



Board of Planning and Appeals

BOPA Regular Meeting

~ Agenda ~

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

Liz Nelson
386-248-9442

Monday, September 19, 2016

6:30 PM

City Commission Chamber

1. Call to Order

Attendee Name	Present	Absent	Late	Arrived
Chairman Mike Myer	☐	☐	☐	
Vice Chairman Christopher Via	☐	☐	☐	
Board Member Edward H Perkins	☐	☐	☐	
Board Member Jim Legary	☐	☐	☐	
Board Member Robin D. Hanger	☐	☐	☐	

2. Invocation

3. Pledge of Allegiance

4. Minutes Approval

1. Agenda Item (ID # 1393)

Minutes

DISCUSSION: Approve July 18, 2016 Minutes

FISCAL ANALYSIS: N/A

STAFF RECOMMENDATION: Approve Minutes from July 18, 2016 Meeting

COMMISSION GOAL: N/A

MOTION: As determined by the Board

ATTACHMENTS:

- July 18, 2016 - BOPA Minutes (PDF)

5. Agenda Item

1. Agenda Item (ID # 1433)

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

INTRODUCTION: The applicant is requesting to amend Exhibit E to the approved development agreement regarding signs to establish a plan and program for temporary real estate signage in addition to the approved program for permanent project signage. Adding the signage provisions as a component of the planned unit development agreement allows the City to approve a site specific signage plan.

BACKGROUND: In 2005 the City Commission approved Ordinance 2714 which approved a mixed use planned unit development agreement for the property which has become known as Marina Grande. The agreement includes approval for four residential towers, club house and pool amenities, boat docks, parking garage and retail-office space. Two of the residential towers have been constructed along with the parking garage, retail space, boat docks and some of the amenities. Over the years the initial MPUD agreement has been amended several times to address modifications to the plan and to address some procedural issues.

The current agreement includes a plan for signage including project identification signs and signage for the retail spaces. The agreement does not address real estate signage to be used for the sale and rental of residential and commercial units. Under the terms of the MPUD agreement, the regulations for real estate signage defer to the standard city code. Over time the applicants have found the standard city codes for real estate signage to be too limiting in their efforts to complete sales of the residential units and lease the commercial space. As a large project with multiple sales objectives and a project that is unique in the city, the applicant is seeking approval to include in the adopted MPUD agreement a plan for real estate signage that would replace the standard real estate signage as regulated by the City code.

DISCUSSION: The applicants are proposing a signage plan that includes the following elements (refer to photographs offered as the amendment to Exhibit E for signage details and locations):

1. Three two-panel signs located along the Riverside Drive frontage north of the park entrance, at the main project entrance, and across from Third Street.
2. Two signs located on the seawall face on either side of the dock.
3. Three flutter flag signs located on the dock.
4. One banner sign located on the south tower, south side approximately 100 feet long
5. Removal of two non-conforming signs at the Third Street entrance.

The requested sign sizes are as follows:

South Panel Sign	4' 8" x 15'
------------------	-------------

Central Panel Sign	4' x 5'
North Panel Sign	3' x 18'
Seawall Signs	3' x 48'
Flutter Flags	33" x 152"
Banner Sign	3' 6" x 60'

It is staff's position that the proposed signage may be displayed only during the term of new unit sales (at a maximum) and that signage for resales be addressed through the standard rules in the land development regulations. Any limits on the time the real estate signage may be displayed should be noted in Section E 9 of the development agreement or added to Exhibit E.

The real estate signs located along Riverside Drive are consistent with City regulations for height and area for the amount of property frontage. The number is appropriate given the project frontage. The signs on the seawall and the dock are attempting to take advantage of an advertising opportunity that is available for very few properties in the city and not clearly addressed in the city codes. The banner sign requested is similar to the banner sign that had been displayed on the south tower in prior years. Removal of the signs that remain from prior uses will complete a process that should have been done with the original demolition.

As the signage will be installed in common areas (yards) and on common facilities (building, dock, seawall) the staff has asked that the City Attorney research whether the property owners association needs to be a party to the amendment. If code enforcement is required, the City's primary recourse for code enforcement action is with the property owner.

When considering provisions under a planned unit development format, the process allows for establishment of regulatory provisions that are appropriate to the project which may not be appropriate throughout the community as a whole. In terms of regulatory intent, the city has significant leeway with some aspects of signage such as the size, location and number of signs permitted. Given the overall size of the structures and the Marina Grande project as a whole, the number and size of the signs requested are generally appropriate to the size of the project. The signage requested on the riverfront face of the project is more extensive than the signage requested for the street side signage, but the visual impacts of the requested signs to the community as a whole is relatively minor as only people boating will be exposed to the signs.

The large banner sign on the south tower will replace a temporary sign of similar size that has previously been displayed on that tower. When previously displayed, the banner sign generated some comment from tower residents and from a few of the public at large. Whether a sign of this size and location is appropriate for the project, is really a policy decision of the city rather than an issue of debatable planning merit. The comprehensive plan Future Land Use Element includes one policy which addresses signage. The policy reads as follows:

Policy 1.2.8 - *Such regulations shall ensure that new and replacement signs shall adhere to the community standard for aesthetics and minimize confusion that results from visual disarray, while allowing reasonable identification and promotion of businesses.*

This policy references the city's land development regulations, but does not include specific measurable standards that can be applied to the proposed banner sign or to any of the proposed signage. The Board of Planning and Appeals and the City Commission is left to its judgment as to whether the proposed signage program adheres to community standards for aesthetics; minimizes confusion from visual disarray; and allows reasonable identification and promotion of business.

FISCAL ANALYSIS: This item has no budgetary impact to city operations.

RECOMMENDATION: The Board of Planning and Appeals should recommend the City Commission approve the proposed amendment to the MPUD agreement if the Board, in its opinion, finds the proposed signage program consistent with Policy 1.2.8 of the Future Land Use Element. This approval should be conditioned upon the inclusion of a maximum time limit for the display of real estate signage and clarification of the role of the property owners association in the approval and display of the signage.

ATTACHMENTS:

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

6. Old Business

A. Board/Staff Communications

7. Adjournment



**STAFF REPORT
CITY OF HOLLY HILL, FLORIDA**

**Board of Planning and Appeals
Agenda Item**

MEETING DATE: September 19, 2016
FROM: Elizabeth Nelson
SUBJECT: Minutes
NUMBER: (ID # 1393)
APPLICANT:
PLANNER:

DISCUSSION: Approve July 18, 2016 Minutes

FISCAL ANALYSIS: N/A

STAFF RECOMMENDATION: Approve Minutes from July 18, 2016 Meeting

COMMISSION GOAL: N/A

MOTION: As determined by the Board

- July 18, 2016 - BOPA Minutes (PDF)



Board of Planning and Appeals

BOPA Regular Meeting

~ Minutes ~

1065 Ridgewood Ave
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Liz Nelson
386-248-9442

Monday, July 18, 2016

6:30 PM

City Commission Chamber

I. Call to Order

Attendee Name	Title	Status	Arrived
Mike Myer	Chairman	Present	
Christopher Via	Vice Chairman	Present	
Edward H Perkins	Board Member	Absent	
Dorothy Featherston	Board Member	Excused	
Jim Legary	Board Member	Present	

II. Invocation

Invocation was given by Chairman Mike Myer.

III. Pledge of Allegiance

Chris Via lead the Pledge of Allegiance.

IV. Minutes Approval

1. Agenda Item (ID # 1352)

Minutes

ATTACHMENTS:

- May 2, 2016 Minutes (PDF)

RESULT: APPROVED [UNANIMOUS]
MOVER: Christopher Via, Vice Chairman
SECONDER: Jim Legary, Board Member
AYES: Mike Myer, Christopher Via, Jim Legary
ABSENT: Edward H Perkins
EXCUSED: Dorothy Featherston

V. Agenda Item

1. Agenda Item (ID # 1371)

Food Truck Proposal A Proposal to Allow Food Truck Operations by Permit at Business, Industrial and Civic Locations Within the City of Holly Hill

Attachment: July 18, 2016 - BOPA Minutes (1393 : Minutes)

COMMENTS - Current Meeting:

Thomas Harowski, City Planner summarized his staff report and the proposal for the City Commission. The proposal he offered was in response to the BOPA direction. The Board's consensus was to recommend approval of the proposal to the City Commission.

Glen Doherty, owner of The Sandwich Shoppe located at 1008 Ridgewood Avenue expressed concerns that food trucks would hurt the brick and mortar restaurants. That there should be a distance placed between the food trucks and the brick and mortar restaurants.

ATTACHMENTS:

- Z-2016-02 BOPA Reports (DOC)
- Root and Tail Farm Comments (PDF)

RESULT: APPROVED [UNANIMOUS]
MOVER: Christopher Via, Vice Chairman
SECONDER: Jim Legary, Board Member
AYES: Mike Myer, Christopher Via, Jim Legary
ABSENT: Edward H Perkins
EXCUSED: Dorothy Featherston

2. Agenda Item (ID # 1370)

Special Event Ordinance Amend the City's Current Regulations for Special Events to Include a Process for Approving Additional Types of Business and Community Special Events.

COMMENTS - Current Meeting:

Thomas Harowski, City Planner summarized his staff report, stating that the City does not have a clear process for dealing with special events for businesses and community activities that are not associated with Bike Week or Biketoberfest. The proposed ordinance establishes that a business can conduct on-site events such as special sales, grand opening events, customer appreciation events and similar business activity with permits from the City.

The Board and staff had a brief discussion on the history of how and why the City has no provisions for special events that are outside of the Bike Week/Biketorfest events.

Deborah Snow, 302 Daytona Avenue, stepped to the podium stating that she would like to see the businesses to inform our local Chamber of Commerce of any special events that they may have. The Chamber may be able to help promote their events.

Lisa Hall, 629 Florida Avenue, stepped to the podium stating that she did not agree with local businesses having to get a "Bike Week" or "Biketoberfest" special permit.

ATTACHMENTS:

- Special Event Ordinance July 2016 Draft (DOC)

RESULT: APPROVED [UNANIMOUS]
MOVER: Jim Legary, Board Member
SECONDER: Christopher Via, Vice Chairman
AYES: Mike Myer, Christopher Via, Jim Legary
ABSENT: Edward H Perkins
EXCUSED: Dorothy Featherston

3. Agenda Item (ID # 1368)

7Th Street Park Map Amendment An Amendment of the Future Land Use Map to Designate the City Owned Property at 7Th Street and Center Avenue as Parks and Open Space in Place of the Current Designation as Medium Density Residential.

COMMENTS - Current Meeting:

Thomas Harowski, City Planner, summarized his staff report stating that the City needs to amend the Future Land Use Map to designate City-owned property at Center Avenue and 7th Street as Parks and Open Space to recognize the current use of the parcel as a City Park. The park is to be a walk-in neighborhood level park where families and individuals can use the walking paths, play equipment and picnic facilities. There will be no public restrooms at this facility.

Kristie Law, 629 Florida Avenue, stepped to the podium and stated she is in favor of the park and glad there will be no restrooms facilities.

ATTACHMENTS:

- 7th Street Park Location Map (PDF)
- Current Future Land Use Map (PDF)
- Proposed Future Land Use Map (PDF)

RESULT: APPROVED [UNANIMOUS]
MOVER: Christopher Via, Vice Chairman
SECONDER: Jim Legary, Board Member
AYES: Mike Myer, Christopher Via, Jim Legary
ABSENT: Edward H Perkins
EXCUSED: Dorothy Featherston

4. Agenda Item (ID # 1369)

Holly Ridge Subdivision Vacation Vacation of the Holly Ridge Subdivision Plat in Its Entirety.

COMMENTS - Current Meeting:

Thomas Harowski, City Planner, stated that this is a request to vacate the Holly Ridge Plat that was approved for a condominium project in 1986 but never developed. The city has purchased the entire subdivision for the use as a stormwater facility and recently a public park, that was the subject of the item just before this one this evening. The property is located on the east side of Center Avenue and north of 7th Street. Staff recommends the BOPA recommend the City Commission vacate the Holly Ridge Plat.

ATTACHMENTS:

- Holly Ridge Sub. (PDF)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Christopher Via, Vice Chairman
SECONDER:	Jim Legary, Board Member
AYES:	Mike Myer, Christopher Via, Jim Legary
ABSENT:	Edward H Perkins
EXCUSED:	Dorothy Featherston

VI. Old Business

None

VII. Board/Staff Communications

1. September 5, 2016 BOPA Meeting

The September BOPA meeting falls on Labor Day. Discuss alternative date for this meeting.

COMMENTS - Current Meeting:

The Board decided to make the decision on the September meeting date at the August meeting.

VIII. Adjournment

Adjourned at 7:40 PM



STAFF REPORT
CITY OF HOLLY HILL, FLORIDA

Board of Planning and Appeals
Agenda Item

MEETING DATE: September 19, 2016
FROM: Thomas Harowski
SUBJECT: Marina Grande MPUD Amendment 6TH Amendment to the
Marina Grande MPUD Modifying Exhibit E Regarding
Signage.
NUMBER: (ID # 1433)
APPLICANT: Robert Merrill, Cobb Cole
PLANNER: Thomas Harowski

INTRODUCTION: The applicant is requesting to amend Exhibit E to the approved development agreement regarding signs to establish a plan and program for temporary real estate signage in addition to the approved program for permanent project signage. Adding the signage provisions as a component of the planned unit development agreement allows the City to approve a site specific signage plan.

BACKGROUND: In 2005 the City Commission approved Ordinance 2714 which approved a mixed use planned unit development agreement for the property which has become known as Marina Grande. The agreement includes approval for four residential towers, club house and pool amenities, boat docks, parking garage and retail-office space. Two of the residential towers have been constructed along with the parking garage, retail space, boat docks and some of the amenities. Over the years the initial MPUD agreement has been amended several times to address modifications to the plan and to address some procedural issues.

The current agreement includes a plan for signage including project identification signs and signage for the retail spaces. The agreement does not address real estate signage to be used for the sale and rental of residential and commercial units. Under the terms of the MPUD agreement, the regulations for real estate signage defer to the standard city code. Over time the applicants have found the standard city codes for real estate signage to be too limiting in their efforts to complete sales of the residential units and lease the commercial space. As a large project with multiple sales objectives and a project that is unique in the city, the applicant is seeking approval to include in the adopted MPUD agreement a plan for real estate signage that would replace the standard real estate signage as regulated by the City code.

DISCUSSION: The applicants are proposing a signage plan that includes the following elements (refer to photographs offered as the amendment to Exhibit E for signage details and locations):

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FISCAL ANALYSIS: This item has no budgetary impact to city operations.

RECOMMENDATION: The Board of Planning and Appeals should recommend the City Commission approve the proposed amendment to the MPUD agreement if the Board, in its opinion, finds the proposed signage program consistent with Policy 1.2.8 of the Future Land Use Element. This approval should be conditioned upon the inclusion of a maximum time limit for the display of real estate signage and clarification of the role of the property owners association in the approval and display of the signage.

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

- Marina Grande MPUD Amendment Proposed Sixth Amendment (PDF)



GENERAL LAND DEVELOPMENT APPLICATION

1065 Ridgewood Avenue, Holly Hill, Florida 32117

Phone: (386) 248-9424

Fax: (386) 248-9498

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

REQUESTED ACTION

- | | | | |
|--|--|--|--|
| ☐ Comp Plan Amend | ☐ Variance | ☐ Site Plan | ☐ PUD |
| ☒ Rezoning | ☐ Special Exception | ☐ Subdivision Major | ☐ Subdivision Minor |
| ☐ Waiver Request | ☐ Other: _____ | | |

Describe Request: Sixth Amendment to Marina Grande Residential Based Mixed Use Planned Unit

Development (MPUD) Development Agreement to add Signage Exhibit

APPLICANT INFORMATION:

Name: Cobb Cole by Robert A. Merrell III, Esquire

E-Mail: Rob.Merrell@CobbCole.com

Address: 149 S. Ridgewood, Suite 700

Phone: 386/323-9263

Daytona Beach, FL 32114

Fax: 386/944-7955

☐ Owner ☐ Agent for Owner ☒ Attorney for Owner

OWNER INFORMATION:

Name: HHA Borrower, LLC by Lawrence Urman

E-Mail: Lurman@glenmontcapital.com

Address: 1345 Avenue of the Americas, 42nd Floor

Phone: 212/582-2500

New York, NY 10105

Fax: _____

PROPERTY INFORMATION:

Address: 231 Riverside Drive, Holly Hill, FL 32117

General Location: East side of Riverside Drive, North of 2nd Avenue

Current Zoning: MPUD Current Land Use: Residential Based Mixed Use

Parcel Size: 17.28+/- acres Tax Parcel #: See Attached List

Legal Description Attached ☐ Yes ☒ No Survey Attached ☐ Yes ☒ No

Pre-Application Meeting Date: June 21, 2016
(Attach Pre-Application Form)

Application Fee: \$ 1,950.00 (\$1,250.00 PD Amendment + \$700.00 Legal Advertising)

Applicant's Signature:  8/11/16
(Signature) (Date)

Robert A. Merrell III, Esquire
(Print)

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

(Print)

Applications must be complete to initiate the preview process.

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



CITY OF HOLLY HILL REZONING CHECKLIST AND REQUIREMENTS

CHECKLIST

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

PUBLIC NOTIFICATION (Sec. 82-375)

- a) The applicant shall provide written notice to property owners regarding his intention to seek a rezoning and shall pay all costs of providing such notice as follows:
 - 1) An applicant seeking a rezoning shall provide written notice to property owners, as identified in the current tax roll, within 300 feet of the property perimeter which is the subject of rezoning request.
 - 2) In addition to written notice provided in accordance with this section, city staff shall also post a notice on the subject property ten days prior to the board of planning and appeals meeting.
- b) A notice letter will be provided to the applicant by the City. The written notices shall be made at least ten days prior to the date of hearing before the board of planning and appeals. The written notice shall be sent by certified mail, return receipt requested.

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

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

CITY COMMISSION PUBLIC HEARING

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

REZONING REQUIREMENTS

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

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

The Amendment to the MPUD is to add a more detailed signage plan.

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

Some current signage is being removed, and proposed signage to replace.

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

The revised signage will help to sell the existing and proposed condominiums, which will increase the tax base for the City of Holly Hill.

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

No impact to these services.

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

Signage only.

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

The amendment to the existing MPUD is to include a more-detailed signage plan.

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

The revised signage will help to sell the existing and proposed condominiums and increase the tax base for the City of Holly Hill.

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

No impact. Signage only.

Cobb Cole by Robert A. Merrell III, Esquire

Print Applicant Name

Applicant Signature

Print Applicant Name

Applicant Signature

Date

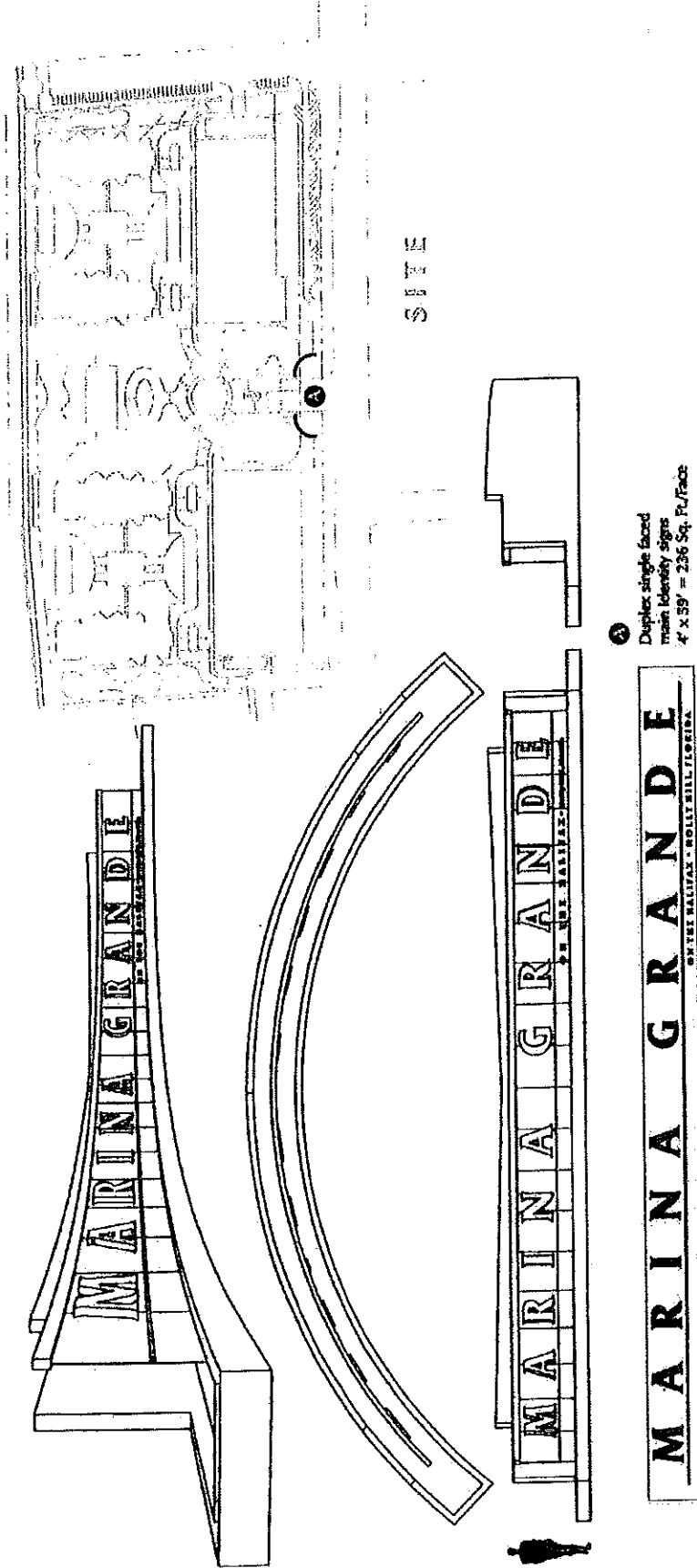
Date

EXHIBIT “E”

SIGN PLAN

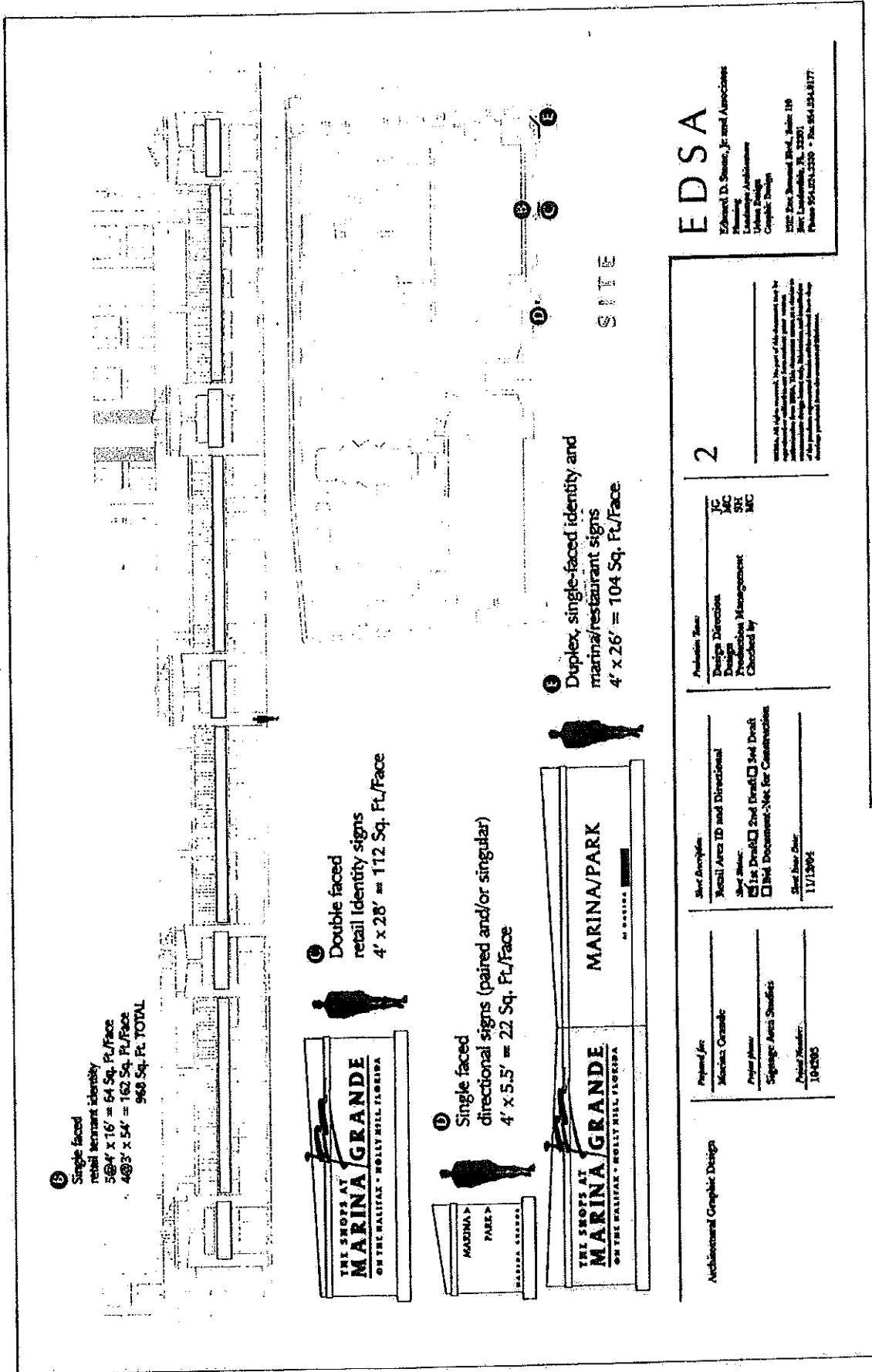
Instrument# 2011-013275 # 32
Book: 6557
Page: 4291

Best Available Image



Architectural Graphic Design	Prepared for: Marina Grande	Client: Marina Grande	Project Name: Signage Area Studies	Project Number: 104595
	Sign Area Main ID	Sign Area: ☒ 1st Draft ☐ 2nd Draft	1/1/2004	
	Design Direction	Production Management	Checked by	
	IC	MC	MC	
	EDSA	EDSA	EDSA	
	Edward D. Stone, Jr. and Associates	1902 East Second Street, Suite 100	Fort Lauderdale, FL 33301	Phone: 954.571.1777

Best Available Image



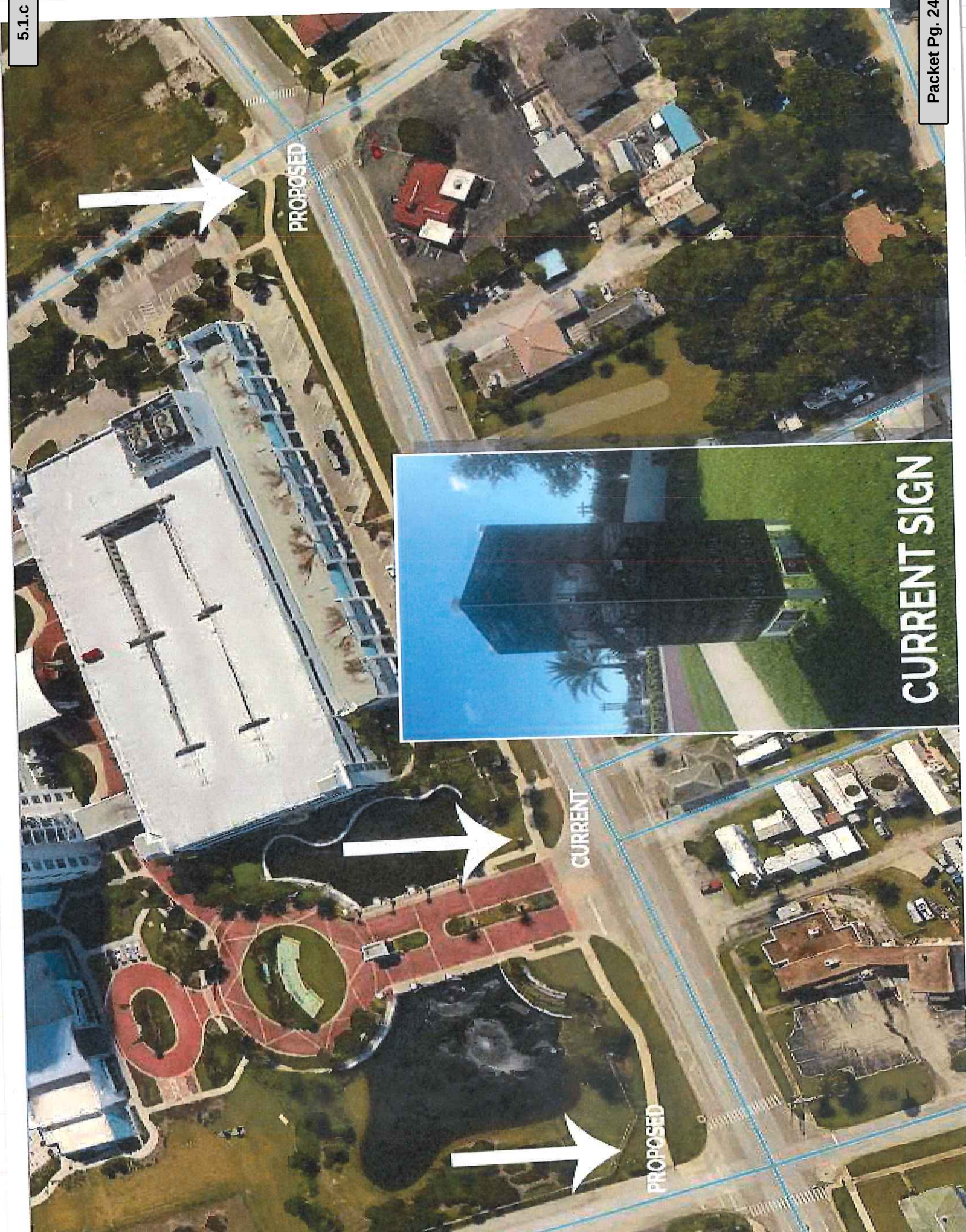


NOW SELLING 2/2 & 3/3 CONDOS 386-310-1337

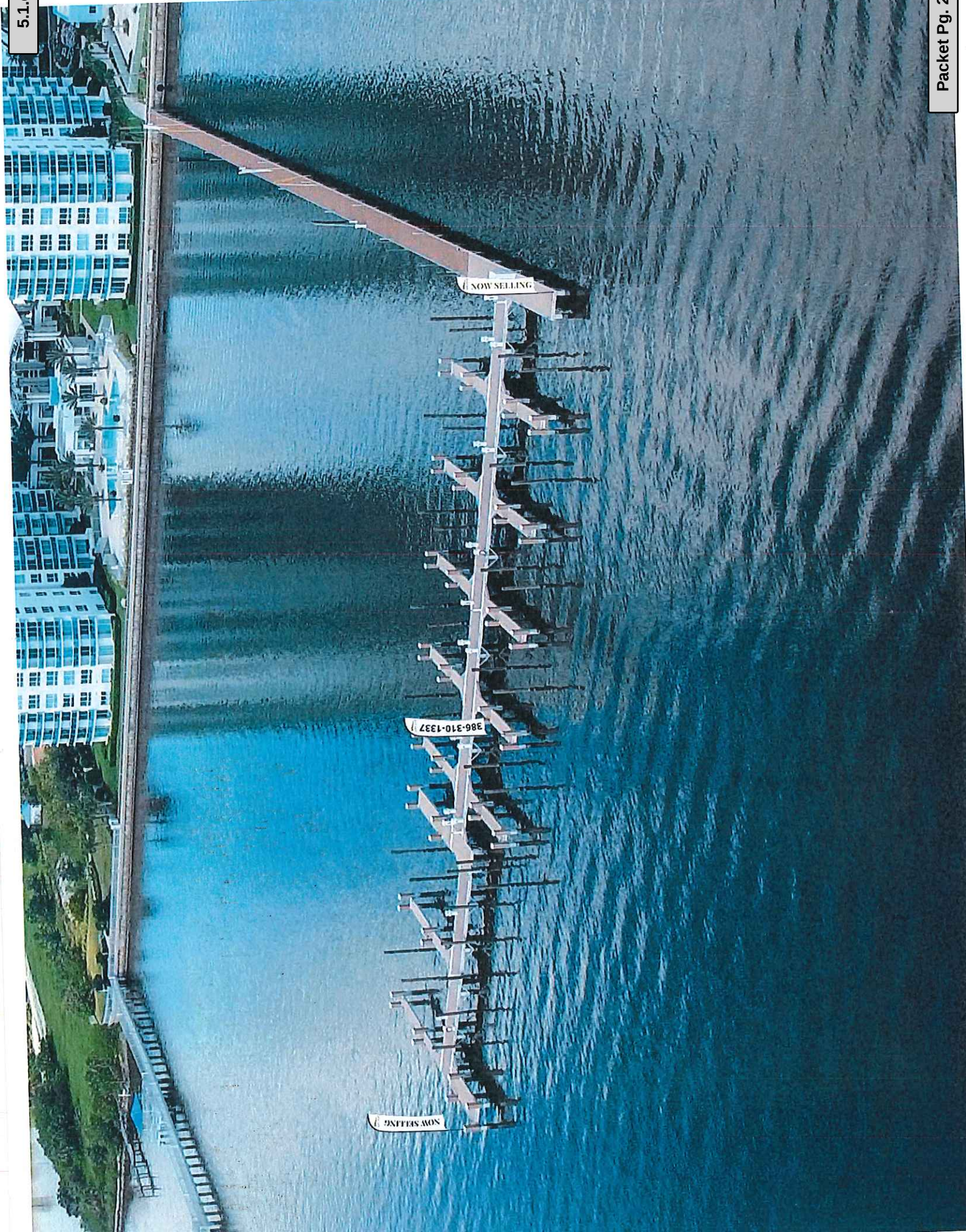
NOW SELLING 2/2 & 3/3 CONDOS 386-310-1337

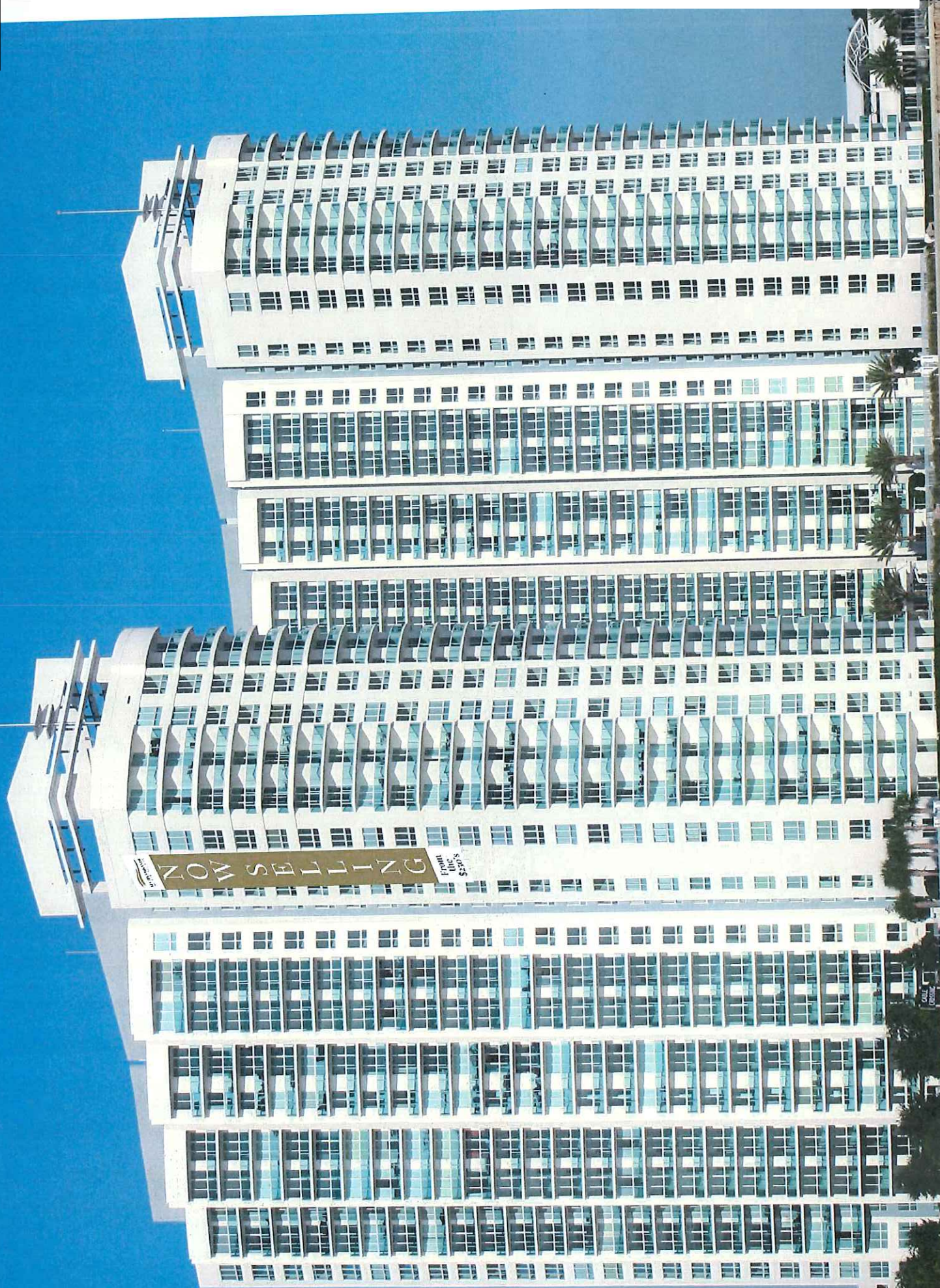


NOW SELLING 2/2 & 3/3 CONDOS 386-310-1337



5.1.c





UNIT 1000

Prepared by:
Cobb Cole
Robert A. Merrell III, Esquire
149 S. Ridgewood Avenue, Suite 700
Daytona Beach, FL 32114

**SIXTH AMENDMENT TO
MARINA GRANDE RESIDENTIAL BASED MIXED USE
PLANNED UNIT DEVELOPMENT (MPUD)
DEVELOPMENT AGREEMENT**

THIS SIXTH AMENDMENT TO MARINA GRANDE RESIDENTIAL BASED MIXED USE PLANNED UNIT DEVELOPMENT (MPUD) DEVELOPMENT AGREEMENT (the "Sixth Amendment") is made this _____ day of _____, 2016, by and between **HHA BORROWER, LLC**, a Delaware limited liability company, and **HH BLUE TIDES, LLC**, a Delaware limited liability company (the "Owners") and the **CITY OF HOLLY HILL**, a Florida municipal corporation (the "City").

WHEREAS, Riverside Holly Hill, LLC, a Florida limited liability company, and Holly Hill I Associates, Ltd., a Florida limited partnership (collectively, the "Developer") and City entered into that certain Development Agreement dated January 25, 2005, for the development of certain real property as described in said Agreement, as modified by that certain First Amendment to Agreement dated October 31, 2005 (the "First Amendment"); as further modified by that certain Second Amendment to Agreement dated November 15, 2005 (the "Second Amendment"); as further modified by that certain Third Amendment to Agreement dated November 14, 2006 (the "Third Amendment"); as further modified by that certain Fourth Amendment to Agreement dated February 13, 2007 (the "Fourth Amendment"); and as further modified by that Fifth Amendment to Agreement dated March 27, 2011 (the "Fifth Amendment") (collectively the "Agreement");

WHEREAS, Owners acquired ownership of the Property as a bulk assignee; 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 as follows:

1. The above recitations are true and correct and incorporated herein by reference.
2. Owners and City mutually agree to amend Exhibit "E" attached to the Development Agreement to add pages depicting the Sign Plan for Marina Grande. There are currently temporary and permanent signs that will be removed and temporary and permanent signs incorporated into the development as depicted on Exhibit "E"

attached hereto. Exhibit “E” is amended in its entirety as depicted and attached hereto.

3. The parties hereto agree that this Sixth Amendment constitutes a major amendment to the Agreement.
4. Except as specifically modified herein, the Agreement shall remain in full force and effect as first made.
5. Signatures on copies of this Sixth Amendment which are transmitted by facsimile or by electronic mail are counterparts and shall be deemed originals for all purposes.

{REMAINDER OF PAGE INTENTIONALLY LEFT BLANK}

DONE and ORDERED by the City of Holly Hill, Florida, this _____ day of _____, 2016.

CITY OF HOLLY HILL,
a Florida municipal corporation

By: _____
Joseph A. Forte, City Manager

STATE OF FLORIDA
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me this _____ day of _____, 2016, by JOSEPH A. FORTE, City Manager, City of Holly Hill, who is personally known to me or has produced _____ as identification.

NOTARY PUBLIC

Sign: _____

Print: _____
State of Florida at Large
(Seal)

My Commission Expires: _____

Title/Rank: _____

Commission Number: _____

WITNESSES:

HHA BORROWER, LLC

A Delaware limited liability company

(Name Printed or Typed)

(Name Printed or Typed)

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 2016, by _____, as _____ of **HHA BORROWER, LLC**, a Delaware limited liability company, who is personally known to me or has produced _____ as identification.

NOTARY PUBLIC

Sign: _____

Print: _____

State of Florida at Large
(Seal)

My Commission Expires: _____

Title/Rank: _____

Commission Number: _____

WITNESSES:

HH BLUE TIDES, LLC

A Delaware 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 this _____ day of _____, 2016, by _____, as _____ of **HH BLUE TIDES, LLC**, a Delaware limited liability company, who is personally known to me or has produced _____ as identification.

NOTARY PUBLIC

Sign: _____

Print: _____

State of Florida at Large
(Seal)

My Commission Expires: _____

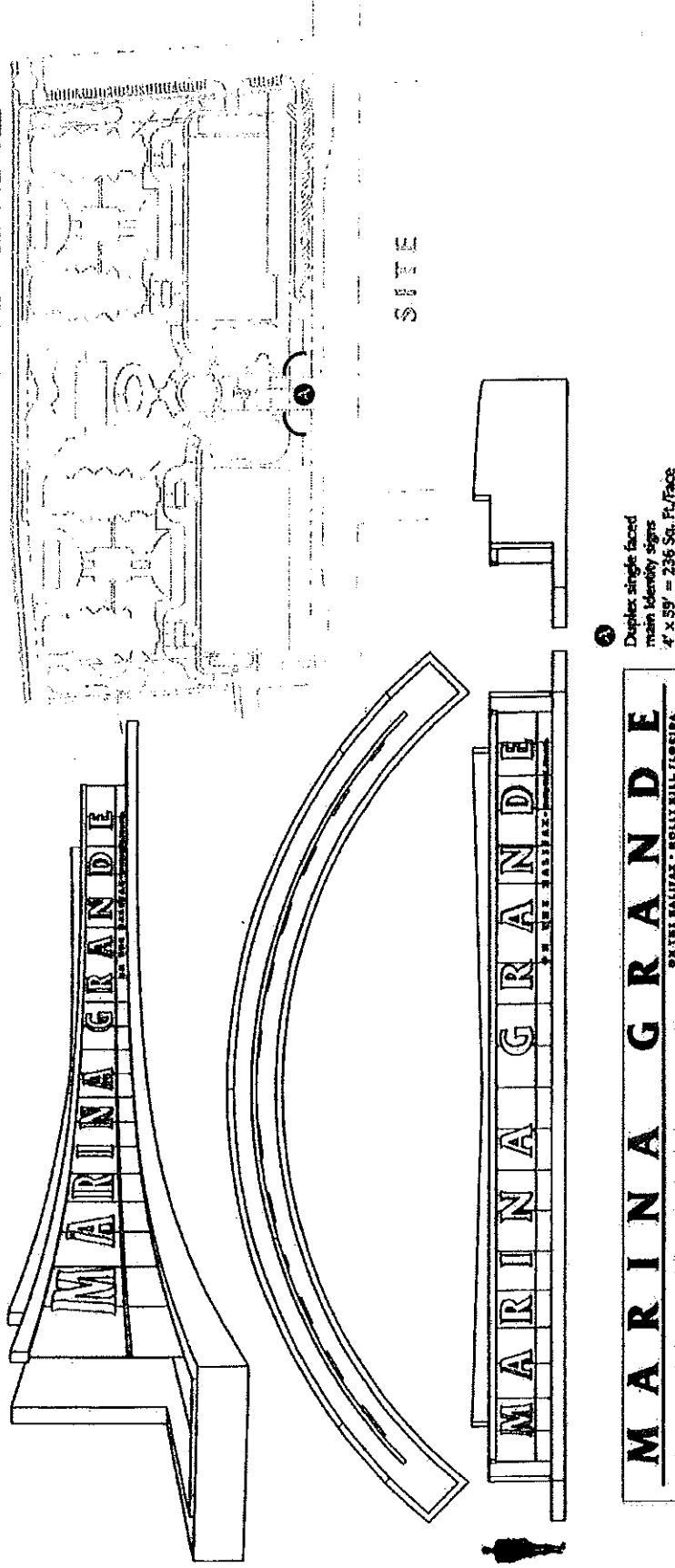
Title/Rank: _____

Commission Number: _____

EXHIBIT “E”

SIGN PLAN

Instrument# 2011-013275 # 32
Book: 6557
Page: 4291



③ Duplex single faced
main identity signs
4' x 59' = 236 Sq. Ft./Face

M A R I N A G R A N D E
ON THE GULF COAST • HOLLY HILL, FLORIDA

EDSA
Edward D. Stone, Jr. and Associates
Planning
Landscape Architecture
Urban Design
Graphic Design
100 East Broward Blvd., Suite 110
Fort Lauderdale, FL 33304
Phone 954.521.2200 • Fax 954.521.1777

1

Fabrication Text:
Design Direction
Design
Production Management
Checked by
JC
MC
SK
MC

Sign Description
Sign Area Main ID
Sign Area
☒ 1st Draft ☐ 2nd Draft ☐ 3rd Draft
☐ Bid Document Use for Construction
Sign Area Date
11/1/2004

Project for
Marina Grande
Project Name
Signage Area Schedules
Project Number
104285

Architectural Graphic Design

Exhibit 'E' page 1

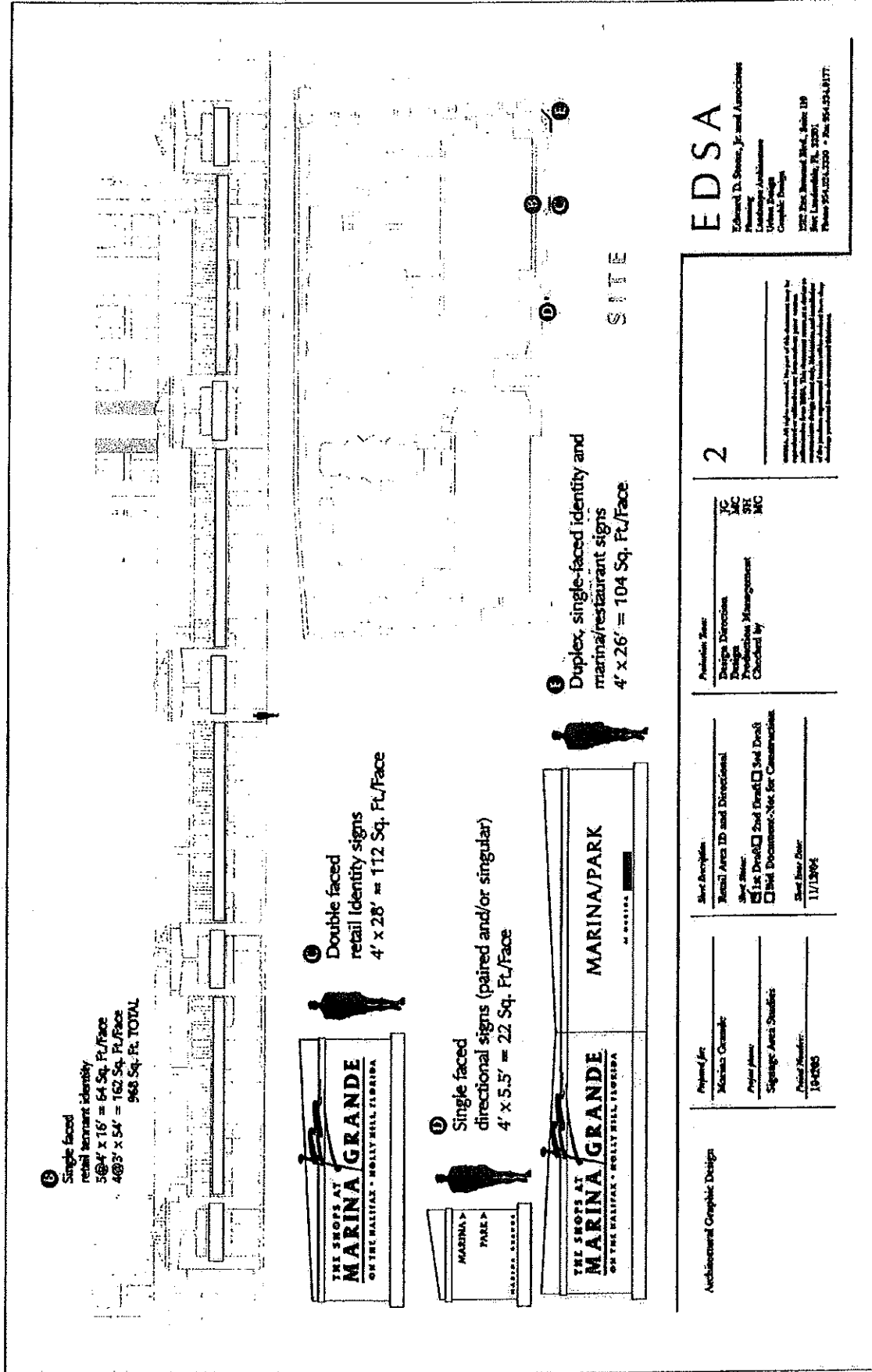


Exhibit "E" page 2

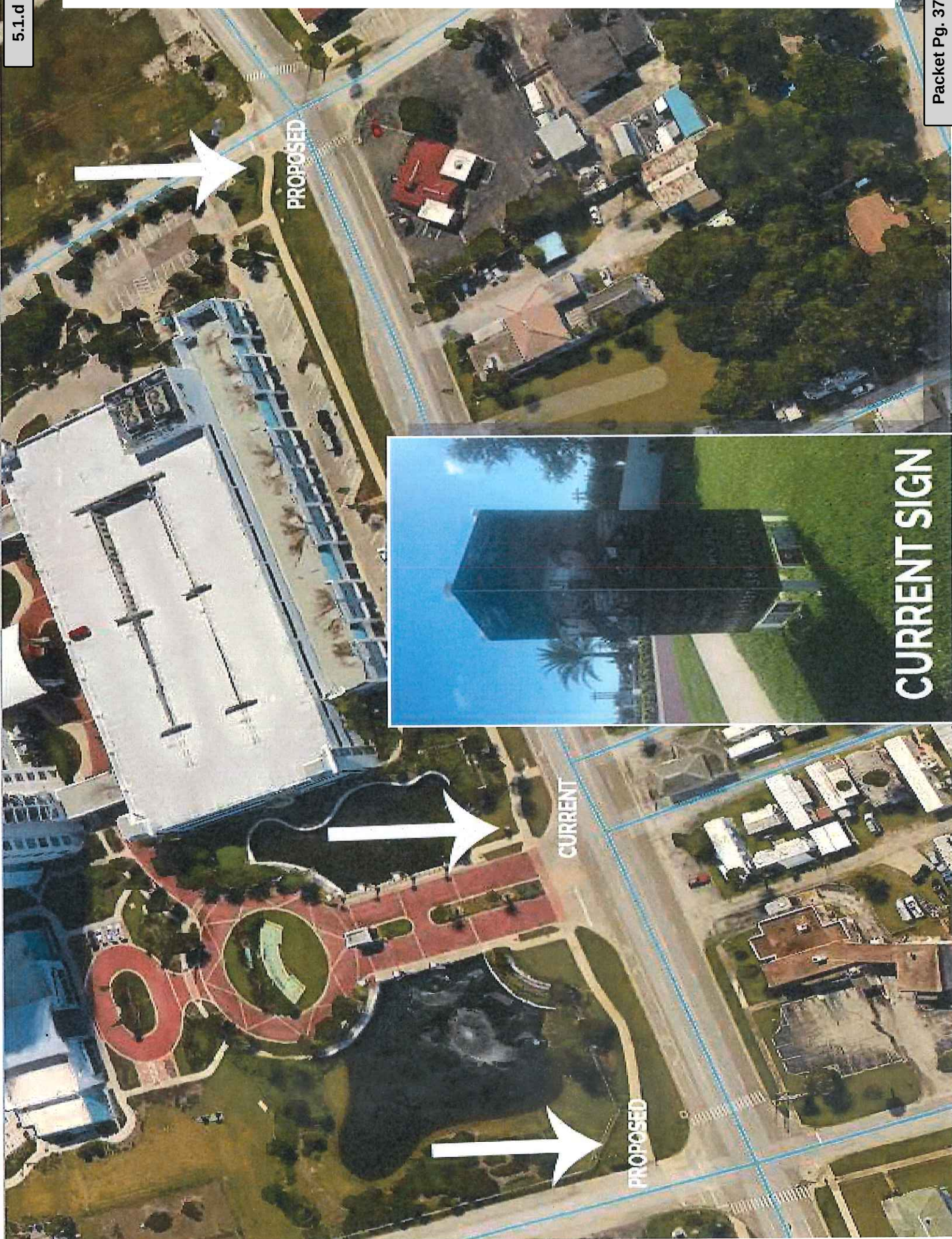


NOW SELLING 2/2 & 3/3 CONDOS 386-310-1337

NOW SELLING 2/2 & 3/3 CONDOS 386-310-1337



NOW SELLING 2/2 & 3/3 CONDOS 386-310-1337



CURRENT SIGN



