



AGENDA
CITY OF ORMOND BEACH, FLORIDA
CITY COMMISSION MEETING
May 4, 2021
7:00 PM

Mayor Bill Partington

Zone 1 – Commissioner Dwight Selby

Zone 3 – Commissioner Susan Persis

Zone 2 – Commissioner Troy Kent

Zone 4 – Commissioner Rob Littleton

COMMISSION CHAMBERS

22 South Beach Street, Ormond Beach, FL 32174

Phone: 386-677-0311

Web: www.ormondbeach.org

***Please see page 4 of this agenda for information on meeting procedures
and public commenting information.***

- 1. CALL TO ORDER**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. PRESENTATIONS AND PROCLAMATIONS**
 - A. MR. JAMES PURDY**
 - B. NATIONAL POLICE WEEK**
- 5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**
- 6. APPROVAL OF MINUTES**
 - A. Minutes from City Commission meeting – April 20, 2021**
- 7. CONSENT AGENDA**

The action proposed is stated for each item on the Consent Agenda. Unless a City Commissioner removes an item from the Consent Agenda, no discussion on individual items will occur and a single motion will approve all items.

- A. RESOLUTION NO. 2021-77: A RESOLUTION AUTHORIZING THE APPROVAL AND EXECUTION OF A PURCHASE AUTHORIZATION FOR**

THE PURCHASE OF ONE 2021 DODGE CHARGER PATROL VEHICLE UNDER FLORIDA SHERIFFS ASSOCIATION BID NO. FSA20-VEL28.0; DECLARING VEHICLE TO BE SURPLUS PROPERTY, AND AUTHORIZING THE DISPOSITION THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Kevin Gray, Deputy Public Works Director (386-676-3577)

- B. **RESOLUTION NO. 2021-78:** A RESOLUTION ACCEPTING A PROPOSAL FROM MEAD & HUNT, INC. FOR CONSTRUCTION ADMINISTRATION SERVICES REGARDING THE WATER RECLAMATION FACILITY CHLORINE CONTACT CHAMBER MODIFICATION PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Shawn Finley, Public Works Director (386-676-3292)

- C. **RESOLUTION NO. 2021-79:** A RESOLUTION ACCEPTING A BID FROM SGS CONTRACTING SERVICES, INC. FOR CONSTRUCTION SERVICES REGARDING THE WATER RECLAMATION FACILITY CHLORINE CONTACT CHAMBER MODIFICATION PROJECT, UNDER BID NO. 2021-14; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Shawn Finley, Public Works Director (386-676-3292)

- D. **RESOLUTION NO. 2021-80:** A RESOLUTION ACCEPTING A PROPOSAL FROM A.M. WEIGEL CONSTRUCTION, INC. FOR CONSTRUCTION MANAGEMENT SERVICES REGARDING THE NOVA COMMUNITY PARK TENNIS COURT LIGHTING IMPROVEMENT PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Shawn Finley, Public Works Director (386-676-3292)

- E. **RESOLUTION NO. 2021-81:** A RESOLUTION AUTHORIZING THE EXECUTION OF AMENDMENT #1-2021 TO THAT CONTRACT AWARDED TO AUSTIN OUTDOOR, LLC D/B/A YELLOWSTONE LANDSCAPE REGARDING GROUNDS MAINTENANCE SERVICES, BY INCREASING THE CONTRACT PRICE BY \$38,804.00; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Robert Carolin, Leisure Services Director (386-676-3279)

- F. **RESOLUTION NO. 2021-82:** A RESOLUTION APPOINTING A MEMBER TO SERVE ON THE BUDGET ADVISORY BOARD; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Kate Settle, City Clerk (386-676-3340)

G. Riverside Drive Road Closure for Fiber Optic Conduit Installation

Staff Contact: Shawn Finley, Public Works Director (386-676-3292)

Disposition: Approve as recommended in the City Manager memorandum dated May 4, 2021.

8. PUBLIC HEARINGS

- A. ORDINANCE NO. 2021-16:** AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHED, OF ARTICLE 1, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE BY AMENDING THE OFFICIAL ZONING MAP TO REZONE A CERTAIN PARCEL OF REAL PROPERTY TOTALING APPROXIMATELY 2.70-ACRES LOCATED AT 1480 NORTH U.S. HIGHWAY 1 FROM B-7 (HIGHWAY TOURIST COMMERCIAL) TO PBD (PLANNED BUSINESS DEVELOPMENT); AUTHORIZING REVISION OF THE OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Staff Contact: Steven Spraker, Planning Director (386-676-3341)

- B. ORDINANCE NO. 2021-17:** AN ORDINANCE APPROVING A PLANNED BUSINESS DEVELOPMENT TO BE KNOWN AS "ORMOND ACE HARDWARE" TO BE LOCATED AT 1480 NORTH U.S. HIGHWAY 1; AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER THEREFORE; AUTHORIZING THE CONSTRUCTION OF A TWO-STORY RETAIL USE BUILDING AND GARDEN CENTER; AUTHORIZING OUTDOOR ACTIVITY USE, REDUCTION OF SETBACKS, AND ASSOCIATED SITE IMPROVEMENTS; ESTABLISHING CONDITIONS AND EXPIRATIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Staff Contact: Steven Spraker, Planning Director (386-676-3341)

9. RESOLUTIONS

- A. RESOLUTION NO. 2021-83:** A RESOLUTION ACCEPTING A PROPOSAL FROM A.M. WEIGEL CONSTRUCTION, INC. TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES REGARDING THE DEMOLITION OF A STRUCTURE AT 56 N. BEACH STREET; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Shawn Finley, Public Works Director (386-676-3292)

10. REPORTS, SUGGESTIONS, REQUESTS

11. ADJOURNMENT

MEETING PROCEDURES AND PUBLIC PARTICIPATION INFORMATION

In order to follow federal, state, and local guidelines regarding public gatherings, and to protect residents, staff, and elected officials due to the COVID-19 virus, physical access to this meeting will be restricted as outlined below. *Those interested in the meeting can also listen through electronic means and utilize the provided online or alternative commenting methods to participate.*

The following information is also available at www.ormondbeach.org/ccmtg.

How To Listen Live

The meeting audio will be streamed live online at www.ormondbeach.org/live. Any member of the public who wishes to listen to the meeting live can do so at that link. The recording of the meeting will be available the following day online at www.ormondbeach.org/ccrecordings.

Access Restrictions

Space will be limited due to social distancing and grouping guidelines. If you wish to listen to the meeting, or submit comments on agenda items, and are able to use the online options provided, you are encouraged to do so. This will help ensure that all those who wish to participate may be able to.

Members of the public wishing to attend the meeting in person are advised of the following guidelines:

- Those in attendance should practice social distancing when inside the building, entering the building, and exiting the building. The wearing of masks is encouraged.
- There will be limited designated socially distanced seating available in the Commission Chambers and in the atrium. *All those in attendance must sit only in the designated socially distanced seating.*
- If all available designated socially distanced seats are being utilized, overflow individuals will need to wait outside the building until space frees up.
- Those in attendance will be required to adhere to social distancing guidelines, including only sitting in designated socially distanced seating.

Public Comments

The City Commission welcomes public comment on agenda items. Those wishing to make comments on any item on the May 4, 2021 meeting agenda may do so via remote submission, as outlined below, or in person – following the guidelines stated herein.

Remote submissions of comments on an agenda item may be submitted the following ways:

- **Through an online form:** The form is available at www.ormondbeach.org/agendacomments. You will be asked to provide your name, address, and identify the agenda item you are commenting on.
- **By fax:** You may send your comment via fax to (386) 676-3330. Please provide your name, address, and identify the agenda item you are commenting on in your facsimile.

- ***By written comment:*** If you'd like to submit a written comment, rather than comment online, you may drop off a comment at the 2nd floor reception desk at City Hall during normal business hours. You may also send comment via U.S. mail to the City Clerk at 22 S. Beach Street, Ormond Beach, FL, 32174. Please make sure to clearly label your submission as an agenda item comment for the May 4 City Commission meeting agenda. Please provide your name, address, and identify the agenda item you are commenting on in your correspondence.

Agenda item comments submitted remotely through one of the above provided online or alternative means before **5:00 p.m. on Monday, May 3, 2021**, will be provided to the City Commission prior to the meeting and made part of the official meeting record. Comments on agenda items submitted after 5:00 p.m. on May 3, 2021, but before the conclusion of the Commission meeting, will be provided to the City Commission following the meeting.

Please note that the equivalent of three minutes of each submitted comment will be included in the record.

In-Person Commenting:

- Those wishing to make comments in-person will need to sign up with staff to do so **prior to the start of the meeting.** Requests to speak will not be accepted after the meeting begins.
- Individuals commenting in person must follow social distancing and other guidelines provided in the access restrictions portion of this page.
- Individuals commenting will be provided with three minutes to make their comments.

Website Address – www.ormondbeach.org

NOTICE – Pursuant to Section 286.0105 of the Florida Statutes, if any person decides to appeal any decision made by the City Commission with respect to any matter considered at this public meeting, such person will need a record of the proceedings and for such purpose, such person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.



For special accommodations, please notify the City Clerk's Office at least 72 hours in advance.
Phone: 386-677-0311



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

In accordance with the Americans with Disabilities Act (ADA), persons with a disability, such as a vision, hearing or speech impairment, or persons needing other types of assistance, and who wish to attend City Commission meetings or any other board or committee meeting may contact the City Clerk's Office in writing, or may call 386-677-0311 for information regarding available aids and services.

MINUTES
ORMOND BEACH CITY COMMISSION
HELD AT CITY HALL COMMISSION CHAMBERS

April 20, 2021	7:00 p.m.	Commission Chambers
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Present were: Mayor Bill Partington, Commissioners Dwight Selby, Troy Kent, Susan Persis, and Rob Littleton, City Manager Joyce Shanahan, Assistant City Manager Claire Whitley, City Attorney Randy Hayes, and City Clerk Kate Settle.

A G E N D A

- 1. CALL TO ORDER
- 2. INVOCATION
- 3. PLEDGE OF ALLEGIANCE
- 4. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA
- 5. APPROVAL OF MINUTES

A. Minutes from City Commission meeting – April 6, 2021

6. CONSENT AGENDA

The action proposed is stated for each item on the Consent Agenda. Unless a City Commissioner removes an item from the Consent Agenda, no discussion on individual items will occur and a single motion will approve all items.

- A. **RESOLUTION NO. 2021-72:** A RESOLUTION PURSUANT TO CHAPTER 14, ARTICLE VIII, SECTION 14-98, LIENS, OF THE CITY OF ORMOND BEACH CODE OF ORDINANCES AUTHORIZING THE IMPOSITION OF A LIEN AGAINST THE REAL PROPERTY OWNED BY TONI MANSFIELD ET AL, LOCATED AT 732 ORCHARD AVENUE, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA FOR COSTS INCURRED BY THE CITY TO TERMINATE OR ABATE A SITE MAINTENANCE VIOLATION; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Chris Mason, Neighborhood Improvement Manager (386-676-3352)

- B. **RESOLUTION NO. 2021-73:** A RESOLUTION AUTHORIZING THE EXECUTION OF A RELEASE OF A SPECIAL MAGISTRATE ADMINISTRATIVE FINE/LIEN FOR CODE VIOLATION ON PROPERTY LOCATED AT 197 S. ORCHARD STREET, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA; AND SETTING FORTH AN EFFECTIVE DATE

Staff Contact: Chris Mason, Neighborhood Improvement Manager (386-676-3352)

- C. **RESOLUTION NO. 2021-74:** A RESOLUTION APPROVING THE APPLICATION OF CAVALIER AVIATION, INC TO PROVIDE SERVICES AS A CATEGORY FOUR FIXED BASE OPERATOR AT THE ORMOND BEACH MUNICIPAL AIRPORT; ESTABLISHING CONDITIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Brian Rademacher, Economic Development Director (386-676-3266)

- D. **RESOLUTION NO. 2021-75:** A RESOLUTION AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT BETWEEN THE CITY

AND THE FEDERAL AVIATION ADMINISTRATION OFFERED UNDER THE AIRPORT CORONAVIRUS RESPONSE GRANT PROGRAM; AUTHORIZING THE EXECUTION OF ALL NECESSARY DOCUMENTS INCIDENTAL THERETO FOR THE CITY TO ACCEPT THE GRANT AWARD; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Brian Rademacher, Economic Development Director (386-676-3266)*

- E. **RESOLUTION NO. 2021-76:** A RESOLUTION ACCEPTING BIDS AND AUTHORIZING THE EXECUTION OF CONTRACTS WITH THREE FIRMS FOR THE PROVISION OF BRASS FITTINGS ON AN AS-NEEDED BASIS FOR UTILITY PROJECTS, UNDER ITB 2021-11; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Shawn Finley, Public Works Director (386-676-3292)*

- F. **2021 Floodplain Management Plan Annual Progress Report**

Staff Contact: *Steven Spraker, Planning Director (386-676-3341)*

Disposition: Approve as recommended in the City Manager memorandum dated April 20, 2021.

7. PUBLIC HEARINGS

- A. **ORDINANCE NO. 2021-11:** AN ORDINANCE VACATING A PORTION OF FLAGLER ROAD, ABUTTING 1480 NORTH U.S. HIGHWAY 1; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR RECORDATION AND TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Staff Contact: *Steven Spraker, Planning Director (386-676-3341)*

- B. **ORDINANCE NO. 2021-12:** AN ORDINANCE VACATING TWO (2) UN-NAMED ALLEYS LYING BETWEEN LOT(S) 1-30, BLOCK 59, NATIONAL GARDENS SUBDIVISION, WITHIN THE PROPERTY AT 1480 NORTH U.S. HIGHWAY 1; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR RECORDATION AND TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Staff Contact: *Steven Spraker, Planning Director (386-676-3341)*

- C. **ORDINANCE NO. 2021-16:** AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHED, OF ARTICLE 1, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE BY AMENDING THE OFFICIAL ZONING MAP TO REZONE A CERTAIN PARCEL OF REAL PROPERTY TOTALING APPROXIMATELY 2.70-ACRES LOCATED AT 1480 NORTH U.S. HIGHWAY 1 FROM B-7 (HIGHWAY TOURIST COMMERCIAL) TO PBD (PLANNED BUSINESS DEVELOPMENT); AUTHORIZING REVISION OF THE OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Steven Spraker, Planning Director (386-676-3341)*

- D. **ORDINANCE NO. 2021-17:** AN ORDINANCE APPROVING A PLANNED BUSINESS DEVELOPMENT TO BE KNOWN AS “ORMOND ACE HARDWARE” TO BE LOCATED AT 1480 NORTH U.S. HIGHWAY 1; AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER THEREFORE; AUTHORIZING THE CONSTRUCTION OF A TWO-STORY RETAIL USE BUILDING AND GARDEN CENTER; AUTHORIZING OUTDOOR ACTIVITY USE, REDUCTION OF SETBACKS, AND ASSOCIATED SITE IMPROVEMENTS; ESTABLISHING CONDITIONS AND EXPIRATIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Steven Spraker, Planning Director (386-676-3341)

8. SECOND READING OF ORDINANCES

- A. **ORDINANCE NO. 2021-13:** AN ORDINANCE OF THE CITY OF ORMOND BEACH, FLORIDA, AMENDING ARTICLE I, GENERAL EMPLOYEES' PENSION PLAN, OF CHAPTER 16, PENSIONS AND RETIREMENT, OF THE CODE OF ORDINANCES; AMENDING SECTION 16-6, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 16-17, MINIMUM DISTRIBUTION OF BENEFITS; PROVIDING FOR COMPLIANCE WITH THE SECURE ACT; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE. **(SECOND READING)**

Staff Contact: Kelly McGuire, Finance Director (386-676-3226)

- B. **ORDINANCE NO. 2021-14:** AN ORDINANCE OF THE CITY OF ORMOND BEACH, FLORIDA, AMENDING ARTICLE III, FIREFIGHTERS' PENSION TRUST FUND, OF CHAPTER 16, PENSIONS AND RETIREMENT, OF THE CODE OF ORDINANCES; AMENDING SECTION 16-44, CONTRIBUTIONS; AMENDING SECTION 16-45, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 16-46, PRE-RETIREMENT DEATH; AMENDING SECTION 16-55, MINIMUM DISTRIBUTION OF BENEFITS; PROVIDING FOR COMPLIANCE WITH THE SECURE ACT; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE. **(SECOND READING)**

Staff Contact: Kelly McGuire, Finance Director (386-676-3226)

- C. **ORDINANCE NO. 2021-15:** AN ORDINANCE OF THE CITY OF ORMOND BEACH, FLORIDA, AMENDING ARTICLE IV, POLICE OFFICERS' PENSION TRUST FUND, OF CHAPTER 16, PENSIONS AND RETIREMENT, OF THE CODE OF ORDINANCES; AMENDING SECTION 16-76, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 16-86, MINIMUM DISTRIBUTION OF BENEFITS; PROVIDING FOR COMPLIANCE WITH THE SECURE ACT; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE. **(SECOND READING)**

Staff Contact: Kelly McGuire, Finance Director (386-676-3226)

9. REPORTS, SUGGESTIONS, REQUESTS

10. ADJOURNMENT

Item #1 – Meeting Call to Order

Mayor Partington called the meeting to order at 7:01 p.m.

Item #2 – Invocation

Pastor Neal Ganzel Jr., Coquina Presbyterian Church, gave the invocation.

Item #3 – Pledge of Allegiance

Mayor Partington led the Pledge of Allegiance.

Item #4 – Audience Remarks

Ms. Linda Williams, 131 Bosarvey Drive, discussed her group, Civil Discourse, and their upcoming meeting. She noted the next meeting would be held on Monday, April 26, 2021, at 4:00 p.m. on the Zoom platform. She listed topics that would be discussed during the meeting and noted all were welcome to attend.

Ms. Julia Trulio, Ormond MainStreet, MainStreet Executive Director, stated she was speaking on behalf of MainStreet. She discussed the former church property located at 56 North Beach Street that the city had previously purchased. She requested the city temporarily halt any plans for demolishing the building for at least six months to allow MainStreet time to explore funding opportunities and options for the site. She noted MainStreet was also requesting the city spend a minimal amount on rendering the building water-tight and dehumidified.

Item #5– Approval of Minutes

Mayor Partington advised the minutes of the April 6, 2021, meeting had been sent to the Commission for review and were posted on the city’s website for public viewing. He asked for any corrections, additions, or omissions.

Commissioner Selby moved, seconded by Commissioner Persis, for approval of the April 6, 2021, City Commission meeting minutes.

The motion passed by voice vote.

Item #6 – Consent Agenda

Mayor Partington advised the actions proposed for the items on the Consent Agenda were so stated on the agenda. He asked if any member of the Commission had questions or wished to discuss any items separately.

Commissioner Persis moved, seconded by Commissioner Littleton, for approval of the consent agenda.

Call Vote:	Commissioner Selby	Yes
	Commissioner Kent	Yes
	Commissioner Persis	Yes
	Commissioner Littleton	Yes
Carried.	Mayor Partington	Yes

Item #7 – Public Hearings

Mayor Partington opened the public hearings.

Item #7A – Right-of-way vacation – five (5) foot portion of Flagler Road (1480 N US HWY 1)

City Clerk Kate Settle read by title only:

ORDINANCE NO. 2021-11
AN ORDINANCE VACATING A PORTION OF FLAGLER ROAD,
ABUTTING 1480 NORTH U.S. HIGHWAY 1; REPEALING ALL
INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR

RECORDATION AND TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Commissioner Selby moved, seconded by Commissioner Littleton, for approval of Ordinance No. 2021-11, on second reading, as read by title only.

Call Vote:	Commissioner Kent	Yes
	Commissioner Persis	Yes
	Commissioner Littleton	Yes
	Commissioner Selby	Yes
Carried.	Mayor Partington	Yes

Item #7B – Right-of-way vacation - two (2) 15 foot alleys (1480 N US HWY 1)

City Clerk Kate Settle read by title only:

ORDINANCE NO. 2021-12
AN ORDINANCE VACATING TWO (2) UN-NAMED ALLEYS LYING BETWEEN LOT(S) 1-30, BLOCK 59, NATIONAL GARDENS SUBDIVISION, WITHIN THE PROPERTY AT 1480 NORTH U.S. HIGHWAY 1; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR RECORDATION AND TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Commissioner Persis moved, seconded by Commissioner Selby, for approval of Ordinance No. 2021-12, on second reading, as read by title only.

Call Vote:	Commissioner Persis	Yes
	Commissioner Littleton	Yes
	Commissioner Selby	Yes
	Commissioner Kent	Yes
Carried.	Mayor Partington	Yes

Item #7C – 1480 North U.S. Highway 1, Ormond Ace Hardware, Amendment to the Official Zoning Map

City Clerk Kate Settle read by title only:

ORDINANCE NO. 2021-16
AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHED, OF ARTICLE 1, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE BY AMENDING THE OFFICIAL ZONING MAP TO REZONE A CERTAIN PARCEL OF REAL PROPERTY TOTALING APPROXIMATELY 2.70-ACRES LOCATED AT 1480 NORTH U.S. HIGHWAY 1 FROM B-7 (HIGHWAY TOURIST COMMERCIAL) TO PBD (PLANNED BUSINESS DEVELOPMENT); AUTHORIZING REVISION OF THE OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Steven Spraker, Planning Director, presented a PowerPoint presentation that discussed Items 7C and 7D. He noted the subject property was located at 1480 North U.S. Highway One and displayed a map of the site and surrounding area. He stated Item 7C was a zoning map amendment to rezone the property from Highway Tourist Commercial (B7) to Planned Business Development (PBD), and discussed the purpose behind the zoning map amendment. He explained the second item, Item 7D, was for the issuance of a development order. He discussed details of the property site and provided a short summary of the project.

Mr. Spraker stated there were five items that staff was seeking Commission authorization and direction on:

- The allowance of outdoor activity.
- A side corner setback reduction to save a historic tree on the site.
- An intersection setback reduction to preserve stormwater retention on the property.

- Finishing on the rear façade of the building.
- Fencing around the Garden Center.

Mr. Spraker discussed the fourth item, regarding the rear façade of the building. He stated the original submittal for the building included a stucco finish, but explained the applicant was now requesting metal panels on the rear of the building. He noted the Planning Board recommended approval of the metal panels, and staff changed their recommendation of the stucco finish to pick up the Planning Board’s recommendation.

Mr. Spraker proceeded to discuss fencing around the Garden Center. He noted the applicant was seeking to allow a ten-foot, black, chain-link fence with black mesh. He stated the Planning Board had a tie-vote on allowing the chain-link fencing and did not come up with a final recommendation. He noted the applicant had requested chain-link fencing for the rear of the property when the item was presented at the Planning Board Meeting. He explained the ordinance before the Commission was written to approve of the first three items, to allow metal panels on the rear façade, and to require decorative aluminum fencing.

Commissioner Selby questioned why staff’s original recommendation was to finish the rear façade with stucco and not allow metal panels; whereby, Mr. Spraker stated the Land Development Code (LDC) had specific standards which required a finished façade, and noted there would be individuals who would see the back of the building while traveling on nearby roads.

Commissioner Selby requested additional clarification on the fencing request; whereby, Mr. Spraker discussed the applicant’s request and reiterated the Planning Board had a split-vote on allowing the chain-link fencing.

Mr. Spraker noted Exhibit D to Ordinance No. 2021-17 included the requirement for decorative aluminum fencing, but could be amended if the Commission desired.

Commissioner Littleton and Mr. Spraker discussed fencing at other business properties within the city.

Mr. Tim Grigsby, 1206 Overbrook Drive, discussed his disapproval of the item and requested the Commission leave the site undeveloped until flooding issues in the area were resolved. He proceeded to discuss another topic; whereby, Mayor Partington stated that Mr. Grigsby’s comments needed to relate to the current item being discussed.

Commissioner Selby questioned what the applicant’s preference was for the fencing at the site; whereby, Mr. Jeff Gross, Applicant, stated he would prefer to have decorative aluminum fencing around the front of the building and a two-foot, knee-high wall around the side and partially in the back with six-foot, black, chain-link fencing with screen mesh.

Commissioner Selby inquired if the aluminum fencing in the front would have black mesh; whereby, Mr. Gross stated it would not.

Commissioner Persis questioned why Mr. Gross was not wanting to finish the stucco on the side and rear façade of the building and questioned if there would be a large cost-difference; whereby, Mr. Gross noted the back of the property would not be seen and confirmed there would be a large cost-difference.

Mayor Partington noted the current item was for the zoning of the property and the following item would be for the development order. He confirmed the fencing at the site and other items would be addressed during the next item; whereby, Mr. Randy Hayes, City Attorney, confirmed that was correct.

Commissioner Selby moved, seconded by Commissioner Persis, for approval of Ordinance No. 2021-16, on first reading, as read by title only.

Commissioner Kent stated he would prefer to see aluminum fencing on the entire property instead of chain-link, but noted he could approve of the metal panels on the back of the building.

Call Vote:	Commissioner Littleton	Yes
	Commissioner Selby	Yes

	Commissioner Kent	Yes
	Commissioner Persis	Yes
Carried.	Mayor Partington	Yes

Item #7D – 1480 North U.S. Highway 1, Ormond Ace Hardware, Issuance of Development Order

City Clerk Kate Settle read by title only:

ORDINANCE NO. 2021-17
AN ORDINANCE APPROVING A PLANNED BUSINESS DEVELOPMENT TO BE KNOWN AS “ORMOND ACE HARDWARE” TO BE LOCATED AT 1480 NORTH U.S. HIGHWAY 1; AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER THEREFORE; AUTHORIZING THE CONSTRUCTION OF A TWO-STORY RETAIL USE BUILDING AND GARDEN CENTER; AUTHORIZING OUTDOOR ACTIVITY USE, REDUCTION OF SETBACKS, AND ASSOCIATED SITE IMPROVEMENTS; ESTABLISHING CONDITIONS AND EXPIRATIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Persis moved, seconded by Commissioner Selby, for approval of Ordinance No. 2021-17, on first reading, as read by title only. The motion and the second were amended to include the requirement for wrought-iron fencing in the front of the building and allow black chain-link fencing with black mesh, up to ten feet in height, on the side and rear of the building.

Commissioner Kent questioned if many citizens would be seeing the façade of the building; whereby, Mr. Spraker noted there would be traffic flowing through the corridor that would see the back of the building.

Commissioner Kent stated he appreciated staff’s recommendation to finish the façade with stucco, but explained he agreed with the applicant that not many people would see the façade and noted he did not see an issue with allowing the metal paneling. He stated he preferred to see the entire Garden Center fencing be aluminum fencing.

Mr. Spraker clarified the ordinance was written to require the decorative aluminum fencing along all sides.

Commissioner Littleton questioned if the motion included staff’s recommendation of finishing the stucco; whereby, Mr. Spraker stated the ordinance was written to allow the metal panels on the façade of the building.

Mayor Partington confirmed the motion required decorative, aluminum fencing on the front, and chain-link fencing with black mesh along the side and back. He questioned if staff needed any further direction; whereby, Mr. Spraker stated the motion provided the requested information.

Mr. Spraker noted the applicant had a ten-foot height for fencing in their design drawings and staff recommended the Commission keep that height allowance.

Mr. Gross noted he was fine with eight-foot fencing or ten-foot fencing, but would prefer to do the eight-foot fencing.

Mr. Spraker clarified if the ordinance was written at an eight-foot fencing height allowance, the applicant would need to come back through a public hearing to increase the height if it became needed. He recommended keeping the height-limit at ten feet, and the applicant could still do eight feet if they preferred.

Mr. Hayes suggested the Commission could use the verbiage to allow the fencing “up-to ten feet in height”.

Commissioner Persis thanked the applicant and expressed her excitement for the new Ormond Ace Hardware.

Mayor Partington asked City Clerk Ms. Kate Settle to call the vote on the amendment to Item 7D.

Call Vote:	Commissioner Selby	Yes
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	Commissioner Kent	Yes
	Commissioner Persis	Yes
	Commissioner Littleton	Yes
Carried.	Mayor Partington	Yes

Mayor Partington asked City Clerk Ms. Kate Settle to call the vote on the underlying motion.

Call Vote:	Commissioner Selby	Yes
	Commissioner Kent	Yes
	Commissioner Persis	Yes
	Commissioner Littleton	Yes
Carried.	Mayor Partington	Yes

Mayor Partington closed the public hearings.

Item #8 – Second Reading of Ordinances

Item #8A – General Employees Pension Ordinance

City Clerk Kate Settle read by title only:

ORDINANCE NO. 2021-13
AN ORDINANCE OF THE CITY OF ORMOND BEACH, FLORIDA, AMENDING ARTICLE I, GENERAL EMPLOYEES' PENSION PLAN, OF CHAPTER 16, PENSIONS AND RETIREMENT, OF THE CODE OF ORDINANCES; AMENDING SECTION 16-6, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 16-17, MINIMUM DISTRIBUTION OF BENEFITS; PROVIDING FOR COMPLIANCE WITH THE SECURE ACT; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE. **(SECOND READING)**

Mayor Partington noted no audience cards had been submitted on the item.

Commissioner Littleton moved, seconded by Commissioner Persis, for approval of Ordinance No. 2021-13, on second reading, as read by title only.

Call Vote:	Commissioner Kent	Yes
	Commissioner Persis	Yes
	Commissioner Littleton	Yes
	Commissioner Selby	Yes
Carried.	Mayor Partington	Yes

Item #8B – Firefighters' Pension Ordinance

City Clerk Kate Settle read by title only:

ORDINANCE NO. 2021-14
AN ORDINANCE OF THE CITY OF ORMOND BEACH, FLORIDA, AMENDING ARTICLE III, FIREFIGHTERS' PENSION TRUST FUND, OF CHAPTER 16, PENSIONS AND RETIREMENT, OF THE CODE OF ORDINANCES; AMENDING SECTION 16-44, CONTRIBUTIONS; AMENDING SECTION 16-45, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 16-46, PRE- RETIREMENT DEATH; AMENDING SECTION 16-55, MINIMUM DISTRIBUTION OF BENEFITS; PROVIDING FOR COMPLIANCE WITH THE SECURE ACT; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE. **(SECOND READING)**

Mayor Partington noted no audience cards had been submitted on the item.

Commissioner Littleton moved, seconded by Commissioner Selby, for approval of Ordinance No. 2021-14, on second reading, as read by title only.

Call Vote:	Commissioner Persis	Yes
	Commissioner Littleton	Yes

	Commissioner Selby	Yes
	Commissioner Kent	Yes
Carried.	Mayor Partington	Yes

Item #8C – Police Officers' Pension Ordinance

City Clerk Kate Settle read by title only:

ORDINANCE NO. 2021-15
AN ORDINANCE OF THE CITY OF ORMOND BEACH, FLORIDA,
AMENDING ARTICLE IV, POLICE OFFICERS' PENSION TRUST FUND,
OF CHAPTER 16, PENSIONS AND RETIREMENT, OF THE CODE OF
ORDINANCES; AMENDING SECTION 16-76, BENEFIT AMOUNTS AND
ELIGIBILITY; AMENDING SECTION 16-86, MINIMUM DISTRIBUTION OF
BENEFITS; PROVIDING FOR COMPLIANCE WITH THE SECURE ACT;
PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL
ORDINANCES IN CONFLICT HERewith AND PROVIDING AN
EFFECTIVE DATE. **(SECOND READING)**

Mayor Partington noted no audience cards had been submitted on the item.

Commissioner Persis moved, seconded by Commissioner Selby, for approval of Ordinance No. 2021-15, on second reading, as read by title only.

Mayor Partington explained the last three items brought the city's pension ordinances up to compliance with the most recent federal guidelines. He noted the changes were administrative and were required by the Florida Division of Retirement.

Call Vote:	Commissioner Littleton	Yes
	Commissioner Selby	Yes
	Commissioner Kent	Yes
	Commissioner Persis	Yes
Carried.	Mayor Partington	Yes

Item #9 – Reports, Suggestions, Requests

Upcoming Meetings

Ms. Joyce Shanahan, City Manager, announced that staff was planning to schedule a Capital Improvements Plan and Draft Budget Workshop on July 6, 2021, at 5:30 p.m. She noted staff was planning to schedule individual meetings with the Commission in preparation for the workshop.

Ms. Shanahan noted the Parks and Recreation Master Plan Workshops would be held on August 17, 2021, at 5:30 p.m. and January 18, 2022, at 5:30 p.m.

Events

Ms. Shanahan noted the city was in the process of planning a Memorial Day Remembrance Ceremony, as well as a July 4th fireworks display.

Projects

Ms. Shanahan provided updates on the following projects: The MacDonald House improvements, North U.S. Highway One watermain and forcemain projects, and the Peninsula and Mainland watermain replacement projects.

Compliments and Thanks

Ms. Shanahan recognized Ormond Beach Police Chief Jesse Godfrey for participating in a Law Enforcement Appreciation Day event. She discussed the event and complimented Chief Godfrey on a speech he provided during the event focused on trust.

Commissioner Littleton complimented Assistant City Manager Ms. Claire Whitley for filling in for Ms. Shanahan at the prior City Commission meeting.

Commissioner Littleton noted the closing of Granada Boulevard the prior week went smoothly and thanked staff for providing notice to citizens.

Avalon Park

Commissioner Selby stated the Commission had previously discussed holding an Avalon Park Workshop and requested an update on when the workshop could be held.

Ms. Shanahan noted staff was waiting for HDR Engineering Inc. (HDR) to finish a video of the site. She noted after HDR was finished, the traffic impact analysis for the site would need to be completed as well. She stated Avalon had indicated they were planning to pursue the Minto project, which was approved by Daytona Beach in 2018, and discussed the project in detail. She stated the initial amendment to allow the larger Avalon Park project had expired and had not yet been reopened. She noted staff would suggest holding a workshop in June at the earliest.

Mayor Partington noted the topic was complicated. He discussed the project in further detail, noting the developer had not started on the actual Avalon Park development that the city was concerned about. He stated it would be important to hold the workshop at the right time and to have citizens of Ormond Beach engaged on the project. He stated he was comfortable delaying the Avalon Park Workshop. He noted HDR only had one opportunity to ensure the video was done correctly, and requested that the video be shared with the Commission separately when it became available to discuss an effective traffic plan.

Mr. Hayes provided a detailed description of the Avalon Park project and the process for the development. He stated what the developer was proposing to do was what they were entitled to do under the existing Comprehensive Plan of Daytona Beach. He noted the development's previous comprehensive amendment for the larger development had expired. He discussed the project that Avalon was currently proposing and provided a detailed history of the site and project.

Commissioner Selby discussed the current project Avalon was proposing and the potential options the developer had moving forward. He noted he believed the city needed to have a workshop or several workshops to discuss the project. He discussed the city's obligation to provide water and sewer to the property and requested more details.

Ms. Shanahan noted the city currently had two studies undergoing at Avalon and discussed the studies in detail. She requested to update the Commission individually and then host a workshop or series of workshops once the studies had been completed.

Mayor Partington noted the city had more time due to recent events. He thanked Commissioner Selby for staying on top of the issue.

56 North Beach Street

Commissioner Selby stated he was the Commission representative on the MainStreet board. He discussed MainStreet's request to not pursue demolition of the former church building at 56 North Beach Street for at least six months, and to dehumidify the building and make it water-tight. He discussed the request from MainStreet in further detail and noted he had a tour of the building and the building was in better condition than he expected. He discussed the possibility for volunteers helping to clear out the building. He stated he supported the request.

Mayor Partington noted the Commission had previously provided direction to staff to demolish the building and transform the site into a community center.

Ms. Shanahan clarified the Commission had provided direction 3-2 to move ahead with finding estimates for demolition of the building, but noted the project had gone on hold due to the pandemic. She stated staff could bring the topic back to the Commission as a discussion item. She noted the building at the site had received water damage and had leaks. She discussed improvements that would need to be made at the site and noted the city was looking into pricing for placing a tarp on the roof.

Mayor Partington noted no official decisions would be made at the current meeting. He requested staff provide walkthroughs of the building to any members of the Commission before bringing the item back for discussion; whereby, Commissioner Persis agreed.

Mayor Partington and Commissioner Selby discussed the riverfront parcel in front of the former church property and the appraisal for the site.

Mayor Partington noted the lease for the Volusia County Ormond Beach Library would be expiring soon. He stated he was unsure if Volusia County would want to renew the lease and discussed potential options for the building if the lease was not renewed.

Commissioner Kent stated he would like to request a walk-through of the building. He noted he did not have enough information on the topic to discuss it at the current time, but noted he did not support spending any money on rendering the building water-tight or cleaning the building if the building was going to be demolished. He reiterated the Commission had previously provided direction 3-2 to demolish the building.

Commissioner Persis concurred with comments by Commissioner Kent. She noted she did not want to spend any funds on maintaining the building if it was planned to be demolished.

Ms. Shanahan clarified the Commission provided direction 3-2 on demolishing the building, but noted there was no formal vote.

Commissioner Selby discussed the property site and the potential uses for the property. He reiterated MainStreet was requesting a six-month pause to see if the building could be restored.

Events

Commissioner Selby discussed various upcoming MainStreet events: Taste of Ormond on May 23, 2021; Christmas in July on July 24, 2021; and the Celtic Festival on September 11 and 12, 2021.

Commissioner Selby noted Pastor Floyd Narcisse with Historic New Bethel AME Church helped to provide a COVID-19 vaccination event on April 21, 2021, at the Nova Recreational Center.

Commissioner Persis reminded those in attendance that April 22, 2021, was Earth Day.

Mayor Partington noted on Saturday, May 8, 2021, from 10:00 a.m. to 4:00 p.m. the Ormond Beach South Ormond Recreation Center would be hosting an event to celebrate the African-American Community and invited all to attend.

Ormond Beach Police Department

Commissioner Selby and Commissioner Persis discussed a swearing-in ceremony they attended for three new female police officers with the Ormond Beach Police Department. They complimented the officers and welcomed them to the city.

Condolences

Commissioner Kent and Mayor Partington expressed their condolences for the passing of Ormond Beach resident Ms. Sue Parkerson.

Parks and Recreation Master Plan Survey

Mayor Partington discussed results from the Parks and Recreation Master Plan survey that were published in the Ormond Observer. He noted 43 percent of voters felt community events were lacking within the city. He proceeded to discuss various events that took place in the city. He noted the poll also revealed that many residents felt there was a lack of rental opportunities in the city. He stated he felt those results highlighted the need for a community center.

Submerged Land

Mayor Partington discussed a parcel of submerged land and the potential for purchasing the property and various options for how the parcel could be utilized.

Item #10 – Adjournment

The meeting was adjourned at 8:20 p.m.

APPROVED: May 4, 2021

BY: _____
Bill Partington, Mayor

ATTEST:

Kate Settle, City Clerk



CITY OF ORMOND BEACH

City Manager • 22 S. Beach Street • Ormond Beach • Florida • 32174 • (386) 676-3200 • Fax (386) 676-3384

CITY MANAGER MEMORANDUM

To: The Honorable Mayor Partington and City Commissioners

Through: Joyce A. Shanahan, City Manager

From: Kevin Gray, Deputy Public Works Director

Date: May 4, 2021

Subject: Purchase authorization for one 2021 Dodge Charger Patrol Vehicle

Commission Goal: Public Safety - Provide up-to-date equipment for first responders

Introduction

This is a request to purchase one 2021 Dodge Charger police-rated patrol vehicle, replacing Vehicle 221, for the Police Department. Vehicles are to be purchased under the Florida Sheriffs' Contract FSA20-VEL28.0, specification #250.

Background

On March 19, 2021, Ormond Beach Patrol Vehicle 221, a 2014 Chevy Caprice, was involved in a vehicular accident with an at-fault driver, that will result in an insurance claim recovery. The extent of the damage to Vehicle 221 deemed it totaled by insurance standards. The replacement of Vehicle 221, a front-line marked patrol unit, will allow for sufficient vehicle/officer allotment. The City's Insurance Fund 504 - Police Department was identified in the Budget Adjustment Form for the replacement purchase. Vehicle 221, a 2014 Chevy Caprice had not been scheduled for replacement until the FY 2025-26 Capital Improvement Projects Vehicle and Equipment Replacement Fund (302).

Fleet Operations will continue a cost-efficient approach to replacing the patrol vehicles, installing the emergency lighting, partitions, radios and rear seat and door modification items in house. The installs will be led by a Master Certified Emergency Vehicle Technician, who also holds a Law Enforcement Vehicle Installation Certificate.

Discussion

The purchase of the patrol vehicle will be in accordance with the Florida Sheriff's Association contract (Contract FSA20-VEL28.0, Spec. #250). The price for the vehicle is as follows:

2021 Dodge Charger Police Rated Sedan Patrol Vehicle

Base Price \$ 27,416.00

Dealer Installed Options	<u>\$ 2,697.00</u>
Per Vehicle Total	\$ 30,113.00

Vehicle Lighting Package	\$ 7,900.32-per vehicle (ITB 2020-11)
Radio	<u>\$ 6,294.46</u> -per vehicle (VC Contract)
	\$ 44,307.78

Based on all of the above, the 2021 Dodge Charger police-rated sedan patrol vehicle will have a total fully outfitted price of \$44,307.78. **However, this item is just for the vehicle purchase with a cost of \$30,113.00.** The lighting and radio packages, including lights, prisoner cage/rear seat, etc., that are non-factory items, are purchased separately through various vendors.

Budget Impact

Funds for the purchase of one 2021 Dodge Charger police-rated sedan marked patrol vehicles in the amount of \$30,113.00 are available in Fund 504-Self Insurance Fund and will be transferred to Fund 302-Vehicle Replacement Fund. As this was unanticipated, a budget amendment will be needed. The vehicle lighting and radio packages will be purchased separately.

The vehicle being replaced will be offered for sale by auction. It is anticipated that an average of \$500 to \$1,000 can be realized. Those funds would be returned to the Vehicle and Equipment Replacement Fund.

Citizen Impact

The replacement purchase of one patrol vehicle is integral in the effective policing of the City of Ormond Beach.

Recommendation

It is recommended the City Commission authorize the purchase of one Dodge Charger police rated sedan patrol vehicle from Garber Chrysler Dodge Truck, Inc. in the total amount of \$30,113.00, under the Florida Sheriff's Association Contract FSA20-VEL28.0 specification #250, and approve of the disposition of the surplus unit.

Attachments:

- 21-77 Purchase Dodge Charger Patrol Vehicle (P21-0050G) (PDF)
- MT 4685 - Purchase Authorization - Dodge Charger (PDF)
- FSA Coop Purchasing Program Charger Replacement 2021 (PDF)

REVIEWED BY:
Kelly McGuire, Finance Director 4/23/2021
Claire Whitley, Assistant City Manager 4/27/2021**APPROVED BY:**
Joyce A. Shanahan, City Manager 4/28/2021

RESOLUTION NO. 2021-77

A RESOLUTION AUTHORIZING THE APPROVAL AND EXECUTION OF A PURCHASE AUTHORIZATION FOR THE PURCHASE OF ONE 2021 DODGE CHARGER PATROL VEHICLE UNDER FLORIDA SHERIFFS ASSOCIATION BID NO. FSA20-VEL28.0; DECLARING VEHICLE TO BE SURPLUS PROPERTY, AND AUTHORIZING THE DISPOSITION THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, the City is seeking to replace vehicle #221 (2014 Chevy Caprice), which was involved in a vehicular accident, deemed totaled by insurance standards, and has been determined to have exceeded all criteria for replacement; and

WHEREAS, Section 2-300(a)(9), Code of Ordinances, allows the City to utilize a competitive bid solicited by any other municipal, county, state or federal governmental agency, or any combination of such agencies, in purchasing items requiring competitive sealed bids; and

WHEREAS, the City's staff has determined that it is in the best interest of the City of Ormond Beach and the general public to purchase one (1) 2021 Dodge Charger police rated sedan patrol vehicle under Florida Sheriffs Association Bid No. FSA20-VEL28.0; and

WHEREAS, the City's staff is seeking approval of a Purchase Authorization (a copy of which is attached hereto and incorporated herein by reference) for the purchase of one (1) 2021 Dodge Charger police rated sedan patrol vehicle from Garber Chrysler Dodge Truck in the amount of \$30,113.00; and

WHEREAS, the City Manager has certified that funds in the amount of \$30,113.00 for the total purchase thereof are in the City's Insurance Fund 504 – Police Department, and have not been appropriated for any other purposes; now therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA, THAT:

SECTION ONE. The Mayor and City Manager are hereby authorized and directed to approve and execute a Purchase Authorization for the purchase of one (1) 2021 Dodge Charger police rated sedan patrol vehicle from Garber Chrysler Dodge Truck in the amount of \$30,113.00 and to pay the costs therefore from the City's Insurance Fund 504 – Police Department.

SECTION TWO. The City Commission hereby declares vehicle #221 to be surplus property, and the appropriate City staff members are hereby further authorized and directed to dispose of said vehicle through competitive sealed process or public auction to be held in accordance with applicable law.

SECTION THREE. This Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED this 4th day of May, 2021.

BILL PARTINGTON
 Mayor

ATTEST:

KATE SETTLE
 City Clerk



PURCHASE AUTHORIZATION
CITY OF ORMOND BEACH
Purchase Requisition Nbr: 2100877
Vendor: Garber Chrysler Dodge Truck, Inc.
Resolution No. 2021-77

Requisition By: Gray
Date: 5/4/2021

Reason: Purchase of one 2021 Dodge Charger Police Rated Sedan.

Purchase of one 2021 Dodge Charger Police Rated Sedan
Purchased through (Piggyback) FSA 20-VEL 28.0, spec #250.
Funding through City Insurance Fund 504 – Police Department.

PAY ITEM NUMBER	ITEM DESCRIPTION	UNT	QNT	UNIT PRICE	AMOUNT
1	2021 Dodge Charger V6 Police Sedan AWD	EA	1	\$27,416.00	\$27,416.00
2	Equipment Mounting Bracket	EA	1	\$99.00	\$99.00
3	Police Package Base Prep	EA	1	\$1,998.00	\$1,998.00
4	Deactivate Rear Doors/Windows	EA	1	\$74.00	\$74.00
5	Weathertech HD Floor Liners	EA	1	\$249.00	\$249.00
6	Tint all Windows to 20% with Strip	EA	1	\$271.00	\$271.00
7	Temporary Tag	EA	1	6.00	\$6.00
Total: \$30,113.00					\$30,113.00

TERMS AND CONDITIONS

The attached terms and conditions of the City of Ormond Beach are incorporated herein by reference and are made a part hereof.

SIGNED BY (CITY):

MAYOR

CITY MANAGER

DATED: _____

SIGNED BY (VENDOR):

PRINCIPAL OF COMPANY

WITNESS

DATED: _____

City of Ormond Beach

TERMS AND CONDITIONS - READ CAREFULLY

GENERAL CONDITIONS:

Acceptance of an order includes all terms, quantities, prices, delivery instructions, specifications and conditions stated in the order. The terms and conditions of an order are not to be changed or modified by any verbal understanding. Any such changes must be made by written agreement. The quantity of materials ordered and the prices specified must not be exceeded without written authority being first obtained from the City. Failure of an awarded Vendor to deliver goods and/or services as specified in the order, or failure to comply with any of the terms and conditions therein, may disqualify Vendor from receiving future orders. In case of default by the Vendor, the City may procure the goods and/or services covered by the order from other sources and hold the Vendor responsible for any additional cost occasioned thereby. Purchases of \$500 or more require a signed Purchase Order. Invoices must show the Purchase Order number. The City endeavors to make payments within thirty (30) days of receipt of invoice in accordance with the Florida Prompt Payment Act, Florida Statutes, Chapter 218, Part VII.

QUALITY:

All goods and/or services furnished by an order must be as specified and subject to the City's inspection within a reasonable time after delivery at destination. Variations in goods and/or services from those specified in an order must not be made without written authority from the City. Items rejected by the City will be returned at the Vendor's risk and expense. Unless otherwise stated herein, all materials and equipment furnished by the Vendor shall be new and shall not have been in service at any other installation.

PACKING & DELIVERY:

Packages must be plainly marked with shipper's name and order number. Charges are not allowed for boxing or crating unless previously agreed upon in writing. All goods must be shipped F.O.B. Destination. The City will pay no freight or expense charges, except by previous agreement. The delivery must be effected within the time stated in the order. The City reserves the right to cancel this order and purchase elsewhere if the Vendor fails to meet the delivery date specified on Purchase Order. Deliveries shall be made between 8:00 a.m. and 5:00 p.m. on regular working days unless otherwise stated. Transport deliveries must be unloaded and ready for inspection prior to 3:00 p.m. The items will be promptly inspected for damage and defects and conformance with the specifications. Any material or equipment not meeting the specifications, or that has been damaged or injured in the process of transportation, unloading or handling will be rejected and shall be immediately returned to the Vendor at the Vendor's expense.

COMPLIANCE TO LAWS, GUIDELINES, REGULATIONS ,ETC.:

The Vendor must comply with all applicable state, federal, and local laws, guidelines and regulations. This includes, but is not limited to, DOT, OSHA, EPA, DEP and the City's Registration and Insurance requirements when applicable. Also, where applicable, the Vendor agrees to furnish the City with a current Material Safety Data Sheet (MSDS) on or before delivery of each and every hazardous chemical or substance purchased which is classified as toxic under Chapter 422, Florida Statutes. Appropriate labels and MSDS's shall be provided for all shipments. Send MSDS's and other pertinent data to the City at the "Ship to" address.

PUBLIC ENTITY CRIMES: A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a Bid on a contract to provide any goods or services to a public entity, may not submit a Bid on a contract with a public entity for

the construction or repair of a public building or public work, may not submit Bids on leases or real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.

DISCRIMINATION: Pursuant to Section 287.134(2)(a), Florida Statutes, an entity or affiliate who has been placed on the discriminatory vendor list may not submit a bid or proposal on a contract to provide any goods or services to a public entity, may not submit a bid or proposal on a contract with a public entity for the construction or repair of a public building or public work, may not submit bid or proposal on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity.

TAXES: The City of Ormond Beach is exempt from Federal Excise Taxes and all sales taxes.

MEETS SPECIFICATIONS: Unless otherwise specified, all equipment and accessories furnished under these specifications shall be new, the latest model in current production, and shall be of good quality, workmanship and material. The Vendor represents that all equipment offered under this specification shall meet or exceed the minimum requirements specified. Delivery specifications shall be strictly adhered to.

SILENCE OF SPECIFICATIONS: The apparent silence of any specification and any supplemental specifications as to any details or the omission from same of any detailed description concerning any point shall be regarded as meaning that only the best commercial practices are to prevail and that only materials of first quality and correct type, size, and design are to be used. All workmanship is to be first quality. All interpretations of the specifications shall be made upon the basis of this statement.

ASSIGNMENT: Any purchase order or contract issued pursuant to a Request for Quotations and the monies which may become due thereunder are not assignable except with the prior written approval of the City Manager or City Commissioner, whichever authorized the purchase.

LIABILITY: The Vendor shall hold and save the City of Ormond Beach, its officers, agents, and employees harmless against claims by third parties resulting from the vendor's or supplier's breach of contract or negligence, including all attorney's fees and costs, and shall pay any and all damages, fees, and costs assessed on behalf of the CITY. The CITY expressly reserves all rights, privileges and benefits of sovereign immunity.

PATENTS AND ROYALTIES: The Vendor, without exception, shall indemnify and save harmless the City of Ormond Beach and its employees from liability of any kind, including cost and expenses for or on account of any copyrighted, patented, or unpatented invention, process, or article manufactured or used in the performance of the contract, including its use by the City of Ormond Beach. If the Vendor uses any design, device, or materials covered by letters, patent or copyright, it is mutually agreed and understood without exception that the quotation prices shall include all royalties or cost arising from the use of such design, device, or materials in any way involved in the work.

ACCEPTANCE: Items may be tested for compliance with specifications. Items delivered not conforming to specifications may be rejected and returned at Vendor's expense.

SAFETY WARRANTY: The selling dealer, distributor, supplier, and manufacturer shall be responsible for compliance with all Federal, State and local laws, rules and regulations concerning the equipment and/or service specified and the use thereof, applicable and effective on the date of manufacture including safety and environmental standards as apply to both private industry and governmental agencies.

WARRANTY: The Vendor agrees that, unless otherwise specified, the supplies and/or services furnished under the Request for Quotations shall be covered by the most favorable commercial warranty for comparable quantities of such supplies and/or services, and that the rights and remedies provided herein are in addition to and do not limit any rights afforded to the City of Ormond Beach by other provision of the Request for Quotations.

INSURANCE AND REGISTRATION REQUIREMENTS

The City of Ormond Beach requires anyone who is performing work "on City owned property" to provide the City with proof of insurance for **General Commercial Liability, Automobile Liability, and Workers Compensation** insurance, in which the City is listed as a certificate holder and is listed as "additionally insured". The amount of coverage for each of these types of insurance depends on the dollar value of the contract. It is up to the user department to ensure that the proof of insurance complies with all of the City's requirements, as established by **ordinance**, before giving the contractor a notice to proceed. Such proof of insurance, marked to show compliance with the ordinance, shall be submitted with the requisition, and filed with the purchase order.

Contractors doing business within the city limits of Ormond Beach must be **registered** with the City's office of Building Inspections and Permitting. The user department is responsible for making sure that the contractor is registered to do business in the City.

Types of Insurance and Limits of Liability

The insurance required herein shall be written for not less than any limits of liability specified and incorporated as part of the Contract Documents or as required by law, whichever is greater, and shall include the following:

- (a) **Workers' Compensation Insurance** in statutory limits for the State of Florida with Coverage B - Employer's Liability limits of not less than:
- \$100,000. Each Accident Bodily Injury by Accident
 - \$100,000. Each Employee Bodily Injury by Disease
 - \$500,000. Policy Limit Bodily Injury by Disease

Certificate of Exemptions. If the contractor has a State-issued Certificate of Exemption, the contractor may provide a copy in place of the requirement for coverage. However, if the contractor subcontracts or retains any other person or entity to perform under the contract, that person or entity must provide proof of workers' compensation insurance as required by law or provide a Certificate of Exemption.

It is the intent of the City that any individual who either contracts directly with the city or performs any work on behalf of any such contractor be covered by workers compensation insurance or have a valid exemption from said coverage.

(If applicable to the Project, the policy must include benefits under the United States Longshoremen's and Harbor Workers' Act and the Jones Act coverage--all maritime coverages.)

(b) Commercial General Liability Insurance shall be written on a coverage form as broad as Insurance Services Office (ISO) Form CG 00 01 11 88, or its successor form, including but not limited to the following coverages (any deviation shall be noted on the Certificates of Insurance):

- a. Premises and Operations
- b. Owners' & Contractors' Protective
- c. Products & Completed Operation
- d. Explosion, Collapse & Underground Conditions
- e. Blanket Contractual Liability
- f. Personal Injury Liability
- g. Broad Form Property Damage Endorsement, including Completed Operations
- h. Independent Contractors
- i. Watercraft--Owned and Non-Owned (if applicable, endorsement must be included in General Liability policy or a separate Protection & Indemnity Policy must be written)
- j. Pollution Liability (if applicable)
- k. Asbestos Abatement (if applicable)
- l. Fire Damage Liability

Certain coverages outlined above may not be required if they do not relate to the Project, as may be determined at the sole discretion of the City.

Commercial General Liability Coverage shall be written on an occurrence basis and the limits shall be no less than the following amounts for all tiers of Contractors and Subcontractors:

<u>Contract Value</u>	<u>Limits (not less than)</u>	
\$0 - \$25,000	\$300,000	Each Occurrence
	\$300,000	General Aggregate [*]
	\$300,000	Aggregate Products & Completed Operations
	\$ 25,000	Fire Damage (any one fire)
\$25,001 - \$250,000	\$500,000	Each Occurrence
	\$1 Million	General Aggregate*
	\$1 Million	Aggregate Products & Completed Operations
	\$ 50,000	Fire Damage (any one fire)

\$250,001 - \$3,000,000	\$1 Million	Each Occurrence
	\$1 Million	General Aggregate *
	\$1 Million	Aggregate Products & Completed Operations
	\$ 50,000	Fire Damage (any one fire)
\$3,000,001 & over	20% of the Value of the Contract [Minimum \$1 Million Each Occurrence/\$2 Million General Aggregate]	

* NOTE: Commercial General Liability Coverage must be purchased on either a project basis (separate policy per contract) or an endorsement allocating an aggregate limit per location or specified project.

(c) **Automobile Liability Insurance** for the operation, use, maintenance, loading or unloading of automobiles - ISO Symbol 1 (Any Auto) or alternatively a combination of Symbol 2 (Owned Autos), Symbol 8 (Hired Autos), and Symbol 9 (Non-Owned Autos).

<u>Contract Value</u>	<u>Limits (not less than)</u>
\$0 - \$25,000	\$300,000 Combined Single Limit
\$25,001 - \$250,000	\$500,000 Combined Single Limit
\$250,001 and over	\$1 Million Combined Single Limit

(d) **Excess Liability**

For Contracts of \$250,000 or more, and in addition to the scheduled underlying policies for Commercial General Liability, Automobile Liability and Employers' Liability, the Contractor shall also provide an Excess Liability Policy with a maximum self-insured retention for occurrences insured in this Excess Policy not to exceed \$25,000 and a minimum limit of \$1 Million.

(e) **Professional Liability, Malpractice and/or Errors and Omissions**

The Contractor shall purchase and maintain professional liability, malpractice, or errors or omissions insurance with minimum limits of \$1,000,000 per occurrence. If a claims made form of coverage is provided, the retroactive date of coverage shall be no later than the inception date of claims made coverage, unless the prior policy was extended indefinitely to cover prior acts. Coverage shall be extended beyond the policy year either by a supplemental extended reporting period (ERP) of as great a duration as is available, and with no less coverage and with reinstated aggregate limits, or by requiring that any new policy provide a retroactive date no later than the inception date of claims made coverage.

Requirements for Certificates of Insurance

1. With the execution of the Contract Documents, the Contractor, including service-related contractors, shall provide certificates of such insurance acceptable to the City. These certificates and insurance policies shall contain a provision that the coverage under the policies will not be canceled, non-renewed or materially changed until at least thirty (30) days' prior written notice of such cancellation, non-renewal or change (except for nonpayment of premium, which shall be ten (10) days) and a copy of the cancellation endorsement signed by an authorized representative of the insurer, be given to the City. The contractor shall be required to replace any expired or canceled policies in like amount and coverage to the satisfaction of the City. The Certificate of Insurance shall be the ACORD FORM 25-S (7/90), or its successor form, and shall be made a part of the Contract Documents.
2. New certificates of insurance shall be provided to the City at least fifteen (15) days prior to coverage renewals.
3. If requested by the City, the contractor shall immediately furnish complete copies of the Contractor's insurance policies, forms and endorsements.
4. For Commercial General Liability coverage the Contractor shall, at the option of the City, provide an indication of the amount of claims payments or reserves chargeable to the aggregate amount of liability coverage. If the Commercial General Liability form of coverage includes an annual aggregate limitation on the amount of insurance provided, a separate project aggregate limit may be required by the City for the given contract.
5. If the Contractor fails to obtain and maintain for the life of the Project the insurance required hereby or to replace any such expired or canceled policy, the City may obtain and maintain such insurance with such company, as it deems satisfactory. Any amounts expended by the City in payment of premiums for such insurance shall be deducted by the City from the amount due the Contractor for the work covered by the Contract.

Policies of Insurance

1. Except as otherwise provided in this Exhibit, all insurance policies shall be issued by insurers licensed to do business in the State of Florida on an admitted basis or which is an eligible surplus lines insurer in the State of Florida, and any such insuring company is required to have a minimum financial rating of (A-), in the latest edition of "Best's Key Rating Guide", published by A. M. Best Co., Inc., or some similarly nationally recognized rating authority, including Standard and Poors and Demotech.
2. For Workers' Compensation coverage only, self-insurance programs are acceptable with a minimum A- rated reinsurance carriers; written confirmation is required.
3. All policies of insurance or certificates thereof referred to in this Exhibit shall be deposited with the City Clerk.
4. The City shall be named an Additional Insured on General Liability and Automobile Liability policies of insurance and certificates thereof.

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Date

BS
Ready to Cut

Jenice

01/24/17

Customer

Approval Signature

ORMOND BEACH

FSA Cooperative Purchasing Program



Contract: FSA20-VEL28.0 – Pursuit,

Administrative and Other Vehicles

Contract: FSA20-VEH18.0 – Heavy Trucks

Contract: FSA20-EQU18.0 – Heavy Equipment

(Items formerly included under “VEH” contract.)

Contract Terms and Conditions

FLORIDA SHERIFFS ASSOCIATION
Cooperative Purchasing Program
Contract Terms and Conditions

Appendix E



Bid Calendar

FSA20-VEL28.0 Pursuit, Administrative and Other Vehicles
FSA20-VEH18.0 Heavy Trucks
FSA10-EQU18.0 Equipment

CALENDAR ITEM	DATE
Bid Announcement	4/22/20 & 5/25/20
Voluntary Workshops For Contracts FSA20-VEL28.0 & FSA20-VEH18.0 *	6/10/20
Mandatory Pre-Bid Meeting for Contract FSA20-VEL28.0 *	7/8/20
Mandatory Pre-Bid Meeting for Contract FSA20-VEH18.0 *	7/9/20
Request for Clarifications Due	7/30/20
Mandatory Qualifying Documents Submission	8/3/20
FSA Response to Request for Clarifications	8/5/19
Cone of Silence	8/7/20 – 10/1/20
Bid System Open	8/7/20
Bid Submissions Due	8/31/20
Public Bid Opening	9/1/20
Fleet Advisory Committee Bid Review	9/1/20 – 9/4/20
Intent to Award Posted	9/9/20
Final Bid Award	10/1/20

* Details for the Workshop, Mandatory Pre-Bid Meeting, and Public Bid Openings will be posted on FSA's website, emailed to interested bidders, or can be found in Florida Administrative Registrar (as appropriate) for the dates published.

* FSA intends to do an in-person Mandatory Pre-Bid meeting. However, the FSA has plans to conduct the meeting via webinar if conditions do not permit or are not safe for an in-person meeting. If FSA can conduct the meeting in-person, it will be held at the Falkenburg Road Jail Assembly Room at the Hillsborough County Sheriff's Office.

For the most up to date information on these events, please refer to

<https://www.flsheriffs.org/law-enforcement-programs/cooperative-purchasing-program/bid-announcements>.

FLORIDA SHERIFFS ASSOCIATION
Cooperative Purchasing Program
Contract Terms and Conditions

1.0 GENERAL CONDITIONS

1.01 BID CORRESPONDENCE

All correspondence regarding this bid should be directed to the Florida Sheriffs Association "FSA", using the information shown above. Please be sure to reference the bid number and your contact information.

The contacts for this bid are:

Ed Lanier, FSA Cooperative Purchasing Program Coordinator
E-mail: elanier@flsheriffs.org
Phone: 850-877-2165, ext. 5811
Fax: 850-878-5115

Craig Chown, FSA Cooperative Purchasing Program Manager
E-mail: cchown@flsheriffs.org
Phone: 850-877-2165, ext. 5833
Fax: 850-878-5115

Communication for this Invitation to Bid should be identified by contract number and title and directed to:

Florida Sheriffs Association
Attn: Cooperative Purchasing Program Coordinator
2617 Mahan Drive
Tallahassee, FL 32308
E-mail: CPP@flsheriffs.org

FLORIDA SHERIFFS ASSOCIATION
Cooperative Purchasing Program
Contract Terms and Conditions

1.02 PURPOSE

The Florida Sheriffs Association invites interested Bidders, including Motor Vehicle Manufacturers and Dealers/Certified Representatives to submit responses in accordance with these solicitation documents. The FSA Cooperative Purchasing Program will conduct the solicitation process and administer the resulting contract. The purpose of this bid is to establish contracts with manufacturers and manufacturer's authorized vendors for contract terms specified under Section 1.03 for the purchase of vehicles and equipment on a "no trade-in basis."

1.03 TERM OF CONTRACT

The term for Contracts FSA20-VEL28.0 Pursuit, Administrative and Other Vehicles and FSA20-VEH18.01 Heavy Vehicles shall remain in effect for two (2) years from date of contract execution by the FSA, and may be renewed by mutual agreement, at the sole option and discretion of the FSA, pursuant to the terms of Section 3.04. The initial term of these contracts begins October 1, 2020 and ends September 30, 2022.

The term for Contract FSA20-EQU18.0 Heavy Equipment shall remain in effect for three (3) years from date of contract execution by the FSA, and may be renewed by mutual agreement, at the sole option and discretion of the FSA, pursuant to the terms of Section 3.04. The initial term of this contract begins October 1, 2020 and ends September 30, 2023.

Contract extensions will only be executed when the FSA determines, based on then-existing conditions, that it is in the best interest of the FSA and the purchasers to do so.

1.04 ESTIMATED QUANTITIES

In FY 2018-19, eligible users purchased approximately 8,856 vehicles and equipment from this contract. These estimated figures are given as a guideline for bidders preparing bids.

Quantities provided do not guarantee or imply future contract sales. Neither the FSA nor any eligible user is obligated to place any order for a given amount subsequent to the award of this bid solicitation.

1.05 SHERIFF AS COUNTY CONSTITUTIONAL OFFICER

The Offices of the Sheriff in the State of Florida are constitutional offices of the State of Florida. Each has the authority either individually or collectively to execute contracts for all goods and services for the proper conduct of that office. Section 30.53, Florida Statutes, exempts the sheriffs' offices from the provisions of the Florida Statute that would otherwise require sealed and competitive bidding procedures.

It is our practice to give consideration to the prices offered, but the Office of the Sheriff is not required by law to accept the lowest priced proposal and may reject any or all of the proposals without recourse. Bidders are solely responsible for their own bid preparation costs and nothing in this solicitation in any way obligates the participating sheriffs' offices for any payment for any activity or costs incurred by any bidder in responding to this solicitation.

FLORIDA SHERIFFS ASSOCIATION & FLORIDA ASSOCIATION OF COUNTIES

FSA20-VEL28.0 PURSUIT, ADMINISTRATIVE AND OTHER VEHICLES

THE FOLLOWING ITEMS WILL BE FACTORY INSTALLED ON THE BASE VEHICLE/EQUIPMENT TO MEET THE MODEL NUMBER AND BUILD CODES OF THE VEHICLE LISTED. PLEASE REFER TO THE EMERGENCY VEHICLE LIGHTING AND SIRENS SECTION WITHIN THIS CONTRACT FOR DESCRIPTIONS, SPECIFICATIONS AND AWARDED VENDOR PRICING.

SPECIFICATION GROUP - Police Rated & Police Hybrid Vehicles

Make: Dodge Model: Charger V6 Police Rated Sedan AWD
Make: Dodge Model: Charger V8 Police Rated Sedan RWD
Make: Dodge Model: Durango Pursuit Utility - V6 – AWD
Make: Dodge Model: Durango Pursuit Utility - V8 – AWD
Make: Ford Model: Interceptor Utility AWD Hybrid 3.3L
Make: Ford Model: Interceptor Utility AWD 3.3L Gas
Make: Ford Model: Interceptor Utility AWD 3.0L EcoBoost
Make: Ford Model: Police Responder F-150 Crew Cab 4x4
Make: Chevrolet Model: Tahoe 4x2 PPV 21
Make: Chevrolet Model: Tahoe 4x4 PPV 21

FSA Item Specifications Description:

1. Manufacturer standard equipment and specifications plus FSA required additional 2 remote key FOBs. Standard equipment must include a factory or dealer installed LED spotlight on the driver's side, key FOB keyless entry, vinyl black flooring front and rear, heavy duty cloth front bucket seat and vinyl rear seat.

FSA20-VEL28.0, Pursuit, Administrative and Other Vehicles

Group: Police Rated & Police Hybrid Vehicles

Item: 250, Dodge, Charger V6 Police Rated Sedan AWD, LDEE48

Zone	Rank	Vendor	Price	Build File	Options File
Western	Primary	Garber Chrysler Dodge Truck, Inc.	\$27,516.00	Build	Options
	Alternate	Alan Jay Chrysler Jeep Dodge of Wauchula	\$27,572.00	Build	Options
Northern	Primary	Garber Chrysler Dodge Truck, Inc.	\$27,416.00	Build	Options
	Alternate	Alan Jay Chrysler Jeep Dodge of Wauchula	\$27,472.00	Build	Options
Central	Primary	Garber Chrysler Dodge Truck, Inc.	\$27,466.00	Build	Options
	Alternate	Alan Jay Chrysler Jeep Dodge of Wauchula	\$27,472.00	Build	Options
Southern	Primary	Garber Chrysler Dodge Truck, Inc.	\$27,516.00	Build	Options
	Alternate	Alan Jay Chrysler Jeep Dodge of Wauchula	\$27,572.00	Build	Options



Code	Description	Price - All Zones
3K	Extra Key and Fob Cut and Programmed	\$246.00
TINT	Dealer Tint All Windows (Add \$25 for Windshield Strip)	\$246.00
DECALS	Design and Install Custom Decal Package	\$525.00
VVS	Vent visors - stick-on style	\$149.00
RS	Rainshields - flange style	\$149.00
MATS	1st Row HD Floor Liners (Weathertech or Equivalent) (Add \$100 for 1st and 2nd Rows)	\$149.00
TTAG	Temporary Tag (Add \$25 if Overnight Shipping Required)	\$6.00
TRANS	Transfer Tag (Add \$25 if Overnight Shipping Required)	\$86.00
YTAG	Yellow Tag (Add \$25 if Overnight Shipping Required)	\$116.55
BUA	Back Up Alarm; Dealer Installed	\$138.00
TTP	TWO-TONE PAINT - Paint 4 Doors White on Dark Vehicle (Add \$500 for Doors and Roof White)	\$996.00
UC	LINEX Undercoating Application	\$695.00
ALL UPFITS	PLEASE SEE GARBER'S LIGHTS AND UPFITS SECTION FOR A FULL LINE OF VEHICLE LIGHTING, TRUCK BODIES, VAN AND BIN PACKAGES, AND OTHER AVAILABLE VEHICLE ADDITIONS. WE CAN HELP YOU WITH JUST ABOUT ANYTHING YOU NEED!	
LHS-DEL	DELETE Left Hand Spotlight *CREDIT*	(\$150.00)
TYL	Tires: 245/55R18 BSW Performance	\$178.00
P82	SPECIAL PAINT COLOR - Including Ranger Clearcoat (Green)	\$498.00
C8X9	Black, Heavy Duty Cloth Bucket & Rear Bench Seats *CREDIT*	(\$60.00)
AEB	Street Appearance Group -inc: 18" Wheel Covers, Front Reading/Map Lamps, Dual Remote USB Port - Charge Only, Front/Rear Climate Control Outlets, Media Hub (2 USB, AUX), Power Heated Mirrors w/Man F/Away, Exterior Mirrors w/Heating Element, Floor Carpet, Front & Rear Floor Mats, Illuminated Front Cupholders	\$373.00
AHM	Convenience Group I -inc: Power Adjustable Pedals, Power Driver/Passenger 4-Way Lumbar Adjust, Power Front Driver/Passenger Seats	\$478.00
AV2	Integrated Display Package -inc: Radio: Uconnect 3C w/8.4" Display, 12.1" Integrated Display Screen, Nav-Capable! See Dealer for Details	\$2,238.00
AWC	Fleet Safety Group -inc: Blind Spot Power Fold Pursuit Mirrors, Exterior Mirrors w/Heating Element, Blind Spot & Cross Path Detection	\$348.00
AYE	Patrol Package Base Prep -inc: Siren Speaker & Bracket, Trunk Tray & Cooling Fan, Power Distribution Center, Front & Rear Wire Harness	\$1,998.00

AYJ	Max Flow Package -inc: Lower Grille Texture - Police	\$148.00
	Patrol Package Wiring Prep Package -inc: Power Distribution Center, Front & Rear Wire	
AYW	Harness	\$1,148.00
GUK	Power Heated Mirrors w/Man F/Away -inc: Exterior Mirrors w/Heating Element	\$59.00
LNA	Matching Right Spot Lamp	\$208.00
MSY	Delete Badge -inc: Dodge Grille Badge (NO CHARGE)	\$0.00
TBF	Delete Spare Tire -inc: Tire Service Kit *CREDIT*	(\$70.00)
TBH	Full Spare Tire Relocation Bracket	\$143.00
W8B	18" Wheel Covers	\$39.00
CBT	Steel Seat Back Panel Inserts	\$133.00
CKD	Floor Carpet -inc: Front & Rear Floor Mats	\$123.00
CW6	Deactivate Rear Doors/Windows	\$74.00
CW7	Door/Window Activation Kit	\$99.00
GX*	Entire Fleet Alike Key (FREQ 2 - GXA, FREQ 3 - GXE, FREQ 1 - GXF, FREQ 4 - GXG)	\$138.00
LSA	Security Alarm	\$148.00
XDG	Passenger Side Ballistic Door Panel	\$2,348.00
XDV	Drive Side Ballistic Door Panel	\$2,348.00
XFX	Equipment Mounting Bracket	\$99.00



Ormond Beach

Specification #	250
Unit Description	LDEE48

Prepared for:

Prepared by:

1/21/2021

Ormond Beach

Attn: Danny McIlrath

Danny.McIlrath@ormondbeach.org

386 676 3510

Garber Chrysler Dodge Truck

Ryan Davis

(904) 264-2442 ext.2350 FAX: (904) 284-0054

3408 Hwy 17 Green Cove Springs, FL 32043

rdavis@garberautomall.com



Florida Sheriffs
Association

Prices are published by the Florida Sheriffs Association.

(https://www.flsheriffs.org/our_program/purchasing_programs/cooperative-fleet-bid-awards/). Purchasing contract number is FSA20-VEL 28.0, expiring September 30th, 2021 for – Police Rated Vehicles/Motorcycles, Sedans & Light Trucks. If you have any questions regarding this quote please call!

		Base Price	
LDEE48	2021 Dodge Charger Police AWD	\$27,416.00	
Codes	Optional Equipment	Unit Price	Net Price
27A	Quick Order Package 27A	Included	\$0.00
ERB	Engine: 3.6L V6 24V VVT	Included	\$0.00
DFT	Transmission: 8-Speed Automatic (850RE)	Included	\$0.00
PW7	White Knuckle Clearcoat	Included	\$0.00
X5X9	Black, Heavy Duty Cloth Bucket Seats w/Vinyl Rear	Included	\$0.00
OPP	Fleet Safety Group	Included	\$0.00
LNF/LNX	Black LED Left Spot Lamp	Included	\$0.00
XFX	Equipment Mounting Bracket	99	\$99.00
AYE	Patrol Package Base Prep -inc: Siren Speaker & Bracket, Trunk Tray & Cooling Fan, Power Distribution Center, Front & Rear Wire Harness	1998	\$1,998.00
GXQ	Additional Non-Key Alike Fobs	Included	\$0.00
CW6	Deactivate Rear Doors/Windows	74	\$74.00
MATS	Weathertech HD Floor Liners; 1st and 2nd Rows	249	\$249.00
TINT	Tint all Windows to 20% with Strip (No Factory Tint Provided)	271	\$271.00
TTAG	Temporary Tag	6	\$6.00
DEL	Delivery	Included	\$0.00

EMERGENCY LIGHTING PACKAGES

Bid No. 2020-11

The BIDDER will complete the Work, as described herein, for the following price(s):

BID SCHEDULE

<u>Item No:</u>	<u>Description:</u>	<u>Quantity:</u>	<u>Unit:</u>	<u>Unit Price:</u>	<u>Total Price:</u>
1.	Complete Emergency Lighting Package – Dodge Durango	1	EA	\$ <u>8,371.30</u>	\$ <u>8,371.30</u>
	Eight Thousand Three Hundred Seventy Dollars and Thirty cents				
	(WORDS)				
2.	Complete Emergency Lighting Package – Dodge Charger	1	EA	\$ <u>7,900.32</u>	\$ <u>7,900.32</u>
	Seven Thousand Nine Hundred Dollars and Thirty-Two cents				
	(WORDS)				
3.	Complete Emergency Lighting Package – ADDITIONAL	1	EA	\$ <u>4,246.40</u>	\$ <u>4,246.40</u>
	Four Thousand Two Hundres Forty Six Dollars and Forty cents				
	(WORDS)				

DODGE CHARGER

1. GB8SP3J

QTY:1 WEC LEGACY FSA 48" LIGHTBAR MODEL #3
FULL DUO LIGHTBAR:

2. MKEZ82

QTY:1 WEC 48-50 INCH LIGHT BAR STRAP KIT FOR 2011+ CHARG

3. CCSRN3

QTY:1 Whelen Remote Siren and 18 Button Control Center
REPLACES CCSRN2 CENCOM GOLD SIREN/SWITCH (DISCONTINUED) INCLUDES: AMP/RELAY MODULE,
CONTROL HEAD, MIC, 20' MICROPHONE
EXTENSION AND CABLES

4. SA315P

QTY:1 Whelen 100W Compact Black Composite 122DB Speaker

5. SAK37

QTY:1 WEC SA315 BRACKET FOR 2011+ CHARGER

6. FL-80RFIP-2

QTY:1 BI Brake/Aux & TAILLIGHT FLASHER FOR 2015+ CHARGER

7. VMDC11RB

QTY:1 WEC ION V-SERIES MIRROR LED'S R/B 2011+ CHARGER (PA
INCLUDES TECTURED BLACK MIRROR HOUSINGS

8. LSVBKT35

QTY:1 WEC 2011+ CHARGER UNDER MIRROR MTG KIT (PAIR)

9. LINSV2R

QTY:1 WEC V-SERIES 180 AND PUDDLE LIGHT, UNDER SURFACE MOUNT
RED - CLEAR LEDS, CLEAR LENS
REQUIRES MOUNT SOLD SEPERATELY

10. LINSV2B

QTY:1 WEC BLUE V-SERIES 180 DEG W/PUDLE LT - UNDER MOUN

11. I3JC

QTY:2 WEC ION TRIO RED/BLUE/WHITE - WHITE O/R - BLK HSNG

12. TLI2J

QTY:6 WEC ION T-SERIES LINEAR DUO R/B

13. TIONBKT1

QTY:2 WEC ION T-SERIES UNIVERSAL MOUNTING BRACKET

14. TIONBKT2

QTY:1 WEC UNIVERSAL ADJUSTABLE T-ION LICENSE PLATE BRACKET

BRACKET WILL MOUNT 2 T-ION HEADS

15.TCRB35

QTY:2 WEC TRACER MTG KIT DODGE CHARGER
Warehouse: DROP

16.TCRHT5

QTY:2 WEC TRACER TRIO 5-LAMP HOUSING
COLOR CONFIG: RED/BLUE/WHITE

17.C-VS-1800-CHGR-PM

QTY:1 HAV 18" CONSOLE W/ INTERNAL PRINTER MOUNT
2011-2017 Dodge Charger

18.C-CUP2-I

QTY:1 HAV IN-CONSOLE DUAL CUP HOLDER
REPLACES C-CH-2-XL CUPHOLDER

19.C-LP2-PS2

QTY:1 HAV 2 PLATE W/2-SWITCH C/O'S & 2-12VDC OUTLETS

20.C-SW-1 QTY (2)

QTY:1 C-USB-1
HAV Dual USB Charge Module

21.C-SW-1

QTY:1 HAV BLACK ON/OFF ROCKER SWITCH W/RED PILOT LIGHT

22.C-ARM-104

QTY:1 HAV TOP MOUNT ARMREST (REPLACES C-ARM-4)

23.C-ML-MCB

QTY:1 HAV 12 MAPLIGHT AND L-BRACKET

24.C-MCB

QTY:2 HAV CONSOLE MICROPHONE CLIP BRACKET

25.C-HDM-204

QTY:1 HAV TELESCOPING SIDE MOUNTED POLE ASSY
MOUNTS TO SIDE OF CONSOLE BOX

26.C-MD-112

QTY:1 HAV 11' SLIDE OUT LOCKING SWING ARM

27.UT-1001

QTY:1 Hav Universal Rugged Cradle for approximately 11"-14"
REPLACES UT-101

28. PSSP5613C11A

QTY:1 PROGARD VENTED POLYCARBONATE, SOLID WINDOW

29. S56C11OSB

QTY:1 Charcoal Grey ABS, Standard Seat

30. DP56C11

QTY:1 PG BLANK ABS DOOR PANELS FOR 2011+ DODGE CHARGE

31. WBP56C11

QTY:1 PG WINDOW BAR POLY ABS CHGR11



CITY OF ORMOND BEACH

City Manager • 22 S. Beach Street • Ormond Beach • Florida • 32174 • (386) 676-3200 • Fax (386) 676-3384

CITY MANAGER MEMORANDUM

To: The Honorable Mayor Partington and City Commissioners

Through: Joyce A. Shanahan, City Manager

From: Shawn Finley, Public Works Director

Date: May 4, 2021

Subject: WRF Chlorine Contact Chamber Construction Administration Work Authorization

Commission Goal: N/A

Introduction

This is a request for the City Commission to approve a Work Authorization with Mead & Hunt, Inc., for construction administration services for the Water Reclamation Facility (WRF) Chlorine Contact Chamber Modifications project.

Background

The bid award for the WRF Chlorine Contact Chamber Modifications project, Bid Number 2021-14, is also on this consent agenda. The construction project will add walls internal to the existing structure which will adjust the flow path to prevent short circuiting, upgraded monitoring of the chlorine residual, as well as devices to better remove algae build up within the structure. These upgrades will ensure the continued supply of high-quality reclaimed water to the public. Mead & Hunt, the engineer of record, will be retained through the duration of construction to provide oversight and to ensure compliance with Florida Department of Environmental Protection (FDEP) and other agency permit requirements. Staff will maintain overall project oversight and work with the engineer in resolving the various challenges that may be encountered throughout the construction of this project. Inspection services will be provided in-house by City Engineering inspectors.

Discussion

Staff has negotiated a scope of work and cost with Mead & Hunt, Inc. to provide construction administration services for the project in the amount of \$48,896.00. This is 6.9% of the contract amount of \$707,700.00, which is consistent with other projects of this nature. The City project manager will be overseeing some of the coordination duties in conjunction with the City engineering inspector.

Budget Impact

Although this project was identified in the CIP for funding in fiscal year 21-22, it is being completed immediately in order to comply with FDEP requirements. As a result, a budget amendment will be required. Funding is available in Fund 409 - Water and Wastewater Renewal and Replacement Fund.

Citizen Impact

This project will ensure the continued supply of high-quality reclaimed water to the public.

Recommendation

Staff recommends approval of the construction administration services Work Authorization with Mead & Hunt, Inc. for the WRF Chlorine Contact Chamber Modifications project, in the lump sum amount of \$48,896.00.

Attachments:

- 21-78 WRF Chlorine Chamber-admin Mead & Hunt (P21-0047G) (PDF)
- Work Authorization (PDF)

REVIEWED BY:


 Kelly McGuire, Finance Director 4/23/2021


 Claire Whitley, Assistant City Manager 4/28/2021

APPROVED BY:


 Joyce A. Shanahan, City Manager 4/28/2021

RESOLUTION NO. 2021-78

A RESOLUTION ACCEPTING A PROPOSAL FROM MEAD & HUNT, INC. FOR CONSTRUCTION ADMINISTRATION SERVICES REGARDING THE WATER RECLAMATION FACILITY CHLORINE CONTACT CHAMBER MODIFICATION PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, pursuant to the Continuing Engineering Services Agreement between the City and Mead & Hunt, Inc., the appropriate City staff members have negotiated with Mead & Hunt, Inc. to provide construction administration services for the water reclamation facility chlorine contact chamber modification project (“the Project”), as described on the attached Work Authorization and Scope of Work, at a cost not to exceed \$48,896.00, and

WHEREAS, the City Manager has certified that funds have been appropriated to the credit of the Water/Wastewater Renewal & Replacement Fund (409) for the Project and have not been appropriated for any other purpose, and

WHEREAS, the City Commission concurs with the foregoing recommendations, now therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA, THAT:

SECTION ONE. The proposal submitted by Mead & Hunt, Inc. to perform the Project at a total cost not to exceed \$48,896.00 is hereby accepted.

SECTION TWO. The Mayor and the City Manager are hereby authorized and directed to execute a Work Authorization with Mead & Hunt, Inc. for the performance of the

Project at the said price, and to pay the cost thereof from the Water/Wastewater Renewal & Replacement Fund (409).

SECTION THREE. This Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED this 4th day of May, 2021.

BILL PARTINGTON
Mayor

ATTEST:

KATE SETTLE
City Clerk

WORK AUTHORIZATION

In accordance with and incorporating the terms of the Continuing Contract dated March 20, 2017 between the City of Ormond Beach, Florida, and Mead & Hunt, Inc., the following Scope of Work and Schedule of Payments are agreed to by the parties to the Agreement:

Project Title: WRF Chlorine Contact Chamber Modifications – Construction Administration

Project Description: Construction administration services for Water Reclamation Facility chlorine contact chamber modifications project, as detailed in the attached proposal.

Estimated Project Construction Cost: \$708,000

Schedule of Payments and Fee Basis

<u>Required Work Task</u>	<u>Fee Basis</u>	<u>Fee</u>
Project Management	Fixed Fee	\$12,708.00
Construction Services	Fixed Fee	\$35,688.00
Reimbursable Expenses	Actual Cost	\$500.00
Total Fee Authorized:	Not To Exceed	<u>\$48,896.00</u>

Funding Source: Water/Wastewater R & R Fund (409)

Estimated Time for Completion: Through Duration of Construction Project

AUTHORIZED:
CITY OF ORMOND BEACH

ACCEPTED:
MEAD & HUNT, INC.

By: _____
Bill Partington
Mayor

By: _____
Brad T. Blais, P.E.
Vice President

Date: _____

Date: _____

By: _____
Joyce A. Shanahan
City Manager

Date: _____

I. COMPLIANCE WITH FLORIDA PUBLIC RECORDS LAW

Contractor expressly agrees that it shall comply with the public records law provided in Florida Statutes, Chapter 119, and specifically to:

- (a) Keep and maintain public records required by the City to perform the contracted service.
- (b) Upon request from the City Clerk, provide the City with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes, or as otherwise provided by law.
- (c) Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the contract term and following completion of the contract if the contractor does not transfer the records to the City.
- (d) Upon completion of the contract transfer, at no cost to the City, all public records in possession of the contractor or keep and maintain public records required by the City to perform the service. If the contractor transfers all public records to the City upon completion of the contract, the contractor shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the contractor keeps and maintains public records upon the completion of the contract, the contractor shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the City, upon request from the City Clerk, in a format that is compatible with the information technology systems of the City.
- (e) Failure of the Contractor to comply with Public Records Law as provided by Florida Statutes, Chapter 119, shall subject the Contractor to penalties under Chapter 119.10 and subject this Agreement to termination for cause by the City.

IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT:

**CITY CLERK
22 SOUTH BEACH STREET
ORMOND BEACH, FLORIDA 32174 (386) 676-3331
CITYCLERK@ORMONDBEACH.ORG**

Ref: Fla. Stat. §119.0701(2016)

II. VERIFICATION OF EMPLOYMENT STATUS USING E-VERIFY SYSTEM

1. Section 448.09, *Florida Statutes*, makes it unlawful for any person to knowingly employ, hire, recruit, or refer, either for herself or himself, or on behalf of another, for private or public employment within the state, an alien who is not duly authorized to work in the United States. Contractor warrants that it is registered with the U.S. Department of Homeland Security's E-Verify system, and is compliant with the requirements of Sections 448.09 and 448.095, *Florida Statutes*.
2. Contractor agrees that if the contractor enters into an agreement with a subcontractor, the subcontractor must provide the contractor with an affidavit stating that the subcontractor does not employ, contract with, or subcontract with an unauthorized alien, and contractor warrants it shall maintain any such affidavits for the duration of the contract. If the City has a good faith belief that a subcontractor knowingly violated Section 448.09 (1), the City shall promptly notify the contractor and order the contractor to immediately terminate the contract with the subcontractor.
3. In the event the City has a good faith belief that the contractor has knowingly violated Section 448.09 (1), *Florida Statutes*, the City shall terminate the contract, and as provided by statute, the contractor may not be awarded a public contract for at least one (1) year after the date of termination. The contractor may also be held liable for any additional costs incurred by the City as a result of the termination of the contract.



April 7, 2021

Alex Schumann, PE
City of Ormond Beach
22 S. Beach Street
Ormond Beach, FL 32174

Email: alex.schumann@ormondbeach.org

**CITY OF ORMOND BEACH CHLORINE CONTACT CHAMBER MODIFICATIONS
CONSTRUCTION SERVICES SCOPE AND FEE PROPOSAL**

Dear Alex,

In accordance with your request, we are pleased to offer the enclosed engineering fee proposal for the above referenced project. The proposed services include contact administration and related construction services, excluding inspection. Thank you for this opportunity to continue to be of service. If you have any questions or require additional information, please contact me.

Sincerely,
MEAD & HUNT, Inc.

A blue ink signature of Brad T. Blais, written in a cursive style.

Brad T. Blais, PE
Vice President/Market Leader

A blue ink signature of Andrew M. Giannini, written in a cursive style.

Andrew M. Giannini, PE
Senior Project Manager

BTB/AMG;bf

Enclosure – Scope of Services and Fee Estimate

Alex Schumann
April 7, 2021
Page 2

**CITY OF ORMOND BEACH
SCOPE OF SERVICES AND FEE ESTIMATE
FOR
CHLORINE CONTACT CHAMBER MODIFICATIONS**

MUNICIPAL UTILITY SERVICES

This Task Order is in conformance with the Continuing Contract for Municipal Utility Services, RFQ 2017-01 dated March 20, 2017, between the City of Ormond Beach (CITY) and Mead & Hunt, Inc. (MEAD & HUNT) and is referred to herein as the Contract.

GENERAL

The project involves structural, mechanical and electrical modifications to the existing chlorine contact structure. Modifications are required to improve disinfection efficiency and are a requirement of the City's FDEP operating permit. The project also includes mechanical modifications to improve maintenance efficiency and electrical/instrumentation upgrades to provide improved monitoring and control of NaOCl for disinfection.

SCOPE OF SERVICES

After receipt of authorization to proceed, MEAD & HUNT will provide the following services:

PHASE 1 – PROJECT MANAGEMENT

Project Coordination

MEAD & HUNT'S Project Manager (PM) will initiate the project and manage the budget and schedule, manage project staffing, review subconsultant invoices, manage project coordination, and schedule quality management processes for work products. The PM will monitor progress throughout the project and prepare monthly invoices for the CITY. It is assumed that these services will cover the estimated 6-month duration, this includes lead up to actual construction.

Project Kick-Off Meeting

MEAD & HUNT will conduct a project kick-off meeting with the project team and CITY staff to review project goals, scope of work, project schedule and administrative issues. Following the meeting, MEAD & HUNT will prepare a written summary of the project meeting and distribute to the attendees.

Quality Assurance / Quality Control

MEAD & HUNT will implement a quality assurance and control process, which includes:

Alex Schumann

April 7, 2021

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Independent technical review of alternatives developed and evaluated, and recommendations made by the project team. Reviews will include evaluations of constructability, performance, and conflicts.

Deliverables – Project Management

- Meeting Agendas and Summaries
- Monthly Invoices

PHASE 2 – SERVICES DURING CONSTRUCTION AND CLOSEOUT

MEAD & HUNT will provide the following services during construction to the CITY:

Prepare Issued for Construction Documents

MEAD & HUNT will incorporate applicable bid-phase modifications to the engineering drawings and technical specifications and provide those to the CITY(in electronic format) for inclusion in the contract documents.

Deliverables – Issued for Construction Documents

- Issued for Construction Drawings
- Issued for Construction Specifications

Pre-Construction Meeting

MEAD & HUNT will prepare and agenda for and conduct a pre-construction meeting with the CITYand the contractor. The purpose of the meeting will be to present the Notice to Proceed (NTP) and define responsibilities, review project administrative requirements, and receive the contractor's plan to complete the work. It is typical that issues of safety requirements, contractor and staff contact information, submittals, permitting, schedule, work hours, staging areas, payment schedules, and startup considerations will be discussed. MEAD & HUNT will distribute meeting summary to attendees.

Deliverables – Pre-Construction Meeting

- Meeting Agenda and Summary

Progress Meetings

MEAD & HUNT will maintain communication with the CITY and contractor by leading and participating in up to six (6) construction progress meetings upon contractor mobilization to monitor project progress and identify issues in a timely manner. The progress meetings will be conducted at the CITY facility or at the

Alex Schumann

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project site. MEAD & HUNT will prepare and distribute an agenda and meeting summary for each meeting.

Deliverables – Progress Meetings

- Monthly progress meeting agendas and summaries

Shop Drawing Review

The contractor will prepare shop drawings of equipment and other components of the work as specified in the contract documents. These shop drawing submittals will be reviewed by MEAD & HUNT for compliance with the design concept and contract requirements. MEAD & HUNT estimates, original submittals will be submitted for review. MEAD & HUNT cannot estimate how many rejections and resubmittals will be received from the Contractor for re-review. This fee included includes review of submittals to determine the acceptability of materials and equipment (including substitutes, if applicable) proposed by the Contractor.

MEAD & HUNT will maintain a log of submittals to include submittal number, subject, date received, reviewer, action taken, and date returned. If during the shop drawing review process the contractor requests substitute materials and/or equipment, the MEAD & HUNT will provide a recommendation on the submittal to the CITY.

Deliverables – Shop Drawing Review

- Shop drawing review packages
- Shop drawing log

Requests for Information (RFI's)

MEAD & HUNT will receive and respond to contractor RFI's related to clarification of the contract documents, design intent, or field conditions. MEAD & HUNT will interpret the meaning of the contract documents and will provide required clarifications or explanations of the design intent and requirements. MEAD & HUNT will also prepare and maintain a RFI log, noting the date received, subject, resolution and date response was returned to the contractor. RFI replies will be in writing and will be done expeditiously.

Deliverables – RFIs

- RFI response packages
- RFI response log

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Field/Change Orders

MEAD & HUNT will prepare, issue, and coordinate field orders, work directives, Requests for Proposals (RFP's), and change orders in coordination with the CITY. MEAD & HUNT will maintain a log of field changes and pending changes. MEAD & HUNT will provide assistance during negotiations of contractor cost proposals and will review claims and provide recommendations to the CITY.

Deliverables – Field/Change Orders

- Field and change order packages and supporting documentation
- Field and change order log

Pay Applications

MEAD & HUNT will review up to 6 monthly payment applications from the contractor and provide a written recommendation for payment to the CITY based on construction progress. As part of this task, MEAD & HUNT will review pay application supporting documentation, including updated construction schedules, record drawings, stored materials, release of liens, and as approved change/field orders.

Deliverables – Pay Applications

- Pay application recommendations

PROJECT CLOSEOUT

MEAD & HUNT will complete the construction project closeout with the completion/preparation of the following:

Substantial and Final Completion

MEAD & HUNT will determine substantial completion and attend substantial and final walkthroughs. RPR will document punchlist items at both substantial and final walkthroughs and verify completion of punchlist items before final closeout. Substantial and final punchlists to be provided electronically to CITY and Contractor.

Deliverables – Substantial and Final Completion

- Substantial completion punchlist items
- Final completion punchlist items

Alex Schumann

April 7, 2021

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Record Drawings

MEAD & HUNT will review contractor final as-builts and prepare final record drawings utilizing contractor as-builts and inspector sketches, photographs, and other documentation. Record drawings to be provided electronically to CITY

Deliverables – Record Drawings

- Record Drawings

Permitting Closeout

MEAD & HUNT will prepare and provide certifications of completion to the following permitting agencies for permit closeout:

- FDEP

Operations & Maintenance Manuals & Spare Parts

MEAD & HUNT will review contractor provided operation and maintenance (O&M) manuals for completeness.

MEAD & HUNT will confirm receipt of spare parts by the CITY.

SUBCONSULTANTS AND REIMBURSABLES

A reimbursables allowance of \$500 is included for printing and such.

EXCLUSIONS

This scope of services excludes all items not specifically described herein.

SCHEDULE

Mead & Hunt estimates the work included in this task order will be completed in accordance with the following schedule:

Phase/Task	Duration to Complete	Starting upon
<i>Phase 1 – Project Management</i>	<i>180 days</i>	<i>Receipt of notice to proceed</i>
<i>Phase 2 – Construction Services</i>	<i>180 days</i>	<i>Receipt of notice to proceed</i>

Alex Schumann
 April 7, 2021
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COMPENSATION

The not-to-exceed cost for this Scope of Services is \$48,896.

The above fee is based on the following breakdown:

Phase/Task	Fee/Cost	Basis
<i>Phase 1 – Project Management</i>	\$12,708	<i>Lump Sum</i>
<i>Phase 2 – Construction Services</i>	\$35,688	<i>Lump Sum</i>
<i>Reimbursables Allowance</i>	\$500	<i>Actual Cost</i>
TOTAL	\$48,896	

AUTHORIZATION:

The scope of services and compensation stated in this proposal are valid for a period of thirty (30) days from date of submission. If authorization to proceed is not received during this period, this proposal may be withdrawn or modified by MEAD & HUNT.

Accepted by: ORMOND BEACH

Approved by: MEAD & HUNT, INC.

By: _____

By: _____

Name: _____

Name: Brad T. Blais, PE

Title: _____

Title: Vice President/Market Leader

*The above person is authorized to sign for Client
 and bind the Client to the terms hereof.*

Date: _____

Date: April 7, 2021

PURSUANT TO FLORIDA STATUTE SECTION 558.0035, AN
 INDIVIDUAL EMPLOYEE OR AGENT OF MEAD & HUNT INC. MAY NOT
 BE HELD INDIVIDUALLY LIABLE FOR NEGLIGENCE.

IF THE CONTRACTOR (MEAD & HUNT, INC.) HAS QUESTIONS REGARDING THE APPLICATION OF
 CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S (MEAD & HUNT, INC.'s) DUTY TO
 PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT (PROPOSAL), CONTACT THE
 CUSTODIAN OF PUBLIC RECORDS AT CITY HALL, CITY OF ORMOND BEACH, 22 S. BEACH STREET,
 ORMOND BEACH, FL 32174, City Clerk, (386) 676-3331, cityclerk@ormondbeach.org.



CITY OF ORMOND BEACH

City Manager • 22 S. Beach Street • Ormond Beach • Florida • 32174 • (386) 676-3200 • Fax (386) 676-3384

CITY MANAGER MEMORANDUM

To: The Honorable Mayor Partington and City Commissioners

Through: Joyce A. Shanahan, City Manager

From: Shawn Finley, Public Works Director

Date: May 4, 2021

Subject: Bid Award WRF Chlorine Contact Chamber Modifications

Commission Goal: N/A

Introduction

This is a request for the City Commission to award a bid for the construction of the Water Reclamation Facility (WRF) Chlorine Contact Chamber Modifications, Bid No. 2021-14, to SGS Contracting Services, Inc.

Background

On March 2, 2021, the Commission approved invitation to bid, bid number 2021-14, for the Water Reclamation Facility (WRF) Chlorine Contact Chamber Modifications. The Chlorine Contact Chamber is the final step in the reclaimed water process where chlorine bleach is mixed into the stream and allowed to react with and neutralize any microorganisms that may remain.

Mead & Hunt prepared the project plans and specifications for the chlorine contact chamber improvements, as well as all permits for this project. The project adds walls internal to the existing structure and adjusts the flow path to ensure water spends the the required amount of time in the contact chamber. Also included in this project are chlorine residual monitoring devices, which aid in proper dosing of chlorine, and upgrades to better remove algae build up within the structure.

Completion of this project is incorporated into the recent Consent Order issued by the Florida Department of Environmental Protection, and is a required plant improvement to remain compliant with the city's operational permit.

Discussion

On April 6, 2021, one bid for the project was received and the bid tab is attached. The low bid was received from SGS Contracting Services, Inc. with a total bid of \$707,700.00. SGS Contracting Services is a firm based out of High Springs, Florida,

and is an experienced contractor that focuses on water and wastewater construction.

Budget Impact

Although this project was identified in the CIP for funding in fiscal year 21-22, it is being completed immediately in order to comply with FDEP requirements. As a result, a budget amendment will be required. Funding is available in Fund 409 - Water and Wastewater Renewal and Replacement Fund.

Citizen Impact

Reliable and safe operation of the wastewater treatment facility is crucial to the City residents who utilize this service.

Recommendation

Staff recommends award of the total bid for the construction of the WRF Chlorine Contact Chamber Modifications, Bid No.2021-14, to SGS Contracting Services, Inc. in the bid amount of \$707,700.

Attachments:

- 21-79 WRF Chlorine Chamber-SGS Contracting (P21-0045G)(PDF)
- SGS Contracting Bid (PDF)
- BID 2021-14 Bid Tabulation (PDF)

REVIEWED BY:


Kelly McGuire, Finance Director 4/23/2021


Claire Whitley, Assistant City Manager 4/28/2021

APPROVED BY:


Joyce A. Shanahan, City Manager 4/28/2021

RESOLUTION NO. 2021-79

A RESOLUTION ACCEPTING A BID FROM SGS CONTRACTING SERVICES, INC. FOR CONSTRUCTION SERVICES REGARDING THE WATER RECLAMATION FACILITY CHLORINE CONTACT CHAMBER MODIFICATION PROJECT, UNDER BID NO. 2021-14; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, the City advertised for bids (Bid No. 2021-14) regarding construction services for the water reclamation facility chlorine contact chamber modification project (“the Project”) pursuant to section 2-300, *Code of Ordinances*, and

WHEREAS, the City's professional staff have reviewed the bids received and have determined that the bid submitted by SGS Contracting Services, Inc. in the amount of \$707,700.00 is the lowest responsible and responsive bid (a copy of said bid being attached hereto and incorporated herein by reference), and

WHEREAS, the City Manager has certified that funds for the Project have been appropriated to the credit of the Water and Wastewater Bond Fund and have not been appropriated for any other purpose, and

WHEREAS, the City Commission concurs with the foregoing recommendations, now therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA, THAT:

SECTION ONE. The bid submitted by SGS Contracting, Inc. to perform the Project at a total cost not to exceed \$707,700.00 is hereby accepted.

SECTION TWO. The Mayor and the City Manager are hereby authorized and directed to execute a contract with SGS Contracting, Inc. for the performance of the Project at the said price and to pay the cost thereof from the Water and Wastewater Bond Fund.

SECTION THREE. This Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED this 4th day of May, 2021.

BILL PARTINGTON
Mayor

ATTEST:

KATE SETTLE
City Clerk

**SECTION 00300
BID**

CONTRACTORS NAME SGS Contracting Services, Inc. LICENSE NO. CGC 1514772

PROJECT IDENTIFICATION: WRF CHLORINE CONTACT CHAMBER MODIFICATIONS

CONTRACT IDENTIFICATION AND NUMBER:

Bid No. 2021-14

THIS BID IS SUBMITTED TO:
(Name and Address of Owner)

City of Ormond Beach
22 South Beach Street
Ormond Beach, Florida 32174

1. The undersigned BIDDER proposes and agrees, if this Bid is accepted, to enter into an Agreement with OWNER in the form included in the Contract Documents to complete all Work as specified or indicated in the Contract Documents for the Contract Price and within the Contract Time indicated in this Bid and in accordance with the Contract Documents.

2. BIDDER certifies that he has investigated the requirements to do business in the jurisdiction where the project is located, and that he is either qualified to do business or will obtain such prequalification prior to award of the contract.

3. BIDDER accepts all of the terms and conditions of the Instructions to Bidders (Section 00100) including, without limitation, those dealing with the disposition of Bid Security, Public Entity Crimes, and Minority Policies. This Bid will remain open for 90 days after the day of Bid opening. BIDDER will sign the Agreement and submit the Contract security and other documents required by the Contract Documents within ten (10) days after the date of OWNER'S Notice of Award.

4. In submitting this Bid, BIDDER represents, as more fully set forth in the Agreement, that:

(a) BIDDER has examined copies of all the Contract Documents and of the following addenda:

<u>Date</u>	<u>Number</u>
1 _____	03/17/2021
2 _____	03 4/5/2021
_____	_____
_____	_____

(receipt of all of which is hereby acknowledged) and also copies of the Advertisement to Bid and the Instructions to Bidders.

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BID (Cont'd.)
WRF CHLORINE CONTACT CHAMBER MODIFICATIONS
ORMOND BEACH, FLORIDA

(b) BIDDER has examined the site and locality where the Work is to be performed, the legal requirements (federal, state and local laws, ordinances, rules and regulations) and the conditions affecting cost, progress or performance of the Work and has made such independent investigations as BIDDER deems necessary.

(c) This Bid is genuine and not made in the interest of or on behalf of any undisclosed person, firm or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation; BIDDER has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid; BIDDER has not solicited or induced any person, firm or a corporation to refrain from bidding; and BIDDER has not sought by collusion to obtain for himself any advantage over any other Bidder or over OWNER; and

5. BIDDER will complete the Work for the following price(s):

BID SCHEDULE

Item	Description	Qty	Unit	Unit Cost	Total Cost
1	Mobilization	1	LS	35,000	35,000
2	Indemnification	1	LS	100	100.00
3	Existing Concrete and Gate Modifications	1	LS	75,000	75,000
4	Concrete Baffle Wall Installation	1	LS	24,500	24,500
5	Chlorine Analyzer Installation and Programming	1	LS	250,000	250,000
6	Submersible Mixer Relocation and Installation	1	LS	10,000	10,000
7	Telescoping Valves and Drain Lines	1	LS	100	100.00
8	Electrical	1	LS	65,000	65,000
9	As-Built Survey	1	LS	1,000	1,000
10	Permits and Allowances	1	LS	\$30,000.00	\$30,000.00

TOTAL BID

707,700.00

707,700.00

SEVEN HUNDRED SEVEN THOUSAND SEVEN HUNDRED DOLLARS
 (IN WORDS)

BID (Cont'd.)
WRF CHLORINE CONTACT CHAMBER MODIFICATIONS
ORMOND BEACH, FLORIDA

BIDDER acknowledges that the quantities are not guaranteed, and final payment will be based on actual quantities determined as provided in the Contract Documents.

BIDDER agrees that the Work will be substantially completed within 90 calendar days after the date when the Contract Time commences to run and completed within 120 calendar days after the date when the Contract Time commences to run.

BIDDER recognizes that time is of the essence to complete this Project and that OWNER will suffer financial loss if the Work is not substantially complete within the time specified above, plus any extensions thereof allowed in accordance with Article 12 of the General Conditions. The BIDDER also recognizes the delays, expense and difficulties involved in proving, in a legal or arbitration proceeding, the actual loss suffered by OWNER if the Work is not substantially complete on time. Accordingly, instead of requiring any such proof, OWNER has determined and BIDDER agrees to accept that as liquidated damages for delay (but not as a penalty) CONTRACTOR shall pay OWNER Five Hundred Dollars (\$ 500) for each calendar day that expires after the time specified above for substantial completion until the Work is substantially complete. After substantial completion, if CONTRACTOR shall neglect, refuse, or fail to complete the remaining Work within the time specified above for completion and readiness for final payment or any proper extension thereof granted by OWNER, CONTRACTOR shall pay the OWNER an amount equal to all actual expenses incurred by the OWNER as a direct result of the CONTRACTOR'S negligence, refusal, or failure to so complete the remaining work. In the event the CONTRACTOR is terminated or abandons the work prior to the scheduled date for final completion, the CONTRACTOR may be liable for both liquidated damages attributable to delay and for excess completion costs.

6. The following documents are attached to and made a condition of this Bid:

✓(a) Required Bid Security in the form of

(1) a certified check drawn in favor of the City of Ormond Beach in the amount of 5 percent of the total bid; or

✓(2) a Bid Bond in the amount of 5 percent of the total bid.

✓(b) Equipment, Material, and Subcontractors List

✓(c) All information required by the Trench Safety Act (Part VI, Chapter 553, Florida Statutes).

✓(d) Drug Free Workplace Certificate

✓(e) Conflict, Non-Conflict of Interest, Litigation Statement

✓(f) Local Vendor Preference N / A

✓(g) Verification of Employment Status Using E-Verify System

7. Communications to the BIDDER concerning this Bid shall be addressed to:

00300-3

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BID (Cont'd.)
WRF CHLORINE CONTACT CHAMBER MODIFICATIONS
ORMOND BEACH, FLORIDA

Mailing Address: PO Box 908, High Springs, FL 32655

Street Address: 18420 High Springs Main Street

City, State, Zip Code: High Springs, FL 32643

Email: seth@sgscsi.com

Telephone No.: 386-361-5300

Fax No.: N/A

8. The terms used in this Bid which are defined in the General Conditions of the Construction Contract included as part of the Contract DOCUMENTS have the meanings assigned to them in the General Conditions.

SUBMITTED on April 6, 20 21.

If BIDDER is:

An Individual

By _____

(Individual's Name - Signature)

(SEAL)

(Individual's Name - Typed or Printed)

doing business as _____

Business address: _____

Phone No.: _____

Fax No.: _____

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BID (Cont'd.)
WRF CHLORINE CONTACT CHAMBER MODIFICATIONS
ORMOND BEACH, FLORIDA

If BIDDER is:

A Partnership

By _____ (Firm Name) _____ (SEAL)

(General Partner - Signature)

(General Partner - Typed or Printed)

Business Address: _____

Phone No.: _____

Fax No.: _____

BID (Cont'd.)
WRF CHLORINE CONTACT CHAMBER MODIFICATIONS
ORMOND BEACH, FLORIDA

If BIDDER is:

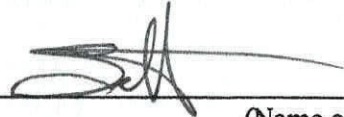
A Corporation

By SGS Contracting Services, Inc.

(Corporation Name)

Florida

(State of Incorporation)

By 

(Name of Person Authorized to Sign - Signature)

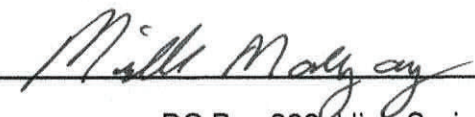
Seth Simmons

(Name of Person Authorized to Sign - Typed or Printed)

President

(Title)

(Corporate Seal)

Attest 

Business address: PO Box 908, High Springs, FL 32655

Phone No.: 386-361-5300

Fax No.: N/A

BID (Cont'd.)
WRF CHLORINE CONTACT CHAMBER MODIFICATIONS
ORMOND BEACH, FLORIDA

If BIDDER is:

A Joint Venture

By _____
(Name - Signature)

(Name - Typed or Printed)

Address: _____

Phone No.: _____

Fax No.: _____

By _____
(Name - Signature)

(Name - Typed or Printed)

Address: _____

Phone No.: _____

Fax No.: _____

(Each joint venturer must sign. The manner of signing for each individual, partnership and corporation that is a party to the joint venture should be in the manner indicated above.)

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BID (Cont'd.)
WRF CHLORINE CONTACT CHAMBER MODIFICATIONS
ORMOND BEACH, FLORIDA

EQUIPMENT AND SUBCONTRACTORS LIST

List the names of the manufacturers whose product is proposed for use. No more than one manufacturer's name shall be inserted for each item of material and/or equipment listed. Failure to list materials and equipment supplier may result in the Bid being rejected as incomplete and nonresponsive. If any Subcontractors are proposed to be used for any portions of the Work, the names, addresses, phone numbers and work classifications of each such Subcontractor must be listed. The failure to list all Subcontractors proposed for the work may result in the Bid being rejected as incomplete and nonresponsive. If more than one manufacturer or subcontractor is listed, selection will be made by the OWNER. If none is listed, those listed as the "Basis for Design" will be used.

Materials and Equipment:

<u>Item</u>	<u>Supplier</u>
<u>GATE</u>	<u>WACO</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Subcontractors:

Work Classification: I + C

Name: CEC CONTROLS

Address: BRADENTON, FL

Phone Number: 941-444-4147 Fax Number: _____

BID (Cont'd.)
WRF CHLORINE CONTACT CHAMBER MODIFICATIONS
ORMOND BEACH, FLORIDA

Subcontractors:Work Classification: ELECTRICALName: HECKMAN ELECTRICAddress: ALACHUA, FLPhone Number: 352-443-2255 Fax Number: _____

Work Classification: _____

Name: _____

Address: _____

Phone Number: _____ Fax Number: _____

Work Classification: _____

Name: _____

Address: _____

Phone Number: _____ Fax Number: _____

Work Classification: _____

Name: _____

Address: _____

Phone Number: _____ Fax Number: _____

Work Classification: _____

Name: _____

Address: _____

Phone Number: _____ Fax Number: _____

BID (Cont'd.)
WRF CHLORINE CONTACT CHAMBER MODIFICATIONS
ORMOND BEACH, FLORIDA

TRENCH SAFETY STANDARDS

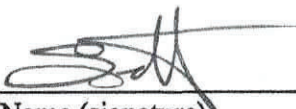
If this project includes trench excavation in excess of five (5) feet in depth, the following trench safety standards will be in effect during the period of construction of the project:

The Occupational Safety and Health Administration's excavation safety standards, 29 C.F.R.s. 1926.650 Subpart P, and any regulation promulgated there under are hereby incorporated as the standard for this project.

The Bidder hereby certifies that the Contractor performing the trench excavation will comply with the applicable trench safety standards.

The Bidder further certifies that the cost (which is included in his unit cost) of compliance with applicable trench safety standards is:

<u>ITEM</u>	<u>Estimated Quantity</u>	<u>Units</u>	<u>Unit Price</u>	<u>Total Estimated Price</u>
1. Trench Excavation	<u>1</u>	L.F.	<u>10.00</u>	<u>10.00</u>
2. Sheet piling/Shoring	<u>1</u>	S.F.	<u>10.00</u>	<u>10.00</u>

 _____ Name (signature)	04-06-2021 _____ Date
Seth Simmons _____ Name (typed or printed)	
President _____ Title	

00300-10

Revised 12/18/20

BID (Cont'd.)
WRF CHLORINE CONTACT CHAMBER MODIFICATIONS
ORMOND BEACH, FLORIDA

DRUG-FREE WORKPLACE CERTIFICATION

Identical Or "Tie" Bids: Preference shall be given to businesses with drug-free workplace programs. Whenever two or more proposals which are equal in respect to price, quality, and service are received by the State or by any political subdivision for the procurement of commodities or contractual services, a bid received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. Established procedures for processing tie bids will be followed if none of the tied vendors have a drug-free workplace program. In order to have a drug-free workplace program, a business shall:

- 1) Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
- 2) Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violation.
- 3) Give each employee that engages in providing the commodities or contractual services that are under bid a copy of the statement specified in subsection (1).
- 4) In the statement specified in subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of Chapter 893 or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than five (5) calendar days after such conviction.
- 5) Impose sanctions on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is so convicted.
- 6) Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.



04-06-2021

Name (signature)

Date

Seth Simmons

Name (typed or printed)

President

Title

00300-11

Revised 12/18/20

BID (Cont'd.)
WRF CHLORINE CONTACT CHAMBER MODIFICATIONS
ORMOND BEACH, FLORIDA

CONFLICT, NON-CONFLICT OF INTEREST STATEMENT
LITIGATION STATEMENT

1.

- ☒ To the best of our knowledge, the undersigned firm has no potential conflicts of interest due to any other clients or contracts for this project.
- ☐ The undersigned firm, by attachment to this form, submits information which may be a potential conflict of interest due to other clients or contracts for this project.

2.

- ☒ The undersigned firm has had no litigation on any project in the last five (5) years.
- ☐ The undersigned firm, by attachment to this form, submits a summary and disposition of individual cases of litigation during the past five (5) years.

SGS Contracting Services, Inc.

COMPANY NAME



AUTHORIZED SIGNATURE

Seth Simmons

NAME (PRINT OR TYPE)

President

TITLE

04-06-2021

DATE

BID (Cont'd.)
WRF CHLORINE CONTACT CHAMBER MODIFICATIONS
ORMOND BEACH, FLORIDA

LOCAL VENDOR PREFERENCE

The following is taken from the Code of Ordinances, City of Ormond Beach, Chapter 2, Financial Matters, Division 3, Purchasing, Article IX, Section 2-304:

Except where otherwise provided by federal or state law or other funding source restrictions, purchases of goods and services under the Purchasing Code shall give preference to local businesses as follows:

- (a) Under a competitive bid solicitation, the City *may* give a local preference in the amount of three percent (3%) of the bid price or \$25,000, whichever is less. The bid price shall include not only the base bid price but all alternatives which are part of the bid and actually purchased or awarded.
- (b) A *local business* shall mean a vendor that has a valid occupational license issued by the City of Ormond Beach at least one year prior to bid opening, with a physical business address located within the municipal boundaries of the City of Ormond Beach from which the vendor operates or performs business on a day-to-day basis that is a substantial component of the goods or services being offered and has provided a Local Vendor Affidavit of Eligibility at the time the bid is submitted.
- (c) A *Local Vendor Affidavit of Eligibility* shall accompany the bid submittal to be considered valid and shall include, but not be limited to, the following information:
 - (1) A physical business and location address.
 - (2) A copy of current City of Ormond Beach Local Business Tax Receipt (occupational license) to verify the business location.
 - (3) Proof of payment of business tax and real property tax due to the City of Ormond Beach.
 - (4) A copy of the firm's most recent annual corporation report to the Florida Division of Corporations.
 - (5) Any additional information necessary to verify local status.
- (d) *Exemptions:* Goods or services provided under a cooperative purchasing agreement, contracts for professional services subject to Consultants' Competitive Negotiation Act, purchases or contracts funded in whole or part by a governmental entity that does not allow local preferences, purchases made under another agency's agreements or contracts (piggybacking), purchases under emergency or sole source situations and procurements subject to formal proposals including but not limited to request for proposals (RFP) or continuing contract, and request for quotes (RFQ) versus straight competitive bids.
- (e) This section shall not be deemed to require the granting of a local preference, and nothing herein prohibits the award of a contract to a non-local vendor where such award is in the public interest.

00300-13

Revised 12/18/20

BID (Cont'd.)
WRF CHLORINE CONTACT CHAMBER MODIFICATIONS
ORMOND BEACH, FLORIDA

LOCAL VENDOR AFFIDAVIT OF ELIGIBILITY

I certify that my company meets all of the following qualifications to be eligible for the local vendor preference:

- a. My company has a physical business address located within the municipal boundaries of the City of Ormond Beach which is used to perform business on a day-to-day basis.
- b. My company holds any business (occupational) or contractor license required by the City of Ormond Beach at least one year prior to bid opening.
- c. Payment of business tax and real property tax due to the City of Ormond Beach is current
- d. My company is in compliance with annual reporting to the Florida Division of Corporations

Company Name: N/A - Not Local Vendor

Address: _____

Business or Contractor License Number: _____

Phone Number: _____ Fax Number: _____

Owner's Name: _____ Signature: _____

Sworn to before me this _____ day of _____

Notary Public for the State of _____ My Commission Expires _____

Notary Public Signature: _____

Printed Name: _____

To be approved as a local bidder and receive bid preference on an eligible local project, this affidavit of eligibility, a copy of your local business or contractor license, copy of business tax/real property tax and a copy of the firm's most recent annual corporation report must be submitted with your bonafide BID package. Bid preference is provided at the City's sole discretion.

VENDOR DO NOT COMPLETE BELOW

To be verified and completed by an authorized representative of the City of Ormond Beach's Purchasing Department:

Vendor Certified by: _____ Date: _____

00300-14

Revised 12/18/20

BID (Cont'd.)
WRF CHLORINE CONTACT CHAMBER MODIFICATIONS
ORMOND BEACH, FLORIDA

VERIFICATION OF EMPLOYMENT STATUS USING E-VERIFY SYSTEM

1. Undersigned firm warrants it **IS** currently registered with the U.S. Department of Homeland Security's E-Verify system, **and** is compliant with the requirements of Sections 448.09 and 448.095, *Florida Statutes*.
2. Undersigned firm warrants it **has not** had any contracts terminated as a result of violations of Sections 448.09 or 448.095, *Florida Statutes*, that prohibit it from contracting with a public agency.
3. Undersigned firm warrants that if it enters into an agreement with a subcontractor, an express provision shall be included in all of its subcontracts requiring subcontractors, who perform work or provide services pursuant to the contract, to use the E-Verify system to verify employment eligibility of all new employees hired by the subcontractor during the contract term.
4. Undersigned firm understands that any subcontractor must provide the contractor with an affidavit stating that the subcontractor does not employ, contract with, or subcontract with an unauthorized alien, and the contractor understands it shall maintain any such affidavits for the duration of the contract, and the contract with the subcontractor must be immediately terminated if the City has a good faith belief that the subcontractor knowingly violated Section 448.09 (1), *Florida Statutes*.
5. Undersigned firm understands that in the event the City has a good faith belief that the contractor has knowingly violated Section 448.09 (1), *Florida Statutes*, the City shall terminate the contract, and the contractor may not be awarded a public contract for a period of at least one (1) year after the date of termination. The contractor may be held liable for any additional costs incurred by the City as a result of termination of the contract.

SGS Contracting Services, Inc.

COMPANY NAME



AUTHORIZED SIGNATURE

Seth Simmons

NAME (PRINT OR TYPE)

President

TITLE

04-06-2021

DATE

END OF BID

00300-15

State of Florida

Department of State

I certify from the records of this office that SGS CONTRACTING SERVICES, INC. is a corporation organized under the laws of the State of Florida, filed on October 8, 2012, effective July 25, 2007.

The document number of this corporation is P12000085304.

I further certify that said corporation has paid all fees due this office through December 31, 2021 and that its status is active.

I further certify that said corporation has not filed Articles of Dissolution.

*Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capital, this
the Twenty-seventh day of
January, 2021*



Randy R. Lee
Secretary of State

Tracking Number: 0895705452CC

To authenticate this certificate, visit the following site, enter this number, and then follow the instructions displayed.

<https://services.sunbiz.org/Filings/CertificateOfStatus/CertificateAuthentication>



Ron DeSantis, Governor

Halsey Beshears, Secretary



STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

CONSTRUCTION INDUSTRY LICENSING BOARD

THE GENERAL CONTRACTOR HEREIN IS CERTIFIED UNDER THE
PROVISIONS OF CHAPTER 489, FLORIDA STATUTES

SIMMONS, SETH GARRETT

SGS CONTRACTING SERVICES INC
9722 NW 226TH STREET
ALACHUA FL 32615

LICENSE NUMBER: CGC1514772

EXPIRATION DATE: AUGUST 31, 2022

Always verify licenses online at MyFloridaLicense.com



Do not alter this document in any form.

This is your license. It is unlawful for anyone other than the licensee to use this document.



City of Ormond Beach
BID OPENING TABULATION
WRF Chlorine Contact Chamber Modifications
Bid No. 2021-14

Bid Opening Date: April 6, 2021 Time: 2:00 P.M.

Company Submitting Bid	Company Address	Bid Bond	Addendum No. 1	Total Bid
SGS CONTRACTING	PO Box 908 HIGH SPRINGS FL 32655	✓	✓✓	707,700.00

Opened By: 
 (Signature)
Ros Hart Purchasing Coordinator
 (Title)

Tabulated By: 
 (Signature)
Deputy City Engineer
 (Title)



CITY OF ORMOND BEACH

City Manager • 22 S. Beach Street • Ormond Beach • Florida • 32174 • (386) 676-3200 • Fax (386) 676-3384

CITY MANAGER MEMORANDUM

To: The Honorable Mayor Partington and City Commissioners

Through: Joyce A. Shanahan, City Manager

From: Shawn Finley, Public Works Director

Date: May 4, 2021

Subject: Nova Community Park Tennis Court Lighting Improvement Project Work Authorization

Commission Goal: Quality of Life - Other

Introduction

This is a request to approve a Work Authorization with A. M. Weigel Construction, Inc. for professional services for the Nova Community Park Tennis Court Lighting Improvement Project.

Background

In November 2000, Volusia County voters approved a referendum to establish a funding program for environmental, cultural, heritage and outdoor projects. Pursuant to Volusia County Council Resolution No. 2000-156, program funds are to be used solely to finance acquisition, restoration, construction and improvement of environmental / ecological, cultural, historical/heritage, and outdoor recreation facilities for public use.

Currently, only Tennis Courts 5 and 6 are equipped with lighting, which is estimated to be nearly 25 years old and has met its life expectancy. This project seeks to install LED lighting on all six (6) tennis courts. New LED lighting will reduce electrical consumption, provide uniform lighting for better play, extend play hours into the evening, and eliminate associated maintenance costs for 25 years.

Discussion

On October 3, 2017, the City Commission approved a contract with A.M. Weigel Construction, Inc. for construction management services on a continuing contract basis. The attached proposal, provided by A.M. Weigel Construction, Inc. for the Nova Community Park Tennis Court Lighting Improvement Project, provides a guaranteed maximum price of \$330,385.00 to permit, wire and install 8 new MUSCO light poles, install new electric transformer and control cabinets, and restore disturbed areas back to existing conditions.

Staff chose to utilize our Construction Management Services contract as:

- construction time is reduced under this method; work can commence immediately following contract execution.
- providing fulltime on-site supervision and direction to all subcontractors in efforts to minimize field damage.
- scheduling subcontractors and material deliveries efficiently to reduce overall construction duration.

This current proposal is for the immediate construction of the Nova Community Park Tennis Court Lighting Improvement Project. The proposal is for a guaranteed maximum price of \$330,385.00. A.M. Weigel has recently completed a similar project at the Ormond Beach Sports Complex with great care, knowledge, experience, and craftsmanship required for this specialized type of work.

Budget Impact

The project will be funded from Fund 116-Grants Fund, with a combination of an ECHO grant in the amount of \$137,500, and \$192,885 from General Fund Reserves. This project was not included in the current budget as grant funds were pending at the time of budget adoption. Therefore, a budget amendment will be required.

Citizen Impact

The addition of LED lighting to the six tennis courts at Nova Community Park will increase the opportunity for citizens to play at night throughout the year.

Recommendation

Staff recommends award of the work authorization for professional services for the Nova Community Park Tennis Court Lighting Improvement Project to A. M. Weigel Construction, Inc. for the guaranteed maximum price of \$330,385.00.

Attachments:

- 21-80 Nova Comm Park Tennis Lighting-AM Weigel (P21-0046G) (PDF)
- Work Authorization (PDF)
- ECHO Tennis Court Lighting Award 20-08 (PDF)

REVIEWED BY:


Kelly McGuire, Finance Director 4/23/2021



Claire Whitley, Assistant City Manager 4/26/2021

APPROVED BY:



Joyce A. Shanahan, City Manager 4/28/2021

RESOLUTION NO. 2021-80

A RESOLUTION ACCEPTING A PROPOSAL FROM A.M. WEIGEL CONSTRUCTION, INC. FOR CONSTRUCTION MANAGEMENT SERVICES REGARDING THE NOVA COMMUNITY PARK TENNIS COURT LIGHTING IMPROVEMENT PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, pursuant to the Continuing Engineering Services Agreement between the City and A.M. Weigel Construction, Inc., the appropriate City staff members have negotiated with A.M. Weigel Construction, Inc. to provide construction management services for the Nova Community Park tennis court lighting improvement project (“the Project”), as described on the attached Work Authorization and Scope of Work, at a cost not to exceed \$330,385.00, and

WHEREAS, the City Manager has certified that the Project will be paid for using ECHO grant funds in the amount of \$137,500.00 and General Fund Reserves in the amount of \$192,885.00 and that said funds have not been appropriated for any other purpose, and

WHEREAS, the City Commission concurs with the foregoing recommendations, now therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA, THAT:

SECTION ONE. The proposal submitted by A.M. Weigel Construction, Inc. to perform the Project at a total cost not to exceed \$330,385.00 is hereby accepted.

SECTION TWO. The Mayor and the City Manager are hereby authorized and directed to execute a Work Authorization with A.M. Weigel Construction, Inc. for the performance of the Project at the said price, and to pay the cost thereof using ECHO grant funds and General Fund Reserves.

SECTION THREE. This Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED this 4th day of May, 2021.

BILL PARTINGTON
Mayor

ATTEST:

KATE SETTLE
City Clerk

WORK AUTHORIZATION

In accordance with and incorporating the terms of the Contract for Construction Management Services on a Continuing Basis dated October 3, 2017 between the City of Ormond Beach, Florida, and A.M. Weigel Construction, Inc., the following Scope of Work and Schedule of Payments are agreed to by the parties to the Agreement:

Project Title: Nova Community Park Tennis Court Lighting

Project Description: Construction management services for the installation of LED lighting on six tennis courts, as detailed in the attached proposal dated March 5, 2021.

Schedule of Payments and Fee Basis

<u>Required Work Task</u>	<u>Fee Basis</u>	<u>Fee</u>
Nova Tennis Court Lighting	Guaranteed Maximum Price	\$330,385.00
Total Fee Authorized:	Not to Exceed	<u>\$330,385.00</u>

Funding Source: ECHO Grant and General Fund Reserves/Grant Fund (116)

Estimated Time for Completion: 6 Months from Authorization to Proceed

AUTHORIZED:
CITY OF ORMOND BEACH

ACCEPTED:
A.M. WEIGEL CONSTRUCTION, INC.

By: _____
Bill Partington
Mayor

By: _____
A. Michael Weigel
President

Date: _____

Date: _____

By: _____
Joyce A. Shanahan
City Manager

Date: _____

I. COMPLIANCE WITH FLORIDA PUBLIC RECORDS LAW

Contractor expressly agrees that it shall comply with the public records law provided in Florida Statutes, Chapter 119, and specifically to:

- (a) Keep and maintain public records required by the City to perform the contracted service.
- (b) Upon request from the City Clerk, provide the City with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes, or as otherwise provided by law.
- (c) Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the contract term and following completion of the contract if the contractor does not transfer the records to the City.
- (d) Upon completion of the contract transfer, at no cost to the City, all public records in possession of the contractor or keep and maintain public records required by the City to perform the service. If the contractor transfers all public records to the City upon completion of the contract, the contractor shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the contractor keeps and maintains public records upon the completion of the contract, the contractor shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the City, upon request from the City Clerk, in a format that is compatible with the information technology systems of the City.
- (e) Failure of the Contractor to comply with Public Records Law as provided by Florida Statutes, Chapter 119, shall subject the Contractor to penalties under Chapter 119.10 and subject this Agreement to termination for cause by the City.

IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT:

**CITY CLERK
22 SOUTH BEACH STREET
ORMOND BEACH, FLORIDA 32174 (386) 676-3331
CITYCLERK@ORMONDBEACH.ORG**

Ref: Fla. Stat. §119.0701(2016)

II. VERIFICATION OF EMPLOYMENT STATUS USING E-VERIFY SYSTEM

1. Section 448.09, *Florida Statutes*, makes it unlawful for any person to knowingly employ, hire, recruit, or refer, either for herself or himself, or on behalf of another, for private or public employment within the state, an alien who is not duly authorized to work in the United States. Contractor warrants that it is registered with the U.S. Department of Homeland Security's E-Verify system, and is compliant with the requirements of Sections 448.09 and 448.095, *Florida Statutes*.
2. Contractor agrees that if the contractor enters into an agreement with a subcontractor, the subcontractor must provide the contractor with an affidavit stating that the subcontractor does not employ, contract with, or subcontract with an unauthorized alien, and contractor warrants it shall maintain any such affidavits for the duration of the contract. If the City has a good faith belief that a subcontractor knowingly violated Section 448.09 (1), the City shall promptly notify the contractor and order the contractor to immediately terminate the contract with the subcontractor.
3. In the event the City has a good faith belief that the contractor has knowingly violated Section 448.09 (1), *Florida Statutes*, the City shall terminate the contract, and as provided by statute, the contractor may not be awarded a public contract for at least one (1) year after the date of termination. The contractor may also be held liable for any additional costs incurred by the City as a result of the termination of the contract.



March 5, 2021

Mr. Shawn Finley, P.E.
Public Works Director
City of Ormond Beach

RE: City of Ormond Beach
Nova Community Park
Tennis Court Lighting Improvements

Dear Shawn:

We are pleased to submit our Guaranteed Maximum Price proposal for Lighting Improvements for the six Tennis Courts at the Nova Community Park in the amount of **Three Hundred Thirty Thousand Three Hundred Eighty Five Dollars and Zero Cents (\$330,385.00)**.

We have based our Guaranteed Maximum Price on the following exhibits, which are attached hereto:

Exhibit "A"	Assumptions & Qualifications
Exhibit "B"	GMP Cost Breakdown
Exhibit "C"	Proposed Project Layout

Upon receipt of an executed contract and notice to proceed and approval of all applicable permits, we anticipate the construction duration to be six (6) months to substantial completion. We have included supervision and overhead for 3 months of construction, and anticipate a 3 month lead time for materials.

We are available to meet with you at your convenience to discuss this proposal and to answer any questions you may have. Thank you again for this opportunity to be of service and we look forward to working with you and all the City of Ormond Beach staff in building this very important project.

Sincerely,

A. M. WEIGEL CONSTRUCTION, INC.

A. Michael Weigel
President

Attachments

**Ormond Beach Nova Community Park
Tennis Court Lighting Improvements****EXHIBIT A****Guaranteed Maximum Price - ASSUMPTIONS and QUALIFICATIONS****A. QUALIFICATIONS:**

1. In the event of discrepancies between the Contract Documents and these qualifications, these qualifications shall prevail.
2. In general terms, the scope of the Project is limited to the furnishing and installing of new LED high mast lighting for the six (6) Tennis Courts at the Nova Community Park in Ormond Beach, Florida.
3. The GMP amount is based on these Assumptions & Qualifications identified as Exhibit "A" and the GMP Cost Breakdown identified as Exhibit "B" all attached hereto and made a part hereof. A proposed layout is included in Exhibit "C".
4. This GMP Proposal includes a complete Lighting Design provided by Musco Sports Lighting for these courts for use with Musco High Mast LED Lighting.
5. An Electrical Design by a licensed engineer in the State of Florida has been included for permit purposes.
6. All work will be performed during normal working hours. Premiums for shift work or overtime are not included in the Contract Sum.
7. 6% State Sales Tax, 0.5% County Sales Tax (on the first \$5,000) – is included on all materials. It is our intention for the Owner to directly purchase as many items as feasible for the purpose of realizing the benefit of their tax exempt status.
8. The sales tax saved through the Owner Direct Purchase Process will accrue to the contract as contingency to be used for the purpose of defraying the expenses due to unforeseen circumstances relating to the CM's responsibilities for construction. The Construction Manager will be required to furnish documentation justifying expenditures charged to this contingency budget prior to the release of funds by the Owner. Contingency balance shall be tracked by the CM and reported to the Owner on an ongoing basis. Upon completion of the project, a final accounting of the contingency funds will be reconciled with the Owner and any and all unused contingency monies will be credited to the Owner Contract via deductive change order.

**Ormond Beach Nova Community Park
Tennis Court Lighting Improvements****EXHIBIT A****Guaranteed Maximum Price - ASSUMPTIONS and QUALIFICATIONS****B. EXCLUSIONS:**

1. All Design Fees not listed below.
2. Permanent utility charges, deposits, meters and meter enclosures.
3. We have not include pricing related to landfill debris discovered on-site.
4. We have not included any costs associated with relocation, removal or replacement of existing utilities found on site that conflict with proposed construction.
5. We have not included any costs associated with removal or replacement of unsuitable soils or hazardous materials found on site.
6. We have not included any costs related to off-site storage of materials.
7. FAA Warning Lighting is not anticipated for this project and is excluded.
8. We have not included any modifications to the Tennis Clubhouse other than those specifically mentioned in this proposal.

C. QUALIFICATIONS BY TRADE:**Division 01 – General Requirements**

1. We have included the necessary project management and full-time jobsite supervision for the entire period of construction.
2. We have included the cost of Liability Insurance and Builders Risk Insurance coverage and Performance and Payment Bond premiums as described in our contract agreement.
3. It is assumed that all temporary utility services will be connected to existing facilities and that the cost associated with temporary water, sewer, and power consumption are not included.
4. As-built drawings are included for all new work constructed in this proposal for the final documentation of all new work constructed within the scope of this agreement.
5. We have included an allowance for Permitting & Fees.

Division 02 – Demolition & Sitework

6. We have included an allowance of \$7,500.00 for repairs to sidewalks, courts, and hardscape potentially impacted during construction activities.
7. We have included an allowance of \$4,000.00 for trimming of tree branches that affect access of construction equipment to the site.
8. We have included the cost to disconnect and remove four (4) existing Tennis light poles. These existing poles are too short to be reutilized in the new lighting design.

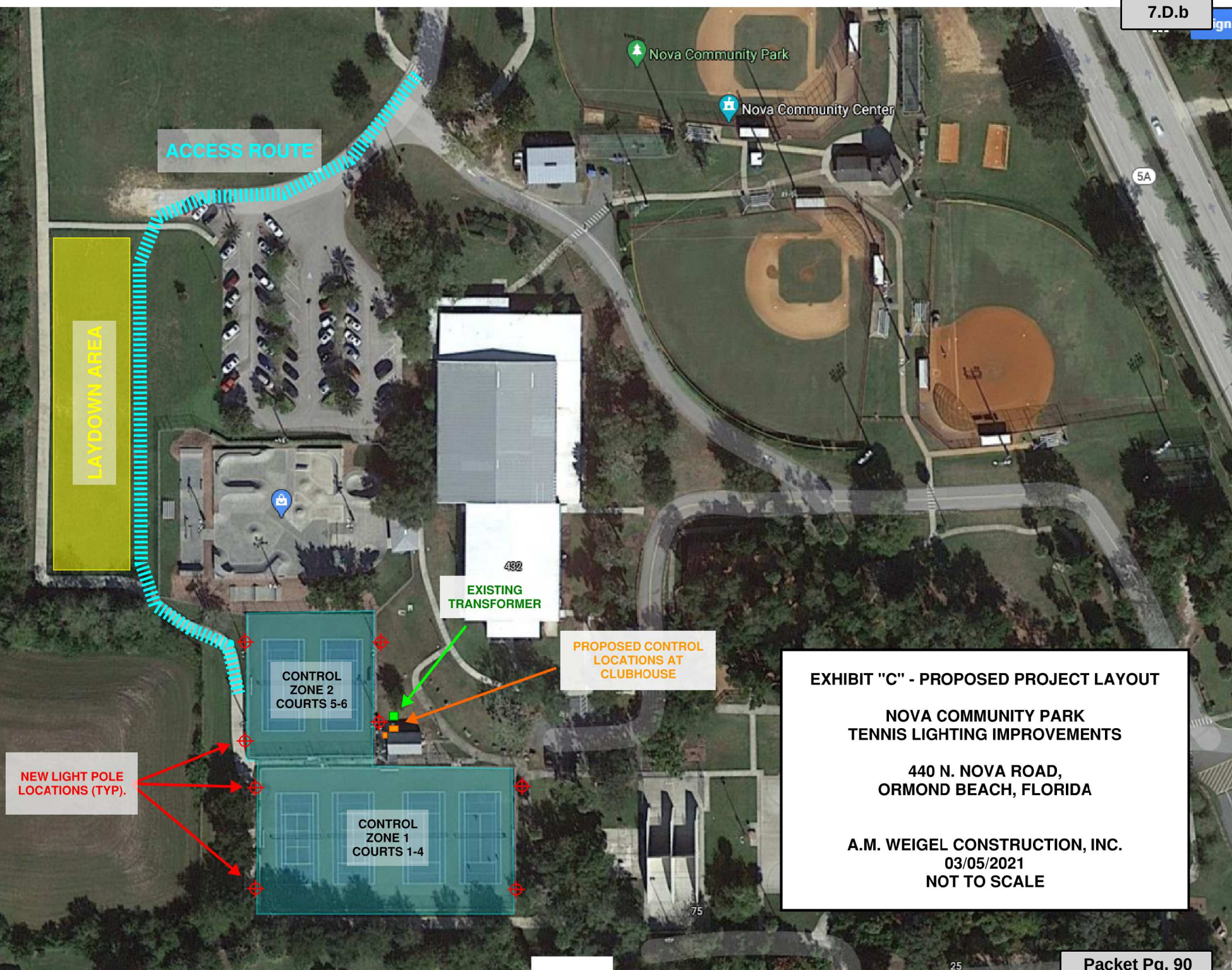
**Ormond Beach Nova Community Park
Tennis Court Lighting Improvements****EXHIBIT A****Guaranteed Maximum Price - ASSUMPTIONS and QUALIFICATIONS****Division 16A - Electrical**

9. We have priced reusing the existing Single Phase Service Transformer for power.
10. We have priced disconnecting and abandoning existing lighting circuits and lighting control for existing Tennis lighting. Existing lighting control button will be removed.
11. We have included the cost to run new electrical circuits to all eight (8) new mast light poles.

Division 16B – Tennis Court Lighting

12. We have included the cost to furnish and install new Musco LED Court Lighting consisting of eight (8) total high mast light poles around the six (6) existing Tennis Courts.
13. We have included two (2) separate lighting control circuits so that the Lights on Courts 1-4 and 5-6 will function separately.
14. Musco Control-Link Control & Monitoring System for new lighting.
15. We have included the cost to add push button activation controls for each lighting control circuit. These controls will be mounted on the rear of the Tennis Clubhouse, and have adjustable timers for the duration of Tennis Lighting. Warning Strobe Lights will be mounted above the buttons and provide a warning flash when the shutoff time is near.
16. Musco Electrical Panels have been included in the cost for this proposal. We anticipate mounted these panels on the Tennis Clubhouse near the existing Transformer.
17. All excess spoils generated from the drilling of the holes for the light pole foundations will be disposed of on premises of the Nova Community Park at a location designated by the City of Ormond Beach.
18. All drilling slurry (which is biodegradable) generated from the drilling of the holes for the light pole foundations will be disposed of on premises of the Nova Community Park at a location designated by the City of Ormond Beach.

Nova Community Park Tennis Lighting Improvements				
EXHIBIT "B" - GMP COST BREAKDOWN				
Bid Pkg	Description	Quantity	UM	TotalCost
1A	Project Management	6	WKS	
1A	Superintendent	12	WKS	
1A	Vehicle / Gas & Oil	3	MO	
1A	Telephone / Communication	3	MO	29,949.60
1A	Permitting & Impact Fees Allowance	1	LS	2,500.00
1A	Engineered Electrical Design	1	LS	4,000.00
1B	Dumpsters & Waste	4	EA	
1B	Temporary Toilet Rental	3	MO	
1B	Temporary Barricades and Signage	1	LS	
1B	Periodic & Final Cleanup	8	DAYS	4,715.20
1C	Plywood Staging	1	LS	
1C	Haul Off Drilling Slurry	1	LS	9,650.00
1D	Site Surveying	28	HRS	4,480.00
2A	Sidewalk Repair Allowance	1	LS	
2A	Site Access - Tree Trimming	1	LS	11,500.00
16A	High-Mast Musco Light Poles - Materials	1	LS	135,000.00
16B	Light Pole & Foundations Drilling & Erection	1	LS	60,000.00
16C	Electrical Service & Circuitry	1	LS	34,000.00
SUBTOTAL				295,794.80
ST / Contingency		6.50%		8,903.38
General Liability Insurance		1.15%		3,401.64
Builders Risk Insurance		0.25%		739.49
Performance & Payment Bond				3,798.75
Overhead and Profit		6.00%		17,747.69
GRAND TOTAL				330,385.74

**EXHIBIT "C" - PROPOSED PROJECT LAYOUT****NOVA COMMUNITY PARK
TENNIS LIGHTING IMPROVEMENTS**

440 N. NOVA ROAD,
ORMOND BEACH, FLORIDA

A.M. WEIGEL CONSTRUCTION, INC.
03/05/2021
NOT TO SCALE

CITY OF ORMOND BEACH GRANT AWARD

Program Title: Volusia ECHO Program
Nova Tennis Court Lighting

Name of Agency(s) Administering Grant: County of Volusia

Contact Person/Phone: Carmen Hall, Community Services Manager
Community Services
123 West Indiana Avenue, Room 100
DeLand, FL 32720
386-736-7029
Email: chall@volusia.org
Jill Marcum, Assistant

CFDA Number: NA

Grant Contract Number: ECHO Grant Award 20-08

Grant Award Amount – Total Project	\$ 275,000
ECHO	\$ 137,500
Match	\$ 137,500

Method of Payment: Reimbursement basis – quarterly; 10% retained until final reports are completed

Grant Period: **Start Date:** 3/3/2020 **End Date:** 3/2/2022 (e & c)

Quarterly Status Reports Due:	7/15/20	10/15/20	1/15/21	4/15/21
--------------------------------------	---------	----------	---------	---------

NOTES:

- Notice to Proceed issued 5/14/2020
- Extension of 1 year – a written request must be to ECHO Coord. prior to 60 days before expiration, or no later than 2/1/2022.

Final Closeout Reporting Date: 3/2/2022

General Purpose of Grant: Provide LED lighting for all Nova tennis courts.

Department to Benefit from Grant: Leisure Services

City Resolution Number: 2019-198 (submittal/acceptance) CC App. 11/5/2019

City of OB Project Number: 116064

Project Management Department: Engineering

Project Manager: _____

3/31/2020 – Emailed legal description to ECHO
 4/14/2020 – ECHO approved legal description
 4/22/2020 – Mailed signed agreements
 4/24/2020 – Restrictive Covenants with approved legal description recorded.
 5/4/2020 - Mailed Restrictive Covenants to ECHO.
 6/1/2020 – Received fully executed agreement from ECHO which serves as the NTP for the project.

6/2/2020



CITY OF ORMOND BEACH

City Manager • 22 S. Beach Street • Ormond Beach • Florida • 32174 • (386) 676-3200 • Fax (386) 676-3384

CITY MANAGER MEMORANDUM

To: The Honorable Mayor Partington and City Commissioners

Through: Joyce A. Shanahan, City Manager

From: Robert Carolin, Leisure Services Director

Date: May 4, 2021

Subject: Yellowstone Landscape Grounds Maintenance Contract Amendment

Commission Goal: Quality of Life - Other

Introduction

This is a request to approve an amendment to the City's existing contract with Yellowstone Landscape in the amount of \$38,804.00 for grounds maintenance services.

Background

Staff works closely with the contractor, Yellowstone Landscape, to ensure the City receives the best grounds maintenance services at the best possible price. The contract stipulates additional costs will be in accordance with the executed contract's unit costs or as otherwise negotiated by City staff for additional site maintenance, not presently included within the contract. Staff conducted due diligence between past and current sites to assure that we are receiving top value.

Discussion

Listed below are the services to be added on to the existing contract. Backup information is attached.

CURRENT CONTRACT AMOUNT	\$1,669,041.33
NEW SERVICE AREAS	
Granada Medians & I-95 Slope Medjool Palms - Twice per year palm pruning for 103 new Medjools	\$13,905.00
(\$1,158.75/month)	
Riverbend Grounds Maintenance - On-going grounds maintenance for the main buildings & parking lot.	\$9,324.00
29 services per year	

(\$777.00/month)	
Andy Romano Sable Palm - Once per year palm pruning for 313 Sable palms.	\$7,825.00
(\$652.08/month)	
I-95 & SR-40 Interchange Slope Sable Palms - Once per year palm pruning for 155 Sable palms.	\$7,750.00
(645.83/month)	
GRAND TOTAL OF CONTRACT AMENDMENT	\$38,804.00
TOTAL ADJUSTED CONTRACT PRICE	<u>\$1,707,845.33</u>

Budget Impact

The requested amendment will result in an adjusted contract price of \$1,707,845.33. Funding for these services is shared by the General Fund, Water/Wastewater Fund, Community Redevelopment Fund, Airport Fund and Solid Waste Fund. Sufficient funding is available to approve the requested amendment.

Citizen Impact

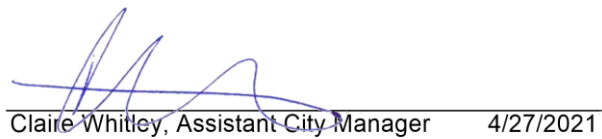
Well-maintained grounds benefits Ormond Beach residents, businesses, and visitors by providing attractive, safe, functional City property and parks for all to enjoy.

Recommendation

Staff recommends the City Commission approve the \$38,804.00 amendment to the Yellowstone Landscape contract.

Attachments:

- 21-81 Yellowstone Ground Maint cost amend (P21-0049G) (PDF)
- Amendment 1-2021 .doc (PDF)
- Addendum - Summary of Contract Additions (PDF)
- New Granada Medjool Palms CA (PDF)
- Riverbend Grounds Maintenance CA (PDF)
- Attachment Riverbend Main Buildings and Parking Lot Service Area (PDF)
- Andy Romano Sable Palms CA_ (PDF)
- I-95 SR-40 Interchange Sable Palm CA (PDF)

REVIEWED BY:
Kelly McGuire, Finance Director 4/23/2021
Claire Whitley, Assistant City Manager 4/27/2021**APPROVED BY:**
Joyce A. Shanahan, City Manager 4/28/2021

RESOLUTION NO. 2021-81

A RESOLUTION AUTHORIZING THE EXECUTION OF AMENDMENT #1-2021 TO THAT CONTRACT AWARDED TO AUSTIN OUTDOOR, LLC d/b/a YELLOWSTONE LANDSCAPE REGARDING GROUNDS MAINTENANCE SERVICES, BY INCREASING THE CONTRACT PRICE BY \$38,804.00; AND SETTING FORTH AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA, THAT:

SECTION ONE. The Mayor and the City Manager are hereby authorized and directed to execute Amendment to Contract Number #1-2021 to that Contract between the City and Austin Outdoor, LLC d/b/a Yellowstone Landscape, as authorized by Resolution No. 2012-89, to account for additional services not listed within the original contract. The said Amendment, a copy of which is attached hereto and incorporated herein by reference, increases the Contract Price by \$38,804.00.

SECTION TWO. This Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED this 4th day of May, 2021.

BILL PARTINGTON
Mayor

ATTEST:

KATE SETTLE
City Clerk

**Amendment to Contract
No. 1-2021**

CONTRACT: Grounds Maintenance Services

Date Issued: October 1, 2012

CITY OF ORMOND BEACH
22 South Beach St
Ormond Beach, FL 32174

CONTRACTOR
Yellowstone Landscape
PO Box 849
Bunnell, FL 32110

You are directed to make the following changes to the Contract Documents:

Increase the Contract Price from \$ 1,669,041.33 to \$ 1,707,845.33

Original Contract Price: \$1,092,387.00

Adjustments prior to this amendment: \$600,028.33

Purpose of Amendment Additional staff-approved grounds maintenance sites and services as follows:

Granada Medians & I-95 slope Medjools	\$13,905.00
Riverbend Golf Grounds Maint.	\$ 9,324.00
Andy Romano sable palms	\$ 7,825.00
I-95 & SR40 interchange sable palms	<u>\$ 7,750.00</u>
Total Amendment to Contract	<u>\$38,804.00</u>

Contract Price with all adjustments: \$1,707,845.33

CITY OF ORMOND BEACH

RECOMMENDED:

APPROVED:

APPROVED:

By: _____
Robert Carolin
Leisure Services Director

Bill Partington
Mayor

Yellowstone Landscape

ATTEST: _____
Joyce A. Shanahan
City Manager

Title

Printed Name

Addendum -Summary of Contract Additions

Item #	Site Name	Address	Acreage or # of Medians	# of Mowing Class	# of Irrigation Zones	Total Cost
1	Granada Median & I95 Slope Medjools	Granada Medians + I95 Slopes	103 Palms	2	0	\$ <u>13,905.00</u>
2	Riverbend Clubhouse Grounds	730 Airport Rd.	1 Acre	29-B	0	\$ <u>9,324.00</u>
3	Andy Romano Sable Palm	839 S Atlantic Ave.	313	1	0	\$ <u>7,825.00</u>
4	I-95/SR40 interchange Sable Palms	I95 at SR40	155	1	0	\$ <u>7,750.00</u>



City of Ormond - Granada Median Medjool Palms

Exhibit A

Landscape Management Service Pricing Sheet

Core Maintenance Services

Palm Pruning (2x/year)	\$11,330.00
<i>103 total palms on site</i>	
IPM - Fertilization	\$2,575.00

Grand Total Annual	\$13,905.00
Monthly	\$1,158.75

Client Initial: _____

Creating premier properties. Building lasting relationships.

Page 3 of 5



of Ormond - Riverbend Grounds Maintenance Main Building Exhibit A Landscape Management Service Pricing Sheet

Core Maintenance Services

Mowing & Clean Up & Detailing

\$9,324.00

*Includes mowing, edging, string-trimming,
clean-up, shrub pruning, and weed removal*

Service Area

Main Building and entrance point Areas

Service Level

29-B

Grand Total Annual	\$9,324.00
Monthly	\$777.00

Client Initial: _____

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Page 3 of 5

Riverbend Main Buildings and Parking Lot Service Area

29-B Service Level

Legend

7.E.f

-  lb
-  River Bend Golf Club
-  River Bend Golf Club
-  Service Area
-  Sunrise Aviation, Inc.



Google Earth

© 2021 Google

Packet Pg. 100

300 ft



City of Ormond - Andy Romano Beachfront Park
Exhibit A
Landscape Management Service Pricing Sheet

Core Maintenance Services

Palm Pruning (1x/year)

\$7,825.00

313 total palms on property

Grand Total Annual	\$7,825.00
Monthly	\$652.08

Client Initial: _____

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Page 3 of 5



City of Ormond - I-95 & SR-40 Interchange
Exhibit A
Landscape Management Service Pricing Sheet

Core Maintenance Services

Palm Pruning (1x/year)

\$7,750.00

155 total palms on site

Grand Total Annual	\$7,750.00
Monthly	\$645.83

Client Initial: _____

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Page 3 of 5



CITY OF ORMOND BEACH

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CITY MANAGER MEMORANDUM

To: The Honorable Mayor Partington and City Commissioners
Through: Joyce A. Shanahan, City Manager
From: Kate Settle, City Clerk
Date: May 4, 2021
Subject: Budget Advisory Board Appointment
Commission Goal: N/A

Introduction

This is a request to approve a resolution to appoint a member to the Budget Advisory Board.

Background

Pursuant to Section 2-226 of the *Code of Ordinances*, the Budget Advisory Board consists of five (5) members; one nominated by each member of the Commission. Mr. Bill Harper has served on the Budget Advisory since 2013 and was most recently reappointed in January of 2021, as a nominee of Mayor Partington for a two-year term. He recently resigned from the board, creating a vacancy for the remainder of his term through January 2023. Mayor Partington has nominated Mr. Josh Pringle as the Mayor's appointment to complete the term recently vacated by Mr. Harper.

Citizen Impact

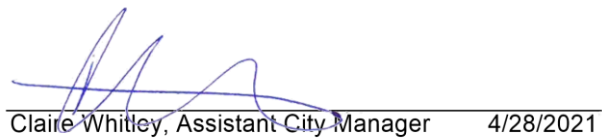
This appointment will ensure the Budget Advisory Board is at full membership, which is beneficial to the residents of Ormond Beach.

Recommendation

It is recommended that the City Commission approve Mr. Josh Pringle as a member of the Budget Advisory Board to complete the term vacated by Mr. Bill Harper.

Attachments:

- 21-82 Budget Adv bd appt (PDF)

REVIEWED BY:
Kelly McGuire, Finance Director 4/28/2021
Claire Whitley, Assistant City Manager 4/28/2021**APPROVED BY:**
Joyce A. Shanahan, City Manager 4/28/2021

RESOLUTION NO. 2021-82

A RESOLUTION APPOINTING A MEMBER TO SERVE ON THE BUDGET ADVISORY BOARD; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA, THAT:

SECTION ONE. Josh Pringle is hereby appointed to serve as a member of the Budget Advisory Board, as the appointee of the Mayor to complete the two-year term of Bill Harper whose term expires January 2, 2023.

SECTION TWO. The above named appointee shall serve without compensation for such service in accordance with Article VI, Chapter 2, *Code of Ordinances*, including section 2-226 thereof.

SECTION THREE This Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED this 4th day of May, 2021.

BILL PARTINGTON
Mayor

ATTEST:

KATE SETTLE
City Clerk



CITY OF ORMOND BEACH

City Manager • 22 S. Beach Street • Ormond Beach • Florida • 32174 • (386) 676-3200 • Fax (386) 676-3384

CITY MANAGER MEMORANDUM

To: The Honorable Mayor Partington and City Commissioners

Through: Joyce A. Shanahan, City Manager

From: Shawn Finley, Public Works Director

Date: May 4, 2021

Subject: Riverside Drive Road Closure for Fiber Optic Conduit Installation

Commission Goal: Public Safety - Other

Introduction

This is a request for the City Commission to authorize the closure of Riverside Drive from Willis Drive to Ormond Parkway for installation of fiber optic conduit.

Background

A Work Authorization for connecting FS-91 to the City's fiber optic network, which presently terminates on Riverside Drive at Rockefeller Gardens, was issued by the City to a continuing services fiber optic contractor, Danella Construction, on September 18, 2020. In order to complete their work, the contractor needs to close Riverside Drive intermittently for a period of time not to exceed two weeks.

Discussion

The City Commission has approved the scheduled closures of Riverside Drive, annually and on an as-needed basis. To provide for safety of the public during construction, it is requested that Riverside Drive, from Willis Drive to Ormond Parkway, be closed intermittently, as required, from Monday, May 10, 2021, at 8:00 a.m. until Thursday, May 20, 2021, at 5:00 p.m. The contractor has provided a maintenance of traffic plan and will employ flag men during these periodic closures to ensure that all residents in the affected areas have safe and convenient access to their properties. The contractor and City staff will notify residents in advance of the closure and will work with these residents to minimize their inconvenience. Upon completion of the activities requiring closure, full access will be restored. The requested time period allows for delays in construction caused by weather, and it is not anticipated closures will take the full duration of the request.

Budget Impact

There is no budget impact.

Citizen Impact

In order to ensure safety of the public during construction related activities, the roadway must be closed to vehicular traffic. Some residents may experience intermittent travel delays beginning Monday, May 10, 2021, at 8:00 a.m. until Thursday, May 20, 2021, at 5:00 p.m.

Recommendation

Staff recommends the City Commission authorize the intermittent closing of Riverside Drive from Willis Drive to Ormond Parkway for installation of fiber optic conduit from 8:00 a.m. on Monday, May 10, 2021, until 5:00 p.m. on Thursday, May 20, 2021.

REVIEWED BY:


Kelly McGuire, Finance Director 4/26/2021


Claire Whitley, Assistant City Manager 4/26/2021

APPROVED BY:


Joyce A. Shanahan, City Manager 4/28/2021



CITY OF ORMOND BEACH

City Manager • 22 S. Beach Street • Ormond Beach • Florida • 32174 • (386) 676-3200 • Fax (386) 676-3384

CITY MANAGER MEMORANDUM

To: The Honorable Mayor Partington and City Commissioners

Through: Joyce A. Shanahan, City Manager

From: Steven Spraker, Planning Director

Date: May 4, 2021

Subject: 1480 North U.S. Highway 1, Ormond Ace Hardware, Amendment to the Official Zoning Map

Commission Goal: Community Development - Other

Introduction

This is the second reading of Ordinance 2017-16. The City Commission unanimously approved the first reading of the ordinance on April 20, 2021.

This is a request from Gross Family Properties NG, LLC, property owner, for a zoning map amendment of the property at 1480 North U.S. Highway 1 from B-7 (Highway Tourist Commercial) to PBD (Planned Business Development). The project includes two (2) inter-related zoning actions as follows:

- A. Zoning map amendment for the Ormond Ace Hardware project at 1480 North U.S. Highway 1 from B-7 (Highway Tourist Commercial) to PBD (Planned Business Development).
- B. The issuance of a development order to construct a two-story building of approximately 16,853 square feet for the Ormond Ace Hardware that proposes retail activity, including a garden center (defined as outdoor activity), and associated site improvements on a 2.70 acre property.

This item is only for the zoning map amendment. At the public hearing, the items will be presented together and the City Commission will be asked to vote individually on the two (2) separate zoning actions.

Background

The subject property is approximately 2.70 acres and is vacant. The property is bounded by North U.S. Highway 1 to the east, Gowers Street to the north, the unimproved right-of-way of Magnolia Street to the south and Flagler Road to the west. Flagler Road is partially improved and partially unimproved. The property at 1480 North U.S. Highway 1 has two (2) right-of-way areas that are proposed to be vacated in a separate process before the City Commission. The first right-of-way area is a five (5')

foot portion of Flagler Road abutting the western portion of the property. The second right-of-way is an internal alley of 15 feet that is proposed to be vacated. The subject property has two (2) billboards along the North U.S. Highway 1 frontage that are proposed to remain.

Discussion

The applicant is seeking a zoning map amendment that occurs in a two (2) step process. The first step is a zoning map amendment and the second step is the issuance of a development order. The purpose of this item is to perform the zoning map amendment with the specific standards to be provided in the next agenda item. The zoning map amendment does not approve any specific development standards, but instead the framework to allow the issuance of the development order with the next agenda item. The zoning map amendment is consistent with the existing development patterns in the North U.S. Highway 1 corridor. The appropriateness of the Planned Business Development item would be reviewed, discussed, and acted upon with the issue of the development order item.

PLANNING BOARD

The Planning Board reviewed this item at their March 11, 2021 meeting and unanimously (6-0) recommended approval. There was one speaker who addressed the Planning Board. The speaker stated that they were not against the project and wanted to ensure that the project impacts, particularly stormwater, were considered.

Budget Impact

There is no budget impact as the result of the zoning map amendment.

Citizen Impact

There is no citizen impact as the result of the zoning map amendment. The actual development standards are reviewed and acted upon with the issuance of a development order.

Recommendation

It is recommended that the City Commission **APPROVE** the zoning map amendment from B-7 (Highway Tourist Commercial) to PBD (Planned Business Development). The zoning map amendment is consistent with the Comprehensive Plan.

Attachments:

- 21-16 Ace Hardware - Zoning Map Amendment (P21-0039G) (PDF)
- Exhibit A Legal Description (PDF)
- Exhibit B, 1480_N_US_HWY1_AMEND_ZONING (PDF)

- 03.11.2021, 1480 N US 1, Ormond Ace Hardware, Zoning Map Amendment, PB Report (PDF)
- DRAFT - Planning Board minutes, 1480 North U.S. Highway 1 (PDF)

REVIEWED BY:


Kelly McGuire, Finance Director 3/29/2021


Claire Whitley, Assistant City Manager 4/13/2021

APPROVED BY:


Joyce A. Shanahan, City Manager 4/14/2021

ORDINANCE NO. 2021-16

AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHED, OF ARTICLE 1, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH *LAND DEVELOPMENT CODE* BY AMENDING THE OFFICIAL ZONING MAP TO REZONE A CERTAIN PARCEL OF REAL PROPERTY TOTALING APPROXIMATELY 2.70-ACRES LOCATED AT 1480 NORTH U.S. HIGHWAY 1 FROM B-7 (HIGHWAY TOURIST COMMERCIAL) TO PBD (PLANNED BUSINESS DEVELOPMENT); AUTHORIZING REVISION OF THE OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, Gross Family Properties NG, LLC, a Florida Limited Liability Company (the “Property Owner/Applicant”), has submitted an application to rezone a parcel of privately-owned real property located at 1480 North U.S. Highway 1 (Volusia County parcel number: 3136-01-59-0010) described and depicted in Exhibit “A” attached hereto and incorporated herein by reference, and

WHEREAS, the property to be rezoned consists of approximately 2.70 acres of real property located at 1480 North U.S. Highway 1 (Volusia County parcel number: 3136-01-59-0010) and is zoned B-7 (Highway Tourist Commercial), and

WHEREAS, the said parcel or real property involves less than ten (10) contiguous acres, and

WHEREAS, the Planning Board held a public hearing regarding this matter as required by Chapter 1, Article II, Section 1-15(d)(3), of the *Land Development Code*, and

WHEREAS, the City Commission held a public hearing regarding this matter as required by Section 166.041(3)(c)(1), *Florida Statutes*, and

WHEREAS, all applicable legal notice requirements have been complied with, and

WHEREAS, the City Commission finds the proposed rezoning to be consistent with the Future Land Use Element, and the Future Land Use Map, of the City's adopted *Comprehensive Plan*, now therefore,

BE IT ENACTED BY THE PEOPLE OF THE CITY OF ORMOND BEACH, FLORIDA, THAT:

SECTION ONE. Paragraph C, Official Zoning Map, of Section 2-01, Established, of Article I, Establishment of Zoning Districts and Official Zoning Map, of Chapter 2, District and General Regulations, of the *Land Development Code* of the City of Ormond Beach, Florida is hereby amended by amending the Official Zoning Map, which is part of the said *Land Development Code*, to change the zoning of the real property, described and depicted on Exhibit "A" attached hereto and incorporated herein by reference, from B-7 (Highway Tourist Commercial) to PBD (Planned Business Development).

SECTION TWO. The property hereby rezoned consists of approximately 2.70 acres of real property located at 1480 North U.S. Highway 1 (Volusia County parcel number: 3136-01-59-0010).

SECTION THREE. The City Commission does hereby approve, authorize and direct the revision of the City's Official Zoning Map to show the classification for the area as hereby zoned as depicted in Exhibit "B" attached hereto and incorporated herein by reference.

SECTION FOUR. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION FIVE. This Ordinance shall be effective immediately upon its adoption.

PASSED UPON at the first reading of the City Commission, this 20th day of April, 2021.

PASSED UPON at the second reading of the City Commission, this 4th day of May, 2021.

BILL PARTINGTON
Mayor

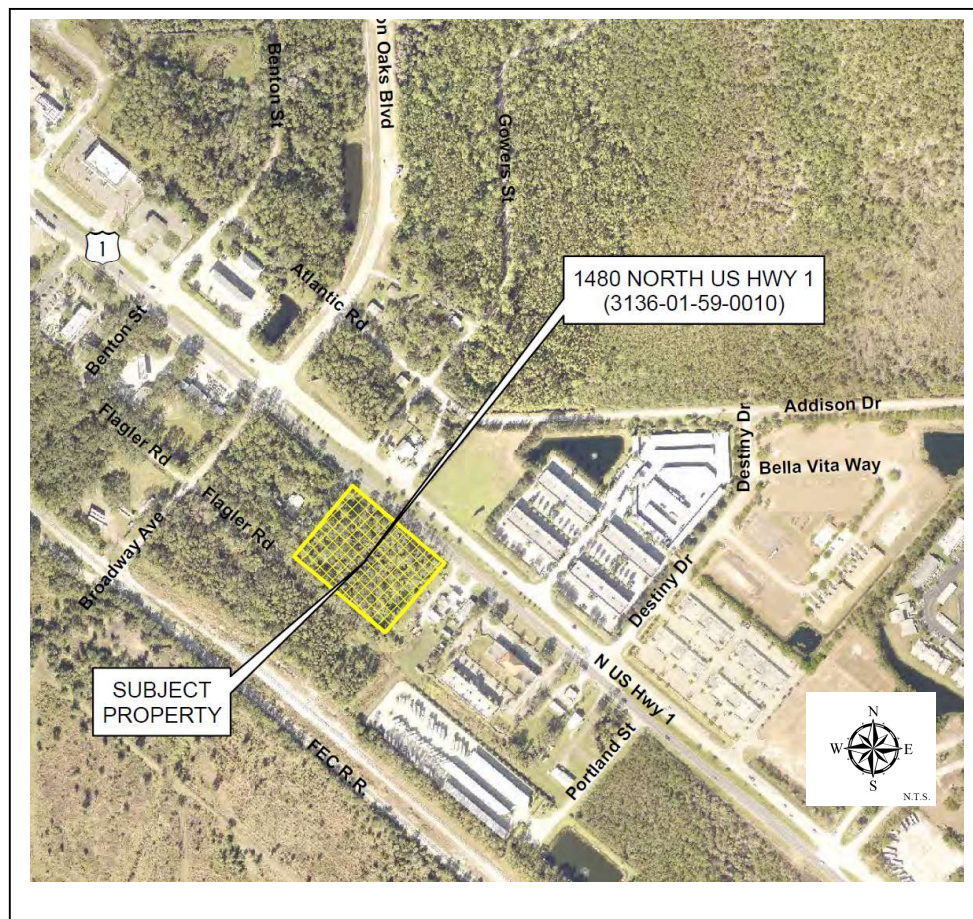
ATTEST:

KATE SETTLE
City Clerk

EXHIBIT "A"**LEGAL DESCRIPTION**

THOSE PORTIONS OF NATIONAL GARDENS SUBDIVISION, AS PER MAP BOOK RECORDED IN MAP BOOK 10, PAGE 250 TO 253, INCLUSIVE, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, LYING WESTERLY AND SOUTHERLY OF U.S. HIGHWAY NO. 1 (STATE ROAD NO. 5) DESCRIBED AS FOLLOWS:

ALL OF BLOCK 59

DEPICTION OF AREA

OWNER:

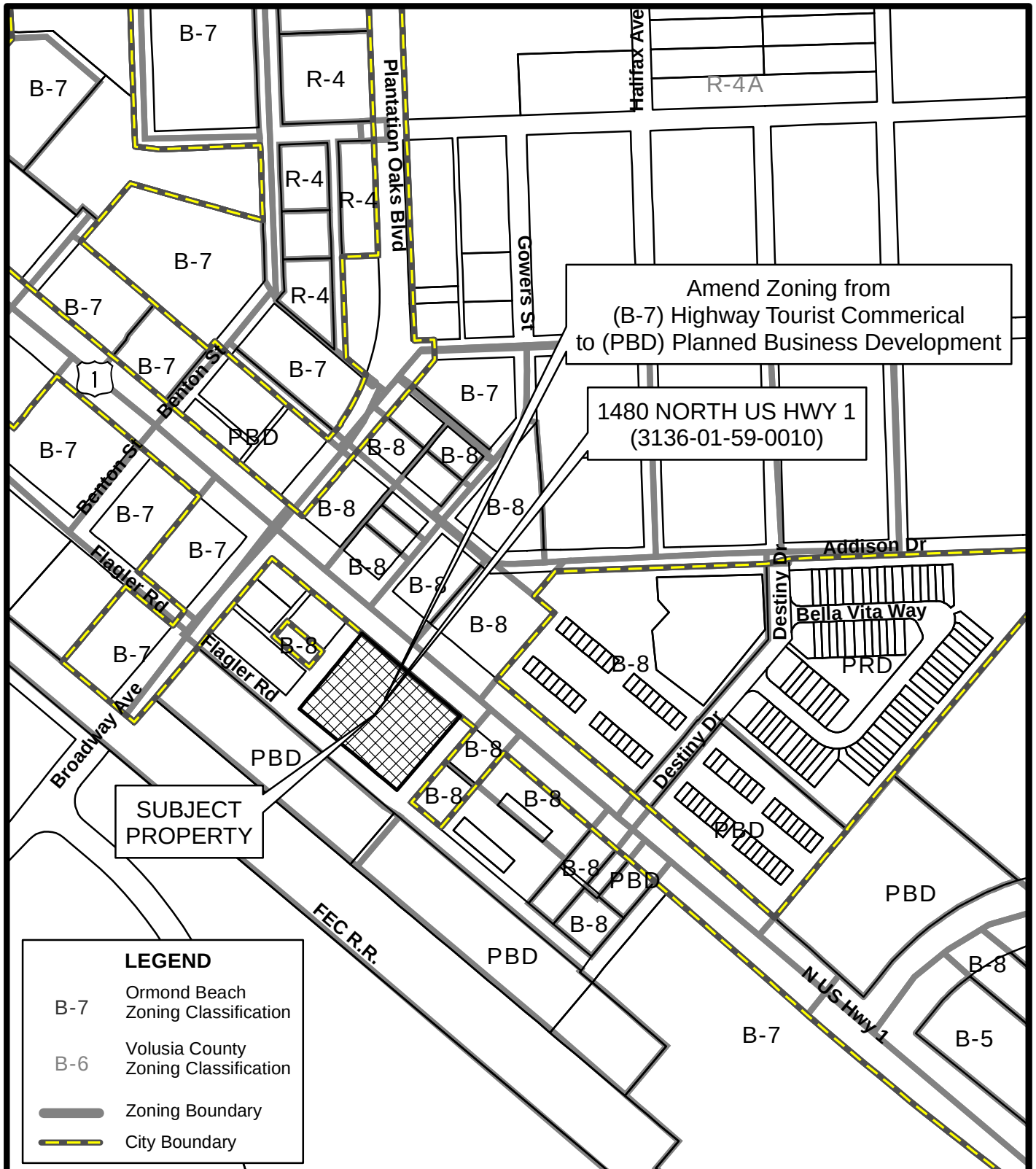
GROSS FAMILY PROPERTIES NG LLC

PARCEL ID:

3136-01-59-0010

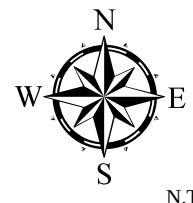
LOCATION ADDRESS:

1480 NORTH U.S. HIGHWAY 1, ORMOND
BEACH, FLORIDA 32174



**PROPOSED ZONING MAP
1480 NORTH US HWY 1
(ACE HARDWARE)**

Prepared By: The City of Ormond Beach
G.I.S. Department - February 23, 2021



N.T.S.

STAFF REPORT

City of Ormond Beach Department of Planning

DATE: March 1, 2021

SUBJECT: 1480 North U.S. Highway 1, Ormond Ace Hardware,
Amendment to the Official Zoning Map

APPLICANT: Gross Family Properties NG, LLC

NUMBER: RZ 2021-011(A)

PROJECT PLANNER: Steven Spraker, AICP, Planning Director

INTRODUCTION:

This is a request from Gross Family Properties NG, LLC, property owner, for a zoning map amendment of the property at 1480 North U.S. Highway 1 from B-7 (Highway Tourist Commercial) to PBD (Planned Business Development). The zoning map amendment location is shown in Exhibit 1 below.

EXHIBIT 1: 1480 North U.S. Highway 1:



The project includes two (2) inter-related zoning actions as follows:

File number	Subject	Request
RZ 2021-11(A)	Zoning map amendment	Zoning map amendment for the Ormond Ace Hardware project at 1480 North U.S. Highway 1 from B-7 (Highway Tourist Commercial) to PBD (Planned Business Development).
RZ 2021-011 (B)	Development Order	The issuance of a development order to construct a two story building of approximately 16,853 square feet for the Ormond Ace Hardware that proposes retail activity including a garden center (defined as outdoor activity) and associated site improvements on a 2.70 acre property.

The highlighted item is the subject of this report. At the public hearing, the items will be presented together and the Planning Board and City Commission will be asked to vote individually on the two (2) separate zoning actions.

BACKGROUND:

The subject property has a zoning designation of B-7 (Highway Tourist Commercial) and a Future Land Use designation of "Tourist Commercial". The adjacent land use designations and zoning classifications are as follows:

EXHIBIT 2: Land use and zoning designations:

Direction	Current Land Uses	Land Use Designation	Zoning
North	Vacant & non-conforming single-family house	"Tourist Commercial" and "Low Intensity Commercial"	B-7 (Highway Tourist Commercial) and B-8 (Commercial)
South	Commercial	"Low Intensity Commercial"	B-8 (Commercial)
East	Bar and vacant	"Low Intensity Commercial"	B-8 (Commercial)
West	RV & Boat Storage, Stor-It, Phase 2	"Tourist Commercial"	PBD (Planned Business Development)

The subject property is approximately 2.70 acres and is vacant. The property is bounded by North U.S. Highway 1 to the east, Gowers Street to the north, the unimproved right-of-way of Magnolia Street to the south and Flagler Road to the west. Flagler Road is partially improved and partially unimproved. The property at 1480 North U.S. Highway 1 has two (2) right-of-way areas that are proposed to be vacated in a separate process before the City Commission. The first right-of-way area is a five (5') foot portion of Flagler Road abutting the western portion of the property. The second right-of-way is an internal alley of 15 feet that is proposed to be vacated. The subject property has two (2) billboards along the North U.S. Highway 1 frontage that are proposed to remain.

ANALYSIS:

The applicant is seeking a zoning map amendment that occurs in a two (2) step process. The first step is a zoning map amendment and the second step is the issuance of a development order. The purpose of this item is to perform the zoning map amendment with the specific standards to be provided in the next agenda item.

According to Chapter 2, Article II, Section 2-36 of the Land Development Code, the purpose of the Planned Business Development zoning district

“is to establish regulatory standards for controlling the location of comprehensively planned business centers accessible to arterial roadways. The PBD is intended to incorporate a flexible management policy which incorporates urban design amenities, including streetscape improvements, and fosters innovative master planning in the design and development of commercial centers. The PBD district provides a diversified mix of permitted, conditional, and special land uses and higher standards of land planning and site design than are available under conventional zoning categories.”

One goal of the Planned Business Development is to “provide for a coherent and visually attractive physical environment through the creation of focal points and vistas, as well as coordination and consistency of architectural styles, landscaping designs and other elements of the building environment.”

The project is seeking the zoning map amendment to the Planned Business Development based on the following items:

1. The garden center is defined as an outdoor activity. Outdoor activities within the B-7 (Highway Tourist Commercial) zoning district, Section 2-28 of the Land Development Code, require a public hearing approval either as a Special Exception or a Planned Development.
2. The proposed building is located at an eleven (11') foot setback where the B-7 (Highway Tourist Commercial) zoning district, Section 2-28(B)(9)(d) of the Land Development Code, requires a twenty (20') setback along the side corner yard along Gowers Street. The building setback reduction is sought to preserve a 39" historic tree and provide additional land area around the tree.
3. Section 3-25(c) of Land Development Code requires 50 feet between the intersection of two (2) streets. The site plan application seeks to reduce the setback for the access point along Flagler Road to 20 feet from Gowers Street.
4. To allow prefinished metal wall panels (exposed metal) on the rear façade without a finished exterior surface.
5. To allow black chain link fencing with a black windscreen around the garden center.

CONCLUSION/CRITERIA FOR APPROVAL:

Section 1-18(D)(3) of the Land Development Code states that the Planning Board shall review rezonings based on the Development Order criteria in Section 1-18(E) of the Land Development Code which are analyzed below:

- 1. The proposed development conforms to the standards and requirements of this Code and will not create undue crowding beyond the conditions normally permitted in the zoning district, or adversely affect the public health, safety, welfare, or quality of life.**

The zoning map amendment does not approve any specific development standards, but instead the framework to allow the issuance of the development order with the next agenda item. The zoning map amendment is consistent with the existing development patterns in the North U.S. Highway 1 corridor. The appropriateness of the Planned Business Development item would be reviewed, discussed, and acted upon with the issue of the development order item. It is the determination of the Site Plan Review Committee that the public health, safety, welfare or quality of life will not be adversely affected with the proposed zoning map amendment.

- 2. The proposed development is consistent with the Comprehensive Plan.**

The site has a Future Land Use designation of “Tourist Commercial”, which is consistent with the proposed use. The Future Land Use Element states that the “Commercial” land use category purpose is as follows:

Purpose: A multi-use land use category to provide uses along the Atlantic Ocean, SR A1A and highway interchanges, that include transit availability, retail services, tourist attractions, restaurants, multi-family and lodging to visitors to the City. For projects that propose a mixture of residential and non-residential uses, the minimum FAR should be 0.2.

Density: Maximum: 32 units per acre.

Maximum FAR: 1.5

The proposed retail use is specifically allowed within the Comprehensive Plan. Staff concludes the zoning map amendment is consistent with the Comprehensive Plan.

- 3. The proposed development will not adversely impact environmentally sensitive lands or natural resources, including but not limited to waterbodies, wetlands, xeric communities, wildlife habitats, endangered or threatened plants and animal species or species of special concern, wellfields, and individual wells.**

The zoning action does not approve a specific development plan and this criteria would be reviewed as part of the issuance of the development order.

- 4. The proposed use will not substantially or permanently depreciate the value of surrounding property; create a nuisance; or deprive adjoining properties of adequate light and air; create excessive noise, odor, glare, or visual impacts on the neighborhood and adjoining properties.**

The zoning action does not approve a specific development plan and this criterion would be reviewed as part of the issuance of the development order.

- 5. There are adequate public facilities to serve the development, including but not limited to roads, sidewalks, bike paths, potable water, wastewater treatment, drainage, fire and police safety, parks and recreation facilities, schools, and playgrounds.**

The zoning map amendment establishes the framework for the development order (next agenda item) that details the specific development approval. The zoning action does not approve a specific development plan and this criterion would be reviewed as part of the issuance of the development order.

- 6. Ingress and egress to the property and traffic patterns are designed to protect and promote motorized vehicle and pedestrian/bicycle safety and convenience, allow for desirable traffic flow and control, and provide adequate access in case of fire or catastrophe. This finding shall be based on a traffic report where available, prepared by a qualified traffic consultant, engineer or planner which details the anticipated or projected effect of the project on adjacent roads and the impact on public safety.**

The zoning map amendment establishes the framework for the development order (next agenda item) that details the specific development approval. The zoning action does not approve a specific development plan and this criterion would be reviewed as part of the issuance of the development order.

- 7. The proposed development is functional in the use of space and aesthetically acceptable.**

The zoning map amendment establishes the framework for the development order (next agenda item) that details the specific development approval. The zoning action does not approve a specific development plan and this criterion would be reviewed as part of the issuance of the development order.

- 8. The proposed development provides for the safety of occupants and visitors.**

The zoning map amendment establishes the framework for the development order (next agenda item) that details the specific development approval. The zoning action does not approve a specific development plan and this criterion would be reviewed as part of the issuance of the development order.

- 9. The proposed use of materials and architectural features will not adversely impact the neighborhood and aesthetics of the area.**

The zoning map amendment establishes the framework for the development order (next agenda item) that details the specific development approval. The zoning action does not approve a specific development plan and this criterion would be reviewed as part of the issuance of the development order.

- 10. The testimony provided at public hearings.**

There has not been a public hearing at this time. The comments from the Planning Board meeting will be incorporated into the City Commission packet.

Section 1-18. E.3 of the Land Development Code states that the City Commission shall consider rezonings based on the consistency with the Comprehensive Plan. The rezoning is consistent based upon the following points:

- The impacts on facilities and services will not change as a result of the requested zoning amendment from B-7 (Highway Tourist Commercial) to PBD (Planned Business Development); and

- The zoning request is consistent with the compatibility matrix outlined in the Land Development Code for the Future Land Use Plan Map designation of “Commercial”.

RECOMMENDATION:

This agenda item seeks to allow a zoning map amendment to Planned Business Development. The agenda item does not approve any specific development approval, but instead a framework for these zoning actions. It is recommended that the Planning Board recommend **APPROVAL** of the zoning map amendment from B-7 (Highway Tourist Commercial) to PBD (Planned Business Development).

The project is tentatively scheduled for the City Commission on April 20, 2021 (first reading) and if approved on first reading, the second reading will be on May 4, 2021 (final reading).

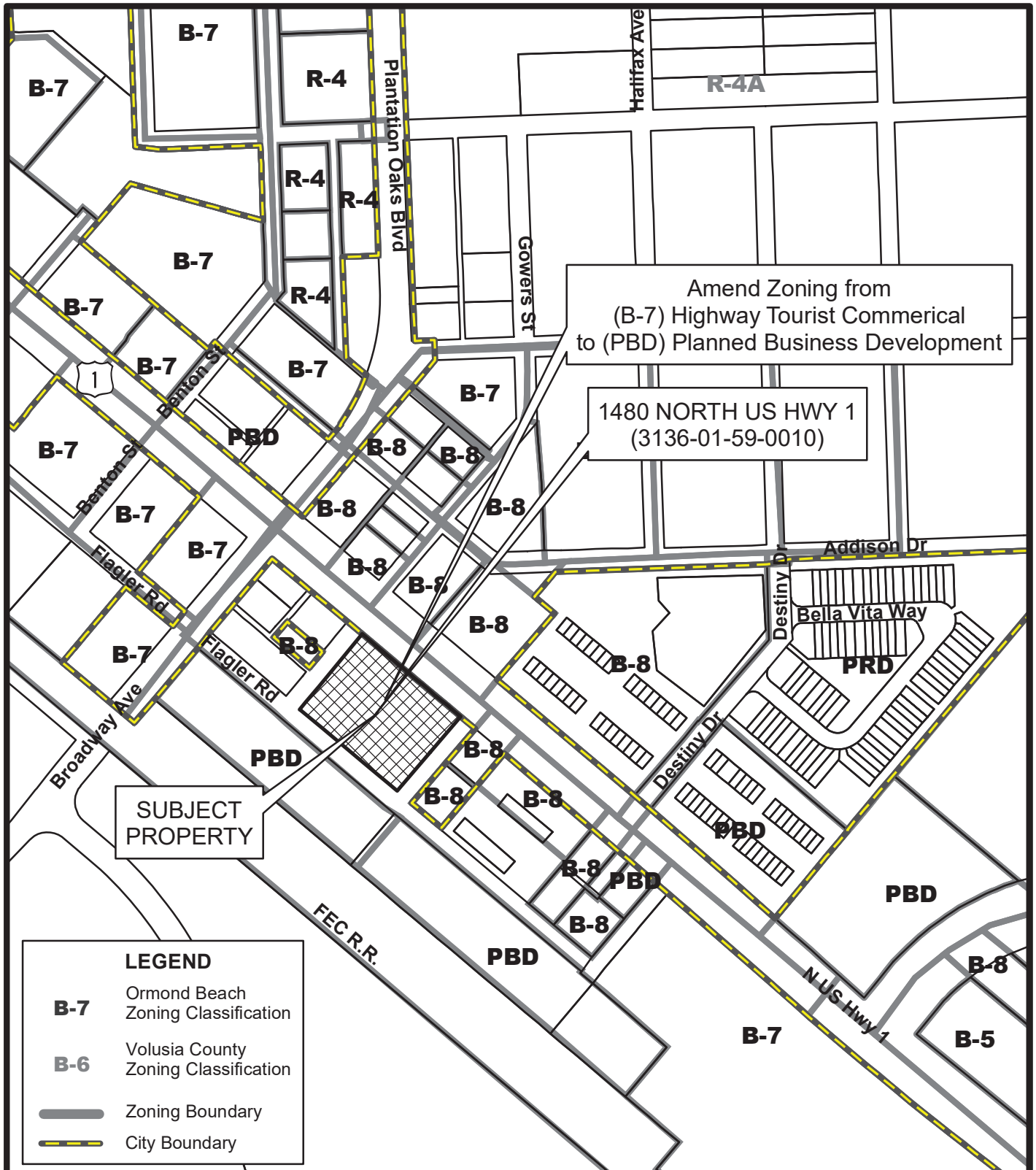
Attachments:

Attachment 1: Zoning map

Attachment 2: Location, aerial, and land use maps

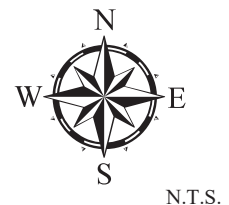
Attachment 1:

Zoning Map



**PROPOSED ZONING MAP
1480 NORTH US HWY 1
(ACE HARDWARE)**

Prepared By: The City of Ormond Beach
G.I.S. Department - February 23, 2021

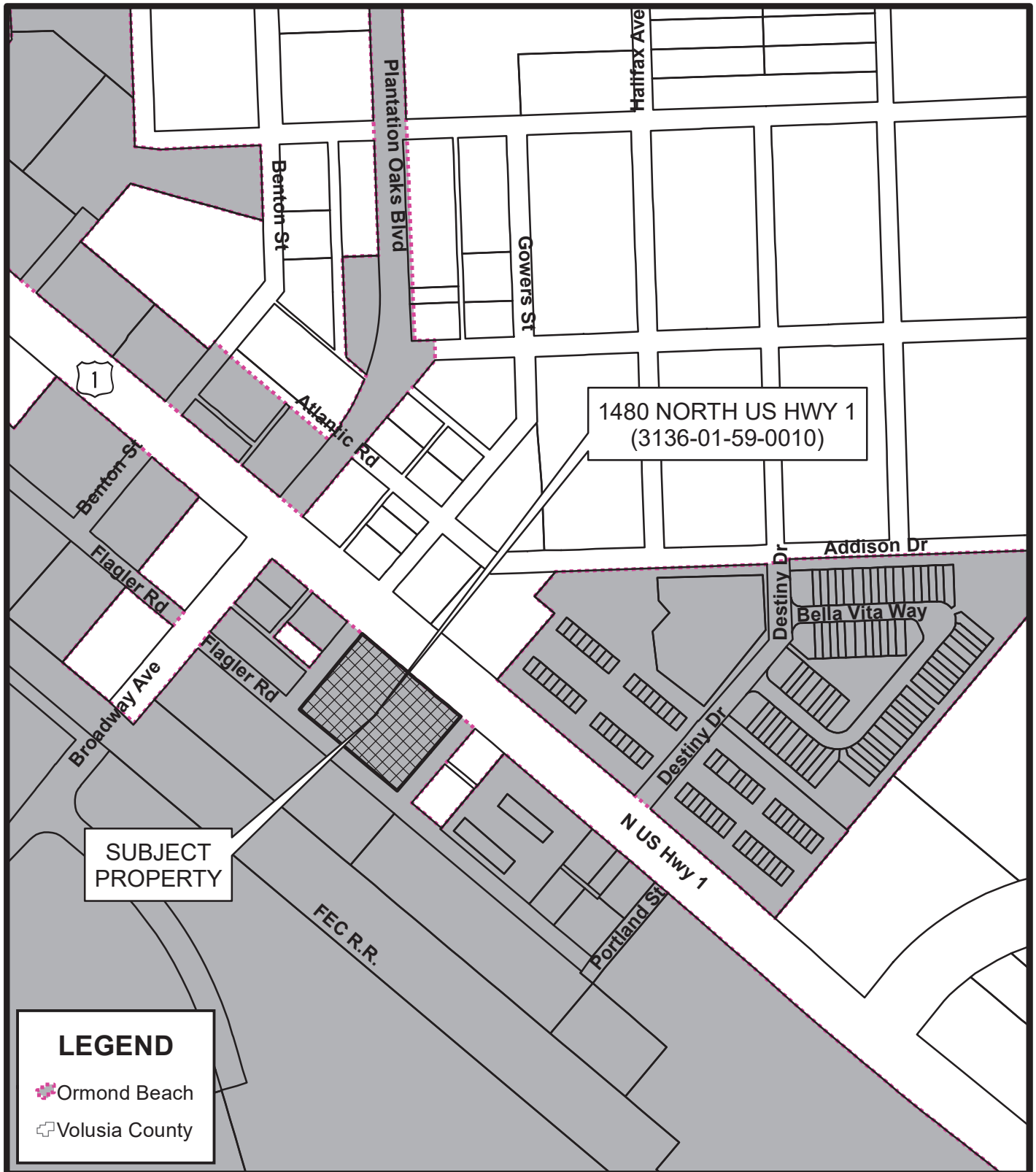


Attachment 2:

Maps and pictures

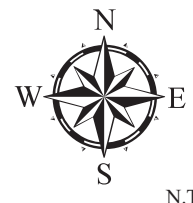
Aerial exhibit of 1480 North U.S. Highway 1





1480 NORTH US HWY 1
(ACE HARDWARE)
LOCATION MAP

Prepared By: The City of Ormond Beach
G.I.S. Department - February 23, 2021

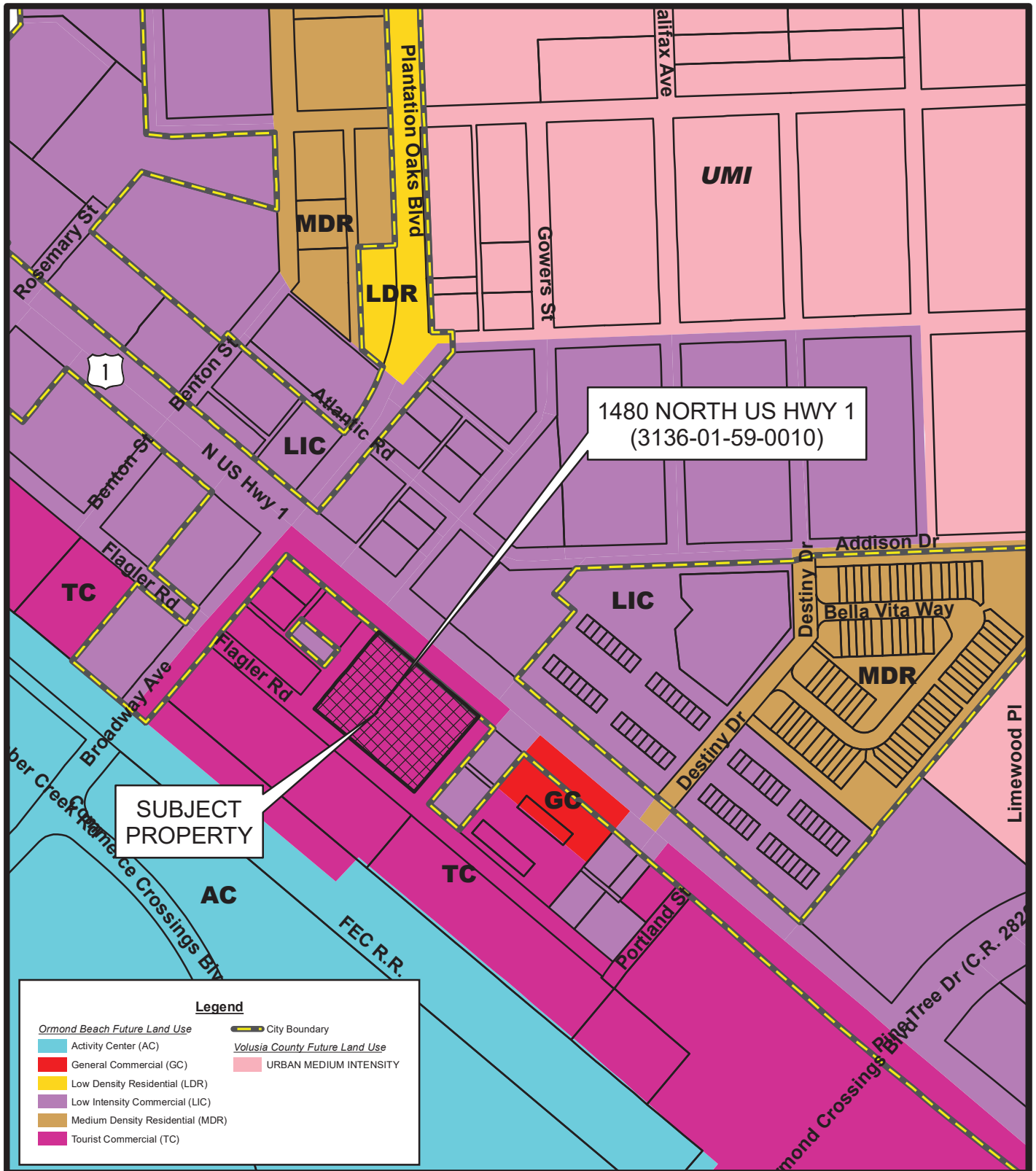




**AERIAL MAP
1480 NORTH US HWY 1
(ACE HARDWARE)**

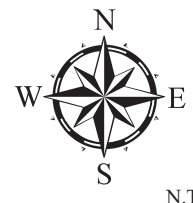
Prepared By: The City of Ormond Beach
G.I.S. Department - February 23, 2021





FUTURE LAND USE MAP **1480 NORTH US HWY 1** **(ACE HARDWARE)**

Prepared By: The City of Ormond Beach
 G.I.S. Department - February 23, 2021



N.T.S.

Gowers St
Flagler Rd

Gowers Street looking east towards North U.S. Highway 1

02/24/2021 12:26

Gowers Street looking east towards North U.S. Highway 1

02/24/2021 12:27



Find your beach.

S.R. Perrott, Inc. Winner of the 2017 National & Southeast Region Gold Crown Network Award @SRPerrott

North U.S. Highway 1 frontage

02/24/2021 12:31

8.A.d

Flagler Road

02/24/2021 12:25



March 11, 2021

Planning Board minutes

**1480 North U.S. Highway 1,
Zoning Map Amendment**

V. NOTICE REGARDING ADJOURNMENT

NEW ITEMS WILL NOT BE HEARD BY THE PLANNING BOARD AFTER 10:00 PM UNLESS AUTHORIZED BY A MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. ITEMS WHICH HAVE NOT BEEN HEARD BEFORE 10:00 PM MAY BE CONTINUED TO THE FOLLOWING THURSDAY OR TO THE NEXT REGULAR MEETING, AS DETERMINED BY AFFIRMATIVE VOTE OF THE MAJORITY OF THE BOARD MEMBERS PRESENT (PER PLANNING BOARD RULES OF PROCEDURE, SECTION 2.7).

VI. APPROVAL OF MINUTES

February 18, 2021

Mr. Briley moved to approve the February 18, 2021 Minutes. Mr. Jorczak seconded the motion. The minutes were unanimously approved.

VII. PLANNING DIRECTOR'S REPORT

Mr. Spraker, Planning Director, stated that the Parks and Recreation Master Plan is having a public meeting on March 31, 2021 at 6:00 p.m. at the South Ormond Neighborhood Center. All are encouraged to attend. It will be both in-person meeting as well as streamed on YouTube.

VIII. PUBLIC HEARINGS

A. RZ 2021-011(A) – 1480 North U.S. Highway 1, Ormond Ace Hardware, Amendment to the Official Zoning Map

Mr. Steven Spraker, Planning Director, explained that this is a request from Gross Family Properties NG, LLC, property owner, for a zoning map amendment of the property at 1480 North U.S. Highway 1 from B-7 (Highway Tourist Commercial) to PBD (Planned Business Development). He explained that on the U.S. Highway 1 frontage, there are two (2) billboards on the site that are proposed to stay.

Mr. Spraker stated that the zoning map amendment provides a framework and provides an ability for the next item on the agenda, the issuance of a development order. Today the property has a commercial B-7 (Highway Tourist Commercial) zoning district that allows a variety of uses including retail, offices, restaurants and hotels. He continued that they are going to the Planned Business Development (PBD) in order to approve a site specific development plan.

Mr. Spraker commented that the site plan is included in the Board packet specifying where the building, garden center, natural preservation and stormwater pond is on the plan. The greenbelt is proposed to be enhanced with understory plantings and the rear next to Flagler Road is proposed to be a landscaped area. Mr. Spraker added that there is a loading area in the garden center. Mr. Spraker commented that the building is being shifted to save a historical tree and add additional land area around it. There are two (2) rights-of-way that are abutting the property that are seeking to be vacated. One (1) is along Flagler Road which is platted as a 60 foot right-of-way. The city standard detail is 50 feet. The City has previously vacated five (5) feet on either side of Flagler Road when applicants have developed and asked for it.

Mr. Spraker continued that there is a second t-shaped alleyway internal to the site that was part of the 1926 plat. Both rights-of-way are going through separate processes to be vacated.

He explained that the use of the property is a permitted use under the zoning district, and the purpose for the public hearing process is to provide site specific approval. Mr. Spraker explained that the first Planned Development request item is that they are going to be a full-service hardware store with an outdoor garden center and propane and chlorine tanks. Mr. Spraker remarked that the applicant is seeking to do the garden center which is a natural part of a hardware store but under the Land Development Code (LDC) it becomes outdoor activity which requires either a Special Exception or a Planned Development and public hearing approval.

Mr. Spraker stated that the second Planned Development request item is that the building is being shifted nine (9) to ten (10) feet to save the 39 inch historic tree. The building requires a twenty (20) foot setback.

The third Planned Development request is the intersection of Flagler Road and Gowers Street. The Land Development Code (LDC) requires a 50 foot setback in which the Site Plan Review Committee (SPRC) can reduce down to 40 feet. The request is to allow a 20 foot setback based on the existing stormwater improvement within Flagler Road. Mr. Spraker stated that Engineering Department staff have reviewed the request and have no objections. He added that Gowers Street is a substandard roadway and improvements to it is part of the overall site plan development. Gowers Street would be extended to make it a conforming roadway. A sidewalk will be placed along Gowers Street. The Department of Transportation (DOT) is considering a sidewalk project along North U.S. Highway 1 and the applicant seeks to put the sidewalk money into the sidewalk fund to be used towards the overall DOT project.

Mr. Spraker continued that the fourth Planned Development item is the rear façade. When the site plan was submitted on February 5, 2021 it was shown as a finished façade with a stucco finish. It was explained that with the Planned Development application the architectural elevation was revised to show the metal panels as well as where the garden center is. Historically, staff has not recommended approval of metal or unfinished materials but through the Planned Development the applicant can request it. Mr. Spraker commented that the Planning Board would need to make the recommendation to the City Commission.

The fifth Planned Development item is the fencing surrounding the garden center. There was a decorative wrought-iron fencing planned around the perimeter of the garden center with the site plan submitted on February 5, 2021. With the Planned Development submittal on February 26, 2021 it was amended to a chain-link fence with a black mesh coated finish on it. Historically chain-link fences have not been recommended along major corridors in the city.

Mr. Spraker concluded that Staff recommends approval of the retail center of approximately 17,000 square feet and the garden center with the specific Planned Development items recommending approval of the first three (3), and for the last two (2) recommending for a finished stucco material for the rear façade and the decorative aluminum fencing. The City Commission dates are tentatively scheduled for April 20th and May 4th.

Mr. Briley asked for confirmation of there not being any access off of U.S. Highway 1 to the property. Mr. Spraker replied that the project did not meet the separation requirements of the Florida Department of Transportation (DOT) from Gowers Street and explained that the access is off of Gowers Street. Mr. Briley asked about the façade of the building and if it would be visible from U.S. Highway 1. Mr. Spraker

answered that it would not as it would be in the rear but that as part of the Planned Development, an unfinished façade is not typically recommended. Staff believes that it would still be seen from both Flagler Road or Gowers Street. Mr. Briley asked if the chain-link fence would only be visible from the back of the building. Mr. Spraker replied that the side facing south and the back would be visible. Mr. Briley asked if a condition could be made by the Board for chain-link fencing in the back only, with the same decorative fencing along the front on U.S. Highway 1. Mr. Spraker answered yes.

Ms. Shull stated that she noticed a residential home on Gowers Street and asked if a block or concrete fence will have to be installed as they are abutting residential. Mr. Spraker replied that it is a nonconforming single-family house in a commercial zoning district so no fencing is required along Gowers Street. If the Planning Board believes that there should be fencing then it could be a condition as part of the Planned Development. The only fencing proposed for the site is around the garden center.

Ms. Tolland asked for specifics on how the applicant wants to alter the setback. Mr. Spraker replied 20 feet down to 10 feet to save the tree in the back. Following discussion, it was determined that the landscape buffer will be both natural and planted.

Mr. Scudiero asked about the billboards that are staying on the site. Mr. Spraker explained that the code specifies that once the billboard is removed or destroyed beyond 75 percent that the billboard then can be removed. The City does not have the ability in the LDC to remove billboards with site development.

Attorney Hayes stated that more information is needed from the applicant as the item goes up to City Commission. There are a set of Statutory Regulations and Florida Administrative Code Regulations that apply specifically to billboards. Billboard companies enter in long term contractual arrangements with the property owners. He continued that the property owner may not have the ability to make the billboards go away if there is an existing contract.

Mr. Jeff Gross, owner, Ace Hardware, 333 West Granada Boulevard, stated that his family works in the store and has lived in the community since 1980 when he moved to town from Miami. He continued that he worked for Ace Hardware for 30 to 40 years both in retail and wholesale. The family has owned the Ormond Beach Ace Hardware store since 2010 and looks forward to expanding to the west side of the community and employing another 20 to 30 people. Mr. Gross added that there is a contract on the billboards that was signed last year when the property was purchased. He is uncertain whether the contract is three (3) or five (5) years.

Ms. Sharon Trescott, 689 Pineland Trail, stated that she owns the house across the street and has no objection for the project. She commented that she is happy to see it happen and believes that more of the area needs to be developed in the commercial zoning district. Ms. Trescott expressed her concern with not having any adverse effects to her property. She remarked that engineering drawings have impacted another property of hers on U.S. Highway 1, the reason for the swales in that area. She stated that she does not want to have to take a flood policy out on her property and expressed concern with the road having no drainage on the sides. Ms. Trescott added that she did not know that the setback would be changing and that everyone should consider it and keep it where it is for the sake of the development on the other side. She continued that she asked Mr. Spraker for a letter that she now has and noticed the vacation of the 5 feet on Flagler Road. The letter states that the developer

and her can have 5 feet on each side of Gowers Street. Ms. Trescott asked why Mr. Gross is not utilizing the 5 feet of Gowers Street and Magnolia Street where the swale is as it may help with the setback issue for saving the historical tree. She commented that the drainage is severe and how she may have to take out a flood policy on her property. Ms. Trescott concluded that she hopes that the corner that the house is on will develop commercially and noted that it will not be a problem to sell the house but does not want it under water.

Mr. Shamus Schroeder, Design Engineer, Newkirk Engineering, stated that in the matter of stormwater, he worked with Mr. Vanacore putting the swales in when expanding the RV and storage property. He commented that he is familiar with the drainage patterns and the way everything operates in the area. The site discharges in three (3) directions, to the rear of the site, towards Gowers Street and Magnolia Street. He pointed out that the front is flat. Mr. Schroeder added that cities are regulated by the Florida Department of Transportation (FDOT) and water management districts, and cannot exceed the predevelopment rate, volume and discharge. He added that as the site is developed, less water will be coming off of it. The water will be directly channelized straight to the front ditch into the FDOT right-of-way. Mr. Schroeder remarked that they already have a DOT drainage permit for the discharge. After the site is developed the volume and rate of water flow in the area will be reduced. Mr. Schroeder commented that with the swales it will take a lot of water to flood the area due to their size and capacity for storage, in addition to the ability to convey water out of the area. Mr. Schroeder reassured Ms. Trescott that she should not see any water problems on Gowers Street. He commented that any pooling on Gowers Street will be eliminated. All of the water on the site, aside from the landscape buffer right on the Gowers Street property line, will be directed into the pond, from the pond to the right-of-way into a 30 inch pipe and across the street into the canal system. Mr. Schroeder commented that they cannot expand the right-of-ways, as to not affect the swale on the Magnolia Street side, and detailed his explanation regarding Gowers Street; "If the desire is to push the property line it would assist with the setback and can move the setback five (5) feet further. The building would still be five (5) feet closer to the property line. He added that they would like to shift the building nine (9) feet allowing space for the historical tree. If the requirement is to observe the 20 foot setback it will push the building within six (6) feet of the tree at the edge of the garden center which may or may not negatively impact the tree." Mr. Schroeder concluded that the construction activity will take place over half the tree roots as proposed or if they move the setback as Ms. Trescott has suggested.

Ms. Shull asked Mr. Schroeder about the drainage plan. She inquired if the Gowers Street side of the property will flow towards the retention pond. Mr. Shamus confirmed that it will and that everything from the property lines will flow back into the site. The grading on the pavement is peaked at the property line. Forward of the property line will flow out into the right-of-way on Gowers Street. The other side of the property line will come into the system. Mr. Schroeder explained that a drain is being put in at the property line at the proposed driveway on Flagler Road. It has been graded to pick up any water that comes down to the end of the street. Anything that flows down Gowers Street will be picked up and brought into the system. Ms. Shull asked how far up the property that abuts Gowers Street is going to be built. Mr. Schroeder answered approximately a foot and a half above the level of the road as the finished floor is 31.5 feet and the existing elevations range between 29 and 30 feet.

Mr. Jorczak asked about the additional impact of the waterflow that will be channeled to U.S. Highway 1 going into the system in Ormond Lakes. Mr. Schroeder replied that he heard of their stormwater issues and knows the drainage from this area is channelized through there after hitting the canals. All of the water that comes off of the site currently that does not percolate into the ground goes into the swale system which empties into the ditch up front and then flows across the street. He concluded that the amount of water will be reduced overall.

Ms. Tolland expressed concern about the buffer on Gowers Street and the construction aforementioned regarding the impact to the historical tree. Mr. Schroeder explained the development impacts flattening and grading the site, pouring the concrete slab and compaction of it. Ms. Tolland asked if there was a plan for the building to be setback further with the garden center. Mr. Schroeder answered that if shifting closer that it would be extremely close to the historical tree. Shifting the site would interfere with the 15 percent tree preservation that has to be maintained on the site. Ms. Tolland asked for the amount of greenspace on the property. Mr. Schroeder replied 47.2 percent.

Mr. Spraker added that they have to meet their 15 percent tree preservation and landscaping areas and have exceeded both. The tree is near the middle of the property, therefore in any direction they go there will be issues due to the historical tree. The site design has tried to move as far away from the tree as possible, still making reasonable use of the property while preserving the tree and the perimeter around it.

Ms. Shull inquired about the Magnolia Street side of the property and asked why the building could not have been on that side of the property. Mr. Spraker explained that is where there are two (2) rights-of-way. Both Magnolia Avenue and Flagler Road are being used as a stormwater conveyance swale. He continued that the tree is in the center of the site, therefore it would create the same issues in that location. Mr. Spraker concluded that the solution was to try and shift it, and whether vacating Gowers Street and giving five (5) feet and have a 15 foot setback, the distance is still the same.

Chairman Thomas closed the public hearing and entertained a motion.

Ms. Tolland motioned to approve RZ 2021-011(A) – 1480 North U.S. Highway 1, Ormond Ace Hardware, Amendment to the Official Zoning Map. Ms. Shull seconded it. Vote was called, and the motion was approved (6-0).

B. RZ 2021- 011(B) – 1480 North U.S. Highway 1, Ormond Ace Hardware, Issuance of a development order

Mr. Steven Spraker, Planning Director, reiterated that this item was included in the aforementioned item presentation. This is a request from Gross Family Properties NG, LLC, property owner, for the issuance of a development order to construct a two (2) story building of approximately 16,853 square feet for the Ormond Ace Hardware that proposes retail activity including a garden center (defined as outdoor activity) of approximately 2,566 square feet and associated site improvements on a 2.70 acre property.

Mr. Briley commented that knowing the use of what the property is going to be and knowing the owner of the property and the business he has been operating in Ormond

Beach, he does not have a problem with the façade in the rear of the property. He continued that it will not be seen from U.S. Highway 1. Mr. Briley added that he does not have a problem with the chain-link fencing as long as it is in the back of the property. He would like to see a continuation of the decorative fencing on the front of the property along U.S. Highway 1.

Chairman Thomas remarked that he has a problem with chain-link fencing. He stated that he would like to see the finished façade in the back.

Ms. Shull asked for explanation of where the fencing will be. Mr. Spraker explained that the fencing is only around the garden center, the front, side and rear connecting to the building.

There was discussion amongst the Board regarding their opinions on chain-link fencing.

Mr. Scudiero stated that he drove around town looking at businesses with fencing and noted one location had both wrought-iron fencing and chain-link fencing and remarked how he never noticed it prior. He added that he does not have a problem with it and brought attention to the efforts done to preserve the tree and address the stormwater issues. Mr. Scudiero concluded that the requestor is a good citizen and that he would be in favor of all five (5) conditions.

Mr. Jorzak commented that he would be fine with chain-link fencing in the back and wrought-iron fencing in the front. He added that the only cars that will see it are the northbound cars depending on what the vegetation is that is in the buffer area. Mr. Jorzak stated that he is in favor of a dressier look and noted that is what the goal has been for years.

Chairman Thomas remarked that this would be setting precedent in the area.

Ms. Tolland commented that she does not think that the Board should compromise. She remarked that she loves Ace Hardware and how it is on the corridor coming in from Interstate 95, on U.S. Highway 1 where the City has been cleaning up. Ms. Tolland concluded that she is not for the chain-link fence.

Ms. Shull concurred with Ms. Tolland and commented that it is not that much to continue with wrought iron fencing will look classy. There was discussion of the purpose of the fence. Mr. Spraker replied that it is the enclosure of the garden center.

Attorney Hayes reminded the Board that this is a recommendation to the City Commission and not the final decision. The options are if there is a 3-3 vote the decision would be a denial because it was a tie vote and would go to the City Commission. If one of the three voters on either side change their vote, an asterisk could be noted as to why and it would still go to the City Commission to make their vote.

Mr. Jorzak stated that he would rather see the wrought-iron fencing around the entire garden center.

Mr. Briley concurred regarding the wrought-iron fencing and noted that he would not have an issue with the rear façade.

Chairman Thomas agreed with Ms. Tolland that the Board has gone a long way with bringing U.S. Highway 1 up from where it was and commented that he does not like the idea of putting up a 10 foot high chain-link fence. He added that he would like the back of the building stuccoed and finished but is willing to compromise.

Attorney Hayes stated that it is not his role or function to get involved in the Boards decision making process but wanted to comment on the Planning Board and City Commission over the last 20 years and their hard work with cleaning up the aesthetic view of the corridor on U.S. Highway 1.

Chairman Thomas remarked that Mr. Spraker has worked hard on getting rid of the junk on U.S. Highway 1 and restated his dislike of chain-link fencing.

Mr. Jorczak concurred. He asked what the finished surface would be on the property on the building facing Gowers Street. Mr. Spraker replied that it will be stucco. Mr. Jorczak commented that his experience at Ace Hardware far exceeds his experience at any other hardware store. He asked if the contract with the billboards expires in three (3) to five (5) years if something can be conditional on it not being renewed. Mr. Jorczak concluded that it is his preference that the billboards go when it is feasible. Attorney explained that it would have to be researched and that billboards have been deemed to be nonconforming uses with built in protections for the existing billboards. The challenges are how they are amortized out, and how to analyze and address advertising. The answers will be addressed at the City Commission level. Attorney Hayes suggested taking each element individually and vote on them and the underlying motion as has been approved with the separate elements for the City Commission.

Mr. Dana Smith, Architect, DJ Design, asked if it would be acceptable to have chain-link fencing on the back side of the garden center that faces the Vanacore parking lot and the greenspace and leave the remainder wrought-iron. He explained that the chain-link fencing is more serviceable, less expensive and easier to replace when damaged.

Mr. Briley asked about the functionality of the fencing, chain-link versus wrought-iron, particularly in a loading zone.

Mr. Smith stated that the fence would not be visible from U.S. Highway 1 at all.

Chairman Thomas expressed his concern with other development eventually being to the south and the north the property where the fence will be visible. He concluded that he would rather the City Commission decide what they want to do in this matter.

Chairman Thomas closed the public hearing and entertained a motion.

Attorney Hayes recommended voting on each item individually as separate amendments to the motion and stated that if it ends in a 3-3 tie vote, and is at the end of the fifth item, the Board should vote on the underlying measure as has been approved.

Ms. Shull motioned to approve RZ 2021-011(B) – 1480 North U.S. Highway 1, Ormond Ace Hardware, Issuance of a development order – Item #1: Outdoor activity. Mr. Jorczak seconded it. Vote was called, and the motion was approved (6-0).

Ms. Shull motioned to approve RZ 2021-011(B) – 1480 North U.S. Highway 1, Ormond Ace Hardware, Issuance of a development order – Item #2: Side corner setback. Mr. Briley seconded it. Vote was called, and the motion was approved (6-0).

Ms. Tolland stated that she is willing to accept this item with the understanding that the landscape area between the road and the building will be heavily landscaped. Ms. Tolland expressed appreciation of the saving of the historic tree.

Mr. Briley motioned to approve RZ 2021-011(B) – 1480 North U.S. Highway 1, Ormond Ace Hardware, Issuance of a development order – Item #3: Intersection setback. Ms. Shull seconded it. Vote was called, and the motion was approved (6-0).

Mr. Briley motioned to approve RZ 2021-011(B) – 1480 North U.S. Highway 1, Ormond Ace Hardware, Issuance of a development order – Item #4: Rear Façade to be metal panels as opposed to stucco. Mr. Scudiero seconded it. Vote was called, and the motion was approved (5-1) with Ms. Tolland voting against the motion.

Ms. Tolland asked for verification of the existing façade material. Attorney Hayes stated that the staff recommendation is a stucco finish. He asked Mr. Briley to clarify the motion. Mr. Briley stated that the motion was to allow the metal panels as opposed to a stucco façade. Mr. Scudiero verified that his second to the motion was to allow the metal panels as opposed to a stucco façade. Mr. Jorczak stated that he did not believe that the wall would be visible and only a storage facility is located to the west.

Ms. Shull motioned to approve RZ 2021-011(B) – 1480 North U.S. Highway 1, Ormond Ace Hardware, Issuance of a development order – Item #5: Requiring decorative aluminum fencing around the garden center. Chairman Thomas seconded it. Vote failed with a 3-3 vote.

Mr. Scudiero motioned to approve RZ 2021-011(B) – 1480 North U.S. Highway 1, Ormond Ace Hardware, Issuance of a development order – Item #5: Chain-link Fencing in the rear of the garden center only with decorative aluminum fencing around the front and side. Mr. Jorczak seconded it. Vote failed with a 3-3 vote.

Attorney Hayes advised that another motion could be made or the Board could leave it as it is as a dead lock tie. Chairman Thomas recommended letting the City Commission decide this item.

Ms. Shull motioned to approve RZ 2021-011(B) – 1480 North U.S. Highway 1, Ormond Ace Hardware, Issuance of a development order – Main motion, including items 1-5 provided above. Mr. Jorczak seconded it. Vote was called, and the motion was approved (6-0).

IX. OTHER BUSINESS

Ms. Ashley DuFrene, 118 N. St. Andrews Drive, Tomoka Oaks, stated that in reference to the Tomoka Oaks golf course property it is unknown if the property is going to close for certain but noted that it is under contract with a developer. The community came together and started a committee to get ahead of the matter and show concern for the potential golf course becoming a neighborhood inside of a neighborhood. She continued that in two weeks they have received 12 signatures



CITY OF ORMOND BEACH

City Manager • 22 S. Beach Street • Ormond Beach • Florida • 32174 • (386) 676-3200 • Fax (386) 676-3384

CITY MANAGER MEMORANDUM

To: The Honorable Mayor Partington and City Commissioners

Through: Joyce A. Shanahan, City Manager

From: Steven Spraker, Planning Director

Date: May 4, 2021

Subject: 1480 North U.S. Highway 1, Ormond Ace Hardware, Issuance of Development Order

Commission Goal: Community Development - Other

Introduction

This is the second reading of Ordinance 2021-17. On April 20, 2021, the Commission approved the following motion unanimously after a roll call vote: Motion by Commissioner Persis, seconded by Commissioner Selby, to approve Ordinance No. 2021-17, on first reading, as read by title only. The motion and the second were amended to include the requirement for wrought-iron fencing in the front of the building and allow black chain link fencing with black mesh, up to ten feet in height, on the side and rear of the building.

This is a request from Gross Family Properties NG, LLC, property owner, for the issuance of a development order to construct a two (2) story building of approximately 16,853 square feet for the Ormond Ace Hardware that proposes retail activity including a garden center (defined as outdoor activity) of approximately 2,566 square feet and associated site improvements on a 2.70-acre property.

The project includes two (2) inter-related zoning actions as follows:

- A. Zoning map amendment for the Ormond Ace Hardware project at 1480 North U.S. Highway 1 from B-7 (Highway Tourist Commercial) to PBD (Planned Business Development).
- B. The issuance of a development order to construct a two story building of approximately 16,853 square feet for the Ormond Ace Hardware that proposes retail activity including a garden center (defined as outdoor activity) and associated site improvements on a 2.70 acre property.

This item is only for the issuance of the development order. At the public hearing, the items will be presented together and the City Commission will be asked to vote individually on the two (2) separate zoning actions.

Background

The subject property is approximately 2.70 acres and is vacant. The property is bounded by North U.S. Highway 1 to the east, Gowers Street to the north, the unimproved right-of-way of Magnolia Street to the south and Flagler Road to the west. Flagler Road is partially improved and partially unimproved. The property at 1480 North U.S. Highway 1 has two (2) right-of-way areas that are proposed to be vacated in a separate process before the City Commission. The first right-of-way area is a five (5') foot portion of Flagler Road abutting the western portion of the property. The second right-of-way is an internal alley of 15 feet that is proposed to be vacated. The subject property has two (2) billboards along the North U.S. Highway 1 frontage that are proposed to remain.

Discussion

The project seeks to construct an Ace Hardware retail store of approximately 16,853 square feet and a garden center of approximately 2,566 square feet with associated site improvements on a property that is 2.70 acres in size.

Key project characteristics are provided below with the items that are sought for action within the Planned Business Development approval **bolded**:

1. The zoning designation allows retail sales as a permitted use. **The outdoor garden center is classified as outdoor activity and requires a public hearing approval.** The site plan also shows an area for a 1,500-gallon chlorine tank and a 1,000-gallon propane tank.
2. **The proposed building is located at an eleven (11') foot setback where the B-7 (Highway Tourist Commercial) zoning district, Section 2-28(B)(9)(d) of the Land Development Code, requires a twenty (20') setback along the side corner yard along Gowers Street. The setback reduction is sought to preserve a 39" historic tree and provide additional land area around the tree.**
3. **Section 3-25(c) of Land Development Code requires 50 feet between the intersection of two (2) streets. The site plan application seeks to reduce the setback for an access point along Flagler Road to 20 feet from Gowers Street.**
4. **To allow prefinished metal wall panels (exposed metal) on the rear façade with no finished façade.**
5. **To allow black chain-link fencing with a black windscreen around the garden center.**
6. The property is 2.70 acres.
7. The building size is 16,853 square feet. The outdoor garden center is 2,566 square feet and the open drive-thru garden center is 3,176 square feet.
8. The uses of dimensional standards of the B-7 (Highway Tourist Commercial) zoning district would be incorporated into the Planned Business Development with the modification of the side corner setback.

9. The Planned Business Development would have a three (3) year expiration date requiring the start of construction on or before May 4, 2024.
10. A 39' Greenbelt landscape buffer is provided along North U.S. Highway 1. Additional plantings are proposed in some areas of the existing Greenbelt buffer. There are two (2) billboards within the Greenbelt area that are proposed to remain.
11. There is a 39" historic tree that is proposed to be saved. The building has been shifted (see item 2 above) to provide area around the tree.
12. The project is required to expand the Gowers Street roadway width to 24' and this is shown on the site plan. Access to the property shall be provided from Gowers Street and Flagler Road. There is no direct roadway access from North U.S. Highway 1 as the Florida Department of Transportation determined that there was no adequate spacing between access points to provide a right in and right out access point.
13. The project would install a five (5') sidewalk within the Gowers Street right-of-way.
14. The project would pay into a sidewalk fund for the required sidewalk improvement along North U.S. Highway 1. Within the Capital Improvement Program, there is a project proposed for a master sidewalk design and construction within this area.
15. A monument sign is shown along North U.S. Highway 1.
16. The site design allows a drive-thru garden center for customers to obtain their material.
17. The design of the stormwater management facility includes the wet detention pond which utilizes a V-notch weir to regulate the rate of discharge from the site as well as a bleed-down orifice to control the normal water level in the pond. The discharge will be to the Florida Department of Transportation roadside swale to the cross pipe under U.S. Highway 1. The design of the stormwater management facility for this project provides the required treatment volume for both water quality and water quantity in accordance with the St. Johns River Water Management District and the City of Ormond Beach requirements.
18. There are no wetlands on-site and the property is located in flood zone X.

Planning Board

The Planning Board reviewed the application and unanimously (6-0) recommended approval of the project with the following specific recommendations:

Item	Request	PB recommendation	Staff recommendation
1	Outdoor activity	Approval (6-0)	Approval
2	Side corner setback	Approval (6-0)	Approval
3	Intersection setback	Approval (6-0)	Approval
4	Rear Façade	Metal panels allowed (5-1)	Finished material (stucco)
5	Garden Center	No recommendation (3-	Decorative aluminum fencing

	fencing	3)	
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The Planning Board voted to allow the rear of the building, facing the Flagler Road right-of-way, to use metal panels. Staff had recommended requiring a finished building material such as stucco. The Ordinance is written with the Planning Board recommendation to allow metal panels along the rear facade. The Planning Board had a lengthy discussion on the fencing material around the garden center. The board voted for and against allowing black chain-link fencing with a black windscreen around the garden center. In the end, the Planning Board did not make a recommendation on the garden center fencing. The Ordinance is written with staff's recommendation that would require a decorative aluminum fencing.

The City Commission can:

1. Accept staff's recommendation (no change to the Ordinance would be needed); or
2. Allow black chain-link fencing with a black windscreen around the side and rear of the garden center. The U.S. frontage would have a decorative aluminum fence. This option would require an amendment to the attached Ordinance; or
3. Allow black chain-link fencing with a black windscreen around the rear of the garden center only. The applicant suggested this option as a compromise at the Planning Board meeting. This option would require an amendment to the attached Ordinance.

There was one speaker on the item who stated that they were not against the item, but wanted to ensure that the project was properly designed.

Budget Impact

There is no budget impact of the issuance of the development order.

Citizen Impact

The proposed use is allowed in the zoning district. The planned development is sought based on specific site design which does not negatively impact surrounding properties. The use and site design will assist in the continued improvement of the North U.S. Highway 1 corridor.

Recommendation

It is recommended that the City Commission **APPROVE** the construction of a two (2) story building of approximately 16,853 square feet for the Ormond Ace Hardware that proposes retail activity including a garden center (defined as outdoor activity) of 2,566 square feet and associated site improvements on a 2.70-acre property with the following specific standards:

1. Allow outdoor activity as an allowed use with the Planned Business Development.

2. Incorporate the uses and dimensional standards of the B-7 (Highway Tourist Commercial) zoning designation with the exception of the side corner setback. The side corner setback shall be reduced to 10' in order to save a historic tree.
3. Allow a 20'± distance for the access point off of Flagler Road from Gowers Street.

The applicant is also seeking two (2) items specific to the building design:

1. To allow prefinished metal wall panels (exposed metal) on the rear façade.
2. To allow black chain-link fencing with a black windscreen around the garden center.

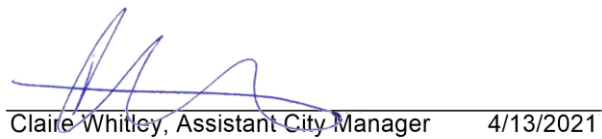
The Planning Board voted to allow the rear of the building, facing the Flagler Road right-of-way, to use metal panels. Staff had recommended requiring a finished building material such as stucco. The Ordinance is written with the Planning Board recommendation to allow metal panels along the rear facade. The Planning Board had a lengthy discussion on the fencing material around the garden center. In the end, the Planning Board did not make a recommendation on the garden center fencing. The Ordinance is written with staff's recommendation, which would require a decorative aluminum fencing.

The City Commission can:

1. Accept staff's recommendation (no change to the Ordinance would be needed); or
2. Allow black chain-link fencing with a black windscreen around the side and rear of the garden center. The U.S. frontage would have a decorative aluminum fence. This option would require an amendment to the attached Ordinance; or
3. Allow black chain-link fencing with a black windscreen around the rear of the garden center only. The applicant suggested this option as a compromise at the Planning Board meeting. This option would require an amendment to the attached Ordinance.

Attachments:

- 21-17 Ace Hardware - Development Order (P21-0040G) (PDF)
- Development Order - Ace Hardware (P21-0040G) (PDF)
- EXHIBIT A (PDF)
- Exhibit B, SPRC comments (PDF)
- Exhibit C - Revised (PDF)
- Ace Hardware - Exhibit D-Special Conditions (P21-0040G) (PDF)
- 03.11.2021, 1480 N. U.S. Hwy 1, Ormond Ace Hardware, DO, PB Report (PDF)
- DRAFT - Planning Board minutes, 1480 North U.S. Highway 1 (PDF)

REVIEWED BY:
Kelly McGuire, Finance Director 3/29/2021
Claire Whitley, Assistant City Manager 4/13/2021**APPROVED BY:**
Joyce A. Shanahan, City Manager 4/14/2021

ORDINANCE NO. 2021-17

AN ORDINANCE APPROVING A PLANNED BUSINESS DEVELOPMENT TO BE KNOWN AS “ORMOND ACE HARDWARE” TO BE LOCATED AT 1480 NORTH U.S. HIGHWAY 1; AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER THEREFORE; AUTHORIZING THE CONSTRUCTION OF A TWO-STORY RETAIL USE BUILDING AND GARDEN CENTER; AUTHORIZING OUTDOOR ACTIVITY USE, REDUCTION OF SETBACKS, AND ASSOCIATED SITE IMPROVEMENTS; ESTABLISHING CONDITIONS AND EXPIRATIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, Gross Family Properties NG, LLC, a Florida Limited Liability Company (“Property Owner/Applicant”) is the owner of certain real property (“Property”) consisting of approximately 2.70 acres situated at 1480 North U.S. Highway 1, as legally described in that Warranty Deed recorded at Book 7789, Page 3100-3102 of the public records of Volusia County, Florida (parcel number 3136-01-59-0010); and

WHEREAS, the Property Owner submitted an application seeking the issuance of a Development Order for a Planned Business Development (PBD) on the Property to be known as “Ormond Ace Hardware” to authorize the development and construction of a two story retail use building consisting of approximately 16,853 square feet, a garden center consisting of approximately 2,566 square feet, and an open drive-through garden center consisting of approximately 3,157 square feet, together with associated site improvements, as more particularly described and depicted in the PBD Development Order attached hereto and incorporated herein by reference; and

WHEREAS, the Property has been rezoned to Planned Business Development (PBD) and shall continue to be subject to the uses and dimensional standards of the B-7 (Highway Tourist Commercial) zoning district, except as modified by the PBD Development Order; and

WHEREAS, the Planning Board held a public hearing in accordance with Chapter 1, Article II, Section 1-15(c)(5) of the *Land Development Code*, following which it recommended the approval of the application for the PBD Development Order with certain conditions; and

WHEREAS, the City Commission held a public hearing in accordance with Section 166.041(3)(c)(1), *Florida Statutes* and has considered the following:

- (1) Report and recommendations of the Planning Board; and
- (2) Report and recommendations of the Site Plan Review Committee; and
- (3) Report and recommendations, if any, of governmental agencies, utility corporations and individuals, as received; and
- (4) Testimony of the City's planning staff, the Applicant, expert witnesses, persons that may be affected as a result of the application, and documentary evidence pertaining thereto, if any.

WHEREAS, the City Commission further finds that with respect to the application seeking the issuance of a Development Order for a Planned Business Development, that there is competent substantial evidence to support the following:

- (1) The proposed land use conforms to the standards and requirements of the *Land Development Code* and will not create undue crowding beyond the conditions normally permitted in the (PBD) Planned Business

Development, zoning district, or adversely affect the public health, safety, welfare or quality of life;

- (2) The proposed development is consistent with the *Comprehensive Plan*;
- (3) The proposed development will not adversely impact environmentally sensitive lands or natural resources, including but not limited to waterbodies, wetlands, xeric communities, wildlife habitats, endangered or threatened plants and animal species or species of special concern, wellfields, and individual wells;
- (4) The proposed use will not substantially or permanently depreciate the value of surrounding property; create a nuisance; or deprive adjoining properties of adequate light and air; create excessive noise, odor, glare, or visual impacts on the neighborhood and adjoining properties;
- (5) There are adequate public facilities to serve the development, including but not limited to roads, sidewalks, bike paths, potable water, wastewater treatment, drainage, fire and police safety, parks and recreation facilities, schools, and playgrounds, as proposed;
- (6) Ingress and egress to the property and traffic patterns are designed to protect and promote motorized vehicle and pedestrian/bicycle safety and convenience, allow for desirable traffic flow and control, and provide adequate access in case of fire or catastrophe, as proposed;
- (7) The proposed development is functional in the use of space and aesthetically acceptable;
- (8) The proposed development provides for the safety of occupants and visitors;
- (9) The proposed use of materials and architectural features will not adversely impact the neighborhood and aesthetics of the area; now therefore,

**BE IT ENACTED BY THE PEOPLE OF THE CITY OF ORMOND
BEACH, FLORIDA, THAT:**

SECTION ONE. The City Commission hereby approves the Planned Business Development to be known as “Ormond Ace Hardware”. The Mayor and the City Manager are authorized and directed to execute and issue a Development Order for the “Ormond Ace Hardware” Planned Business Development authorizing the construction on the Property of a two story retail use building consisting of approximately 16,853 square feet, an outdoor garden center consisting of approximately 2,566 square feet, and an open drive-through garden center consisting of approximately 3,176 square feet, together with associated site improvements, as more particularly provided in the PBD Development Order attached hereto.

SECTION TWO. The Applicant, including the Applicant’s successor and assign, shall at all times fully comply with the terms and conditions of the PBD Development Order.

SECTION THREE. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION FOUR. This Ordinance shall take effect immediately upon its adoption.

PASSED UPON at the first reading of the City Commission this 20th day of April, 2021.

PASSED UPON at the second and final reading of the City Commission this
4th day of May, 2021.

BILL PARTINGTON
Mayor

ATTEST:

KATE SETTLE
City Clerk

**BEFORE THE
CITY COMMISSION
OF THE
CITY OF ORMOND BEACH**

IN RE: **Applicant:** Gross Family Properties NG, LLC
 Property Owner: Gross Family Properties NG, LLC
 Application No.: 2021-011
 Project Name: Ormond Ace Hardware
 Property Address: 1480 North U.S. Highway 1
 Parcel ID No.: 3136-01-59-0010
 Acreage: 2.70 acres±

**PLANNED BUSINESS
DEVELOPMENT
DEVELOPMENT ORDER**

This matter having come on for public hearing before the City Commission of the City of Ormond Beach, Florida, on April 20, 2021 and May 4, 2021, and the City Commission having considered those items as required by Chapter 1, Article II, Section 1-18(e) of the *Land Development Code*, and having heard testimony and evidence from all affected persons, the City Commission hereby finds that:

1. The Applicant is the owner of the property legally described and depicted in Exhibit “A” attached hereto;
2. The proposed development conforms to the standards and requirements of the *Land Development Code* and will not create undue crowding beyond the conditions normally permitted in the (“PBD”), Planned Business Development, zoning district, or adversely affect the public health, safety, welfare or quality of life;
3. The proposed development is consistent with the *Comprehensive Plan*;
4. The proposed development will not adversely impact environmentally sensitive lands or natural resources, including but not limited to waterbodies, wetlands, xeric communities, wildlife habitats, endangered or threatened plants and animal species or species of special concern, wellfields, and individual wells;
5. The proposed use will not substantially or permanently depreciate the value of surrounding property; create a nuisance; or deprive adjoining properties of adequate light and air; create excessive noise, odor, glare, or visual impacts on the neighborhood and adjoining properties;

6. There are adequate public facilities to serve the development, including but not limited to roads, sidewalks, bike paths, potable water, wastewater treatment, drainage, fire and police safety, parks and recreation facilities, schools, and playgrounds, as amended;

7. Ingress and egress to the property and traffic patterns are designed to protect and promote motorized vehicle and pedestrian/bicycle safety and convenience, allow for desirable traffic flow and control, and provide adequate access in case of fire or catastrophe, as amended;

8. The proposed development is functional in the use of space and aesthetically acceptable;

9. The proposed development provides for the safety of occupants and visitors;

10. The proposed use of materials and architectural features will not adversely impact the neighborhood and aesthetics of the area.

Thereupon, and in consideration thereof, the City Commission hereby orders

that:

A. The application of Gross Family Properties NG, LLC seeking a Development Order for a Planned Business Development to be known as “Ormond Ace Hardware” authorizing the development and construction of a two-story retail use building consisting of approximately 16,853 square feet, an outdoor garden center consisting of approximately 2,566 square feet, and an open drive-through garden center consisting of approximately 3,176 square feet, together with associated site improvements, on the Property is hereby granted subject to the following conditions:

1. Full and complete compliance with the City’s Site Plan Review Committee comments described in Exhibit “B.”

2. Full and complete compliance with the Applicant’s Site Plan attached as Exhibit “C.”

3. Full and complete compliance with the Special Conditions described in Exhibit “D.”

B. The final plans for the project shall be consistent with all conditions listed in this Development Order, and as shown, described, and depicted in Exhibits “C” and “D.”

C. No material change shall be made to the final plan(s) for the development of the project without further review by the planning board and approval by the City Commission in accordance with the procedures established the *Land Development Code*.

D. All construction activity shall be performed in strict compliance with the terms and conditions of this Development Order and the *Land Development Code*.

E. The Neighborhood Improvement Officer shall semi-annually prepare a report indicating which planned developments are not in compliance with Section 1-14, or with the conditions provided in the Planned Business Development Order. In the event a Neighborhood Improvement Officer determines there to be any violation, such Officer shall initiate appropriate code enforcement action for hearing before the City's Special Master.

F. As provided in Section 1-14(3) of the *Land Development Code*, the Development Order shall be valid and enforceable for a period of three years from the effective date provided below (i.e., to May 4, 2021), including phasing plans if any, subject to the following conditions as may be applicable:

1. The Development Order shall expire, and shall be null and void and of no legal effect, in the event construction has not begun or a final plat recorded as provided in Section 1-14(3) of the *Land Development Code*, notwithstanding the issuance of a permit prior to said expiration. In such event, the Applicant may seek an extension of the expiration date in accordance with Section 1-14(4) of the *Land Development Code*:
 - (a) First year extension: a one-time, one-year extension may be granted administratively due to a delay caused by a governmental or semipublic review agency, a withdrawal of or inability to obtain financial support, or a severe economic downturn in the local economy.
 - (b) Additional extensions beyond the first extension: The Applicant may request additional extensions beyond the first one-year extension in accordance with Section 1-14(4)b and c of the *Land Development Code*.
2. In the event the use of the land for which this Planned Business Development has been approved is abandoned for a period of two years from the effective date of this Development Order, any permit that has been issued shall be null and void, and shall be of no further legal effect as provided in Section 1-14(3) of the *Land Development Code*. In such event, a notice of final plan revocation shall be approved and filed in accordance with section 1-14(3) of the *Land Development Code*.

G. This Planned Business Development Order shall be recorded in the public records of Volusia County, Florida at the expense of the Applicant. It shall be a covenant that attaches to and runs with the land, and it shall be binding on the Applicant and the Applicant's successors and assigns.

ORDERED this 4th day of May, 2021.

CITY COMMISSION
CITY OF ORMOND BEACH, a Florida
municipal corporation

By: _____
BILL PARTINGTON
Mayor

(CITY SEAL)

Attest: _____
JOYCE A. SHANAHAN
City Manager

EXHIBIT A

Prepared by and Return To:

Cyndi Parker
Professional Title Agency, a division of LandCastle
Title Group, LLC
747 S. Ridgewood Ave, #204
Daytona Beach, FL 32114

Order No.: DE [REDACTED]

APN/Parcel ID(s): 3136-01-59-0010

WARRANTY DEED

THIS WARRANTY DEED made and executed this 12th day of December, 2019, by B & A R.E. Holding LLC, a Florida limited liability Company and National Gardens Ormond, a Florida Limited Liability Company, and having its principal place of business at 760 Jericho Turnpike, Westbury, NY 11590, hereinafter called the grantor, to Gross Family Properties NG, LLC, a Florida limited liability company whose post office address is 333 West Granada Blvd #220, Ormond Beach, FL 32174, hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to the instrument and the heirs, legal representative and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the grantor, for and in consideration of the sum of Ten And No/100 Dollars (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the grantee, all that certain land situated in the County of Volusia, State of Florida, to wit:

Those portions of National Gardens Subdivision, as per Map Book recorded in Map Book 10, Pages 250 to 253, inclusive, of the Public Records of Volusia County, Florida, lying Westerly and Southerly of U.S. Highway No. 1 (State Road No. 5), described as follows:

All of Block 59, as shown on the map of National Gardens in Map Book 10, Pages 250 to 253, inclusive, of the Public Records of Volusia County, Florida.

TOGETHER WITH those portion of unconstructed Gower Street, Magnolia Street and Flagler Street, all as shown in the Map of National Gardens, in Map Book 10, Pages 250 to 253, inclusive, of the Public Records of Volusia County, Florida.

Subject to easements, restrictions, reservations and limitations of record, if any.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining.

TO HAVE AND TO HOLD the same in Fee Simple forever.

WARRANTY DEED

(continued)

AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2019.

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Signed, Sealed and Delivered in the presence of:



 Witness Signature
 Robin Cooper

 Print Name


 Witness Signature
 Llanita Martinez

 Print Name

B & A R.E. Holding LLC,
 a Florida limited liability company

BY: 

 Alan Lipton
 Managing Member
 BY: 

 Bernard Lipton
 Managing Member

State of New York
 County of Suffolk/Nassau

The foregoing instrument was acknowledged before me this 12th day of December, 2019, by Alan Lipton and Bernard Lipton as Managing Members of B & A R.E. Holding LLC, a Florida limited liability Company to me known to be the person(s) described in or who has/have produced Dr. Lipton as identification and who executed the foregoing instrument and they acknowledged that they executed the same.



 NOTARY PUBLIC
 My Commission Expires:

SAMANTHA CHANCE
 NOTARY PUBLIC, State of New York
 No. 01CH6169895
 Qualified in Suffolk County
 Commission Expires July 2, 20 23

WARRANTY DEED

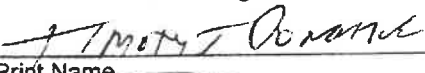
(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Signed, Sealed and Delivered in the presence of:



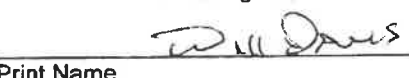
 Witness Signature



 Print Name



 Witness Signature



 Print Name

National Gardens Ormond, LLC,
 a Florida Limited Liability Company

BY: 

Ali M. Kas
 Manager of Fourth Dimension Development, LLC
 its Managing Member

State of Florida
 County of Palm Beach

The foregoing instrument was acknowledged before me this 12 day of December, 2019, by Ali M. Kas as Manager of Fourth Dimension Development, LLC as Managing Member of National Gardens Ormond, LLC, to me known to be the person(s) described in or who has produced driver's license as identification and who executed the foregoing instrument and they acknowledged that they executed the same.



 NOTARY PUBLIC

My Commission Expires: 2-11-21

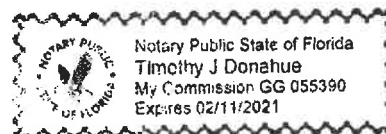
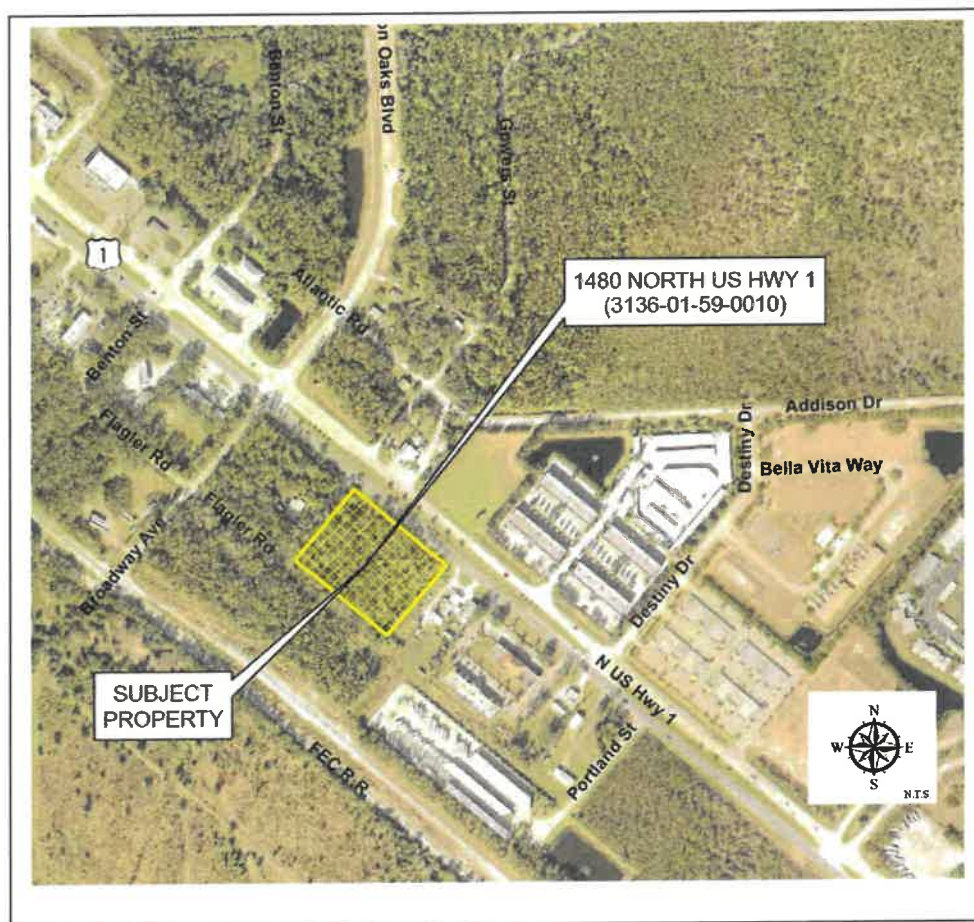


EXHIBIT "A"**LEGAL DESCRIPTION**

THOSE PORTIONS OF NATIONAL GARDENS SUBDIVISION, AS PER MAP BOOK RECORDED IN MAP BOOK 10, PAGE 250 TO 253, INCLUSIVE, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, LYING WESTERLY AND SOUTHERLY OF U.S. HIGHWAY NO. 1 (STATE ROAD NO. 5) DESCRIBED AS FOLLOWS:

ALL OF BLOCK 59

DEPICTION OF AREA

OWNER:	GROSS FAMILY PROPERTIES NG LLC
PARCEL ID:	3136-01-59-0010
LOCATION ADDRESS:	1480 NORTH U.S. HIGHWAY 1, ORMOND BEACH, FLORIDA 32174

Review			Markup	Page 1 of 2	Snapshot
Cycle	Department				
2	Civil Engineer	File: 07 DRAINAGE.pdf ChangeMark: Civil-Ten Inch Discharge Pipe Description: Civil-Stormwater Pipe Comment: Please revise to the minimum pipe size of 15" per City of Ormond Beach Land Development Code, Section 3-58. The 10" throttle can be obtained by using an orifice at the upstream box. The 10" pipe normally is not easily maintained.			
2	Civil Engineer	File: 08 GRADING.pdf ChangeMark: Civil-Sheet 8 Description: Civil-Grading Comment: Add note to ensure this area is graded towards the swale not against the pavement and back of curb.			
2	Civil Engineer	File: 08 GRADING.pdf ChangeMark: Civil-Sheet 8 Description: Civil-Slot for island Comment: Show the path/slot for the surface water to flow this way.			
2	Civil Engineer	File: 08 GRADING.pdf ChangeMark: Civil-Roadside Swale Description: Civil-Roadside Swale Comment: The roadside swale appears to have high spots between the proposed MES and the existing headwall for the pipe under US1. Add note to ensure the flow is not impeded.			
2	Civil Engineer	File: 09 SECTIONS.pdf ChangeMark: Civil- Sheet 9 Description: Civil-Grade Comment: See note on Sheet 8 Grading Plan.			
2	Civil Engineer	File: 15 CITY DETAILS.pdf ChangeMark: Civil-Sheet 15 Description: Civil- Standard Details Comment: City of Ormond Beach Standard Details were updated in 2020, please see the new details on the City's website.			
2	Civil Engineer	File: 18 OVERSIZED TRUCK TURN.pdf ChangeMark: Civil-Dumpster Pick-Up Description: Civil-Dumpster Pick-Up Route Comment: Show the route for the dumpster pick-up.			
2	Civil Engineer	File: Stormwater Report_ACE_CITY.pdf ChangeMark: Civil-Stormwater Report Description: Civil-Hydraulic Gradient Comment: HGL for I-06 appears to be within 1/2" of the top of the grate. Based on LDC this situation is not ideal with out additional information. (3)Maximum hydraulic gradient shall be that slope which produces a velocity of ten feet (10') per second. When hydraulic calculations do not consider minor energy losses, the elevation of the hydraulic gradient for the design storm condition should be at least one foot (1') below the gutter or ground elevation. As a general rule, minor losses should be considered when the hydraulic gradient velocity exceeds six feet (6') per second or a lower velocity on critical systems. If all minor losses are calculated, it is usually acceptable for the hydraulic gradient to reach the gutter elevation. Calculations shall be made based on detention/retention ponds at design high water elevations. Please review and provide requested information.			
2	Landscape Architect	File: 04 SWPPP.pdf ChangeMark: CSC Description: Existing Trees Comment: - Please show tree protection barricade symbol around this natural area to be preserved, see green dashed square. - Please show the DBH of the tree with the red square around it?			
2	Landscape Architect	File: L1 TREE PRESERVATION.pdf ChangeMark: CSC Description: Tree Preservation Plan Comments Comment: - The 22" Cedar tree is missing from the removed specimen tree calculations. Only (1) 17" Oak tree is removed, please verify. - The 16" specimen Oak to be removed, not seeing this being removed, please verify. - The existing tree legend is missing the Magnolia and Hickory, please add these trees to the legend. - Please add the triangle symbol around the specimen Magnolia trees (12" & 14"). Also, state that this triangle symbol represents specimen trees. - Please show the DBH of the tree with the red square around it and add to the removed specimen calculations. - Please put an x mark on the Oak being removed on top of the proposed curb, see red x. - Please keep the trees and palms clouded in green. - On the protected tree mitigation chart, please type out the wording of the form and show the math. See my calculations in the reviewer folder. Also, see calculations for specimen trees required to be preserved. My calculations show 44 because (1) specimen tree needs to be accounted for, see previous comment.			
2	Landscape Architect	File: L2 LANDSCAPE.pdf ChangeMark: CSC Description: Landscape Comments L2: Comment: - Please add revision dates to your plans when submitting back to the City. - North Buffer: Take the buffer length 301' subtract out the driveway (32'), greenbelt (36'), 2 sidewalks (10') & west buffer (10') = 213' = 6 Required Trees, 64 shrubs & 64 ground covers. Please show the subtracted lineal footage from the buffer length. Currently only 4 BN trees within this buffer. - West Buffer: 344/100x3= 10 Required Trees, 103 shrubs & 103 ground covers - The south buffer will need trees show every 50' feet with the lawn area within the buffer and also this buffer requires a 5' wide visual screen per the LDC. - East Buffer, Greenbelt: Calculate the entire length 390'x36' = 14,040 sf/200= 70 Required Trees; Please show the math, 26 existing trees, 13 palms (3:1) = 4 trees = 30 trees + 42 (7 prop. 6" caliper Pines) = 72 Trees - The greenbelt buffer is missing existing trees, 6 Cedars, 4" Magnolia, 5"Oaks & 4" Oak. Please show all trees to remain to be saved as per the L1 plan. - Please space out the proposed TD trees at least 25-30' on center. These trees are huge in time. - Add the Magnolia to the existing tree legend. - The L1 will be 7 gallon to meet this specification. - Multi-trunk trees shall have a combined 6" caliper (BN). - The IE2 needs to be 10' height & 2.5" caliper to count toward the tree requirement. Also, the IE2 within a landscape island needs to be 3.5" caliper min. - The BF would be one gallon. - Please add a height and spread for VS. - Please reference existing palms and trees to remain. Show the canopy (dashed circle) of the 39" historic Oak. - The minimum tree requirements need to be shown on this plan. Please show the calculations, 2 ways, 1 tree per 1500 sf of lot area and 1 tree per 400 sf of landscape area. The greater number will apply for this requirement. For the landscape area calculation, please show the math, the impervious area (52,764 subtract out from the NWL to pond bottom and this is will be the total landscape area), please make necessary corrections. (repeat comment) - Tree Credits As Follows: Existing trees to Remain = ?? Trees (please check math) Existing Palms to Remain (3:1) = ?? Trees Proposed 2.5" caliper trees (1 tree credit) = ?? Trees Proposed 1.25" caliper trees (1 tree credit) = ??			

EXHIBIT "B"**Page 2 of 2**

trees (2 tree credits) = ?? Trees Proposed 6" caliper trees (6 tree credits) = ?? Trees Proposed palms (3:1) # /3 = ?? Trees TOTAL TREES PROVIDED = ??
 Trees - How are you mitigating for the specimen trees, requires (17) 4.5" caliper trees and mitigation for the protected trees requires 79 trees at 2.5" caliper.
 Provide a note that the protected trees mitigation will be satisfied with existing trees between 2"-5.99" inches, if these trees are deficient then trees at 10' height and 2.5" caliper will be required to be planted to meet this deficiency or donation into the Tree Fund.

- | | | | |
|---|---------------------|--|---|
| 2 | Landscape Architect | <p>File: L4 IRRIGATION.pdf</p> <p>ChangeMark: CSC</p> <p>Description: Irrigation Comments</p> <p>Comment: - There is a total of 12 stations and not 16. - Twelve (12) zones there would be 12 valves. - Show sleeve size along Gowers driveway. - Please route the lateral lines for zones 11 & 12 to the proposed lawn area abutting the driveway & parking, so disturbance will not occur with this natural area/historic tree, see green clouded areas. Zone 11 please tie into the mainline along the west side to avoid tree disturbance.</p> |  |
| 2 | Planning Director | <p>File: 01 COVER.pdf</p> <p>ChangeMark: SSS</p> <p>Description: Planning, site posting on/before 02.25.2021</p> <p>Comment: The applicant shall perform site posting in accordance with Section 1-15(f)(2)(c) of the Land Development Code. The sign posting criteria, examples of sign postings and a list of possible sign contractors has been uploaded with this project.</p> |  |
| 2 | Planning Director | <p>File: A0.1.pdf</p> <p>ChangeMark: SSS</p> <p>Description: Planning, digital signatures</p> <p>Comment: All drawings and technical documents that need to be signed and sealed by a licensed design professional must be done so using a Digital Signature that contains a Public Key Certificate issued through a 3rd Party Certification Authority. This "Authority" is a commercial service paid for by the design professional to verify their identity through various methods and then issues a security certificate that contains both a Private Key that is password protected by the design professional and a public key that allows the recipient to download and view the certificate. Please provide the digital signature for this drawing. Electronic Signature Required. Survey shall be signed, dated and sealed and certified to the city in accordance with Section 4-06(4)b. of the Land Development Code. All drawings and technical documents that need to be signed and sealed by a licensed design professional must be done so using a Digital Signature that contains a Public Key Certificate issued through a 3rd Party Certification Authority. This "Authority" is a commercial service paid for by the design professional to verify their identity through various methods and then issues a security certificate that contains both a Private Key that is password protected by the design professional and a public key that allows the recipient to download and view the certificate. Please provide the digital signature for all architectural sheets submitted.</p> |  |
| 2 | Utilities 1 | <p>File: 10 UTILITIES.pdf</p> <p>ChangeMark: Roger Smith</p> <p>Description: Utility Conflicts 1, 2 & 3 Elevations on Drainage Pipe</p> <p>Comment: The drainage pipe inverts from the storm page indicate an invert elevation of 25.6 to 25.7 (NOT 27.03). IF this Conflict detail is correct, then you do NOT have 2' of cover to the top of pipe but less than a foot which is not acceptable. However, it appears to me that the pipe at 25.7 will have sufficient clearance over your existing water main (12" +) and sufficient cover over the drainage pipe (over 2'). Which page is correct? Drainage or Utility Conflict? Please make revisions and re-verify that no vertical conflicts exist while providing sufficient cover.</p> |  |
| 2 | Utilities 1 | <p>File: 10 UTILITIES.pdf</p> <p>ChangeMark: Roger Smith</p> <p>Description: Utility Conflicts 4 & 5: Drainage Pipe Elevations?</p> <p>Comment: On the Drainage sheet, Inlet Structure I-07 has inverts at 26.11 and 26.55. The U-Endwall invert is 26.37. However, on this conflict diagram, the drainage pipe is shown at 27.94 and the ground at 29.0. IF this is correct, then it appears that you do NOT have sufficient cover over the drainage pipe. Which page is correct? Please make revisions to ensure proper cover and re-verify that no vertical conflicts exist while providing sufficient cover.</p> |  |
| 2 | Utilities 1 | <p>File: 10 UTILITIES.pdf</p> <p>ChangeMark: Roger Smith</p> <p>Description: Water service tap location?</p> <p>Comment: It would appear that simply shifting the proposed water service tap 5 to 10 feet in a NW direction will avoid a conflict between the service line and the drainage system structure I-06. The meter location can remain as shown.</p> |  |
| 2 | Utilities 1 | <p>File: 10 UTILITIES.pdf</p> <p>ChangeMark: Roger Smith</p> <p>Description: Conflict 6 may NOT be necessary</p> <p>Comment: I have suggested shifting your service tap 5 to 10 feet in a NW direction to avoid conflicts with the drainage pipe and Drainage Structure I-06.</p> |  |
| 2 | Utilities 1 | <p>File: L4 IRRIGATION.pdf</p> <p>ChangeMark: Roger Smith</p> <p>Description: Connection to Potable Water Service?</p> <p>Comment: It appears as if the plan is showing a connection to the potable water service with a backflow device. However, the plan states "Well and Backflow Preventer to be located in this bed." Will you please clearly remove any depictions that suggest a cross connection to the potable water service?</p> |  |

EXHIBIT "C"

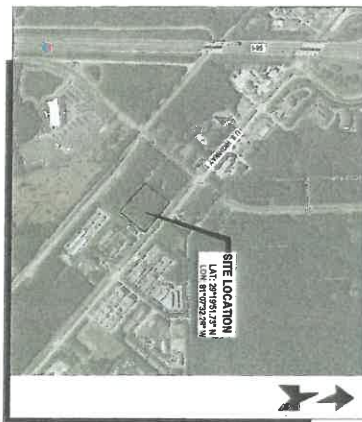
Page 1 of 14

INDEX OF SHEETS	
DWG. NO.	DESCRIPTION
1	COVER
2	BOUNDARY AND TOPOGRAPHIC SURVEY
3	DEVELOPMENT INFORMATION
4	DEMOLITION, TREE REMOVAL, AND SWAMP PLAN
5	SWAMP DETAILS AND NOTES
6	SITE LAYOUT PLAN
7	DRAINAGE PLAN
8	GRADING PLAN
8.1	RETAINING WALL DETAILS
8.2	RETAINING WALL NOTES
9	CROSS SECTIONS
10	UTILITY PLAN
11	LEFT STATION DETAILS
12	UTILITY DETAILS
13	MISCELLANEOUS DETAILS AND NOTES
14	CITY DETAILS AND NOTES
15	CITY DETAILS AND NOTES
16	MAINTENANCE OF TRAFFIC
17	OVERSEED TRUCK PLAN
L1	TREE PRESERVATION PLAN
L2	LANDSCAPE PLAN
L3	LANDSCAPE DETAILS
L4	IRRIGATION PLAN
L5	IRRIGATION DETAILS

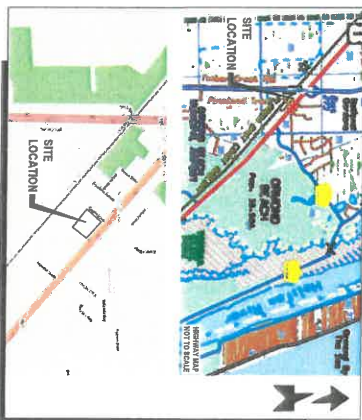
SITE PLAN DRAWINGS FOR



SECTION 36, TOWNSHIP 13, RANGE 31
 31-36-01-59-0010
 1480 N. U.S. HIGHWAY 1
 ORMOND BEACH, FL 32174
 REVISED FEBRUARY 2021



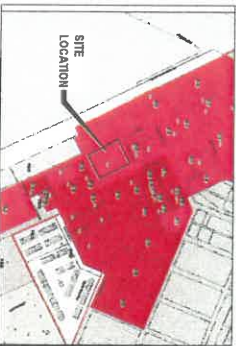
AERIAL MAP
 SCALE: 1" = 600'



LOCATION MAP
 SCALE: 1" = 600'



FLOOD ZONE MAP
 SCALE: 1" = 600'



ZONING MAP
 SCALE: 1" = 600'



SOILS MAP
 SCALE: 1" = 600'

WARNING !!
 CONTRIBUTION SHALL TAKE ALL PRECAUTIONS DURING CONSTRUCTION TO AVOID CONTACT WITH EXISTING UTILITIES AND OVERHEAD ELECTRIC IN THE RIGHT-OF-WAY.



CONTACT NUMBERS

BUILDING & PERMITS - CITY OF ORMOND BEACH BUILDING DIVISION (386) 975-3241
 PLANNING & ZONING - CITY OF ORMOND BEACH PLANNING DEPT. (386) 975-3238
 WATERWORKS - CITY OF ORMOND BEACH WATERWORKS (386) 975-3233
 GAS - TECO UTILITIES GAS - (386) 975-3233
 TELEPHONE/ABLE - AT&T (386) 244-6555

UNIVERSAL ENGINEERING SERVICES
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 Ormond Beach, Florida 32174
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 Fax: (386) 975-3238
 Email: info@universalengineering.com

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PROPERTY
 OWNER &
 DEVELOPER
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 APT 200
 PHONE: (386) 555-4065
 EMAIL: jones@gonavilla.com

UNIVERSITY
 PROJECT MANAGER
 LANDSCAPE
 ARCHITECT
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 EMAIL: info@universalengineering.com

ARCHITECT

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SURVEYOR

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GEOTECHNICAL

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GENERAL CONSTRUCTION NOTES

- [illegible]

NOTE: NOT ALL SYMBOLS SHOWN HERE MAY BE APPLICABLE TO THESE DRAWINGS. ALSO THERE MAY BE ADDITIONAL SYMBOLS WITHIN PLANS NOT SHOWN HERE. SEE INDIVIDUAL DRAWING TO FIND WHERE APPLICABLE.

NOTE: NOT ALL SYMBOLS SHOWN HERE MAY BE APPLICABLE TO THESE DRAWINGS, ALSO THERE MAY BE ADDITIONAL SYMBOLS WITHIN PLANS NOT SHOWN HERE. SEE INDIVIDUAL DRAWING LEGEND WHERE APPLICABLE.

[illegible]

SITE DEVELOPMENT USAGE

[illegible]

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION ROADWAY AND TRAFFIC DESIGN STANDARDS - 2020 / 2021 AND QUALIFIED PRODUCTS LIST			
INDEX NO.	DESCRIPTION	INDEX NO.	DESCRIPTION
18	TEMPORARY DIVISIONS AND BARRIERS	16342	GENERAL INFORMATION FOR TRAFFIC CONTROL
20	ROAD MARKING	16343	TRUCK STOP MARKING FOR SLOTTED
20A	ROAD MARKING	16344	TRUCK STOP MARKING FOR SLOTTED
20B	ROAD MARKING	16345	TRUCK STOP MARKING FOR SLOTTED
20C	ROAD MARKING	16346	TRUCK STOP MARKING FOR SLOTTED
20D	ROAD MARKING	16347	TRUCK STOP MARKING FOR SLOTTED
20E	ROAD MARKING	16348	TRUCK STOP MARKING FOR SLOTTED
20F	ROAD MARKING	16349	TRUCK STOP MARKING FOR SLOTTED
20G	ROAD MARKING	16350	TRUCK STOP MARKING FOR SLOTTED
20H	ROAD MARKING	16351	TRUCK STOP MARKING FOR SLOTTED
20I	ROAD MARKING	16352	TRUCK STOP MARKING FOR SLOTTED
20J	ROAD MARKING	16353	TRUCK STOP MARKING FOR SLOTTED
20K	ROAD MARKING	16354	TRUCK STOP MARKING FOR SLOTTED
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20V	ROAD MARKING	16365	TRUCK STOP MARKING FOR SLOTTED
20W	ROAD MARKING	16366	TRUCK STOP MARKING FOR SLOTTED
20X	ROAD MARKING	16367	TRUCK STOP MARKING FOR SLOTTED
20Y	ROAD MARKING	16368	TRUCK STOP MARKING FOR SLOTTED
20Z	ROAD MARKING	16369	TRUCK STOP MARKING FOR SLOTTED
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22	TRAFFIC CONTROL	16371	TRAFFIC CONTROL
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75	TRAFFIC CONTROL	16424	TRAFFIC CONTROL

[illegible]

FDOT GENERAL NOTES:

- [illegible]

ABBREVIATIONS

[illegible]

SITE GEOTECHNICAL CONSIDERATIONS

SEE GEOTECHNICAL REPORT UNIVERSAL ENGINEERING SCIENCES, INC. (REPORT #13119, DATED SEPTEMBER 14, 2015) FOR SUBSURFACE CONDITIONS, GROUNDWATER, SITE PREPARATION FOR PAVEMENT AND ALL EARTHWORK REQUIREMENTS.

UNIVERSITY OF CALIFORNIA, BERKELEY, SITE PREPARATION FOR PAVEMENT AND ALL EARTHWORK REQUIREMENTS.

REVISION

DATE	DESCRIPTION
2/2/21	CITY COMMENTS

DEVELOPEMENT INFORMATION
ACE HARDWARE
1480 NORTH U.S. HIGHWAY 1
ORMOND BEACH, FLORIDA 32174



1230 North US1, Suite J
Ormond Beach, Florida 3217
Phone (386) 872-7794
www.Newark-Engineering.com
C.A. # 30209
L.C. # 26000584
© 2013
Civil Engineering.



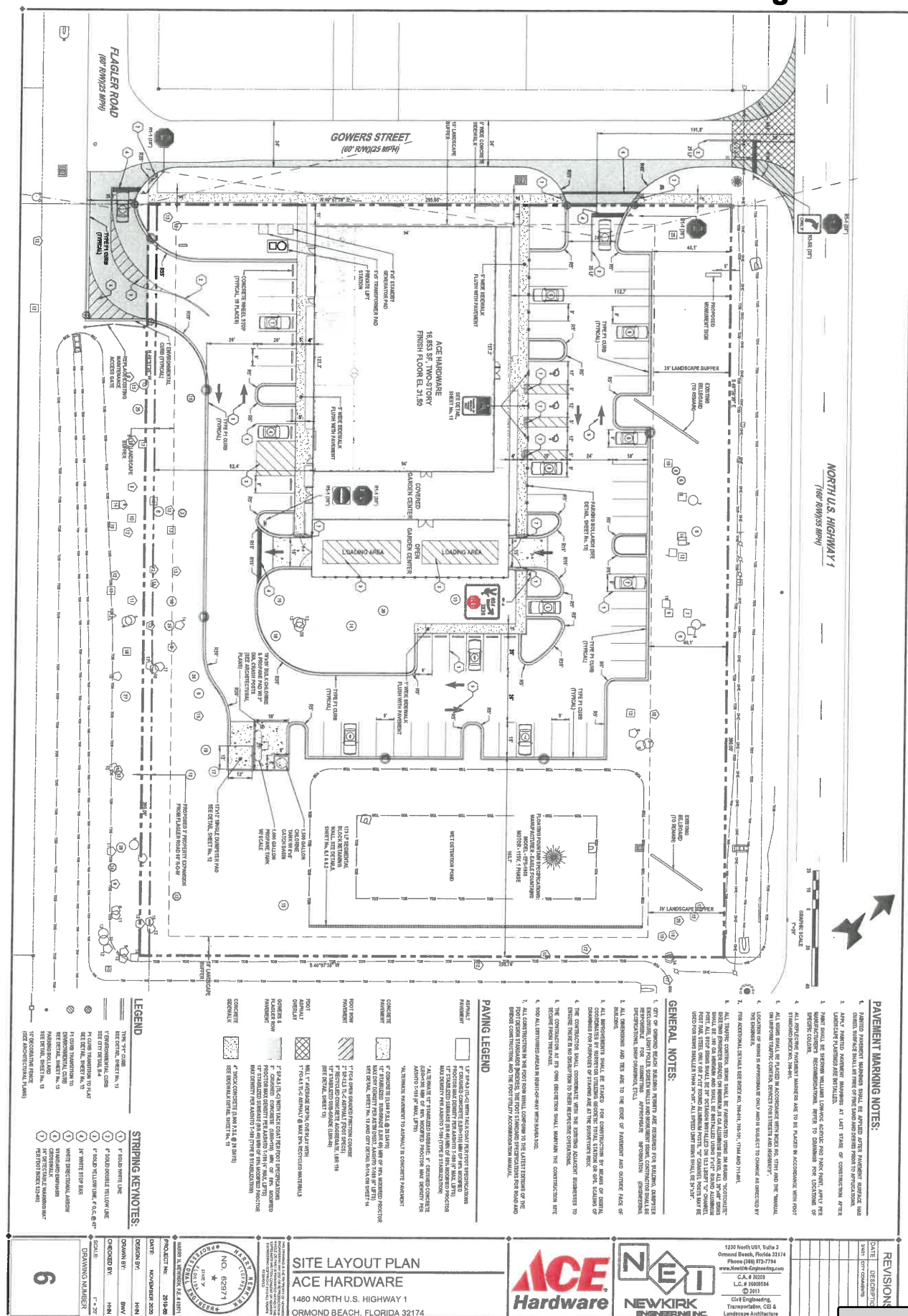
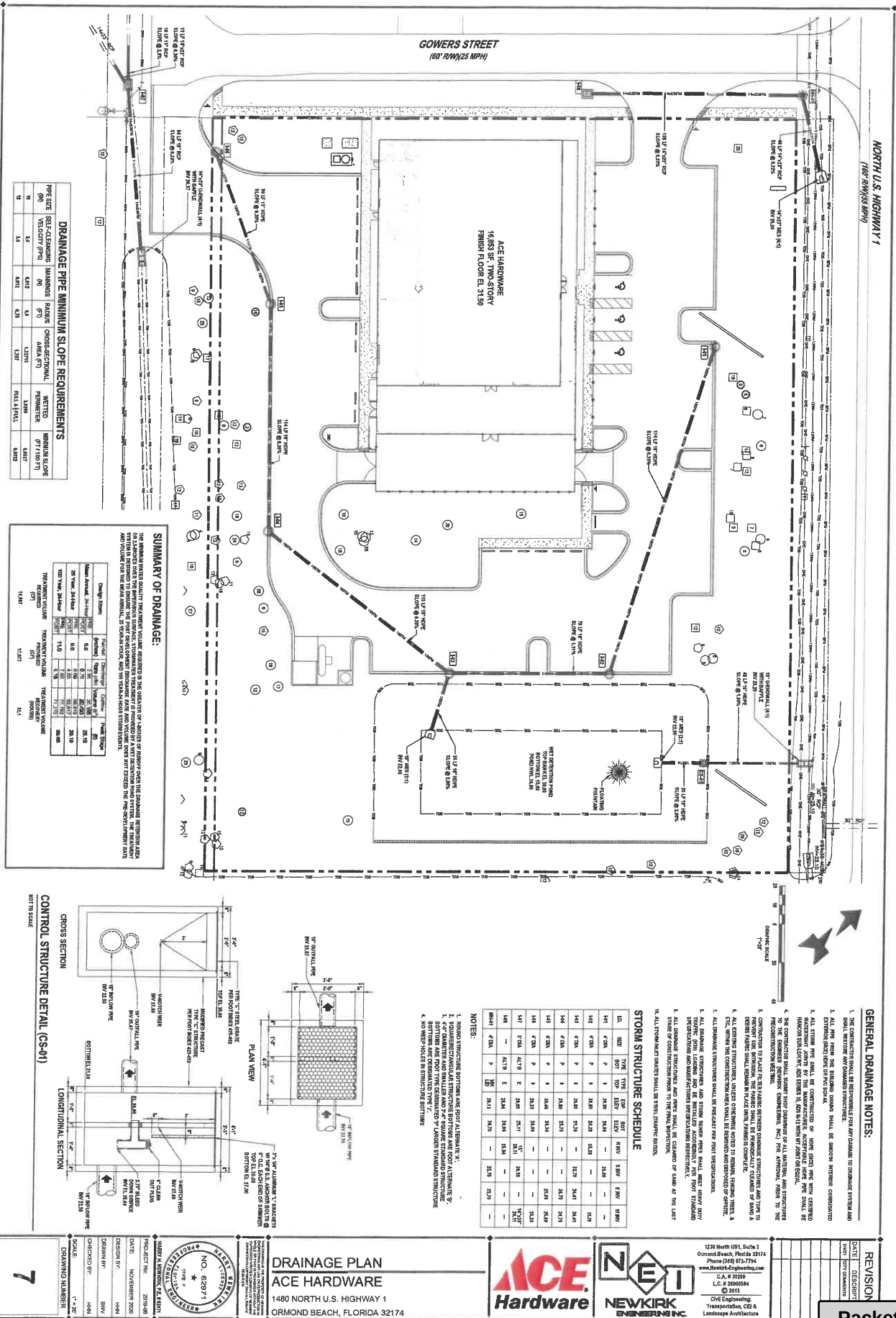
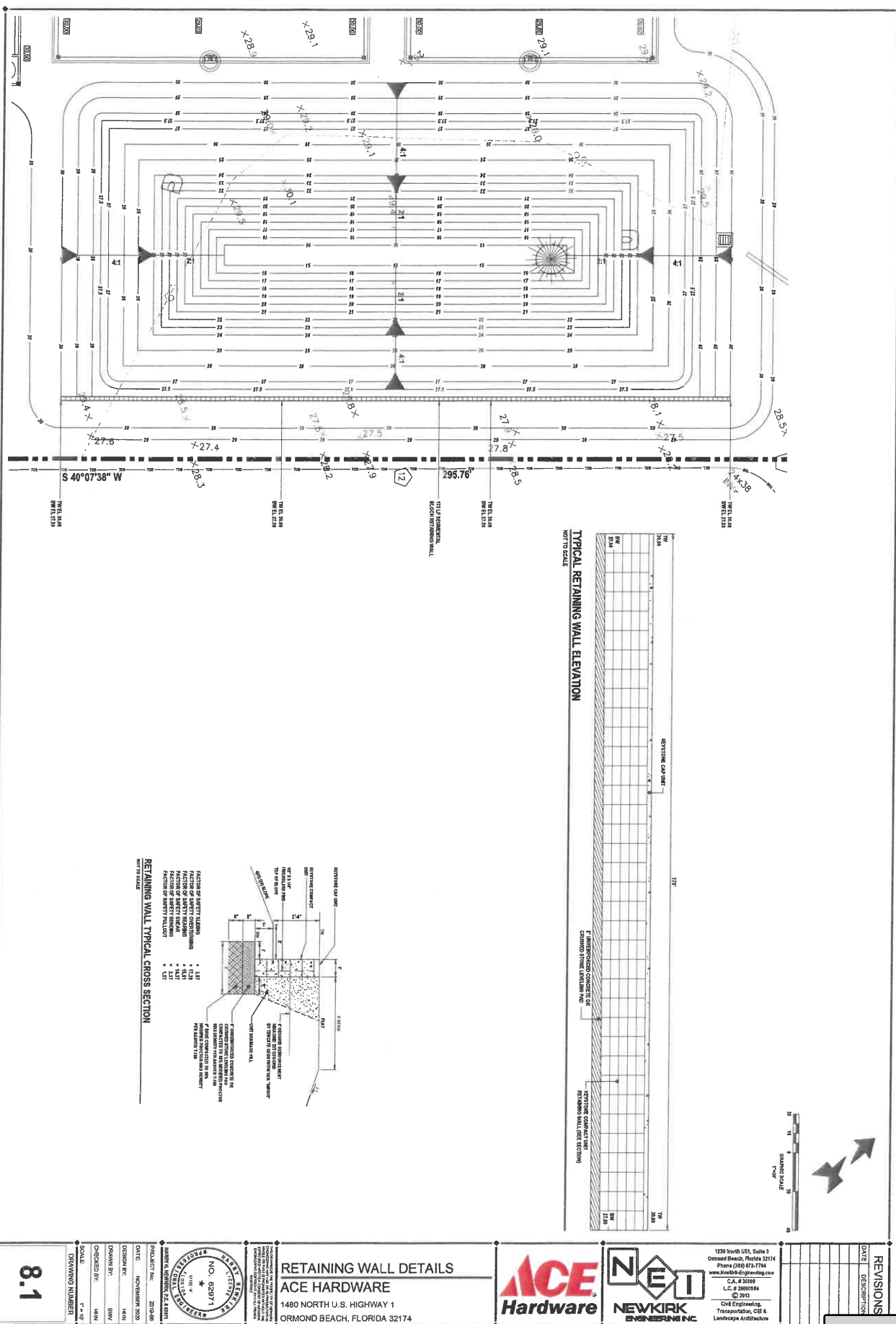


EXHIBIT "C"

Page 6 of 14







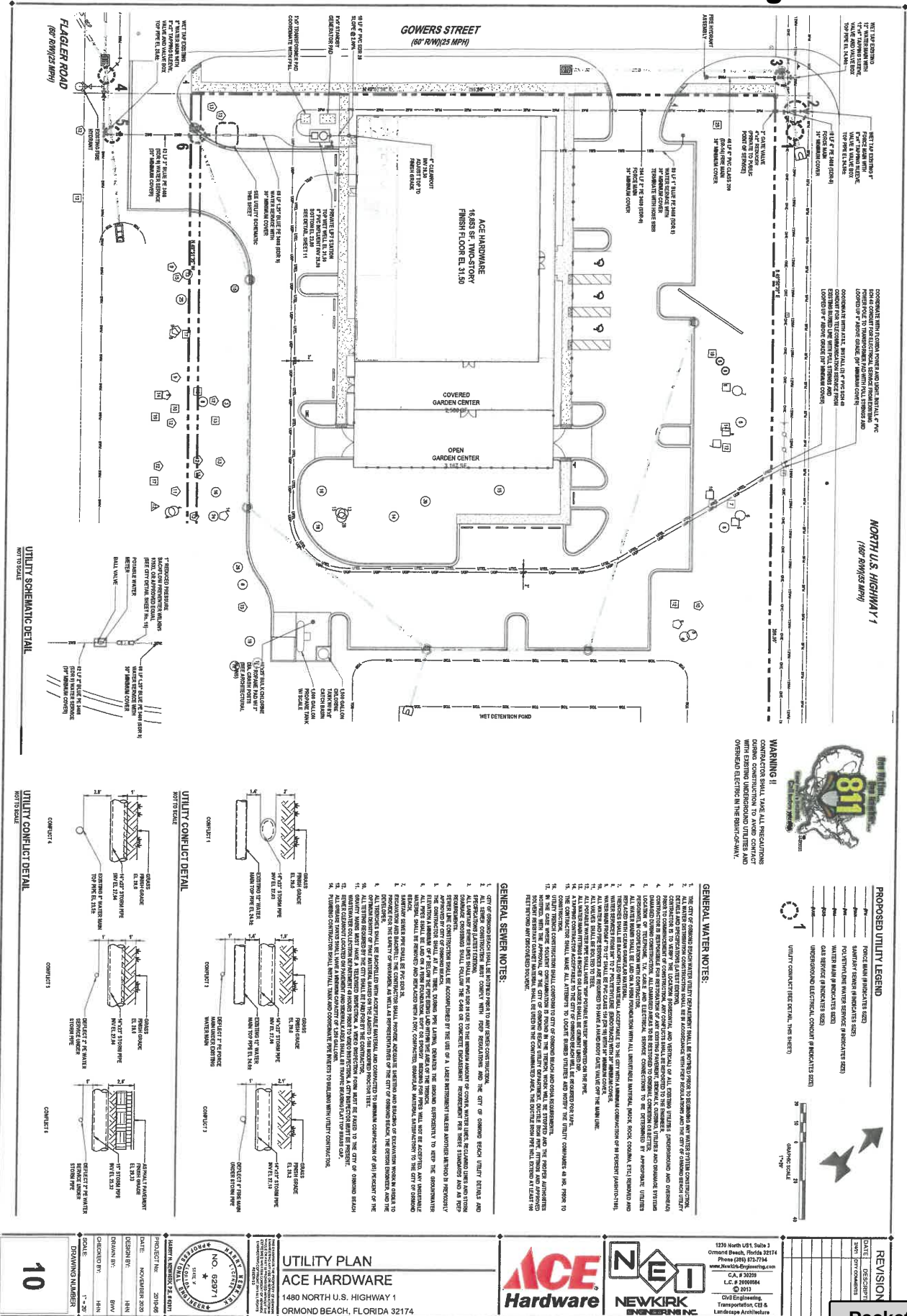
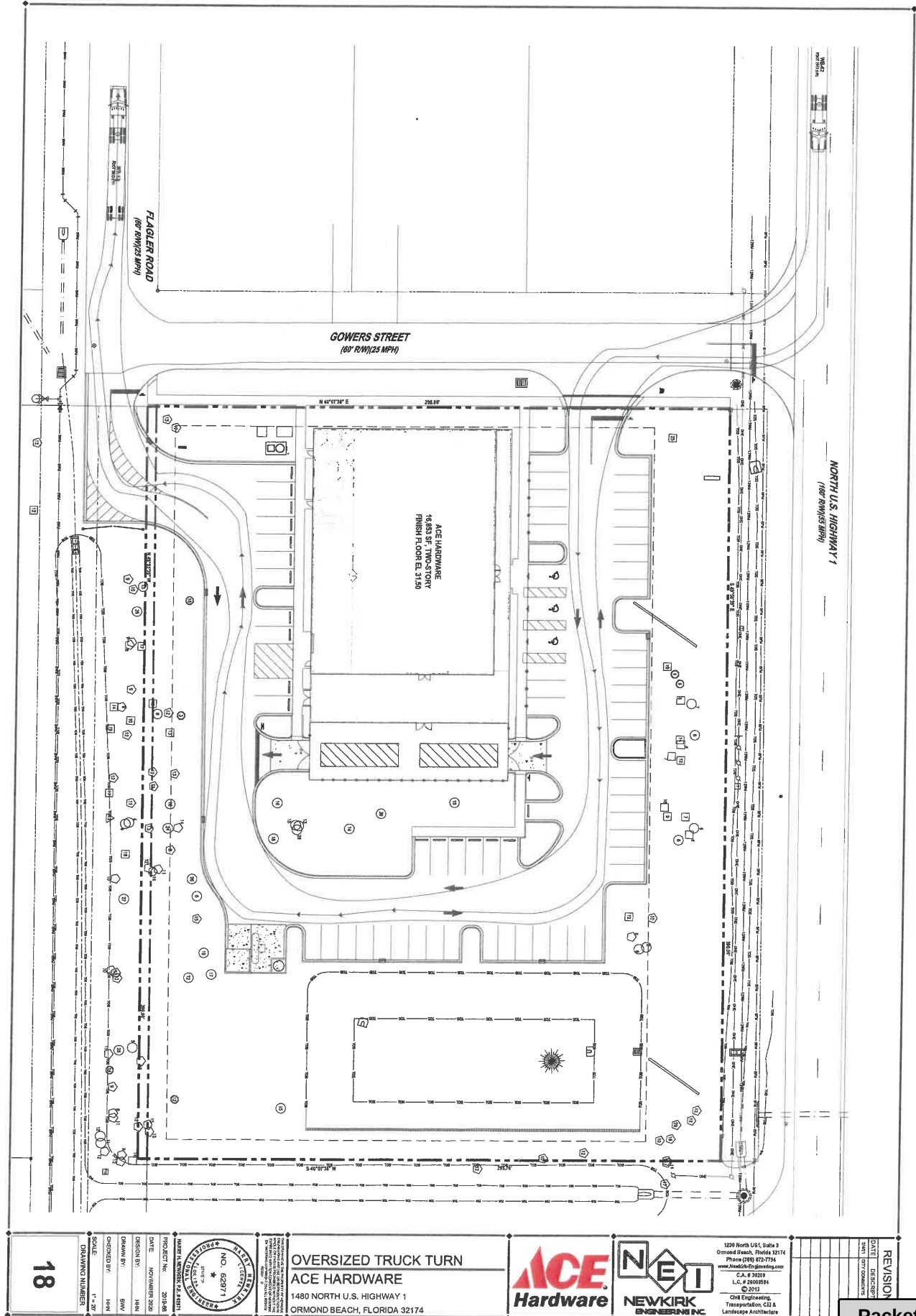
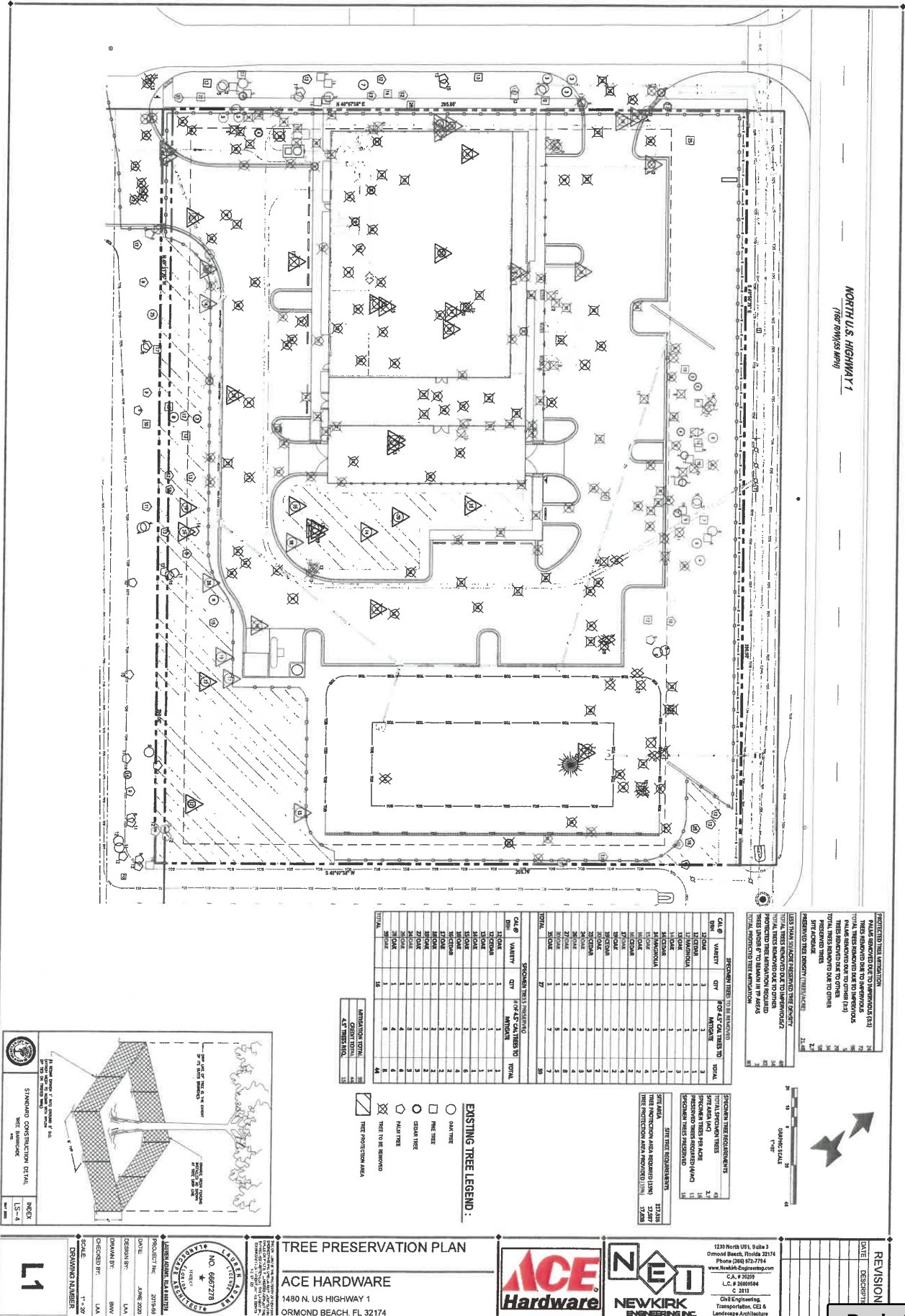


EXHIBIT "C"

Page 10 of 14





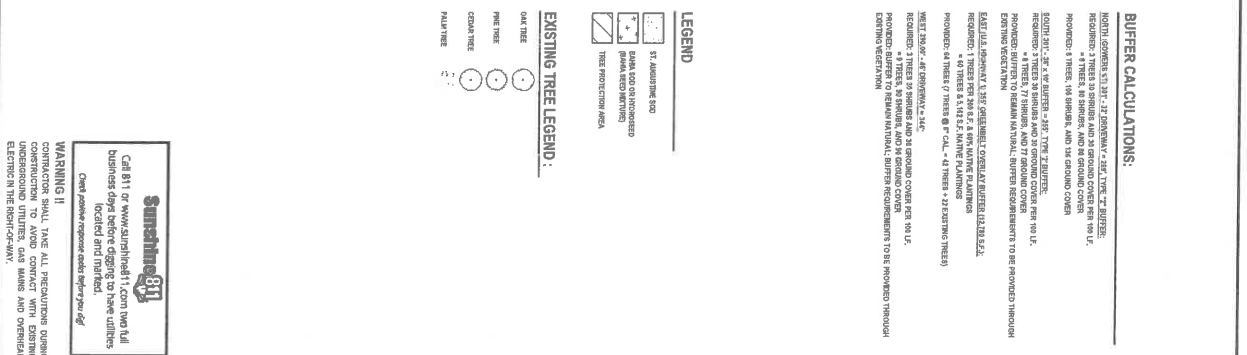
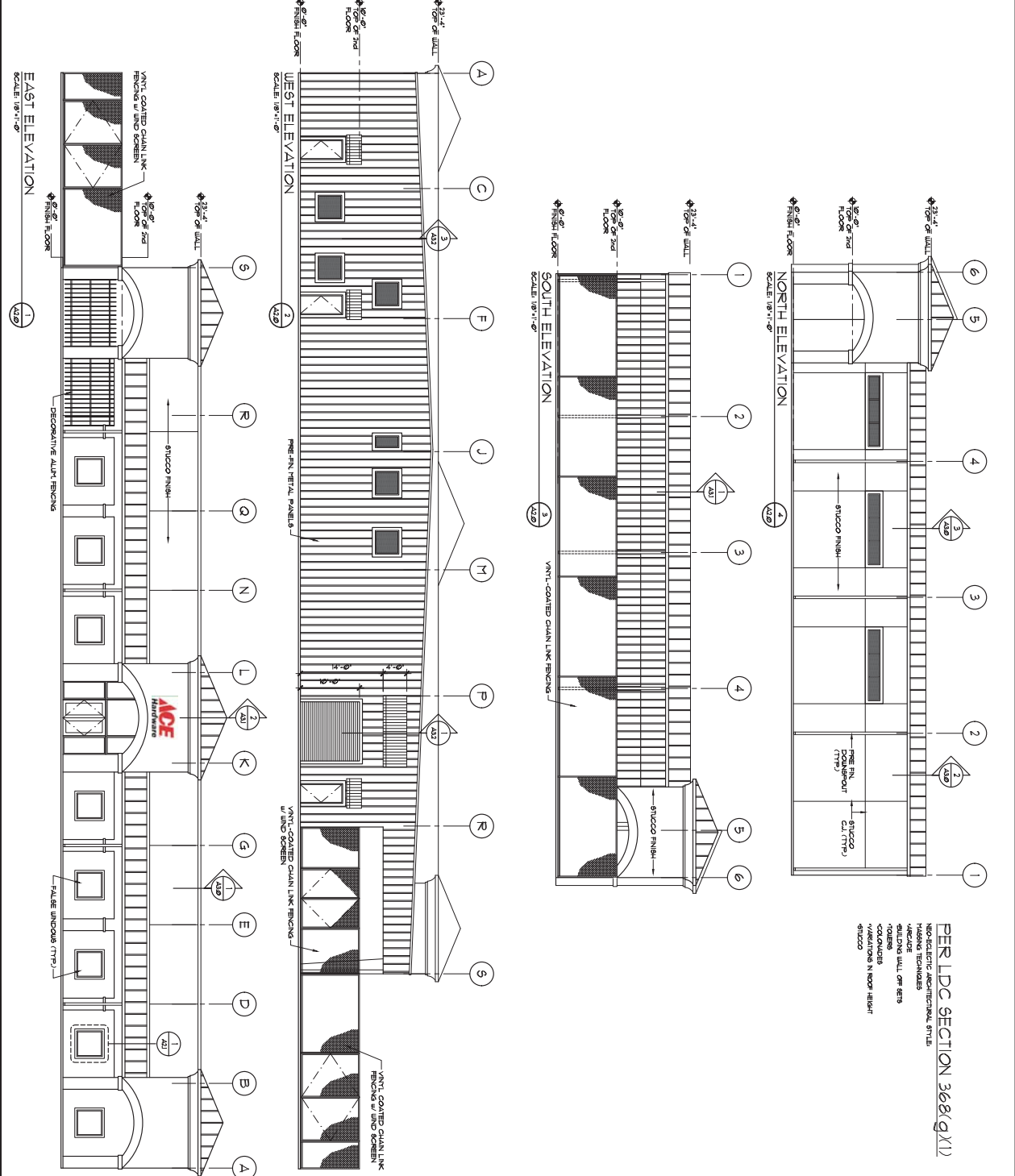
Packet Pg. 174

EXHIBIT "C"
Page 13 of 14

Black vinyl coated chain-link fence along the south and west sides of the garden center at height not to exceed ten feet (10'), with black windscreen around the garden center is approved.



PER LDC SECTION 368(g)(1)
NO SELECTIVE ARCHITECTURAL STYLE
NO MIXING TECHNIQUES
BUILDING SHALL COMPLY WITH
COLORS
COLORS TO BE USED IN ROOMS
SHOWN

ARCHITECT.
915 NORTH NOVA RD.
HOLLY HILL, FL 32117
AA 28000567
PHONE (386) 255-8987
FAX (386) 255-8989

CONSULTANTS:
DELOSE ONEAL ENGINEERING
PO BOX 304
Ocala, FL 32703
P: 352 344-3910
C: 352 377-4180

WCT Associates Inc.
STRUCTURAL ENGINEER
WCT Project #180008
1001 Big Cypress Loop
Suite 100
Ocala, FL 32703
Phone: (386) 262-8111
Fax: (386) 262-8112
www.wctinc.com
Engineering Code #25290

CONSULTANTS:
REV # ISSUES / REVISIONS DATE
DESIGN REVISION 10.14.2020
FINAL CONSTRUCTION DOCUMENTS 11.30.2020
PROJECT DOWNS 12.4.2020
BUILDING DEPARTMENT REVISIONS 1.21.2021

DRAWN BY: DMS
DESIGNED BY: DMS
REVIEWED BY: DMS
PROJECT TITLE AND ADDRESS:
BUILDING PLANS FOR
ACE HARDWARE
1450 NORTH U.S. HIGHWAY 1
ORLANDO BEACH, FLORIDA 32764

SHEET TITLE:
ELEVATIONS

DANA M. SMITH
ARCHITECT
PROJECT # 04400 DATE: 8.18.2020

SHEET #
A2.0A



Special Conditions

1. All provisions of Section 2-36, PBD, Planned Business Development District, of Article II, District Regulations, of Chapter 2, District and General Regulations, of the *Land Development Code*, except as otherwise specifically modified herein, shall at all times be strictly complied with.

2. Except as modified in this Development Order, the uses and dimensional standards of the B-7 (Highway Tourist Commercial) zoning district shall apply. Retail sales and service is allowed as a permitted use as provided in Section 2-28C of the *Land Development Code*.

3. The following “Outdoor Activity” is authorized in accordance with Section 2-28(E)(3) of the *Land Development Code*: (a) garden center, (b) 1,500-gallon chlorine tank, and (c) 1,000-gallon propane tank as shown, described, and depicted in Exhibit “C”, including uses that are customarily associated therewith.

4. The outdoor garden center consists of approximately 2,566 square feet and an open drive-through garden center consisting of 3,176 square feet as shown, described, and depicted in Exhibit “C”.

5. A reduction from the twenty-foot (20’) side/corner/street setback that is required by section 2-28(B)(9)(d) of the *Land Development Code* is granted to allow a side/corner/street setback of ten feet (10’) along Gowers Street. The setback reduction is intended to facilitate the preservation of a thirty-nine-inch (39”) caliper historic tree by providing additional land area around the tree as shown, described, and depicted in Exhibit “C”.

6. Direct access to the site from N. U.S. 1 is not allowed by the Florida Department of Transportation. Access to the site will therefore be from Gowers Street. Section 3-25(c) of the *Land Development Code* requires fifty feet (50’) between the intersection of two streets. The Applicant’s request to reduce the setback from fifty feet (50’) to twenty feet (20’) to provide an access point along Flagler Road from Gowers Street as shown, described, and depicted in Exhibit “C” is hereby approved.

7. Section 3-69(g)(1)(b) of the *Land Development Code*, requires the exterior of buildings to consist of finished materials. The Applicant’s request for a waiver of that requirement for the rear (or western most) façade facing Flagler Road is approved, and the Applicant may utilize prefinished metal wall panels (i.e., exposed or unfinished metal panels) on the rear (western most) façade, only, as shown, described, and depicted in Exhibit “C”.

EXHIBIT "D"

Page 2 of 2

8. The Applicant's request for a black vinyl coated chain-link fence along the south and west sides of the garden center at height not to exceed ten feet (10'), with black windscreen around the garden center, is hereby approved as shown, described, and depicted in Exhibit "C".

9. The Applicant shall expand the paved portion of Gowers Street roadway to a width of twenty-four feet (24') as shown, described, and depicted in Exhibit "C".

10. The Applicant shall construct a five-foot (5') sidewalk within and along Gowers Street right-of-way, as shown, described, and depicted in Exhibit "C".

11. The Applicant shall pay into the City's sidewalk fund a monetary contribution, as required by the City's codes, in lieu of constructing a sidewalk along N. U.S. Highway 1. The payment-in-lieu-of must be made prior to the issuance of a site engineering permit.

STAFF REPORT

City of Ormond Beach Department of Planning

DATE: March 1, 2021

SUBJECT: 1480 North U.S. Highway 1, Ormond Ace Hardware, Issuance of a development order

APPLICANT: Gross Family Properties NG, LLC

NUMBER: RZ 2021-011(B)

PROJECT PLANNER: Steven Spraker, AICP, Planning Director

INTRODUCTION:

This is a request from Gross Family Properties NG, LLC, property owner, for the issuance of a development order to construct a two (2) story building of approximately 16,853 square feet for the Ormond Ace Hardware that proposes retail activity including a garden center (defined as outdoor activity) of approximately 2,566 square feet and associated site improvements on a 2.70-acre property. The project location is shown in Exhibit 1 below.

EXHIBIT 1: 1480 North U.S. Highway 1:



The project includes two (2) inter-related zoning actions as follows:

File number	Subject	Request
RZ 2021-11(A)	Zoning map amendment	Zoning map amendment for the Ormond Ace Hardware project at 1480 North U.S. Highway 1 from B-7 (Highway Tourist Commercial) to PBD (Planned Business Development).
RZ 2021-011 (B)	Development Order	The issuance of a development order to construct a two story building of approximately 16,853 square feet for the Ormond Ace Hardware that proposes retail activity including a garden center (defined as outdoor activity) and associated site improvements on a 2.70 acre property.

The highlighted item is the subject of this report. At the public hearing, the items will be presented together and the Planning Board and City Commission will be asked to vote individually on the two (2) separate zoning actions.

BACKGROUND:

The subject property has a zoning designation of B-7 (Highway Tourist Commercial) and a Future Land Use designation of "Tourist Commercial". The adjacent land use designations and zoning classifications are as follows:

EXHIBIT 2: Land use and zoning designations:

Direction	Current Land Uses	Land Use Designation	Zoning
North	Vacant & non-conforming single-family house	"Tourist Commercial" and "Low Intensity Commercial"	B-7 (Highway Tourist Commercial) and B-8 (Commercial)
South	Commercial	"Low Intensity Commercial"	B-8 (Commercial)
East	Bar and vacant	"Low Intensity Commercial"	B-8 (Commercial)
West	RV & Boat Storage, Stor-It, Phase 2	"Tourist Commercial"	PBD (Planned Business Development)

The subject property is approximately 2.70 acres and is vacant. The property is bounded by North U.S. Highway 1 to the east, Gowers Street to the north, the unimproved right-of-way of Magnolia Street to the south and Flagler Road to the west. Flagler Road is partially improved and partially unimproved. The property at 1480 North U.S. Highway 1 has two (2) right-of-way areas that are proposed to be vacated in a separate process before the City Commission. The first right-of-way area is a five (5') foot portion of Flagler Road abutting the western portion of the property. The second right-of-way is an internal alley of 15 feet that is proposed to be vacated. The subject property has two (2) billboards along the North U.S. Highway 1 frontage that are proposed to remain.

ANALYSIS:

The project seeks to construct an Ace Hardware retail store of approximately 16,853 square feet and a garden center of approximately 2,566 square feet with associated site improvements on a property that is 2.70 acres in size. The site plan and applicant provided a public benefits letter in ATTACHMENT 3. Key project characteristics are provided below with the items that are sought for action within the Planned Business Development approval **bolded**:

1. The existing B-7 (Highway Tourist Commercial) zoning designation allows retail sales as a permitted use. **The outdoor garden center is classified as outdoor activity and requires a public hearing approval.** The site plan also shows an area for a 1,500-gallon chlorine tank and a 1,000-gallon propane tank.
2. **The proposed building is located at an eleven (11') foot setback where the B-7 (Highway Tourist Commercial) zoning district, Section 2-28(B)(9)(d) of the Land Development Code, requires a twenty (20') setback along the side corner yard along Gowers Street. The setback reduction is sought to preserve a 39" historic tree and provide additional land area around the tree.**
3. **Section 3-25(c) of Land Development Code requires 50 feet between the intersection of two (2) streets. The site plan application seeks to reduce the setback for an access point along Flagler Road to 20 feet from Gowers Street.**
4. **To allow prefinished metal wall panels (exposed metal) on the rear façade with no finished façade.**
5. **To allow black chain-link fencing with a black windscreen around the garden center.**
6. The property is 2.70 acres.
7. The building size is 16,853 square feet. The outdoor garden center is 2,566 square feet and the open drive-thru garden center is 3,176 square feet.
8. The uses of dimensional standards of the B-7 (Highway Tourist Commercial) zoning district would be incorporated into the Planned Business Development with the modification of the side corner setback.
9. The Planned Business Development would have a three (3) year expiration date requiring the start of construction on or before May 4, 2024.
10. A 39' Greenbelt landscape buffer is provided along North U.S. Highway 1. Additional plantings are proposed in some areas of the existing Greenbelt buffer. There are two (2) billboards within the Greenbelt area that are proposed to remain.
11. There is a 39" historic tree that is proposed to be saved. The building has been shifted (see item 2 above) to provide area around the tree.
12. The project is required to expand the Gowers Street roadway width to 24' and this is shown on the site plan. Access to the property shall be provided from Gowers Street and Flagler Road. There is no direct roadway access from North U.S. Highway 1 as the Florida Department of Transportation determined that there was no adequate spacing between access points to provide a right in and right out

access point.

13. The project would install a five (5') sidewalk within the Gowers Street right-of-way.
14. The project would pay into a sidewalk fund for the required sidewalk improvement along North U.S. Highway 1. Within the Capital Improvement Program, there is a project proposed for a master sidewalk design and construction within this area.
15. A monument sign is shown along North U.S. Highway 1.
16. The site design allows a drive-thru garden center for customers to obtain their material.
17. The design of the stormwater management facility includes the wet detention pond which utilizes a V-notch weir to regulate the rate of discharge from the site as well as a bleed-down orifice to control the normal water level in the pond. The discharge will be to the Florida Department of Transportation roadside swale to the cross pipe under U.S. Highway 1. The design of the stormwater management facility for this project provides the required treatment volume for both water quality and water quantity in accordance with the St. Johns River Water Management District and the City of Ormond Beach requirements.
18. There are no wetlands on-site and the property is located in flood zone X.
19. There is a 12" water line and an 8" force main to provide utility services.

The Site Plan Review Committee has reviewed the development and finds the site plans acceptable with the outstanding comments shown in ATTACHMENT 2.

Planned Business Development items: The specific planned development authorizations are discussed below:

1. OUTDOOR ACTIVITY

Outdoor activity is listed as a Special Exception use within the B-7 (Highway Tourist Commercial) zoning district. The Planned Development seeks to approve the garden center which is defined as an outdoor activity. Section 2-57.O.1 of the Land Development Code outlines the criteria for outdoor activity and staff's review of these criteria are listed below:

1. OUTDOOR ACTIVITY

- 1. If located adjacent to a residential use, appropriate screening and buffering shall be provided to minimize noise and glare impact to the maximum extent feasible.**

There is no abutting residential use and the outdoor activity is appropriate for the Ace Hardware use.

- 2. A site plan displaying the area for activity and pedestrian movement shall be required.**

Attachment 3 provides a site plan designed by a Professional Engineer and demonstrates safe vehicle and pedestrian movement.

3. Outdoor music shall provide a sound study demonstrating compliance with the adopted maximum decibel levels.

There is no outdoor music proposed and this criterion is not applicable.

The garden center, 1,500-gallon chlorine tank and a 1,000-gallon propane tank are appropriate uses for a retail hardware store.

2. BUILDING SETBACK

Section 2-28(B)(9)(d) of the Land Development Code, requires a twenty (20') setback along the side corner yard along Gowers Street. As part of the Planned Business Development, the project seeks approval of a ten (10') foot setback along the side corner yard to shift the proposed building away from a 39" historic tree. The encroachment into the setback could only be approved as either a variance or as part of a Planned Development. The setback encroachment is directed related to the preservation of the historic tree and appropriate for the Planned Development zoning map.

3. INTERSECTION SETBACK ALONG FLAGLER ROAD

Section 3-25(c)(1) of Land Development Code requires 50 feet between the intersection of two (2) streets. Section 3-25(c)(1) of Land Development Code allows the Site Plan Review Committee to reduce the separation to 40 feet. The site plan application seeks to reduce the setback for the access point along Flagler Road to 20 feet from Gowers Street. The Site Plan Review Committee reviewed the request and found it acceptable. The remainder of Flagler Road in this area is utilized as a stormwater conveyance swale.

4. REAR FAÇADE

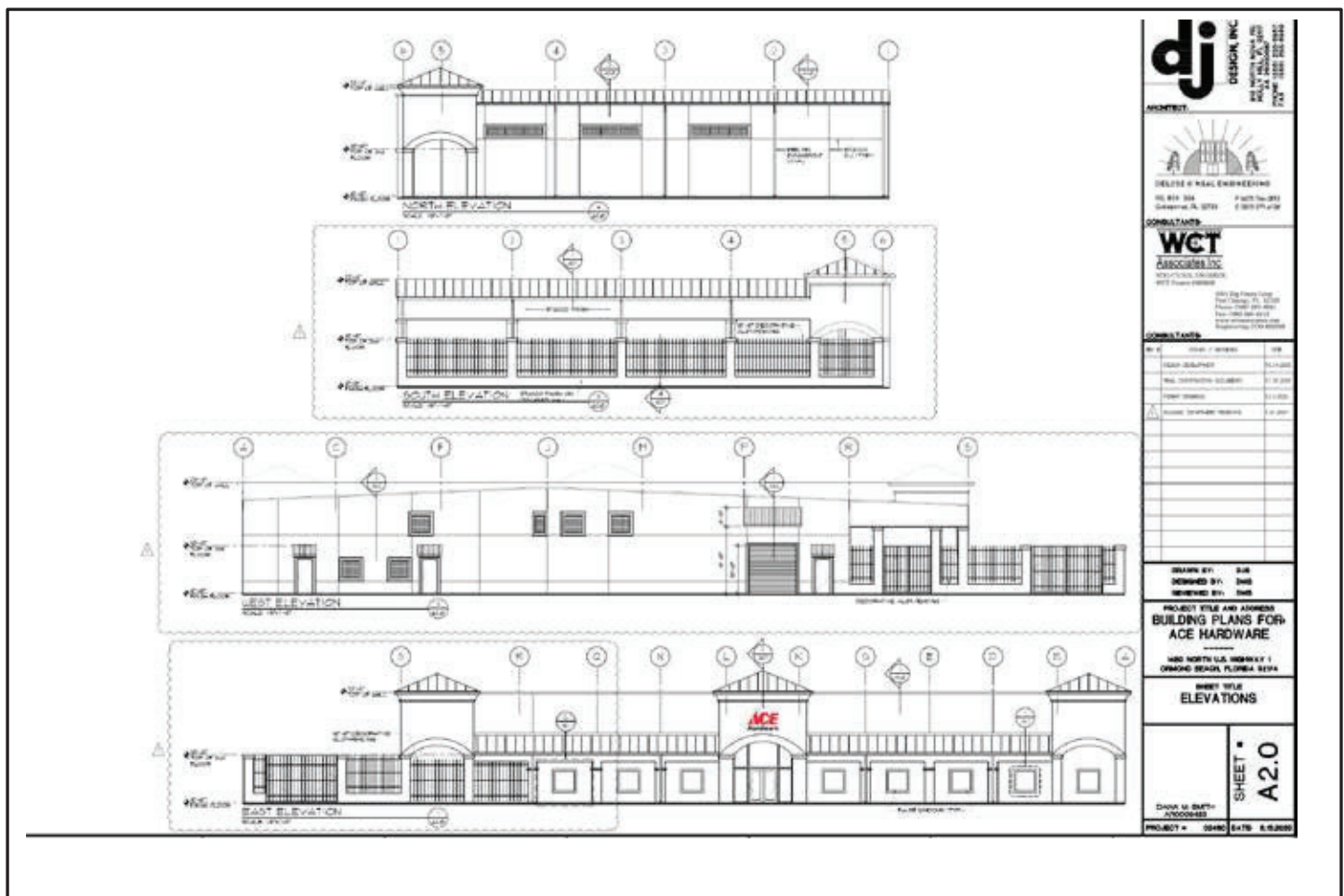
Section 3-68 of the Land Development Code provides direction on architectural requirements for Planned Developments as follows:

- (1) Applications for rezoning to Planned Business Developments (PBDs), Planned Residential Developments (PRDs), Planned Manufactured Home Communities (PMHCs), and Planned Industrial Developments (PIDs) or special exception shall include architectural controls establishing a design theme that **meets or exceeds the requirements of this chapter**. A theme shall be established in one (1) of two (2) ways if the development is envisioned to adhere strictly to one (1) of the architectural styles, as described under section 3-69, it shall be sufficient for a paragraph or section to be included in the proposed development agreement which specifies the style, such as Mediterranean or Bermuda.
- (2) If the development is envisioned to deviate from one (1) of the recognized architectural styles, then it shall be necessary for the developer to negotiate a new style, as described under section 3-69(e). The new style must be approved by the city commission as part of the PBD/PRD/PMHC/PID rezoning or special exception process. For the city to evaluate the proposed style, the developer shall include a schedule of design elements as an exhibit to the development order, showing examples of colors, materials, finishes and design details, such as cornices, columns, roofline, etc. The schedule shall also provide an example of a building that shows how the various design elements are combined to create

a unique architectural style, and how that style would be applied to all structures in the development. Alternately, if the specific building end-product is known at the time of rezoning, a conceptual rendering of the front and side facades may be substituted for the schedule of design elements. In such case, the rendering shall specify colors, materials and finishes; and specify which design elements are expected to be applied to other structures in the development.

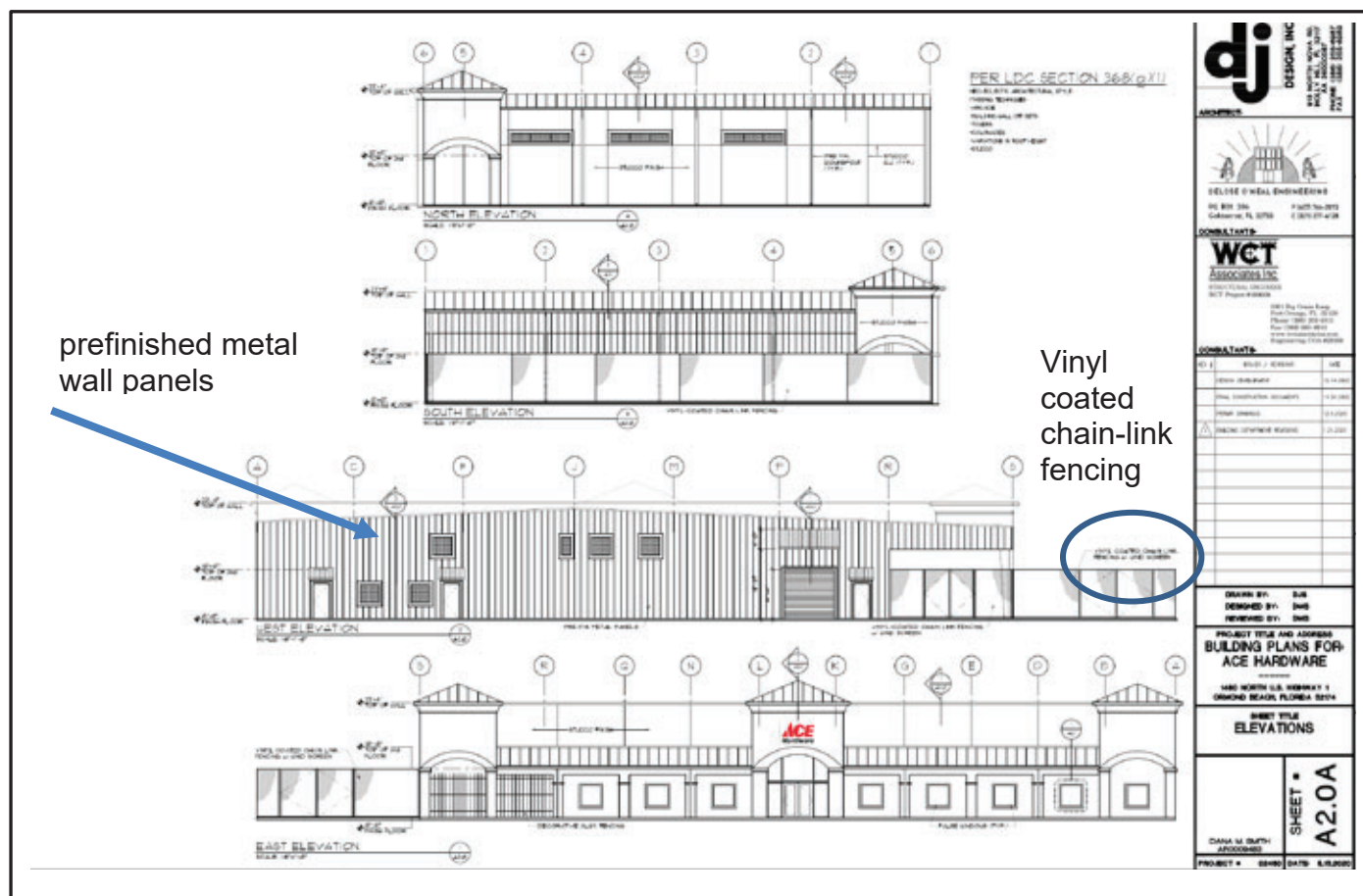
With the site plan submittal of February 5, 2021, the applicant provided an architectural plan that utilized the Neo-Eclectic architectural style. The Site Plan Review Committee had no comments on the architectural elevation, shown below:

EXHIBIT 3: February 5, 2021 submittal:



With the Planned Business Development application and letter submitted February 22, 2021 there was a modification to the proposed architectural elevations. The letter sought to allow prefinished metal wall panels on the rear façade facing the retention pond. Staff requested a building elevation that described the requested change in the building façade. The project architect provided the following architectural elevation:

EXHIBIT 4: February 26, 2021 Planned Business Development submittal:



Section 3-68(g)(1)(b) of the Land Development Code provides the exterior finish materials:

b. Exterior finish materials.

1. Exterior building materials contribute significantly to the visual impact of a building on a community, which in turn, individually and collectively reflect upon the visual character and quality of that community. In order to project an image of high-quality city aesthetics, building materials shall conform to the requirements set forth in this subsection. Examples of acceptable materials include the following:
 - (i) Stucco.
 - (ii) Split face concrete.
 - (iii) Brick.
 - (iv) Wood siding.
 - (v) Stone.
 - (vi) Materials, as part of an overall architectural style.
2. Synthetic materials, such as premium-grade vinyl, aluminum, and cellulose fiber-

reinforced cement building boards, shall also be permitted, provided that such materials are visually indistinguishable from natural materials. Building materials shall be consistent around the entire building. Exceptions to this provision may be made for portions of a structure that are not exposed to the general public. Examples of unacceptable materials include the following:

- (i) Plastic siding.
- (ii) Textured plywood.
- (iii) Unfinished concrete block.
- (iv) *Metal panels, except in the I-1 zoning district.*
- (v) Cedar shakes.

The applicant is requesting the ability to allow prefinished metal wall panels on the rear façade on the west façade facing Flagler Road. Members of the Site Plan Review Committee do not believe that the proposed metal panels on the rear façade complies with the Neo-Eclectic architectural style architectural standards or the requirements for a Planned Business Development.

5. BLACK CHAIN-LINK FENCING WITH A BLACK WINDSCREEN AROUND THE GARDEN CENTER.

Section 3-68(4)(e) of the Land Development Code states, “The use of chain-link fencing shall only be permitted for properties in the I-1 zoning district, provided the property is not located on an arterial or collector street”. Similar to the prefinished metal wall panels on the rear façade, the fence material was revised between the February 5, 2021 submittal (Exhibit 3 above) and the February 26, 2021 Planned Business Development submittal (Exhibit 4 above).

The applicant is requesting approval of a ten (10') high vinyl coated, chain-link fence with black windscreen to block views to the materials within the garden center. Members of the Site Plan Review Committee do not believe the chain link is an appropriate material and would suggest a decorative fencing style.

CONCLUSION:

In considering an application for a Planned Business Development amendment, the Planning Board may recommend to approve, approve with conditions, or disapprove on the extent to which the development offers site amenities above that are normally found for permitted uses in the district with regard to the following:

- a) Building form, architecture and appropriateness of materials with regard to long-term maintenance, relation to the surrounding neighborhood, and aesthetics. Architectural drawings shall be approved as part of the Development Order and adhered to in all development phases.**

The architectural renderings are provided in ATTACHMENT 3 along with the applicant's letter describing the building. The applicant's letter states that architectural design is Neo-Eclectic and features a colonnade along the front, with a central arched entry tower, bookended by two lower arched towers at each end. The colonnade tends to lower the scale of the otherwise tall building where the public would customarily

enter. Exterior wall surfaces are punctured by storefront glazed entry doors and false windows along the front colonnade, and large windows and access doors on the rear and Gowers Street sides.

There are two (2) building related items sought within the Planned Development: (1) exposed metal panels along the rear façade and (2) black chain-link fencing with a black windscreen around the garden center. Staff has concerns regarding both items. Staff would recommend that the rear façade have a finished exterior surface, such as stucco, as the façade would be visible from Gowers Street and Flagler Road. Staff also believes that a decorative aluminum fence material would be more appropriate around the garden center versus a black chain-link fence with a wind screen.

b) Landscaping and related site amenities.

The project landscaping has been reviewed by the city Landscape Architect and was determined acceptable (with the resolution of any outstanding comments). The project has provided additional Greenbelt plantings as needed. There is a 39" historic tree that is being saved, causing the building to shift towards Gowers Street.

c) Mitigation of off-site impacts.

It is not anticipated that the project shall generate off-site impacts. The property is bounded by four (4) rights-of-way. The project will expand Gowers Street to a conforming street width. With the access to Gowers Street and Flagler Road, traffic would access to a signalized intersection at Broadway Avenue and North U.S. Highway 1.

d) Overall lighting plan, particularly in relation to aesthetics and glare.

The site lighting shall conform to the standards of the Land Development Code.

e) Overall signage plan, particularly related to aesthetics and readability.

One monument sign is proposed on the site plan. The Land Development Code would allow two monument and wall signs based on the property being a corner lot.

CRITERIA FOR APPROVAL: There are certain criteria that must be evaluated before a Planned Business Development amendment can be approved. According to Chapter 1, Article I, Section 1-15.C.3 of the Land Development Code, the Planning Board shall consider the following when making its decision:

1. The proposed development conforms to the standards and requirements of this code and will not create undue crowding beyond the conditions normally permitted in the zoning district, or adversely affect the public health, safety, welfare or quality of life.

The subject property has a commercial land use and zoning designation with retail sales being a permitted use. The outdoor garden center is classified as outdoor activity and requires a public hearing. The outdoor activity use is appropriate as part of the Ace Hardware store. The site is well designed and includes a loading area within the garden center. It is the determination of the Site Plan Review Committee that the public health, safety, welfare or quality of life will not be adversely affected with the proposed project. The project is consistent with the overall plan to improve the North U.S. Highway 1 corridor.

2. The proposed development is consistent with the Comprehensive Plan.

The site has a Future Land Use designation of “Tourist Commercial”, which is consistent with the proposed use. The Future Land Use Element states that the “Commercial” land use category purpose is as follows:

Purpose: A multi-use land use category to provide uses along the Atlantic Ocean, SR A1A and highway interchanges, that include transit availability, retail services, tourist attractions, restaurants, multi-family and lodging to visitors to the City. For projects that propose a mixture of residential and non-residential uses, the minimum FAR should be 0.2.

Density: Maximum: 32 units per acre.

Maximum FAR: 1.5

The proposed retail use is specifically allowed within the Comprehensive Plan. Staff concludes the site plan and issuance of the development order is consistent with the Comprehensive Plan.

3. The proposed development will not adversely impact environmentally sensitive lands or natural resources, including but not limited to water bodies, wetlands, xeric communities, wildlife habitats, endangered or threatened plants and animal species or species of special concern, wellfields, and individual wells.

The project area does not include any environmentally sensitive lands or natural resources, including but not limited to water bodies, wetlands, xeric communities, wildlife habitats, endangered or threatened plants and animal species or species of special concern, wellfields, and individual wells. The property is outside the flood zone.

4. The proposed use will not substantially or permanently depreciate the value of surrounding property; create a nuisance; or deprive adjoining properties of adequate light and air; create excessive noise, odor, glare, or visual impacts on the neighborhood and adjoining properties.

The proposed Planned Business Development is a retail use that is consistent with the surrounding properties and will not have a negative impact on surrounding properties. The development is consistent with the existing development pattern and would not depreciate the value of surrounding properties, create a nuisance, or negatively impact surrounding property.

5. There are adequate public facilities to serve the development, including but not limited to roads, sidewalks, bike paths, potable water, wastewater treatment, drainage, fire and police safety, parks and recreation facilities, schools, and playgrounds.

There are adequate public facilities to serve the proposed development, including roads, potable water, wastewater treatment, drainage, fire and police safety. The site plan proposes sidewalks along Gowers Street and would contribute into a sidewalk fund for North U.S. Highway 1.

6. Ingress and egress to the property and traffic patterns are designed to protect and promote motorized vehicle and pedestrian/bicycle safety and convenience,

allow for desirable traffic flow and control, and provide adequate access in case of fire or catastrophe. This finding shall be based on a traffic report where available, prepared by a qualified traffic consultant, engineer or planner which details the anticipated or projected effect of the project on adjacent roads and the impact on public safety.

The proposed project provides the needed infrastructure improvements to operate at this location. The site plans show improvements on Gowers Street that serves as the primary access point. A sidewalk would also be installed along Gowers Street. There is no access from North U.S. Highway 1 with the site plan design based on the spacing limitations from a proposed driveway to Gowers Street.

7. The proposed development is functional in the use of space and aesthetically acceptable.

The Planned Business Development provides for a functional use of space and is aesthetically acceptable. The movement of the building to preserve the historic tree is a positive site design feature. The Planning Board and City Commission will need to provide a determination on:

1. The proposed exposed metal panels along the rear façade instead of a finished exterior surface, and
2. The use of black chain-link fencing with a black windscreen around the garden center instead of a decorative aluminum fence material.

8. The proposed development provides for the safety of occupants and visitors.

The site plan is designed by a professional engineer and would provide a safe environment for occupants and visitors. A turning radius analysis for large vehicles has been performed and is included in the site plan materials.

9. The proposed use of materials and architectural features will not adversely impact the neighborhood and aesthetics of the area.

The Planning Board and City Commission will need to provide a determination on:

1. The proposed exposed metal panels along the rear façade instead of a finished exterior surface, and
2. The use of black chain-link fencing with a black windscreen around the garden center instead of a decorative aluminum fence material.

The remaining facades have been architecturally treated per the Land Development Code.

10. The testimony provided at public hearings.

This Planned Business Development amendment has not been heard and no public testimony has been provided.

RECOMMENDATION:

It is recommended that the Planning Board recommend **APPROVAL** to construct a two (2) story building of approximately 16,853 square feet for the Ormond Ace Hardware that proposes retail activity including a garden center (defined as outdoor activity) of 2,566 square feet and associated site improvements on a 2.70-acre property with the following specific standards:

1. Allow outdoor activity as an allowed use with the Planned Business Development.
2. Incorporate the uses and dimensional standards of the B-7 (Highway Tourist Commercial) zoning designation with the exception of the side corner setback. The side corner setback shall be reduced to 10' in order to save a historic tree.
3. Allow a 20'± distance for the access point off of Flagler Road from Gowers Street.

The applicant is also seeking two (2) items specific to the building design:

1. To allow black chain-link fencing with a black windscreen around the garden center.
2. To allow prefinished metal wall panels (exposed metal) on the rear façade.

Staff would recommend that a decorative aluminum fence material be required around the garden center and the prefinished metal wall panels (exposed metal) on the rear façade be required to have a finished surface. The Planned Business Development does allow these items to be waived through the public hearing process. It is the recommendation of the Site Plan Review Committee that the building architecture is a key component of site development. The fencing material would be visible from North Highway U.S. 1. The rear building façade would be visible from both Gowers Street and Flagler Road.

The project is tentatively scheduled for the City Commission on April 20, 2021 (first reading) and if approved on first reading, the second reading will be on May 4, 2021 (final reading).

Attachments:

Attachment 1: Maps and pictures of the project area

Attachment 2: Site Plan Review Committee outstanding comments

Attachment 3: Applicant provided information

Attachment 1:

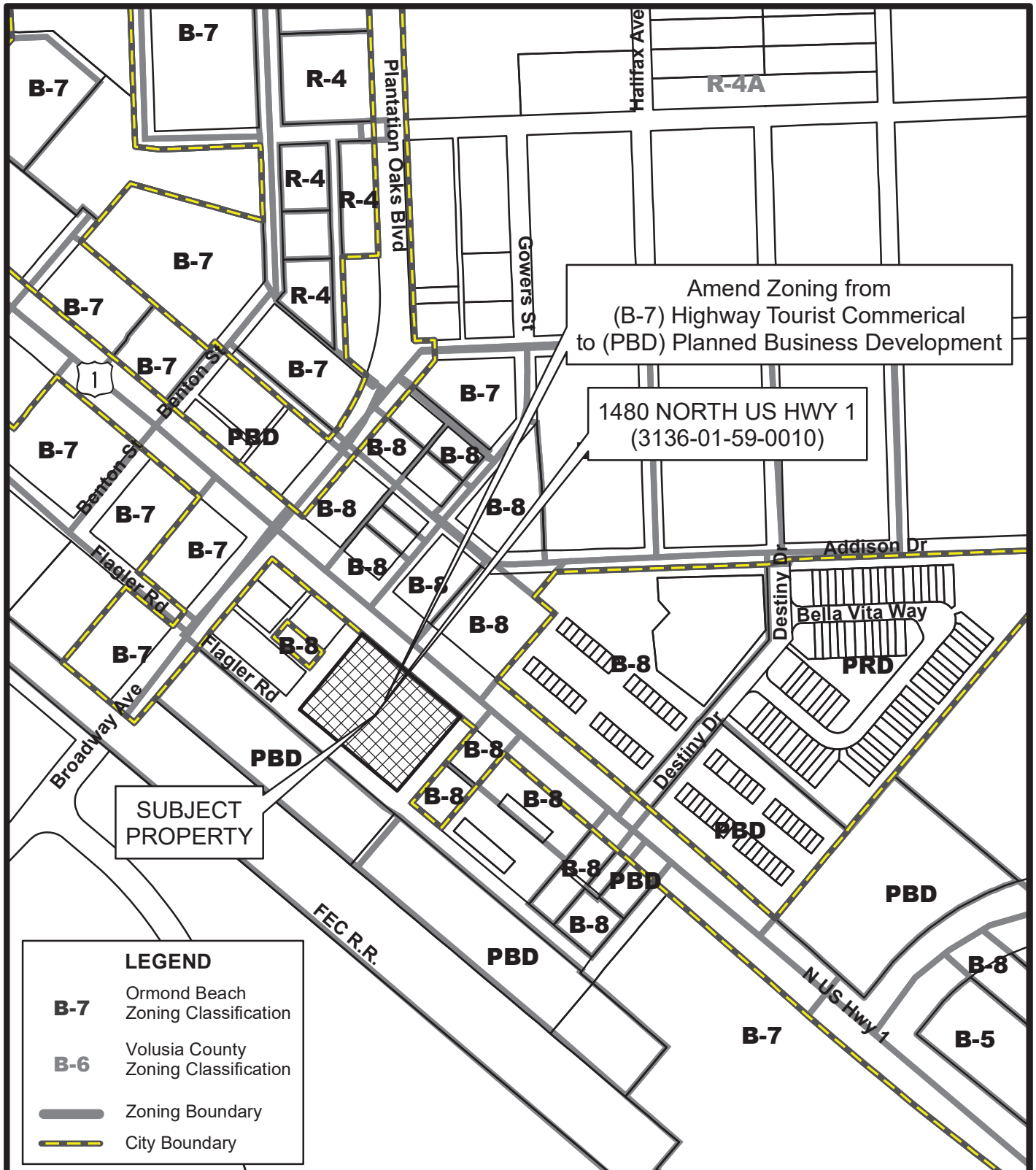
Maps and pictures



**AERIAL MAP
1480 NORTH US HWY 1
(ACE HARDWARE)**

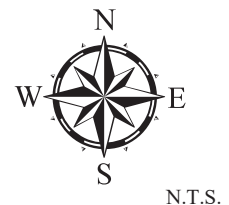
Prepared By: The City of Ormond Beach
G.I.S. Department - February 23, 2021

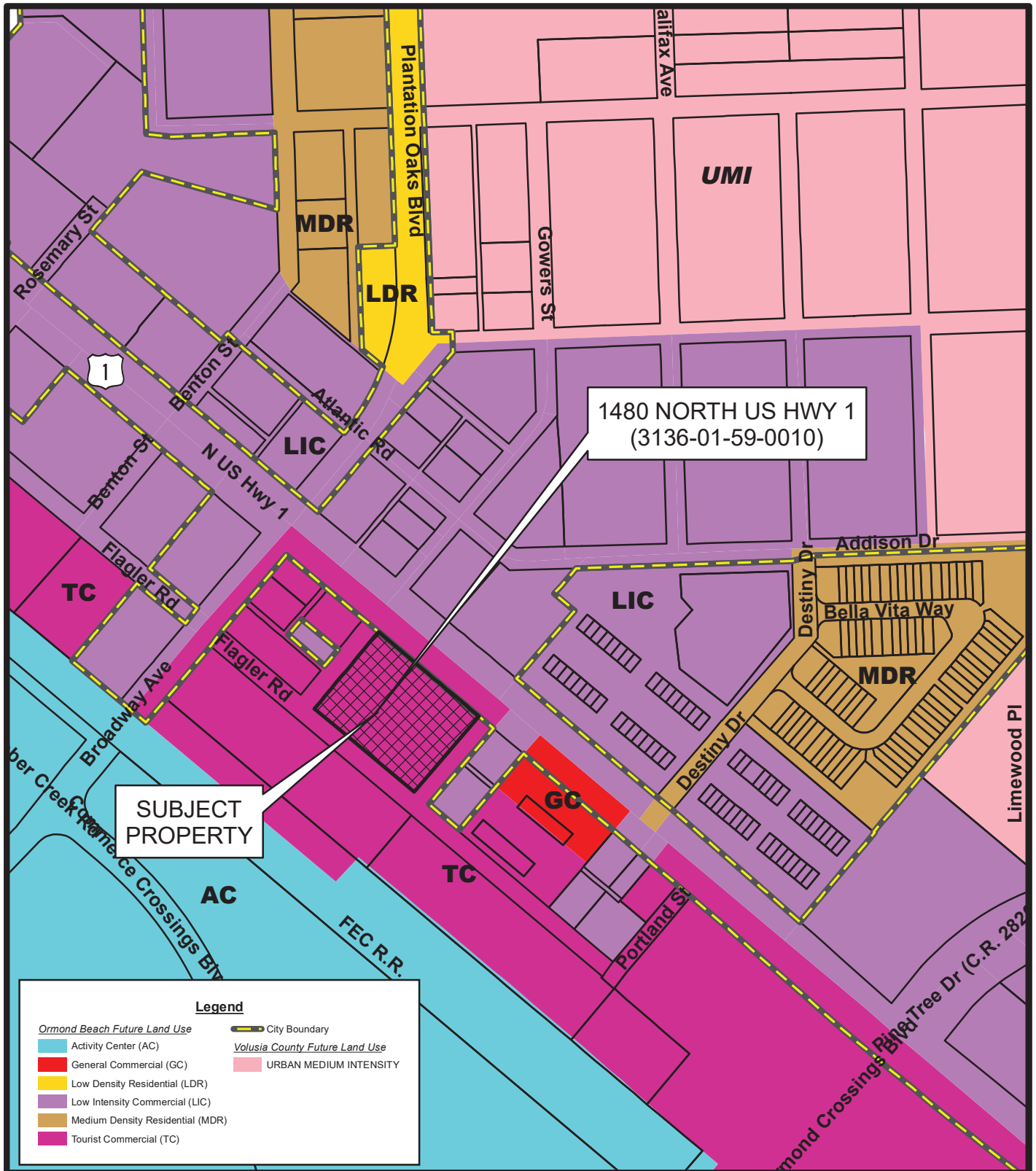




**PROPOSED ZONING MAP
1480 NORTH US HWY 1
(ACE HARDWARE)**

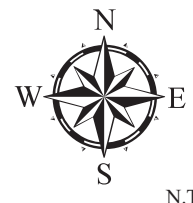
Prepared By: The City of Ormond Beach
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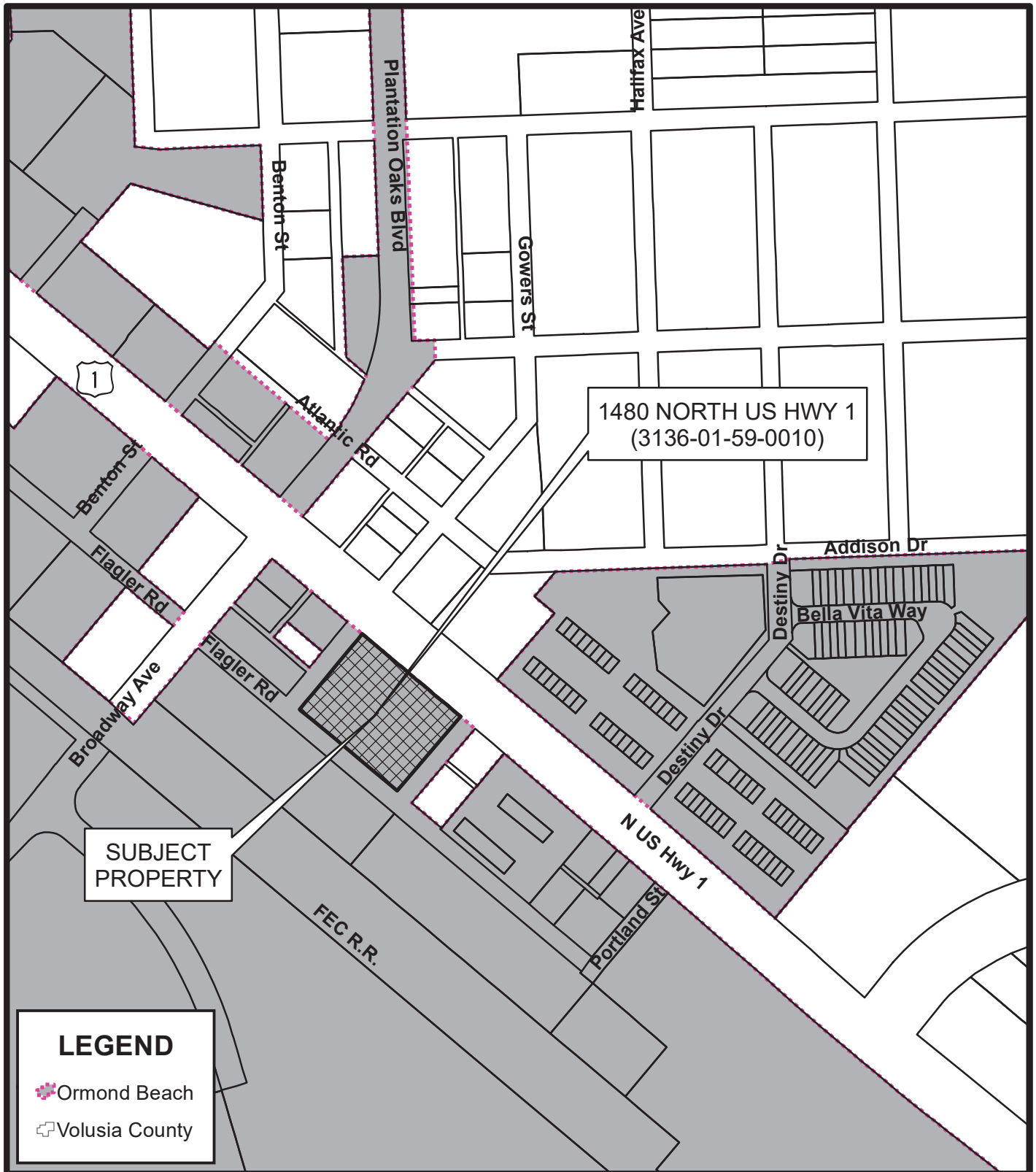




FUTURE LAND USE MAP 1480 NORTH US HWY 1 (ACE HARDWARE)

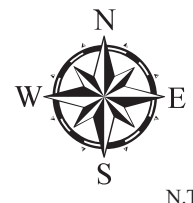
Prepared By: The City of Ormond Beach
G.I.S. Department - February 23, 2021





1480 NORTH US HWY 1
(ACE HARDWARE)
LOCATION MAP

Prepared By: The City of Ormond Beach
G.I.S. Department - February 23, 2021



Aerial exhibit of 1480 North U.S. Highway 1



Gowers Street looking east towards North U.S. Highway 1

02/24/2021 12:26

Gowers Street looking east towards North U.S. Highway 1

02/24/2021 12:27



Find your beach.

S.R. Perrott, Inc. Winner of the 2017 National & Southeast Region Gold Crown Network Award @SRPerrott

North U.S. Highway 1 frontage

02/24/2021 12:31

8.B.g

Flagler Road

02/24/2021 12:25



Attachment 2:

Site Plan Review Committee outstanding comments

Review Cycle	Department	Markup	Snapshot
2	Civil Engineer	File: 07 DRAINAGE.pdf ChangeMark: Civil-Ten Inch Discharge Pipe Description: Civil-Stormwater Pipe Comment: Please revise to the minimum pipe size of 15" per City of Ormond Beach Land Development Code, Section 3-58. The 10" throttle can be obtained by using an orifice at the upstream box. The 10" pipe normally is not easily maintained.	
2	Civil Engineer	File: 08 GRADING.pdf ChangeMark: Civil-Sheet 8 Description: Civil-Grading Comment: Add note to ensure this area is graded towards the swale not against the pavement and back of curb.	
2	Civil Engineer	File: 08 GRADING.pdf ChangeMark: Civil-Sheet 8 Description: Civil-Slot for island Comment: Show the path/slot for the surface water to flow this way.	
2	Civil Engineer	File: 08 GRADING.pdf ChangeMark: Civil-Roadside Swale Description: Civil-Roadside Swale Comment: The roadside swale appears to have high spots between the proposed MES and the existing headwall for the pipe under US1. Add note to ensure the flow is not impeded.	
2	Civil Engineer	File: 09 SECTIONS.pdf ChangeMark: Civil- Sheet 9 Description: Civil-Grade Comment: See note on Sheet 8 Grading Plan.	
2	Civil Engineer	File: 15 CITY DETAILS.pdf ChangeMark: Civil-Sheet 15 Description: Civil- Standard Details Comment: City of Ormond Beach Standard Details were updated in 2020, please see the new details on the City's website.	
2	Civil Engineer	File: 18 OVERSIZED TRUCK TURN.pdf ChangeMark: Civil-Dumpster Pick-Up Description: Civil-Dumpster Pick-Up Route Comment: Show the route for the dumpster pick-up.	
2	Civil Engineer	File: Stormwater Report_ACE_CITY.pdf ChangeMark: Civil-Stormwater Report Description: Civil-Hydraulic Gradient Comment: HGL for I-06 appears to be within 1/2" of the top of the grate. Based on LDC this situation is not ideal with out additional information. (3)Maximum hydraulic gradient shall be that slope which produces a velocity of ten feet (10') per second. When hydraulic calculations do not consider minor energy losses, the elevation of the hydraulic gradient for the design storm condition should be at least one foot (1') below the gutter or ground elevation. As a general rule, minor losses should be considered when the hydraulic gradient velocity exceeds six feet (6') per second or a lower velocity on critical systems. If all minor losses are calculated, it is usually acceptable for the hydraulic gradient to reach the gutter elevation. Calculations shall be made based on detention/retention ponds at design high water elevations. Please review and provide requested information.	
2	Landscape Architect	File: 04 SWPPP.pdf ChangeMark: CSC Description: Existing Trees Comment: - Please show tree protection barricade symbol around this natural area to be preserved, see green dashed square. - Please show the DBH of the tree with the red square around it?	
2	Landscape Architect	File: L1 TREE PRESERVATION.pdf ChangeMark: CSC Description: Tree Preservation Plan Comments Comment: - The 22" Cedar tree is missing from the removed specimen tree calculations. Only (1) 17" Oak tree is removed, please verify. - The 16" specimen Oak to be removed, not seeing this being removed, please verify. - The existing tree legend is missing the Magnolia and Hickory, please add these trees to the legend. - Please add the triangle symbol around the specimen Magnolia trees (12" & 14"). Also, state that this triangle symbol represents specimen trees. - Please show the DBH of the tree with the red square around it and add to the removed specimen calculations. - Please put an x mark on the Oak being removed on top of the proposed curb, see red x. - Please keep the trees and palms clouded in green. - On the protected tree mitigation chart, please type out the wording of the form and show the math. See my calculations in the reviewer folder. Also, see calculations for specimen trees required to be preserved. My calculations show 44 because (1) specimen tree needs to be accounted for, see previous comment.	
2	Landscape Architect	File: L2 LANDSCAPE.pdf ChangeMark: CSC Description: Landscape Comments L2: Comment: - Please add revision dates to your plans when submitting back to the City. - North Buffer: Take the buffer length 301' subtract out the driveway (32'), greenbelt (36'), 2 sidewalks (10') & west buffer (10') = 213' = 6 Required Trees, 64 shrubs & 64 ground covers. Please show the subtracted lineal footage from the buffer length. Currently only 4 BN trees within this buffer. - West Buffer: 344/100x3= 10 Required Trees, 103 shrubs & 103 ground covers - The south buffer will need trees show every 50' feet with the lawn area within the buffer and also this buffer requires a 5' wide visual screen per the LDC. - East Buffer, Greenbelt: Calculate the entire length 390'x36' = 14,040 sf/200= 70 Required Trees; Please show the math, 26 existing trees, 13 palms (3:1) = 4 trees = 30 trees + 42 (7 prop. 6" caliper Pines) = 72 Trees - The greenbelt buffer is missing existing trees, 6 Cedars, 4" Magnolia, 5"Oaks & 4" Oak. Please show all trees to remain to be saved as per the L1 plan. - Please space out the proposed TD trees at least 25-30' on center. These trees are huge in time. - Add the Magnolia to the existing tree legend. - The LJF will be 7 gallon to meet this specification. - Multi-trunk trees shall have a combined 6" caliper (BN). - The IE2 needs to be 10' height & 2.5" caliper to count toward the tree requirement. Also, the IE2 within a landscape island needs to be 3.5" caliper min. - The BF would be one gallon. - Please add a height and spread for VS. - Please reference existing palms and trees to remain. Show the canopy (dashed circle) of the 39" historic Oak. - The minimum tree requirements need to be shown on this plan. Please show the calculations, 2 ways, 1 tree per 1500 sf of lot area and 1 tree per 400 sf of landscape area. The greater number will apply for this requirement. For the landscape area calculation, please show the math, the impervious area (52,764 subtract out from the NWT to pond bottom and this is will be the total landscape area), please make necessary corrections. (repeat comment) - Tree Credits As Follows: Remain = ?? Trees (please check math) Existing Palms to Remain (3:1) = ?? Trees Proposed 2.5" caliper trees (1 tree credit) = ?? Trees Proposed 3.5" caliper	

trees (2 tree credits) = ?? Trees Proposed 6" caliper trees (6 tree credits) = ?? Trees Proposed palms (3:1) # /3 = ?? Trees TOTAL TREES PROVIDED = ??
 Trees - How are you mitigating for the specimen trees, requires (17) 4.5" caliper trees and mitigation for the protected trees requires 79 trees at 2.5" caliper.
 Provide a note that the protected trees mitigation will be satisfied with existing trees between 2"-5.99" inches, if these trees are deficient then trees at 10' height.
 2.5" caliper will be required to be planted to meet this deficiency or donation into the Tree Fund.

8.B.g

- 2 Landscape Architect File: L4 IRRIGATION.pdf
 ChangeMark: CSC
 Description: Irrigation Comments
 Comment: - There is a total of 12 stations and not 16. - Twelve (12) zones there would be 12 valves. - Show sleeve size along Gowers driveway. - Please route the lateral lines for zones 11 & 12 to the proposed lawn area abutting the driveway & parking, so disturbance will not occur with this natural area/historic tree, see green clouded areas. Zone 11 please tie into the mainline along the west side to avoid tree disturbance.
- 2 Planning Director File: 01 COVER.pdf
 ChangeMark: SSS
 Description: Planning, site posting on/before 02.25.2021
 Comment: The applicant shall perform site posting in accordance with Section 1-15(f)(2)(c) of the Land Development Code. The sign posting criteria, examples of sign postings and a list of possible sign contractors has been uploaded with this project.
- 2 Planning Director File: A0.1.pdf
 ChangeMark: SSS
 Description: Planning, digital signatures
 Comment: All drawings and technical documents that need to be signed and sealed by a licensed design professional must be done so using a Digital Signature that contains a Public Key Certificate issued through a 3rd Party Certification Authority. This "Authority" is a commercial service paid for by the design professional to verify their identity through various methods and then issues a security certificate that contains both a Private Key that is password protected by the design professional and a public key that allows the recipient to download and view the certificate. Please provide the digital signature for this drawing. Electronic Signature Required. Survey shall be signed, dated and sealed and certified to the city in accordance with Section 4-06(4)b. of the Land Development Code. All drawings and technical documents that need to be signed and sealed by a licensed design professional must be done so using a Digital Signature that contains a Public Key Certificate issued through a 3rd Party Certification Authority. This "Authority" is a commercial service paid for by the design professional to verify their identity through various methods and then issues a security certificate that contains both a Private Key that is password protected by the design professional and a public key that allows the recipient to download and view the certificate. Please provide the digital signature for all architectural sheets submitted.
- 2 Utilities 1 File: 10 UTILITIES.pdf
 ChangeMark: Roger Smith
 Description: Utility Conflicts 1, 2 & 3 Elevations on Drainage Pipe
 Comment: The drainage pipe inverts from the storm page indicate an invert elevation of 25.6 to 25.7 (NOT 27.03). IF this Conflict detail is correct, then you do NOT have 2' of cover to the top of pipe but less than a foot which is not acceptable. However, it appears to me that the pipe at 25.7 will have sufficient clearance over your existing water main (12" +) and sufficient cover over the drainage pipe (over 2'). Which page is correct? Drainage or Utility Conflict? Please make revisions and re-verify that no vertical conflicts exist while providing sufficient cover.
- 2 Utilities 1 File: 10 UTILITIES.pdf
 ChangeMark: Roger Smith
 Description: Utility Conflicts 4 & 5: Drainage Pipe Elevations?
 Comment: On the Drainage sheet, Inlet Structure I-07 has inverts at 26.11 and 26.55. The U-Endwall invert is 26.37. However, on this conflict diagram, the drainage pipe is shown at 27.94 and the ground at 29.0. IF this is correct, then it appears that you do NOT have sufficient cover over the drainage pipe. Which page is correct? Please make revisions to ensure proper cover and re-verify that no vertical conflicts exist while providing sufficient cover.
- 2 Utilities 1 File: 10 UTILITIES.pdf
 ChangeMark: Roger Smith
 Description: Water service tap location?
 Comment: It would appear that simply shifting the proposed water service tap 5 to 10 feet in a NW direction will avoid a conflict between the service line and the drainage system structure I-06. The meter location can remain as shown.
- 2 Utilities 1 File: 10 UTILITIES.pdf
 ChangeMark: Roger Smith
 Description: Conflict 6 may NOT be necessary
 Comment: I have suggested shifting your service tap 5 to 10 feet in a NW direction to avoid conflicts with the drainage pipe and Drainage Structure I-06.
- 2 Utilities 1 File: L4 IRRIGATION.pdf
 ChangeMark: Roger Smith
 Description: Connection to Potable Water Service?
 Comment: It appears as if the plan is showing a connection to the potable water service with a backflow device. However, the plan states "Well and Backflow Preventer to be located in this bed." Will you please clearly remove any depictions that suggest a cross connection to the potable water service?

Attachment 3:

Applicant provided
information

Introduction:

Ormond Ace Hardware is a family owned and operated business that has been in Ormond Beach since the early 1970's. Mr. Gross purchased the existing Ace Hardware store located at 333 West Granada Boulevard in August of 2010 and operates the store with his two (2) daughters, Shannon Wooten and Stacey Crafton. Jeff Gross roots extend deep in the community. From 1980 to 1996, Jeff Gross managed Ormond Ace Hardware for his uncle, Robert Cohrs, who owned the business dating back to the 1970's. Ormond Ace Hardware is a full-service retail hardware store that has served the area for over 50 years. We are members of the Ormond Beach Chamber of Commerce, Ormond Beach Main Street and participate in several local community activities and sponsorships. We live, shop and support other local businesses within our community.

Ormond Ace Hardware offers customers a convenient service and friendly shopping experience. Popular brand names such as Stihl, Ego, Weber, Big Green Egg, DeWalt, Milwaukee and Craftman tools are available, as well as many others. We also specialize in those hard-to-find items and can special order over 90,000 products. Two key things that separate Ormond Ace Hardware from the competition, are convenience and service. These are tremendous values that Ormond Ace brings to our community as we strive to balance growth and quality of life.

Our family moved to Ormond Beach in 1980, both Shannon and Stacey grew up in Ormond Beach attending grade school and college in the area. My five grandchildren also live and attend school in Ormond Beach. Four out of five have started their first working experiences and are employed at Ormond Ace Hardware. Most of our residential and business customers call Ormond Beach home.

As the community grows and expands, we too are expanding the hometown, convenient hardware experience in hopes of servicing the needs of both our residential and business customers in the Ormond Crossings area. We are developing a branch location at 1480 N. U.S. Highway 1 as a second Ace Hardware store. We plan to enhance the gateway to Ormond Beach by adhering to the City's planning, landscape and building regulations. We will create more quality jobs and continue to serve the Ormond Beach Community with their hardware needs.

A large part of business is outdoor lawn and garden products consisting of fertilizers, mulches, decorative yard products, a variety of different types of soils, live plants and many other outdoor products. We are looking to add an outdoor selling and garden merchandise storage area with a drive through loading lane attached within a fenced area. Merchandise outdoors must be secured and protected in a manner that offers not only security but is also inviting for the customers.

We look forward to growing and expanding to Ormond Crossings and continuing to provide topnotch service to the residents and businesses in our community.

Site Plan:

The site is located at 1480 North U.S. Highway 1 at the intersection Gowers Street. The site is 2.693 acres with 1.211 acres of impervious surface. The site is required 51 parking spaces and 66 spaces are provided. Access to the site is from U.S. Highway 1 to Gowers Street or from Broadway Avenue to Flagler Road with two (2) driveway connection to Gowers Street for traffic circulation. The two (2) existing billboards will remain with a proposed 39-foot landscape buffer along U.S. Highway 1. A 5-foot public sidewalk will be provided along Gowers Street. Customer loading will be contained within the Garden Center loading area and will be away from the parking area and drives for safety and convenience. The proposed building setbacks area as follows:

Front U.S. Highway 1	= 20 feet
Front Gowers Street	= 10 feet
Rear	= 20 feet
Side	= 10 feet

Stormwater treatment will be provided by a wet detention pond that is designed per City LDC, SJRWMD and FDOT requirements. The site is designed to reduce overall impervious surface and to save existing specimen trees. The maximum allowable impervious surface is 75% and the proposed site only provides 45%.

Water service will be provided by 1" water meter connected to City of Ormond Beach 8-inch water main. Sanitary service will be provided by private lift station connected to City of Ormond Beach 8-inch force main. Fire protection will be provided by a proposed fire hydrant at U.S. Highway 1 and existing fire hydrant located at the rear of store at Flagler Road.

The landscape architecture design is an enhanced design that provides Florida Native landscaping and is designed to meet requirements of City of Ormond Beach LDC and Volusia County irrigation requirements. The site provides 15% tree protection of existing protected, specimen and historic trees. The site has one (1) historic tree and the tree is being saved within a large internal landscape area. Landscape buffers consists of the following:

Front U.S. Highway 1	= 39 feet
Front Gowers Street	= 10 feet
Rear	= 10 feet
Side	= 10 feet

Architecture:

The building contains approximately 14,185 square feet of air-conditioned retail space under roof. It features a second-level office suite of approximately 1,660 square feet. Included, under roof, is a 2,475 square feet covered, outdoor Garden Center. The building structure consists of a pre-engineered metal building (PEMB) frame with preformed, prefinished metal panel roofing and preformed, prefinished metal wall panels on the rear façade and the façade facing the retention pond. The facades facing U.S. 1 (front) and Gower Street are finished in painted stucco.

The architectural style as defined by the Ormond Beach Land Development Code (LDC 368(g)(1)) is **Neo- Eclectic** and features a colonnade along the front, with a central arched entry tower, bookended by two lower arched towers at each end. This colonnade tends to lower the scale of the otherwise tall building where the public would customarily enter. Exterior wall surfaces are punctured by storefront glazed entry doors and false windows along the front colonnade, and large windows and access doors on the rear and Gower Street sides.

Adjacent to the Garden Center is an open, drive-thru courtyard for the storage of bulk lawn and garden supplies. This area is surrounded by a 10'-0" high vinyl-coated, chain-link fence with black windscreen to block the views to the materials within.

Garden Center:

The garden center will be 2,475 square feet and is open air but covered and fenced in by a 10'-0" high vinyl-coated, chain-link fence with black windscreen to block views to the materials within from public right-of-way. The garden center will have products such as a few common lumber items, 2x4's, 4x4's, a few sheets of plywood, convenience lumber, cement products and an assortment of specialty garden soils, specialty fertilizers, plants and flowers, and anything else garden related.

The garden center will mainly be for large volume items both in retail sales and wholesale purchases. Items that are bought in large quantities by the pallet. This area will have pallet racking along the side of the building from the front of the store to the back. It will be a consumer-friendly area that will be inviting for customers to shop. On the outside of that area will be a fenced in drive through area that will allow the consumer to pull their car in the front and drive out the back for easy convenient loading of big bulky products. A big part of our business is service, and convenience and I can think of nothing more convenient then for the consumer to pull right up to a safe area and have their car loaded for them. This area will have different types of products such as a variety of mulches, decorative bags of rock and stone, large bags of soils, different types of salt products for pools and hardwater softeners.

The Garden Center will be staffed for loading assistance and will be very convenient for our customers to drive through, get assistance with loading of Lawn and Garden products and be able to drive right out the back of the parking lot.

The Garden Center area will also help to improve safety, so there will not be staff having to go out into the parking lot in traffic to help customers load their cars. It will improve the traffic flow by funneling customers who our purchasing these types of items to be able to pull in from the front of the parking lot and exit directly out the back of the parking lot. This will help with alleviating traffic congestion in the front of the store. This area will allow the consumer to personally load their own cars if they so desire safely without having to worry about parking lot traffic surrounding them.

The Lawn and Garden area will have many of the same products we carry now at our Granada location. The biggest difference will be the safety for both the consumer and store associate in not having to worry about parking lot traffic while conveniently loading their car.

Public Benefits:

The public benefits consists of widening the Gowers Street roadway from 20-feet to 24-feet wide and increases roadway radii at U.S. Highway 1 to increase the safety of the public right-of-way. The building will contain drive-thru loading area within the Garden Center area to prevent loading from occurring within the parking lot and driveways. This will increase safety and convenience to customers. The site plan layout is designed to save a historic oak tree and to provide large areas of tree preservation along the south property line.

Waivers:

The site plan requests waivers for Gowers Street building setback from 20-feet required to 10-feet proposed. The setback waiver is requested to save a historic 39" oak tree. The proposed Gowers Street driveway connection is within 50-feet of the intersection of Gowers Street and Flagler Road. The driveway waiver is requested to minimize impact to existing trees along the south property line and impact to Flagler Road drainage swale.

INDEX OF SHEETS	
DWG.NO.	DESCRIPTION
1	COVER
2	BOUNDARY AND TOPOGRAPHIC SURVEY
3	DEVELOPMENT INFORMATION
4	DEMOLITION, TREE REMOVAL AND SWPPP PLAN
5	SWPPP DETAILS AND NOTES
6	SITE LAYOUT PLAN
7	DRAINAGE PLAN
8	GRADING PLAN
8.1	RETAINING WALL DETAILS
8.2	RETAINING WALL NOTES
9	CROSS SECTIONS
10	UTILITY PLAN
11	LIFT STATION DETAILS
12	UTILITY DETAILS
13	MISCELLANEOUS DETAILS AND NOTES
14	CITY DETAILS AND NOTES
15	CITY DETAILS AND NOTES
16	MAINTENANCE OF TRAFFIC
17	OVERSIZED TRUCK PLAN
L1	TREE PRESERVATION PLAN
L2	LANDSCAPE PLAN
L3	LANDSCAPE DETAILS
L4	IRRIGATION PLAN
L5	IRRIGATION DETAILS

LEGAL DESCRIPTION

ALL OF BLOCK 59.

PROJECT STATEMENT

JURISDICTIONAL AGENCY PERMIT No.

THE GENERAL CONTRACTOR SHALL ENSURE THAT ANY SUBCONTRACTOR HAS A COMPLETE SET OF CONSTRUCTION DRAWINGS FOR ITS RESPECTIVE WORK. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR SUBCONTRACTORS ONLY UTILIZING INDIVIDUAL DRAWINGS FOR ITS WORK WHERE ADDITIONAL INFORMATION MAY BE CONTAINED ON OTHER DRAWINGS WITHIN THE SET.

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SITE PLAN DRAWINGS FOR

SECTION 36, TOWNSHIP 13, RANGE 31
31-36-01-59-0010
1480 N. U.S. HIGHWAY 1
ORMOND BEACH, FL 32174
REVISED FEBRUARY 2021



AERIAL MAP

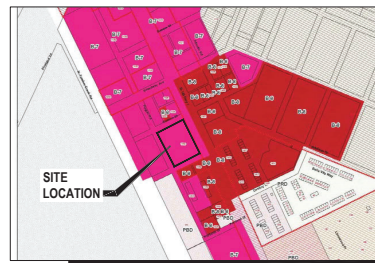


FLOOD ZONE MAP

FLOOD ZONE "X" PER FEMA MAP PANEL No.
12127C0203 K, DATED SEPTEMBER 29, 2017



LOCATION MAP



ZONING MAP

ZONING : B-7 (HIGHWAY TOURIST COMMERCIAL)



SOILS MAP

SOIL TYPE: (32) MYAKKA-MYAKKA, WET, FINE SANDS,
0 TO 2 PERCENT SLOPES

PROJECT TEAM

PROPERTY OWNER & APPLICANT: GROSS FAMILY PROPERTIES NG, LLC
333 WEST GRANADA BOULEVARD, STE 220
ORMOND BEACH, FL 32174
PHONE: (386) 562-0906
EMAIL: JGROSS@ORMONDACEHARDWARE.COM

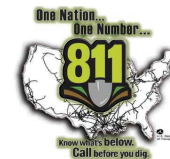
ENGINEER/ NEWKIRK ENGINEERING, INC.
PROJECT MANAGER/ 1230 NORTH HIGHWAY 1, SUITE 3
LANDSCAPE ORMOND BEACH, FL 32174
ARCHITECT: PHONE: (386) 872-7794
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ARCHITECT: DJ DESIGN, INC
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SURVEYOR: A1A SURVEYING, INC.
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EMAIL: BPOHL@UNIVERSALENGINEERING.COM

CONTACT NUMBERS



WARNING !!

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www.NewKirk-Engineering.com

C.A. # 30 209
L.C. # 9600584

Civil Engineering
&
Landscape Architecture

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NEWKIRK
ENGINEERING INC.

NEWKIRK ENGINEERING INC.

NO. 62971

HARRY H. NEWKIRK, P.E. # 62971

DRAWING NUMBER

1

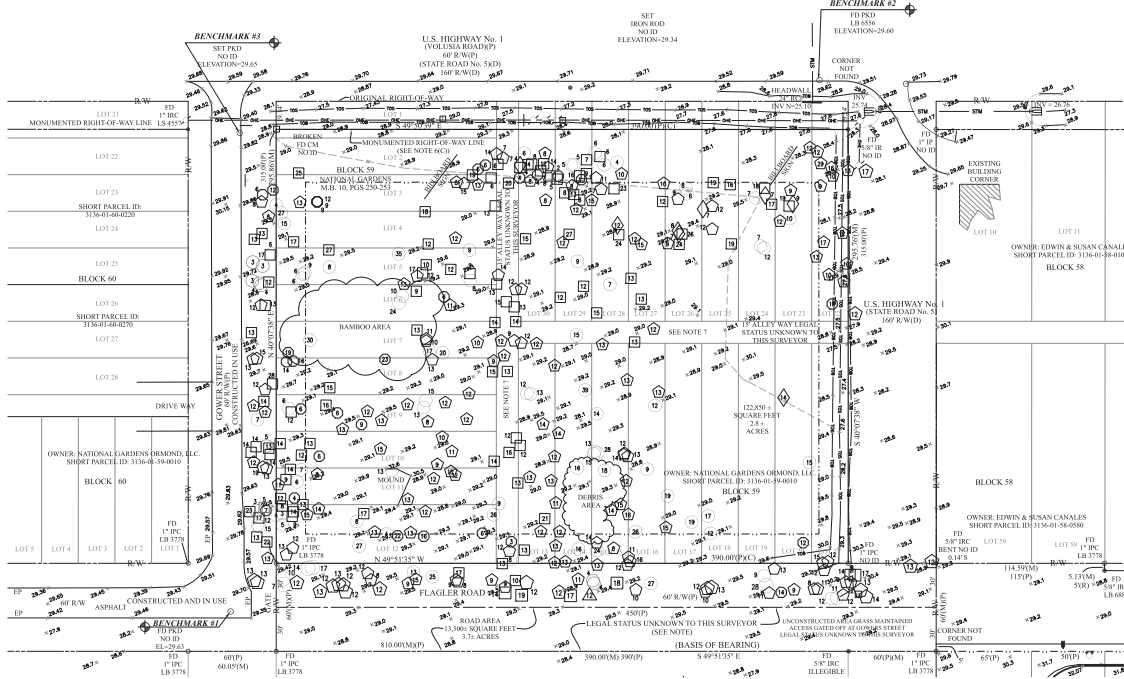
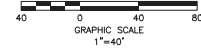
PROJECT No. 2019-66

LEGAL DESCRIPTION:

THOSE PORTIONS OF NATIONAL GARDENS SUBDIVISION, AS PER MAP BOOK RECORDED IN MAP BOOK 10, PAGE 250 TO 253, INCLUSIVE, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, LYING WESTERLY AND SOUTHERLY OF U.S. HIGHWAY NO. 1 (STATE ROAD NO. 5) DESCRIBED AS FOLLOWS:

ALL OF BLOCK 59

ACE HARDWARE
1480 N. U.S. Highway 1
Ormond Beach
Florida



6" & ABOVE ON ALL TREES
EXCEPT PINES (10" & ABOVE)
(INTERIOR OF BUFFER)
LEGEND / SYMBOLS / COUNT:

	SYMBOL	COUNT
CEDAR	10	16
OAK	10	54
PALM	10	111
PINE	10	65
MAGNOLIA	10	7
ON SITE: 202 TOTAL		

6" & ABOVE ON ALL TREES
EXCEPT PINES (10" & ABOVE)
(OFFSITE / OUTSIDE BOUNDARY)
LEGEND / SYMBOLS / COUNT:

	SYMBOL	COUNT
CEDAR	10	4
OAK	10	15
PALM	10	54
PINE	10	24
HICKORY	10	1
OFF SITE: 98 TOTAL		

LEGEND:

CT CALCULATED	● IRON ROD & / OR CAP (AS NOTED)	◆ BENCHMARK (AS NOTED)
CM 4"x4" CONCRETE MONUMENT (AS NOTED)	□ 4" X 4" CONCRETE MONUMENT (AS NOTED)	■ CATCH BASIN
ED DESCRIPTION OF DEED	○ IRON PIPE & / OR CAP (AS NOTED)	▤ MITERED END SECTION
EWG DRAWING	○ IRON PIPE & / OR CAP (AS NOTED)	▥ TELEPHONE PEDESTAL
EL ELEVATION	○ NAIL & DISK (AS NOTED)	▧ FIBRE OPTIC PEDESTAL
FDOT FLORIDA DEPARTMENT OF TRANSPORTATION	— SIGN	— EXISTING GROUND ELEVATION
FEMA FEDERAL EMERGENCY MANAGEMENT AGENCY	— WOOD POWER POLE	— EXISTING HARD ELEVATION
FLRM FLOOD INSURANCE RATE MAP	— WATER VALVE	
FL FLORIDA	— BACKFLOW	
ID IDENTIFICATION	— FIRE HYDRANT	
IRCU IRON ROD AND CAP (AS NOTED)	— WATER METER	
IRPC IRON PIPE AND CAP (AS NOTED)	— OVERHEAD ELECTRIC	
LB LICENSED BUSINESS	— FENCE	
LC LICENSED CORPORATION	— FIBER OPTIC CABLE	
LMA LIMITED LIABILITY COMPANY	— WATER MAIN	
LS LICENSED SURVEYOR	— SAN	
M MEASURED	— STORM LINE	
MB MAP BOOK		
NAVD NORTH AMERICAN VERTICAL DATUM		
NA NOT APPLICABLE AND/OR NOT AVAILABLE		
NOVD NATIONAL GEODETIC VERTICAL DATUM		
N# NUMBER		
NP NOT POINTED ON PANEL		
P PAGE		
PA PLAT		
PA PROFESSIONAL ASSOCIATION		
PKD PARKER KALON NAIL AND DISK (AS NOTED)		
R RECORD		
RW RIGHT-OF-WAY		
SAW SANITARY SEWER		
WO WORK ORDER NUMBER		

2" - 5" ON ALL TREES
EXCEPT PINES (2" - 9")
(BUFFER AREA)
TREE LEGEND / SYMBOLS / COUNT:

	SYMBOL	COUNT
CEDAR	9	9
OAK	4	11
PINE	7	13
MAGNOLIA	5	01
34 TOTAL		

2" - 5" ON ALL TREES
EXCEPT PINES (2" - 9")
(OUTSIDE BOUNDARY / OFFSITE)
TREE LEGEND / SYMBOLS / COUNT:

	SYMBOL	COUNT
OAK	4	9
PINE	7	13
MAGNOLIA	5	01
34 TOTAL		

GENERAL NOTES:

- BEARING STRUCTURE ASSUMED (S 49°51'35" E) ALONG THE WESTERLY LINE OF FLAGLER ROAD (60' R/W). FOR ANGLE MEASUREMENT ONLY.
- LEGAL DESCRIPTION TAKEN FROM OFFICIAL RECORDS BOOK 600, PAGE 2663 PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA. WE ARE A PORTION OF LEGAL IN SAID OFFICIAL RECORDS BOOK. NO TITLE WORK PROVIDED.
- RECORD DIMENSIONS ARE SHOWN IN PARENTHESIS (), WHEN DIFFERS FROM MEASURED.
- DATA SOURCES:
 - ELEVATIONS REFER TO NAVD 88 NORTH AMERICAN VERTICAL DATUM 1988. FEET AND DECIMAL PART THEREOF. BENCHMARK REFERENCE NAVD DATUM OF 1988. BENCHMARK, DESIGNATION IS A NATIONAL GEODETIC SURVEY (NGS) POINT, DESIGNATION: 3 266, FID, ADJ88, ELEVATION: 29.48 FEET.
 - BENCHMARK #1 SET IRON ROD, NO ID, IN THE SOUTHERLY RIGHT-OF-WAY ALONG U.S. HIGHWAY (STATE ROAD NO. 5, ELEVATION = 29.63 FEET.
 - BENCHMARK #2 FOUND PARKER KALON NAIL AND DISK, LB 6556, ALONG THE SOUTHERLY EDGE OF PAVEMENT OF U.S. HIGHWAY (STATE ROAD NO. 5), ELEVATION = 29.60 FEET.
 - BENCHMARK #3 FOUND PARKER KALON NAIL AND DISK, NO ID, ALONG THE SOUTHERLY EDGE OF PAVEMENT OF U.S. HIGHWAY (STATE ROAD NO. 5), ELEVATION = 29.65 FEET.
- FLOOD PLANE CERTIFICATION ACCORDING TO THE FEMA (FEDERAL EMERGENCY MANAGEMENT AGENCY) FLR-M (FEDERAL INSURANCE RATE MAP), CITY OF ORMOND BEACH, FLORIDA, COMMUNITY NO. 121136, MAP NO. 12127 C 0184 4, DATED: SEPTEMBER 29, 2017. THE PROPERTY IS IN FLOOD ZONE "C".
- HISTORY REFERENCE TO PREVIOUS SURVEY OR HELPER SURVEYS, LINEAGE OF DATA HISTORICAL DATA REFERENCES, DATE OF ORIGINAL PLAT:
 - A) NATIONAL GARDENS SUBDIVISION, ACCORDING TO PLAT THEREOF AS RECORDED IN MAP BOOK 10, PAGES 250 THROUGH 253, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.
 - B) OFFICIAL RECORDS BOOK 528, PAGE 355 PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.
 - C) FLORIDA DEPARTMENT OF TRANSPORTATION SECTION No. 9611.17, DATED 09-30-54.
- THE BOUNDARY LINES SHOWN ARE COMPRISED FROM THE SAID INFORMATION ALONG WITH EXISTING MONUMENTATION FOUND IN THE FIELD. SURVEY DOES NOT DETERMINE OR REFLECT OWNERSHIP THERE MAY BE OTHER INFORMATION NOT ON RECORD OR PROVIDED SUCH AS DEEDS OR SURVEY HELPERS FROM OTHER SURVEYS THAT ARE NOT ON RECORD TO AIA SURVEYING AT THE TIME OF SURVEY. AIA SURVEYING ATTEMPTS TO CONTACT LOCAL SURVEYORS FOR HELPER SURVEYS. SEE LIMITATIONS.
- SHOWN IN OFFICIAL RECORDS BOOK 528, PAGE 355 AND ON SAID PLAT OF NATIONAL GARDEN, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, THERE ARE 17 ALLEYWAYS SHOWN IN BLOCK 59. LEGAL STATUS UNKNOWN TO THIS SURVEYOR.
- NO UNDERGROUND UTILITIES LOCATED, EXCEPT AS SHOWN AND LOCATED PER MARKINGS BY OTHERS AT TIME OF SURVEY.
- LIMITATIONS:
 - A) THE CLIENT AND/OR THEIR LEGAL REPRESENTATIVES IS REQUIRED PER FLORIDA STATUTE RULE 5-17.0522(2)(d) AND THE AIA REQUIREMENTS THAT ALL RECORDED INSTRUMENTS (EASEMENTS, RIGHT-OF-WAY, ETC.) THAT APPLIES TO THIS SURVEY MUST BE PROVIDED TO THIS SURVEYOR. SOME INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHT-OF-WAY, AND/OR OWNERSHIP HAVE BEEN FURNISHED TO THE SURVEYOR. PER TITLE COMMITMENT, THERE MAY BE ADDITIONAL RECORDINGS NOT PROVIDED TO THIS SURVEYOR THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY OR A PREVIOUS SURVEY BY OTHERS NOT ON RECORD THAT WERE NOT PROVIDED AT THE TIME OF THIS SURVEY. THIS SURVEYOR RETAINS THE RIGHT TO REVISE HIS OR HER SURVEY WHEN SAID DOCUMENTATION IS PROVIDED.
 - B) IT IS UNDERSTOOD TO BE THE PROFESSIONAL OPINION OF THIS SURVEYOR AND THE FIRM FROM WHICH IS FORMULATED ON HIS, HER BEST KNOWLEDGE, INFORMATION AND BELIEF, AND AS SUCH DOES NOT CONSTITUTE A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED. FURTHERMORE, THIS SURVEYOR AND FIRM DOES NOT ASSUME RESPONSIBILITY AND SHALL NOT BE LIABLE FOR CLAIMS ARISING FROM ERRORS OR INCOMPLETE INFORMATION FURNISHED BY THE OWNER, LENDER, OR OWNERS CONTRACTORS OR OTHERS WHICH IS USED AS A BASIS TO FORMULATE THIS SURVEYORS OPINION.
 - C) ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE PARTY PER FLORIDA STATUTES CHAPTER RULE 5-17.0513(3)(5)(6).
 - D) THE ACCEPTANCE OF THIS SURVEY AS CERTIFIED FOR THE EXCLUSIVE USE OF NAMES SHOWN HEREON SHALL CONSTITUTE FULFILLMENT OF MY CONTRACTUAL OBLIGATION. "ORIGINAL" AS DEFINED HEREON REFERS TO THE SIGNED AND SEALED GRAPHIC REPRESENTATION OF THE FIELD SURVEY. CAD FILES ARE NOT THE SURVEY AND THERE MAY BE A SURCHARGE FOR THEM.
 - E) TAX PARCEL IDENTIFICATION NUMBERS, ADJACENT OWNERS NAME AND ADDRESS WHEN SHOWN, IS TAKEN FROM SAID COUNTY PROPERTY WEB SITE.
 - F) TREE INFORMATION: TREES AS SHOWN ON THE SURVEY IS FOR THE LOCATION AND DIAMETER TAKEN APPROXIMATELY 4 TO 4-1/2 FEET ABOVE GROUND LEVEL, APPROXIMATELY CHEST HEIGHT. THE TREE IDENTIFICATION SHOWN IS USUALLY A COMMONLY KNOWN NAME, HOWEVER, THE ACCURACY OF THE SPECIES OF SAID IDENTIFICATION SHOULD BE IDENTIFIED AND CONSULTED BY AN ARBORIST OR ANY OTHER PROFESSIONAL LICENSED TO IDENTIFY TREES (LANDSCAPE ARCHITECT, ENVIRONMENTALIST, ETC.). IDENTIFICATION IS OUT OF THE EXPERTISE OF A FLORIDA SURVEYOR OR MAPPER, UNLESS THEY POSSESS SUCH CERTIFICATES.
 - G) TOPOGRAPHIC SURVEY: CONTOURS ARE ON ONE FOOT INTERVALS, INTERPOLATED BETWEEN GRIDS, VISIBLE GRADE BREAKS, ALONG WITH RANDOM GROUND ELEVATIONS.

CERTIFIED TO:

Field Work by: KM Date: 01/02/21 Office Work by: TE Date: 01/20/21
Field Book: 1 Page: Scale: 1" = 40'

TYPE OF SURVEY:

Boundary, Topographic & Special Purpose
REVISIONS:
Added Trees: 01/20/2021

SITE ADDRESS:

1480 N. US Highway 1
Ormond Beach, Florida

PROJECT:

19--

AIA SURVEYING, INC.
Professional Surveyors
Phone: 386.216.5777
555 W. Granada Blvd., Suite 100, Ormond Beach, FL 32174
THE FOREGOING PLAT IS HEREBY CERTIFIED TO BE A TRUE AND CORRECT REPRESENTATION OF THE ORIGINAL SURVEY AND THE SIGNATURE AND SEAL OF THE SURVEYOR.
01/21/2021
PSM 06378
David McMillen

GENERAL CONSTRUCTION NOTES

1. GOVERNING SPECIFICATIONS: THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, CITY OF ORMOND BEACH STANDARD CONSTRUCTION DETAILS AND SPECIFICATIONS, LATEST EDITION.
2. ALL CONSTRUCTION WITHIN THE FOOT RIGHT-OF-WAY SHALL CONFORM TO THE 2019-2020 EDITION OF THE FOOT DESIGN STANDARD PLANS, THE 2019 EDITION OF THE FOOT STANDARD SPECIFICATION FOR ROAD AND BRIDGE CONSTRUCTION AND THE 2017 EDITION OF THE FOOT UTILITY ACCOMMODATIONS MANUAL.
3. ALL UTILITY MATERIAL, CONSTRUCTION AND TESTING COVERED BY THESE DRAWINGS SHALL COMPLY WITH THE CITY OF ORMOND BEACH STANDARD CONSTRUCTION DETAILS AND SPECIFICATIONS, LATEST EDITION. ALL UTILITY WORK AND CONNECTIONS SHALL BE COORDINATED WITH THE CITY OF ORMOND BEACH INSPECTOR.
4. THE CONTRACTOR SHALL PAY FOR AND OBTAIN A BUILDING PERMIT. THE ENGINEER WILL SCHEDULE THE PRECONSTRUCTION CONFERENCE BEFORE THE CONTRACTOR'S START OF WORK. THE CONTRACTOR SHALL CONTACT THE BUILDING DEPARTMENT AT (386) 676-3234 FOR INFORMATION ON ISSUANCE OF CITY PERMITS AND/ OR OTHER REQUIREMENTS.
5. IT IS THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE ENGINEER OF ANY DEFICIENCIES OR DISCREPANCIES AMONG THE DIVISIONS OF THE DRAWING AND SPECIFICATIONS PRIOR TO THE BID DATE. NEITHER THE OWNER OR ENGINEER WILL BE RESPONSIBLE FOR ANY DEFICIENCIES OR DISCREPANCIES RAISED AFTER THE BID OPENING. ACCORDINGLY, IN LIGHT OF THESE OBLIGATIONS, THE ENGINEER IS OBLIGATED TO INTERPRET THE DRAWINGS AND SPECIFICATIONS IN A MANNER THAT WILL PROVIDE THE OWNER WITH A COMPLETE, FUNCTIONING FACILITY FOR THE BID PRICE.
6. THESE DRAWINGS AND THE PROJECT MANUAL ARE COMPLEMENTARY, AND ANY REQUIREMENT OF ONE SHALL BE A REQUIREMENT OF THE OTHER. IT IS THE CONTRACTOR'S RESPONSIBILITY TO CAREFULLY EXAMINE THE DRAWINGS AND SPECIFICATIONS AND TO COMPARE THE REQUIREMENTS OF EACH DIVISION AND ENSURE THAT EACH TRADE OR SUBCONTRACTOR IS MAKING THE ALLOWANCES NECESSARY TO PROVIDE THE OWNER A COMPLETE FACILITY, OPERATIONAL IN ALL RESPECTS, UNLESS OTHERWISE SPECIFICALLY STATED IN THE DRAWINGS.
7. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR INSTRUCTING THE CONTRACTOR IN THE METHODS OF CONSTRUCTION. IT IS THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE METHOD TO CONSTRUCT THE IMPROVEMENTS AS SHOWN ON THE PLANS.
8. ONLY ONE TEMPORARY CONSTRUCTION SIGN IS PERMITTED, NOT TO EXCEED 32 SQUARE FEET IN SIGN AREA, MAXIMUM HEIGHT OF 8 FEET AND NO CLOSER THAN 10 FT FROM PUBLIC RIGHT-OF-WAY. THE CONTRACTOR SHALL APPLY FOR A TEMPORARY SIGN PERMIT AT THE CITY OF ORMOND BEACH BUILDING DEPARTMENT. THE SIGN MUST BE REMOVED UPON RECEIPT OF THE CERTIFICATE OF OCCUPANCY.
9. LITTER CONTROL: MEASURES TO PREVENT WIND-DRIVEN DEBRIS SHALL BE IMPLEMENTED THROUGHOUT THE DURATION OF CONSTRUCTION. ALL DEBRIS SHALL BE REMOVED AND THE PROJECT SITE CLEANED WITHIN 30 DAYS OF COMPLETION OF CONSTRUCTION.
10. AT NO TIME SHALL EXCAVATIONS BE LEFT UNCOVERED AFTER WORKING HOURS. CONTRACTOR SHALL SECURE THE WORK AREA AT THE END OF EACH DAY'S WORK.
11. AT ALL TIMES, THE CONTRACTOR SHALL TAKE PRECAUTIONS TO PROTECT UNDERGROUND UTILITIES, STRUCTURES AND OTHER ASSOCIATED FACILITIES FROM DAMAGE DURING CONSTRUCTION. IT IS THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE MEASURES OF PROTECTION. ANY DAMAGED FACILITIES SHALL BE REPAIRED OR REPLACED AS DIRECTED BY THE CITY OR ENGINEER AT THE CONTRACTOR'S EXPENSE.
12. THERE SHALL BE NO DEVIATIONS FROM THESE PLANS UNLESS APPROVED IN WRITING BY THE ENGINEER AND THE OWNER.
13. THE CONTRACTOR SHALL CONTACT ALL CONCERNED UTILITIES AT LEAST FORTY-EIGHT (48) HOURS IN ADVANCE OF CONSTRUCTION OPERATIONS.
14. CONTRACTOR SHALL COORDINATE AND COMPLY WITH ALL UTILITY COMPANIES INVOLVED IN PROJECT AND PAY ALL REQUIRED FEES AND COST.
15. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING CERTIFIED MATERIAL TEST RESULTS TO THE ENGINEER OF THE RECORD PRIOR TO THE RELEASE OF FINAL CERTIFICATION BY THE ENGINEER. TEST RESULTS MUST INCLUDE, BUT MAY NOT BE LIMITED TO, DENSITIES FOR SUBGRADE AND BASE DENSITIES AT UTILITY CROSSINGS, MANHOLES, INLETS, STRUCTURES. TEST SHALL INCLUDE ASPHALT GRADATION REPORTS, CONCRETE CYLINDERS, ETC.
16. WHERE NEW ASPHALT MEETS EXISTING ASPHALT, THE ADJACENT ASPHALT SHALL BE SAW CUT TO PROVIDE A STRAIGHT EVEN LINE.
17. PRIOR TO REMOVING CURB OR GUTTER, THE EXISTING ASPHALT SHALL BE SAW CUT TO PROVIDE A STRAIGHT EVEN LINE.
18. ALL PROPOSED ELEVATIONS REFER TO FINISHED GRADIES.
19. CONCRETE WALKS SHALL BE 4 INCHES THICK HAVING A 3,000 PSI STRENGTH, POURED OVER PROPERLY PREPARED SUBGRADE. ALL CONCRETE SIDEWALKS SHALL BE 8 INCHES THICK ACROSS DRIVEWAYS. 1/2 INCH EXPANSION JOINTS SHALL BE PLACED AT A MAXIMUM OF 50'. CRACK CONTROL JOINTS SHALL BE 5' ON CENTERS.
20. CORE TESTS SHALL BE TAKEN TO VERIFY THICKNESS AND SUBSURFACE COMPACTION. PROVIDE FOR THREE SAMPLES, RANDOMLY LOCATED. TEST FOR EXTRACTION, GRADATION, LABORATORY DENSITY, AND MARSHALL'S STABILITY. PROVIDE A CERTIFICATE FROM THE TESTING AGENCY THAT MATERIALS AND INSTALLATION COMPLY WITH SPECIFICATIONS. SIGNED BY THE ASPHALT/CONCRETE PRODUCER AND CONTRACTOR. ALL COSTS OF TESTS SHALL BE PAID BY THE CONTRACTOR. IF TESTS SHOW THE INSTALLATION DOES NOT MEET SPECIFICATIONS, THE PAVING SHALL BE REMOVED, REPLACED, AND RETESTED.
21. IF ANY MUCK-LIKE MATERIAL IS DISCOVERED, IT WILL BE REQUIRED TO BE REMOVED, BACKFILLED WITH APPROPRIATE FILL, COMPACTED, AND TESTED USING AASHTO T-180 MODIFIED PROCTOR METHOD.
22. FILL MATERIAL IS TO BE PLACED IN ONE FOOT LIFTS AND COMPACTED TO THE APPROPRIATE DENSITY (8% FOR PAVED AREAS AND 95% FOR BUILDING PADS AND ALL OTHER AREAS AS PER AASHTO T-180).
23. NO BURYING OF ANY ORGANIC MATERIALS ALLOWED.
24. THERE WILL BE NO PROPOSED OVERHEAD UTILITY AND SERVICE LINES ASSOCIATED WITH THIS PROJECT. ALL UTILITY LINES AND SERVICES WILL BE INSTALLED UNDERGROUND AT THE OWNER'S, DEVELOPER'S OR BUILDER'S EXPENSE.
25. SET UP AND WORK ON SHOULDER AND WITHIN TRAVEL WAY SHALL ONLY OCCUR BETWEEN THE HOURS SPECIFIED ON THE CITY OF ORMOND BEACH ROW PERMIT. ALTERNATIVELY, WORK CAN BE SCHEDULED DURING SCHOOL HOLIDAYS OR ON WEEKENDS.

SITE AND GENERAL INFORMATION

1. THE PROPERTY AREA BOUNDARY CONSISTS OF 117,316 SF OR 2.693 ACRES. FOR BOUNDARY AND TOPOGRAPHIC SURVEY REFER TO THE SURVEY PERFORMED BY A1A SURVEYING, INC. (SEE SHEET No. 2 OF THESE PLANS).
2. THE ZONING IS B-7 (HIGHWAY TOURIST COMMERCIAL).
3. THE TAX PARCEL NUMBER IS 31-36-01-59-0010.
4. THE EXISTING SITE CONDITION IS AN UNDEVELOPED, WOODED LOT. THE FLUICFS LAND USE IS (B-7) HIGHWAY TOURIST COMMERCIAL.
5. PER THE USDA NATIONAL RESOURCES CONSERVATION SERVICE FOR VOLUSIA COUNTY, THE SCS SOILS MAP INDICATES THE SITE CONSISTS OF (32) MYAKKA-MYAKKA, WET, FINE SANDS, 0 TO 2 PERCENT SLOPES.
6. THE SITE IS LOCATED WITHIN ZONE "C" PER FEMA MAP PANEL NO. 12127C0203 K, DATED SEPTEMBER 29, 2017.
7. ELECTRICAL UTILITY SERVICE WILL BE PROVIDED BY FLORIDA POWER & LIGHT. NATURAL GAS WILL BE PROVIDED BY TECO PEOPLES GAS COMPANY. TELEPHONE, CABLE AND INTERNET SERVICE WILL BE PROVIDED BY AT&T. CABLE TV AND INTERNET CAN ALSO BE PROVIDED BY SPECTRUM NETWORKS.
8. SOLID WASTE WILL BE COLLECTED AND DISPOSED OF BY WASTE MANAGEMENT, INC.
9. THE SITE IS NOT LOCATED WITHIN THE LIMITS OF A WELLHEAD PROTECTION ZONE AND THERE IS NO ORDINARY HIGH WATER (QHW) LINE WITHIN THE SITE.
10. STORMWATER WILL BE PROVIDED BY A WET DETENTION POND SYSTEM DESIGNED SO THAT THE POST DEVELOPMENT DISCHARGE RATE AND VOLUME DOES NOT EXCEED THE PREDEVELOPMENT DISCHARGE RATE AND VOLUME FOR MEAN ANNUAL, 25-YEAR, AND 100-YEAR 24-HOUR, STORM EVENTS.
11. POTABLE WATER SERVICE WILL BE PROVIDED BY 1" WATER METER CONNECTION TO CITY 12" WATER MAIN.
12. IRRIGATION SERVICE WILL BE PROVIDED BY PRIVATE WELL.
13. ALL ON-SITE WATER AND SEWER FACILITIES ARE OWNED AND MAINTAINED BY THE PROPERTY OWNER.
14. WASTEWATER WILL BE PROVIDED BY A PRIVATE LIFT STATION CONNECTED TO CITY 6" FORCE MAIN.

LEGEND

NOTE: NOT ALL SYMBOLS SHOWN HERE MAY BE APPLICABLE TO THESE DRAWINGS, ALSO THERE MAY BE ADDITIONAL SYMBOLS WITHIN PLANS NOT SHOWN HERE. SEE INDIVIDUAL DRAWING LEGEND WHERE APPLICABLE.

	BENCHMARK ID		4" BY 4" CONCRETE MONUMENT
	BORING ID		EXISTING EASEMENT
	EXISTING CABLE TV PEDESTAL		EXISTING UNDERGROUND FIBER OPTIC CABLE
	EXISTING CAP OR PLUG		EXISTING FORCE MAIN (# INDICATES SIZE)
	EXISTING CLEAN OUT		EXISTING GAS MAIN
	EXISTING CONDUIT RISER/ MARKER		EXISTING OVERHEAD ELECTRIC CABLES
	EXISTING ELECTRIC METER		EXISTING OVERHEAD TRAFFIC SIGNAL CABLE
	EXISTING ELEVATION (SOFT)		EXISTING RAW WATER MAIN (# INDICATES SIZE)
	PROPOSED ELEVATION (SOFT)		EXISTING RECLAIM WATER MAIN (# INDICATES SIZE)
	PROPOSED ELEVATION (HARD)		PROPOSED SANITARY SEWER (# INDICATES SIZE)
	EXISTING FIRE HYDRANT		PROPOSED WATER MAIN (# INDICATES SIZE)
	PROPOSED FIRE HYDRANT		EXISTING CONTOUR
	EXISTING FLOW DIRECTION		PROPOSED CONTOUR (SOFT)
	PROPOSED FLOW DIRECTION		PROPOSED CONTOUR (HARD)
	EXISTING GAS METER		EXISTING UNDERGROUND TELEPHONE CABLE
	EXISTING GAS VALVE		EXISTING UNDERGROUND TELEVISION CABLE
	EXISTING GUY WIRE & ANCHOR PIN		EXISTING UNDERGROUND ELECTRICAL POWER CABLE
	EXISTING MAIL BOX		JURISDICTIONAL WETLAND LINE
	EXISTING MANHOLE (UNKNOWN)		EXISTING SANITARY SEWER (# INDICATES SIZE)
	PROPOSED MANHOLE		EXISTING WATER MAIN (# INDICATES SIZE)
	EXISTING SANITARY SEWER CLEANOUT		EXISTING PIPE OR CONDUIT (TYPE SPECIFIED)
	EXISTING SANITARY SEWER MANHOLE		EXISTING SWALE OR CENTER OF DITCH
	EXISTING ROAD SIGNS AND POSTS		PROPOSED SWALE OR CENTER OF DITCH
	PROPOSED SIGN AND POST		EXISTING TOP OF DITCH BANK
	EXISTING TEE		EXISTING BOTTOM OF DITCH BANK
	EXISTING UTILITY POLE		EXISTING WOOD FENCE
	EXISTING VALVE IRRIGATION		EXISTING WIRE OR CHAIN LINK FENCE
	EXISTING VALVE WATER		PROPOSED WIRE OR CHAIN LINK FENCE
	PROPOSED VALVE WATER		PROPOSED SILTSEDIMENT FENCE
	EXISTING WATER METER		PROPOSED COIR ROLL OR WATTLE
	EXISTING STORM SEWER WITH INLET		PROPOSED FLOATING TURBIDITY BARRIER
	12" IRON ROD (N.O.D.)		PROPOSED TREE PROTECTION

SITE DEVELOPMENT USAGE

1. SETBACK:	BUILDING	LANDSCAPE
FRONT (U.S. HIGHWAY 1)	20 FEET	36 FEET
REAR (SOUTH)	20 FEET	10 FEET
SIDE (GOWERS ST)	20 FEET	10 FEET
SIDE (EAST)	10 FEET	10 FEET

2. PROPOSED SITE COVERAGE:	SQ. FT	ACRE	%
BUILDING & GARDEN CENTER	18,581	0.427	15.8 (40% MAX)
PAVEMENT	21,722	0.729	27.0
CONCRETE SIDEWALKS / PATIOS	2,451	0.056	2.1
INTERIOR LANDSCAPE	28,755	0.660	24.5
EXTERIOR LANDSCAPE	17,359	0.412	15.4
TREE PRESERVATION	17,838	0.410	15.2
TOTAL SITE	117,316	2.693	100.00
TOTAL IMPERVIOUS	52,764	1.211	45.0
WET DETENTION POND	9,121	0.209	7.8
TOTAL OPEN SPACE	55,431	1.273	47.2
MAX IMPERVIOUS LOT COVERAGE	0.45	(0.75 MAX)	

3. PARKING REQUIREMENTS:

PARKING REQUIRED	1 SPACE PER 250 SF RETAIL & OFFICE
11,589 SF RETAIL + 1,089 SF OFFICE	= 12,678 SF
12,678 SF / 250 = 50.7	= 51 SPACES

4. PARKING PROVIDED:

SPACES	%
HANDICAP	3 4.5
STANDARD	63 95.5
TOTAL PARKING PROVIDED	66 100.0

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION ROADWAY AND TRAFFIC DESIGN STANDARDS - 2020 / 2021 AND QUALIFIED PRODUCTS LIST

INDEX NO.	DESCRIPTION	INDEX NO.	DESCRIPTION
102	MAINTENANCE OF TRAFFIC FOR TRAFFIC CONTROL	102-600	GENERAL INFORMATION FOR TRAFFIC CONTROL
425-010	STRUCTURE BOTTOMS - TYPES J AND P	102-601	THROUGH WORK ZONES
205	PIPE BACKFILL	102-602	TWO-LANE, TWO-WAY, WORK ON SHOULDER
425-024	CURB INLET PUT TYPE B	102-603	TWO-LANE, TWO-WAY, WORK WITHIN THE TRAVEL WAY
520-001	CURBS & CURBS AND GUTTER	102-612	MULTI-LANE, WORK ON SHOULDER
522-002	PUBLIC SIDEWALK CURBS RAMPS	102-660	PEDESTRIAN CONTROL FOR CLOSURE OF SIDEWALKS
350-001	CONCRETE PAVEMENT JOINTS	515-002	ALUMINUM PEDESTRIAN / BICYCLE PICKET RAILING
522-001	CONCRETE SIDEWALK	700-101	TYPICAL SECTIONS FOR PLACEMENT OF SINGLE & MULTIPLE-COLUMN SIGNS
514	OPTIONAL BASE GROUP AND STRUCTURAL NUMBERS	711-001	SPECIAL MARKING AREAS

FOOT GENERAL NOTES:

1. MAINTENANCE OF TRAFFIC TO BE SUPERVISED BY A CERTIFIED PERSON (ON SITE).
2. THE CONTRACTOR SHALL NOTIFY THE DEPARTMENT A MINIMUM OF 48 HOURS PRIOR TO BEGINNING ANY WORK WITHIN THE FOOT ROW.
3. ALL WORK PERFORMED WITHIN THE FOOT ROW SHALL BE IN ACCORDANCE WITH THE 2019 EDITION OF THE FOOT DESIGN STANDARDS & SPECIFICATIONS FOR ROAD & BRIDGE CONSTRUCTION, 2017 EDITION OF THE FOOT UTILITY ACCOMMODATION MANUAL, AND FOOT STANDARD PLANS FY 2019-20.
4. IT IS THE RESPONSIBILITY OF THE PERMITTEE TO REPAIR ANY DAMAGE TO FOOT FACILITIES CAUSED BY THE CONSTRUCTION OF THIS PROJECT.
5. ANY TEST RESULTS TAKEN DURING CONSTRUCTION OF THE PERMITTED WORK SHALL BE PROVIDED TO THE DEPARTMENT UPON REQUEST.
6. ALL CONCRETE TO BE REMOVED SHALL BE SAW CUT TO NEAREST JOINT IN GOOD CONDITION, SO A CONNECTION THAT IS FREE OF CRACKS, DEFORMITIES OR VOIDS & IRREGULARITIES ARE NOT DETECTIVE.
7. ALL STRIPING WITHIN THE FOOT RIGHT-OF-WAY SHALL BE PERFORMED THERMOPLASTIC.
8. ALL CONCRETE SHALL BE AN APPROVED FOOT MIX DESIGN OF 3,000 PSI.
9. ALL MATERIALS INSTALLED INSIDE FOOT ROW SHALL BE ON THE QUALIFIED PRODUCTS LIST OR APPROVED PRODUCTS LIST.
10. ALL CONSTRUCTION SHALL BE STAGED FOR CONSTRUCTION BY MEANS OF DIGITAL COORDINATES BY SURVEYOR UTILIZING GEODETIC TOTAL STATION. SCALING OF DRAWINGS FOR PURPOSES OF STAKING ARE AT THE SURVEYOR'S RISK.
11. THE CONTRACTOR SHALL SUBMIT A MAINTENANCE OF TRAFFIC AND BARRICADE PLAN TO THE ENGINEER FOR APPROVAL WITH THE BID. INCLUDE THE MOT PLAN AT THE PRECONSTRUCTION MEETING.
12. ALL TRAFFIC CONTROL DEVICES SHALL BE IN PLACE PRIOR TO CONSTRUCTION AND THE FOOT INSPECTOR NOTIFIED FOR APPROVAL.
13. ALL BARRICADES AND POSTED SIGNAGE SHALL REMAIN IN PLACE UNTIL PAVING WORK IS COMPLETE. ALL BARRICADES SHALL BE VERIFIED IN PLACE BY THE CONTRACTOR AT THE END OF EACH WORK DAY.
14. SO ALL DISTURBED AREAS IN RIGHT-OF-WAY WITHIN 60 FEET.
15. THE CONTRACTOR SHALL ENSURE THAT ALL SIDEWALKS AND CROSSWALKS CONFORM TO THE CURRENT REQUIREMENTS OF THE AMERICANS WITH DISABILITY ACT (ADA).
16. ALL SIGNS AND PAVEMENT MARKINGS THAT ARE REMOVED OR DAMAGED BY CONSTRUCTION ACTIVITIES RELATED TO THIS PROJECT ARE TO BE REPLACED TO THEIR PRECONSTRUCTION CONDITIONS.
17. ALL SIGNAGE AND PAVEMENT MARKINGS SHALL CONFORM TO FOOT STANDARD INDEX NO. 711-001.
18. IN THE EVENT PERMANENT VEHICLE DETECTION IS DISRUPTED, PROVIDE AN ALTERNATIVE MEANS OF DETECTION TO ALL LANES APPROACHING THE INTERSECTION, SEPARATING EACH MOVEMENT WHICH PREVIOUSLY HAD DETECTION. THE TYPE OF DETECTOR SHALL BE APPROVED BY THE ENGINEER PRIOR TO INSTALLATION. EQUIPMENT SHALL ONLY DETECT THE INTENDED MOVEMENT.
19. THERE SHALL BE NO 90-DEGREE LANE CLOSURES DURING 7 A.M. TO 7 P.M. MONDAY TO SUNDAY.
20. THERE SHALL BE NO 90-DEGREE LANE CLOSURES DURING 7 A.M. TO 7 P.M. MONDAY TO SUNDAY.
21. CONTRACTOR TO PROVIDE TEMPORARY VIDEO DETECTION FOR SIGNAL WHILE LOOPS ARE DISTURBED DURING MILLING AND RESURFACING.

ABBREVIATIONS

AWWA	AMERICAN WATER WORKS ASSOCIATION	GW	GROUND WATER HANDICAP	R	RADIUS
CMP	CORRUGATED METAL PIPE	HIC	HIGH DENSITY POLYETHYLENE	RCP	REINFORCED CONCRETE PIPE
CPP	CORRUGATED PLASTIC PIPE	HOPE	HORIZONTAL PERMEABILITY	RFM	REFLECTIVE PAVEMENT MARKER
CTV	CABLE TELEVISION DUCTILE IRON PIPE	INV	INVERT	R/W	RIGHT-OF-WAY
DIP	DUCTILE IRON PIPE	K ₁	KNOCK OUT	SAN	SANITARY
ESMT	EASEMENT	K _v	VERTICAL PERMEABILITY	SH	SEASONAL HIGH
EXIST	EXISTING	KO	KNOCK OUT	SMH	SANITARY MANHOLE
FAC	FLORIDA ADMINISTRATIVE CODE	LF	LINEAL FEET	SJRWMD	ST. JOHNS RIVER WATER MANAGEMENT DISTRICT
FDEP	FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION	MB	MAP BOOK	SS	SANITARY SEWER
FEMA	FEDERAL EMERGENCY MANAGEMENT AGENCY	MES	METERED END SECTION	SSWPP	STORMWATER POLLUTION PREVENTION PLAN
PH	FIRE HYDRANT	MJ	MECHANICAL JOINT	TSS	TEMPORARY SEDIMENT BASIN
FOC	FIBER OPTIC CABLE	N/A	NOT APPLICABLE	TYP	TYPICAL
FF EL	FINISH FLOOR ELEVATION	NIC	NOT IN CONTRACT	UGE	UNDERGROUND ELECTRIC
FR/L	FLORIDA POWER & LIGHT	NOVO	NATIONAL GEODETIC DATUM	UGT	UNDERGROUND UTILITY
FM	FORCE MAIN	OHE	OVERHEAD ELECTRIC	USACOE	UNITED STATES ARMY CORP OF ENGINEERS
FPD	FEET PER DAY	OR	OFFICIAL RECORD	W	WATER (POTABLE)
G	GAS	PG	PAGE		
		PSI	POUNDS PER SQUARE INCH		
		PVC	POLYVINYL CHLORIDE		
		PWMT	PAVEMENT		

SITE GEOTECHNICAL CONSIDERATIONS

SEE GEOTECHNICAL REPORT UNIVERSAL ENGINEERING SCIENCES, INC. (REPORT #15160, DATED SEPTEMBER 16, 2019) FOR ALL SUBSURFACE CONDITIONS, GROUNDWATER, SITE PREPARATION FOR PAVEMENT AND ALL EARTHWORK REQUIREMENTS.

8.B.g

2401 CITY COMMENTS

1239 North US1, Suite 3
Ormond Beach, Florida 32174
www.newkirk-engineering.com
C.A. # 20039
L.C. # 00034
O.C.# 013

NEW KIRK ENGINEERING
Civil Engineering
Transportation, CE &
Landmarks/Heritage

ACE Hardware

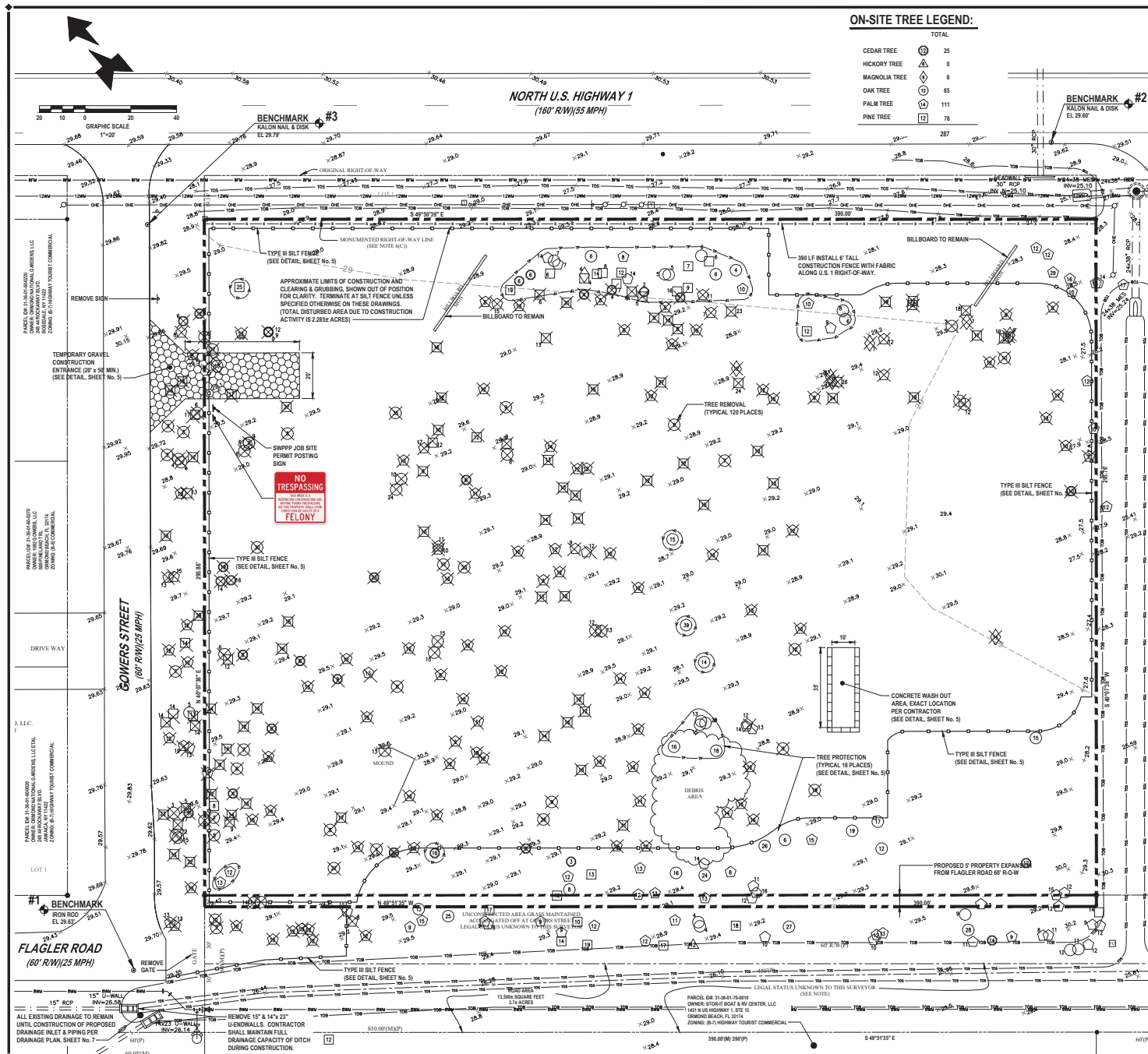
DEVELOPMENT INFORMATION
ACE HARDWARE
1480 NORTH U.S. HIGHWAY 1
ORMOND BEACH, FLORIDA 32174

THIS DRAWING IS THE PROPERTY OF NEW KIRK ENGINEERING. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. NO PART OF THIS DRAWING IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF NEW KIRK ENGINEERING.

NEW KIRK ENGINEERING
NO. 62971
STATE OF FLORIDA
REGISTERED PROFESSIONAL ENGINEER
HARRY H. NEWKIRK, P.E. # 62971

PROJECT No: 2019-06
DATE: NOVEMBER 2020
DESIGN BY: HHN
DRAWN BY: BWV
CHECKED BY: HHN
SCALE:
DRAWING NUMBER

3



ON-SITE TREE LEGEND:

	TOTAL
CEDAR TREE	2
HICKORY TREE	0
MANGROVE TREE	0
OAK TREE	8
PALM TREE	111
PINE TREE	78

DEMOLITION AND SWPPP NOTES:

1. ALL EROSION CONTROL DEVICES AND VISIBLE BARRICADES SHALL BE INSTALLED AND APPROVED BY ENGINEER PRIOR TO THE START OF CLEARING AND GRUBBING.
2. THE CONTRACTOR SHALL SCHEDULE A PRECONSTRUCTION MEETING WITH THE CITY AS SPECIFIED PRIOR TO START OF CONSTRUCTION.
3. THE SITE SHALL BE CLEARED AND GRUBBED OF ALL VEGETATION AND DEBRIS WITHIN THE APPROXIMATE LIMITS OF CLEARING AS INDICATED ON THE DRAWING.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CONTACTING THE CITY OF ORMOND BEACH UTILITY DEPARTMENT, FLORIDA SUNDINE AND EMERGENCY SERVICES FOR RESPECTIVE UTILITY LOCATIONS AND "NOTICE" OF CONSTRUCTION ACTIVITY.
5. ALL REMOVED MATERIAL SHALL BE HAULED OFF-SITE TO AN APPROVED LANDFILL. TREES MAY BE LOADED OR MULCHED FOR OFF-SITE DISPOSAL AT THE CONTRACTOR'S DISCRETION.
6. ALL EROSION CONTROL DEVICES SHALL BE PLACED PRIOR TO THE START OF WORK AND REMAIN IN PLACE UNTIL ALL WORK IS COMPLETE.
7. CONTRACTOR SHALL BE RESPONSIBLE FOR PERIODIC INSPECTION AND REMOVAL OF DEBRIS AND SILT BEHIND EROSION CONTROL DEVICES.
8. ALL INLETS AND PIPE SHALL BE PROTECTED DURING CONSTRUCTION BY INLET PROTECTION MEASURES TO PREVENT SILTATION IN THE DRAINAGE SYSTEM (SEE DETAILS THIS DRAWING). THE ENTIRE DRAINAGE SYSTEM SHALL BE CLEARED OF ALL DEBRIS PRIOR TO FINAL ACCEPTANCE.
9. ALL OFF-SITE AREAS DISTURBED DURING CONSTRUCTION ACTIVITY SHALL BE IMMEDIATELY RESTORED TO PRIOR CONDITION UPON COMPLETION OF WORK.
10. SOLIDS ARE TO BE STABILIZED BY WATER OR OTHER MEANS DURING CONSTRUCTION. THIS IS INTENDED TO REDUCE SOIL EROSION, BLOWING SAND, AND THE IMPACT TO NEIGHBORING PROPERTIES.
11. THE CONTRACTOR SHALL PROVIDE THE ENGINEER, CITY A MOT PLAN AT PRECONSTRUCTION MEETING. TRAFFIC SHALL BE ALLOWED TO CONTINUE DURING WORK. PROVIDE MEASURES TO DETOUR TRAFFIC AROUND OPEN EXCAVATION WITH ADEQUATE BARRICADES, SIGNAGE AND FLAGPERSONS TO DIRECT TRAFFIC. EMERGENCY SERVICES SHALL BE NOTIFIED 4 HOURS IN ADVANCE.
12. EXISTING DRIVEWAYS SHOWN ADJACENT TO OR OUTSIDE LIMITS OF CONSTRUCTION SHALL REMAIN IN-SERVICE. EXISTING UTILITIES AND DRIVEWAYS SHALL NOT BE REMOVED UNLESS OTHERWISE NOTED.
13. IF ANY DOWATERING IS TO OCCUR DURING ANY PHASE OF CONSTRUCTION THEN DOWATERING ACTIVITY SHALL ADHERE TO CHAPTER 40C-2 FAC MORE SPECIFICALLY AS FOLLOWS PER 40C-2.00(4) A "NOTED GENERAL SHORT-TERM DOWATERING PERMIT" IS REQUIRED "ONLY IF" DOWATERING EXCEEDS 4 MILLION GALLONS PER DAY, EXCEPT DURING THE FIRST 120 HOURS OF DOWATERING WHEN THE DAILY INSTANTANEOUS PUMPAGE RATES SHALL NOT EXCEED 1 MILLION GALLONS PER DAY, AVERAGE DAILY WITHDRAWAL SHALL NOT EXCEED 2 MILLION GALLONS PER DAY FOR THE FIRST 60 DAYS OF THE DOWATERING ACTIVITY AND SHALL NOT EXCEED ONE MILLION GALLONS PER DAY OF A 180 DAY DURATION. EACH SPECIFIC DOWATERING PROJECT SHALL NOT EXCEED 180 DAYS. THE CONTRACTOR SHALL BE RESPONSIBLE TO ENSURE ANY DOWATERING ACTIVITY IS BELOW THE SPECIFIED THRESHOLD. OTHERWISE A PERMIT WILL BE REQUIRED AT THE EXPENSE OF THE CONTRACTOR. THE CONTRACTOR SHALL FAMILIARIZE ITSELF WITH CHAPTER 40C-2 FAC AND BE SOLELY RESPONSIBLE FOR OBTAINING AND SUBMITTING FORM 608-01 TO SURF DIVISION 15 DAYS PRIOR TO ANY DOWATERING ACTIVITY. SUBMITTAL OF FORM 608-01 IS NOT REQUIRED IF DOWATERING IS 300,000 GALLONS PER DAY OR LESS AND WILL NOT EXCEED 30 DAYS IN DURATION.

EROSION CONTROL NOTES:

1. LAND DISTURBING ACTIVITIES SHALL NOT COMMENCE UNTIL APPROVAL TO DO SO HAS BEEN RECEIVED BY GOVERNING AUTHORITIES. THE GENERAL CONTRACTOR SHALL STRICTLY ADHERE TO THE SWPPP DURING CONSTRUCTION OPERATIONS.
2. NO LAND CLEARING OR GRADING SHALL BEGIN UNTIL ALL EROSION CONTROL DEVICES HAVE BEEN INSTALLED.
3. THE CONTRACTOR SHALL POST "NO TRESPASSING" SIGNAGE AT ALL SITE ENTRANCES PRIOR TO CONSTRUCTION.
4. MAINTAIN EROSION CONTROL MEASURES AFTER EACH RAIN AND AT LEAST ONCE A WEEK.
5. THIS PLAN SHALL NOT BE CONSIDERED AS THE GENERAL CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO PREVENT SOIL SEGMENT FROM LEAVING THE SITE.
6. GENERAL CONTRACTOR SHALL COMPLY WITH ALL STATE AND LOCAL ORDINANCES THAT APPLY.
7. ADDITIONAL EROSION AND SEDIMENT CONTROL MEASURES WILL BE INSTALLED IF DEEMED NECESSARY BY ON SITE INSPECTION.
8. NO TURBID WATER SHALL BE DISCHARGED OFF-SITE FROM THE DOWATERING OPERATION. CONTRACTOR SHALL TAKE MEASURES TO CONTROL TURBIDITY.
9. IF INSTALLATION OF STORM DRAINAGE SYSTEM SHOULD BE INTERRUPTED BY WEATHER OF NIGHTFALL, THE PIPE ENDS SHALL BE COVERED WITH FILTER FABRIC.
10. GENERAL CONTRACTOR SHALL BE RESPONSIBLE TO TAKE WHATEVER MEANS NECESSARY TO ESTABLISH PERMANENT SOIL STABILIZATION.
11. PROVIDE DUST CONTROL FOR ALL EARTHWORK OPERATIONS. COVER AREA WITH LIGHT COATING OF WATER OR OTHER APPROVED METHOD.

LAND ALTERATION / TREE PRESERVATION NOTES:

1. ALL TREES TO REMAIN MUST BE PROTECTED BY TREE PRESERVATION BARRICADES MEETING THE MINIMUM STANDARDS. PROTECTIVE BARRICADES SHALL REMAIN IN PLACE UNTIL LAND ALTERATION AND CONSTRUCTION ACTIVITIES ARE COMPLETED.
2. ALL TRIMMING SHALL BE UNDERTAKEN ON A TREE PROTECTED BY THE PROVISIONS OF THE LAND DEVELOPMENT CODE SHALL BE IN ACCORDANCE WITH THE AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI) A-300 PRUNING STANDARDS.
3. OAK TREES LARGER THAN 4-INCHES AND ABOVE HISTORIC PRUNING SHALL BE PERFORMED BY AN ARBORIST CERTIFIED BY THE INTERNATIONAL SOCIETY OF ARBORICULTURE OR A REGISTERED CONSULTING ARBORIST WITH THE AMERICAN SOCIETY OF CONSULTING ARBORISTS. THE ARBORIST SHALL UNDERSTAND THAT THE AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI) A-300 PRUNING STANDARDS IS A STANDARD OF DIVISION 4.8.
4. ALL TREE ROOTS EXISTING WITHIN APPROVED IMPROVEMENT AREAS AND ORIGINATING FROM A PROTECTED TREE SHALL BE SEVERED CLEAN AT THE LIMITS OF THE PRESERVED AREA WHERE INDICATED ON THIS PLAN.

LEGEND:

- PROPOSED SILT FENCE (SEE DETAIL SHEET No. 5)
- TP — PROPOSED TREE BARRICADE (SEE DETAIL SHEET No. 5)
- X — PROPOSED 6' TALL CONSTRUCTION FENCE WITH FABRIC

PROPOSED AGGREGATE

- 10 EXISTING TREE (No. INDICATES DIAMETER AS MEASURED 4.5' ABOVE THE GROUND)
- X TREE TO BE REMOVED

BENCHMARK INFORMATION:

- #1 IRON ROD ELEVATION = 29.63
- #2 KALON NAIL & DISK ELEVATION = 29.60
- #3 KALON NAIL & DISK ELEVATION = 29.65

VERTICAL DATA
ELEVATIONS REFER TO (NAD 83) IN NORTH AMERICA
VERTICAL DATUM 1988. BENCHMARK REFERENCE
NATIONAL GEODETIC SURVEY (NGS) POINT.
DISTANCE 2.264 PDS. ABOVE. ELEVATION = 29.48
FEET.

WARNING !!
CONTRACTOR SHALL TAKE ALL PRECAUTIONS
DURING CONSTRUCTION TO AVOID CONTACT
WITH EXISTING UNDERGROUND UTILITIES AND
OVERHEAD ELECTRIC IN THE RIGHT-OF-WAY.

8.B.g

2021 CITY COMMENTS

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Transportation, CEI &
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NEWKIRK
ENGINEERING

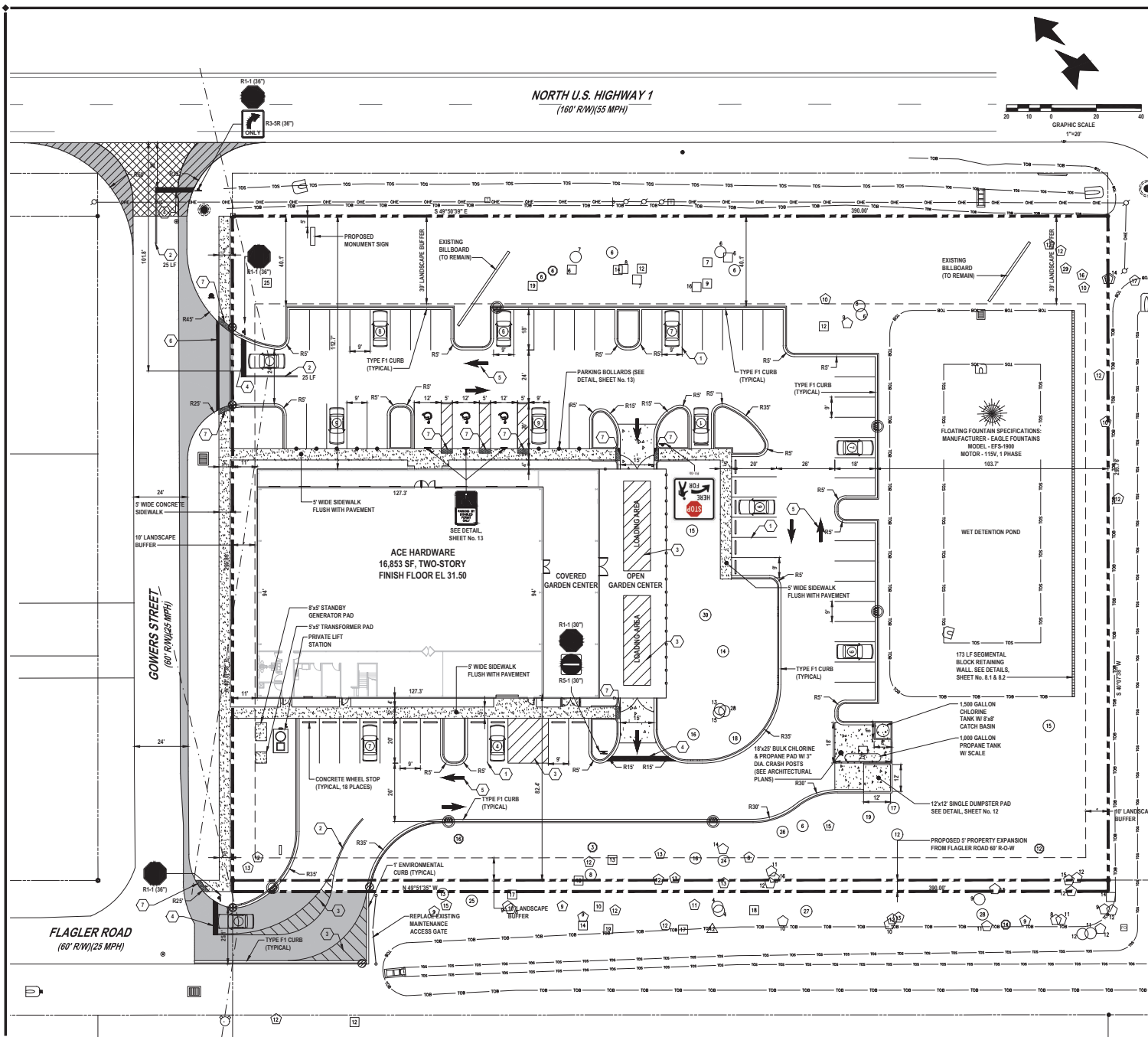
ACE
Hardware

DEMOLITION AND SWPPP PLAN
ACE HARDWARE
1480 NORTH U.S. HIGHWAY 1
ORMOND BEACH, FLORIDA 32174

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HENRY H. NEWKIRK, P.E. & COMPANY, INC.
NO. 62971
REGISTERED PROFESSIONAL ENGINEER
HARRY H. NEWKIRK, P.E. # 62971
PROJECT No.: 2019-66
DATE: NOVEMBER 2020
DESIGN BY: HHN
DRAWN BY: BWV
CHECKED BY: HHN
SCALE: 1" = 20'
DRAWING NUMBER

4



PAVEMENT MARKING NOTES:

1. PAINTED PAVEMENT MARKINGS SHALL BE APPLIED AFTER PAVEMENT SURFACE HAS CURED. SURFACE SHALL BE FREE OF FINE SAND AND DEBRIS PRIOR TO APPLICATIONS.
2. APPLY PAINTED PAVEMENT MARKINGS AT LAST STAGE OF CONSTRUCTION AFTER LANDSCAPE PLANTINGS ARE INSTALLED.
3. PAINT SHALL BE SHERWIN WILLIAMS LOW-VOC ACRYLIC PRO PARK PAINT. APPLY PER MANUFACTURER'S RECOMMENDATIONS. REFER TO DRAWINGS FOR LOCATIONS OF SPECIFIC COLORS.
4. ALL REFLECTIVE PAVEMENT MARKERS ARE TO BE PLACED IN ACCORDANCE WITH FOOT STANDARD INDEX NO. 706-001.
5. ALL SIGNS SHALL BE PLACED IN ACCORDANCE WITH INDEX NO. 71301 AND THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS".
6. LOCATION OF SIGNS IS APPROXIMATE ONLY AND IS SUBJECT TO CHANGE AS DIRECTED BY THE ENGINEER.
7. FOR ADDITIONAL DETAILS SEE INDEX NO. 700-010, 700-101, 17344 AND 711-001.
8. ALL TRAFFIC CONTROL SIGNS SHALL BE FABRICATED USING 3M BRAND "SCOTCHLITE" SHEETING (ENGINEER GRADE) ON MINIMUM .08 GA ALUMINUM BLANKS. ALL 36"x48" SIGNS SHALL BE .100 GA MINIMUM AND SHALL BE INSTALLED USING 7"x17" ROUND ALUMINUM POST. ALL STOP SIGNS SHALL BE 36" OCTAGON INSTALLED ON 1/2" LBST 1/2" CHANNEL POST RAIL STEEL ONLY OR 3"x12" ROUND ALUMINUM POSTS. 1/2" CHANNEL POSTS MAY BE USED FOR SIGNS SMALLER THAN 36"x36". ALL SPEED LIMIT SIGNS SHALL BE 24"x36".

GENERAL NOTES:

1. CITY OF ORMOND BEACH BUILDING PERMITS ARE REQUIRED FOR BUILDING, DUMPSITE ENCLOSURE, LIGHT POLES, SCREEN WALLS AND MONUMENT SIGNS. CONTRACTOR SHALL BE RESPONSIBLE FOR SUBMITTING APPROPRIATE INFORMATION (ENGINEERING, SPECIFICATIONS, SHOP DRAWINGS, ETC.).
2. ALL DIMENSIONS AND TIES ARE TO THE EDGE OF PAVEMENT AND OUTSIDE FACE OF BUILDING.
3. ALL IMPROVEMENTS SHALL BE STAKED FOR CONSTRUCTION BY MEANS OF DIGITAL COORDINATES BY SURVEYOR UTILIZING GEODETIC TOTAL STATION OR GPS. SCALING OF DRAWINGS FOR PURPOSES OF STAKING ARE AT THE SURVEYOR'S RISK.
4. THE CONTRACTOR SHALL COORDINATE WITH THE EXISTING ADJACENT BUSINESSES TO ENSURE THERE IS NO DISRUPTION TO THEIR RESPECTIVE OPERATIONS.
5. THE CONTRACTOR AT ITS OWN DISCRETION SHALL MAINTAIN THE CONSTRUCTION SITE SECURE FROM TRESPASS.
6. SOO ALL DISTURBED AREAS IN RIGHT-OF-WAY WITH BAKA SDO.
7. ALL CONSTRUCTION IN THE FOOT ROW SHALL CONFORM TO THE LATEST EDITIONS OF THE FOOT DESIGN STANDARDS (INDEXES), THE FOOT STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION, AND THE FOOT UTILITY ACCOMMODATION MANUAL.

PAVING LEGEND

ASPHALT PAVEMENT	1" SP-8.5 (TL-C) WITH TACK COAT PER FOOT SPECIFICATIONS 6" CRUSHED CONCRETE (LBR-130) MIN OF 98% MODIFIED PROCTOR MAX DENSITY PER AASHTO T-100 (4" MAX LIFTS) 12" STABILIZED SUBGRADE (BR 40) MIN OF 98% MODIFIED PROCTOR MAX DENSITY PER AASHTO T-100 (TYPE S STABILIZATION) *ALTERNATE 12" STABILIZED SUBBASE: 6" CRUSHED CONCRETE (LBR-130) MIN OF 98% MODIFIED PROCTOR MAX DENSITY PER AASHTO T-100 (4" MAX LIFTS) *ALTERNATE PAVEMENT TO ASPHALT IS CONCRETE PAVEMENT
CONCRETE PAVEMENT	6" CONCRETE (3,000 P.S.I. @ 28 DAYS) 12" STABILIZED SUBGRADE (LBR 40) MIN OF 98% MODIFIED PROCTOR MAX DENSITY PER ASTM D1557, AASHTO T-100 (8" LIFTS) SEE DETAIL, SHEET NO. 13 AND CITY DETAIL, 8-11A ON SHEET 14
FOOT ROW PAVEMENT	1" FC-5 OPEN GRADED FRICTION COURSE 2" SP-8.5 TL-C ASPHALT (FOOT SPEC) 8" RECYCLED CONCRETE AGGREGATE, LBR 150 12" STABILIZED SUB-GRADE (LBR-40) (SEE DETAIL, SHEET 15)
FOOT ASPHALT OVERLAY	MILL 1" AVERAGE DEPTH, OVERLAY WITH 1" FC-5 TL-C ASPHALT @ MAX 20% RECYCLED MATERIALS
GOWERS & FLAGLER ROW PAVEMENT	2" SP-8.5 (TL-C) WITH TACK COAT PER FOOT SPECIFICATIONS 8" CRUSHED CONCRETE (LBR-130) MIN OF 98% MODIFIED PROCTOR MAX DENSITY PER AASHTO T-100 (4" MAX LIFTS) 12" STABILIZED SUBGRADE (BR 40) MIN OF 98% MODIFIED PROCTOR MAX DENSITY PER AASHTO T-100 (TYPE S STABILIZATION)
CONCRETE SIDEWALK	4" THICK CONCRETE (3,000 P.S.I. @ 28 DAYS) SEE SIDEWALK DETAIL SHEET NO. 13

LEGEND

- TYPE "F1" CURB
SEE DETAIL, SHEET NO. 13
- "F" ENVIRONMENTAL CURB
SEE CITY DETAIL, 8-4
- F1 CURB TRANSITION TO FLAT
SEE DETAIL, SHEET NO. 13
- F1 CURB TRANSITION TO ENVIRONMENTAL CURB
SEE DETAIL, SHEET NO. 13
- PARKING BOLLARD
SEE DETAIL, SHEET NO. 13
- 10' DECORATIVE FENCE
(SEE ARCHITECTURAL PLANS)

STRIPING KEYNOTES:

1. 6" SOLID WHITE LINE
2. 6" SOLID DOUBLE YELLOW LINE
3. 6" SOLID YELLOW LINE, 4" O.C. @ 45°
4. 24" WHITE STOP BAR
5. WHITE DIRECTIONAL ARROW
6. STANDARD EMPHASIS CROSSWALK
7. 24" DETECTABLE WARNING MAT PER FOOT INDEX 322-002

8.B.g

2401 CITY COMMENTS

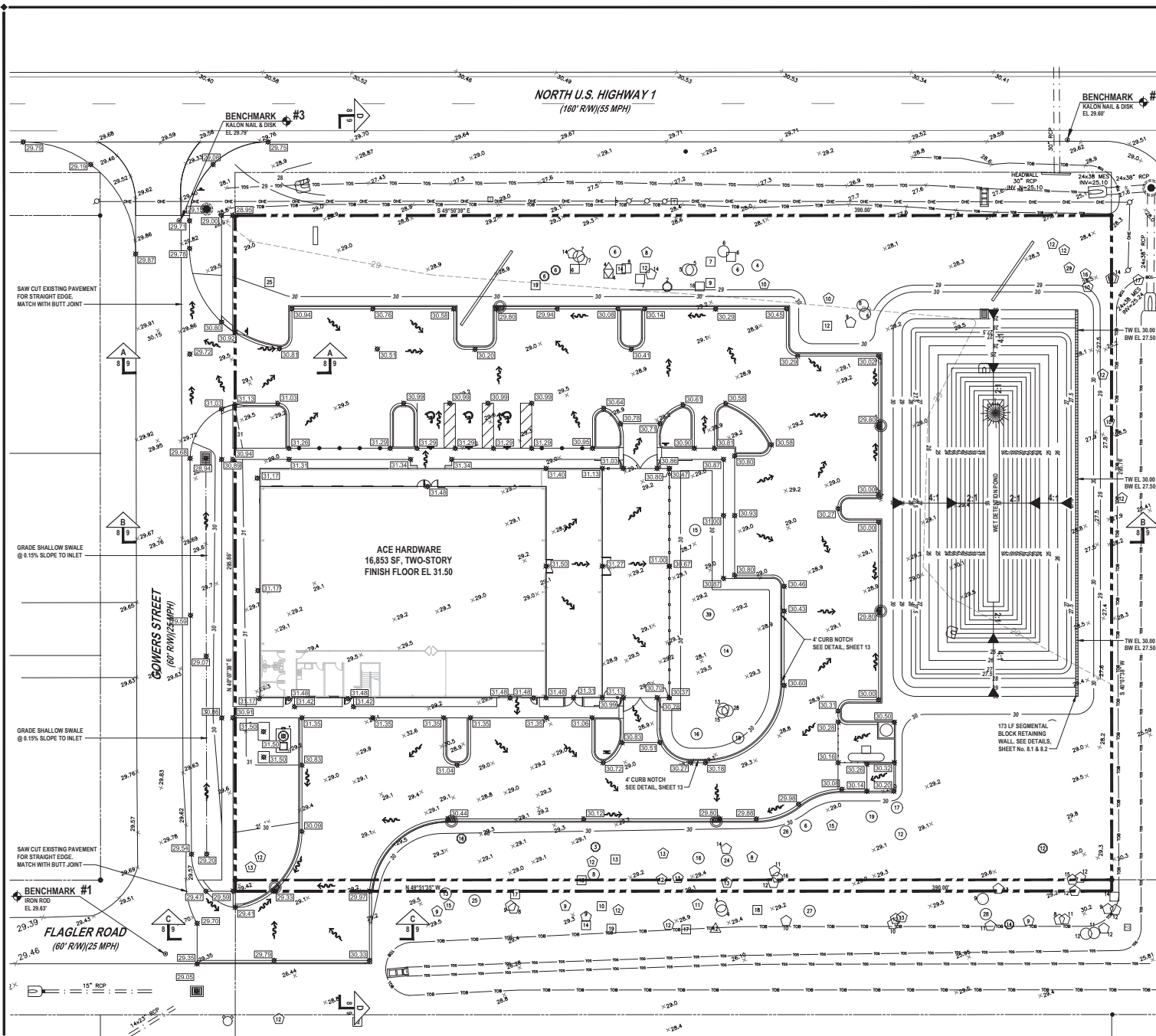
1230 North US1, Suite 3
Ormond Beach, Florida 32174
C.A. # 20093
L.C. # 00004
C.O.#33
Civil Engineering, CEI &
Landscape Architecture

NEWKIRK ENGINEERING

ACE Hardware

SITE LAYOUT PLAN
ACE HARDWARE
1480 NORTH U.S. HIGHWAY 1
ORMOND BEACH, FLORIDA 32174

HARRY H. NEWKIRK, P.E. # 02971
NO. 02971
HARRY H. NEWKIRK, P.E. # 02971
PROJECT No: 2019-06
DATE: NOVEMBER 2020
DESIGN BY: HHN
DRAWN BY: BWV
CHECKED BY: HHN
SCALE: 1" = 20'
DRAWING NUMBER
6



GENERAL GRADING NOTES:

- CROSS SLOPES OF ACCESSIBLE PARKING SPACES AND ACCESS AISLE SHALL NOT EXCEED 1:48 IN ACCORDANCE WITH SECTION 904.4 OF FADCS.
- THE MAXIMUM ELEVATION CHANGE AT THE ENTRANCE DOOR MAY NOT EXCEED 1/2 INCH.
- ALL SIDEWALK LANDINGS SHALL HAVE SLOPES NO GREATER THAN 1/8 INCH / 1 FOOT IN MANEUVERING SPACES AT ALL DOORWAYS.
- ALL SIDEWALKS SHALL HAVE A 1 PERCENT CROSS SLOPE.
- ALL IMPROVEMENTS SHALL BE STAKED FOR CONSTRUCTION BY MEANS OF DIGITAL COORDINATES BY SURVEY OR UTILIZING GEODETIC TOTAL STATION. SCALING OF DRAWINGS FOR PURPOSES OF STAKING ARE AT THE SURVEYOR.

GENERAL EARTHWORK NOTES:

- IF ANY MUCK OR MUCK-LIKE MATERIAL IS DISCOVERED, IT WILL BE REQUIRED TO BE REMOVED, BACKFILLED WITH APPROPRIATE FILL, COMPACTED, AND TESTED USING AASHTO T-180 MODIFIED PROCTOR METHOD.
- ALL FILLING IS TO BE PERFORMED IN ONE-FOOT LIFTS. THE COMPACTION REQUIREMENT IS 98% FOR PAVED AREAS AND 95% FOR UNPAVED AREAS PER AASHTO T-180 MODIFIED PROCTOR TEST.
- TEMPORARY FILL STOCKPILING IS NOT PERMITTED IN LIFTS GREATER THAN SIX FEET.
- SOILS ARE TO BE STABILIZED BY WATER OR OTHER MEANS DURING CONSTRUCTION. THIS IS INTENDED TO REDUCE SOIL EROSION AND THE IMPACT TO NEIGHBORING COMMUNITIES.
- ONCE AN AREA IS SEED OR SOODED, IT MUST BE MAINTAINED TO ALLOW THE GRASS TO GROW.
- ALL NON-PAVED AREAS MUST BE PLANTED, GRASSED, OR MULCHED.

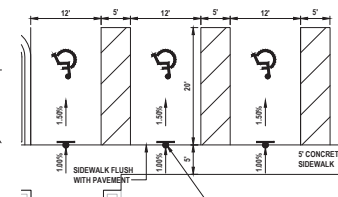
GRADING LEGEND:

- 85 — EXISTING CONTOUR
- 86 — PROPOSED CONTOUR
- 87 — DRAINAGE FLOW ARROW
- 88 — EXISTING SPOT ELEVATION
- 89 — PROPOSED SPOT ELEVATION

BENCHMARK INFORMATION:

- #1** IRON ROD
ELEVATION = 29.63
- #2** KALON NAIL & DISK
ELEVATION = 29.60
- #3** KALON NAIL & DISK
ELEVATION = 29.65

VERTICAL DATA
ELEVATIONS REFER TO (NAVD 83) NORTH AMERICA
VERTICAL DATUM 1988. BENCHMARK REFERENCE
NATIONAL GEODETIC SURVEY POINT
DESIGNATION X 264, PID: AQ1508, ELEVATION = 29.48
FEET.



HANDICAP PARKING DETAIL

NOT TO SCALE

8.B.g

11/20/2020 FOOT CRAWLER

24/21 CITY COMMENTS

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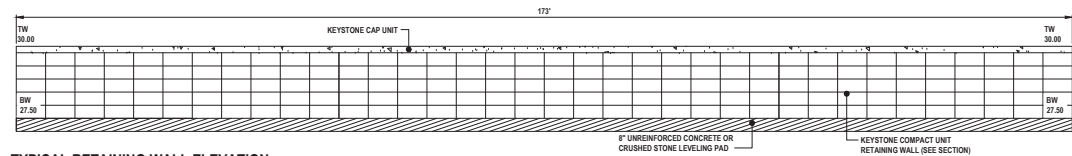
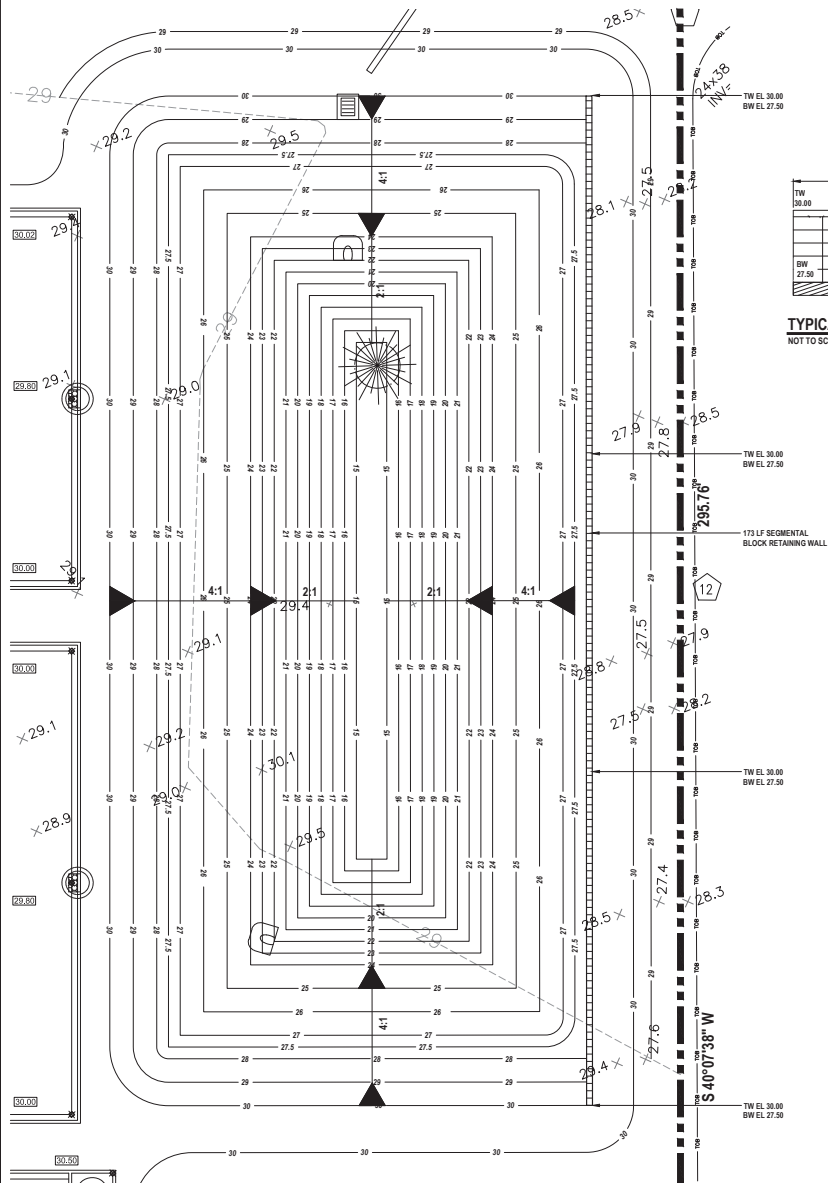
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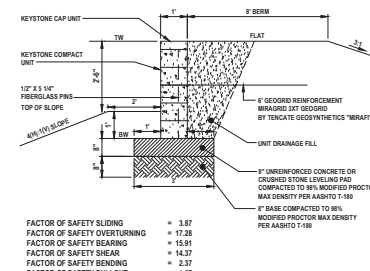
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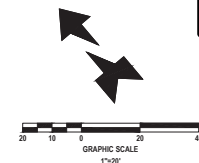


TYPICAL RETAINING WALL ELEVATION
NOT TO SCALE



FACTOR OF SAFETY SLIDING	= 3.87
FACTOR OF SAFETY OVERTURNING	= 17.28
FACTOR OF SAFETY BEARING	= 15.51
FACTOR OF SAFETY SHEAR	= 14.37
FACTOR OF SAFETY BENDING	= 2.37
FACTOR OF SAFETY PULLOUT	= 1.57

RETAINING WALL TYPICAL CROSS SECTION
NOT TO SCALE



8.B.g

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NET
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ACE Hardware

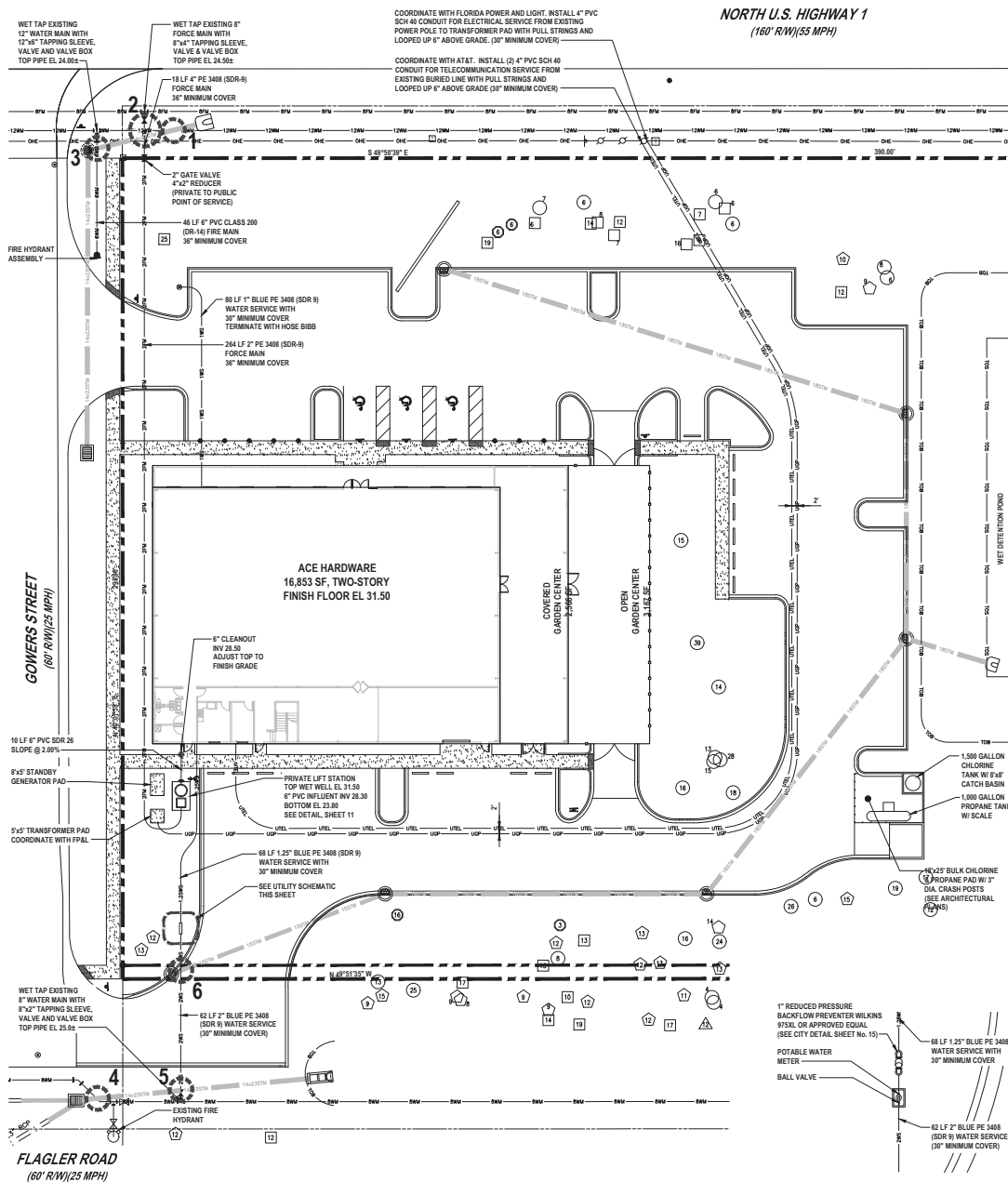
RETAINING WALL DETAILS
ACE HARDWARE
1480 NORTH U.S. HIGHWAY 1
ORMOND BEACH, FLORIDA 32174

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HARRY H. NEWKIRK, P.E. # 62971
REGISTERED PROFESSIONAL ENGINEER
STATE OF FLORIDA

PROJECT No: 2019-66
DATE: NOVEMBER 2020
DESIGN BY: HHR
DRAWN BY: BWV
CHECKED BY: HHR
SCALE: 1" = 10'
DRAWING NUMBER

8.1



UTILITY SCHEMATIC DETAIL
NOT TO SCALE



WARNING !!
CONTRACTOR SHALL TAKE ALL PRECAUTIONS DURING CONSTRUCTION TO AVOID CONTACT WITH EXISTING UNDERGROUND UTILITIES AND OVERHEAD ELECTRIC IN THE RIGHT-OF-WAY.

PROPOSED UTILITY LEGEND

- FW— FORCE MAIN (# INDICATES SIZE)
- SS— SANITARY SEWER (# INDICATES SIZE)
- P— POLYETHYLENE WATER SERVICE (# INDICATES SIZE)
- W— WATER MAIN (# INDICATES SIZE)
- GS— GAS SERVICE (# INDICATES SIZE)
- E— UNDERGROUND ELECTRICAL CONDUIT (# INDICATES SIZE)

1 UTILITY CONFLICT (SEE DETAIL, THIS SHEET)

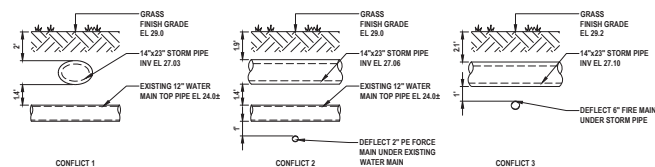
GRAPHIC SCALE
20 10 0 10 20 40
1"=20'

GENERAL WATER NOTES:

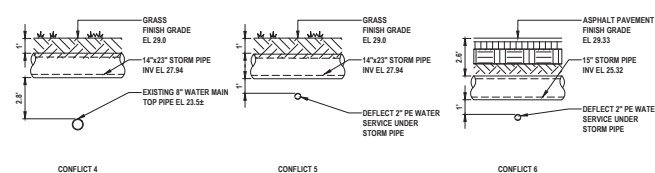
1. THE CITY OF ORMOND BEACH WATER UTILITY DEPARTMENT SHALL BE NOTIFIED PRIOR TO BEGINNING ANY WATER SYSTEM CONSTRUCTION.
2. ALL WATER DISTRIBUTION CONSTRUCTION SHALL BE IN ACCORDANCE WITH FDEP REGULATIONS AND THE CITY OF ORMOND BEACH UTILITY DETAILS AND SPECIFICATIONS (LATEST EDITION).
3. CONTRACTOR IS TO VERIFY THE LOCATION (HORIZONTAL AND VERTICAL) OF ALL EXISTING UTILITIES (UNDERGROUND AND OVERHEAD) PRIOR TO COMMENCEMENT OF CONSTRUCTION. ANY CONFLICTS SHALL BE REPORTED TO THE ENGINEER.
4. CONTRACTOR IS RESPONSIBLE FOR RESTORATION OF ANY EXISTING PAVEMENT, SIDEWALK, CURBING, UTILITIES AND DRAINAGE SYSTEMS DAMAGED DURING CONSTRUCTION. ALL DAMAGED AREAS TO BE RESTORED TO ORIGINAL CONDITION OR BETTER.
5. LOCATION OF TELEPHONE, T.V. CABLE AND ELECTRICAL SERVICE CONNECTIONS TO BE DETERMINED BY APPROPRIATE UTILITIES PERSONNEL IN COOPERATION WITH CONTRACTOR.
6. ALL WATER MAINS SHALL BE LAID ON A FIRM FOUNDATION WITH ALL UNSUITABLE MATERIAL (MUCK, ROCK, COQUINA, ETC.) REMOVED AND REPLACED WITH CLEAN GRANULAR MATERIAL.
7. TRENCHES SHALL BE BACKFILLED WITH MATERIAL ACCEPTABLE TO THE CITY WITH A MINIMUM COMPACTION OF 98 PERCENT (ASHTO-T198).
8. WATER SERVICES FROM 3/4" TO 2" POLYETHYLENE (BODOTRACE) WITH 30" MINIMUM COVER.
9. WATER MAIN FROM 4" TO 12" SHALL BE PVC CLASS 150 (DR 18) WITH 30" MINIMUM COVER.
10. ALL WATER AND FIRE SERVICES ARE REQUIRED TO HAVE A HARD BODY GATE VALVE OFF THE MAIN LINE.
11. ALL VALVES SHALL BE SOLDERED TO TEES.
12. ALL POTABLE WATER PIPE SHALL HAVE "NSF POTABLE WATER" IMPRINTED ON THE PIPE.
13. ALL WATER MAIN FITTINGS 4 INCHES OR LARGER SHALL BE CEMENT LINED DIP.
14. A TAPPING CONTRACTOR ACCEPTABLE TO THE CITY OF ORMOND BEACH WILL BE REQUIRED FOR TAPS.
15. THE CONTRACTOR SHALL MAKE ALL ATTEMPTS TO LOCATE BURIED UTILITIES AND NOTIFY THE UTILITY COMPANIES 48 HR. PRIOR TO CONSTRUCTION.
16. UTILITY TRENCH CONSTRUCTION SHALL CONFORM TO CITY OF ORMOND BEACH AND OSHA REQUIREMENTS.
17. IN THE CASE WHERE SOLVENT CONTAMINATION IS FOUND IN THE TRENCH, WORK WILL BE STOPPED AND THE PROPER AUTHORITIES NOTIFIED. WITH THE APPROVAL OF THE CITY OF ORMOND BEACH UTILITY DEPARTMENT, DUCTILE IRON PIPE, FITTINGS AND APPROVED SOLVENT RESISTANT GASKET MATERIAL SHALL BE USED IN THE CONTAMINATED AREA. THE DUCTILE IRON PIPE WILL EXTEND AT LEAST 100 FEET BEYOND ANY DISCOVERED SOLVENT.

GENERAL SEWER NOTES:

1. CITY OF ORMOND BEACH SHALL BE NOTIFIED PRIOR TO ANY SEWER CONSTRUCTION.
2. ALL SEWER CONSTRUCTION MUST COMPLY WITH FDEP REGULATIONS AND THE CITY OF ORMOND BEACH UTILITY DETAILS AND SPECIFICATIONS (LATEST EDITION).
3. ALL SANITARY SEWER LINES SHALL BE PVC SDR 26 DUE TO THE MINIMUM AMOUNT OF COVER, WATER LINES, RECLAIMED LINES AND STORM DRAINAGE CROSSINGS SHALL FOLLOW THE C-400 OR CONCRETE ENCASEMENT REQUIREMENT PER THESE STANDARDS AND AS FDEP REQUIREMENTS.
4. SEWER LINE CONSTRUCTION SHALL BE ACCOMPLISHED BY THE USE OF A LASER INSTRUMENT UNLESS ANOTHER METHOD IS PREVIOUSLY APPROVED BY CITY OF ORMOND BEACH.
5. THE CONTRACTOR SHALL AT ALL TIMES, DURING PIPE LAYING, DEWATER THE GROUND SUFFICIENTLY TO KEEP THE GROUNDWATER ELEVATION A MINIMUM OF 6" BELOW THE PIPE BEING LAID WITHIN THE AREA OF THE TRENCH.
6. ALL PIPES SHALL BE LAID ON A FIRM FOUNDATION, SOFT OR SPONGY BEDDING FOR PIPES WILL NOT BE ACCEPTED. ANY UNSUITABLE MATERIAL SHALL BE REMOVED AND REPLACED WITH A DRY, COMPACTED, GRANULAR MATERIAL SATISFACTORY TO THE CITY OF ORMOND BEACH.
7. SANITARY SEWER PIPE SHALL BE PVC SDR 26.
8. EXCAVATION AND BACKFILL: THE CONTRACTOR SHALL PROVIDE ADEQUATE SHEETING AND BRACING OF EXCAVATION WORK IN ORDER TO PROVIDE FOR THE SAFETY OF WORKMEN, AS WELL AS REPRESENTATIVES OF THE CITY OF ORMOND BEACH, THE DESIGN ENGINEER, AND THE DEVELOPER.
9. ALL TRENCHES SHALL BE BACKFILLED WITH ACCEPTABLE MATERIAL AND COMPACTED TO MINIMUM COMPACTION OF (95) PERCENT OF THE OPTIMUM DENSITY OF THAT MATERIAL BASED ON THE ASHTO T-99 MOISTURE PROCTOR TEST.
10. ALL TESTING REQUIRED BY THE CITY SHALL BE PAID FOR BY THE CONTRACTOR.
11. GRAVITY MAINS MUST HAVE A TELEVIEW INSPECTION. A VIDEO INSPECTION FORM MUST BE FAXED TO THE CITY OF ORMOND BEACH WASTEWATER COLLECTION DEPARTMENT 48 HOURS PRIOR TO VIDEO INSPECTION. A CITY INSPECTOR MUST BE PRESENT.
12. SEWER CLEANOUT LOCATED ON PAVEMENT AND SIDEWALK AREA SHALL BE TRAFFIC BEARING FLAT TOP BRASS CAP.
13. ALL GREASE TANKS SHALL HAVE A MINIMUM CAPACITY OF 1,250 GALLONS.
14. PLUMBING CONTRACTOR SHALL INSTALL TANK AND COORDINATE PIPE INVERTS TO BUILDING WITH UTILITY CONTRACTOR.



UTILITY CONFLICT DETAIL
NOT TO SCALE



UTILITY CONFLICT DETAIL
NOT TO SCALE

8.B.g

2401 CITY COMMENTS

1230 North US1, Suite 3
Ormond Beach, Florida 32174
www.kirk-engineering.com
C.A. # 30009
L.C. # 30004
O.E. # 3013

ACE Hardware

UTILITY PLAN
ACE HARDWARE
1480 NORTH U.S. HIGHWAY 1
ORMOND BEACH, FLORIDA 32174

THIS DRAWING IS THE PROPERTY OF HARRY H. NEWKIRK, P.E. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF HARRY H. NEWKIRK, P.E.

HARRY H. NEWKIRK, P.E.
NO. 62971
REGISTERED PROFESSIONAL ENGINEER
STATE OF FLORIDA

PROJECT No: 2019-66
DATE: NOVEMBER 2020
DESIGN BY: HHN
DRAWN BY: BWV
CHECKED BY: HHN
SCALE: 1" = 20'
DRAWING NUMBER

10

NORTH U.S. HIGHWAY 1
(160' R/W)(55 MPH)

PROTECTED TREE MITIGATION

PALMS REMOVED DUE TO IMPERVIOUS (3:1)	24
TREES REMOVED DUE TO IMPERVIOUS	72
TOTAL TREES REMOVED DUE TO IMPERVIOUS	96
PALMS REMOVED DUE TO OTHER (3:1)	5
TREES REMOVED DUE TO OTHER	29
TOTAL TREES REMOVED DUE TO OTHER	34
PRESERVED TREES	54
SITE ACREAGE	2.7
PRESERVED TREE DENSITY (TREES/ACRE)	21.48

LESS THAN SQ/ACRE PRESERVED TREE DENSITY

TOTAL TREES REMOVED DUE TO IMPERVIOUS/2	48
TOTAL TREES REMOVED DUE TO OTHER	34
PROTECTED TREE MITIGATION REQUIRED	82
TREES UNDER 6" TO REMAIN IN TP AREAS	2
TOTAL PROTECTED TREE MITIGATION	80

SPECIMEN TREES TO BE REMOVED

CAL @ DBH	VARIETY	QTY	# OF 4.5" CAL TREES TO MITIGATE	TOTAL
12	OAK	3	1	3
12	CEDAR	1	1	1
12	MAGNOLIA	1	1	1
13	OAK	3	1	3
14	OAK	1	1	1
14	CEDAR	1	1	1
14	MAGNOLIA	1	1	1
15	OAK	2	2	4
16	OAK	1	2	2
16	CEDAR	1	2	2
17	OAK	2	2	4
19	OAK	1	2	2
19	CEDAR	1	2	2
20	OAK	1	2	2
23	CEDAR	1	3	3
24	OAK	1	3	3
26	OAK	1	4	4
27	OAK	2	4	8
30	OAK	1	5	5
35	OAK	1	7	7
TOTAL		27		59

SPECIMEN TREES PRESERVED

CAL @ DBH	VARIETY	QTY	# OF 4.5" CAL TREES TO MITIGATE	TOTAL
12	OAK	1	1	1
12	CEDAR	1	1	1
13	OAK	1	1	1
14	OAK	1	1	1
15	OAK	3	2	6
16	OAK	2	2	4
16	CEDAR	1	2	2
17	OAK	1	2	2
18	OAK	1	2	2
19	OAK	1	2	2
22	OAK	1	3	3
24	OAK	1	3	3
26	OAK	1	4	4
28	OAK	1	4	4
39	OAK	1	8	8
TOTAL		16		44

MITIGATION TOTAL	59
CREDIT TOTAL	44
4.5" TREES REQ.	15

SPECIMEN TREE REQUIREMENTS

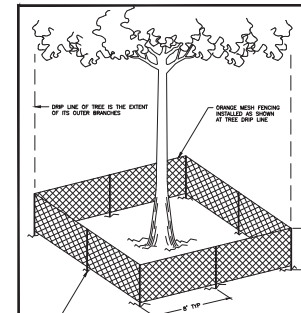
TOTAL SPECIMEN TREES	43
SITE AREA (AC)	2.7
SPECIMEN TREES PER ACRE	16
PRESERVED TREES REQUIRED (4/AC)	11
SPECIMEN TREES PRESERVED	16

SITE TREE REQUIREMENTS

SITE AREA	117,336
TREE PROTECTION AREA REQUIRED (15%)	17,599
TREE PROTECTION AREA PROVIDED (15%)	17,838

EXISTING TREE LEGEND :

- OAK TREE
- PINE TREE
- CEDAR TREE
- PALM TREE
- TREE TO BE REMOVED
- TREE PROTECTION AREA



STANDARD CONSTRUCTION DETAIL	INDEX
TREE BARRICADE	LS-4
NTS	MAY 2020

8.B.g

1230 North US1, Suite 3
Ormond Beach, Florida 32174
C.A. # 20090
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C.E. # 20090
L.C. # 2013

NEWKIRK ENGINEERING
Civil Engineering,
Transportation, CE &
Landscaping Architecture

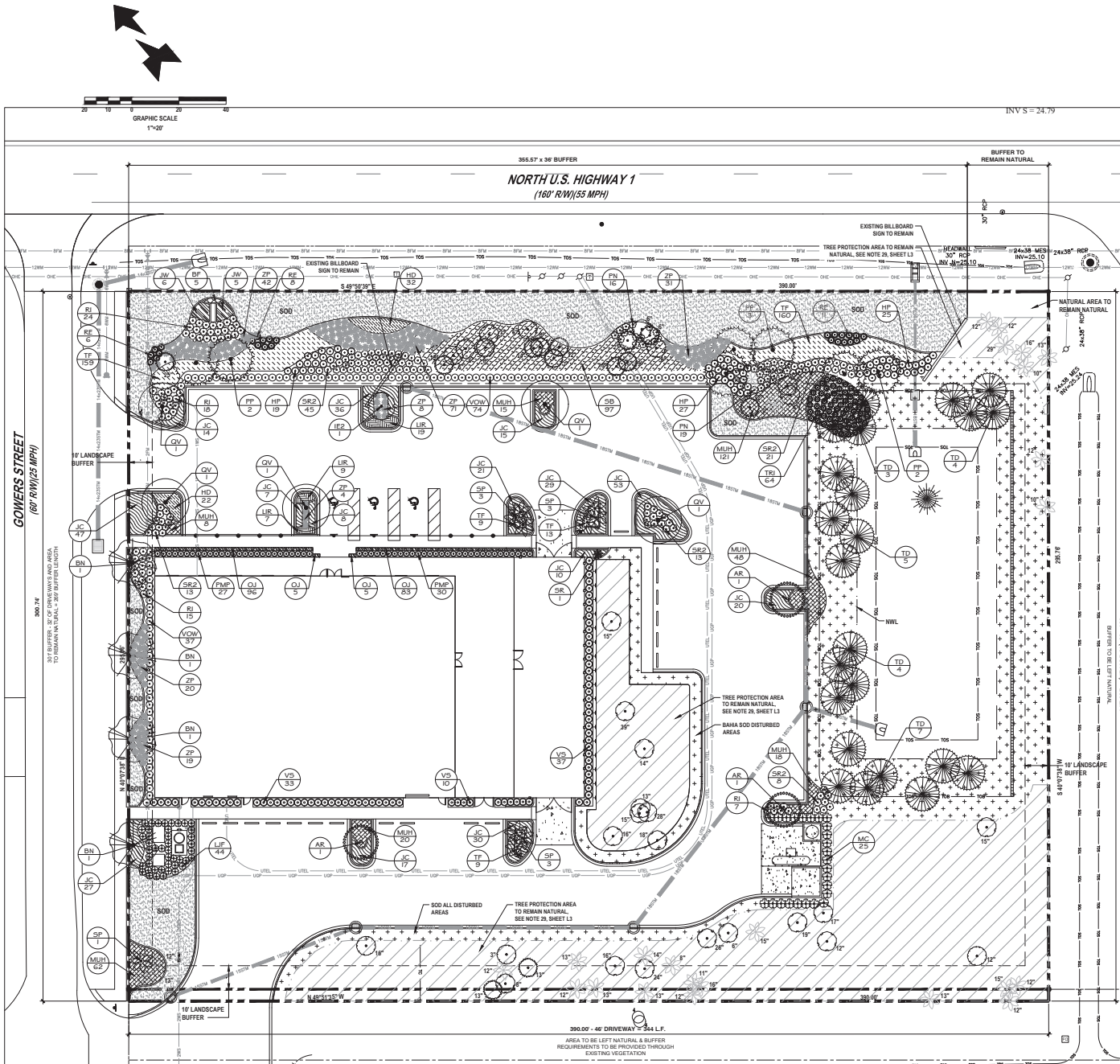
ACE Hardware

TREE PRESERVATION PLAN
ACE HARDWARE
1480 N. US HIGHWAY 1
ORMOND BEACH, FL 32174

LAUREN ADAMS, P.L.A. # 6667278
PROJECT No.: 2019-66
DATE: JUNE 2020
DESIGN BY: LAA
DRAWN BY: BWV
CHECKED BY: LAA
SCALE: 1" = 20'
DRAWING NUMBER

L1

8.B.g



BUFFER CALCULATIONS:

NORTH (GOWERS ST) 301' - 32' DRIVEWAY = 269' TYPE "2" BUFFER:
 REQUIRED: 3 TREES 30 SHRUBS AND 30 GROUND COVER PER 100 LF.
 = 8 TREES, 80 SHRUBS, AND 80 GROUND COVER

PROVIDED: 8 TREES, 105 SHRUBS, AND 136 GROUND COVER

SOUTH 301' - 36' x 10' DRIVEWAY = 255' TYPE "2" BUFFER:
 REQUIRED: 3 TREES 30 SHRUBS AND 30 GROUND COVER PER 100 LF.
 = 8 TREES, 77 SHRUBS, AND 77 GROUND COVER

PROVIDED: BUFFER TO REMAIN NATURAL. BUFFER REQUIREMENTS TO BE PROVIDED THROUGH EXISTING VEGETATION

EAST (U.S. HIGHWAY 1) 355' GREENBELT OVERLAY BUFFER (12,789 S.F.):
 REQUIRED: 1 TREES PER 200 S.F. & 60% NATIVE PLANTINGS
 = 60 TREES & 5,162 S.F. NATIVE PLANTINGS

PROVIDED: 64 TREES (7 TREES @ 6" CAL. = 42 TREES + 22 EXISTING TREES)

WEST 300.00' - 40' DRIVEWAY = 344':
 REQUIRED: 3 TREES 30 SHRUBS AND 30 GROUND COVER PER 100 LF.
 = 9 TREES, 90 SHRUBS, AND 90 GROUND COVER

PROVIDED: BUFFER TO REMAIN NATURAL. BUFFER REQUIREMENTS TO BE PROVIDED THROUGH EXISTING VEGETATION

LEGEND

- ST. AUGUSTINE SOD
- BAHIA SOD OR HYDROSEED (BAHIA SEED MIXTURE)
- TREE PROTECTION AREA

EXISTING TREE LEGEND :

- OAK TREE
- PINE TREE
- CEDAR TREE
- PALM TREE

LANDSCAPE PLAN
 ACE HARDWARE
 1480 NORTH U.S. HIGHWAY 1
 ORMOND BEACH, FLORIDA 32174



LAUREN ADAMS, P.L.A. #6667278

PROJECT No: 2019-66
 DATE: NOVEMBER 2020
 DESIGN BY: LAA
 DRAWN BY: BWV
 CHECKED BY: LAA
 SCALE: 1" = 20'
 DRAWING NUMBER



Call 811 or www.sunshine811.com two full business days before digging to have utilities located and marked.
 Check positive response codes before you dig!

WARNING !!
 CONTRACTOR SHALL TAKE ALL PRECAUTIONS DURING CONSTRUCTION TO AVOID CONTACT WITH EXISTING UNDERGROUND UTILITIES, GAS MAINS AND OVERHEAD ELECTRIC IN THE RIGHT-OF-WAY.

L2

BUILDING PLANS FOR: ACE HARDWARE OF ORMOND BEACH 1480 NORTH U.S. HIGHWAY 1, ORMOND BEACH, FL

PARTITION & SYMBOL LEGEND

	EXISTING PARTITION TO REMAIN
	EXISTING PARTITION OR ELEMENT TO BE REMOVED
	EXTENT OF THE NEW BUILDING
	NEW WALL OR PARTITION
	DOOR AND FRAME TO BE REMOVED
	NEW DOOR, FRAME & HARDWARE
	EXISTING STRUCTURE TO BE REMOVED
	CEILING MOUNTED EXIT SIGN
	VOICE / DATA OUTLET
	LIGHT SWITCH
	WALL OUTLET
	QUADPLEX OUTLET
	THERMOSTAT
	THERMOSTAT
	THERMOSTAT
	THERMOSTAT
	THERMOSTAT
	NEW WALL MOUNTED EMERGENCY FIXTURE

NOTE: EXISTING EQUIPMENT/FIXTURES ARE INDICATED BY THE SYMBOLS ABOVE & DENOTED AS "E"

ARCHITECTURAL SYMBOLS

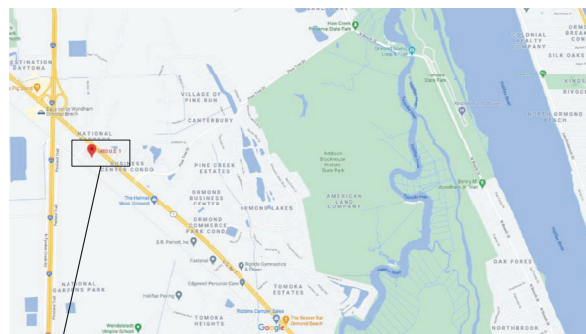
SYMBOL	DESCRIPTION
	BUILDING AND WALL SECTION REFERENCE AND DRAWING NO.
	DETAIL NUMBER REFERENCE DRAWING NUMBER
	INTERIOR ELEVATIONS
	WALL OR PARTITION CONSTRUCTION TYPE
	DOOR DESIGNATION
	ROOM / SPACE NO.
	REVISION
	PROJECT NORTH

DRAWING SCHEDULE

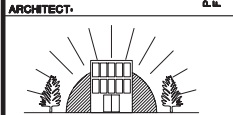
DWG	SHEET NAME
ARCHITECTURAL	
A0.0	COVER SHEET
A01	LIFE SAFETY PLAN
A1.0	FIRST FLOOR PLAN
A11	FIRST FLOOR REFLECTED CEILING PLAN
A12	SECOND FLOOR REFLECTED CEILING PLAN
A13	ROOF PLAN
A14	BUILDING ELEVATIONS
A21	BUILDING SECTIONS
A3.0	WALL SECTIONS
A31	WALL SECTIONS
A32	WALL SECTIONS
A4.0	ENLARGED RESTROOM PLAN
A4.0	DOOR WINDOW AND FINISH SCHEDULES
B01	STRUCTURAL NOTES
B02	STRUCTURAL NOTES
B03	STRUCTURAL NOTES
B1	FOUNDATION PLAN
B2	SECOND FLOOR FRAMING PLAN
B3	ROOF FRAMING PLAN
B5	STRUCTURAL DETAILS
B52	STRUCTURAL DETAILS
B53	STRUCTURAL DETAILS
M01	MECHANICAL GENERAL INFORMATION
M02	MECHANICAL SCHEDULES
M1	FIRST FLOOR MECHANICAL PLAN
M2	SECOND FLOOR MECHANICAL PLAN
M21	MECHANICAL DETAILS
M22	MECHANICAL DETAILS
P01	PLUMBING GENERAL INFORMATION
P02	PLUMBING SCHEDULES AND DETAILS
P1	FIRST FLOOR SANITARY PLAN
P2	SECOND FLOOR SANITARY PLAN
P21	FIRST FLOOR DOMESTIC WATER PLAN PLAN
P22	SECOND FLOOR DOMESTIC WATER PLAN PLAN
P3	SANITARY RISER DIAGRAM
P32	DOMESTIC WATER RISER DIAGRAM
E01	ELECTRICAL LEGEND AND NOTES
E01.0	ELECTRICAL SITE PLAN
E1.0	LIGHTING PLAN - FIRST FLOOR
E2.0	LIGHTING PLAN - SECOND FLOOR
E21	ELECTRICAL PLAN - FIRST FLOOR
E22	ELECTRICAL PLAN - SECOND FLOOR
E3.0	LIGHTING PROTECTION PLAN
E4.0	ELECTRICAL SCHEDULES
E41	ELECTRICAL DIAGRAMS AND SCHEDULES
ET1	LIGHTING CONTROL DIAGRAMS

GENERAL NOTES:

- THESE DRAWINGS AND THE PROJECT MANUAL ARE COMPLEMENTARY, AND ANY REQUIREMENT OF ONE SHALL BE A REQUIREMENT OF THE OTHER. IT IS THE CONTRACTOR'S RESPONSIBILITY TO EXAMINE THE DRAWINGS AND SPECIFICATIONS AND TO COMPLY WITH THE REQUIREMENTS OF EACH DIVISION (14 CIVIL, ARCHITECTURAL, STRUCTURAL, ELECTRICAL, ETC.) AND ENSURE THAT EACH TRADE OR SUBCONTRACTOR IS MAKING THE ALLOWANCES NECESSARY TO PROVIDE THE OWNER A COMPLETE FACILITY, OPERATIONAL, IN ALL RESPECTS, UNLESS OTHERWISE SPECIFICALLY NOTED IN THE DRAWINGS OR PROJECT MANUAL. IT IS ALSO THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE ARCHITECT/ENGINEER OF ANY DEFICIENCIES OR DISCREPANCIES AMONG THE DIVISIONS OF THE DRAWINGS AND SPECIFICATIONS PRIOR TO THE BID DATE. NEITHER THE OWNER NOR ARCHITECT/ENGINEER WILL BE RESPONSIBLE FOR ANY DEFICIENCIES OR DISCREPANCIES RAISED AFTER THE BID OPENING. ACCORDINGLY, IN LIGHT OF THESE OBLIGATIONS, THE ARCHITECT/ENGINEER IS OBLIGATED TO INTERPRET THE DRAWINGS AND SPECIFICATIONS IN A MANNER THAT WILL PROVIDE THE OWNER WITH A COMPLETE, FUNCTIONING FACILITY FOR THE BID PRICE.
- ALL IMPROVEMENTS SHALL BE IN ACCORDANCE WITH FLORIDA STATUTES CHAPTER 563.48 WITH RESPECT TO HANDICAPPED ACCESSIBILITY DESIGN AND CONSTRUCTION STANDARDS.
- ALL NEW DOORS INSTALLED IN THE MEANS OF EGRESS INCLUDING EXIT ACCESS DOORS FROM ALL WALK-IN ROOMS AND AREAS SHALL BE 36" WIDE THEREBY PROVIDING A MINIMUM 32" CLEAR OPENING.
- DOOR HARDWARE FURNISHED FOR NEW DOORS OR RELOCATED DOORS INSTALLED IN THE MEANS OF EGRESS, INCLUDING EXIT ACCESS DOORS, WILL BE OPERABLE FROM THE INSIDE WITHOUT SPECIAL KEY EFFORT OR KNOWLEDGE. THE HARDWARE SHALL BE LEVER HANDLES OR EQUAL/PANIC HARDWARE IN ASSEMBLY OCCUPANCY PER FLORIDA STATUTE 563.48. DOORS SHALL RELEASE WHEN NO MORE THAN 15 LB. IS APPLIED TO THE RELEASING APPROVED DOOR CLOSER PER NFPA 5-12.1 (C).
- CHANGES IN ELEVATIONS OF 1/4" TO 1/2" SHALL BE BEVELED AT A SLOPE OF 1/2 OR LESS, CHANGES IN ELEVATION OF 1/2" TO 3/8" SHALL BE RAMPED WITH REQUIRED PLATFORMS AND RAILINGS PER THE LATEST EDITION OF THE FLORIDA BUILDING CODE.
- ANY AND ALL DEVIATIONS FROM SPECIFIED PRODUCTS MUST BE APPROVED BY THE ARCHITECT.
- PAINT ALL NEW SURFACES AS SCHEDULED AND AS REQUIRED TO ASSURE A UNIFORM APPEARANCE.
- THE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO CONTROL DUST AND MUD ASSOCIATED WITH THE WORK OF THIS PROJECT. EROSION CONTROL SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR AND METHOD USED SHALL MINIMIZE ADVERSE ENVIRONMENTAL EFFECTS, PER FOOT SPECIFICATIONS, SECTION 104.
- ALL PROPOSED CONSTRUCTION SHALL BE PURSUANT TO INFORMATION SHOWN ON THESE PLANS AND LOCAL CODES. ALL NECESSARY LICENSES AND PERMITS SHALL BE OBTAINED BY THE CONTRACTOR AT HIS EXPENSE UNLESS PREVIOUSLY OBTAINED BY THE OWNER.
- THE EXISTENCE AND LOCATION OF HIDDEN UTILITIES ARE NOT GUARANTEED AND SHALL BE INVESTIGATED AND VERIFIED IN THE FIELD BY THE CONTRACTOR BEFORE STARTING WORK. THE CONTRACTOR SHALL BE HELD RESPONSIBLE FOR ANY DAMAGES TO, AND FOR PROPER MAINTENANCE PROTECTION OF, EXISTING UTILITIES AND STRUCTURES DURING THE CONSTRUCTION PROCESS. THE CONTRACTOR SHALL BE LIABLE FOR ANY COSTS ASSOCIATED WITH THE RELOCATION OF TELEPHONE OR GAS LINES BY THE UTILITY COMPANIES.
- THE CONTRACTOR SHALL PROVIDE SAFE, SUFFICIENT, AND PROPER FACILITIES AT ALL TIMES FOR THE INSPECTION OF THE WORK BY THE OWNER, ENGINEER, AND ALL APPROPRIATE GOVERNMENTAL AND REGULATORY AGENCIES.
- PARTITION WALLS SHALL BE CONSTRUCTED OF MATERIALS AS ALLOWED BY MINIMUM TYPE VS CONSTRUCTION TYPE PER CHAPTER 1 OF THE LATEST EDITION OF THE FLORIDA BUILDING CODE.
- INTERIOR FINISH CLASSIFICATION SHALL BE CLASS 'A' FLAME/SPREAD 0-25 SMOKE DEVELOPED 0-450 AT EXIT ACCESS AND CLASS 'B' FLAME/SPREAD 26-75, SMOKE DEVELOPED 0-450 AT OTHER AREAS AS PER CHAPTER 8 OF THE LATEST EDITION OF THE FLORIDA BUILDING CODE FOR TYPE VS CONSTRUCTION TYPE.
- NEW TABLES, WORK SURFACES, COUNTER HEIGHTS, UNDER SURFACE CLEARANCE AND OVER COUNTER REACH SHALL COMPLY WITH THE LATEST EDITION OF THE FLORIDA BUILDING CODE. THESE WORK SURFACES SHALL PROVIDE A MINIMUM UNDER SURFACE HEIGHT OF 28"-34" FOR EACH POSSIBLE WHEELCHAIR LOCATION AND WITH 48" CLEARANCE AROUND THE COUNTER FOR MANEUVERING CLEARANCE.



LOCATION OF SITE



CONSULTANTS:
WCT Associates Inc.
STRUCTURAL ENGINEER
WCT Project #180008
1901 Big Crane Loop
Port Orange, FL 32128
Phone: (386) 265-4911
Fax: (386) 265-4912
www.wctassociates.com
Engineering COA #28250

REV #	ISSUES / REVISIONS	DATE
1	DESIGN DEVELOPMENT	10.14.2020
2	FINAL CONSTRUCTION DOCUMENTS	11.30.2020
3	PERMIT DRAWINGS	12.4.2020

REV #	ISSUES / REVISIONS	DATE
4		
5		
6		
7		
8		
9		
10		
11		
12		
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15		
16		
17		
18		
19		
20		

DRAWN BY: DJS	DESIGNED BY: DMS
REVIEWED BY: DMS	

PROJECT TITLE AND ADDRESS
**BUILDING PLANS FOR:
ACE HARDWARE**

1480 NORTH U.S. HIGHWAY 1
ORMOND BEACH, FLORIDA 32714

SHEET TITLE
COVER SHEET

SHEET #
A0.0

DANA M. SMITH
AR0000483

PROJECT # 02460 DATE: 8.13.2020

CODE REVIEW DATA- ALTERATIONS

APPLICABLE CODES:

FLORIDA BUILDING CODE - BUILDING (6TH EDITION - 2017)
 FLORIDA BUILDING CODE - EXISTING BUILDING (6TH EDITION)
 FLORIDA BUILDING CODE - ACCESSIBILITY (6TH EDITION)
 FLORIDA BUILDING CODE - ENERGY CONSERVATION (6TH EDITION)
 FLORIDA BUILDING CODE - FUEL GAS (6TH EDITION)
 FLORIDA BUILDING CODE - MECHANICAL (6TH EDITION)
 FLORIDA BUILDING CODE - PLUMBING (6TH EDITION)
 FLORIDA FIRE PREVENTION CODE (6TH EDITION)

AUTHORITY HAVING JURISDICTION

CITY OF - ORMOND BEACH

CHIEF BUILDING OFFICIAL - TOM GRIFFITH

OCCUPANCY TYPE (CHAPTER 3)

MERCANTILE - M

ALLOWABLE AREA (CHAPTER 5)

TABLE 506.2 - 12,500 SQ. FT. / STORY
 FRONTAGE AREA INCREASE (75%) = 9,375 SQ. FT. (FBC 506.3)
 ALLOWABLE AREA = 12,500 + 9,375 = 21,875 SQ. FT.

PROJECT BUILDING AREA AND HEIGHT

GROUND FLOOR 9,793 SQ. FT.
 SECOND FLOOR 16,660 SQ. FT.
 TOTAL 26,453 SQ. FT.

CONSTRUCTION TYPE (CHAPTER 6)

TYPE II B UNSPRINKLERED
 STRUCTURAL FRAME 0 HR
 BEARING WALLS - EXTERIOR 0 HR
 BEARING WALLS - INTERIOR 0 HR
 FLOOR CONSTRUCTION 0 HR
 ROOF CONSTRUCTION 0 HR

INTERIOR FINISH REQUIREMENTS (CHAPTER 8)

VERTICAL EXITS AND EXIT PASSAGEWAYS CLASS 1A
 EXIT ACCESS CORRIDORS AND OTHER EXITS CLASS 1B
 ROOFS AND ENCLOSED SPACES CLASS 1B
 FIRE ALARM SYSTEM IS REQUIRED PER FBC CHAPTER 9

FIRE PROTECTION SYSTEMS (CHAPTER 9)

PER 905.2.1 GROUP M FIRE AREAS DO NOT EXCEED 12,000 SF.
 FIRE AREAS - RETAIL AREA 1,800 SF
 OFFICE / STOCKROOM / MECHANICAL AREA 5,040 SF

OCCUPANT CAPACITY (TABLE 1004.1.2)

RETAIL AREA 1,800 / 60 SF = 30 OCCUPANTS
 GARDEN AREA 2,475 / 300 SF = 8 OCCUPANTS
 STOCKROOM AREA 1,660 / 300 SF = 5 OCCUPANTS
 OFFICE / BREAKROOM AREA 1,045 / 100 SF = 10 OCCUPANTS
 STOCK MEZZANINE AREA 460 / 300 SF = 2 OCCUPANTS
 TOTAL 116 OCCUPANTS

EGRESS CALCULATION (FBC 1005)

REQUIRED 216 / 35' = 338'
 PROVIDED 238'

MAXIMUM ALLOWABLE TRAVEL DISTANCE

200 FT

WIND LOAD REQUIREMENTS (CHAPTER 16)

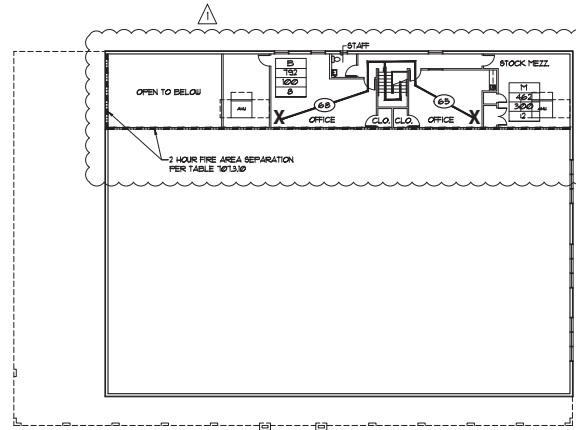
W/L (FIGURE 16-9.3 (1)) 125 mph
 VARI (FIGURE 16-9.3.1) II
 RISK CATEGORY (TABLE 16-9.3.2) II
 WIND EXPOSURE CATEGORY (TABLE 16-9.3.2) EXPOSURE 'B'
 HEIGHT AND EXPOSURE COEFFICIENT (TABLE 16-9.3.2) UNO
 ENCLOSURE STATUS NO
 WIND Borne DEBRIS ZONE NO

PLUMBING FIXTURE COUNT (2017 FLORIDA BUILDING CODE - PLUMBING)

116 OCCUPANTS	WATER CLOSETS		LAVATORIES		DRINKING	SERVICE
	MALE	FEMALE	MALE	FEMALE	FOUNTAINS	SINKS
REQUIRED	1	1	1	1	1	1
PROVIDED	1	2	1	2	1	1

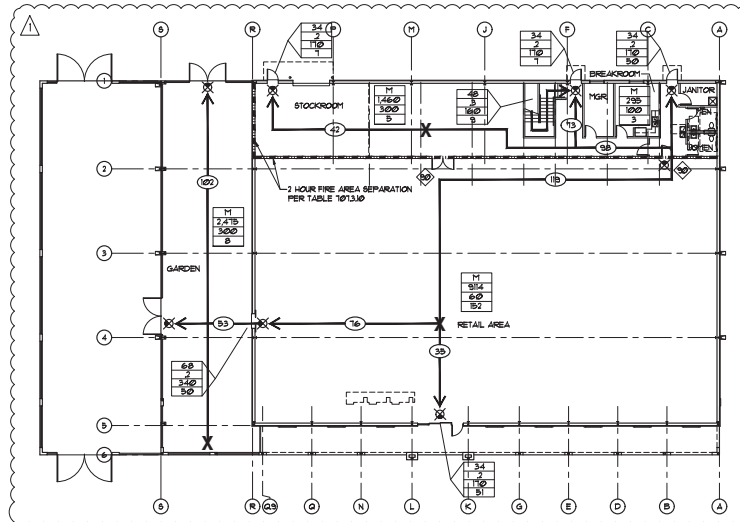
LIFE SAFETY PLAN LEGEND
PARTITION SYMBOLS

SYMBOL	DESCRIPTION	REMARKS
	1 HOUR FIRE RATING	
	2 HOUR FIRE RATING	
	FIRE DOOR / RATING (MINUTES)	
	LIFE SAFETY SYMBOLS	
	FIRE EXTINGUISHER	
	EGRESS CAPACITY FACTOR	
	A) DOOR SIZE OR STAIR WIDTH (INCHES)	
	B) EGRESS CAPACITY FACTOR (INCHES)	
	C) MAX ALLOWABLE LOAD	
	D) ACTUAL OCCUPANT LOAD	
	OCCUPANT LOAD	
	A) OCCUPANCY PER TABLE 1004.1.2	
	B) ACTUAL FLOOR AREA	
	C) OCCUPANT LOAD FACTOR PER TABLE 1004.1.2	
	D) ACTUAL LOAD	
	TRAVEL DISTANCE	
	DISTANCE FROM MOST REMOTE POINT IN OCCUPANT AREA	
	DIRECTION OF TRAVEL / PATH OF TRAVEL	
	START / FINISH OF TRAVEL DISTANCE	
	EMERGENCY EXIT LIGHTS	



SECOND FLOOR LIFE SAFETY PLAN

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



FIRST FLOOR LIFE SAFETY PLAN

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



ARCHITECT:



DELOSE O'NEAL ENGINEERING

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CONSULTANTS:

REV #	ISSUES / REVISIONS	DATE
	DESIGN DEVELOPMENT	10.14.2020
	FINAL CONSTRUCTION DOCUMENTS	11.30.2020
	PERMIT DRAWINGS	12.4.2020
	BUILDING DEPARTMENT REVISIONS	1.21.2021

DRAWN BY: DJS
 DESIGNED BY: DMS
 REVIEWED BY: DMS

PROJECT TITLE AND ADDRESS
BUILDING PLANS FOR:
ACE HARDWARE

1480 NORTH U.S. HIGHWAY 1
 ORMOND BEACH, FLORIDA 32174

SHEET TITLE
1st AND 2nd FLOORS
LIFE SAFETY PLANDANA M. SMITH
AR000483

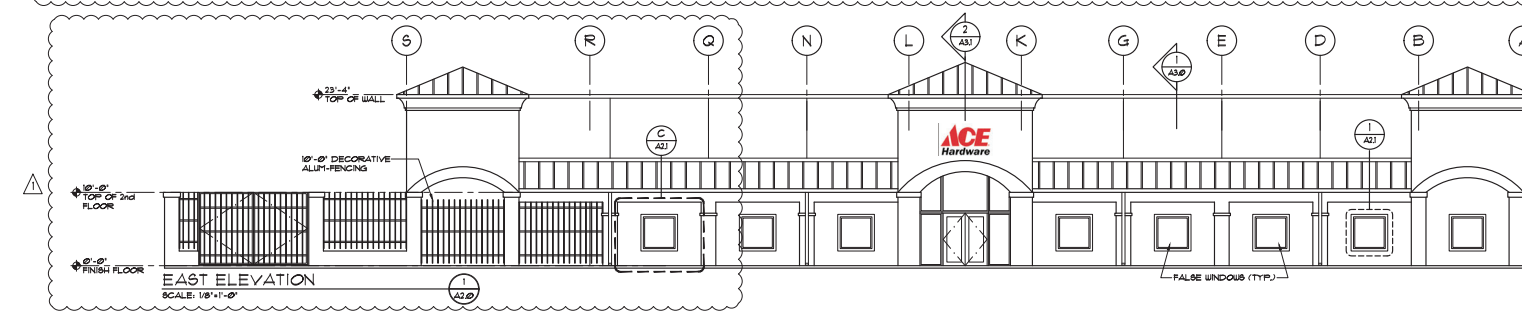
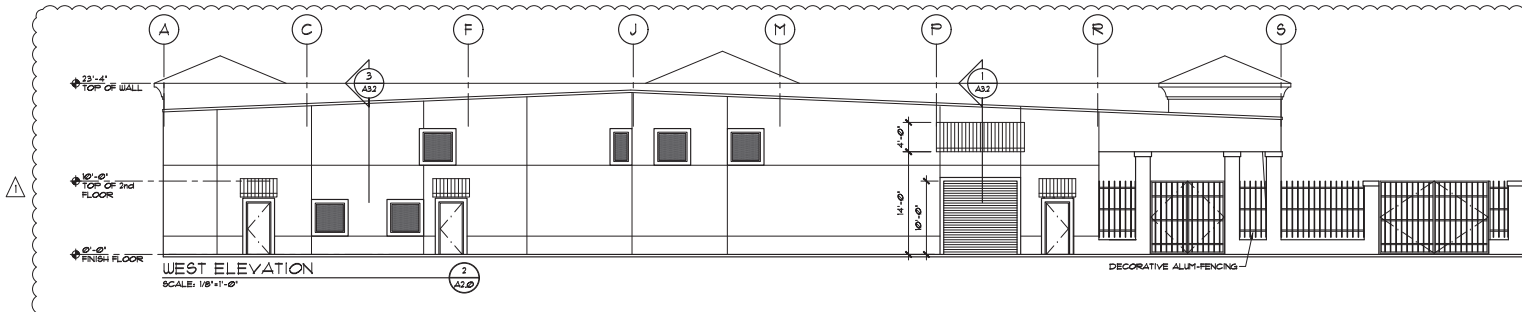
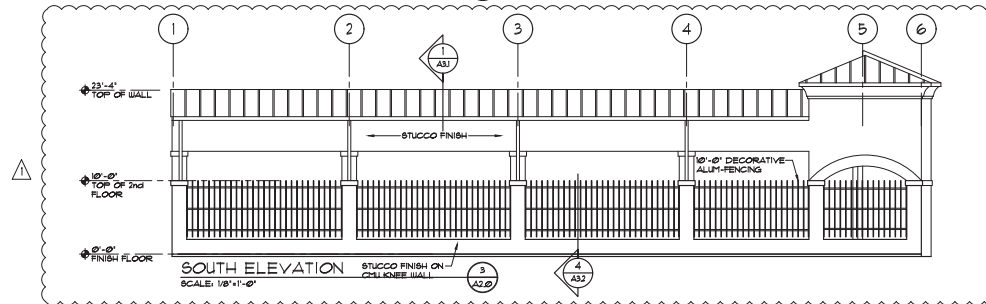
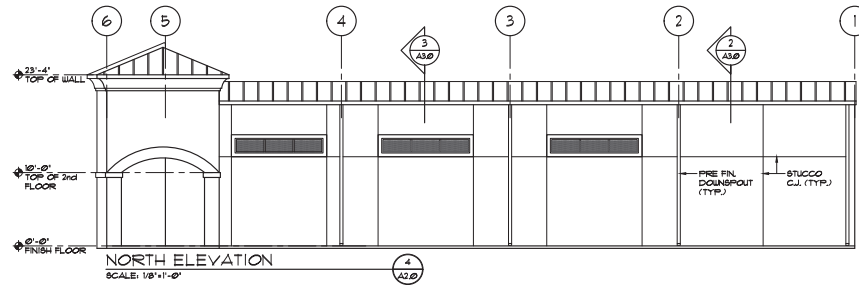
PROJECT # 02480

DATE: 8.13.2020

SHEET #
A0.1

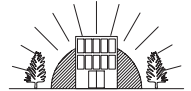


Submitted February 5, 2021
REPLACED with drawing on
February 26, 2021



dj DESIGN, INC.
682 NORTH NOVA RD
SUITE 201
A.A. 2800057
PHONE (386) 265-6882
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ARCHITECT.



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CONSULTANTS:

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2	FINAL CONSTRUCTION DOCUMENTS	11.30.2020
3	PERMIT DRAWINGS	12.4.2020
4	BUILDING DEPARTMENT REVISIONS	1.21.2021

DRAWN BY: DJS
DESIGNED BY: DMS
REVIEWED BY: DMS

PROJECT TITLE AND ADDRESS
**BUILDING PLANS FOR
ACE HARDWARE**

1480 NORTH U.S. HIGHWAY 1
ORMOND BEACH, FLORIDA 32174

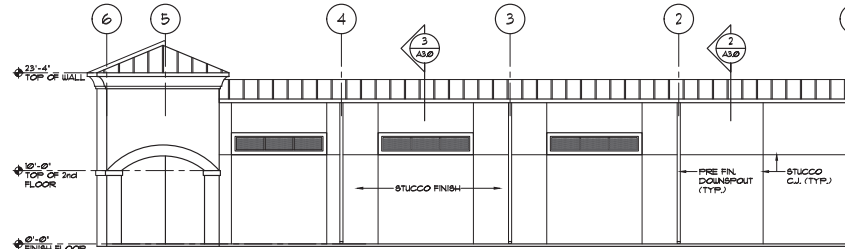
SHEET TITLE
ELEVATIONS

DANA M. SMITH
A00009483

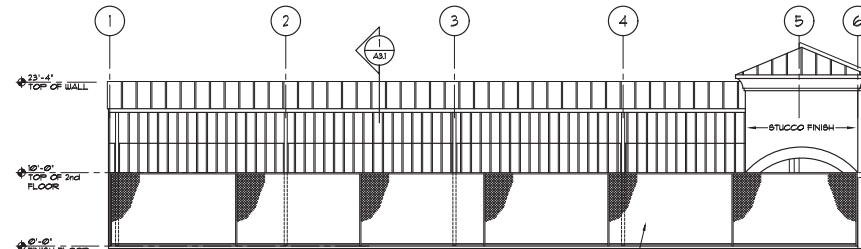
PROJECT # 02460 DATE: 8.13.2020

SHEET #
A2.0

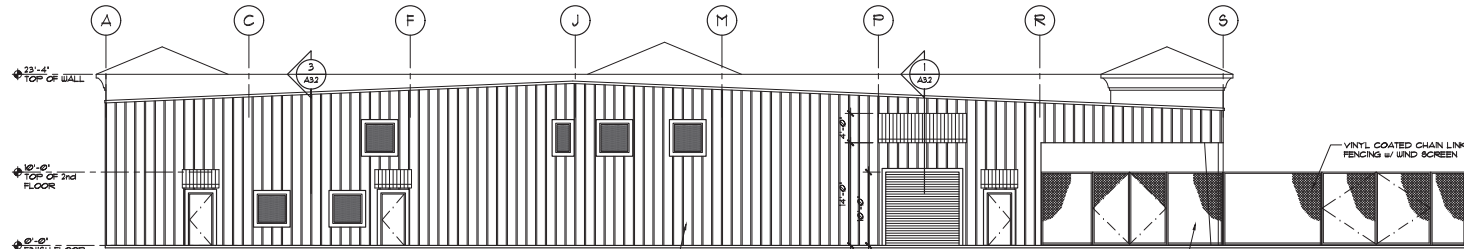
Submitted 02.26.2021



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



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



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



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

PER LDC SECTION 368(g)(1)

NEO-ECLECTIC ARCHITECTURAL STYLE;
HARBING TECHNIQUES
HARBING
BUILDING WALL OFF SETS
TOWERS
COLONNATES
VARIATIONS IN ROOF HEIGHT
STUCCO



ARCHITECT:
DELOSE O'NEAL ENGINEERING
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DRAWN BY: DJS
DESIGNED BY: DMS
REVIEWED BY: DMS

PROJECT TITLE AND ADDRESS
BUILDING PLANS FOR ACE HARDWARE
1480 NORTH U.S. HIGHWAY 1
ORMOND BEACH, FLORIDA 32174

SHEET TITLE
ELEVATIONS

SHEET #
A2.0A
DANA M. SMITH
A00009483
PROJECT # 02460 DATE: 8.13.2020

March 11, 2021

Planning Board minutes

**1480 North U.S. Highway 1,
Zoning Map Amendment**

V. NOTICE REGARDING ADJOURNMENT

NEW ITEMS WILL NOT BE HEARD BY THE PLANNING BOARD AFTER 10:00 PM UNLESS AUTHORIZED BY A MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. ITEMS WHICH HAVE NOT BEEN HEARD BEFORE 10:00 PM MAY BE CONTINUED TO THE FOLLOWING THURSDAY OR TO THE NEXT REGULAR MEETING, AS DETERMINED BY AFFIRMATIVE VOTE OF THE MAJORITY OF THE BOARD MEMBERS PRESENT (PER PLANNING BOARD RULES OF PROCEDURE, SECTION 2.7).

VI. APPROVAL OF MINUTES

February 18, 2021

Mr. Briley moved to approve the February 18, 2021 Minutes. Mr. Jorczak seconded the motion. The minutes were unanimously approved.

VII. PLANNING DIRECTOR'S REPORT

Mr. Spraker, Planning Director, stated that the Parks and Recreation Master Plan is having a public meeting on March 31, 2021 at 6:00 p.m. at the South Ormond Neighborhood Center. All are encouraged to attend. It will be both in-person meeting as well as streamed on YouTube.

VIII. PUBLIC HEARINGS

A. RZ 2021-011(A) – 1480 North U.S. Highway 1, Ormond Ace Hardware, Amendment to the Official Zoning Map

Mr. Steven Spraker, Planning Director, explained that this is a request from Gross Family Properties NG, LLC, property owner, for a zoning map amendment of the property at 1480 North U.S. Highway 1 from B-7 (Highway Tourist Commercial) to PBD (Planned Business Development). He explained that on the U.S. Highway 1 frontage, there are two (2) billboards on the site that are proposed to stay.

Mr. Spraker stated that the zoning map amendment provides a framework and provides an ability for the next item on the agenda, the issuance of a development order. Today the property has a commercial B-7 (Highway Tourist Commercial) zoning district that allows a variety of uses including retail, offices, restaurants and hotels. He continued that they are going to the Planned Business Development (PBD) in order to approve a site specific development plan.

Mr. Spraker commented that the site plan is included in the Board packet specifying where the building, garden center, natural preservation and stormwater pond is on the plan. The greenbelt is proposed to be enhanced with understory plantings and the rear next to Flagler Road is proposed to be a landscaped area. Mr. Spraker added that there is a loading area in the garden center. Mr. Spraker commented that the building is being shifted to save a historical tree and add additional land area around it. There are two (2) rights-of-way that are abutting the property that are seeking to be vacated. One (1) is along Flagler Road which is platted as a 60 foot right-of-way. The city standard detail is 50 feet. The City has previously vacated five (5) feet on either side of Flagler Road when applicants have developed and asked for it.

Mr. Spraker continued that there is a second t-shaped alleyway internal to the site that was part of the 1926 plat. Both rights-of-way are going through separate processes to be vacated.

He explained that the use of the property is a permitted use under the zoning district, and the purpose for the public hearing process is to provide site specific approval. Mr. Spraker explained that the first Planned Development request item is that they are going to be a full-service hardware store with an outdoor garden center and propane and chlorine tanks. Mr. Spraker remarked that the applicant is seeking to do the garden center which is a natural part of a hardware store but under the Land Development Code (LDC) it becomes outdoor activity which requires either a Special Exception or a Planned Development and public hearing approval.

Mr. Spraker stated that the second Planned Development request item is that the building is being shifted nine (9) to ten (10) feet to save the 39 inch historic tree. The building requires a twenty (20) foot setback.

The third Planned Development request is the intersection of Flagler Road and Gowers Street. The Land Development Code (LDC) requires a 50 foot setback in which the Site Plan Review Committee (SPRC) can reduce down to 40 feet. The request is to allow a 20 foot setback based on the existing stormwater improvement within Flagler Road. Mr. Spraker stated that Engineering Department staff have reviewed the request and have no objections. He added that Gowers Street is a substandard roadway and improvements to it is part of the overall site plan development. Gowers Street would be extended to make it a conforming roadway. A sidewalk will be placed along Gowers Street. The Department of Transportation (DOT) is considering a sidewalk project along North U.S. Highway 1 and the applicant seeks to put the sidewalk money into the sidewalk fund to be used towards the overall DOT project.

Mr. Spraker continued that the fourth Planned Development item is the rear façade. When the site plan was submitted on February 5, 2021 it was shown as a finished façade with a stucco finish. It was explained that with the Planned Development application the architectural elevation was revised to show the metal panels as well as where the garden center is. Historically, staff has not recommended approval of metal or unfinished materials but through the Planned Development the applicant can request it. Mr. Spraker commented that the Planning Board would need to make the recommendation to the City Commission.

The fifth Planned Development item is the fencing surrounding the garden center. There was a decorative wrought-iron fencing planned around the perimeter of the garden center with the site plan submitted on February 5, 2021. With the Planned Development submittal on February 26, 2021 it was amended to a chain-link fence with a black mesh coated finish on it. Historically chain-link fences have not been recommended along major corridors in the city.

Mr. Spraker concluded that Staff recommends approval of the retail center of approximately 17,000 square feet and the garden center with the specific Planned Development items recommending approval of the first three (3), and for the last two (2) recommending for a finished stucco material for the rear façade and the decorative aluminum fencing. The City Commission dates are tentatively scheduled for April 20th and May 4th.

Mr. Briley asked for confirmation of there not being any access off of U.S. Highway 1 to the property. Mr. Spraker replied that the project did not meet the separation requirements of the Florida Department of Transportation (DOT) from Gowers Street and explained that the access is off of Gowers Street. Mr. Briley asked about the façade of the building and if it would be visible from U.S. Highway 1. Mr. Spraker

answered that it would not as it would be in the rear but that as part of the Planned Development, an unfinished façade is not typically recommended. Staff believes that it would still be seen from both Flagler Road or Gowers Street. Mr. Briley asked if the chain-link fence would only be visible from the back of the building. Mr. Spraker replied that the side facing south and the back would be visible. Mr. Briley asked if a condition could be made by the Board for chain-link fencing in the back only, with the same decorative fencing along the front on U.S. Highway 1. Mr. Spraker answered yes.

Ms. Shull stated that she noticed a residential home on Gowers Street and asked if a block or concrete fence will have to be installed as they are abutting residential. Mr. Spraker replied that it is a nonconforming single-family house in a commercial zoning district so no fencing is required along Gowers Street. If the Planning Board believes that there should be fencing then it could be a condition as part of the Planned Development. The only fencing proposed for the site is around the garden center.

Ms. Tolland asked for specifics on how the applicant wants to alter the setback. Mr. Spraker replied 20 feet down to 10 feet to save the tree in the back. Following discussion, it was determined that the landscape buffer will be both natural and planted.

Mr. Scudiero asked about the billboards that are staying on the site. Mr. Spraker explained that the code specifies that once the billboard is removed or destroyed beyond 75 percent that the billboard then can be removed. The City does not have the ability in the LDC to remove billboards with site development.

Attorney Hayes stated that more information is needed from the applicant as the item goes up to City Commission. There are a set of Statutory Regulations and Florida Administrative Code Regulations that apply specifically to billboards. Billboard companies enter in long term contractual arrangements with the property owners. He continued that the property owner may not have the ability to make the billboards go away if there is an existing contract.

Mr. Jeff Gross, owner, Ace Hardware, 333 West Granada Boulevard, stated that his family works in the store and has lived in the community since 1980 when he moved to town from Miami. He continued that he worked for Ace Hardware for 30 to 40 years both in retail and wholesale. The family has owned the Ormond Beach Ace Hardware store since 2010 and looks forward to expanding to the west side of the community and employing another 20 to 30 people. Mr. Gross added that there is a contract on the billboards that was signed last year when the property was purchased. He is uncertain whether the contract is three (3) or five (5) years.

Ms. Sharon Trescott, 689 Pineland Trail, stated that she owns the house across the street and has no objection for the project. She commented that she is happy to see it happen and believes that more of the area needs to be developed in the commercial zoning district. Ms. Trescott expressed her concern with not having any adverse effects to her property. She remarked that engineering drawings have impacted another property of hers on U.S. Highway 1, the reason for the swales in that area. She stated that she does not want to have to take a flood policy out on her property and expressed concern with the road having no drainage on the sides. Ms. Trescott added that she did not know that the setback would be changing and that everyone should consider it and keep it where it is for the sake of the development on the other side. She continued that she asked Mr. Spraker for a letter that she now has and noticed the vacation of the 5 feet on Flagler Road. The letter states that the developer

and her can have 5 feet on each side of Gowers Street. Ms. Trescott asked why Mr. Gross is not utilizing the 5 feet of Gowers Street and Magnolia Street where the swale is as it may help with the setback issue for saving the historical tree. She commented that the drainage is severe and how she may have to take out a flood policy on her property. Ms. Trescott concluded that she hopes that the corner that the house is on will develop commercially and noted that it will not be a problem to sell the house but does not want it under water.

Mr. Shamus Schroeder, Design Engineer, Newkirk Engineering, stated that in the matter of stormwater, he worked with Mr. Vanacore putting the swales in when expanding the RV and storage property. He commented that he is familiar with the drainage patterns and the way everything operates in the area. The site discharges in three (3) directions, to the rear of the site, towards Gowers Street and Magnolia Street. He pointed out that the front is flat. Mr. Schroeder added that cities are regulated by the Florida Department of Transportation (FDOT) and water management districts, and cannot exceed the predevelopment rate, volume and discharge. He added that as the site is developed, less water will be coming off of it. The water will be directly channelized straight to the front ditch into the FDOT right-of-way. Mr. Schroeder remarked that they already have a DOT drainage permit for the discharge. After the site is developed the volume and rate of water flow in the area will be reduced. Mr. Schroeder commented that with the swales it will take a lot of water to flood the area due to their size and capacity for storage, in addition to the ability to convey water out of the area. Mr. Schroeder reassured Ms. Trescott that she should not see any water problems on Gowers Street. He commented that any pooling on Gowers Street will be eliminated. All of the water on the site, aside from the landscape buffer right on the Gowers Street property line, will be directed into the pond, from the pond to the right-of-way into a 30 inch pipe and across the street into the canal system. Mr. Schroeder commented that they cannot expand the right-of-ways, as to not affect the swale on the Magnolia Street side, and detailed his explanation regarding Gowers Street; "If the desire is to push the property line it would assist with the setback and can move the setback five (5) feet further. The building would still be five (5) feet closer to the property line. He added that they would like to shift the building nine (9) feet allowing space for the historical tree. If the requirement is to observe the 20 foot setback it will push the building within six (6) feet of the tree at the edge of the garden center which may or may not negatively impact the tree." Mr. Schroeder concluded that the construction activity will take place over half the tree roots as proposed or if they move the setback as Ms. Trescott has suggested.

Ms. Shull asked Mr. Schroeder about the drainage plan. She inquired if the Gowers Street side of the property will flow towards the retention pond. Mr. Shamus confirmed that it will and that everything from the property lines will flow back into the site. The grading on the pavement is peaked at the property line. Forward of the property line will flow out into the right-of-way on Gowers Street. The other side of the property line will come into the system. Mr. Schroeder explained that a drain is being put in at the property line at the proposed driveway on Flagler Road. It has been graded to pick up any water that comes down to the end of the street. Anything that flows down Gowers Street will be picked up and brought into the system. Ms. Shull asked how far up the property that abuts Gowers Street is going to be built. Mr. Schroeder answered approximately a foot and a half above the level of the road as the finished floor is 31.5 feet and the existing elevations range between 29 and 30 feet.

Mr. Jorczak asked about the additional impact of the waterflow that will be channeled to U.S. Highway 1 going into the system in Ormond Lakes. Mr. Schroeder replied that he heard of their stormwater issues and knows the drainage from this area is channelized through there after hitting the canals. All of the water that comes off of the site currently that does not percolate into the ground goes into the swale system which empties into the ditch up front and then flows across the street. He concluded that the amount of water will be reduced overall.

Ms. Tolland expressed concern about the buffer on Gowers Street and the construction aforementioned regarding the impact to the historical tree. Mr. Schroeder explained the development impacts flattening and grading the site, pouring the concrete slab and compaction of it. Ms. Tolland asked if there was a plan for the building to be setback further with the garden center. Mr. Schroeder answered that if shifting closer that it would be extremely close to the historical tree. Shifting the site would interfere with the 15 percent tree preservation that has to be maintained on the site. Ms. Tolland asked for the amount of greenspace on the property. Mr. Schroeder replied 47.2 percent.

Mr. Spraker added that they have to meet their 15 percent tree preservation and landscaping areas and have exceeded both. The tree is near the middle of the property, therefore in any direction they go there will be issues due to the historical tree. The site design has tried to move as far away from the tree as possible, still making reasonable use of the property while preserving the tree and the perimeter around it.

Ms. Shull inquired about the Magnolia Street side of the property and asked why the building could not have been on that side of the property. Mr. Spraker explained that is where there are two (2) rights-of-way. Both Magnolia Avenue and Flagler Road are being used as a stormwater conveyance swale. He continued that the tree is in the center of the site, therefore it would create the same issues in that location. Mr. Spraker concluded that the solution was to try and shift it, and whether vacating Gowers Street and giving five (5) feet and have a 15 foot setback, the distance is still the same.

Chairman Thomas closed the public hearing and entertained a motion.

Ms. Tolland motioned to approve RZ 2021-011(A) – 1480 North U.S. Highway 1, Ormond Ace Hardware, Amendment to the Official Zoning Map. Ms. Shull seconded it. Vote was called, and the motion was approved (6-0).

B. RZ 2021- 011(B) – 1480 North U.S. Highway 1, Ormond Ace Hardware, Issuance of a development order

Mr. Steven Spraker, Planning Director, reiterated that this item was included in the aforementioned item presentation. This is a request from Gross Family Properties NG, LLC, property owner, for the issuance of a development order to construct a two (2) story building of approximately 16,853 square feet for the Ormond Ace Hardware that proposes retail activity including a garden center (defined as outdoor activity) of approximately 2,566 square feet and associated site improvements on a 2.70 acre property.

Mr. Briley commented that knowing the use of what the property is going to be and knowing the owner of the property and the business he has been operating in Ormond

Beach, he does not have a problem with the façade in the rear of the property. He continued that it will not be seen from U.S. Highway 1. Mr. Briley added that he does not have a problem with the chain-link fencing as long as it is in the back of the property. He would like to see a continuation of the decorative fencing on the front of the property along U.S. Highway 1.

Chairman Thomas remarked that he has a problem with chain-link fencing. He stated that he would like to see the finished façade in the back.

Ms. Shull asked for explanation of where the fencing will be. Mr. Spraker explained that the fencing is only around the garden center, the front, side and rear connecting to the building.

There was discussion amongst the Board regarding their opinions on chain-link fencing.

Mr. Scudiero stated that he drove around town looking at businesses with fencing and noted one location had both wrought-iron fencing and chain-link fencing and remarked how he never noticed it prior. He added that he does not have a problem with it and brought attention to the efforts done to preserve the tree and address the stormwater issues. Mr. Scudiero concluded that the requestor is a good citizen and that he would be in favor of all five (5) conditions.

Mr. Jorzak commented that he would be fine with chain-link fencing in the back and wrought-iron fencing in the front. He added that the only cars that will see it are the northbound cars depending on what the vegetation is that is in the buffer area. Mr. Jorzak stated that he is in favor of a dressier look and noted that is what the goal has been for years.

Chairman Thomas remarked that this would be setting precedent in the area.

Ms. Tolland commented that she does not think that the Board should compromise. She remarked that she loves Ace Hardware and how it is on the corridor coming in from Interstate 95, on U.S. Highway 1 where the City has been cleaning up. Ms. Tolland concluded that she is not for the chain-link fence.

Ms. Shull concurred with Ms. Tolland and commented that it is not that much to continue with wrought iron fencing will look classy. There was discussion of the purpose of the fence. Mr. Spraker replied that it is the enclosure of the garden center.

Attorney Hayes reminded the Board that this is a recommendation to the City Commission and not the final decision. The options are if there is a 3-3 vote the decision would be a denial because it was a tie vote and would go to the City Commission. If one of the three voters on either side change their vote, an asterisk could be noted as to why and it would still go to the City Commission to make their vote.

Mr. Jorzak stated that he would rather see the wrought-iron fencing around the entire garden center.

Mr. Briley concurred regarding the wrought-iron fencing and noted that he would not have an issue with the rear façade.

Chairman Thomas agreed with Ms. Tolland that the Board has gone a long way with bringing U.S. Highway 1 up from where it was and commented that he does not like the idea of putting up a 10 foot high chain-link fence. He added that he would like the back of the building stuccoed and finished but is willing to compromise.

Attorney Hayes stated that it is not his role or function to get involved in the Boards decision making process but wanted to comment on the Planning Board and City Commission over the last 20 years and their hard work with cleaning up the aesthetic view of the corridor on U.S. Highway 1.

Chairman Thomas remarked that Mr. Spraker has worked hard on getting rid of the junk on U.S. Highway 1 and restated his dislike of chain-link fencing.

Mr. Jorczak concurred. He asked what the finished surface would be on the property on the building facing Gowers Street. Mr. Spraker replied that it will be stucco. Mr. Jorczak commented that his experience at Ace Hardware far exceeds his experience at any other hardware store. He asked if the contract with the billboards expires in three (3) to five (5) years if something can be conditional on it not being renewed. Mr. Jorczak concluded that it is his preference that the billboards go when it is feasible. Attorney explained that it would have to be researched and that billboards have been deemed to be nonconforming uses with built in protections for the existing billboards. The challenges are how they are amortized out, and how to analyze and address advertising. The answers will be addressed at the City Commission level. Attorney Hayes suggested taking each element individually and vote on them and the underlying motion as has been approved with the separate elements for the City Commission.

Mr. Dana Smith, Architect, DJ Design, asked if it would be acceptable to have chain-link fencing on the back side of the garden center that faces the Vanacore parking lot and the greenspace and leave the remainder wrought-iron. He explained that the chain-link fencing is more serviceable, less expensive and easier to replace when damaged.

Mr. Briley asked about the functionality of the fencing, chain-link versus wrought-iron, particularly in a loading zone.

Mr. Smith stated that the fence would not be visible from U.S. Highway 1 at all.

Chairman Thomas expressed his concern with other development eventually being to the south and the north the property where the fence will be visible. He concluded that he would rather the City Commission decide what they want to do in this matter.

Chairman Thomas closed the public hearing and entertained a motion.

Attorney Hayes recommended voting on each item individually as separate amendments to the motion and stated that if it ends in a 3-3 tie vote, and is at the end of the fifth item, the Board should vote on the underlying measure as has been approved.

Ms. Shull motioned to approve RZ 2021-011(B) – 1480 North U.S. Highway 1, Ormond Ace Hardware, Issuance of a development order – Item #1: Outdoor activity. Mr. Jorczak seconded it. Vote was called, and the motion was approved (6-0).

Ms. Shull motioned to approve RZ 2021-011(B) – 1480 North U.S. Highway 1, Ormond Ace Hardware, Issuance of a development order – Item #2: Side corner setback. Mr. Briley seconded it. Vote was called, and the motion was approved (6-0).

Ms. Tolland stated that she is willing to accept this item with the understanding that the landscape area between the road and the building will be heavily landscaped. Ms. Tolland expressed appreciation of the saving of the historic tree.

Mr. Briley motioned to approve RZ 2021-011(B) – 1480 North U.S. Highway 1, Ormond Ace Hardware, Issuance of a development order – Item #3: Intersection setback. Ms. Shull seconded it. Vote was called, and the motion was approved (6-0).

Mr. Briley motioned to approve RZ 2021-011(B) – 1480 North U.S. Highway 1, Ormond Ace Hardware, Issuance of a development order – Item #4: Rear Façade to be metal panels as opposed to stucco. Mr. Scudiero seconded it. Vote was called, and the motion was approved (5-1) with Ms. Tolland voting against the motion.

Ms. Tolland asked for verification of the existing façade material. Attorney Hayes stated that the staff recommendation is a stucco finish. He asked Mr. Briley to clarify the motion. Mr. Briley stated that the motion was to allow the metal panels as opposed to a stucco façade. Mr. Scudiero verified that his second to the motion was to allow the metal panels as opposed to a stucco façade. Mr. Jorczak stated that he did not believe that the wall would be visible and only a storage facility is located to the west.

Ms. Shull motioned to approve RZ 2021-011(B) – 1480 North U.S. Highway 1, Ormond Ace Hardware, Issuance of a development order – Item #5: Requiring decorative aluminum fencing around the garden center. Chairman Thomas seconded it. Vote failed with a 3-3 vote.

Mr. Scudiero motioned to approve RZ 2021-011(B) – 1480 North U.S. Highway 1, Ormond Ace Hardware, Issuance of a development order – Item #5: Chain-link Fencing in the rear of the garden center only with decorative aluminum fencing around the front and side. Mr. Jorczak seconded it. Vote failed with a 3-3 vote.

Attorney Hayes advised that another motion could be made or the Board could leave it as it is as a dead lock tie. Chairman Thomas recommended letting the City Commission decide this item.

Ms. Shull motioned to approve RZ 2021-011(B) – 1480 North U.S. Highway 1, Ormond Ace Hardware, Issuance of a development order – Main motion, including items 1-5 provided above. Mr. Jorczak seconded it. Vote was called, and the motion was approved (6-0).

IX. OTHER BUSINESS

Ms. Ashley DuFrene, 118 N. St. Andrews Drive, Tomoka Oaks, stated that in reference to the Tomoka Oaks golf course property it is unknown if the property is going to close for certain but noted that it is under contract with a developer. The community came together and started a committee to get ahead of the matter and show concern for the potential golf course becoming a neighborhood inside of a neighborhood. She continued that in two weeks they have received 12 signatures



CITY OF ORMOND BEACH

City Manager • 22 S. Beach Street • Ormond Beach • Florida • 32174 • (386) 676-3200 • Fax (386) 676-3384

CITY MANAGER MEMORANDUM

To: The Honorable Mayor Partington and City Commissioners

Through: Joyce A. Shanahan, City Manager

From: Shawn Finley, Public Works Director

Date: May 4, 2021

Subject: Demolition of Structure at 56 North Beach Street and Construction of Parking Lot

Commission Goal: Quality of Life - Complete feasibility for proposed uses of church property

Introduction

This is a request for the City Commission to approve a work authorization for construction management services to A.M. Weigel Construction, Inc., for the demolition of the structure at 56 North Beach Street and minimal site improvements to create temporary additional parking to serve the downtown businesses and parks.

Background

At the May 1, 2018 City Commission meeting, the City Commission authorized the purchase of the property located at 56 North Beach Street, formerly the Ormond Beach Riverside Church. At the time of purchase, discussion centered on the development of this property as a civic center, allowing the City to host civic functions such as the State of the City, the Florida League of Cities dinner, and other similar events, and as a public rental facility available for events such as weddings, family reunions, workshops, seminars, and business functions. In 2019, staff engaged the services of Vanasse Hangen and Brustlin, Inc. (VHB) to perform a feasibility study exploring development options for the site.

In a workshop on January 7, 2020, City staff and VHB presented the findings from the property use analysis. VHB presented options with professional opinion of cost for scenarios that included the renovation of the existing building, a maximum use analysis, and scenarios that involved the demolition of the site with temporary utilization of the site for parking. Workshop discussion indicated a general preference against renovation of the existing structure, and the Commission expressed interest in staff obtaining costs to demolish the existing building and stabilize the site allowing it to be used for temporary parking facilities.

Discussion

Staff internally prepared three options for a temporary use of the site upon demolition of the main building and ancillary structures. These concepts were provided to A.M. Weigel, a continuing contractor with the City for construction management services, who subsequently prepared a cost proposal for all three scenarios:

Option	Description	Cost
A	Demolish existing structures and construct a new shell parking lot for 59 vehicles.	\$125,579
B	Demolish existing structures and sod the site.	\$104,345
C	Demolish the existing structures, retain a portion of the existing parking lot with 18 parking spaces and sod the remainder of the site.	\$ 98,005

Should the Commission decide not to demolish the building, temporary measures are needed to address water penetration of the roof, air quality, and rodent infestation at a cost of approximately \$30,000. These remediation efforts would be temporary in nature and are necessary to maintain the current structure in a safe and secure manner pending any further direction from the City Commission.

Budget Impact

This project was not included in the FY 2020-21 budget and would require a budget amendment if approved. Funding would be derived from the General Fund Reserves.

Citizen Impact

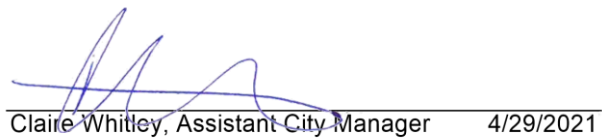
Demolition of the existing structures allows the City Commission to move forward in determining the best and highest public use of the property located at 56 North Beach Street.

Recommendation

Staff is recommending approval of a work authorization to A.M. Weigel Construction to complete the work proposed in Option C in the amount of \$98,005.

Attachments:

- 21-83 Demo of 56 N Beach-AM Weigel (P20-0122G) (PDF)
- Work Authorization (PDF)
- Temporary Building Stabilization Measures (PDF)

REVIEWED BY:
Kelly McGuire, Finance Director 4/28/2021
Claire Whitley, Assistant City Manager 4/29/2021**APPROVED BY:**
Joyce A. Shanahan, City Manager 4/28/2021

RESOLUTION NO. 2021-83

A RESOLUTION ACCEPTING A PROPOSAL FROM A.M. WEIGEL CONSTRUCTION, INC. TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES REGARDING THE DEMOLITION OF A STRUCTURE AT 56 N. BEACH STREET; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, the City solicited a proposal from A.M. Weigel Construction, Inc., an engineering firm under continuing contract with the City, to provide construction management services regarding the demolition of a structure at 56 N. Beach Street (“the Project”) in accordance with the provisions of Section 2-300(c) of the *Code of Ordinances*, and

WHEREAS, the appropriate City staff have reviewed the proposal received and determined that the proposal submitted by A.M. Weigel Construction, Inc. to provide construction management services for the aforescribed project at a cost not to exceed \$98,005.00 is in the best overall interest of the City, and recommends that the said proposal (a copy being attached to the Work Authorization which is attached hereto and incorporated herein by reference) be accepted, and

WHEREAS, the City Commission concurs in the said determination and recommendation, and

WHEREAS, the City Manager has certified that the money for the payment of the Project has been deposited to the credit of the General Fund (301) and has not been appropriated for any other purpose, now therefore,

**BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF
ORMOND BEACH, FLORIDA, THAT:**

SECTION ONE. The proposal submitted by A.M. Weigel Construction, Inc. to provide construction management services regarding the demolition of a structure at 56 N. Beach Street at a cost not to exceed \$98,005.00 is hereby accepted.

SECTION TWO. The Mayor and the City Manager are hereby authorized and directed to execute a Work Authorization between the City and A.M. Weigel Construction, Inc. to provide construction management services for the Project at the said price, and to pay the cost therefor from the General Fund (301).

SECTION THREE. This Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED this 4th day of May, 2021.

BILL PARTINGTON
Mayor

ATTEST:

KATE SETTLE
City Clerk

WORK AUTHORIZATION

In accordance with and incorporating the terms of the Contract for Construction Management Services on a Continuing Basis dated October 3, 2017 between the City of Ormond Beach, Florida, and A.M. Weigel Construction, Inc., the following Scope of Work and Schedule of Payments are agreed to by the parties to the Agreement:

Project Title: 56 North Beach Street Structure Demolition-Parking Construction

Project Description: Construction management services per Site Plan Option C for the demolition of the structures at 56 North Beach Street and construction of a parking facility on the property, as detailed in the attached proposal dated April 28, 2021.

Schedule of Payments and Fee Basis

<u>Required Work Task</u>	<u>Fee Basis</u>	<u>Fee</u>
56 North Beach Street Demolition of Structures & Parking Construction	Guaranteed Maximum Price	\$98,005.00
Total Fee Authorized:	Not to Exceed	<u>\$98,005.00</u>

Funding Source: General Fund (301)

Estimated Time for Completion: 120 Days from Authorization to Proceed

AUTHORIZED:
CITY OF ORMOND BEACH

ACCEPTED:
A.M. WEIGEL CONSTRUCTION, INC.

By: _____
Bill Partington
Mayor

By: _____
A. Michael Weigel
President

Date: _____

Date: _____

By: _____
Joyce A. Shanahan
City Manager

Date: _____

I. COMPLIANCE WITH FLORIDA PUBLIC RECORDS LAW

Contractor expressly agrees that it shall comply with the public records law provided in Florida Statutes, Chapter 119, and specifically to:

- (a) Keep and maintain public records required by the City to perform the contracted service.
- (b) Upon request from the City Clerk, provide the City with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes, or as otherwise provided by law.
- (c) Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the contract term and following completion of the contract if the contractor does not transfer the records to the City.
- (d) Upon completion of the contract transfer, at no cost to the City, all public records in possession of the contractor or keep and maintain public records required by the City to perform the service. If the contractor transfers all public records to the City upon completion of the contract, the contractor shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the contractor keeps and maintains public records upon the completion of the contract, the contractor shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the City, upon request from the City Clerk, in a format that is compatible with the information technology systems of the City.
- (e) Failure of the Contractor to comply with Public Records Law as provided by Florida Statutes, Chapter 119, shall subject the Contractor to penalties under Chapter 119.10 and subject this Agreement to termination for cause by the City.

IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT:

**CITY CLERK
22 SOUTH BEACH STREET
ORMOND BEACH, FLORIDA 32174 (386) 676-3331
CITYCLERK@ORMONDBEACH.ORG**

Ref: Fla. Stat. §119.0701(2016)

II. VERIFICATION OF EMPLOYMENT STATUS USING E-VERIFY SYSTEM

1. Section 448.09, *Florida Statutes*, makes it unlawful for any person to knowingly employ, hire, recruit, or refer, either for herself or himself, or on behalf of another, for private or public employment within the state, an alien who is not duly authorized to work in the United States. Contractor warrants that it is registered with the U.S. Department of Homeland Security's E-Verify system, and is compliant with the requirements of Sections 448.09 and 448.095, *Florida Statutes*.
2. Contractor agrees that if the contractor enters into an agreement with a subcontractor, the subcontractor must provide the contractor with an affidavit stating that the subcontractor does not employ, contract with, or subcontract with an unauthorized alien, and contractor warrants it shall maintain any such affidavits for the duration of the contract. If the City has a good faith belief that a subcontractor knowingly violated Section 448.09 (1), the City shall promptly notify the contractor and order the contractor to immediately terminate the contract with the subcontractor.
3. In the event the City has a good faith belief that the contractor has knowingly violated Section 448.09 (1), *Florida Statutes*, the City shall terminate the contract, and as provided by statute, the contractor may not be awarded a public contract for at least one (1) year after the date of termination. The contractor may also be held liable for any additional costs incurred by the City as a result of the termination of the contract.



April 28, 2021

Mr. Shawn Finley
Public Works Director
City of Ormond Beach
Shawn.Finley@ormondbeach.org

Re: Union Church Demolition
56 N. Beach Street
Ormond Beach, FL 32174

Mr. Finley,

We are pleased to submit our quote for the Union Church Demolition located at 56 N. Beach Street Ormond Beach FL. 32174 as per the site plans dated 3/10/2020 as requested. We will furnish all labor and material necessary to complete the work as described below for the following sum:

\$125,579.00 (One Hundred Twenty Five Thousand Five Hundred Seventy Nine Dollars and Zero Cents)

Option – A with Shell Lot

We have specifically included the following:

1. Demolition of 3 structures (approximately 14,423 sqft.), removal of concrete sidewalks and various slabs including all foundations and footers.
2. Trucking of debris to a licensed disposal facility including tipping fees.
3. We have included the cost for Universal Engineering to perform an asbestos and lead survey as required.
4. We have included the mandatory 10-day FDEP notification of demolition.
5. Vacuum recovery of HVAC gases prior to demolition.
6. Pump down and remove (1) grease trap.
7. Wet demolition to be implemented with water provided by the owner.
8. Temporary fencing with driveway access gates is included.
9. Removal of the existing parking lot including two palm trees.
10. Install (2) 6 inch thick concrete driveway aprons per plan.
11. Install 6 inch thick shell parking area per plan. Thickness of shell was not indicated on the documents so we assumed 6 inches would be sufficient.
12. Provide and install (59) concrete wheel stops.
13. Provide and install 1,623 square yards of Bahia sod.
14. Daily supervision by A.M Weigel Construction Inc. is included
15. Temporary toilet facilities are included.
16. P&P Bond included.

Option - B Site Plan with all Bahia Sod

Deduct \$21,234.00 (Twenty One Thousand Two Hundred Thirty Four Dollars and Zero Cents)

Option – C Site Plan retaining some of the existing parking lot to be sealed and re-stripped with Bahia sod.

Deduct \$27,574 (Twenty Seven Thousand Five Hundred Seventy Four Dollars and Zero Cents)

Items excluded:

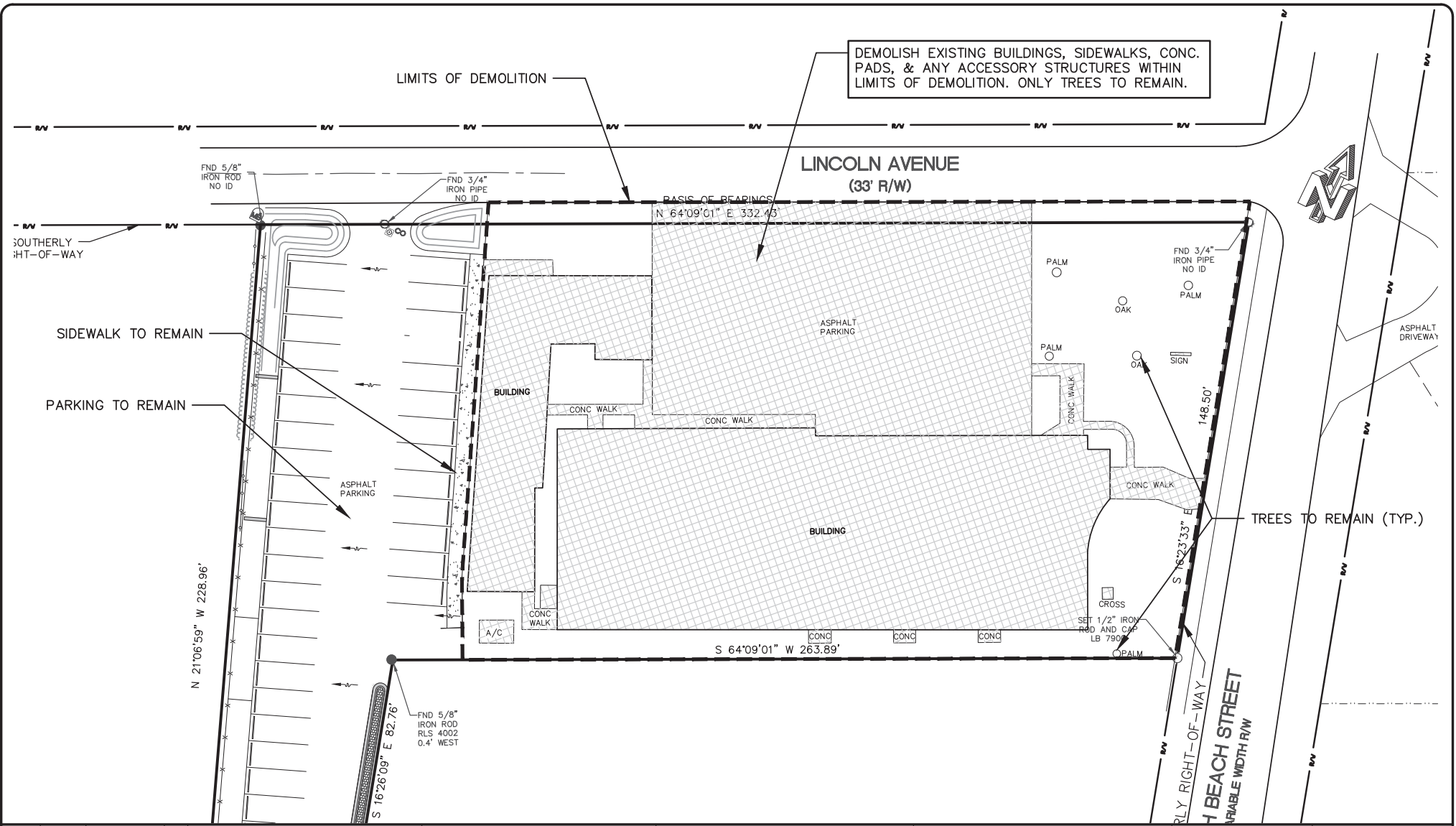
- Unforeseen conditions or hazardous material work of any kind are excluded.
- Owner to contact FPL to disconnect the power source from the buildings.
- Capping of sewer laterals to be performed by the owner.

- After demo operations are complete the owner will cap the water service and remove the meter if desired.
- Overtime or weekend work excluded. All work shall be performed during regular business hours.
- Silt Fence or Tree Protection. This can be priced separately if required.

Please feel free to call me should you have any further questions regarding our proposal, and thank you for the opportunity.

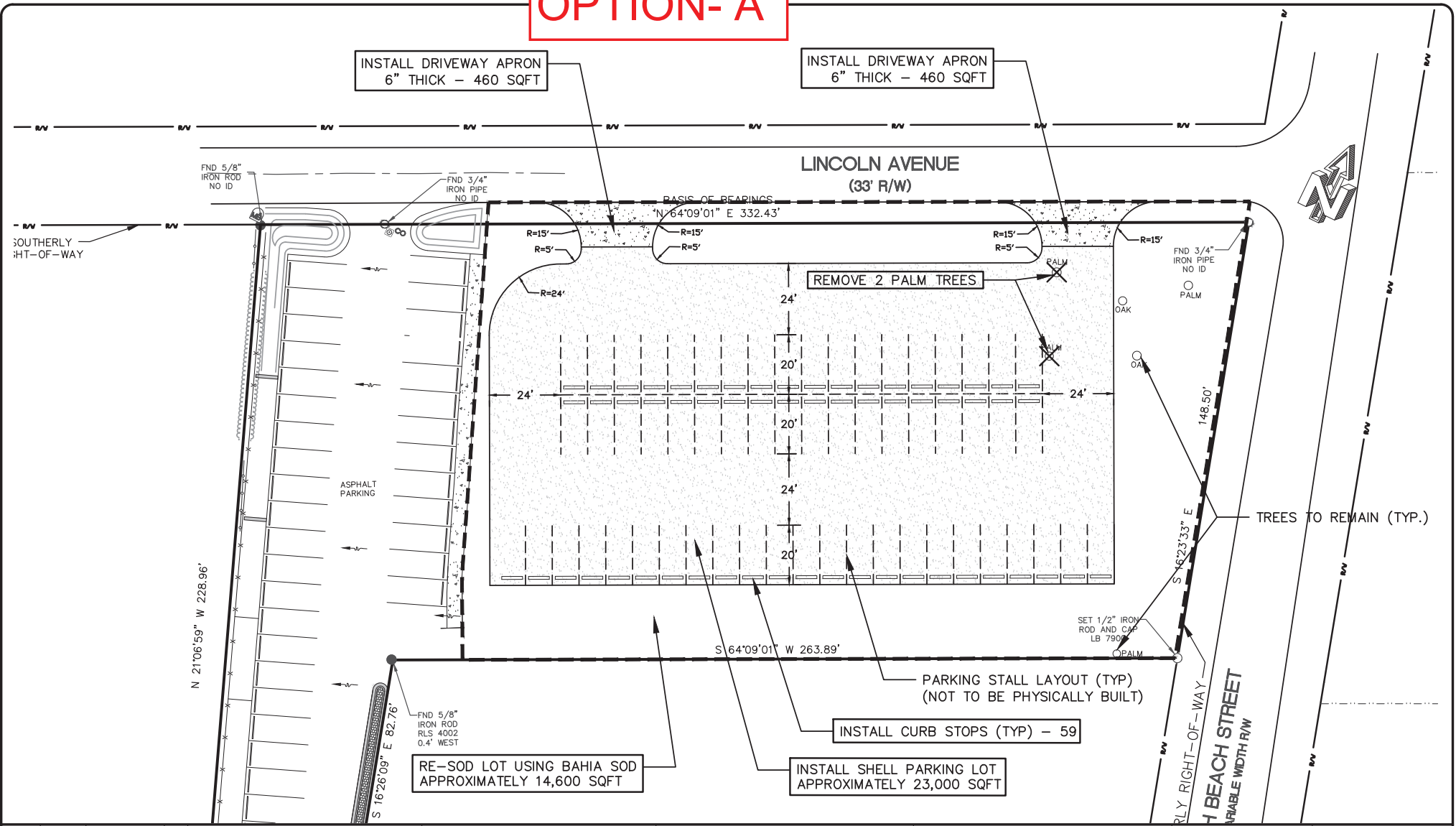
Sincerely,

Dwight Pickett
Vice President



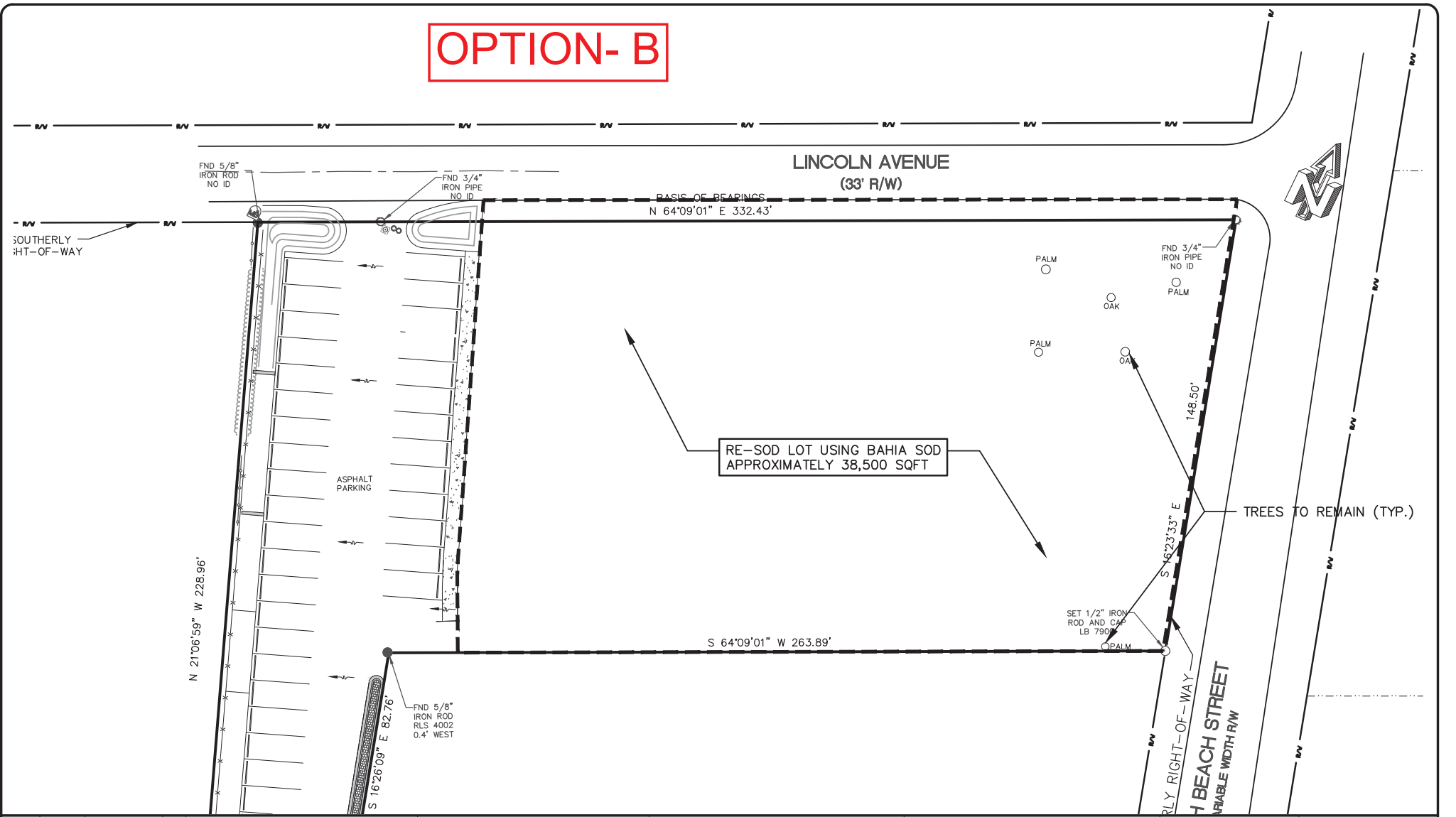
NO.	DATE	REVISIONS	BY	City of Ormond Beach Engineering Division BILL PARTINGTON, MAYOR JOYCE SHANAHAN, CITY MANAGER SHAWN FINLEY, P.E., CITY ENGINEER		56 N BEACH ST	DEMOLITION PLAN	DATE:	3/10/20	PROJECT NO:	2016-XX
								SCALE:	1" = 30'	FILE NAME:	.DWG
								DRAWN BY:	MC	Packet Pg. 245	

OPTION-A



NO.	DATE	REVISIONS	BY				DATE:	3/10/20	PROJECT NO:	2016-XX
				City of Ormond Beach Engineering Division			SCALE:	1" = 30'	FILE NAME:	.DWG
				BILL PARTINGTON, MAYOR JOYCE SHANAHAN, CITY MANAGER			DRAWN BY:	MC	Packet Pg. 246	
				SHAWN FINLEY, P.E., CITY ENGINEER						

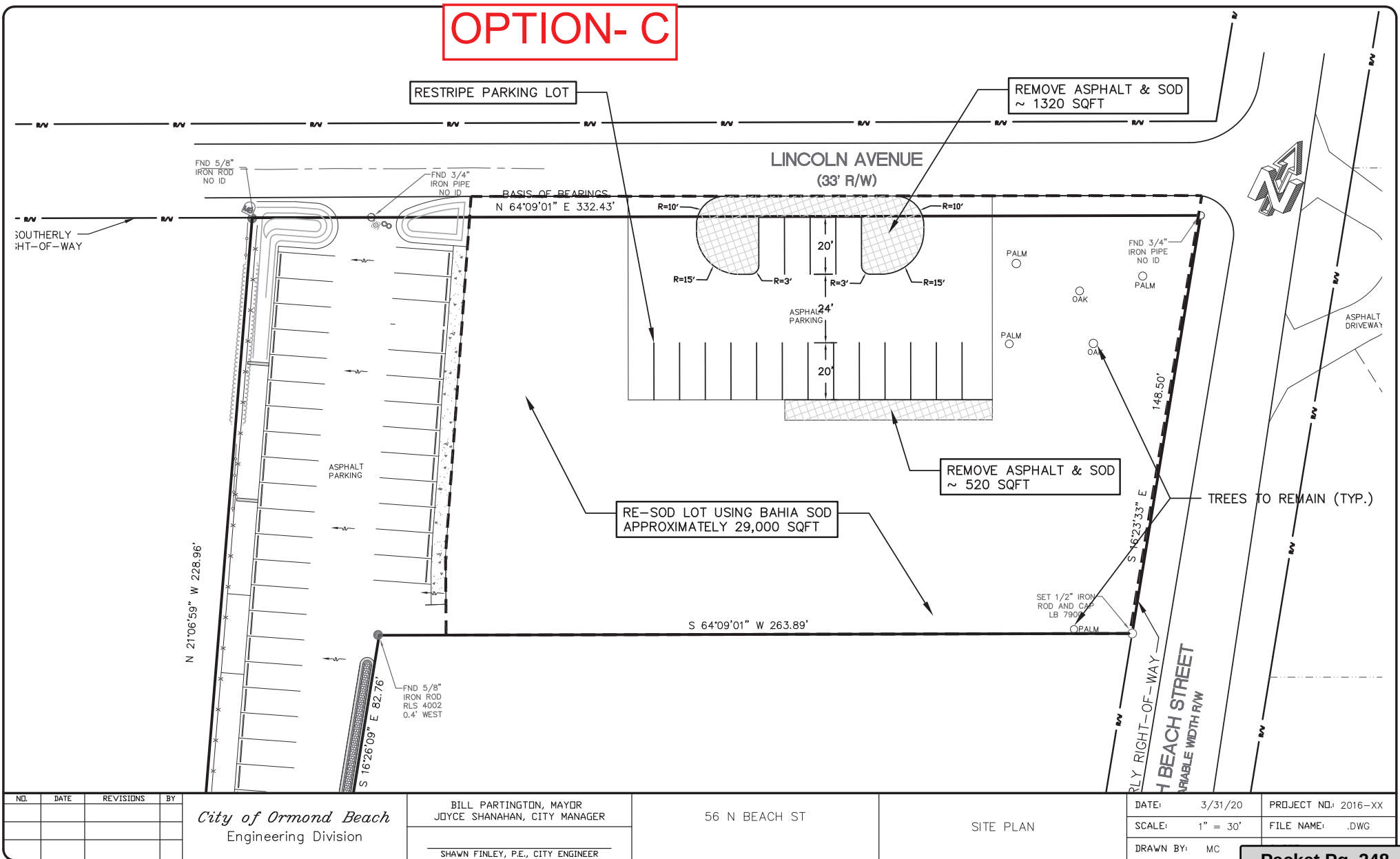
OPTION- B



NO.	DATE	REVISIONS	BY	City of Ormond Beach Engineering Division	BILL PARTINGTON, MAYOR JOYCE SHANAHAN, CITY MANAGER	56 N BEACH ST	SITE PLAN	DATE: 3/10/20	PROJECT NO: 2016-XX	
								SCALE: 1" = 30'	FILE NAME: .DWG	
									DRAWN BY: MC	
								SHAWN FINLEY, P.E., CITY ENGINEER		

Packet Pg. 247

OPTION-C



NO.	DATE	REVISIONS	BY

City of Ormond Beach
Engineering Division

BILL PARTINGTON, MAYOR
JOYCE SHANAHAN, CITY MANAGER
SHAWN FINLEY, P.E., CITY ENGINEER

56 N BEACH ST

SITE PLAN

DATE: 3/31/20
SCALE: 1" = 30'
DRAWN BY: MC

PROJECT NO: 2016-XX
FILE NAME: .DWG

City of Ormond Beach
4/30/2020

56 North Beach Street - Temporary Building Stabilization Measures

Project Probable Cost

Construction

Item No.	Description	Estimated Quantity	Unit	Unit Price	Item Price
1	Make Roof Watertight - Tarp	9000	sf	\$2.50	\$ 22,500.00
2	Dehumidification	26	wk	\$200.00	\$ 5,200.00
3	Pest Control	1	Ea	\$1,800.00	\$ 1,800.00

Construction \$ 29,500.00

Contingency (10%) \$2,950

Construction Budget \$33,000

Engineering \$0

Construction Administration \$0

TOTAL PROBABLE PROJECT COST \$33,000
