



AGENDA
PLANNING COMMISSION
CITY OF PORT ORANGE

Meeting Date: Thursday, May 28, 2020

Time: 5:30 PM

Type of Meeting: Regular

Location: Council Chambers
City Hall, 1000 City Center Circle

A. CALL TO ORDER

1. Pledge of Allegiance
2. Silent Invocation
3. Roll Call

B. DISCUSSION/ACTION

4. Consideration of Minutes
5. APPLICATION: Small-Scale Future Land Use Map Amendment/All Aboard Storage Taylor Road
LOCATION: East of Taylor Rd., south of Fern Park Dr., east of the Crane Lakes Golf and Country Club
CASE NO.: 19-20000005
STAFF CONTACT: Penelope Cruz, Planning Manager (386) 506-5671/pcruz@port-orange.org
APPLICANT: Newkirk Engineering, Inc.; 1230 N. US Highway 1, Suite 3, Ormond Beach, FL 32174

A request by the applicant to change the Comprehensive Plan Future Land Use (FLU) designation for ± 4.07 acres from Volusia County Urban Low Intensity (ULI) to City of Port Orange Office/Residential Transition (ORT).

6. APPLICATION: PCD Rezoning/All Aboard Storage Taylor Road
LOCATION: East of Taylor Rd., south of Fern Park Dr., east of the Crane Lakes Golf and Country Club
CASE NO.: 19-65000003
STAFF CONTACT: Gwen Perney, Senior Planner (386) 506-5673/gperney@port-orange.org
APPLICANT: Newkirk Engineering, Inc.; 1230 N. US Highway 1, Suite 3, Ormond Beach, FL 32174

A request by the applicant to approve rezoning of ± 10.2 acres to All Aboard Storage Taylor Road Planned Commercial Development (PCD) and the Master Development Agreement (MDA) and Conceptual Development Plan (CDP).

7. APPLICATION: Small-Scale Future Land Use Map Amendment/Thrive Community Church
LOCATION: 6156 Williamson Boulevard
CASE NO.: 20-20000001
STAFF CONTACT: Penelope Cruz, Planning Manager (386) 506-5671/pcruz@port-orange.org
APPLICANT: Thrive Community Church, Inc.; 1221 Dunlawton Avenue, Suite 200, Port Orange, FL 32127

A request by the applicant to change the Comprehensive Plan Future Land Use (FLU) designation for ±8.2 acres from Volusia County Urban Low Intensity (0.2-4 units/acre) to City of Port Orange Rural Transition (0-2 units/acre).

8. APPLICATION: Rezoning/Thrive Community Church
LOCATION: 6156 Williamson Boulevard
CASE NO.: 20-60000001
STAFF CONTACT: Penelope Cruz, Planning Manager (386) 506-5671/pcruz@port-orange.org
APPLICANT: Thrive Community Church, Inc.; 1221 Dunlawton Avenue, Suite 200, Port Orange, FL 32127

A request by the applicant to rezone ±8.2 acres from Volusia County Rural Agriculture (A-2) to City of Port Orange Government/Public Use (GPU).

9. APPLICATION: Fourth Amendment to the Master Development Agreement and Conceptual Development Plan for the Home Depot PCD
LOCATION: 1551 Dunlawton Avenue
CASE NO.: 20-40000001
STAFF CONTACT: Briana Conlan-King, Senior Planner (386) 506-5676/brking@port-orange.org
APPLICANT: Kimley-Horn and Associates, Inc.; 445 24th Street, Suite 200, Vero Beach, FL 32960

A request by the applicant to amend the Master Development Agreement (MDA) and Conceptual Development Plan (CDP) for the Home Depot Planned Commercial Development (PCD).

10. APPLICATION: Administrative Rezoning/4035 Nova Road; 5245 and 5279 Nova Road; and 4050 Nova Road
LOCATION: 4035 Nova Road; 5245 and 5279 Nova Road; and 4050 Nova Road
CASE NO.: 20-60000002
STAFF CONTACT: Gwen Perney, Senior Planner (386) 506-5673/gperney@port-orange.org
APPLICANT: City of Port Orange; 1000 City Center Circle, Port Orange, FL 32129

A request to rezone ± 0.95 acres from Planned Commercial Development (PCD) to Community Commercial (CC), ± 2.36 acres from Commonwealth Plaza Planned Commercial Development (PCD) to Community Commercial (CC), and ± 17.9 acres from Professional Office (PO) and High Density Residential (R-3H) to Government Public Use (GPU).

11. APPLICATION: Subdivision Replat/Altamira Shopping Village
LOCATION: North and south side of Taylor Road with most of the subject property located north of Taylor Road and east of Dunlawton Avenue
CASE NO.: 19-50000002
STAFF CONTACT: Tim Burman, Community Development Director (386) 506-5675/tburman@port-orange.org
APPLICANT: Mark A. Watts, Esq., Cobb Cole; 231 N. Woodland Blvd., DeLand, FL 32720

A request by the applicant to replat +/- 19 acres of the Altamira Shopping Village property into 5 lots and 3 tracts as shown on the approved Altamira Planned Commercial Development (PCD) Conceptual Development Plan (CDP).

C. OTHER BUSINESS

12. Commissioner Comments
13. Staff Comments

D. PUBLIC COMMENTS

E. ADJOURNMENT

NOTICES – PURSUANT TO SECTION 286.0105 OF THE FLORIDA STATUTES, IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE PLANNING COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT THIS PUBLIC MEETING OR HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT, FOR SUCH PURPOSE, SUCH PERSON 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 (PHONE: 386-506-5563) AS FAR IN ADVANCE AS POSSIBLE, BUT PREFERABLY WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE MEETING OR HEARING DATE.



HELP FOR THE HEARING IMPAIRED IS AVAILABLE THROUGH THE ASSISTIVE LISTENING SYSTEM RECEIVERS CAN BE OBTAINED FROM THE CITY CLERKS' OFFICE.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA), IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS AN ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOU ARE ENTITLED, AT NO COST TO YOU, THE PROVISION OF CERTAIN ASSISTANCE. PLEASE CONTACT THE CITY CLERK FOR THE CITY OF PORT ORANGE, 1000 CITY CENTER CIRCLE, PORT ORANGE, FLORIDA 32129, TELEPHONE NUMBER 386-506-5563, CITYCLERK@PORT-ORANGE.ORG, AS FAR IN ADVANCE AS POSSIBLE, BUT PREFERABLY WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE MEETING OR HEARING DATE. IF YOU ARE HEARING OR VOICE IMPAIRED, CONTACT THE RELAY OPERATOR AT 7-1-1 or 1-800-955-8771.

Planning Commission Meeting

Thursday, May 28, 2020

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UPON REQUEST BY A QUALIFIED INDIVIDUAL WITH A DISABILITY, THIS DOCUMENT WILL BE MADE AVAILABLE IN AN ALTERNATE FORMAT. IF YOU NEED TO REQUEST THIS DOCUMENT IN AN ALTERNATE FORMAT, PLEASE CONTACT THE CITY CLERK WHOSE CONTACT INFORMATION IS PROVIDED ABOVE.

REGULAR PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
PORT ORANGE, FLORIDA
FEBRUARY 27, 2020

THE REGULAR PLANNING COMMISSION MEETING of the City of Port Orange was called to order by Chair Mills-Benat at 5:30pm.

Pledge of Allegiance

Silent Invocation

Roll Call

Present: Maria Mills-Benat, Chair
Thomas Jordan
Darrel “Bo” Bofamy
Lance Green
Newton White
Stan Schmidt

Absent: John Junco (unexcused)

Also Present: Shannon Balmer, Assistant City Attorney
Shelby Field, Assistant City Clerk

B. DISCUSSION/ACTION

4. Consideration of Minutes

Motion to approve the minutes as presented from January 23, 2020 was made by Commissioner Jordan and Seconded by Commissioner White. Motion carried unanimously by roll call vote.

Chair Mills-Benat opened the discussion for items #5 and #6 together.

5. Case No: 19-20000006

Small-Scale Comprehensive Plan Ordinance Amendment/Journey’s End Planned Commercial Development (PCD)

A request to remove the vehicular trip cap placed on ±6.71 acres property, located at 5840 and 5850 Journey’s End Way, when the Commercial Future land Use (FLU) was applied in 2008, and allow the property to develop under the City’s current transportation concurrency regulations.

STAFF CONTACT: Penelope Cruz, Planning Manager (386) 506-5671

Penelope Cruz, Planning Manager, discussed details of the proposed request to remove the vehicular cap and the proposed amendment to add "hotel" as a permitted use for the east side of Journey's End Way in item #6 and answered questions from Commissioners.

Rob Merrell, Applicant, provided further information about the request to remove the vehicular trip cap and the desire to add "hotel" as a permitted use for the east side of Journey's End Way and answered questions from Commissioners and citizens.

Katie Deering, Engineer, answered questions from Commissioners regarding the traffic counts and intersection analysis provided in the professional memorandum.

Carl Thomas, Owner of Country Inn & Suites, objects to a hotel going the property. He stated the property owner does not help take care of the property currently.

Jack Mcveigh, citizen, asked the owner of Country Inn & Suites what their occupancy has been over the last 12 months.

Tom Clapsaddle, Leader of Country Inn & Suites, addressed the previous question, stating their occupancy is currently at 62.3% and believes this is not a good location for another hotel.

Todd Marshall, Representative/Owner of the property, believes their hotel would attract a different type of customer using different price points and draws. Asked that they approve.

John Snipes, Citizen, would like the Commissioners to consider the surrounding residents stating the property owner doesn't take care of the back portion of the property and the traffic is already difficult.

Brenda Kish, Citizen, agrees with Mr. Snipes and spoke against putting a hotel on the property.

Motion to approve Case No. 19-20000006 was made by Commissioner Jordan and Seconded by Commissioner White. Motion carried 4-2 by roll call vote with Commissioner Jordan and Chair Mills-Benat voting no.

6. Case No: 19-40000006

PCD Amendment/4th Amendment to the Master Development Agreement and Conceptual Development Plan for the Journey's End Planned Commercial Development

A request for the 4th Amendment to the Journey's End Planned Commercial Development (PCD) Master Development Agreement (MDA) and Conceptual Development Plan (CDP), to add "hotel" as a permitted use and revise the building and parking layout of the CDP for the commercial lot located on the east side of Journey's End Way between the Country Inn and Suites Hotel and the Extra Space Storage Facility.

STAFF CONTACT: Penelope Cruz, Planning Manager (386) 506-5671

Motion to approve Case No. 19-40000006 was made by Commissioner Jordan and Seconded by Commissioner Green. Motion failed 1-5 by roll call vote with Commissioner White voting yes.

7. Case No: 20-70000001
Special Exception/Halifax River Dock

A request by the applicant to allow a private recreational facility, private dock, on a privately owned +/- 3-acre portion of a spoil island in the Halifax River in the Floodplain-Conservation (F-C) zoning district.

STAFF CONTACT: Penelope Cruz, Planning Manager (386) 506-5671 pcruz@port-orange.org

Mrs. Cruz discussed details of the proposed special exception and answered questions from Commissioners.

Emilio Cirelli, Applicant, discussed his desire to build a dock on his property.

Commissioner Green is against the construction of the dock.

Susan Bostrick, citizen, is concerned a dock would block boat access and change the sandbar configuration.

Mr. Mcveigh believes this will impact boat traffic and spoke against it.

Motion to approve Case No. 20-70000001 was made by Commissioner Jordan and Seconded by Commissioner Green. Motion failed unanimously by roll call vote.

8. Case No: 20-25000001
LDC Text Amendment/Chapter 2, 12, and 17/Senior Independent Living Community/PC-A Zoning District

A request by the applicant to amend the Land Development Code (LDC) to add a definition for a Senior Independent Living Community, add Senior Independent Living Facility as a permitted use in the Planned Community-Agriculture (PC-A) Workplace District, and establish dimensional and parking requirements for a Senior Independent Living Community.

STAFF CONTACT: Penelope Cruz, Planning Manager (386) 506-5671 pcruz@port-orange.org

Mrs. Cruz discussed details of the proposed amendment and answered questions from Commissioners.

Charles Baverman and Bob Lewis, Cameron General Contractors, provided a presentation and answered questions from Commissioners.

Mr. Mcveigh noted there was no opposition to the project at the neighborhood meeting but wanted to address a few issues they hope to see addressed. The residents of Royal Palm community don't want to take on any displaced water from the wetlands, they want to ensure the outside lighting doesn't affect the current homeowners, they wish to see a continuation of the multi-use sidewalk and want the property owner maintain the swale.

Motion to approve Case No. 20-25000001 was made by Commissioner Jordan and Seconded by Commissioner Bofamy. Motion carried unanimously by roll call vote.

C. OTHER BUSINESS

9. Commissioner Comments

Commissioner White acknowledged members Jess Blodgett, Brian Griffin and PW Mabry from the Daytona Beach Realtors Association who attended the meeting to earn points for their Leadership class.

Commissioner Green is disappointed with the Acorn Storage landscaping.

10. Staff Comments

Tim Burman, Community Development Director, responded to Commissioner Greens comment stating Acorn Storage complied with the required landscaping requirements for their property designation.

Mr. Burman gave an update on the gas station on Taylor road. The applicant has been working on getting in contact with Walgreens and is doing the exterior improvements now. The city is doing what they can to help create the connection. Mr. Burman also provided an update on the exterior work done on the church on Madeline and Williamson.

D. PUBLIC COMMENTS

There were none.

E. ADJOURNMENT – 7:30pm

Chair Mills-Benat

PUBLIC PARTICIPATION INSTRUCTIONS

Due to the Novel Coronavirus Disease 2019 (COVID-19) and Federal, State, County, and the City's Declarations of State of Emergency, and City of Port Orange Executive Order 9, the City of Port Orange will be calling meetings only when necessary, and conducting public meetings using communications media technology until the Local State of Emergency has concluded. Those wishing to attend meetings are encouraged to join the meeting through electronic means.

The May 28, 2020 Planning Commission Meeting will be conducted physically in Council Chambers at City Hall, 1000 City Center Circle with an opportunity to participate virtually. Access in Council Chambers will be limited in order to comply with the safety instructions relating to COVID-19.

To view and/or participate in the Planning Commission meeting on May 28, 2020, which begins at 5:30 p.m., you have the following additional options:

1. Watch the meeting online, but not participate:

You may watch the meeting via Spectrum Channel 498 or through the City's YouTube Channel:
<https://www.youtube.com/channel/UCTYNmc7tZVRrB2NH5-Oj7hg>

2. Watch the meeting online and provide public comment prior to the meeting:

You may watch the meeting as listed above, and also provide written comments by emailing City Clerk Robin Fenwick at least three (3) hours prior at cityclerk@port-orange.org, regular mail at 1000 City Center Circle, Port Orange, FL 32129, or place it in the Drop Box at the front door of City Hall. Please include your full name, city of residence, and comments by the deadline and your comments will be read into the record. There is also a form located on the City's website at: www.port-orange.org/publiccomments which can be submitted electronically. Time limits will be enforced so written comments must be limited to no more than 3 minutes.

3. Watch the meeting online and provide public comment during the meeting:

Request to Speak instructions:

To request to speak virtually during the meeting, you must complete the Request to Speak form to be placed on a list. You may access the form by visiting www.port-orange.org/publiccomments. You must fill out all required information for the form to be submitted. Forms are due to the City Clerk no later than twenty-four (24) hours before the meeting. Once the form is received, the meeting instructions will be provided to you via email.

For additional information or for special assistance prior to the meeting, please contact Robin Fenwick, City Clerk, cityclerk@port-orange.org or (386) 506-5563.



STAFF REPORT

Small-Scale Future Land Use Map Amendment/
All Aboard Storage Taylor Road
CASE NO. 19-20000005

REQUEST:	Change the Comprehensive Plan Future Land Use (FLU) designation for ± 4.07 acres from Volusia County <i>Urban Low Intensity</i> (ULI) to City of Port Orange <i>Office/Residential Transition</i> (ORT).
LOCATION:	South side of Taylor Road (Parcels 6224-00-00-0051 and 6224-00-00-0080)
OWNER:	Crane Lakes Depot, LLC
APPLICANT:	Newkirk Engineering, Inc.
STAFF CONTACT:	Penelope Cruz, Planning Manager (386) 506-5671
STAFF RECOMMENDATION:	Approval
PLANNING COMMISSION:	May 28, 2020

INTRODUCTION

Newkirk Engineering, Inc., applicant on behalf of the owner, Crane lakes Depot LLC, requests approval to change the Future Land Use (FLU) designation of ± 4.07 acres from Volusia County *Urban Low Intensity* (ULI) to City of Port Orange *Office/Residential Transition* (ORT). The subject property is located on the south side of Taylor Road, southeast of Crane Lakes Golf and Country Club (see Figure 1 – Location Map). If approved, the property owner intends to develop the property with a self-storage facility and a multi-tenant building for professional office/retail uses. According to the property owner, the proposed development will be similar to the All Aboard Westport Storage self-storage and office facility located on the east side of Williamson Boulevard, south of Taylor Road.

Figure 1. Location Map



The subject property was annexed into the City in January 2019 (Case No. 18-10000004, Ord. 2018-35). At the public hearing for the annexation, the developer indicated the intent was to include the 4 acres into the proposed All Aboard Storage Planned Commercial Development (PCD) to develop a self-storage and office facility similar to the All Aboard Westport Storage self-storage and office facility located on the east side of Williamson Boulevard, south of Taylor Road.

The adjacent property to the north is also designated *Office/Residential Transition* on the City's FLU Map. In 2000, the FLU designation for the adjacent property was changed from Volusia County *Urban Low Intensity* to City of Port Orange *Office/Residential Transition* and at that time the use of the *Office/Residential Transition* FLU designation was found to be consistent with the City's Comprehensive Plan and surrounding area. The proposed FLU amendment for the subject property is similar as it relates to consistency with the Comprehensive Plan, State requirements, and compatibility of surrounding areas.

DISCUSSION

The following discussion will examine the proposed amendment, the impacts of the proposed amendment, and the existing environmental conditions.

PROPERTY OVERVIEW

The subject property is currently vacant and abuts Taylor Road, which is a Volusia County maintained arterial road. The subject property is surrounded by vacant commercial land to the north, an unincorporated single-family parcel to the south, a residential parcel to the west, and Taylor Road and Crane Lakes Mobile Home Park, public golf course and restaurant to the east. The surrounding existing land uses, Future Land Use designations, and Zoning classifications are identified in Table 1.

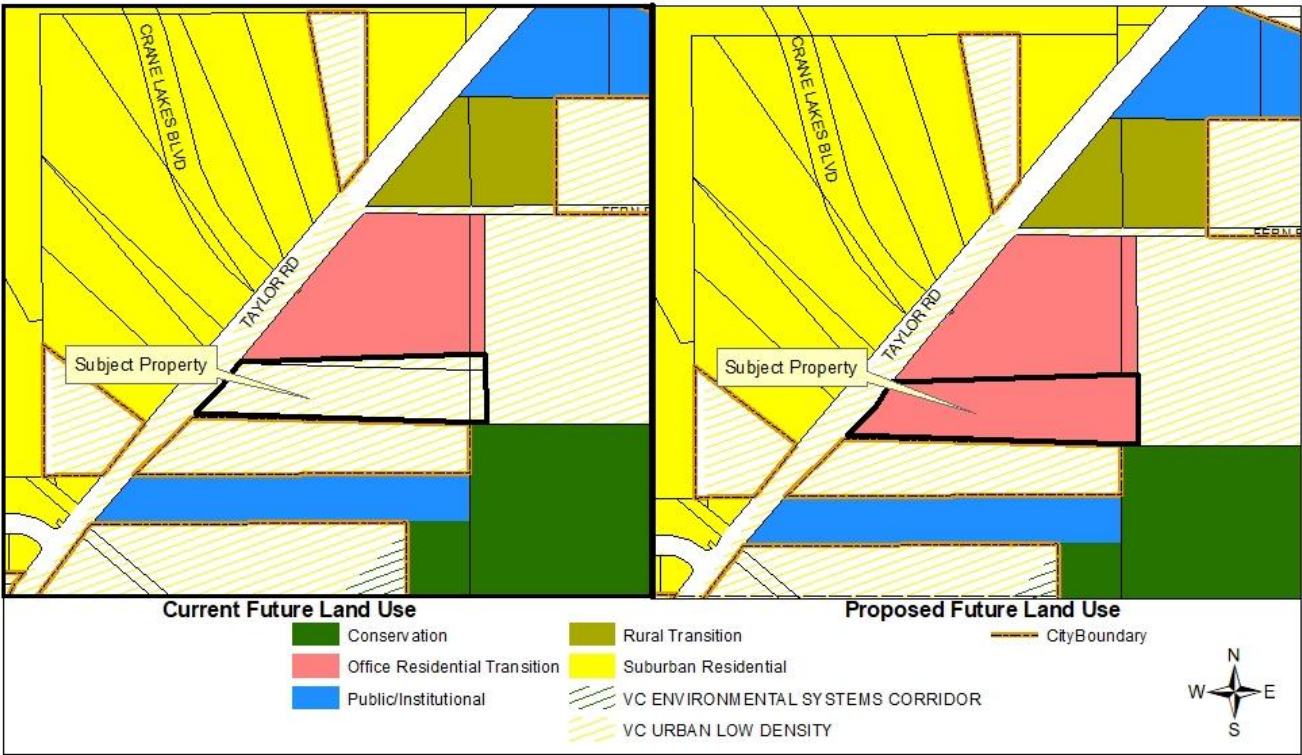
Table 1. Surrounding Land Uses and Zoning

Direction	Existing Land Use	FLU Designation	Zoning District
North	Vacant	PO <i>Office/Residential Transition</i>	PO Planned Commercial Development (PCD)
South	residential	VC <i>Urban Low Intensity</i> (0.2-4 units/acre)	VC A-2 (Rural Agriculture)
East	residential	VC <i>Urban Low Intensity</i> (0.2-4 units/acre)	VC A-2 (Rural Agriculture)
West	Crane Lakes Mobile Home Park, Crane Lakes public golf course and restaurant (Cranes Roost)	PO <i>Suburban Residential</i> (2-4 units/acre)	Crane Lanes Planned Unit Development

VC – Volusia County and PO – Port Orange

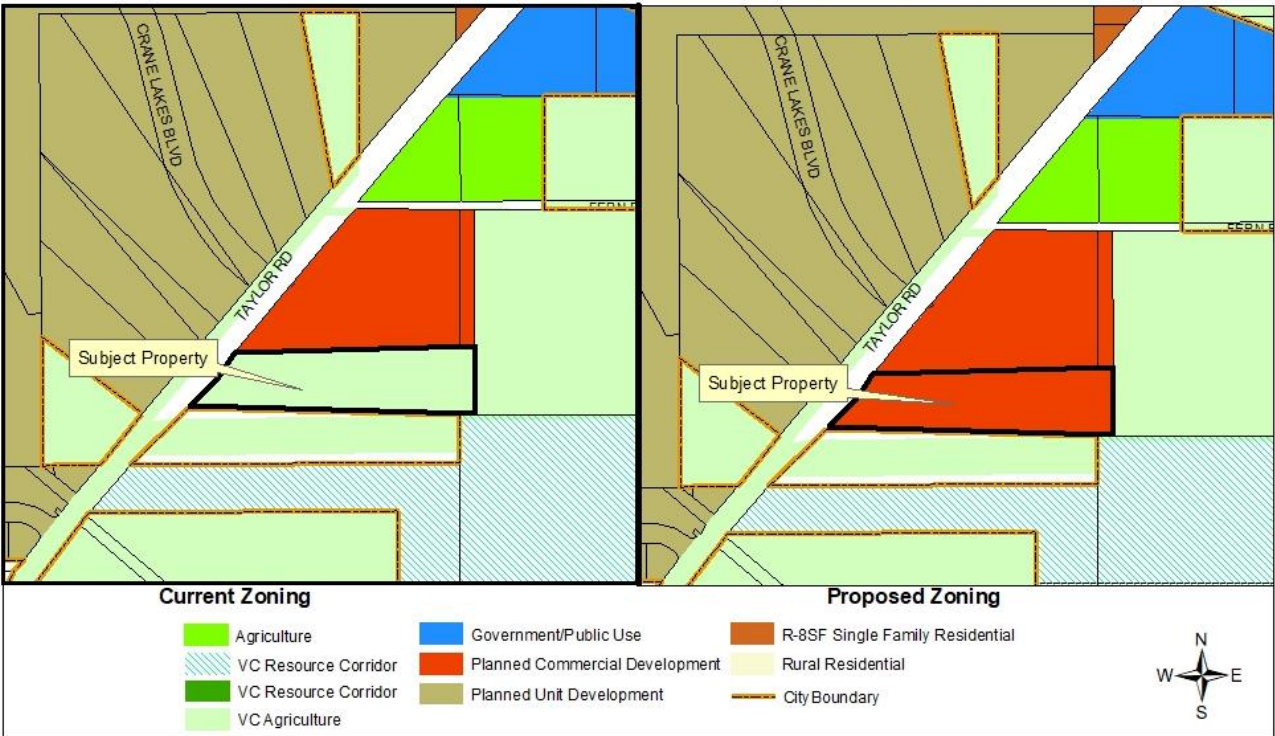
The current adopted FLU designation for the subject property and adjacent properties and the proposed FLU designation for the subject property is identified in Figure 2.

Figure 2. Current and Proposed FLU Map



The current zoning classification of the subject property and adjacent properties and the proposed zoning classification of the subject property are identified in Figure 3.

Figure 3. Current and Proposed Zoning Map



The adjacent ±6-acre site to the north is currently zoned Port Orange PCD but does not have an active Master Development Agreement (MDA) and Conceptual Development Plan (CDP). The site was previously approved for two medical office buildings for Halifax Hospital with a combined square-footage of ±43,800 square feet. The developer, Andy Clark, All Aboard Properties, has submitted a new MDA and CDP (see Case No. 19-65000003) to establish dimensional and development regulations for the overall ±10-acre property (±6-acre site plus the ±4 acre annexed property) to be developed with a three-story storage building, seven (7) one-story storage buildings, covered RV and boat storage spaces, and a one-story office building.

PROPOSED AMENDMENT

The proposed amendment is to change the FLU designation for ±4.07 acres from Volusia County *Urban Low Intensity (ULI)* to City of Port Orange *Office/Residential Transition (ORT)*. The property's current Volusia County FLU designation allows a mixture of agricultural uses, low-density residential development (0.2-4 units/acre), office uses, neighborhood commercial convenience uses, and public school or daycare development as transitional uses. The proposed City FLU designation provides a similar variety of uses and intensities. This designation allows office-type uses, houses of worship, residential uses up to 10 units/acre, and low-intensity commercial uses in 25% of the gross leasable area of any office development. The proposed use of the subject property as a self-storage facility and a multi-tenant building for professional office/retail uses is consistent with the proposed FLU designation.

According to the Port Orange Comprehensive Plan, the requested FLU designation is to allow development that provides a buffer between areas of high- and low-intensity use, especially between low-density areas and commercial nodes. Furthermore, it is to provide for an appropriate mix of uses along arterial roadways as a means to keep intensive commercial uses at major intersections. The subject property fits the locational criteria of this designation, since it lies outside of the Dunlawton Avenue/I-95 sub-regional commercial node and east of the rural areas along Tomoka Farms Road. It will also provide for a variety of medium intensity uses, consistent with other existing uses such as Cracker Creek and the Crane Lakes public golf course and public restaurant (Cranes Roost), along this segment of Taylor Road which is designated as a minor arterial roadway in the City's Comprehensive Plan.

The following tables identify the current adopted and proposed FLU designations by acreage (Table 2) and maximum allowable density/intensity and net change in density/intensity (Table 3). The proposed *Office/Residential Transition* FLU designation is a mixed-use category that allows for a distribution of uses and development scenarios within the ±4.07-acres, with the cumulative mixture of uses totaling 100%. In Table 3, the maximum allowable density/intensity and net change in density/intensity is based on two theoretical maximum scenarios that would be allowed with the *Office/Residential Transition* FLU designation (Scenario #1: 25% Residential/75% Office; and Scenario #2: 25% commercial/75% office).

Table 2. Current & Proposed Future Land Uses – Acreage by Category

FLU Categories	Current FLU (acres)	Proposed FLU (acres)	Net Change in FLU (acres)
VC Urban Low Intensity (ULI)	4.07	0	-4.07
PO Office/Residential Transition (ORT)	0	4.07	+4.07
Total Acreage	4.07	4.07	0

VC – Volusia County and PO – Port Orange

Table 3. Current & Proposed Future Land Uses – Density/Intensity by Category

	Current FLU	Proposed FLU	Net Change in FLU
	[Theoretical Maximum Density (units)/Intensity (sq.ft.)]		
VC Urban Low Intensity (ULI) (0.2 – 4 units/acre)	16 units	0	-16 units
PO Office/Residential Transition <i>Scenario #1</i> 25% Residential (10 units/acre)/75% Office (1.5 FAR*)	0	11 units 199,450 sq.ft. office	+11 unit +199,450 sq.ft.
Office/Residential Transition <i>Scenario #2</i> 25% commercial (1.5 FAR)* / 75% office (1.5 FAR)*	0	66,484 sq.ft commercial 199,450 sq.ft. office	+265,934 sq.ft.
TOTAL	16 units	Scenario #1: 11 unit 199,450 sq.ft.	Scenario #1: -5 unit +199,450 sq.ft.
		Scenario #2: 265,934 sq.ft.	Scenario #2: +265,934 sq.ft.

VC – Volusia County and PO – Port Orange

*The floor area ratio (FAR) is the relationship between the total amount of building floor area and the total area of the lot on which the building stands.

INFRASTRUCTURE IMPACT ASSESSMENT

In accordance with standard practice from the Florida Department of Economic Opportunity (DEO) and other review agencies, an impact comparison analysis of the proposed amendment has been completed based upon the *theoretical maximum* development potential under the current Future Land Use designation versus the FLU designation proposed. The theoretical maximums used in the analysis are NOT the actual development potential proposed in the corresponding Master Development Agreement for the property. Development of the site will be required to comply with required setbacks, landscape buffers, stormwater retention, parking, and other site improvements that reduce the overall development potential of the site. The following seven public facilities and services were examined:

1. Transportation
2. Sanitary Sewer
3. Potable Water
4. Solid Waste
5. Stormwater Drainage
6. Recreation
7. School

Table 4. Impact Analysis (Theoretical Max.)

Development Variable	Current Land Use	Proposed Land Use		Net Change	
		Scenario 1 (25% Residential/ 75% Office)	Scenario 2 (25% commercial/ 75% office)	Scenario 1 (25% Residential/ 75% Office)	Scenario 2 (25% commercial/ 75% office)
Residential Units	16	11	0	-5	-16
Non-residential Buildable Sq. Ft.	0	199,450	265,934	+199,450	+265,934
Population ¹	36	24	0	-12	-36
PM Peak Hour Trips/Daily Trips ²	16/152	857/7,270	1,098/10,045	841/7,118	1,082/9,893
Sanitary Sewer (gallons/ day) ³	2,560	21,705	26,593	+19,145	+24,033
Potable Water (gallons/ day) ⁴	2,880	21,925	26,593	+19,045	+23,716
Solid Waste (lbs./day) ⁵	116	2,072	2,659	+1,956	+2,543
Stormwater Drainage ⁶	n/a	n/a	n/a	n/a	n/a
Recreation/ Open Space ⁷ (acres)	0.25	0.17	0	-0.08	-0.25

Table 4 Notes:

1. Population: 2.25 persons per household (per 2010 Census)
2. Transportation: Single-family (210) 1.02 PM peak hour trips per unit and 9.52 daily trips per unit; Shopping Center (820) trips per 1000 sq.ft. - 3.71 PM Peak Hour; 42.70 Average Daily; Medical Office (720) trips per 1000 sq.ft. – 4.27 PM Peak Hour, 36.13 Average Daily; ITE Trip Generation Manual, 10th Edition
3. Sanitary Sewer: 160 gallons per day per Equivalent Residential Unit; 1/10 gallon per square foot per day of non-residential development
4. Potable Water: 180 gallons per day per Equivalent Residential Unit; 1/10 gallon per square foot per day of non-residential development
5. Solid Waste: 3.21 pounds per person per day; 10 lbs. per 1,000 square feet of non-residential development per day
6. Stormwater Drainage: LOS standard = 25-year, 24-hour event; Drainage system must be designed to meet the requirements of the Land Development Code.
7. Rec. & Open Space: 7 acres/1,000 persons (0.007 acres/person)

Based on the theoretical maximum analysis, the proposed amendment results in a net increase in impacts to public infrastructure, except for schools and recreation/open space; however, all public infrastructure has available capacity for the proposed amendment.

As indicated above, the required Infrastructure Impact Assessment for the proposed FLU amendment uses the theoretical maximum development potential for the current and proposed FLU designations. Although, the theoretical maximum analysis of the ±4-acre amendment area shows an increase in infrastructure impacts compared to the current FLU designation, the actual impact is significantly less or a decrease when the proposed development of the site is evaluated. Therefore, staff recommendation for the FLU amendment is based on the actual development proposed on the subject property which

is outlined in the proposed PCD rezoning request as a self-storage facility with limited office and retail space (see Case No. 19-65000003).

All future development plans submitted will require detailed technical review by the Staff Development Review Committee (SDRC) to determine all requirements in the Land Development Code (LDC) are met. As with all development, specific site development proposals for the subject property are subject to concurrency regulations at the time of development requiring transportation facilities to be provided or for the developer to enter into a mitigation agreement for their impacts.

TRANSPORTATION

Based on the analysis of the *theoretical maximum* development potential for the subject property, there is an increase in the number of daily trips and P.M. peak hour trips from the current to the proposed FLU designation. Based on the ITE Trip Generation Manual, 10th Edition, the proposed FLU designation for the ±4-acre amendment area could generate a theoretical maximum of 1,098 P.M. peak hour trips and 10,045 daily trips.

However, based on the actual proposed use of the subject property as part of a self-storage facility with limited office and retail uses, the traffic generation will be significantly less. An analysis prepared by LTG Engineering and Planning, for the overall proposed development (4-acre subject property along with the adjacent 6-acre property) anticipates a potential of 32 P.M. peak hour trips and 286 daily trips. When the overall proposed development on the subject property was analyzed using the development restrictions set in the proposed PCD for the subject property, the trip generation rate would not increase above what is currently allowed on the subject property. If the subject site were to expand in the future, an amendment to the PCD and concurrency analysis would be required.

The extent of the impacts on the road network is identified through the traffic concurrency review that is completed during the review of a final site plan for the proposed development. The City will require the submittal of a traffic study at the time a final site plan is submitted for the development of the proposed storage and office facility on the overall ±10-acre site that includes the subject property, to fully assess the impacts of the development on the surrounding roadway network and to identify any roadway improvements that might be needed. Similar to other developments within this area of the City, the developer will be required to enter into a Transportation Fair-Share and Concurrency Agreement with the City, and possibly Volusia County, to pay for part of the scheduled improvements for the impacted areas. In addition to a fair-share payment, the developer of the property may be required to construct mobility improvements to improve capacity and provide alternative modes of transportation along this corridor such as, turn lanes, traffic signal modifications, and sidewalks.

As part of the future development of the subject property, dedication of land to Volusia County for the ultimate 120-foot right-of-way for Taylor Road will be required prior to approval of the site plan. The widening of Taylor Road is currently on the County's Unfunded Needs List, which means it is not in the 5-year Work Plan, but would likely get funded prior to projects on the Long-Term Plan List (possibly within 10-15 years).

SANITARY SEWER

The City has available sewer capacity to accommodate the proposed FLU amendment. The City's adopted LOS standard is 160 gallons per day per Equivalent Residential Unit (ERU) and 1/10 gallon per square foot per day of commercial, industrial, or institutional development. Using these standards, the proposed land use would theoretically generate approximately 20,000 gallons per day (gpd) of wastewater. This is a net increase between the current and proposed FLU designations.

POTABLE WATER

The City has available potable water capacity (well and Consumptive Use Permit) to serve the proposed FLU amendment. The City's adopted LOS standard is 180 gallons per day per ERU and 1/10 gallon per square foot per day of commercial, industrial, or institutional development. Using these standards, the proposed FLU designation would demand approximately 20,000 gallons of potable water per day based on the theoretical maximum development analysis. This is a net increase between the current and proposed FLU designations.

Even though the City may have the technical capability to pump 15 MGD from its wells, prohibitions within the City's 20-year Consumptive Use Permit (CUP) issued by the St. Johns River Water Management District (SJRWMD) significantly limit the amount of water that is permitted to be withdrawn. The City's CUP allows for an average daily withdrawal of 8.97 MGD and a maximum daily withdrawal of 13.46 MGD in 2020. Actual average daily flow during the 2019 calendar year was 6.05 MGD. When reviewing Future Land Use amendments, the following is considered to determine the amount of permitted water capacity available for all other future uses: the current year CUP allocation, consumption in the previous calendar year, reserved capacity, and projected consumption. Based upon these measures, the City still has available CUP capacity.

SOLID WASTE COLLECTION

There is available capacity at the landfill to address the City's solid waste disposal needs. Solid waste generated within the City of Port Orange is delivered to the Volusia County landfill, a 3,000-acre Class I landfill with a projected life span to the year 2050. The City's adopted LOS standard for solid waste is 3.21 pounds per person per day and 10 lbs. per 1,000 square feet of non-residential development per day. Using this standard, the proposed FLU designation would generate approximately 2,500 pounds per day of solid waste based on the theoretical maximum development analysis. This is a net increase between the current and proposed FLU designations.

STORMWATER DRAINAGE

There is no anticipated impact to the City's drainage system from the proposed land use change. Stormwater management in the City of Port Orange deals with both quality and quantity. The City's adopted LOS standard for stormwater is the 25-year, 24-hour storm event. More specifically, the stormwater facilities must be capable of treating and conveying the runoff from such a storm without causing flooding of adjacent properties or polluting any receiving water bodies. In addition, the Comprehensive Plan and Land Development Code require that there be no net loss of stormwater retention function as a result of development. In other words, a given parcel must have the same ability to store and discharge water after development as it does before development occurs. Any future

development of the property will be required to address stormwater retention on the property in accordance with these City standards.

RECREATION AND OPEN SPACE

The proposed FLU designation does not require additional parkland because the proposed FLU designation does not increase residential demand. According to the City's 2019 Concurrency Management Report, the City has an excess of 55 acres of parkland, so no additional parkland is needed.

SCHOOLS

Pursuant to the Volusia County School District criteria, the proposed FLU amendment and any future development of this property is exempt from School Concurrency review because the proposed FLU amendment is a decrease in allowable residential units and subject property is proposed for a non-residential use (see rezoning Case No. 19-65000003).

ENVIRONMENTAL CONDITIONS

The subject property is primarily categorized forested pineland/xeric oak uplands ecosystem, with no wetlands or surface waters on the subject property. The environmental analysis prepared by Ecological Consulting Services, Inc. for the subject property states one listed species, a gopher tortoise, was found onsite. Any subsequent development will be required to comply with all federal, state, regional and local regulations pertaining to the protection and preservation of valuable environmental resources.

REVIEW CRITERIA AND STAFF FINDINGS

1. *The land use proposal is consistent with the goals, objectives, and policies of the adopted Port Orange Comprehensive Plan.*

Staff finding: The proposed FLU amendment is generally consistent with the pertinent Goals, Objectives, and Policies of the City's Comprehensive Plan. The proposed FLU designation is compatible with adjacent parcels. Adequate capacity exists for portable water, sewer, schools, recreation, and stormwater, and solid waste. As with all development, the specific site development proposals for the subject property will be subject to concurrency regulations requiring adequate public facilities to be provided to mitigate the impacts.

2. *Amendments shall not result in incompatible land use designations for adjacent parcels or a neighborhood. Compatibility shall be determined by scale of development, intensity, density, and type of use, and the juxtaposition of uses.*

Staff finding: The proposed FLU amendment is compatible with the adjacent properties (see Table 1 – page 2). Compatibility is defined in the Comprehensive Plan as a condition in which dissimilar land uses can co-exist in relative proximity to one another in a stable fashion over time, such that neither use is unduly negatively impacted by the other. The *Office/Residential Transition* (ORT) designation is intended to provide a buffer between areas of high- and low-intensity use, especially between low-density residential areas and commercial nodes, and

is intended to provide for an appropriate mix of uses along arterial roadways as a means to keep intensive commercial uses at major intersections.

The subject property fronts onto Taylor Road (an arterial road) and is surrounded by vacant commercial land to the north, an unincorporated single-family parcel to the south, a residential parcel to the west, and Crane Lakes Mobile Home Park, public golf course and public restaurant to the east across the Taylor Road right-of-way. The ORT FLU designation is compatible with the adjacent properties and will provide a buffer between more intense commercial uses starting at the Summer Trees Road/Taylor Road intersection going east and the existing residential neighborhoods. Any future development will be required to comply with all LDC requirements, including those pertaining to buffers and screening along Taylor Rd. and between non-residential and existing adjacent residential properties.

3. *An amendment shall not result in negative economic, social, or other impacts to the City of Port Orange.*

Staff finding: The proposed amendment would result in an overall increase in impacts to public facilities, infrastructure and services, except for recreation and schools; however, adequate capacity exists to accommodate the proposed amendment. The detailed use-specific concurrency analysis will be conducted as part of any future proposed development.

As with all development, a specific site plan or subdivision will be subject to concurrency regulations requiring adequate public facilities to be provided to mitigate impacts.

4. *Whether the amendment increases the clearance time for evacuation of the population in the Hurricane Vulnerability Zone above twelve hours.*

Staff finding: The subject property is not located within the Hurricane Vulnerability Zone and will not have any negative impact on the clearance time for evacuation of the population in the Hurricane Vulnerability Zone.

5. *Whether the amendment discourages the proliferation of urban sprawl.*

Staff finding: The proposed amendment will not encourage sprawl. The amendment area is surrounded by existing development, with access to existing infrastructure.

PUBLIC NOTICE

On September 27, 2019, staff posted the property notifying the public of the proposed amendment. The proposed amendment has also been advertised in the News-Journal pursuant to Florida Statutes. As of the time this agenda item was prepared, staff has received ten (10) inquiries asking what is being proposed to be developed and to express concerns with traffic.

STAFF RECOMMENDATION

Staff recommends approval of the request to change the Future Land Use designation of ±4.07 acres from Volusia County *Urban Low Intensity (ULI)* to City of Port Orange *Office/Residential Transition (ORT)*, and authorization for staff to send the amendment to the required review agencies.

The staff recommendation of approval of the FLU amendment is based on the actual development proposed on the subject property which is outlined in the proposed PCD rezoning request to develop the subject property as part of a self-storage facility with limited office and retail space (see Case No. 19-65000003).



STAFF REPORT

PCD Rezoning / All Aboard Storage Taylor Road
Master Development Agreement and Conceptual
Development Plan
CASE NO. 19-65000003

REQUEST:	Approve rezoning of ±10.2 acres to All Aboard Storage Taylor Road Planned Commercial Development (PCD) and the Master Development Agreement (MDA) and Conceptual Development Plan (CDP)
LOCATION:	1763 Taylor Road
OWNER:	Crane Lakes Depot LLC
APPLICANT:	Newkirk Engineering, Inc.
STAFF CONTACT:	Gwen Perney, Senior Planner (386) 506-5673
STAFF RECOMMENDATION:	Approval
PLANNING COMMISSION:	May 28, 2020

INTRODUCTION

The applicant, Newkirk Engineering Inc. on behalf of the property owner, Crane Lakes Depot LLC, requests to rezone ±10.2 acres from Planned Commercial Development (PCD) and Volusia County A-2 (Rural Agriculture) to All Aboard Storage Taylor Road PCD and approval of the All Aboard Storage Taylor Road PCD Master Development Agreement (MDA) and Conceptual Development Plan (CDP). If approved, the applicant intends to develop the subject property with a self-storage facility (1 three-story and 7 one-story self-storage buildings), area for RV and boat storage, and a 6,000 square foot multi-tenant building for office and limited retail uses. The subject property is located on the east side of Taylor Road, at the intersection of Taylor Road and Crane Lakes Boulevard. (Figure 1 - Location Map).

Figure 1. Location Map



Map created by the City of Port Orange Community Development Department

The overall development is 10 acres in size. Approximately 6 acres of the subject property is currently zoned Planned Commercial Development (PCD) but does not have an active MDA and CDP. In 2000, the 6-acre site was previously approved for two medical office buildings for Halifax Hospital with a combined square-footage of $\pm 43,800$ square feet. The MDA for the previously approved PCD expired in 2005 and the property has remained vacant. The remaining ± 4 acres of the subject property are currently zoned Volusia County A-2 (Rural Agriculture) and annexed into the City in January 2019. At the public hearing for the annexation, the developer indicated the intent was to include the 4 acres into the proposed PCD to develop a self-storage and office facility similar to the All Aboard Westport Storage self-storage and office facility located on the east side of Williamson Boulevard, south of Taylor Road.

According to the Land Development Code (LDC), the proposed MDA constitutes a zoning document for the subject property, establishing permitted uses and certain development requirements. An MDA and CDP does not grant approval of any specific development itself, but rather establishes parameters for how the property can be developed. The CDP is an exhibit to the proposed MDA that includes the dimension requirements, and general location of lots, roads, parking, open space, landscape buffers, utilities, and drainage areas.

Specific site development requirements listed in the MDA and LDC, such as the type and location of trees and shrubs in the landscape buffers, location and size of the stormwater pipes, and water and sewer lines, parking lot design, and other development requirements are finalized with the site plan. Site plans are typically a 20 to 50-page set of technical documents that are signed and sealed by a licensed engineer and contain extensive engineering and construction details. The site plan for All Aboard Storage Taylor Road PCD is required to be designed to meet the requirements of the LDC and the proposed MDA.

CONSISTENCY WITH COMPREHENSIVE PLAN

The current Future Land Use (FLU) designation of approximately ± 6 acres of the 10.2-acre subject property is *Office/Residential Transition*. The remaining 4.07 acres of the subject property has a FLU designation of Volusia County *Urban Low Intensity (ULI)* (See Figure 2). Being processed concurrent with this PCD rezoning request, is a request to change the FLU designation of the 4.07-acre property to *Office/Residential Transition* (Case No. 19-20000005) so a consistent FLU designation is applied to the overall 10.2-acre property. Therefore, if the proposed FLU amendment (Case No. 19-20000005) is approved, the 10.2-acre subject property will have a FLU designation of *Office/Residential Transition*. The *Office/Residential Transition* future land use category allows for mixed-use development to serve as a transition between residential and commercial nodes.

The *Office/Residential Transition* FLU designation allows office-type uses, houses of worship, residential uses up to 10 units/acre, and low-intensity commercial uses in 25% of the gross leasable area of any office development. The proposed use of the subject property as a self-storage facility and a multi-tenant building for professional office/retail uses is consistent with the proposed and current FLU designation on the subject

property. The current FLU and zoning of the subject property and adjacent properties are identified in Figures 2 and 3.

Figure 2. Current and Proposed Future Land Use Map

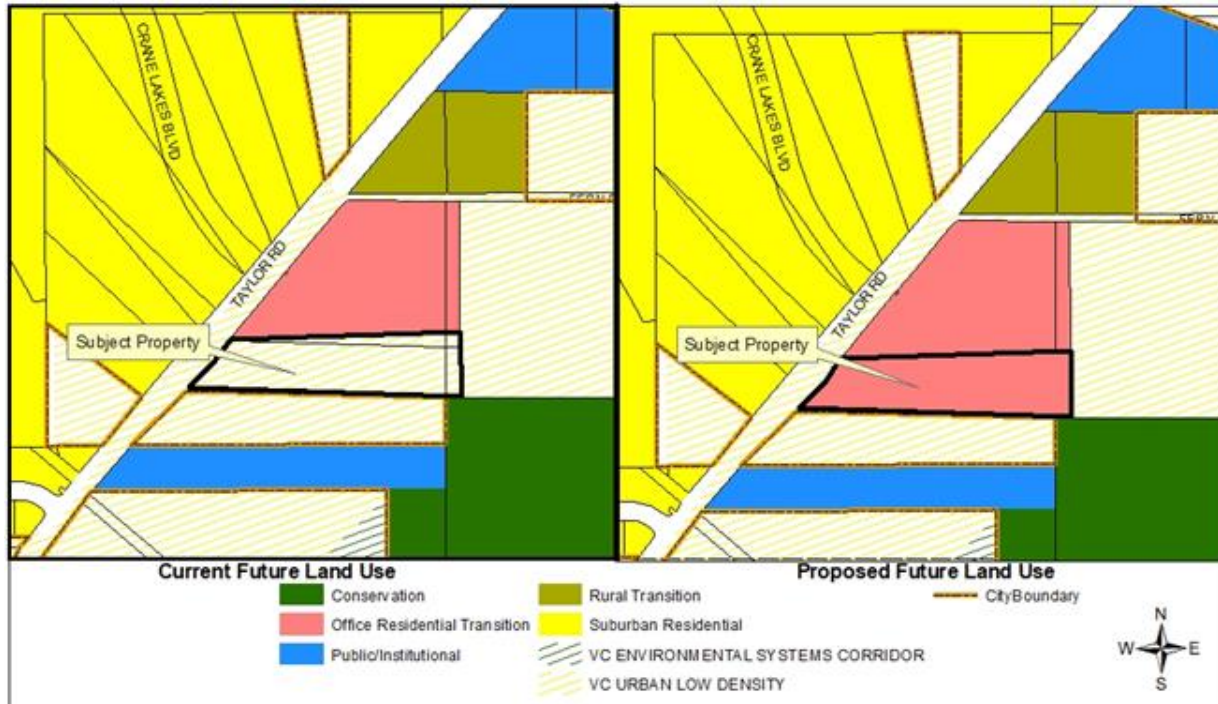


Figure 3. Current and Proposed Zoning Map



DEVELOPMENT PROPOSAL

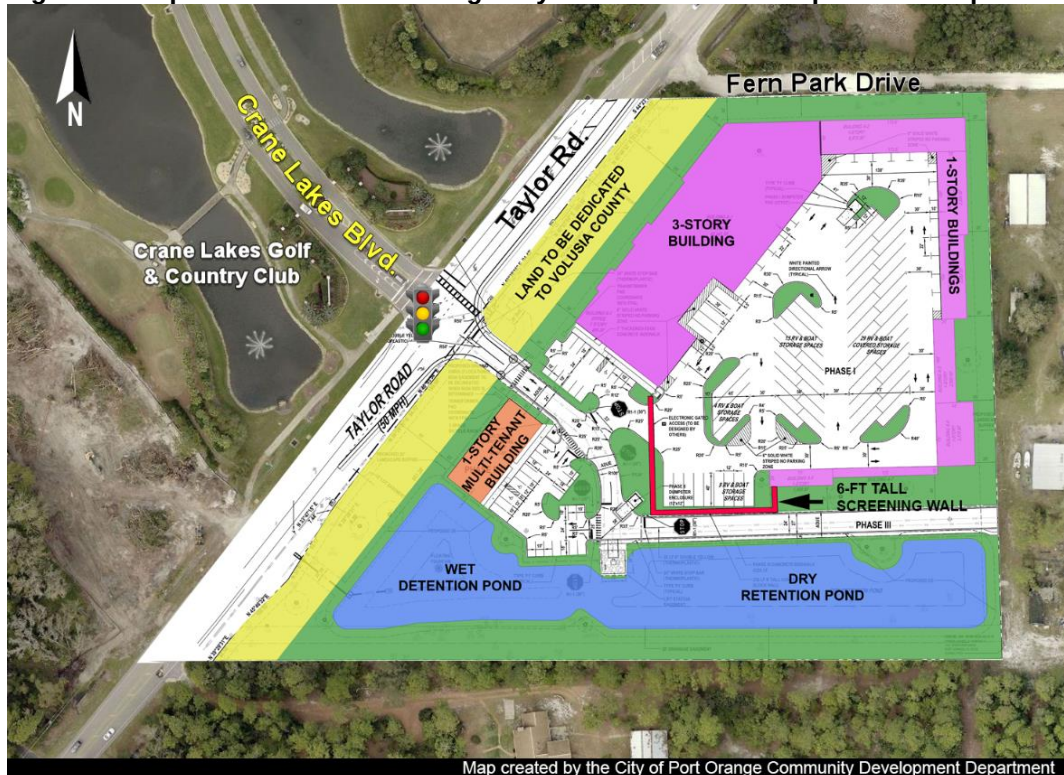
If approved, the All Aboard Storage Taylor Road Master Development Agreement (MDA) and the Conceptual Development Plan (CDP) will provide the regulatory framework for the development of the subject property with a 3-story self-storage building, seven 1-story self-storage buildings, covered RV/boat parking and a 6,000 square-foot multi-tenant building for office and limited retail uses (Exhibit 1). According to the applicant, the proposed development is similar to the All Aboard Westport Storage self-storage and office facility located on the east side of Williamson Boulevard, south of Taylor Road.

The following discussion will focus on the significant aspects of the proposed MDA and CDP such as general site layout, access, dimensional requirements, landscape buffers, utilities, and drainage areas. There are no deviations from the development regulations in the LDC as part of the proposed MDA. The use of the Planned Commercial Development (PCD) zoning rather than conventional zoning was to limit the permitted uses on the subject and limited the number of vehicular trips generated. If approved and there are changes to the PCD, an amendment would be required to go before the Planning Commission and City Council.

General Layout

The Conceptual Development Plan (CDP) shows the general layout of the proposed self-storage buildings, future multi-tenant building, covered RV and boat storage, stormwater improvements, tree preservation areas, sidewalks, access off Taylor Road, landscape buffers and parking areas (Figure 4 of the Staff Report and Exhibit B of the MDA).

Figure 4. Proposed All Aboard Storage Taylor Road PCD Conceptual Development Plan



Dimensional Requirements

The proposed MDA provides the dimensional requirements for the development. The proposed maximum building coverage, minimum open space, building setbacks, and building height are generally based on similar City standard commercial zoning districts (see Table 1). The proposed dimensional requirements are equal to or greater than those required in the LDC for a PCD or similar commercial zoning districts.

Table 1. Dimensional Requirements

Zoning District	Maximum Building Coverage	Minimum Open Space	Taylor Road Building Setback	North Side Building Setback	South Side Building Setback	East Building Setback	Maximum Building Height
All Aboard Storage Taylor Road PCD	35%	40%	25 ft.	30 ft.	40 ft.	25 ft.	45 ft.
Planned Commercial Development (PCD)	35%	30%	20 ft.	As determined by most similar zoning district	10 ft.	As determined by most similar zoning district	45 ft.
Community Commercial (CC)	35%	30%	20 ft.	15 ft.	10 ft.	25 ft.	45 ft.
Office Residential Transition (ORT)	35%	30%	20 ft.	10 ft.	10 ft.	25 ft.	45 ft.

Access and Parking

Access to the development will be provided at the signalized intersection of Taylor Road and Crane Lakes Boulevard. As indicated in the MDA, the developer of the property will be required to install the 4th traffic signal head at the intersection of Taylor Road and Crane Lakes Boulevard along with any required pedestrian improvements at the intersection. The proposed parking for the self-storage facility and future multi-tenant building will comply with the parking ratio, standard parking size dimensions, and drive aisle width requirements of the LDC. As shown on the CDP, an eastbound right-turn lane and a westbound left-turn lane at the Taylor Road/Crane Lakes Boulevard intersection will be required at the time the property is developed.

The MDA requires an access easement agreement with the adjacent property owner to the east prior to approval of the site plan to allow these properties access through the subject. The CDP shows the general location of the access drive and the stub-out.

According to the applicant, staffed operating hours will be Monday through Saturday, 8:00 a.m. to 6:00 p.m. and self-access to the storage facility is available 7 days per week from 6:00 a.m. to 10:00 p.m. Internal and external camera surveillance will monitor movement throughout the buildings and around the site. The lock on the entrance and exit gate to the storage area can be set on a timer to restrict access.

Traffic

According to the preliminary traffic analysis prepared by LTG Engineering and Planning, there could be a potential for 32 P.M. peak hour trips and 286 daily trips to be generated by the overall project. Based on the preliminary traffic analysis, the proposed project will impact segments of Taylor Road between Crane Lakes Boulevard and Summer Trees Road and Williamson Boulevard, north of Taylor Road that are currently over capacity.

As required by the Land Development Code, the developer will need to enter into a Transportation Fair-Share and Concurrency Agreement to pay for part of the scheduled improvements for the impacted areas on the roadway network. Recent Transportation Fair-Share and Concurrency Agreements for development west of I-95 that impacted the same segments this project is anticipated to impact have paid toward the City's future Yorktowne Boulevard extension project, Summer Trees Road extension project, Volusia County Taylor Road winding project, and Volusia County Taylor Brach/Taylor Road corridor Feasibility Study and future design/construction projects.

According to the traffic analysis submitted by LTG, the daily trips along the segment Taylor Road between Summer Trees Road and Crane Lakes Boulevard is slightly over capacity, but the traffic volume at the P.M. peak (4pm to 6pm) for this segment is slight below capacity. As show below in Table 2, the only segment of Taylor Road that is above capacity is the segment between Summer Trees Road and Crane Lakes Boulevard.

Table 2. Roadway Capacity for Taylor Road

Roadway Segment	Maintaining Agency	Adopted Level-of-Service (LOS)	Maximum Capacity	Vehicles per Day	Remaining Capacity	2018 daily LOS
Taylor Road (Williamson Blvd. to I-95)	Volusia County	E	47,560	40,770	6,760 (14%)	C
Taylor Road (Summer Trees Rd. to Williamson Blvd.)	Volusia County	E	37,970	16,030	21,940 (58%)	C
Taylor Road (Crane Lakes Blvd. to Summer Trees Rd.)	Volusia County	E	17,050	17,350	-300 (-1.02%)	F
Taylor Road (Spruce Creek Blvd./Fly-In to Crane Lakes Blvd.)	Volusia County	E	17,050	11,700	5,350 (31%)	C

Source: Volusia County Traffic Engineering, 2018 (most current available data)

As required by the Land Development Code, at the time a site plan is submitted for this proposed development, a new updated traffic study will need to be prepared and reviewed by staff at the City and Volusia County Transportation Engineering Division to fully assess the impacts of the development on the surrounding roadway network at the time the project is completed. Once the official traffic study has been reviewed has

been complete, the developer will be required to enter into a Transportation Fair-Share and Concurrency Agreement with the City, and possibly Volusia County, to pay for part of the scheduled improvements for the impacted areas or other improvement to the roadway network. The Transportation Fair-Share and Concurrency Agreement will be brought forward to the City Council for final approval.

In addition to a fair-share payment for impacts to the roadway network, the developer of the property may be required to construct mobility improvements such as, turn lanes, traffic signal modifications, and sidewalks that are specific to the proposed development.

The future development of the property will require dedication of land to Volusia County for the ultimate 120-foot right-of-way for the Taylor Road widening project. The proposed MDA requires the right-of-way dedication to Volusia County to occur prior to issuance of a Development Order for the site plan. The widening of Taylor Road is currently on the County's Unfunded Needs List, which means it is not in the 5-year Work Plan but would likely get funded prior to projects on the Long-Term Plan List (possibly within 10-15 years).

Tree Preservation, Landscaping, and Wetlands

The proposed development will comply with the landscaping and tree preservation requirements of the LDC, such as perimeter landscaping, foundation building landscaping, parking lot landscaping, and existing tree preservation. A total of nine specimen trees will remain on site. A formal review of the landscaping and tree preservation will occur with the review of the site plan to verify compliance with the proposed MDA and LDC.

A minimum 20-foot wide right-of-way buffer along Taylor Road will be provided which meets the right-of-way buffer requirements in the LDC. A 25-foot buffer along the north property line, 20-foot along the east property line, and 40-foot along the south property line are proposed as required between commercial and residential of this respective intensity/density in the LDC (see Figure 2). The LDC requires a minimum of 65% of the required buffers to be set aside for the preservation of existing trees.

The developer is dedicating approximately 60 feet of frontage along the Taylor Road right-of-way to Volusia County for the future widening of Taylor Road and this area will remain wooded, until Volusia County clears their right-of-way to widen Taylor Road. The required 20-foot right-of-way buffer will be measured from the new right-of-way line to ensure that after the road is widened the required 20-foot buffer is provided.

Instead of a 6' screen wall or fence along the east and north property line, the developer is proposing to utilize the rear wall of the self-storage buildings to serve as the screen wall between the development and the residential area to the east and north. The rear walls of the self-storage buildings will be required by the MDA to be designed to be consistent with the architectural design of this development. A 6-foot tall screening wall is proposed to surround the portion of parking along the interior access drive and along the eastern side to provide screening of the RV and boats being storages and exterior garage doors for the storage buildings.

There are nine specimen trees located on the property that are proposed to be preserved as per the specimen tree preservation requirements in the LDC. A formal review for tree preservation to verify compliance with the LDC will occur with the submittal of a tree survey at the time the site plan is reviewed. The proposed MDA also requires any proposed development of the subject property to comply with the City, County, State, or Federal regulations that pertain to protected wildlife species and wetlands.

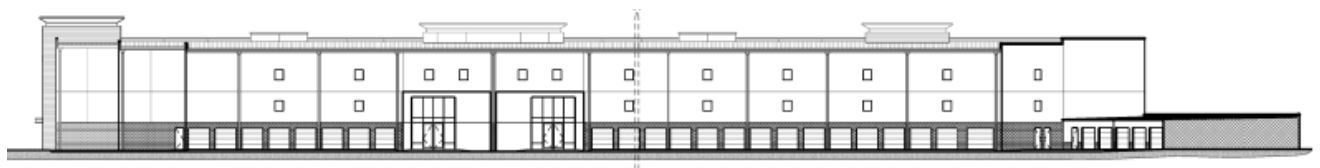
Architecture

The architectural renderings of the 3-story and 1-story self-storage buildings and 1-story multi-tenant building are proposed to be designed to be compatible with one another. The MDA requires each building to be architecturally compatible based on the architectural renderings shown on Exhibit C of the MDA. According to the MDA the 3-story and one-story storage buildings along with the covered RV/boat storage area are to be constructed in Phase 1 of the project and the multi-tenant building is to be constructed in Phase 2. The 3-story and 1-story buildings must be constructed prior to or concurrent with the RV/boat storage area as they provide the required screening for the RV/boat storage area. The proposed 45-foot building height is consistent with the maximum building height allowed in the PCD zoning district and similar to the height requirement in other commercial zoning districts. The covered RV/boat storage canopy will be behind the 3-story self-storage building to reduce the visibility of the RVs and boats being stored from Taylor Road. The future multi-tenant building will be required to be designed to be compatible with the self-storage building.

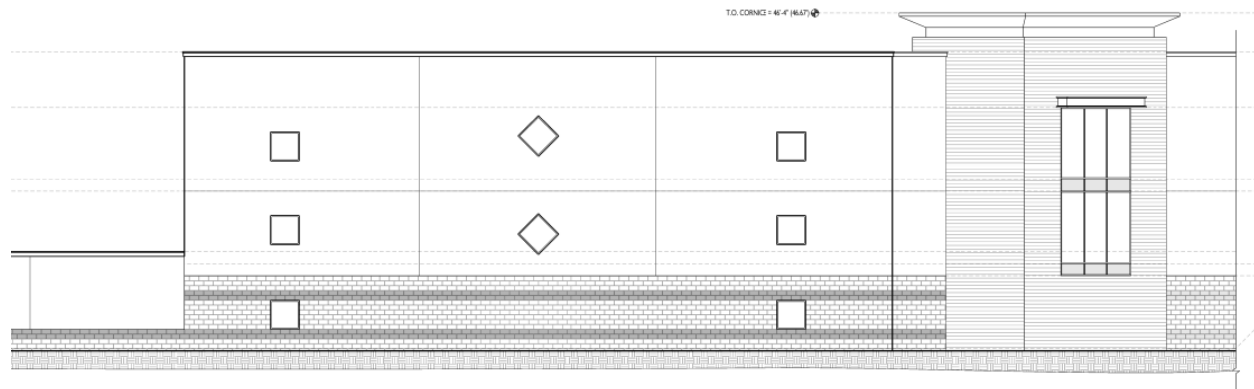
Figure 4. Proposed Building Elevations for All Aboard Taylor Road PCD



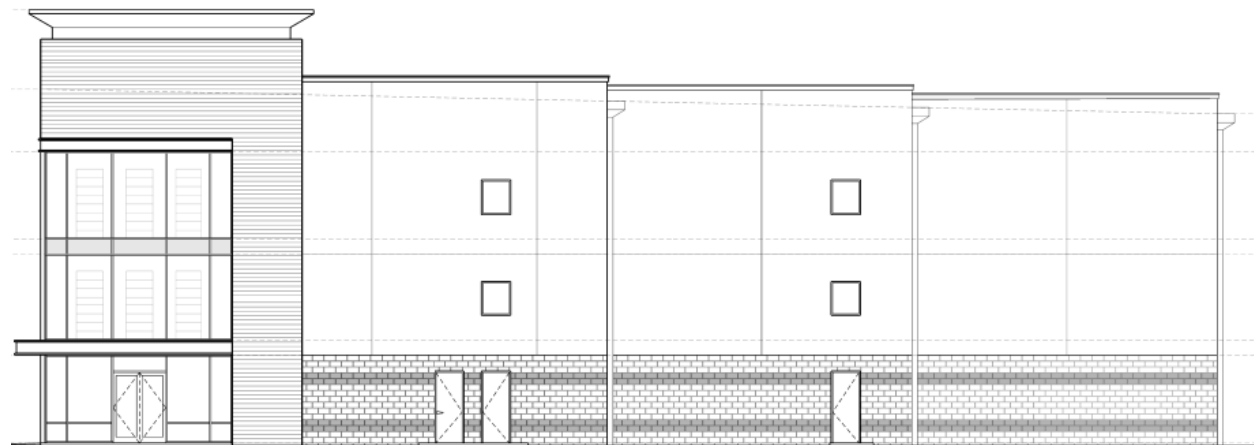
West Elevation – 3-story building Facing Taylor Road



East Elevation – Rear of 3-story Building



North Elevation – 3-story building Facing Fern Park Drive and Taylor Road



South Elevation – 3-story building Interior Entrance, Facing Parking Area

Potable Water, Sanitary Sewer, and Reclaimed Water

The subject property will be served by City potable water, sanitary sewer, and reclaimed water and will comply with the requirements of the LDC and the City's Standard Construction Details for those utilities.

Stormwater Management

The stormwater drainage infrastructure for this project will be in the form of retention ponds as generally depicted on the CDP. The stormwater drainage design will be reviewed with the submittal of the site plan for the subject property. Per the City's Land Development Code, the applicant will be required to construct on-site stormwater facilities, designed to accommodate and treat the 25 year, 24-hour storm event, without causing flooding to adjacent properties or polluting the receiving water bodies.

SMART GROWTH SUMMARY

The proposed overall 10.2-acre All Aboard Storage Taylor Road PCD is an infill development of a vacant parcel, ± 6 acres of which is already designated as future non-residential, with access to existing public infrastructure (water, sewer, roads, etc.). The proposed PCD provides storage opportunities along with the potential for limited office, medical office, personal services (beauty salon or pet groomer), and limited retail/services for the surrounding residential area and could potential reduce vehicle

miles traveled for the surrounding residential area to access these commonly used uses.

PUBLIC NOTICE

A Public Notice sign was posted on the site on September 27, 2019. Staff received nine phone calls and one walk-in to review the proposed development plans. A neighborhood meeting was held by the development team on February 24, 2020 at the Crane Lakes clubhouse with approximately 128 attendees present. General concerns included increased traffic and future improvements along Taylor Road, buffering from the right-of-way, appearance of the three-story building, and hours of operation. Attached as Exhibit 2 is the applicant's summary of the neighborhood meeting and the development team's response to the comments raised by the residents that attended the developer's neighborhood meeting.

RECOMMENDATION

Staff recommends approval of the request to rezone ±10.2 acres from Planned Commercial Development (PCD) and Volusia County A-2 (Rural Agriculture) to All Aboard Storage Taylor Road PCD and approval of All Aboard Storage Taylor Road PCD Master Development Agreement (MDA) and Conceptual Development Plan, subject to review and approval of the MDA and CDP by the City Attorney's Office for legal form and content.

ATTACHMENTS

- Exhibit 1 – All Aboard Storage Taylor Road PCD Master Development Agreement and Conceptual Development Plan
- Exhibit 2 – Summary of public meeting from the project engineer

**MASTER DEVELOPMENT AGREEMENT
ALL ABOARD STORAGE TAYLOR ROAD PLANNED COMMERCIAL
DEVELOPMENT**

THIS ALL ABOARD STORAGE TAYLOR ROAD PLANNED COMMERCIAL DEVELOPMENT AGREEMENT (this "Agreement") is entered into by and between the City of Port Orange, a Florida municipal corporation, having a mailing address of 1000 City Center Circle, Port Orange, Florida 32129 (hereinafter "City"); and Crane Lakes Depot, LLC, a Florida Limited Liability Company, having a mailing address of 5111 S. Ridgewood Avenue, #201, Port Orange, FL 32127 (hereinafter "Owner"). Parties hereby agree and covenant and bind their successors and assigns as follows:

1. THE PROPERTY:

The property that is subject to this Master Development Agreement (hereinafter "Agreement") consists of approximately 10.2 +/- acres of real property located on Taylor Road within the municipal limits of the City of Port Orange. The subject property is further described on Exhibit "A", which is attached hereto and by reference made a part hereof (the "Property"). The Property is under unified ownership of Owner, who is a signatory to this Agreement.

2. CONFORMANCE WITH COMPREHENSIVE PLAN:

The City has determined that the Property is suitable in size, location and character for the uses proposed, that the uses proposed meet the needs of the City, and that the uses proposed are consistent with the City's comprehensive plan as of the date of adoption of this Agreement enacting the zoning provided herein.

3. DEVELOPMENT:

The Property shall be developed as an indoor climate controlled and warehouse self-storage facility with outdoor RV and boat storage areas and professional office space as depicted on the Conceptual Development Plan (CDP) prepared by Newkirk Engineering and dated September 2019 and revised January 6, 2020, which is attached hereto and incorporated herein as Exhibit "B" and as more particularly described herein. The development of the Property will require the approval of a site plan and/or subdivision plat and plans application, which shall be reviewed in accordance with this Agreement and the Land Development Code.

4. DEVELOPMENT AGREEMENT AND CONCEPTUAL DEVELOPMENT PLAN:

A. Development of the Property shall be controlled by the terms and conditions of this Agreement and the CDP. The CDP generally depicts the planned layout of improvements to the Property. Collectively, this Agreement and the CDP for the Property may be referred to as the "Plan". In case of conflict between any textual provision of this Agreement and the CDP, the textual provision of this Agreement

shall control. If the Agreement is silent regarding a particular subject or requirement, such silence shall not be construed as a conflict with the CDP. Except as otherwise provided in this Agreement, in the event of a conflict between the terms and provisions of the Plan and the City's ordinances, the terms and provisions of the Plan shall control. If the Plan fails to address a particular subject or code requirements, the requirements of the applicable City ordinance(s) as defined by the City's Land Development Code ("LDC"), shall control.

- B. In the event modifications to comply with the LDC are required, and modifications to the CDP are not in conflict with the textual provisions of this Agreement and LDC requirements not superseded by this Agreement, the modifications shall be deemed "minor" and may be approved without formal amendment of this Agreement. All other modification shall be deemed "major" and shall require formal amendment of this Agreement. Minor modifications shall require the written approval by the Administrative Official, who is defined in the LDC. If the Owner is not satisfied with the suggested resolution or the decision of the City Administrative Official categorizing the modifications as minor or major, the Owner may appeal the decision to the Planning Commission. Appeals from the Planning Commission may be made to the City Council.

5. PHASING:

Development may be constructed in multiple phases. Phase one will consist of the construction of all underground and site infrastructure, including installation of the lift station, if not already built by the adjacent property owner to the east, Taylor Road Improvements, drainage ponds, Building A (1-8) and RV/Boat Storage with the necessary improvements. Phase two will consist of Building B with the associated improvements. Prior to approval of the site plan, the Owner and the developer of the adjacent property to the east shall enter into a separate access easement containing a cost sharing agreement for the construction and maintenance of the access drive to the eastern property (the "Easement"). The lift station will be required to be built with either the development of this Property or the development of the adjacent property to the east, whichever site is developed first. Permits for development of phases or sub-phases shall be submitted for approval through the City's Final Site Plan and/or Subdivision Plat and Plan process. Phase 3 shall consist of the extension of utilities, access drive and sidewalk to the east to serve the eastern property pursuant to the terms of the Easement.

6. PERMITTED USES:

Permitted uses shall be (i) indoor and warehouse self-storage facility (ii) outdoor boat and RV storage as shown on the CDP; (iii) those uses allowed in the City of Port Orange's Professional Office (PO) Zoning District, as they may be amended from time

to time and (iv) those uses allowed in the City of Port Orange's Community Commercial Zoning District, as they may be amended from time to time. Building A-1 is proposed mini-warehouses and storage facility management office; Buildings A-2 through A-8 as mini-warehouses and Building B permitted uses as allowed under the Professional Office (PO) and Community Commercial (CC) zoning district of the City's Land Development Code, as amended from time to time. Prohibited uses for Building B shall include funeral homes, assisted living facilities, community gardens, motor vehicle service stations, and marinas.

7. DIMENSIONAL REQUIREMENTS: The Property shall be subject to the following dimensional requirements:

Maximum Building Coverage: 35%

Minimum Open Space: 40%

Min Building Setbacks:

Taylor Road: 25 feet

Side (North): 30 feet

Side (South): 40 feet

Rear (East): 25 feet

Maximum Building Height: 45 feet

Maximum Impervious: 60%

8. STORMWATER SYSTEM MAINTENANCE:

The Owner shall maintain the stormwater facilities located on the Property in accordance with the LDC and with any permits issued by St. Johns River Water Management District, Volusia County permits and as otherwise prescribed by law.

9. LANDSCAPE BUFFER AND TREE CONSERVATION:

- A. All landscape buffers, foundation landscaping, vehicular use/parking landscaping, supplemental landscaping, and tree preservation, shall be developed in compliance with the Land Development Code (LDC).
- B. The 15% tree preservation area requirement is modified to only require the area in the required landscape buffers based on site conditions per Chapter 9, Article II, Section 17 of the LDC.
- C. Owner shall install a forty (40) foot landscape buffer along the south property line and a twenty-five (25) foot landscape buffer along the north property line and a twenty (20) foot buffer along the east and west property line each in conformance with the LDC. A portion of the stormwater pond may be located within said forty (40) foot landscape buffer.

10. ARCHITECTURAL/DESIGN STANDARDS:

- A. All buildings and accessory structures on the Property shall be developed in compliance with the requirements of the LDC.
- B. All building and accessory structures constructed within the Property shall be developed consistent with the building elevations by BPF Design Incorporated attached hereto and incorporated herein as Exhibit C. The architectural theme

shall be established by harmoniously coordinating the general appearance of all buildings and related structures.

- C. All structures within the Property shall complement one another and shall convey a sense of quality and permanence.

11. ROADS, SIDEWALKS, PARKING, ACCESS AND CONNECTIVITY:

- A. Driveway location on Taylor Road shall be as located as generally shown on the CDP.
- B. Road, drives, and sidewalks within the Property shall be private.
- C. Construction of a 5' sidewalk along the Taylor Road frontage of the Property is not required with the development of the Property.
- D. Dedication of land to Volusia County at County's expense for the ultimate 120-foot right-of-way for Taylor Road shall be required prior to issuance of a site plan Development Order for the Property. Land to be dedicated toward Taylor Road right-of-way is shown on the CDP.
- E. Developer of the property will be required to construct an eastbound right-turn lane and a westbound left-turn lane at the Taylor Road/Crane Lakes Boulevard intersection, and install a 4th traffic signal head at the intersection of Taylor Road and Crane Lakes Boulevard, along with any required pedestrian improvements at the intersection, as generally shown on the CDP, and in accordance with the traffic impact analysis conducted with the site plan application.
- F. The parking lot design and minimum parking requirements shall be in compliance with the LDC.
- G. Prior to issuance of the Site Plan Development Order for the Property or the adjacent property to the east, whichever is developed first, the Easement shall be recorded in the public records of Volusia County Florida at Owner's expense, as generally shown on the CDP, pursuant to the restrictive covenant of record.

12. PUBLIC UTILITIES AND STORMWATER MANAGEMENT:

- A. Public utilities shall be designed to meet the City's specifications and requirements of the LDC and City Standard Construction Details.
- B. Stormwater shall be retained on-site unless otherwise specified in herein. The Owner shall comply with the LDC, City Standard Construction Details and the rules and regulations of the St. John's River Water Management District concerning storm water drainage. The Owner shall provide all required easements to the City over the proposed retention area and related stormwater structures.
- C. The Owner intends to provide sanitary sewer service to the Property by constructing the proposed lift station as shown on CDP in Phase 1. The lift station shall be constructed by Owner in compliance with the City's specifications and subject to inspection and acceptance by the City. Upon inspection and acceptance and dedication of the lift station, the City shall assume future maintenance obligations for this public lift station. The additional lift station capacity, additional cut depth of the gravity sewer system, and associated costs are eligible for City cost participation.

13. SIGNAGE:

- A. The signage for the Property shall be in compliance with the terms set forth in the LDC.
- B. A sign easement shall be reserved on the Property for off-site signage for the adjacent property to the east if off-site signage is approved for said property.

14. ENVIRONMENTAL CONSIDERATIONS:

- A. Both during and after construction, the Owner shall use reasonable efforts to preserve trees and natural vegetation within the Property and maximize protection of natural drainage pathways. The PCD shall comply with the tree preservation requirements of the City's LDC except as specifically provided in this Agreement.
- B. The Owner shall comply with all rules, statutes, laws and regulations pertaining to protected wildlife species, including but not limited to the rules and permitting requirements of the Florida Fish and Wildlife Commission. Compliance with the City Environmental Preservation Code may necessitate modification of the CDP.
- C. Compliance with the environmental preservation code may necessitate modification of the conceptual plan.

15. EFFECTIVE DATE AND EXPIRATION:

- A. This Agreement shall be effective upon recording by the City of Port Orange at the Owner's expense in the public records of Volusia County, Florida.
- B. The second reading of the Ordinance shall not take place until the Owner has provided an executed copy of the MDA to the City of Port Orange addressing all issues discussed prior to the scheduled second reading. If there are no additional requirements, corrections, or conditions attached by the City Council at the second reading, the Agreement shall be signed by the Mayor and City Clerk and recorded upon approval by City Council.
- C. Development of Phase 1 of the Property shall commence within five (5) years from the effective date of this Agreement and Phase 3 of the Development shall be completed within twenty (20) years from the effective date unless it is extended by mutual agreement of the parties. Failure to comply with the established schedule shall cause the Agreement to lapse. The term "Development" shall have the meaning as set forth in the LDC.

16. AMENDMENTS

- A. Amendments to this Agreement shall not be effective unless in writing and signed by all record title property owners of the land for which the amendment is to be applied, and the City.
- B. Before amending this Agreement, the City shall conduct one or more public hearings. At the City's option, one of the public hearings may be held by the Planning Commission.
 - 1. Notice of intent to consider an amendment to this Agreement shall be published by the City, at the Owner's cost, in a newspaper of general circulation and readership in Volusia County, Florida.

2. If applicable, notice of intent to consider an amendment shall comply with the requirements of Section 166.041(3)(c), Florida Statutes, as amended from time to time.
3. The day, time, and place at which the second public hearing shall take place shall be announced at the first public hearing.
4. The notices required above shall specify the location of the Property, the location of that portion of the Property subject to the proposed amendment, the nature of the proposed amendment, and the following information to the extent applicable:
 - a. Changes permitted, conditional, and/or prohibited uses proposed.
 - b. Changes in building intensities and/or height proposed.
5. All notices shall specify a place where a copy of the proposed amendment can be obtained.

17. CONFORMANCE WITH LAWS

A. The Owner agrees:

1. To develop the Property according to all regulations of the City and the requirements of this Agreement to the extent those regulations are not inconsistent with the Plan for the property.
2. To be bound by all City codes, ordinances and this Agreement.

18. ENFORCEABILITY

If any provision of this Agreement is held by a court of competent jurisdiction to be invalid or otherwise unenforceable, such holding not affect the validity or enforceability of any other provision of this Agreement unless the holding so states.

19. PRIOR AGREEMENTS:

This Agreement represents the complete understanding by and between the parties with respect to the development and continued use of the subject Property. Any and all prior agreements between the parties with respect to any subject comprehended by this Agreement are hereby voided. Any amendment to this Agreement shall be in writing and signed by the City and the Owner.

20. POLICE POWER

Nothing contained in this Agreement shall be construed as a waiver of or contract with respect to the regulatory and permitting authority of the City as it now or hereafter exists under applicable laws, rules and regulations. Further, nothing contained in this Agreement shall be construed as a waiver of the attempted waiver by the City of its sovereign immunity under the Constitution and laws of the State of Florida.

[REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY]

IN WITNESS WHEREOF, the parties have executed this Master Development Agreement by and through their duly authorized representatives, on the respective dates below.

WITNESSES:

**CITY OF PORT ORANGE, a Florida
Municipal Corporation**

Printed name

Printed name

Printed name

Printed name

By: _____
Donald O. Burnette, Mayor
1000 City Center Circle
Port Orange, Florida 32129

Attest _____
Robin L. Fenwick, CMC, City Clerk
1000 City Center Circle
Port Orange, Florida 32129

STATE OF FLORIDA
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me this ____ day of _____, 2020, by Donald O. Burnette, Mayor of the CITY OF PORT ORANGE, FLORIDA, a Florida Municipal Corporation, on behalf of the City. He is personally known to me and did not take an oath.

Notary Public

(Seal)

STATE OF FLORIDA
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me this ____ day of _____, 2020, by Robin L. Fenwick, City Clerk, of the CITY OF PORT ORANGE, FLORIDA, a Florida Municipal Corporation, on behalf of the City. She is personally known to me and did not take an oath.

Notary Public

(Seal)

OWNER:

Signed, sealed and delivered
in the presence of:

CRANE LAKES DEPOT, LLC, a Florida limited liability
company

Name: _____

By: _____

Douglas A. Clark, Manager

Name: _____

STATE OF FLORIDA

COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me this _____ day of _____ 2020, by Douglas A. Clark, the Manager of Crane Lakes Depot, LLC a Florida limited liability company. He is personally known to me and did not take an oath.

Notary Public

(Seal)

Exhibit "A" - Legal Description

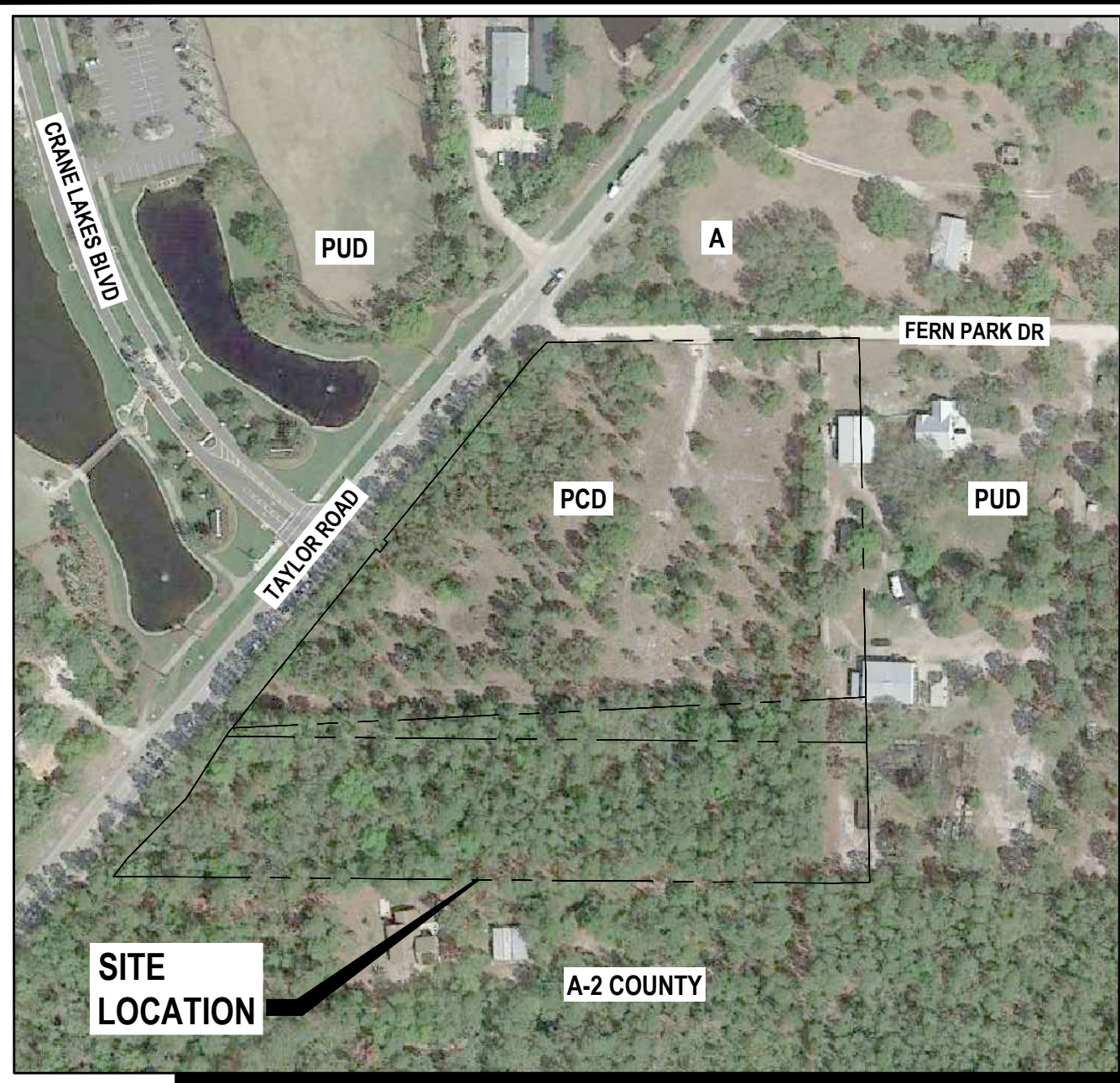
LEGAL DESCRIPTION:

BEING A PORTION OF SOUTHEAST 1/4 OF SECTION 24, TOWNSHIP 16 SOUTH, RANGE 32 EAST AND A PORTION OF THE SOUTHWEST 1/4 OF SECTION 19, TOWNSHIP 16 SOUTH, RANGE 33 EAST VOLUSIA COUNTY, FLORIDA.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

AS A POINT OF COMMENCEMENT BEING THE SOUTHEAST CORNER OF SECTION 24, TOWNSHIP 16 SOUTH, RANGE 32 EAST, SAID CORNER BEING MARKED WITH A 1-1/2" IRON PIPE NO ID (PER FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION CERTIFIED CORNER REPORT DOCUMENT NUMBER 73030); THENCE RUN NORTH 00 DEGREES 04 MINUTES 30 SECONDS WEST ALONG THE EAST LINE OF SAID SECTION 24, A DISTANCE OF 1351.50 FEET FOR THE POINT OF BEGINNING; THENCE DEPARTING SAID EAST LINE OF SAID SECTION 24 NORTH 88 DEGREES 25 MINUTES 31 SECONDS WEST, A DISTANCE OF 889.07 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF TAYLOR ROAD (A PRESCRIPTIVE RIGHT-OF-WAY THAT VARIES), AS RECORDED IN RIGHT-OF-WAY MAP BOOK 1, PAGE 46, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE ALONG THE SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING CALLS; THENCE NORTH 39 DEGREES 29 MINUTES 31 SECONDS EAST, A DISTANCE OF 30.58 FEET; THENCE NORTH 45 DEGREES 46 MINUTES 32 SECONDS EAST, A DISTANCE OF 100.50 FEET; THENCE NORTH 33 DEGREES 47 MINUTES 15 SECONDS EAST, A DISTANCE OF 100.61 FEET; THENCE CONTINUE ALONG THE EASTERLY RIGHT-OF-WAY LINE NORTH 39 DEGREES 29 MINUTES 31 SECONDS EAST, A DISTANCE OF 100.01 FEET; THENCE NORTH 40 DEGREES 03 MINUTES 54 SECONDS EAST, A DISTANCE OF 190.58 FEET; THENCE SOUTH 49 DEGREES 53 MINUTES 52 SECONDS EAST, A DISTANCE OF 6.05 FEET; THENCE NORTH 40 DEGREES 06 MINUTES 08 SECONDS EAST, A DISTANCE OF 15.00 FEET; THENCE NORTH 49 DEGREES 53 MINUTES 52 SECONDS WEST, A DISTANCE OF 6.00 FEET; THENCE NORTH 40 DEGREES 38 MINUTES 16 SECONDS EAST, A DISTANCE OF 94.42 FEET; THENCE NORTH 40 DEGREES 03 MINUTES 54 SECONDS EAST, A DISTANCE OF 200.00; THENCE CONTINUE ALONG EASTERLY RIGHT-OF-WAY LINE NORTH 45 DEGREES 46 MINUTES 32 SECONDS EAST, A DISTANCE OF 23.20 FEET TO A POINT ON A 25 FOOT WIDE INGRESS AND EGRESS AND UTILITY EASEMENT, PER OFFICIAL RECORDS BOOK 7136, PAGE 3051, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE SOUTH 89 DEGREES 41 MINUTES 53 SECONDS EAST ALONG THE SOUTH LINE OF SAID EASEMENT A DISTANCE OF 387.42 FEET; THENCE DEPARTING SAID SOUTH EASEMENT LINE SOUTH 00 DEGREES 04 MINUTES 30 SECONDS EAST, A DISTANCE OF 675.55 FEET; THENCE NORTH 89 DEGREES 55 MINUTES 35 SECONDS WEST, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 445,279 SQUARE FEET OR 10.2 ACRES MORE OR LESS.



AERIAL MAP

SCALE: 1" = 200'

LEGAL DESCRIPTION

BEING A PORTION OF SOUTHEAST 1/4 OF SECTION 24, TOWNSHIP 16 SOUTH, RANGE 32 EAST AND A PORTION OF THE SOUTHWEST 1/4 OF SECTION 19, TOWNSHIP 16 SOUTH, RANGE 33 EAST VOLUSIA COUNTY, FLORIDA.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

AS A POINT OF COMMENCEMENT BEING THE SOUTHEAST CORNER OF SECTION 24, TOWNSHIP 16 SOUTH, RANGE 32 EAST, SAID CORNER BEING MARKED WITH A 1-1/2" IRON PIPE NO ID (PER FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION CERTIFIED CORNER REPORT DOCUMENT NUMBER 73030); THENCE RUN NORTH 00 DEGREES 04 MINUTES 30 SECONDS WEST ALONG THE EAST LINE OF SAID SECTION 24, A DISTANCE OF 1351.50 FEET FOR THE POINT OF BEGINNING; THENCE DEPARTING SAID EAST LINE OF SAID SECTION 24 NORTH 88 DEGREES 25 MINUTES 31 SECONDS WEST, A DISTANCE OF 889.07 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF TAYLOR ROAD (A PRESCRIPTIVE RIGHT-OF-WAY THAT VARIES), AS RECORDED IN RIGHT-OF-WAY MAP BOOK 1, PAGE 46, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE ALONG THE SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING CALLS: THENCE NORTH 39 DEGREES 29 MINUTES 31 SECONDS EAST, A DISTANCE OF 30.58 FEET; THENCE NORTH 45 DEGREES 46 MINUTES 32 SECONDS EAST, A DISTANCE OF 100.50 FEET; THENCE NORTH 33 DEGREES 47 MINUTES 15 SECONDS EAST, A DISTANCE OF 100.61 FEET; THENCE CONTINUE ALONG THE EASTERLY RIGHT-OF-WAY LINE NORTH 39 DEGREES 29 MINUTES 31 SECONDS EAST, A DISTANCE OF 100.01 FEET; THENCE NORTH 40 DEGREES 03 MINUTES 54 SECONDS EAST, A DISTANCE OF 190.58 FEET; THENCE SOUTH 49 DEGREES 53 MINUTES 52 SECONDS EAST, A DISTANCE OF 6.05 FEET; THENCE NORTH 40 DEGREES 06 MINUTES 08 SECONDS EAST, A DISTANCE OF 15.00 FEET; THENCE NORTH 49 DEGREES 53 MINUTES 52 SECONDS WEST, A DISTANCE OF 6.00 FEET; THENCE NORTH 40 DEGREES 38 MINUTES 16 SECONDS EAST, A DISTANCE OF 94.42 FEET; THENCE NORTH 40 DEGREES 03 MINUTES 54 SECONDS EAST, A DISTANCE OF 200.00; THENCE CONTINUE ALONG EASTERLY RIGHT-OF-WAY LINE NORTH 45 DEGREES 46 MINUTES 32 SECONDS EAST, A DISTANCE OF 23.20 FEET TO A POINT ON A 25 FOOT WIDE INGRESS AND EGRESS AND UTILITY EASEMENT, PER OFFICIAL RECORDS BOOK 7136, PAGE 3051, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE SOUTH 89 DEGREES 41 MINUTES 53 SECONDS EAST ALONG THE SOUTH LINE OF SAID EASEMENT A DISTANCE OF 387.42 FEET; THENCE DEPARTING SAID SOUTH EASEMENT LINE SOUTH 00 DEGREES 04 MINUTES 30 SECONDS EAST, A DISTANCE OF 675.55 FEET; THENCE NORTH 89 DEGREES 55 MINUTES 35 SECONDS WEST, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 445,279 SQUARE FEET OR 10.2 ACRES MORE OR LESS.

EASEMENT LEGEND :

ADUE ACCESS, DRAINAGE, AND UTILITY EASEMENT
DUE DRAINAGE AND UTILITY EASEMENT
AE ACCESS EASEMENT
DE DRAINAGE EASEMENT

SPECIMEN TREE WITH REQUIRED EASEMENT (1" DIA FOR 1" CAL)
ONLY SHOWN FOR TREES PROPOSED TO KEEP

SPECIMEN TREE LEGEND :

TYPE (ALL SPECIES)	EXISTING	REMOVED	REMAIN
SPECIMEN	11	2	9
HISTORIC	0	0	0

11 TREES / 9.10 ACRES = 1.21 TREE PER ACRE
SITE REQUIRES 80% SPECIMEN TREE RETENTION

PARKING CALCULATIONS :

1. PARKING REQUIREMENTS

BUILDING A:
BUILDINGS A-2 TO A-8 = 1 SPACE PER 50 CUBICLES x 70 CUBICLES = 2 SPACES
OFFICE = 1 SPACE PER 250 SF x 900 SF = 5 SPACES
BUILDING A-1 = 1 SPACE PER 50 CUBICLES x 400 CUBICLES = 8 SPACES

BUILDING B:
OFFICE / RETAIL = 1 SPACE PER 200 SF x 6,000 SF = 30 SPACES

TOTAL REQUIRED PARKING 45 SPACES

2. PARKING PROVIDED

	SPACES	%
HANDICAP	3	4.9
STANDARD	58	95.1
TOTAL PARKING PROVIDED	61	100.0
TOTAL BICYCLE PARKING PROVIDED	3 (1 RACK)	

MASTER DEVELOPMENT AGREEMENT

ALL ABOARD STORAGE TAYLOR ROAD

PLANNED COMMERCIAL DEVELOPMENT

16-32-24-00-00050, 16-32-24-00-00051, 16-32-24-00-00080

SITE DEVELOPMENT USAGE

1. SETBACK:	BUILDING	LANDSCAPE
FRONT (FROM TAYLOR ROAD)	25 FEET	20 FEET
REAR (EAST)	25 FEET	20 FEET
SIDE (NORTH)	30 FEET	25 FEET
SIDE (SOUTH)	40 FEET	40 FEET

2. PROPOSED SITE COVERAGE:	SQ. FT	ACRE	%
BUILDING FOOTPRINT	69,340	1.592	15.6 (35% MAX)
PAVEMENT (PHASE I & II)	122,465	2.812	27.5
PAVEMENT (PHASE III)	10,126	0.232	2.3
CONCRETE (PHASE I & II)	3,135	0.072	0.8
CONCRETE (PHASE III)	2,177	0.050	0.5
INTERIOR LANDSCAPE	94,817	2.177	21.2
EXTERIOR LANDSCAPE	115,412	2.649	25.9
WET POND	27,704	0.636	6.2
TOTAL SITE	445,176	10.220	100.00
TOTAL IMPERVIOUS	207,243	4.758	46.6 (60% MAX)
TOTAL OPEN SPACE	210,229	4.826	47.2
RESERVED ROW	48,577	1.115	10.9

3. DIMENSIONAL REQUIREMENTS
MAXIMUM BUILDING COVERAGE 35%
MINIMUM OPEN SPACE 40%
MAXIMUM BUILDING HEIGHT 45'
MAXIMUM IMPERVIOUS 60%
4. FUTURE LAND USE: EXISTING URBAN LOW INTENSITY AND RURAL. PROPOSED OFFICE / RETAIL TRANSITION (UP TO 10 UNITS/ACRE)
5. SITE CONSISTS OF (32) MYAKKA-MYAKKA, WET, FINE SANDS, 0 TO 2 PERCENT SLOPES
6. PROPOSED: (PCD) PLANNED COMMERCIAL DEVELOPMENT
7. COMPLIANCE WITH THE LAND DEVELOPMENT CODE MAY NECESSITATE MODIFICATION OF THE CONCEPTUAL PLAN [LDC, CH. 17, SEC. 18(g)(2)(k)].
8. A. DEDICATION OF LAND TO VOLUSIA COUNTY FOR THE ULTIMATE 120-FOOT RIGHT-OF-WAY FOR TAYLOR ROAD SHALL BE REQUIRED PRIOR TO ISSUANCE OF A SITE PLAN DEVELOPMENT ORDER FOR THE PROPERTY. LAND TO BE DEDICATED TOWARD TAYLOR ROAD RIGHT-OF-WAY IS SHOWN ON THE COP.
9. THE 15% TREE PROTECTION AREA REQUIREMENT IS MODIFIED TO ONLY REQUIRE THE AREA IN THE REQUIRED LANDSCAPE BUFFERS BASED ON SITE CONDITIONS [CH. 9, ART. II, SEC. 17, LDC].
10. ENVIRONMENTAL PRESERVATION CODE REQUIREMENTS MAY NECESSITATE MODIFICATIONS TO THE COP.
11. PHASE ONE WILL CONSIST OF THE LIFT STATION, TAYLOR ROAD IMPROVEMENTS, DRAINAGE PONDS, ALL BUILDING A (1-8) AND RV/BOAT STORAGE WITH THE NECESSARY IMPROVEMENTS. PHASE TWO WILL CONSIST OF BUILDING B WITH THE NECESSARY IMPROVEMENTS. PHASE THREE WILL CONSIST OF PAVING THE ACCESS ROAD TO THE EASTERN PROPERTY. TIMING AND RESPONSIBILITY OF PHASE THREE WILL BE SPLIT OUT IN THE MDA FOR THIS PROJECT AND THE EASTERN PROPERTY'S MDA. PHASING LINES ARE SHOWN ON THE COP TO ILLUSTRATE THE PHASING AREAS. THIS PLAN IS SHOWING ALL THREE PHASES COMPLETED.
12. STORMWATER EASEMENTS COVERING PIPELINES AND STORMWATER MANAGEMENT BASINS SHALL BE LEGALLY DESCRIBED AND RECORDED IN ACCORDANCE WITH THE CITY OF PORT ORANGE LDC CH. 6 SEC. 4 PRIOR TO THE 1ST CERTIFICATE OF OCCUPANCY.

PARCEL ID#: 16-32-24-00-00-0120
OWNER: CRANE LAKES GOLF COURSE, INC
PO DRAWER 2140
DAYTONA BEACH, FL 32115
ZONING: (PUD) PLANNED UNIT DEVELOPMENT

PARCEL ID#: 16-32-24-00-00-0020
OWNER: BECKS FARM LTD
PO BOX 2140
DAYTONA BEACH, FL 32115
ZONING: (PUD) PLANNED UNIT DEVELOPMENT

PARCEL ID#: 16-32-24-00-00-0001
OWNER: RANDY SQUIRES
1766 TAYLOR ROAD
PORT ORANGE, FL 32128
ZONING: (RR) RURAL RESIDENTIAL

PARCEL ID#: 16-32-24-00-00-0006
OWNER: CLGC ENTERPRISES, LLC
125 N RIDGEWOOD AVE., STE 100
DAYTONA BEACH, FL 32114
ZONING: (PUD) PLANNED UNIT DEVELOPMENT

PARCEL ID#: 16-32-24-01-00-0080
OWNER: ROBERT WILLIAM NELSON III & LINDA NELSON
1766 TAYLOR ROAD
PORT ORANGE, FL 32128
ZONING: (RR) RURAL RESIDENTIAL

PARCEL ID#: 16-32-24-01-00-0001
OWNER: VANCE M BRYAN
1777 TAYLOR ROAD
PORT ORANGE, FL 32128
ZONING: A-2 (COUNTY)

PARCEL ID#: 16-32-24-00-00-0005
OWNER: DANIELLE GARGUOLO
1777 FERN PARK DRIVE
PORT ORANGE, FL 32128
ZONING: PUD

PARCEL ID#: 16-33-19-00-00-0160
OWNER: MIKE & TERESA WHITE
1131 GLENGARRY CIRCLE
MAITLAND, FL 32751
ZONING: A (AGRICULTURE)

PARCEL ID#: 16-33-19-00-00-0006
OWNER: MIKE & TERESA WHITE
1131 GLENGARRY CIRCLE
MAITLAND, FL 32751
ZONING: A (AGRICULTURE)

PARCEL ID#: 16-33-19-00-00-0006
OWNER: MUSEUM OF ARTS AND SCIENCES
352 S NOVA ROAD
DAYTONA BEACH, FL 32114
ZONING: A-2 (COUNTY)

PARCEL ID#: 16-33-19-00-00-0006
OWNER: MUSEUM OF ARTS AND SCIENCES
352 S NOVA ROAD
DAYTONA BEACH, FL 32114
ZONING: A-2 (COUNTY)

PROJECT TEAM

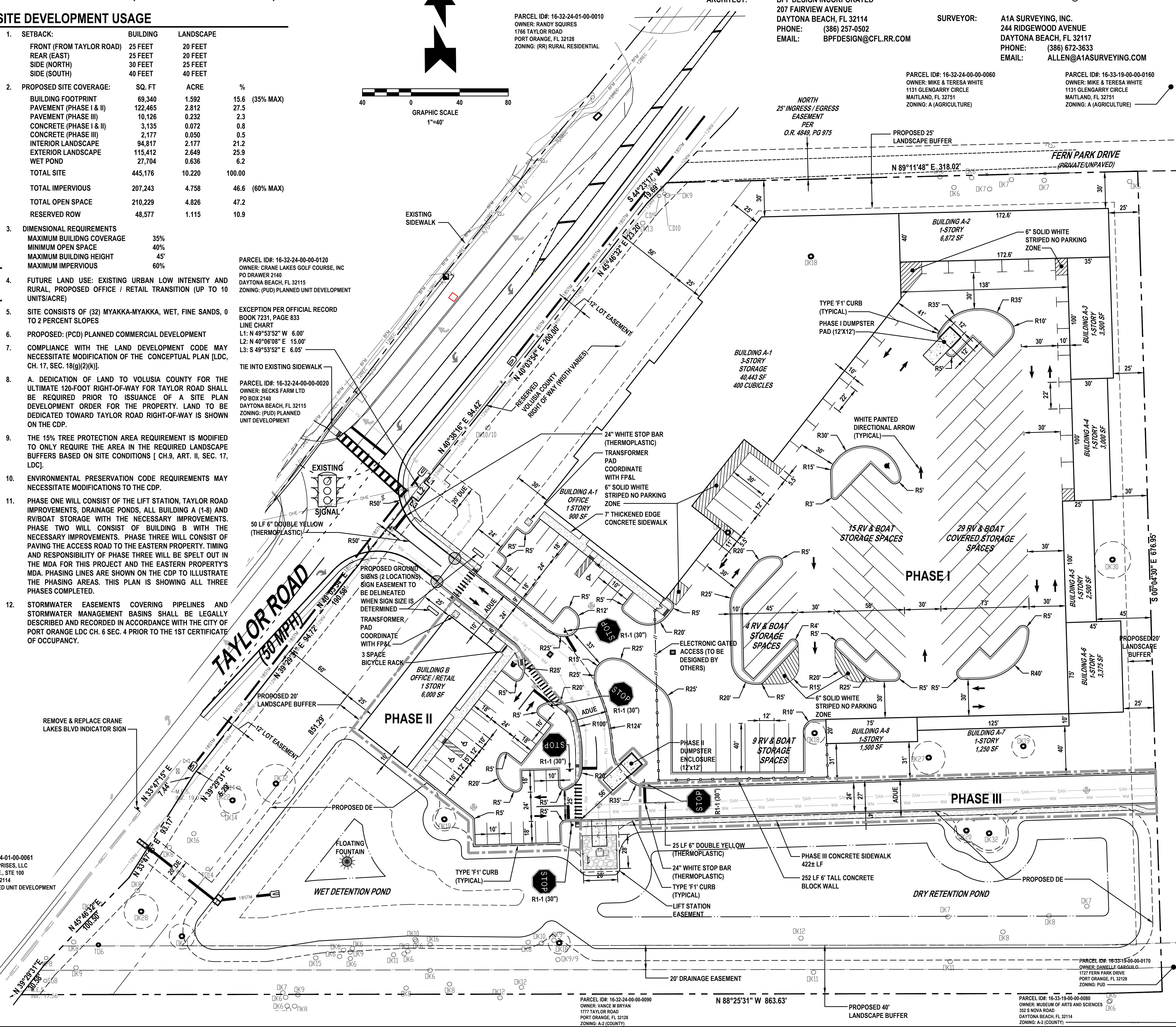
PROPERTY OWNER / APPLICANT:
CRANE LAKES DEPOT LLC
5111 S RIDGEWOOD AVENUE #201
PORT ORANGE, FL 32127
PHONE: (386) 236-1970
EMAIL: ACLARK@GOALLABOARD.COM

CIVIL ENGINEER / LANDSCAPE ARCHITECT
ARCHITECT:

NEWKIRK ENGINEERING, INC.
1230 NORTH US HIGHWAY 1, SUITE 3
ORMOND BEACH, FL 32174
PHONE: (386) 872-7794
EMAIL: CODY@NEWKIRK-ENGINEERING.COM
BPF DESIGN INCORPORATED
207 FAIRVIEW AVENUE
DAYTONA BEACH, FL 32114
PHONE: (386) 257-0502
EMAIL: BPFDESIGN@CFL.RR.COM

GEOTECHNICAL: UNIVERSAL ENGINEERING SCIENCES
911 BEVILLE ROAD, SUITE 3
SOUTH DAYTONA BEACH, FL 32119
PHONE: (386) 756-1105
FAX: (386) 760-4067
EMAIL: BPOHL@UNIVERSALENGINEERING.COM

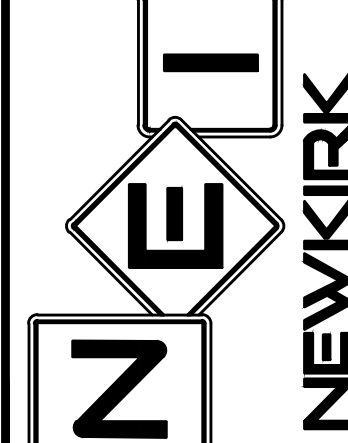
SURVEYOR: A1A SURVEYING, INC.
244 RIDGEWOOD AVENUE
DAYTONA BEACH, FL 32117
PHONE: (386) 672-3633
EMAIL: ALLEN@A1ASURVEYING.COM



REVISIONS

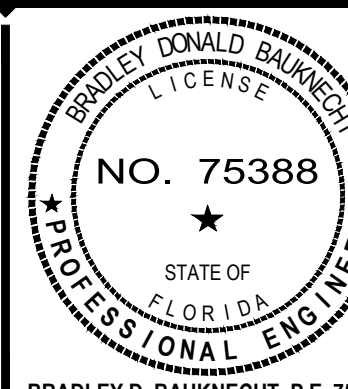
DATE	DESCRIPTION
10/24/19	SDRC COMMENTS
1/6/2020	SDRC COMMENTS

1230 North US1, Suite 3
Ormond Beach, Florida 32174
Phone (386) 872-7794
www.Newkirk-Engineering.com
C.A. # 30209
L.C. # 26000584
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NEWKIRK ENGINEERING INC.



CONCEPTUAL DEVELOPMENT PLAN
ALL ABOARD STORAGE TAYLOR ROAD
1763 TAYLOR ROAD
PORT ORANGE, FL 32128

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BRADLEY D. BAUNKECHT, P.E. 75388

PROJECT No: 2018-115

DATE: SEPTEMBER 2019

DESIGN BY: BDB

DRAWN BY: CAB

CHECKED BY: BDB

SCALE: 1" = 40'

DRAWING NUMBER

EX-B

REVISIONS

ALL ABOARD STORAGE - TAYLOR ROAD

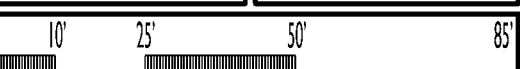
OWNER/DEVELOPER: ANDREW CLARK, MANAGER, 2400 RIDGEWOOD, LLC - 5111 RIDGEWOOD AVENUE, SUITE 201, PORT ORANGE, FL 32127 PH: (386) 236-1970 FX: (386) 577-6365
PROJECT LOCATION: 1763 TAYLOR ROAD, PORT ORANGE, FL 32128
GENERAL CONTRACTOR: TO BE DETERMINED

BPF

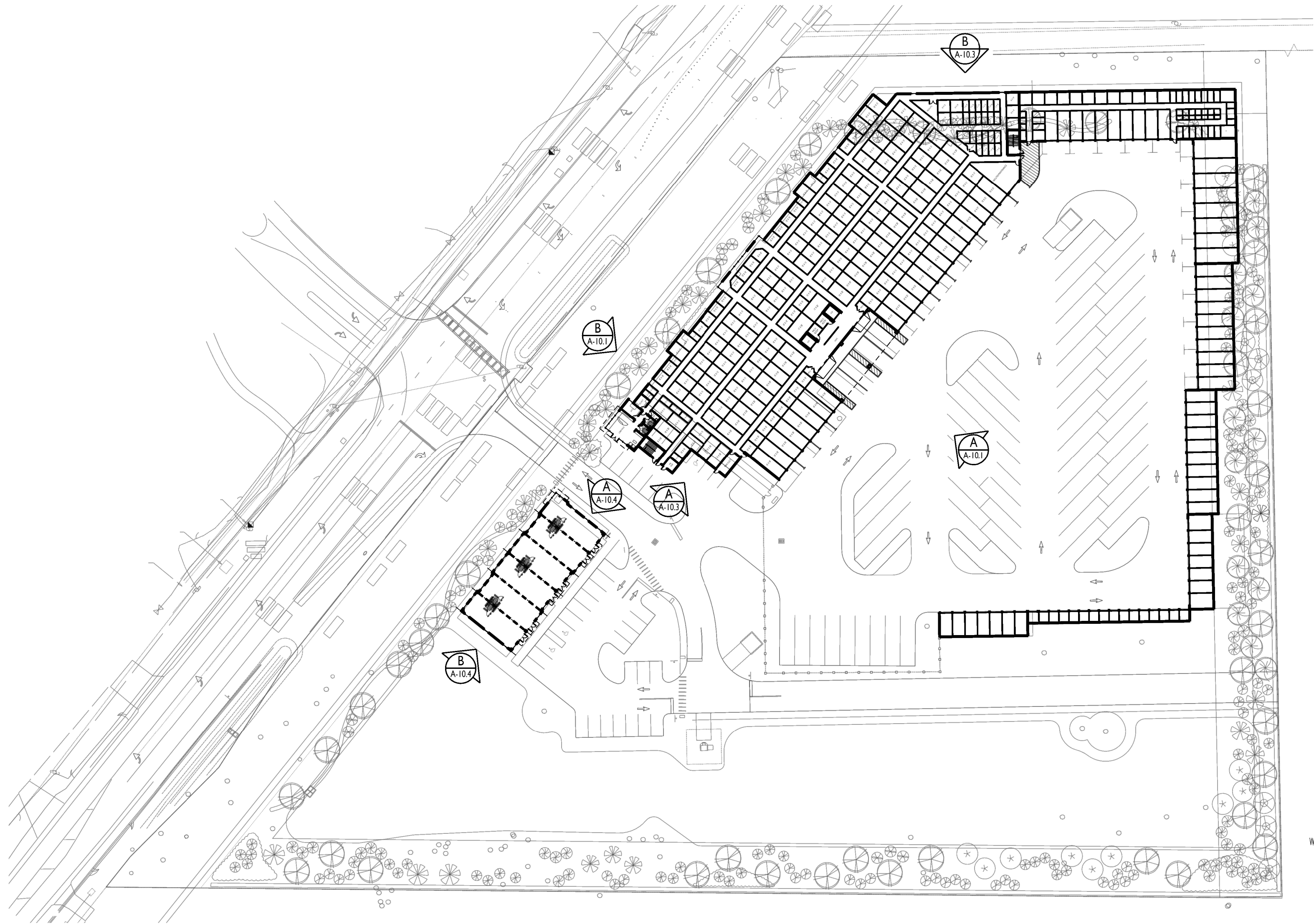
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E-MAIL: btfredley@bpfdesign.com WEBSITE: bpfdesign.com

OVERALL ELEVATIONS & KEY

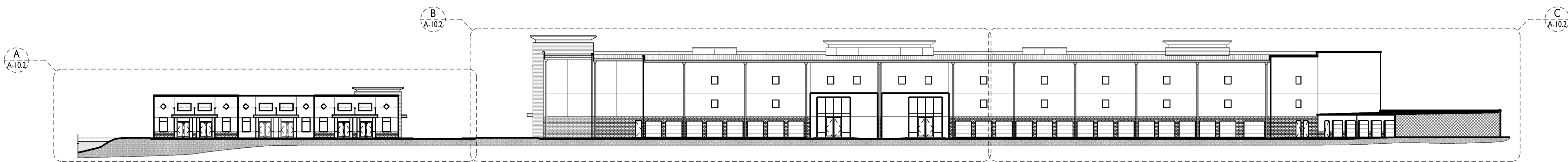
DRAWN BY: TEM	CHECKED BY: DBP & BPF
DATE: JANUARY 17, 2020	SHT NO. A-100
SCALE: 1/32" = 1'-0"	



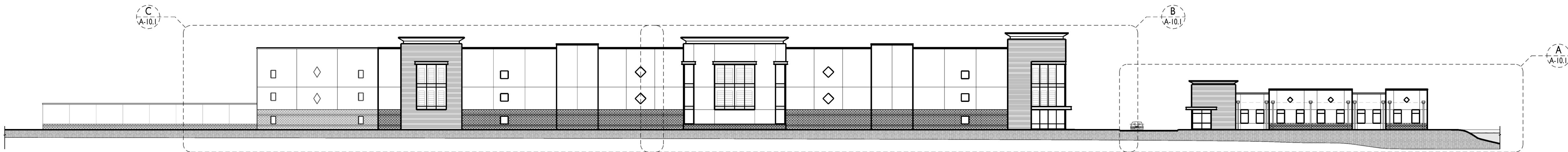
ARCHITECT'S / ENGINEER'S SEAL



C OVERALL ELEVATIONS PLAN
A-10.0 SITE KEY SCALE: NTS



A OVERALL E ELEVATION
A-10.0 FACING INTERIOR OF SITE SCALE: 1/32" = 1'-0"



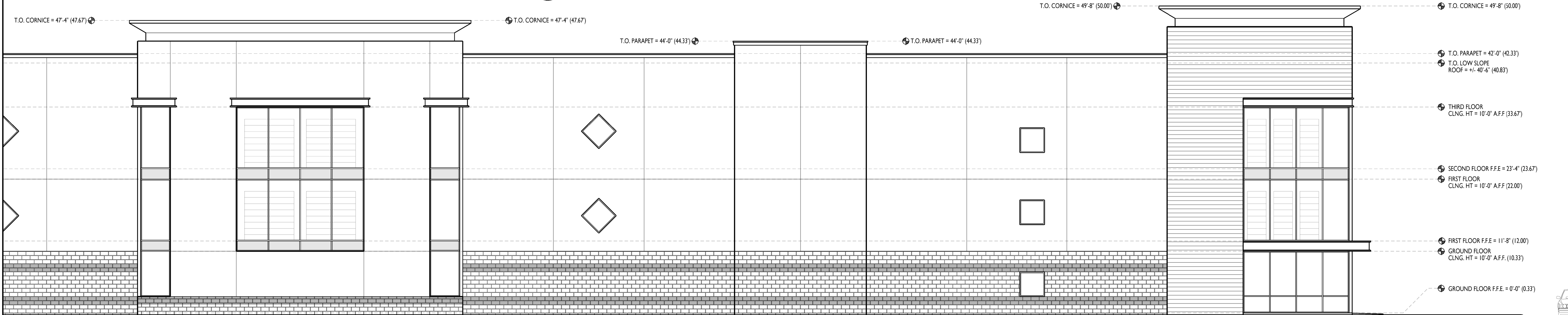
A OVERALL W ELEVATION
A-10.0 FACING TAYLOR ROAD SCALE: 1/32" = 1'-0"

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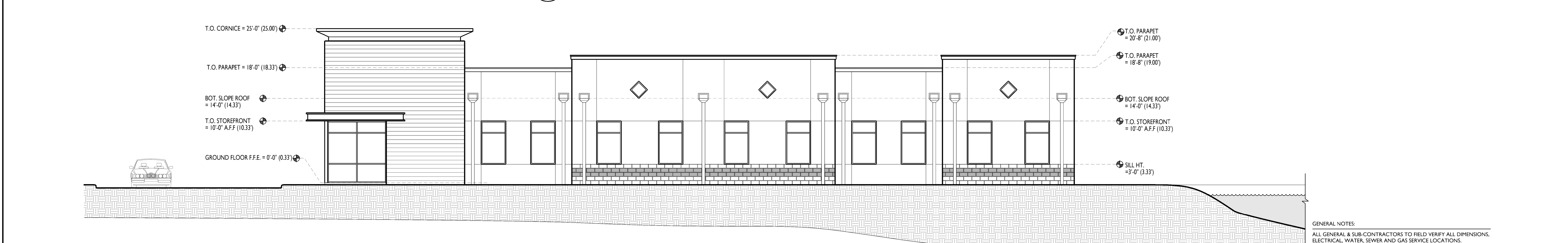
BUILDING A-I PARTIAL W ELEVATION
CLIMATE CONTROLLED SELF-STORAGE

SCALE: 1/8" = 1'-0"



BUILDING A-I PARTIAL W ELEVATION
CLIMATE CONTROLLED SELF-STORAGE

SCALE: 1/8" = 1'-0"



BUILDING B W ELEVATION
MULTI-TENANT OFFICE BUILDING

SCALE: 1/8" = 1'-0"

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ALL ABOARD STORAGE - TAYLOR ROAD

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PROJECT LOCATION: 1763 TAYLOR ROAD, PORT ORANGE, FL 32128
GENERAL CONTRACTOR: TO BE DETERMINED

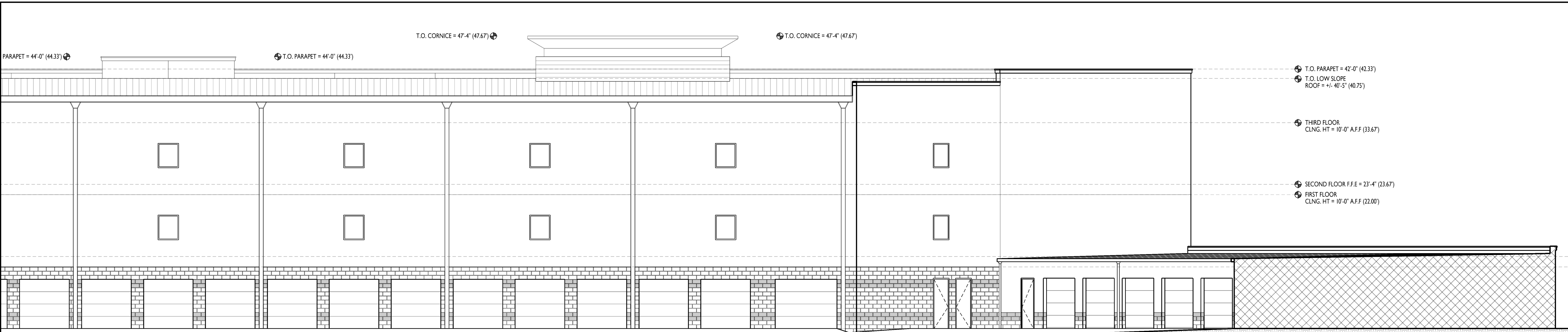
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ENLARGED W ELEVATIONS (TAYLOR ROAD)

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DATE: JANUARY 17, 2020	SHT NO. A-10.1
SCALE: 1/8"=1'-0"	

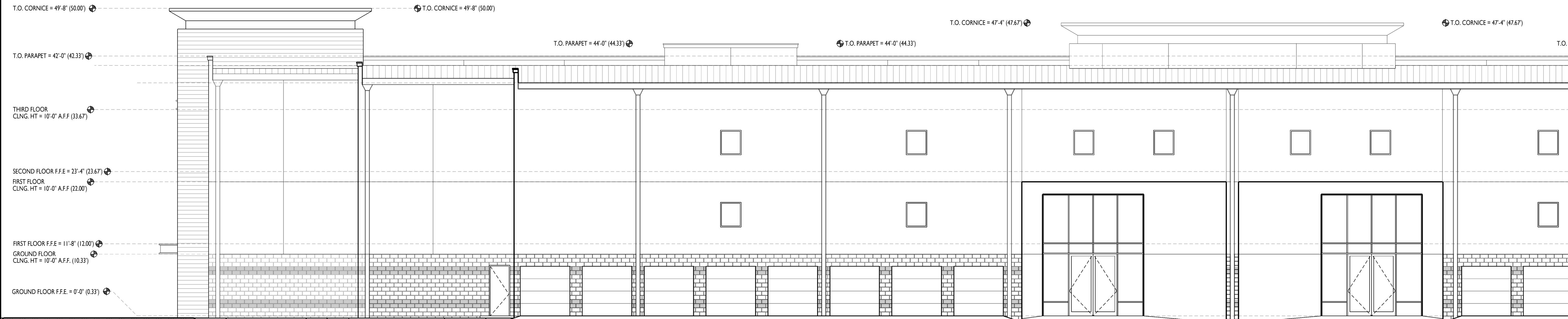


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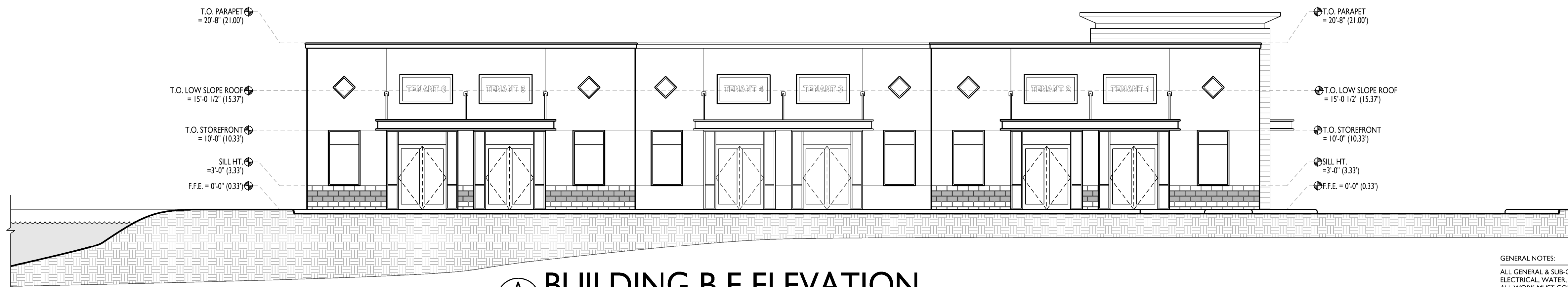
C
A-10.2 **BUILDING A-I PARTIAL E ELEVATION**
CLIMATE CONTROLLED SELF-STORAGE

SCALE: 1/8" = 1'-0"



B
A-10.2 **BUILDING A-I PARTIAL E ELEVATION**
CLIMATE CONTROLLED SELF-STORAGE

SCALE: 1/8" = 1'-0"



A
A-10.2 **BUILDING B E ELEVATION**
MULTI-TENANT OFFICE BUILDING

SCALE: 1/8" = 1'-0"

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REVISIONS

ALL ABOARD STORAGE - TAYLOR ROAD

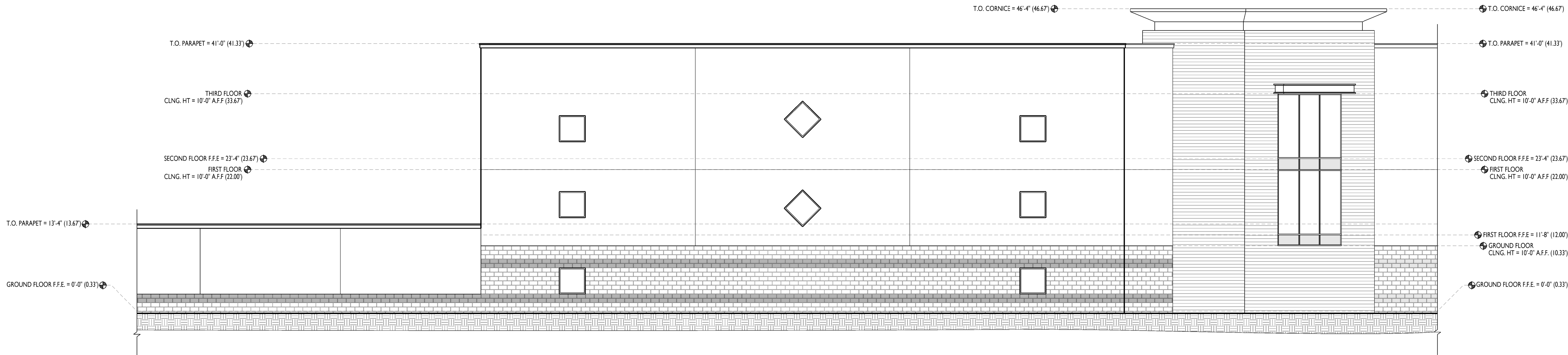
OWNER/DEVELOPER: ANDREW CLARK, MANAGER, 2400 RIDGEWOOD AVENUE, SUITE 201, PORT ORANGE, FL 32127 PH: (386) 236-1970 FX: (386) 237-4365
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ENLARGED E ELEVATIONS	
DRAWN BY: TEM	CHECKED BY: DBP & BPF
DATE: JANUARY 17, 2020	SHT NO. A-10.2
SCALE: 1/8"=1'-0"	

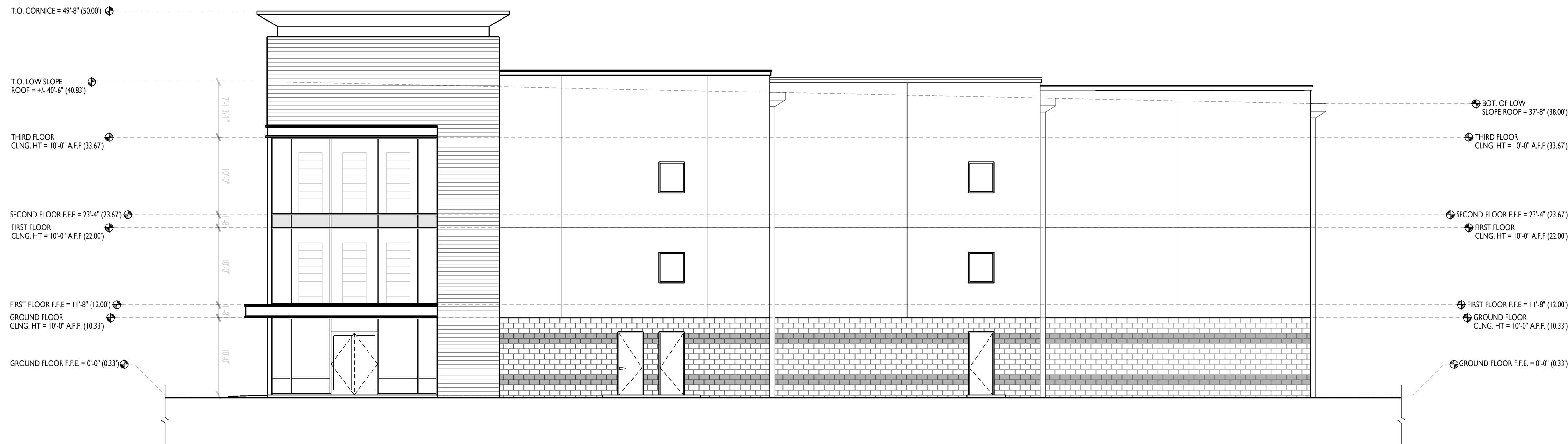


ARCHITECT'S / ENGINEER'S SEAL



B
A-10.3 BUILDING A-I N ELEVATION
CLIMATE CONTROLLED SELF-STORAGE

SCALE: 1/8" = 1'-0"



A
A-10.3 BUILDING A-I S ELEVATION
CLIMATE CONTROLLED SELF-STORAGE

SCALE: 1/8" = 1'-0"

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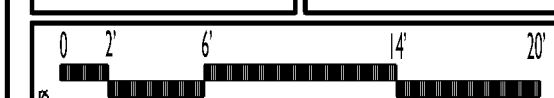
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GENERAL CONTRACTOR: TO BE DETERMINED

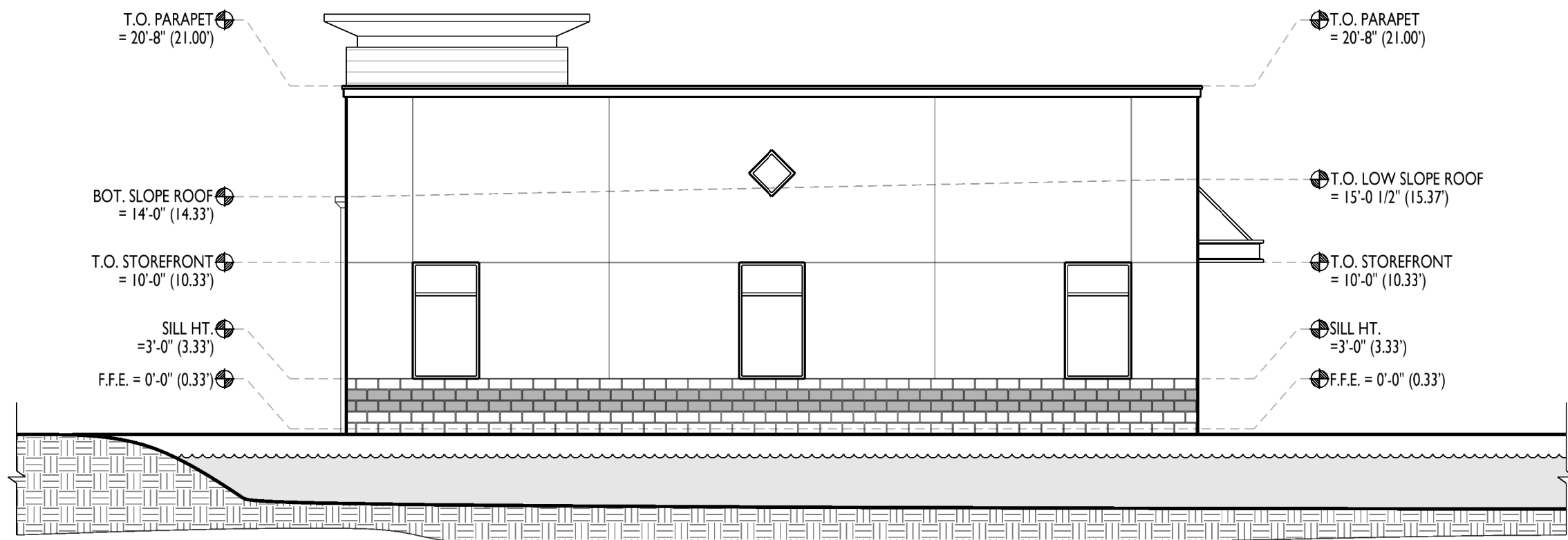
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ENLARGED N & S ELEVATIONS (BLDG A)

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DATE: JANUARY 17, 2020	SHT NO. A-10.3
SCALE: 1/8"=1'-0"	

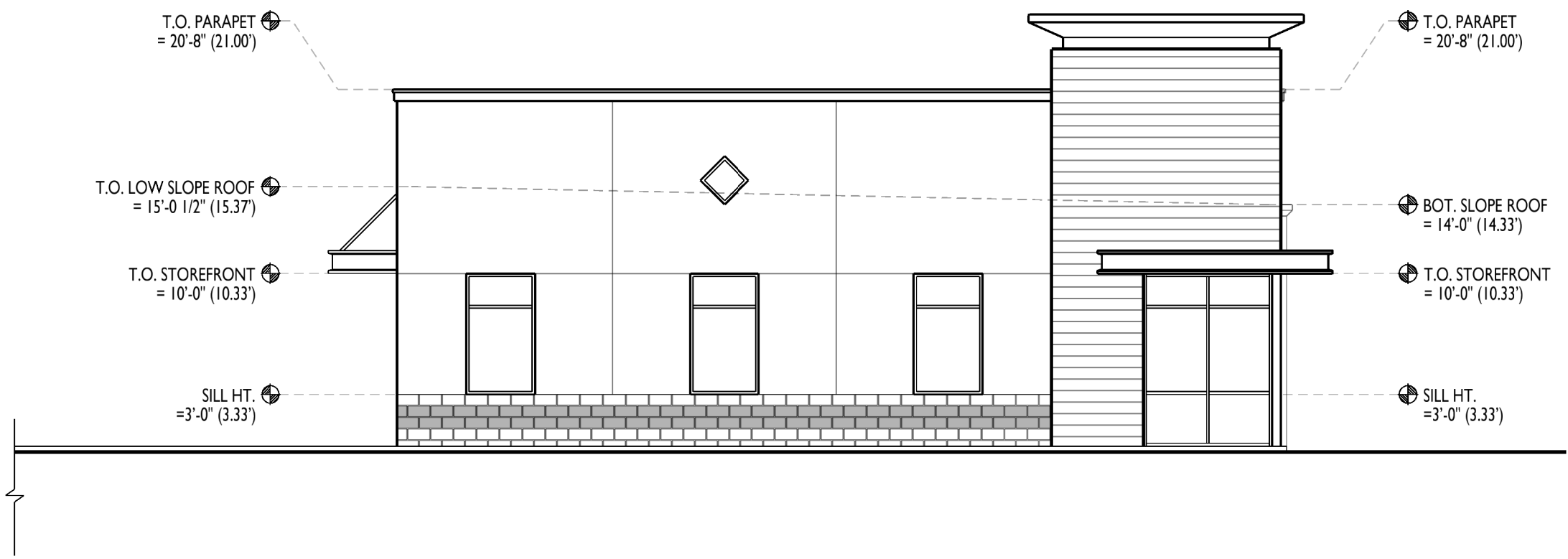


ARCHITECT'S / ENGINEER'S SEAL



B
A-10.4 **BUILDING B S ELEVATION**
MULTI-TENANT OFFICE BUILDING

SCALE: 1/8" = 1'-0"



A
A-10.4 **BUILDING B N ELEVATION**
MULTI-TENANT OFFICE BUILDING

SCALE: 1/8" = 1'-0"

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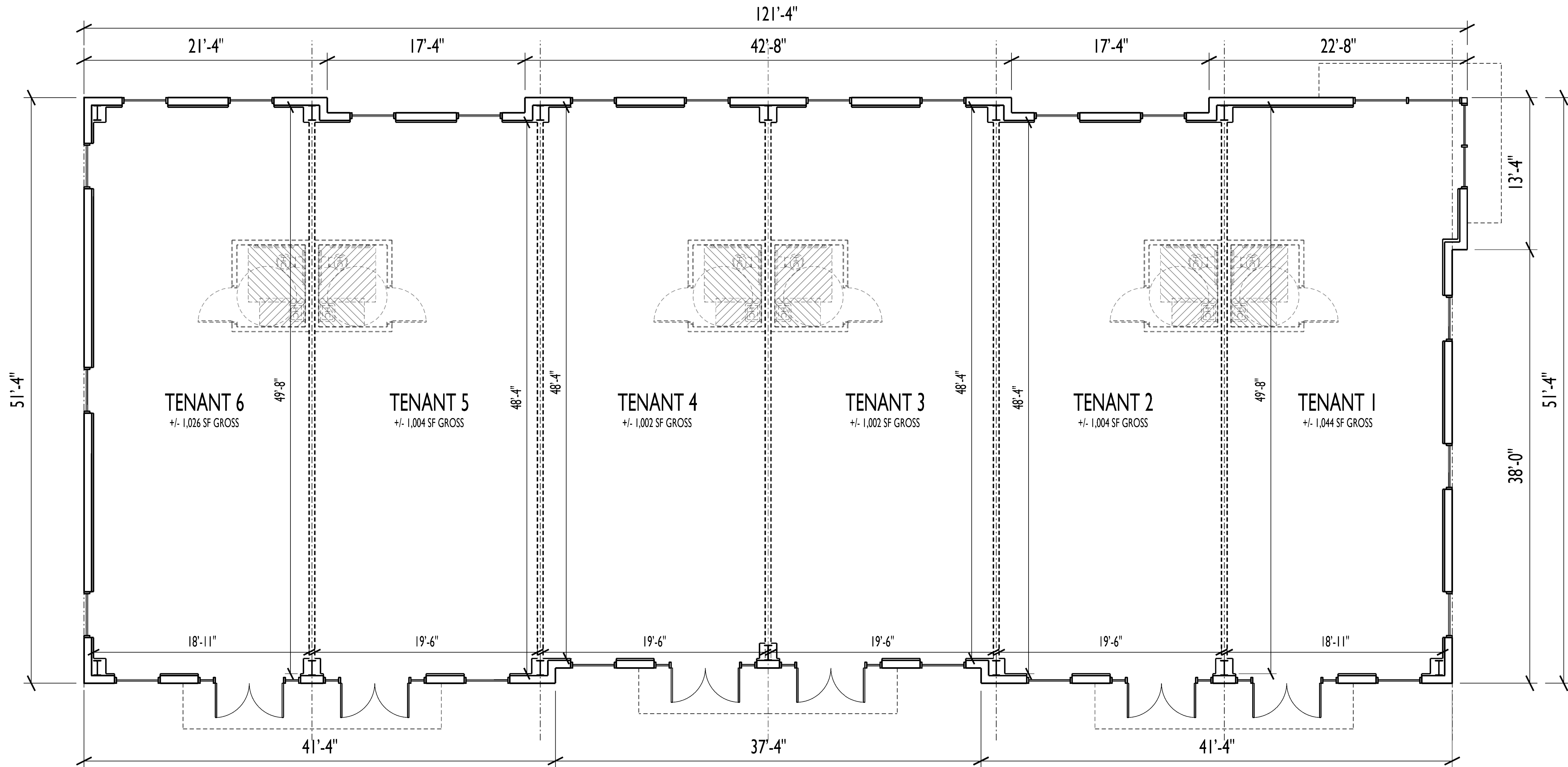
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ENLARGED N & S ELEVATIONS (BLDG B)			
DRAWN BY: TEM	CHECKED BY: DBP & BPF	SHT NO. A-10.3	
DATE: JANUARY 17, 2020			
SCALE: 1/8"=1'-0"			



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RETENTION POND



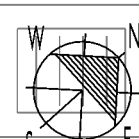
A
A-9.1

PROPOSED FLOOR PLAN

BUILDING B (OFFICE/RETAIL) SCALE: 3/16" = 1'-0"

GROSS AREA CALC	
TENANT 1	1,044 SF
TENANT 2	1,002 SF
TENANT 3	1,004 SF
TENANT 4	1,004 SF
TENANT 5	1,002 SF
TENANT 6	1,026 SF
TOTAL GROSS SF (A/C)	6,082 SF

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BLDG. B PROPOSED PLAN

DRAWN BY: TEM CHECKED BY: DBP & BPF

DATE: JANUARY 17, 2020

SCALE: 3/16"=1'-0"

SHT NO. A-9.1

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NEWKIRK ENGINEERING, INC.

CIVIL ENGINEERING - TRANSPORTATION - CEI - LANDSCAPE ARCHITECTURE

1230 N US HWY 1, SUITE 3, ORMOND BEACH, FLORIDA 32174 386-872-7794

February 25, 2020

Gwen Perney
Community Development
 1000 City Center Circle
 Port Orange, FL 32129

Re: Neighborhood Meeting Summary for All Aboard Storage – 1763 Taylor Road
 City Case No.: 19-65000003

Dear Ms. Perney,

The following is a summary of the meeting that occurred **Monday, February 24th, 2020 at 6:30pm-8:30pm** that was held in the Crane Lakes Ballroom, 1850 Crane Lakes Blvd., Port Orange, FL.

Please see the below summary of meeting substance as well as the attached sign in sheets. 128 Neighbors signed-in, however more were counted by the HOA President during the meeting. The Applicant, Andy Clark, and Cody Bogart from NEI were also in attendance.

Meeting Summary:

- Joe Peterson, HOA President, gave an introduction of the project and explained the purpose and scenario of the meeting.
- Andy Clark then took over and explained the history of his company and spelled out his personal and business goals for his company. Andy explained his vision for this property and what it would offer to the surrounding community.
- Cody Bogart with NEI gave a breakdown of the current status of the project and walked through the entire application and review process that had already occurred and what the project's next steps would be after the Neighborhood Meeting. Cody then gave an overview of the project's information (buffers, roadway improvements, building descriptions, phasing, etc.)
- The room was then asked for any concerns and questions. Attendees had the option to write questions and concerns on notecards to be read aloud by Andy and Cody or they could ask for the microphone and ask openly. Below are the questions and concerns addressed as well as the responses that were given:
 - **Concern:** What will the buffer look like now and after any future widening of Taylor Road?
 - **Response:** In the existing conditions, an 81-foot minimum building setback is given (104-feet off edge of pavement). When the widening of Taylor Road occurs, a minimum 25-foot building setback (estimated 40-feet+ off the edge of pavement) will be maintained. Buffers will be planted, and any existing vegetation is to be kept and minimally cleared to be aesthetically pleasing.
 - **Concern:** How much traffic will this site create and how will that increase traffic be mitigated?
 - **Response:** A full traffic impact analysis is currently being conducted to find the most accurate data for this section of Taylor Road. In this report, Lassiter Transportation Group will determine the trips generated in the maximum buildout scenario, existing buildout scenario, and the proposed buildout scenario to compare impacts for different uses and densities. The report will contain specific short- and long-term improvements that could be made to help with existing capacity issues today and further increase capacity in the future. Andy Clark stated that he would be conducting trip counts at his existing sites to show that his storage facilities do not generate large amounts of traffic. Andy is obligated to improve the signal at Crane Lakes Blvd and add or lengthen any turn lanes for this intersection from direct impacts from his

project. Fair Share Agreements can also be made for any improvements down or upstream of this location to help city-wide traffic issues.

- o **Concern:** What are the intended hours of operation and how will security be ensured?
- o **Response:** The proposed storage buildings are placed to act as a wall. Besides the proposed access gate and some additional wall/fence that connects the gate to the nearest building, the entire storage area is enclosed. Operating hours are Monday thru Saturday, 8am-6pm, and access is available 7 days a week from 6am to 10pm. Internal and External camera surveillance will monitor movement through the building and around the site. The gate will be time locked and require secure credentials or employee permission to gain access. Doors and unit access will include manual and electronic locks with similar credential access restrictions.

- o **Concern:** A three story building would be a large “eye-sore” in this area, what will this building look like? It is hard to visualize the color chips on the provided elevations; can a 3D model be made to show the view of the proposed buffer and building?
- o **Response:** [Architectural Elevations were provided along with color chips] A 3D rendering is outside of NEI’s scope, but Andy will investigate the possibility of having one created. The proposed plan currently does show a 3-story building, however, discussions with Andy have been leaning toward a 2-story building to avoid the eye-sore look and to avoid any over-building. This building is also proposed as multi-storied to block the view of RV’s, Boats, and other large vehicles being stored from Taylor Road. Like other new storage facilities, these are becoming more and more modernized and tend to fit in better with their surroundings. Andy’s goals with his existing facilities around Volusia County are to upgrade appearances of the storage units and the entire shopping plaza some of them are located in. All Aboard Storage is one of the leaders in modernizing the storage facility business.

- o **Concern:** Since there will need to be improvements made to Taylor Road and it is a large site to construct, what is the best estimated duration of construction?
- o **Response:** We are currently waiting on the Traffic Analysis and once that is completed, any changes or improvement that are recommended will be incorporated into the CDP. With staff approval, we will be able to go to the first Planning Board Meeting (March 24th Earliest). Assuming a first ruling of recommendation of the project we will then be scheduled for City Council and a vote will be cast. If approved, we would be required to do full site design application and review with the city, county and any other jurisdictional authority. We would hope and anticipate groundbreaking before the end of 2020 and construction to last until the end of 2021.

This summary shall be included in any resubmittal of the project mentioned in the subject line. All application materials shall be turned in with the submittal.

Additional correspondence with the HOA (Contact: Margaret “Peg” Smith) is anticipated regarding additional comments, request for more information, or timeline of the project. NEI will communicate and file any and all information exchanged.

If you have any questions or need additional information, please feel free to call or email me.

Sincerely,



Cody Bogart, EI
Newkirk Engineering, Inc.
(386) 872-7794 - cody@newkirk-engineering.com



STAFF REPORT

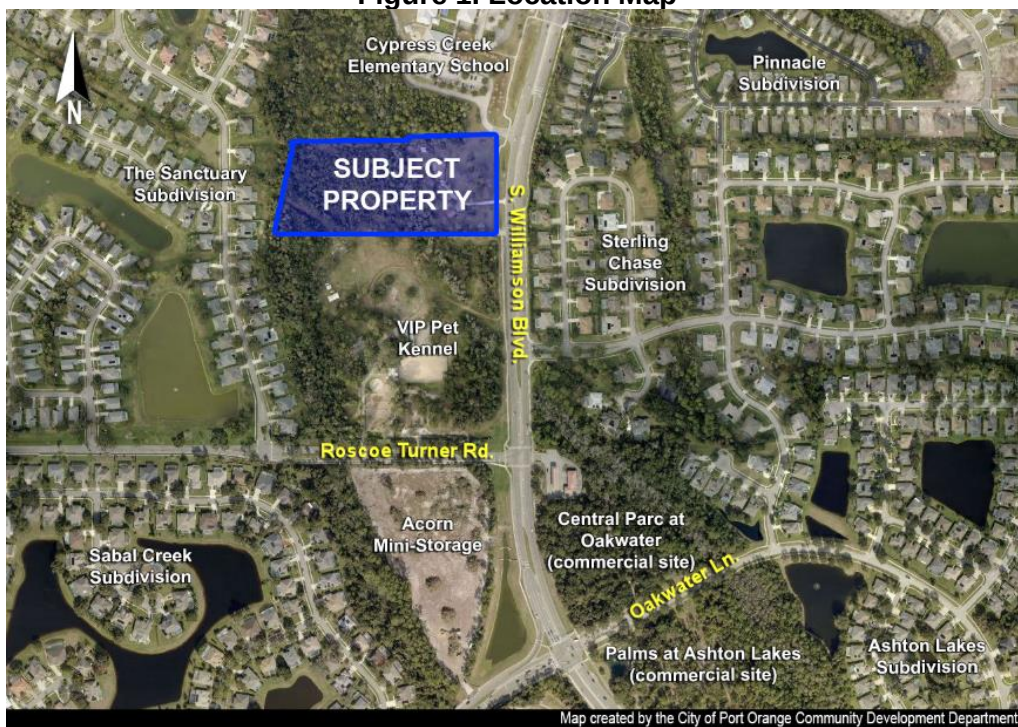
Small-Scale Future Land Use Map Amendment/
Thrive Church
CASE NO. 20-20000001

REQUEST:	Change the Comprehensive Plan Future Land Use (FLU) designation for ± 8.2 acres from Volusia County <i>Urban Low Intensity</i> (0.2-4 units/acre) to City of Port Orange <i>Rural Transition</i> (0-2 units/acre).
LOCATION:	6156 Williamson Boulevard
OWNER:	Reta B Walker Rev Trust
APPLICANT:	Thrive Community Church, Inc.
STAFF CONTACT:	Penelope Cruz, Planning Manager (386) 506-5671
STAFF RECOMMENDATION:	Approval
PLANNING COMMISSION:	May 28, 2020

INTRODUCTION

Thrive Community Church, Inc., applicant, requests approval to change the Future Land Use (FLU) designation of ± 8.2 acres from Volusia County *Urban Low Intensity* (0.2-4 units/acre) to City of Port Orange *Rural Transition* (0-2 units/acre). The subject property is located on the west side of Williamson Boulevard, south of Cypress Creek Elementary School (see Figure 1). If approved, the applicant intends to request the subject property be rezoned to Government/Public Use (GPU) to allow the development of a house of worship along with a fellowship hall.

Figure 1. Location Map



Map created by the City of Port Orange Community Development Department

Future Land Use Element Policy 2.1.4 in the City's Comprehensive Plan recognizes that public/institutional uses are acceptable in a wide range of the City's Future Land Use designations, and on isolated properties where appropriate. The *Rural Transition* FLU designation is proposed in order to ensure that only residential uses or an approved public/institutional use could be developed on the subject property.

In this case, the use of the proposed residential FLU designation for the development of a house of worship on the subject property is appropriate because the subject property is accessible from Williamson Boulevard (arterial roadway), the adjacent properties to the north and south of are non-residential uses (Cypress Creek Elementary and VIP Pet Kennel), and the size of the property allows for a sufficient buffer (landscape & fence) to be installed adjacent to the residential uses. The characteristics of the subject property that support the proposed residential FLU designation for the development of a house of worship are similar to other properties in Port Orange developed with a house of worship use with a residential FLU, such as High Point Church at 1495 Herbert St., Chapel of Faith at 633 Herbert St., and the future site of Christ the King Church at 6015 Spruce Creek Rd.

DISCUSSION

The following discussion examines the proposed amendment, impacts of the proposed amendment, and existing environmental conditions.

PROPERTY OVERVIEW

The subject parcel is currently developed with a single-family home with access to Williamson Boulevard, a Volusia County maintained arterial road. The subject parcel abuts Cypress Creek Elementary to the north, VIP Pet Kennel to the south, and residential single-family subdivision (Sanctuary on Spruce Creek) to the west and Williamson Boulevard and residential single-family subdivision (Sterling Chase) to the east. The surrounding existing land uses, Future Land Use designations, and Zoning classifications are identified in Table 1.

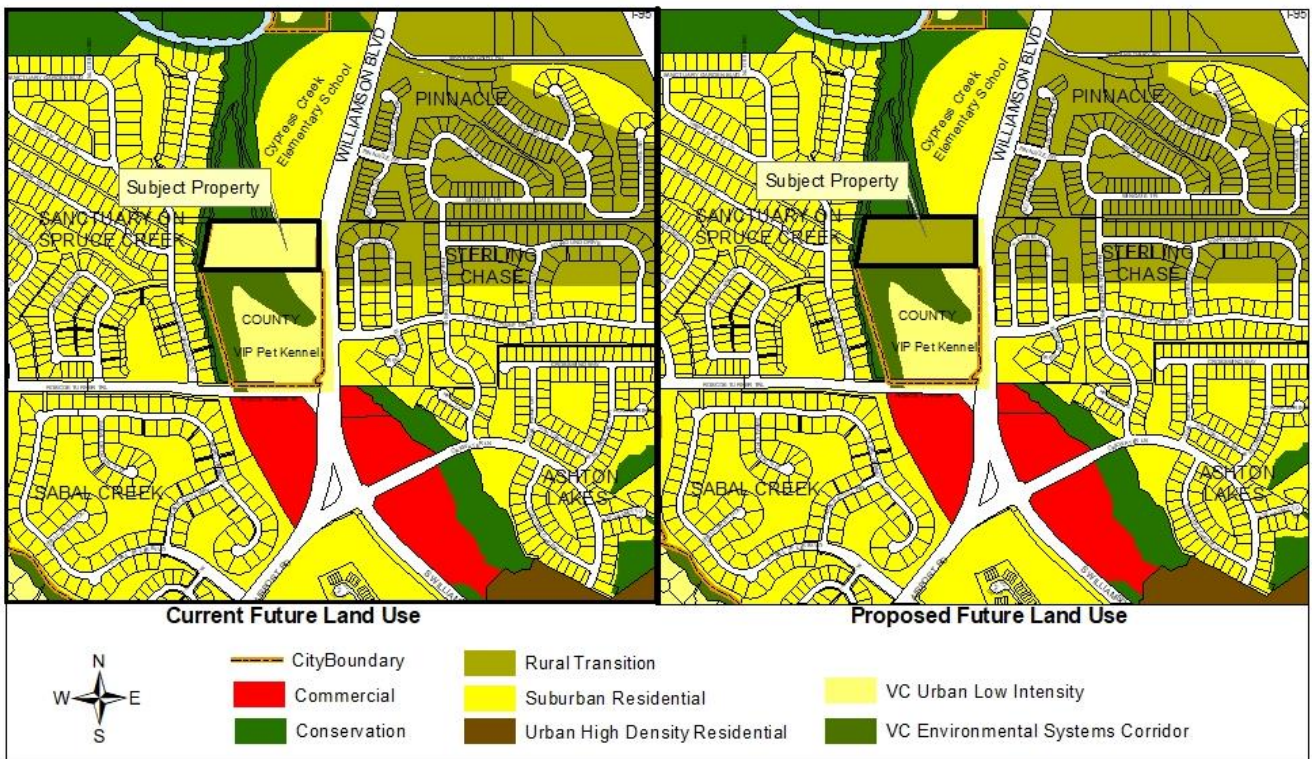
Table 1. Surrounding Land Uses and Zoning

Direction	Existing Land Use	FLU Designation	Zoning District
North	Cypress Creek Elementary	PO <i>Suburban Residential</i> (2-4 units/acre) and <i>Conservation</i>	PO Agriculture; PO Sanctuary on Spruce Creek Planned Unit Development (PUD)
South	VIP Pet Kennel	VC <i>Urban Low Intensity</i> (0.2-4 units/acre); <i>Environmental Systems Corridor</i>	VC A-2 (Rural Agriculture); Resource Corridor (RC)
East	Williamson Blvd. right-of-way and Sterling Chase single-family residential subdivision	PO <i>Rural Transition</i> (0-2 units/acre)	PO Planned Unit Development (PUD)
West	Sanctuary on Spruce Creek single-family residential subdivision	PO <i>Suburban Residential</i> (2-4 units/acre) and <i>Conservation</i>	PO Planned Unit Development (PUD)

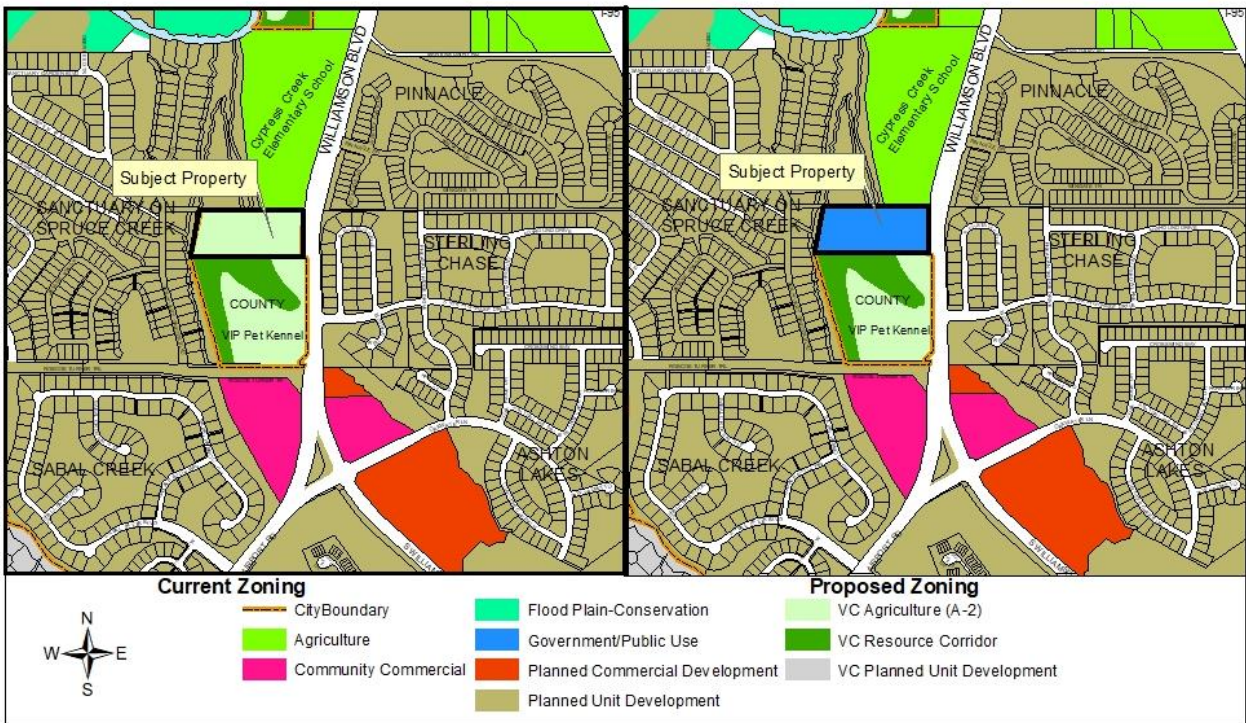
VC – Volusia County and PO – Port Orange

The current FLU designation for the subject property and adjacent properties and the proposed FLU designation for the subject property is identified in Figure 2. According to the Volusia County Comprehensive Plan, the current FLU designation [Volusia County *Urban Low Intensity* (0.2-4 units/acre)], is primarily a residential designation but may also allow neighborhood commercial convenience uses, individual office buildings, and public school or daycare development as transitional uses. The proposed *Rural Transition* FLU designation ensures the development of subject property with either residential or public/institutional uses.

Figure 2. Current and Proposed FLU Map



The current zoning classification of the subject property and adjacent properties and the proposed zoning classification of the subject property are identified in Figure 3.

Figure 3. Current and Proposed Zoning Map**PROPOSED AMENDMENT**

The proposed amendment is to change the FLU designation for ±8.2 acres from Volusia County *Urban Low Intensity* (0.2-4 units/acre) to City of Port Orange *Rural Transition* (0-2 units/acre). The following tables identify the current adopted and proposed FLU designations by acreage (Table 2), maximum allowable density/intensity and net change in density/intensity (Table 3).

Table 2. Current & Proposed Future Land Uses – Acreage by Category

FLU Categories	Current FLU (acres)	Proposed FLU (acres)	Net Change in FLU (acres)
VC Urban Low Intensity (0.2-4 units/acre)	8.2	0	-8.2
PO Rural Transition (0-2 units/acre)	0	8.2	+8.2
Total Acreage	8.2	8.2	0

VC – Volusia County and PO – Port Orange

Table 3. Current & Proposed Future Land Uses – Density/Intensity by Category

	Current FLU	Proposed FLU	Net Change in FLU
	[Theoretical Maximum Density (units)]		
VC <i>Urban Low Intensity</i> (0.2 – 4 units/acre)	32 units	0	-32 units
PO <i>Rural Transition</i> (0-2 units/acre)	0	16 units	+16 units
TOTAL	32 units	16 units	-16 units

VC – Volusia County and PO – Port Orange

INFRASTRUCTURE IMPACT ASSESSMENT

In accordance with standard practice from the Florida Department of Economic Opportunity (DEO) and other review agencies, an impact comparison analysis of the proposed amendment has been completed based upon the *theoretical maximum* development potential under the current Future Land Use designation versus the designation proposed. The following seven public facilities and services were examined:

- | | |
|-------------------|------------------------|
| 1. Transportation | 5. Stormwater Drainage |
| 2. Sanitary Sewer | 6. Recreation |
| 3. Potable Water | 7. Schools |
| 4. Solid Waste | |

Table 4. Impact Analysis (Theoretical Max.)

DEVELOPMENT VARIABLE	CURRENT LAND USE	PROPOSED LAND USE	NET CHANGE
Residential Units	32	16	-16
Population ¹	72	36	-36
PM Peak Hour Trips/Daily Trips ²	33/305	16/152	-17/-153
Sanitary Sewer (gallons/day) ³	5,120	2,560	-1,040
Potable Water (gallons/day) ⁴	5,760	2,880	-5,760
Solid Waste (lbs./person/day) ⁵	231	51	-180
Stormwater Drainage ⁶	n/a	n/a	n/a
Recreation/Open Space ⁷ (acres)	0.5	0.1	-0.4

Table 4 Notes:

1. Population: 2.25 persons per household (per 2010 Census)
2. Transportation: Single-family (210) 1.02 weekday PM peak hour trips per unit and 9.52 weekday daily trips per unit; ITE Trip Generation Manual, 10th Edition
3. Sanitary Sewer: 160 gallons per day per Equivalent Residential Unit; 1/10 gallon per square foot per day of non-residential development
4. Potable Water: 180 gallons per day per Equivalent Residential Unit; 1/10 gallon per square foot per day of non-residential development
5. Solid Waste: 3.21 pounds per person per day; 10 lbs. per 1,000 square feet of non- residential development per day
6. Stormwater Drainage: LOS standard = 25-year, 24-hour event; Drainage system must be designed to meet the requirements of the Land Development Code.
7. Rec. & Open Space: 7 acres/1,000 persons (0.007 acres/person)

Based on the *theoretical maximum* analysis, the proposed amendment results in a net decrease in impacts to public infrastructure and all public infrastructure has available capacity for the proposed amendment. Staff also examined the potential impact to public infrastructure if the site is developed as a house of worship instead of a single-family subdivision development and the anticipated impacts to public infrastructure if the property is developed with a house of worship would still result in a decrease compared to the current Volusia County FLU designation. All future development plans submitted for the subject property will require a detailed technical review by the Staff Development Review Committee (SDRC) to determine all requirements in the Land Development Code

(LDC) are met. As with all development, specific site development proposals for the subject property are subject to concurrency regulations at the time of development requiring transportation facilities to be provided or for the developer to enter into a mitigation agreement for their impacts.

TRANSPORTATION

Based on the *theoretical maximum* analysis, there is a decrease in the number of daily trips and P.M. peak hour trips from the current to the proposed FLU designation. Based on the ITE Trip Generation Manual, 10th Edition, the proposed residential FLU designation could generate a theoretical maximum of 16 P.M. peak hour weekday trips, and 152 daily weekday trips. If the site is developed as a house of worship, the number of P.M. peak hour and daily trips is anticipated to be lower on weekdays, but the vehicular trips generated at certain times on the weekend is anticipated to be greater than a residential subdivision. According to the applicant, the church office would be open from 8:30 am to 3:30 pm Monday-Friday, and Sunday services would be at 9:00 am and 10:45 am. The applicant may also occasionally have some night meetings on weekdays; however, those meetings would typically occur at off-peak hours (after 6pm).

According to the latest traffic counts for Williamson Boulevard and the surrounding road network, there is capacity for traffic estimated to be generated by the future development of this property. The extent of the anticipated impacts on the road network will not be known until the traffic concurrency review is conducted with the final site plan for this site. The City requires the submittal of a traffic study at the time a final site plan is submitted for the development of the proposed house of worship, to fully assess the impacts of the development on the surrounding roadway network at the time of development and to identify any roadway improvements that might be needed. Similar to other developments within this area of the City, the developer may be required to enter into a Transportation Fair-Share and Concurrency Agreement with the City, and possibly Volusia County, to pay for part of the scheduled improvements for the impacted areas. In addition to a possible fair-share payment, the developer of the property may be required to construct mobility improvements to improve capacity and provide alternative modes of transportation along this corridor such as, turn lanes and sidewalks.

SANITARY SEWER

The City has available sewer capacity to accommodate the proposed FLU amendment. The City's adopted LOS standard is 160 gallons per day per Equivalent Residential Unit (ERU) and 1/10 gallon per square foot per day of commercial, industrial, or institutional development. Using these standards, the proposed land use would theoretically generate 2,560 gallons per day (gpd) of wastewater. This is a net decrease between the current and proposed FLU designations.

POTABLE WATER

The City has available potable water capacity (well and Consumptive Use Permit) to serve the proposed FLU amendment. The City's adopted LOS standard is 180 gallons per day per ERU and 1/10 gallon per square foot per day of commercial, industrial, or institutional development. Using these standards, the proposed FLU designation would demand approximately 2,880 gallons of potable water per day based on the theoretical maximum

development analysis, which is a net decrease between the current and proposed FLU designations.

SOLID WASTE COLLECTION

There is available capacity at the landfill to address the City's solid waste disposal needs. Solid waste generated within the City of Port Orange is delivered to the Volusia County landfill, a 3,000-acre Class I landfill with a projected life span to the year 2050. The City's adopted LOS standard for solid waste is 3.21 pounds per person per day and 10 lbs. per 1,000 square feet of non-residential development per day. Using this standard, the proposed FLU designation would generate approximately 51 pounds per day of solid waste based on the theoretical maximum development analysis, which is a net between the current and proposed FLU designations.

STORMWATER DRAINAGE

There is no anticipated impact to the City's drainage system from the proposed land use change. Stormwater management in the City of Port Orange deals with both quality and quantity. The City's adopted LOS standard for stormwater is the 25-year, 24-hour storm event. More specifically, the stormwater facilities must be capable of treating and conveying the runoff from such a storm without causing flooding of adjacent properties or polluting any receiving water bodies. In addition, the Comprehensive Plan and Land Development Code require that there be no net loss of stormwater retention function as a result of development. In other words, a given parcel must have the same ability to store and discharge water after development as it does before development occurs. Any future development of the property will be required to address stormwater retention on the property in accordance with these City standards.

RECREATION AND OPEN SPACE

The proposed FLU designation does not require additional parkland because the proposed FLU designation does not increase residential demand. According to the City's 2019 Concurrency Management Report, the City has an excess of 55 acres of parkland, so no additional parkland is needed.

SCHOOLS

Pursuant to the Volusia County School District criteria, the proposed FLU amendment and any future development of this property is exempt from School Concurrency review because the proposed FLU amendment is a decrease in allowable residential units (see rezoning Case No. 20-60000001).

ENVIRONMENTAL CONDITIONS

The subject property is primarily categorized as a pine flatwoods ecosystem consisting of low, flat topography and dominated by pine trees. The environmental analysis prepared by Biological Consulting Services, Inc. for the subject property states there is about 0.45 acres of wetlands and the possibility of gopher tortoises, but no protected species were observed on site. Any subsequent development on the subject property will be required to comply with all federal, state, regional and local regulations pertaining to the protection, relocation, mitigation, and preservation of gopher tortoises, wetlands and other environmental resources.

REVIEW CRITERIA AND STAFF FINDINGS

1. *The land use proposal is consistent with the goals, objectives, and policies of the adopted Port Orange Comprehensive Plan.*

Staff finding: The proposed FLU amendment is generally consistent with the pertinent Goals, Objectives, and Policies of the City's Comprehensive Plan. The proposed FLU designation is compatible with the adjacent parcels. Adequate capacity exists for portable water, sewer, schools, recreation, and stormwater, and solid waste. As with all development, the specific site development proposals for the subject property will be subject to concurrency regulations requiring adequate public facilities to be provided to mitigate the impacts.

2. *Amendments shall not result in incompatible land use designations for adjacent parcels or a neighborhood. Compatibility shall be determined by scale of development, intensity, density, and type of use, and the juxtaposition of uses.*

Staff finding: The proposed FLU amendment is compatible with the adjacent properties (see Table 1 – page 2). Compatibility is defined in the Comprehensive Plan as a condition in which dissimilar land uses can co-exist in relative proximity to one another in a stable fashion over time, such that neither use is unduly negatively impacted by the other. Although the intended future use of the property is a house of worship, Future Land Use Element Policy 2.1.4 in the City's Comprehensive Plan recognizes that public/institutional uses are acceptable in a wide range of City Future Land Use designations, and on isolated properties where appropriate, as determined by staff. In this case, the use of the proposed residential FLU designation for the development of a house of worship on this property is appropriate because the site is accessible from Williamson Boulevard (arterial roadway), the adjacent properties to the north and south of are non-residential uses (Cypress Creek Elementary and VIP Pet Kennel), and the size of the property allows for a sufficient buffer (landscape & fence) to be installed adjacent to the residential uses. The characteristics of the subject property that support the use of the proposed residential FLU designation for the development of a house of worship are similar to other sites in Port Orange developed with a house of worship use with a residential FLU, such as High Point Church at 1495 Herbert St., Chapel of Faith at 633 Herbert St., and the future site of Christ the King Church at 6015 Spruce Creek Rd.

3. *An amendment shall not result in negative economic, social, or other impacts to the City of Port Orange.*

Staff finding: The proposed amendment would result in a decrease in impacts to public facilities, infrastructure and services. The detailed use-specific concurrency analysis will be conducted as part of any future proposed development. As with all development, a specific site plan or subdivision will be subject to concurrency regulations requiring adequate public facilities to be provided to mitigate impacts.

4. *Whether the amendment increases the clearance time for evacuation of the population in the Hurricane Vulnerability Zone above twelve hours.*

Staff finding: The subject property is not located within the Hurricane Vulnerability Zone and will not have any negative impact on the clearance time for evacuation of the population in the Hurricane Vulnerability Zone.

5. *Whether the amendment discourages the proliferation of urban sprawl.*

Staff finding: The proposed amendment will not encourage sprawl. The amendment area is surrounded by existing development, with access to existing infrastructure.

PUBLIC NOTICE

On February 14, 2020, staff posted the property notifying the public of the proposed amendment. The proposed amendment has also been advertised in the News-Journal pursuant to Florida Statutes. As of the time this agenda item was prepared, staff has not received any inquiries regarding the proposed amendment.

STAFF RECOMMENDATION

Staff recommends approval of the request to change the Future Land Use designation of ±8.2 acres from Volusia County *Urban Low Intensity (0.2-4 units/acre)* to City of Port Orange *Rural Transition (0-2 units/acre)*, and authorization for staff to send the amendment to the required review agencies.



STAFF REPORT

CASE NO. 20-60000001

Rezoning/Thrive Community Church
6156 Williamson Boulevard

REQUEST:	Rezone ±8.2 acres from Volusia County Rural Agriculture (A-2) to City of Port Orange Government/Public Use (GPU)
LOCATION:	6156 Williamson Boulevard
OWNER:	Reta B Walker Rev Trust
APPLICANT:	Thrive Community Church, Inc.
STAFF CONTACT:	Penelope Cruz, Planning Manager (386) 506-5671
STAFF RECOMMENDATION:	Approval
PLANNING COMMISSION:	May 28, 2020

INTRODUCTION

Thrive Community Church, Inc., applicant, requests approval to rezone ±8.2 acres from Volusia County Rural Agriculture (A-2) to City of Port Orange Government/Public Use (GPU). The subject property is located on the west side of Williamson Boulevard, south of Cypress Creek Elementary School (see Figure 1). If approved, the applicant intends to submit a site plan for the development of a house of worship and a fellowship hall on the subject property.

Figure 1. Location Map



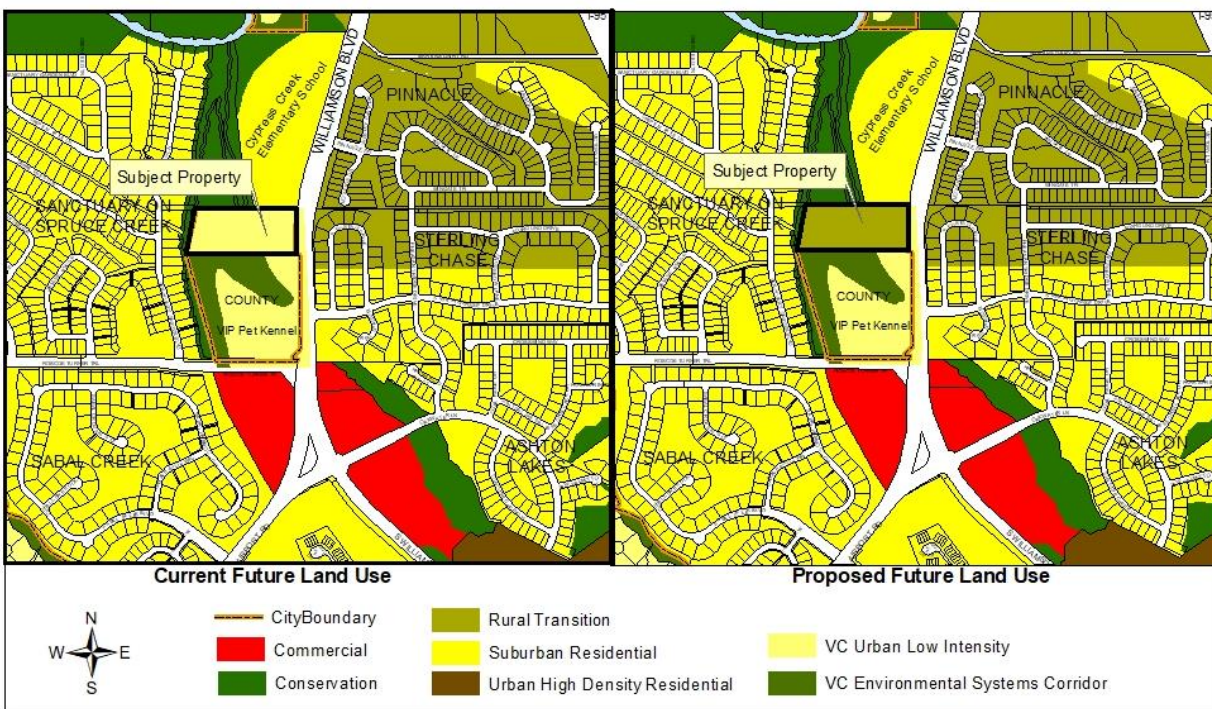
DISCUSSION

The rezoning request was reviewed according to the criteria established in Chapter 3, Section 5 of the Land Development Code (LDC) in terms of consistency with the Comprehensive Plan and consistency with the surrounding land uses and zoning.

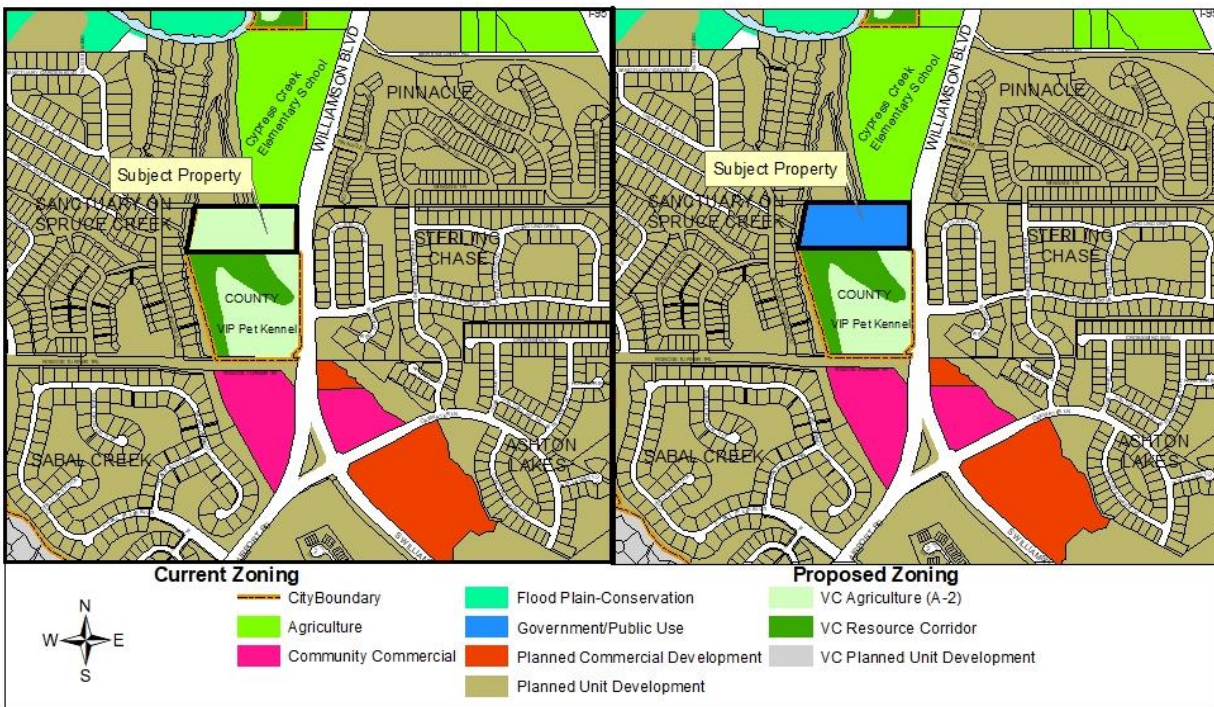
Access to the property will be from Williamson Boulevard (Volusia County maintained arterial roadway) and Port Orange water and sewer is available to serve the property. All future development plans submitted will require detailed technical review by the Staff Development Review Committee (SDRC) to determine all requirements in the Land Development Code (LDC) are met. As with all development, specific site development proposals for the subject property are subject to concurrency regulations at the time of development requiring transportation facilities to be provided or for the developer to enter into a mitigation agreement for their impacts.

The current FLU designation for the subject property and adjacent properties and the proposed FLU designation for the subject property is identified in Figure 2.

Figure 2. Current and Proposed FLU Map



The current zoning classification of the subject property and adjacent properties and the proposed zoning classification of the subject property are identified in Figure 3.

Figure 3. Current and Proposed Zoning Map**COMPATIBILITY WITH SURROUNDING USES AND ZONING**

The subject parcel is currently developed with a single-family home with access to Williamson Boulevard, which is an arterial road. The subject parcel is surrounded by Cypress Creek Elementary to the north (a public/institutional use), VIP Kennel to the south (non-residential use), a residential single-family subdivision to the west, and Williamson Boulevard and a residential single-family subdivision to the east. The surrounding existing land uses, Future Land Use designations, and Zoning classifications are identified in Table 1.

Table 1. Surrounding Land Uses and Zoning

Direction	Existing Land Use	FLU Designation	Zoning District
North	Cypress Creek Elementary	PO <i>Suburban Residential</i> (2-4 units/acre) and <i>Conservation</i>	PO Agriculture; PO Sanctuary on Spruce Creek Planned Unit Development (PUD)
South	VIP Pet Kennel	VC <i>Urban Low Intensity</i> (0.2-4 units/acre); <i>Environmental Systems Corridor</i>	VC A-2 (Rural Agriculture); Resource Corridor (RC)
East	Williamson Blvd. right-of-way and Sterling Chase single-family residential subdivision	PO <i>Rural Transition</i> (0-2 units/acre)	PO Planned Unit Development (PUD)
West	Sanctuary on Spruce Creek single-family residential subdivision	PO <i>Suburban Residential</i> (2-4 units/acre) and <i>Conservation</i>	PO Planned Unit Development (PUD)

VC – Volusia County and PO – Port Orange

The GPU district is intended to provide for public and quasi-public uses in a setting which recognizes the special character and location requirements of such facilities. The proposed GPU zoning is appropriate for this property as it is located along Williamson Boulevard (Volusia County maintained arterial roadway), the adjacent properties (north and south) are non-residential uses (Cypress Creek Elementary and VIP Pet Kennel), and the size of the property is able to provide a sufficient buffer (landscape & fence) to the adjacent residential use located west of the subject property. As shown on the zoning map (Figure 3), rezoning to GPU will establish a transition zoning designation appropriate between residential and non-residential properties. The requested zoning and proposed house of worship and fellowship hall uses will establish a transition between higher intensity uses located at the commercial node at the intersection of Williamson Blvd./Oak Water Ln./Airport Rd. and residential uses (single-family).

According to the applicant, the church office is anticipated to be open from 8:30 am to 3:30 pm Monday-Friday, and Sunday services are anticipated to be at 9:00 am 10:45 am. The primary use of the property will be on Sunday mornings. The church may occasionally have some night meetings on weekdays; however, those meetings would typically occur at off-peak hours. The applicant also states that the fellowship hall is only intended to be used for church events, weddings, and funerals. In developing the site, adequate parking, access, and buffers will be required according to the requirements in the Land Development Code.

CONSISTENCY WITH COMPREHENSIVE PLAN

The proposed zoning will be consistent with the proposed Future Land Use (FLU) designation (see Case No. 20-20000001) for the property of *Rural Transition* (0-2 units/acre. Future Land Use Element Policy 2.1.4 in the City's Comprehensive Plan recognizes that public/institutional uses are acceptable in a wide range of the City's Future Land Use designations, and small isolated properties such as the subject property may be designated under any Future Land Use land use category where appropriate. The *Rural Transition* FLU designation is proposed in order to ensure that only residential uses or an approved public/institutional use could be developed on the subject property. Based on compatibility with adjacent zoning districts, access to an arterial roadway, and availability of infrastructure, and ability to sufficiently buffer to adjacent uses the Administrative Official has determined that the proposed uses (house of worship and fellowship hall) and requested zoning are appropriate at this location and consistent with the proposed FLU designation.

PUBLIC NOTICE

On February 14, 2020, staff posted the property notifying the public of the proposed amendment. As of the time this agenda item was prepared, staff has not received any inquiries regarding the proposed amendment.

STAFF RECOMMENDATION

Staff recommends approval of the request to rezone ±8.2 acres from Volusia County Rural Agriculture (A-2) to City of Port Orange Government/Public Use (GPU).



STAFF REPORT

4th Amendment to the MDA & CDP for the Home Depot PCD

CASE NO. 20-40000001

REQUEST:	Amend the Master Development Agreement (MDA) and Conceptual Development Plan (CDP) for the Home Depot Planned Commercial Development (PCD)
LOCATION:	1551 Dunlawton Avenue (Figure 1 – Location Map)
OWNER:	The Home Depot
APPLICANT:	Kimley-Horn & Associates, Inc.
STAFF RECOMMENDATION:	Approval
STAFF CONTACT:	Briana Conlan-King, Senior Planner (386) 506-5676
PLANNING COMMISSION DATE:	May 28, 2020

DISCUSSION

The proposed 4th Amendment to the Home Depot Planned Commercial Development (PCD) Master Development Agreement (MDA) and Conceptual Development Plan (CDP) is to modify the current MDA related to outdoor storage and display of merchandise, establish requirements for the storage/display of rental equipment and vehicles, identify the general area for the expansion of the building, and provide flexibility for the City's use of the City electronic message sign at City Center Parkway entrance. If approved, Home Depot intends to revise their site plan to identify locations for storage and display of merchandise and rental equipment and vehicles and expand the store to add a tool rental center.

Figure 1. Location Map

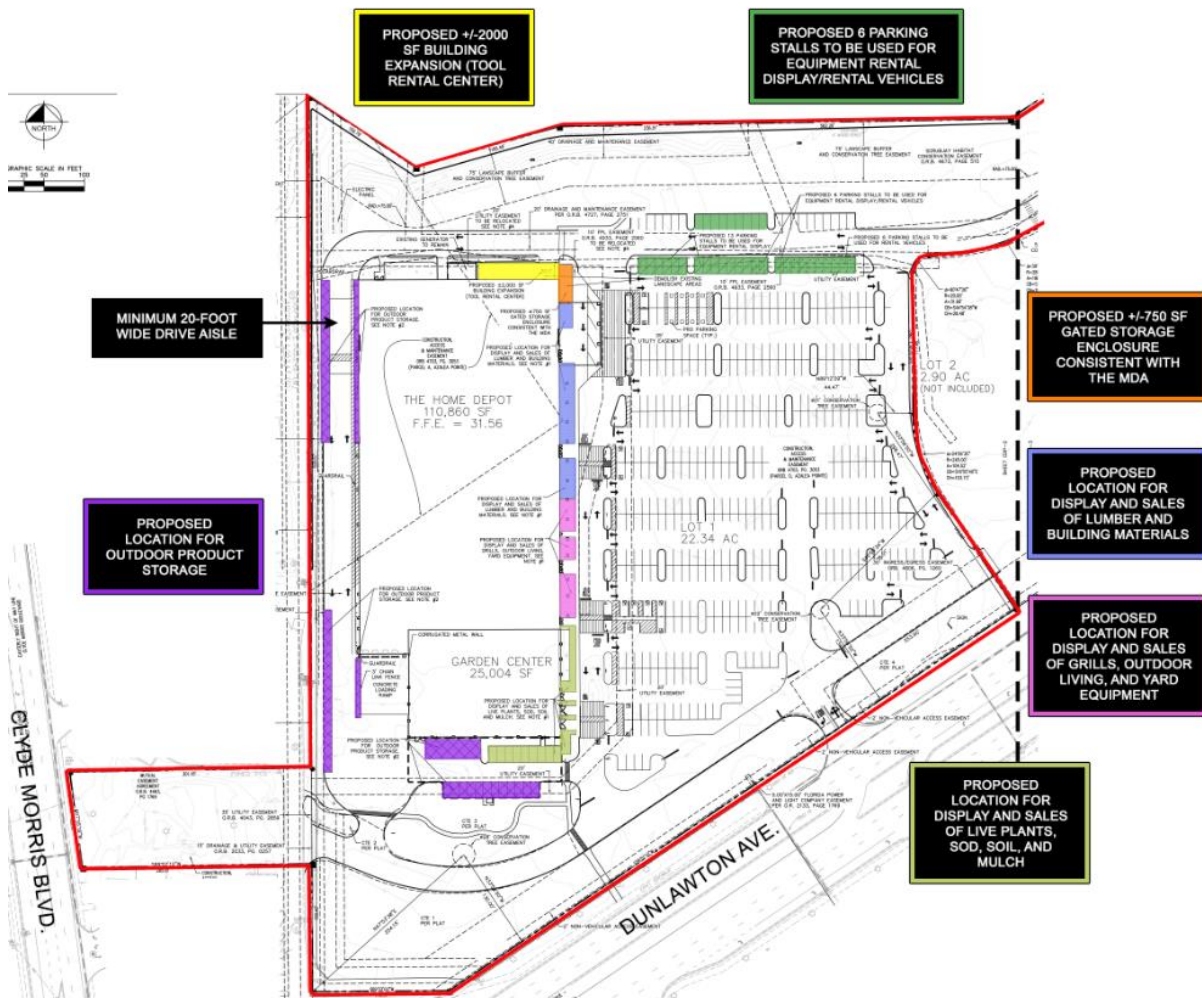


During a recent Commercial Property inspection conducted by Code Enforcement, Home Depot was notified that storage of merchandise and landscape material in the parking lot between the garden center and Dunlawton Avenue, and storage and display of lawn furniture, mowers, grills, plants, landscape material, trailers, lumber and seasonal items, etc. along the front of the store did not comply with the Home Depot MDA or the Land Development Code (LDC).

Over the past few years, the outdoor display and storage of merchandise in the front of the store, and storage along the side and rear of the store has expanded to areas not permitted in the MDA or the Home Depot Site plan. The current Home Depot MDA states that Home Depot is not permitted to have outdoor display and storage, except for seasonal sale items, which is solely identified as plant materials.

The Land Development Code (LDC) allows commercial uses to display landscape and garden supplies, lumber and building materials, outdoor recreational equipment, lawn equipment, and large equipment and motor vehicles in designated areas approved for such display on an approved site plan. In 2000, the Home Depot site plan was approved without any areas for outdoor display of merchandise and storage (Figure 2). As part of the site plan modification the applicant intends to submit this summer, the Staff Development Review Committee (SDRC) will review and verify compliance with the requirements in the MDA, LDC, Florida Building Code and National Fire Code.

Figure 2. Conceptual Development Plan Showing Proposed Outdoor Display/Storage Areas



PROPOSED AMENDMENT

If approved, the 4th Amendment to the Home Depot MDA and CDP will provide the framework to establish areas for outdoor storage/display of merchandise, areas for storage/display of rental of equipment and vehicles, building expansion area, and updates the code requirements for the City's electronic message sign at City Center entrance. The proposed changes to the MDA and CDP are as follows:

Outdoor Display of Merchandise

The current Home Depot MDA does not permit any outdoor display and storage, except for season sale items, which is identified solely as plant materials. Therefore, the landscape and garden supplies, outdoor recreational equipment, and lawn equipment, the display of merchandise under the lumber entrance/exit, main entrance/exit overhangs, storage of materials along the side between the garden center and Dunlawton Avenue, and stored in front of the garden center is currently not allowed by the current MDA.

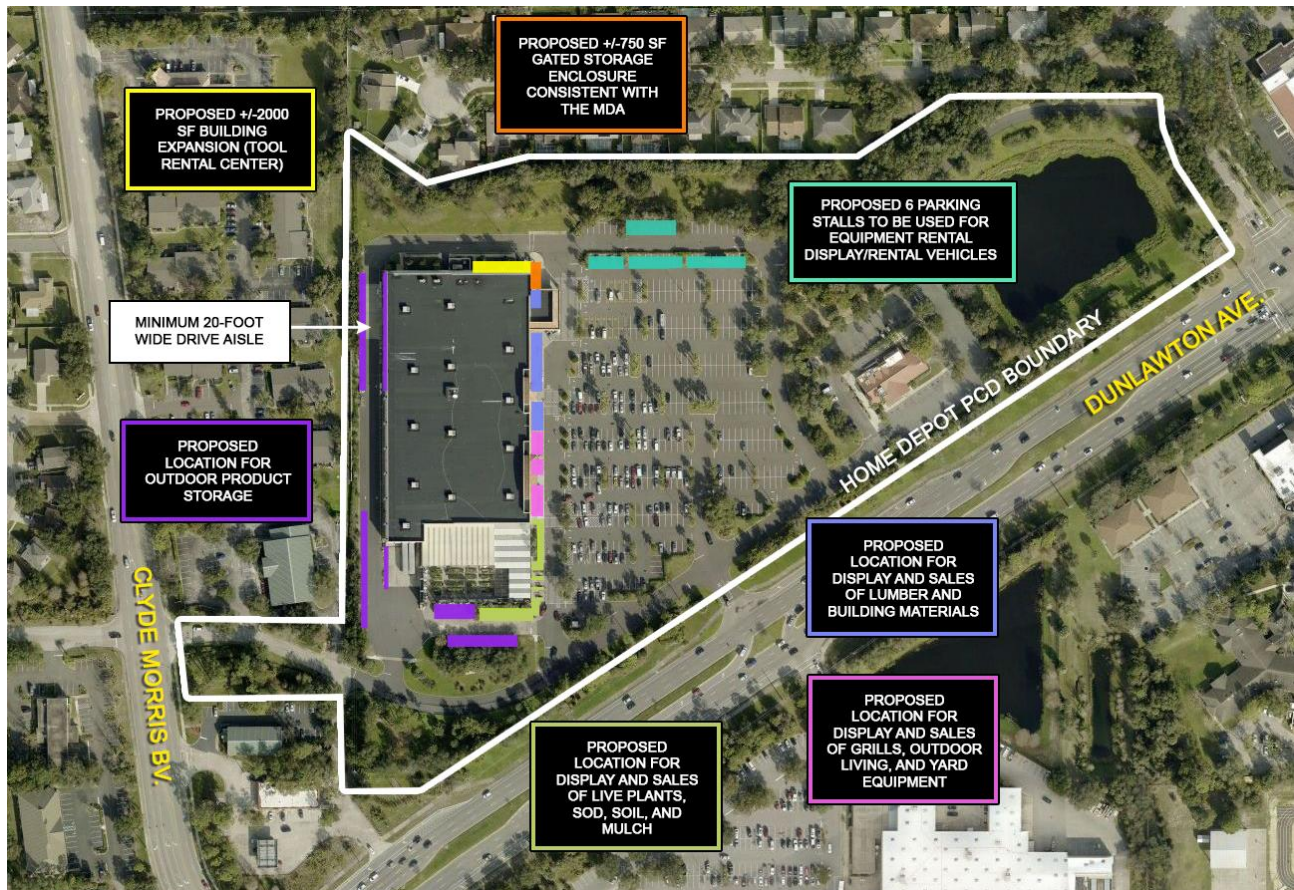
The Land Development Code (LDC) allows commercial uses to display landscape and garden supplies, lumber and building materials, outdoor recreational equipment, and lawn equipment in designated areas approved for such display on an approved site plan. However, the LDC does restrict the number of products that are customarily used outdoors such as pools, spas, lawn furniture, concrete fixtures and other similar items to only one product or model.

As part of the proposed amendment, the applicant is requesting to amend the MDA to comply with the requirements in the LDC to designated areas for outdoor storage and display of merchandise, and rental equipment and vehicles, and allow the display of the same product or model for merchandise such as lawn furniture, grills, propane tanks, etc. without a limit of one product or model. The following would be amended:

1. Allow outdoor display of landscape and garden supplies, lumber and building materials, outdoor recreational equipment, and lawn equipment as required in the LDC for commercial uses;
2. Allow display of merchandise such as lawn furniture, grills, propane tanks, trailers etc. and not limited to one of any one product or model. Allowing the display of multiple models of a product will make it easier for customers to view, purchase and load bulky merchandise items that may be difficult to move. This request is a deviation from the LDC requiring approval from the Planning Commission and City Council. An MDA amendment was recently approved for Lowe's in November 2019, addressing a similar request to display merchandise along the front of the store; and
3. Allow display of large equipment and vehicles that can be rented by customers in a limited area on the site. The proposed large equipment and vehicle rental area will occupy 25 parking spaces along the northern portion of the parking lot. According to the applicant, Home Depot is expanding their services to customers and contractors to include the rental of equipment (e.g. Tractor Loader Backhoe, Skid Steer, Mini Excavator, Aerial Equipment, Light Tower, Material Handling, Dump Trailer, Tree Care (Chipper Rental/Stump Grinder), Mini Skid Steer, Trencher, etc.) and vehicles (e.g. pickup trucks, flatbed trucks, box truck) so customers and contractors can purchase and rent materials and equipment necessary to complete home improvement jobs to larger commercial/residential jobs. According to Home Depot, the Port Orange store will be the first store in this area to provide this service. Home Depot has included equipment rental services at locations in Altamonte Springs and Port St. Lucie. Staff evaluated the required parking for the site and the equipment and vehicle rental display area will not make the site deficient in the number of parking spaces required by the LDC. The proposed location

and configuration of the equipment and vehicle rental area is parallel to the drive aisle abutting the Azalea Pointe subdivision and will be screened by the existing six-foot screen wall and landscaping along the rear property line, and the Dunlawton Avenue landscape buffer will screen this area from Dunlawton Avenue. To ensure that the equipment and vehicle rental area is screened from the adjacent properties and roadways, additional landscaping may be required. As part of the site plan modification, the Staff Development Review Committee (SDRC) will review and verify compliance with the requirements in the LDC, including screening of the rental area from the adjacent properties and roadways.

Figure 3. Aerial Showing Proposed Outdoor Display/Storage Areas



Building Expansion (Tool Rental Center)

The proposed amendment identifies the general location for the expansion of $\pm 2,000$ square feet to the existing retail store to create a tool rental center. The future expansion to the existing Home Depot will be located on the north side of the building. The addition of a tool rental center is for smaller tools for household or commercial use (e.g. handheld power tools, generators, drills and drivers, pressure washers, chainsaw, augers, lawn mowers, etc.). The proposed building expansion will be required to comply with all applicable MDA, LDC, Florida Building Code and National Fire Code requirements. The proposed addition will meet all dimensional and architectural requirements in the MDA and will not impact the current drive aisles and landscape buffers.

As part of the tool rental center expansion to the building, there will also be a +/-750 square foot outdoor storage area consisting of black steel fencing with opaque screening fabric and concrete masonry columns. The outdoor storage enclosure will match the existing garden

center and will be located along the front of the store near the lumber yard entry/exit. The applicant has proposed that the outdoor tool rental center expansion incorporate the same aesthetics as the existing garden center, creating a uniform look from the front and side of the store.

City Identification Sign Easement

The proposed amendment updates the MDA text regarding the existing electronic message sign to remove the limitation on the sign being a two-line electronic reader board and allow the sign to be redesigned in accordance with the LDC. The City plans to update the LDC to allow for LED signage for public properties enabling enhanced signage and communication to the general public. The amendment also provides for an expansion to the existing 50'x60' easement at the southeast corner of the Home Depot property to 60'x70' for easier maintenance by the City of the electronic message sign and landscaping. The proposed easement will give the City control to maintain and replant the landscaping at the corner of Dunlawton Avenue and City Center Parkway since this area is at the entrance to the City Center complex.

CONSISTENCY WITH THE COMPREHENSIVE PLAN

The subject property is designated *Commercial* on the City's Future Land Use (FLU) Map. The original PCD zoning district and MDA were found to be consistent with the City's Comprehensive Plan when it was approved in 2000. The proposed amendment does not change the FLU designation for the PCD property and is consistent with the general intent of the Comprehensive Plan.

PUBLIC NOTICE

A Public Notice sign was posted on the site on February 28, 2020. At the time this item was prepared, staff has received three (3) phone call requesting general information regarding the proposed amendment. Information on the proposed amendment was given to each caller, and there were no further requests for information.

SUMMARY OF POLICY CONSIDERATIONS

As part of its review of the amendment proposal, the Planning Commission and City Council will need to consider the following deviation from the LDC:

1. Allow display of products customarily used out of doors (e.g. lawn furniture, grills, propane tanks, etc.) to not be limited to one of any one product or model.

RECOMMENDATION

The Staff Development Review Committee (SDRC) has reviewed this proposal and recommends approval of the 4th Amendment to the Home Depot PCD Master Development Agreement and Conceptual Development Plan, subject to:

1. Approval of the one (1) Policy Consideration; and
2. Review by the City Attorney as to legal form and content.

ATTACHMENTS

Exhibit 1 – 4th Amendment to the Home Depot MDA and CDP

Exhibit 1

This Document Prepared By:

Kimley-Horn and Associates, Inc.
445 24th Street
Suite 200
Vero Beach, FL 32960

Return Recorded Document to:

Office of Records Clerk
1000 City Center Circle
Port Orange, FL 32129

**FOURTH AMENDMENT TO THE
MASTER DEVELOPMENT AGREEMENT FOR THE
PORT ORANGE HOME DEPOT
PLANNED COMMERCIAL DEVELOPMENT (PCD)**

The FOURTH AMENDMENT TO THE MASTER DEVELOPMENT AGREEMENT FOR THE PORT ORANGE HOME DEPOT PLANNED COMMERCIAL DEVELOPMENT ("Fourth Amendment") is made as of the _____ day of _____, 2020 by and between THE CITY OF PORT ORANGE, a Florida municipal corporation (the "City") and HOME DEPOT U.S.A, INC., a Delaware corporation ("Home Depot" or "Developer").

WITNESSETH

WHEREAS, the City, Jerome Unatin (d/b/a "East Coast Enterprises") and Home Depot executed the MASTER DEVELOPMENT AGREEMENT FOR THE PORT ORANGE HOME DEPOT PLANNED COMMERCIAL DEVELOPMENT (PCD), dated January 30, 2001, recorded in Official Records Book 4647, Page 1074 of the Public Records of Volusia County, Florida, ("MDA") as amended by the certain First Amendment to the Master Development Agreement for the Port Orange Home Depot, recorded in Official Records Book 4856, Page 2383, aforesaid records, (First Amendment") as further amended by the certain Second Amendment to the Master Development Agreement of the Port Orange Home Depot, recorded in Official records Book 5106, Page 4874, aforesaid records, ("Second Amendment") as further amended by the certain Third Amendment to the Master Development Agreement of the Port Orange Home Depot, recorded in Official records Book 6779, Page 982, aforesaid records, ("Third Amendment") which encumbered the real property described therein (collectively, the "PCD Agreement"); and

WHEREAS, Home Depot is the owner of Lot 1, more particularly described in Exhibit "A" ("Property"), incorporated herein and made a part hereof by reference; and

WHEREAS, the Property Owner is the owner of the Property which is the only Property impacted by the Fourth Amendment; and

1. Providing for permanent "Outdoor Display and Sales" of live plants, sod, soil, mulch, grills, outdoor living, yard equipment, lumber, building materials and products within and at the locations indicated on the CDP referenced within this document as Exhibit B,

2. Providing for permanent “Outdoor Storage” within and at the locations indicated on the CDP referenced within this document as Exhibit B,
3. Providing for “Large Equipment Rental” within and at the locations indicated on the CDP referenced within this document as Exhibit B. Large Equipment for rental is defined as equipment that can generically be used on a construction site, and can include but not limited to the following;
 - a) Tractor Loader Backhoe
 - b) Skid Steer
 - c) Mini Excavator
 - d) Aerial Equipment
 - e) Light Tower
 - f) Material Handling
 - g) Dump Trailer
 - h) Tree Care (Chipper Rental/Stump Grinder)
 - i) Mini Skid Steer
 - j) Trencher
4. Providing for “Vehicle Rental” within and at the locations indicated on the CDP referenced within this document as Exhibit B. Vehicles for rent are defined as a vehicle that is rented from Home Depot or a vendor and provided for customer use as desired. Such vehicles are those similar in nature to serve said purposes of the customer but will remain within the area specified on the CDP.
5. Providing for addition of a Tool Rental Center, (hereinafter referred to as "TRC") consistent with the approved architectural elements of Lot 1 and in accordance with the Land Development Code as amended from time to time. Any and all fencing should also be consistent with the existing approved and constructed architectural elements of Lot 1 and in accordance with the Land Development Code, as amended from time to time. Fencing as currently located onsite surrounding the Garden Center incorporates tube steel fencing with concrete masonry unit columns allows.
6. Provide for revised Exhibit C of the MDA depicting the location of the sign, wall, landscaping and other appurtenances as may exist and may be added from time to time, with permission of the City Official, within the easement, that must be maintained as described herein. Easement depiction is referenced herein as Exhibit D.

WHEREAS, the Property Owner wishes to amend the Conceptual Development Plan (hereinafter to as the “CDP”), and

WHEREAS, the City and the Property Owner wish to amend the PCD Agreement as applied to the Property to allow for the following:

NOW THEREFORE, the City and the Property Owner hereby agree as follows:

1. The premises stated above are true correct and form a material part of the Fourth Amendment to the Master Development Agreement for the Port Orange Home Depot Planned Commercial Development.
2. Paragraph 2, Section D of the MDA, which incorporates the CDP as Exhibit B, said CDP as applied to Lot 1, is hereby amended to reflect modifications shown by this 4th Amendment Exhibit B, attached hereto and incorporated herein by reference.
3. Section 4, "**USES**", of the PCD Agreement as applied to Lot 1 as originally described in the PCD Agreement is hereby amended by underline and strikethrough as follows:

(a) Permitted Uses allowed on the PCD Property shall be as follows:

	Permitted Uses
Lot 1	Retail Sales and Service Retail Home Building Materials, including Garden Center, ** Office and Interior Equipment Rental <u>Outdoor Display and Sales, Outdoor</u> <u>Storage, Vehicle Rental, and Large</u> <u>Equipment Rental</u>

4. Section 6, "**PCD INFRASTRUCTURE**", of the PCD Agreement as applied to Lot 1 as originally described in the PCD Agreement is hereby amended by underline and strikethrough as follows:

(f) As Lot 1 is developed, Home Depot shall construct the access drives to the PCD Property located on Dunlawton Avenue and Clyde Morris Boulevard, and the northerly access driveway as shown on Exhibit "B". During development of Lot 1, the construction of the northerly access drive shall be completed, including curb cuts on City Center Parkway. If landscaping is removed during alteration of City Center Parkway of the Dunlawton median, it shall be relocated on the PCD Property, and the remaining areas shall be re-landscaped. Home Depot, at its expense shall construct improvements for right-out only driveway egress to City Center Parkway. The PCD Property is allowed to have an electronic message sign to serve as the City identification signage, per the requirements in the Land Development Code as amended from time to time ("City Identification Sign"). The City Identification Sign shall be placed in an easement at the southeast corner of the Home Depot Property that shall provide for and require the City to maintain the electronic message sign or signage, the landscaping, the wall, paving and other appurtenances within the easement with the approval of the City's Administrative Official, that includes an electronic message sign in compliance with the requirements in the Land Development Code, as amended from time to time. Depiction of the existing easement area, recorded in Official Records Book 4806, Page 1273, Public Records,

Volusia County, Florida, and the additional easement area to be provided by separate instrument, is attached hereto as Exhibit D, made a part hereof by reference. The Developer shall construct certain enhancements ~~including the replacement of the existing city identification signage with a new sign located on the southeast corner of the Home Depot Property that includes a two-line electronic reader board;~~ construction of dual eastbound left turn lanes from City Center to Dunlawton and related median construction and landscaping; paving City Center with 1.5" of asphalt between Azalea Pointe Drive and Dunlawton; aesthetic and landscaping improvements on the northeast corner of the intersection (Police Station); and, pedestrian links between the City Center and Dunlawton sidewalk and the PCD Property. Specifications for the improvements are attached as Exhibit "B" hereto. The design of all such "Gateway" improvements shall be approved City Council prior to issuance of a development order. To avoid delay in issuing the first certification of occupancy due to delays in the Florida Department of Transportation (FDOT) construction approval process, the "Gateway" improvements attributable to FDOT may be bonded by Home Depot. Barring any unforeseen weather or permitting conditions, the bonded improvements must be commenced on or before January 1, 2003 and be completed within six (6) months thereafter. All other Gateway improvements subject solely to City approval must be initiated prior to the issuance of the first Certificate of occupancy for the PCD Property.

5. Section 11, "**LANDSCAPING**", of the PCD Agreement as applied to Lot 1 as originally described in the PCD Agreement is hereby amended by underline and strikethrough as follows:

(a) All buildings and accessory on each lot shall be developed in compliance with the requirements of Chapter 14 of the Port Orange Land Development Code; unless otherwise noted herein.

(b) All buildings and accessory structures on each lot shall be developed consistent with the common architectural theme. The common architectural theme shall be established by harmoniously coordinating the general appearance of all building and accessory structures. For purposes of the Agreement, general appearance includes but is not limited to exterior wall finished; roof styles, slopes and materials; colors; and architectural details and ornamentation. The Developer's prototype elevation is attached as Exhibit "D." However, final architectural elevations for the Home Depot building will be approved as part of the site plan review. Any and all fencing should also be consistent with the existing approved and constructed architectural elements of Lot 1 and in accordance with the Land Development Code, as amended from time to time. Fencing as currently located onsite surrounding the Garden Center incorporates tube steel fencing with concrete masonry unit columns allows.

(j) Except as provided below or as otherwise stated in the Fourth Amendment to the Master Development Agreement for the Port Orange Home Depot Planned Commercial Development, no outside storage shall be permitted, except on Lot 1 as depicted on Exhibit "B" as "seasonal sales," "outdoor display and sales,"

“outdoor storage,” “large equipment rental,” and “vehicle rental” and except during outdoor and sidewalk sales, or special events permitted by the City or as allowed by the Fourth Amendment to the Master Development Agreement for the Port Orange Home Depot Planned Commercial Development. “Seasonal sales” means the sale of plant materials, and nothing else. Christmas tree sales between November 1 and December 30 of each year are specifically approved herein. “Outdoor display and sales” means the sale of live plants, sod, soil, mulch, grills, outdoor living merchandise and yard equipment. “Outdoor storage” means the storage of products, large rental equipment and rental vehicles. “Large Equipment Rental” means Large Equipment for rental and is defined as equipment that can generically be used on a construction site, and can include but not limited to the following:

1. Tractor Loader Backhoe
2. Skid Steer
3. Mini Excavator
4. Aerial Equipment
5. Light Tower
6. Material Handling
7. Dump Trailer
8. Tree Care (Chipper Rental/Stump Grinder)
9. Mini Skid Steer
10. Trencher

“Vehicle rental” means the rental or lease of vehicles from Home Depot or a vendor and provided for customer use as desired. Such vehicles are those similar in nature to serve said purposes of the customer but will remain within the area specified on the CDP.

“Outdoor display and sales,” “outdoor storage,” “large equipment rental,” and “vehicle rental” as defined above shall be allowed on a permanent and daily basis at the sole discretion of Home Depot. Additional landscape buffer screening will be provided if needed in accordance with the Land Development Code. These areas are depicted and noted on the “CDP,” found in Exhibit B.

6. This Fourth Amendment to the Master Development Agreement for the Port Orange Home Depot Planned Commercial Development shall be effective as of the date it is executed by all parties.
7. The MASTER DEVELOPMENT AGREEMENT FOR THE PORT ORANGE HOME DEPOT PLANNED COMMERCIAL DEVELOPMENT, as previously enacted, and the First Amendment, Second Amendment, Third Amendment, shall remain in full force and effect except with the respect to those matters specifically amended by the Fourth Amendment.

IN WITNESS WHEREOF, the parties have executed this Fourth Amendment, by and through their duly authorized representatives, on the respective dates below.

WITNESSES:

CITY OF PORT ORANGE, FLORIDA
a Chartered Municipal Corporation

Name: _____

By: _____
Donald O. Burnette, Mayor

Name: _____

Date: _____

Name: _____

Attest: _____
Robin L. Fenwick, MC, City Clerk

Name: _____

Date: _____

**STATE OF FLORIDA
COUNTY OF VOLUSIA**

The foregoing instrument was acknowledged before me by means of [_____] physical presence or [_____] online notarization this _____ day of _____, 20____ by Donald O. Burnette, as Mayor of the City of Port Orange, Florida, a chartered municipal corporation, who acknowledged that he is duly authorized to execute the foregoing agreement on behalf of the city. He is personally known to me.

Notary Public, State of Florida at Large
Printed name, commission and expiration of commission term:

**STATE OF FLORIDA
COUNTY OF VOLUSIA**

The foregoing instrument was acknowledged before me by means of [_____] physical presence or [_____] online notarization this _____ day of _____, 20____ by Robin L. Fenwick, as City Clerk of the City of Port Orange, Florida, a chartered municipal corporation, who acknowledged that he is duly authorized to execute the foregoing agreement on behalf of the city. He is personally known to me.

Notary Public, State of Florida at Large
Printed name, commission and expiration of commission term:

HOME DEPOT U.S.A. INC.

WITNESSES:

By: _____

Name: _____

Printed name

Its: _____

Printed name

STATE
COUNTY OF COBB

OF

GEORGIA

The foregoing instrument was acknowledged before me this ____ day of _____,
20____, by _____, _____ **of**
Home Depot U.S.A, Inc., a Georgia corporation, who is personally known to me and did not take
an oath.

(Seal)

Notary Public

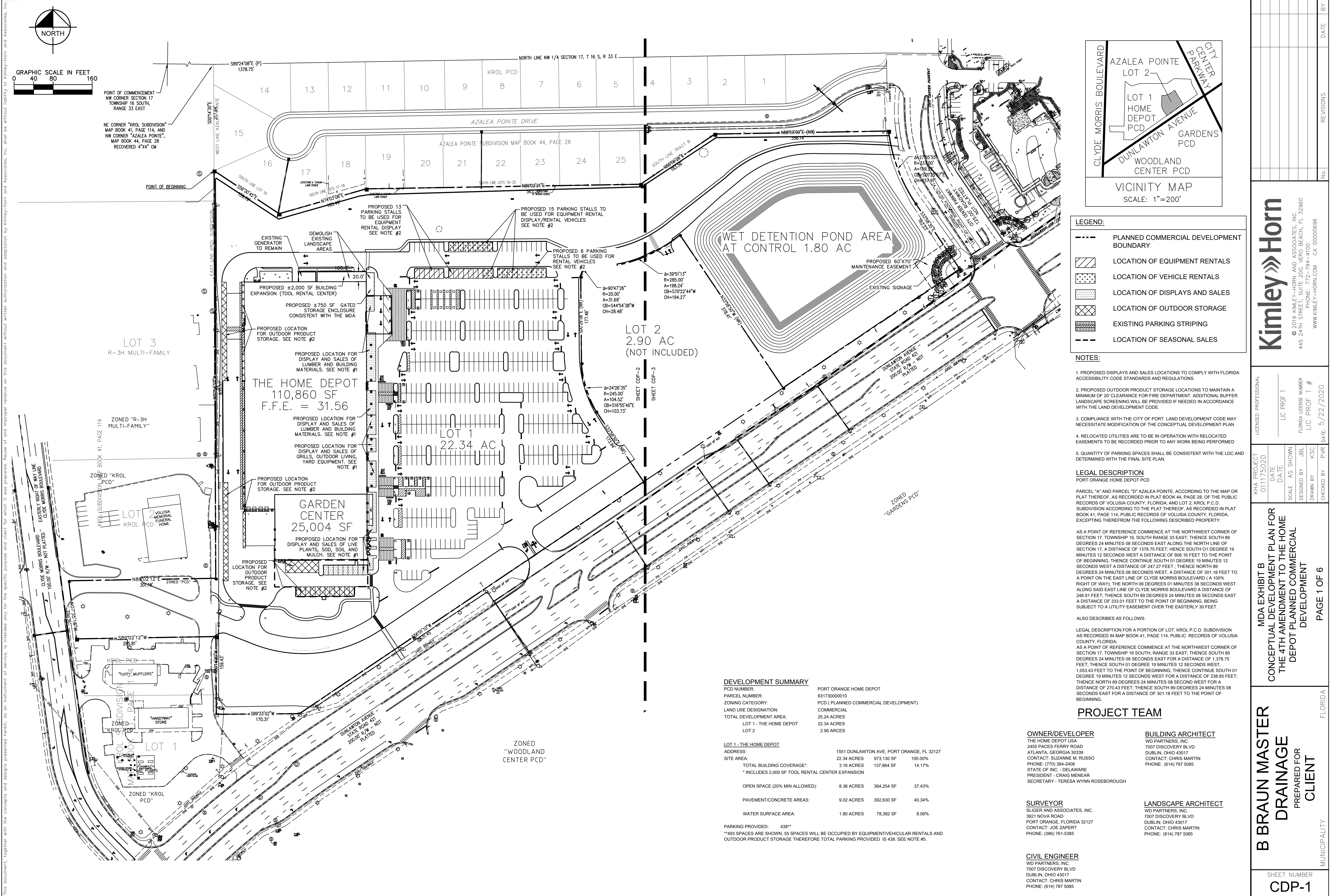
Printed name, commission and expiration of commission term:

Exhibit A

Legal Description Home Depot PCD Lot 1

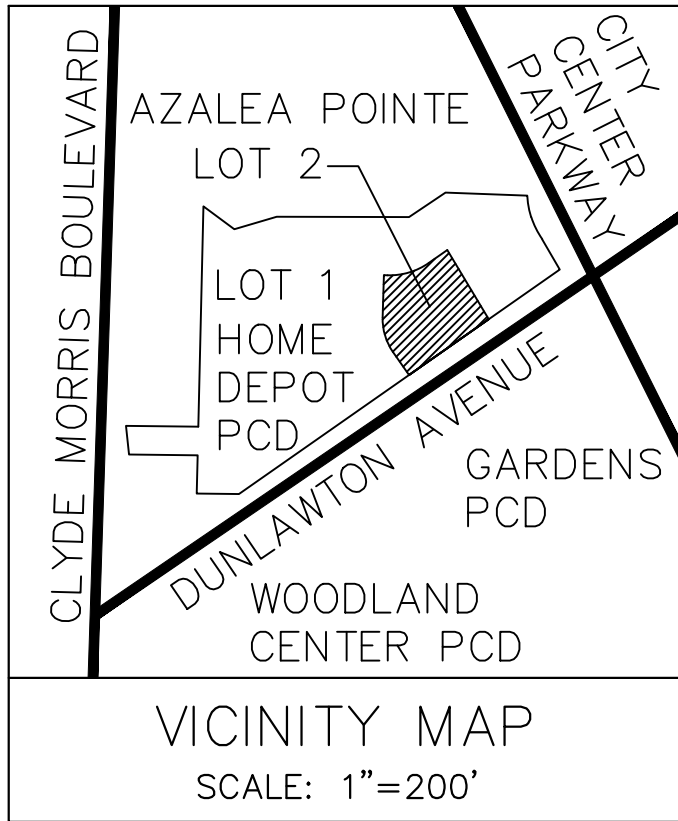
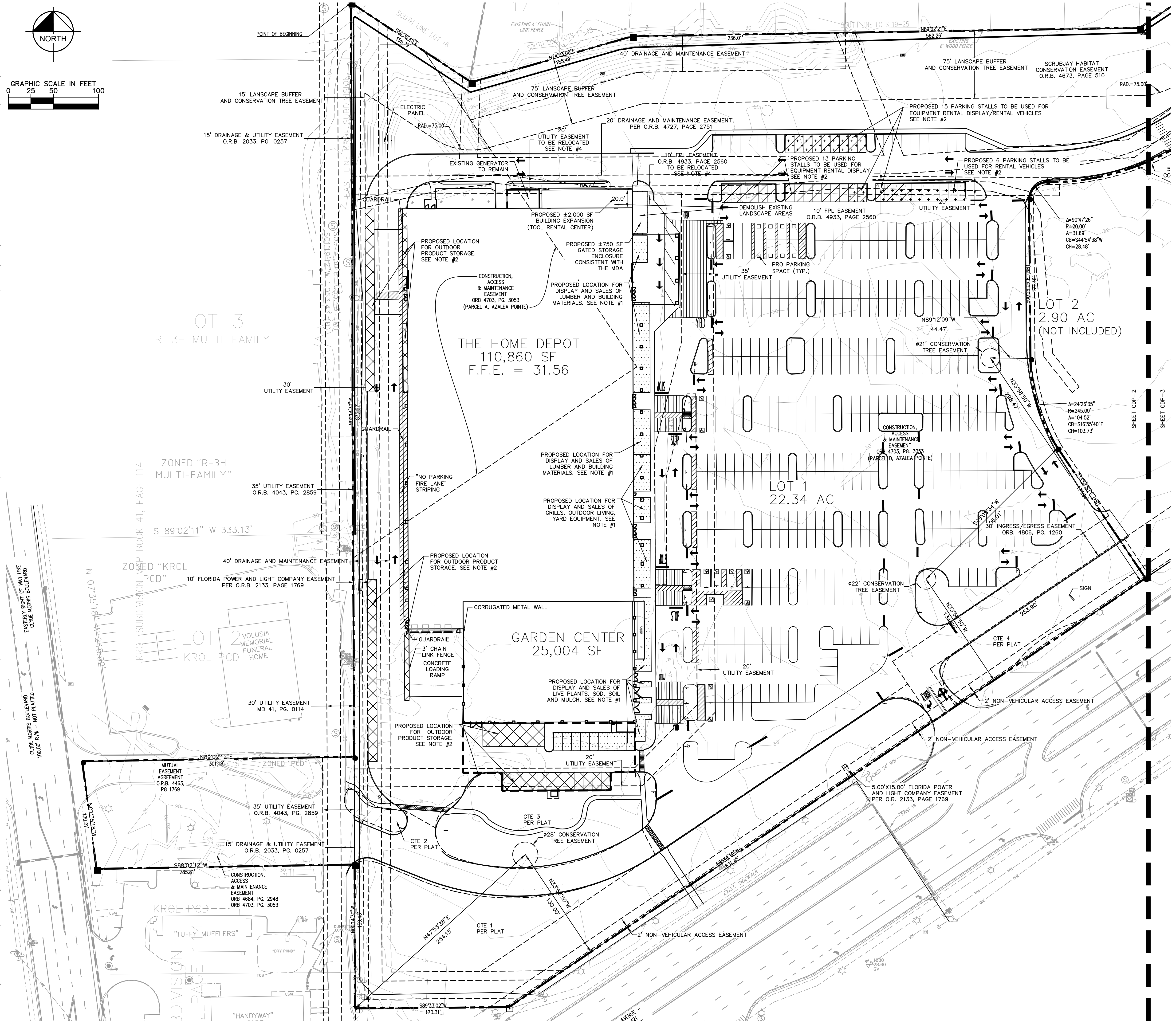
PARCEL "A" AND PARCEL "D" AZALEA POINTE, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 44, PAGE 28, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; AND LOT 2, KROL P.C.D. SUBDIVISION ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 41, PAGE 114, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY:
AS A POINT OF REFERENCE COMMENCE AT THE NORTHWEST CORNER OF SECTION 17, TOWNSHIP 16, SOUTH RANGE 33 EAST; THENCE SOUTH 89 DEGREES 24 MINUTES 08 SECONDS EAST ALONG THE NORTH LINE OF SECTION 17, A DISTANCE OF 1378.75 FEET; HENCE SOUTH 01 DEGREE 19 MINUTES 12 SECONDS WEST A DISTANCE OF 806.16 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 01 DEGREE 19 MINUTES 12 SECONDS WEST A DISTANCE OF 247.27 FEET ; THENCE NORTH 89 DEGREES 24 MINUTES 08 SECONDS WEST, A DISTANCE OF 301.18 FEET TO A POINT ON THE EAST LINE OF CLYDE MORRIS BOULEVARD (A 100% RIGHT OF WAY); THE NORTH 06 DEGREES 01 MINUTES 38 SECONDS WEST ALONG SAID EAST LINE OF CLYDE MORRIS BOULEVARD A DISTANCE OF 248.91 FEET; THENCE SOUTH 89 DEGREES 24 MINUTES 08 SECONDS EAST A DISTANCE OF 333.01 FEET TO THE POINT OF BEGINNING. BEING SUBJECT TO A UTILITY EASEMENT OVER THE EASTERLY 30 FEET.
ALSO DESCRIBES AS FOLLOWS:

LEGAL DESCRIPTION FOR A PORTION OF LOT, KROL P.C.D. SUBDIVISION AS RECORDED IN MAP BOOK 41, PAGE 114, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA;
AS A POINT OF REFERENCE COMMENCE AT THE NORTHWEST CORNER OF SECTION 17, TOWNSHIP 16 SOUTH, RANGE 33 EAST; THENCE SOUTH 89 DEGREES 24 MINUTES 08 SECONDS EAST FOR A DISTANCE OF 1,378.75 FEET; THENCE SOUTH 01 DEGREE 19 MINUTES 12 SECONDS WEST, 1,053.43 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 01 DEGREE 19 MINUTES 12 SECONDS WEST FOR A DISTANCE OF 238.85 FEET; THENCE NORTH 89 DEGREES 24 MINUTES 08 SECOND WEST FOR A DISTANCE OF 270.43 FEET; THENCE SOUTH 89 DEGREES 24 MINUTES 08 SECONDS EAST FOR A DISTANCE OF 301.18 FEET TO THE POINT OF BEGINNING



This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

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LEGEND:

- PLANNED COMMERCIAL DEVELOPMENT BOUNDARY
- [Hatched Box] LOCATION OF EQUIPMENT RENTALS
- [Dotted Box] LOCATION OF VEHICLE RENTALS
- [Cross-hatched Box] LOCATION OF DISPLAYS AND SALES
- [Diagonal Lines Box] LOCATION OF OUTDOOR STORAGE
- [Horizontal Lines Box] EXISTING PARKING STRIPING
- - - LOCATION OF SEASONAL SALES

- NOTES:**
- PROPOSED DISPLAYS AND SALES LOCATIONS TO COMPLY WITH FLORIDA ACCESSIBILITY CODE STANDARDS AND REGULATIONS.
 - PROPOSED OUTDOOR PRODUCT STORAGE LOCATIONS TO MAINTAIN A MINIMUM OF 20' CLEARANCE FOR FIRE DEPARTMENT. ADDITIONAL BUFFER LANDSCAPE SCREENING WILL BE PROVIDED IF NEEDED IN ACCORDANCE WITH THE LAND DEVELOPMENT CODE.
 - COMPLIANCE WITH THE CITY OF PORT LAND DEVELOPMENT CODE MAY NECESSITATE MODIFICATION OF THE CONCEPTUAL DEVELOPMENT PLAN
 - RELOCATED UTILITIES ARE TO BE IN OPERATION WITH RELOCATED EASEMENTS TO BE RECORDED PRIOR TO ANY WORK BEING PERFORMED
 - QUANTITY OF PARKING SPACES SHALL BE CONSISTENT WITH THE LDC AND DETERMINED WITH THE FINAL SITE PLAN.
- LEGAL DESCRIPTION**
PORT ORANGE HOME DEPOT PCD

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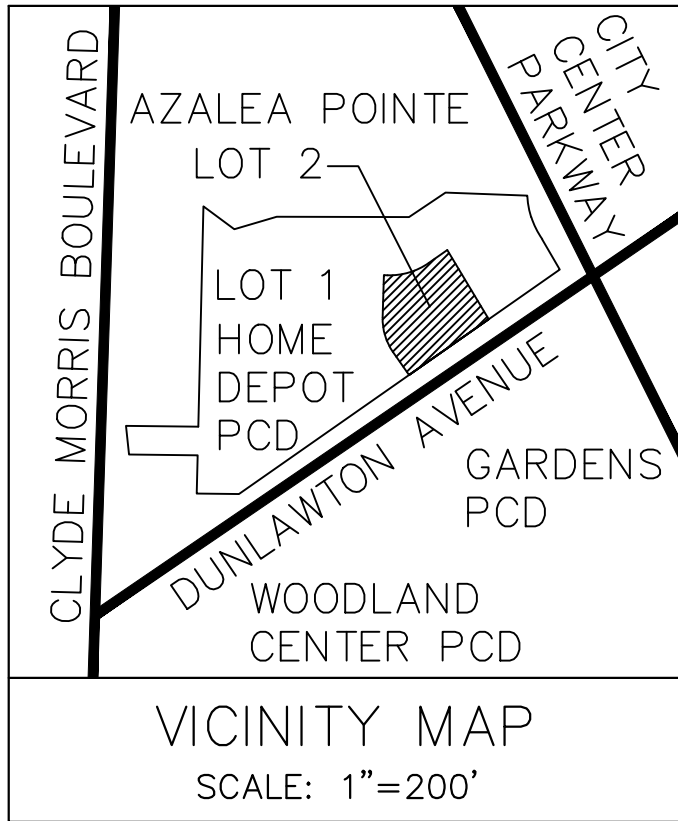
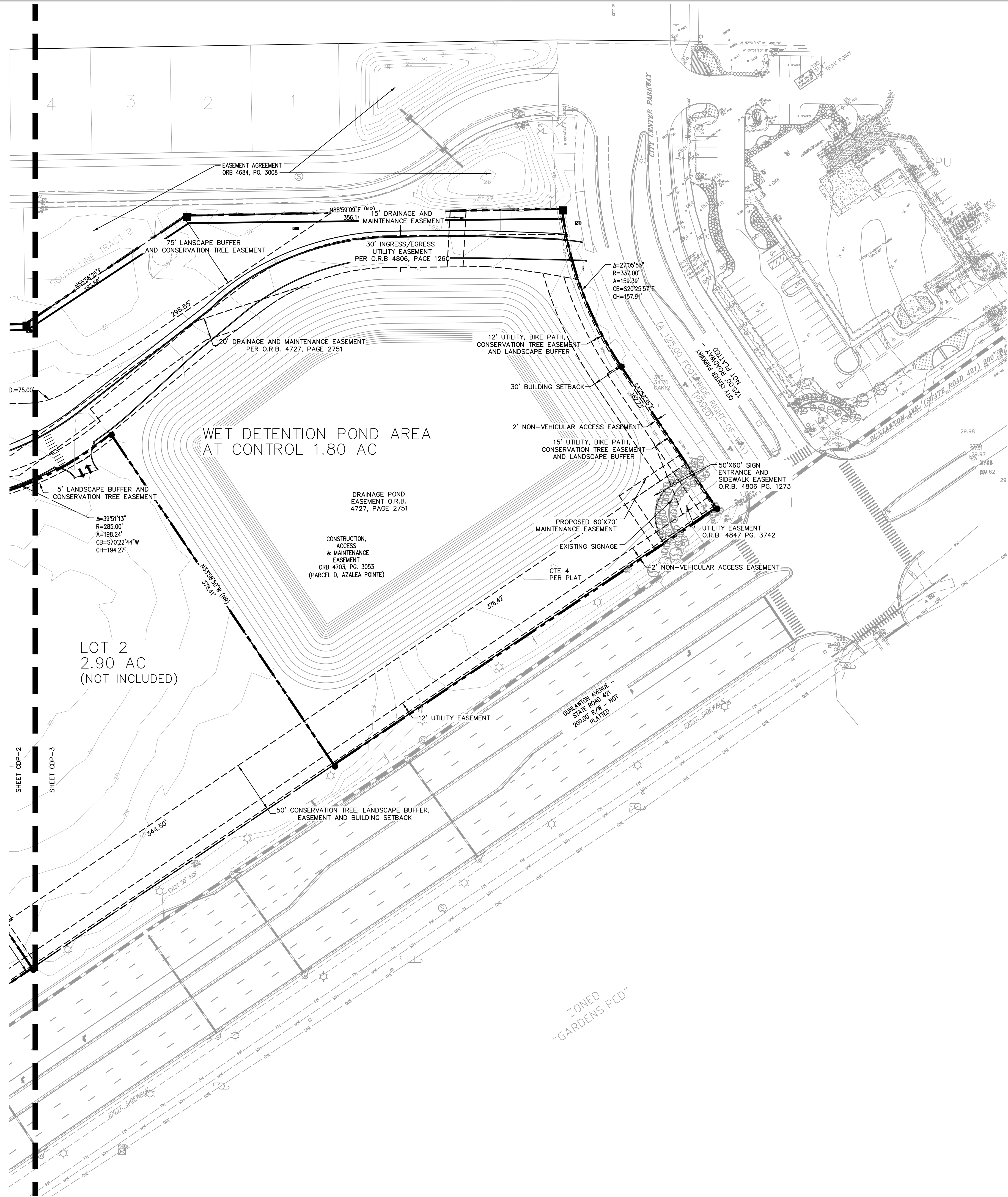
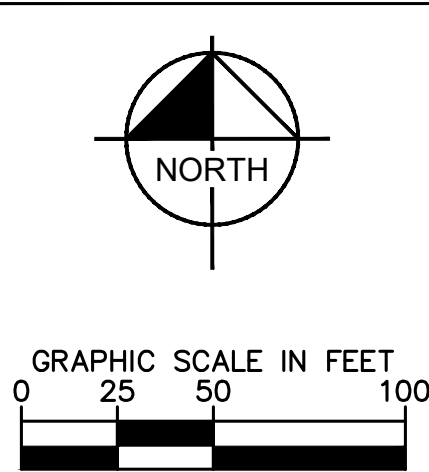
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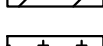
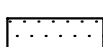
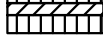
ALSO DESCRIBES AS FOLLOWS:

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		No.			
B BRAUN MASTER DRAINAGE CLIENT	FLORIDA	MUNICIPALITY			
		SHEET NUMBER			
		CDP-2			
		PAGE 2 OF 6			
CONCEPTUAL DEVELOPMENT PLAN FOR THE 4TH AMENDMENT TO THE HOME DEPOT PLANNED COMMERCIAL DEVELOPMENT		KHA PROJECT		LIC PROF 1	
		011175020		LIC PROF 1	
		DATE		DATE	
		SCALE AS SHOWN		DESIGNED BY JBL	
MDA EXHIBIT B		DRAWN BY KSC		CHECKED BY PVR	
		DATE		DATE	
		DESIGNED BY JBL		CHECKED BY PVR	
		DRAWN BY KSC		CHECKED BY PVR	



- | <u>LEGEND:</u> | |
|---|---|
|  | PLANNED COMMERCIAL DEVELOPMENT BOUNDARY |
|  | LOCATION OF EQUIPMENT RENTALS |
|  | LOCATION OF VEHICLE RENTALS |
|  | LOCATION OF DISPLAYS AND SALES |
|  | LOCATION OF OUTDOOR STORAGE |
|  | EXISTING PARKING STRIPING |
| | LOCATION OF SEASONAL SALES |

NOTES:

1. PROPOSED DISPLAYS AND SALES LOCATIONS TO COMPLY WITH FLORIDA ACCESSIBILITY CODE STANDARDS AND REGULATIONS.
2. PROPOSED OUTDOOR PRODUCT STORAGE LOCATIONS TO MAINTAIN A MINIMUM OF 20' CLEARANCE FOR FIRE DEPARTMENT. ADDITIONAL BUFFER LANDSCAPE SCREENING WILL BE PROVIDED IF NEEDED IN ACCORDANCE WITH THE LAND DEVELOPMENT CODE.
3. COMPLIANCE WITH THE CITY OF PORT LAND DEVELOPMENT CODE MAY NECESSITATE MODIFICATION OF THE CONCEPTUAL DEVELOPMENT PLAN
4. RELOCATED UTILITIES ARE TO BE IN OPERATION WITH RELOCATED EASEMENTS TO BE RECORDED PRIOR TO ANY WORK BEING PERFORMED
5. QUANTITY OF PARKING SPACES SHALL BE CONSISTENT WITH THE LDC AND DETERMINED WITH THE FINAL SITE PLAN.

LEGAL DESCRIPTION

PORT ORANGE HOME DEPOT PCD

PARCEL "A" AND PARCEL "D" AZALEA POINTE, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 44, PAGE 28, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; AND LOT 2, KROL P.C.D. SUBDIVISION ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 41, PAGE 114, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY:

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ALSO DESCRIBES AS FOLLOWS:

LEGAL DESCRIPTION FOR A PORTION OF LOT, KROL, P.C.D. SUBDIVISION
AS RECORDED IN MAP BOOK 441, PAGE 114, PUBLIC RECORDS OF VOLusia
COUNTY, FLORIDA

AS A POINT OF REFERENCE COMMENCE AT THE NORTHWEST CORNER OF
SECTION 17, TOWNSHIP 16 SOUTH, RANGE 33 EAST, THENCE SOUTH 89
DEGREES 24 MINUTES 08 SECONDS EAST FOR A DISTANCE OF 1.378 75
FEET; THENCE S 01 DEGREE 19 MINUTES 12 SECONDS WEST,
1.053 43 FEET TO THE POINT OF BEGINNING, THENCE CONTINUE SOUTH 01
DEGREE 19 MINUTES 12 SECONDS WEST FOR A DISTANCE OF 238.85 FEET;
THENCE NORTH 89 DEGREES 24 MINUTES 08 SECOND WEST FOR A
DISTANCE OF 270.43 FEET; THENCE SOUTH 89 DEGREES 24 MINUTES 08
SECONDS EAST FOR A DISTANCE OF 301.18 FEET TO THE POINT OF
BEGINNING.

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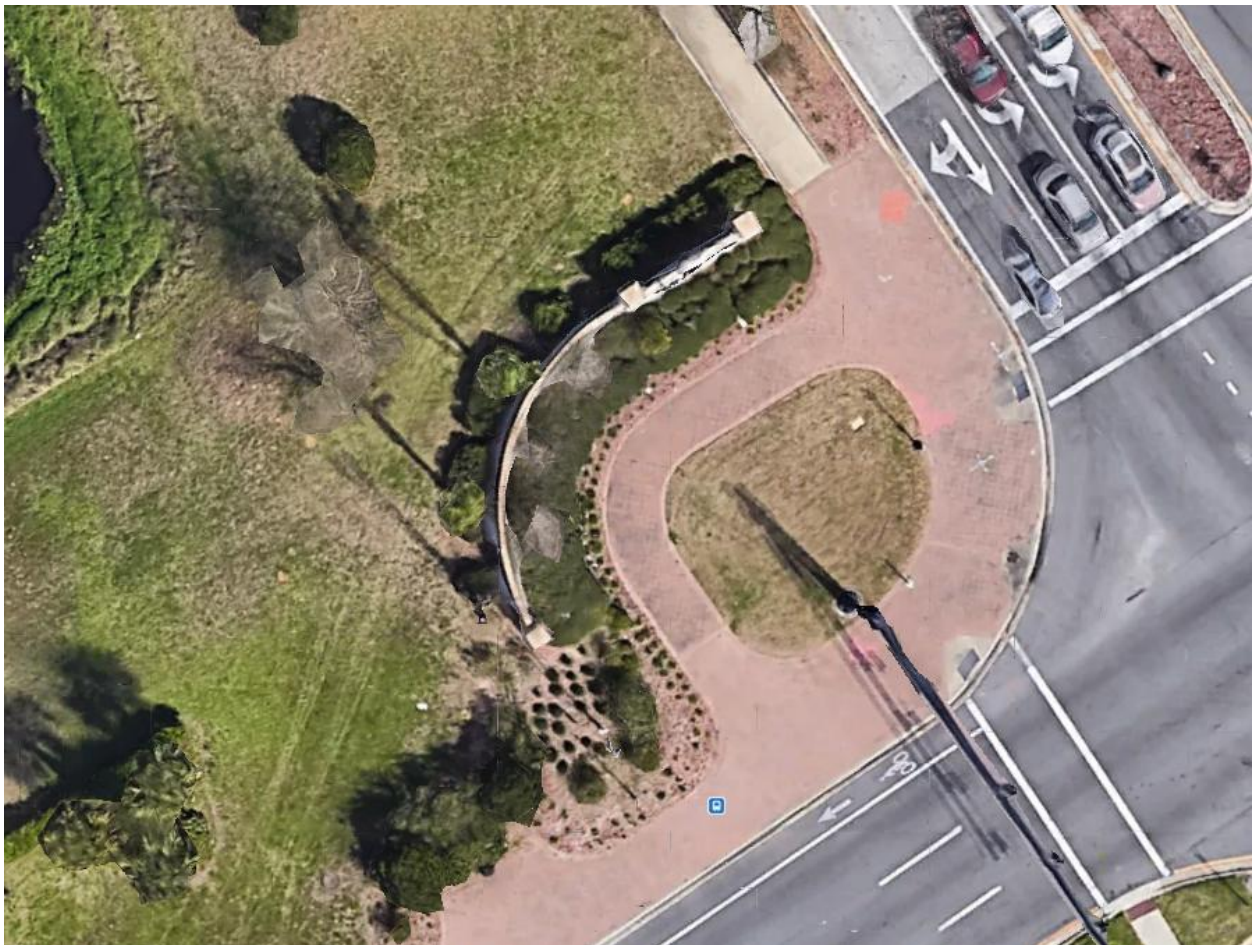
Exhibit C

MDA EXHIBIT C EXISTING SIGN CONDITION – ELEVATION *LOOKING NORTHWEST*



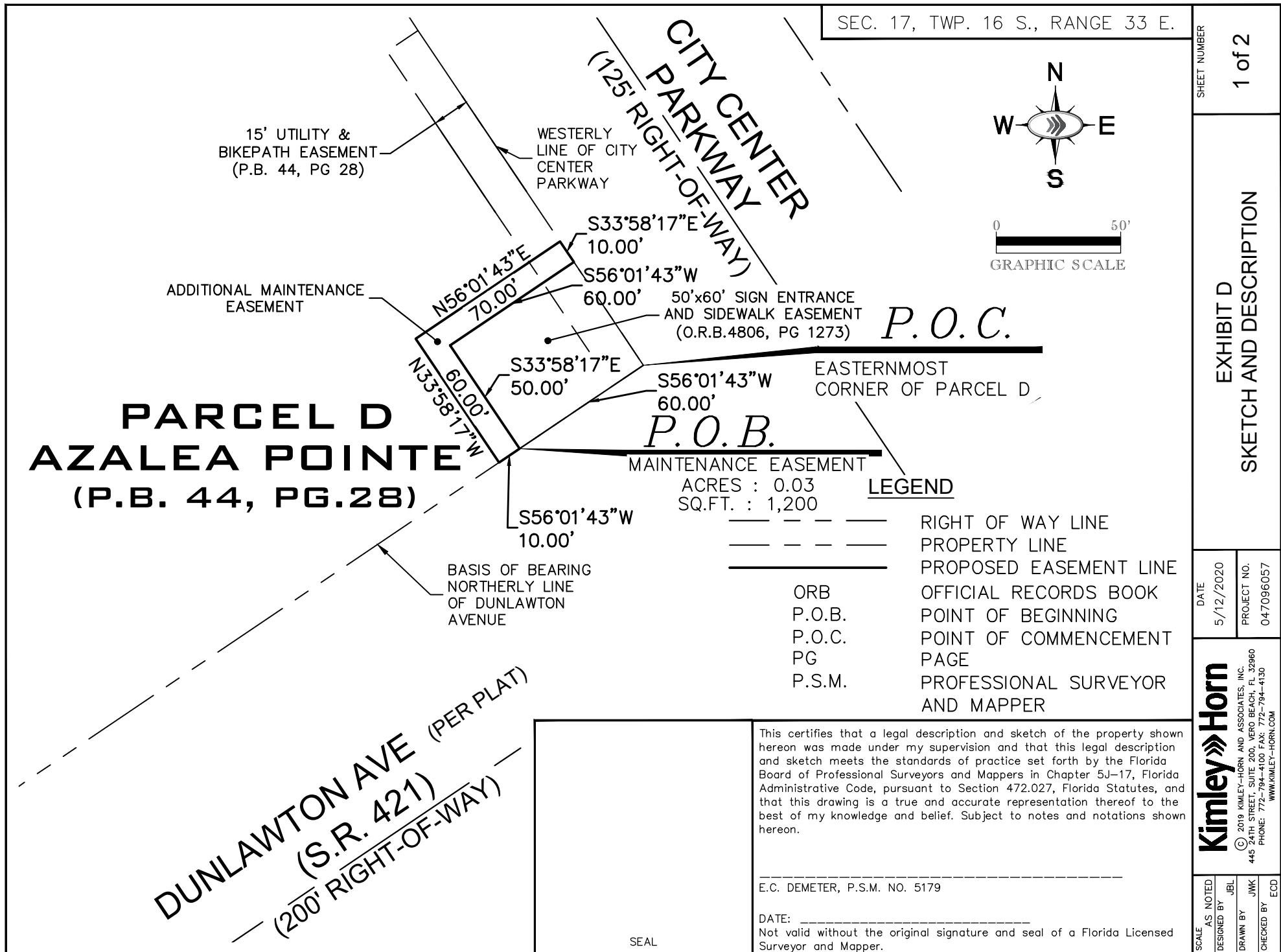
Electronic Message Sign should be per the requirement in the Land Development Code as amended from time to time.

EXISTING SIGN CONDITION – PLAN



City shall be responsible for maintaining the landscaping, sign, wall, paving, and other appurtenances within the easement in accordance with the Land Development Code as amended from time to time.

Exhibit D



LEGAL DESCRIPTION:

MAINTENANCE EASEMENT

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND SITUATE, LYING AND BEING A PORTION OF PARCEL D, AZALEA POINTE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 44, PAGE 28 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA. SAID LANDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE EASTERNMOST CORNER OF SAID PARCEL D;

THENCE, BEARING SOUTH 56°01'43" WEST, ALONG THE NORTH LINE OF DUNLAWTON AVENUE A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING;

THENCE, BEARING SOUTH 56°01'43" WEST, CONTINUING ALONG THE NORTH LINE OF DUNLAWTON AVENUE A DISTANCE OF 10.00 FEET;

THENCE, BEARING NORTH 33°58'17" WEST, A DISTANCE OF 60.00 FEET;

THENCE, BEARING NORTH 56°01'43" EAST, A DISTANCE OF 70.00 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF CITY CENTER PARKWAY;

THENCE, BEARING SOUTH 33°58'17" EAST, ALONG SAID WESTERLY LINE OF CITY CENTER PARKWAY A DISTANCE OF 10.00 FEET;

THENCE, BEARING SOUTH 56°01'43" WEST, A DISTANCE OF 60.00 FEET;

THENCE, BEARING SOUTH 33°58'17" EAST, A DISTANCE OF 50.00 FEET; TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PREMISES CONTAIN AN AREA OF 1,200 SQUARE FEET OR 0.03 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS, CONDITIONS AND RESTRICTIONS AS CONTAINED WITHIN THE CHAIN OF TITLE.

SURVEYOR'S NOTES

1. THIS IS A SKETCH OF LEGAL DESCRIPTION ONLY, NOT A BOUNDARY RETRACEMENT SURVEY.
2. THE BEARING BASE FOR THIS SKETCH REFERENCES THE NORTHERLY LINE OF DUNLAWTON AVENUE PER THE PLAT OF AZALEA POINTE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 44, PAGE 28 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA. SAID LINE BEARS SOUTH 56°01'43" WEST.
3. THE SCALE OF THIS DRAWING MAY HAVE BEEN DISTORTED DURING REPRODUCTION PROCESSES.

Drawing name: K:\VRB_Survey\Home Depot - Port Orange\CADD\MAINTENANCE EASEMENT SKETCH & LEGAL REV 2.dwg LEGAL May 12, 2020 2:21pm by: Kiei.Causby

SCALE AS NOTED	Kimley»Horn © 2019 KIMLEY-HORN AND ASSOCIATES, INC. 445 24TH STREET, SUITE 200, VERO BEACH, FL 32960 PHONE: 772-794-4100 FAX: 772-794-4130 WWW.KIMLEY-HORN.COM	DATE 5/12/2020	EXHIBIT D SKETCH AND DESCRIPTION	SHEET NUMBER
DESIGNED BY JBL		PROJECT NO. 047096057		2 of 2
DRAWN BY JWK				
CHECKED BY ECD				



STAFF REPORT ADMINISTRATIVE REZONING CASE NO. 20-60000002

REQUEST:	Rezone Area 1 - ±0.95 acres from Planned Commercial Development (PCD) to Community Commercial (CC), Area 2 - ±2.36 acres from Commonwealth Plaza Planned Commercial Development (PCD) to Community Commercial (CC), and Area 3 - ±17.9 acres from Professional Office (PO) and High Density Residential (R-3H) to Government Public Use (GPU)
LOCATION:	Area 1 – 4035 Nova Rd., Area 2 – 5245 and 5279 Nova Rd., and Area 3 - 4050 Nova Rd. (Figure 1 – Location Map)
OWNERS:	Area 1 - Harbor Federal Savings & Loan (4035 Nova Rd.), Area 2 - NNP LLC (5245 and 5279 Nova Rd.), and Area 3 - City of Port Orange (4050 Nova Rd.)
APPLICANT:	City of Port Orange
STAFF CONTACT:	Gwen Perney, Senior Planner (386) 506-5673
STAFF RECOMMENDATION:	Approval
PLANNING COMMISSION:	May 28, 2020

PROPERTY OVERVIEW

The proposed administrative rezoning would rezone three properties located along Nova Road (see Figure 1 on Page 2). The two commercial properties (Areas 1 and 2) have longstanding commercial developments on them but the current zoning designations on these properties restrict several commercial uses typically found on other properties with City conventional commercial zoning. The third property (Area 3) is a city-owned parcel that contains two stormwater retention ponds for drainage of the adjacent roadways but the current zoning on the parcel is for multi-family and office uses.

If the subject commercial properties in areas 1 and 2 are rezoned from the Planned Commercial Development (PCD) zoning category to the Community Commercial (CC) conventional commercial zoning category, the City's Land Development Code (LDC) will provide permitted uses and dimensional requirements, and is anticipated to increase redevelopment opportunity on these existing commercial sites. As part of any future redevelopment (Areas 1 and 2), site plans and/or building permits will be required to verify all LDC and Florida Building Code requirements are met, such as landscape buffers, parking, building setbacks, tree preservation, and infrastructure, to ensure compatibility with adjoining properties, and that adequate public facilities and services are available.

The third property (Area 3) is a city-owned parcel that contains marsh land and two stormwater retention ponds for the adjacent roadways and serves as a discharge area to Rose Bay. The property has a perpetual drainage easement over the retention ponds required by the Florida Department of Transportation (FDOT) when the City acquired the property in 2005. The current zoning on the property includes Professional Office (PO) and High Density Residential (R-3H). The proposed rezoning to Government Public Use (GPU) is to be consistent with the current *Public/Institutional* Future Land Use category. The current easement restrictions on this property prevent any future development.

FIGURE 1. LOCATION MAP



DISCUSSION

The following outlines the request to rezone the three properties along Nova Road. If the administrative rezoning is approved, the two existing commercial properties will be subject to the list of permitted uses and the dimensional requirements for the proposed Community Commercial (CC) zoning designation as listed in the City's Land Development Code (LDC), and the City-owned property will be designated Government/Public Use (GPU).

The proposed rezoning was reviewed according to the criteria established in Chapter 3, Section 7 of the Land Development Code (LDC) in terms of consistency with the Comprehensive Plan and the surrounding land uses and zoning.

Area 1: Rezone ±0.95 acres from Planned Commercial Development (PCD) to Community Commercial (CC)

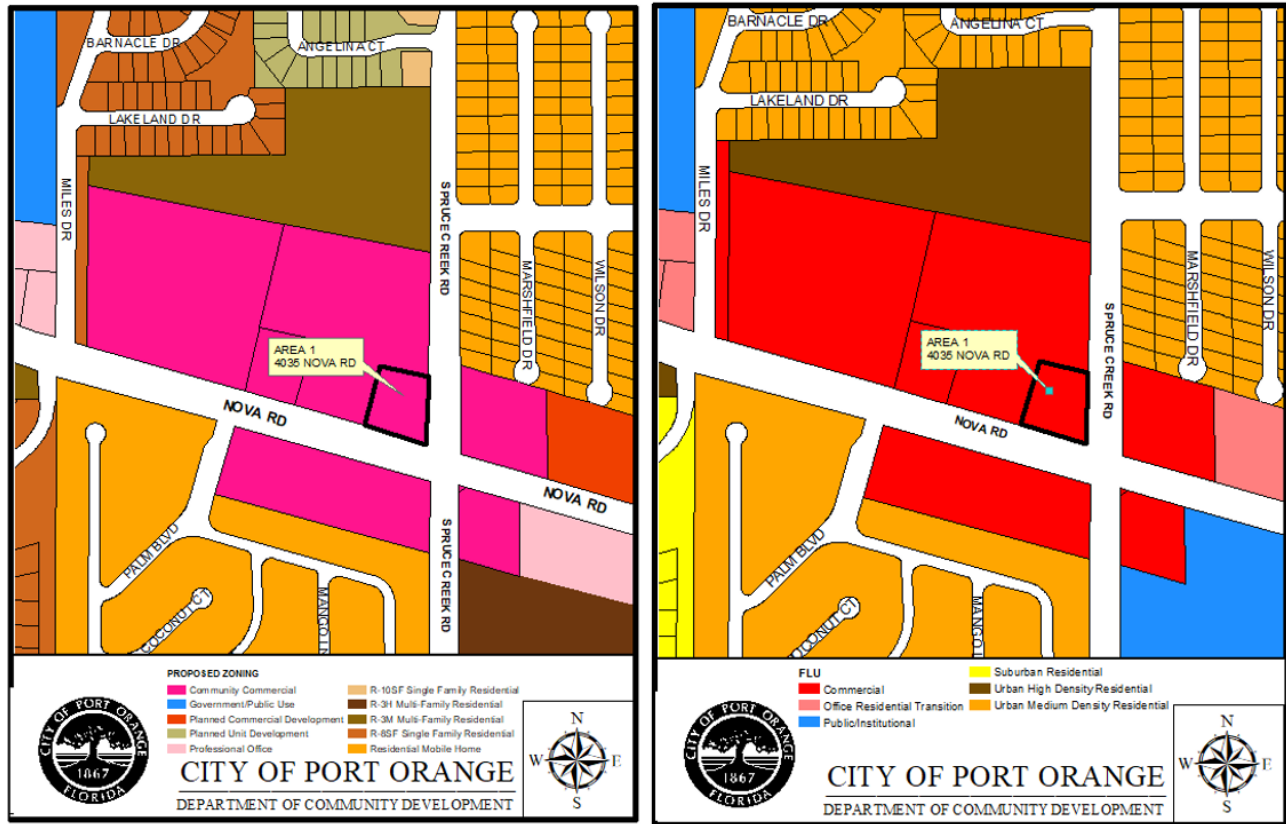
The subject property, which is currently a PNC Bank, was originally zoned C-1 (Shopping Center Commercial District). In 1990, the subject property, was rezoned to Planned Commercial Development (PCD) but it did not have an adopted Master Development Agreement (MDA) and Conceptual Development Plan (CDP) to provide specific development requirements. The current PCD zoning is a commercial designation; however, without an MDA the permitted uses are limited and there are no dimensional requirements for improvements to the property or redevelopment. The LDC permits a limited amount of commercial uses for a property zoned PCD without an MDA, but without dimensional requirements (building setbacks, maximum height, building coverage, open space coverage, etc.), expansion of the existing building or redevelopment of a new building cannot occur.

Rezoning the subject property from PCD with no MDA to Community Commercial (CC) is anticipated to assist in any potential redevelopment or future improvements to the subject property. The list of permitted uses in the CC zoning district is more current and flexible than the uses from the 1990's listed in the MDA. The CC zoning district permits typical community-scale commercial uses commonly found at shopping centers and outparcels of this type such as: retail stores, restaurants, personal services (hair salon, barber shop, nail salon, retail dry cleaning, etc.) offices, breweries, health/exercise clubs, childcare centers, convenience store/gas station, banks, and similar uses. The list of permitted uses in the CC zoning district and the development requirements in the LDC is a more efficient process to review building permits for the existing development or potential redevelopment of the site.

The PNC bank property is part of the Riverwood Shopping Center development that was rezoned to CC in May 2020 (Case No. 19-60000007). However, this property was not included with the previous rezoning application because the property owner was not able to submit a complete application by the public hearing deadline. Rezoning this property will be consistent with the rezoning of the rest of the shopping center.

The parcel has a FLU designation of *Commercial*. The proposed Community Commercial (CC) zoning designation is consistent with the *Commercial* FLU designation on the parcel as it provides opportunity for a variety of retail sales and services within a community-scale shopping center. This site is part of the Community Commercial node located at the intersection of Nova Road and Spruce Creek Road as designated in the City's Comprehensive Plan and is intended provide commercial uses to serve the general shopping needs of the residential areas within a ±2-mile radius.

FIGURE 2. PROPOSED ZONING MAP AND CURRENT FLU MAP OF AREA 1



Area 2: Rezone ±2.36 acres from Commonwealth Plaza Planned Commercial Development (PCD) to Community Commercial (CC)

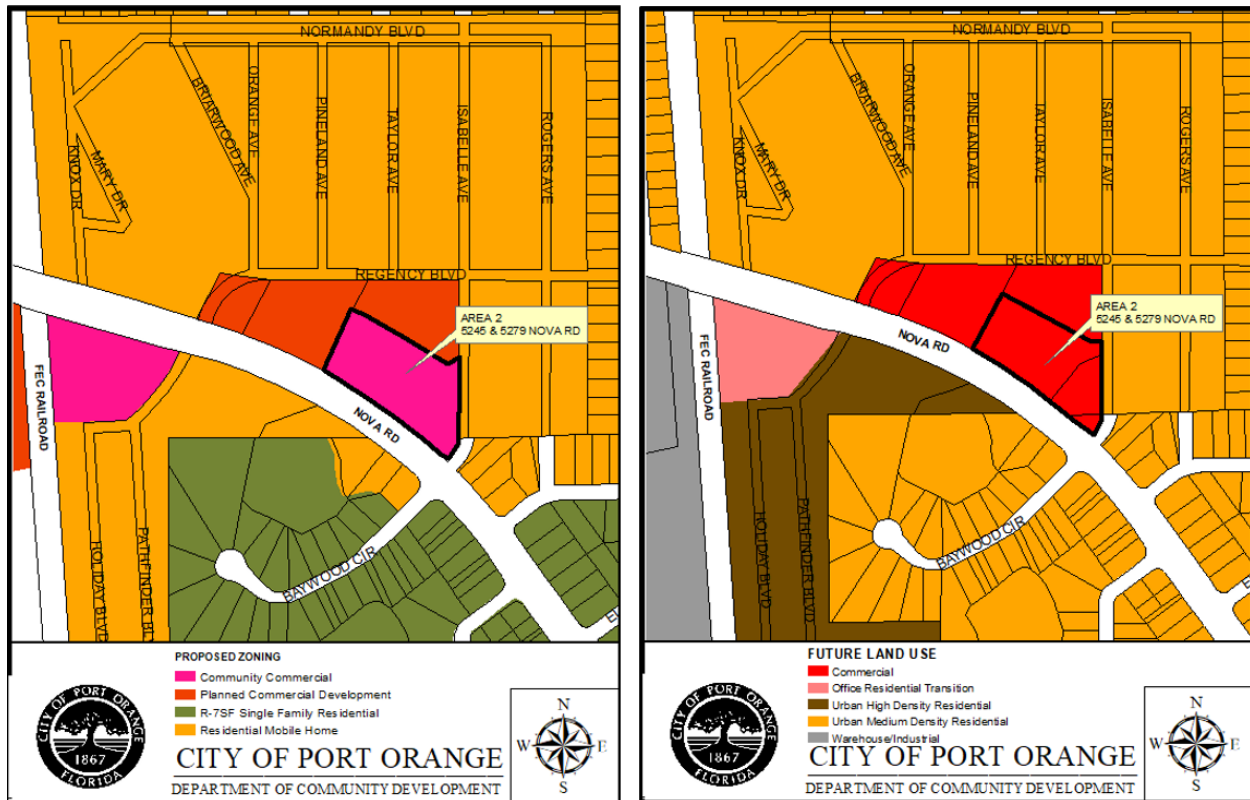
The subject property was originally developed as a commercial plaza in 1970 and zoned C-1 (Shopping Center Commercial District) at that time. In 1985, the subject property was rezoned to PCD without an MDA and in 2000, the Commonwealth Plaza Master Development Agreement (MDA) was adopted. The MDA allows the following permitted uses: Professional Offices, Retail Sales and Services, Financial Services, Restaurants, Business Services, Beauty/Barber Shop, Nail Salon, Tanning Salon, Laundry, Dry Cleaning (retail only), Garment Service, and Shoe Repair. Over the last few years, staff has received requests to establish businesses at the subject property that would typically be allowed in conventional commercial zoning categories; however, because the requested commercial uses are not listed as permitted uses by the current zoning, staff cannot approve these requests. Therefore, the current zoning designation on this property has prolonged vacancies in otherwise usable commercial tenant spaces.

The subject property has a FLU designation of *Commercial*. The proposed Community Commercial (CC) zoning designation is consistent with the *Commercial* FLU designation as it provides opportunity for a variety of retail sales and services within a community-scale shopping center. This site is part of the Neighborhood Commercial Node located around the intersection of Nova Road and Isabelle Avenue, as designated in the City's Comprehensive Plan, which is intended to provide areas to serve the general shopping needs of the residential areas within a ±1-mile radius.

Rezoning the subject property from PCD to Community Commercial (CC) is anticipated to assist the redevelopment of the subject property and expand the commercial uses that can occupy existing tenant spaces. The list of permitted uses in the CC zoning district is more current and flexible than the uses from the 1990's listed in the MDA.

The CC zoning district permits typical community-scale commercial uses commonly found at shopping centers and outparcels of this type such as: retail stores, restaurants, personal services (hair salon, barber shop, nail salon, retail dry cleaning, etc.) offices, breweries, health/exercise clubs, childcare centers, convenience store/gas station, banks, and similar uses. It is also difficult to predict future redevelopment options for the subject property and if the property remains PCD, it is possible that ongoing amendments to the MDA could be necessary and could delay redevelopment opportunities. The list of permitted uses in the CC zoning district and the development requirements in the LDC is a more efficient process to redevelop the site or fill existing tenant spaces in the current multi-tenant buildings on the site.

FIGURE 3. PROPOSED ZONING MAP AND CURRENT FLU MAP OF AREA 2



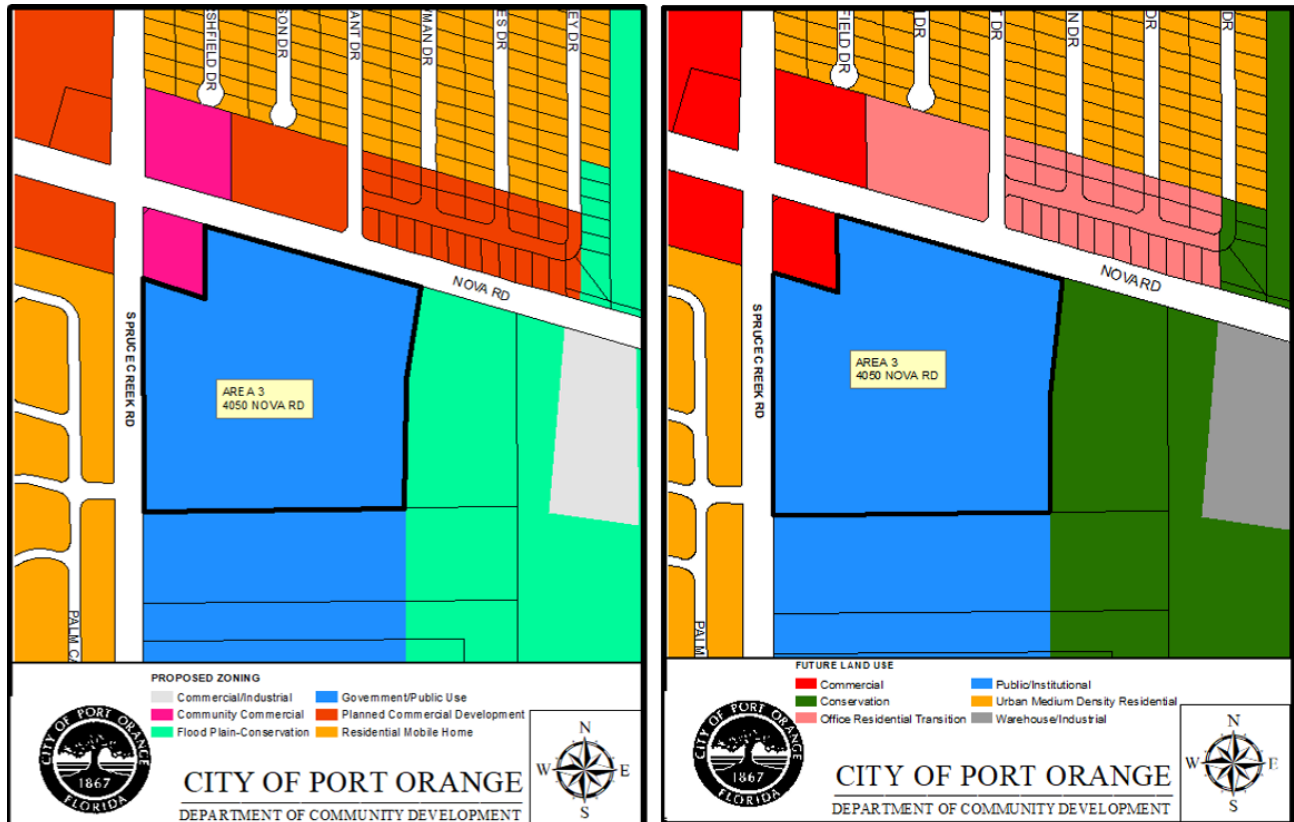
Area 3: Rezone ±17.9 acres from Professional Office (PO) and High Density Residential (R-3H) to Government Public Use (GPU)

The subject property is approximately ±23.35 acres with ±17.9 acres currently zoned Professional Office (PO) and High Density Residential (R-3H) and the remaining acreage zoned Flood-Plain Conservation (F-C). The proposed rezoning would change the designation of the PO and R-3H acreage to Government Public Use (GPU). The subject property is a City-owned property with a perpetual drainage easement over the existing

retention ponds. The easement was required by FDOT when the City acquired the property in 2005. The easement on the property combined with the remainder of the property being designated as a Conservation area prohibits any development from occurring on the subject property.

The subject property has a FLU designation of *Public/Institutional*. The FLU was changed from *Office/Residential Transition* and *Urban High Density Residential* to *Public/Institutional* when FDOT purchased the property in 2000, but the property was never rezoned to the appropriate corresponding zoning category of GPU. The proposed Government Public Use (GPU) zoning designation is consistent with the *Public/Institutional* FLU designation as it is property that provides a public use of a stormwater retention facility to serve the adjacent road network as well as open space for the marshland that drains into Rose Bay.

FIGURE 4. PROPOSED ZONING MAP AND CURRENT FLU MAP OF AREA 3



Consistency with Comprehensive Plan and Surrounding Uses and Zoning

The proposed rezonings are generally consistent with the pertinent Goals, Objectives, and Policies of the City's Comprehensive Plan and are compatible with adjacent properties. Compatibility is defined in the Comprehensive Plan as a condition in which dissimilar land uses can co-exist in relative proximity to one another in a stable fashion over time, such that neither use is negatively impacted by the other. Areas 1 and 2 are properties with longstanding commercial uses. Any future development will be required to comply with all LDC requirements, including those pertaining to buffers and screening

between non-residential and existing adjacent residential homes. Area 3 contains two stormwater ponds and open space to serve the surrounding area and will remain as open space/conservation area.

As part of any future site redevelopment on Areas 1 and 2, site plans and/or building permits will be required to be submitted for staff review, to verify all LDC requirements are met, such as landscape buffers, parking, building setbacks, tree preservation, and infrastructure, to ensure compatibility with adjoining properties and that adequate public facilities and services are available.

TABLE 1. SURROUNDING LAND USES AND ZONING

AREA 1: 4035 NOVA ROAD

Direction	Existing Land Use	FLU Designation	Zoning District
North	Commercial	<i>Commercial</i>	Community Commercial (CC)
South	Commercial	<i>Commercial</i>	Community Commercial (CC)
East	Commercial	<i>Commercial</i>	Community Commercial (CC)
West	Commercial	<i>Commercial</i>	Community Commercial (CC)

AREA 2: 5245 AND 5275 NOVA ROAD

Direction	Existing Land Use	FLU Designation	Zoning District
North	Commercial	<i>Commercial</i>	Regency Planned Commercial Development (PCD)
South	Stormwater Retention and Single-Family Residential	<i>Urban High Density Residential (8-16 u/a) and Urban Medium Density Residential (4-8 u/a)</i>	Residential Mobile Home (RMH)
East	Residential Mobile Home	<i>Urban Medium Density Residential (4-8 u/a)</i>	Residential Mobile Home (RMH)
West	Commercial	<i>Commercial</i>	Kingdom Community Fellowship Planned Commercial Development (PCD)

AREA 3: 4050 NOVA ROAD

Direction	Existing Land Use	FLU Designation	Zoning District
North	Commercial	<i>Office/Residential Transition</i>	Clark's PCD #1 Planned Commercial Development (PCD)
South	FPL Substation	<i>Public/Institutional</i>	Government Public Use (GPU)
East	Vacant	<i>Conservation</i>	Flood-Plain Conservation (F-C)
West	Residential Mobile Home	<i>Urban Medium Density Residential (4-8 u/a)</i>	Residential Mobile Home (RMH)

SMART GROWTH SUMMARY

The proposed rezoning promotes utilization of existing commercial properties that have access to existing infrastructure such as water, sewer, and roads. The commercial rezoning also promotes redevelopment of infill properties and reduces sprawl. The rezoning to GPU helps preserve open space within the urbanized area.

PUBLIC NOTICE

On March 13, 2020, staff posted the property notifying the public of the proposed rezonings. As of the time this agenda item was prepared, there have been three phone calls or other inquiries on the proposed rezonings. After providing the information on the rezoning case, no further questions were asked.

STAFF RECOMMENDATION

Staff recommends **approval** of the request to rezone the following:

- A. Rezone ±0.95 acres from Planned Commercial Development (PCD) to Community Commercial (CC)
- B. Rezone ±2.36 acres from Commonwealth Plaza Planned Commercial Development (PCD) to Community Commercial (CC)
- C. Rezone ±17.9 acres from Professional Office (PO) and High Density Residential (R-3H) TO Government Public Use (GPU)

ATTACHMENTS:

Exhibit 1 – List of Permitted Uses for the CC and GPU zoning districts

Exhibit 1

Community Commercial

Permitted uses.

- (1) Adult/vocational education.
- (2) Appliance/electronic repair shops.
- (3) Banks.
- (4) Business services.
- (5) Clubs, lodges, and fraternal organizations.
- (6) Convenience stores with or without fuel operations.
- (7) Financial services.
- (8) Fleet-based services.
- (9) Funeral homes.
- (10) Furniture and appliance stores.
- (11) Health/exercise clubs.
- (12) Medical offices/clinics.
- (13) Motor vehicle service stations.
- (14) Offices.
- (15) Office supplies.
- (16) Personal services.
- (17) Restaurants.
- (18) Retail home building materials.
- (19) Retail nurseries and garden supplies.
- (20) Retail sales and services.
- (21) Veterinary clinics.

Permitted uses with special development requirements (chapter 18, section 4).

- (1) Athletic/sports facilities (subsection 2).
- (2) Brewery (subsection 3.7).
- (3) Child care centers (subsection 4).
- (4) Craft food and beverage producer (subsection 5.15).
- (5) Community gardens (subsection 5.1).
- (6) Microbrewery (subsection 9.57).
- (7) Theaters (subsection 17).

Special exception uses (chapter 18, section 3).

- (1) Bars, lounges, and night clubs (subsection 3).
- (2) Fortune tellers, astrologers, and palm readers (subsection 6).
- (3) Game/recreation facilities (subsection 7).
- (4) Marina, recreational (subsection 9.6).
- (5) Mini-warehouses (subsection 10).
- (6) Motor vehicle and boat storage facilities (subsection 12).

Exhibit 1 (cont.)

Government Public Use

Permitted uses. All uses proposed by any governmental entity or agency thereof shall be permitted in this district. In addition, the following quasi-public uses shall be permitted in this district:

- (1) Adult/vocational education.
- (2) Cemeteries.
- (3) Charitable organization offices.
- (4) Hospitals.
- (5) Houses of worship.
- (6) Nursing homes.
- (7) Private schools.
- (8) Public utility stations/plants.

Permitted uses with special development requirements (chapter 18, section 4).

- (1) Child care centers (subsection 4).
- (2) Community gardens (subsection 5.1).

Special exception uses (chapter 18, section 3).

- (1) Marina, recreational (subsection 9.6).



STAFF REPORT

Altamira Shopping Village Partial Replat
Case No. 19-50000002

REQUEST: Replat +/- 19 acres of the Altamira Shopping Village property into 5 lots and 3 tracts as shown on the approved Altamira PCD Conceptual Development Plan

APPLICANT: Mark A. Watts, Esq., Cobb Cole

PROPERTY OWNERS: Four Lanes, LLC; Kleban Properties, LLC

STAFF CONTACT: Tim Burman, Community Development Director (386) 506-5675

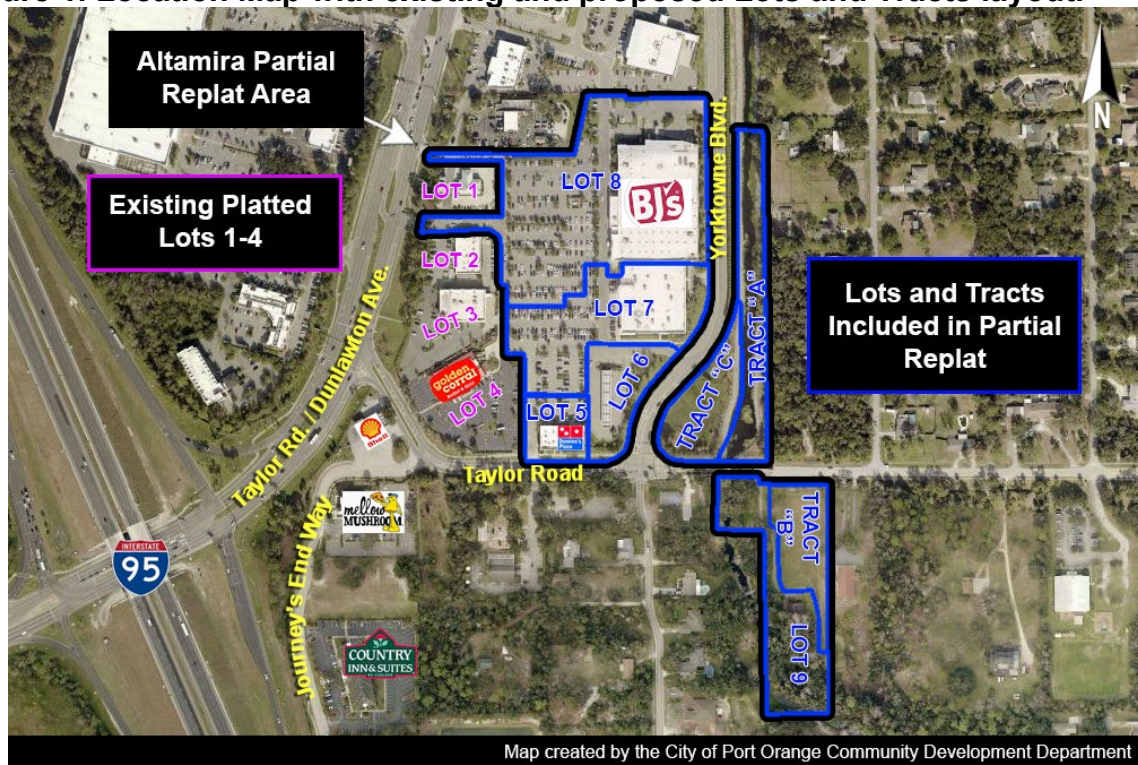
STAFF RECOMMENDATION: Approval

PLANNING COMMISSION: May 28, 2020

SUMMARY OF PROPOSED AMENDMENT

The proposal is to replat +/-19 acres consisting of a portion of Lots 1 and 4 and all of Lot 5 of the Altamira Shopping Village Plat and Lots 1, 1A, 2, 3, 4, & 5 of the Craig Farms Plat into 5 lots and 3 tracts. The subject property is located on the north and south side of Taylor Road with most of the subject property located north of Taylor Road and east of Dunlawton Avenue.

Figure 1. Location Map with existing and proposed Lots and Tracts layout.



The replat (Exhibit "B") has been designed according to the layout of the approved Altamira Planned Commercial Development (PCD) Conceptual Development Plan (CDP) (Exhibit "C") and the lot dimensional (lot area and width) and site (building setbacks, parking, open space, etc.) requirements of the existing Altamira PCD Master Development Agreement (MDA). The lot configuration consists of four lots (Lots 5-8) and Tract "A" and "C" north of Taylor Road and one lot (Lot 9) and Tract "B" south of Taylor Road.

The required subdivision infrastructure (water, sewer, drainage, access drives, driveways, and landscaping) to serve the commercial development was completed as part of the site plan for Altamira Shopping Village. Therefore, no subdivision infrastructure improvements are required with the replat as all required improvements were built and accepted with the Altamira Shopping Village site plan in 2012/2013. The proposed lots are accessed from existing driveways off Dunlawton Avenue, Taylor Road, and Yorktowne Boulevard. Cross-access easements are provided between the lots in order for vehicles and pedestrians to move between the lots.

CONCURRENCY REVIEW

Public facilities and services are available and serve the buildings on the five proposed lots. Concurrency reviews for transportation, water, sewer, solid waste, and stormwater drainage were completed for the proposed five lots when the site plan for the Altamira Shopping Village was approved in 2012.

CONSISTENCY WITH COMPREHENSIVE PLAN

The subject property is designated *Commercial* on the City's Future Land Use Map. The City has planned for and designated commercial nodes at intersections of major roads in the Future Land Use Element of the Comprehensive Plan. In this case, the subject property is part of a Sub-Regional Node located around the intersection of Dunlawton Avenue and Yorktowne Boulevard. Sub-Regional nodes are intended to support the City with general and specialized shopping needs of the general population for residents within a +/- 4-mile radius.

STAFF DEVELOPMENT REVIEW COMMITTEE (DRC)

The Staff Development Review Committee (DRC) has reviewed the replat and determined it meets the requirements of the Altamira PCD Master Development Agreement and the Land Development Code.

RECOMMENDATION

Staff recommends approval of the Altamira Shopping Village Partial Replat.

ATTACHMENTS

1. Exhibit "A" - Altamira Shopping Village Partial Replat
2. Exhibit "B" - Altamira PCD Conceptual Development Plan

EXHIBIT "A"

ALTAMIRA SHOPPING VILLAGE PARTIAL REPLAT

BEING A REPLAT OF A PORTION OF LOTS 1 AND 4 AND ALL OF LOT 5, ALTAMIRA SHOPPING VILLAGE, PER MAP BOOK 55, PAGES 136 THRU 140, TOGETHER WITH A REPLAT OF A PORTION OF LOTS 1, 1A, 2, 3, 4 AND 5, CRAIG FARMS PLAT NUMBER 2, TOGETHER WITH A PORTION OF SECTION 17, TOWNSHIP 16 SOUTH, RANGE 33 EAST, TOGETHER WITH A PORTION OF SECTION 20, TOWNSHIP 16 SOUTH, RANGE 33 EAST, CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA

DESCRIPTION:

PARCEL 1

A PORTION OF LOTS 1, 2, 3, 4, AND 5, CRAIG FARMS PLAT NUMBER TWO, AS DESCRIBED IN MAP BOOK 11, PAGE 90 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, TOGETHER WITH A PORTION OF LOTS 1, AND 4 AND ALL OF LOT 5, ALTAMIRA SHOPPING VILLAGE, AS DESCRIBED IN MAP BOOK 55, PAGES 136-140 INCLUSIVE, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA AND A PORTION OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 16 SOUTH, RANGE 33 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, SAID ALTAMIRA SHOPPING VILLAGE, RUN THENCE ALONG THE NORTH LINE OF SAID LOT 1 AND LOT 5, N89°15'57"E, 435.16 FEET TO A POINT ON THE WESTERLY LINE OF SAID LOT 5; THENCE ALONG THE BOUNDARY OF SAID LOT 5, N11°30'10"E, 182.95 FEET TO THE NORTH LINE OF SAID LOT 5; THENCE ALONG SAID NORTH LINE, N89°11'46"E, 119.61 FEET TO THE NORTHEAST CORNER OF SAID LOT 5; THENCE ALONG THE EAST LINE OF SAID LOT 5, S01°41'57"E, 11.85 FEET TO THE NORTH LINE OF THE SOUTH 100 FEET OF LOT 5, SAID CRAIG FARMS PLAT NUMBER TWO, THENCE ALONG SAID NORTH LINE OF THE SOUTH 100 FEET, N89°14'19"E, 249.94 FEET TO THE WESTERLY RIGHT OF WAY LINE OF YORKTOWNE BOULEVARD AS DESCRIBED IN OFFICIAL RECORD BOOK 6900, PAGE 4566 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE, S00°41'40"E, 580.25 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 255.00 FEET WITH A CENTRAL ANGLE OF 42°43'44"; THENCE SOUTHERLY ALONG SAID WESTERLY RIGHT OF WAY LINE AND THE ARC OF SAID CURVE, 190.17 FEET; THENCE CONTINUE ALONG SAID WESTERLY RIGHT OF WAY LINE, S42°02'05"W, 143.58 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 345.00 FEET WITH A CENTRAL ANGLE OF 34°56'22"; THENCE SOUTHERLY ALONG SAID WESTERLY RIGHT OF WAY LINE AND THE ARC OF SAID CURVE, 210.38 FEET TO THE BEGINNING OF A REVERSE CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 50.00 FEET WITH A CENTRAL ANGLE OF 82°43'19"; THENCE SOUTHWESTERLY ALONG SAID WESTERLY RIGHT OF WAY LINE AND THE ARC OF SAID REVERSE CURVE, 72.19 FEET TO THE SOUTH LINE OF SAID ALTAMIRA SHOPPING VILLAGE, SAID LINE ALSO BEING THE NORTH RIGHT OF WAY LINE OF TAYLOR ROAD, A VARIABLE WIDTH RIGHT OF WAY AS NOW ESTABLISHED; THENCE ALONG SAID SOUTH LINE OF ALTAMIRA SHOPPING VILLAGE AND THE NORTHERLY RIGHT OF WAY LINE OF TAYLOR ROAD, S89°48'59"W, 273.35 FEET TO A POINT LYING S89°48'59"W, 22.50 FEET FROM THE SOUTHEAST CORNER OF SAID LOT 4, ALTAMIRA SHOPPING VILLAGE; THENCE DEPART SAID NORTHERLY RIGHT OF WAY LINE OF TAYLOR ROAD AND SAID SOUTH LINE OF ALTAMIRA SHOPPING VILLAGE, N00°06'40"W, PARALLEL WITH THE EASTERLY BOUNDARY OF SAID LOT 4, 321.65 FEET TO A POINT IN THE EAST BOUNDARY OF SAID LOT 4; THENCE CONTINUE ALONG THE BOUNDARY OF SAID LOT 4, S89°53'20"W, 52.24 FEET TO A POINT ON THE EAST BOUNDARY SAID LOT 4; THENCE CONTINUE ALONG THE BOUNDARY OF SAID LOT 4 AND THE EAST LINE OF LOT 3, SAID ALTAMIRA SHOPPING VILLAGE, N00°06'40"W, 200.12 FEET TO THE NORTHEAST CORNER OF SAID LOT 3; THENCE ALONG THE NORTH LINE OF SAID LOT 3, S89°53'20"W, 15.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 2, ALTAMIRA SHOPPING VILLAGE; THENCE ALONG THE EAST LINE OF SAID LOT 2, N00°06'40"W, 127.64 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 45.00 FEET, WITH A CENTRAL ANGLE OF 90°23'55"; THENCE NORTHWESTERLY ALONG THE EAST LINE OF SAID LOT 2 AND THE ARC OF SAID CURVE, 71.00 FEET TO THE NORTH LINE OF SAID LOT 2; THENCE ALONG SAID NORTH LINE, THE FOLLOWING 5 CALLS, S89°29'25"W, 44.74 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 20.00 FEET, WITH A CENTRAL ANGLE OF 17°02'46"; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, 6.05 FEET; THENCE S72°08'39"W, 18.98 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 30.00 FEET, WITH A CENTRAL ANGLE OF 17°44'41"; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, 9.29 FEET; THENCE S89°53'20"W, 121.60 FEET TO THE NORTHEAST CORNER OF SAID LOT 2 AND THE EAST RIGHT OF WAY LINE OF DANLAWTON AVENUE AND THE WEST LINE OF SAID ALTAMIRA SHOPPING VILLAGE; THENCE ALONG SAID EAST RIGHT OF WAY LINE AND SAID WEST LINE OF ALTAMIRA SHOPPING VILLAGE, N06°53'58"E, 41.81 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1, ALTAMIRA SHOPPING VILLAGE; THENCE DEPART SAID EAST RIGHT OF WAY LINE, RUN ALONG THE SOUTH LINE OF SAID LOT 1, ALTAMIRA SHOPPING VILLAGE, N89°15'57"E, 245.23 FEET TO A POINT LYING S89°15'57"W, 52.11 FEET FROM THE SOUTHEAST CORNER OF SAID LOT 1; THENCE DEPART SAID SOUTH LINE OF LOT 1, N00°06'40"W, 173.56 FEET, PARALLEL WITH THE EAST LINE OF SAID LOT 1, TO A POINT LYING 15.00 FEET SOUTH OF THE NORTH LINE OF SAID ALTAMIRA VILLAGE; SAID 15.00 FEET BEING MEASURED PERPENDICULAR TO THE NORTH LINE OF SAID LOT 1; THENCE ALONG A LINE 15.00 FEET SOUTH OF AND PARALLEL WITH, SAID NORTH LINE OF LOT 1, S89°15'57"W, 122.33 FEET TO THE WEST LINE OF SAID ALTAMIRA SHOPPING VILLAGE AND THE EAST RIGHT OF WAY LINE OF DANLAWTON AVENUE; THENCE ALONG SAID EAST RIGHT OF WAY LINE, N16°06'45"E, 15.67 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES OVER AND UPON THAT PORTION OF LOT 1 OF SWEETWATER OAKS COMMERCIAL SUBDIVISION, AS RECORDED IN MAP BOOK 50, PAGE 118 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, DESIGNATED ON SAID PLAT AS "CROSS-ACCESS INGRESS AND EGRESS EASEMENT AND UTILITY EASEMENT".

CONTAINING ±571,019 SQUARE FEET OR ±13.109 ACRES.

TOGETHER WITH:

PARCEL 2

A PORTION OF LOTS 1, 2, 3, AND 4, CRAIG FARMS PLAT NUMBER TWO, AS DESCRIBED IN MAP BOOK 11, PAGE 90 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, TOGETHER WITH A PORTION OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 16 SOUTH, RANGE 33 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 1, ALTAMIRA SHOPPING VILLAGE, AS DESCRIBED IN MAP BOOK 55, PAGES 136-140 INCLUSIVE, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; RUN THENCE ALONG THE NORTH LINES OF SAID LOT 1 AND LOT 5, SAID ALTAMIRA SHOPPING VILLAGE, N89°15'57"E, 435.16 FEET TO THE WESTERLY BOUNDARY OF SAID LOT 5; THENCE ALONG THE BOUNDARY OF SAID LOT 5, N11°30'10"E, 182.95 FEET TO THE NORTH LINE OF SAID LOT 5; THENCE ALONG SAID NORTH LINE, N89°11'46"E, 119.61 FEET TO THE NORTHEAST CORNER OF SAID LOT 5; THENCE ALONG THE EAST LINE OF SAID LOT 5, S01°41'57"E, 11.85 FEET TO THE NORTH LINE OF THE SOUTH 100 FEET OF LOT 5, SAID CRAIG FARMS PLAT NUMBER TWO, THENCE ALONG SAID NORTH LINE OF THE SOUTH 100 FEET, N89°14'19"E, 249.94 FEET TO THE WESTERLY BOUNDARY LINE OF YORKTOWNE BOULEVARD AS DESCRIBED IN OFFICIAL RECORD BOOK 6900, PAGE 4566 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE ALONG SAID WESTERLY LINE, S00°41'40"E, 100.00 FEET TO THE INTERSECTION OF SAID WESTERLY LINE WITH THE NORTH LINE OF SAID LOT 4, CRAIG FARMS PLAT NUMBER TWO, THENCE DEPART SAID WESTERLY LINE AND ALONG THE NORTH LINE OF SAID LOT 4, N89°14'19"E, 90.00 FEET TO THE EASTERLY LINE OF SAID YORKTOWNE BOULEVARD AND THE POINT OF BEGINNING; THENCE CONTINUE ALONG THE NORTH LINE OF SAID LOT 4 AND ITS EASTERLY EXTENSION THEREOF, N89°14'19"E, 82.00 FEET TO THE WEST LINE OF THE EASTERLY 1/2 OF THE SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 16 SOUTH, RANGE 33 EAST; SAID LINE ALSO BEING THE WESTERLY LINE OF SWEETWATER ESTATES AS RECORDED IN MAP BOOK 27, PAGE 213, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE ALONG SAID WESTERLY LINE OF SWEETWATER ESTATES, S00°41'40"E, 983.73 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF TAYLOR ROAD; THENCE ALONG SAID NORTH RIGHT OF WAY LINE, S89°48'59"W, 282.48 FEET TO SAID EAST LINE OF YORKTOWNE BOULEVARD AND THE BEGINNING OF A CURVE, CONCAVE NORTHEAST, HAVING A RADIUS OF 50.00 FEET WITH A CENTRAL ANGLE OF 104°07'42"; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, 90.87 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 255.00 FEET WITH A CENTRAL ANGLE OF 29°05'18"; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE AND SAID EAST LINE OF YORKTOWNE BOULEVARD, 125.01 FEET; THENCE CONTINUE ALONG SAID EASTERLY LINE, N42°02'05"E, 143.58 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 345.00 FEET WITH A CENTRAL ANGLE OF 42°43'44"; THENCE ALONG THE ARC OF SAID CURVE AND SAID EASTERLY LINE, 257.29 FEET; THENCE CONTINUE ALONG SAID EASTERLY LINE, N00°41'40"W, 480.36 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH:

PARCEL 3

A PORTION OF THE NORTHEAST 1/4 OF SECTION 20, TOWNSHIP 16 SOUTH, RANGE 33 EAST AND A PORTION OF THE SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 16 SOUTH, RANGE 33 EAST DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 20; THENCE ALONG THE NORTH LINE OF SAID SECTION 20, N89°43'16"E, 1223.48 FEET TO THE POINT OF BEGINNING; THENCE DEPART SAID NORTH LINE, N05°18'40"E, 16.42 FEET TO THE SOUTH RIGHT OF WAY LINE OF TAYLOR ROAD, A VARIABLE WIDTH RIGHT OF WAY, AS DESCRIBED IN OFFICIAL RECORD BOOK 4484, PAGE 3527, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE ALONG SAID SOUTH RIGHT OF WAY LINE, S89°28'40"E, 108.76 FEET TO THE EAST LINE OF SOUTHWEST 1/4 OF SAID SECTION 17; THENCE ALONG SAID EAST LINE, N00°26'04"E, 10.23 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF SAID TAYLOR ROAD PER O.R. BOOK 434, PAGES 224-225, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE ALONG THE EASTERLY EXTENSION OF SAID SOUTHERLY RIGHT OF WAY LINE, S89°40'33"E, 165.01 FEET TO THE EAST LINE OF THE WEST 165 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 17; THENCE DEPART SAID SOUTH RIGHT OF WAY LINE OF TAYLOR ROAD AND ALONG SAID EAST LINE OF THE WEST 165 FEET AND ALONG THE EAST LINE OF THE WEST 165 FEET OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 20, S00°26'04"E, 695.20 FEET TO THE SOUTH LINE OF THE NORTH 662 FEET OF THE NORTHEAST 1/4 OF SAID SECTION 20, THENCE ALONG SAID SOUTH LINE, S89°45'40"W, 165.00 FEET TO THE EAST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 20, THENCE ALONG SAID EAST LINE, N00°26'04"W, 551.83 FEET TO THE SOUTH LINE OF THE NORTH 110 FEET OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 20, THENCE ALONG SAID SOUTH LINE, S89°30'38"W, 122.50 FEET; THENCE N05°18'40"E, 110.97 FEET TO THE POINT OF BEGINNING.

CONTAINING ±130,541 SQUARE FEET OR ±2.997 ACRES.

GENERAL NOTES:

1. ■ DENOTES PERMANENT REFERENCE MONUMENT (PRM) FOUND 4"x4" CONCRETE MONUMENT W/ DISK LB#7301.
□ DENOTES PERMANENT REFERENCE MONUMENT (PRM) SET 4"x4" CONCRETE MONUMENT W/ DISK LB#3019.
2. NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
3. DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF.
4. ALL MEASUREMENTS REFER TO HORIZONTAL PLANE IN ACCORDANCE WITH THE DEFINITION OF THE U.S. SURVEY FOOT OR METER ADOPTED BY THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY. ALL MEASUREMENTS SHALL USE THE 39.37/12=3.28083333333 EQUATION FOR CONVERSION FROM A U.S. FOOT TO METERS.
5. ACCURACY: THE BOUNDARY LINEAR ERROR OF CLOSURE DOES NOT EXCEED 1:10,000. THE BOUNDARY ANGULAR ERROR OF CLOSURE DOES NOT EXCEED 15 SECONDS MULTIPLIED BY THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.
6. ALL LOT LINES ARE RADIAL UNLESS SHOWN OTHERWISE. (NR) DENOTES NON-RADIAL LINE RELATIVE TO CURVES.
7. BEARING STRUCTURE BASED ON RECORD PLAT WITH THE BEARING ON THE NORTHERLY BOUNDARY LINE OF LOT 1, ALTAMIRA SHOPPING VILLAGE AS RECORDED IN MAP BOOK 55, PAGES 136-140, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING N89°15'57"E.
8. THIS PLAT IS SUBJECTED TO ALL EASEMENTS OF RECORD AND RESERVATIONS OF EASEMENTS, INCLUDING BUT NOT LIMITED TO DRAINAGE, MAINTENANCE, UTILITY AND ACCESS EASEMENTS DEDICATED OR GRANTED HEREON, WHICH SHALL BE LOCATED AS FOLLOWS, EXCEPT AS OTHERWISE NOTED ON THIS PLAT: FRONT LOT LINES (STREET FRONTAGE) 12.00 FEET WIDE.
9. UTILITIES INCLUDE BUT ARE NOT LIMITED TO SANITARY SEWER, POTABLE WATER, RECLAIMED WATER, STORM DRAINAGE, ELECTRIC, TELEPHONE, CABLE TELEVISION, SECURITY, TELECOMMUNICATIONS, FIBER OPTIC AND NATURAL GAS.
10. UTILITY EASEMENTS PROVIDED ON THIS PLAT INCLUDE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE AND OPERATION OF CABLE TELEVISION SERVICES; PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS OR OTHER PUBLIC UTILITY.
11. THE OWNER(S) OF LOT 8, AND SUCCESSORS IN INTEREST, SHALL BE RESPONSIBLE FOR THE OPERATION AND MAINTENANCE OF THE DRAINAGE SYSTEM SERVING THE AREA WITHIN THE BOUNDARIES OF THIS PLAT, AS DEPICTED ON THE STORM WATER MANAGEMENT PLAN APPROVED FOR THIS DEVELOPMENT BY THE CITY OF PORT ORANGE, FLORIDA, EXCEPT DRAINAGE TRACT C, WHICH IS CURRENTLY, AND SHALL CONTINUE TO BE MAINTAINED BY VOLUSIA COUNTY, FLORIDA, IN THE EVENT THAT THE OWNER(S) OF LOT 8, AND SUCCESSORS IN INTEREST, FAILS TO PERFORM THE MAINTENANCE, REPAIR OR REPLACEMENT, AS NECESSARY, OF THE STORMWATER RETENTION AND DRAINAGE FACILITIES LOCATED WITHIN THE BOUNDARY OF THIS PLAT, THE CITY OF PORT ORANGE SHALL HAVE THE RIGHT TO ENTER UPON THE COMMON AREAS AND DESIGNATED EASEMENT AREAS OF THE PROPERTY AND PROVIDE MAINTENANCE, REPAIR OR REPLACEMENT OF THE STORMWATER DRAINAGE FACILITY AND SHALL HAVE THE RIGHT TO LIEN ALL OWNERS OF RECORD IN THE PROPERTY FOR THE COST OF SUCH MAINTENANCE, REPAIR AND REPLACEMENT AS THE CITY MAY DEEM NECESSARY. IN THE EVENT OF TERMINATION, DISSOLUTION, OR FINAL LIQUIDATION OF THE OWNER(S) OF LOT 8, AND SUCCESSORS IN INTEREST, THE RESPONSIBILITY FOR THE OPERATION AND MAINTENANCE OF THE SURFACE WATER OR STORM WATER MANAGEMENT SYSTEM WILL BE TRANSFERRED TO AND ACCEPTED BY AN ENTITY WHICH COMPLIES WITH SECTION 40C-42.027, F.A.C. AND BE APPROVED BY THE SAINT JOHNS RIVER WATER MANAGEMENT DISTRICT PRIOR TO SUCH TERMINATION, DISSOLUTION, OR LIQUIDATION.
12. TRACTS A & B RETENTION AREAS ARE GRANTED AS EASEMENTS TO THE CITY OF PORT ORANGE WITH RIGHTS OF ACCESS, INGRESS AND EGRESS, TOGETHER WITH THE RIGHT TO HARVEST EXCESS STORM WATER/GROUND WATER AS DEEMED APPROPRIATE AT THE DISCRETION OF THE CITY.
13. THE LANDS INCLUDED IN THIS REPLAT ARE SUBJECT TO ALL MATTERS CONTAINED ON THE FOLLOWING PLATS: ALTAMIRA SHOPPING VILLAGE, PER MAP BOOK 55, PAGES 136 THRU 140; CRAIG FARMS PLAT NUMBER TWO, PER MAP BOOK 11, PAGE 90; SWEETWATER OAKS COMMERCIAL SUBDIVISION, PER MAP BOOK 50, PAGE 118, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.
14. THIS PLAT IS SUBJECT TO THE FOLLOWING:
 - DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS (OUTPARCEL #4) RECORDED IN O.R. BOOK 6698, PAGE 3610 AS AMENDED IN O.R. BOOK 6984, PAGE 2372, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.
 - PERMANENT ACCESS EASEMENT AND SITE MAINTENANCE AGREEMENT RECORDED IN O.R. BOOK 6947, PAGE 1574, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.
 - DRAINAGE EASEMENT AGREEMENT RECORDED IN O.R. BOOK 6774, PAGE 1953 AND AMENDED AND RESTATED DRAINAGE EASEMENT AGREEMENT RECORDED IN O.R. BOOK 6815, PAGE 1821, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.
 - EASEMENT TO FLORIDA POWER & LIGHT COMPANY RECORDED IN O.R. BOOK 6758, PAGE 1154, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.
 - MASTER DEVELOPMENT AGREEMENT FOR ALTAMIRA SHOPPING VILLAGE PLANNED COMMERCIAL DEVELOPMENT RECORDED IN O.R. BOOK 6668, PAGE 3800, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

PLAT AREA CHART

	SQ. FT.	ACRES
LOTS 1=	39,882	0.92
LOTS 2=	64,007	1.47
LOTS 3=	146,678	3.41
LOTS 4=	318,453	7.31
LOTS 5=	77,285	1.77
TRACT A=	54,036	1.25
TRACT B=	53,256	1.22
TRACT C=	88,400	2.03
BOUNDARY=	844,197	19.38

PLAT DEDICATED EASEMENTS= 150,961 3.46

ABBREVIATIONS

SEC	SECTION	CB	CHORD BEARING
TWP	TOWNSHIP	CH	CHORD
RGE	RANGE	O.R.B.	OFFICIAL RECORDS BOOK
P.O.C.	POINT OF COMMENCEMENT	PG.	PAGE
POB	POINT OF BEGINNING	S.A.R.W.M.D.	S.A.R.W.M.D.
P.R.M.	PERMANENT REFERENCE MONUMENT	D.W.A.E.	DRAINAGE/MAINTENANCE/ACCESS EASEMENT
R/W	RIGHT OF WAY	D.E.	DRAINAGE EASEMENT
C.M.	CONCRETE MONUMENT	M.E.	MAINTENANCE EASEMENT
NR	NOT RADIAL	A.E.	ACCESS EASEMENT
D	DELTA / CENTRAL ANGLE	U.E.	UTILITY EASEMENT
R	RADIUS / RADIAL	C.E.	CONSERVATION EASEMENT
L	ARC LENGTH	ESMT.	EASEMENT

CERTIFICATE OF SURVEYOR AND MAPPER

KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED BEING A LICENSED AND REGISTERED SURVEYOR AND MAPPER, DOES HEREBY CERTIFY THAT THE PLAT SHOWN AND DESCRIBED HEREON, ENTITLED "ALTAMIRA SHOPPING VILLAGE PARTIAL REPLAT" WAS COMPLETED UNDER MY DIRECTION AND SUPERVISION, THAT THE PLAT COMPLIES WITH ALL OF THE SURVEY REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AND THAT ALL MONUMENTATION SHOWN HEREON OR REQUIRED PER CHAPTER 177, FLORIDA STATUTES, HAS BEEN PROPERLY PLACED.

J.E. ZAPERT DATE: _____
P.L.S. NO. 4046
SLIGER & ASSOCIATES, INC.
3921 NOVA ROAD PORT ORANGE, FLORIDA 32127
SLIGER & ASSOCIATES, INC. CERTIFICATE OF AUTHORIZATION NO. 3019

PLAT BOOK _____ PAGE _____

DEDICATION:

KNOW ALL MEN BY THESE PRESENTS, THAT 1261 POST ROAD ASSOCIATES WOS B, LLC, KLEBAN HOLDING COMPANY WOS B, LLC, BRICK WALK ASSOCIATES WOS B, LLC, BRIGHT STAR WOS B, LLC, KLEBAN HOLDING COMPANY I WOS B, LLC, PINE TREE VENTURES WOS B, LLC, AUTHORIZED TO DO BUSINESS IN THE STATE OF FLORIDA, BEING THE OWNERS IN FEE SIMPLE OF THE LANDS SHOWN AND DESCRIBED HEREON AS LOTS 5 THROUGH 8 INCLUSIVE AND TRACT "A" AND TRACT "B" AND TRACT "C", AND FOUR LANES, LLC, A DELAWARE LIMITED LIABILITY COMPANY AUTHORIZED TO DO BUSINESS IN THE STATE OF FLORIDA, BEING THE OWNER IN FEE SIMPLE OF THE LANDS SHOWN AND DESCRIBED HEREON AS LOT 9, ALL OF THE PLAT ENTITLED "ALTAMIRA SHOPPING VILLAGE PARTIAL REPLAT", LOCATED IN THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, HEREBY DEDICATE THE SAID LANDS AND PLAT FOR THE USES AND PURPOSES HEREON EXPRESSED. ALL UTILITIES MAINS FOR POTABLE WATER, RECLAIMED WATER, AND SANITARY SEWER CONSTRUCTED WITHIN THE AREA ENCOMPASSED WITHIN THE PLAT ARE DEDICATED TO THE CITY OF PORT ORANGE. ALL DRAINAGE, MAINTENANCE, UTILITY, ACCESS, SIDEWALK, VEHICULAR ACCESS CONTROL, AND CONSERVATION EASEMENTS SHOWN OR DESCRIBED ON THE PLAT ARE, UNLESS OTHERWISE INDICATED, GRANTED TO THE CITY OF PORT ORANGE. MAINTENANCE OBLIGATIONS FOR TRACTS "A", "B" AND "C" DEPICTED HEREIN ARE SPECIFICALLY REFERENCED AND GOVERNED BY THE TERMS AND CONDITIONS OF THE GENERAL NOTES.

IN WITNESS WHEREOF, KENNETH M. KLEBAN HAS CAUSED THESE PRESENTS TO BE SIGNED, SEALED AND ATTESTED TO, BY THE PERSONS NAMED BELOW, AND IT'S CORPORATE SEAL TO BE AFFIXED HERETO ON THIS _____ DAY OF _____, 20____.

NAME: KENNETH M. KLEBAN BY: _____
TITLE: PRESIDENT AS IT ALL (CORPORATE SEAL)

SIGNED AND SEALED IN THE PRESENCE OF: _____

PRINTED NAME: _____

PRINTED NAME: _____

STATE OF _____, COUNTY OF _____, DAY OF _____, 20____, BEFORE ME, AN OFFICER DULY AUTHORIZED TO TAKE ACKNOWLEDGMENTS IN THE STATE AND COUNTY AFORESAID, PERSONALLY APPEARED KENNETH M. KLEBAN, PRESIDENT AS IT ALL, KNOWN TO BE THE PERSONS WHO FOR AND ON BEHALF OF 1261 POST ROAD ASSOCIATES WOS B, LLC, ALIDA KLEBAN HOLDING COMPANY, WOS B, LLC, BRICK WALK ASSOCIATES WOS B, LLC, BRIGHT STAR WOS B, LLC, FEN WOS B, LLC, KLEBAN DEVELOPMENT COMPANY WOS B, LLC, KLEBAN HOLDING COMPANY WOS B, LLC, KLEBAN HOLDING COMPANY II WOS B, LLC, KLEBAN FARRELL WOS B, LLC, NORD WOS B, LLC, PINE TREE VENTURES WOS B, LLC, SUN REALTY ASSOCIATES WOS B, LLC, AUTHORIZED TO DO BUSINESS IN THE STATE OF FLORIDA, EXECUTED THE FOREGOING DEDICATION FOR AND ON BEHALF OF SAID CORPORATION.

HE (S) (S) (S) NOT KNOWN TO ME OR HAS PRODUCED _____ AS IDENTIFICATION AND HE (HAS) (HAS NOT) TAKEN AN OATH.
IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND AND SEAL ON THE ABOVE DATE.

SEAL

NOTARY PUBLIC

STATE OF _____ AT LARGE

MY COMMISSION EXPIRES: _____

TITLE/RANK: _____

COMMISSION NUMBER: _____

IN WITNESS WHEREOF, FOUR LANES, LLC HAS CAUSED THESE PRESENTS TO BE SIGNED, SEALED AND ATTESTED TO, BY THE PERSONS NAMED BELOW, AND IT'S CORPORATE SEAL TO BE AFFIXED HERETO ON THIS _____ DAY OF _____, 20____.

NAME: _____ BY: _____
TITLE: _____ (CORPORATE SEAL)

SIGNED AND SEALED IN THE PRESENCE OF: _____

PRINTED NAME: _____

PRINTED NAME: _____

STATE OF _____, COUNTY OF _____, DAY OF _____, 20____, BEFORE ME, AN OFFICER DULY AUTHORIZED TO TAKE ACKNOWLEDGMENTS IN THE STATE AND COUNTY AFORESAID, PERSONALLY APPEARED _____ KNOWN TO BE THE PERSONS WHO FOR AND ON BEHALF OF FOUR LANES, LLC, A DELAWARE LIMITED LIABILITY COMPANY AUTHORIZED TO BUSINESS IN THE STATE OF FLORIDA EXECUTED THE FOREGOING DEDICATION FOR AND ON BEHALF OF SAID CORPORATION.

HE (S) (S) (S) NOT KNOWN TO ME OR HAS PRODUCED _____ AS IDENTIFICATION AND HE (HAS) (HAS NOT) TAKEN AN OATH.

IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND AND SEAL ON THE ABOVE DATE.

SEAL

NOTARY PUBLIC

STATE OF _____ AT LARGE

MY COMMISSION EXPIRES: _____

TITLE/RANK: _____

COMMISSION NUMBER: _____

PLANNING COMMISSION CERTIFICATE OF APPROVAL

THIS STATEMENT HEREBY CERTIFIES THAT THE PLAT ENTITLED "ALTAMIRA SHOPPING VILLAGE PARTIAL REPLAT" WAS APPROVED BY THE PORT ORANGE PLANNING COMMISSION ON THE _____ DAY OF _____, 20____.

BY: _____
CHAIRMAN OF THE PORT ORANGE PLANNING COMMISSION

CITY COUNCIL CERTIFICATE OF APPROVAL

THIS STATEMENT HEREBY CERTIFIES THAT THE PLAT ENTITLED "ALTAMIRA SHOPPING VILLAGE PARTIAL REPLAT" WAS APPROVED BY THE PORT ORANGE CITY COUNCIL ON THE _____ DAY OF _____, 20____.

BY: _____ ATTEST: _____
MAYOR OF THE CITY OF PORT ORANGE CITY CLERK OF THE CITY OF PORT ORANGE

REVIEW BY SURVEYOR AND MAPPER FOR THE CITY

I HEREBY CERTIFY TO THE CITY, THAT I HAVE REVIEWED THE FOREGOING PLAT ENTITLED "ALTAMIRA SHOPPING VILLAGE PARTIAL REPLAT" FOR COMPLIANCE WITH THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AND THAT I HAVE PROVIDED BOTH THE CITY AND THE SURVEYOR MAPPER OF RECORD A LIST OF DEVIATIONS, IF ANY, FROM SUCH REQUIREMENTS.

SIGNATURE _____ DATE _____
PRINTED NAME: _____ P.L.S./P.S.M. NO. _____

CERTIFICATE OF CLERK

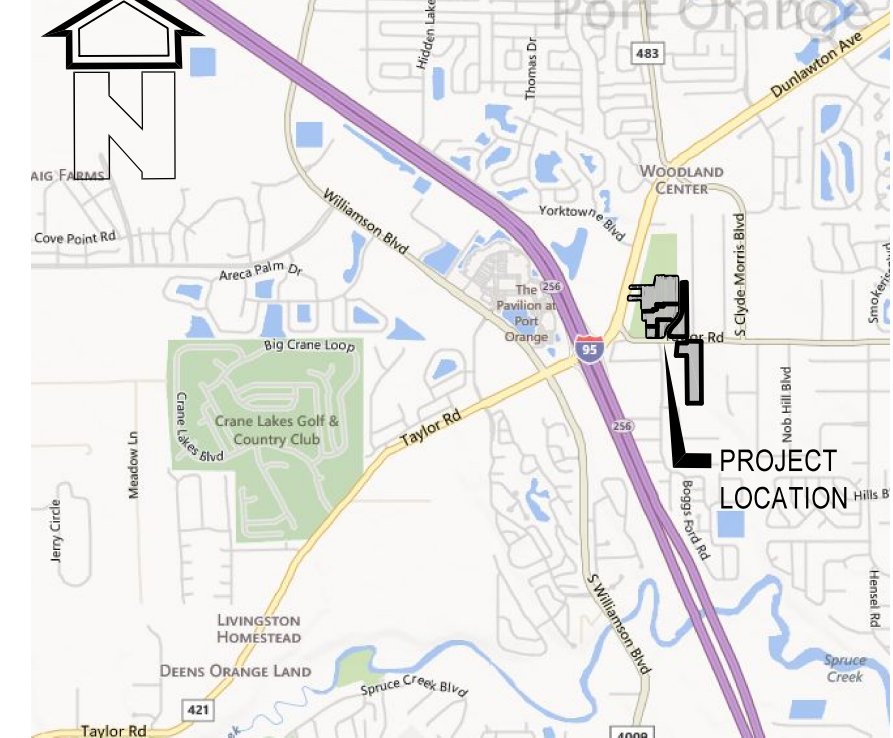
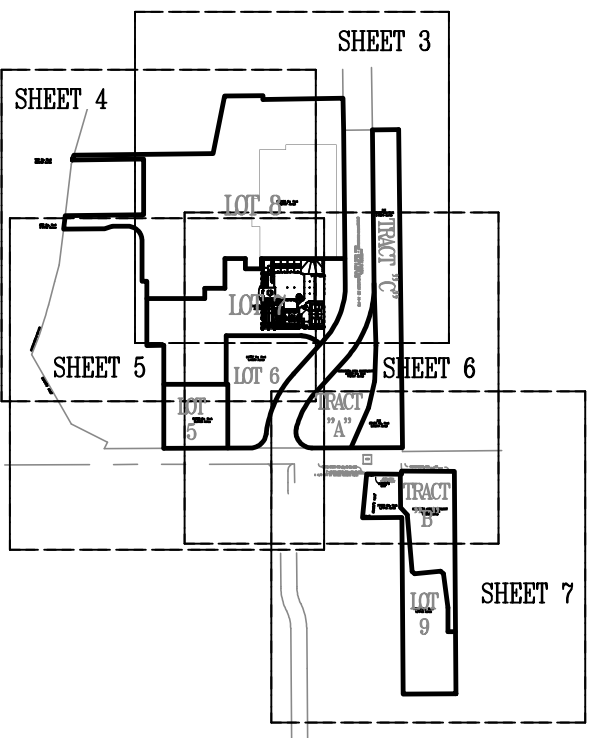
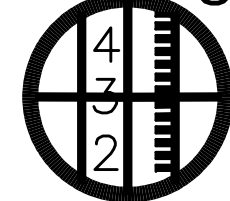
I HEREBY CERTIFY, THAT I HAVE EXAMINED THE FOREGOING PLAT AND FOUND THAT IT COMPLIES IN FORM WITH ALL THE REQUIREMENTS IN CHAPTER 177, FLORIDA STATUTES, AND THAT IT WAS FILED FOR RECORD ON _____ DAY OF _____, 20____ AT _____ AM/PM.

FILE NO. _____

CLERK OF THE CIRCUIT COURT IN AND FOR VOLUSIA COUNTY, FLORIDA

PREPARED BY:

SLIGER & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
LICENSED BUSINESS CERTIFICATION #3019
3921 NOVA ROAD
PORT ORANGE, FL. 32127
(386) 761-5365
www.sligerassociates.com
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ALTAMIRA SHOPPING VILLAGE PARTIAL REPLAT

BEING A REPLAT OF A PORTION OF LOTS 1 AND 4 AND ALL OF LOT 5, ALTAMIRA SHOPPING VILLAGE, PER MAP BOOK 55, PAGES 136 THRU 140, TOGETHER WITH A REPLAT OF A PORTION OF LOTS 1, 1A, 2, 3, 4 AND 5, CRAIG FARMS PLAT NUMBER 2, TOGETHER WITH A PORTION OF SECTION 17, TOWNSHIP 16 SOUTH, RANGE 33 EAST, TOGETHER WITH A PORTION OF SECTION 20, TOWNSHIP 16 SOUTH, RANGE 33 EAST, CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA

PLAT BOOK PAGE

JOINDER AND CONSENT:

JP MORGAN CHASE BANK, HEREBY CERTIFIES THAT IT IS THE HOLDER OF MORTGAGES UPON THE PROPERTY SHOWN AND DESCRIBED ON THE ATTACHED PLAT ENTITLED: ALTAMIRA SHOPPING VILLAGE PARTIAL REPLAT, LOCATED IN PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AND HEREBY JOINS IN AND CONSENTS TO THE DEDICATION SHOWN ON THE PLAT OF LANDS DESCRIBED HEREIN AND AGREES THAT ITS MORTGAGES AS RECORDED IN OFFICIAL RECORD BOOK PAGE(S) PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, AS SUBSEQUENTLY MODIFIED AND EXTENDED, SHALL BE SUBORDINATED TO SAID DEDICATION.

IN WITNESS WHEREOF, JP MORGAN CHASE BANK, HAS CAUSED THESE PRESENTS TO BE EXECUTED IN ITS CORPORATE NAME AND ITS CORPORATE SEAL TO BE AFFIXED BY ITS DULY AUTHORIZED OFFICERS THIS DAY OF , 20.

STATE OF FLORIDA
COUNTY OF VOLUSIA

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS DAY OF , 20, BY OF JP MORGAN CHASE BANK, ON BEHALF OF THE CORPORATION, BEING PERSONALLY KNOWN TO ME OR HAVING PRODUCED AS IDENTIFICATION AND HAS HAS NOT TAKEN AN OATH.

SIGNED AND SEALED IN THE PRESENCE OF:

BY:	ATTEST:
(PRINTED NAME)	(PRINTED NAME)
TITLE:	TITLE:
WITNESS	(PRINTED NAME)
WITNESS	(PRINTED NAME)

BANCFIRST

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL ON THE ABOVE DATE.

NOTARY PUBLIC
STATE OF AT LARGE
MY COMMISSION EXPIRES: , 20
TITLE/RANK:
COMMISSION NUMBER:

JOINDER AND CONSENT:

EAST COAST COMMUNITY BANK, HEREBY CERTIFIES THAT IT IS THE HOLDER OF MORTGAGES UPON THE PROPERTY SHOWN AND DESCRIBED ON THE ATTACHED PLAT ENTITLED: ALTAMIRA SHOPPING VILLAGE PARTIAL REPLAT, LOCATED IN PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AND HEREBY JOINS IN AND CONSENTS TO THE DEDICATION SHOWN ON THE PLAT OF LANDS DESCRIBED HEREIN AND AGREES THAT ITS MORTGAGES AS RECORDED IN OFFICIAL RECORD BOOK PAGE(S) PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, AS SUBSEQUENTLY MODIFIED AND EXTENDED, SHALL BE SUBORDINATED TO SAID DEDICATION.

IN WITNESS WHEREOF, EAST COAST COMMUNITY BANK, HAS CAUSED THESE PRESENTS TO BE EXECUTED IN ITS CORPORATE NAME AND ITS CORPORATE SEAL TO BE AFFIXED BY ITS DULY AUTHORIZED OFFICERS THIS DAY OF , 20.

STATE OF FLORIDA
COUNTY OF VOLUSIA

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS DAY OF , 20, BY OF EAST COAST COMMUNITY BANK, ON BEHALF OF THE CORPORATION, BEING PERSONALLY KNOWN TO ME OR HAVING PRODUCED AS IDENTIFICATION AND HAS HAS NOT TAKEN AN OATH.

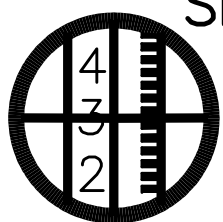
SIGNED AND SEALED IN THE PRESENCE OF:

BY:	ATTEST:
(PRINTED NAME)	(PRINTED NAME)
TITLE:	TITLE:
WITNESS	(PRINTED NAME)
WITNESS	(PRINTED NAME)

BANCFIRST

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL ON THE ABOVE DATE.

NOTARY PUBLIC
STATE OF AT LARGE
MY COMMISSION EXPIRES: , 20
TITLE/RANK:
COMMISSION NUMBER:

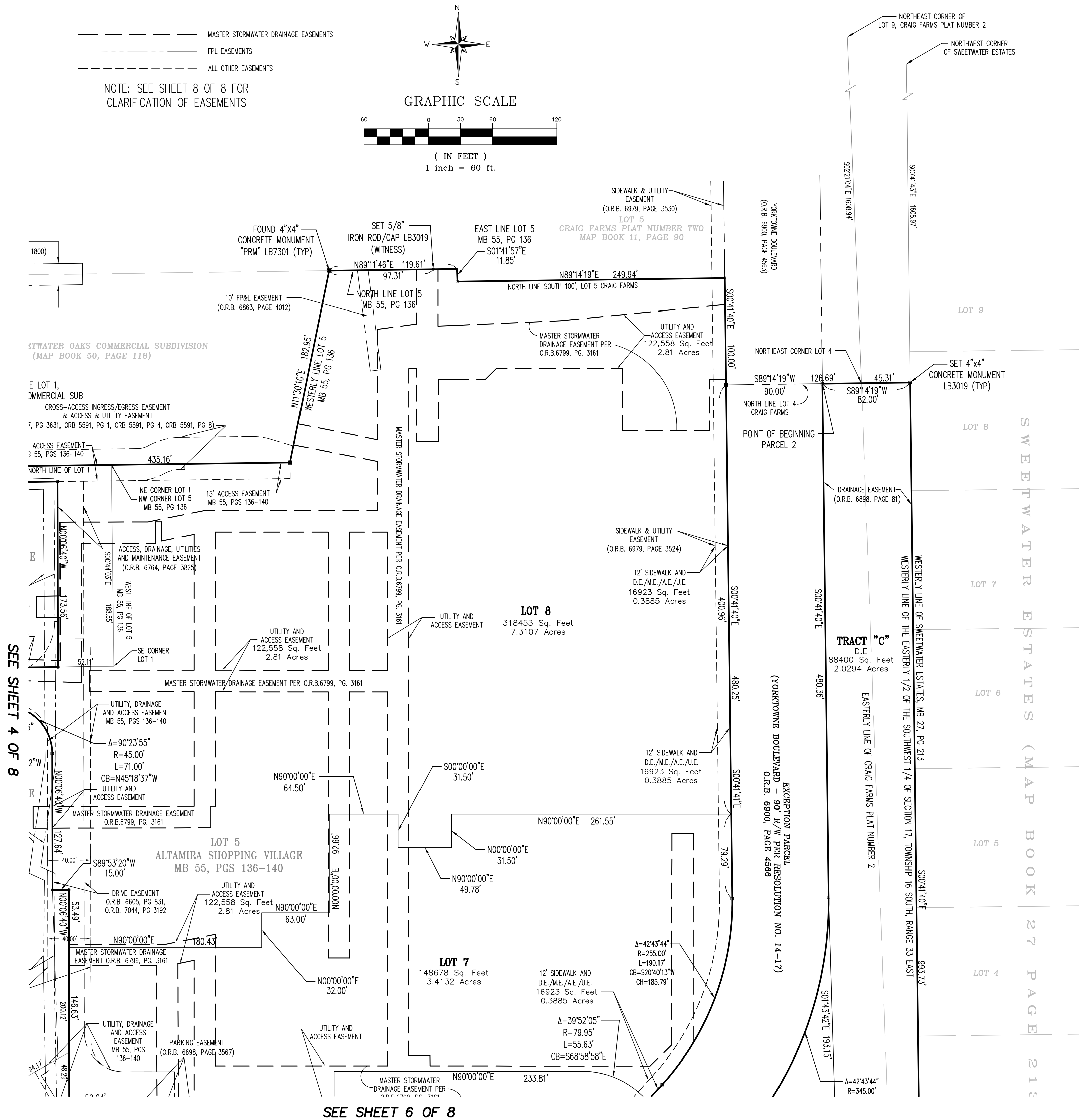
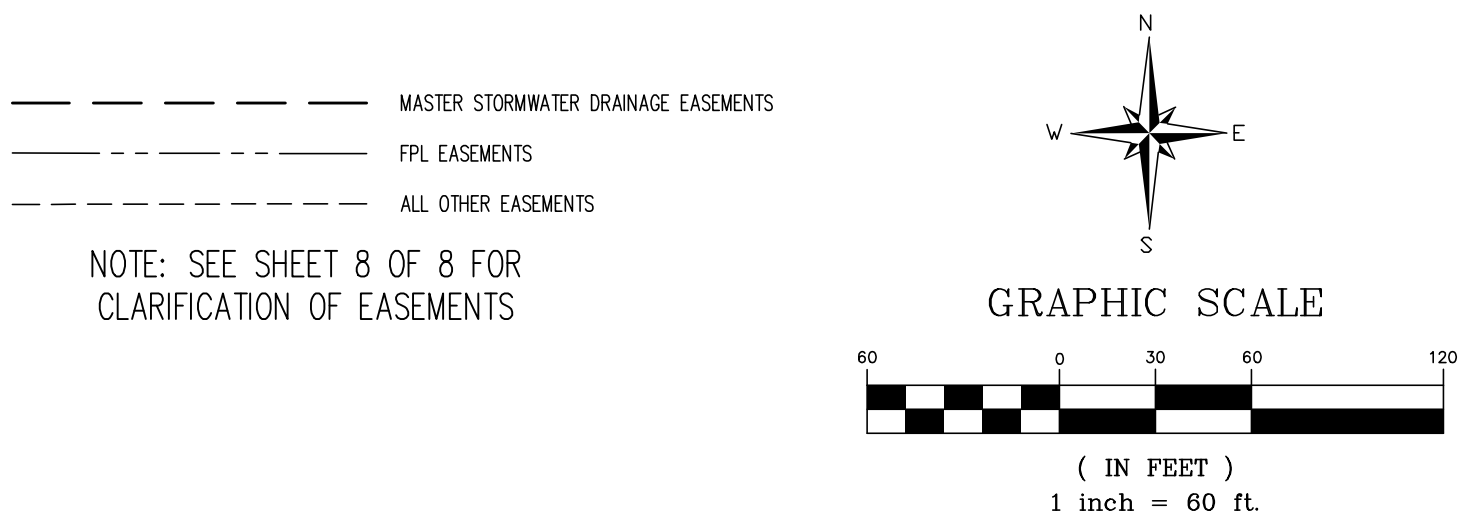


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www.sligerassociates.com
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Joseph E Zapert
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Date: 2020.04.06 11:26:50 -04'00'

ALTAMIRA SHOPPING VILLAGE PARTIAL REPLAT

BEING A REPLAT OF A PORTION OF LOTS 1 AND 4 AND ALL OF LOT 5, ALTAMIRA SHOPPING VILLAGE, PER MAP BOOK 55, PAGES 136 THRU 140, TOGETHER WITH A REPLAT OF A PORTION OF LOTS 1, 1A, 2, 3, 4 AND 5, CRAIG FARMS PLAT NUMBER 2, TOGETHER WITH A PORTION OF SECTION 17, TOWNSHIP 16 SOUTH, RANGE 33 EAST, TOGETHER WITH A PORTION OF SECTION 20, TOWNSHIP 16 SOUTH, RANGE 33 EAST, CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA

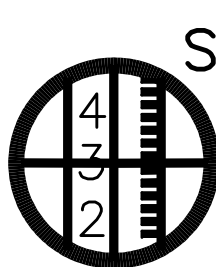


PLAT BOOK PAGE

GENERAL NOTES:

- DENOTES PERMANENT REFERENCE MONUMENT (PRM) FOUND 4"x4" CONCRETE MONUMENT W/ DISK LB#7301.
- DENOTES PERMANENT REFERENCE MONUMENT (PRM) SET 4"x4" CONCRETE MONUMENT W/ DISK LB#3019.
- NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
- DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF.
- ALL MEASUREMENTS REFER TO HORIZONTAL PLANE IN ACCORDANCE WITH THE DEFINITION OF THE U.S. SURVEY FOOT OR METER ADOPTED BY THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY. ALL MEASUREMENTS SHALL USE THE $39.37/12=3.28083333333$ EQUATION FOR CONVERSION FROM A U.S. FOOT TO METERS.
- ACCURACY: THE BOUNDARY LINEAR ERROR OF CLOSURE DOES NOT EXCEED 1:10,000. THE BOUNDARY ANGULAR ERROR OF CLOSURE DOES NOT EXCEED 15 SECONDS MULTIPLIED BY THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.
- ALL LOT LINES ARE RADIAL UNLESS SHOWN OTHERWISE. (NR) DENOTES NON-RADIAL LINE RELATIVE TO CURVES.
- BEARING STRUCTURE BASED ON RECORD PLAT WITH THE BEARING ON THE NORTHERLY BOUNDARY LINE OF LOT 1, ALTAMIRA SHOPPING VILLAGE AS RECORDED IN MAP BOOK 55, PAGES 136-140, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING N89°15'57"E.
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 - MASTER DEVELOPMENT AGREEMENT FOR ALTAMIRA SHOPPING VILLAGE PLANNED COMMERCIAL DEVELOPMENT RECORDED IN O.R. BOOK 6668, PAGE 3900, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

ABBREVIATIONS			
SEC	SECTION	D	DELTA / CENTRAL ANGLE
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P.O.C.	POINT OF COMMENCEMENT	U.E.	UTILITY EASEMENT
P.O.B.	POINT OF BEGINNING	C.E.	CONSERVATION EASEMENT
P.R.M.	PERMANENT REFERENCE MONUMENT	ESMT.	EASEMENT
R/W	RIGHT OF WAY	CB	CHORD BEARING
C.M.	CONCRETE MONUMENT	CH	CHORD
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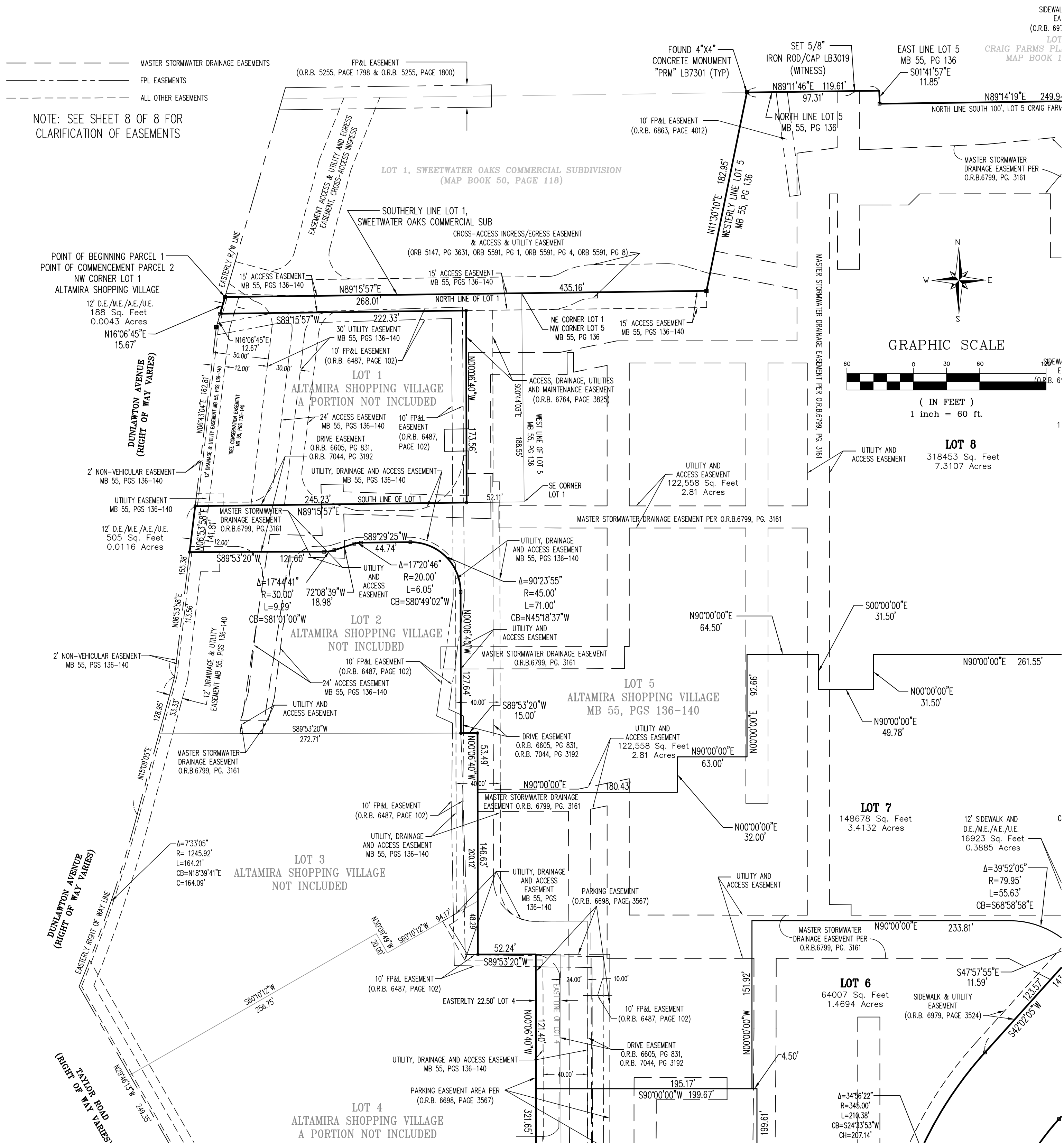
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SHEET 3 OF 8

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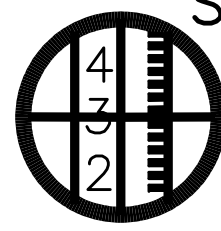
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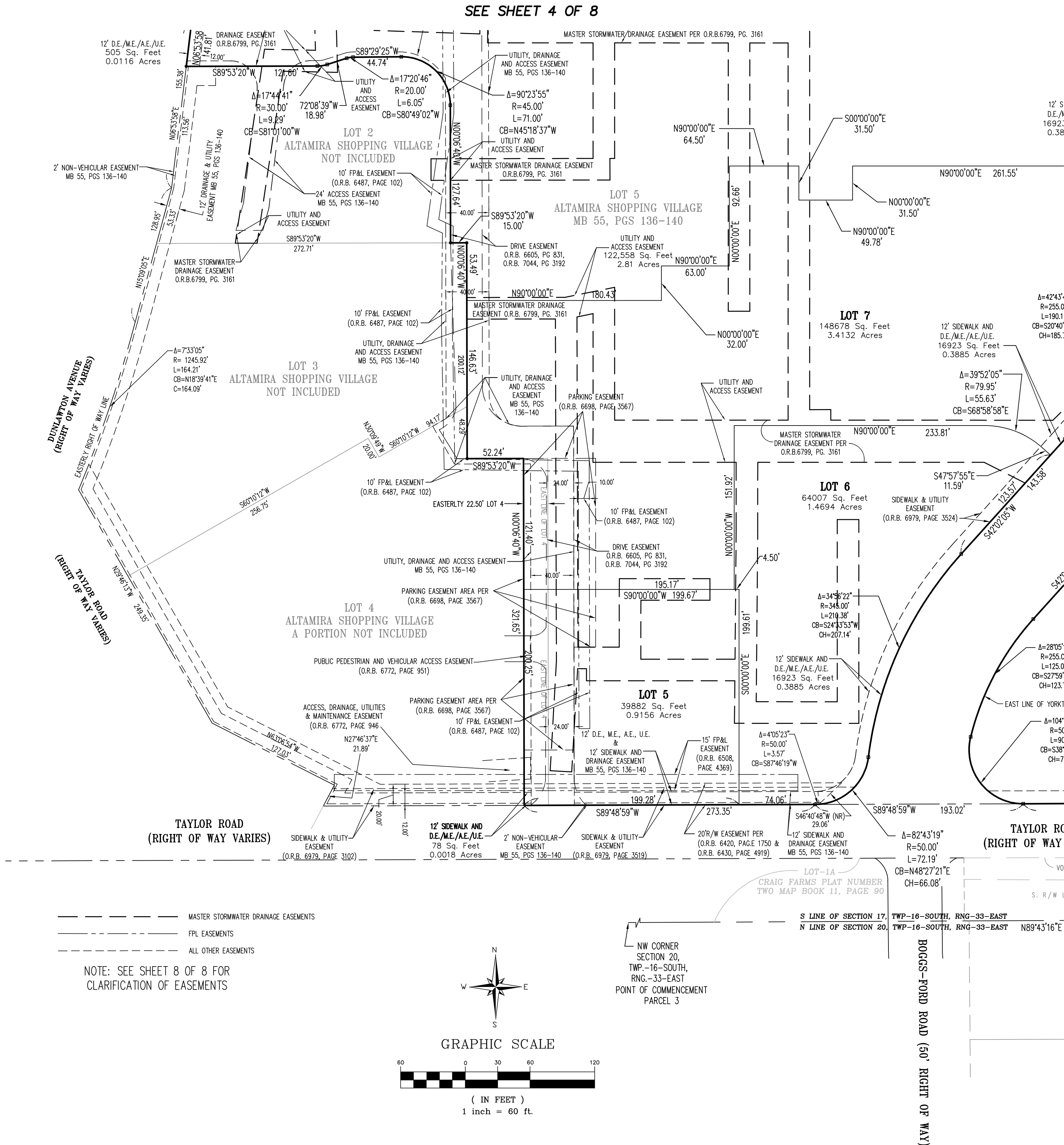
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SHEET 4 OF 8

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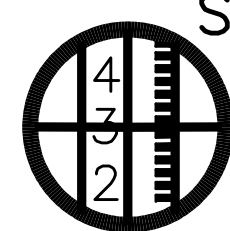
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SEE SHEET 6 OF 7

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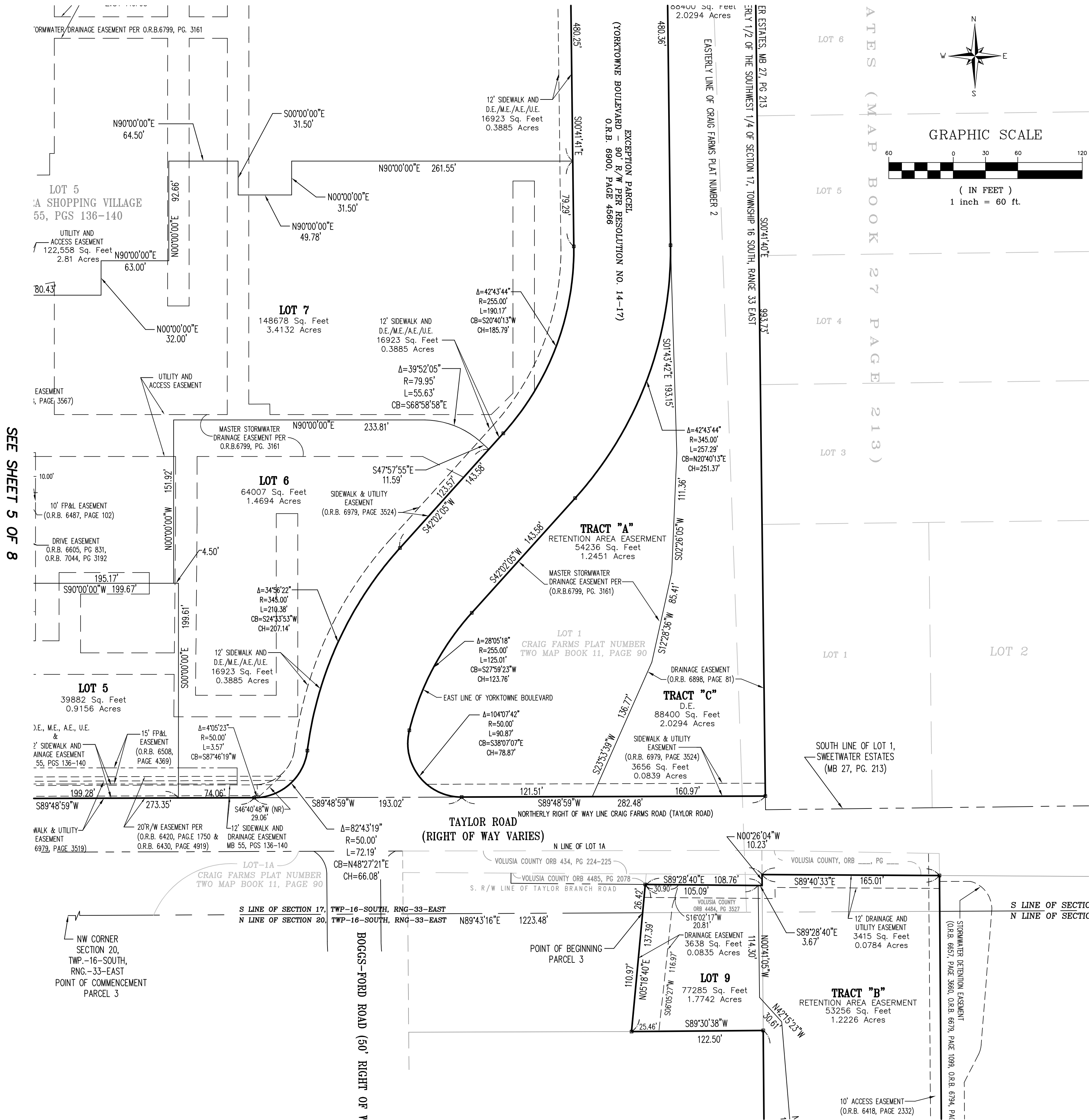
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SEE SHEET 3 OF 8



SEE SHEET 7 OF 8

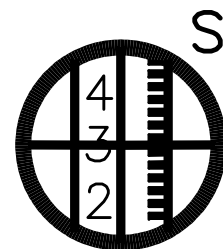
PLAT BOOK _____ PAGE _____

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R/W	RIGHT OF WAY	CB	CHORD BEARING		
C.M.	CONCRETE MONUMENT	CH	CHORD		
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PREPARED BY:



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PROFESSIONAL LAND SURVEYORS

LICENSED BUSINESS CERTIFICATION #3019

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SCALE: 1"=60'

SHEET 6 OF 8

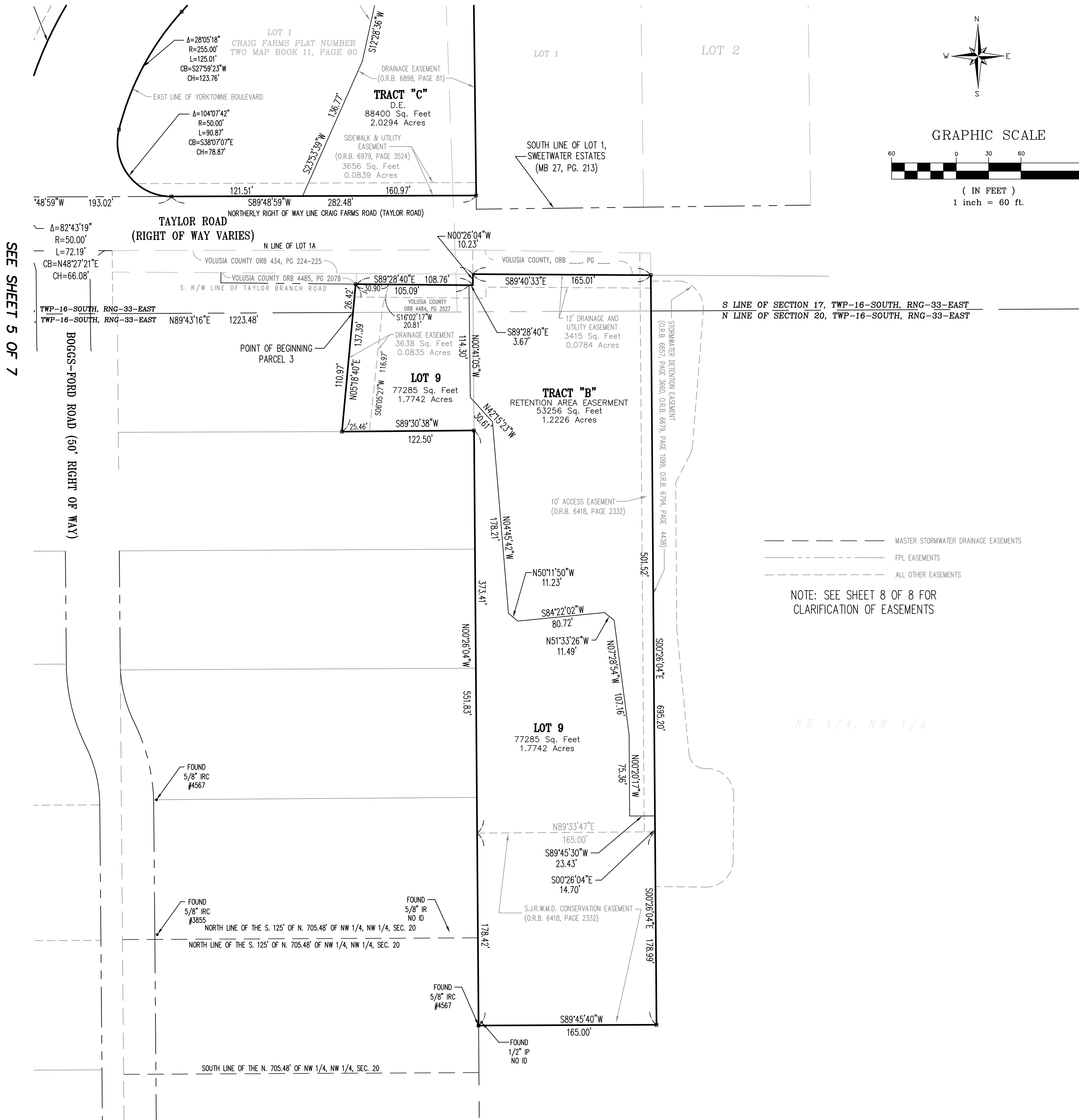
Joseph E Zapert

Digitally signed by Joseph E Zapert
Date: 2020.04.06 11:29:24 -04'00'

ALTAMIRA SHOPPING VILLAGE PARTIAL REPLAT

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SEE SHEET 6 OF 7



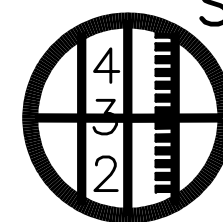
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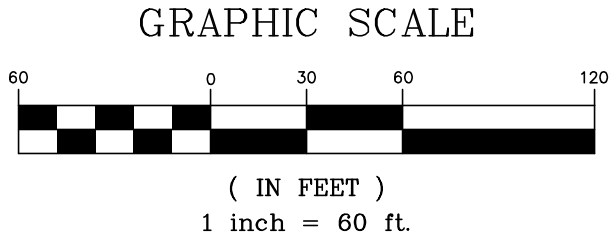
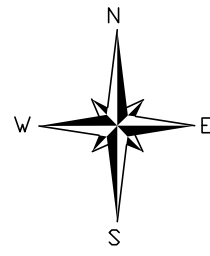
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SHEET 7 OF 8

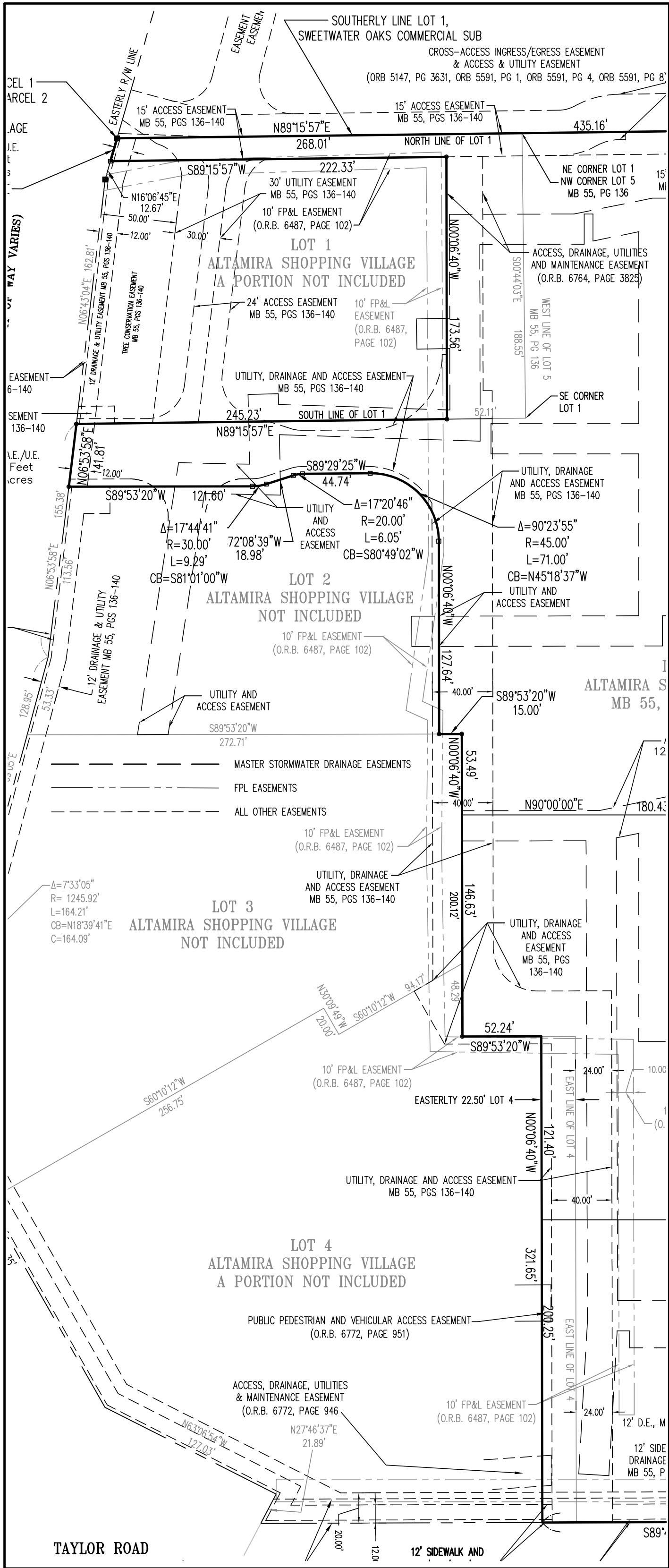
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by Joseph E
Zapert
Date: 2020.04.06
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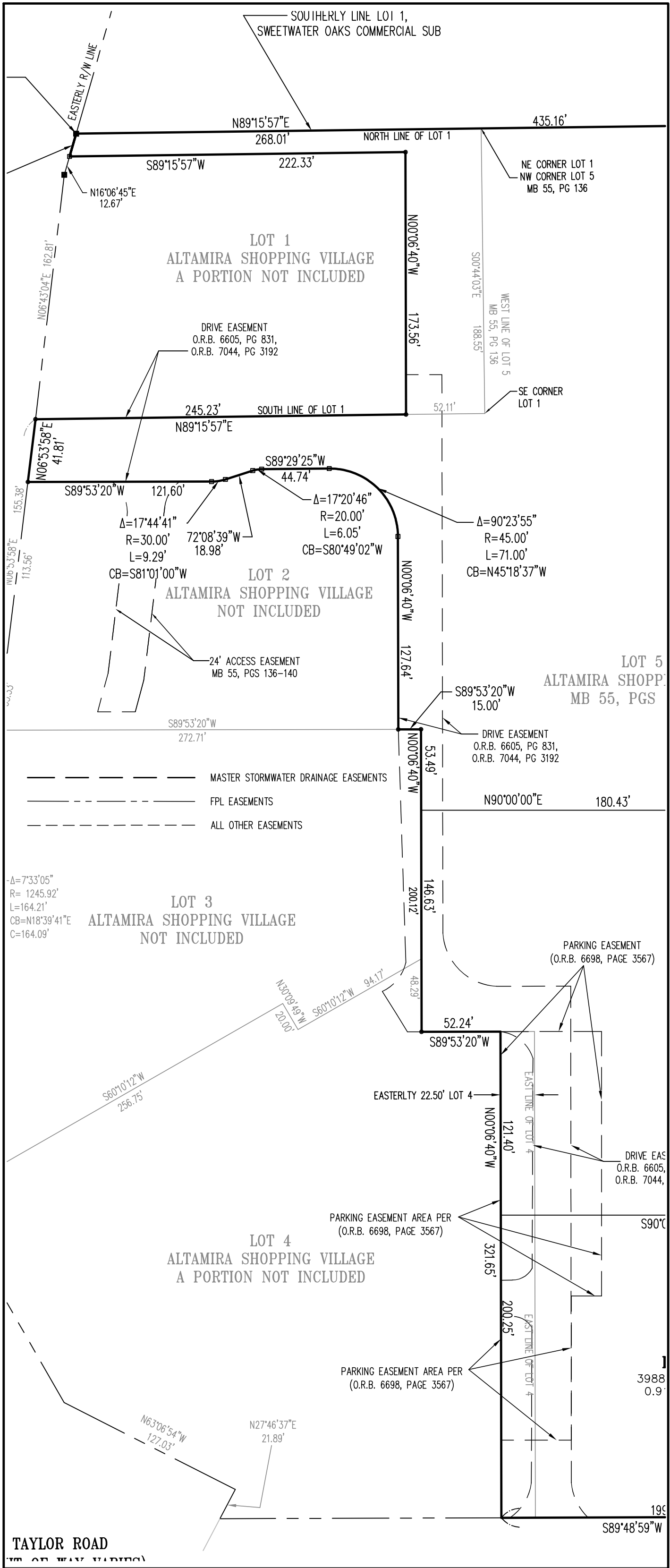
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EASEMENT DETAIL



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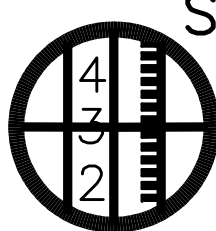


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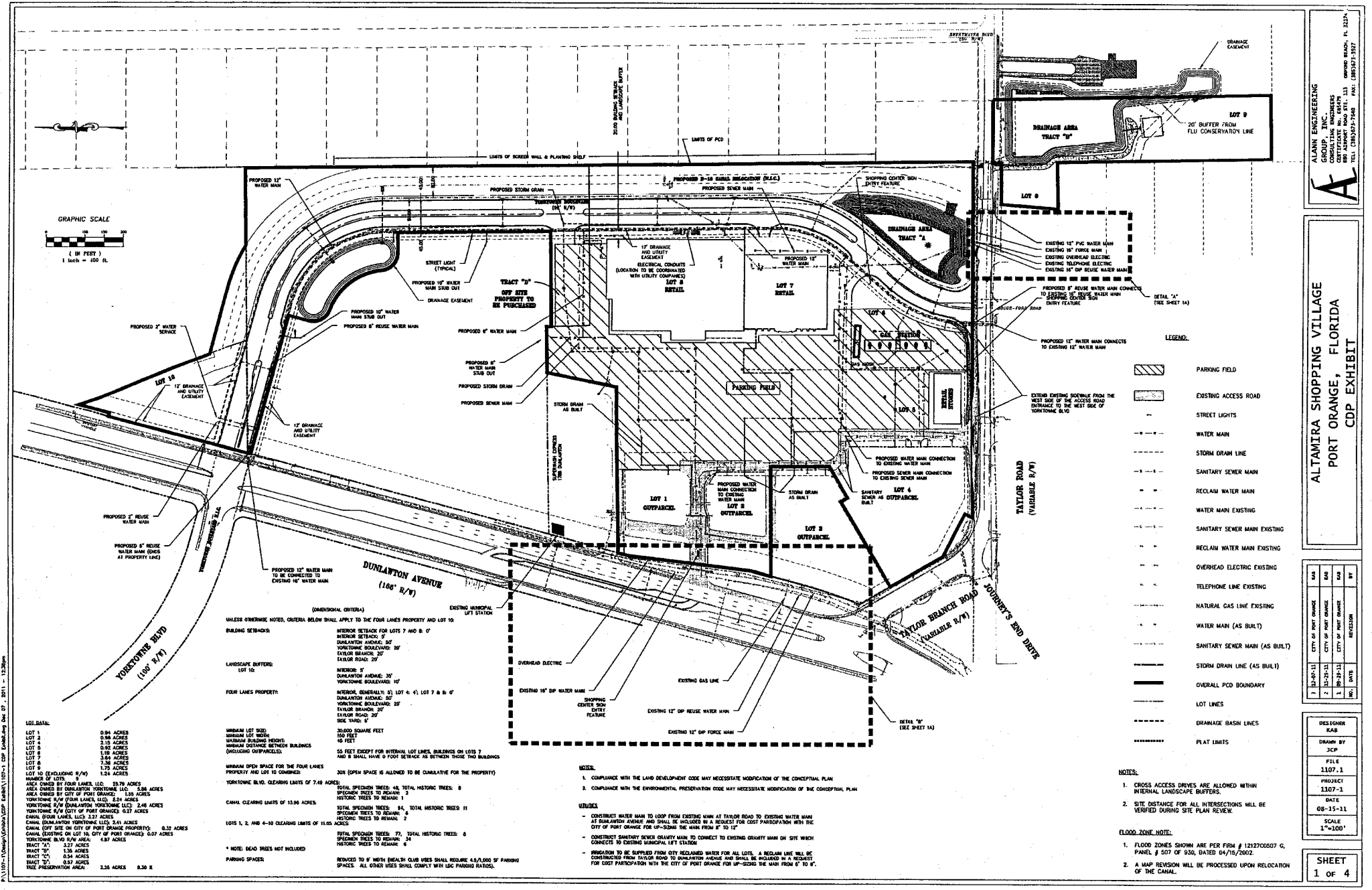
Joseph E Zapert
Digitally signed by Joseph E Zapert
Date: 2020.04.07 12:45:57 -04'00'

EXHIBIT "B"

Instrument# 2012-004027 # 26

Book : 6668

Page : 3925



ALAN ENGINEERING GROUP, INC. ENGINEERS CERTIFICATE NO. 00479 880 JAMES ROAD, SUITE 113 PORT ORANGE, FL 32127 TEL: (386) 321-2117 FAX: (386) 321-2117

ALTAMIRA SHOPPING VILLAGE
PORT ORANGE, FLORIDA
CDP EXHIBIT

NO.	DATE	BY
1	12-20-11	JCP
2	11-23-11	JCP
3	09-23-11	JCP
4	08-15-11	JCP

DESIGNER	RAM
DRAWN BY	JCP
FILE	1107.1
PROJECT	1107-1
DATE	08-15-11
SCALE	1"=100'

SHEET
1 OF 4