CITY OF HOLLY HILL, FLORIDA

BOARD OF PLANNING AND APPEALS

REVISED AGENDA ● DECEMBER 5, 2016

City Commission Chamber	BOPA Regular Meeting	6:30 PM

CITY HALL
1065 RIDGEWOOD AVENUE
HOLLY HILL, FL 32117

City Clerk's office: (386) 248-9441 - Fax: (386) 248-9448

City Commission Chamber
City Hall
1065 Ridgewood Avenue
Holly Hill, FL 32117

PLANNING & APPEALS BOARD MEMBERS

Chairman
Mike Myer

Board Member
Jim Legary

Board Member
Edward H Perkins

Board Member
Robin D. Hanger

CITY PLANNER
Thomas Harowski

Building & Zoning
Liz Nelson

A. CALL TO ORDER

B. INNVOCATION

C. PLEDGE OF ALLEGIANCE

D. MINUTES APPROVAL

1. Minutes

   (Requested by Elizabeth Nelson, Board of Planning and Appeals)

E. AGENDA ITEM

1. 1540 Nova Road Annexation Voluntary Annexation of 0.38 Acres Located at 1540 Nova Road

   (Requested by Thomas Harowski, Board of Planning and Appeals)

2. 1540 Nova Rd. Small Scale CPA Amendment of the Future Land Use Map to Designate the 1540 Nova Road Parcel as General Retail Commercial for the O.38 Acre Parcel.

   (Requested by Thomas Harowski, Board of Planning and Appeals)

3. Rezoning of 1532 and 1540 Nova Road Request to Rezone 1532 Nova Road from City BPUD to City CC-1 and to Rezone 1540 Nova Road from County B-5 to City CC-1.

   (Requested by Thomas Harowski, Board of Planning and Appeals)

4. CIP Annual Update Update of the 5-Year Capital Improvements Program Required Each Year as a Part of Our Maintenance of the City's Comprehensive Plan.

   (Requested by Thomas Harowski, Board of Planning and Appeals)

5. Fountainhead MPUD Rezoning of 25 Acres at 1200 Center Avenue and the Vacant Parcel at LPGA Boulevard and Center Avenue from R-2 Single-Family and R-5 Two Family Residential to MPUD Mixed Planned Unit Development.

   (Requested by Thomas Harowski, Board of Planning and Appeals)

6. 2017 BPOA Meeting Schedule

   (Requested by Elizabeth Nelson, Board of Planning and Appeals)

7. CPA-2017-01 Evaluation and Appraisal Review of the Holly Hill Comprehensive Plan.

   (Requested by Thomas Harowski, Board of Planning and Appeals)

F. OLD BUSINESS

G. BOARD/STAFF COMMUNICATIONS

H. ADJOURNMENT

Website Address – www.hollyhillfl.org (City Clerk)

NOTICE – If any person decides to appeal any decision of the City Commission at this meeting, he/she will need a record of the proceedings and, for that purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The City does not prepare or provide such a record.

For special accommodations, please notify the City Clerk's Office at least 72 hours in advance. (386) 248-9441

Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office.

In accordance with the Americans with Disabilities Act (ADA), persons needing a special accommodation to participate in the Commission proceedings should contact the City Clerk's Office no later than three (3) days prior to the proceedings.

STAFF REPORT
CITY OF HOLLY HILL, FLORIDA

Board of Planning and Appeals
Agenda Item

MEETING DATE: **December 5, 2016**
FROM: **Elizabeth Nelson**
SUBJECT: **Minutes**
NUMBER: **(ID # 1457)**
APPLICANT:
PLANNER:

DISCUSSION: Approve September 19, 2016 Minutes

FISCAL ANALYSIS: N/A

STAFF RECOMMENDATION: Approve Minutes of September 19, 2016 Meeting

COMMISSION GOAL: N/A

MOTION: As determined by the Board

- September 19, 2016 BOPA Minutes (PDF)

Board of Planning and Appeals

BOPA Regular Meeting

~ Minutes ~

1065 Ridgewood Ave
Holly Hill, FL 32117
www.hollyhillfl.org

Liz Nelson
386-248-9442

Monday, September 19, 2016 **6:30 PM** **City Commission Chamber**

1. Call to Order

Attendee Name	Title	Status	Arrived
Mike Myer	Chairman	Present	
Christopher Via	Vice Chairman	Excused	
Edward H Perkins	Board Member	Excused	
Jim Legary	Board Member	Present	
Robin D. Hanger	Board Member	Present	

2. Innvocation

Invocation was given by Mike Myer.

3. Pledge of Allegiance

Jim Legary lead the Pledge of Allegiance.

4. Minutes Approval

1. Agenda Item (ID # 1393)

Minutes

COMMENTS - Current Meeting:

Unanimously approved as submitted.

ATTACHMENTS:

- July 18, 2016 - BOPA Minutes (PDF)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Jim Legary, Board Member
SECONDER:	Robin D. Hanger, Board Member
AYES:	Mike Myer, Jim Legary, Robin D. Hanger
EXCUSED:	Christopher Via, Edward H Perkins

5. Agenda Item

1. Agenda Item 2016-17

Marina Grande MPUD Amendment 6TH Amendment to the Marina Grande MPUD Modifying Exhibit E Regarding Signage.

Attachment: September 19, 2016 BOPA Minutes (1457 : Minutes)

COMMENTS - Current Meeting:

Tom Harowski, City Planner summarized his staff report regarding the request before the Board. The applicant is requesting to amend the approved mixed use planned unit development agreement. The current agreement includes a plan for signage including project identification signs and signage for the retail spaces. However, the agreement does not address real estate signage to be used for the sale and rental of residential and commercial units. The applicant has found the standard city codes for real estate signage to be too limiting. The applicant is seeking approval to including the adopted MPUD agreement a plan for real estate signage that would replace the standard real estate signage as regulated by the City code for a period of three (3) years. The following is their proposed signage plan: Three (3) two-panel signs located along the Riverside Drive frontage north of the park entrance, at the main project entrance, and across from 3rd Street. Two (2) signs located on the seawall face on either side of the dock. Three (3) flutter flag signs located on the dock. One (1) banner sign located on the south tower, south side approximately 100 feet long and to remove the two (2) non-conforming signs at the 3rd Street.

Scott Simpson, City Attorney pointed out that because there are only (3) board members in attendance, the voting results have to be unanimous.

Rob Merrell III, with Cobb Cole, 149 S Ridgewood Avenue, Suite 700, Daytona Beach, Florida, Attorney representing the applicant, stepped to the podium stating that he would like to hear what the citizens have to say and then respond to their concerns. He further stated that Tom Harowski, City Planner explained their request very well, but explaining that the present city sign code does not adequately cover a project of this size. At this time he would like to hear what the audience members had to say and answer any of their concerns.

John Brauner, Marina Grande resident, expressed concern that Marina Grande is not really wanting to sell the units, as much as they seem to be wanting to rent the units. The only issue he has with their proposed signage is that he wants to make sure that they use the word "sales" and not "rent or lease" Mr. Merrell stated that the only use of the words "lease or rent" will be for the commercial area on the west side of the property.

Scott Simpson, City Attorney, suggested the wording be changed to reflect that the south panel sign, central panel sign and north panel sign, can advertise for "sales" and/or "leasing". The banner sign, seawall signs and flutter flags state "sales" only. Rob Merrell stated that they may want to lease the boat slips and would like to advertise leasing at the boat dock.

George Phillips, Marina Grande resident, asked if there is a plan for maintenance of these banners and flags. He was informed by City staff their there is maintenance requirements within our existing codes. If that becomes an issue Code Enforcement will handle the situation.

Ernie Myers, Marina Grande resident, is very concerned that this condo is being turned into a College dormitory and is against all the signage the applicant is requesting. He feels that there could be better ways to market the Marina Grande Condo then by banners and flags. He further stated that the property owner is spending a lot of money advertising with local College social media sites and overseas promoting this as a rental community.

John Cavedo, Marina Grande resident, stated that he is all in favor of promoting the selling of the condo units, however, expressed concern that the owner of this property seem to be promoting it as a rental facility and that 48% of the units are rentals. He proceeded to read the following email into record: *"Good Evening Randy, Due to the upcoming hearing regarding signage,*

Attachment: September 19, 2016 BOPA Minutes (1457 : Minutes)

please let residents know that, as an owner, I intend to put forth the following proposal regarding violations of HOA policy... No owner is allowed to interfere with the marketing of the Marian Grande. It is a by-law and one for which EVERY resident agreed to when they signed their documents. I have contacted the City and they have assured me that all communications with their office is public knowledge. I have requested those records involving anyone who has interfered with signage and/or marketing of the Marina Grande. Any residential who is in violation will be subject to a $1500 fine for each and every violation. That is the proposal that I shall put forth to the fining committee. Should this proposal pass, I expect you to enforce it. Sincerely, Michael Donoval Hall, 241 Riverside Dr, Unit 2605, Holly Hill, FL 32117 USA"

Rob Merrell, Attorney for the applicant stated that he has no knowledge of this email.

Mike Myer, Chairman for the Board stated that this email has no relevance to the case before this Board tonight. The Board is here to make a recommendation regarding the request for additional signage.

Arthur Morris, 397 Silver Beach Drive, Holly Hill, stated that he is against all the signage requested, he feels it as a distraction to drivers and that the owners of this property could use a different way to advertise the sale of these units.

Robert Van Winkle, Marina Grande resident, is okay with some of the signage, but is against the banner that is proposed on the side of Tower I. He feels it is visual pollution and that these towers can be seen for miles and that if someone is interested in one of the units, they could drive to the complex and see the signage at ground level.

Frank Lewis, 302 Riverside Drive, stated that he is against the signage request, he feels they are distracting and unsightly.

Leonard Stanley, Marina Grande resident, expressed that the only concerns he has is that the "leasing" signs need to be at the location of the commercial office suites and not in the middle of the property as they are now. He fears that boat traffic will be coming in, thinking they can rent a boat slip, because of the "leasing" signs on the boat dock. He stated that the only way you can get a boat slip is to purchase a unit. The only signs he is in favor of are the ones that say "sales/selling", he is also against the large banner on the side of the Tower.

Bob Mercer, feels that none of the proposed signage will help with the selling of the units. He further commented that he feels the owner of the property is only interested in renting the units.

Steve Smith, 1410 Riverside Drive wanted to know if he could discuss other items within the MPUD for Marina Grande. He was informed that they are here to only hear the signage amendment to the MPUD at Marina Grande. Nothing else has been advertised, therefore could not be discussed.

Jim Legary, asked if a Commissioner could bring up the email that was presented to this Board at a Commission Meeting. He was informed by staff that it was irrelevant to the matter before them.

Mr. Merrell stated that his client wants to sell the units and feels the signs will help them accomplish this.

John Cavedo, Marina Grande resident, stated that if the owners put as much effort into selling the units as they do trying to rent them, they would be selling them.

Attachment: September 19, 2016 BOPA Minutes (1457 : Minutes)

Frank Lewis, 302 Riverside Dr, stated again that he is against all the signs in this amendment request.

Kimberly Clark, Marina Grande resident, informed the Board that she and her Mom bought a condo here 3 years ago after much research and there were no signs at that time. She stated that everything that the Board has heard from the owners is true. She is very involved with the Ormond Beach Chamber of Commerce, has friends in the real estate business as well as the mortgage business and they informed her that because of the amount of rentals within the complex, a mortgage interest rate will be much higher. She has seen TV commercial ads for the rentals at Marina Grande and there was no mention of selling the units.

Sandy Smith, Marina Grande resident, stated that she drove down A1A looking at condo buildings and not one had a banner on their building.

Jim Legary made a motion to approve amendment without the banner on the Tower. Being no second, the motion fails.

No other motion was made.

This item will go before the City Commission on October 11, 2016 without a recommendation from the Board of Planning & Appeals.

ATTACHMENTS:

- Marina Grande MPUD Amendment Application (PDF)
- Marina Grande MPUD Amendment Rezoning Checklist and Requirements (PDF)
- Marina Grande MPUD Amendment Proposed Exhibit E (PDF)
- Marina Grande MPUD Amendment Proposed Sixth Amendment (PDF)

RESULT:	**PRESENTATION**

6. Old Business

None

A. Board/Staff Communications

7. Adjournment

Meeting Adjourned at 7:47 PM

Attachment: September 19, 2016 BOPA Minutes (1457 : Minutes)

STAFF REPORT
CITY OF HOLLY HILL, FLORIDA

Board of Planning and Appeals
Agenda Item

MEETING DATE: December 5, 2016
FROM: Thomas Harowski
SUBJECT: 1540 Nova Road Annexation Voluntary Annexation of 0.38 Acres Located at 1540 Nova Road
NUMBER: (ID # 1504)
APPLICANT: Mark Karet, Zev Cohen & Associates
PLANNER: Thomas Harowski

INTRODUCTION: This request is to annex 0.38 acres on the north side of Nova Road between LPGA Boulevard and 10th Street. The subject parcel is adjacent to a parcel with the same owner at 1532 Nova Road. The southern parcel is already in the City, and the subject parcel will be combined with the 1532 Nova parcel upon annexation. This application is companion to a comprehensive plan amendment (CPA-2016-04) and a rezoning amendment (Z-2016-07).

BACKGROUND: The subject parcel is located on the north side of Nova Road between LPGA Boulevard and 10th Street. (Refer to location map.) The parcel was developed with a single-family house which has been demolished. The current owner purchased the subject property in 2014 along with the developed parcel to the south (the former Cochran Automotive). The applicant has submitted a petition for annexation.

DISCUSSION: Florida Statutes Section 171.044 presents the requirements for voluntary annexation. The property owner has submitted a petition for annexation. The subject property is contiguous to the current city limits on three sides, and the annexation will result in a city limit that is reasonably compact. Therefore the request meets the statutory requirements.

This request is a companion to a request for comprehensive plan amendment and zoning. The proposed comprehensive plan map amendment will request General Commercial which is consistent with the other land use along Nova Road. The proposed zoning is CC-1 Corridor Commercial and is joined with the rezoning request for the adjacent property to the south.

FINANCIAL IMPACTS: No financial impacts are expected other than a minor increase in taxable value.

RECOMMENDATION: Recommend the City Commission annex the subject property.

- A-2016-02 Location Map (PDF)
- Hendrick Honda Satellite Holly Hill Annexation App (PDF)

- 1532 1540 N Nova Rd survey (PDF)

A-2016-02 LOCATION MAP

Scale 1:5,000 - 1 in = 417 ft
Date Created:
08-Nov-16 09:50 AM

DISCLAIMER: This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of his information should review or consult the primary data and information sources to ascertain the usability of the information. Use at your own risk.
SOURCE: PARCEL DATA, VOLUSIA COUNTY PROPERTY APPRAISER

CITY OF HOLLY HILL
PETITION FOR ANNEXATION

I (We) the undersigned affirm that I (we) are all the owners of property described in the attached survey and legal description. I (we) are requesting voluntary annexation into the City of Holly Hill as permitted by FS 171.044. By this petition, I (we) authorize the City to determine the eligibility of the property for annexation and take the necessary steps to effect the annexation of the property.

Mark P. Kamel
(Print Name)

(Signature)

(Print Name)

(Signature)

(Print Name)

(Signature)

Attach a copy of the survey for the parcel for which annexation is requested along with a legal description of the parcel if one is not included on the survey.

Attachment: Hendrick Honda Satellite Holly Hill Annexation App (1504 : 1540 Nova Road Annexation)

Parcel 1:
A parcel of land located within Lot 9, Block 4, Mason & Carswell's HOLLY HILL, Map Book 2, Page 90 Public Records of VOLUSIA County, Florida, more fully described below:
Beginning at a point on the West line of Halifax Drainage Canal right of way 110 feet South of the North line of Lot 9, Block 4, MASON & CARSWELL'S HOLLY HILL; thence Southerly 206 feet to a point and a ditch in the West line of Halifax Drainage Canal right of way; thence Westerly and parallel to the North line of Lot 9, Block 4, MASON & CARSWELL'S HOLLY HILL, a distance of 600 feet to a point and a ditch on the lot line between Lots 8 and 9, Block 4, thence Northerly and parallel to the West line of Halifax Drainage Canal right of way 206 feet; thence Easterly and parallel with the North line of Lot 9 Block 4, 600 feet to place of beginning, less and except the following parcels:
Beginning at a point on the West line of Halifax Drainage Canal Right-of-way 110 feet South of the North line of Lot 9, Block 4, Mason and Carswell's Holly Hill, as recorded in Map Book 2, page 90, Public Records of Volusia County, Florida; thence running Southerly 17 feet to a point in the West line of Said Halifax Drainage Canal Right-of-way; thence Westerly and parallel to the North line of Lot 9, Block 4, Mason and Carswell's Holly Hill, a distance of 100 foot to a point; thence Northerly and parallel to the West line of Halifax Drainage Canal Right-of-way, a distance of 17 feet; thence Easterly and parallel to the North line of Lot 9, Block 4, Mason and Carswells Holly Hill, 100 feet to the place of beginning. It being the intention herein of the parties of the first part to convey a strip of land one foot wide and 100 foot long in said Lot 9, Block 4, Mason and Carswell's Holly Hill.
That portion of: The South 206 feet of the North 316 feet of the East 600 feet of that part of Lot 9 lying West of the Nova Canal, LESS the North 17 feet of the East 100 feet thereof, Block 4 MASON AND CARSWELL'S SUBDIVISION OF HOLLY HILL, as recorded in Map Book 2, Page 90, Public Records of Volusia County, Florida, Section 37, Township 15 South, Range 32 East, lying within the following described parcel of land:
Begin at the intersection of the existing Northerly right-of-way line of Tenth Street and the existing Westerly right-of-way line of Nova Road; thence from an existing Iron Rod #3794, run South 64 degrees 19 minutes 34 seconds West, along said Northerly right-of-way line, 245.00 feet; thence North 61 degrees 34 minutes 27 seconds East 1771.2 feet; thence North 25 degrees 17 minutes 04 seconds East 53.72 feet to a point on a curve concave Easterly and having a radius of 2923.79 feet and a chord bearing North 26 degrees 43 minutes 45 seconds West; thence Northerly along the arc of said curve through a central angle of 02 degrees 00 minutes 04 seconds a distance 102.12 feet; thence North 25 degrees 43 minutes 43 seconds West 1107.91 feet; thence North 70 degrees 40 minutes 08 seconds West 35.28 feet; thence North 63 degrees 59 minutes 33 seconds East, along the existing Southerly right-of-way line of Eleventh Street, 29.92 feet; thence South 70 degrees 56 minutes 14 seconds East 28.25 feet to the existing Westerly right-of-way line of Nova Road; thence South 25 degrees 52 minutes 03 seconds East, along said Westerly right-of-way line of Nova Road, 1257.58 feet to the Point of Beginning;
A 3.0 foot wide parcel of land lying to the left of the following described line; From the Southeasterly corner of Lot 9, Block 4, MASON AND CARSWELL'S SUBDIVISION, as recorded in Map Book 12, Page 4, Public Records of Volusia County, Florida, run North 25 degrees 52 minutes 03 seconds West, along the Easterly line of said Lot 9, a distance of 332.58 feet; thence South 63 degrees 59 minutes 33 seconds West, a distance of 27.30 feet to the Point of Beginning (said point being on the new Westerly right-of-way of Nova Road as per Florida Department of Transportation Right-of-Way Map, Project Section 79190-2509); thence North 25 degrees 43 minutes 43 seconds West, a distance of 15.00 feet to the terminus of this description.

Parcel 2:
That portion of Lot 9, Block 4, Mason and Carswell's Subdivision of Holly Hill as per map recorded in Map Book 2, page 90, of the Public Records of Volusia County, Florida and being more particularly described as follows:
The Easterly 396 feet of the Northerly 110 feet of Lot 9, Block 4, aforesaid, lying westerly of the Halifax Drainage Canal excepting the Northerly 69.5 feet thereof as per Deed Book 541, page 276, and Deed Book 566, page 370 of the Public Records of Volusia County, Florida. AND together with the Southerly 6.5 feet of the Northerly 69.5 feet of the Easterly 122.5 feet of the Easterly 396 feet lying Westerly of the Halifax Drainage Canal of Lot 9, Block 4, aforesaid, as per Deed Book 566, page 370 of the Public Records of Volusia County, Florida. AND also together with the Easterly 100 feet lying Westerly of the Halifax Drainage Canal of the Southerly 17 feet of the Northerly 127 feet of Lot 9, Block 4, aforesaid. Excepting therefrom the Easterly 26.7 feet taken for the widening of Nova Road, as per Official Records Book 3740, page 798, of the Public Records of Volusia County, Florida.

WESTCOR LAND TITLE INSURANCE COMPANY COMMITMENT NUMBER 14-8462
SCHEDULE B-SECTION 2 ITEMS:

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.

2. Rights or claims of parties in possession not shown by the Public Records.

3. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments on the Land of existing improvements located on the adjoined land.

4. Easements or claims of easements not shown by the Public Records.

5. Taxes or special assessments which are not shown as existing liens by the public records.

6. Taxes and assessments for the year 2014 and subsequent years, which are not yet due and payable. (ITEMS 1 -6 STANDARD EXCEPTIONS)

7. Any lien provided by Chapter 159, Florida Statutes, in favor of any city, town, village or port authority for unpaid service charges for service by any water, sewer or gas system supplying the insured land. (NOT A SURVEY MATTER)

8. Restrictions, reservations, setbacks and easements, if any, as indicated and/or shown on that certain Plat recorded in Map Book 2, at Page(s) 90, of the Public Records of Volusia County, Florida. (SHOWN HEREON)

9. Ordinance No. 2649 recorded in Official Records Book 4982, Page 3554, of the Public Records of Volusia County, Florida. (ANNEXATION OF PARCEL 1 INTO CITY OF HOLLY HILL)

10. Ordinance No. 2686 recorded in Official Records Book 5348, Page 2778, of the Public Records of Volusia County, Florida. (REZONING OF PARCEL 1 TO BPUD)

11. Temporary Construction Easement recorded in Official Records Book 3740, Page 796, of the Public Records of Volusia County, Florida. (TERMS OF EASEMENT STATE THAT IT EXPIRES AT END OF TRANSPORTATION PROJECT WHICH WAS THE WIDENING OF NOVA ROAD)

12. Deed recorded in Official Records Book 3740, Page 798, of the Public Records of Volusia County, Florida. (DEED TO FDOT FOR RIGHT OF WAY FOR NOVA ROAD FROM PARCEL 2. EXCEPTED FROM DESCRIPTION OF PARCEL 2.)

13. Order of Taking recorded in Official Records Book 3742, Page 550, of the Public Records of Volusia County, Florida. (TAKE FOR RIGHT OF WAY FOR NOVA ROAD FROM PARCEL 1. SHOWN AS PARCEL NO. 138 ON PAGE 553. EXCEPTED FROM DESCRIPTION OF PARCEL 1.)

14. Existing unrecorded leases and all right thereunder of the lessees and of any person claiming by, through or under lessees. (NOT A SURVEY MATTER)

SURVEYORS NOTES

1. NOTICE: THERE MAY BE ADDITIONAL RESTRICTIONS AND/OR OTHER MATTERS THAT ARE NOT SHOWN ON THIS PLAT OF SURVEY/SKETCH OF DESCRIPTION THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY. THIS SURVEY/SKETCH OF DESCRIPTION PREPARED WITH THE BENEFIT OF WESTCOR LAND TITLE INSURANCE COMPANY ALTA COMMITMENT-WITH FLORIDA MODIFICATIONS, COMMITMENT NUMBER 14-8462, EFFECTIVE DATE FEBRUARY 21, 2014 AT 8:00 AM.

2. DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF.

3. BEARING STRUCTURE BASED ON STATE PLANE COORDINATE SYSTEM, NAD 83 FLORIDA EAST ZONE WITH THE BEARING ON THE WEST RIGHT OF WAY LINE OF NOVA ROAD BEING S25°37'19"E.

4. UNDERGROUND FOUNDATIONS, IF ANY, NOT LOCATED.

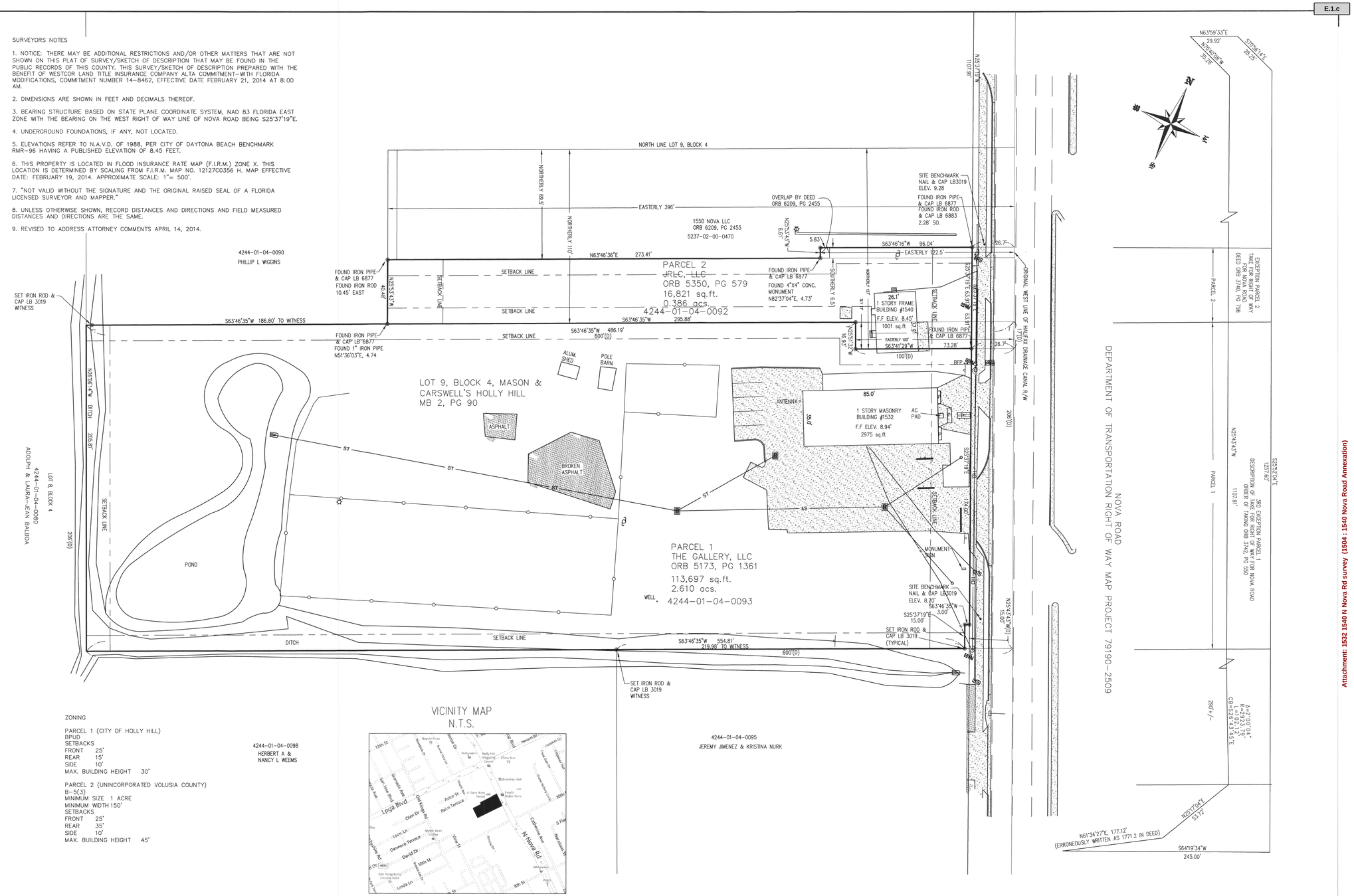
5. ELEVATIONS REFER TO N.A.V.D. OF 1988, PER CITY OF DAYTONA BEACH BENCHMARK RMR-96 HAVING A PUBLISHED ELEVATION OF 8.45 FEET.

6. THIS PROPERTY IS LOCATED IN FLOOD INSURANCE RATE MAP (F.I.R.M.) ZONE X. THIS LOCATION IS DETERMINED BY SCALING FROM F.I.R.M. MAP NO. 12127C0356 H. MAP EFFECTIVE DATE: FEBRUARY 19, 2014. APPROXIMATE SCALE: 1"= 500'.

7. "NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER."

8. UNLESS OTHERWISE SHOWN, RECORD DISTANCES AND DIRECTIONS AND FIELD MEASURED DISTANCES AND DIRECTIONS ARE THE SAME.

9. REVISED TO ADDRESS ATTORNEY COMMENTS APRIL 14, 2014.



ZONING

PARCEL 1 (CITY OF HOLLY HILL)
BPUD
SETBACKS
FRONT 25'
REAR 15'
SIDE 10'
MAX. BUILDING HEIGHT 30'

PARCEL 2 (UNINCORPORATED VOLUSIA COUNTY)
B-5(3)
MINIMUM SIZE 1 ACRE
MINIMUM WIDTH 150'
SETBACKS
FRONT 25'
REAR 35'
SIDE 10'
MAX. BUILDING HEIGHT 45'

4244-01-04-0098
HERBERT A & NANCY L WEEMS

4244-01-04-0095
JEREMY JIMENEZ & KRISTINA NURK

VICINITY MAP
N.T.S.

UTILITY STATEMENT:

THE INACCESSIBLE UNDERGROUND UTILITIES SHOWN ON THIS SURVEY HAVE BEEN LOCATED FROM ABOVE GROUND FIELD UTILITY LOCATIONS PROVIDED BY SUNSHINE NETWORK, TICKET #_____ ON OR ABOUT 8-30-99 AND/OR EXISTING AS-BUILTS DRAWINGS PROVIDED BY THE CLIENT. SLIGER AND ASSOCIATES, INC. (S&A) MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. LIKEWISE S&A DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. ONLY THAT S&A HAS LOCATED THE UTILITIES AS ACCURATELY AS POSSIBLE FROM SAID FIELD LOCATIONS AND/OR AS-BUILTS PROVIDED BY OTHERS. S&A HAS NOT PHYSICALLY LOCATED THE ACTUAL INACCESSIBLE UNDERGROUND UTILITIES, EXCEPT AS SPECIFICALLY NOTED AND DEPICTED ON THIS DRAWING.

ABBREVIATIONS

W/	WITH	TC	TOP COVER	CONC	CONCRETE	RES	RESIDENCE			IRC	IRON ROD & CAP
CM	CONCRETE MONUMENT	WV	WATER VALVE	D	CENTRAL ANGLE	ILLEG.	ILLEGIBLE	—FC—	BURIED FIBER OPTIC CABLE	IPC	IRON PIPE & CAP
TOB	TOP OF BANK	TSB	TRAFFIC SIGNAL BOX	R	RADIUS	INV	INVERT	— T —	BURIED TELEPHONE LINE	MES	METERED END SECTION
TOE	TOE OF SLOPE	FH	FIRE HYDRANT	L	ARC LENGTH	SEC	SECTION	— W —	BURIED WATER LINE	RCP	REINFORCED CONCRETE PIPE
CLS	CENTERLINE OF SWALE	WM	WATER METER	CB	CHORD BEARING	TWP	TOWNSHIP	— E —	BURIED ELECTRIC LINE	CMP	CORRUGATED METAL PIPE
STA	STATION	LP	LIGHT POLE	CH	CHORD DISTANCE	RGE	RANGE	— G —	BURIED GAS LINE	MH	MANHOLE
CO	CLEANOUT	BFP	BACKFLOW PREVENTER	FP&L, CO	FLORIDA POWER & LIGHT COMPANY	R/W	RIGHT OF WAY	—TV—	BURIED TELEVISION LINE	MB	MAP BOOK
SAN	SANITARY	GA	GUY ANCHOR			EL	ELEVATION	—FM—	BURIED FORCE MAIN	IP	IRON PIPE
ES	ELECTRIC SERVICE	CPP	CORRUGATED PLASTIC PIPE	NGVD	NATIONAL GEODETIC VERTICAL DATUM	(NR)	NON RADIAL	—OH—	AERIAL UTILITY LINE	ORB	OFFICIAL RECORDS BOOK
HDPE	HIGH DENSITY POLYETHYLENE PIPE	DIP	DUCTILE IRON PIPE			(M)	MEASURED DIMENSION	(P)	PLATTED DIMENSION	PG	PAGE
VCP	VITREOUS CLAY PIPE	PVC	POLYVINYL CHLORIDE	USC & GS	UNITED STATES COAST AND GEODETIC SURVEY	(C)	CALCULATED DIMENSION	(D)	DEEDED DIMENSION	ID	IDENTIFICATION
P	PLANTER	DW	DRIVEWAY	℄	CENTERLINE	N&D RV	NAIL AND DISK REUSE VALVE	FDOT	FLORIDA DEPARTMENT OF TRANSPORTATION	REC	RECOVERED
										(TYP)	TYPICAL

LEGEND

- IRON ROD WITH CAP
- IRON ROD
- IRON PIPE WITH CAP
- IRON PIPE
- FD "X"/CUT IN CONCRETE
- CONCRETE MONUMENT
- PERMANENT REFERENCE MONUMENT
- PERMANENT CONTROL POINT
- FORCE MAIN VALVE
- WATER VALVE
- WATER METER
- FIRE HYDRANT
- TELEPHONE BOX
- TRAFFIC SIGNAL BOX
- ELECTRIC BOX
- CABLE TELEVISION BOX
- MAIL BOX
- LIGHT POLE
- UTILITY POLE
- GUY ANCHOR
- CLEAN OUT
- SIGN
- TREE
- EXISTING ELEVATION
- TELEPHONE MANHOLE
- SANITARY MANHOLE
- STORM MANHOLE

ADDITIONAL ABBREVIATIONS-TREE LEGEND

CP	CAMPHOR TREE	SB	SUGARBERRY TREE
MP	MAPLE TREE	CD	CEDAR TREE
SYC	SYCAMORE TREE	ELM	ELM TREE
OK	OAK TREE	CIT	CITRUS TREE
SG	SWEET GUM TREE	PN	PINE TREE
HK	HICKORY TREE	PM	PALM TREE
CB	CHINABERRY TREE	HY	HOLLY

TREE TYPE — OK24 8 — TREE SIZE (INCHES) DIAMETER AT BREAST HEIGHT — MULTIPLE TRUNKS — TREE SYMBOL

SCALE: 1"=30'	FIELD BOOK:		PAGE(S):		SHEET 1 OF 2	
TYPE OF SURVEY	SURVEY DATE	JOB NUMBER	PARTY CHIEF	DRAWN BY	CHECKED BY
SPECIFIC PURPOSE :	-	-	-	-	-
BOUNDARY SURVEY :	03-06-2014	- 14-0192	- LH	- JZ	- JZ
TOPOGRAPHIC SURVEY :	03-22-2014	-	-	-	-
FOUNDATION LOCATION :		-	-	-	-
FINAL IMPROVEMENTS :		-	-	-	-
RECERTIFICATION :		-	-	-	-

4 3 2

SLIGER & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
3921 NOVA ROAD
PORT ORANGE, FL. 32127
(386) 761-5385
LICENSED BUSINESS CERTIFICATION NUMBER 3019
www.sligerassociates.com
Copyright © 2014 Sliger & Associates, Inc.

1532/1540 NORTH NOVA ROAD HOLLY HILL, FLORIDA

FOR: HDBF, LLC

JOB NO. 14-0192

ALTA/ACSM SURVEY

To EHM&T, INC.; Westcor Land Title Insurance Company; HDBF, LLC, a Nevada limited liability company; Frederick Title Services, Inc. d/b/a Summit Title Group; Moore & Van Allen PLLC and Goch & Nolen PLLC:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA and NSPS in 2011, and includes Items 1-4,6b,7a,7b,7c,8,9,10a,11a,13,14,16-19 of Table A thereof. Pursuant to the Accuracy Standards as adopted by ALTA and NSPS and in effect on the date of this certification, undersigned further certifies that in my professional opinion, as a land surveyor registered in the State of Florida, the Relative Positional Accuracy of this survey does not exceed that which is specified therein.

J.E. ZAPENTA, PSM No. 4046

Attachment: 1532 1540 N Nova Rd survey (1504 : 1540 Nova Road Annexation)

STAFF REPORT
CITY OF HOLLY HILL, FLORIDA

Board of Planning and Appeals
Agenda Item

MEETING DATE: December 5, 2016
FROM: Thomas Harowski
SUBJECT: 1540 Nova Rd. Small Scale CPA Amendment of the Future Land Use Map to Designate the 1540 Nova Road Parcel as General Retail Commercial for the O.38 Acre Parcel.
NUMBER: (ID # 1505)
APPLICANT: Mark Karet, Zev Cohen & Associates
PLANNER: Thomas Harowski

INTRODUCTION: The application is a request to amend the City of Holly Hill Future Land Use Map to include the 0.386-acre parcel at 1540 Nova Road. The parcel is being annexed into the City. The request is to amend the Future Land Use Map to designate the parcel as General Retail Commercial replacing the Volusia County Mixed Use Zone.

BACKGROUND: The subject property is being annexed into the City and as such will need to receive City zoning and be included in the City of Holly Hill Comprehensive Plan. This application is a companion to the annexation request (A-2016-02) and the rezoning request (Z-2016-07). The subject property will be combined with the adjacent parcel to the south which is owned by the same corporation and is already within the City limits.

DISCUSSION: Attached to the agenda is the application and supporting documentation submitted for the subject property. The report provides a detailed review of the site and how the proposed land use designation is consistent with the goals, objectives and policies of the comprehensive plan. The report also provides a concurrency analysis demonstrating the site will meet the service demands than may potentially be generated from the property. The report does not contain a detailed traffic analysis, but the 2016 traffic data for Nova Road shows average daily volumes (ADT) of 28,500 vehicles compared to a maximum capacity at LOS D of 59,900 ADT. The maximum potential development on this property can be accomplished without degradation of the traffic level of service.

FISCAL ANALYSIS: There is no fiscal impact from the proposed amendment.

RECOMMENDATION: Staff recommends the Board recommend to the City Commission that they adopt the requested comprehensive plan amendment and submit the amendment to the Department of Economic Opportunity and the Volusia Growth Management Commission.

- Hendrick Honda Satellite Holly Hill Land Development App (PDF)

- Hendrick Honda Satellite SCCPA (PDF)
- Hendrick Honda Satellite Holly Hill Comp Plan App (PDF)

GENERAL LAND DEVELOPMENT APPLICATION

1065 Ridgewood Avenue, Holly Hill, Florida 32117
Phone: (386) 248-9424 Fax: (386) 248-9498

Date Received:_____ Application ID:_____ Received By:_____

REQUESTED ACTION

☒ Comp Plan Amend ☐ Variance ☐ Site Plan ☐ PUD
☒ Rezoning ☐ Special Exception ☐ Subdivision Major ☐ Subdivision Minor
☐ Waiver Request ☒ Other: annexation & lot combination

Describe Request: Amend VC land use and zoning on parcel 4224-01-04-0092 to Gen Retail Comm. & CC-1. Amend zoning on parcel 4244-01-04-0093 from PUD to CC-1. The landowner plans to establish an administrative office on the site.

APPLICANT INFORMATION:

Name: Mark Karet/Zev Cohen & Associates E-Mail: mkaret@zevcohen.com
Address: 300 Interchange Blvd. Phone: 386-677-02482
Ormond Beach, FL 32174 Fax: 386-677-2505

☐ Owner ☒ Agent for Owner ☐ Attorney for Owner

OWNER INFORMATION:

Name: HDBF, LLC/Hendrick Automotive Group E-Mail: gene.cocchi@hendrickauto.com
Address: 6000 Monroe Road, Suite 100 Phone: 704-566-3208
Charlotte, NC 28212 Fax: 704-566-3306

PROPERTY INFORMATION:

Address: 1532/1540 North Nova Road
General Location: Between 10th Street & LPGA Blvd. on the west side of N Nova Rd
Current Zoning: PUD per ord 2686 /VC B-5 Current Land Use: Gen Retail Comm. & VC Mixed Use
Parcel Size: 3.0 acres Tax Parcel #: 4244-01-04-0093 & 4224-01-04-0092
Legal Description Attached ☒ Yes ☐ No Survey Attached ☒ Yes ☐ No

Attachment: Hendrick Honda Satellite Holly Hill Land Development App (1505 : 1540 Nova Rd. Small Scale CPA)

Pre-Application Meeting Date: October 31, 2016
(Attach Pre-Application Form)

Application Fee: $ 4,250

Applicant's Signature: _____ 11/4/16
(Signature) *(Date)*

Mark Karet
(Print)

Owner's Signature: _____ _____
(Provide letter of Authorization) *(Signature)* *(Date)*

_____
(Print)

Applications must be complete to initiate the preview process.

Any questions please contact our City Planner, Tom Harowski at (386) 248-9424, fax (386) 248-9498 or email him at tharowski@hollyhillfl.org

Attachment: Hendrick Honda Satellite Holly Hill Land Development App (1505 : 1540 Nova Rd. Small Scale CPA)

HENDRICK HONDA SATELLITE OFFICE

THE CITY OF HOLLY HILL, VOLUSIA COUNTY, FLORIDA

Small-Scale Comprehensive Plan

ZC 15034

Attachment: Hendrick Honda Satellite SCCPA (1505 : 1540 Nova Rd. Small Scale CPA)

1 APPLICANT INFORMATION

1.1 Applicant:

HDBF, LLC
Mr. Gene J. Cocchi, Vice President – Corporate Real Estate
Hendrick Automotive Group
6000 Monroe Road, Suite 100
Charlotte, North Carolina 28212
Phone: (704) 566-3208
Fax: (704) 566-3306
gene.cocchi@hendrickauto.com

1.2 Nature of Interest:

The applicant is the fee simple owners of the subject property.

A Letter of Authorization for this comprehensive plan amendment is provided with the application package.

1.3 Applicant's Authorized Representative:

Mark P. Karet
Zev Cohen and Associates, Inc.
300 Interchange Blvd
Ormond Beach, FL 32174
Phone: (386) 677-2482
Fax: (386) 677-2505
mkaret@zevcohen.com

2 PROJECT DESCRIPTION

2.1 Summary:

This request consists of a Small-Scale Future Land Use Map amendment from Volusia County "Mixed Use Zone" to Holly Hill "General Retail Commercial", for a subject site that is approximately 0.39± acres in size. The applicant plans to annex this parcel into the City of Holly Hill in order to combine it with an adjacent 2.6± acre parcel of land to south that contains a 2,975 square foot existing building and parking lot. The applicant plans to establish administrative offices in the building.

3 PARCEL DATA

3.1 Size of Property & Survey:

Parcel size: +/- 0.39 Acres

See the copy the survey that is attached as **Exhibit A**.

3.2 Legal Description:

A legal description of the property is attached as **Exhibit B**.

3.3 Parcel Identification Number:

4224-01-04-0092

3.4 General Location:

The site is located on the west side of North Nova Road between 10th Street and LPGA Blvd. See location map attached as Exhibit "C".

3.5 Frontage:

The site has approximately 64 feet of frontage on North Nova Road.

3.6 Access:

The site has an existing driveway apron on North Nova Road.

3.7 Street Address:

The sites address is 1540 North Nova Road.

Attachment: Hendrick Honda Satellite SCCPA (1505 : 1540 Nova Rd. Small Scale CPA)

4 LAND USE INFORMATION

4.1 Existing Development:

The site is vacant land, but was previously occupied by a single family residence that burned down in June of 2015.

4.3 Future Land Use Map Designation:

The site has an existing Volusia County future land use designations of "Mixed Use Zone". An existing Future Land Use Map is attached as Exhibit "D".

4.4 Zoning District:

The site has an existing Volusia County zoning category of B-5 Heavy Commercial. An existing Zoning Map is attached as Exhibit "E"

4.5 Proposed Land Use Designation:

The proposed future land use designation is "General Retail Commercial". A proposed Future Land Use Map is attached as Exhibit "F".

5 CONSISTENCY AND COMPATIBILITY ANALYSIS

5.1 Consistency with Comprehensive Plan Goals, Objectives and Policies:

This proposed amendment is consistent with several of Holly Hill's comprehensive plan goals, objectives and policies:

Future Land Use Element

GOAL 1 - THE GROWTH AND DEVELOPMENT OF HOLLY HILL SHALL BE MANAGED CONSISTENT WITH THE NEED TO PROMOTE ECONOMIC BENEFIT AND THE ENJOYMENT OF NATURAL AND MAN-MADE RESOURCES BY THE CITIZENRY, WHILE MINIMIZING THE HAZARDS AND NUISANCES OF INCOMPATIBLE LAND USES, OVERCROWDING, AND DEGRADATION OF THE ENVIRONMENT.

Goal 1 of the Future Land Use Element seeks to balance economic development with resident quality of life that may impacted by "incompatible land uses" and "degradation of the environment." This parcel fronts on North Nova Road (SR-5A). Nova Road is a principal arterial roadway that traverses the length of the Halifax Area and serves primarily as a spine thoroughfare for major commercial traffic. The existing land uses in the vicinity are typical of the heavy or general commercial activity

Attachment: Hendrick Honda Satellite SCCPA (1505 : 1540 Nova Rd. Small Scale CPA)

normally associated with principal arterial roadways. The parcel is an infill site, meaning it is not on the fringe of a developed area where new development activity is more likely to impact significant natural resources.

Policy 1.2.17 – Properties that are annexed into the City of Holly Hill shall be assigned a similar land use that existed in Volusia County. Property owners may apply for more intensive land uses, but shall be required to provide the data and analysis to justify the increase in density and/or intensity.

The County's designation on this property is "Mixed Use Zone" which is described in the County's Future Land Use Element in part as "… an area that provides for a mixture of primarily commercial and industrial development with many different property owners." It goes on to state the following:

> ***"Retail commercial, office use, and even some residential normally make up a minor part in each zone. The associated impacts, such as noise, dust, and odors, can make these areas somewhat undesirable for the less than "heavy" uses." (VC FLUE Section 2.N (1)(a))***

Designating the subject site as "General Retail Commercial" will not increase the planned land use intensity.

Objective 1.9 – The City shall promote urban infill development and redevelopment in areas where public facilities and services are available.

The subject site is a prototypical infill location. It is currently vacant but was previously developed with a single family home that was being used for commercial storage until it burned down in June of 2015.

Policy 1.9.1 – The City shall promote and encourage infill development on previously bypassed, vacant properties and redevelopment of underutilized properties.

This proposed amendment promotes the infill development of the subject site. As noted, a home was on the property until it burned down. The fact that the home was used for commercial storage is an indication that the property is not a desirable location for less intense uses.

Objective 2.2 – Future land use designations, requests for rezoning, and development approval shall be in accordance with smart growth principals to foster a sense of community including:

- Creating a range of housing opportunities;
- Creating walkable neighborhoods;
- Encouraging stakeholder collaboration;
- Fostering a sense of place;
- Promoting mixed land uses;
- Preserving open space, and agricultural and environmentally sensitive lands;

Attachment: Hendrick Honda Satellite SCCPA (1505 : 1540 Nova Rd. Small Scale CPA)

- Providing a variety of transportation choices;
- *Directing development towards existing public facilities*; and
- Promoting compact building design.

The proposed amendment will promote development in an area were there has been substantial public investments in facilities and infrastructure as anticipated by this objective.

Policy 2.3.4 - Encourage the maintenance, restoration and adaptive reuse of existing urban areas, including buildings, infrastructure and other assets, to reduce energy use and Vehicle Miles Traveled (VMTs).

The subject site it is not on the fringe of a developed area, but is an infill location. One of the benefits of infill development is reduced VMTs.

Policy 5.1.2. - The City shall continually work to expand the Holly Hill non-residential tax base and other revenue sources.

The proposed amendment is consistent with this policy. The owner of the subject site is petitioning for its annexation into the City. This will have the direct effect of expanding the city's tax base.

Objective 5.2 - The City shall ensure a sufficient amount of commercial and light industrial properties available for business recruitment and to work with property owners to redevelop vacant and underutilized properties in Holly Hill.

As noted the site is vacant due to a fire and is not being put to a productive use. The proposed amendment will foster re-use of the property in conjunction with the property to the south which is also currently under-utilized.

Transportation Circulation Element

Objective 1.2 - The City shall coordinate future land planning with the traffic circulation system in order to ensure efficient utilization of the existing traffic circulation system and all future improvements.

Objective 1.2 seeks to direct development to areas in which the public has made investments in transportation infrastructure. The amendment conforms to this objective because of its infill location.

5.2 Consistency with the Urban Sprawl Rule:

Section 163.3177(6)(a)(9)(b), Florida Statutes provides that plan amendments shall be determined to not proliferate urban sprawl if they incorporate a development pattern or urban form that achieves four or more of the following features:

Attachment: Hendrick Honda Satellite SCCPA (1505 : 1540 Nova Rd. Small Scale CPA)

I) Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.

***Response**: The proposed amendment is an infill site. The subject property was previously developed but it is now vacant. Directing growth to infill locations such as this is a common smart growth strategy that promotes economic activity while preserving Greenfield locations.*

II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

***Response**: The proposed amendment is for a location where public infrastructure and services are in place, thereby promoting the efficient and cost-effective provision of infrastructure and services.*

III) Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.

***Response**: NA*

IV) Promotes conservation of water and energy.

***Response**: The proposed amendment is for an infill location that will provide for an efficient integration with infrastructure and services requiring less water and energy use than developments on the urban fringe.*

V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

***Response**: The proposed amendment is for an infill location. Directing development to infill locations preserves land for agriculture use.*

VI) Preserves open space and natural lands and provides for public open space and recreation needs.

***Response**: The proposed amendment is for an infill location. Directing development to infill locations preserves open spaces and natural lands.*

VII) Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

***Response**: N/A*

Attachment: Hendrick Honda Satellite SCCPA (1505 : 1540 Nova Rd. Small Scale CPA)

VIII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.

Response: ***N/A***

The proposed amendment promotes a development pattern and urban form that achieves five of the eight preceding features. Accordingly, the proposed amendment exceeds the urban sprawl standards set forth in Section 163.3177(6)(a)(9)(b), Florida Statutes.

5.3 Land Use Compatibility

The proposed amendment seeks to amend the Holly Hill Future Land Use Map to designate approximating 0.39± acres of land as "General Retail Commercial". The subject site is located on the west side of North Nova Road. Nova Road is a primary arterial roadway in an area that contains multiple general retail and automotive related land uses. The proposed amendment is in keeping with the pattern of land use in the area and will not introduce any land uses that will negatively alter the character of the area that exists today.

6 CONCURRENCY ANALYSIS:

6.1 Potable Water Data & Analysis:

6.1.1 Potable Water Facilities:

The City of Holly Hill Water Treatment Plant is located at 453 LPGA Blvd. The capacity of the plant is 2.4 MGD. The current maximum monthly average daily flow is 1.3 MGD.

6.1.2 Maximum Potable Water Demand from the Current FLUM Designation:

The current potable water demand under the existing FLUM designation is calculated using the Florida Administrative Code 64E-6.008 sewer flow standards to estimate water demand. Standard engineering practice uses sewer flows to estimate water demand. The maximum development scenario under the Volusia County "Mixed Use Zone" is 90% commercial with a FAR of .50 and 10% residential with up to 16 dwelling units per acre. The subject site is 16,821 square feet in size, yielding 7,569 sq. ft. of retail space (16,821x.90)x.50) and 1 residential unit. It is assumed that the retail space would have a maximum of 4 bathrooms at a flow of 200 GPD each. Assuming the single residential unit has 3 bedrooms, it would have a flow of 300 GPD.

Existing Potable Water Demand = 1,100 GPD

Attachment: Hendrick Honda Satellite SCCPA (1505 : 1540 Nova Rd. Small Scale CPA)

6.1.3 Potable Water Demands from the Proposed FLUM Designation:

The maximum development scenario under the Holly Hill "General Retail Commercial" is calculated using the allowable FAR of 1.95. This yields 32,800 square feet of retail space. It is assumed that the maximum number of bathrooms in this space would be 16 at a flow of 200 GPD.

Proposed Potable Water Demand = 3,200 GPD.

6.1.4 Change in Potable Water Usage:

The maximum change in Potable Water Demand is projected to be an increase of 2,100 GPD. The City's water distribution system has the excess capacity to serve the proposed development of the subject site.

6.2 Waste Water Data and Analysis

6.2.1 Waste Water Facilities:

The City of Holly Hill Advanced Waste Water Treatment Plant is located at 453 LPGA Blvd. The capacity of the plant is 5.4 MGD. The current maximum monthly average incoming daily flow is 3.0 MGD.

6.2.2 Waste Water Demand from the Current FLUM Designation:

The current waste water demand under the existing FLUM designation is calculated using the Florida Administrative Code 64E-6.008 sewer flow standards to estimate waste water demand. The maximum development scenario under the Volusia County "Mixed Use Zone" is 90% commercial with a FAR of .50 and 10% residential with up to 16 dwelling units per acre. The subject site is 16,821 square feet in size, yielding 7,569 sq. ft. of retail space (16,821x.90)x.50) and 1 residential unit. It is assumed that the retail space would have a maximum of 4 bathrooms at a flow of 200 GPD each. Assuming the single residential unit has 3 bedrooms, it would have a flow of 300 GPD.

Existing Waste Water Demand = 1,100 GPD

6.2.3 Waste Water Demand from the Proposed FLUM Designation:

The maximum development scenario under the Holly Hill "General Retail Commercial" is calculated using the allowable FAR of 1.95. This yields 32,800 square feet of retail space. It is assumed that the maximum number of bathrooms in this space would be 16 at a flow of 200 GPD.

Proposed Potable Water Demand = 3,200 GPD.

6.2.4 Change in Waste Water Usage:

The maximum change in waste water demand is projected to be an increase of 2,100 GPD. The City's waste water treatment system has the excess capacity to serve the proposed development of the subject site.

6.3 Solid Waste:

The City's contracted waste hauler, Waste Management, delivers solid waste to the Volusia County's Tomoka Farms Road Landfill. This is a 3,400-acre Class 1 landfill and it is estimated to have excess capacity through 2052.

6.4 Stormwater Management:

Stormwater drainage facilities in the City of Holly Hill must be designed to accommodate runoff from a 25-year frequency, 24-hour duration storm event without causing flooding or polluting receiving bodies of water. Any development on the subject property will be designed and constructed with an onsite stormwater retention/detention system that meets or exceeds this LOS standard. The proposed design will be permitted through both the City and the SJRWMD.

6.5 Traffic Data and Analysis

To be provided.

7 ENVIRONMENTAL ANALYSIS

7.1 Wetlands & Surface Water:

Western portion of the site contains land that may be classified as wetlands, the eastern portion is previously developed urban lands. There are no surface waters on the property.

7.2 Flood Zones:

According to Federal Emergency Management Agency (FEMA) map number 12127CO356H, the parcel lies within the AE Zone. Areas within the AE Zone are subject to inundation by the 1-percent-annual-chance flood event determined by detailed methods.

Attachment: Hendrick Honda Satellite SCCPA (1505 : 1540 Nova Rd. Small Scale CPA)

7.3 Vegetative Cover:

There are no vegetative components associated with the previously developed portion of the site. The western portion of the site contains by a dense canopy that is dominated by red maple, with slippery elm, blackgum, and sabal palm.

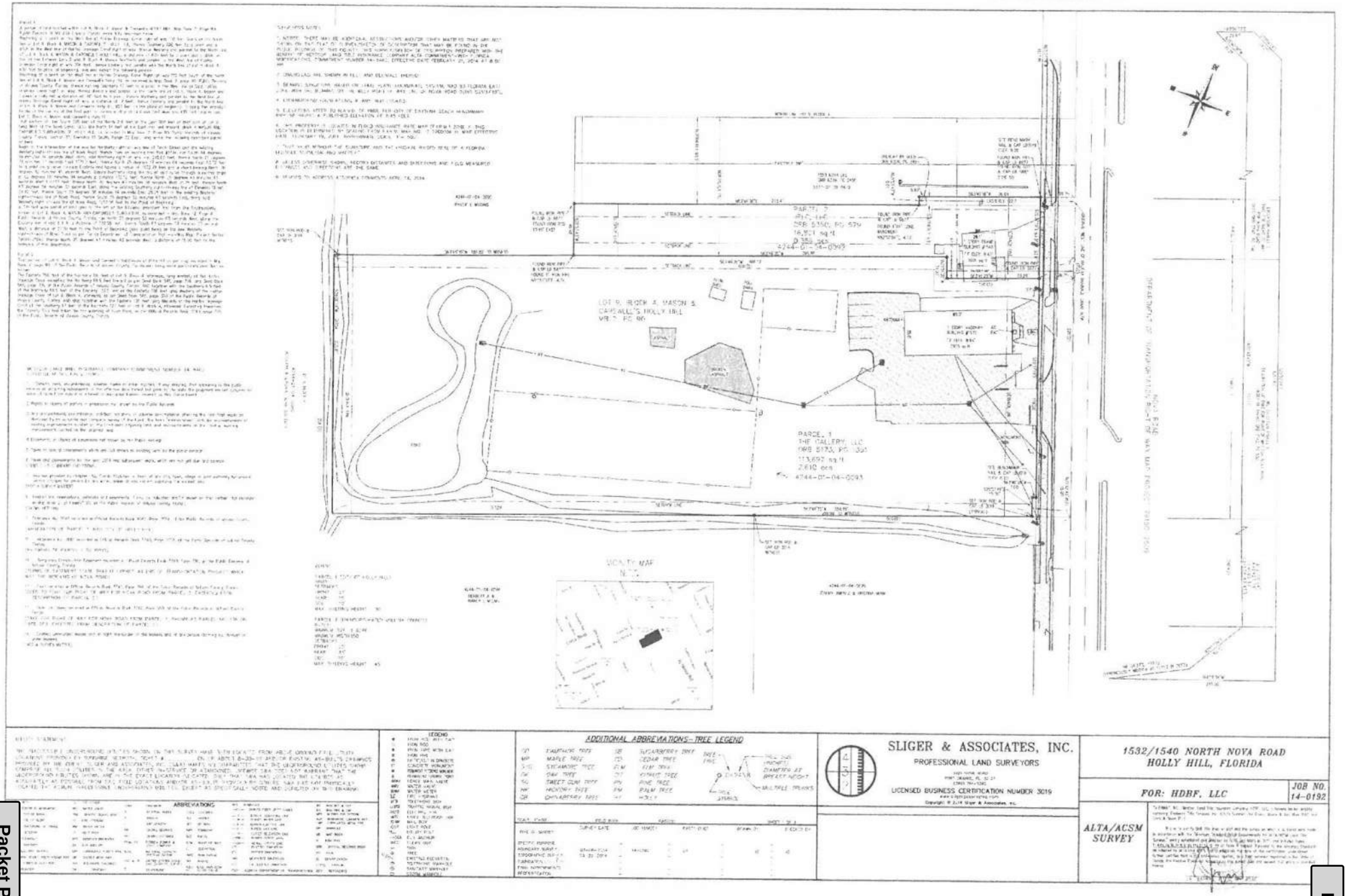
7.4 Listed Animal and Plant Species:

There are no known listed species of animals or plants located on the site and due to the limited area and disturbed nature of the site, none are expected to occur.

Attachment: Hendrick Honda Satellite SCCPA (1505 : 1540 Nova Rd. Small Scale CPA)

Exhibit "A"

Attachment: Hendrick Honda Satellite SCCPA (1505 : 1540 Nova Rd. Small Scale CPA)



Packet Pg. 29

E.2.b

Attachment: Hendrick Honda Satellite SCCPA (1505 : 1540 Nova Rd. Small Scale CPA)

Exhibit "B"

Attachment: Hendrick Honda Satellite SCCPA (1505 : 1540 Nova Rd. Small Scale CPA)

Legal Description
Hendrick Honda Satellite SSCPA

That portion of Lot 9, Block 4, Mason and Carswell's Subdivision of Holly Hill as per map recorded in Map Book 2, Page 90, of the Public Records of Volusia County, Florida and being more particularly described as follows: The Easterly 396' of the Northerly 110' of Lot 9, Block 4, aforesaid, lying westerly of the Halifax Drainage Canal excepting the Northerly 69.5' thereof as per Deed Book 541, page 276, and Deed Book 566, page 370 of the Public Records of Volusia County, Florida, AND together with the Southerly 6.5' of the Northerly 69.5' of the Easterly 122.5' of the Easterly 396' lying Westerly of the Halifax Drainage Canal of Lot 9, Block 4, aforesaid. As per Deed Book 566, page 370 of the Public Records of Volusia County, Florida. AND also together with the Easterly 100' lying Westerly of the Halifax Drainage canal of the Southerly 17 feet of the Northerly 127 feet of Lot 9, Block 4, aforesaid. Excepting there from the Easterly 26.7' taken for the widening of Nova Road, as per Official Records Book 3740, page 798, of the Public Records of Volusia County, Florida.

Attachment: Hendrick Honda Satellite SCCPA (1505 : 1540 Nova Rd. Small Scale CPA)

Exhibit "C"

Attachment: Hendrick Honda Satellite SCCPA (1505 : 1540 Nova Rd. Small Scale CPA)

Date: 110216
Path: 15034/honda

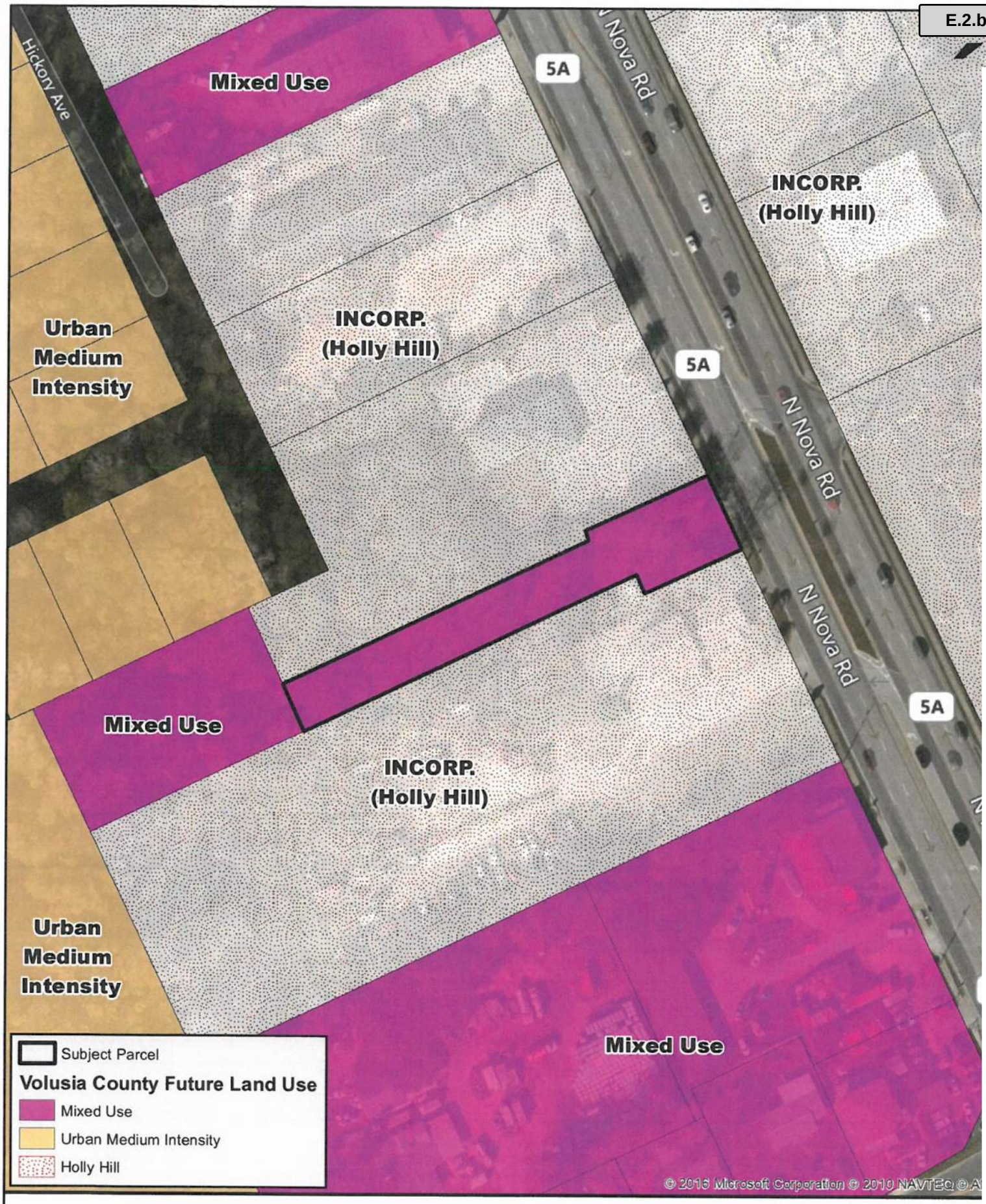
100 50 0 100 Feet

Aerial Map
Hendrick Honda Satellite Property
Volusia County, Florida

ZEVCOHEN & ASSOCIATES
300 Interchange Blvd
Ormond Beach, FL 32174
ph 386

Exhibit "D"

Attachment: Hendrick Honda Satellite SCCPA (1505 : 1540 Nova Rd. Small Scale CPA)



Date: 110216
Path: 15034/honda

100 50 0 100 Feet

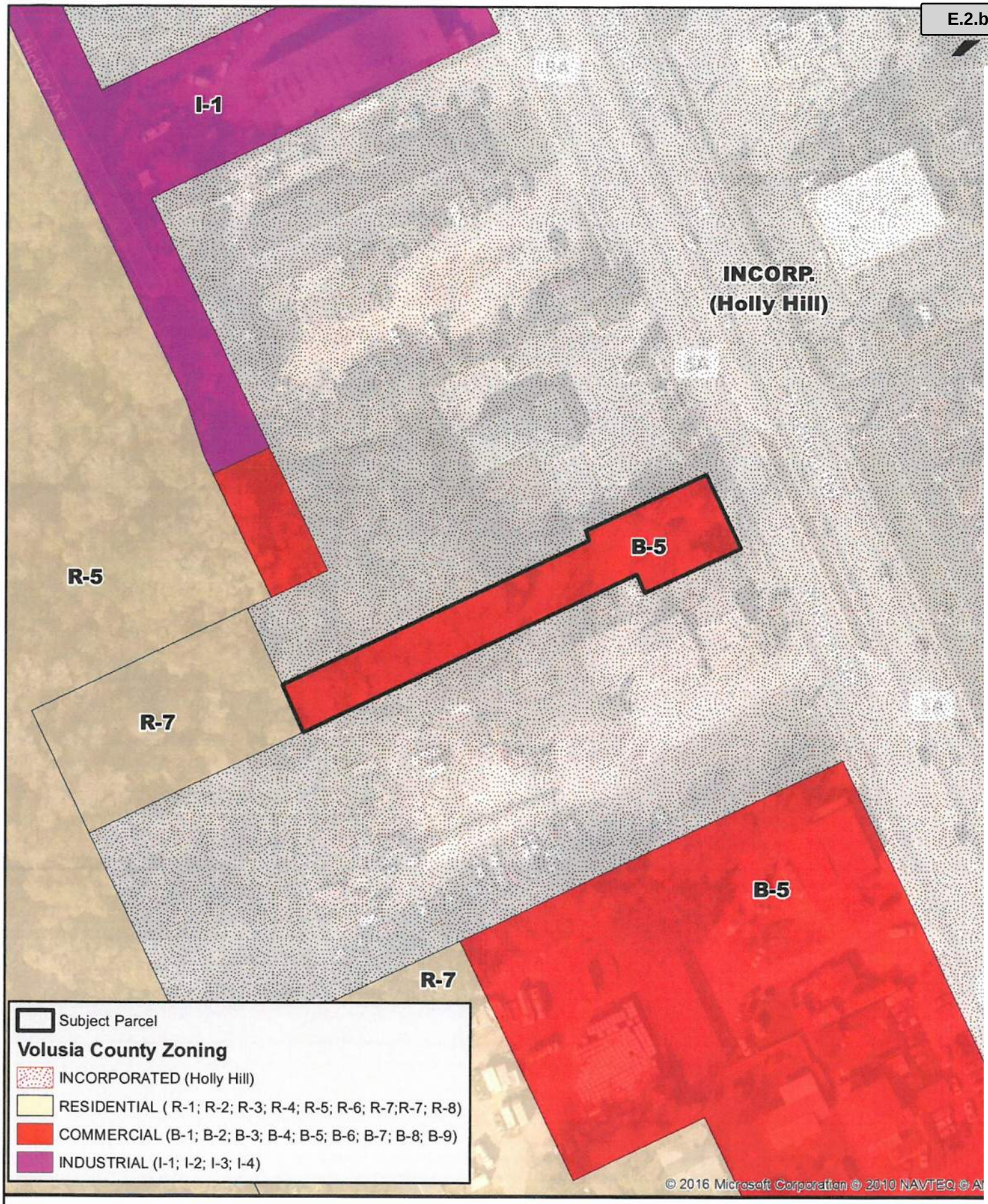
Existing Future Land Use Map
Hendrick Honda Satellite Property
Volusia County, Florida

ZEVCOHEN & ASSOCIATES
300 Interchange Blvd
Ormond Beach, FL 32174
ph 386

Attachment: Hendrick Honda Satellite SCCPA (1505 : 1540 Nova Rd. Small Scale CPA)

Exhibit "E"

Attachment: Hendrick Honda Satellite SCCPA (1505 : 1540 Nova Rd. Small Scale CPA)



Date: 110216
Path: 15034/honda

100 50 0 100 Feet

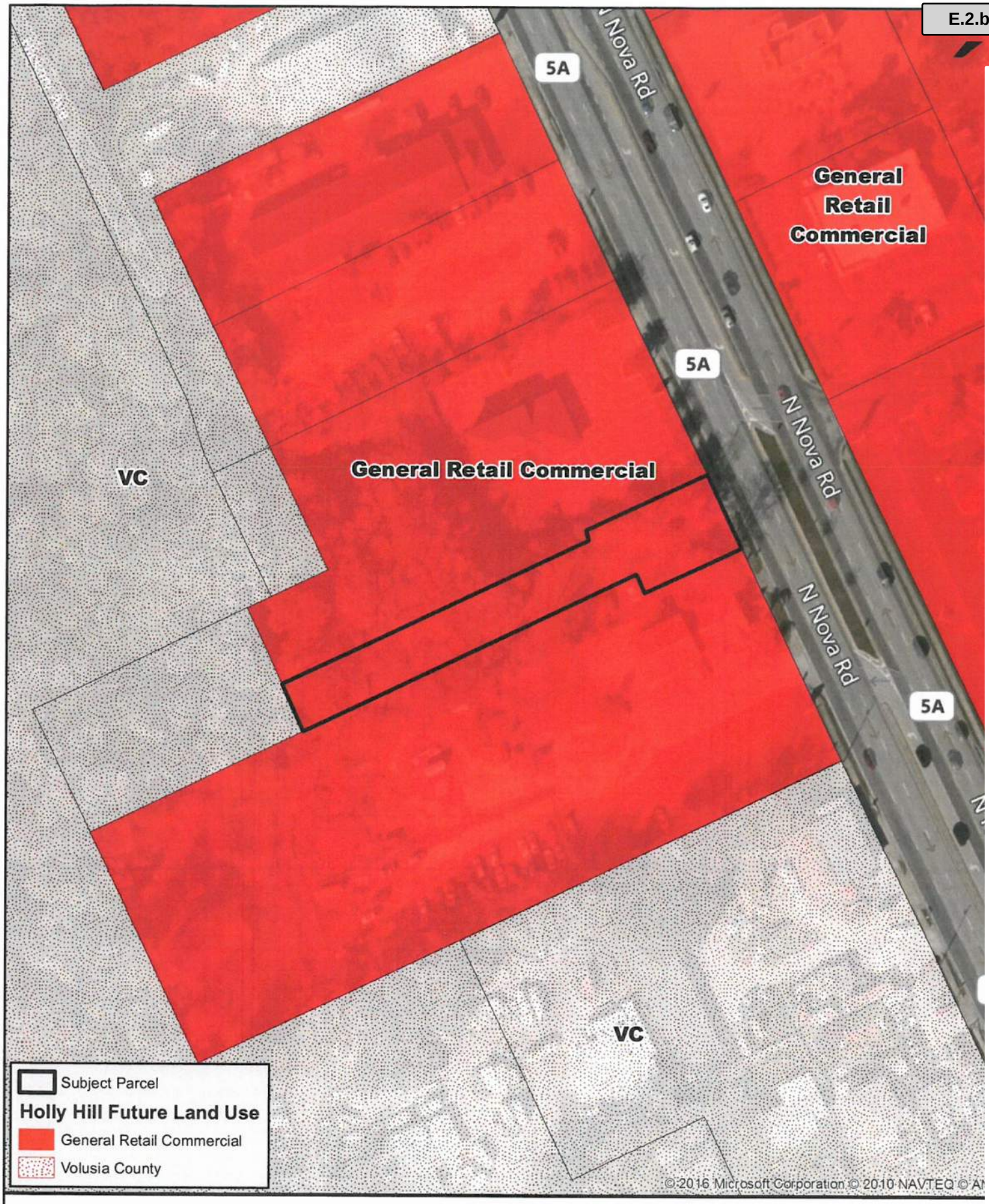
Exisiting Zoning Map
Hendrick Honda Satellite Property
Volusia County, Florida

ZEVCOHEN & ASSOCIATES
300 Interchange Blvd
Ormond Beach, FL 32174
ph 38

Attachment: Hendrick Honda Satellite SCCPA (1505 : 1540 Nova Rd. Small Scale CPA)

Exhibit "F"

Attachment: Hendrick Honda Satellite SCCPA (1505 : 1540 Nova Rd. Small Scale CPA)



Date: 110216
Path: 15034/honda

100 50 0 100 Feet

Proposed Future Land Use Map
Hendrick Honda Satellite Property
Volusia County, Florida

ZEVCOHEN & ASSOCIATES
300 Interchange Blvd
Ormond Beach, FL 32174
ph 386

CITY OF HOLLY HILL
COMPREHENSIVE PLAN AMENDMENT
CHECKLIST AND REQUIREMENTS

CHECKLIST

- ☒ Pre-Application Meeting Form completed and meeting held prior to completion of application
- ☒ Application Fee and Estimated Deposit
- ☒ Completed Comprehensive Plan Amendment Application
- ☒ One (1) signed and sealed surveys of the property (no more than 2 years old).
- ☒ One (1) copy of Legal Description (Digital in MS Word)
- ☒ Notarized Authorization of Owner (if applicant is other than owner or attorney for owner).
- ☒ A Description of the Comprehensive Plan Amendment and how it complies with the Goals, Objectives and Policies of the Comprehensive Plan.

PUBLIC NOTIFICATION (Sec. 82-375)

a) The applicant shall provide written notice to property owners regarding his intention to seek a comprehensive plan amendment and shall pay all costs of providing such notice as follows:
   1) An applicant seeking a comprehensive plan amendment shall provide written notice to property owners, as identified in the current tax roll, within 300 feet of the property perimeter which is the subject of rezoning request.
   2) In addition to written notice provided in accordance with this section, city staff shall also post a notice on the subject property ten days prior to the board of planning and appeals meeting.

b) A notice letter will be provided to the applicant by the City. The written notices shall be made at least ten days prior to the date of hearing before the board of planning and appeals. The written notice shall be sent by certified mail, return receipt requested.

BOARD OF PLANNING AND APPEALS (BOPA) PUBLIC HEARING (Section 82-313)

This is an advisory body consisting of five (5) members appointed by the City Commission. A public hearing is held the **first Monday of every month**, at 6:30 p.m. in the City Commission Chambers, 1065 Ridgewood Avenue, Holly Hill, Florida 32117. Following the public hearing and discussion of each application, the BOPA votes on its recommendation to the City Commission. They may accept, modify, return, or seek additional information.

CITY COMMISSION PUBLIC HEARING

The City Commission schedules public hearings the second and fourth Tuesday of each month at 7:00 p.m. p.m. in the City Commission Chambers, 1065 Ridgewood Avenue, and Holly Hill, Florida 32117. At this public hearing, the City Commission votes to approve, deny, or continue the application.

Attachment: Hendrick Honda Satellite Holly Hill Comp Plan App (1505 : 1540 Nova Rd. Small Scale CPA)

COMPREHENSIVE PLAN AMENDMENT DATA AND ANALYSIS

This application is intended to accommodate the primary information needs for all amendment requests. You may be required to submit additional information for the City's review process.

Project Name:	Hendrick Honda Satellite Office
Site Address	1540 North Nova Road
Tax Parcel ID Number(s)	4224-01-04-0092
Parcel Size	0.386 acres
Existing Conditions	
Current Future Land Use Designation	Volusia County Mixed Use Zone (MXZ)
Current Zoning	B-5 Heavy Commercial Classification
Existing Use(s)	Vacant (previously disturbed)
Proposed Conditions	
Proposed Future Land Use Designation	General Retail Commercial
Proposed Zoning	Commercial Corridor-1
Proposed Uses	Administrative Office

Land Use Compatibility: Describe how the proposed amendment is consistent with existing and future land use in the area, and how the proposed amendment is consistent with the goals, objectives and policies of the comprehensive plan. Cite goals, objectives and policies as needed. (Please attach the response as a separate page.

Services and Facilities: Provide the requested information for the various services required to support the proposed amendment.

Mark P. Karet — 11/4/16

Print Applicant Name — Applicant Signature

Print Applicant Name — Applicant Signature

Date — Date

Attachment: Hendrick Honda Satellite Holly Hill Comp Plan App (1505 : 1540 Nova Rd. Small Scale CPA)

STAFF REPORT
CITY OF HOLLY HILL, FLORIDA

Board of Planning and Appeals
Agenda Item

MEETING DATE:	**December 5, 2016**
FROM:	**Thomas Harowski**
SUBJECT:	**Rezoning of 1532 and 1540 Nova Road Request to Rezone 1532 Nova Road from City BPUD to City CC-1 and to Rezone 1540 Nova Road from County B-5 to City CC-1.**
NUMBER:	**(ID # 1506)**
APPLICANT:	**Mark Karet, Zev Cohen & Associates**
PLANNER:	**Thomas Harowski**

INTRODUCTION: This application is a request to rezone two parcels at 1532 and 1540 Nova Road. The parcel at 1532 Nova Road is to be rezoned from City BPUD to CC-1Commercial Corridor. The parcel at 1540 Nova Road is requesting rezoning from County B-5 Heavy Commercial to City CC-1 Commercial Corridor. The 1540 Nova Road parcel is being annexed into the City.

BACKGROUND: The property at 1532 Nova Road is zoned BPUD under an ordinance adopted in 2004. The BPUD development is limited to a specific site plan which no longer fits the intended use for the property. The applicant is seeking rezoning to one of the City's standard zoning classifications, CC-1 Commercial Corridor, to allow use of the property for office use. The parcel size is 2.61 acres.

The 1540 Nova Road parcel is being annexed into the City and will need a zoning designation. The applicant is seeking a zoning designation of CC-1 Commercial Corridor consistent with the adjacent parcel to the south. The two parcels are is common ownership.

DISCUSSION: The proposed zoning for both parcels is consistent with the current and proposed future land use designation of General Commercial. The balance of the City property along the west side of Nova Road between LPGA Boulevard and 10th Street is CC-1 except for the subject BPOD, so the proposed zoning is consistent with the zoning pattern for the area.

The applicant has submitted an application responding to the questions and criteria for rezoning, and a copy of this submittal is attached. The proposed zoning will enhance the use of the BPUD parcel and provide for the transition of the annexed parcel from residential use to commercial use.

FISCAL ANALYSIS: The requested rezoning will have no fiscal impacts.

RECOMMENDATION: Staff recommends the BOPA recommend the City Commission amend the official zoning map to designate the subject parcels as CC-1 Commercial Corridor.

- 1532 1540 N Nova Rd survey (PDF)
- Parcels 1 & 2 legal descriptions (DOC)
- Hendrick Honda Satellite Holly Hill Rezoning App (PDF)

Parcel 1:
A parcel of land located within Lot 9, Block 4, Mason & Carswell's HOLLY HILL, Map Book 2, Page 90 Public Records of VOLUSIA County, Florida, more fully described below:
Beginning at a point on the West line of Halifax Drainage Canal right of way 110 feet South of the North line of Lot 9, Block 4, MASON & CARSWELL'S HOLLY HILL; thence Southerly 206 feet to a point and a ditch in the West line of Halifax Drainage Canal right of way; thence Westerly and parallel to the North line of Lot 9, Block 4, MASON & CARSWELL'S HOLLY HILL, a distance of 600 feet to a point and a ditch on the lot line between Lots 8 and 9, Block 4, thence Northerly and parallel to the West line of Halifax Drainage Canal right of way 206 feet; thence Easterly and parallel with the North line of Lot 9 Block 4, 600 feet to place of beginning, less and except the following parcels:
Beginning at a point on the West line of Halifax Drainage Canal Right-of-way 110 feet South of the North line of Lot 9, Block 4, Mason and Carswell's Holly Hill, as recorded in Map Book 2, page 90, Public Records of Volusia County, Florida; thence running Southerly 17 feet to a point in the West line of Said Halifax Drainage Canal Right-of-way; thence Westerly and parallel to the North line of Lot 9, Block 4, Mason and Carswell's Holly Hill, a distance of 100 foot to a point; thence Northerly and parallel to the West line of Halifax Drainage Canal Right-of-way, a distance of 17 feet; thence Easterly and parallel to the North line of Lot 9, Block 4, Mason and Carswells Holly Hill, 100 feet to the place of beginning. It being the intention herein of the parties of the first part to convey a strip of land one foot wide and 100 foot long in said Lot 9, Block 4, Mason and Carswell's Holly Hill.
That portion of: The South 206 feet of the North 316 feet of the East 600 feet of that part of Lot 9 lying West of the Nova Canal, LESS the North 17 feet of the East 100 feet thereof, Block 4 MASON AND CARSWELL'S SUBDIVISION OF HOLLY HILL, as recorded in Map Book 2, Page 90, Public Records of Volusia County, Florida, Section 37, Township 15 South, Range 32 East, lying within the following described parcel of land:
Begin at the intersection of the existing Northerly right-of-way line of Tenth Street and the existing Westerly right-of-way line of Nova Road; thence from an existing Iron Rod #3794, run South 64 degrees 19 minutes 34 seconds West, along said Northerly right-of-way line, 245.00 feet; thence North 61 degrees 34 minutes 27 seconds East 1771.2 feet; thence North 25 degrees 17 minutes 04 seconds East 53.72 feet to a point on a curve concave Easterly and having a radius of 2923.79 feet and a chord bearing North 26 degrees 43 minutes 45 seconds West; thence Northerly along the arc of said curve through a central angle of 02 degrees 00 minutes 04 seconds a distance 102.12 feet; thence North 25 degrees 43 minutes 43 seconds West 1107.91 feet; thence North 70 degrees 40 minutes 08 seconds West 35.28 feet; thence North 63 degrees 59 minutes 33 seconds East, along the existing Southerly right-of-way line of Eleventh Street, 29.92 feet; thence South 70 degrees 56 minutes 14 seconds East 28.25 feet to the existing Westerly right-of-way line of Nova Road; thence South 25 degrees 52 minutes 03 seconds East, along said Westerly right-of-way line of Nova Road, 1257.58 feet to the Point of Beginning;
A 3.0 foot wide parcel of land lying to the left of the following described line; From the Southeasterly corner of Lot 9, Block 4, MASON AND CARSWELL'S SUBDIVISION, as recorded in Map Book 12, Page 4, Public Records of Volusia County, Florida, run North 25 degrees 52 minutes 03 seconds West, along the Easterly line of said Lot 9, a distance of 332.58 feet; thence South 63 degrees 59 minutes 33 seconds West, a distance of 27.30 feet to the Point of Beginning (said point being on the new Westerly right-of-way of Nova Road as per Florida Department of Transportation Right-of-Way Map, Project Section 79190-2509); thence North 25 degrees 43 minutes 43 seconds West, a distance of 15.00 feet to the terminus of this description.

Parcel 2:
That portion of Lot 9, Block 4, Mason and Carswell's Subdivision of Holly Hill as per map recorded in Map Book 2, page 90, of the Public Records of Volusia County, Florida and being more particularly described as follows:
The Easterly 396 feet of the Northerly 110 feet of Lot 9, Block 4, aforesaid, lying westerly of the Halifax Drainage Canal excepting the Northerly 69.5 feet thereof as per Deed Book 541, page 276, and Deed Book 566, page 370 of the Public Records of Volusia County, Florida. AND together with the Southerly 6.5 feet of the Northerly 69.5 feet of the Easterly 122.5 feet of the Easterly 396 feet lying Westerly of the Halifax Drainage Canal of Lot 9, Block 4, aforesaid, as per Deed Book 566, page 370 of the Public Records of Volusia County, Florida. AND also together with the Easterly 100 feet lying Westerly of the Halifax Drainage Canal of the Southerly 17 feet of the Northerly 127 feet of Lot 9, Block 4, aforesaid. Excepting therefrom the Easterly 26.7 feet taken for the widening of Nova Road, as per Official Records Book 3740, page 798, of the Public Records of Volusia County, Florida.

WESTCOR LAND TITLE INSURANCE COMPANY COMMITMENT NUMBER 14-8462
SCHEDULE B-SECTION 2 ITEMS:

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.

2. Rights or claims of parties in possession not shown by the Public Records.

3. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments on the Land of existing improvements located on the adjoined land.

4. Easements or claims of easements not shown by the Public Records.

5. Taxes or special assessments which are not shown as existing liens by the public records.

6. Taxes and assessments for the year 2014 and subsequent years, which are not yet due and payable.
(ITEMS 1 -6 STANDARD EXCEPTIONS)

7. Any lien provided by Chapter 159, Florida Statutes, in favor of any city, town, village or port authority for unpaid service charges for service by any water, sewer or gas system supplying the insured land.
(NOT A SURVEY MATTER)

8. Restrictions, reservations, setbacks and easements, if any, as indicated and/or shown on that certain Plat recorded in Map Book 2, at Page(s) 90, of the Public Records of Volusia County, Florida.
(SHOWN HEREON)

9. Ordinance No. 2649 recorded in Official Records Book 4982, Page 3554, of the Public Records of Volusia County, Florida.
(ANNEXATION OF PARCEL 1 INTO CITY OF HOLLY HILL)

10. Ordinance No. 2686 recorded in Official Records Book 5348, Page 2778, of the Public Records of Volusia County, Florida.
(REZONING OF PARCEL 1 TO BPUD)

11. Temporary Construction Easement recorded in Official Records Book 3740, Page 796, of the Public Records of Volusia County, Florida.
(TERMS OF EASEMENT STATE THAT IT EXPIRES AT END OF TRANSPORTATION PROJECT WHICH WAS THE WIDENING OF NOVA ROAD)

12. Deed recorded in Official Records Book 3740, Page 798, of the Public Records of Volusia County, Florida.
(DEED TO FDOT FOR RIGHT OF WAY FOR NOVA ROAD FROM PARCEL 2. EXCEPTED FROM DESCRIPTION OF PARCEL 2.)

13. Order of Taking recorded in Official Records Book 3742, Page 550, of the Public Records of Volusia County, Florida.
(TAKE FOR RIGHT OF WAY FOR NOVA ROAD FROM PARCEL 1. SHOWN AS PARCEL NO. 138 ON PAGE 553. EXCEPTED FROM DESCRIPTION OF PARCEL 1.)

14. Existing unrecorded leases and all right thereunder of the lessees and of any person claiming by, through or under lessees.
(NOT A SURVEY MATTER)

SURVEYORS NOTES

1. NOTICE: THERE MAY BE ADDITIONAL RESTRICTIONS AND/OR OTHER MATTERS THAT ARE NOT SHOWN ON THIS PLAT OF SURVEY/SKETCH OF DESCRIPTION THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY. THIS SURVEY/SKETCH OF DESCRIPTION PREPARED WITH THE BENEFIT OF WESTCOR LAND TITLE INSURANCE COMPANY ALTA COMMITMENT-WITH FLORIDA MODIFICATIONS, COMMITMENT NUMBER 14-8462, EFFECTIVE DATE FEBRUARY 21, 2014 AT 8:00 AM.

2. DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF.

3. BEARING STRUCTURE BASED ON STATE PLANE COORDINATE SYSTEM, NAD 83 FLORIDA EAST ZONE WITH THE BEARING ON THE WEST RIGHT OF WAY LINE OF NOVA ROAD BEING S25°37'19"E.

4. UNDERGROUND FOUNDATIONS, IF ANY, NOT LOCATED.

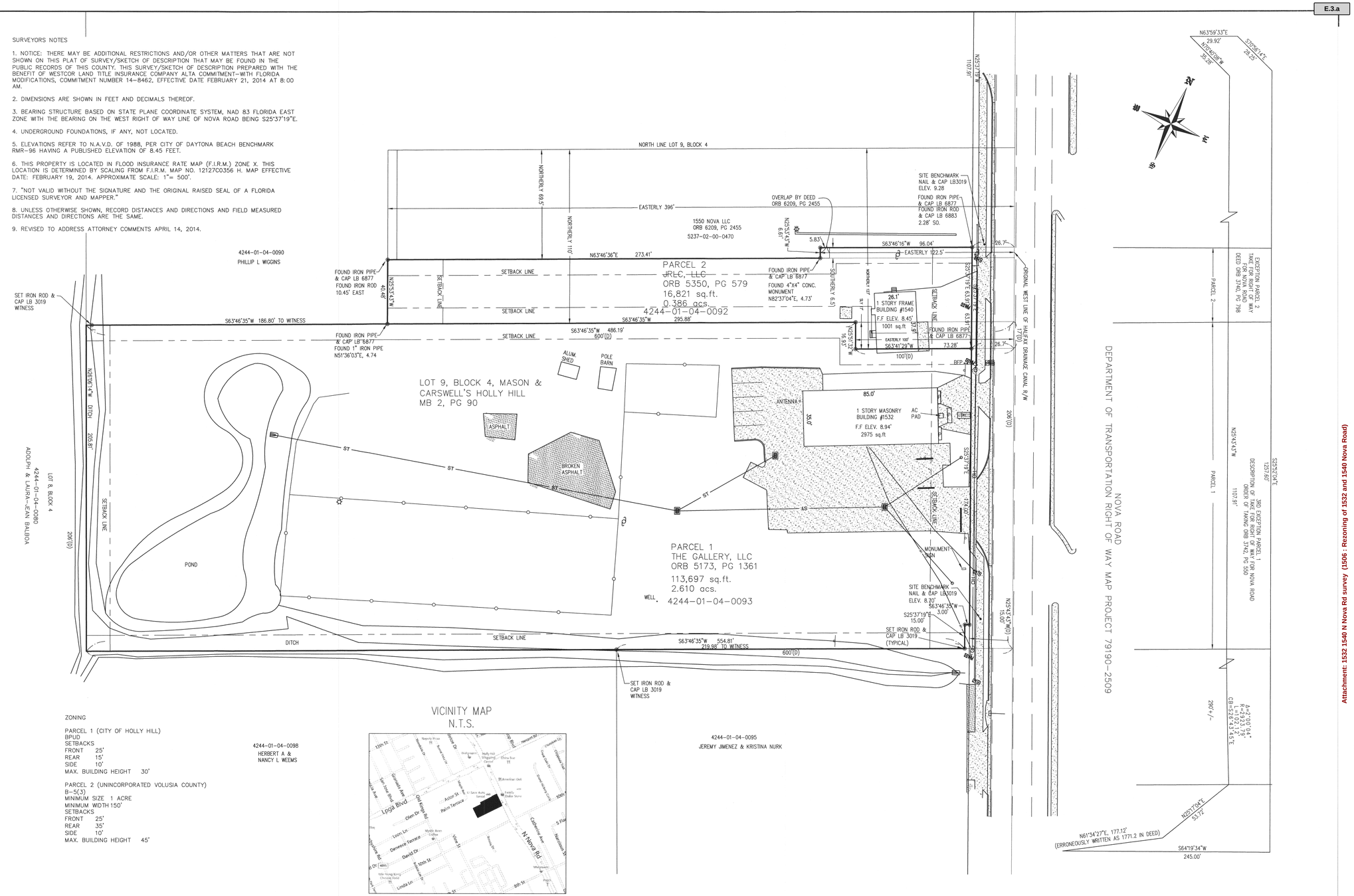
5. ELEVATIONS REFER TO N.A.V.D. OF 1988, PER CITY OF DAYTONA BEACH BENCHMARK RMR-96 HAVING A PUBLISHED ELEVATION OF 8.45 FEET.

6. THIS PROPERTY IS LOCATED IN FLOOD INSURANCE RATE MAP (F.I.R.M.) ZONE X. THIS LOCATION IS DETERMINED BY SCALING FROM F.I.R.M. MAP NO. 12127C0356 H. MAP EFFECTIVE DATE: FEBRUARY 19, 2014. APPROXIMATE SCALE: 1"= 500'.

7. "NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER."

8. UNLESS OTHERWISE SHOWN, RECORD DISTANCES AND DIRECTIONS AND FIELD MEASURED DISTANCES AND DIRECTIONS ARE THE SAME.

9. REVISED TO ADDRESS ATTORNEY COMMENTS APRIL 14, 2014.



ZONING

PARCEL 1 (CITY OF HOLLY HILL)
BPUD
SETBACKS
FRONT 25'
REAR 15'
SIDE 10'
MAX. BUILDING HEIGHT 30'

PARCEL 2 (UNINCORPORATED VOLUSIA COUNTY)
B-5(3)
MINIMUM SIZE 1 ACRE
MINIMUM WIDTH 150'
SETBACKS
FRONT 25'
REAR 35'
SIDE 10'
MAX. BUILDING HEIGHT 45'

UTILITY STATEMENT:

THE INACCESSIBLE UNDERGROUND UTILITIES SHOWN ON THIS SURVEY HAVE BEEN LOCATED FROM ABOVE GROUND FIELD UTILITY LOCATIONS PROVIDED BY SUNSHINE NETWORK, TICKET #_____ ON OR ABOUT 8-30-99 AND/OR EXISTING AS-BUILTS DRAWINGS PROVIDED BY THE CLIENT. SLIGER AND ASSOCIATES, INC. (S&A) MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. LIKEWISE S&A DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. ONLY THAT S&A HAS LOCATED THE UTILITIES AS ACCURATELY AS POSSIBLE FROM SAID FIELD LOCATIONS AND/OR AS-BUILTS PROVIDED BY OTHERS. S&A HAS NOT PHYSICALLY LOCATED THE ACTUAL INACCESSIBLE UNDERGROUND UTILITIES, EXCEPT AS SPECIFICALLY NOTED AND DEPICTED ON THIS DRAWING.

ABBREVIATIONS

W/	WITH	TC	TOP COVER	CONC	CONCRETE	RES	RESIDENCE	IRC	IRON ROD & CAP
CM	CONCRETE MONUMENT	WV	WATER VALVE	D	CENTRAL ANGLE	—FC—	BURIED FIBER OPTIC CABLE	IPC	IRON PIPE & CAP
TOB	TOP OF BANK	TSB	TRAFFIC SIGNAL BOX	R	RADIUS	— T —	BURIED TELEPHONE LINE	MES	METERED END SECTION
TOE	TOE OF SLOPE	FH	FIRE HYDRANT	L	ARC LENGTH	— W —	BURIED WATER LINE	RCP	REINFORCED CONCRETE PIPE
CLS	CENTERLINE OF SWALE	WM	WATER METER	CB	CHORD BEARING	— E —	BURIED ELECTRIC LINE	CMP	CORRUGATED METAL PIPE
STA	STATION	LP	LIGHT POLE	CH	CHORD DISTANCE	— G —	BURIED GAS LINE	MH	MANHOLE
CO	CLEANOUT	BFP	BACKFLOW PREVENTER	FP&L CO	FLORIDA POWER & LIGHT COMPANY	—TV—	BURIED TELEVISION LINE	MB	MAP BOOK
SAN	SANITARY	GA	GUY ANCHOR			—FM—	BURIED FORCE MAIN	IP	IRON PIPE
ES	ELECTRIC SERVICE	CPP	CORRUGATED PLASTIC PIPE	NGVD	NATIONAL GEODETIC VERTICAL DATUM	—OH—	AERIAL UTILITY LINE	ORB	OFFICIAL RECORDS BOOK
HDPE	HIGH DENSITY POLYETHYLENE PIPE	DIP	DUCTILE IRON PIPE			(P)	PLATTED DIMENSION	PG	PAGE
VCP	VITREOUS CLAY PIPE	PVC	POLYVINYL CHLORIDE	USC & GS	UNITED STATES COAST AND GEODETIC SURVEY	(D)	DEEDED DIMENSION	ID	IDENTIFICATION
P	PLANTER	DW	DRIVEWAY	℄	CENTERLINE	(M)	MEASURED DIMENSION	(TYP)	TYPICAL
						(C)	CALCULATED DIMENSION	REC	RECOVERED
						N&O RV	NAIL AND DISK REUSE VALVE	FDOT	FLORIDA DEPARTMENT OF TRANSPORTATION

LEGEND

●	IRON ROD WITH CAP
○	IRON ROD
◉	IRON PIPE WITH CAP
⊙	IRON PIPE
⊕	FD "X"/CUT IN CONCRETE
□	CONCRETE MONUMENT
■	PERMANENT REFERENCE MONUMENT
△	PERMANENT CONTROL POINT
FMV	FORCE MAIN VALVE
WV	WATER VALVE
WM	WATER METER
FH	FIRE HYDRANT
TB	TELEPHONE BOX
TSB	TRAFFIC SIGNAL BOX
EB	ELECTRIC BOX
TV	CABLE TELEVISION BOX
MB	MAIL BOX
LP	LIGHT POLE
	UTILITY POLE
GA	GUY ANCHOR
CO	CLEAN OUT
	SIGN
	TREE
0.0	EXISTING ELEVATION
T	TELEPHONE MANHOLE
S	SANITARY MANHOLE
D	STORM MANHOLE

ADDITIONAL ABBREVIATIONS-TREE LEGEND

CP	CAMPHOR TREE	SB	SUGARBERRY TREE
MP	MAPLE TREE	CD	CEDAR TREE
SYC	SYCAMORE TREE	ELM	ELM TREE
OK	OAK TREE	CIT	CITRUS TREE
SG	SWEET GUM TREE	PN	PINE TREE
HK	HICKORY TREE	PM	PALM TREE
CB	CHINABERRY TREE	HY	HOLLY

TREE TYPE — OK24 8 — TREE SIZE (INCHES) DIAMETER AT BREAST HEIGHT — MULTIPLE TRUNKS — TREE SYMBOL

SCALE: 1"=30'	FIELD BOOK:	PAGE(S):	SHEET 1 OF 2

	SURVEY DATE	JOB NUMBER	PARTY CHIEF	DRAWN BY	CHECKED BY
TYPE OF SURVEY					
SPECIFIC PURPOSE	–	–		–	–
BOUNDARY SURVEY	03-06-2014	14-0192	LH	JZ	JZ
TOPOGRAPHIC SURVEY	03-22-2014	–		–	–
FOUNDATION LOCATION		–		–	–
FINAL IMPROVEMENTS		–		–	–
RECERTIFICATION		–		–	–

SLIGER & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
3921 NOVA ROAD
PORT ORANGE, FL. 32127
(386) 761-5385
LICENSED BUSINESS CERTIFICATION NUMBER 3019
www.sligerassociates.com

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1532/1540 NORTH NOVA ROAD HOLLY HILL, FLORIDA

FOR: HDBF, LLC

JOB NO. 14-0192

ALTA/ACSM SURVEY

To EHM&T, INC.; Westcor Land Title Insurance Company; HDBF, LLC, a Nevada limited liability company; Frederick Title Services, Inc. d/b/a Summit Title Group; Moore & Van Allen PLLC and Goch & Nolen PLLC:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA and NSPS in 2011, and includes Items 1-4,6b,7a,7b,7c,8,9,10a,11a,13,14,16-19 of Table A thereof. Pursuant to the Accuracy Standards as adopted by ALTA and NSPS and in effect on the date of this certification, undersigned further certifies that, in my professional opinion, as a land surveyor registered in the State of Florida, the Relative Positional Accuracy of this survey does not exceed that which is specified therein.

J.E. ZAPENTA, PSM No. 4046

PARCEL 1:

A parcel of land located within Lot 9, Block 4, Mason and Carswell's HOLLY HILL, Map Book 2, Page 90 Public Records of VOLUSIA County, Florida more fully described below: Beginning at a point on the West line of Halifax drainage Canal right of way 110'South of the North Line of Lot 9, Block 4, MASON and Carswell's HOLLY HILL; thence Southerly 206' to a point and a ditch in the West line of Halifax Drainage Canal Right of way ; thence Westerly and parallel to the North line of Lot 9, Block 4, MASON and CARSWELL'S HOLLY HILL, a distance of 600' to a point and a ditch on the lot line between Lots 8 and 9,Block 4, thence Northerly and parallel to the West line of Halifax Drainage Canal right of way 206'; thence Easterly and parallel with the North line of Lot 9, Block 4, 600 feet to place of beginning, less and except the parcels; Beginning at a point on the West line of Halifax Drainage Canal Right of way 110' South of the North line of Lot 9, Block 4 Mason and Carswell's Holly Hill, as recorded in Map Book 2, page 90, Public Records of Volusia County, Florida; thence running Southerly 17 feet to a point in the West line of Said Halifax Drainage Canal of Right of way; thence Westerly and parallel to the North line of Lot 9, Block 4, Mason and Carswell's Holly Hill, a distance of 100 foot to a point; thence Northerly and parallel to the West line of Halifax Drainage Canal Right of way, a distance of 17'; thence Easterly and parallel to the North line of Lot 9, Block 4, Mason and Carswell's Holly Hill, 100' to the place of the beginning. It is being the intention herein of the parties of the first part to convey a strip of land one foot wide and 100 foot long in said Lot 9, Block 4, Mason and Carswell's Holly Hill. That portion of: The South 206' of the North 316' of the East 600'of that part of Lot 9 lying West of the Nova Canal, LESS the North 17' of the East 100' thereof, Block 4 MASON AND CARSWEL'S SUBDIVISION OF HOLLY HILL, as recorded Map Book 2, Page 90, Public Records of Volusia County, Florida, section 37, Township 15 South, Range 32 East, lying within the following described parcel of land; Begin at the intersection of the existing Northerly right of way line of Tenth Street and the existing Westerly right of way of Nova Road; thence from an existing Iron Rod #3794, run South 64 degrees 19 minutes 34 seconds West, along said Northerly right of way line, 245.00'; thence North 61 degrees 34 seconds 27 seconds East 177.2'; thence North 25 degrees 17 minutes 04 seconds East 53.72'to a point on a curve concave Easterly and having a radius of 2923.79' and a chord bearing North 26 degrees 43 minutes 45 seconds West; thence Northerly along the arc of said curve through a central angle of 02 degrees00 minutes 04 seconds a distance of 102.12 feet; thence North 25 degrees43 minutes 43 seconds West 1107.91'; thence North 70 degrees 40 minutes 08 seconds West 35.28'; thence North 63 degrees 59 minutes 33 seconds East, along the existing Southerly right of way line of Eleventh Street, 29.92'; thence South 70 degrees 56 minutes 14 seconds East 28.25' to the existing Westerly right of way line of Nova Road; thence South 25 degrees 52 minutes 03 seconds East, along said Westerly right of way line of Nova Road, 1257.58' to the point of Beginning; A 3.0 foot wide parcel of land lying to the left of the following described line; From the Southeasterly corner of Lot 9, Block 4. MASON and CARSWELL'S SUBDIVISION, as record in Map Book 12, Page 4, Public Records of Volusia County, Florida, run North 25 degrees 52 minutes 03 seconds West, along the Easterly line of said Lot 9, a distance of 332.58'; thence South 63 degrees 59 minutes 33 seconds West, a distance of 27.30' feet to the Point of the

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CITY OF HOLLY HILL
REZONING CHECKLIST AND REQUIREMENTS

CHECKLIST

☒ Pre-Application Meeting Form completed and meeting held prior to completion of application
☒ Application Fee and Estimated Deposit
☒ Completed Rezoning Application
☒ One (1) signed and sealed surveys of the property (no more than 2 years old).
☒ One (1) copy of Legal Description (Digital in MS Word)
☒ Notarized Authorization of Owner (if applicant is other than owner or attorney for owner).
☒ A Description of the Rezoning and how it complies with the Criteria of Chapter 114. Article III. Division 2 and Chapter 82, Article5, Division 5.

PUBLIC NOTIFICATION (Sec. 82-375)

a) The applicant shall provide written notice to property owners regarding his intention to seek a rezoning and shall pay all costs of providing such notice as follows:
   1) An applicant seeking a rezoning shall provide written notice to property owners, as identified in the current tax roll, within 300 feet of the property perimeter which is the subject of rezoning request.
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Attachment: Hendrick Honda Satellite Holly Hill Rezoning App (1506 : Rezoning of 1532 and 1540 Nova Road)

REZONING REQUIREMENTS

The following items must be completed in sufficient detail to allow the City to determine if the application complies with the City Code Chapter 114 and Section 82-372.

1. Is it consistent with all adopted elements of the comprehensive plan? ☒YES ☐NO Explain.

   The project site consists of 2 parcels of land. Parcel 1 is 2.61 acres in size and has a future land use designation of "General Retail Commercial". Parcel 2 is 0.39 acres in size and is in unincorporated Volusia County. The landowner is petitioning for annexation of Parcel 2 and is requesting a small-scale comprehensive land use amendment to "General Retail Commercial" for Parcel 2 in conjunction with this rezoning application. The consistency matrix in City's Future Land Use Policy 1.1.3 shows that the proposed "Commercial Corridor-1" zoning category is consistent with the General Retail Commercial future land use category.

2. What is its impact upon the environment or natural resources? ☐YES ☒NO Explain.

   Rezoning the property will have no negative impact on environment or natural resources. Both parcels are previously disturbed sites. Parcel 1 has a history of development for automotive-related uses and parcel 2 contained a residence that burned down. There are wetlands on the western edge of the property that have not been impacted by past development of this site. There are no anticipated improvements associated with this rezoning that will impact the wetlands. There is an overgrown stormwater pond on the site. Cleaning up the pond with active use of the site will improve the quality of the water that discharges from it to the wetland.

3. What is its impact upon the economy of any affected area? ☒YES ☐NO Explain.

   The proposed rezoning will have a positive impact on the City's economy. The site currently contains a vacant structure that will become actively used. Active use of the site will result in the spending and re-spending of some portion of the landowner's payroll dollars in the community as workers patronize businesses and restaurants in the vicinity of the site.

4. What is its impact upon any existing necessary governmental services such as schools, sewage disposal, solid waste or transportation systems? ☐YES ☒NO Explain.

   This rezoning will have no negative impact on public services. The rezoning will stimulate activity on an under-utilized property within an existing urban area. The rezoning promotes the efficient use of existing infrastructure and services rather than extending infrastructure and services farther afield.

5. Are there any changes in circumstances or conditions affecting the area.? ☐YES ☒NO Explain.

   The area is not in the process of changing. Existing uses in the area are a mix of general retail and automotive uses. The proposed zoning amendment to "Commercial Corridor-1" is compatible with the existing and planned uses in the vicinity of the site.

6. Are there any mistakes in the original classification? ☒YES ☐NO Explain.

   The existing BPUD zoning classification on Parcel 1was adopted per ordinance number 2686 in 2004. It contains an extremely narrow list of uses that was customized to the specific plans and arrangements of the prior owner. Although the current owners has plans to use the property in a manner that is compatible with the character of the area and

Attachment: Hendrick Honda Satellite Holly Hill Rezoning App (1506 : Rezoning of 1532 and 1540 Nova Road)

the existing pattern of land use, the current zoning classification does not allow it. The proposed zoning map amendment to "Commercial Corridor-1" will rectify this circumstance.

7. What is its effect upon the use or value of the affected area? ☐YES ☒NO Explain.

There are no foreseeable negative "spillover" effects on the use or value of properties in the vicinity of this proposed amendment. The site, just like its adjacent neighboring properties, fronts on Nova Road (SR-5A). Nova Road is a principal arterial that traverses the length of the Halifax Area and serves primarily as a spine thoroughfare for major commercial traffic. The proposed "Commercial Corridor-1" zoning is well-suited for this situation.

8. What is its impact upon the public health, welfare, safety or morals? ☒YES ☐NO Explain.

An active and conforming "Commercial Corridor-1" use of the site will have a positive effect on the public health, welfare, safety and morals of the community. Currently the existing site is under-utilized. Parcel1 contains a vacant building. Parcel 2 is completely vacant because the unoccupied dwelling on the property burned down in June of 2015. Vacant and under-utilized properties are often associated with crime, declining property values, and increased municipal service costs. If allowed to linger, vacant and under-utilized properties contribute to a sense of overall decline and disinvestment.

Mark P. Karet — 11/4/16

Print Applicant Name — Applicant Signature

Print Applicant Name — Applicant Signature

Date — Date

Attachment: Hendrick Honda Satellite Holly Hill Rezoning App (1506 : Rezoning of 1532 and 1540 Nova Road)

STAFF REPORT
CITY OF HOLLY HILL, FLORIDA

Board of Planning and Appeals
Agenda Item

MEETING DATE:	**December 5, 2016**
FROM:	**Thomas Harowski**
SUBJECT:	**CIP Annual Update Update of the 5-Year Capital Improvements Program Required Each Year as a Part of Our Maintenance of the City's Comprehensive Plan.**
NUMBER:	**(ID # 1512)**
APPLICANT:	**City of Holly Hill**
PLANNER:	**Thomas Harowski**

INTRODUCTION:

State law requires that each year the City update its five-year program for capital improvements to keep the City's comprehensive plan in compliance with state requirements. The CIP update must be adopted by ordinance and the Board of Planning and Appeals is required to provide a recommendation on the proposed amendment to the City Commission. This report contains the proposed CIP for the five-year period covering FY 2016-17 through FY 20209-21

BACKGROUND:

The five year CIP update is done each year after the City Commission finishes its budget preparation. This timing allows the budget to reflect the most current priorities for capital programs. Projects that have been completed are deleted from the program, and City departments are contacted regarding additional projects and priorities that may be included in the program. Where cost estimates for scheduled projects have changes, the costs are modified as necessary.

It is important to remember that the CIP in the comprehensive plan is a plan for anticipated capital projects and not a fixed budget. It is expected that the timing of projects will change as projects move toward implementation; individual project priorities will change; and new opportunities arise. While funding sources are indicated with each project, it is typical and likely that some funding sources will change as individual projects are implemented and the availability of funds from varying sources changes over time.

While the capital projects are on this list because they support and expand the services available to the citizens of Holly Hill, <u>under state law the only projects that must be done are projects that address deficiencies in the designated levels of service for water, sewer, stormwater, traffic, solid waste disposal, parks and schools</u>. The City does not currently have any project that is required to address a level of service deficiency. The projects on the proposed CIP list are service improvement projects and

therefore can be adjusted within the CIP or postponed beyond the CIP period as schedule demands and financing dictate. Once the City adopts the amended CIP, staff will send a notice to the Department of Economic Opportunity to demonstrate the City has complied with the requirement to maintain a current five-year plan. The state will not do any further review of the CIP and this amendment is exempt from VGMC review

DISCUSSION:

The proposed CIP is attached in a spread sheet format. The proposed plan has a number of changes from the current plan which was adopted earlier this year. This updated CIP budget continues to reflect an increased emphasis on renewal and replacement costs and needs for the utilities and public works areas. This past fiscal year has seen some significant accomplishments including:

- Rehabilitation of three lift stations including LS12, LS14 and LS16.
- Generator upgrades at the water and sewer plants (Very useful when electricity was lost following Hurricane Matthew.)
- Completion of the pedestrian crossing and sidewalk across the FEC railroad at Calle Grande.
- Improvements to the boat ramp and Sunrise Park.
- Installation of new play equipment at Ross Point Park.
- Completion of a new park at 7th Street and Center Avenue.
- Work on the US 1 undergrounding program is partially complete

No major new projects have been added to the program this year. Primary work expected for the 2016-17 fiscal year is a continuation of the rehabilitation of the utility system, maintenance on streets and drainage and continuing upgrades to city parks and other facilities. The US 1 utility undergrounding project will continue through this year.

The School Board has issued its five-year capital improvements program and there are no significant projects planned that will affect the Holly Hill School. The Florida Department of Transportation is in the process of updating its road program, and the update is not yet finalized. However, the FDOT has announced that they are assuming responsibility for signal upgrades to four intersections on US 1 which will include the conversion from wire-span signals to mast arm designs. Construction is tentatively programmed for FY 2020-21. The TPO has announced that two sidewalk

projects (Center Avenue from Flomich to LPGA, and 15th Street from Nova Road to Center Avenue) are under contract for feasibility study this fiscal year.

FISCAL ANALYSIS: Year 1 items are curently budgeted in the FY 2016-2017 budget. Years 2-5 will be addressed in future budget years as funding becomes available.

RECOMMENDATION:

Staff recommends the Board of Planning and Appeals recommend the City Commission adopt the amended CIP and incorporate the revised program into the City's comprehensive plan.

- Copy of Annual CIP Update 16-17 to 20-12 Tom Version(XLSX)

	Project Name	Funding Source	FY 16-17	FY 17-18	FY 18-19	FY 19-20	FY 20-21	5 Year Estimated Cost
Waste Water Treatment								
	Treatment Plant & Plant Equipment Improvements	UT-WW	50,000	80,000	80,000	80,000	80,000	370,000
	SCADA System Upgrade	UT-WW / UT-WA	300,000					300,000
	Reclaim Water Storage and Distribution Upgrades	UT-WW		200,000	1,000,000			1,200,000
	Effluent Pump Replacement	UT-WW	27,000	27,000				54,000
Waste Water Treatment Subtotoal			**377,000**	**307,000**	**1,080,000**	**80,000**	**80,000**	**1,924,000**
Waste Water Collection								
	Lift Station Wetwell Lining - Lift Station #18	UT-WW / CDBG	40,000					40,000
	Lift Station Rehabilitation & Generator - Lift Station #1	UT-WW	450,000					450,000
	Lift Station Rehabilitation - Lift Station #7	UT-WW	350,000					350,000
	Lift Station Rehabilitation - Lift Station #20	UT-WW		350,000				350,000
	Lift Station Rehabilitation - Lift Station #10	UT-WW / CDBG		350,000				350,000
	Lift Station Rehabilitation - Lift Station #13	UT-WW		350,000				350,000
	Lift Station Replacement - Lift Station #9	UT-WW / CDBG			350,000			350,000
	Lift Station Replacement - Lift Station #5	UT-WW			350,000			350,000
	Lift Station Replacement - Lift Station #3	UT-WW			350,000			350,000
	Lift Station Replacement & Generator - Lift Station #19	UT-WW				400,000		400,000
	Lift Station Replacement & Generator - Lift Station #21	UT-WW				350,000		350,000
	Sewer Smoke Testing	UT-WW	25,000	25,000	25,000	25,000	25,000	125,000
	Sewer Lining	UT-WW	200,000	800,000	1,000,000	1,000,000	1,000,000	4,000,000
	Machinery and Equipment	UT-WW	7,500	7,500	7,500	7,500	7,500	37,500
Waste Water Collection Subtotal			**1,072,500**	**1,882,500**	**2,082,500**	**1,782,500**	**1,032,500**	**7,852,500**
Water Treatment								
	Well Maintenance and Equipment	UT-WA	50,000	50,000	50,000	50,000	50,000	250,000
	Treatment Plant & Plant Equipment Improvements	UT-WA	40,000	40,000	40,000	40,000	40,000	200,000
	SCADA System Upgrade	UT-WA / UT-WW	300,000					300,000
Water Treatment Subtotal			**390,000**	**90,000**	**90,000**	**90,000**	**90,000**	**750,000**
Water Distribution								
	Distribution Improvements	UT-WA	500,000	800,000	1,000,000	1,000,000	1,000,000	4,300,000
	Fire Hydrant Improvements	UT-WA	30,000	30,000	10,000	10,000	10,000	90,000
	Machinery and Equipment	UT-WA	7,500	7,500	7,500		7,500	30,000
Water Distribution Subtotal			**537,500**	**837,500**	**1,017,500**	**1,010,000**	**1,017,500**	**4,420,000**
Stormwater								
	Mitigation and Land Acquistion	SW	500,000					500,000
	Drainage Impovements	SW	750,000	500,000	500,000	500,000	500,000	2,750,000
	Machinery and Equipment	SW	10,000	10,000	10,000	10,000	10,000	50,000
Stormwater Subtotal			**1,260,000**	**510,000**	**510,000**	**510,000**	**510,000**	**3,300,000**

Attachment: Copy of Annual CIP Update 16-17 to 20-12 Tom Version (1512 : CIP Annual Update)

	Project Name	Funding Source	FY 16-17	FY 17-18	FY 18-19	FY 19-20	FY 20-21	5 Year Estimated Cost
Streets								
	Flomich Sidewalk Phase I	GF/FDOT			150,000			150,000
	Flomich Street Sidewalk Phase II	GF/FDOT		2,000				2,000
	Center Avenue Sidewalk Phase I	GF/FDOT	2,000					2,000
	Center Avenue Street Sidewalk Phase II	GF/FDOT		2,000				2,000
	15th Street Sidewalk	GF/FDOT	2,000					
	US 1 Signal Replacement 6th, 8th, Walker, Flomich	FDOT					1,200,000	1,200,000
	Roadway Resurfacing Program	Gas Tax/GF	300,000	300,000	300,000	300,000	300,000	1,500,000
	FEC Track Crossing Upgrades	GF	90,000	90,000	90,000	90,000	90,000	450,000
	Sidewalk Improvements	GF	100,000	100,000	100,000	100,000	100,000	500,000
	Underground Electric	CRA/BOND	3,900,000					3,900,000
	US-1 Landscaping	GRANT	1,000,000					1,000,000
	Machinery and Equipment	GF	7,500	7,500	7,500	7,500	10,000	40,000
Street Subtotal			**5,401,500**	**501,500**	**647,500**	**497,500**	**1,700,000**	**8,748,000**
Facilities								
	Roof Repair Hollyland Park/ Centennial Park	GF	90,000					90,000
	Roof Repair - The Market	CRA	300,000					300,000
	Sunrise Park Parking Lot Paving	GF	50,000					50,000
	Pier/Boardwalk Repairs	GF	300,000	300,000	500,000			1,100,000
	4th Street Neighborhood Park	GRANT		50,000				50,000
	Flamingo Neighborhood Park	GRANT			50,000			50,000
	Cherokee Neighborhood Park	GRANT					50,000	50,000
	Reroof - Public Works Facilities Buildings	GF / UT-WW	150,000					150,000
	Reroof - City Hall	GF	300,000					300,000
	Renovations to Club House	GF	100,000					100,000
	New Playground Hollyland Park	GF / GRANT		100,000				100,000
	Renovations to Sica Hall	GF		200,000				200,000
	Replace Athletic Trail Equipment - Sunrise Park	GF/ GRANT			75,000			75,000
	City Hall Annex HVAC	GF	50,000					50,000
	Ross Point Prefab Rest Room	GF	50,000					50,000
	Machinery and Equipment	GF	6,000	6,000	6,000	6,000	6,000	30,000
Facilities Subtotal			**1,396,000**	**656,000**	**631,000**	**6,000**	**56,000**	**2,745,000**
Fleet								
	Machinery and Equipment	GF	7,500	7,500	7,500	7,500	7,500	37,500
	Replacement of Fleet Buildings	GF	70,000			140,000		210,000
	Vehicle Replacement Program	ALL FUNDS	125,000	150,000	175,000	200,000	200,000	850,000
Fleet Subtotal			**202,500**	**157,500**	**182,500**	**347,500**	**207,500**	**1,097,500**
CIP Program Total			**10,637,000**	**4,942,000**	**6,241,000**	**4,323,500**	**4,693,500**	**30,837,000**

Attachment: Copy of Annual CIP Update 16-17 to 20-12 Tom Version (1512 : CIP Annual Update)

STAFF REPORT
CITY OF HOLLY HILL, FLORIDA

Board of Planning and Appeals
Agenda Item

MEETING DATE: December 5, 2016
FROM: Thomas Harowski
SUBJECT: Fountainhead MPUD Rezoning of 25 Acres at 1200 Center Avenue and the Vacant Parcel at LPGA Boulevard and Center Avenue from R-2 Single-Family and R-5 Two Family Residential to MPUD Mixed Planned Unit Development.
NUMBER: (ID # 1514)
APPLICANT: Michael Woods, Cobb Cole
PLANNER: Thomas Harowski

INTRODUCTION: This application is for approval of a mixed use planned unit development zoning for the two parcels of land. The larger parcel is the 25-acre former school site at Center Avenue and Walker Street currently owned by the City. The smaller parcel is the vacant lot at Center Avenue and LPGA Boulevard which will be incorporated into the overall development. The City has approved an agreement for sale of the property to the applicant and the City has approved an incentive agreement to encourage the location of Synergy Billing on the site and further developments on the site. The sales agreement and incentive agreement are business decisions by the City Commission. The role of the Board of Planning and Appeals is to review the MPUD, which will be the controlling development regulation, and make a recommendation to the City Commission.

BACKGROUND: This project has been under discussion at the staff level since July 2015. During this period the staff and the applicant have been preparing the MPUD agreement including supporting documentation. During this period the development plan has undergone a number of changes in the layout and the overall program in terms of planned property purchase has changed several times. Discussions on the content and effective provisions of the MPUD agreement have been extensive and at this time there are still several areas where the staff believes improvements to the draft MPUD agreement are needed. The staff concerns will be highlighted in the following discussion.

There are two key points that are applicable to this case which are not common to most of the cases that come before the Board of Planning and Appeals, and it is important for the Board to understand these points as you consider this application.

1. The MPUD agreement will become the controlling development document for this project. The MPUD will defer to the City's land development code on issues not covered by the MPUD agreement, but the most important aspects of the project will be regulated in the MPUD. This is why it is critically important that the MPUD be specific and detailed in its content.

2. Typically, the BOPA reviews a project for compliance with the City's development regulations. While this level of review is done for the MPUD, the City in this case is also the seller. As the seller the City can apply conditions that will achieve the City's desired ends; including requiring elements in the project that exceed the City's minimum standards. The City can insist that the project exceed code standards as a condition of sale. This factor applies with the landscaping content as one of the major items.

In 2010 the comprehensive plan was amended by the Volusia County School District to designate the 25-acre parcel as Mixed Use III on the comprehensive plan prior to the site being purchased by the City. The zoning has remained a combination of R-2 Single-Family and R-5 One and Two Family Residential which was the zoning applied when the school was present. The Mixed Use III land use classification requires that the property be developed under a development agreement, and the proposed MPUD is being presented to meet this requirement.

The privately owned corner parcel at Center and LPGA Boulevard is designated as low density residential on the future land use map and is zoned R-2 Single Family. This parcel will be joined into the larger parcel and included within the MPUD agreement. In terms of the comprehensive plan, the proposed MPUD zoning is consistent with both the Mixed Use III and the Low Density Residential land use.

The Basic Plan:

The proposed project is laid out in Section 2 of the MPUD agreement and includes the following items:

Corporate Headquarters	110,172 square feet
Accessory Headquarters Building	11,200 square feet
Medical Office/Clinic	16,000 square feet
General Office	30,000 square feet
Fitness Center	4,000 square feet
Day Care Center	6,000 square feet
Specialty Food/Restaurant	4,000 square feet
Multi-Family Dwellings	88 units

The proposed project layout and parcel identification is presented in Exhibit B, the Mixed Use Master Development Plan. The plan clusters the non-residential buildings in the center of the parcel with parking surrounding them. (Parcels 1, 2 and 3.) The residential portion of the property is located in the northwestern corner of the site (Parcel 4). The well tract will be retained by the City as it houses one of our potable water production wells. The wayfinding parcel is the addition to the former school site and will include signage, landscaping and stormwater storage.

The main feature of the site is the Synergy Billing corporate headquarters which is located on Parcel 2 in the center of the site. Parcel 1 will include the medical office/clinic, the fitness center, the day care and the restaurant in a building in the southeast corner of the project. These businesses will be open to the general public and may be developed separately from the Synergy parcel. Parcel 3 will accommodate a general office building which may be included as part of the Synergy operation or may be developed by a separate entity.

DISCUSSION: In approving a project for development, the City is obligated to review the project to determine that it is consistent with the comprehensive plan and to determine that there will be sufficient public services available to support the project concurrent with the impacts to public services. In response to these questions, the applicant submitted a report dated August 5, 2015 prepared by Zev Cohen & Associates. A copy of the report is attached as an exhibit to this agenda item. The report cites policies from the comprehensive plan to demonstrate consistency of the proposed project with the comprehensive plan. The report examines water, sewer, stormwater and solid waste services and demonstrates that current City systems have adequate capacity to support the development. This report also includes a brief review of traffic capacity on roads in the general vicinity of the project.

Traffic Considerations

The major concerns related to traffic, however, are not the impacts to overall capacity on the general road system in the area, but the operational considerations related to site access and potential impacts to nearby intersections where signal upgrades, turn lane modifications, and other operational improvements may be made based on the specific impacts of this project. A basic premise of this review is that the development is responsible for paying for off-site operational improvements that are caused by the subject development.

In accordance with the requirements of the City code a traffic impact analysis was submitted in June 2016. This report was reviewed by both the City staff and technical staff from Volusia County. The report was never accepted by City staff due to concerns about report input and report findings. (Refer to the attached memo dated July 8, 2016 to Dwight DuRant at Zev Cohen &Associates.) Staff believes the TIA as submitted should have been reviewed and revised at that time.

During negotiations in July, the City Manager agreed that a review and update of the TIA would not be required if the applicant agreed to provide a left turn into the project from Center Avenue when the project is issued certificates of occupancy for 80,000 square feet of building area. This is the provision that is included in the draft agreement in Paragraph 13. The planning staff did not and does not support this position due to the following factors:

- The site development plan used to conduct the TIA was the plan submitted with the August 2015 application. The plan has undergone significant modification since that time both in the content and location of site improvements.

- The TIA assumed free access from all areas of the site to both Center Avenue and Walker Street, but the current plan does not allow for this access. This change impacts the distribution of traffic from the site to adjacent roadways.

- There are some questionable results from the model run which have never been discussed and resolved.

- The questions raised by city staff and the county review staff (July 8, 2016 memo) have never been resolved.

- Traffic concerns extend beyond simply access to the property. You will note in the County comments concerns about the existing length of turn lanes at intersections that will be heavily impacted by traffic from the project.

- Waiting until the project reaches the 80,000 square foot size before the turn lane is provided may put the "traffic access solution" too far down the development stream to avoid significant traffic impacts on Center Avenue. Based on data used in the original traffic study, the site could be housing in excess of 350 employees with high volumes of peak hour turning movements impacting Center Avenue before the road improvement is triggered.

- Center Avenue has very high volumes of pedestrian traffic, due to the Holly Hill School, which coincides with the AM Peak Hour volumes generated by the project. Traffic management from all of the high volume generators along the Center Avenue corridor needs to be done to the maximum benefit of all users.

The best way to resolve these concerns is to address the outstanding comments regarding the traffic impact assessment and revise the study based on the current design. Specific project needs can be confirmed and the timing of required improvements can be more accurately assessed. These provisions need to be incorporated into the MPUD agreement to ensure they are identified as project impacts and that the City can enforce the traffic management requirements.

Other MPUD Agreement Comments and Considerations

The MPUD agreement has undergone review and discussion for over a year. The last discussions with the applicant occurred in June and early July 2016 when the City reviewed and provided comments on a draft agreement and master development plan. July 19, 2016 was the last meeting on the agreement and no subsequent submittal of the agreement occurred until November 4, 2016. A copy of the November draft MPUD agreement was received on November 4, 2016 and comments were provided to the applicant's representative via e-mail on November 14, 2016. Many of the open issues from the July meetings remain open issues with the November submittal. A copy of the response sent to the applicant by the City is attached in the form of the draft agreement

and comments shown in “track change”. A copy of the transmittal letter is also attached.

The comments range from wording and typographical corrections to comments on issues that are highly significant to the City. In addition to the traffic issues discussed above, the more significant issues are summarized as follows:

Project Specificity: The language in the current draft regarding permitted uses and minimum lot dimensions is requested to be revised to conform to the specific site activities listed in Section 2 of the agreement and the specific lot pattern shown on the Tract Boundaries Map in Exhibit B. This recommendation is more of a legal and policy issue, but means that any change from the proposed tracts or allocation of uses and location of buildings will require review and approval by the City before revisions can be made.

Project Phasing: The City is requesting that the corporate headquarters assigned to Tract 2 be the first project phase and that subsequent project development may proceed in any order. The agreement currently states that the development may proceed in any order.

Landscaping: The City is requesting upgrades to the proposed landscaping and more specific detail describing the planned landscape improvements. The applicants have provided a landscape proposal in Exhibit C. The exhibit provides a typical buffer design for Center Avenue, a residential typical buffer design, and some limited details about proposed plantings. The City position during the negotiations is that the project needed to have a landscape planning program that significantly exceeds the minimum code requirements. In the staff opinion, the proposal does not meet this test. Keep in mind this is one of the areas where the City is asking for a development content as the property owner and not trying to regulate compliance with the minimum code standards. Please note:

- The Center Avenue buffer is essentially a line of trees and a hedge. This layout is essentially code minimum and does not meet the City’s desired landscape outcome. The agreement text varies the Center Avenue buffer from 20 to 25 feet while the design specifies 25-feet. The 25-foot wide buffer is the design dimension that had been in the program until the current draft was submitted. Having added depth along Center Avenue is important to allowing improved design and to the placement of trees along the western edge of the buffer where conflicts with overhead utilities will be minimized.

- The proposed agreement does not clearly specify the buffer design for Walker Street. Section 11 of the agreement notes the intent to use the retention ponds

as featured amenities. This is beneficial to the project and consistent with the City's view of buffering along Walker Street. However, the agreement proposes to eliminate linear landscaping (such as the Center Avenue buffer design) while not offering a proposal as to what will be provided. Walker Street is a residential street in the area opposite the proposed project so the quality of the buffer in this area is important. The presence of the ponds offers an opportunity to do a high quality buffer. A linear design is not essential, but the agreement needs to provide for the proposed design.

- Section 11 also addresses the southern property boundary. This side of the project in part abuts residential uses along LPGA Boulevard, and a 15-foot easement is reserved for the City to access the potable water well on the property and accommodate the raw water line from this well to the treatment plant. The proposed plan essentially eliminates any project buffer in this area as parking and other development is proposed immediately adjacent to easement. The easement is a mown access and is not planted. The City comments note that a buffer is still necessary along the north side of the easement.

- Section 11 discusses the proposed buffers for Parcel 4 (Tract 4) which is the residential tract. The applicant's proposal is to construct the 10-foot residential buffer along the western boundary of the project. The buffer again is a minimal buffer under the city code. The abutting uses along the residential parcel are the head start center and a wooded area, so the project impacts are not directly affecting residential use. The discussion of the Parcel 4 buffers also states that the applicant may extend the residential buffer along the northern portion of the Tract (Walker Street). Staff believes the project buffer along Walker Street should be consistent throughout the length of the project.

- The City has requested the landscape design include a plan view layout with plant call out and quantities for planting beds. This design may be a "typical" for a given length of buffer. The City is also asking for an elevation drawing showing how the proposed buffer will look from the street view. This level of detail is somewhat more than is often done at the conceptual design level, but it is exactly the level of detail approved with the Marina Grande development. This City got an excellent landscape program with the Marina Grande project, and the City is expecting to repeat that outcome. A design including the requested detail will avoid later conflicts on compliance with the agreement. If it is essential to make substitutions for some plant material alter on, this can be handled through the amendment process.

- The parking lot landscaping does not meet City code minimums. Code requires a landscape island after 10 parking spaces. The master development plan shows parking runs that exceed this limit.

<u>Building Elevations</u>: The current agreement proposes to regulate building design by the application of a defined building type called "Contemporary Architecture". The

agreement includes definitions of the key elements of this style along with photos that illustrate how these elements could be applied to the project buildings. These photos are not actual buildings proposed for the site. At the November 15, 2016 City Commission meeting some commissioners requested the agreement include actual building elevations for structures proposed for the site.

The Tracts As Independent Units: The four tracts within the proposed project have been represented as independent units meaning that building area, stormwater retention and parking shown on each tract are sufficient to meet the technical requirements for development as if the tracts are not part of a larger development. Staff analysis of the parking layout shows that Tract 1 has more parking than needed, but Tract 2 has less parking than required. Overall the project can meet the code requirements, but the agreement needs to recognize and provide for sharing parking among parcels (at least for Parcels 1 and 2) or the design program should be modified. The City has not conducted an analysis of stormwater capacity, but each parcel does have access to retention areas within the boundaries of the tract.

In summary, all projects submitted to the City must meet code, even if the project is not eligible to receive CRA incentives from the City. When CRA incentives are provided to a project, the City expects the project will exceed the City's code requirements. This developer, with this project, has the potential to receive millions of dollars in incentives from the City if the developer performs. Therefore compliance with the City's Code, while sufficient for approval without CRA incentives, is not what the City staff is looking for from this project. It must also be remembered that the City is the owner of the property and is technically the applicant. The City is not reviewing this project just as a regulatory authority, but also as the owner to determine whether we want to sell the property to the developer for this project. Therefore between the CRA incentives and the fact that the City is the owner, our review is not limited to what the City's code requires.

FISCAL ANALYSIS: Dependent upon commission action.

RECOMMENDATION:

At this time staff cannot recommend approval of the MPUD agreement as presently constituted. The Board may make whatever recommendation to the City Commission that it believes to be appropriate including full approval, conditional approval, or disapproval.

- 15107004 MPUD Application Tech Memo 08 05 2015 (PDF)
- Transmit TIA Comments To Applicant (DOCX)
- VCTE Fountainhead TIA comments (2) (PDF)
- Transmit Comments on 11-7-16 Draft MPUD (DOCX)

- MPUD Agreement Draft 11-11-16 With Comments (DOCX)
- Fountainhead MPUD Exhibits (PDF)

ZEV COHEN & ASSOCIATES, INC.
MEMORANDUM

To: **Tom Harowski, AICP, City Planner, City of Holly Hill**

From: **Clay Ervin, Senior Planner/Project Manager**

Date: **August 5, 2015**

Re: **Fountainhead Rezoning to MPUD (ZC 15107)**

Zev Cohen and Associates, Inc., (ZCA) was retained to process a rezoning to MPUD (Mixed-Use Planned Unit Development) for Fountainhead Developers, LLC. The subject property is approximately 25 acres in size and was previously used for a public middle school (Holly Hill). The majority of the property is currently zoned R-5 (Two-Family Residential) and the remaining area has a zoning of R-2 (Low Medium Density Single Family Residential). The remaining .5 acres is currently zoned R-3 (Medium Density Single-Family Residential).

The property generally located at 1200 Center Avenue within the CRA district of Holly Hill. The subject property was acquired by the City of Holly Hill Community Redevelopment Agency (CRA) to be used for redevelopment purposes. The primary goal was to convert the former school site into a mixed-use development that would spur economic revitalization with a mixed-use development. The proposed MPUD is consistent with this goal and provides a great opportunity to the City of Holly Hill.

The following provides a summary of the potential impacts on infrastructure resulting from the change in land use. There is also a discussion on how the proposed rezoning is consistent with the requirements of the City of Holly Hill Land Development Code; specifically, Chapter 82, Article V, Division 5, Sections 82-371 and 374, and Chapter 114, Article II, Division 5, Section 114-771.

BACKGROUND

The proposed change to the Official Zoning Map would allow the property to be used for office, retail and residential. The applicant seeks approval of a Mixed Use Planned Unit Development (MPUD) to allow for the creation of corporate office, residential opportunities, limited personal services, and medical offices/clinics.

ANALYSIS

Compatibility with Adjoining Properties

The subject property is located on the west side of Center Avenue and the south side of Walker Street. The area surrounding the proposed MPUD is primarily residential in use. The following table summarizes the land use and zoning of the adjacent properties. It is evident from the table and location maps that the subject area is mixed use surrounded on all sides with residential land use designation, and a commercial section the east. It is apparent that amending the Future Land Use Map will not result in an incompatible use given the surrounding residential land uses.

Table 1. Surrounding Land Use and Zoning

Property Location	Future Land Use Designation	Zoning Designation
South	"Medium Density Residential"	R-5 (Two Family Residential)
East	"Low Density Single Family" "General Retail Commercial"	R-2 (Low-Medium Density Single-Family) B-3 (Neighborhood Commercial)
North	"Low Density Single Family"	R-3 (Medium Density Single-Family) R-7 (Medium Density Multifamily)
West	"Medium Density Residential"	R-6 (Low Density Multifamily)

Attachment: 15107004 MPUD Application Tech Memo 08 05 2015 (1514 : Fountainhead MPUD)

Potential Development Impact on Infrastructure

The following summarizes the difference in the demand for services between the current middle school and proposed mixed use development. Demand coefficients are based on the Holly Hill concurrency management regulations and impact fee standards. Please be aware that this analysis does not vest the project and that a further review for concurrency is required by the City prior to issuance of the development order for the project.

Table 2. Facility Demand Comparison

Public Facility/Service	Current Land Use Demand	Proposed Future Land Use Designation Demand
Potable Water	42,344 gallons per day[1]	43,684 gallons per day[2]
Sanitary Sewer	50,718 gallons per day[1]	52,323 gallons per day[2]
Stormwater	Maintain first inch of rainfall on site[3]	First inch on site with 10% of predevelopment flow rate and volume; pre-post development for 100 year flood event[3]
Transportation	188 Peak Hour Trips[4]	334 Peak Hour Trips[4]
Solid Waste Collection	2,244 pounds per day[3]	2,548 pounds per day[5]

1. Based on ERU standards contained in Chapter 86, City of Holly Hill Code of Ordinances.
2. Based on ERU conversions established in Chapter 86, City of Holly Hill Code of Ordinances.
3. Based on adopted level of service, 2010 City of Holly Hill Comprehensive Plan, Capital Improvements Element.
4. Trip generation from ITE Trip Generation Rates, 2009.
5. Based on 1.42 pounds per 100 sq. ft. California EPA.

Table 2 shows the demand for services needed to accommodate the proposed change in land use. According to State of Florida Community Planning Act, there must be adequate capacities available to serve the project at time of construction. Table 3 provides a summary of the capacity and capabilities of the City of Holly Hill to provide the required services to the property based on the amended Future Land Use Map.

Table 3. Facility Capacity Analysis

Public Facility/Service	Capacity
Potable Water	Net impact is an increase of 1,340 gallons per day. There is adequate capacity with both water supply and treatment for the proposed amendment.
Sanitary Sewer	Net impact is an increase of 1,605 gallons per day. There is adequate capacity for treatment and disposal of sewerage.
Stormwater	Redevelopment of the site requires more intensive treatment of stormwater on-site prior to discharge into the existing system. Pre- and post-development flow and rate will be maintained. Stormwater treatment shall comply with federal, state and local requirements.
Transportation	There is an increase of 146 daily trips by the change in land use. These trips will be distributed to various roads serving the site. According to the 2014 traffic counts from Volusia County there is adequate capacity on the roadway network that would serve the subject property. A formal concurrency evaluation will be required prior to development.
Solid Waste Collection	This reflects a net increase of 304 pounds per day and there is capacity at the Volusia County landfill.

Attachment: 15107004 MPUD Application Tech Memo 08 05 2015 (1514 : Fountainhead MPUD)

The demand for potable water and sanitary sewer increases with the proposed amendment and there is adequate supply, treatment and distribution available to serve the proposed increase in intensity. Please note that the estimates are based on ERU standards, which may overestimate the demand. The actual demand will be a function of the final design and occupancy, which is expected to be considerably less than the demand estimates in this memo. The stormwater standards are higher for major redevelopment projects and will require approval from St. Johns River Water Management District (SJRWMD), as well as the City of Holly Hill. The permitting by SJRWMD and the City of Holly Hill will ensure that the amount and rate of flow of stormwater from the site is maintained at the pre-development levels and the stormwater quality is improved so as to limit potential for pollution of nearby bodies of water.

The proposed development will generate approximately 334 PM peak hour trips at build out. The prior use of the site (middle school) generated approximately 188 trips during the PM peak hour. The net increase of trips at build out will be 146 trips that will be distributed on the road network. This means that the transportation demand, specifically the amount of traffic traveling to and from the site, will increase. The following table reflects that the proposed amendment will not have any significant impact on the arterial roads serving the subject area since there is more than adequate capacity. Please note that the City will conduct a formal concurrency review prior to the issuance of the final site development permit.

Table 4. Transportation Network Summary

Road	From	To	2014 ADT	LOS Volume	Excess Capacity?
LPGA Blvd.	Nova Road	US 1	9,730	14,040	Yes
Nova Road	Hand Ave.	LPGA Blvd.	26,500	59,900	Yes
Nova Road	LPGA	Mason Ave.	26,500	59,900	Yes
US 1	Hand Ave.	LPGA Blvd.	24,500	39,800	Yes
US 1	LPGA Blvd.	Mason Ave.	24,500	32,400	Yes

Consistency with Adopted Comprehensive Plan

The Holly Hill Comprehensive Plan contains several elements that address a variety of issues. The revision of the future land use map typically involves the Future Land Use, Transportation, Utilities and Capital Improvements Elements. Other elements, such as Coastal Management, Conservation and Parks and Recreation, are not impacted by the proposed amendment.

Overall, the addition of a mixed use development provides for a cohesive land use pattern. The rezoning will facilitate the creation of a major employer within the City and is consistent with the goals, objectives and policies for expansion of the local economy and redevelopment. The final site plan shall incorporate all of the needed expansions of City facilities to meet the conceptual demand estimated in this analysis.

Review Criteria

The City of Holly Hill Land Development Code includes provisions in Chapter 82, Article V, Division 5, Sections 83-372 and 374 that require the Board of Planning and Appeals and City Commission to consider the following criteria in its review of each application. The following summarizes the criteria and applicant's response in support of the proposed rezoning to the Official Zoning Map.

Chapter 82, Article V, Division 5, Section 83-372

1. *Whether it is consistent with all adopted elements of the comprehensive plan.*
   The proposed MPUD is to facilitate the redevelopment of the Holly Hill Middle School site that was purchased by the City to ensure that the property could be used as a catalyst for redevelopment within the City of Holly Hill Community Redevelopment Area (CRA). The property has two land uses assigned on the Future Land Use Map for the City of Holly Hill. The majority of the property

Attachment: 15107004 MPUD Application Tech Memo 08 05 2015 (1514 : Fountainhead MPUD)

is assigned "Mixed-Use 3" and a small portion at the corner of Center Avenue and LPGA Boulevard is designated "Low Density Single-Family Residential". The proposed Development Agreement (DA) and Master Development Plan (MDP) are consistent with the requirements for these land use categories, as set out in Policy 1.1.2 of the Holly Hill Future Land Use Element.

2. *Its impact upon the environment or natural resources.*
The property was developed for a public school and was cleared, except for two structures and a parking lot. There are not any environmental or natural resources located on the property. Please note that a City wellfield is located at the south end of the property. That is not included within the MPUD, but the MPUD complies with the wellfield protection standards established by the City of Holly Hill.

3. *Its impact upon the economy of any affected area.*
The proposed MPUD provides for a viable development that will spur redevelopment within the CRA. This project is generally consistent with the adopted CRA Master Plan and includes a series of uses that will increase employment opportunities. Additionally, there are residential uses identified in the DA and MDP that will provide additional opportunities for a vibrant neighborhood.

4. *Its impact upon any existing necessary governmental services such as schools, sewage disposal, solid waste or transportation systems.*
The site was previously developed for a middle school. The impacts from that project are factored into the potential impacts of the proposed uses. Overall, the impacts are the same or less with regard to police, fire and other administrative services. Demand for potable water and sanitary sewer is projected to be at or near the same level of demand as the school. The traffic impact of the project is projected to increase, but additional development beyond the traffic level of the school cannot proceed without a traffic impact analysis.

5. *Any changes in circumstances or conditions affecting the area.*
The City prompted the changes in the area when it targeted this property as a major part of its redevelopment strategy for the CRA. The shift in use from a public school to a corporate headquarters with ancillary office, retail and residential uses is consistent with that change.

6. *Any mistakes in the original classification.*
N/A

7. *Its effect upon the use or value of the affected area.*
The conversion of the property from a public school site to a master-planned corporate headquarters and business park will have positive impacts on the value of the affected area.

8. *Its impact upon the public health, welfare, safety or morals.*
The conversion of the property from a public school site to a master-planned corporate headquarters and business park will have positive impact on the public health, welfare, safety and morals.

Chapter 82, Article V, Division 5, Section 83-374
Consistency with the Comprehensive Plan: The proposed rezoning is consistent with the Comprehensive Plan.

Attachment: 15107004 MPUD Application Tech Memo 08 05 2015 (1514 : Fountainhead MPUD)

Chapter 114, Article II, Division 5, Section 114-771

(a) *Application of Regulations*: So noted. All documents submitted in support of this rezoning request were completed in accordance to the requirements identified in this subsection.
(b) *Unified Ownership*: The application includes a provision that Fountainhead Developers, LLC, shall comply with any requirements for unified ownership as required by the City.
(c) *Commercial Uses in MPUD*: Not applicable
(d) *Utility Distribution Lines*: All utility lines shall be placed underground except for those appurtenances requiring above-ground installation.
(e) *Open Space Requirements (RPUD):* Not applicable
(f) *Procedures for Rezoning to PUD*:
  (1) Pre-application meetings and sketch plan
  (2) APUD Application: Not Applicable
  (3) RPUD Application: Not Applicable
  (4) BPUD, IPUD or MPUD Application Stage:
    a. Preliminary Plan Exhibits: All required plans have been provided as part of this application
    b. Written Development Agreement: A written development agreement consistent with this section has been drafted and submitted to the City as part of this application.
(g) *Post-Approval Stage*: The land owner is aware of the requirements for recording, final site plan, construction and amendments specified in this section and will comply with all of these requirements once the MPUD is approved.

Chapter 114, Article II, Division 5, Section 114-772
Traffic Impact Analysis Report:

Summary

- The proposed rezoning to MPUD, Master Development Plan and Development Agreement is consistent with the adopted Comprehensive Plan and Community Redevelopment Area Master Plan.
- In the long term this rezoning allows for a cohesive land use pattern that will facilitate future expansion of the existing uses and lays the framework for future redevelopment of the subject property.
- The analysis shows that the theoretical increases in the demand for urban services can be adequately addressed and there is no need for expansion of these facilities in order to serve the proposed development of the site. A detailed concurrency evaluation will be performed prior to the City of Holly Hill issuing a development permit.
- The proposed rezoning is generally consistent with the goals, objectives and policies contained in the adopted City of Holly Hill Comprehensive Plan.
- The proposed rezoning to MPUD complies with the requirements contained in *Chapter 82, Article V, Division 5, Section 83-37;, Chapter 82, Article V, Division 5, Section 83-374; Chapter 114, Article II, Division 5, Section 114-771, and Chapter 114, Article II, Division 5, Section 114-772*

Given the previous statements, ZCA respectfully requests a recommendation of approval of the proposed rezoning to MPUD (Mixed Use Planned Unit Development).

CE/FI/cd

File#15107004 Application Tech Memo

Attachment: 15107004 MPUD Application Tech Memo 08 05 2015 (1514 : Fountainhead MPUD)

CITY OF HOLLY HILL

TEN SIXTY-SIX RIDGEWOOD AVENUE
HOLLY HILL, FLORIDA 32117-2898
(386) 248-9424

Memo

Date: **July 8, 2016**

To: **Dwight Durant, Zev Cohen & Associates**

From: **Thomas Harowski, AICP, City Planner**

Cc: **J. Meyer; J. Forte; S. Simpson**

Re: **Fountainhead Traffic Impact Assessment Comments**

I am sending this set of comments to Zev Cohen as they are listed on the application as the applicant. Copies have been sent as noted.

Volusia County Traffic Engineering has assisted the City in the review of the TIA and I have attached their comments for your consideration. As you can see from the comments there are a number of technical issues that have been raised which need to be addressed along with one more significant consideration. The City staff also has some additional concerns that we are raising with regard to the study.

1. The TIA report is based on a concept plan that does not reflect the plan submitted with proposed MPUD agreement dated June 29, 2016 nor the subsequent submittal dated July 6, 2016. In addition the TIA does not reflect the phased development proposal that is contained in the MPUD. The TIA needs to be re-evaluated applying the proper concept plan. (This discrepancy is addressed in the Volusia County comments as well.)

2. As the results of the TIA appear to be heavily dependent on the distribution of traffic to Walker Street, the phased plan approach which does not provide for access to Walker Street with Phase 1 may affect the recommendations.

3. As with all modelling, the output needs to be tempered with a common sense review of the output. It seems highly unlikely to me that the 58% of the site traffic heading westbound will split 57% to Walker and 1% to LPGA as Figure 3 appears to show. This outcome needs to be more fully justified or the TIA output adjusted.

4. With regard to the standards for turn lanes, the City code references FDOT standards which are somewhat general in terms of the specifics for requiring turn lanes. We supplementing these standards with the Volusia County turn lane standards for consistency with local development and as a basis for making a decision on requiring turn lanes. The peak hour volumes presented in Table 6 appear to support the installation of turn lanes.

5. The County comment about more closely examining the AM Peak Hour is especially important given the presence on Center Avenue of a high volume of pedestrian traffic generated by the Holly Hill School and the addition of higher volumes of school related vehicular traffic.

6. I also think it is important to re-inforce the concerns that the analysis may not have addressed all of the committed trips from development west of Nova Road (Sams Club as an example) and conditions on Walker Street within the City. The City has approved a redesign of the parking lot for Florida Health Care (US 1 and Walker Street) that will expand access form this large traffic generator to Walker Street when the project is implemented. This intersection does not include turn lanes at US 1 and therefore the operational characteristics of this intersection may be affected.

We look forward to working through these items with the applicant.

Attachment: Transmit TIA Comments To Applicant (1514 : Fountainhead MPUD)

Volusia County
Traffic Engineering

Project Name: **Fountainhead, Holly Hill**
Subject: **TIA comments**
Date: **6-28-16**

Comments

1) Phased Development: It is our understanding that the development plans for the project now include a "Phase 1" that only consists of a portion of what is being analyzed in the TIA. Access for Phase I is only proposed on Center Ave - there is access no proposed access on Walker Street. Please understand that this was not brought to our attention during the methodology phase. As such, the Phase 1 and Buildout traffic will now need to be evaluated separately. Communication with the city reveals that there have been no plans for Phase 2 submitted, so it is unknown when Phase 1 trips would be able to shift to other access points in the development's buildout plan.

2) Number of Driveways: The ODP submitted in the methodology document showed three driveways on Walker St and three on Center Ave. This conflicts with the site access figures in the TIA since it only shows one off of Center Avenue and one off of Walker Street. Please explain this. The revised TIA will need to show that the driveway connections in the TIA are coordinated with the driveway connections on the conceptual site plan.

3) Buildout Date: Based on comment #1, please work with the applicant to revise, or confirm, the 2017 buildout year.

4) Table 2, LPGA Blvd at Nova Road: PM peak hour: Please rerun the HCS analysis with existing green timings. Controllers minimum green = minimum green + 1 extension.

5) Tables 3 and Table 9 suggest optimizing the signal timings at LPGA & Nova to reduce the v/c ratio to below 1.0. The Nova Road corridor was recently retimed by FDOT. Optimizing the timings at this single intersection may require adjustments to other signals on the Nova Road corridor.

6) Table 4: Why is there no Existing AM condition analysis as part of this TIA? The project is very close to a school (Holly Hill K-8).

7) Page 5, Intersection Improvements Needed: Regarding LPGA Blvd at Nova Rd intersection, please refer to comment #4.

8) Page 12, Internal Capture: Related to our comment #1, please reanalyze internal capture for Phase 1 since this impacts the roadway network and driveway volumes.

9) Figure 3, Trip Distribution: Regarding our comment #1, please revise the trip distribution based on the access to both Walker St and Center Ave for Phase 1. It is our understanding that plans show access proposed on only Center Ave.

10) Figure 3: Trip Distribution appears to be incomplete. The percentages do not add up correctly. There is no percentage on Center Avenue between Driveway 2 and LPGA Blvd. What is the percentage of trips using Driveway 1 and using Driveway 2?

Attachment: VCTE Fountainhead TIA comments (2) (1514 : Fountainhead MPUD)

11) Figures 4a and 4b: Nova Rd/Walker St intersection: Please confirm that the southbound left-turn lane and westbound right-turn lane both have adequate storage to handle future volumes. We believe that turn lanes will need to be lengthened.

12) Driveway 1 will not be included in Phase 1. Please revise this to show volumes at Driveway 2. Comment to the city: The turn volumes show the need for several right and left-turn lanes at the driveways. Please check the city's code for turn lane requirements as the county will not be making these requests since Walker Street and Center Avenue are city roads.

13) Table 9: We are seeing a similar issue with the existing having minimum Greens too short.

14) Site Access: Please work with the city to determine if turn lanes are needed per the city's land development code.

15) Table 10, Growth Rate and LOS of LPGA Blvd between Tomoka Farms Road and Williamson Blvd: A growth rate of 1% was used for LPGA, yet many development trips have been approved and vested by the City of Daytona Beach on that segment. We do not see where this was considered or addressed, and based on past TIA reviews in the area we know that this segment of roadway is over-capacity with only limited and phased improvements. Please address this. We are including our methodology comment, which needs to be reiterated since the applicant stated that this comment would be addressed: *"Build-out Traffic, page 6: Additional information prior to TIA methodology approval is required. While we understand that the growth rate in the immediate area is minimal, the growth rate on LPGA Blvd near the I-95 Interstate interchange is not. The methodology needs to specify up front, what growth rate will be used. Vested trips on LPGA Blvd from City of Daytona Beach approved projects are required to be considered. Documentation should be placed in the TIA methodology appendix."* Additionally, related to this, the following methodology comment was also provided and not addressed in the TIA: *"Critical/Near-Critical Roads: A) Due to the approval of Tanger Outlets and Minto Development, LPGA Blvd between Tymber Creek Road and Williamson Blvd is considered Critical/Near-Critical. Although Fountainhead's impact is proposed to be less than 5% on these links, its impact is still required to be analyzed. Additionally, impacts to over-capacity roads will be required to be mitigated."*

16) Table 10, Hand Ave (Clyde Morris Blvd to Shangri La Drive): This is a failing segment, and the capacity is not 3,410. This section is currently 2 lanes. The vehicle/capacity ratio is now currently over capacity, which will require a proportionate fair share improvement for the 51 additional project trips that this development will add to the roadway link.

17) Multimodal Analysis: A Multimodal Analysis was missing from the TIA. The following methodology comment was provided to the applicant: *"The TIA needs to analyze multimodal access (pedestrians, bicycles, transit) on site and off site. How will children safely walk or bicycle to school/school bus stops? Will there be crosswalks needed?* Please include a completed development design guidelines checklist in the TIA appendix." Please identify how the site plan will encourage bicycle, pedestrian and transit mobility options. Please provide details regarding how the site will provide safe and convenient access to the site entrances for non-motorist customers and employees. The site will generate additional need for transit. Describe how the transit user will access the site from the current transit route. Please coordinate with VOTRAN (Heather Blanck, Assistant General Manager) regarding whether an additional bus shelter is needed.

CITY OF HOLLY HILL

TEN SIXTY-SIX RIDGEWOOD AVENUE
HOLLY HILL, FLORIDA 32117-2898
(386) 248-9424

Memo

Date: November 14, 2106

To: Michael Woods, Cobb Cole

From: Thomas Harowski, AICP, City Planner

Cc: J. Forte, City Manager
S. Simpson, City Attorney
K. Swartzlander, Asst. City Manager
N. Conte, Economic Development Director

Re: Fountainhead MPUD Agreement November 7. 2016 Draft

We have reviewed the draft agreement and attachments submittal dated November 7, 2016, and this report is offered to provide our review comments. In addition to this memo we are providing a copy of the draft agreement with comments and revisions identified through the "track change" function. Some items will be identified in this memorandum, but both document should be reviewed together for the full range of comments. The following items are offered in order of their appearance in the draft agreement for ease in reviewing both documents.

1. The first and second "whereas" clauses state that the legal descriptions and surveys for Parcel A and Parcel B will be provided within 60 days of the MPUD agreement approval. These items are integral to the adoption of the MPUD ordinance and need to be part of the submittal rather than provided as some time in the future.

2. The seventh "whereas" clause has been deleted as it is not relevant to the subject matter of the agreement.

Attachment: Transmit Comments on 11-7-16 Draft MPUD (1514 : Fountainhead MPUD)

3. In Paragraph 2, the City has presented revised wording. The Mixed Use PUD Agreement consists of the ordinance, the development agreement and the exhibits. The exhibits, including the master development plan (Exhibit B) comprise the agreement. Changes to the master development plan must be done according to the amendment process set out in the agreement. The master development plan is the development plan for the site and is not a planning concept that can be modified except by the amendment process. Minor amendments are clearly addressed in the agreement, and these are the changes that can be done without formal approval by the City Commission. The applicant may not switch uses between parcels or significantly modify the building layouts without first amending the agreement. This has been the City position through all of the drafting process.

4. In Paragraph 2 the list of approved uses needs some clarification. We now understand the fitness center, day care and restaurant will be open to the general public and will need to meet all of the requirements for these uses in terms of parking and other requirements from the land development code.

5. The use identified as accessory to the headquarters needs additional definition. We have offer a suggestion under the permitted use section.

6. Paragraph 3 states that property owner association documents will be provided within six months of the permitting of the initial building. The POA documents must be provided and approved by the City with the first subdivision of the master parcel.

7. Under Paragraph 5 on amendments, parcel lines may not be moved as a minor amendment once subdivision has occurred.

8. In Paragraph 6 on phasing of development, the City requires that the corporate headquarters be the first phase of development. After that, the City does not have a preference for the order of subsequent development.

9. Paragraph 7 on permitted uses has been revised to limit the allowable uses to those identified by the applicant as the development program for the property. Other uses may be added to the development program using the amendment process included in the agreement.

10. Paragraph 9 has been altered to eliminate the minimum parcel area, minimum parcel width and minimum parcel depth. The lots will be guided by the lot layout presented in Exhibit B.

11. We continue to take the position that the landscape proposals are inadequate in terms of overall design and presentation. The City Manager has asked that the design offer a "wow" factor that is not present in the

Attachment: Transmit Comments on 11-7-16 Draft MPUD (1514 : Fountainhead MPUD)

buffer design that offers a minimal level of design. The landscape program still needs significant work.

a. The Center Avenue buffer is to be 25-feet, not lesser is some areas.
b. The previous commitment to install the full Center Avenue buffer (parcels 1 and 2) has been deleted and should be restored
c. The southern property buffer needs to be added to the north of the City easement. As the current plan is drawn, the easement is shown and no buffer is identified. The City cannot accept the buffer in the easement area.
d. The wording on the landscaping where the retention ponds are located has been modified. The presence of the ponds is not an excuse to eliminate required buffers, but provides an opportunity to enhance the overall buffer design. Shade trees may be located south of the ponds along Walker Street to avoid conflict with overhead utilities, while the ponds and street frontage may be enhanced with understory trees, shrubs and ground cover. This is a design opportunity that is not being fully exploited.
e. The City is asking for section views and plan views on typical design elements such as the buffer, parking areas, etc. The design needs to include plant types and quantities for the "standard sections" provided.
f. The draft agreement text includes some additional comments.

12. Paragraph 12 on ingress and egress requires some addition. Understand that the entrance to Parcel 1 will need to be a right-in-right-out access and this should be noted on the plan. The driveway is too close to the LPGA intersection to support full turning movements, and this driveway will be covered by the left-turn lane.

13. We are requesting a cross-section be provided for the three main driveway access point so that it is clear where medians are proposed and the number of lanes are proposed. Additionally, the applicant should plan for deceleration lanes at each of the four access points.

14. It will be my position with the Board of Planning and Appeals that the traffic study needs to be redone consistent with the current plan. The traffic study was received, but never accepted by the City. Although the City Manager has stated he would support the turn lane when the development reaches 80,000 sq. ft. of space, as the City Planner I believe the TIA is more important since there have been significant changes in the proposal since the first TIA was completed. The turn lane may not be the only factor for consideration in the TIA. The plan now in place is substantially different than the plan provided to the traffic consultant, and in my opinion will have a material impact on the output of the traffic

Attachment: Transmit Comments on 11-7-16 Draft MPUD (1514 : Fountainhead MPUD)

study. I am also attaching a copy of my July 8, 2016 memo transmitting comments on the traffic study to the consultant then working on the project.

15. The parking provided does not meet code minimums for all parcels. The overall site appears to include adequate parking, but the parking is not allocated properly on each site to meet the code. (Parcel 2 is under parked by about 30 spaces while Parcel 1 has more than is needed.) There may be a way to address this issue. The parking layout is not compliant with the code for interior landscaping. By my calculation the current design will need to be reduced by approximately 67 spaces to meet the landscape requirements.

16. We are requesting the agreed upon impact fee schedule be included as an attachment.

17. The sign provisions need some clarification. The July draft included discussion of individual panels in some signs while the current proposal does not address this issue. The City will presume the signs are single purpose project identification signs and not signage for individual businesses. If the intent is to use the signage differently, these provisions need to be clarified.

18. Paragraph 22 has been revised. The well field tract is part of the MPUD, but any change in use proposed will be major amendment to the agreement.

19. There are a number of text edits of a more minor nature that should be noted and included in future submittals.

20. As a note on the site plan, is there a reason the proposed patio located to the south of the accessory use building has been placed away from the potential users?

21. As we have noted before in the site plan layout, the day care facility will benefit from a drop-off area that is separate from the parking lot drive lanes. This design is a recipe for congestion during drop-off and pick-up times.

The issues highlighted above, including the more significant issues, remain essentially the same as for the plan presented in July 2016. It appears that little progress has been made in this regard although we feel the City has been clear in stating its position. Please let me know when you wish to have additional discussions on the proposed agreement.

Fees and Advertising

We will have to re-advertise the item for the December 5, 2016 Board of Planning and Appeals. The advertising requires a newspaper advertisement (Fee is $750.00.) and notice to property owners within 300 feet. The advertising fee needs to be paid prior to the Thanksgiving holiday break to cover the advertising expense. The City will also post the property. The applicant is responsible for the notice to the property owners. The notice must be sent no later than 10 days prior to the meeting. The 10 day lead time sets the last date to mail at November 25, 2016, but I recommend you get the notice out by November 23, 2016 to avoid any mis-steps because of the holiday. I am attaching a letter to be used for the notice process.

There are a couple of procedural items that we need to take care of as well. Our most recent application shows Clay Ervin of Zev Cohen & Associates as the agent for the applicant. I assume Mr. Woods is going to fill this role and we need to get the file updated with the applicant's direction for Mr. Woods to fill this role (or at least for Cobb Cole to fill the role).

FOUNTAINHEAD

MIXED USE PLANNED UNIT DEVELOPMENT (MPUD)

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT (this "AGREEMENT") is made and entered into this_____day of_____2016, by and between Fountainhead Developers, LLC a Florida limited liability company, whose mailing address is 1410 LPGA Boulevard, Daytona Beach, Florida 32117, (hereinafter referred to as "CONTRACT PURCHASER" or "DEVELOPER"), on behalf of the City of Holly Hill; the City of Holly Hill Community Redevelopment Agency and the City of Holly Hill, a municipal corporation of the State of Florida, (hereinafter collectively referred to as "OWNER" or "CITY"), ~~and the City of Holly Hill, a municipal corporation of the State of Florida,~~ whose mailing address is 1065 Ridgewood Avenue, Holly Hill, Florida 32117~~, (hereinafter referred to as "CITY")~~.

WITNESSETH:

WHEREAS, OWNER is fee simple title holder of the property north of LPGA Boulevard and west of Center Street otherwise known as the "1200 Center Avenue Property" within the City of Holly Hill, and more particularly described in Exhibit A-1 as "Parcel A", attached hereto and made a part hereof; and

WHEREAS, DEVELOPER is fee simple title holder of the property located at the northwest corner of LPGA Boulevard and Center Avenue, directly south of the southeastern corner of Parcel A and more particularly described in Exhibit A-2 as "Parcel B", attached hereto and made a part hereof; and

Commented [TH1]: Exhibit A-2 is not attached. I
exhibit is to include the survey and legal description, w
n't
this be provided now rather than waiting 60 days?

WHEREAS, collectively, Parcel A and Parcel B are referred to herein as the PROPERTY; and

WHEREAS, the PROPERTY lies within the CITY's community redevelopment district, and OWNER and DEVELOPER are desirous of seeing this centrally located property redeveloped in a manner that will rejuvenate the area by encouraging commercial and compatible mixed use growth so as to eliminate blight, increase tax base, create jobs and achieve the purposes of the community redevelopment district; and

WHEREAS, DEVELOPER has proposed a Mixed Use Development plan for the PROPERTY and said plan incorporates those elements of development the OWNER desires on the PROPERTY, which includes job creation, an increased tax base and the general provision for the redevelopment of the PROPERTY in a manner sought by OWNER. OWNER has authorized DEVELOPER to submit this plan, on its behalf, as an application to the CITY for a Mixed Use Planned Unit Development (MPUD) rezoning to govern the use of the PROPERTY, and

WHEREAS, DEVELOPER has a contract to purchase a portion of the PROPERTY based

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upon rezoning the PROPERTY to Mixed Use Planned Unit Development (MPUD); and

~~WHEREAS a separate Redevelopment Incentive Agreement has been drafted for the PROPERTY and said Redevelopment Incentive Agreement provides certain obligations and conditions for the redevelopment of the PROPERTY but does not otherwise entitle or govern the permitting of said PROPERTY; and~~

WHEREAS upon the purchase of a portion of the PROPERTY, DEVELOPER shall assume the duties, obligations, benefits and entitlements granted herein of OWNER as set out in this AGREEMENT; and

WHEREAS, it is the desire of the CITY to encourage this redevelopment of the PROPERTY so as to prevent and discourage urban sprawl, create jobs, promote compatible, consistent and effective usage of land and add to the tax base within the CITY and to implement the CITY's comprehensive plan; and

WHEREAS, the City Commission seeks to implement the Community Redevelopment Area (CRA) Master Plan by focusing on the best utilization of vacant properties and blighted properties in the city, to encourage private investment and business retention; and

WHEREAS, the provision of access to utility areas (wellfield) and facilities within the wellfield protection area provides a common benefit to the residents of Holly Hill; and

WHEREAS, Section 114-771(4)b. of the Holly Hill Land Development Regulations (hereinafter the "LDRs") requires a written development agreement between the DEVELOPER and the CITY as a part of the rezoning to MPUD process; and

WHEREAS, the proposed Master Development Plan (MDP), including the MPUD Development Agreement, ~~and Master Development Plan~~ is~~are~~ consistent with the City of Holly Hill CRA Redevelopment Plan, the City of Holly Hill Comprehensive Plan, the City of Holly Hill Land Development Regulations and the Florida Community Redevelopment Act, as contained in F. S. Chapter 163, Part III; and

WHEREAS, the CITY and the DEVELOPER desire to enter into this MDP ~~AGREEMENT~~ to provide the terms and conditions upon which the PROPERTY can be developed in accordance with ~~the Master Development Plan (MDP) as contained in~~ Exhibit "B", attached hereto and made a part hereof.

NOW, THEREFORE, the parties do hereby agree as follows:

1. Recitations. The recitations set forth above are true and correct and are incorporated herein by reference.

2. Master Development Plan ~~(MDP)~~. The PROPERTY shall be rezoned and entitled to be developed as a MPUD in accordance ~~with~~with the Master Development Plan, which consists of this AGREEMENT, all exhibits thereto, and adopting Ordinance XXXX ~~and the Master Development Plan ("MDP"). The MDP shall consist of this AGREEMENT and all attached~~

Commented [TH2]: This is a new clause. City At had previously asked that the redevelopment agreeme reference be deleted. Are we okay with this.

Commented [TH3]: New clause.

Commented [TH4]: Edit.

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~~exhibits, including the Mixed Use Development Plan.~~ The MDP shall govern the development of the property as an MPUD and shall regulate the use of this PROPERTY. This development is subject to all provisions of the City of Holly Hill Land Development Regulations (LDRs) as of the ~~effective~~ date of th~~is~~e submittal of application for permit or development approval.~~AGREEMENT~~, unless specifically provided otherwise by the MDP. With the approval of this rezoning, the development of the PROPERTY shall be determined to be consistent and comply with the City of Holly Hill Comprehensive Plan. ~~The layout of the Mixed Use Development Plan is for planning purposes. To the extent the Mixed Use Development Plan is inconsistent with the MPUD Development Agreement, the AGREEMENT shall control.~~ The following summarizes the development that is approved for the PROPERTY:

A. Corporate Headquarters: 110,172 square feet
B. Accessory use of unoccupied storage ~~to Headquarters~~: 11,200 square feet
C. Medical Office/Clinic: 16,000 square feet
D. Office: 30,000 square feet
E. Fitness Center: 4,000 square feet
F. Child Day Care: 6,000 square feet
G. Specialty Food/Restaurant 4,000 square feet
H. Multi-family Dwelling Units 88 dwelling units

3. Joinder and Consent. DEVELOPER AND OWNER shall provide to the CITY a joinder and consent in lieu of unity of title agreement in order to assure unified control of the PROPERTY. DEVELOPER shall establish a property owners association (POA) in accordance with the terms of this MDP~~AGREEMENT~~. The POA documents shall be submitted and approved by the CITY concurrently with the first subdivision ~~within 6 months of permits being issued for the initial building(s) within the boundary~~ of the PROPERTY.

4. Controlling Documents. The development of the PROPERTY shall be in accordance with this ~~AGREEMENT and the~~ MDP, subject to minor modifications that may be approved by the Development Code Administrator, as authorized by the LDR's in effect as of the Effective Date of this ~~AGREEMENT and this AGREEMENT~~. This MDP~~AGREEMENT~~ shall control the planning, design and construction of the PROPERTY, and the LDRs shall control items and requirements not otherwise addressed by this ~~AGREEMENT and~~ MDP.

5. Amendments. Amendments to the ~~AGREEMENT and/or~~ MDP shall be subject to the requirements of Section 114-771(g)(4) of the City of Holly Hill Land Development Regulations, which states that minor amendments to the preliminary plan not violating any terms of the written development agreement and not altering the intent and purpose of the MDP may be approved by the Development Code Administrator after such departmental comment as he deems appropriate. Major amendments will require full review and should include relocation of uses on the site, except as permitted by the MDP~~AGREEMENT~~, changes to building styles, changes to landscaping requirements, etc. Minor changes shall be limited to items such as small adjustments to parcel size, building footprints, allocation of uses within a defined parcel such as retention areas, parking etc. Minor amendments to the preliminary plan not violating any terms of the MDP ~~written development agreement~~ and not altering the intent and purpose of the MDP may be approved by the Development Code Administrator. Decisions as to whether modifications are Major or Minor

Commented [TH5]: We have repeatedly stressed t MDP is the plan, not a version of the plan that can be modified as development occurs. Added language her not fix this concern in my view.

Commented [TH6]: Need to define the uses that w considered accessory to the headquarters

Commented [TH7]: Assumption is that these uses open to the general public and will need to provide par access per code.

Commented [TH8]: What is the purpose for delay months in establishing the POA. The POA should be with the first subdivision of the master parcel.

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shall be at the sole discretion of the Development Code Administrator.

6. Phasing of Development. The PROPERTY may be developed in multiple phases as individual parcels, as shown on the MDP. Phase I consisting of Parcel II, Synergy Billing Headquarters, must receive a Certificate of Occupancy first. Thereafter, ~~However, nothing contained herein obligates~~ DEVELOPER ~~to~~ may develop the remaining parcels in any particular order. The parcel alignment shown on the MDP reflects parcels that will be incorporated into a final plat. The DEVELOPER shall process a final plat within sixty (60) days of the approval of the MPUD rezoning.

As individual parcels are brought forward for development under a final site plan, DEVELOPER shall ~~insure~~ ensure that development of the individual parcels includes the extension of utility stubs to parcel lines, storm water sufficient to handle the impervious surface of said parcel, and access and connectivity to adjacent parcels. The Development Code Administrator shall approve the development and development order of any particular parcel subject to the determination that:

A. The individual parcels are fully supported by the required access, infrastructure and utilities;
B. The specific parcel of the project can operate independently of other surrounding parcels; and
C. The development of an individual parcel has been planned to provide sufficient size and location of utilities and infrastructure to support the proposed use on the site and the subsequent phases of the project (oversizing for future use).
D. The parcel's development furthers the plan for an interconnected campus.

7. Permitted Uses. Each of the parcels comprising the PROPERTY may be developed as follows:

A. Corporate Headquarters: 110,172 square feet
   a. Administrative offices and corporate offices
   b. Training centers/private meeting centers/assembly areas
B. Accessory use of unoccupied storage : 11,200 square feet
   a. Accessory storage, warehouse, security and maintenance facilities.
C. Professional Services/Medical Office/Clinic: 16,000 square feet
   a. Laboratories: biological, optical, medical, dental and X-ray, but not including research and development laboratories related to the manufacturing of drugs for distribution and sale, and not including blood banks.
D. Professional Service/Office: 30,000 square feet
E. Fitness Center: 4,000 square feet
F. Child Day Care: 6,000 square feet
   a. Child day care centers in accordance with the requirements set out in Section 114-667 (2)-(6) of the Holly Hill LDR's.**
G. Specialty Food/Restaurant 4,000 square feet
H. Multi-family Dwelling Units* 88 dwelling units
I. Park, public meeting area, public open space and governmental uses

~~A. Administrative offices and corporate headquarters~~

Commented [TH9]: This is new language added s
last review. Any issues?

Commented [TH10]: The POA should be in place
the final plat process.

Commented [TH11]: Edit

Commented [TH12]: The permitted use list inclu
allowed activities that are not specifically called out o
master development plan. Does the City Attorney stil
issue with this inclusion?

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considered accessory to the headquarters

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open to the general public and will need to provide pa
access per code.

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~~B. Professional services/offices including medical offices.~~
~~C. Multi-family dwelling units*~~
~~D.~~A. ~~Laboratories: biological, optical, medical, dental and X-ray, but not including research and development laboratories related to the manufacturing of drugs for distribution and sale, and not including blood banks.~~
~~E. Prescription pharmacies that are accessory to medical clinics (drive-thru prohibited).~~
~~F. Financial institutions including, but not limited to banks, credit unions and savings and loans.~~
~~G.~~B. ~~Restaurants, including coffee shops, sandwich shops, sundry goods, and similar take-out food services.~~
~~H. Private school~~
~~I. Training centers/private meeting centers/assembly areas~~
~~J. Child day care centers in accordance with the requirements set out in Section 114-667 (2) (6) of the Holly Hill LDR's.**~~
~~K. Park, public meeting area, public open space and governmental uses~~

*Multi-family dwelling units shall only be located within parcel 4. However, nothing contained herein shall preclude the use of parcel 4 for non-residential use.
**Specific provisions authorizing an accessory daycare playground within a side yard are provided in the accessory uses below.

8. Accessory Uses. Each of the parcels comprising the PROPERTY as shown on the MDP may include the following uses so long as the accessory use is located within the same parcel as the intended primary use of the tract being a permitted use listed previously.

Commented [TH15]: Are these accessory uses the [illegible] that will govern the use of the 13,000 square foot building?

A. Prescription pharmacies that are accessory to and within medical clinics (drive-thru prohibited).
B. Essential utility services, including offsite stormwater retention and structures
~~C. Accessory storage, warehouse, security and maintenance facilities.~~
~~D.~~C. Daycare Playground, located within a side yard and accessory to an inline child daycare center.
~~E.~~D. Other uses customarily accessory and incidental to the principal use as determined by the Development Code Administrator.

9. Dimensional and Building Design Standards. The following summarize the dimensional standards applicable to all development occurring within this MPUD.

A. Area width and depth as shown on Exhibit "B".
~~Minimum parcel area: 15,000 sq. ft.~~
~~B. Minimum parcel width: 100 ft.~~
~~C. Minimum parcel depth: 100 ft.~~
D. Required yards:
i. All yards abutting other parcels or interior roads

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	or other interior elements	15 ft.
ii.	All yards abutting any boundary of the Property	20 ft.
E.	Maximum building height: Measured from center line of closest City street. Parapets, chases and architectural elements may be added up to an additional ten feet (10')	45 ft.
F.	Maximum Floor Area Ratio (FAR)	0.35* for Parcels 1,2,3

(*Parcel 4, if developed for multi-family residential, shall not be included in FAR calculations. If parcel 4 is developed for non-residential use, then A-E apply.

G. Parcel 4 Maximum Building Length 200 ft

Commented [TH16]: Applicant should provide an ...sis that all parcels as proposed meet the .35 FAR limit.

10. <u>Building Design Standards Applicable to All Tracts</u>

Commented [TH17]: Is it clear to the housing tea... they must abide by these standards as well?

A. The Fountainhead MPUD shall be developed in a coordinated and compatible manner to ensure visual harmony and provide for a high-quality multi-use development throughout the PROPERTY.

B. Building architecture, landscaping, hardscape and signage shall be coordinated to ensure the PROPERTY and individual developments within maintain consistency.

C. Accessory structures shall be designed to be compatible with the primary structure on the parcel. Compatibility shall mean use of common features, colors and material.

D. Site design guidelines: All parcels shall be compatible with the landscaping, lighting and hardscape features established for the initial phase of development to ensure that all landscape buffers are consistent in appearance. Parking lot islands and common areas shall utilize a similar palette of plant material so that there is consistency and compatibility. Where feasible, stormwater ponds shall be integrated into the site to provide for open space elements, such as decks and observation areas.

E. Building design standards: Buildings within the Fountainhead MPUD on the PROPERTY shall comply with "Contemporary Architecture." For the purposes of this– MDP~~AGREEMENT~~, "Contemporary Architecture" shall include the following elements:

i. Each facade shall focus on horizontal elements with clean, simple lines that define the base, body, and cap of a building structure.

ii. Design shall emphasize the use of the "grid" with contrasting materials. The design shall focus on the rectangular form with curved corners and other rounded features.

iii. Exterior walls shall be smooth and constructed of stucco, finished stone, finished metal or glass.

iv. Buildings shall have flat roof systems with a parapet that screens roof-mounted equipment.

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v. Windows may be "ribbon" windows.

vi. Vertical shifts and cantilevered projections shall be included to avoid extensive, flat building lines. There shall be a relief to massing of any building such that a minimum of 20% of the building frontage shall have relief or other movement of 3-feet or more, as measured from the leading edge of the primary building.

vii. Aluminum or stainless steel banding or detailing may be included with glass walls to provide relief and contrast.

viii. Pre-fabricated metal buildings with painted walls shall be prohibited since they are not consistent with contemporary architecture as established in this- MDP~~AGREEMENT~~.

ix. Lighting fixtures shall be simple and lack fenestration or ornamentation, consistent with the overall project design. The initial phase of development shall set forth the common site elements to include but not limited to lighting, benches, signage design etc., to be used throughout the MPUD.

x. Buildings shall have a maximum of four different colors as long as they create the graphic relief intended for the geometry of the building.

xi. For those multi-family structures located on parcel 4, eaves, roof extensions, patios, balconies, stairwells, sidewalks and associated extensions may extend no more than ten feet (10 ') into any yard.

Commented [TH18]: Note from previous review ... the 10-foot project bringing the housing units to within 10 ... the property line. Do we agree with this? All of the o ... buildings are sufficiently internal to the site that any p ... will not impact adjacent properties.

This provision was revised from the last draft, but it ap ... they missed the intent of our comment to consider imp ... adjacent property.

The following photographs show buildings that reflect the "contemporary" Note from previous review about the 10-foot project bringing the housing units to within 10 feet of the property line. Do we agree with this? All of the other buildings are sufficiently internal to the site that any project will not impact adjacent properties.

F. architecture proposed for the project. These are provided for demonstration purposes and do not reflect the actual design of the buildings to be constructed on the Fountainhead PUD property.

Examples of the following elements:

1. Flat roof;
2. Exterior walls and building reflects a grid system; and
3. The use of "ribbon" windows.

{044586-002 : MWOOD/MWOOD : 02076900.DOCX; 1}

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Examples of the following elements:
1. Rectangular shapes in non-symmetrical alignment;
2. Exterior walls and building reflects a grid system;
3. Rectangular shapes, cantilevered elements;
4. Smooth exterior surfaces; and
5. Metal detailing.

Examples of the following elements:
1. Flat roof, Exterior walls and building reflects a grid system;
2. Glass used for exterior wall; and
3. Vertical and horizontal relief.

Examples of the following elements:

1. Building emphasizes rectangular shapes;
2. Glass used for exterior wall;
3. Vertical and horizontal relief via cantilevered elements

G. The Development Code Administrator shall review the following items in assessing the proposed design of projects within the MPUD:
   i. Setbacks and relationship to adjoining structures.
   ii. Scale in relationship to building and adjoining structures.
   iii. Scale: height in relationship to adjoining structures.
   iv. Wall facade treatments and window patterns.
   v. Front facade, exterior elements, detailing, color, and wall surface structures.
   vi. Buildings facing pedestrian areas should be at least 5'-0" from walkways with a landscape buffer, as a general rule.
   vii. Utility and mechanical locations and screenings of such.
   viii. Doors and storefronts must reflect the "contemporary" architectural style.
   ix. Outdoor seating and landscape areas will be required, as well as dumpster locations. The use of wood or chain link will not be permitted.
   x. All submittals will require building floor plans, exterior elevations (4) sides and a color elevation showing the architectural "contemporary" style.

11. <u>Landscaping and Related Standards.</u>

A. Landscaping.
   i. Landscaping shall be consistent throughout all parcels contained within the PROPERTY to provide the sense of a unified campus development.
   ii. Specific landscape plans shall be provided through the site plan process for each parcel contained within the PROPERTY.
   iii. For each parcel, the following minimum landscape requirements shall apply:
      a. Project Perimeter
         i. The MDP provides for a landscape perimeter buffer along

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Center Avenue of ~~20~~ 25 feet. The minimum landscaping required for these areas shall be as provided on Page 2 and Page 6 of the Landscape Plan, attached hereto and incorporated herein as Exhibit "C".

ii. Parcel 4 – The western boundary of Parcel 4, as illustrated on the MDP, provides for a 10 foot landscape perimeter buffer. The minimum landscaping required for these areas shall be as provided on Page 5 and Page 6 of the Landscape Plan, attached hereto and incorporated herein as Exhibit "C". ~~This buffer standard may be carried along to the northern boundary of Parcel 4.~~

iii. Southern Boundary – The southernmost boundary of the PROPERTY is encompassed by a 15 foot access easement servicing Well Tract. In the event that said easement is vacated, the buffer standards provided on Page 5 and Page 6 of the Landscape Plan, attached hereto and incorporated herein as Exhibit "C" shall apply.

iv. Retention Ponds – The retention ponds are to be designed as functional, but featured amenities for the PROPERTY. ~~To that end, linear landscaping has not be provided for the surface water tracts within the MDP. However,~~ DEVELOPER shall supplement the design of the surface water tracts with plantings so long as they do not interfere with the function of the stormwater facilities and are compliant with St Johns River Water Management District.

b. Parking and Drive Aisles: ~~The MDP~~Exhibit "B" provides for parking and drive aisles servicing all portions of the PROPERTY. Plantings within the drive aisles shall be as depicted as provided on Page 3 and Page 6 of the Landscape Plan, attached hereto and incorporated herein as Exhibit "C".

c. Building Landscaping: To comply with and accentuate the architectural themes of the structures to be built on the PROPERTY, the minimum landscaping for building frontages within the PROPERTY shall be as provided on Page 4 and Page 6 of the Landscape Plan, attached hereto and incorporated herein as Exhibit "C".

d. OWNER shall provide DEVELOPER with reclaimed water at a rate of $200 per month which shall be automatically adjusted annually in the same manner as other utility rates ~~h~~.

B. Sidewalks.

i. Sidewalks shall be provided on both sides of all roads and private access drives leading into the PROPERTY from Walker Street and the primary access point from Center Avenue. No sidewalks shall be provided along the access easement to the Well Tract. Sidewalks shall comply with City of Holly Hill design standards.

Commented [TH19]: Deleted proposal to do entir Avenue buffer as part of initial phase of development

Commented [TH20]: This means the minimum bu feet when drawing shows 25-feet. A larger buffer sho provided along Center Avenue and Walker Street as th frontages are where the highest impacts to adjacent pr will be incurred. The wider buffer will allow trees to b closer to the interior side of the buffer and thus avoid minimize impacts from overhead power lines.

Commented [TH21]: What does this mean? Is th buffer to supplant the larger buffer on Walker Street?

Commented [TH22]: Page 1 in the exhibit shows residential buffer along the southern boundary. This b should be north of the easement.

Commented [TH23]: The retention ponds should of the landscape plan and not a reason to reduce the sc plan. The location of the ponds offers the opportunity trees south of the ponds to keep them removed from th overhead utilities and to use the area north of the pond understory trees and ground level landscaping. This s project is an opportunity to do a knock-out plan rather reason to knock out plant material.

Commented [TH24]: Graphic shows 11 spaces be planter islands, while city code is no more than 10 spa there some specific need keyed to the site design that r deviation from the code.

Commented [TH25]: This is a new provision whi changes free water to water provided at a flat rate for u usage. There is no provision for adjusting the rate ove of the agreement. Can reclaimed water be used on the the potable water well?

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ii. Sidewalks shall be provided to internal connection between the various uses and parcels. Determination of location, size and design of the pedestrian walkways shall be addressed with the site plans for the individual parcels. To the extent permitted by the St Johns River Water Management District, DEVELOPER shall ~~attempt to~~ incorporate walking paths and similar amenities into the Surface Water Tracts depicted on the MDP.

Commented [TH26]: Is this provision keyed to th retention areas or the well tract?

C. Bus Stops. There shall be two covered bus stops serving the PROPERTY, one located on Walker Street and one located on Center Avenue. The exact locations and designs of the shelters shall be coordinated with Votran and the CITY.

D. Bicycle racks shall be provided at entrances to primary structures for both patrons, residents and employees.

12. Ingress and Egress to the PROPERTY. Public access to the PROPERTY shall be limited to points along Walker Street and Center Avenue in accordance with the requirements contained in Chapter 90, Article III, Division 2, Subdivision IV of the LDC and as depicted in the MDP. An access/maintenance easement, fifteen feet (15') wide and as depicted generally on the MDP, shall provide CITY with access to its water line and the Well Tract from Center Avenue. ~~Temporary access to the PROPERTY shall be allowed from Center Avenue and Walker Street during site construction beyond that which is depicted in the MDP. Temporary access shall not require paving of a new driveway.~~ All property owners within the PROPERTY shall have the right to utilize any of the access easements abutting their parcel.

Commented [TH27]: The driveway access to Parc ost likely needs to be a right-in/right-out connection giver se positioning to the corner. The access to Parcel 2 will s the primary access and the connection with the turn la

All three access points plus the residential access need e deceleration (right turn) lanes.

I would like to see a cross-sections of the driveways in an so we can verify which ones have medians.

13. Projected Traffic Impacts and Improvements. A traffic impact analysis (TIA), as delineated in Section 114-617 of the LDR has been prepared and reviewed by the CITY and the County of Volusia. DEVELOPER shall install a turn lane on Center Avenue once the development of the PROPERTY reaches 80,000 square feet of space in a building for which a ~~in~~ Certificate of ~~occupied~~ Occupancy ~~space~~ is issued, excluding any multi-family structures. The Certificate of Occupancy shall be withheld for the building which will cause the 80,000 square feet threshold to be met or exceeded until the turn lane is constructed and accepted. Should a future TIA determine that a turn lane is mandated on Walker Street during subsequent site plan review of future phases, the DEVELOPER shall build the turn lane. DEVELOPER shall be entitled to recover a proportionate share of the cost from other property owners as other projects are reviewed by the City for transportation concurrency. Said improvements shall be deemed to be infrastructure improvements subject to reimbursement pursuant to the terms and conditions of the separate Redevelopment Incentive Agreement.

Commented [TH28]: My position remains that th study still should be updated and the resulting requirer evaluated. The project layout has been revised at least since the traffic study was done and the development p may be different as well. We also noted reservations a ie original traffic study that were never addressed.

14. Projected Utility (Potable Water, Sanitary Sewer and Stormwater Management) Impacts and Improvements.

A. All proposed improvements shall be required to connect to existing potable water and sanitary sewer facilities owned and maintained by the City of Holly Hill. All designs and construction of utility connections shall comply with Chapter 90, Article III, Division 4 of the LDC.

B. All Stormwater management facilities shall comply with the requirements of the

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CITY and the St. Johns River Water Management District.

C. As stated herein in Section 17 of this MDP~~Agreement~~ and as provided in the separate Redevelopment Incentive Agreement, DEVELOPER shall receive those certain impact fee credits, including those for potable water and sanitary sewer impacts, based on the prior use of the PROPERTY (Holly Hill Middle School) and said credits shall be utilized in determining impact fees and other connection fees as specified in said Redevelopment Incentive Agreement.

D. In accordance with Section 90-205 of the LDC, utility lines for electricity (except primary transmission lines), telephone, gas and television communications shall be installed underground in locations approved by the city engineer unless otherwise approved by the City Commission.

E. Water usage by the multi-family uses contemplated for parcel 4 as depicted on the MDP shall be measured by a master meter.

15. On-site Parking/Development Criteria. The on-site parking shall comply with the requirements of the LDR's with the following exceptions:

A. Parking for all permitted uses, excluding multi-family dwellings, identified in Section 7 shall be provided at a rate of 4 parking spaces per 1,000 square feet of gross building area. Reductions may be allowed for parking management strategies that include, but are not limited to shared-parking agreements, shift-related parking plans, off-site parking opportunities and credits for transit, pedestrian, bicycle and on-site residential development.

B. Parking for multi-family dwellings shall be calculated at 1.5 spaces per 1-bedroom unit and 2 spaces for each unit with 2 or more bedrooms.

C. Parking for Accessory Uses: Section 8 of this MDP ~~AGREEMENT~~ provides for certain uses which are accessory to the primary uses on the PROPERTY. To the extent those accessory uses are constructed, their parking demands shall be presumed to be satisfied by the parking provided for the primary uses/structures. For example, accessory storage in support of the primary headquarters shall not require additional parking so long as the parking required for the headquarters has been provided.

16. Signage. Signage shall comply with the regulations contained in Chapter 110 of the CITY's LDC with the following exceptions:

A. There shall be five (5) project identification signs to be located on Walker Street (2), Center Avenue (2) and the intersection of LPGA Boulevard and Center Avenue (1) as generally depicted in the MDP (as either "Entrance Sign" or "Entrance Feature"). The project identification signs shall each be limited to a maximum of forty-eight (48) square feet of copy area per face. Copy area shall mean the area of the sign wording and logos, and shall not include the physical structure supporting the sign. The maximum height of the project identification sign shall be ten (10) feet as measured from the centerline of the adjoining street. Project identification signs shall be located so that there are no sight visibility issues at intersections or other points of heavy vehicular traffic.

Commented [TH29]: It appears that the positioni e restaurant, fitness center, clinic and day care are such y will be open and accessible to the public. Nothing I se e agreement precludes the use of these facilities as publi Parking needs to be provided at the appropriate ratios ort these uses.

In previous discussions, the applicant has stated that h business requires a higher than normal ratio of parking square foot; in the range of 7 spaces per 1000, yet the providing parking at the lower level of 4 spaces/1000 s the city general retail/office requirement. Is this parki building in problems for the long-term use?

Commented [TH30]: The signage section no long includes a discussion of tenant panels. Are these antic If so, which signs will have them. Absent an approved t gn identification, we will require the signs to be project identification only. Wall signage and the directory sig then provide for tenant identification.

Attachment: MPUD Agreement Draft 11-11-16 With Comments (1514 : Fountainhead MPUD)

Project identification signs may be a single, double-faced sign or two, single-faced signs. Project signs shall be monument style ground signs and shall include the name of the MPUD ("Fountainhead" or other project name acceptable to the DEVELOPER and OWNER).

B. Building identification signs shall be allowed on all buildings. Maximum building sign area shall be equal to the area of 10% of the building height multiplied by 25% of the building width of the side of the building where the sign will be placed. The building sign may be placed anywhere on the building, except that no sign shall exceed or protrude over any roof line.

C. Directory signs up to a maximum area of thirty-two (32) square feet of copy area shall be allowed at one access point from Walker Street and two access points from Center Avenue. Directory signs shall not exceed eight (8) feet in height. Directory signage shall be designed to accommodate individual business locations and shall be accessible to all properties within the project.

D. No exposed neon or lighting shall be allowed within any sign on the PROPERTY.

E. Final designs shall be provided with site plan applications and shall comply with the dimensional requirements listed above and shall be consistent with the standards for "Contemporary Architecture" listed in Section 10 of this ~~AGREEMENT~~MDP.

F. There shall be (1) identification sign into Parcel 4, the proposed location for the Multi-Family use. This sign shall not include tenant identification.

17. Vesting: Development Rights and Impact Fees.

A. Development Rights for the PROPERTY – The intent of this MDP ~~AGREEMENT~~ is to define the applicable condition for the development of the PROPERTY. As stated herein, where the ~~AGREEMENT and~~ MDP are silent, the LDR provisions in effect as of the submittal of application for permit or development approval. ~~Effective Date of this AGREEMENT~~ shall control. ~~These rights shall vest for the entire PROPERTY upon either the acquisition by DEVELOPER of any portion of the PROPERTY from the OWNER OR the contribution by DEVELOPER for on-site or off-site infrastructure improvements, whichever occurs first.~~

B. For purposes of all concurrency and impact fee determinations, ~~DEVELOPER will receive~~ credit for all of the pre-existing impacts of the middle school formerly on the PROPERTY, including but not limited to police protection, fire protection, water, sewer, stormwater, and traffic shall be granted in a first come first serve basis, except for Parcel 4 Workforce Housing Development. Said credit shall remain with the PROPERTY ~~in accordance with the City of Holly Hill LDRs~~ and shall not be transferred to any unrelated project or development. The ~~transfer and~~ vesting of said credits shall be effective as of the date of the closing of the sale of any portion of the PROPERTY from OWNER to the DEVELOPER. Said credits shall be considered a vested property interest and shall survive any future modification of the CITY'S concurrency or impact fee provisions to ensure that they may be available for use for the duration of the

Commented [TH31]: Edit

Commented [TH32]: Increased from one to two l s.

Commented [TH33]: Edit

Commented [TH34]: Have we resolved this issue or of this language? This approach leaves no credits to a land the City might hold after sale of the initial parcel.

Attachment: MPUD Agreement Draft 11-11-16 With Comments (1514 : Fountainhead MPUD)

PROPERTY'S redevelopment. Impact fee credits shall be identified in Exhibit "0".

18. Walls and Fences. Interior fences and wall may not exceed six feet (6') in height. Fences and walls may be constructed of metal, masonry, PVC, or other similar materials. Fence design must be consistent with the design criteria contained in Section 10 of this ~~AGREEMENT~~MDP. Black or green vinyl-coated chain link fence may only be used on the perimeter of the contemplated child day care center play yard.

19. Solid Waste. Each parcel shall have adequate facilities for the disposal of solid waste which shall be screened from view. Design and appearance of dumpster enclosures shall be consistent with the design criteria in Section 10 of this -MDP~~AGREEMENT~~. At a minimum, all outside temporary waste storage containers shall consist of six foot (6') tall, ten foot (10') by ten foot (10') enclosures. If dumpsters are used on the subject property, a solid fence or wall with a height of 6 feet shall be used to screen three sides of the dumpster. Gates shall be opaque and shall remain closed to obscure the contents during business hours.

20. Parcel Development Plan Approval. This ~~AGREEMENT and~~ MDP provides sufficient evidence that future development of the PROPERTY conforms to the requirements established in Chapter 82, Article III, Division 2, Section 82-216 City of Holly Hill LDRs. The development of the Fountainhead MPUD shall be subject to review solely by the Development Code Administrator and other City of Holly Hill staff. The Final Development Plans shall be reviewed ~~solely~~ by the Development Code Administrator, who upon determination that a Final Development Plan complies with all applicable development requirements of subsection 82-216(g) and the MPUD, shall issue the Final Development Order. All Final Development Plans shall address future development of adjoining vacant development areas by demonstrating that utilities, access, and compliance with dimensional standards (setbacks, buffers, building separation) shall be consistent with this MDP~~AGREEMENT~~, the Comprehensive Plan and the City of Holly Hill LDRs. Nothing contained herein exempts future development of the Fountainhead MPUD from other permitting requirements established by federal, state, regional or county authorities. Appeals of the Development Code Administrator's decisions in regard to Final Development Plans within the Fountainhead MPUD shall abide by the requirements established in Chapter 82, Article V, Division 2.

21. Stormwater. Stormwater will be treated on site as required by the LDRs and the St. Johns River Water Management District. Stormwater retention facilities may serve individual or multiple parcels within the PROPERTY. Any common stormwater facilities must be maintained by a Property Owner's Association. Stormwater pond area shall be credited toward any open space requirement. Stormwater shall be designed to be integrated with the landscaping so that size, orientation and design are complementary to the landscape and building design. Ponds shall be designed to be aesthetically pleasing, complimentary to the PROPERTY'S landscaping and sloped so that fencing is not required. Fountains shall be provided in each retention area as a design element.

22. Wellfield Acknowledged. A wellfield, with a well tract encompassing approximately 2.08 acres, is located outside of the PROPERTY along its southern boundary as depicted in the

Attachment: MPUD Agreement Draft 11-11-16 With Comments (1514 : Fountainhead MPUD)

MDP. This MDP~~AGREEMENT and the MDP~~ was~~ere~~ designed to accommodate the continued use and maintenance of the well tract by the CITY. All parties to this MDP~~AGREEMENT~~ acknowledge the existence and proximity of the wellfield to the PROPERTY. If CITY ~~ceases~~ abandons the use of the wellfield and DEVELOPER purchases that property identified as the Well Tract on the MDP at a later date, said property may be incorporated into this ~~AGREEMENT~~MDP ~~and the MDP~~ as a ~~minor~~ major amendment ~~approved by the Development Code Administrator~~.

23. Property Owners Association. Prior to any subdivision of the PROPERTY ~~that includes common area or other common maintenance areas as~~ shown on the MDP, DEVELOPER shall establish a Property Owners Association, created for the maintenance of all common areas, including the interior road network, parking areas and the stormwater system for the PROPERTY. ~~The articles of incorporation and by-laws of said association and any other agreements, covenants, easements or restrictions shall be furnished to the Land Development Code Administrator within 6 months of adoption of this AGREEMENT and prior to the conveyance of any fee interest in the PROPERTY to an entity which is not a party to this AGREEMENT.~~ The DEVELOPER shall be responsible for recording said information in the Public Records of Volusia County, Florida and shall bear all costs for recording the information.

24. Binding Effect. This MDP~~AGREEMENT~~ shall be recorded in the Public Records of Volusia County, Florida, and the provisions of this MDP~~AGREEMENT~~ shall be binding upon the parties hereto and respective successors and assigns as a covenant running with and binding upon the PROPERTY.

25. Breach of MDP~~Agreement~~. In event that the DEVELOPER has materially breached the MDP~~Agreement~~, the DEVELOPER shall commence to cure the breach within thirty (30) days of the notice by the CITY. If the DEVELOPER is unable or unwilling to cure the breach and abide by the MDP~~Agreement~~, the CITY shall exercise its right to take appropriate legal action including code enforcement or termination of this ~~for the purpose of curing the breach and enforcing this~~MDP ~~AGREEMENT~~.

26. Hold Harmless. The purpose of this Hold Harmless provision is to limit the exposure of the CITY, as the governing body adopting this MDP~~AGREEMENT~~ from actions taken during development on the PROPERTY. Therefore, OWNER and DEVELOPER agree to and shall hold the CITY, its officers, its employees, and representatives harmless from liability for damage or claims for damage for personal injury, including death and claims for property damage that may arise from the direct or indirect operations of the OWNER or DEVELOPER or those of the OWNER's or DEVELOPER'S contractor, subcontractor, employee, or other persons acting on his/her behalf which relate to the project. OWNER and DEVELOPER agree to and shall defend the CITY and its officers, employees, and representatives from actions for damages caused or alleged to have been caused by reason of the OWNER's or DEVELOPER'S activities in connection with the project. HOWEVER, nothing contained herein shall be deemed to serve as a waiver of sovereign immunity to the extent said immunity is available to OWNER.

27. Monitoring Official. The City of Holly Hill City Manager or his/her designee is appointed as the CITY's monitoring official of this MDP~~AGREEMENT~~. The CITY's representative shall monitor the activities specified in such a manner to ensure that all requirements

Commented [TH35]: This whole paragraph is nev ve an issue with declaring the inclusion of the parcel to b amendment. A two acre site could contain a significar int of development. If the well field site were to be comb th a parcel connecting the site to LPGA the potential imp uld be even greater. Any uses proposed for well field site future should follow the same major/minor rules as th the site.

Commented [TH36]: This language has not chang ce the earlier draft, but I wonder if we should require the be done with the first subdivision period. Could the ap t to a parcel that has no common area or other common ma nce areas and push the POA off until later? If so, is this a n?

Attachment: MPUD Agreement Draft 11-11-16 With Comments (1514 : Fountainhead MPUD)

of this MDP~~AGREEMENT~~ are met and that all reviews and approvals are expedited to the greatest extent possible.

~~**28. Force Majeure.** In the event that DEVELOPER is delayed or hindered in or prevented from the performance hereunder by reasons of strikes, lockouts, labor trouble, failure of power, riots, insurrection, war, acts of God, inability to obtain or delays in obtaining permits, approvals or authorizations or other reason of like nature not the fault of the party delayed in performing work or doing acts (hereinafter, **"Permitted Delay"** or **"Permitted Delays"**), DEVELOPER shall be excused for the period of time equivalent to the delay caused by such Permitted Delay. Notwithstanding the foregoing, any extension of time requires written notice of such Permitted Delay to the CITY by DEVELOPER within ten (10) days of the event causing the Permitted Delay. In no instance shall an extension of time required by a Permitted Delay exceed one hundred eighty (180) days.~~

Commented [TH37]: The City Attorney had requ is item be deleted, but it remains.

29. Notices. Any notice, demand or other communication required or permitted under the terms of this MDP~~AGREEMENT~~ shall be in writing, made by telegram, Federal Express, USPS Express Mail, UPS or other similar overnight delivery services or certified or registered mail, return receipt requested, and shall be deemed to be received by the addressee one (1) business day after sending, if sent by any of the overnight delivery services identified above, and three (3) business days after mailing, if sent by certified or registered mail. Notices shall be addressed as provided below:

If to the CITY:
City of Holly Hill
Attn: City Manager
1066 Ridgewood Avenue
Holly Hill, FL 32117
PH: 386.248.9425
FX: 386.248.9448

With Counterpart to:
City of Holly Hill
Attn: City Planner
1066 Ridgewood Avenue
Holly Hill, FL 32117
PH: 386.248.9424
FX: 386.248.9448

If to the DEVELOPER:
Fountainhead Developers, LLC
1410 LPGA Boulevard
Daytona Beach, FL 32117
PH: 386.274.4802

30. Severability. Invalidation of any provisions of this MDP~~AGREEMENT~~ shall not affect any other provisions of this MDP~~AGREEMENT~~, which shall remain in full force and effect.

31. Effective Date. This MDP~~AGREEMENT~~ shall become effective upon execution by all parties and approval of the rezoning request by the CITY.

Attachment: MPUD Agreement Draft 11-11-16 With Comments (1514 : Fountainhead MPUD)

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TITLE PAGE TO FOLLOW

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be signed by the proper officers the day and year as written.

ATTEST:

CITY COMMISSION OF THE CITY OF HOLLY HILL

_____
Valerie Manning
City Clerk

_____
John Penny
Mayor

STATE OF FLORIDA
COUNTY OF VOLUSIA

The foregoing agreement was acknowledged before me this_____ day of _____, 2016 by __John Penny___ as the __Mayor___ of Holly Hill, who is personally known to me or produced _____ as identification and did/did not take an oath.

NOTARY PUBLIC, STATE OF FLORIDA
Type or Print Name:

Commission No.:
My Commission Expires:

{044586-002 : MWOOD/MWOOD : 02076900.DOCX; 1}

Attachment: MPUD Agreement Draft 11-11-16 With Comments (1514 : Fountainhead MPUD)

OWNER

HOLLY HILL COMMUNITY REDEVELOPMENT AGENCY

Attest: _____
Valerie Manning
City Clerk

_____
John Penny
Mayor

STATE OF FLORIDA
COUNTY OF VOLUSIA

The foregoing agreement was acknowledged before me this_____ day of _____, 2016 by John Penny as the Chair of the Holly Hill Community Redevelopment Agency, who is personally known to me or produced _____ as identification and did/did not take an oath.

NOTARY PUBLIC, STATE OF FLORIDA
Type or Print Name:

Commission No.:
My Commission Expires:

{044586-002 : MWOOD/MWOOD : 02076900.DOCX; 1}

DEVELOPER

Witness: _____

Printed Name: _____

Fountainhead Developers, LLC
a Florida Limited Liability Company

By:_____
Name: M. Jayson Meyer
Title: Manager

STATE OF FLORIDA
COUNTY OF VOLUSIA

The foregoing agreement was acknowledged before me this_____ day of _____, 2016 by M. Jayson Meyer as the Manager of Fountainhead Developers, LLC, who is personally known to me or produced _____ as identification and did/did not take an oath.

NOTARY PUBLIC, STATE OF FLORIDA
Type or Print Name:

Commission No.:
My Commission Expires:

{044586-002 : MWOOD/MWOOD : 02076900.DOCX; 1}

Attachment: MPUD Agreement Draft 11-11-16 With Comments (1514 : Fountainhead MPUD)

Exhibit A-1
Parcel A: The 1200 Center Avenue property
Legal Description, Topography, and Sketch to be included within 60-days of MPUD approval

Exhibit A-2
Parcel B: Developer's Parcel
Legal Description, Topography, and Sketch to be included within 60-days of MPUD approval

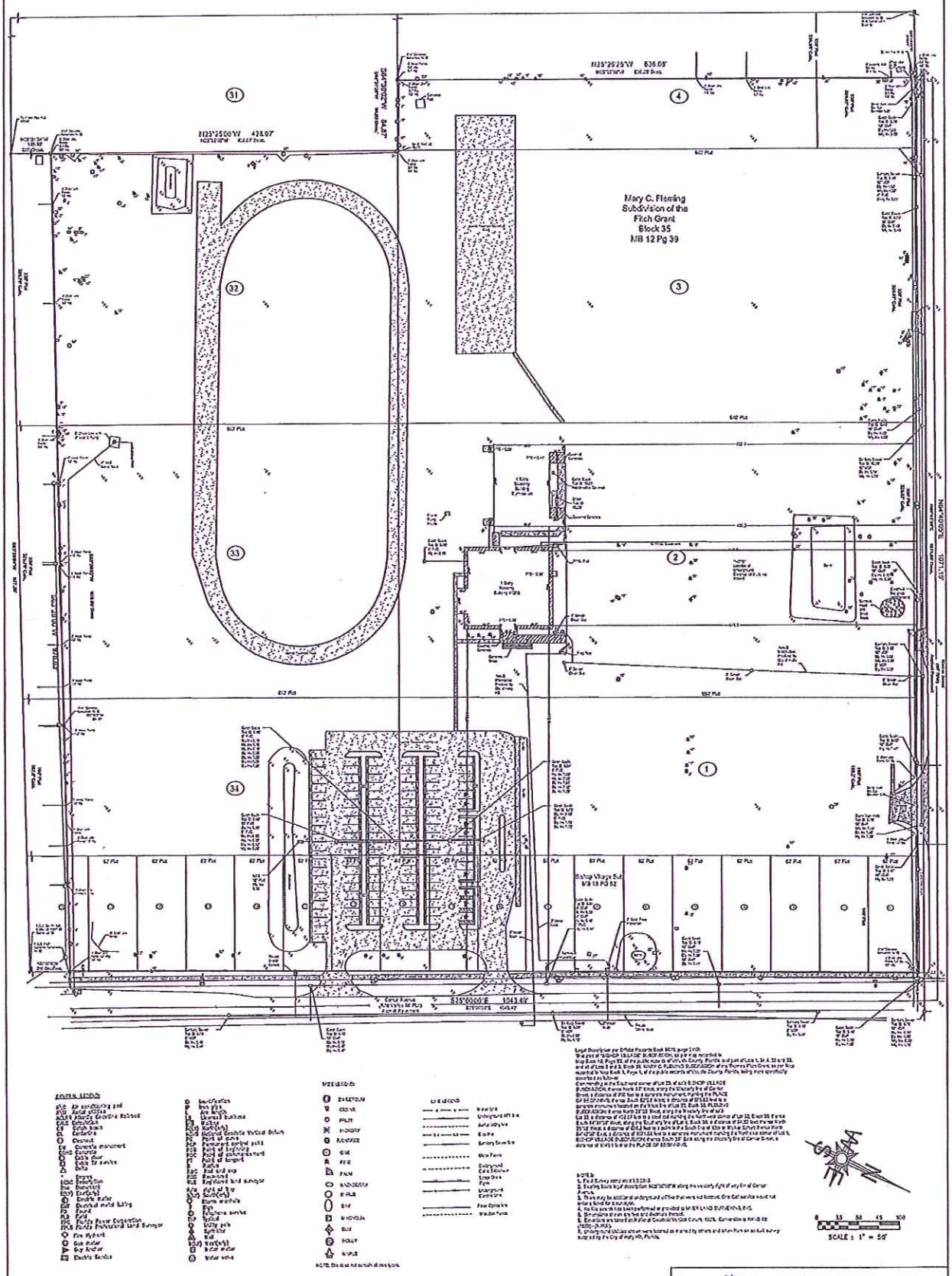
Exhibit B
Mixed Use Master Development Plan

Exhibit C
Landscape Plan

Exhibit D
Traffic Impact Analysis

Exhibit A-1
Parcel A: The 1200 Center Avenue property
Legal Description, Topography, and Sketch to be included within 60-days of MPUD approval

Special Purpose
Boundary, Tree, and Topographic
Survey



MICHAEL M. MYER, FL PSM LS4006
MYER LAND SURVEYING, INC., LICENSED BUSINESS #6977
(NOT VALID UNLESS SIGNED AND EMBOSSED WITH SURVEYOR'S SEAL)

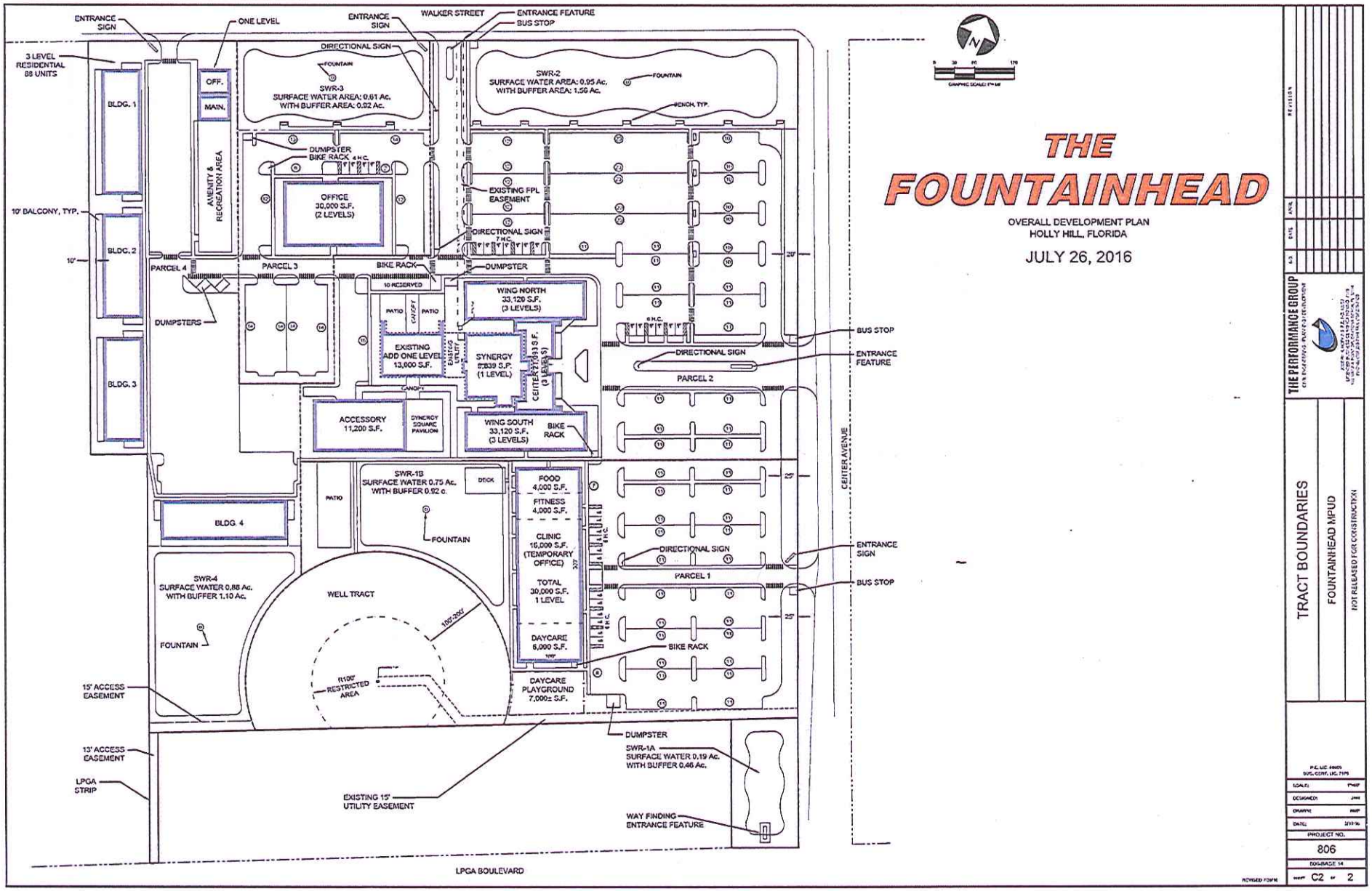
Boundry, Tree, and Topographic Survey
Exclusively prepared for:
City of Holly Hill

MYER LAND SURVEYING, INC.
LICENSED BUSINESS #6977
MICHAEL M. MYER #LS 4006
PROFESSIONAL LAND SURVEYOR
316 RIDGEWOOD AVENUE HOLLY HILL, FLORIDA 32117
386 255-6304 Phone 386 255-6306 Fax

DATE: 03/13/13	SCALE: 1"=50'	SHEET 1 of 1

Exhibit A-2
Parcel B: Developer's Parcel
Legal Description, Topography, and Sketch to be included within 60-days of MPUD approval

Exhibit B
Mixed Use Master Development Plan


THE FOUNTAINHEAD
OVERALL DEVELOPMENT PLAN
HOLLY HILL, FLORIDA
JULY 26, 2016
TRACT BOUNDARIES
FOUNTAINHEAD MPUD
NOT RELEASED FOR CONSTRUCTION
THE PERFORMANCE GROUP
806
C2 of 2
ENTRANCE SIGN
ONE LEVEL
WALKER STREET
ENTRANCE FEATURE
BUS STOP
3 LEVEL RESIDENTIAL 88 UNITS
BLDG. 1
BLDG. 2
BLDG. 3
BLDG. 4
OFF.
MAIN.
AMENITY & RECREATION AREA
DIRECTIONAL SIGN
SWR-3
SURFACE WATER AREA: 0.61 Ac.
WITH BUFFER AREA: 0.92 Ac.
SWR-2
SURFACE WATER AREA: 0.95 Ac.
WITH BUFFER AREA: 1.56 Ac.
FOUNTAIN
BENCH, TYP.
DUMPSTER
BIKE RACK
OFFICE
30,000 S.F.
(2 LEVELS)
EXISTING FPL EASEMENT
10' BALCONY, TYP.
PARCEL 4
PARCEL 3
PARCEL 2
PARCEL 1
DUMPSTERS
WING NORTH
33,120 S.F.
(3 LEVELS)
EXISTING ADD ONE LEVEL
13,000 S.F.
SYNERGY
(1 LEVEL)
CENTER
(3 LEVELS)
ACCESSORY
11,200 S.F.
SYNERGY SQUARE PAVILION
WING SOUTH
33,120 S.F.
(3 LEVELS)
BIKE RACK
SWR-1B
SURFACE WATER 0.75 Ac.
WITH BUFFER 0.92 c.
DECK
PATIO
FOOD
4,000 S.F.
FITNESS
4,000 S.F.
CLINIC
16,000 S.F.
(TEMPORARY OFFICE)
TOTAL
30,000 S.F.
1 LEVEL
DAYCARE
6,000 S.F.
DAYCARE PLAYGROUND
7,000± S.F.
SWR-4
SURFACE WATER 0.88 Ac.
WITH BUFFER 1.10 Ac.
WELL TRACT
100'-200'
R100' RESTRICTED AREA
15' ACCESS EASEMENT
13' ACCESS EASEMENT
LPGA STRIP
EXISTING 15' UTILITY EASEMENT
SWR-1A
SURFACE WATER 0.19 Ac.
WITH BUFFER 0.46 Ac.
WAY FINDING ENTRANCE FEATURE
CENTER AVENUE
LPGA BOULEVARD

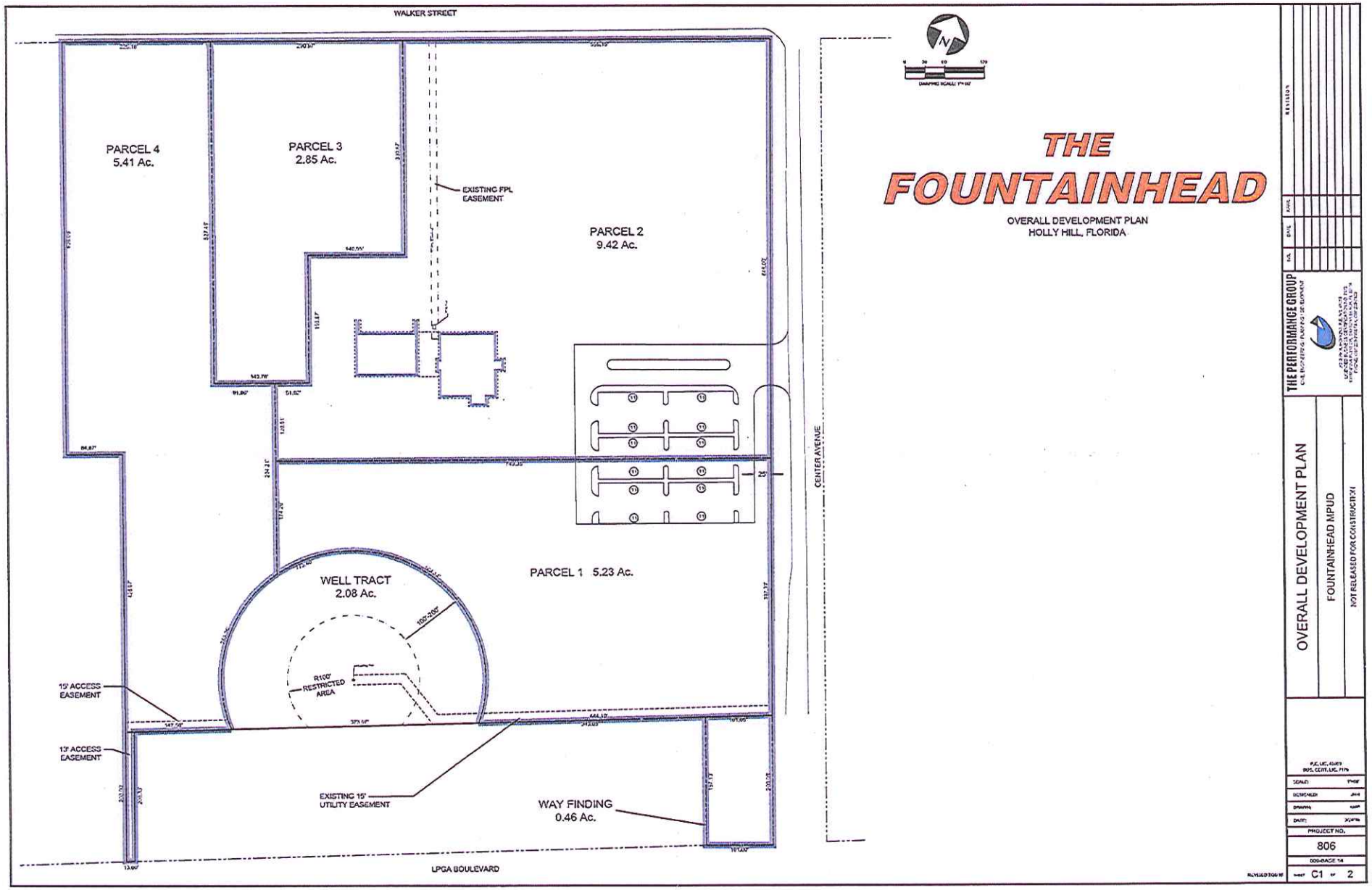

WALKER STREET
PARCEL 4
5.41 Ac.
PARCEL 3
2.85 Ac.
EXISTING FPL EASEMENT
PARCEL 2
9.42 Ac.
CENTER AVENUE
WELL TRACT
2.08 Ac.
PARCEL 1 5.23 Ac.
R100' RESTRICTED AREA
15' ACCESS EASEMENT
13' ACCESS EASEMENT
EXISTING 15' UTILITY EASEMENT
WAY FINDING
0.46 Ac.
LPGA BOULEVARD
THE FOUNTAINHEAD
OVERALL DEVELOPMENT PLAN
HOLLY HILL, FLORIDA
THE PERFORMANCE GROUP
OVERALL DEVELOPMENT PLAN
FOUNTAINHEAD MPUD
NOT RELEASED FOR CONSTRUCTION
806
C1 of 2

Exhibit C
Landscape Plan

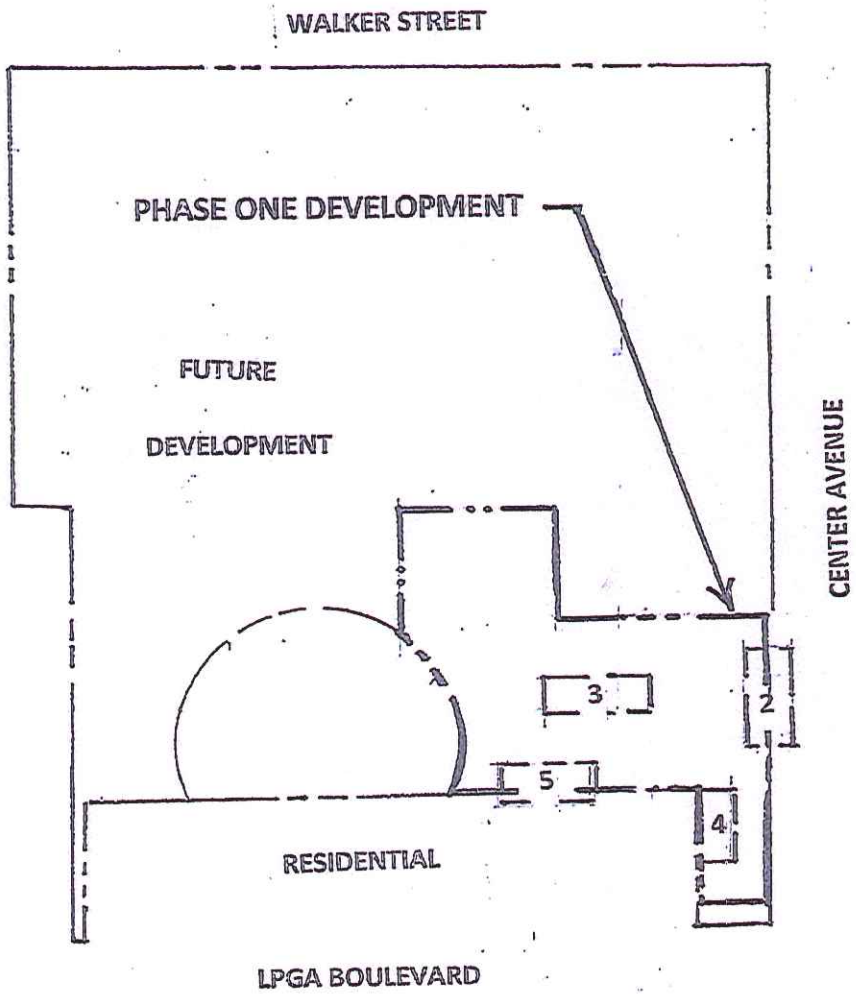


EXHIBIT KEY

1. OVERALL SITE PLAN
2. CENTER AVENUE
3. TYPICAL PARKING
4. TYPICAL BUILDING
5. BUFFER TO RESIDENTIAL
6. PLANT LIST

THE FOUNTAINHEAD
HOLLY HILL, FLORIDA
LANDSCAPE EXHIBITS

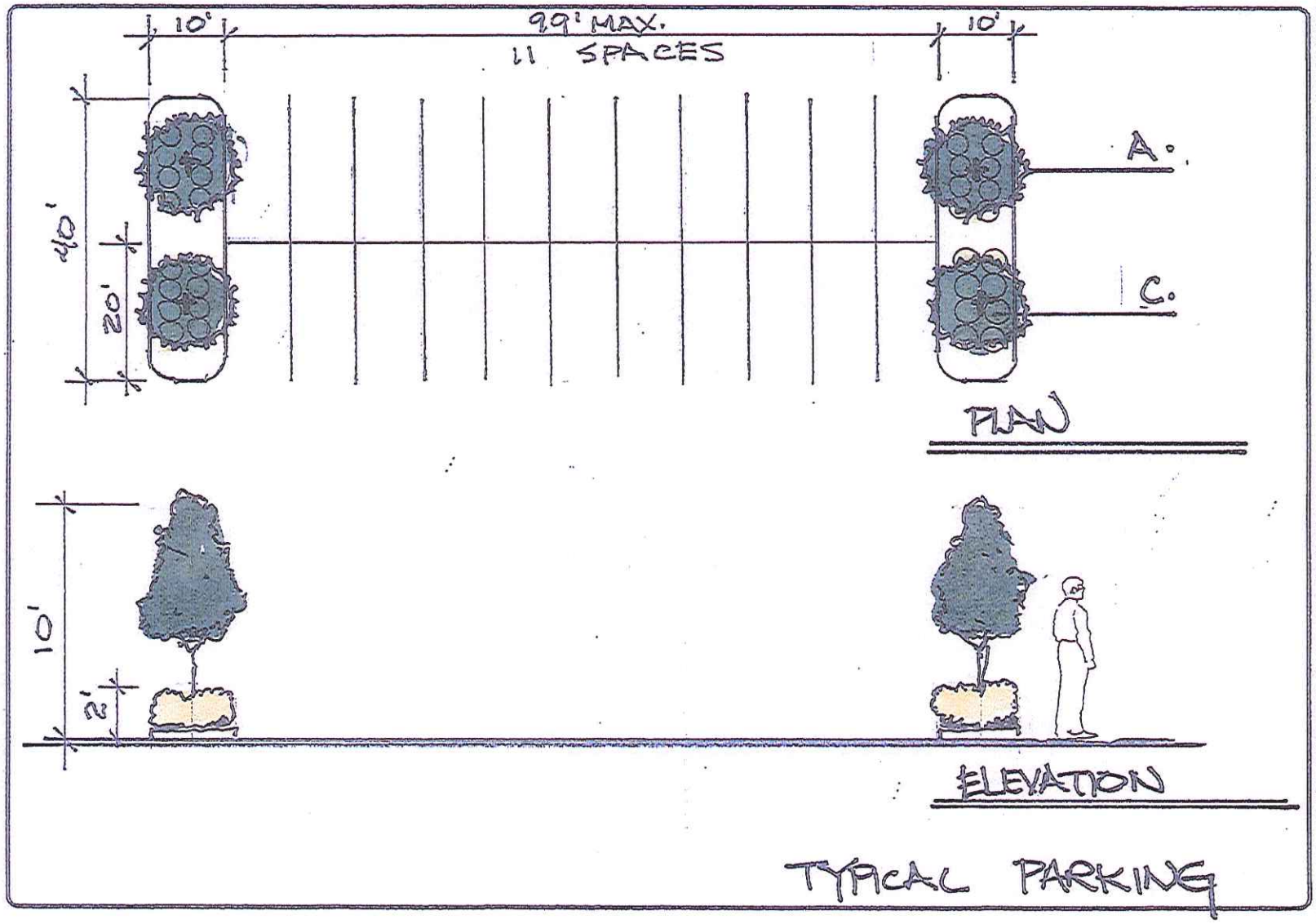
1.

THE FOUNTAINHEAD
HOLLY HILL, FLORIDA
LANDSCAPE EXHIBITS

2.

Robert S. Dickinson, ASLA
31 Old Kings Road North, Suite 1
Palm Coast, FL 32137
Phone: 386 445 8394
Fax: 386 445 8306
Email: Dickinson@gsd.com

DC
Dickinson Consulting Inc.
Landscape Architecture
Land Planning
Feasibility Studies



THE FOUNTAINHEAD
HOLLY HILL, FLORIDA
LANDSCAPE EXHIBITS

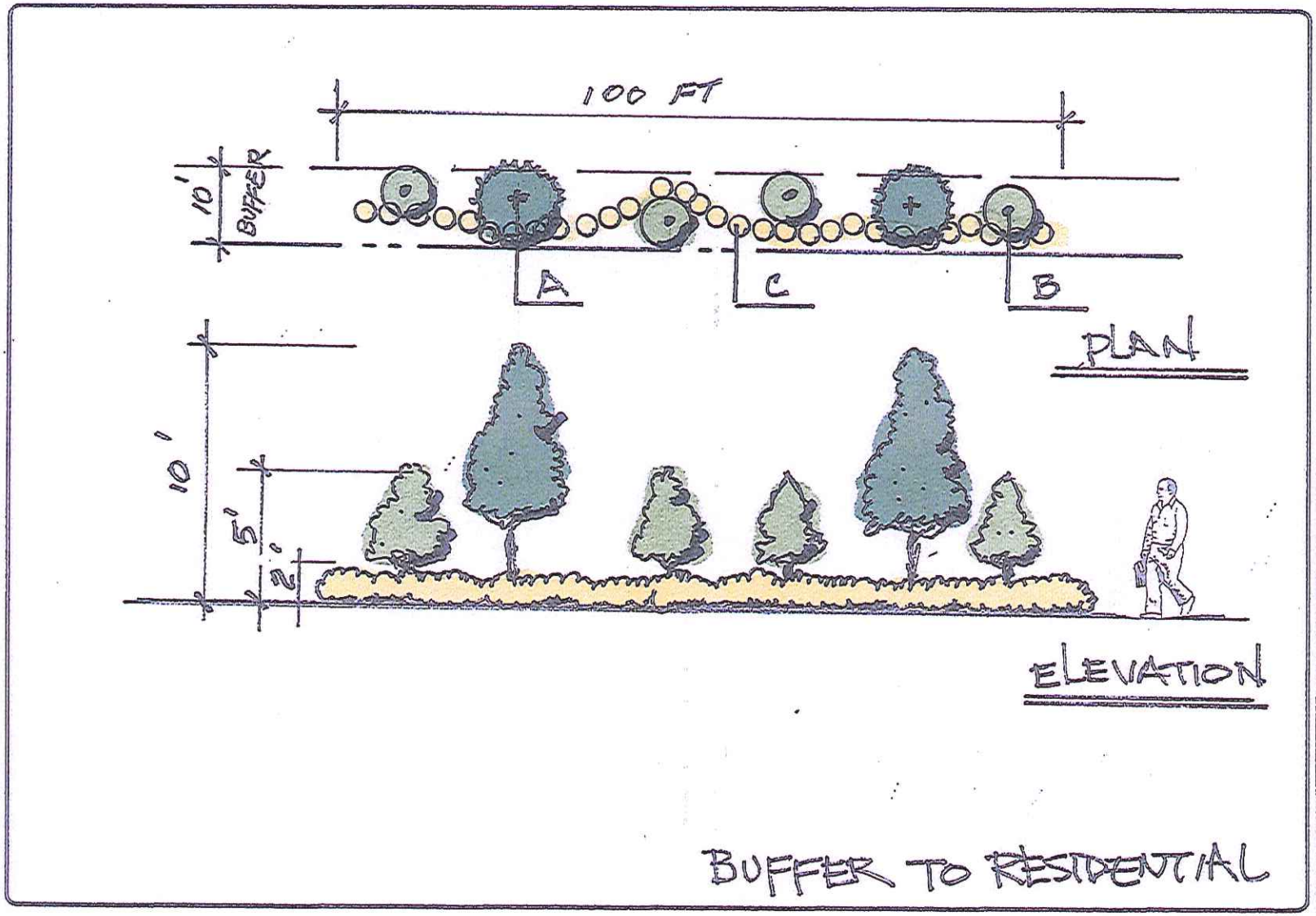
3.

4.

THE FOUNTAINHEAD
HOLLY HILL, FLORIDA
LANDSCAPE EXHIBITS

Robert E. Dickerson, ASLA
31 Old Kings Road North, Suite 1
Palm Coast, FL 32137
Phone: 386-445-8304
Fax: 386-445-8305
Email: Dickerson@pal.net

DC
DICKERSON CONSULTING INC.
Landscape Architecture
Land Planning
Feasibility Studies



THE FOUNTAINHEAD
HOLLY HILL, FLORIDA
LANDSCAPE EXHIBITS

5.

THE FOUNTAINHEAD PLANT LIST May 11,2016

	SYM	BOTANICAL / COMMON NAME	MIN SIZE	SPACING	
	A	QUERCUS VIGINIANA/LIVE OAK	10 FT HT	AS	
		MAGNOLIA GRANDIFLORA/ SOUTHERN MAGNOLIA	10 FT HT	AS	
		ULMUS PARVIFOLIA/DRAKE ELM	10 FT HT	AS	
		JUNIPERUS SILICICOLA/SOUTHERN RED CEDAR	10 FT HT	AS	
	B	LAGERSTROEMIA INDICA/CREPE MYRTLE	5 FT HT	AS	
		LIGUSTRUM LUCIDUM/LIGUSTRUM TREE FORM	5 FT HT	AS	
		ILEX ATTENUATA/ EAST PALATKA HOLLY	5 FT HT	AS	
		ILEX SAVANNAH/SAVANNAH HOLLY	5 FT HT	AS	
		NERIUM OLEANDER/ OLEANDER STANDARD	5 FT HT	AS	
		ILEX EAGLESTON/EAGLESTON HOLLY	5 FT HT	AS	
	C	LIGUSTRUM RECRVAFOLIUM/ RECURVE LIGUSTRUM	3 GAL 24"X24"	3 FT OC	
		PITTOSPORUM TOBIRA/ GREEN PITTOSPORUM	3 GAL 24"X24"	3 FT OC	
		PODOCARPUS MACROPHYLLA/ YEW PODOCARPUS	3 GAL 24"X24"	3 FT OC	
		VIBURNAM ODORATISSIMUM/SWEET VIBURNUM	3 GAL 24"X24"	3 FT OC	
		MULCH - PINE BARK			
		SOD - St. Augustine Floratam or Empire Zoysia			

PLANT LIST

Robert E. Dickerson, AIA
3164 King Road North Fort
Palm Coast, FL 32137
Phone: 386.445.8304
Fax: 386.445.8305
Email: Dickerson@gsd.com

Dickerson Associates
Land Planners
Landscape Architects
Feasibility Studies

THE FOUNTAINHEAD
HOLLY HILL, FLORIDA
LANDSCAPE EXHIBITS

6.

Exhibit D
Traffic Impact Analysis

STAFF REPORT
CITY OF HOLLY HILL, FLORIDA

Board of Planning and Appeals
Agenda Item

MEETING DATE: **December 5, 2016**
FROM: **Elizabeth Nelson**
SUBJECT: **2017 BPOA Meeting Schedule**
NUMBER: **(ID # 1485)**
APPLICANT: **City of Holly Hill**
PLANNER: **Thomas Harowski**

DISCUSSION: This year staff is proposing to set a meeting schedule at the beginning of the year with a specified application deadline. The intent is that the general public will know the timing for applications and the Board will have a schedule allowing the members to plan for meetings during the year.

FISCAL ANALYSIS: There is no fiscal impact.

STAFF RECOMMENDATION: Staff recommends the Board approve the annual schedule as presented or as the Board may modify the proposed schedule.

- 2017 BOPA Meeting Schedule (DOC)

CITY OF HOLLY HILL
BOARD OF PLANNING AND APPEALS
2017 MEETING SCHEDULE

MEETING DATE	APPLICATION CUT-OFF DATE	ADVERTISING DATE
January 11, 2017	December 9, 2016	December 31, 2016
February 6, 2017	January 6, 2017	January 26, 2017
March 6, 2017	February 3, 2017	February 24, 2017
April 3, 2017	March 3, 2017	March 24, 2017
May 1, 2017	April 7, 2017	April 24, 2017
June 5, 2017	May 5, 2017	May 26, 2017
July 12, 2017	June 9, 2017	June 30, 2017
August 7, 2017	July 7, 2017	July 28, 2017
September 13, 2017	August 11, 2017	September 2, 2017
October 2, 2017	September 1, 2017	September 22, 2017
November 6, 2017	October 6, 2017	October 27, 2017
December 4, 2017	November 3, 2017	November 24, 2017

Meetings are the first Monday of each month except for January, July and September where the first Monday is a holiday. Application cut-off is as of the end of business on the days noted.

Attachment: 2017 BOPA Meeting Schedule (1485 : 2017 BPOA Meeting Schedule)

STAFF REPORT
CITY OF HOLLY HILL, FLORIDA

Board of Planning and Appeals
Agenda Item

MEETING DATE:	**December 5, 2016**
FROM:	**Thomas Harowski**
SUBJECT:	**CPA-2017-01 Evaluation and Appraisal Review of the Holly Hill Comprehensive Plan.**
NUMBER:	**(ID # 1492)**
APPLICANT:	**City of Holly Hill**
PLANNER:	**Thomas Harowski**

INTRODUCTION: This report provides a schedule for review of the City's comprehensive plan. The schedule provides for a review of each element and a recommendation to the City Commission on areas of the plan which should be reviewed for amendment. The City is required to submit a letter to the Department of Economic Opportunity by September 1, 2017 advising the Department of our intent to amend the plan.

BACKGROUND: Section 163.3191 of the Florida Statutes requires local governments with comprehensive plans to conduct an evaluation and appraisal of the plans to determine if plan amendments are necessary. This review must be done at least once every seven years. The City last conducted an evaluation and appraisal in 2010, so we are due to complete the next review in 2017.

The State has amended the EAR process since the last City review in 2010. In 2017, the City is required to determine whether the plan needs to be amended and notify the state planning agency in writing of this determination by September 1, 2017. The City then has one year to then complete the amendments and submit them to the state planning agency for review. The penalty for failing to complete this task is prohibition on further amendments to the comprehensive plan until the EAR work is completed.

DISCUSSION: Staff is proposing to do a review of each element of the comprehensive plan over the first half of 2017 with the target of providing a recommendation to the City Commission in August 2017. The suggested schedule is as follows:

CITY OF HOLLY HIIL

COMPREHENSIVE PLAN EVALUATION AND APPRAISAL

PROPOSED 2017 REVIEW SCHEDULE

CHAPTER	PLAN ELEMENT	REVIEW DATE
1	Future Land Use	February
2	Transportation	March
3	Housing	March
4	Utilities	April
5	Coastal Management	May
6	Recreation & Open Space	May
7	Intergovernmental Coordination	June
8	Capital Improvements	June
9	Public School Facilities	June

As we review the elements we will look at changed circumstances in the City that might affect the goals, objectives and policies for each element. We can update policies which have performance times associated with them and delete items which may be complete. There may be some specific language which needs revision, and we can discuss whether there is any specific data which is needed to conduct the review.

FISCAL IMPACT: There is no fiscal impact from the project.

RECOMMENDATION: Approve the proposed schedule or approve a revised schedule for completion of the EAR review process.