

CITY OF HOLLY HILL, FLORIDA

BOARD OF PLANNING AND APPEALS

AGENDA • FEBRUARY 22, 2017

City Commission Chamber

Special Meeting

6:30 PM

CITY HALL
1065 RIDGEWOOD AVENUE
HOLLY HILL, FL 32117

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



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

PLANNING & APPEALS BOARD MEMBERS

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Board Member

Arthur Cappuccio

Board Member

Jim Legary

Board Member

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Board Member

Robin D. Hanger

CITY PLANNER

Thomas Harowski

Building & Zoning

Liz Nelson

I. CALL TO ORDER**II. INVOCATION****III. PLEDGE OF ALLEGIANCE****IV. AGENDA ITEM**

1. Fountainhead MPUD A Request to Approve a Mixed Use Planned Unit Development Agreement for the 25-Acre Parcel Generally Located at Center Avenue and Walker Street.

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

V. ADJOURNMENT

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

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



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



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

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



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

**Board of Planning and Appeals
Agenda Item**

MEETING DATE: February 22, 2017
FROM: Thomas Harowski
SUBJECT: Fountainhead MPUD A Request to Approve a Mixed Use Planned Unit Development Agreement for the 25-Acre Parcel Generally Located at Center Avenue and Walker Street.
NUMBER: (ID # 1603)
APPLICANT: Michael Woods, Cobb & Cole
PLANNER: Thomas Harowski

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

BACKGROUND: This project has been under discussion at the staff level since July 2015. The Board of Planning and Appeals originally heard this application at its December 5, 2016 meeting and again at the January 11, 2017 meeting. The application was rescheduled for February 6, 2017, but as a result of a quorum issue, the hearing was rescheduled for February 22, 2017. The staff and the applicant have resolved most of the items presented in our January 25, 2017 staff report, and a revised draft agreement is provided with this application. The revised draft includes language that has been agreed upon by both parties.

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

Typically, the BOPA reviews a project for compliance with the City's development regulations. While this level of review is done for the MPUD, the City in this case has also set some expectations about the property development, as the property owner, which need to be considered in reviewing the MPUD application. The proposed MPUD needs to meet these expectations even if they exceed the minimum standards set out in

the code. This enhanced level of design particularly affects the project landscaping, traffic management and building design.

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

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

The Basic Plan:

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

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

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

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

DISCUSSION: In approving a project for development, the City is obligated to review the project to determine that it is consistent with the comprehensive plan and to determine that there will be sufficient public services available to support the project concurrent with the impacts to public services. In response to these questions, the applicant submitted a report dated August 5, 2015 prepared by Zev Cohen & Associates. A copy of the report was submitted as an exhibit to December 5, 2016 agenda item. The report cites policies from the comprehensive plan to demonstrate consistency of the proposed project with the comprehensive plan. The report examines water, sewer, stormwater and solid waste services and demonstrates that current City systems have adequate capacity to support the development. This report also includes a brief review of traffic capacity on roads in the general vicinity of the project. The applicant has subsequently done a TIA and a supplemental report following City comments. Some open issues remain as the applicant proposes to delay the response to some technical comments to an updated TIA. Refer to Exhibit D.

The City staff and the applicant have made substantial progress in completing an MPUD agreement, and a revised MPUD agreement is attached which includes the latest proposed language. There are a couple of items that staff desires to layout for the Board as they consider the application.

- The plan proposes a 10-foot landscaped buffer along Walker Street in place of a 25-foot landscaped buffer that was previously proposed. The staff has agreed to the reduction in the buffer because the buffer along Walker Street is backed by the proposed wet retention areas and additional landscaping. This combination of formal buffer and landscaped retention areas provides more buffering from residential uses on the north side of Walker Street than would be provided by a 25-foot buffer. The 25-foot buffer requirement remains on Parcel 4, the residential parcel, as there is no retention proposed for the Walker Street frontage in this area of the project site.
- The applicant has proposed allowing sidewalks within the buffer. If sidewalks are planned for the buffer area, the density of plant material for the buffer will not be reduced. Therefore the same quantity of plant material must be applied in the reduced area.
- Traffic improvements remain an issue. The agreement provides language for traffic improvements which include a requirement to install a left turn lane from Center Avenue into the project when the project development reaches 80,000 square feet of building area or an AM Peak Hour traffic volume of 247 trips.

It is the planning staff's opinion that the turn lane improvement is too far downstream in the project to mitigate traffic impacts and has the potential to create safety hazards. There is no real basis supporting the 80,000 square foot figure and the 247 peak hour trips translates to an average of four cars per minute for the peak hour. This threshold came from an earlier negotiation and was essentially selected at random. The planning staff has proposed the

requirement for the turn lane be activated following the first phase Synergy development (28,000 square feet). This position is based on the AM peak traffic demand submitted in the traffic study and the application of the Volusia County standards for turn lanes which require a turn lane when a project generates 25 or more left turn movements during the peak hour. The applicant has applied a different standard in its analysis.

- The Board needs to keep in mind that while the traffic study has concluded the proposed project will not violate the comprehensive plan's designated level of service on affected roads, there will still be added congestion on Walker Street and Center Avenue and that this added traffic may be significant at certain times of the day. The staff position regarding the turn lane is based not solely on traffic thresholds (although we remain convinced the project exceeds the applicable Volusia County threshold) but also to address traffic safety on a road where there is substantial pedestrian traffic during school times and where there will be increased traffic flow with the potential for increased rear end collisions.
- The applicant proposes the four tracts as independent parcels that are stand-alone with regard to parking and stormwater. Engineering is not available at this level of detail to verify that stormwater for each parcel meets standard, but the staff review identified a parking shortfall for the proposed Parcel 3 (120 spaces required versus 114 spaces provided). This is a relatively minor issue but does need to be resolved. This condition has not been corrected in the agreement, but will be applied to any future site plan review.
- Staff has suggested the applicant review the signage formula for wall signage. Given the size of some of the buildings and the distance from the road, the allowable signage is relatively small and staff wants to confirm the applicant is satisfied with outcome.

The applicant has proposed a more generous signage allowance that still remains below the standard code limits. Essentially the revised formula allows wall sign to cover up to 8% of the wall area versus the code maximum of 10%. The original formula allowed the signage coverage at 2.5% of the wall area. The staff has provided a counter proposal allowing the wall signage at 10% for the proposed building on Parcel 1 as this building will have four individual business units. Other buildings on the site would be allowed at 5%. Given the size of these buildings the resulting signage will still be significant. Wall signs will be permitted on all walls with street view.

- The applicant has submitted a design proposal for the buildings in the first phase. Staff review of the submittal indicates the buildings as proposed do not meet all of the criteria included in the proposed MPUD agreement. The table included as

an attachment to this report compares the submittal with the design elements listed in the MPUD.

RECOMMENDATION:

The staff can recommend approval of the current draft agreement subject to the modification of the timing for the turn lane. The Board will need to determine if they are willing to accept the building designs as submitted with the compliance concerns with the design standards.

- Z-2015-05 Location Map (PDF)
- MPUD Development Agreement clean (1) (DOCX)
- February 22, 2107 MPUD Exhibits (PDF)
- BUILDING ELEVATION DESIGN REVIEW (DOCX)

LOCATION MAP Z-2015-05



Scale 1:5,000 - 1 in = 417 ft
 Date Created:
 17-Nov-16 03:13 PM

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 SOURCE: PARCEL DATA, VOLUSIA COUNTY PROPERTY APPRAISER

FOUNTAINHEAD
MIXED USE PLANNED UNIT DEVELOPMENT (MPUD)
DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT (this "AGREEMENT") is made and entered into this _____ day of _____ 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

Commented [TH1]: Should the survey call out Parcel B? This might add clarity to the graphics and provide better coordination with the MPUD document.

Commented [TH2]: Exhibit A-2 is not attached. If exhibit is to include the survey and legal description, will this be provided now rather than waiting 60 days?

Commented [MW3]: It will be included.

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

Commented [TH4]: New clause.

Commented [MW5]: Accepted

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

Commented [TH6]: Edit.

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 XXXX 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 |

Commented [TH7]: What is this note referencing says "as provided for below"? Why not simply say the institution may be included within the office area?

Commented [MW8]: There is language below regarding TIA review for banks/drive-thru that I didn't want to put in this section, but need to indicate that there are some limits on bank use.

Commented [TH9]: Assumption is that these uses are open to the general public and will need to provide paid access per code.

Commented [MW10]: Agreed as to public and as parking and access, with parking tweak provided regarding interior island landscaping.

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 minor modifications that may be approved by the Development Code Administrator, as authorized by the LDR's in effect as of the Effective Date of this MDP. 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.

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

Commented [TH11]: Revised wording requested City Attorney.

Commented [TH12]: Why has the Walker Street been reduced to 10-feet?

Commented [TH13]: More discussion in the land section.

Commented [MW14]: This section deals with just the pond behind the Walker main entrance to the part of Walker, running from the Walker main entrance to this part will have the pond behind it. I modified the depth to 25 ft for Parcel 4 below.

- 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.

Commented [TH15]: This is new language added last review. Any issues?

Commented [TH16]: The POA should be in place the final plat process.

Commented [MW17]: Noted.

Commented [TH18]: Edit

Commented [TH19]: The permitted use list includes allowed activities that are not specifically called out on master development plan. Does the City Attorney still issue with this inclusion?

Commented [TH20]: Assumption is that these uses are open to the general public and will need to provide public access per code.

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

Commented [TH21]: Are these accessory uses the ones that will govern the use of the 13,000 square foot building?

Attachment: MPUD Development Agreement clean (1) (1603 : Fountainhead MPUD)

- Commented [TH22]:** Applicant should provide an assurance that all parcels as proposed meet the .35 FAR limit.

Commented [TH23]: Is it clear to the housing tea they must abide by these standards as well?

- {044586-002 : MWOOD/HFLOR : 02106391.DOCX; 3}

- 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.

Commented [TH24]: Note from previous review. 10-foot project bringing the housing units to within 10 the property line. Do we agree with this? All of the o buildings are sufficiently internal to the site that any p not impact adjacent properties.

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

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

Commented [TH25]: Deleted proposal to do entire Center Avenue buffer as part of initial phase of development.

Commented [TH26]: This means the minimum buffer is 25 feet when drawing shows 25-feet. A larger buffer should be provided along Center Avenue and Walker Street as the frontages are where the highest impacts to adjacent parcels will be incurred. The wider buffer will allow trees to be closer to the interior side of the buffer and thus avoid the need to minimize impacts from overhead power lines.

Commented [TH27]: More discussion is needed on the reduction from 25-feet to 10-feet. If the intent is to use retention ponds to add landscaping and depth to the overall buffer effect, this may be acceptable, but I would like to see these linked more clearly. For Parcel 4, the Walker Street buffer should remain at 10 feet since that parcel does not have a retention area to support a smaller buffer.

Commented [MW28]: Tom, I've provided language in the MDP iii clearly stating that Parcel 4's northern buffer will not be reduced to 10 feet.

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 property owner. 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

Commented [TH29]: Also a comment of the City

Commented [TH30]: Page 1 in the exhibit shows residential buffer along the southern boundary. This b should be north of the easement.

Commented [TH31]: The retention ponds should of the landscape plan and not a reason to reduce the sc plan. The location of the ponds offers the opportunity trees south of the ponds to keep them removed from th overhead utilities and to use the area north of the pond understory trees and ground level landscaping. This s project is an opportunity to do a knock-out plan rather reason to knock out plant material.

Attachment: MPUD Development Agreement clean (1) (1603 : Fountainhead MPUD)

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

Commented [TH32]: Graphic shows 11 spaces between planter islands, while city code is no more than 10 spaces. There are some specific needs keyed to the site design that deviate from the code.

Commented [MW33]: This needs to be revised to the relaxed 13 space run before island is required.

Commented [TH34]: This is a new provision which changes free water to water provided at a flat rate for usage. There is no provision for adjusting the rate over the agreement. Can reclaimed water be used on the potable water well?

Commented [TH35]: Is this provision keyed to the retention areas or the well tract?

Commented [MW36]: Retention ponds.

Commented [TH37]: This is another format bust. section is supposed to be ii under subparagraph B.

Commented [MW38]: We'll get this straightened out the clean copy.

Commented [TH39]: The driveway access to Parcel 2 likely needs to be a right-in/right-out connection given positioning to the corner. The access to Parcel 2 will be the primary access and the connection with the turn lane. All three access points plus the residential access need deceleration (right turn) lanes.

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

Commented [TH40]: My position remains that the study still should be updated and the resulting requirements evaluated. The project layout has been revised at least since the traffic study was done and the development may be different as well. We also noted reservations in the original traffic study that were never addressed.

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.

Commented [TH41]: The signage section no longer includes a discussion of tenant panels. Are these anticipated, which signs will have them. Absent an approved tenant identification, we will require the signs to be project identification only. Wall signage and the directory signs then provide for tenant identification.

Commented [TH42]: Edit

Commented [TH43]: I did an analysis of wall signage permitted under this formula and given the size of the buildings and the distance from the road, the allowable sign area may be too small. For example, a 20 foot by 15 foot building façade in Building 1 will be capped at 7.5 square feet of sign area. Larger buildings are a little better. For example, a 30 foot long building that is 30 feet tall will be allowed 15 feet of sign area. (This is 2.5% of the total façade.) I want to revisit this formula.

Commented [MW44]: Tom, please take a look at the proposal. A 30 foot tall building that is 100 feet wide will have signage of 6 ft x 40 ft or 240 square feet.

Commented [TH45]: Increased from one to two locations.

Commented [TH46]: Edit

- 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 ~~in~~ 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".

Commented [TH47]: Have we resolved this issue of this language? This approach leaves no credits to a land the City might hold after sale of the initial parcel.

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, OWNER and DEVELOPER agree to and shall hold the CITY, its officers, its employees, and representatives harmless from liability for damage or claims for damage for personal injury, including death and claims for property damage that may arise from

Commented [TH48]: This whole paragraph is new. It's an issue with declaring the inclusion of the parcel to be an amendment. A two acre site could contain a significant amount of development. If the well field site were to be combined with a parcel connecting the site to LPGA the potential impact would be even greater. Any uses proposed for well field site in the future should follow the same major/minor rules as the other parcels on the site.

Commented [TH49]: This language has not changed since the earlier draft, but I wonder if we should require the amendment to be done with the first subdivision period. Could the amendment be done on a parcel that has no common area or other common maintenance areas and push the POA off until later? If so, is this a good idea?

the direct or indirect operations of the OWNER or DEVELOPER or those of the OWNER's or DEVELOPER'S contractor, subcontractor, employee, or other persons acting on his/her behalf which relate to the project. OWNER and DEVELOPER agree to and shall defend the CITY and its officers, employees, and representatives from actions for damages caused or alleged to have been caused by reason of the OWNER's or DEVELOPER'S activities in connection with the project. HOWEVER, nothing contained herein shall be deemed to serve as a waiver of sovereign immunity to the extent said immunity is available to OWNER.

27. Monitoring Official. The City of Holly Hill City Manager or his/her designee is appointed as the CITY's monitoring official of this MDP. 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. This MDP shall become effective upon execution by all parties and approval of the rezoning request by the CITY.

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

{044586-002 : MWOOD/HFLOR : 02106391.DOCX; 3}

Attachment: MPUD Development Agreement clean (1) (1603 : Fountainhead MPUD)

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

ATTEST:

**CITY COMMISSION OF THE CITY OF
HOLLY HILL**

Valerie Manning
City Clerk

John Penny
Mayor

STATE OF FLORIDA
COUNTY OF VOLUSIA

The foregoing agreement was acknowledged before me this ____ day of _____, 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:

Commission No.:
My Commission Expires:

OWNER

HOLLY HILL COMMUNITY
REDEVELOPMENT AGENCY

Attest: _____
Valerie Manning
City Clerk

John Penny
Mayor

STATE OF FLORIDA
COUNTY OF VOLUSIA

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

NOTARY PUBLIC, STATE OF FLORIDA
Type or Print Name:

Commission No.:
My Commission Expires:

DEVELOPER

Witness: _____

Fountainhead Developers, LLC
a Florida Limited Liability Company

Printed Name: _____

By: _____

Name: M. Jayson MeyerTitle: ManagerSTATE OF FLORIDA
COUNTY OF VOLUSIA

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

NOTARY PUBLIC, STATE OF FLORIDA
Type or Print Name:Commission No.:
My Commission Expires:

Exhibit "A-1"

Parcel A: The 1200 Center Avenue property

{044586-002 : MWOOD/HFLOR : 02106391.DOCX; 3}

Attachment: MPUD Development Agreement clean (1) (1603 : Fountainhead MPUD)

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

{044586-002 : MWOOD/HFLOR : 02106391.DOCX; 3}

Attachment: MPUD Development Agreement clean (1) (1603 : Fountainhead MPUD)

Exhibit “B”
Mixed Use Master Development Plan

{044586-002 : MWOOD/HFLOR : 02106391.DOCX; 3}

Attachment: MPUD Development Agreement clean (1) (1603 : Fountainhead MPUD)

Exhibit “C”
Illustration of Phase 1

{044586-002 : MWOOD/HFLOR : 02106391.DOCX; 3}

Attachment: MPUD Development Agreement clean (1) (1603 : Fountainhead MPUD)

Exhibit “D”
Landscape Plan

{044586-002 : MWOOD/HFLOR : 02106391.DOCX; 3}

Attachment: MPUD Development Agreement clean (1) (1603 : Fountainhead MPUD)

Exhibit “E”
Traffic Impact Analysis

{044586-002 : MWOOD/HFLOR : 02106391.DOCX; 3}

Attachment: MPUD Development Agreement clean (1) (1603 : Fountainhead MPUD)

Exhibit “F”
Impact Fee Chart

{044586-002 : MWOOD/HFLOR : 02106391.DOCX; 3}

Attachment: MPUD Development Agreement clean (1) (1603 : Fountainhead MPUD)

Exhibit “G”
HQ Architectural Elevations

{044586-002 : MWOOD/HFLOR : 02106391.DOCX; 3}

Attachment: MPUD Development Agreement clean (1) (1603 : Fountainhead MPUD)

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 32, 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:

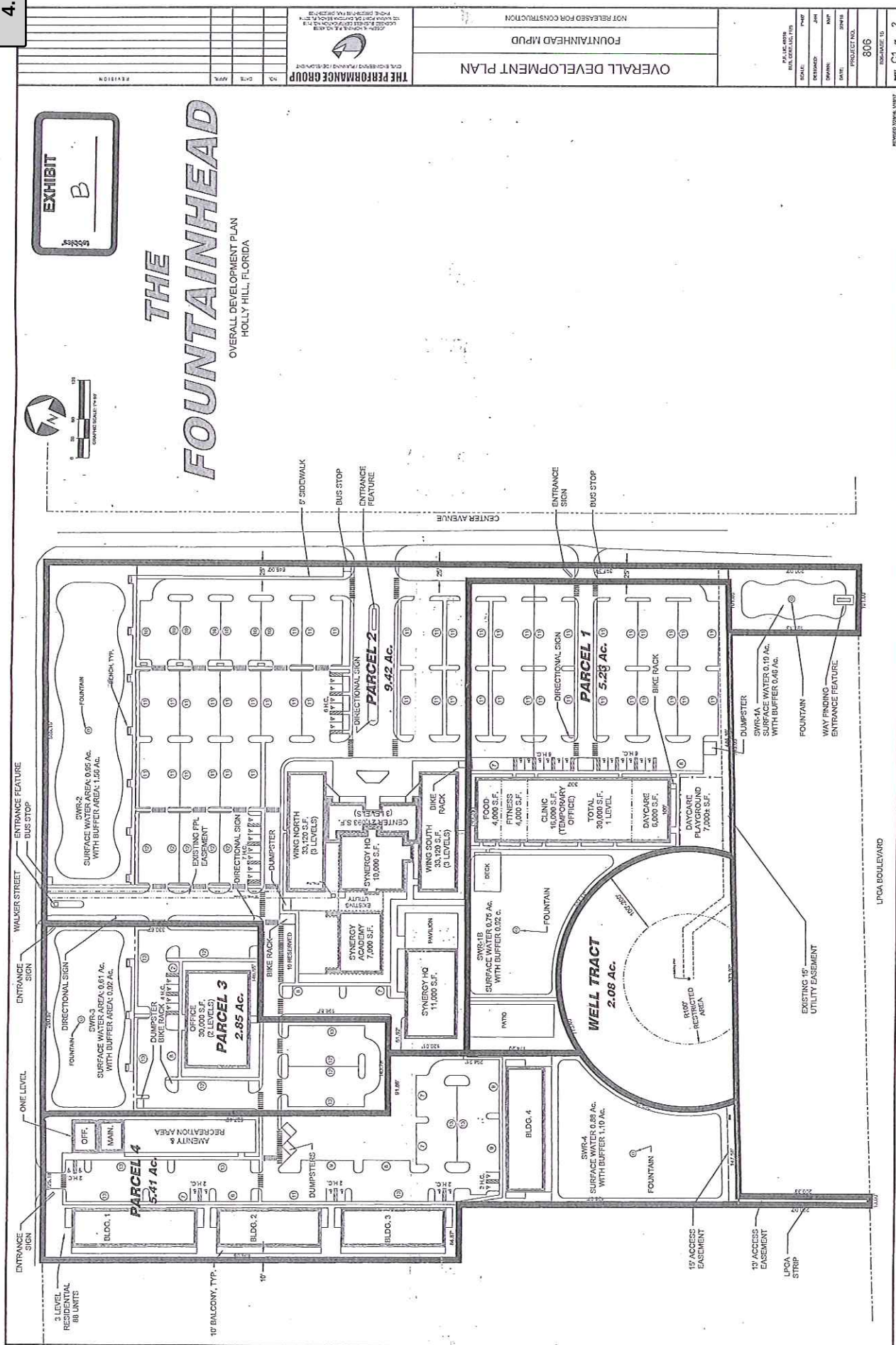
The West 13 feet of the South 200 feet of Lot 32, Block 35, MARY C. FLEMING SUBDIVISION of the Thomas Fitch Grant, as per Map recorded in Map Book 1, Page 1, of the public records of Volusia County, Florida.

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.

Exhibit B
Mixed Use Master Development Plan



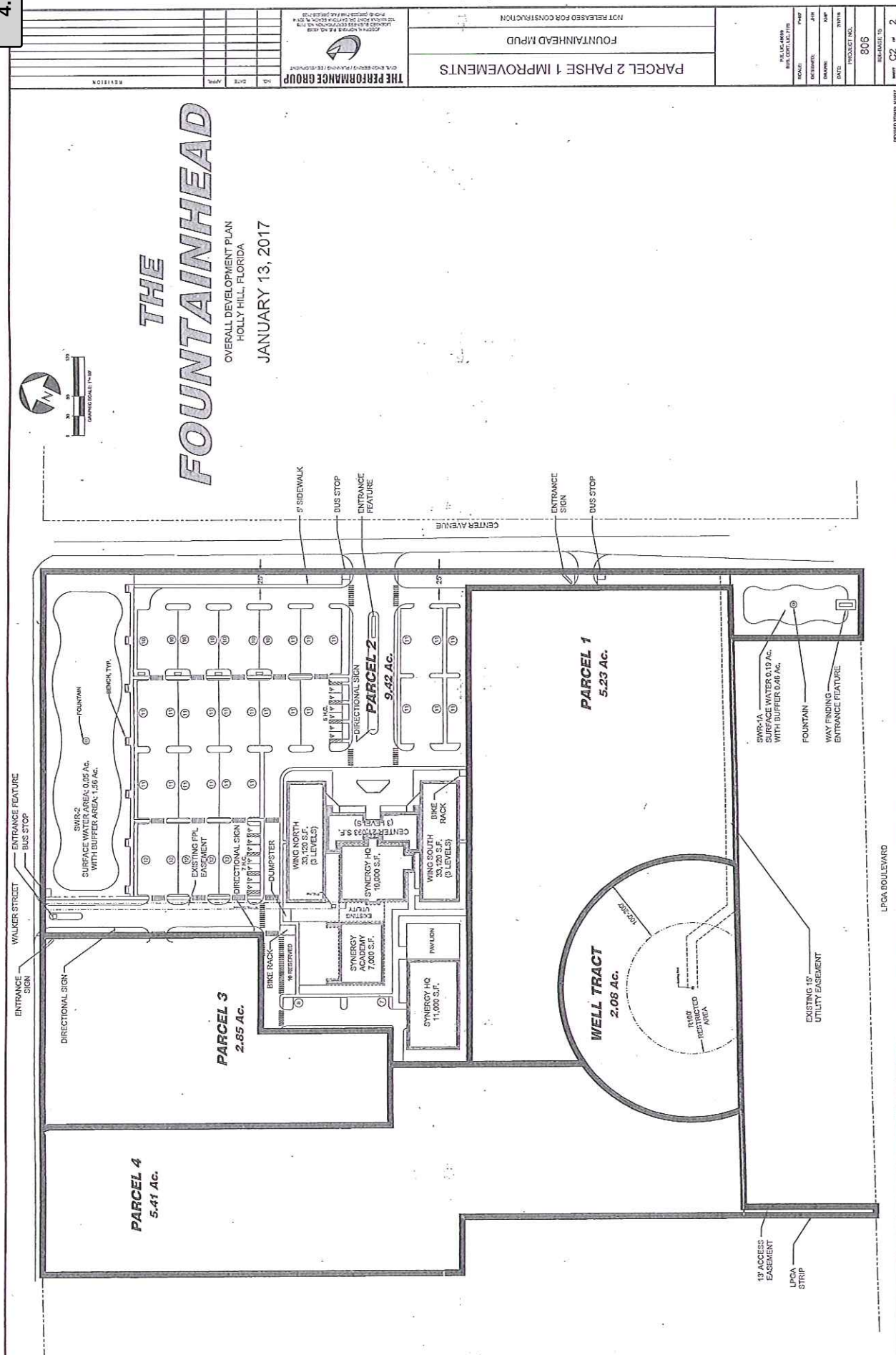


Exhibit C
Illustration of Phase 1

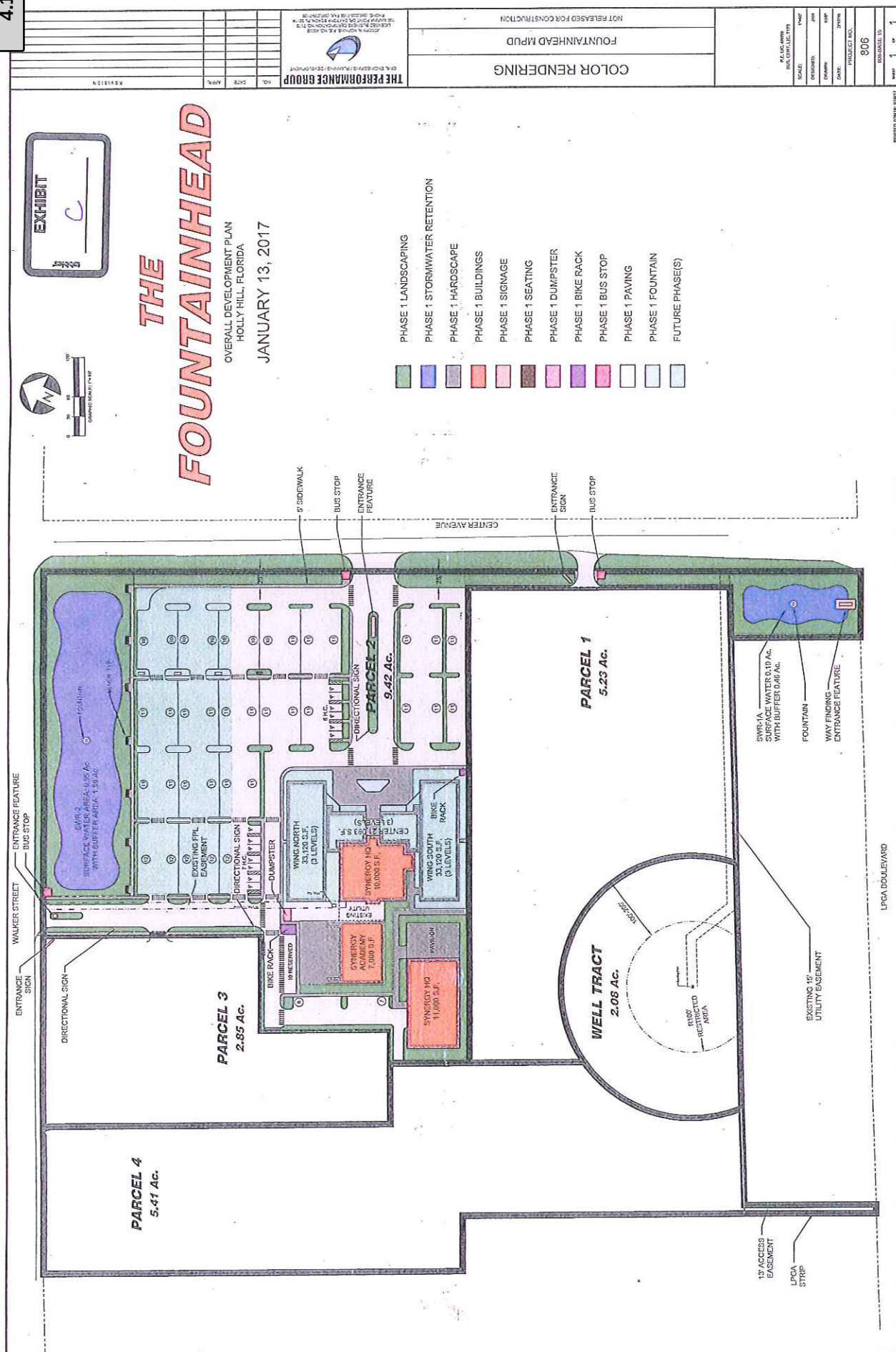
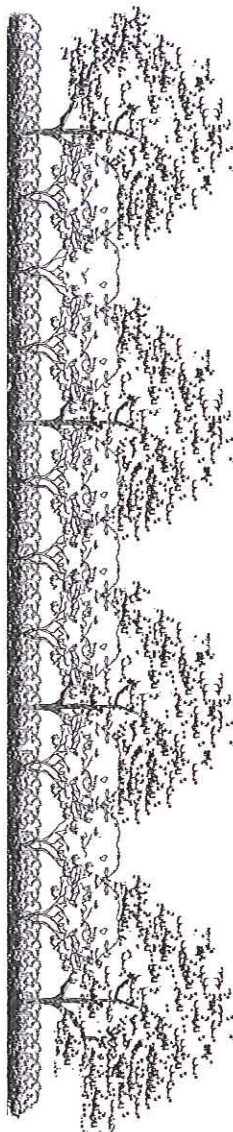
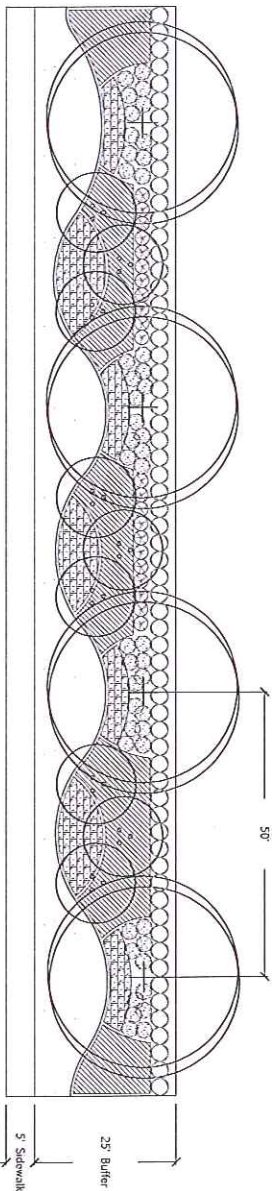


Exhibit D
Landscape Plan



Center Avenue Buffer Elevation



Center Avenue Plan (Typ.)

- 25' CENTER AVENUE BUFFER
- ONE SHADE TREE PER 50 LINEAR FEET
- 3 UNDERSTORY TREES PER 50 LINEAR FEET
- CONTINUOUS HEDGE TO SHIELD
- VEHICULAR USE AREA BEHIND BUFFER
- 9 DIFFERENT PER 50' OF LANDSCAPE
- 10 DIFFERENT PER 50' OF BUFFER AREA
- SHADE TREES AND UNDERSTORY TREES TO BE A MINIMUM OF 25% INCREASE IN SIZE OVER CITY REQUIREMENTS

FOUNTAINHEAD
MPUD EXHIBITS
CONCEPTUAL LANDSCAPE PLANS

CITY OF HOLLY HILL

FLORIDA

NO.	DATE	REVISIONS

FOR REVIEW ONLY NOT FOR
CONSTRUCTION

ORWIND BEACH
301 BAYVIEW BLVD. SUITE 100
ORWIND BEACH, FL 32174
(386) 875-2482 FAX (386) 875-0123

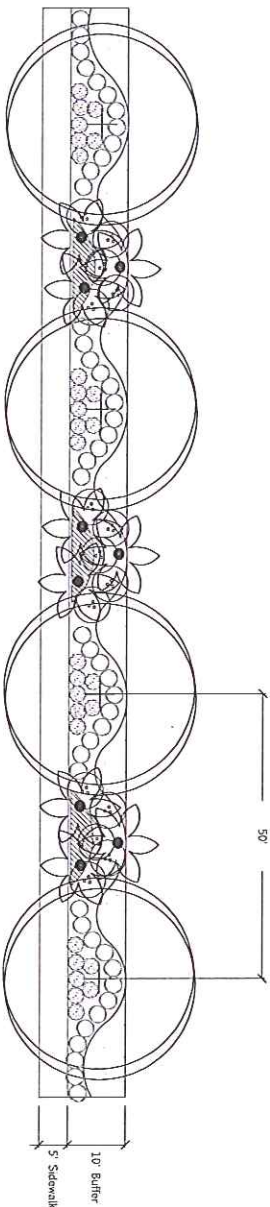
EDGEWATER
1000 BAYVIEW BLVD.
EDGEWATER, FL 33112
(786) 875-0482 FAX (305) 875-2028



Walker Street Buffer Elevation



Walker Street Buffer Plan (Typ.)



- 10' WALKER STREET BUFFER
- ONE CANOPY TREE PER 50 LINEAR FEET
- IF OVERHEAD POWER LINES ARE WITHIN 20' OF TREE LOCATION SEE CONCEPTUAL RECOMMENDATIONS
- 1 UNDERSTORY TREE OR 3 MEDIUM PALMS PER 50 LINEAR FEET
- 7 DIFFERENT TYPES OF LANDSCAPE MATERIAL PER 50 LINEAR FEET
- CONTINUOUS HEDGE PROVIDED AS VISUAL SCREEN
- SOD NOT TO EXCEED 40% OF BUFFER
- SPACING BETWEEN PLANTS TO BE A MINIMUM OF 25% INCREASE IN SIZE OVER CITY REQUIREMENTS

FOUNTAINHEAD
MPUD EXHIBITS
CONCEPTUAL LANDSCAPE PLANS

CITY OF HOLLYHILL

VOLUSA COUNTY, FLORIDA

FOR REVIEW ONLY NOT FOR
CONSTRUCTION

ORMOND BEACH
300 INTERCHANGE BLVD, STE. C
ORMOND BEACH, FL 32174
(386) 877-0442 FAX (386) 877-0510

EDGEWATER
1000 W. WINDYBROOK
EDGEMONT, AL 36112
(205) 877-0442 FAX (205) 877-0510

ZEV COHEN
ZEV COHEN & ASSOCIATES, INC.
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PLANNERS • TRANSPORTATION • ENVIRONMENTAL
WWW.ZEVCOHEN.COM

SCALE: 1"=20'
SHEET: LA2 OF 5

Scale 1"=20'-0"

-

Scale 1°=5'-0"

CITY OF HOLLY HILL

VOLUSIA COUNTY, FLORIDA

[illegible]

ORMOND BEACH
300 INTERCHANGE BLVD., STE. C
ORMOND BEACH, FL 32174
(386) 677-2492 FAX (386) 677-2525

EDGEWATER
1842 AIRPARK PKWY
EDGEWATER, FL 32132
(386) 877-2482 FAX (386) 877-2079

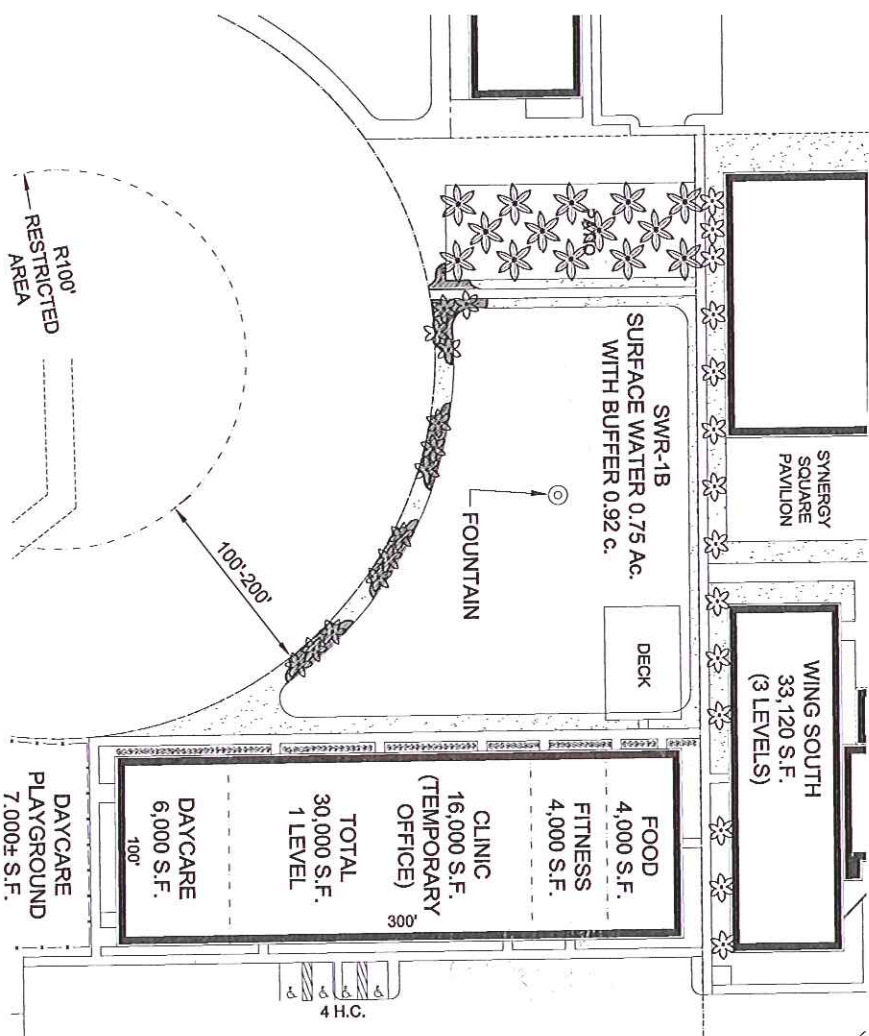


Wayfinding Area Conceptual Plan

 $1^{\circ}=20'$

Stormwater Ponds (Typ.)

- 200 SQUARE FEET OF LANDSCAPE AREA SHALL BE PROVIDED FOR EACH 150 LINEAR FEET OF POND PERIMETER AS MEASURED AT TOP OF BANK. LANDSCAPE SHALL BE PLANTED WITH TREES AND SHRUBS USING 3 CALIPIC PLANT MATERIAL OR SURROUNDING REQUIRED TREES. 3 CANOPY TREES SHALL BE PROVIDED FOR EACH 150 LINEAR FEET OF POND PERIMETER AS MEASURED AT TOP OF BANK. MORE TREES MAY BE USED. LANDSCAPING IS RECOMMENDED. MAXIMUM SPACING BETWEEN TREES IS 150'. WATER FEATURE SUCH AS A FOUNTAIN SHALL BE INCLUDED IN ALL WET RETENTION POUNDS.



Stormwater Pond 18 Conceptual Plan

 0.5 ± 0.1

NO.	DATE	REVISIONS	BY

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ORMOND BEACH
300 INTERCHANGE BLVD., STE. C
ORMOND BEACH, FL 32174
(386) 877-2492 FAX (386) 877-2559

EDGEWATER
1845 AIR PARK ROAD
EDGEWATER, FL 32132
(385) 877-2482 FAX (385) 877-2626



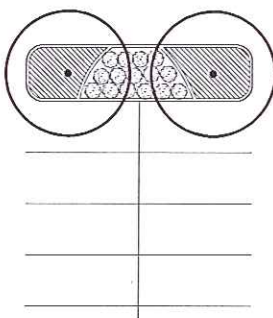
FOUNTAINHEAD
MPUD EXHIBITS
CONCEPTUAL LANDSCAPE PLANS

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CITY OF HOLLYHALL

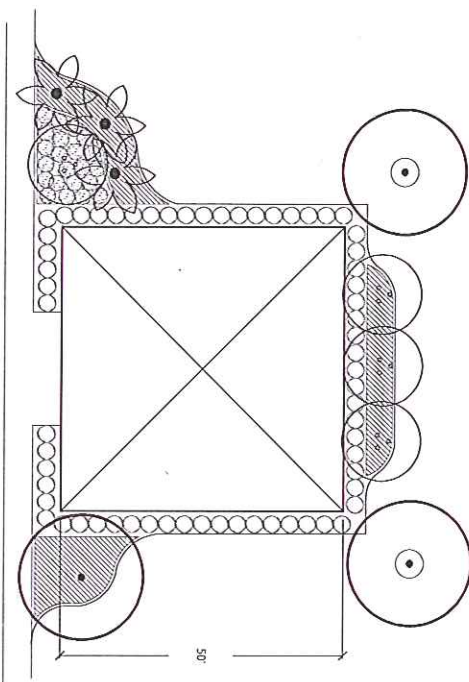
VOLUSA COUNTY, FLORIDA

PROJECT NO. 5549	SCALE
ISSUE DATE: 01-14-11	Version
DESIGNED BY: CAGGS	
DRAWN BY: JAGUS	
CHECKED BY: SHARON	
APPROVED BY: THEODORE	
DATE:	
1:10 1/4" = 1'-0" (SEE PLAN)	
SHEET:	
L44 OF 5	



Terminal Landscape Island Plan (Typ.)

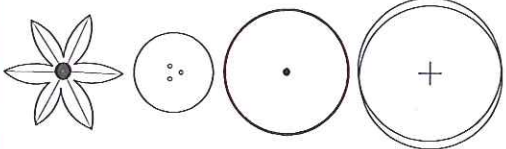
- NO SOD IN AREA LESS THAN 10' WIDE
- ONE SHADE TREE PER 200 SQUARE FEET
- 3 TYPES OF LANDSCAPE MATERIAL PER ISLAND
- 1 SHRUB/GROUNDCOVER PER TEN SQUARE FEET



Building Foundation Plan (Typ.)

- MINIMUM 5' WIDE LANDSCAPE AREA ADJACENT TO BUILDING SIDEWALK MAY BE LOCATED IMMEDIATELY ADJACENT TO BUILDING AND LANDSCAPE AREA MAY BE LOCATED ON OTHER SIDE OF SIDEWALK.
- 1 CANOPY TREE AND 1 UNDERSTORY/MEDIUM PALM TREE PER 60' LINEAL 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 7.5 HT. 2" CALIPER
TO BE PLANTED A MINIMUM OF 30' FROM OVERHEAD
POWER LINES (MEDIUM CANOPY TREES SHOULD BE
SUBSTITUTED IF OVERHEAD POWER LINES ARE WITHIN
30' FROM TREE LOCATION)
- MEDIUM CANOPY TREE:
ELM, MAGNOLIA, CYPRESS
MINIMUM 7.5 HT. 2" CALIPER
TO BE PLANTED 20' FROM OVERHEAD
POWER LINES (LARGE PALM TREE OR 1.5
OVERHEAD TREES SHOULD BE SUBSTITUTED IF
OVERHEAD POWER LINES ARE WITHIN 20' FROM
TREE LOCATION)
- UNDERSTORY TREE:
IGUANA PALM, MYRTLE, CLEANDER
MINIMUM 7.5 HT. 2" CALIPER
- LARGE PALM TREE:
CAJALFATE DATE, MEDJOL DATE, SILVER DATE
MINIMUM 10' C.T.
3 MEDIUM PALM TREES MAY BE SUBSTITUTED



- MEDIUM PALM TREE:
WASHINGTON, SAAUL, CHINESE FAN
MINIMUM 10 C.T.
- LARGE EVERGREEN SHRUB:
WAX MYRTLE, LIQUISTRUM CRINUM LIL,
PHLOENIDORUM, BIRD OF PARADISE
MIN. 5 FT X 5 SPREAD
- HERCE SHRUB:
VIBURNUM, ELEAGNUS, PODOCARPUS,
WAX MYRTLE
MIN. 2.5 FT, 2.5 O.C.
- SMALL SHRUB/FLOWERING PERENNIAL:
MAX. 3 O.C.
- GROUNDCOVER/SHRUB:
MAX. 3 O.C.
- FLOWERING PERENNIAL/ANNUAL:
MAX. 2 O.C.

Notes

1. ALL PLANTING DESIGNS ARE REPRESENTATIVE AND ARE ONLY INTENDED TO SHOW A TYPICAL PLANT THAT IS REPRESENTATIVE OF THE AMOUNT OR ACCEPTABLE PLANT MATERIAL AND THE DEVELOPMENT STANDARDS. ACTUAL PLANTING DESIGN MAY VARY AS LONG AS THE MINIMUM DESIGN REQUIREMENTS ARE MET. ALL PLANTING PLANTS MUST ALSO MEET THE FOLLOWING REQUIREMENTS:
 - a. PLANTS MUST BE SPECIFIED WITH THE CITY OF HOLLY HILL UNLESS OTHERWISE STATED OTHERWISE.
 - b. PLANT BUFFERS ARE NOT REQUIRED TO BE DESIGNED IN REPEATING PATTERNS.
2. THE CONCEPTUAL PLANT LIST IS NOT INCLUSIVE AND IS TO BE USED AS A GUIDE FOR PLANT MATERIAL CHOSEN BY THE LANDSCAPE ARCHITECT-OR-RECORD.
3. ALL PLANT MATERIAL SHALL BE GRADE FLORIDA NO. 1 OR BETTER IN QUALITY AS SPECIFIED IN FLORIDA GRASSES AND STANDARDS.

[illegible]

ORMOND BEACH
300 INTERCHANGE BLVD., STE. C
ORMOND BEACH, FL 32174
(386) 877-2482 FAX (386) 877-2605

EDGEWATER
1842 AIRPARK ROAD
EDGEWATER, FL 32132
(386) 877-2692 FAX (386) 877-2025



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& ASSOCIATES, INC.**
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FOUNTAINHEAD
MPUD EXHIBITS
CONCEPTUAL LANDSCAPE PLANS

CITY OF HOLYEST

YOLUSA COUNTY, FLORIDA

SCALE 1"=10'
SHEET 145 OF 145

Exhibit E Traffic Impact Analysis



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		Land Use Plan	
	Jun-16		Jan-17	
Apartment Units	88	DU	88	DU
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	329	329	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	1,479	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	455	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	329	329	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	252
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:		256	533	789	29	29	58	47	42	89	180	462	642

Thomas Harowski, AICP
January 17, 2017
Page 3

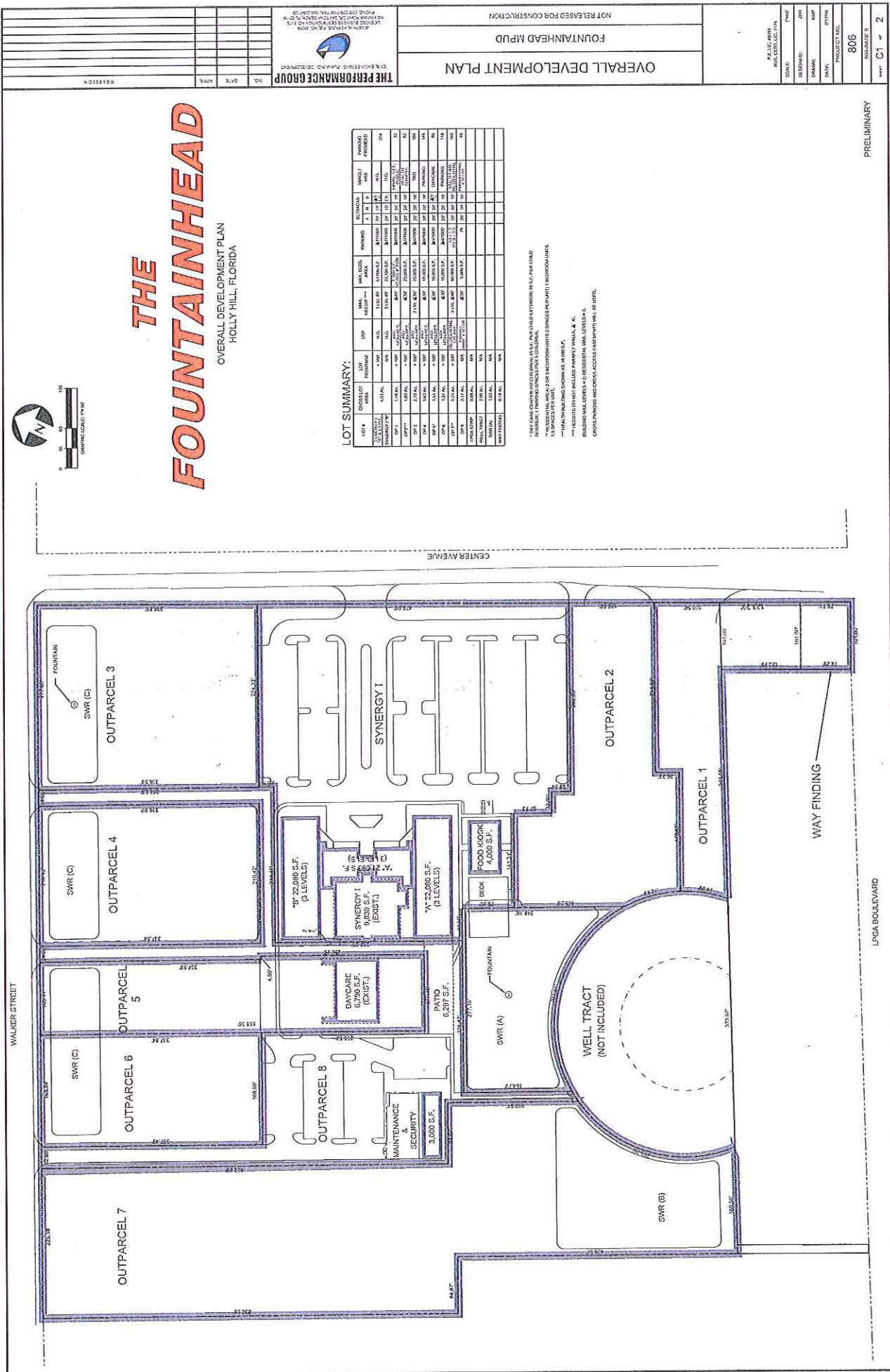
The significant difference between the two land use plans is found with the day care facility. It is important to note that ITE does not typically permit internal capture however the purpose of the day care is to provide a support facility to employees and the public. This will lead to an overall internal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

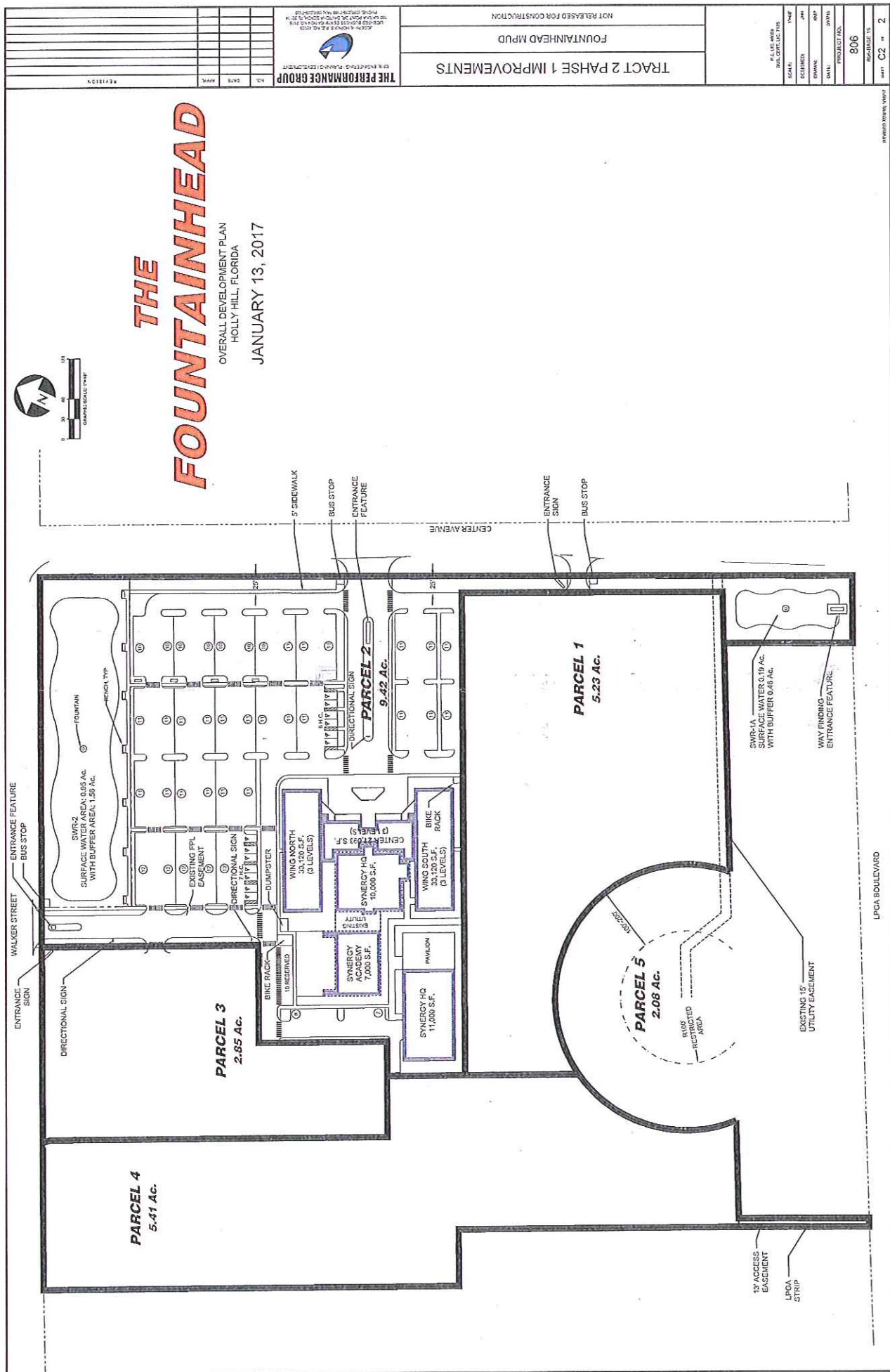
Additionally, the MPUD has added language requiring the NB connection to Walker Street to be built with the initial building. Based on the current proposed Land Uses and the currently proposed site access plan a revised TIA will not create any significant changes in recommendations. Additional improvement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

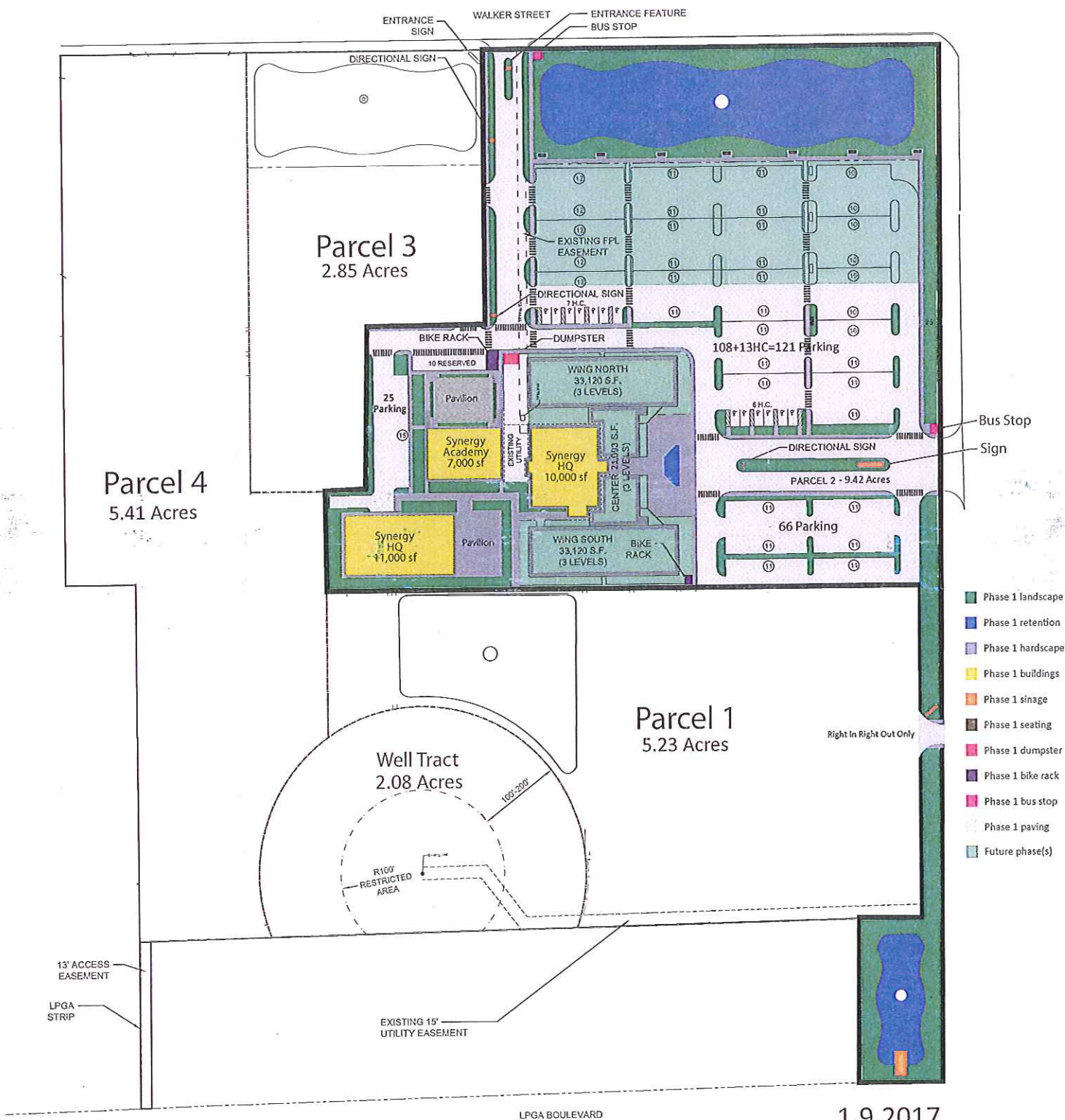
Name: Andrew J. Ames, P.E.
Signature: *Andrew J. Ames, P.E.*
Florida PE License No.: 52570
Date: January 17, 2017







FOUNTAINHEAD PARCEL 2 PHASE 1 IMPROVEMENTS



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
	Academy	2	50	50	N/A	7,000	Former gym
2018	HQ	2	+70	210	N/A		No build
	Academy	2	N/A	See note	N/A		50 day + 25 night
2019	HQ	2	+105	310	N/A	22,000	Wing
	Academy	2	N/A	See note	N/A	11,000	Wing
	Food	1	See note	See note	>50%	4,000	4 ees + 10 cars public
	Fitness	1	See note	See note	>50%	4,000	2 ees + 10 cars public
2020	HQ	2	+157	472	N/A	22,000	Wing
	Academy	1	+25	See note	N/A	11,000	Wing, 75 day, 50 night = 125
	Day care	1	See note	See note	>50%	6,000	8 workers + 30 cars, public drop off
2021	Clinic	1	See note	See note	<20%	16,000	8 workers + 50 cars public in/out
2023	Office	3	120	120	N/A	30,000	4 ees/1,000 sf
2023	88 workforce housing units	4	See note	See note	N/A	+ 90,000	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.

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 I is only proposed on Center Ave - there is access no proposed access on Walker Street. Please understand that this was not brought to our attention during the methodology phase. As such, the Phase 1 and Buildout traffic will now need to be evaluated separately. Communication with the city reveals that there have been no plans for Phase 2 submitted, so it is unknown when Phase 1 trips would be able to shift to other access points in the development's buildout plan.

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.

Page 4

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*

Page 5

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 Outlets and Minto Development, LPGA Blvd between Tymber Creek Road and Williamson Blvd is considered Critical/Near-Critical. Although Fountainhead's impact is proposed to be less than 5% on these links, its impact is still required to be analyzed. Additionally, impacts to over-capacity roads will be required to be mitigated."

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 failing segment, and the capacity is not 3,410. This section is currently 2 lanes. The vehicle/capacity ratio is now currently over capacity, which will require a proportionate fair share improvement for the 51 additional project trips that this development will add to the roadway link.

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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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:

Exhibit F
Impact Fee Chart

[illegible]

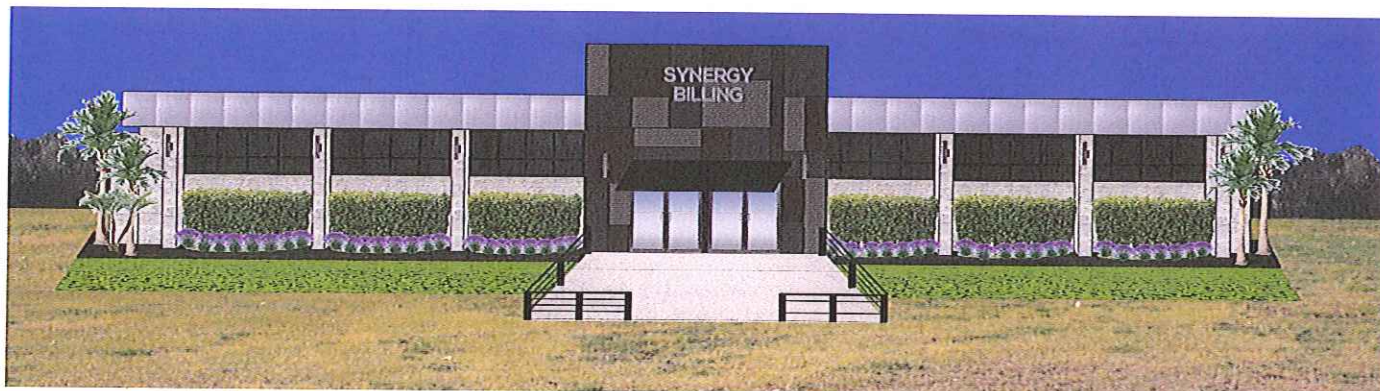
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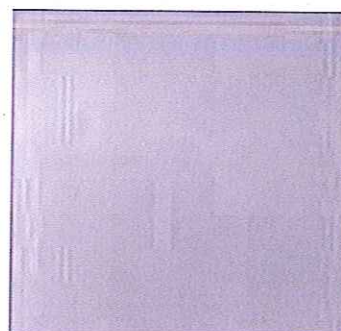
Exhibit G
HQ Architectural Elevations



Fountainhead Synergy HQ Looking West



Typical Materials: Concrete over brick, 3D aluminum panels



Existing Building





Synergy HQ Looking West

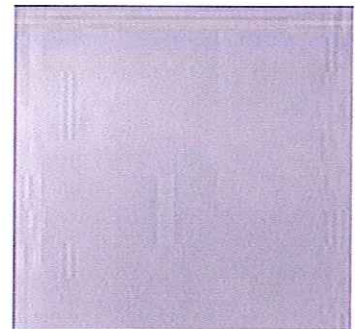




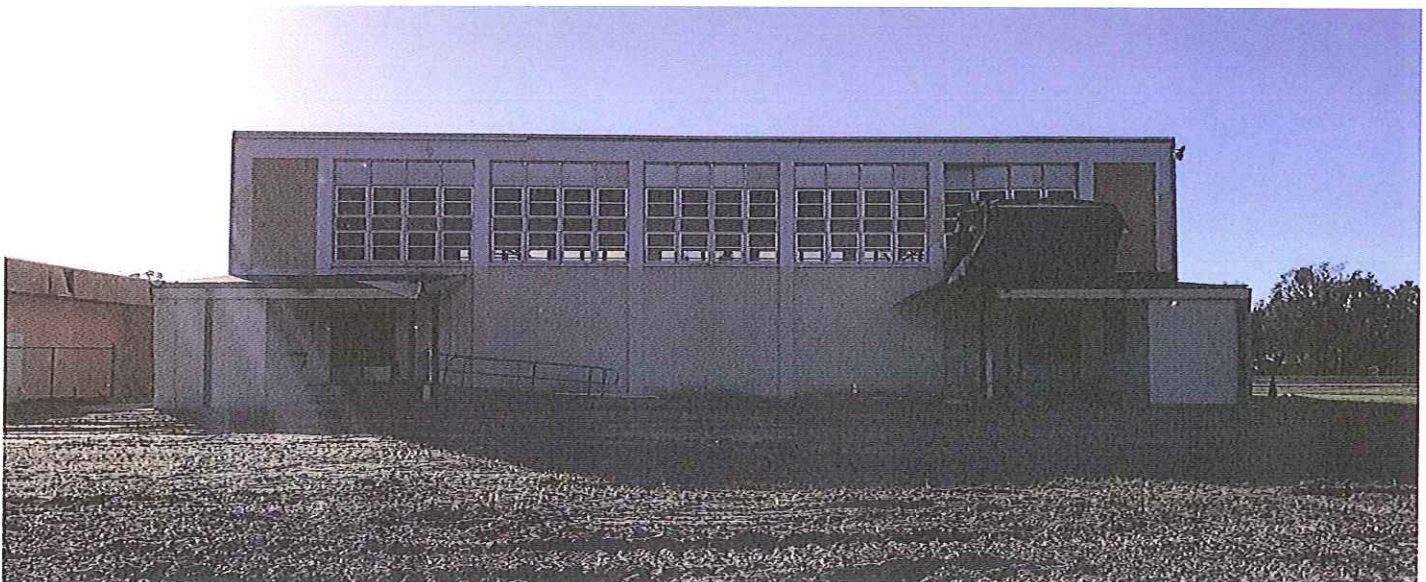
Fountainhead Synergy Academy Looking South



Typical Materials: Concrete over brick, 3D aluminum panels

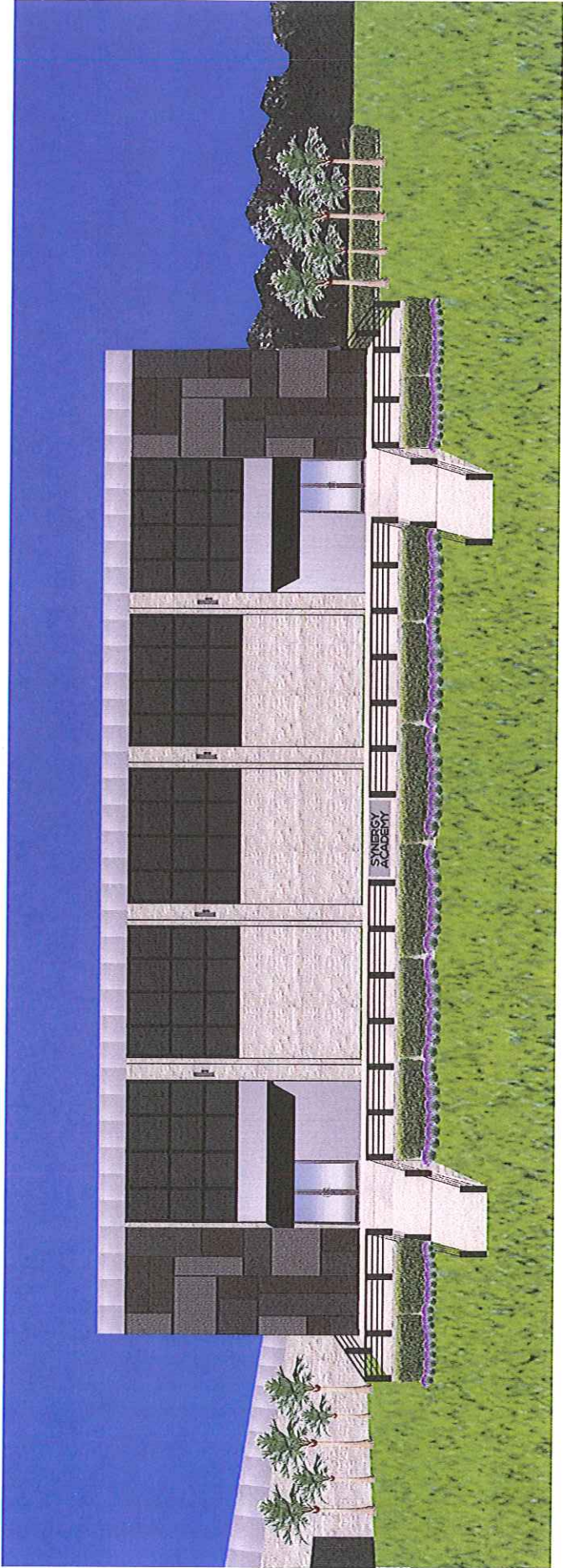


Existing Building



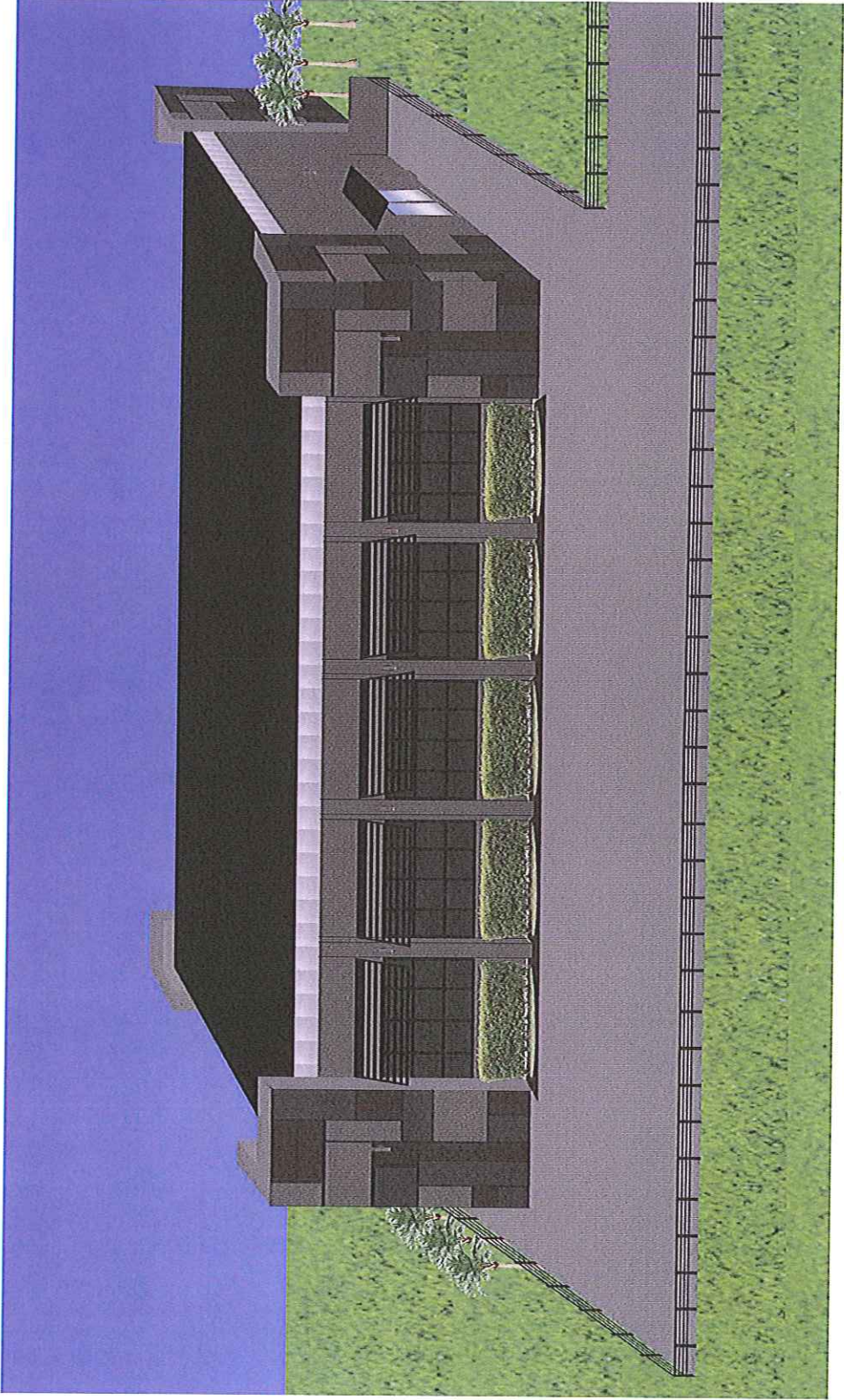


Synergy Academy Looking South



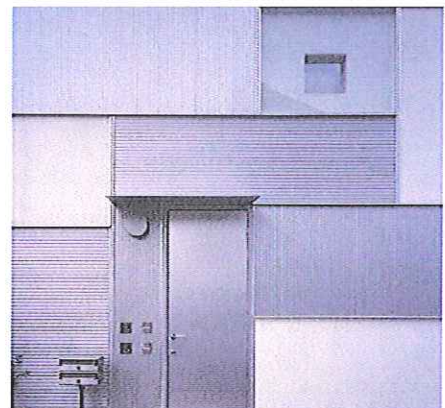
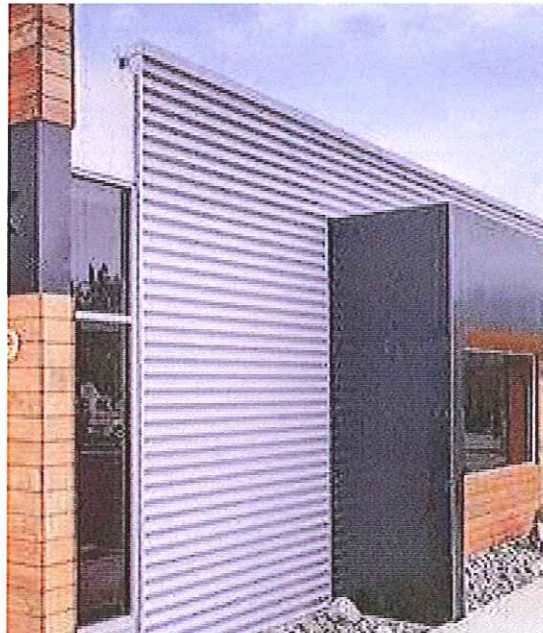
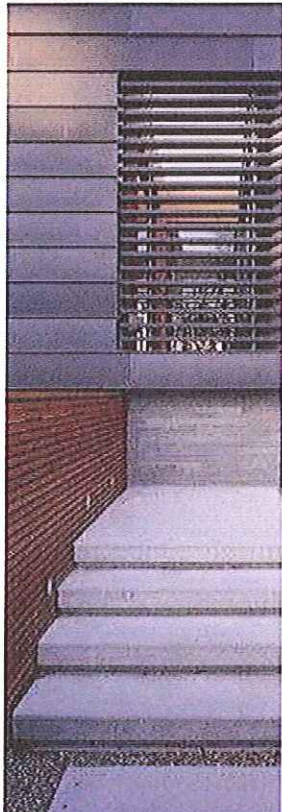
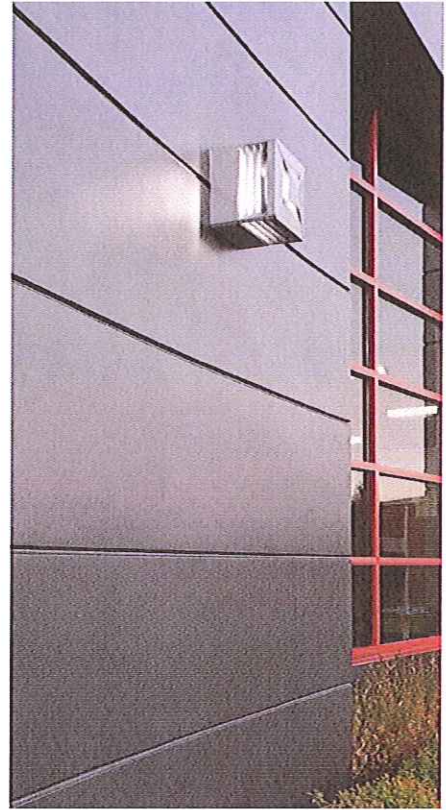
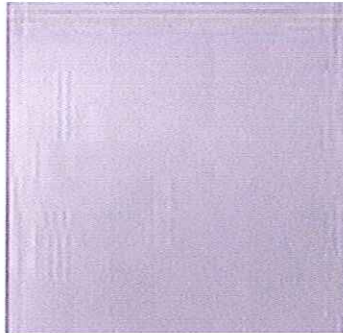
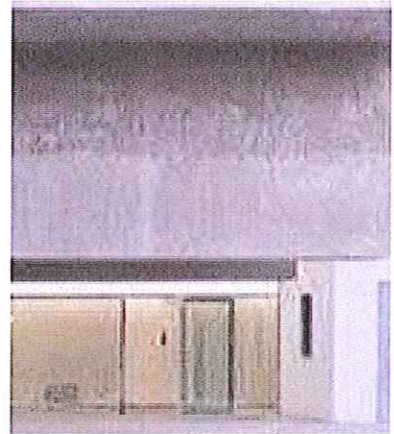


Synergy HQ Looking North (New Building)





Fountainhead Material Alternatives



BUILDING ELEVATION REVIEW FOUNTAINHEAD DEVELOPMENT JANUARY 18, 2017 SUBMITTAL

DESIGN CRITERIA	HQ BUILDING	ACADEMY BUILDING	NEW BUILDING
Flat Roof	Complies	Complies	Complies
Reflects Grid System	Complies	Complies	Complies
Ribbon Windows	Complies	Complies	Complies
Rectangular Shapes in Non-symmetrical Alignment	Fails	Partial Compliance	Partial Compliance
Rectangular Shapes with Cantilevered Elements	Can't Tell from View	Can't Tell from View	Can't Tell from View
Smooth Exterior Surfaces	Partial Compliance Except for Covered Brick	Partial Compliance Except for Covered Brick	Complies Unless Covered Brick is Used
Metal Detailing	Complies	Complies	Complies
Glass Exterior Wall	Partial Compliance	Partial Compliance	Complies
Vertical and Horizontal Relief	Likely Complies; Need alternate View to Confirm	Likely Complies; Need alternate View to Confirm	Likely Complies; Need alternate View to Confirm

1. Drawings are not architectural drawings.
2. Submitted elevations do not include all promised elevation views.
3. Architect could submit supplemental documentation demonstrating compliance.