420 ft South of Via DeLa Reina is not in the best interest of Merritt Island residents.

As our Representatives I urge you to listen to your Constituents and not rezone above mentioned property.

We have enough housing on Merritt Island. In addition, due to enforcements of immigration laws more housing will be available to U.S. citizens.

Commissioners, please remember the oath you took and your role as a Public Servant which both command you to represent your constituents and not special interest.

Respectfully,

Heike Jahnert
6729 Mangrove Dr.
Merritt Island

From: [Giles Malone](#)
To: [Commissioner, D2](#)
Subject: Fwd: Urge Commissioner Goodson to oppose rezoning on Merritt Island
Date: Tuesday, January 13, 2026 2:33:30 PM

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

GILES MALONE M.B.A.
PARTNER
MAVERICK MULTIMEDIA INC.
BREVARD PRODUCTION INC..
Tel: (321) - 323- 4460
GilesMalone@GMail.com



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

From: **Giles Malone** <gilesmalone1@icloud.com>
Date: Mon, Jan 12, 2026 at 11:39 PM
Subject: Urge Commissioner Goodson to oppose rezoning on Merritt Island
To: GILES MALONE <gilesmalone@gmail.com>

Hey,

I just signed the petition “Urge Commissioner Goodson to oppose rezoning on Merritt Island” and wanted to see if you could help by adding your name.

Our goal is to reach 500 signatures and we need more support. You can read more and sign the petition here:

<https://c.org/FzXMFB9qjH>

Thanks!
Giles

Sent from my iPhone

From: [Chelsey True](#)
To: [Commissioner, D2](#)
Subject: Request for brief meeting regarding the Courtenay and Pioneer rezoning: Application 25Z00054
Date: Friday, January 16, 2026 8:15:04 PM

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

Dear Commissioner Goodson,

My name is Chelsey True and I live immediately adjacent to the proposed rezoning at Courtenay Parkway and Pioneer Road.

I attended the developer outreach meeting, the MIRA meeting and the planning and zoning hearing. Based on Staff analysis identifying potential traffic concurrency deficiencies, unresolved environmental constraints and compatibility concerns, I am respectfully requesting a brief meeting or call prior to the upcoming vote to share my perspective as a nearby resident.

I'm not opposed to development, my concerns are specific to whether this rezoning meets County's adopted standards at this stage.

If you or your staff have availability next week I would appreciate the opportunity to speak for a few minutes.

Thank you for your time and consideration,

Chelsey True
Merritt Island resident

From: [Erica Miller Cochran](#)
To: [Commissioner_D2](#); [Commissioner_D1](#); [Commissioner_D3](#); [Commissioner_D4](#); [Commissioner_D5](#)
Subject: Rezoning Pioneer/Courtenay Pkwy
Date: Thursday, January 29, 2026 8:04:47 PM

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

I plead with you all to deny the rezoning of the property at Pioneer and N. Courtenay Pkwy in Merritt Island. Courtenay cannot support this influx of growth. With the apartments being built behind the Merritt Island mall we're looking at 100's of more cars on the road already. This large project of multi-family units would be devastating to this island. I know growth is inevitable but this isn't the right project for this specific area. This would not be beneficial to the small island community that Merritt Island has been known for since as long as I've lived here.

Thank you for your time.

[Erica Cochran](#)

From: [AmyBrooke Muir](#)
To: [Commissioner, D4](#)
Subject: Deny Rezoning 142 Acres off E Crisafulli
Date: Friday, January 30, 2026 9:14:18 AM

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

Dear Mr. Feltner,

I am writing to you as a resident of North Merritt Island and as someone who deeply cares about the place my family calls home.

I respectfully ask that you **vote NO on the proposed rezoning of the 142 acres off East Crisafulli Road**. This request is not about being anti-growth — it is about protecting an area that simply is not equipped to handle higher-density development.

Those of us who live here already experience significant flooding. We have watched roads become impassable after storms and worry every rainy season about water levels rising higher and staying longer. Increasing density on agricultural land means more pavement, more runoff, and more displaced water — and that water has to go somewhere. Once flooding patterns change, they cannot be undone.

Traffic and safety are also real concerns. East Crisafulli Road is narrow, rural, and was never designed to support suburban-level traffic. Additional daily traffic and construction vehicles will make the road less safe for residents, children, and emergency responders.

Most importantly, this land has long been designated as agricultural. Rezoning it to higher-density residential development fundamentally changes the character of our community and sets a precedent that cannot be reversed. Once the land is rezoned and developed, the rural nature of this area is gone forever.

Maronda's current design has a house 30 feet from my barn filled with pigs, goats, and chickens. I don't think 1/2 acre lots are compatible with being so close to farm animals.

I believe your role as a commissioner requires balancing development with the long-term well-being of existing residents. In this case, the risks — flooding, safety, infrastructure strain, and loss of rural character — outweigh the benefits.

Thank you for taking the time to listen to those of us who live here and will bear the consequences of this decision for decades to come. I respectfully urge you to stand with our community and please **vote NO on this rezoning**.

Sincerely,

Amy Muir

1100 E Crisafulli Road

Merritt Island

From: [Kathy Brandt](#)
To: [Commissioner, D4](#)
Subject: rezoning on Merritt Island
Date: Friday, January 30, 2026 10:24:05 AM

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

Please oppose the rezoning on Merritt Island. The area at Pioneer Rd. and Courtenay Parkway will be harmfully impacted if this goes through. The high density apartment complex in single family neighborhoods will compromise safety and traffic flow.

Thank you,
Kathleen Brandt

From: [Karie Hanselman](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: STOP THE DEVELOPMENT!
Date: Saturday, January 31, 2026 9:42:16 AM

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

Over the past 40 years, the once-quiet drive from Cocoa into Merritt Island has transformed dramatically. What used to be a peaceful, natural sanctuary has become increasingly congested, especially on weekends, when out-of-town visitors crowd the unpaved shoulders as if they were public parks—camping, grilling, selling items, and often interfering with traffic flow.

Simultaneously, Port Canaveral has expanded from a small cruise hub into the largest port in Florida, yet the surrounding infrastructure has not kept pace. Weekend traffic jams on the Beachline are now almost guaranteed as thousands of cruise passengers rush to the port, frequently causing accidents or gridlock. Much of the remaining open land has been converted into cruise parking lots, further intensifying traffic pressures without meaningful road improvements.

As drivers exit the Beachline onto Courtney Parkway, they encounter additional congestion from Kennedy Space Center traffic, daily launch activity, and drivers racing to beat poorly timed lights. The nearby drawbridge often rises at the worst possible moment, pushing traffic backups well beyond the Pioneer/Courtney intersection. In the immediate vicinity of the proposed apartment development, three residential neighborhoods, an elementary school, a nursing home, Starbucks, a car wash, a bank, and a medical plaza all share a single narrow roadway. This road already struggles with backups, lacks turn lanes, and experiences frequent accidents as drivers take risks to avoid delays. It sits within half a mile of both the chronically congested Beachline interchange and the drawbridge that routinely traps vehicles for miles.

Adding a 225-unit apartment complex—introducing more than 250 additional vehicles—would create dangerous conditions for residents, schoolchildren, parents, teachers, and emergency responders. It would further complicate evacuation routes and increase risks in an area already beyond its infrastructure and environmental capacity.

After four decades of living on this small island, it is clear that Merritt Island has exceeded sustainable growth. Recent developments have already caused flooding in older neighborhoods, degraded water quality, and strained natural systems. Approving another high-density project in a location unable to support it is not progress—it is a failure of responsible urban planning and a decision driven purely by profit, not community well-being.

Apartments are not an ideal fit for this area due to several key factors related to infrastructure capacity, community character, and long-term planning considerations. I would strongly recommend you go to this area at 7:30-7:45am, 2:30pm or 5:30 pm and experience the congestion and craziness yourself before you vote for this madness.

Regards,
Karie Hanselman, concerned resident of area

From: [Rebecca Hauser](#)
To: [Commissioner, D4](#)
Subject: Opposition to Rezoning Case #25Z00054 – Public Safety Danger, Flooding Risks, & 1,800+ Residents Opposed
Date: Friday, January 30, 2026 5:37:51 PM

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

Dear Commissioner Rob Feltner,

I am writing to formally request that you **DENY Rezoning Application #25Z00054** (RangeWater/Pioneer Rd). This proposal is not merely a "neighborhood concern"; it is a documented risk to the infrastructure, environmental stability, and life safety of the Merritt Island community.

As a resident and taxpayer, I urge you to consider the following critical facts:

1. Staff Report Warning: “Material Danger to Public Safety” The County’s own Staff Report (page 10) explicitly warns that this project creates a **“material danger to public safety.”** It is rare for staff to use such definitive language. For the Commission to override this warning would be to knowingly ignore a documented safety hazard regarding traffic flow and emergency access in a failing corridor.

2. Extreme Risk to School Zone Safety (Lewis Carroll Elementary) Pioneer Road is a primary corridor for children walking and biking to Lewis Carroll Elementary. During drop-off and pick-up, this area already experiences severe congestion and gridlock. Adding **400+ cars** (approx. 1,379 to 3,000 daily trips) into this specific intersection creates an unacceptable safety crisis.

3. Environmental Hazard: Myakka and Anclote Hydric Soils The project site consists of **Myakka and Anclote hydric soils**, which serve as a critical natural "sponge" for the area due to their high water table. Paving over 11 acres of these soils will displace massive volumes of groundwater, forcing runoff into surrounding low-lying neighborhoods that are **already prone to flooding**. We cannot replace a natural drainage basin with 11 acres of asphalt without causing major flooding for existing homeowners.

4. Overwhelming Community Opposition (1,800+ Signatures) The community has spoken with a unified voice. I have initiated a petition that currently has **over 1,800 residents** (online and on paper) who are formally opposed to this project. This number grows daily, reflecting the deep-seated concern of your constituents.

5. Violation of Administrative Policy #3 & Infrastructure

Failure Under Administrative Policy #3, the County must protect the quality of life of existing residents from "Land Use Shocks." North Courtenay Parkway is already at **88% capacity**. This project alone would consume **24.95% of the total remaining capacity**, violating the spirit of our concurrency rules and diminishing the safety of our neighborhoods through noise and transient traffic.

6. Unanimous Denial by MIRA (7-0) The Merritt Island Redevelopment Agency (MIRA) board—the local body that best understands our island's unique constraints—voted **unanimously (7-0)** to recommend denial.

The Planning and Zoning Board's **7-7 tie** reflects the deep flaws in this application. With 1,800 residents standing in opposition, a Staff Report warning of "**material danger to public safety**," and the severe risks to our school children and environment, there is no justification for approval.

I urge you to follow the recommendation of MIRA and Staff and **deny this rezoning**.

Sincerely,

Rebecca Hauser

815-608-8451

Petition can be found here: <https://www.change.org/p/urge-brevard-county-commissioners-to-oppose-rezoning-on-merritt-island>

From: [Gayle Allenback](#)
To: [Commissioner, D4](#)
Subject: Request for Denial of Zoning Application 25Z00054 – Parcel ID 24-36-14-00-259
Date: Saturday, January 31, 2026 4:21:28 PM

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

Dear Commissioner Feltner,

I am writing as a concerned resident of Merritt Island to respectfully urge you not to approve the proposed zoning change (zoning application 25Z00054) that would allow medium- to high-density housing at the property located on the east side of N. Courtenay Parkway, approximately 420 feet south of Via De La Reina (parcel ID 24-36-14-00-259).

While growth can be beneficial when thoughtfully planned, this particular proposal threatens the safety, infrastructure, environmental balance, and character of the immediate neighborhood as well as the whole island in ways that are already well documented in the official reports on record.

Public safety must be paramount. One of the reports explicitly warns that this project presents a “material danger to public safety.” This is not merely a speculative concern, but a formal conclusion based on the project’s own analysis. Approving a development identified as posing such a risk would place current residents, future occupants, and first responders in jeopardy.

Traffic and infrastructure capacity are already strained. Many are familiar with the daily congestion along N. Courtenay Parkway. According to the report, local roads are operating at approximately 88% capacity, leaving very little margin for additional traffic. The proposed development exceeds the established “25% of remaining capacity” guideline; thus, rezoning this property would only exacerbate an already dangerous situation—raising the likelihood of accidents and posing increased risks to both drivers and adult and child pedestrians, particularly as the area awaits roadway redesign to place a raised median.

In addition, flooding concerns cannot be ignored. Natural drainage systems on Merritt Island are already under stress, and increased density at this location would further burden those systems. The result could be heightened flood risk for nearby homes and businesses, creating long-term consequences that are difficult and costly to reverse.

The proposal is also incompatible with surrounding land use. The report itself acknowledges that the planned 222 units are not consistent with the adjacent single-family neighborhoods. Such incompatibility threatens the stability, character, and quality of life of communities that residents, including myself, have invested in for decades.

Equally concerning is the loss of green space, especially wetlands and wildlife habitats, which would be irreversible. Our community has worked hard to preserve these areas, recognizing their importance to our ecosystem, natural drainage, and as a buffer against overdevelopment. Once lost, this land—and the balance it provides—cannot be restored. Preserving these spaces is essential to maintaining what makes Merritt Island a unique and cherished place to live.

Finally, there is clear local opposition and advisory concern. The Merritt Island Redevelopment Agency (MIRA) has already demonstrated its support for preserving our community by voting against the rezoning proposal, and even the Brevard County Planning & Zoning board was not able to reach a majority in favor of this project, after hearing both sides. As one of our elected representatives, I respectfully ask that you honor the judgment of local advisory boards and the residents they serve, rather than overriding their recommendations.

I support smart, appropriately scaled growth—but not this specific project, particularly in this specific location. The proposed density cannot be sustained without compromising safety, traffic flow, environmental resilience, and neighborhood compatibility.

For these reasons, I respectfully ask that you vote no on this zoning change and help protect the safety, environment, and long-term well-being of Merritt Island and its residents.

Thank you for your time, consideration, and service to our community.

Respectfully,

Gayle Allenback

2405 Raintree Lake Circle

Merritt Island, FL 32953

From: [Diane Duclos](#)
To: [Commissioner, D4](#)
Subject: Fwd: Brevard reasoning on Merritt island
Date: Monday, February 2, 2026 8:18:52 AM

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

Sent from my iPhone

Begin forwarded message:

From: Diane Duclos <duclos1957@yahoo.com>
Date: February 2, 2026 at 8:16:01 AM EST
To: D1.Commissioner@brevardfl.gov
Subject: Brevard reasoning on Merritt island

Good Day Commissioner-

I am a resident of Villa de Palma neighborhood on Merritt Island.

It has come to my attention that the Brevard County commissioner's office is contemplating rezoning the area off Pioneer Road on Merritt Island for an apartment complex.

The decision to rezone would be a huge mistake. Pioneer Road is already so busy between the three neighborhoods that are adjacent to it plus the school that has daily traffic in the morning and the afternoon that Pioneer Road cannot carry this much traffic. Plus all the neighborhoods surrounding the area for rebuild are all single family homes. An apartment complex just does not go with the complexion of the area. The area for rebuild is so small for the number of apartments that you want to put in.

Let alone losing more green space on Merritt Island that has over 50,000 people now living on it and losing the green space for all the animals that inhabit the area on Pioneer, which houses the endangered gopher turtles.

Putting up more apartments on Merritt Island is going to tax on the school system, the fire department and the police department along with all of our road wear.

Please reconsider your opinion on this rezoning for Merritt Island.

Thank you
Michael Duclos
Diane Duclos

Sent from my iPhone

From: [Chelsey True](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: Request for Clarification and Record Accuracy from the P&Z Vote Procedure (January 12, APP 25Z00054)
Date: Friday, January 30, 2026 10:25:06 AM

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

Dear Commissioners,

My name is Chelsey True, a Merritt Island resident who has been actively following and participating in the public process regarding Application 25Z00054.

I am writing to respectfully flag a procedural concern from the Planning & Zoning Board meeting on January 12, which I believe is important for the County Commission to be aware of as this application moves forward.

While rewatching the meeting video, I observed confusion during the vote count related to the Chair's participation in the vote. A headcount appeared to reflect a 7-6 vote; however, there was audible discussion on the record indicating that the Chair would only vote in the event of a tie. Despite this, the outcome was ultimately announced as a 7-7 tie, followed by a second vote without a clearly stated tally.

I am not alleging misconduct. My concern is that the procedure created ambiguity on the record regarding how the final vote count was reached. Given the significance of this application and the level of public interest, clarity in voting procedure and documentation is important for public confidence and for the Commission's review.

I have raised this question with staff and understand that the approved minutes will reflect the official tally. My intent in contacting you directly is simply to ensure that Commissioners are aware of the procedural confusion observed on the video record as you consider this item.

I appreciate your time and your service, and I look forward to discussing this and other substantive infrastructure and safety concerns related to this application in upcoming meetings.

Chelsey True
Merritt Island Resident

Dear Commissioner Goodson,

I am writing regarding the upcoming vote on the rezoning request for the property located at Pioneer Road and Courtenay Parkway. I am a resident of the Palmetto neighborhood, which lies north of Villa De Palmas and just south of State Road 528.

I respectfully urge you to vote **against** this rezoning request to allow multi-family development in what is currently a single-family area. My primary concern is traffic, which has already reached an unsafe and congested level along Courtenay Parkway.

As a resident who travels this corridor daily, I can attest that **turning left from the Palmetto neighborhood onto Courtenay Parkway (southbound) or turning left into the Palmetto Neighborhood onto Venetian Way from Courtenay Parkway (southbound)** is difficult at most times of day and becomes nearly impossible when the bridge is raised and traffic backs up. According to the developer, the project would include an average of 1.75 parking spaces per unit, potentially adding approximately 389 additional vehicles to Courtenay Parkway. This figure does not account for visitor traffic or service vehicles.

Anyone familiar with this corridor during **school drop-off and pick-up hours, rush hour, or Space Center shift changes** knows that Courtenay Parkway is already operating at or near capacity. Traffic has increased significantly since I moved into my home in 2017, due in part to multiple large developments approved north of SR 528. Each new project adds to an already overburdened roadway.

This raises an important question: when was the most recent traffic capacity study conducted for Courtenay Parkway, and does it adequately account for the cumulative impact of these developments? Beyond traffic, increased density places additional strain on emergency services and contributes to overcrowding that affects the safety and quality of life of existing residents.

I am also aware that the Merritt Island Redevelopment Agency (MIRA) voted against this project. I respectfully ask that you and your fellow commissioners stand with the residents of Merritt Island and vote no on this rezoning request.

Thank you for your time, consideration, and service to our community.

Sincerely,

Marie Chiaino

321-591-1663 (cell

From: [Marie Chiaino](#)
To: [Commissioner, D2](#)
Cc: [Commissioner, D1](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: Opposition to Rezoning Notice 2500054 on Merritt Island
Date: Tuesday, February 3, 2026 7:17:59 PM

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

Dear Commissioner Goodson,

I am writing regarding the upcoming vote on the rezoning request for the property located at Pioneer Road and Courtenay Parkway. I am a resident of the Palmetto neighborhood, which lies north of Villa De Palmas and just south of State Road 528.

I respectfully urge you to vote **against** this rezoning request to allow multi-family development in what is currently a single-family area. My primary concern is traffic, which has already reached an unsafe and congested level along Courtenay Parkway.

As a resident who travels this corridor daily, I can attest that **turning left from the Palmetto neighborhood onto Courtenay Parkway (southbound) or turning left into the Palmetto Neighborhood onto Venetian Way from Courtenay Parkway (southbound)** is difficult at most times of day and becomes nearly impossible when the bridge is raised and traffic backs up. According to the developer, the project would include an average of 1.75 parking spaces per unit, potentially adding approximately 389 additional vehicles to Courtenay Parkway. This figure does not account for visitor traffic or service vehicles.

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I am also aware that the Merritt Island Redevelopment Agency (MIRA) voted against this project. I respectfully ask that you and your fellow commissioners stand with the residents of Merritt Island and vote no on this rezoning request.

Thank you for your time, consideration, and service to our community.

Sincerely,

Marie Chiaino
321-591-1663 (cell)

From: [Diane Duclos](#)
To: [Commissioner, D2](#)
Subject: Fwd: Brevard reasoning on Merritt island
Date: Monday, February 2, 2026 8:17:17 AM

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

Sent from my iPhone

Begin forwarded message:

From: Diane Duclos <duclos1957@yahoo.com>
Date: February 2, 2026 at 8:16:01 AM EST
To: D1.Commissioner@brevardfl.gov
Subject: Brevard reasoning on Merritt island

Good Day Commissioner-

I am a resident of Villa de Palma neighborhood on Merritt Island.

It has come to my attention that the Brevard County commissioner's office is contemplating rezoning the area off Pioneer Road on Merritt Island for an apartment complex.

The decision to rezone would be a huge mistake. Pioneer Road is already so busy between the three neighborhoods that are adjacent to it plus the school that has daily traffic in the morning and the afternoon that Pioneer Road cannot carry this much traffic. Plus all the neighborhoods surrounding the area for rebuild are all single family homes. An apartment complex just does not go with the complexion of the area. The area for rebuild is so small for the number of apartments that you want to put in.

Let alone losing more green space on Merritt Island that has over 50,000 people now living on it and losing the green space for all the animals that inhabit the area on Pioneer, which houses the endangered gopher turtles.

Putting up more apartments on Merritt Island is going to tax on the school system, the fire department and the police department along with all of our road wear.

Please reconsider your opinion on this rezoning for Merritt Island.

Thank you
Michael Duclos
Diane Duclos

Sent from my iPhone

From: [Gayle Allenback](#)
To: [Commissioner, D2](#)
Subject: Request for Denial of Zoning Application 25Z00054 – Parcel ID 24-36-14-00-259
Date: Saturday, January 31, 2026 4:18:54 PM

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

Dear Commissioner Goodson,

I am writing as a concerned resident of Merritt Island to respectfully urge you not to approve the proposed zoning change (zoning application 25Z00054) that would allow medium- to high-density housing at the property located on the east side of N. Courtenay Parkway, approximately 420 feet south of Via De La Reina (parcel ID 24-36-14-00-259).

While growth can be beneficial when thoughtfully planned, this particular proposal threatens the safety, infrastructure, environmental balance, and character of the immediate neighborhood as well as the whole island in ways that are already well documented in the official reports on record.

Public safety must be paramount. One of the reports explicitly warns that this project presents a “material danger to public safety.” This is not merely a speculative concern, but a formal conclusion based on the project’s own analysis. Approving a development identified as posing such a risk would place current residents, future occupants, and first responders in jeopardy.

Traffic and infrastructure capacity are already strained. Many are familiar with the daily congestion along N. Courtenay Parkway. According to the report, local roads are operating at approximately 88% capacity, leaving very little margin for additional traffic. The proposed development exceeds the established “25% of remaining capacity” guideline; thus, rezoning this property would only exacerbate an already dangerous situation—raising the likelihood of accidents and posing increased risks to both drivers and adult and child pedestrians, particularly as the area awaits roadway redesign to place a raised median.

In addition, flooding concerns cannot be ignored. Natural drainage systems on Merritt Island are already under stress, and increased density at this location would further burden those systems. The result could be heightened flood risk for nearby homes and businesses, creating long-term consequences that are difficult and costly to reverse.

The proposal is also incompatible with surrounding land use. The report itself acknowledges that the planned 222 units are not consistent with the adjacent single-family neighborhoods. Such incompatibility threatens the stability, character, and quality of life of communities that residents, including myself, have invested in for decades.

Equally concerning is the loss of green space, especially wetlands and wildlife habitats, which would be irreversible. Our community has worked hard to preserve these areas, recognizing their importance to our ecosystem, natural drainage, and as a buffer against overdevelopment. Once lost, this land—and the balance it provides—cannot be restored. Preserving these spaces is essential to maintaining what makes Merritt Island a unique and cherished place to live.

Finally, there is clear local opposition and advisory concern. The Merritt Island Redevelopment Agency (MIRA) has already demonstrated its support for preserving our community by voting against the rezoning proposal, and even the Brevard County Planning & Zoning board was not able to reach a majority in favor of this project, after hearing both sides. As one of our elected representatives, I respectfully ask that you honor the judgment of local advisory boards and the residents they serve, rather than overriding their recommendations.

I support smart, appropriately scaled growth—but not this specific project, particularly in this specific location. The proposed density cannot be sustained without compromising safety, traffic flow, environmental resilience, and neighborhood compatibility.

For these reasons, I respectfully ask that you vote no on this zoning change and help protect the safety, environment, and long-term well-being of Merritt Island and its residents.

Thank you for your time, consideration, and service to our community.

Respectfully,

Gayle Allenback

2405 Raintree Lake Circle

Merritt Island, FL 32953

From: [Karie Hanselman](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: STOP THE DEVELOPMENT!
Date: Saturday, January 31, 2026 9:42:18 AM

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

Over the past 40 years, the once-quiet drive from Cocoa into Merritt Island has transformed dramatically. What used to be a peaceful, natural sanctuary has become increasingly congested, especially on weekends, when out-of-town visitors crowd the unpaved shoulders as if they were public parks—camping, grilling, selling items, and often interfering with traffic flow.

Simultaneously, Port Canaveral has expanded from a small cruise hub into the largest port in Florida, yet the surrounding infrastructure has not kept pace. Weekend traffic jams on the Beachline are now almost guaranteed as thousands of cruise passengers rush to the port, frequently causing accidents or gridlock. Much of the remaining open land has been converted into cruise parking lots, further intensifying traffic pressures without meaningful road improvements.

As drivers exit the Beachline onto Courtney Parkway, they encounter additional congestion from Kennedy Space Center traffic, daily launch activity, and drivers racing to beat poorly timed lights. The nearby drawbridge often rises at the worst possible moment, pushing traffic backups well beyond the Pioneer/Courtney intersection. In the immediate vicinity of the proposed apartment development, three residential neighborhoods, an elementary school, a nursing home, Starbucks, a car wash, a bank, and a medical plaza all share a single narrow roadway. This road already struggles with backups, lacks turn lanes, and experiences frequent accidents as drivers take risks to avoid delays. It sits within half a mile of both the chronically congested Beachline interchange and the drawbridge that routinely traps vehicles for miles.

Adding a 225-unit apartment complex—introducing more than 250 additional vehicles—would create dangerous conditions for residents, schoolchildren, parents, teachers, and emergency responders. It would further complicate evacuation routes and increase risks in an area already beyond its infrastructure and environmental capacity.

After four decades of living on this small island, it is clear that Merritt Island has exceeded sustainable growth. Recent developments have already caused flooding in older neighborhoods, degraded water quality, and strained natural systems. Approving another high-density project in a location unable to support it is not progress—it is a failure of responsible urban planning and a decision driven purely by profit, not community well-being.

Apartments are not an ideal fit for this area due to several key factors related to infrastructure capacity, community character, and long-term planning considerations. I would strongly recommend you go to this area at 7:30-7:45am, 2:30pm or 5:30 pm and experience the congestion and craziness yourself before you vote for this madness.

Regards,
Karie Hanselman, concerned resident of area

From: [Rebecca Hauser](#)
To: [Commissioner, D2](#)
Subject: Opposition to Rezoning Case #25Z00054 – Public Safety Danger, Flooding Risks, & 1,800+ Residents Opposed
Date: Friday, January 30, 2026 5:34:15 PM

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

Dear Commissioner Tom Goodson,

I am writing to formally request that you **DENY Rezoning Application #25Z00054** (RangeWater/Pioneer Rd). This proposal is not merely a "neighborhood concern"; it is a documented risk to the infrastructure, environmental stability, and life safety of the Merritt Island community.

As a resident and taxpayer, I urge you to consider the following critical facts:

1. Staff Report Warning: “Material Danger to Public Safety” The County’s own Staff Report (page 10) explicitly warns that this project creates a **“material danger to public safety.”** It is rare for staff to use such definitive language. For the Commission to override this warning would be to knowingly ignore a documented safety hazard regarding traffic flow and emergency access in a failing corridor.

2. Extreme Risk to School Zone Safety (Lewis Carroll Elementary) Pioneer Road is a primary corridor for children walking and biking to Lewis Carroll Elementary. During drop-off and pick-up, this area already experiences severe congestion and gridlock. Adding **400+ cars** (approx. 1,379 to 3,000 daily trips) into this specific intersection creates an unacceptable safety crisis.

3. Environmental Hazard: Myakka and Anclote Hydric Soils The project site consists of **Myakka and Anclote hydric soils**, which serve as a critical natural "sponge" for the area due to their high water table. Paving over 11 acres of these soils will displace massive volumes of groundwater, forcing runoff into surrounding low-lying neighborhoods that are **already prone to flooding**. We cannot replace a natural drainage basin with 11 acres of asphalt without causing major flooding for existing homeowners.

4. Overwhelming Community Opposition (1,800+ Signatures) The community has spoken with a unified voice. I have initiated a petition that currently has **over 1,800 residents** (online and on paper) who are formally opposed to this project. This number grows daily, reflecting the deep-seated concern of your constituents.

5. Violation of Administrative Policy #3 & Infrastructure Failure Under **Administrative Policy #3**, the County must protect the quality of life of existing residents from "Land Use Shocks." North Courtenay Parkway is already at **88% capacity**. This project alone would consume **24.95% of the total remaining capacity**, violating the spirit of our concurrency rules and diminishing the safety of our neighborhoods through noise and transient traffic.

6. Unanimous Denial by MIRA (7-0) The Merritt Island Redevelopment Agency (MIRA) board—the local body that best understands our island's unique constraints—voted **unanimously (7-0)** to recommend denial.

The Planning and Zoning Board's **7-7 tie** reflects the deep flaws in this application. With 1,800 residents standing in opposition, a Staff Report warning of "**material danger to public safety**," and the severe risks to our school children and environment, there is no justification for approval.

I urge you to follow the recommendation of MIRA and Staff and **deny this rezoning**.

Sincerely,

Rebecca Hauser

815-608-8451

Petition can be found here: <https://www.change.org/p/urge-brevard-county-commissioners-to-oppose-rezoning-on-merritt-island>

From: [Kathy Brandt](#)
To: [Commissioner, D2](#)
Subject: rezoning on Merritt Island
Date: Friday, January 30, 2026 10:19:18 AM

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

Please oppose the rezoning on Merritt Island. The area at Pioneer Rd. and Courtney Parkway will be harmfully impacted if this goes through. The high density apartment complex in single family neighborhoods will compromise safety and traffic flow.

Thank you,
Kathleen Brandt

From: [Erica Miller Cochran](#)
To: [Commissioner, D2](#); [Commissioner, D1](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: Rezoning Pioneer/Courtenay Pkwy
Date: Thursday, January 29, 2026 8:04:47 PM

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

I plead with you all to deny the rezoning of the property at Pioneer and N. Courtenay Pkwy in Merritt Island. Courtenay cannot support this influx of growth. With the apartments being built behind the Merritt Island mall we're looking at 100's of more cars on the road already. This large project of multi-family units would be devastating to this island. I know growth is inevitable but this isn't the right project for this specific area. This would not be beneficial to the small island community that Merritt Island has been known for since as long as I've lived here.

Thank you for your time.

[Erica Cochran](#)



BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS
COMMISSIONER KIM ADKINSON, DISTRICT 3

1311 E. New Haven Ave.
Melbourne, FL 32901
www.Brevardfl.gov

Phone: (321) 633-2075
Fax: (321) 633-2196
D3.Commissioner@brevardfl.gov

01/30/2026

Commissioner Kim Adkinson met with Kim Rezanka on January 29, 2026 at the District 3 Commission Office. The meeting lasted approximately 1 hour and included discussion related to zoning applications 25Z00050, 25Z00054, and 25Z00039.

Respectfully,

Commissioner Kim Adkinson

District 3

District 3 Includes:

Palm Bay, Melbourne Beach, Melbourne, Malabar, Grant-Valkaria, West Melbourne, Micco