

CITY OF HOLLY HILL, FLORIDA

BOARD OF PLANNING AND APPEALS

AGENDA • JANUARY 6, 2025

City Commission Chamber BOPA Regular Meeting 6:00 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
Dennis Smith

Board Member
Loretta Arthur

Board Member
Tony Cassata

Board Member
Lorraine Geiger

CITY PLANNER
Brian Walker

Building & Zoning
Leslie Montgomery

CITY CLERK
Valerie Manning

I. CALL TO ORDER

II. ROLL CALL

III. ORDINANCES

- 1. Ordinance An Ordinance of the City of Holly Hill, Florida, Approving the First Major Amendment to the Fountainhead Mixed Use Planned Unit Development (MPUD) Development Agreement; Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.

(Requested by Brian Walker, Board of Planning and Appeals)

IV. AGENDA ITEM

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
Ordinance**

MEETING DATE: January 6, 2025
FROM: Brian Walker
SUBJECT: An Ordinance of the City of Holly Hill, Florida, Approving the First Major Amendment to the Fountainhead Mixed Use Planned Unit Development (MPUD) Development Agreement; Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.
NUMBER: (ID # 4732)
APPLICANT: Brian Walker
PLANNER:

INTRODUCTION:

Consider a Major Amendment and rezone to the Fountainhead Mixed Use Planned Unit Development (MPUD) located on the southwest corner of the intersection of Center Avenue and Walker Street - lots 1 and 2 of the Fountainhead plat - and more specifically known as 1200 Synergy Way fka 1200 Center Avenue. (Cobb Cole, Applicant) (Brian Walker, City Planner).

The property is zoned Mixed Use Development with a Mixed Use III future land use and is located within the CRA Redevelopment Area.

BACKGROUND:

On March 30th 2017, Fountainhead Developers, LLC, (Fountainhead) and the City entered into the Development Agreement shown in **EXHIBIT A**, and recorded in the public records of Volusia County Florida, in Book: 7894 Page 2486, for the development of certain real property as described in said Agreement. The development plan allows for a variety of uses on the site such as the applicant's corporate headquarters, medical office, fitness center, restaurant, daycare and multi-family residential units. Permitted square footages are assigned to each use. The plans also outline additional information with respect to landscaping, building styles, required parking, and location of uses.

The overall amount of commercial development permitted per the adopted 2017 Agreement, is 170,172 square feet. Since the project is to be developed in phases, the Agreement required that Phase I of the development consist at a minimum of 21,000 square feet of corporate headquarters and 7,000 square feet of academy space for a total of 28,000 square feet in Phase I.

In November of 2021, Fountainhead applied for and received approval for the minor MPUD amendment shown in (**EXHIBIT B**). That amendment made some changes with respect to building sizes, enlarged a retention pond, increased parking and showed a future plaza area. However, there was no proposal to change the amount of square footage allocated to uses on the property. At the time of the application for the minor MPUD amendment, the applicant had

completed Phase I by developing 29,410 of square feet devoted to headquarter and academy space.

In July of 2022, Fountainhead purchased an additional 5.2 acres of property known as Lot 1 of the Fountainhead plat, from the City of Holly Hill.

The applicant is now applying for a Major MPUD Amendment. The purpose of this request is to change the allocation of uses on Lot 2 of the Fountainhead development. Currently the MPUD allocates 110,172 square feet of office space for use as Fountainhead's corporate headquarters and 16,000 square feet for medical office and clinic uses.

The major amendment seeks to reduce the corporate headquarter use to 80,000 square feet and increase the medical office and clinic use to 30,000 square feet. This amendment will also have the overall effect of reducing the projects development by 16,172 square feet.

The reason for this request is that Fountainhead is working with a company called PACE (Program of All-Inclusive Care for the Elderly) that will locate at their site and provide all-inclusive health care for adult persons including a pharmacy that will serve only those persons enrolled in their medical program. The pharmacy will not serve as a retail pharmacy for the general public.

There are no drug treatment programs involved. Service to non-elderly adults would be similar to what they would receive in a nursing home or physical rehabilitation center if they chose that path. The applicant has provided the following additional information:

PACE is a comprehensive alternative for those citizens that qualify for care in a nursing home however, they choose to remain in non-institutional housing for as long as they are able...an adult day care.

PACE 's fleet of shuttles (type 12 at full build out) pick up participants and bring them to campus, typically 1-3 times per week.

The facility is a Mon-Friday 7a-7p (or less) operation with no overnights.

The projected census is up to 600 enrolled participants with a cap of 150 on site at any one time.

At full occupancy, staff is approximately 100 full time employees.

PACE coordinates the participants comprehensive care.

The facility has very large supervised social and activity areas, a warming kitchen to bring in catered meals, a hair salon, speech/occupational/physical therapy areas, counseling rooms, 2 personal hygiene rooms, quiet rooms, a participant only dispensary, as well as a full suite of offices (administrative, home health coordinators, transportation, enrollment/ marketing, accounting/finance, reporting, case management, etc.), a clinical hub of +/- 2000sf provides

for basic medical exams/needs including referrals/appointments/transportation to outside services under the supervision of a M.D.

Since the healthcare provider will occupy more than the 16,000 square feet of space currently allocated for such a use, a Major Amendment is necessary to provide additional square footage. As the amount of square footage allocated for healthcare increases within the building, the amount available for corporate office space is being reduced.

No changes in the permitted uses are proposed with this amendment, however there is a change in the amount of square footage allocated to two uses, and an overall reduction of 16,172 square feet in the MPUDs proposed development. However, in no case shall the minimum amount of square footage required in Phase I be reduced. The minimum amount of square footage required in Phase I is 28,000.

Consistency with the Land Development Code

The proposed MPUD Major Amendment has been evaluated for compatibility with the Land Development Regulations of Holly Hill. Since a Major Amendment is a rezone, the Board of Planning and Appeals and City Commission must evaluate it to determine if it complies with Chapter 114, Section 82-372 of the Land Development Regulations. That section provides 8 points for the Board to consider in making its decision with regard to a rezone. The attachment labeled Section 82-372 contains the 8 points as well the applicant's responses.

Staff finds that the requested MPUD Major Amendment is consistent with the City's Land Development Regulations with respect to PD development.

Consistency with the Comprehensive Plan

Per Policy FLU 1.1.5, the City is compelled to review the rezone request for consistency with the uses, density, and compatibility of the Comprehensive Plan. The amendment is consistent with the assigned Mixed Use III future land use designation and all other applicable policies of the comprehensive plan.

STAFF RECOMMENDATION:

Recommend the City Commission adopt the Ordinance enacting a Major Amendment to the Mixed Use Planned Unit Development (MPUD) specifically reallocating square footages assigned for the corporate headquarters and medical uses on Lot 2 of the Fountainhead plat, located at 1200 Synergy Way, while all other provisions, conditions, and requirements of the adopted 2017 Agreement and approved minor amendment shall remain in full force and effect.

ATTACHMENTS:

- Application (PDF)
- Maps and Pictures (PDF)
- Property Cards (PDF)
- Sec. 82-372 (PDF)
- Exhibit A (PDF)
- Exhibit B (PDF)

- [Exhibit C - Amended \(PDF\)](#)

Ordinance No. (ID # 4732)

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING THE FIRST MAJOR AMENDMENT TO THE FOUNTAINHEAD MIXED USE PLANNED UNIT DEVELOPMENT (MPUD) DEVELOPMENT AGREEMENT; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING THE FIRST MAJOR AMENDMENT TO THE FOUNTAINHEAD MIXED USE PLANNED UNIT DEVELOPMENT (MPUD) DEVELOPMENT AGREEMENT; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Fountainhead Mixed Use Planned Unit Development, has proposed a Major Amendment to the BPUD on property described in **Exhibit A**, recorded in the public records of Volusia County Florida, in Book: 7894 Page 2486, for the development of certain real property as described in said Agreement, and further amended by a small scale MPUD agreement signed on November 23, 2024,

WHEREAS, the City Commission of the City of Holly Hill, Volusia County, Florida, has adopted a comprehensive plan pursuant to, and in compliance with 163.3161 et. Seq., Florida Statutes; and

WHEREAS, the City Commission, as authorized by 163.3202, Florida Statutes, has enacted and does enforce the Land Development Regulations, based on, related to, and as a means to implement its adopted comprehensive plan; and

WHEREAS, the City Commission has determined that it is necessary to amend its Land Development Regulations as herein provided in order to more effectively implement its adopted comprehensive plan, and

WHEREAS, the City Commission has determined that the proposed amendment to the Land Development Regulations is consistent with its adopted comprehensive plan,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA:

SECTION 1. The City Commission of the City of Holly Hill hereby approves the First Major Amendment to Fountainhead Mixed Use Planned Unit Development, a true and correct copy attached hereto as **Exhibit B**.

SECTION 2. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any Court, such portion or application shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions or application hereof.

SECTION 3. That all ordinances made in conflict with this Ordinance are hereby repealed.

SECTION 4. That this Ordinance shall become effective immediately upon its adoption.

EXHIBIT "A"

Legal Description

42-14-32 LOT 1 FOUNTAINHEAD MB 58 PG 91 PER OR 8288 PG 1366

42-14-32 LOT 2 FOUNTAINHEAD MB 58 PG 91 PER OR 7443 PG 3395

EXHIBIT “B”

Exhibit “B” to Ordinance No. _____

THIS FIRST MAJOR AMENDMENT TO FOUNTAINHEAD MIXED USE PLANNED UNIT DEVELOPMENT (MPUD) DEVELOPMENT AGREEMENT is made this 28th day of January, 2025, by and between **FOUNTAINHEAD DEVELOPERS, LLC**, a Florida limited liability company, and the **CITY OF HOLLY HILL COMMUNITY REDEVELOPMENT AGENCY and the CITY OF HOLLY HILL**, a Florida municipal corporation (the “City”).

WHEREAS, Fountainhead Developers, LLC, and the City entered into that certain Development Agreement (the “Agreement”) dated March 30th, 2017, recorded in the public records of Volusia County Florida, in Book: 7894 Page 2486, for the development of certain real property as described in said Agreement; and

WHEREAS, Owners and City wish to further modify certain provisions of the Agreement as detailed below;

NOW, THEREFORE, in consideration of the mutual covenants and promises made herein, the parties hereto covenant and agree to bind themselves to changes made to sections 2 and 6 and 7 of the written development agreement as follows (changes shown in ~~strikethrough~~/underline format):

2. Master Development Plan. The PROPERTY shall be rezoned and entitled to be developed as a MPUD in accordance with the Master Development Plan, which consist of the AGREEMENT, all exhibits thereto, and adopting Ordinance 2991. 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 date of the submittal of application for the permit or development approval, 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 following summarizes the development that is approved for the PROPERTY:

. Corporate Headquarters:	110,172	80,000 square feet
. Medical Office/Clinic:	16,000	30,000 square feet
C. Office:		30,000 square feet
D. Fitness Center:		4,000 square feet
E. Child Day Care:		6,000 square feet
F. Specialty Food/Restaurant		4,000 square feet
G. Multi-family Dwelling Units*		88 dwelling units

6. **Phasing of Development.** The PROPERTY may be developed in multiple phases as individual parcels shown on the MDP. However, at a minimum, the following improvements must be included as part of Phase I and also illustrated in Exhibit C:

A. ~~Synergy Billing Headquarters (2 Buildings, totaling 21,000 square feet)~~

B. ~~Synergy Academy (7,000 square feet)~~

A. A minimum of 28,000 square feet of development consisting of Synergy Billing Headquarters, Synergy Academy, Medical Office/Clinic, or a combination thereof, must be completed in Phase I.

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

- | | | |
|---|---------|--------------------|
| A. Corporate Headquarters: | 110,172 | 80,000 square feet |
| a. Administrative offices and corporate offices | | |
| b. Training centers/private meeting centers/assembly areas | | |
| c. Vocational Academy*** | | |
| B. Professional Services/Medical Office/Clinic: | 16,000 | 30,000 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. | | |
| b. <u>All-inclusive care for adult persons, including a pharmacy to serve only those persons enrolled in a program of all-inclusive care for adults such as a (PACE) program. Any pharmacy on the PROPERTY cannot be a retail pharmacy or serve the general public.</u> | | |
| C. Professional Service/Office: | | 30,000 square feet |
| a. A Financial Institution may be located on Parcel 2 or Parcel 3. If drive-thru service is to be provided, an update to the TIA shall be required. | | |
| D. Fitness Center: | | 4,000 square feet |

- E. 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.**
- F. Specialty Food/Restaurant 4,000 square feet
- G. Multi-family Dwelling Units* 88 dwelling units
- H. Park, public meeting area, public open space and governmental uses.

- . The attached **EXHIBIT C (AMENDED)**, replaces in its entirety all prior exhibits labeled as Exhibit C and approved prior to the approval of this Major Amendment.
- 2. The parties agree that this First Amendment, consisting of changes above shown (as underlined additions, and stricken thru deletions) is a Major Amendment to the Agreement approved by the City Commission. **All other provisions, conditions, and requirements of the Written Development Agreement dated March 30th, 2017, recorded in the public records of Volusia County Florida, in Book: 7894 Page 2486 and the minor amendment signed on November 23rd, 2021, remain in full force and effect.**

NOW THEREFORE, the undersigned parties hereby agree to the above terms and conditions of the First Major Amendment.

CITY OF HOLLY HILL,
a Florida municipal corporation

By: _____
John Penny, Mayor

STATE OF FLORIDA
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me, **by means of physical presence or online notarization**, this _____ day of _____, 2025
by _____, who is personally known to me.

NOTARY PUBLIC, STATE OF FLORIDA

Notary Signature

Printed Name

Commission No.: _____

My Commission Expires: _____

WITNESSES:

FOUNTAINHEAD DEVELOPERS, LLC

a Florida limited liability company

By:

Name: _____

Title: _____

(Name Printed or Typed)

(Name Printed or Typed)

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me, **by means of** **physical presence** or **online notarization**, this _____ day of _____, 2025 by _____, who is personally known to me or produced _____ as identification.

NOTARY PUBLIC, STATE OF FLORIDA

Notary Signature

Printed Name

Commission No.: _____

My Commission Expires: _____

EXHIBIT C (AMENDED)



HOLLY HILL

FLORIDA

1065 Ridgewood Avenue, Holly Hill, FL 32117

Phone: (386) 248-9442 Fax: (386) 248-9498 Permitdesk@hollyhillfl.org

01/2023

REZONE/ FUTURE LAND USE AMENDMENT

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

PROJECT INFORMATION:

PROJECT NAME: Fountainhead Major Amendment Rezone

PARCEL ID #(S): 4242-16-00-0020 & 4242-16-00-0010

LOCATION: 1200 Synergy Way, Holly Hill, FL 32117

EXISTING USE(S): office/vacant commercial

PROPOSED USE(S): _____

TOTAL ACREAGE: 14.6 +/- acres

WATER PROVIDER: _____

SEWER PROVIDER: _____

PRIVATE WELL _____

PRIVATE SEPTIC _____

CURRENT ZONING: MPUD

PROPOSED ZONING: MPUD

CURRENT FUTURE LAND USE: Mixed Use III

PROPOSED FUTURE LAND USE: Mixed Use III

APPLICANT INFORMATION:

Name: Mark A. Watts, Esq./Nika K. Hosseini, Esq.

E-Mail: Delanduse@cobbcole.com

Address: 231 N. Woodland Blvd., DeLand, FL 32720

Phone: (386) 736-7700

Company: Cobb Cole

Fax: _____

Owner

Agent for Owner

Attorney for Owner

OWNER INFORMATION:

Name: Fountainhead Developers, LLC

E-Mail: _____

Address: 1200 Synergy Way, Holly Hill, FL 32117

Phone: _____

Fax: _____

CONSULTANT INFORMATION:

Name: _____

E-Mail: _____

Address: _____

Phone: _____

Company: _____

Fax: _____

Attachment: Application (4732 : Fountainhead First Major Amendment)



HOLLY HILL FLORIDA

1065 Ridgewood Avenue, Holly Hill, FL 32117

Phone: (386) 248-9442 Fax: (386) 248-9498 Permitdesk@hollyhillfl.org

01/2023

WHO SHOULD ALL COMMUNICATION BE DIRECTED TO?

APPLICANT OWNER CONSULTANT

APPLICATION TYPE(S)/FEE(S)*

LAND USE AMENDMENT

- LARGE SCALE FUTURE LAND USE AMENDMENT (>10 ACRES) \$3,000.00
- SMALL SCALE FUTURE LAND USE AMENDMENT (≤10 ACRES) \$2,000.00

REZONE (NON-PD)

- STRAIGHT REZONE / LDR TEXT AMENDMENT \$1,400

REZONE (PD)

- PD REZONE \$2,000
- MAJOR AMENDMENT TO EXISTING PD \$1,250
- MINOR AMENDMENT TO EXISTING PD \$400 (This does not include changes in uses items such or density but means minor changes such as layout and landscaping that do not affect the overall intent or "spirit" of the PD.

***THERE MAY BE ADDITIONAL PASS-THROUGH FEES FOR REVIEWS DONE BY REVIEWERS OUTSIDE OF THIS AGENCY. ALL FEES ARE DUE AT THE TIME OF APPLICATION SUBMITTAL.**

ATTACHMENT CHECKLIST

REQUIRED SUBMITTALS

- COPY OF PRE-APPLICATION COMMENTS. IF YOU HAVE NOT HAD A PRE-APPLICATION MEETING TO DISCUSS THIS PROJECT PLEASE CONTACT THE CITY PLANNER TO ARRANGE AN APPOINTMENT AT 386-248-9424.
- ELECTRONIC COPY OF ALL ITEMS SUBMITTED
- APPLICATION AND FEE
- PROOF THAT TAXES ARE CURRENT
- PROPERTY APPRAISER'S PROPERTY INFORMATION PRINTOUT
- OWNERSHIP DISCLOSURE FORM (ADD'L DOCUMENTATION MAY REQUIRED IF OWNER IS A TRUST OR CORPORATION)
- OWNER'S AUTHORIZATION FORM, IF APPLICABLE (ADD'L DOCUMENTATION REQUIRED IF OWNER IS A TRUST OR CORPORATION)
- 2 CURRENT SIGNED AND SEALED BOUNDARY SURVEYS
- LEGAL DESCRIPTION IN MS WORD FORMAT (EMAIL THIS TO THE CITY PLANNER)
- SCHOOL CAPACITY REVIEW – IF PROPOSING OVER 10 RESIDENTIAL UNITS (CONTACT SCHOOL BOARD PLANNING & BUSINESS SERVICES AT 386-734-7190 FOR APPLICATION)

Attachment: Application (4732 : Fountainhead First Major Amendment)



HOLLY HILL

F L O R I D A

1065 Ridgewood Avenue, Holly Hill, FL 32117

Phone: (386) 248-9442 Fax: (386) 248-9498 Permitdesk@hollyhillfl.org

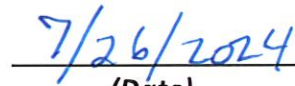
01/2023

- TRAFFIC IMPACT ANALYSIS FOR PROJECTS GENERATING OVER 1000 TRIPS PER DAY ACCORDING TO RATES PUBLISHED BY THE INSTITUTE OF TRANSPORTATION ENGINEERS "TRIP GENERATION MANUAL" (LATEST EDITION)
- DRAFT DEVELOPMENT ORDER IN MS WORD FORMAT (*PD REZONE ONLY – CONTACT THE CITY PLANNER*)
- PRELIMINARY DEVELOPMENT PLAN (*PD REZONE ONLY - SEE CODE SEC. 114-771*)
- REZONES ONLY:** ANSWER THE 8 QUESTIONS ATTACHED ON THE REZONING REQUIREMENTS SHEET
- COMPREHENSIVE PLAN AMENDMENTS ONLY:** Provide a **Facility Demand Comparison**. For example, for the existing Future Land Use designation, show the demands on the city’s infrastructure at the highest intensity, and for the proposed Future Land Use, show what the demands would be at the highest intensity. Show this information for the following facilities:
 - Potable Water
 - Sanitary Sewer
 - Stormwater
 - Transportation (Use current year ITE Trip Generation Rates–Provide PM Peak Hour and Avg Daily)
 - Solid Waste Collection
 - School (Residential Only)
- COMPREHENSIVE PLAN AMENDMENTS ONLY:** Provide a **Demonstration of Capacity:** Show that there is capacity and ability to meet increased demands on facilities. The city’s public works department can assist in providing information regarding potable water, sanitary sewer and solid waste.

Applicant’s Signature:



 (Signature)



 (Date)



 (Print)

Applications must be complete to initiate the review process. For questions please contact the City Planner at (386) 248-9424, fax (386) 248-9498 or email at bwalker@hollyhillfl.org

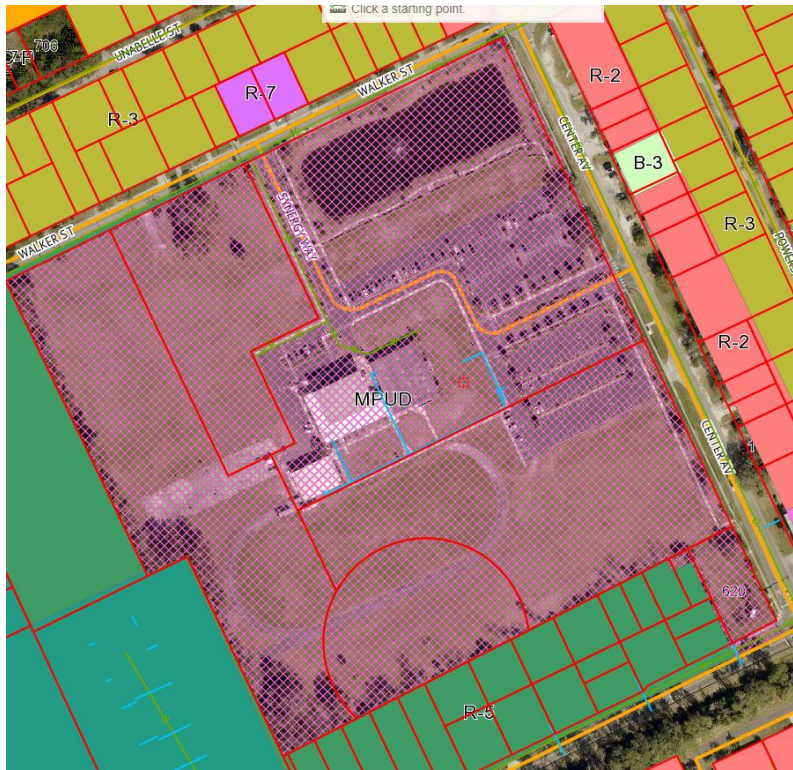
Attachment: Application (4732 : Fountainhead First Major Amendment)

AERIALS

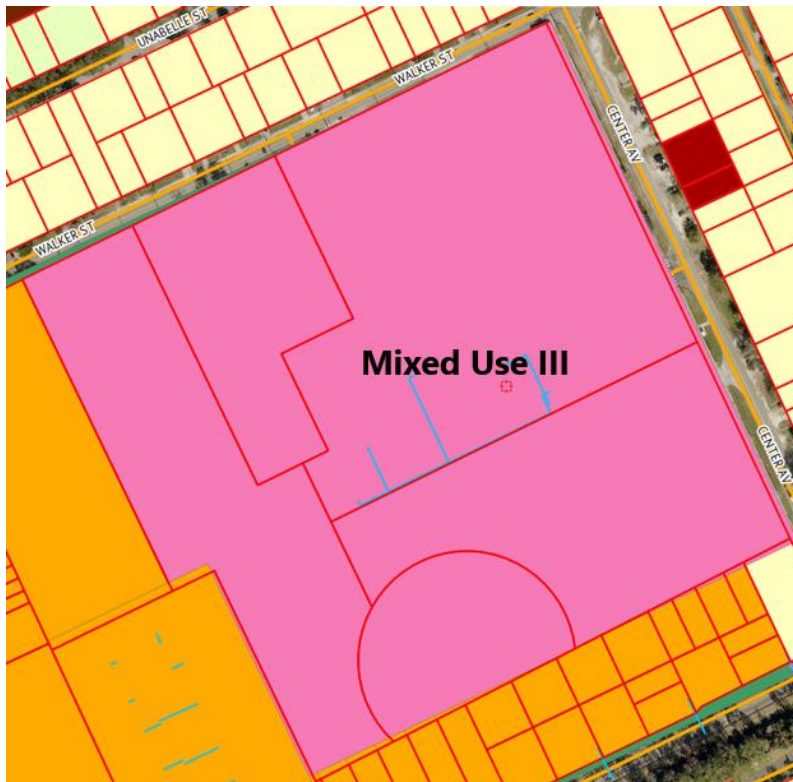


Attachment: Maps and Pictures (4732 : Fountainhead First Major Amendment)

MPUD ZONING



MIXED USE III FUTURE LAND USE





Volusia County Property Appraiser
 123 W. Indiana Ave., Rm. 102
 DeLand, FL. 32720
 Phone: (386) 736-5901 Web: vcpa.vcgov.org

AltKey: 7944103 **Parcel ID: 424216000020**
FOUNTAINHEAD DEVELOPERS LLC **1200 SYNERGY WAY, HOLLY HILL, FL**

Parcel Summary

Alternate Key: 7944103
Parcel ID: 424216000020
Township-Range-Section: 14 - 32 - 42
Subdivision-Block-Lot: 16 - 00 - 0020
Owner(s): FOUNTAINHEAD DEVELOPERS LLC - FS - Fee Simple - 100%
Mailing Address On File: 1200 SYNERGY WY
 HOLLY HILL FL 32117
Physical Address: 1200 SYNERGY WAY, HOLLY HILL 32117
Property Use: 1700 - OFFICE 1 STORY
Tax District: 203-HOLLY HILL
2023 Final Millage Rate: 18.223
Neighborhood: 7252
Subdivision Name: FOUNTAINHEAD
Homestead Property: No

Attachment: Property Cards (4732 : Fountainhead First Major Amendment)



Volusia County Property Appraiser
 123 W. Indiana Ave., Rm. 102
 DeLand, FL. 32720
 Phone: (386) 736-5901 Web: vcpa.vcgov.org

AltKey: 7944090 **Parcel ID: 424216000010**
FOUNTAINHEAD DEVELOPERS LLC **CENTER AVE, HOLLY HILL, FL**

Parcel Summary

Alternate Key: 7944090
Parcel ID: 424216000010
Township-Range-Section: 14 - 32 - 42
Subdivision-Block-Lot: 16 - 00 - 0010
Owner(s): FOUNTAINHEAD DEVELOPERS LLC - FS - Fee Simple - 100%
Mailing Address On File: 1200 SYNERGY WAY
 HOLLY HILL FL 32117
Physical Address: CENTER AVE, HOLLY HILL 32117
Property Use: 1000 - VACANT COMM
Tax District: 203-HOLLY HILL
2023 Final Millage Rate: 18.223
Neighborhood: 7252
Subdivision Name: FOUNTAINHEAD
Homestead Property: No

Attachment: Property Cards (4732 : Fountainhead First Major Amendment)



HOLLY HILL

F L O R I D A

1065 Ridgewood Avenue, Holly Hill, FL 32117

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01/2023

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.

Yes, it is an amendment to an existing development agreement that does not run contrary to the comp. plan.

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

None. It is an existing site and this is an amendment to an existing development agreement.

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

This amendment would allow for two large companies to come into the area and provide additional jobs.

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

It's an amendment to an existing development agreement. It will not have any additional impact that the existing development agreement does not have.

5. Are there any changes in circumstances or conditions affecting the area.?

Explain:

YES NO

Attachment: Sec. 82-372 (4732 : Fountainhead First Major Amendment)



HOLLY HILL FLORIDA

1065 Ridgewood Avenue, Holly Hill, FL 32117

Phone: (386) 248-9442 Fax: (386) 248-9498 Permitdesk@hollyhillfl.org

01/2023

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

No. This is an amendment to an existing PD to allow additional uses.

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

It will bring in additional businesses which should help the economic value of the area.

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

The amendment to the PD provides for medical uses to be allowed on the property which is beneficial to the area.

Nika Hosseini

Print Applicant Name

Nika Hosseini

Applicant Signature

Print Applicant Name

Applicant Signature

7/26/2024

Date

Date

Attachment: Sec. 82-372 (4732 : Fountainhead First Major Amendment)

FOUNTAINHEAD
MIXED USE PLANNED UNIT DEVELOPMENT (MPUD)
DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT (this "AGREEMENT") is made and entered into this 30 day of March 2017, 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"), whose mailing address is 1065 Ridgewood Avenue, Holly Hill, Florida 32117.

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

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

Attachment: Exhibit A (4732 : Fountainhead First Major Amendment)



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, is 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 to provide the terms and conditions upon which the PROPERTY can be developed in accordance with 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. The PROPERTY shall be rezoned and entitled to be developed as a MPUD in accordance with the Master Development Plan, which consists of this AGREEMENT, all exhibits thereto, and adopting Ordinance 2991 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 date of the submittal of application for permit or development approval, 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 following summarizes the development that is approved for the PROPERTY:

- | | |
|--|---------------------|
| A. Corporate Headquarters: | 110,172 square feet |
| B. Medical Office/Clinic: | 16,000 square feet |
| C. Office : | 30,000 square feet |
| a. Financial Institution may be included within the office area as provided for below. | |
| D. Fitness Center: | 4,000 square feet |
| E. Child Day Care: | 6,000 square feet |
| F. Specialty Food/Restaurant | 4,000 square feet |
| G. 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. The POA documents shall be submitted and approved by the CITY concurrently with the first subdivision of the PROPERTY.

4. Controlling Documents. The development of the PROPERTY shall be in accordance with this MDP, subject to amendments approved as outlined in Paragraph 5 below. This MDP shall control the planning, design and construction of the PROPERTY, and the LDRs shall control items and requirements not otherwise addressed by this MDP.

5. Amendments. Amendments to the 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 shall include relocation of uses on the site, except as permitted by the MDP, changes to building styles, changes to landscaping requirements, etc. Minor changes shall be limited to items such as small adjustments to 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 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 shall be at the sole discretion of the Development Code Administrator. All amendments not qualifying as a minor amendment shall be deemed a major amendment which shall be reviewed and approved with a rezoning ordinance with review and recommendation by the Board of Planning and Appeals and two readings before the City Commission.

6. Phasing of Development. The PROPERTY may be developed in multiple phases as individual parcels, as shown on the MDP. However, at a minimum, the following improvements must be included as part of Phase 1 as also illustrated in Exhibit "C":

- A. Synergy Billing Headquarters (2 Buildings, totaling 21,000 square feet)
- B. Synergy Academy (7,000 square feet)
- C. 25 ft landscaped perimeter buffer along Center Avenue.
- D. 10 ft perimeter buffer along Walker Street, running from the intersection of Walker Street and Center Avenue to the main entrance to the Property on Walker Street.

- E. Water retention ponds, as required by the St. Johns River Water Management District, as depicted in Exhibit "C". Landscaping of said ponds shall be as provided herein.
- F. Parking to support the Phase 1 buildings, with future parking area to be sodded until improved.
- G. Primary entrances to Walker Street and Center Avenue as depicted on Exhibit "C".

Thereafter, DEVELOPER may develop the remaining parcels in any particular order. The parcel alignment shown on the MDP, shown on Exhibit "B", 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 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
 - c. Vocational Academy***
- B. 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.
- C. Professional Service/Office: 30,000 square feet
 - a. A Financial Institution may be located on Parcel 2 or Parcel 3. If drive-thru service is to be provided, an update to the TIA shall be required.
- D. Fitness Center: 4,000 square feet
- E. 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.**
- F. Specialty Food/Restaurant 4,000 square feet
- G. Multi-family Dwelling Units* 88 dwelling units
- H. Park, public meeting area, public open space and governmental uses.

A.

*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.

*** The vocational academy refers to the proposed Synergy Career Academy, a non-profit vocational school seeking licensure from the Commission for Independent Education, which has authority under the Florida Department of Education. In general, the use refers to the definition of "School" as found in Florida Statutes Section 1005.02(16)(a-d)(2016).

It is expressly recognized by all parties that the intent of this MDP is to have the uses provided for herein, including the Fitness Center, Child Dare Care, Specialty Food/Restaurant open to the service of the public rather than limiting said uses to just employees working within the Property.

It is expressly recognized by all parties that construction on Wing North and Wing South, as depicted on Exhibit "B", may occur on a floor by floor basis. Specifically, and pursuant to all relevant local, state and federal building codes as applicable, the exterior frame of the wing buildings may be constructed and Developer may secure C.O. on a floor by floor basis, so long as unfinished floors are properly secured from access.

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. Notwithstanding the previous statement, these uses may be permitted on Parcel 1 so long as the Synergy Headquarters building has been constructed on Parcel 2.

- 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. Daycare Playground, located within a side yard and accessory to an inline child daycare center.
- 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 the Fountainhead Master Development Plan attached hereto and incorporated herein as Exhibit "B".

- B. Required yards:
 - i. All yards abutting other parcels or interior roads or other interior elements 15 ft.
 - ii. All yards abutting any boundary of the Property 20 ft.
- C. Maximum building height: 45 ft.
Measured from center line of closest City street.
Parapets, chases and architectural elements may be added up to an additional ten feet (10')
- D. 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.)
- E. Parcel 4 Maximum Building Length 200 ft.

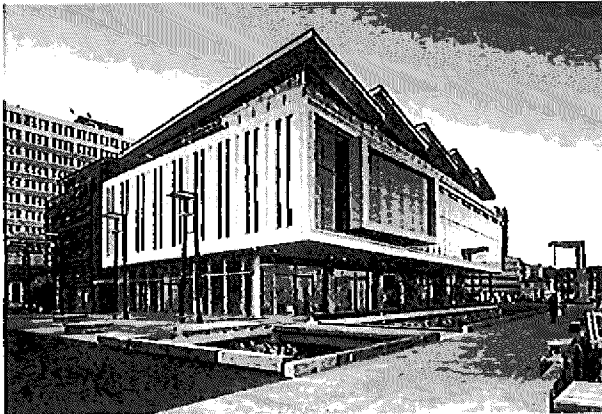
10. **Building Design Standards Applicable to All Tracts**

- 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, "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.
 - 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.
 - 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.
 - xii. Notwithstanding any of the above statement to the contrary, all parties recognize that, as to any residential development on the Property, the Contemporary Architecture standard is meant to inform the design of the structures. However, the parties recognize that said standards were designed with commercial buildings in mind and that the design elements are to be worked into the design of any residential structures, but that certain elements, such as glass walls and the like may not be feasible for a residential use. Review of the architectural elevations of any residential structure will be pursuant to the process described in Section H below.
- F. The following photographs show buildings that reflect the "contemporary" 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.

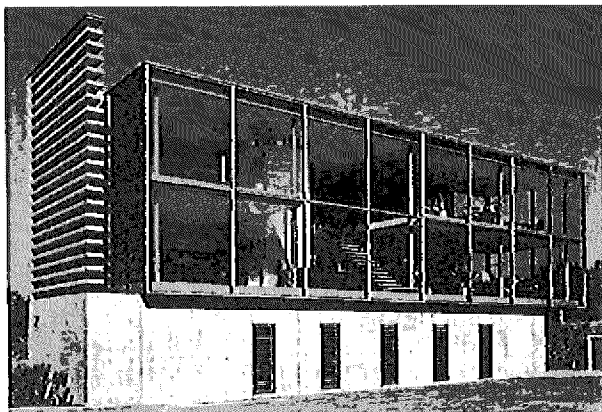
Examples of the following elements:

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



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.

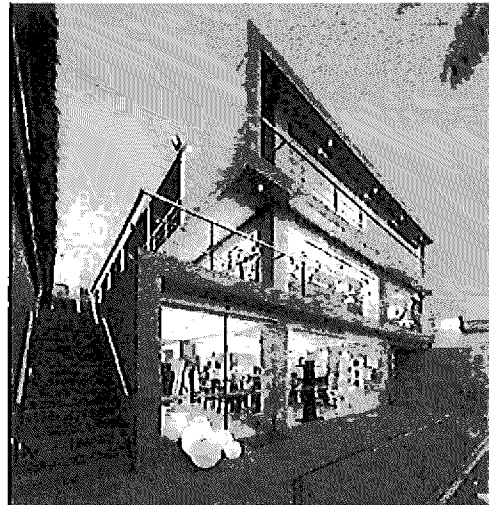


Examples of the following elements:

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.
- H. To ensure the consistency described above, this MDP provides for an additional step in the review process to address the elevations of the buildings to be constructed on the Property. The process shall be as follows:
- a. Elevations for the Corporate Headquarters Building, which shall be the first building permitted under this MDP, are attached hereto and incorporated herein as Exhibit "G". With the approval of this MDP, the elevations for said building shall be approved and the following paragraph shall not apply for said building.
 - b. If elevations for the Corporate Headquarters Building have not been submitted as part of the approval of this MDP or as final renderings for subsequent buildings are not available at the time of the MDP adoption, the standard site plan approval process shall now require that the architectural elevations for any building constructed on the Property, other than the

structural elevations approved by this MDP, shall be brought before the Holly Hill City Commission for review and approval. Said review shall be limited to determining whether the proposed elevations are consistent with the existing structures on the Property and with the architectural style elements and building design standards provided for herein. It is the intent of all parties to this MDP to allow for some distinction and deviation between the buildings on the Property provided that they meet the design criteria provided above.

11. Landscaping and Related Standards.

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 Center Avenue of 25 feet. The minimum landscaping required for these areas shall be as provided on Page 1 and Page 6 of the Landscape Plan prepared by Zev Cohen and Associates, attached hereto and incorporated herein as Exhibit "D". Sidewalks may be included/incorporated into this buffer provided that the presence of said sidewalk does not impact the density or variety of vegetation to be contained within the buffer.
 - ii. This MDP provides for a landscape perimeter buffer of 10 feet along Walker Street. 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 "D". Additionally, as stormwater retention ponds are constructed in the areas adjacent to Walker Street, landscaping, as provided for on Page 5 and Page 6 of the Landscape Plan, attached hereto and incorporated herein as Exhibit "D", shall be incorporated into the design of the ponds. It is the express intent of all parties that the landscaping for the pond in Parcel 3 be consistent with and otherwise mirror the landscaping for the pond in Parcel 2. Please note that additional landscaping along Walker Street shall be provided for Parcel 4, as described immediately below.
 - iii. 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 in plant quantities and types with the

standards set forth for Parcels 1 -3 and as illustrated in Exhibit "D". As Parcel 4's northern perimeter buffer along Walker Street will not be supplemented by the presence of a retention pond in Parcel 4, the northern perimeter buffer along Walker Street for Parcel 4 shall be 25 feet.

- iv. Southern Boundary -- The southernmost boundary of the PROPERTY is encompassed by a 15 foot access easement servicing Well Tract, running from the Well Tract to Center Avenue. If alternative access to the Well Tract is provided, to the satisfaction of the City, then the existing 15 foot access easement area may be landscaped and shall satisfy the landscaping requirements for the southern boundary. In the event that said easement is vacated or alternative access can be provided, the buffer standards provided by the Land Development Regulations to provide for a vegetative opacity no less than 80% It is explicitly recognized that notwithstanding the ability to provide alternate means to access the Well Tract, a pipeline is and shall continue to be located within the 15 foot access easement. Landscaping shall be provided to avoid conflict with said piping and in the event that the piping must be disturbed by the City, the landscaping shall be restored to its prior condition by the DEVELOPER. If no alternative access to the Well Tract can be provided and the City requires the continued use of the 15 foot access easement, the landscaping required for the southern boundary shall be provided to the north of the 15 foot access easement. Landscaping along the southern boundary shall not be required until such time as development on Parcel 1 begins. The minimum landscaping required for the southern buffer shall be consistent in plant quantities and types with the standards set forth and illustrated in Exhibit "D".
 - v. Retention Ponds -- The retention ponds are to be designed as functional, but featured amenities for the PROPERTY. 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. A typical for the treatment of the stormwater facilities can be found on Page 5 of the Landscape Plan, attached hereto as Exhibit "D".
- b. Parking and Drive Aisles: Exhibit "B" provides for parking and drive aisles servicing all portions of the PROPERTY. This MDP shall permit a maximum parking space run of 13 spaces before a

landscape island is required. Plantings within the parking lots shall be as depicted as provided on Page 5 of the Landscape Plan, attached hereto and incorporated herein as Exhibit "D".

- 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 5 of the Landscape Plan, attached hereto and incorporated herein as Exhibit "D".
 - 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 .
- 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 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.
 - 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 incorporate walking paths and similar amenities into the Surface Water Tracts depicted on the MDP.
- C. Bus Stops. DEVELOPER shall provide 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 this MDP. The locations of these access points are provided in Exhibit "B". A typical of the landscaping for the primary access points on Walker Street and Center Avenue is found on Page 3 of the Landscape Plan, attached hereto as Exhibit "D". 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 unless alternative access can be provided as described herein. All property owners within the PROPERTY shall have the right to utilize any of the access easements abutting their parcel.

13. Projected Traffic Impacts and Improvements. The following traffic improvements and requirements are based on the Traffic Impact Assessment (TIA) dated June 2016; the follow up report dated January 3, 2017 (Attached as Exhibit "E"); and subsequent memoranda produced

by City staff.

- A. The DEVELOPER shall provide a fully updated TIA meeting the current MPO standards prior to initiating site plan approval for the first phase of development as described in Exhibit "C".
- B. The DEVELOPER shall design and install a left turn lane from Center Avenue with the construction of any principal buildings on Parcels 1, 2 or 3 beyond the initial 80,000 square feet of rehabilitation and new construction. This equates to 247 AM peak entering trips.
- C. The DEVELOPER shall pay its proportionate share of off-site traffic improvements where the need for the improvement has been linked to the project.
- D. Should a future TIA, done for subsequent site plan review, determine that a turn lane is required on Walker Street, the DEVELOPER shall construct the turn lane. DEVELOPER shall be entitled to recover a proportionate share of the cost from other contributing projects as these projects are reviewed by the City for transportation concurrency.
- E. The DEVELOPER shall be required to comply with any County impact fee requirements and proportionate share requirements as part of the City's transportation concurrency approval.

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 CITY and the St. Johns River Water Management District.
- C. As stated herein in Section 17 of this MDP 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, including accessory uses but excluding multi-family dwellings, 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 Synergy Academy: Notwithstanding the provisions found above, parking for the Synergy Academy use shall be based upon the parking requirements for Private College/Post High School uses. 1 space shall be provided for every employee of the Academy use, and 1 space for every 3 students during the hours of maximum operation shall be 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 with 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. 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 20% of the building height multiplied by 40% 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 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 is to define the applicable condition for the development of the PROPERTY. As stated herein, where the MDP are silent, the LDR provisions in effect as of the submittal of application for permit or development approval shall control.
- B. For purposes of all concurrency and impact fee determinations, 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 on a first come first serve basis, except for Parcel 4 Workforce Housing Development. Said credit shall remain with the PROPERTY and shall not be transferred to any unrelated project or development. The 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 PROPERTY'S redevelopment. Impact fee credits shall be identified in Exhibit "G".

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 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. 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 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 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. Note that pursuant to Paragraph 10.H. provided for herein, architectural elevations for all buildings constructed on the Property shall be brought before the City Commission for a determination of consistency with the pre-existing structures and the architectural style elements and building design standards provided for herein. 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, 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 MDP. This MDP was designed to accommodate the continued use and maintenance of the well tract by the CITY. All parties to this MDP acknowledge the existence and proximity of the wellfield to the PROPERTY. If CITY 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 MDP as a major amendment.

23. Property Owners Association. Prior to any subdivision of the PROPERTY 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 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 shall be recorded in the Public Records of Volusia County, Florida, and the provisions of this MDP 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. In event that the DEVELOPER has materially breached the MDP, 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, the CITY shall exercise its right to take appropriate legal action including code enforcement or termination of this MDP.

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 from actions taken during development on the PROPERTY. Therefore, 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 DEVELOPER or those of the DEVELOPER'S contractor, subcontractor, employee, or other persons acting on his/her behalf which relate to the project. 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 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 CITY.

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. The CITY's representative shall monitor the activities specified in such a manner to ensure that all requirements of this MDP are met and that all reviews and approvals are expedited to the greatest extent possible.

28. Notices. Any notice, demand or other communication required or permitted under the terms of this MDP 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

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

30. Effective Date. The approval of this Ordinance is effective upon adoption.

**THIS PORTION OF THE PAGE LEFT INTENTIONALLY BLANK
TITLE PAGE TO FOLLOW**

Attachment: Exhibit A (4732 : Fountainhead First Major Amendment)



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

ATTEST:

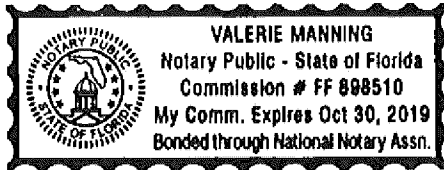
CITY COMMISSION OF THE CITY OF HOLLY HILL

Valerie Manning
Valerie Manning
City Clerk

John Penny
John Penny
Mayor

STATE OF FLORIDA
COUNTY OF VOLUSIA

The foregoing agreement was acknowledged before me this 29th day of March, 2017 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: *Valerie Manning*

Commission No.: FF898510
My Commission Expires: Oct. 30, 2019

Attachment: Exhibit A (4732 : Fountainhead First Major Amendment)



OWNER

HOLLY HILL COMMUNITY REDEVELOPMENT AGENCY

Attest: Valerie Manning
Valerie Manning
City Clerk



John Penny
John Penny
Mayor

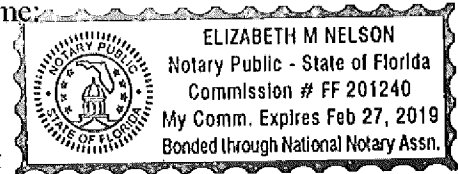


STATE OF FLORIDA
COUNTY OF VOLUSIA

The foregoing agreement was acknowledged before me this 30 day of March, 2017 by John Penny as the Chair of the Holly Hill Community Redevelopment Agency, who is personally known to me or produced ID M600550830070 as identification and did/did not take an oath.

Elizabeth M Nelson

NOTARY PUBLIC, STATE OF FLORIDA
Type or Print Name:



Commission No.:
My Commission Expires:

Attachment: Exhibit A (4732 : Fountainhead First Major Amendment)



DEVELOPER

Witness: Valerie Manning
Printed Name: Valerie Manning

Fountainhead Developers, LLC
a Florida Limited Liability Company

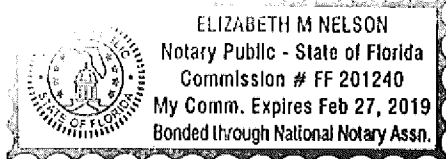
By: [Signature]
Name: M. Jayson Meyer
Title: Manager

STATE OF FLORIDA
COUNTY OF VOLUSIA

The foregoing agreement was acknowledged before me this 30 day of March, 2017 by M. Jayson Meyer as the Manager of Fountainhead Developers, LLC, who is personally known to me or produced FDL M600550 & 30070 as identification and did/did not take an oath.

[Signature: Elizabeth M. Nelson]

NOTARY PUBLIC, STATE OF FLORIDA
Type or Print Name:



Commission No.:
My Commission Expires:

Attachment: Exhibit A (4732 : Fountainhead First Major Amendment)

Exhibit "A-1"
Parcel A: The 1200 Center Avenue property

Attachment: Exhibit A (4732 : Fountainhead First Major Amendment)



Exhibit A-1

Parcel A: The 1200 Center Avenue property

DESCRIPTION: (PER O.R. BOOK 6670, PAGE 2413)

PARCEL 1:

That part of "BISHOP VILLAGE" SUBDIVISION, as per map recorded in Map Book 19, Page 92, of the public records of Volusia County, Florida, and part of Lots 1, 34, 4, 32 and 33, and all of Lots 2 and 3, Block 35, MARY C. FLEMING SUBDIVISION of the Thomas Fitch Grant, as per Map recorded in Map Book 1, Page 1, of the public records of Volusia County, Florida, being more specifically described as follows:

Commencing at the Southeast corner of Lot 20, of said BISHOP VILLAGE SUBDIVISION; thence North 25° West, along the Westerly line of Center Street, a distance of 200 feet to a concrete monument, marking the PLACE OF BEGINNING; thence South 63°28' West, a distance of 978.65 feet to a concrete monument located on the West line of Lot 32, Block 35, FLEMING SUBDIVISION; thence North 25°25' West, along the Westerly line of said Lot 32, a distance of 428.07 feet to a steel rod marking the Northwest corner of Lot 4, Block 35; thence South 64°31'30" West, along the Southerly line of Lot 4, Block 35, a distance of 84.92 feet; thence North 25°25' West, a distance of 636.2 feet to a point in the South line of 13th or Walker Street; thence North 64°42'30" East, a distance of 1071.08 feet to a concrete monument marking the Northeast corner of Lot 1, BISHOP VILLAGE SUBDIVISION; thence South 25° East along the Westerly line of Center Street, a distance of 1043.1 feet to the PLACE OF BEGINNING.

PARCEL 2:

The West 13 feet of the South 200 feet of Lot 32, Block 35, MARY C. FLEMING SUBDIVISION of the Thomas Fitch Grant, as per Map recorded in Map Book 1, Page 1, of the public records of Volusia County, Florida.

Attachment: Exhibit A (4732 : Fountainhead First Major Amendment)

|

Exhibit "A-2"
Parcel B: Developer's Parcel

Attachment: Exhibit A (4732 : Fountainhead First Major Amendment)



Exhibit A-2
Parcel B: Developer's Parcel

DESCRIPTION: (PER O.R. BOOK 7214, PAGE 890)

The East 101 feet of the South 200 feet of Lot 34, Block 35, Fleming Fitch Grant, according to the map or plat thereof, as recorded in Map Book 1, Page 1, of the Public Records of Volusia County, Florida, also known as Lot 20, Bishop Village, according to the map of plat thereof as recorded in Map Book 19, Page 92, of the Public Records of Volusia County, Florida.

Attachment: Exhibit A (4732 : Fountainhead First Major Amendment)

Exhibit "B"
Mixed Use Master Development Plan

Attachment: Exhibit A (4732 : Fountainhead First Major Amendment)



Exhibit "C"
Illustration of Phase 1

Attachment: Exhibit A (4732 : Fountainhead First Major Amendment)

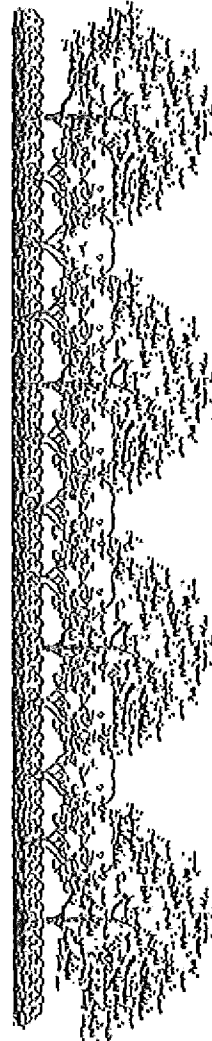
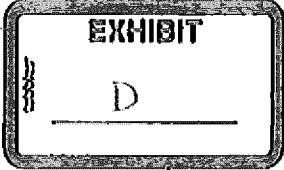


Exhibit D
Landscape Plan

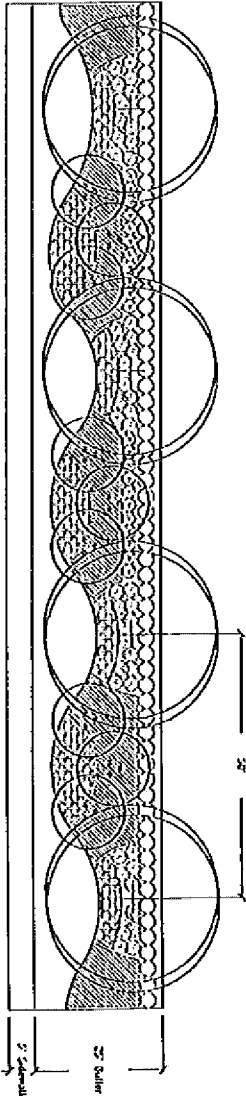
Attachment: Exhibit A (4732 : Fountainhead First Major Amendment)

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Center Avenue Buffer Elevation

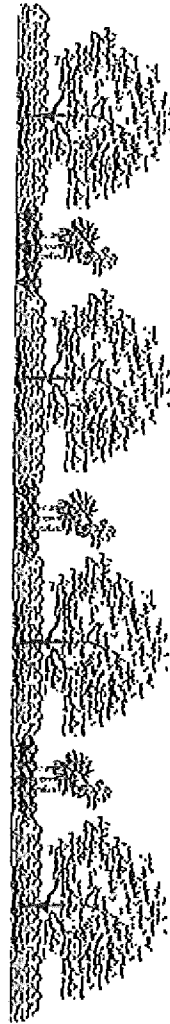


Center Avenue Plan (Typ.)

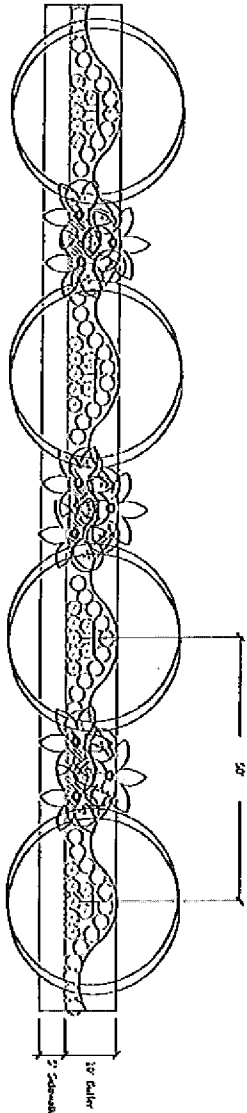
- 27' CENTER AVENUE BUFFER
- ONE SHOOT TREE PER 50 LINEAR FEET
- 2' MIN. TREE SPACING
- 2' MIN. TREE SPACING
- CONTINUOUS WEDGE TO SHIELD
- VEHICLE USE AREA BEHIND BUFFER
- 2' BUFFER TYPE OF LANDSCAPE
- MATERIALS SHOULD BE NO HARDER THAN ASP.
- 2' MIN. BUFFER
- SHOULD TRICKLE AND UNDISJECTORY TRICKLE TO BE A MINIMUM OF 2" IN DEPTH IN
- SIDE OVER CITY REQUIREMENTS

<p>FOUNTAINHEAD MPUD EXHIBITS CONCEPTUAL LANDSCAPE PLANS</p>	<p>FOR REVIEW ONLY NOT FOR CONSTRUCTION</p>	<p>ZEV COHEN ARCHITECTS & ASSOCIATES, P.C.</p>
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Attachment: Exhibit A (4732 : Fountainhead First Major Amendment)



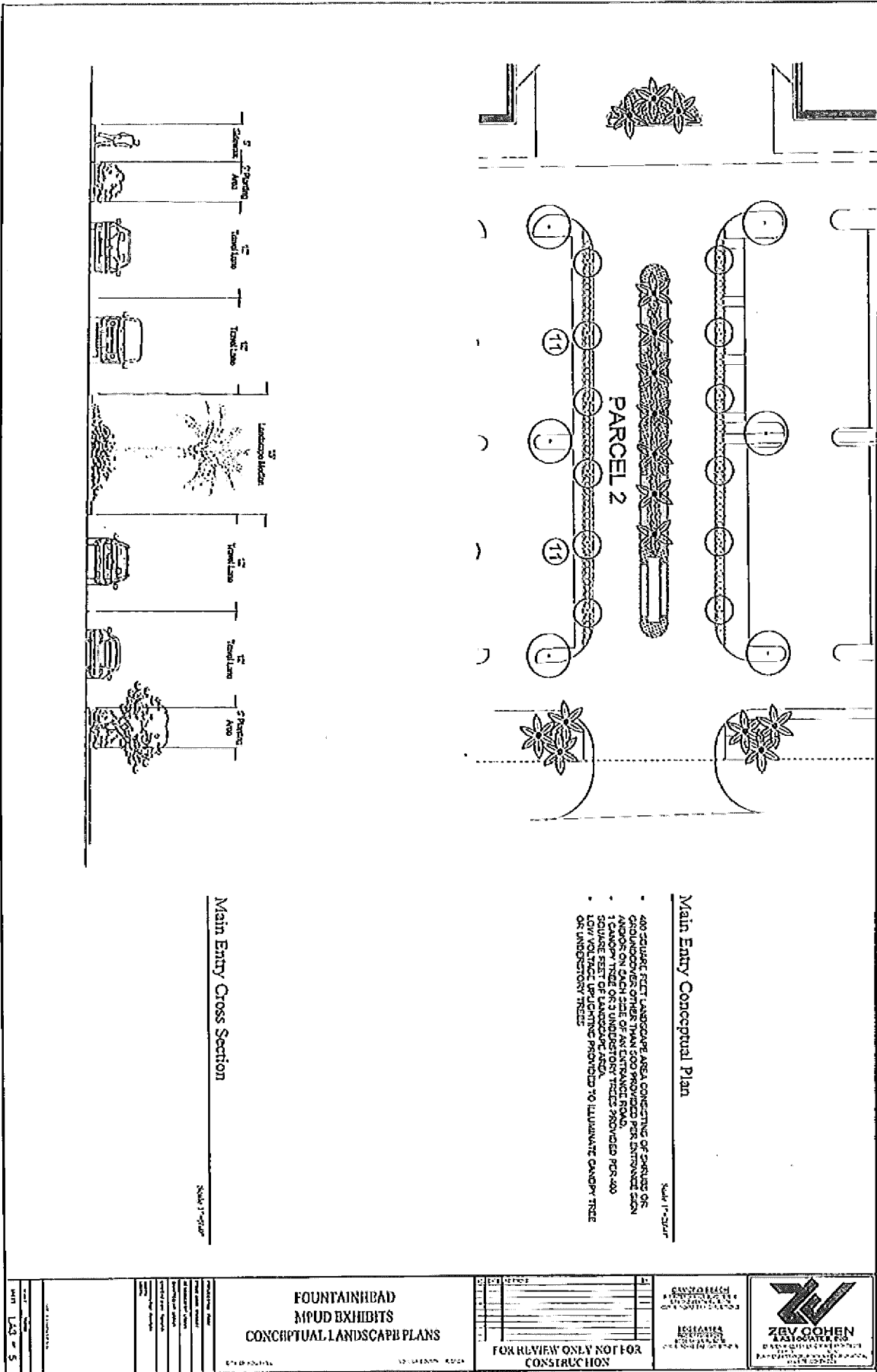
Walker Street Buffer Elevation



Walker Street Buffer Plan (Typ.)

- WALKER STREET BUFFER
- ONE CANOPY TREE PER 20 LINEAR FEET
- ONE SHRUB PER 10 LINEAR FEET
- ONE PLANT PER 5 LINEAR FEET
- PLANT LIST FOR SUBSTITUTION
- RECOMMENDATIONS
- 1 INDICATOR TREE OR 3 MEDIUM PALMS
- 15' BUFFER FROM SIDE OF ROADWAY
- 15' BUFFER FROM SIDE OF LANDSCAPE
- MATERIAL FOR 20 LINEAR FEET
- CONTINUOUS HOOD PROVIDED AS
- VISUAL SCREEN
- 20' BUFFER TO EXISTING USE OF BUFFER
- 20' BUFFER TO EXISTING USE OF BUFFER
- TO BE A MINIMUM OF 20' BUFFER IN
- SIZE OVERS CITY REQUIREMENTS

<p>FOUNTAINHEAD MPUD EXHIBITS CONCEPTUAL LANDSCAPE PLANS</p>		<p>DATE: 12/15/2020</p>	<p>SCALE: 1/8" = 1'-0"</p>	<p>PROJECT: 150630</p>	<p>DATE: 12/15/2020</p>	<p>PROJECT: 150630</p>	<p>PROJECT: 150630</p>	<p>PROJECT: 150630</p>	
<p>FOR REVIEW ONLY NOT FOR CONSTRUCTION</p>		<p>ANGELIKA ASSOCIATES, LLC</p>		<p>ZEV COHEN ASSOCIATES, LLC</p>		<p>ANGELIKA ASSOCIATES, LLC</p>		<p>ZEV COHEN ASSOCIATES, LLC</p>	



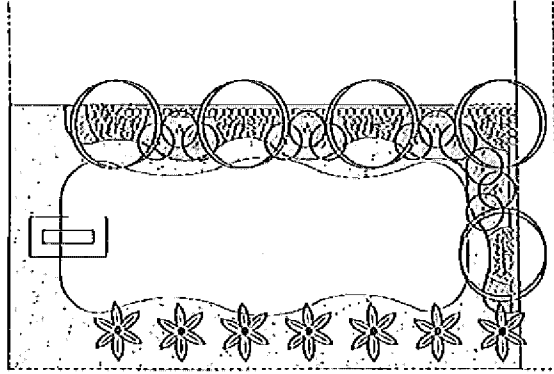
Main Entry Conceptual Plan

- 400 SQUARE FEET LANDSCAPE AREA CONSISTING OF SHRUBS OR GROUNDCOVERS OTHER THAN GRASS PROVIDED PER DRIVEWAY EACH ANCHOR ON EACH SIDE OF ANY DRIVEWAY ROAD.
- 1 CANOPY TREE OR 3 UNDERSTORY TREES PROVIDED PER 400 SQUARE FEET OF LANDSCAPE AREA.
- LOW VOLTAGE UP LIGHTING PROVIDED TO ILLUMINATE CANOPY TREES OR UNDERSTORY TREES.

Main Entry Cross Section

Scale: 1/8\"/>

<p>FOUNTAINHEAD MPUD EXHIBITS CONCEPTUAL LANDSCAPE PLANS</p>		<p>DATE: 11/11/2020</p> <p>BY: [Signature]</p>	<p>REVISIONS:</p> <table border="1"> <tr> <th>NO.</th> <th>DESCRIPTION</th> </tr> <tr> <td> </td> <td> </td> </tr> </table>	NO.	DESCRIPTION			<p>ENVIRONMENTAL & PLANNING CONSULTANTS</p> <p>ZBY COHEN</p> <p>LANDSCAPE ARCHITECTS</p> <p>12000 W. WASHINGTON AVENUE, SUITE 100</p> <p>DENVER, CO 80231</p>
NO.	DESCRIPTION							

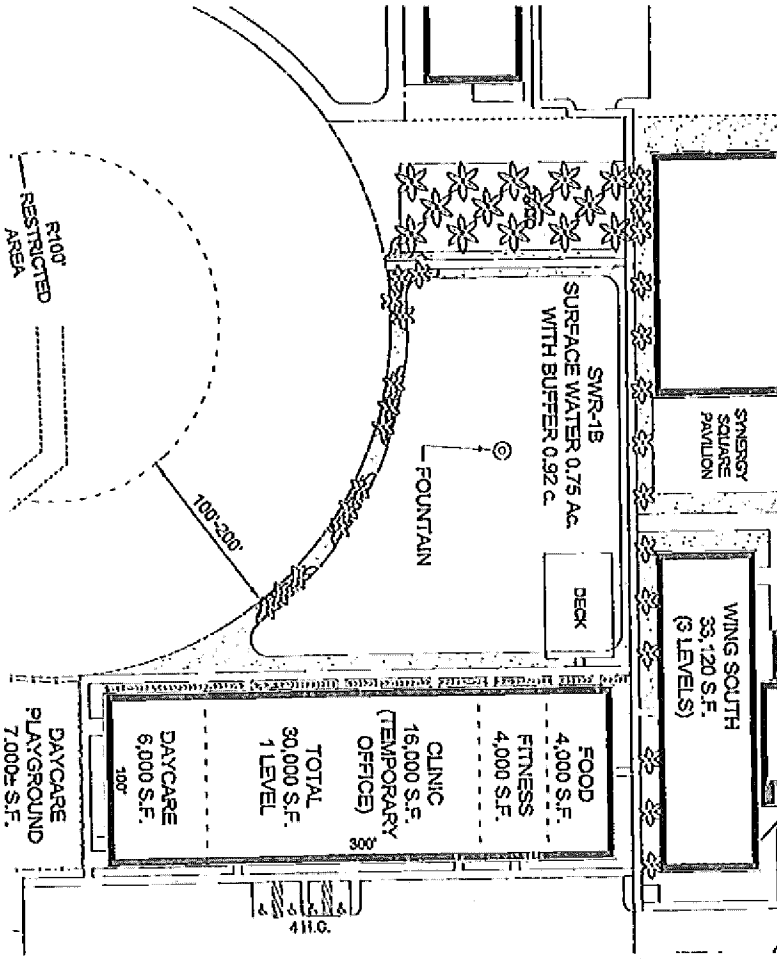


Wayfinding Area Conceptual Plan

1"-3"

Stormwater Ponds (Typ.)

- THE REQUIRED PERCENT OF LANDSCAPE AREA SHALL BE PROVIDED FOR EACH 150' DIAMETER POND FOR EACH POND. THE PERCENTAGE SHALL BE BASED ON THE TOTAL LANDSCAPE AREA OF THE SITE. THE PERCENTAGE SHALL BE BASED ON THE TOTAL LANDSCAPE AREA OF THE SITE. THE PERCENTAGE SHALL BE BASED ON THE TOTAL LANDSCAPE AREA OF THE SITE.
- A CANOPY SHALL BE PROVIDED FOR EACH 150' DIAMETER POND. THE CANOPY SHALL BE PROVIDED AT THE TOP OF EACH POND. THE CANOPY SHALL BE PROVIDED AT THE TOP OF EACH POND. THE CANOPY SHALL BE PROVIDED AT THE TOP OF EACH POND.
- THE PERCENTAGE OF LANDSCAPE AREA SHALL BE PROVIDED FOR EACH 150' DIAMETER POND. THE PERCENTAGE SHALL BE BASED ON THE TOTAL LANDSCAPE AREA OF THE SITE. THE PERCENTAGE SHALL BE BASED ON THE TOTAL LANDSCAPE AREA OF THE SITE.
- THE PERCENTAGE OF LANDSCAPE AREA SHALL BE PROVIDED FOR EACH 150' DIAMETER POND. THE PERCENTAGE SHALL BE BASED ON THE TOTAL LANDSCAPE AREA OF THE SITE. THE PERCENTAGE SHALL BE BASED ON THE TOTAL LANDSCAPE AREA OF THE SITE.



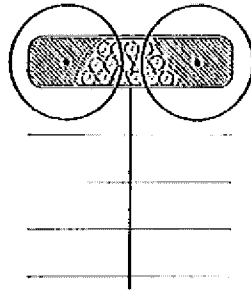
Stormwater Pond 13 Conceptual Plan

1"-3"

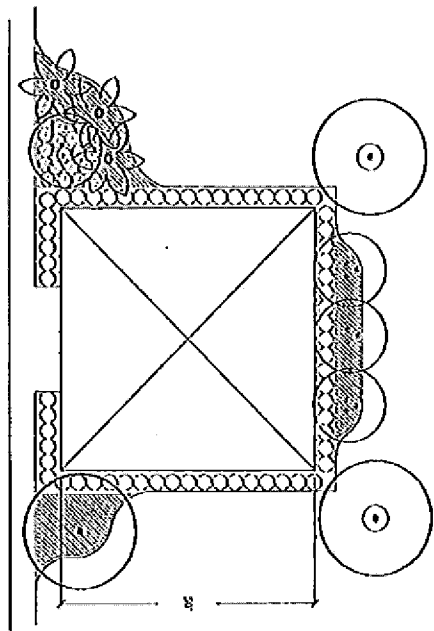
FOOD	4,000 S.F.
FITNESS	4,000 S.F.
CLINIC (TEMPORARY OFFICE)	16,000 S.F.
TOTAL	30,000 S.F. 1 LEVEL
DAYCARE	6,000 S.F.
DAYCARE PLAYGROUND	7,000 S.F.

<p>FOUNTAINHEAD MPUD EXHIBITS CONCEPTUAL LANDSCAPE PLANS</p> <p>DATE: 05-14-2021</p> <p>SCALE: AS SHOWN</p>	<p>FOR REVIEW ONLY NOT FOR CONSTRUCTION</p>	<p>ESKANA ENGINEERING & ARCHITECTURE</p>	<p>ZEV COHEN & ASSOCIATES, INC.</p>
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Attachment: Exhibit A (4732 : Fountainhead First Major Amendment)



- Terminal Landscape Island Plan (Typ.)**
- NO SOB IN AREA LESS THAN 10' WIDE
 - ONE SHADE TREE PER 200 SQUARE FEET
 - 3 TYPES OF LANDSCAPE MATERIALS PER ISLAND
 - 1 SHADE TREE PER 1000 SQUARE FEET



- Building Foundation Plan (Typ.)**
- MINIMUM 7' WIDE LANDSCAPE AREA ADJACENT TO BUILDING
 - MINIMUM 1' WIDE LANDSCAPE AREA ADJACENT TO DRIVEWAY AND DRIVE
 - LANDSCAPE AREA MAY BE LOCATED ON OTHER SIDE OF DRIVEWAY
 - 1 CANOPY TREE AND 1 LANDSCAPE MATERIAL PER 1000 SQUARE FEET OF LANDSCAPE AREA (OR PORTION THEREOF) 3 MEDIUM PALM TREES MAY BE SUBSTITUTED FOR 1 CANOPY TREE

Conceptual Planting Legend

	LARGE CANOPY TREE: LIVE OAK MINIMUM 7' x 7' CANOPY TO BE PLANTED A MINIMUM OF 20' FROM OVERHEAD POWER LINES. MEDIUM CANOPY TREE SHOULD BE SUBSTITUTED IF OVERHEAD POWER LINES ARE WITHIN 20' FROM TREE LOCATION.		MEDIUM CANOPY TREE: DATE, MAGNOLIA, SPICEBUSH MINIMUM 7' x 7' CANOPY TO BE PLANTED A MINIMUM OF 20' FROM OVERHEAD POWER LINES. MEDIUM CANOPY TREE SHOULD BE SUBSTITUTED IF OVERHEAD POWER LINES ARE WITHIN 20' FROM TREE LOCATION.		LARGE PALM TREE: CANARY DATE, MEDIUM DATE, SILVER DATE MINIMUM 7' x 7' CANOPY MEDIUM PALM TREES MAY BE SUBSTITUTED
	SMALL CANOPY TREE: LIVE OAK MINIMUM 7' x 7' CANOPY		MEDIUM PALM TREE: YACONIA, SPAL, CHINESE FAN MINIMUM 7' x 7' CANOPY		LARGE CANOPY TREE: LIVE OAK, SPICEBUSH, CASUAL LEM, PINEAPPLE MINIMUM 7' x 7' CANOPY
	MEDIUM CANOPY TREE: LIVE OAK, SPICEBUSH, POGONOPUS, YACONIA MIN. 20' x 20' O.C.		SMALL CANOPY TREE: LIVE OAK, SPICEBUSH, POGONOPUS MIN. 20' x 20' O.C.		MEDIUM CANOPY TREE: LIVE OAK, SPICEBUSH, POGONOPUS MIN. 20' x 20' O.C.
	LARGE CANOPY TREE: LIVE OAK, SPICEBUSH, POGONOPUS, YACONIA MIN. 20' x 20' O.C.		MEDIUM CANOPY TREE: LIVE OAK, SPICEBUSH, POGONOPUS, YACONIA MIN. 20' x 20' O.C.		MEDIUM CANOPY TREE: LIVE OAK, SPICEBUSH, POGONOPUS, YACONIA MIN. 20' x 20' O.C.

Notes

1. ALL PLANTING DECISIONS AND CONCEPTUAL AND ARE ONLY INDICATED SHOW A TYPICAL PLAN THAT IS REPRESENTATIVE OF THE LOCATION OF ACTUAL PLANTING DECISIONS AND VARY AS LONG AS THE MINIMUM DESIGN REQUIREMENTS ARE MET. ALL PLANTING PLANS MUST ALSO MEET MINIMUM: SEE REQUIREMENTS FOR THE CITY OF HOLLY HILL UNLESS OTHERWISE STATED ON THIS PLAN. SUPPLIES ARE NOT REQUIRED TO BE THE CONCEPTUAL PLANT LIST IS NOT INCLUSIVE AND IS TO BE USED AS A GUIDE FOR PLANT MATERIAL CHOICES BY THE LANDSCAPE ARCHITECT OR RECORDS.
2. ALL PLANT MATERIAL SHALL BE GRADE REGIONAL NO. 1 OR BETTER IN QUALITY AS SPECIFIED IN FLORIDA CODES AND STANDARDS.

<p>FOUNTAINHEAD MPUD EXHIBITS CONCEPTUAL LANDSCAPE PLANS</p>		<p>FOR REVIEW ONLY NOT FOR CONSTRUCTION</p>	<p>ISLAMIC DESIGN CENTER</p>	<p>ZEV COHEN ARCHITECTURE</p>
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Exhibit E
Traffic Impact Analysis

Attachment: Exhibit A (4732 : Fountainhead First Major Amendment)





Via Email: (tharowski@hollyhillfl.org)

Ref: 4146.03

TECHNICAL MEMORANDUM

To: Thomas Harowski, AICP
 From: Andrew J. Ames, PE
 Subject: Support Memorandum for the TIA
 Date: January 17, 2017

The following Technical Memorandum presents a summary of the comments, responses and a quick synopsis to outline the differences between the current site plan and the site plan dated January 11, 2017. This Memorandum has included the following to support the Memo:

- Original Site plan submitted with the Traffic Impact Analysis (June 2016)
- Revised and Current Site plan for use (January 2017)
- Responses to all comments related to this project
- Description of the Land use plan of today versus June 2016

Table 1 presents the June 2016 and January 2017 development programs for the study:

Table 1
 Comparative Analysis Land Use
 The Fountainhead Development

Land Use	Land Use Plan Jun-16		Land Use Plan Jan-17	
	Apartment Units	88	DU	88
Student/Employee Day-care facility	100	Students	100	Students
General Office	65,000	SF	30,000	SF
Corporate Headquarters	75,100	SF	87,079	SF
Medical Office	20,000	SF	16,000	SF
Bank	7,500	SF	7,500	SF
Fitness Center	-	SF	4,000	SF
Food Kiosk	4,000	SF	4,000	SF

The Site Access has not changed respective to the driveway locations as can be seen on the 2016 and 2017 Site Plan attachments.

The projects trip generation tables are found below. Table 2 presents the original net trip generation. The New External trips are identified along the right column and are to be compared with Table 3 current net trip generation.



Thomas Harowski, AICP
 January 17, 2017
 Page 2

Table 2
Comparative TRIP Generation
The Fountainhead Development
Original 2016 NET TRIP Generation

Time Period	Land Use	Total Trips			Internal Trips			Pass-by Trips			New External Trips		
		Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total
Daily	Residential	320	320	658	104	73	177	0	0	0	225	256	481
	Day Care	335	335	670	0	0	0	0	0	0	335	335	670
	Office	1,502	1,502	3,004	24	23	47	0	0	0	1,478	1,470	2,957
	Bank	556	556	1,112	61	82	143	233	223	456	262	251	513
	Restaurant	255	255	510	28	39	67	98	93	191	129	123	252
Totals:		2,977	2,977	5,954	217	217	434	331	316	647	2,429	2,444	4,873
A.M. Peak-Hour	Residential	9	38	47	3	7	10	0	0	0	6	31	37
	Day Care	11	9	20	0	0	0	0	0	0	11	9	20
	Office	404	45	449	2	2	4	0	0	0	402	43	445
	Bank	52	39	91	6	3	9	22	17	39	24	19	43
	Restaurant	24	19	43	3	2	5	9	7	16	12	10	22
Totals:		500	150	650	14	14	28	31	24	55	465	112	567
P.M. Peak-Hour	Residential	43	23	66	14	10	24	0	0	0	29	13	42
	Day Care	9	11	20	0	0	0	0	0	0	9	11	20
	Office	71	401	472	3	3	6	0	0	0	68	398	466
	Bank	91	91	182	10	14	24	38	36	74	43	41	84
	Restaurant	23	16	39	2	2	4	9	6	15	12	8	20
Totals:		237	542	779	29	29	58	47	42	89	161	471	632

Table 3
Comparative TRIP Generation
The Fountainhead Development
Current 2017 NET TRIP Generation

Time Period	Land Use	Total Trips			Internal Trips			Pass-by Trips			New External Trips		
		Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total
Daily	Residential	320	320	658	104	73	177	0	0	0	225	256	481
	Day Care	1,343	1,343	2,686	0	0	0	0	0	0	1,343	1,343	2,686
	Office	1,210	1,210	2,420	24	23	47	0	0	0	1,186	1,187	2,373
	Bank	556	556	1,112	61	82	143	233	223	456	262	251	513
	Restaurant	255	255	510	28	39	67	98	93	191	129	123	262
Totals:		3,693	3,693	7,386	217	217	434	331	316	647	3,145	3,160	6,305
A.M. Peak-Hour	Residential	9	38	47	3	7	10	0	0	0	6	31	37
	Day Care	42	38	80	0	0	0	0	0	0	42	38	80
	Office	340	36	376	2	2	4	0	0	0	338	34	372
	Bank	52	39	91	6	3	9	22	17	39	24	19	43
	Restaurant	24	19	43	3	2	5	9	7	16	12	10	22
Totals:		467	170	637	14	14	28	31	24	55	422	132	554
P.M. Peak-Hour	Residential	43	23	66	14	10	24	0	0	0	29	13	42
	Day Care	38	43	81	0	0	0	0	0	0	38	43	81
	Office	61	360	421	3	3	6	0	0	0	58	357	415
	Bank	91	91	182	10	14	24	38	36	74	43	41	84
	Restaurant	23	16	39	2	2	4	9	6	15	12	8	20
Totals:		266	633	789	29	29	58	47	42	89	180	462	642

Attachment: Exhibit A (4732 : Fountainhead First Major Amendment)



Thomas Harowski, AICP
January 17, 2017
Page 3

The significant difference between the two land use plans is found with the day care facility. It is important to note that ITE does not typically permit internal capture however the purpose of the day care is to provide a support facility to employees and the public. This will lead to an overall internal capture rate of approximately 50% conservatively and reducing the current trip generation below the original trip generation for the site.

Additionally, the MPUD has added language requiring the NB connection to Walker Street to be built with the initial building. Based on the current proposed Land Uses and the currently proposed site access plan a revised TIA will not create any significant changes in recommendations. Additional improvement conditions are not anticipated for this project.

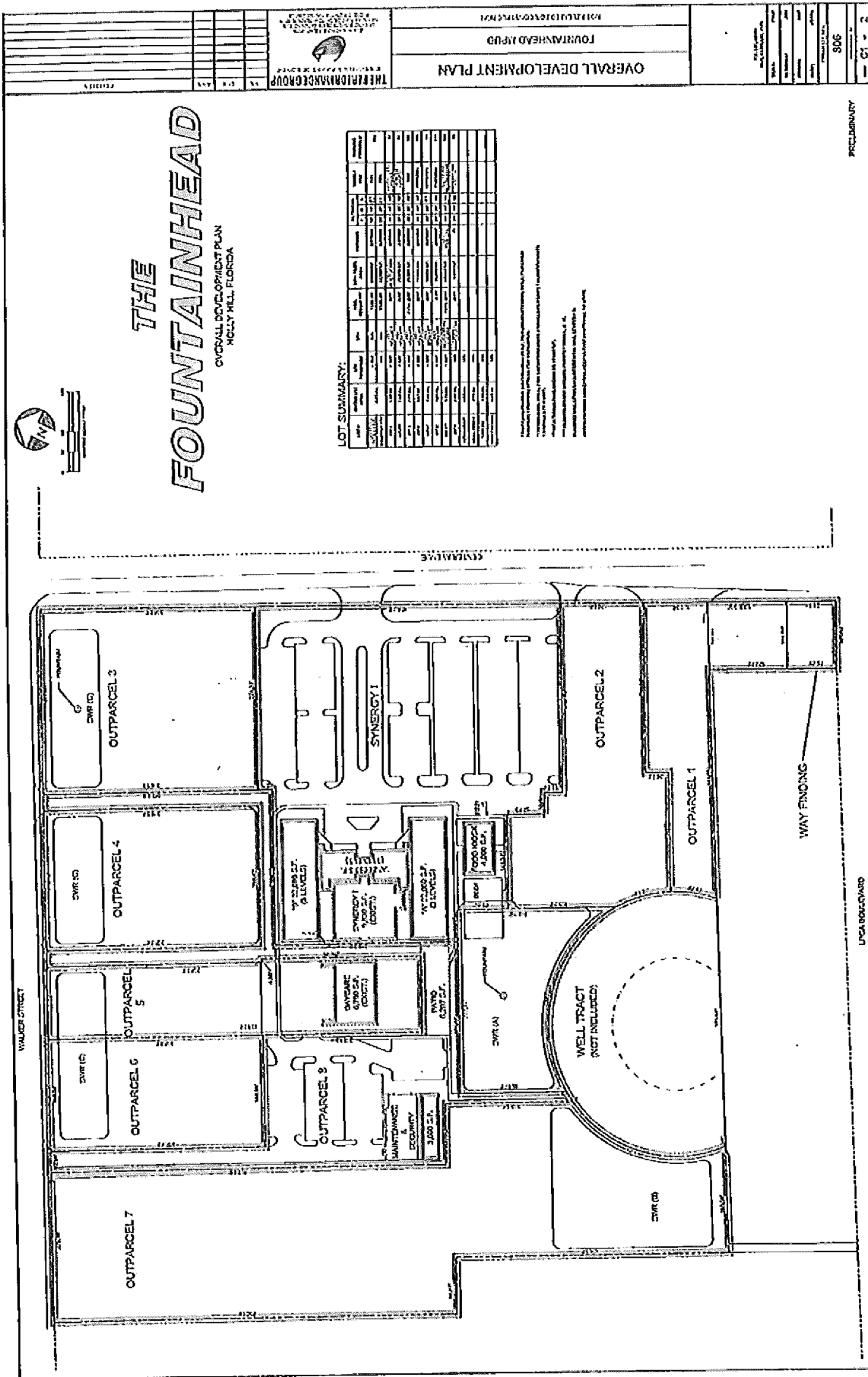
Encl: Comment Response Letter, prepared by Lassiter Transportation Group, Inc.
6/16 and 1/17 Site plans
6/16 and 1/17 Land use plans

I affirm, by affixing my signature and seal below, that the findings contained herein are, to my knowledge, accurate and truthful and were developed using current procedures standard to the practice of professional engineering.

Name: Andrew J. Ames, P.E.
Signature: *Andrew J. Ames, P.E.*
Florida PE License No.: 52570
Date: January 17, 2017



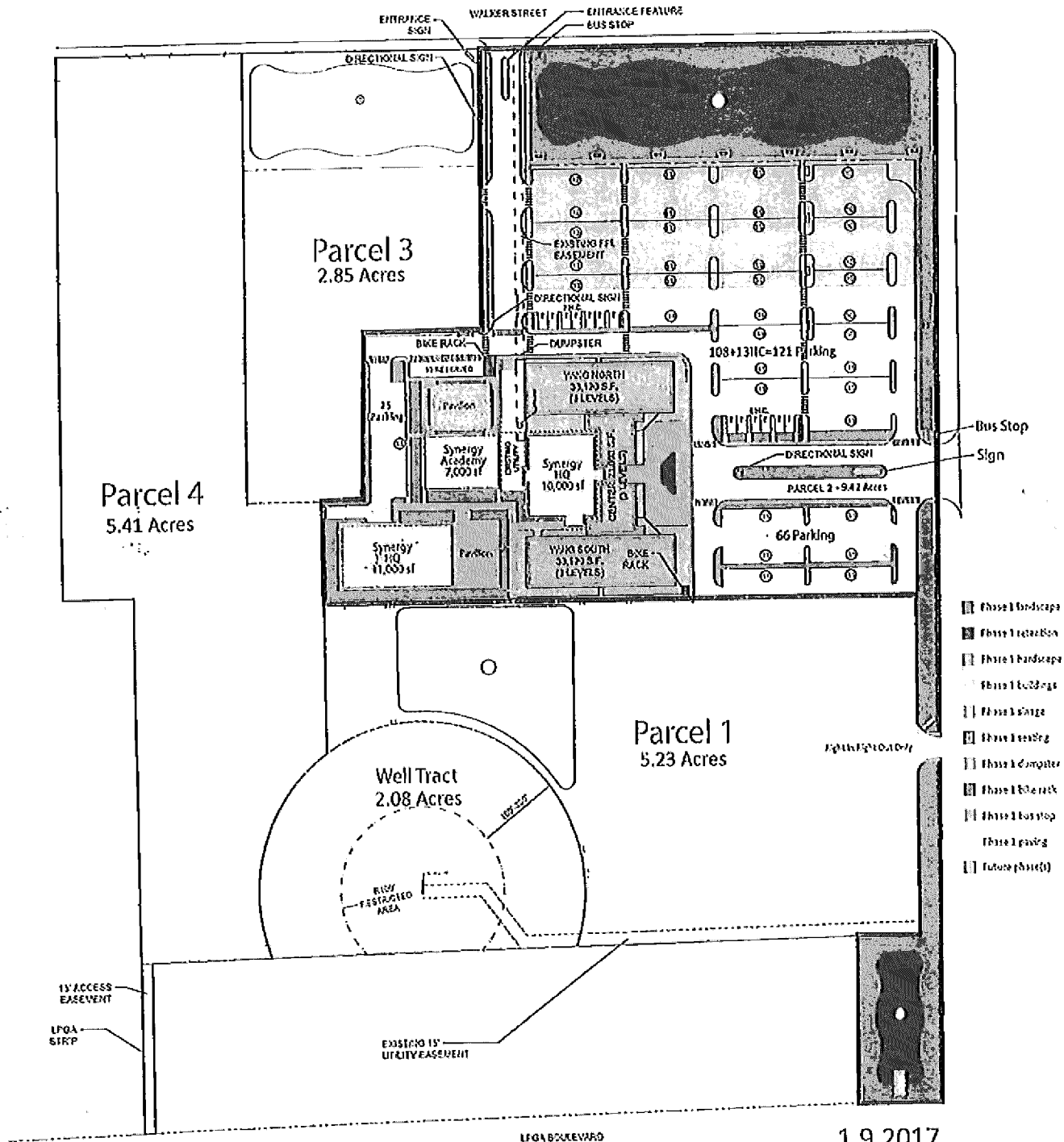
Attachment: Exhibit A (4732 : Fountainhead First Major Amendment)



Attachment: Exhibit A (4732 : Fountainhead First Major Amendment)



FOUNTAINHEAD PARCEL 2 PHASE 1 IMPROVEMENTS



- Phase 1 Landscaping
- Phase 1 Retention
- Phase 1 Hardscaping
- Phase 1 Buildings
- Phase 1 Storage
- Phase 1 Loading
- Phase 1 Computer
- Phase 1 Bike rack
- Phase 1 Bus stop
- Phase 1 Parking
- Future Phase(s)

Attachment: Exhibit A (4732 : Fountainhead First Major Amendment)

1.9.2017



FOUNTAINHEAD

The Fountainhead at Holly Hill – Sequencing Projection

End of Year	Use	Parcel	New People	Total people	Recapture	Sq. footage	Notes
2017	HQ	2	140	140	N/A	21,000	Former media/new build Former gym
2018	Academy	2	50	50	N/A	7,000	No build
	HQ	2	+70	210	N/A		50 day + 25 night
2019	Academy	2	N/A	See note	N/A		Wing
	HQ	2	+105	310	N/A	22,000	Wing
	Academy	2	N/A	See note	N/A	11,000	4 ees + 10 cars
	Food	1	See note	See note	>50%	4,000	public
2020	Fitness	1	See note	See note	>50%	4,000	2 ees + 10 cars
	HQ	2	+157	472	N/A	22,000	public
	Academy	1	+25	See note	N/A	11,000	Wing
2021	Day care	1	See note	See note	>50%	6,000	Wing, 75 day, 50 night = 125
	Clinic	1	See note	See note	<20%	16,000	8 workers + 30 cars, public drop off
2023	Office	3	120	120	N/A	30,000	8 workers + 50 cars public in/out
2023	88 workforce housing units	4	See note	See note	N/A	+90,000	4 ees/1,000 sf
							Lottery any time 2018-2026
							Average 1.8 people/unit



Ref: 4146.03

January 3, 2016

Thomas Harowski, AICP, City Planner
 City of Holly Hill
 1066 Ridgewood Avenue
 Holly Hill, Florida 32117-2898
 (386) 248-9424

Subject: Fountainhead, Holly Hill Traffic Impact Analysis (TIA) – Response to Volusia County Traffic Engineering and City of Holly Hill Review Comments

Dear Mr. Thomas Harowski:

Lassiter Transportation Group Inc. (LTG) has prepared a Response to the comments from the City of Holly Hill and the Volusia County Traffic Engineering for the proposed Fountainhead project. The following responses are provided to address the comments from the review:

CITY OF HOLLY HILL COMMENTS, Thomas Harowski, AICP, City Planner, 07/08/2016

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.)

Response: The new development plan has been received and does not provide variation for access nor for land use. The new development plan has been included in the revised TIA.

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.

Response: The new development plan has been received and does not provide variation for access nor for land use. The new development plan has been included in the revised TIA.

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.

1450 W. Granada Blvd, Suite 2 • Ormond Beach, FL 32174 • Phone 386.257.2571 • Fax 386.257.6996

www.lassitertransportation.com

Attachment: Exhibit A (4732 : Fountainhead First Major Amendment)

ORIGINAL

Page 2

Mr. Thomas Harowski, AICP, City Planner
January 3, 2016

Response: The approved methodology included the TRIP distribution. The percentage of inbound and outbound vehicles total the percentage for the segment as shown on the Model output. Further changes are not required however will be reviewed for consistency.

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.

Response: The TPO methodology has been followed. The turn lanes will be reviewed for any anomalies.

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.

Response: The Intersections along Center will be reviewed for school traffic in the morning peak.

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 from 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.

Response: Noted. A Review of these concerns has been completed and adjusted as needed.

VOLUSIA COUNTY TRAFFIC ENGINEERING COMMENTS, 06/28/16

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 1 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.

Response: The new plan identifies connection points to Walker Street. And connection to Walker Street has been required as part of the MPUD Agreement.

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



Page 3

Mr. Thomas Harowski, AICP, City Planner
January 3, 2016

TIA will need to show that the driveway connections in the TIA are coordinated with the driveway connections on the conceptual site plan.

Response: Noted.

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

Response: Noted.

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.

Response: An additional extension is not needed as the HCS looks to optimize green times and the existing timings only factor into the existing analysis. Once a failure occurs, the first improvement considered is optimizing timings.

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.

Response: Noted. Typically optimizing timings in HCS versus field can be different. If improvements such as additional turn lanes were needed at an intersection optimizing the coordinated splits of a signal in coordination is the optimization procedure. This would not impact the corridor timings.

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).

Response: A review of the School operation will be added to the Revised TIA. Operational issues will be noted and described as it could pertain to the site.

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

Response: An additional extension is not needed as the HCS looks to optimize green times and the existing timings only factor into the existing analysis. Once a failure occurs, the first improvement considered is optimizing timings.

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.

Response: Internal Capture will be reviewed. Internal capture typically reduces the overall generation but does not involve distributing volume. The pass by volume will be reviewed as well for the same purpose.

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Mr. Thomas Harowski, AICP, City Planner
January 3, 2016

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.

Response: The updated plan does have access to both Walker and Center. The MPUD will have language to reflect the connection with phase 1 as well.

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?

Response: This will be labeled with the revised TIA.

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.

Response: The Storage will be evaluated with the revised TIA.

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.

Response: The updated plan does have access to both Walker and Center. The MPUD will have language to reflect the connection with phase 1 as well.

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

Response: An additional extension is not needed as the HCS looks to optimize green times and the existing timings only factor into the existing analysis. Once a failure occurs, the first improvement considered is optimizing timings. A review of the timings will be completed for the revised TIA.

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

Response: Noted.

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*



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Mr. Thomas Harowski, AICP, City Planner
January 3, 2016

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 Outlots 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."

Response: This has been completed as part of the approved methodology.

16. Table 10, Hand Ave (Clyde Morris Blvd to Shangri La Drive): This is a falling 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.

Response: Roadway Segment Analysis (Pg. 8) reflects the recommendation to widen Hand Ave (Clyde Morris Blvd to Shangri La Drive) from 2-lane undivided roadway to a 4-lane divided major collector. We identify failures and solutions to these failures prior to applying the project trips per the R2CTPO guidelines.

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.

Response: The multimodal analysis has been added to the Revised TIA.

CITY OF HOLLY HILL COMMENTS, Thomas Harowski, AICP, City Planner, 12/29/2016

1. The report should compare the current master development plan to the plan originally provided to LTG and note any impacts to the study that might result from modifications to the plan. This review should note why the current plan does not impact the study findings if this is the case.

Response: The current plan and the plan submitted have been compared and the plans are consistent with Access and Land use program.

2. As we have noted in our meetings, the City applies the Volusia County standards for determining whether specific improvements are required. The updated report should compare the findings to these standards.

Response: Discussions related to the final improvements required with the approved study will address Volusia County Standards and variances.



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Mr. Thomas Harowski, AICP, City Planner
January 3, 2016

3. Even if the impacted facilities will meet the City's level of service standard, the updated report should clearly identify where reductions in the existing level of service will occur. If, for example, Center Avenue currently operates at LOS A currently but will operate at LOS D after the project, this impact needs to be clearly stated.

Response: Impacts identified in the final study preparation will be identified. The Memo for consistency at Zoning will not include this level of detail however we acknowledge this requirement for the future revised study.

4. Figure 3, the Trip Distribution graphic is confusing and very difficult to read. The percentages you presented during the meeting were difficult to discern from the existing graphic. This figure needs to be revised to more clearly display trip distribution.

Response: The figures will be clearly defined with the revised TIA submittal.

5. The report needs to include a detailed response to all of the comments, both City and County, that have been previously provided.

Response: Noted.

6. The report should provide any other information that you believe is necessary to fully explain the model results as they apply to the property and verify that the model results are reasonable as applied to actual traffic behavior.

Response: Noted. This will be completed with the revised TIA.

If you have any questions or concerns related to the responses, you may reach me at (386)-257-2571. Thank you for your consideration of this project.

Sincerely,
LASSITER TRANSPORTATION GROUP, INC.

Andrew J. Ames, P.E.
Senior Project Manager

cc:



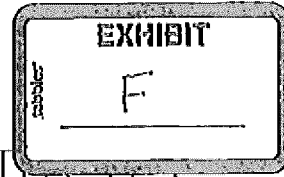
ORIGINAL

Exhibit F
Impact Fee Chart

Attachment: Exhibit A (4732 : Fountainhead First Major Amendment)

(014586-002 : ANWOOD\1\FLOR : 02099638.DOCX; 1)





Proposed Development Impact Fees									
	Corporate HQ	Med. Ofc	Office	Fit. Cntr	Daycare	Restaurant		Com. Ofc.	Medical Ofc/Office
Sq. ft./Units	123,000	15,000	16,000	4,000	4,000	4,000	Total		
PR									
Fire	\$41,820.00	\$5,440.00	\$5,440.00	\$1,360.00	\$9,120.00	\$1,360.00	\$64,540.00	0.34	0.34
Police	\$30,750.00	\$4,000.00	\$4,000.00	\$4,280.00	\$3,680.00	\$7,080.00	\$53,710.00	0.25	0.25
Trans	\$24,794.40	\$17,129.60	\$7,110.40	\$3,312.80	\$5,029.80	\$3,676.40	\$71,043.40	0.28	0.44
Water	\$2,058.60	\$2,133.00	\$2,133.00	\$711.00	\$711.00	\$14,220.00	\$28,866.60	1.422	1.422
Sewer	\$122,020.40	\$2,862.00	\$0.00	\$954.00	\$954.00	\$19,080.00	\$35,870.40	1.908	1.908
Subtotal	\$122,833.40	\$32,564.60	\$18,683.40	\$10,617.20	\$19,414.80	\$45,416.40	\$254,030.40		
TOTAL									
School area	116,312								
Fire	1.52	\$176,794	\$64,540.00	\$112,254			Credit		
Police	0.6	\$69,787	\$52,710.00	\$15,077			Credit		
Trans	0.42	\$51,177	\$71,043.40	-\$19,866			Debit		
Water	1.422	\$14,177	\$28,866.60	-\$54,089			Debit		
Sewer	1.908	\$19,023	\$35,870.40	-\$56,248			Debit		
*Assumes the following:									
123,000 Corporate Office		ERUS							
16,000 sq. ft. office		6.3							
16,000 sq. ft. medical office		0.5							
6,000 sq. ft. fitness center		1.5							
6,000 sq. ft. daycare		0.5							
4,000 sq. ft. restaurant		10							
Total ERUS		19.3							
**Actual average daily consumption based on prior billing periods									
Volusia County Thruway/State Road Impact Fees									
Amount Due	Intendancy	Rate	Fee Amount						
Corporate Office	123,000	\$1.63	\$122,040.00						
Medical Office	15,000	\$2.31	\$36,960.00						
Medical Office	15,000	\$5.56	\$83,960.00						

Attachment: Exhibit A (4732 : Fountainhead First Major Amendment)

Exhibit G
NO EXHIBITS

Attachment: Exhibit A (4732 : Fountainhead First Major Amendment)



**FIRST MINOR AMENDMENT TO THE
FOUNTAINHEAD DEVELOPERS, LLC MIXED USE
PLANNED UNIT DEVELOPMENT (MPUD)
DEVELOPMENT AGREEMENT**

~~THIS FIRST MINOR AMENDMENT TO THE FOUNTAINHEAD MIXED USE PLANNED UNIT DEVELOPMENT (MPUD) DEVELOPMENT AGREEMENT~~ is made this 12th day of November 2021, by and between **Fountainhead Developers, LLC**, a Florida limited liability company, and the **CITY OF HOLLY HILL COMMUNITY REDEVELOPMENT AGENCY and the CITY OF HOLLY HILL**, a Florida municipal corporation (the “City”).

WHEREAS, Fountainhead Developers, LLC, and the City entered into that certain Development Agreement (the “Agreement”) dated March 30th, 2017, recorded in the public records of Volusia County Florida, in Book: 7894 Page 2486, for the development of certain real property as described in said Agreement; and

WHEREAS, Owners and City wish to further modify certain provisions of the Agreement as detailed below; and

NOW, THEREFORE, in consideration of the mutual covenants and promises made herein, the parties hereto covenant and agree to bind themselves as follows:

1. The above recitations are true and correct and incorporated herein by reference.
2. Owners and City mutually agree to the following changes made to Exhibit C in said Agreement:
 - Building E containing 6,475 square feet is new.
 - Building D has been reduced in size from 11,000 square feet to 4,560 square feet.
 - The retention pond on the northeast corner is larger.
 - There is increased parking on the south extending onto parcel 1.
 - The pavilion east of Building D is the location of a future plaza area.
 - The original Exhibit C shows 28,000 square feet of building development in Phase I. The proposed Exhibit C shows 27,976 square feet in Phase I. An interior mezzanine of 1,434 square feet is shown on the amended exhibit.
 - At LPGA and Center, the pond, the pond fountain, and signage have been replaced with a larger monument sign and the pond has been eliminated.
 - The bike rack and dumpster north of Building C have been relocated.
3. The attached **EXHIBIT C (AMENDED)**, replaces in its entirety, Exhibit C as shown in the Agreement entered into on March 30th, 2017, and recorded in the public records of Volusia County Florida, in Book: 7894 Page 2486.
4. The parties agree that this First Amendment is a minor amendment to the Agreement, and is approved at staff level. All other provisions, conditions, and requirements of the Agreement remain in full force and effect.

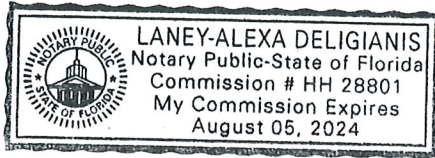
NOW THEREFORE, the undersigned parties hereby agree to the above terms and conditions of the First Minor Amendment.

CITY OF HOLLY HILL,
a Florida municipal corporation

By: *Joseph A. Forte*
Joseph A. Forte, City Manager

STATE OF FLORIDA
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this 23rd day of November, 2021 by Joseph Forte, who is personally known to me.



NOTARY PUBLIC, STATE OF FLORIDA

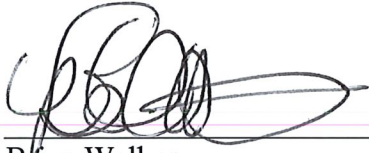
Laney-Alexa Deligianis
Notary Signature

Laney-Alexa Deligianis
Printed Name

Commission No.: HH 28801
My Commission Expires: 8/5/24

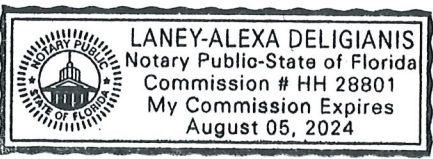
Attachment: Exhibit B (4732 : Fountainhead First Major Amendment)

CITY OF HOLLY HILL,
a Florida municipal corporation

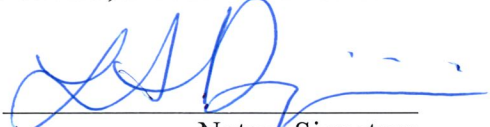
By: 
Brian Walker
Community Development Director

STATE OF FLORIDA
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me, by means of physical presence
or online notarization, this 23rd day of November, 2021
by Brian Walker, who is personally known to me.



NOTARY PUBLIC, STATE OF FLORIDA


Notary Signature
Laney-Alexa Deligianis
Printed Name

Commission No.: HH28801
My Commission Expires: 8/5/24

Attachment: Exhibit B (4732 : Fountainhead First Major Amendment)

WITNESSES:

FOUNTAINHEAD DEVELOPERS, LLC
a Florida limited liability company

Melissa Gabriel

Melissa Gabriel
(Name Printed or Typed)

[Signature]

Patrick Kennedy
(Name Printed or Typed)

By: [Signature]

Name: M. JAYSON MEYER

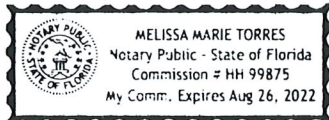
Title: MANAGING MEMBER

STATE OF Florida
COUNTY OF Volusia

The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this 18th day of November, 2021 by M. Jayson Meyer, who is personally known to me or produced _____ as identification.

NOTARY PUBLIC, STATE OF FLORIDA

Melissa M Torres
Notary Signature



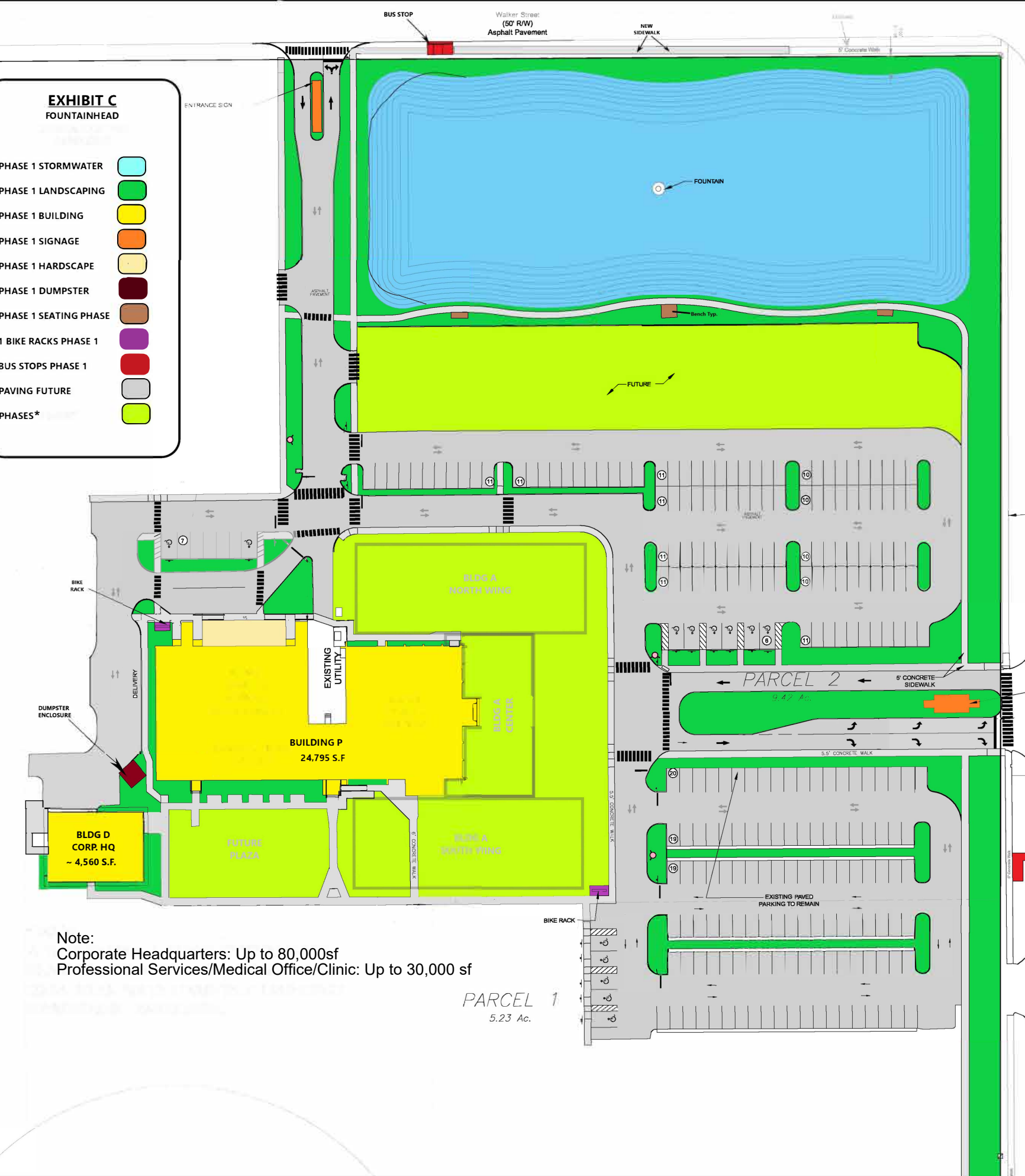
Melissa M Torres
Printed Name

Commission No.: _____
My Commission Expires: _____

Attachment: Exhibit B (4732 : Fountainhead First Major Amendment)

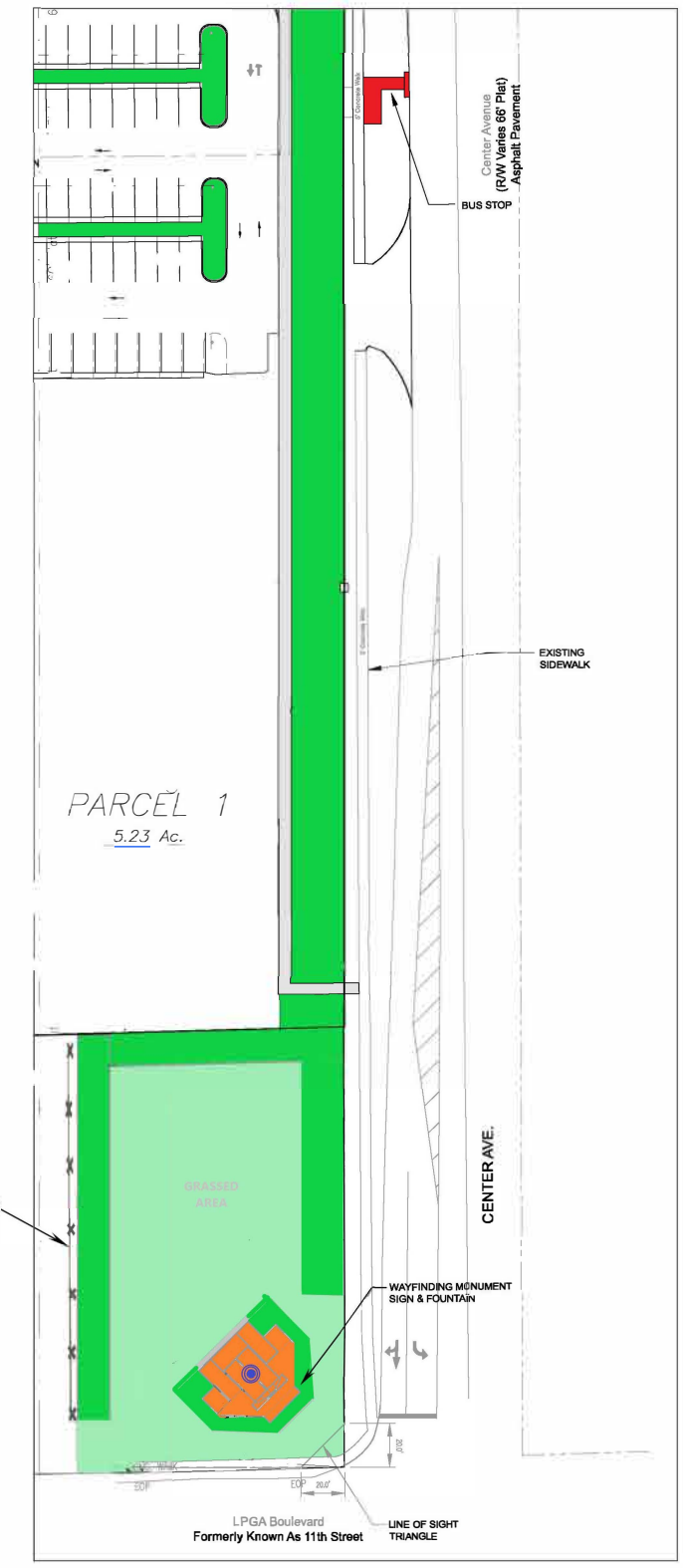
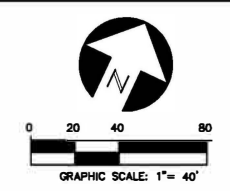
EXHIBIT C
FOUNTAINHEAD

- PHASE 1 STORMWATER
- PHASE 1 LANDSCAPING
- PHASE 1 BUILDING
- PHASE 1 SIGNAGE
- PHASE 1 HARDSCAPE
- PHASE 1 DUMPSTER
- PHASE 1 SEATING PHASE
- 1 BIKE RACKS PHASE 1
- BUS STOPS PHASE 1
- PAVING FUTURE
- PHASES*



Note:
Corporate Headquarters: Up to 80,000sf
Professional Services/Medical Office/Clinic: Up to 30,000 sf

PARCEL 1
5.23 Ac.



WAYFINDING SITE
SCALE: 1"=40'