



# CITY OF HOLLY HILL, FLORIDA

## BOARD OF PLANNING AND APPEALS

MINUTES • JANUARY 6, 2025

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**City Commission Chamber**                      **BOPA Regular Meeting**                      **6:00 PM**

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**CITY HALL  
1065 RIDGEWOOD AVENUE  
HOLLY HILL, FL 32117**

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

**I. CALL TO ORDER**

**II. ROLL CALL**

Attendee Name	Title	Status	Arrived
Mike Myer	Chairman	Present	
Dennis Smith	Board Member	Present	
Tony Cassata	Board Member	Present	
Loretta Arthur	Board Member	Present	
Lorraine Geiger	Board Member	Absent	

**III. ORDINANCES**

1. 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)

Mr. Walker briefly went over the following staff report.

**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.

Mr. Myer opened public participation.

Steve Berdeguz, Holly Hill; Thanda Roux, Holly Hill; Ripon Khan, Holly Hill.

Mr. Myer closed public participation.

<b>RESULT:</b>	<b>RECOMMEND APPROVAL TO CITY COMMISSION [UNANIMOUS]</b>
<b>MOVER:</b>	Mike Myer, Dennis Smith
<b>SECONDER:</b>	Tony Cassata, Board Member
<b>AYES:</b>	Myer, Smith, Cassata, Arthur



**IV. ADJORNMENT**

This meeting at 6:49pm.