



AGENDA
CITY OF ORMOND BEACH, FLORIDA
CITY COMMISSION MEETING
January 18, 2022
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

1. CALL TO ORDER

2. INVOCATION

3. PLEDGE OF ALLEGIANCE

4. PRESENTATIONS AND PROCLAMATIONS

A. HOmE for the HOlidays Parade Award Winners

5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA

6. APPROVAL OF MINUTES

A. Minutes from City Commission meeting – January 4, 2022

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. 2022-08:** A RESOLUTION AMENDING THE DATES AND TIMES FOR THE HOLDING OF REGULAR MEETINGS OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA, FOR THE MONTH OF MARCH 2022; PROVIDING FOR AN EXCEPTION THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Susan Dauderis, City Clerk (386-676-3340)

- B. **RESOLUTION NO. 2022-10:** A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH COUNTY OF VOLUSIA AND PARTICIPATING LOCAL GOVERNMENTS GOVERNING USE OF VOLUSIA COUNTY REGIONAL OPIOID SETTLEMENT FUNDS; SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Ann-Margret Emery, Deputy City Attorney (386-676-3218)*

- C. **RESOLUTION NO. 2022-11:** A RESOLUTION RATIFYING THE EXECUTION OF AN AGREEMENT WITH THE STATE OF FLORIDA, OFFICE OF THE ATTORNEY GENERAL, REGARDING FUNDING FOR THE CITY'S VICTIM'S ADVOCATE PROGRAM; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Loretta Moisio, Grants Coordinator (386-676-3315)*

- D. **RESOLUTION NO. 2022-12:** A RESOLUTION AUTHORIZING THE APPROVAL AND EXECUTION OF A PURCHASE AUTHORIZATION FOR THE SOLE SOURCE PROCUREMENT OF A BAUER SUBMERSIBLE MOTOR GEARBOX FROM AQUA TURBO SYSTEMS FOR THE CITY'S SLUDGE AERATION TANK MIXER AT THE WATER RECLAMATION FACILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Tim Heyrend, Utilities Manager (386-676-3305)*

- E. **RESOLUTION NO. 2022-13:** A RESOLUTION ACCEPTING A PROPOSAL FROM MEAD & HUNT, INC. TO PROVIDE PRELIMINARY ENGINEERING DESIGN SERVICES REGARDING THE WESTERN UTILITY PLANT FACILITY PLANNING PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

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

- F. **RESOLUTION NO. 2022-14:** A RESOLUTION ACCEPTING A BID FROM EAST COAST MARINE CONSTRUCTION & DESIGN, INC. FOR CONSTRUCTION SERVICES REGARDING THE SHELL PARKING RESTORATION PROJECT, UNDER BID NO. 2022-05; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Alex Schumann, City Engineer (386-676-3302)*

- G. **RESOLUTION NO. 2022-15:** A RESOLUTION APPROVING A MID-CONTRACT WAGE ADJUSTMENT FOR CITY EMPLOYEES; AUTHORIZING THE EXECUTION OF MEMORANDUMS OF UNDERSTANDING; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Claire Whitley, Assistant City Manager (386-676-3202)*

H. **Volusia County Mosquito Control Request for Authorization**

Staff Contact: Susan Dauderis, City Clerk (386-676-3340)

Disposition: Approve as recommended in the City Manager memorandum dated January 18, 2022.

I. **Economic Development Strategic Plan**

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

Disposition: Approve as recommended in the City Manager memorandum dated January 18, 2022.

J. **C&D Franchise Renewal for GEL Recycling, LLC**

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

Disposition: Approve as recommended in the City Manager memorandum dated January 18, 2022.

K. **Bid Rejection for Stormwater Flap Gates Project, Bid No. 2022-02**

Staff Contact: Alex Schumann, City Engineer (386-676-3302)

Disposition: Approve as recommended in the City Manager memorandum dated January 18, 2022.

L. **City Manager Status Report, January 2022**

Staff Contact: Joyce Shanahan, City Manager (386-676-3200)

Disposition: Approve as recommended in the City Manager memorandum dated January 18, 2022.

8. **PUBLIC HEARINGS**

- A. **ORDINANCE NO. 2021-44: AN ORDINANCE AMENDING THE CITY OF ORMOND BEACH COMPREHENSIVE PLAN BY CREATING A NEW PROPERTY RIGHTS ELEMENT, INCLUDING GOALS, OBJECTIVES, AND POLICIES, PROVIDING THAT PRIVATE PROPERTY RIGHTS ARE CONSIDERED IN LOCAL DECISION-MAKING IN ACCORDANCE WITH FLORIDA STATUTES SECTION 163.3177(6)(I); PROVIDING FOR TRANSMITTING COPIES OF THE NOTICE AND AMENDMENT TO THE STATE REVIEWING AGENCIES, THE COUNTY OF VOLUSIA, AND ANY OTHER LOCAL GOVERNMENT OR GOVERNMENTAL AGENCY REQUESTING A COPY; PROVIDING FOR PUBLIC HEARINGS; PROVIDING FOR CONFLICTING ORDINANCES; AND SETTING FORTH AN EFFECTIVE DATE. (SECOND READING)**

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

- B. **ORDINANCE NO. 2022-01:** AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A PLANNED RESIDENTIAL DEVELOPMENT ORDER FOR THE “TATTERSALL AT TYMBER CREEK” SUBDIVISION, AUTHORIZING A PHASED SUBDIVISION OF 143 LOTS ON 84.14+ ACRES TO BE LOCATED AT 304 NORTH TYMBER CREEK ROAD (PARCEL ID NUMBER: 4124-00-00-0240), 2099 AIRPORT ROAD (PARCEL ID NUMBER: 4123-00-00-0012), AND 370 NORTH TYMBER CREEK ROAD (PARCEL ID NUMBER: 4124-00-00-0250); ESTABLISHING CONDITIONS AND EXPIRATION OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

- C. **ORDINANCE NO. 2022-02:** 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 12.00-ACRES LOCATED AT 215 WILLIAMSON BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4230-00-00-0014) FROM B-8 (COMMERCIAL) TO PLANNED BUSINESS DEVELOPMENT (PBD); AUTHORIZING REVISION OF 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. 2022-03:** AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A PLANNED BUSINESS DEVELOPMENT TO BE LOCATED AT 215 WILLIAMSON BOULEVARD, TO BE KNOWN AS THE “REGAL CENTER”; AUTHORIZING AN OUTPARCEL ALONG WILLIAMSON BOULEVARD; ALLOWING ADDITIONAL USES AND CREATING A FRAMEWORK FOR FUTURE REDEVELOPMENT; ESTABLISHING CONDITIONS AND EXPIRATIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

9. RESOLUTIONS

- A. **RESOLUTION NO. 2022-18:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA APPROVING THE PRELIMINARY PLAT FOR “THE CUPOLA AT OCEANSIDE”, A PLANNED RESIDENTIAL DEVELOPMENT SUBDIVISION; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

10. REPORTS, SUGGESTIONS, REQUESTS

11. ADJOURNMENT

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

January 4, 2022	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 Assistant City Clerk Wendy Hontz.

A G E N D A

1.

CALL TO ORDER
2.

INVOCATION
3.

PLEDGE OF ALLEGIANCE
4.

PRESENTATIONS AND PROCLAMATIONS

A.

Norman and Theresa Karr

B.

Human Trafficking Awareness Month

C.

Ken Russell
5.

AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA
6.

APPROVAL OF MINUTES

A.

Minutes from City Commission meeting – December 7, 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. 2022-01: A RESOLUTION AUTHORIZING THE SOLE SOURCE PROCUREMENT OF NEPTUNE WATER METERS FROM FERGUSON ENTERPRISES, LLC ON AN AS-NEEDED BASIS; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact:

Tim Heyrend, Utilities Manager (386-676-3305)

B.

RESOLUTION NO. 2022-02: A RESOLUTION RATIFYING AND AFFIRMING AN EMERGENCY PROCUREMENT OF A FLYGT PUMP FROM XYLEM WATER SOLUTIONS USA, INC. FOR THE BENNETT LANE PUMP STATION; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact:

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

C.

RESOLUTION NO. 2022-03: A RESOLUTION AUTHORIZING THE APPROVAL AND EXECUTION OF A PURCHASE AUTHORIZATION FOR THE PURCHASE OF SEVEN 2022 FORD INTERCEPTOR VEHICLES UNDER FLORIDA SHERIFFS ASSOCIATION BID NO. FSA20-VEL28.0; DECLARING CERTAIN VEHICLES TO BE SURPLUS PROPERTY, AND AUTHORIZING THE DISPOSITION THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

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

- D. **RESOLUTION NO. 2022-04:** A RESOLUTION ACCEPTING A BID FROM A.G. PIFER CONSTRUCTION CO., INC. FOR CONSTRUCTION SERVICES REGARDING THE GAZEBO REPLACEMENT IN CENTRAL PARK II, UNDER BID NO. 2022-01; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Alex Schumann, City Engineer (386-676-3302)

- E. **RESOLUTION NO. 2022-05:** A RESOLUTION AUTHORIZING THE SOLE SOURCE PROCUREMENT OF PROFESSIONAL SERVICES FROM CROM, LLC TO PERFORM REPAIRS TO THE SHADOW CROSSINGS GROUND STORAGE TANK; AUTHORIZING THE EXECUTION OF A CONTRACT; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Alex Schumann, City Engineer (386-676-3302)

- F. **RESOLUTION NO. 2022-06:** A RESOLUTION ACCEPTING A BID FROM PAUL CULVER CONSTRUCTION, INC. FOR CONSTRUCTION SERVICES REGARDING THE FACILITY HARDENING PROJECT, UNDER BID NO. 2021-28; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Alex Schumann, City Engineer (386-676-3302)

- G. **Auto Renewal of FEC Blanket License Agreement**

Staff Contact: Alex Schumann, City Engineer (386-676-3302)

Disposition: Approve as recommended in the City Manager memorandum dated January 4, 2022.

- H. **RFP for Ormond Beach Police Department Access Control**

Staff Contact: Alex Schumann, City Engineer (386-676-3302)

Disposition: Approve as recommended in the City Manager memorandum dated January 4, 2022.

- I. **Invitation to Bid - 2022 Storm and Sewer Lining**

Staff Contact: Alex Schumann, City Engineer (386-676-3302)

Disposition: Approve as recommended in the City Manager memorandum dated January 4, 2022.

- J. **Auto Renew Contracts for "Miscellaneous Crafts & Trades Services - As Needed"**

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

Disposition: Approve as recommended in the City Manager memorandum dated January 4, 2022.

8. RESOLUTIONS

- A. **RESOLUTION NO. 2022-07:** A RESOLUTION DECLARING THE INTENTION OF THE CITY COMMISSION TO ADOPT A REAPPORTIONMENT ORDINANCE; DESCRIBING THE PROPOSED REAPPORTIONMENT BOUNDARIES; AND SETTING FORTH AN EFFECTIVE DATE.

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

9. REPORTS, SUGGESTIONS, REQUESTS

10. ADJOURNMENT

MINUTES

Item #1 – Meeting Call to Order

Mayor Partington called the meeting to order at 7:03 p.m.

Item #2 – Invocation

Reverend Willie Branch gave the invocation.

Item #3 – Pledge of Allegiance

Mayor Partington led the Pledge of Allegiance.

Item #4 Presentations and Proclamations

Item #4A – Norman and Theresa Karr

Mayor Partington presented a proclamation to Mr. Norman and Ms. Theresa Karr, thanking them for their generosity of spirit in giving their time and funds each year. He explained Mr. and Ms. Karr dressed up as Santa and Ms. Claus, were involved with Santa on Patrol through the Ormond Beach Police Department, and donated funds toward the purchase of toys for local children.

Item #4B – Human Trafficking Awareness Month

Mayor Partington presented Ormond Beach Police Department Victim Advocate Ms. Evelyn Rebostini with a proclamation declaring January 2022 as human trafficking awareness month in the City of Ormond Beach, and urged all people to take efforts in ending human trafficking. He noted the city was thankful to have a police department that was committed to eradicating human trafficking.

Ms. Evelyn Rebostini, Victim Advocate, discussed future training for citizens and thanked the Commission for their support.

Item #4C – Ken Russell

Mayor Partington presented Mr. Ken Russell with a proclamation in honor of his service as the former Systems Maintenance Supervisor for the City of Ormond Beach. He discussed Mr. Russell's career and proclaimed January 5, 2022 as a day to recognize him for his achievements. He encouraged residents to join him in wishing Mr. Russell the best in his retirement.

Ms. Joyce Shanahan, City Manager, discussed Mr. Russell's achievements and teamwork.

Item #5 – Audience Remarks

Reverend Willie Branch, 6 Cherokee Trail, stated he was there as the chairman of the Ormond Beach Housing Authority (OBHA), and discussed the work OBHA completed in the last two years. He stated OBHA rated very high within the state and thanked the Commission for their support.

Mr. Clay Beazley, 2180 Arabian Trail, stated he was there to ask permission for an extended speaking time during the next City Commission meeting. He explained that he and about 90 neighboring homeowners wanted their voices heard, but did not want to take up too much time as about 40 of them informed Mr. Beazley they would like him to speak on their behalf. He stated after discussion with the neighbors he could speak on their behalf, but inquired if he could have a larger allotment of time.

Mr. Jim Schultz, 117 Harvard Drive, thanked Mr. Russell for his work. He discussed the COVID-19 variations and Pfizer vaccines. He discussed the approvals surrounding the vaccines and Occupational Safety and Health Administration (OSHA) regulations surrounding mandatory vaccinations in the work place.

Mayor Partington explained the Commission was late to start the meeting due to the workshop that took place at 5:30 p.m. He stated it was regarding contract negotiations, noting staff worked on pay rate studies. He explained staff would present the unions with a memorandum for consideration to adjust the rates mid-contract.

Item #5– Approval of Minutes

Mayor Partington advised the minutes of the December 7, 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. He stated that hearing no corrections, the minutes would stand approved as presented.

Commissioner Selby moved, seconded by Commissioner Littleton, for approval of the December 7, 2021, City Commission meeting minutes.

The motion passed by voice vote.

Item #7 – 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 Kent moved, seconded by Commissioner Persis, for approval of the consent agenda.

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

Comments on the Consent Agenda

Commissioner Persis discussed her support of Item 7C, which authorized the purchase of seven 2022 Ford Interceptor vehicles for the Ormond Beach Police Department.

Item #8 – Resolutions

Item #8A – Resolution of Intent for Redistricting of City Commission Boundaries

Assistant City Clerk Wendy Hontz read by title only:

RESOLUTION NO. 2022-07
A RESOLUTION DECLARING THE INTENTION OF THE CITY
COMMISSION TO ADOPT A REAPPORTIONMENT ORDINANCE;
DESCRIBING THE PROPOSED REAPPORTIONMENT BOUNDARIES;
AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Steven Spraker, Planning Director, reviewed a PowerPoint explaining that each Commission Zone gained population over the last ten years, and the item was to distribute the population evenly amongst the four zones. He discussed the December 7, 2021, workshop that reviewed multiple options and the one presented in the item was the option selected during the workshop. He stated there were two areas affected and reviewed the approval schedule. He stated staff recommended approval.

Commissioner Selby moved, seconded by Commissioner Kent, for approval of Ordinance No. 2022-07, as read by title only.

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

Item #9 – Reports, Suggestions, Requests

Public Safety Capital Project Fund

Ms. Shanahan discussed how the Public Safety Capital Project Fund was utilized for the purchase of the seven new police vehicles and replacement of emergency radios, which was voted on in October 2021. She discussed the radios that had been installed with the different departments.

Saint John’s River Water Management District

Ms. Shanahan stated staff met with Saint John’s River Water Management District (SJRWMD) in December 2021, to review grant fund guidelines. She informed the Commission that staff would be meeting with SJRWMD again to review the reclaimed water ideas that staff had discussed.

Commission Workshops

Ms. Shanahan reviewed upcoming workshops, which included the Parks and Recreation Master Plan workshop on January 18, 2022, and Cassen Park workshop on February 1, 2022. She inquired if Commissioner Kent wanted to move the Cassen Park workshop as he would not be in attendance that day; whereby, he stated he would not ask the Commission to move it.

Commissioner Persis stated she felt comfortable with moving the Cassen Park workshop; whereby, Mayor Partington inquired if the February 15, 2022, meeting would work for the Commission. The whole Commission agreed to move the Cassen Park workshop to February 15, 2022.

Consumptive Use Permit

Commissioner Littleton inquired about the Consumptive Use permit; whereby, Mr. Shawn Finley, Public Works Director, stated staff was finishing the application and should have it submitted before the end of January 2022.

HOme for the HOlidays Parade

Commissioner Kent discussed the HOme for the HOlidays parade and thanked Leisure Services Director Robert Carolin and staff for all their hard work.

Commissioner Persis, Commissioner Selby and Mayor Partington complimented staff on the parade and decorations around town.

Employee Recognition

Commissioner Persis thanked Mr. Finley for his work assisting a citizen with sidewalk safety concerns and completing the needed repairs.

Shade Meeting

Commissioner Littleton discussed his satisfaction with the shade meeting that took place before the Commission meeting.

Mayor Partington expressed his gratitude to the city employees and thanked them for their work every day. He wanted to let staff know the Commission did hear their concerns and took them into account.

Extended Speaking Time

Commissioner Selby inquired if the Commission would allow Mr. Beazley to speak for an extended time period on behalf of his neighbors at the January 18, 2022, meeting; whereby, Mayor Partington expressed his concerns on allowing the extended time allotment.

Mayor Partington believed there was a lack of documentation to show Mr. Beazley was there on behalf of 40 plus neighbors. He stated the January 18, 2022, meeting may be a more appropriate time to discuss and decide.

Commissioner Persis agreed with Mayor Partington and did not feel comfortable making the decision at the current meeting. She requested the City Manager or City Attorney get emails from Mr. Beazley's neighbors to corroborate what he said.

Mayor Partington expressed his concerns with one person speaking on behalf of 40 people.

Item #10 – Adjournment

APPROVED: January 18, 2022

Bill Partington, Mayor

Susan Carroll Dauderis,
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: Susan C. Dauderis, City Clerk

Date: January 18, 2022

Subject: City Commission Second Meeting in March 2022

Commission Goal: N/A

Introduction

On December 7, 2021, the City Commission gave direction to staff to move the second City Commission meeting in March 2022 from March 15th to March 22nd.

Background

The City Commission discussed changing the date of the second meeting in March 2022 from March 15th to March 22nd to coordinate with Volusia County School's spring break schedule which is March 14-18, 2022.

Discussion

At the December 7, 2021 City Commission meeting, staff presented the option of moving the second March meeting from March 15th to March 22nd to coincide with Volusia County Schools spring break. March has five Tuesdays, therefore moving the meeting date would be possible and would allow the opportunity for the second reading of ordinances if needed. The City Commission gave unanimous direction to staff to move the meeting date.

A resolution is necessary to make this change to the City Commission's 2022 meeting calendar.

Budget Impact

This item has no impact on the budget.

Citizen Impact

Moving the meeting could allow for more public participation given that spring break

may be a time for travel or other family activities, possibly limiting attendance to the City Commission meeting.

Recommendation

Staff recommends approval of the meeting date change.

Attachments:

- 22-08 CC amend meeting dates (PDF)
- 2022 Meeting Calendar - Updated 01.10.22 (PDF)

REVIEWED BY:


Kelly McGuire, Finance Director 12/15/2021


Claire Whitley, Assistant City Manager 1/6/2022

APPROVED BY:


Joyce A. Shanahan, City Manager 1/11/2022

RESOLUTION NO. 2022-08

A RESOLUTION AMENDING THE DATES AND TIMES FOR THE HOLDING OF REGULAR MEETINGS OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA, FOR THE MONTH OF MARCH 2022; PROVIDING FOR AN EXCEPTION THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Ormond Beach approved the regular meeting dates for the years 2021 and 2022 by adoption of Resolution No. 2020-170, and

WHEREAS, the City Commission desires to amend the second meeting date in March, 2022, currently scheduled for 7:00 p.m. on Tuesday, March 15 in order to coordinate with Volusia County School's spring break schedule, now therefore,

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

SECTION ONE. The regular meetings of the City Commission of the City of Ormond Beach, Florida, shall be held at the hour of 7:00 P.M. on the first and third Tuesdays of each month during the years 2021 and 2022.

SECTION TWO. The following is adopted as an exception to the regular meeting schedule hereinbefore adopted:

- (a) the second regular meeting in March, 2022 will be held on Tuesday, March 22, 2022 at 7:00 p.m.,

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

APPROVED AND AUTHENTICATED this 18th day of January, 2022.

BILL PARTINGTON
Mayor

ATTEST:

SUSAN CARROLL DAUDERIS
City Clerk

**Ormond Beach City Commission
Meeting Schedule 2022**

<u>Date</u>	<u>Time</u>	<u>Place</u>	<u>Meeting</u>
January			
January 4, 2022 - Tuesday	7:00 PM	CC	Regular City Commission Meeting
January 18, 2022 – Tuesday	7:00 PM	CC	Regular City Commission Meeting
February			
February 1, 2022 – Tuesday	7:00 PM	CC	Regular City Commission Meeting
February 15, 2022 – Tuesday	5:30 PM	CR	Cassen Park Workshop
February 15, 2022 – Tuesday	7:00 PM	CC	Regular City Commission Meeting
March			
March 1, 2022 – Tuesday	7:00 PM	CC	Regular City Commission Meeting
March 15, 2022 – Tuesday	7:00 PM	CC	Regular City Commission Meeting
March 22, 2022 – Tuesday	5:30 PM	CR	Parks & Recreation Master Plan Update Workshop
March 22, 2022 – Tuesday	7:00 PM	CC	Tentative Regular City Commission Meeting
April			
April 5, 2022 – Tuesday	7:00 PM	CC	Regular City Commission Meeting
April 19, 2022 – Tuesday	7:00 PM	CC	Regular City Commission Meeting
May			
May 3, 2022 - Tuesday	7:00 PM	CC	Regular City Commission Meeting
May 17, 2022 – Tuesday	7:00 PM	CC	Regular City Commission Meeting
June			
June 7, 2022 – Tuesday	5:30 PM	CR	Capital Improvements Program and Draft Budget Workshop
June 7, 2022 – Tuesday	7:00 PM	CC	Regular City Commission Meeting
July			
July 19, 2022 – Tuesday	5:30 PM	CR	Operating Budget Workshop
July 19, 2022 – Tuesday	7:00 PM	CC	Regular City Commission Meeting
August			
August 3, 2022 – Wednesday	7:00 PM	CC	Regular City Commission Meeting**
August 16, 2022 – Tuesday	7:00 PM	CC	Regular City Commission Meeting **Moved to Wednesday for National Night Out
September			
September 7, 2022 – Wednesday	7:00 PM	CC	Reg. Comm. Mtg. & 1 st Budget Hearing***
September 21, 2022 – Wednesday	7:00 PM	CC	Reg. Comm. Mtg. & 2 nd Budget Hearing*** ***Moved due to TRIM requirements
October			
October 4, 2022 – Tuesday	7:00 PM	CC	Regular City Commission Meeting
October 18, 2022 – Tuesday	7:00 PM	CC	Regular City Commission Meeting

Updated 1/10/2022

**Ormond Beach City Commission
Meeting Schedule 2022**

November

November 1, 2022 – Tuesday	7:00 PM	CC	Regular City Commission Meeting
November 15, 2022 – Tuesday	6:00 PM	CC	Organizational City Commission Meeting



CITY OF ORMOND BEACH

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

CITY ATTORNEY MEMORANDUM

To: The Honorable Mayor Partington and City Commissioners

Through: Randal A. Hayes, City Attorney

From: Ann-Margret Emery, Deputy City Attorney

Date: January 18, 2022

Subject: Interlocal Agreement Creating a Regional Opioid Abatement Funding Advisory Board

Commission Goal: N/A

Introduction

This is a resolution to authorize the City to enter into an interlocal agreement with Volusia County and all municipalities within the county to provide for the creation of an Opioid Abatement Funding Advisory Board, which will review and make recommendations concerning abatement plans and disbursement of regional opioid settlement funds distributed by the State of Florida.

Background

In July 2021, the City Commission approved a memorandum of understanding supporting the State of Florida unified plan for the allocation and use of prospective settlement dollars from opioid related litigation. This interlocal agreement is necessary in order for Volusia County to become a “qualified county” eligible to receive regional funding from the global settlement funds distributed by the State of Florida. Pursuant to the interlocal agreement, each city/town and the county will appoint a member to an Opioid Abatement Funding Advisory Board which will review and make recommendations concerning abatement plans and disbursement of the regional settlement funds over many years. The state, regional and local funds will be utilized for strategies, programming and services to expand the availability of treatment for individuals impacted by opioid use disorder or related mental health/substance use disorders.

Budget Impact

There is no impact upon the city budget.

Recommendation

Staff recommends approval of the resolution authorizing the Mayor and City Manager to execute the interlocal agreement with Volusia County and all municipalities within Volusia County, to provide for the creation of an Opioid Abatement Funding Advisory Board that is substantially consistent with the attached Interlocal Agreement Governing Use of Volusia County Regional Opioid Settlement Funds.

Attachments:

- 22-10 Opioid Interlocal Agr Funding (702,487) (PDF)
- Interlocal Agreement - Opioid Settlement 2021.12.09 FINAL (PDF)

RESOLUTION NO. 2022-10

A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH COUNTY OF VOLUSIA AND PARTICIPATING LOCAL GOVERNMENTS GOVERNING USE OF VOLUSIA COUNTY REGIONAL OPIOID SETTLEMENT FUNDS; SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, on July 20, 2021 by Resolution 2021-103 the City Commission approved a Memorandum of Understanding with the County of Volusia setting forth the framework of a unified plan for the proposed allocation and use of opioid settlement proceeds, and

WHEREAS, the Interlocal Agreement Governing Use of Volusia County Regional Opioid Settlement Funds, a copy of which is attached hereto and incorporated herein by reference, is substantially consistent with the Memorandum of Understanding, and

WHEREAS, the attached agreement complies with the requirements of Chapter 163, *Florida Statutes*, now therefore,

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 an Interlocal Agreement Governing Use of Volusia County Regional Opioid Settlement Funds.

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

APPROVED AND AUTHENTICATED, this 18th day of January, 2022.

BILL PARTINGTON
Mayor

ATTEST:

SUSAN CARROLL DAUDERIS
City Clerk

INTERLOCAL AGREEMENT GOVERNING USE OF VOLUSIA COUNTY
REGIONAL OPIOID SETTLEMENT FUNDS

THIS INTERLOCAL AGREEMENT ("Agreement") is made and entered into as of this _____ day of _____ 2021, by and between Volusia County, a political subdivision of the State of Florida, hereinafter referred to as the "County," and the City of Daytona Beach, the City of Daytona Beach Shores, the City of DeBary, the City of DeLand, the City of Deltona, the City of Edgewater, the City of Holly Hill, the City of Lake Helen, the City of New Smyrna Beach, the City of Oak Hill; the City of Orange City; the City of Ormond Beach; the Town of Pierson; the Town of Ponce-Inlet; the City of Port Orange; and the City of South Daytona; hereinafter referred to as the "Cities."

WHEREAS, a local, state and national crisis arose as a result of the manufacture, distribution and over-prescribing of opioid analgesics ("opioids") and resulted in opioid overdoses and addictions throughout municipalities, counties, states and the nation; and

WHEREAS, Volusia County and the municipalities therein are not immune from this nationwide crisis; an

WHEREAS, in April of 2021, a collaborative working group known as the Volusia County Opioid Task Force, hereinafter "Opioid Task Force", consisting of various knowledgeable staff of the local government entities assembled in response to the alarming increase in opioid related drug misuse and opioid-related deaths within the geographic boundaries of Volusia County; and

WHEREAS, the Opioid Task Force will continue to provide local governments with relevant information on the opioid national crises as well as information and analysis on the

nature, extent, and problems in Volusia County and on opioid-related programs consistent with the State MOU; and

WHEREAS, the crisis has caused and is causing an undue strain on local government finances to implement programing to combat the opioid epidemic, to mitigate the harmful effects of the opioid epidemic in the community, and to increase educational campaigns to counteract misinformation about the addictive nature and harmful effects of opioids; and

WHEREAS, the opioid crisis is as pronounced within Volusia County and within certain municipalities within Volusia County as it was throughout most of the harder hit areas in the state of Florida and in the United States and despite the resources expended on combatting the epidemic, the opioid epidemic continues to impact the local community; and

WHEREAS, as a result of the national opioid crisis, many governmental entities throughout the country filed lawsuits against opioid manufacturers, distributors, and retailers, hereinafter referred to as the "defendants", to hold them accountable for the damage caused by their misfeasance, nonfeasance and malfeasance, as well as to recover monetary damages for past harm and financial compensation for ongoing and future abatement efforts; and

WHEREAS, four governmental entities in Volusia County deemed the opioid crisis significant enough to secure litigation counsel and individually elect to file suit against the defendants to wit: Deltona, Daytona Beach, Ormond Beach, and Daytona Beach Shores, (hereinafter referred to as the "MDL Cities") and the County; and

WHEREAS, the lawsuits filed by the MDL Cities and the County were consolidated with other lawsuits filed by state, tribal and local governmental entities into what is known as

the National Prescription Opiate Litigation in the United States District Court of the Northern District of Ohio, Eastern Division, case number I : 17-MD-2804; and

WHEREAS, as a result of this litigation, multiple defendants have begun to negotiate settlements; and

WHEREAS, the Attorney General for the State of Florida (hereinafter "Attorney General") anticipates that Settlement funds will be distributed to the State of Florida over multiple years as part of a global settlement, and not directly to the MDL Cities and County, despite their position as party plaintiffs; and

WHEREAS, the Attorney General has proposed entering into agreements with local governments within the State of Florida to receive Settlement funds. This agreement (hereinafter referred to as the "State MOU"), as currently drafted, divides settlement funds into three portions designated as City County, Regional and State funds; and

WHEREAS, it is anticipated that the State MOU will set forth the amount and manner of distribution of City/County and Regional Settlement funds within Florida, the requirements to receive and manage Regional funds, and the purposes for which Regional funds may be used. The approved uses in the State MOU for which Regional funds may be used are attached as Exhibit A; and

WHEREAS, the parties recognize that local control over Regional Settlement funds is in the best interest of all persons within the geographic boundaries of Volusia County and ensures that Settlement funds are available and used to address opioid-related impacts within Volusia County and are, therefore, committed to the County qualifying as a "Qualified County" and thereby receiving Regional funds pursuant to the State MOU; and

WHEREAS, Volusia County is currently providing or contracting to provide substance abuse, prevention, recovery, and/or treatment services to the citizens in Volusia County; and

WHEREAS, Volusia County currently has programs and policies for abatement of opioid and other substance abuse, prevention, recovery, or treatment services that may be enhanced or supplemented, including, but not limited to: carrying of Narcan by law enforcement officers, first responders, and corrections officers; pro-active support systems such as educational materials and services to reach at-risk individuals identified through historical opioid events and historical locations of events; as well as intervention for individuals suffering from opioid abuse in the criminal justice system; and

WHEREAS, the State MOU requires that in order for Volusia County to become a Qualified County eligible to receive Regional Funding, there must be an interlocal agreement among Volusia County and Municipalities, as defined in the MOU, with combined population exceeding 50% of the total population of the Municipalities within Volusia County, with the term "Municipalities" being defined for the purpose in this Agreement as those municipalities with a population of 10,000 or more as required by the State MOU; or with population less than 10,000 who were party plaintiffs; population for purposes of the MOU is determined by specific Census data; and

WHEREAS, historically, government-funded programming geared toward abating the opioid crisis has been data driven based upon community impacts without regard to governmental jurisdictional boundaries; and

WHEREAS, this interlocal provides for the appointment to the Opioid Abatement Funding Advisory Board, which shall review and make recommendations on Volusia County's

abatement plan and funding considerations consistent with the abatement plan and State MOU;
and

WHEREAS, the parties recognize that it is in the best interest of the County and the Cities to enter into this interlocal agreement to ensure Volusia County is a "Qualified County" to receive Regional Funding pursuant to the State MOU.

NOW, THEREFORE, in consideration of the covenants herein contained, and other good and valuable consideration, the patties agree as follows:

Section 1. DEFINITIONS

- A. Unless otherwise defined herein, all defined terms in the State MOU are incorporated herein and shall have the same meanings as in the State MOU.
- B. "Volusia County Regional Funding" shall mean the amount of the Regional Funding paid to Volusia County in its role as a Qualified County.

Section 2. CONDITIONS PRECEDENT

This Agreement shall become effective on the Commencement Date set forth in Section 4, so long as the following conditions precedent have been satisfied:

- A. Execution of this Agreement by the County and the governing bodies of the municipalities as required by the State MOU to enable Volusia County to become a Qualified County and directly receive Volusia County Regional Funding; and
- B. Execution of all documents necessary to effectuate the State MOU in its final form;
and
- C. Volusia County being determined by the State of Florida to qualify as a "Qualified County" to receive Regional Funding under the State MOU; and

- D. Filing of this Agreement with the Clerk of the Circuit Court for Volusia County as required by Florida Statutes, Section 163.01.

Section 3. EXECUTION

This Agreement may be signed in counterparts by the parties hereto.

Section 4. TERM

The term of this Agreement and the obligations hereunder commences upon the satisfaction of all conditions precedent, runs concurrently with the State MOU, and will continue until one (1) year after the expenditure of all Volusia County Regional Funding, unless otherwise terminated in accordance with the provisions of the State MOU. Obligations under this Agreement which by their nature should survive, including, but not limited to any and all obligations relating to record retention, audit, and indemnification will remain in effect after termination or expiration of this Agreement.

Section 5. BOARD

- A. Volusia County Regional Funding will be used in accordance with the requirements of the State MOU, and guidelines set forth by a board established by this Interlocal Agreement (hereinafter referred to as the "Opioid Abatement Funding Advisory Board" or "Advisory Board"), which will include utilizing information, data, and projections provided by the Opioid Taskforce.
- i. Opioid Abatement Funding Advisory Board membership shall be comprised of the following members, who should have experience with law enforcement, fire rescue, substance abuse treatment, or other relevant experience, appointed for two-year terms:

1. One member appointed by the City of Daytona Beach;
2. One member appointed by the City of Daytona Beach Shores;
3. One member appointed by the City of DeBary;
4. One member appointed by the City of DeLand;
5. One member appointed by the City of Deltona;
6. One member appointed by the City of Edgewater;
7. One member appointed by the City of Holly Hill;
8. One member appointed by the City of Lake Helen;
9. One member appointed by the City of New Smyrna Beach;
10. One member appointed by the City of Oak Hill;
11. One member appointed by the City of Orange City;
12. One member appointed by the City of Ormond Beach;
13. One member appointed by the Town of Pierson;
14. One member appointed by the Town of Ponce Inlet;
15. One member appointed by the City of Port Orange;
16. One member appointed by the City of South Daytona;
17. One member appointed by the Volusia County Council.

- B. The Opioid Abatement Funding Advisory Board shall meet regularly and as often as needed to effectuate its responsibilities, but no less than semi-annually and on a schedule which allows the Opioid Task Force to provide the data compiled for and arising out of its semi-annual meeting to the Opioid Abatement Funding Advisory

Board for review and consideration. A majority of the total membership of the Opioid Abatement Funding Advisory Board constitutes a quorum.

- C. The Opioid Abatement Funding Advisory Board shall establish bylaws and an annual process which must include the following:
 - a. A date certain each year by which the Opioid Abatement Funding Advisory Board must meet and review the data available from previous years, tending to evidence the local status of the opioid epidemic and the effect of abatement programming.
 - b. A member of the Advisory Board shall abstain from voting on a proposal for funding a program or service provided by that member's local government.
 - c. The Opioid Abatement Funding Advisory Board must review the programs and services of the beneficiaries of Volusia County Regional Funds to determine the outcome of such programs and services in order to hold beneficiaries accountable.
 - d. The Opioid Abatement Funding Advisory Board must annually make recommendations on funding, programs, services, and location priorities for the upcoming year(s) ("Opioid Abatement Funding Advisory Board Priority List," "Priority List," or "Abatement Plan"). County Council shall have final approval of the Abatement Plan, or any amendments thereto.
- D. The County shall perform competitive solicitations for programming and services based on the Opioid Abatement Funding Advisory Board Priority List in accordance

with the procurement process in Chapter 2 of the Code of Ordinances, County of Volusia.

- E. Volusia County Regional Funding may be used to enhance current programs or develop new programs consistent with the State MOU. Regional funding is not intended to supplant current funding sources and general funds, and staff will continue to seek funding for opioid related abatement at the levels opioid abatement programs were funded as of the effective date of this agreement.
- F. Final Review recommendations will be approved by the Opioid Abatement Funding Advisory Board, who shall present recommendations to the County Council for approval. The County Council shall approve Opioid Abatement Funding Advisory Board recommendations by a majority vote of the members present unless the County Council rejects such recommendations by a majority vote of the County Council members present. In the event of such rejection, the County Council shall determine and approve by a majority vote of the members present the expenditure of the Regional Funds in accordance with the State MOU.
- G. The Opioid Abatement Funding Advisory Board shall recommend and the County Council shall use its best efforts to fund services and programs that are available to all residents of Volusia County and shall strive to allocate funding and services in a manner that equally benefits all residents of Volusia County.

Section 6. ADMINISTRATIVE COSTS

The County is responsible for administering the "Regional Funds" remitted pursuant to the State MOU and, therefore County staff will support the Opioid Abatement Funding

Advisory Board and shall provide all support services including but not limited to legal services, as well as contract management, program monitoring, and reporting required by the State MOU and is entitled to the maximum allowable administrative fee pursuant to the State MOU. The administrative fee will be deducted annually from the amount of available Volusia County Regional Funds, and the remaining Volusia County Regional Funds will be spent as provided in the State MOU and as provided herein.

Section 7. LOCAL GOVERNMENT REPORTING REOUIREMENTS

To the extent that local governmental entity receives Volusia County Regional Funds directly from the County, any local governmental entity so receiving funds must spend such funds for Approved Purposes and must timely satisfy all reporting requirements of the MOU. Failure to comply with this provision may disqualify the local governmental entity from further direct receipt of Volusia County Regional Funds.

Section 8. NON-APPROPRIATION

This Agreement is not a general obligation of the County. It is understood that neither this Agreement nor any representation by any County official, officer or employee creates any obligation to appropriate or make monies available for the purposes of the Agreement beyond the fiscal year in which this Agreement is executed. The obligations of the County as to funding required pursuant to the Agreement are limited to an obligation in any given fiscal year to budget and appropriate from Volusia County Regional Funds annually which are designated for regional use pursuant to the terms of the State MOU. No liability shall be incurred by the County beyond the monies budgeted and available for the purpose of the Agreement. If funds are not received by the County for any or all of this Agreement for a new fiscal period, the

County is not obligated to pay or spend any sums contemplated by this Agreement beyond the portions for which funds were received and appropriated. The County agrees to promptly notify the Cities in writing of any subsequent non-appropriation, and upon such notice, this Agreement will terminate on the last day of the current fiscal year without penalty to the County and all undistributed funds will be spent for programs previously proposed by the Opioid Abatement Funding Advisory Board and adopted by the County Council.

Section 9. INDEMNIFICATION

Each City and the County shall be responsible for their respective employees' acts of negligence when such employees are acting within the scope of their employment and shall only be liable for any damages resulting from said negligence to the extent permitted by Section 768.28, Florida Statutes. Nothing herein shall be construed as a waiver of sovereign immunity, or the provisions of F.S. § 768.28, by either Party. Nothing herein shall be construed as consent by either Party to be sued by third parties for any matter arising out of this Agreement.

Section 10. SEVERABILITY

If any provision of this Agreement is held invalid, the invalidity shall not affect other provisions of the Agreement which can be given effect without the invalid provision or application, and to this end, the provisions of this Agreement are severable.

Section 11 AMENDMENTS TO AGREEMENT

This Agreement may be amended, in writing, upon the express written approval of the governing bodies of all the parties.

Section 12. FILING OF AGREEMENT

This Agreement shall be filed with the Clerk of the Circuit court as provided in Section

163.01(11), Florida Statutes.

Section 13. GOVERNING LAW

The laws of the State of Florida shall govern this Agreement.

IN WITNESS WHEREOF, the parties to this Agreement have caused their names to be affixed hereto by the proper officers thereof, as of the day and year first above written.

[SIGNATURE PAGES TO FOLLOW]

ATTEST:

COUNTY OF VOLUSIA, a political
subdivision of the State of Florida

George Recktenwald
County Manager

BY: _____

Jeffrey S. Brower
County Chair

DATE: _____

ATTEST: **CITY OF DAYTONA BEACH,** a
Florida municipal corporation

BY: _____
- **Derrick Henry**
Mayor

DATE: _____

ATTEST:

**CITY OF DAYTONA BEACH
SHORES,** a Florida municipal
corporation

BY: _____

____ -

Nancy Miller
Mayor

DATE: _____

ATTEST:

CITY OF DEBARY, a Florida municipal
corporation

BY: _____

Karen Chasez
Mayor

DATE: _____

ATTEST:

CITY OF DELAND, a Florida municipal
corporation

BY: _____

Robert F. Apgar
Mayor

DATE: _____

ATTEST:

CITY OF DELTONA, a Florida
municipal corporation

BY:_____

Heidi K. Herzberg
Mayor

DATE: _____

ATTEST:

CITY OF EDGEWATER, a Florida
municipal corporation

BY:_____

Michael Thomas
Mayor

DATE: _____

ATTEST:

CITY OF HOLLY HILL, a Florida
municipal corporation

_____ BY:_____

Chris Via
Mayor

DATE: _____

ATTEST:

CITY OF LAKE HELEN, a Florida
municipal corporation

BY: _____

Cameron Lane
Mayor

DATE: _____

ATTEST:

CITY OF NEW SMYRNA BEACH, a
Florida municipal corporation

_____ BY: _____

Russ Owen
Mayor

DATE: _____

ATTEST:

CITY OF OAK HILL, a Florida
municipal corporation

_____ BY:_____

Douglas A. Gibson
Mayor

DATE: _____

ATTEST:

CITY OF ORANGE CITY, a Florida
municipal corporation

_____ BY:_____

Gary Blair
Mayor

DATE: _____

ATTEST:

CITY OF ORMOND BEACH, a Florida
municipal corporation

BY: _____

Bill Partington
Mayor

DATE: _____

ATTEST:

TOWN OF PIERSON, a Florida
municipal corporation

BY: _____

Samuel G.S. Bennet
Mayor

DATE: _____

ATTEST:

TOWN OF PONCE INLET, a Florida
municipal corporation

BY: _____

Gary Smith
Mayor

DATE: _____

ATTEST:

CITY OF PORT ORGANGE, a Florida
municipal corporation

BY: _____

Donald O. Burnette
Mayor

DATE: _____

ATTEST:

CITY OF SOUTH DAYTONA, a
Florida municipal corporation

BY:_____

William C. Hall
Mayor

DATE: _____



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: Loretta Moisio, Grants Coordinator

Date: January 18, 2022

Subject: Victims of Crime Act (VOCA) Grant Approval for FY 2021-2022

Commission Goal: Public Safety - Other

Introduction

This is a request for the City Commission to retroactively authorize the acceptance of a grant award between the State of Florida, Office of the Attorney General, and the City for the twenty-second year funding of the Victim Advocate position within the Ormond Beach Police Department.

Background

In February 2021, a grant request was submitted to the Office of the Attorney General for the purpose of continuing the City's Victim Advocate program within the Police Department. The program was established by the U.S. Department of Justice with the passage of the Victims of Crime Act of 1984. The program is a "pass-through" by the State of Florida that provides the City of Ormond Beach Police Department with the resources to assist all crime victims to fully understand and exercise their rights established by the legislature. The advocates are used to assist in cases of assault, domestic violence, child abuse and elder abuse; however, this is only a portion of the victims assisted by the advocate. The advocate assists victims in receiving appropriate notifications of court actions, in receiving referrals to support agencies, and in participating in the Victims of Crime Compensation Program.

The City has received a grant award for the Victim Advocate program in the amount of \$57,995 for Fiscal Year (FY) 2021-2022. In March 2021, the program waived all match funding requirements for this program for the remainder of FY 2020-2021. For FY 2021-2022, all match funding requirements have also been waived.

Budget Impact

The grant award is \$57,995 and the City is not required to provide any matching funds for FY 2021-2022. Grant funds will be used to pay as much as possible of the Victim

Advocate's salary and benefits, some operating expenses, and for training and certifications. Any remaining costs will be derived from the Police Department Budget.

Citizen Impact

The Victim Advocate assists victims of crime in our community in understanding and exercising their rights.

Recommendation

Retroactive approval of the attached agreement is respectfully requested.

Attachments:

- 22-11 Victims of Crime Act (VOCA) Grant Agreement FY 2021-2022 (P21-0209G) (PDF)
- Agreement VOCA-2021-City of Ormond Beach-00595 (PDF)
- VOCA FY 21-22 Match Waiver (PDF)

REVIEWED BY:


Kelly McGuire, Finance Director 12/30/2021


Claire Whitley, Assistant City Manager 1/7/2022

APPROVED BY:


Joyce A. Shanahan, City Manager 1/11/2022

RESOLUTION NO. 2022-11

A RESOLUTION RATIFYING THE EXECUTION OF AN AGREEMENT WITH THE STATE OF FLORIDA, OFFICE OF THE ATTORNEY GENERAL, REGARDING FUNDING FOR THE CITY'S VICTIM'S ADVOCATE PROGRAM; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, the City's application to the State of Florida, Office of the Attorney General, for financial assistance in the continuation of a Victim's Advocate program within the Ormond Beach Police Department was duly filed and approved, and

WHEREAS, the State will provide grant funding in the amount of \$57,995.00, and

WHEREAS, on October 6, 2021, the Office of the Attorney General signed a Victims of Crime Act (VOCA) FIX Act Match Waiver (a copy of which is attached hereto and incorporated herein by reference) waiving all match requirements for this grant for FY 2021-2022; therefore, the City is not required to provide any matching funds, and

WHEREAS, the City and the State of Florida desire to enter into an agreement relative thereto, and

WHEREAS, due to the grant award period beginning on October 1, 2021 and the short turnaround time afforded by the Attorney General to the City in having the Agreement signed and returned, the City Manager executed the Agreement and the signed Agreement was returned on December 1, 2021, now therefore,

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

SECTION ONE. The City Commission hereby ratifies the City Manager's execution of an Agreement between the State of Florida, Office of the Attorney General, regarding the funding of a Victim's Advocate Program. A copy of said agreement, which shall be effective retroactively to December 1, 2021, is attached hereto and incorporated herein by reference.

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

APPROVED AND AUTHENTICATED this 18th day of January, 2022.

BILL PARTINGTON
Mayor

ATTEST:

SUSAN CARROLL DAUDERIS
City Clerk

FY 2021/2022
(GRANT PERIOD October 1, 2021 through September 30, 2022)

AGREEMENT BETWEEN THE STATE OF FLORIDA
DEPARTMENT OF LEGAL AFFAIRS
OFFICE OF THE ATTORNEY GENERAL

AND

City of Ormond Beach

GRANT NO: VOCA-2021-City of Ormond Beach-00595

THIS AGREEMENT is entered into in the City of Tallahassee, Leon County, Florida by and between the State of Florida, Department of Legal Affairs, Office of the Attorney General (OAG), the pass-through agency for the Victims of Crime Act (VOCA), Catalog of Federal Domestic Assistance (CFDA) Number - 16.575, hereafter referred to as "the OAG," an agency of the state of Florida, with headquarters located at PL-01, The Capitol, Tallahassee, Florida 32399-1050, and the *City of Ormond Beach*, hereafter referred to as "the Provider," and jointly referred to as "the Parties." The parties hereto mutually agree as follows:

ARTICLE 1. ENGAGEMENT OF THE PROVIDER

The OAG engages the Provider to perform services as specified in this Agreement. All services are to be performed solely by the Provider and may not be subcontracted or assigned without prior written consent of the OAG. The consent of the OAG does not vest any rights in the subcontractor or create any obligation on behalf of the OAG to the subcontractor. All subcontract agreements will contain a disclosure to this effect.

This Agreement will be performed in accordance with the rules implementing the provisions of VOCA, 34 U.S.C. § 20103, Crime Control and Law Enforcement, 28 C.F.R. §§ 94.101 through 94.122, the federal government-wide grant rules as set forth in 2 C.F.R. § 200, et. seq., and the U.S. Department of Justice, (DOJ), Office of Justice Programs, DOJ Grants Financial Guide, (Financial Guide), incorporated herein by reference, and any other regulations or guidelines currently or subsequently required by the U.S. Department of Justice and State or Federal laws.

ARTICLE 2. SCOPE OF WORK

For the term of this Agreement, the Provider will maintain a victim services program that will be available to provide direct services to victims of crime who are identified by the Provider or are presented to the Provider, as specified in the approved Grant Application of the Provider for the Grant Period as approved by the OAG and incorporated herein by reference.

ARTICLE 3. TIME OF PERFORMANCE

This Agreement will become effective on October 1, 2021, or on the date when this Agreement has been signed by all parties, whichever is later, and will end on September 30, 2022. No costs incurred by the Provider prior to the effective date of this Agreement will be reimbursed and the Provider is solely responsible for any such expenses.

ARTICLE 4. GRANT FUNDS

The Provider will not commingle grant funds (payments and reimbursements made under this Agreement) with other personal or business accounts. The U.S. Department of Justice, DOJ Grants Financial Guide does not require physical segregation of cash deposits or the establishment of any eligibility requirements for funds which are provided to a Provider. The Provider's accounting systems must ensure grant funds are not commingled with funds on either a program-by-program or a project-by-project basis. Grant funds specifically budgeted and received for one project may not be used to support another. Where the Provider's existing accounting system cannot comply with this requirement, the Provider will establish an additional accounting system to provide adequate grant fund accountability for each project.

In accordance with the provisions of section 287.0582, Florida Statutes, if the terms of this Agreement and reimbursement contemplated by this Agreement extend beyond the current fiscal year, the OAG's performance and obligation to reimburse under this Agreement are contingent upon an annual appropriation and spending authority by the Florida Legislature. In addition, the OAG's performance and obligation to reimburse under this Agreement is contingent upon the OAG's Victims of Crime Act award, as funded through the U.S. Department of Justice, Office for Victims of Crime formula grant program.

ARTICLE 5. FINANCIAL CONSEQUENCES

In accordance with section 215.971, Florida Statutes, provisions specifying the financial consequences that apply if the Provider fails to perform the minimum level of service required by this Agreement are set forth in this paragraph. The Provider will be held responsible for maintaining a victim services program that will be available to provide direct services to victims of crime who are identified by the Provider or are presented to the Provider, and meeting the deliverables and the performance standards as outlined in the current year VOCA Grant Application and approved by the OAG, included within the OAG E-Grants Management System, and incorporated herein by reference in the approved application, unless otherwise modified as approved by the OAG in writing. If the Provider does not maintain a victim services program that will be available to provide direct services to victims of crime as outlined in the approved application without an approved justification, the OAG may impose a corrective action plan and will reduce the final payment for the grant period under this Agreement by five percent of the total award amount listed in Article 11. Additionally, failure of Provider to comply with all provisions of this agreement, including but not limited to compliance with audits, maintenance of documentation, monitoring, and report submissions will result in the withholding of payments until such issues are resolved as determined by the OAG. The provisions in this Article do not limit the OAG's rights under the law with regard to breach of this agreement or specified termination provisions.

ARTICLE 6. REGISTRATION REQUIREMENTS

Prior to execution of this Agreement, the Provider will be registered electronically with the State of Florida at MyFloridaMarketPlace.com. If the parties agree that exigent circumstances exist that would prevent such registration from taking place prior to execution of this Agreement, then the Provider will register within 21 days from execution. The online registration can be completed at:

<http://dms.myflorida.com/dms/purchasing/myfloridamarketplace>

The Provider will comply with the applicable requirements regarding registration with the System for Award Management (SAM) (or with a successor government-wide system officially designated by the Federal Office of Management and Budget and the DOJ's Office of Justice Programs), and to acquire and provide a Data Universal Numbering System (DUNS) number. The Provider will comply with applicable restrictions on subcontractors that do not acquire and provide a DUNS number. The details of Provider obligations are posted on the Office of Justice Programs' website at <https://www.ojp.gov/funding> (Award condition: Registration with the System for Award Management and Universal Identifier Requirements), and are incorporated by reference. This special condition does not apply to the Provider who is an individual and received the grant award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

ARTICLE 7. W-9 REQUIREMENT

The State of Florida Department of Financial Services requires that vendors have a verified Substitute Form W-9 on file to avoid delays in payments. Information on how to register and complete your Substitute Form W-9 can be found at <http://flvendor.myfloridacfo.com/>. The Vendor Management Section can also be reached at (850) 413-5519.

ARTICLE 8. E-GRANT SYSTEM REQUIREMENT

The PROVIDER's administrator has the authority to grant access to the E-Grant system to the PROVIDER'S employees. The PROVIDER will immediately remove access to the E-Grants system when an employee is no longer employed at the PROVIDER's agency or when an employee's access is no longer necessary to perform their job duties at the PROVIDER's agency. The PROVIDER will perform quarterly checks to ensure that only authorized employees have access to the E-Grant system and will report quarterly to the OAG their compliance with this provision.

ARTICLE 9. AUTHORIZED EXPENDITURES

Only expenditures which are detailed in the approved budget of the grant application, a revised budget, or an amended budget approved by the OAG are eligible for reimbursement with grant funds. Any requested modification to the budget must be submitted by the Provider in writing to the OAG and will require prior approval by the OAG. Budget modification approval is at the sole discretion of the OAG. Any grant funds reimbursed under this Agreement must be used in accordance with the rules implementing the provisions of VOCA, 34 U.S.C. § 20103, Crime Control and Law Enforcement, 28 C.F.R. §§94.101 through 94.122, the federal government-wide grant rules as set forth in the 2 C.F.R. § 200, and the U.S. Department of Justice, (DOJ), Office of Justice Programs, DOJ Grants Financial Guide, (Financial Guide), incorporated herein by reference, and any other regulations or guidelines currently or subsequently required by the U.S. Department of Justice and State or Federal laws. Expenditures for the acquisition and maintenance of telephones and equipment will be proportional to the percentage of VOCA grant funded staff who utilize the telephones and equipment, as

contemplated by this Agreement.

Grant funds cannot be used as a revenue generating source and crime victims cannot be charged either directly or indirectly for services reimbursed with grant funds. Third party payers such as insurance companies, victim compensation, Medicare or Medicaid may not be billed for services provided by grant funded personnel to clients. Grant funds must be used to provide services to all crime victims, regardless of their financial resources or availability of insurance or third-party reimbursements. Travel expenses will be reimbursed with grant funds only in accordance with section 112.061, Florida Statutes.

Expenditures of state financial assistance must be in compliance with all laws, rules and regulations applicable to expenditures of State funds, including, but not limited to, the Florida Reference Guide for State Expenditures.

Only allowable costs resulting from obligations incurred during the term of this Agreement are eligible for reimbursement, and any balances of unobligated cash that have been advanced or paid that are not authorized to be retained for direct program costs in a subsequent period must be refunded to the OAG. Any funds paid in excess of the amount to which the Provider is entitled under the terms of this Agreement must be refunded to the OAG.

The Provider will reimburse the OAG for all unauthorized expenditures and the Provider will not use grant funds for any expenditures made by the Provider prior to the execution of this Agreement or after the termination date of this Agreement. If the Provider is a unit of local or state government, the Provider must follow the written purchasing procedures of that governmental agency or unit. If the Provider is a non-profit organization, the Provider will obtain a minimum of three written quotes for all single item grant-related purchases equal to or in excess of \$2,500 unless it is documented that the vendor is a sole source supplier. The Provider will use the lowest quote for the purchase.

The Provider will not use any federal funds (including grant funds), either directly or indirectly, in support of any contract or subaward to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries, without the express prior written approval of the U.S. Department of Justice, Office of Justice Programs.

The Provider must report suspected fraud, waste and abuse to the OAG's Office of the Inspector General at 850-414-3300.

ARTICLE 10. PROGRAM INCOME

The Provider will provide services to crime victims, at no charge, through the VOCA grant funded project. Upon request, the Provider will provide the OAG with financial records and internal documentation regarding the collection and disposition of program income, including, but not limited to, Victim Compensation, insurance, Medicare, Medicaid, restitution and direct client fees.

ARTICLE 11. AMOUNT OF FUNDS

The OAG will reimburse the Provider for contractual services or availability to provide services for the entire time of

performance, as set forth in Article 3 of this Agreement, and completed in accordance with the terms and conditions of this Agreement. The total sum of monies available for reimbursement to the Provider for services provided will not exceed \$57,995.00.

“Availability to Provide Services” is defined as maintaining sufficient capacity to assist victims during the Provider’s business hours throughout the Agreement term. Provider’s business hours should be set during standard business work hours, which are between 8:00 a.m. to 6:00 p.m. Monday through Friday, unless otherwise approved as alternative standard business work hours by the OAG. Employee leave earned under this grant period is reimbursable; however, the Provider must continue to maintain sufficient capacity to assist victims.

“Contractual Services” are defined as those specified services established within the OAG approved budget for which the Provider is to be paid upon completion at the set rate also established within the OAG approved budget, as authorized expenditures eligible for payment, or reimbursement pursuant to ARTICLE 9, AUTHORIZED EXPENDITURES, of this Agreement.

ARTICLE 12. METHOD OF PAYMENT

Payment for services performed under this Agreement will be issued in accordance with the provisions of section 215.422, Florida Statutes. The OAG will have 20 days from the receipt of any invoice for the approval and inspection of goods or services.

All required performance reports must be completed by the Provider and received by the OAG to document the provision of the project deliverables. Processing of reimbursement of a monthly invoice is contingent upon timely OAG receipt of performance reports, subject to approval by the OAG of the level of service provided during the invoiced period, and approval by the OAG of all required performance reports. The Provider will provide all performance reports on a quarterly and annual basis unless otherwise requested by the OAG. The quarterly reports for quarters ending December, March, and June must be submitted by the Provider to the OAG by the 15th day of the month immediately following the end of the quarter.

Except for the monthly invoices for December, March and June, each monthly invoice and all required supporting documentation, including a Certificate of Availability, must be submitted by the Provider to the OAG by the last day of the month immediately following the month for which reimbursement is requested, unless otherwise approved by the OAG in writing. The monthly invoices for December, March and June and all required supporting documentation, including a Certificate of Availability, must be submitted by the Provider to the OAG by the 15th day of the month immediately following the month for which reimbursement is requested, unless otherwise approved by the OAG in writing. The Provider will maintain appropriate documentation of all costs for which reimbursement is sought on the invoice. The OAG may require any appropriate documentation of expenditures prior to approval of the invoice and may withhold reimbursement if services are not satisfactorily completed or if the documentation is not satisfactory. The final invoice and final performance reports are due to the OAG no later than the last day of the month immediately following the cancellation, expiration, or termination of this Agreement.

If the Provider submits an invoice that does not accurately reflect the costs associated for that month, the correct costs must be submitted on the next monthly invoice or forfeit reimbursement from the grant for those particular costs. The OAG will not accept any corrected invoices that are not received within this timeframe. If complete and correctly documented invoices are not received within these time frames, all right to reimbursement may be forfeited, the OAG may not honor any subsequent requests for payment.

Any reimbursement due or any approval necessary under the terms of this Agreement will be withheld until all evaluation, financial and program reports due from the Provider, and necessary adjustments thereto, have been approved by the OAG. The Provider is required to inform the OAG if they are being investigated by any governmental agency for financial, programmatic, or other issues. If it comes to the attention of the OAG that the Provider is being investigated, all pending requests for reimbursement may not be processed until the matter is resolved to the satisfaction of the OAG.

The Provider will maintain and timely submit such progress, fiscal, inventory, and other reports as the OAG may require pertaining to this grant.

The Provider is required to match the grant award as required in the rules implementing the Federal Victims of Crime Act. Match contributions equal to 20 percent (cash or in-kind) of the total cost of each VOCA project (VOCA grant funds plus match contributions) must be reported monthly to the OAG. All funds designated as match contributions are restricted in the same manner and to be expended for the same uses as the VOCA victim assistance grant funds and must be expended within the grant period. Unless otherwise approved by the OAG, match contributions must be reported on a monthly basis in an amount consistent with the amount of funding requested for reimbursement.

ARTICLE 13. VENDOR OMBUDSMAN

Pursuant to section 215.422(7), Florida Statutes, the Florida Department of Financial Services has established a Vendor Ombudsman, whose duties and responsibilities are to act as an advocate for vendors who may have problems obtaining timely payments from state agencies. The Vendor Ombudsman may be reached at (850) 413-5516.

ARTICLE 14. LIABILITY AND ACCOUNTABILITY

The Provider, if a non-profit entity, will provide continuous and adequate director, officer, and employee liability insurance coverage against any personal liability or accountability by reason of actions taken while acting within the scope of their authority during the existence of this Agreement and any renewal and extension thereof. Such coverage may be provided by a self-insurance program established and operating under the laws of the state of Florida.

ARTICLE 15. INDEPENDENT CONTRACTOR

The Provider is an independent contractor and not an officer, employee, agent, servant, joint venture, or partner of the state of Florida, except where the Provider is a state Agency. Neither the Provider nor its agents, employees, subcontractors or assignees will represent to others that the Provider has the authority to bind the OAG. This Agreement does not create any right to any state retirement, leave or other benefits applicable to state of Florida personnel as a result of

the Provider performing its duties or obligations under this Agreement. The Provider will take such actions as may be necessary to ensure that each subcontractor of the Provider will be deemed an independent contractor and will not be considered or permitted to be an officer, employee, agent, servant, joint venturer, or partner of the state of Florida. The OAG will not furnish support services (e.g., office space, office supplies, telephone service, and administrative support) to the Provider, or its subcontractor or assignee, unless specifically agreed to in writing by the OAG.

All deductions for social security, withholding taxes, income taxes, contributions to unemployment compensation funds and all necessary insurance for the Provider, the Provider's officers, employees, agents, subcontractors, or assignees will be the sole responsibility of the Provider.

ARTICLE 16. DOCUMENTATION, RECORD RETENTION

The Provider will maintain books, records, and documents (including electronic storage media) in accordance with generally accepted accounting procedures and practices which sufficiently and properly reflect all revenues and expenditures of grant funds.

The Provider will maintain a file for inspection by the OAG or its designee, Chief Financial Officer, Auditor General, or U.S. Department of Justice that contains written invoices for all fees, or other compensation for services and expenses, in detail sufficient for a proper pre-audit and post-audit. This includes the nature of the services performed or expenses incurred, the identity of any persons who performed the services or incurred the expenses, the daily time and attendance records and the amount of time expended in performing the services (including the day on which the services were performed), and if expenses were incurred, a detailed itemization of such expenses. All documentation, including audit working papers, will be maintained at the office of the Provider for a period of five years from the termination date of this Agreement, or until any audit has been completed and any findings have been resolved, whichever is later.

The Provider will give authorized representatives of the OAG the right to access, receive and examine all records, books, papers, case files, documents, goods and services related to the grant funds. The Provider, by signing this Agreement specifically authorizes the OAG to receive and review any record reasonably related to the purpose of the grant as authorized in the original approved grant application and or the amendments thereto. Failure to provide documentation as requested by the OAG under the provisions of this Agreement will result in either the termination of the agreement or suspension of further reimbursements to the Provider until all requested documentation has been received, reviewed, and the costs are approved for reimbursement by the OAG.

ARTICLE 17. PUBLIC RECORDS

The Provider will comply with Chapter 119, Florida Statutes, Florida's public record law. The Provider will keep and maintain public records required by the OAG to perform all services required under this Agreement. A request to inspect or copy public records relating to this Agreement must be made directly to the OAG. If the OAG does not possess the requested records, the OAG will immediately notify the Provider of the request. Upon request by the OAG to inspect or copy public records relating to this Agreement, the Provider will provide the OAG with a copy of the requested records at no cost to the OAG, or allow the records to be inspected or copied by the member of the public

making the records request at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes, or as otherwise provided by law. The Provider must ensure that in allowing public access to all documents, papers, letters, or other materials made or received in conjunction with this Agreement, those records that are exempt or confidential and exempt from public records disclosure requirements by operation of section 119.071, Florida Statutes or Chapter 119, Florida Statutes, are not disclosed except as authorized by law for the duration of the Agreement term and following completion of the Agreement if the Provider does not transfer the records to the OAG.

If the Provider fails to provide the public records to the OAG within a reasonable time, it may be subject to penalties under section 119.10, Florida Statutes, as well as unilateral cancellation of this Agreement by the OAG. In the event the Provider's business closes or the Provider is permanently unable to perform under this Agreement, the Provider will electronically transfer, at no cost, all public records to the OAG upon becoming aware of any impending closure or event that renders the Provider unable to perform said services. Upon completion of this Agreement, the Provider will keep and maintain public records required by the OAG to perform the services to be provided in the scope of this Agreement, or electronically transfer in a file format compatible with the information technology systems of the OAG, at no cost to the OAG, all public records in possession of the Provider. If the Provider transfers all public records to the OAG upon completion or termination of the Agreement, the Provider will destroy all duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the Provider keeps and maintains public records upon completion of the Agreement, it must meet all applicable requirements for retaining public records, consistent with the state of Florida's records retention schedule. All public records stored electronically must be provided to the OAG, upon request of its Custodian of Public Records, at no cost to the OAG, in a format compatible with the information technology systems of the OAG. The OAG may unilaterally terminate this Agreement if the Provider refuses to allow access to all public records made or maintained by the Provider in conjunction with this Agreement, unless the records are exempt from section 24(a) of Art. I, Florida State Constitution, and sections 119.07(1) or 960.15, Florida Statutes.

IF THE PROVIDER HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE PROVIDER'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT 850-414-3634, PublicRecordsRequest@myfloridalegal.com, OFFICE OF THE ATTORNEY GENERAL, PL-01, THE CAPITOL, TALLAHASSEE, FL 32399-1050.

ARTICLE 18. PROPERTY

The Provider will be responsible for the proper care and custody of all property purchased with grant funds and agrees not to sell, transfer, encumber, or otherwise dispose of property acquired with grant funds without the written permission of the OAG. If the Provider is no longer a grant funds recipient, all property acquired by grant funds will be subject to the provisions of the Financial Guide.

ARTICLE 19. AUDITS; COMPLIANCE WITH THE INSPECTOR GENERAL

Pursuant to section 20.055, Florida Statutes, the Provider, and any subcontractor to the Provider understand and will comply with their duty to cooperate with the Inspector General in any investigations, audit inspection or review.

The administration of funds disbursed by the OAG to the Provider may be subject to audits and or monitoring by the OAG, as described in this section.

Title 2 C.F.R. Part 2, Subpart A, is applicable if the Provider is a non-federal entity, meaning a state, local government, Indian tribe, institution of higher learning, or nonprofit organization that carries out a federal award as a recipient or subrecipient, as defined in that Part.

1. In the event the Provider expends \$750,000 or more during the non-federal entity's fiscal year in federal awards, it must have a single or program-specific audit conducted for that year in accordance with the provisions of federal government-wide grant rules as set forth in 2 C.F.R. § 200, et. seq. Article 11 to this Agreement indicates the amount of federal funds disbursed through the OAG by this Agreement. In determining the federal awards expended in its fiscal year, the Provider will take into account all sources of federal awards, including federal resources received from the OAG. The determination of amounts of federal awards expended should be in accordance with the guidelines established by federal government-wide grant rules as set forth in 2 C.F.R. § 200. An audit of the Provider conducted by the Auditor General in accordance with the 2 C.F.R. § 200.500, will meet the requirements of this part.
2. In connection with the audit requirements addressed in this part, the Provider will fulfill the requirements relative to auditee responsibilities as provided in 2 C.F.R. § 200.508.
3. In the event the Provider expends less than \$750,000 in federal awards in its fiscal year and elects to have an audit conducted in accordance with 2 C.F.R. § 200.500, the cost of the audit must be reimbursed from non-federal funds (i.e., the cost of such an audit must be reimbursed from Provider resources obtained from other than federal entities), as mandated in 2 C.F.R. § 200.400.

ARTICLE 20. AUDIT REPORT SUBMISSION

Audit reports must be submitted no later than 150 days following cancellation, termination or expiration of this Agreement.

1. Copies of audit reports for audits conducted in accordance with the 2 C.F.R. § 200.500, and required by this Agreement will be submitted, when required by 2 C.F.R. § 200.512, by or on behalf of the Provider directly to the following:
 - A. Office of the Attorney General
Bureau of Advocacy and Grants Management
PL-01, The Capitol
Tallahassee, Florida 32399-1050
2. Any reports, management letters, or other information required to be submitted to the OAG pursuant to this Agreement will be submitted timely in accordance with federal government-wide grant rules as set forth in 2 C.F.R. § 200, et. seq., as applicable.
3. Providers should indicate the date the financial reporting package was delivered in correspondence accompanying the financial reporting package.

ARTICLE 21. MONITORING

In addition to reviews of audits conducted in accordance with 2 C.F.R. § 200.500, the Provider will comply and cooperate with any monitoring procedures and processes and additional audits deemed appropriate by the OAG, including but not limited to on-site visits. The Provider will also comply and cooperate with any inspections, reviews, investigations, or audits deemed necessary by the OAG or its designee, Chief Financial Officer, Auditor General or the U.S. Department of Justice.

The Provider may not accept duplicate funding for any cost, position, service or deliverable funded by the OAG. Duplicative funding is defined as more than 100 percent payment from all funding sources for any cost, position, service or deliverable. If there are multiple funding sources and a program is funded by the OAG, the OAG or its designee has the right to review all documents related to those funding sources to determine whether duplicative funding is an issue. If duplicate funding is found, this Agreement may be suspended, terminated or both while the extent of the overpayment is determined. Failure to comply with state or federal law, and the U.S. Department of Justice Programs, Financial Guide, may also result in the suspension, termination or both of this Agreement while the extent of the overpayment is determined. Absent fraud, in the event that there has been an overpayment to the Provider for any reason, if the amount of the overpayment cannot be determined to a reasonable degree of certainty, as determined in the sole discretion of the OAG, the Provider will reimburse to the OAG one half of the monies previously paid to the Provider for that line item for the grant year in question.

ARTICLE 22. RETURN OF FUNDS

The Provider will return to the OAG any overpayments made to the Provider for unearned income or disallowed items pursuant to the terms and conditions of this Agreement. In the event the Provider or any outside accountant or auditor determines that an overpayment has been made, the Provider will immediately return to the OAG such overpayment without prior notification from the OAG. In the event the OAG discovers that an overpayment has been made, the contract manager, on behalf of the OAG, will notify the Provider and the Provider will forthwith return the funds to the OAG. Should the Provider fail to immediately reimburse the OAG for any overpayment, the Provider will be charged interest at the rate in effect on the date of the overpayment, as determined by the State of Florida, Chief Financial Officer, pursuant to Chapter 55, Florida Statutes, on the amount of the overpayment or outstanding balance thereof. Interest will accrue from the date of the Provider's initial receipt of funds up to the date of reimbursement of said overpayment funds to the OAG.

ARTICLE 23. PUBLIC ENTITY CRIME

Pursuant to section 287.133, Florida Statutes, the following restrictions are placed on persons convicted of public entity crimes to transact business with the OAG: When a person or affiliate has been placed on the convicted vendor list following a conviction for a public entity crime, he/she may not submit a bid, proposal or reply on a contract to provide any goods or services to a public entity, may not submit a bid, proposal or reply on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids, proposals or replies 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 in excess of the threshold amount provided in section 287.017, Florida Statutes, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list. The Provider certifies that neither it nor any affiliate has been placed on such convicted vendor list and will notify the OAG within five days of its, or any of its affiliate's, placement thereon.

ARTICLE 24. GRATUITIES

The Provider will not offer or give any gift or any form of compensation to any OAG employee. As part of the consideration for this Agreement, the parties intend that this provision will survive this Agreement for a period of two years. In addition to any other remedies available to the OAG, any violation of this provision will result in referral of the Provider's name and description of the violation of this term to the Department of Management Services for the potential inclusion of the Provider's name on the suspended vendors list for an appropriate period. The Provider will ensure that its subcontractors, if any, comply with these provisions.

ARTICLE 25. PATENTS, COPYRIGHTS, AND ROYALTIES

The Provider agrees that if any discovery or invention arises or is developed in the course of or as a result of work or services performed under this Agreement, or in any way connected herewith, the discovery or invention will be deemed transferred to and owned by the state of Florida. Any and all patent rights accruing under or in connection with the performance of this Agreement are hereby reserved to the state of Florida.

In the event that any books, manuals, films, or other copyrightable materials are produced, the Provider will identify all such materials to the OAG. The Provider does hereby assign to the OAG and its assigns or successors, all rights accruing under or in connection with performance under this Agreement, including the United States Copyright, all other literary rights, all rights to sell, transfer or assign the copyright, and all rights to secure copyrights anywhere in the world.

The Provider will indemnify and hold the OAG and its employees harmless from any claim or liability whatsoever, including costs and expenses, arising out of any copyrighted, patented, or unpatented invention, process, or article manufactured or used by the Provider in the performance of this Agreement. The Provider will indemnify and hold the OAG and its employees harmless from any claim against the OAG for infringement of patent, trademark, copyright or trade secrets. The OAG will provide prompt written notification of any such claim. During the pendency of any claim of infringement, the Provider may, at its option and expense, procure for the OAG, the right to continue use of, or to replace or modify the article to render it non-infringing. If the Provider uses any design, device, or materials covered by letters patent, or copyright, it is mutually agreed and understood without exception the compensation paid pursuant to this Agreement includes all royalties or costs arising from the use of such design, device, or materials in any way involved in the work contemplated by this Agreement.

Subcontracts must specify that all patent rights and copyrights are reserved to the state of Florida.

ARTICLE 26. INDEMNIFICATION AND ASSUMPTION OF LIABILITY

The Provider will be liable for and indemnify, defend, and hold the OAG, and all of its officers, agents, and employees, harmless from all claims, suits, judgments, or damages, including attorney's fees and costs, arising out of any act or omission or neglect by the Provider and its agents, employees and subcontractors during the performance or operation of this Agreement or any subsequent modifications or extensions thereof.

The Provider's evaluation or inability to evaluate its liability will not excuse the Provider's duty to defend and to indemnify the OAG within seven days after notice by the OAG. The Provider will pay all costs and fees including attorney's fees related to these obligations and their enforcement by the OAG. The OAG's failure to notify the Provider of a claim will not release the Provider from these duties. The Provider will not be liable for any claims, suits, judgments, or damages arising solely from the negligent acts of the OAG.

The Provider will assume all liability associated with providing services under the terms and conditions of this Agreement. This includes, but is not limited to, premises liability and any travel taken by any employee of Provider or any recipient of Provider's services.

NOTE: The indemnification provisions of this Article are not applicable to entities identified in section 768.28(2), Florida Statutes, and do not constitute a waiver of sovereign immunity, or increase the limited waiver of sovereign immunity specified in section 768.28, Florida Statutes.

ARTICLE 27. TERMINATION

This Agreement may be terminated by the OAG for any reason upon five days written notice via certified U.S. mail, hand delivery, or email to the Provider to the physical or email address provided by the Provider in the application.

In the event funds for payment pursuant to this Agreement become unavailable, the OAG may terminate this Agreement upon no less than 24 hours written notice to the Provider. The notice will be sent by a method of email, or by hand delivery with proof of delivery, to the representative of the Provider responsible for administration of the program. The OAG will be the final authority as to the availability and adequacy of funds.

In the event this Agreement is terminated by the OAG, the Provider will deliver documentation of ownership or title, if appropriate for all supplies, equipment and personal property purchased with grant funds to the OAG, within 30 days after termination of this Agreement. Any finished or unfinished documents, data, correspondence, reports and other products prepared by or for the Provider under this Agreement will be made available to and for the exclusive use of the OAG.

Notwithstanding the above, the Provider will not be relieved of liability to the OAG for damages sustained by the OAG by any termination by the OAG of this Agreement by the Provider. In the event this Agreement is terminated by the OAG, the Provider will be reimbursed for satisfactorily performed and documented services provided prior to the effective date of termination.

ARTICLE 28. AMENDMENTS

Modification of any provision of this Agreement must be mutually agreed upon by all parties and requires a written and fully executed amendment to this Agreement, except as provided for budget modifications submitted by the Provider in writing which have been previously approved by the OAG pursuant to the terms of ARTICLE 9, AUTHORIZED EXPENDITURES.

ARTICLE 29. NONDISCRIMINATION

Recipients of federal financial assistance must comply with applicable federal civil rights laws, which may include the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. §§ 10228(c) and 10221(a)); the Victims of Crime Act of 1984, as amended (34 U.S.C. § 20110(e)); The Juvenile Justice and Delinquency Prevention Act of 1974, as amended (34 U.S.C. § 11182(b)); Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d); Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794), Title II of the Americans with Disabilities Act of 1990 (42 U.S.C. § 12131-34); Title IX of the Education Amendments of 1972 (20 U.S.C. §§ 1681, 1683, 1685-86); the Age Discrimination Act of 1975 (42 U.S.C. §§ 6101-07); and Exec. Order 13279 (67 Fed. Reg. 241).

Pursuant to applicable federal laws and Chapter 760, Florida Statutes, the Provider will not discriminate against any client or employee in the performance of this Agreement or against any applicant for employment because of age, race, religion, color, disability, national origin, marital status or sex. All contractors, subcontractors, sub-grantees, or others that the Provider engages to provide services or benefits to clients or employees in connection with any of its programs and activities will not discriminate against those clients or employees because of age, race, religion, color, disability,

national origin, marital status or sex.

The Provider must have policies and procedures in place for responding to complaints of discrimination that employees and beneficiaries file directly with the Provider. Information provided by the U.S. Department of Justice, Office of Justice Programs, to assist with policy and procedure development is available at <http://ojp.gov/about/offices/ocr.htm>.

In the event a federal or state court, or a federal or state administrative agency, makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, marital status or sex against the Provider, the Provider will forward a copy of the findings to the Office of Justice Programs, Office for Civil Rights (OCR), and the OAG.

As clarified by Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with the Safe Streets Act and Title VI of the Civil Rights Act of 1964, the Provider must take reasonable steps to ensure that LEP persons have meaningful access to its programs and activities. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary. The Provider is encouraged to consider the need for language services for LEP persons served or encountered both in developing its budgets and in conducting its programs and activities. Additional assistance and information regarding your LEP obligations can be found at <http://www.lep.gov>.

In accordance with federal civil rights laws, the Provider will not retaliate against individuals for taking action or participating in action to secure rights protected by these laws.

All Providers must complete a review of the Office of Justice Programs, Office for Civil Rights training modules and confirm compliance with this requirement to the OAG through self-reporting by December 31, 2021. The training modules are available at <http://ojp.gov/about/ocr/assistance.htm>.

Pursuant to section 287.134, Florida Statutes, an entity or affiliate who has been placed on the discriminatory vendor list may not submit a response on a contract to provide any goods or services to a public entity; may not submit a response on a contract with a public entity for the construction or repair of a public building or public work; may not submit a response 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.

The Provider will notify the OAG if it or any of its suppliers, subcontractors, or consultants have been placed on the convicted vendor list or the discriminatory vendor list during the life of this Agreement.

The OCR issued an advisory document for federal grant recipients on the proper use of arrest and conviction records in making hiring decisions. See Advisory for Recipients of Financial Assistance from the U.S. Department of Justice on the U.S. Equal Employment Opportunity Commission's Enforcement Guidance: Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964 (June 2013), available at http://ojp.gov/about/ocr/pdfs/UseofConviction_Advisory.pdf. Recipients should be mindful that the misuse of arrest or conviction records to screen either applicants for employment or employees for retention or promotion may have a disparate impact based on race or national origin, resulting in unlawful employment discrimination. If warranted, recipients should also incorporate an analysis of the use of arrest and conviction records in their Equal Employment Opportunity Plans.

ARTICLE 30. NONDISCRIMINATION IN PROGRAMS INVOLVING STUDENTS

The Provider will not use award funding to discriminate against students that are participating in (or benefiting from) programs that are funded by those same federal funds. As an example, provided by the Office for Victims of Crime, Office of Justice Programs, the Provider cannot use VOCA funding to treat a Catholic student differently than a non-Catholic student when both are applying for, or receiving benefits from, the VOCA program. This same protection also applies to the students' parents or legal guardians.

ARTICLE 31. ACKNOWLEDGMENTS

All publications, advertising or written descriptions of the sponsorship of the program will state: "This project was supported by Award No. VOCA-2021-City of Ormond Beach-00595 awarded by the Office for Victims of Crime, Office of Justice Programs. Sponsored by (name of Provider) and the State of Florida."

The Provider is required to display a civil rights statement prominently on all publications, websites, posters and informational materials mentioning USDOJ programs in bold print and no smaller than the general text of the document. The full civil rights statement must be used whenever possible. Single page documents that do not have space for the full civil rights statement may contain a condensed version in a print size no smaller than the text used throughout the document. If the civil rights statement is missing on a publication, the statement must be included the next time the publication is revised or reprinted and printed copies of the statement must be attached to the current supply of the publication until the next revision is reprinted.

Full Civil Rights Statement: In accordance with federal law and U.S. Department of Justice policy, this organization is prohibited from discriminating on the basis of race, color, national origin, religion, sex, age, or disability. To file a complaint of discrimination, write the Florida Department of Legal Affairs, Federal Discrimination Complaint Coordinator, PL-01 The Capitol, Tallahassee, Florida, 32399-1050, or call 850-414-3300, or write Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice, 810 7th Street, NW, Washington, DC 20531 or call 202-307-0690 (Voice) or 202-307-2027 (TDD/TYY) or <https://www.ojp.gov/program/civil-rights/filing-civil-rights-complaint>. Individuals who are hearing impaired or have speech disabilities may also contact OCR through the Federal Relay Service at 800-877-8339 (TTY), 877-877-8982 (Speech), or 800-845-6136 (Spanish).

Condensed Civil Rights Statement: The City of Ormond Beach is an equal opportunity provider and employer.

The Provider is required to display the OAG's "Civil Rights Fact Sheet" at locations open to the public. The "Civil Rights Fact Sheet" will be made available to the Provider via the OAG E-Grants Management System.

ARTICLE 32. EMPLOYMENT

The employment of unauthorized aliens by the Provider is considered a violation of section 274A(a) of the Immigration and Nationality Act. If the Provider knowingly employs unauthorized aliens, such violation will be cause for unilateral cancellation of this Agreement. Any services performed by any such unauthorized aliens will not be paid.

In accordance with section 448.095 (2), Florida Statutes, the Contractor must register with and use the U.S. Department of Homeland Security's E-Verify system: <https://www.uscis.gov/e-verify/employers>, to verify the work authorization status of all new employees hired to perform services specified in the Purchase Order. Subcontractors must also be registered in the E-Verify system and provide the Contractor with an affidavit stating that the subcontractor does not employ, contract with, or subcontract with an unauthorized alien. The Contractor will maintain a copy of such

affidavit for the duration of the contract. The OAG may request documentation of compliance with this provision at any time during the Contract term. The Contract may be subject to termination for failure to comply with the requirements set forth in this Article, as specified in section 448.095(2)(a), Florida Statutes.

ARTICLE 33. NO THIRD-PARTY RIGHTS

This Agreement and the rights and obligations created by it are intended for the sole benefit of the OAG and the Provider. No third party to this Agreement, including the victims served by the Provider, have any rights under this Agreement. No third party may rely upon this Agreement or the rights and representations created by it for any purpose.

ARTICLE 34. ADMINISTRATION OF AGREEMENT

All approvals referenced in this Agreement must be obtained from the parties' contract administrators or their designees. All notices must be given to the parties' contract administrators respectively.

The OAG's contract administrator is Christina F. Harris, Chief, Bureau of Advocacy and Grants Management. The Provider's contract administrator will be provided at the time of execution.

The parties will provide each other with written notification of any change in its designated representative for this Agreement. Such changes do not require a formal written amendment to this Agreement.

ARTICLE 35. CONTROLLING LAW AND VENUE

This Agreement will be governed by the laws of the state of Florida. All litigation arising under this Agreement will be instituted in the appropriate court of general jurisdiction in Leon County, Florida.

ARTICLE 36. ENTIRE AGREEMENT

This Agreement and the approved 2021-2022 grant application in the E-Grants Management System, embody the entire agreement of the parties. There are no provisions, terms, conditions, or obligations other than those contained herein. This Agreement supersedes all previous communications, representations or agreements on this same subject, verbal or written, between the parties.

There are no representations or statements that are relied upon by the parties that are not expressly set forth herein.

The Provider's signature below specifically acknowledges understanding of the fact that the privilege of obtaining a VOCA grant is not something this or any Provider is entitled to receive. This Agreement is for one-time funding only and will not exceed one federal fiscal year. There is absolutely no expectation or guarantee, implied or otherwise, the Provider will receive VOCA funding in the future. The OAG strongly encourages the Provider to secure funding from other sources if the Provider anticipates the program will continue beyond the current grant year. Each of the parties executing this Agreement have full authority to do so and have received all lawfully necessary approvals to enter into this Agreement.

IN WITNESS WHEREOF, the OFFICE OF THE ATTORNEY GENERAL and City of Ormond Beach, have executed this agreement.

Joyce A. Shanahan

Authorizing Official

Joyce Shanahan

Print Name

Dec 1, 2021

Date

Authorizing Official*

Print Name

Date

Authorizing Official*

Print Name

Date

59-6000398

FEID# of Provider

Flair Code

/s/ Richard H. Martin

OAG Authorizing Official

Richard H. Martin

Print Name

Sep 30, 2021

Date

* Provided for use if multiple signatures are required by your organization.

Office of the Attorney General
Grant Award Project Summary

	Office of the Attorney General Division of Victim Services Bureau of Advocacy and Grants Management PL-01 The Capitol Tallahassee, Florida	Office of the Attorney General Victims of Crime Act Grant		2021-2022
Subrecipient Name and Address City of Ormond Beach P.O. Box 277 Ormond Beach, Florida 32175-0277		OAG Grant Number VOCA-2021-City of Ormond Beach-00595		
Subrecipient DUNS Number 087320164		Project Period: From 10/1/2021 To 9/30/2022		
Subrecipient IRS/Vendor/FEIN Number 596000398		Budget Period: From 10/1/2021 To 9/30/2022		
Project Title OVC FY 19 VOCA Victim Assistance Formula OVC FY 20 VOCA Victim Assistance Formula		Award Date 09/27/2021	Award is R&D (Y/N) No	
		Federal Indirect Cost Rate or De Minimis Rate		
Previous Award Amount \$0.00		Amount of this Award \$57,995.00	Total Award \$57,995.00	
Special Conditions The above grant project is approved subject to such conditions or limitations as are set forth in the Office of the Attorney General contract.				
Catalog of Domestic Federal Assistance (CFDA Number) 16.575 - Crime Victim Assistance				
Summary Description of Project This grant award provides funds from the Crime Victims Fund to enhance crime victim services in the State of Florida. Victims of Crime Act (VOCA) assistance funds are typically competitively awarded by the Office of the Attorney General to public agencies and/or local, not-for-profit organizations that provide direct services to crime victims.				
Federal Award Agency U.S. Department of Justice Office of Justice Programs Office for Victims of Crime		OVC Project Period 2018-2019: From 10/1/2017 to 9/30/2022 (pending) 2019-2020: From 10/1/2018 to 9/30/2022		
OVC Federal Award Number 2018-V2-GX-0018 - Awarded 08-09-2018 2019-V2-GX-0047 - Awarded 09-13-2019		OVC Total Award to OAG \$210,755,732 \$143,823,948		
OAG Staff Contact Christina Harris, Bureau Chief (850) 414-3380		Bureau Contact contact.voca@myfloridalegal.com (850) 414-3380		
Signature, OAG Authorizing Official, Date <i>/s/ Richard H. Martin</i> Sep 30, 2021		Signature, Agency Executive Director, Date <i>Joyce A. Shanahan</i> Dec 1, 2021		



ASHLEY MOODY
ATTORNEY GENERAL
STATE OF FLORIDA

OFFICE OF THE ATTORNEY GENERAL
Division of Victim Services
Advocacy and Grants Management

PL-01 The Capitol
Tallahassee, FL 32399-1050
Phone (850) 414-3300 Fax (850) 487-0168
<http://www.myfloridalegal.com>

October 6, 2021

Victims of Crime Act (VOCA) 2021-2022

VOCA FIX Act Match Waiver

In accordance with the VOCA Fix to Sustain the Crime Victims Fund Act of 2021, effective July 22, 2021, and the attached updated United States Department of Justice, Office for Victims of Crime revised Match Waiver process received on September 22, 2021, the Office of the Attorney General waives the match requirement for all 2021-2022 VOCA Assistance grants funded with FFY 2018 V2-GX-0018 and FFY 2019 V2-GX-0047. The time period for these awards is October 1, 2021 through September 30, 2022.

These considerations are being made due to the continued challenges service providers are experiencing in their ability to meet the match requirement due to financial constraints and unique circumstances experienced during the pandemic.

/s/ Richard H. Martin

OAG Authorizing Official

Chief of Staff
Title

Richard H. Martin
Print Name

Oct 6, 2021
Date



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: Tim Heyrend, Utilities Manager

Date: January 18, 2022

Subject: Approval of a Sole Source Procurement from Aqua Turbo

Commission Goal: Water Quality and Environment - Other

Introduction

This is a request for City Commission authorization for a sole source purchase from Aqua Turbo Systems, Inc., for necessary and specialized repairs to a sludge aeration tank mixer motor and gearbox at the City's Water Reclamation Facility (WRF).

Background

An important component of the City's WRF is the sludge aeration tank mixer. Sludge is pumped to the aeration tank where it is mixed with air to increase microbiological degradation. The treated sludge is then pumped to a centrifugal liquid separator to produce dewatered biosolids.

The WRF has two sludge aeration tanks that each have a submerged mixer with a motor and gearbox, each manufactured by Aqua Turbo Systems, Inc. and installed in 2016. The gearbox and motor are specific to the submerged aerator mixer. Even with routine maintenance, the motor, metal components and gears deteriorate over time and typically require replacement after approximately five to six years of normal use. Currently only one mixer needs repair, the second mixer, which is utilized less frequently, is fully operational.

Discussion

For purposes of replacing the motor and gearbox and extending the useful service life of the submerged air mixer in the sludge aeration tank, a quote was solicited from Aqua Turbo Systems, Inc. They submitted quote # Q-21-6747-1 on November 16, 2021 in the amount of \$25,455.72. Utilizing the Aqua Turbo Systems, Inc. motor and gearbox for the repairs maintains consistency in treatment processes, ensures product compatibility, and maintains warranty considerations. Aqua Turbo Systems, Inc. is a proprietary design sole source product manufacturer, provider, and servicer of the equipment. The

motor and gearbox sole source procurement request was placed on Demandstar for 7 days with no response.

Budget Impact

Funding for water and wastewater facility maintenance and repair activities is included in the Capital Improvement Plan, and is budgeted in Fund 409-Water and Wastewater General Facility and System Upgrades, which has a total budget of \$980,000.

Citizen Impact

Maintenance and repair of critical equipment at the sludge aeration tanks supports the safe and continuous operation of the Water Reclamation Facility in compliance with all applicable regulatory standards.

Recommendation

Staff recommends approval for the sole source purchase of a motor and gearbox for necessary repairs of the sludge aeration tank at the City's Water Reclamation Facility.

Attachments:

- 22-12 Sludge tank repair - Aqua Turbo (P21-0207G) (PDF)
- MT 4953 Requisition for Bauer Submersible Motor Gearbox - Purchase Authorization (PDF)
- Aqua Turbo Quote (PDF)
- Aqua Turbo Sole Source Letter December 13, 2021 (PDF)

REVIEWED BY:


Kelly McGuire, Finance Director 1/6/2022


Claire Whitley, Assistant City Manager 1/7/2022

APPROVED BY:


Joyce A. Shanahan, City Manager 1/11/2022

RESOLUTION NO. 2022-12

A RESOLUTION AUTHORIZING THE APPROVAL AND EXECUTION OF A PURCHASE AUTHORIZATION FOR THE SOLE SOURCE PROCUREMENT OF A BAUER SUBMERSIBLE MOTOR GEARBOX FROM AQUA TURBO SYSTEMS FOR THE CITY'S SLUDGE AERATION TANK MIXER AT THE WATER RECLAMATION FACILITY; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, the sludge aeration tank mixer (designed and manufactured by Aqua Turbo Systems) at the water reclamation facility is in need of a new submersible motor gearbox, and

WHEREAS, Aqua Turbo Systems is the exclusive manufacturer and seller of all Aqua Turbo parts and equipment that are compatible with the City's existing sludge aeration tank mixer, and therefore, the equipment purchase is a sole source procurement pursuant to Section 2-300(g), of the *Code of Ordinances*, and

WHEREAS, the City's staff is seeking approval of a Purchase Authorization for the purchase of a Bauer submersible motor gearbox from Aqua Turbo Systems at a cost not to exceed \$25,455.72 (a copy of the Quotation and Purchase Authorization are attached hereto and incorporated herein by reference), and

WHEREAS, the City Manager has certified that the money for the payment of the equipment has been appropriated to the credit of the Water and Wastewater Renewal and Replacement Fund (409) and is not appropriated for any other purpose, and

WHEREAS, the City Commission concurs in the said determination and recommendation, 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 execute a Purchase Authorization for the sole source procurement of a Bauer submersible motor gearbox for the City's sludge aeration tank mixer from Aqua Turbo Systems in the amount of \$25,455.72, and to pay the cost thereof from the Water and Wastewater Renewal and Replacement Fund.

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

APPROVED AND AUTHENTICATED this 18th day of January, 2022.

BILL PARTINGTON
Mayor

ATTEST:

SUSAN CARROLL DAUDERIS
City Clerk



PURCHASE AUTHORIZATION
CITY OF ORMOND BEACH
Purchase Requisition Nbr: 2200497
Vendor: AquaTurbo Systems, INC.
Resolution No. 2022-12

Requisition By: Finley
Date: 1/18/2022

Reason: Purchase of Bauer Submersible Motor Gearbox

Purchase of Bauer Submersible Motor Gear box
Funding through Fund 409 – Water and Wastewater

PAY ITEM NUMBER	ITEM DESCRIPTION	UNT	QNT	UNIT PRICE	AMOUNT
1	Bauer Submersible Motor Gearbox	EA	1	\$24,205.75	\$24,205.75
2	Freight	EA	1	\$1,250.00	\$1,250.00
Total:					\$25,455.75

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 and not limited to 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 coverage.)

(b) Commercial General Liability Insurance shall be written on a coverage form as broad as Insurance Services Office (ISO) Form CG 00 01 11 85, or its successor form, including but not limited to the following coverage (any deviation shall be noted on the Certificates of Insurance):

- a. Premises, Operations, Products and Completed 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 coverage 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 and not limited to the following amounts:

Limits (not less than)

\$1 Million Each Occurrence

\$2 Million General Aggregate

\$1 Million Aggregate Products & Completed Operations

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** is required if an Automobile(s) is used in the performance of the contract.

ISO Symbol 1 (Any Auto), or alternatively a combination of Symbol 2 (Owned Autos), Symbol 8 (Hired Autos), and Symbol 9 (Non-Owned Autos), and limits shall be no less than:

\$1 Million	Combined Single Limit for Bodily Injury and Property Damage
-------------	--

- (d) **Excess Liability**

For contracts \$250,000 or greater an Excess Liability Policy of at least but not limited to \$1,000,000 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 not to exceed \$25,0000 per occurrence.

- (e) **Builder's Risk**

Contractor shall purchase Builder's Risk Insurance for any contracts that are deemed to be vertical construction on an All-Risk policy, and shall also include coverage for wind, hail, and named storm. Limits of coverage shall be at least and not limited to the value of the project.

- (f) **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 provides a retroactive date no later than the inception date of claims made coverage.

D. 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 an endorsement 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.

E. 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 carrier; 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 including products and completed operations and Automobile Liability policies of insurance and certificates thereof.**



1754 Ford Avenue, Springdale, AR 72764
 Phone: 479-927-1300
 Email: ATS@aquaturbo.com
 Web: www.aquaturbo.com

Quotation

Quote #	Q-21-6747-2
Date	1/3/2022

Customer:

City of Ormond Beach

Item	Description	Qty	U/M	Price Each	Total
403-00276	Motor BAUER submersible motor gearbox 15.kW – 1800 / 460V – 60Hz A hub AER-GS (BS) 15kW – 1800rpm	1	ea	24,205.72	24,205.72
Freight OUT	Freight OUT to Ormond Beach, FL 32174	1		1,250.00	1,250.00

Payment Terms	Net 30
Incoterms	
Lead Time:21 WEEKS	

Total \$25,455.72

Validity: Prices quoted are in USD and are valid for 30 days
 Warranty: 24 Months Material & Workmanship
 Note: Aquaturbo Systems, Inc. does not provide process guarantee.



Date: December 13, 2021

To: **Ron Burk**
City of Ormond Beach
Equipment Maintenance Supervisor

RE: Aqua Turbo Low-Speed Bottom Aerator

Dear Mr. Burk,

This letter is to advise that Aquaturbo Systems, Inc. is the sole manufacturer, provider and servicer of the AQUA TURBO® AER-GS low-speed bottom aerator in the submersible configuration.

The Aquaturbo Systems, Inc. representative for all AQUA TURBO® products, parts and services is TSC-Jacobs. Your local contact for TSC-Jacobs is Joe Sacco, P.E. at:

Office: (904)524-9576
Fax: (813) 242-2597
E mail: Joetscjin@gmail.com

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Miguel Pérez
Sales Manager
Aquaturbo Systems Inc.



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: January 18, 2022

Subject: Western Utility Plant Facility Planning

Commission Goal: Water Quality and Environment - Other

Introduction

This is a request to award a work authorization to Mead & Hunt, Inc., for the preliminary engineering design, including site planning, and the preparation of a technology assessment for new utility facilities on the City owned property west of Airport Road.

Background

The Florida Department of Environmental Protection requires that increased plant capacity be planned for once a facility exceeds 80% of the plant's rated capacity. In the 2015 Utilities Master Plan Update, Quentin L. Hampton Associates (QLH, currently Mead & Hunt) evaluated the treatment capacity of the existing Water Reclamation Facility (WRF) and identified increased plant capacity as a long-term future need of the City. Currently, the projected growth from the proposed Avalon Daytona project, as well as additional development within Hunter's Ridge, Ormond Crossings, and further organic growth of the City's population, indicate that plant capacity will approach the threshold for required expansion within the next decade.

Discussion

Within the Utilities Master plan, QLH evaluated several options to address future needs within the City's water reclamation operations. Following two decades of growth primarily located west of I-95, and in anticipation of future growth continuing in those areas west of I-95; the construction of an additional western Water Reclamation Facility was identified as the most cost-effective option to address the future needs of the City's Utility Department. Construction of a new regional facility on the City owned western property reduces the distance necessary to pump collected wastewater from western developments, and efficiently returns treated effluent as reclaimed water to those developments which include Breakaway Trails, Hunters, Ridge, and Deer Creek. The additional facility not only results in more efficient transmission, but reduces the load

and pressure on new and existing lines.

The proposed design project by Mead & Hunt includes topographic survey and geotechnical evaluation of the western utility site. This information will enable Mead & Hunt to prepare conceptual planning for site development of the future WRF as well as planning for and locating additional utility facilities, including storage tanks and pumping operations. This project will also evaluate treatment technologies for the treatment process anticipated to operate at this facility, including specification recommendations and anticipated costs. This conceptual plan will provide a blue print for further development of the site and identify future projects for inclusion in the City's Capital Improvement Planning.

Budget Impact

The Western Utility Plant - Site Evaluation (\$300,000) was included in the Capital Improvement Program for funding in Fiscal Year 2022-2023. Sufficient funding is available from Fund 409-Wastewater Repair & Rehabilitation to advance this project to the current year. A budget amendment will be necessary if this item is approved.

Citizen Impact

Proper planning of the City's Utility system is essential to continuous reliable service to current and future customers. Water and Sewer rates were established as part of the Fiscal Year 2021-2022 budget to accommodate these necessary capital infrastructure projects.

Recommendation

It is recommended that the City Commission approve the attached work authorization to Mead & Hunt, Inc., for the engineering services for the Western Utility Plant - Site Evaluation, at the not-to-exceed cost of \$127,500.

Attachments:

- 22-13 West Utility Plant - Mead Hunt (P21-0211G) (PDF)
- Work Authorization (PDF)
- Map (PDF)
- Proposal Figure 1 (PDF)
- Proposal Figure 2 (PDF)

REVIEWED BY:


 Kelly McGuire, Finance Director 1/10/2022



Claire Whitley, Assistant City Manager 1/12/2022**APPROVED BY:**

Joyce A. Shanahan, City Manager 1/12/2022

RESOLUTION NO. 2022-13

A RESOLUTION ACCEPTING A PROPOSAL FROM MEAD & HUNT, INC. TO PROVIDE PRELIMINARY ENGINEERING DESIGN SERVICES REGARDING THE WESTERN UTILITY PLANT SITE EVALUATION PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, the City solicited a proposal from Mead & Hunt, Inc., an engineering firm under continuing contract with the City, to provide preliminary engineering design services regarding the western utility plant site evaluation project (“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 Mead & Hunt, Inc. to provide preliminary engineering design services for the aforescribed project at a cost not to exceed \$127,500.00 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 Water & Wastewater Renewal & Replacement Fund (409) 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 Mead & Hunt, Inc. to provide preliminary engineering design services regarding the western utility plant site evaluation project at a cost not to exceed \$127,500.00 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 Mead & Hunt, Inc. to provide preliminary engineering design services for the Project at the said price, and to pay the cost therefor from the Water & Wastewater Renewal & Replacement Fund.

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

APPROVED AND AUTHENTICATED this 18th day of January, 2022.

BILL PARTINGTON
Mayor

ATTEST:

SUSAN CARROLL DAUDERIS
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: Western Utility Plant - Site Evaluation

Project Description: Evaluation, site planning, process analysis, technology assessment, and cost estimating for a proposed new western service area wastewater treatment plant. The assessment will include three different treatment technologies as a means of providing advanced wastewater treatment for an ultimate design capacity of 4.0 million gallons per day (MGD), and will consider an initial capacity of 2.0 MGD, with the ability to expand to an ultimate capacity of 4.0 MGD, as detailed in the attached proposal.

Estimated Project Construction Cost: N/A

Schedule of Payments and Fee Basis

<u>Required Work Task</u>	<u>Fee Basis</u>	<u>Fee</u>
Project Management	Fixed Fee	\$18,000.00
Technology Evaluation	Fixed Fee	\$97,792.00
Survey Allowance	Actual Cost	\$5,000.00
Geotech Allowance	Actual Cost	\$6,500.00
Reimbursable Expenses	Actual Cost	\$208.00

Total Fee Authorized: **Not To Exceed** **\$127,500.00**

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

Estimated Time for Completion: 180 Days from Authorization to Proceed

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**](mailto: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.



December 3, 2021

Shawn Finley, PE
Utilities Director
City of Ormond Beach
22 South Beach St.
Ormond Beach, FL 32174

Email: Shawn.Finley@ormondbeach.org

Hard Copy Mailed Only on Request

**WWTP Site Planning and Technology Assessment
Scope of Services and Fee Estimate**

Dear Shawn,

We are pleased to offer the enclosed scope of services and fee estimate for performing site planning and preparing a technology assessment for a new wastewater treatment plant (WWTP) on the existing City owned site west of Airport Rd. Upon completion of the site and technology assessment, the City will have conceptual site planning documents and basis of design for a new 2.0 MGD wastewater treatment facility with expansion capacity for an additional 2.0 MGD.

Thank you for the opportunity to continue to be of service. If you have questions or require additional assistance, please do not hesitate to contact either myself at brad.blais@meadhunt.com or Kris Samples at kris.samples@meadhunt.com.

Sincerely,
MEAD & HUNT, Inc.

A handwritten signature in blue ink, appearing to read "Brad T. Blais".

Brad T. Blais, PE
VP/Client Manager

A handwritten signature in black ink, appearing to read "Kris Samples".

Kris Samples, PE
Project Manager

Enclosure – Scope of Services and Fee Estimate

**CITY OF ORMOND BEACH
SCOPE OF SERVICES AND FEE ESTIMATE
FOR
WWTP SITE PLANNING AND TECHNOLOGY ASSESSMENT**

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 evaluation, site planning, process analysis, technology assessment and cost estimating for a proposed new western wastewater treatment plant (WWTP). The recommendation for additional treatment capacity and a new facility west of I-95 was included as an element of the City's *2016 Utility Master Plan* and in the *Western Service Area Master Plan Update*. This site plan and technology assessment includes the evaluation of three (3) different treatment technologies as a means of providing advanced wastewater treatment (AWT) for an ultimate design capacity of 4.0 million gallons per day (MGD). The assessment will consider an initial capacity of 2.0 MGD and the ability to expand to an ultimate capacity of 4.0 MGD.

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.

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:

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

Independent review of the project technical work products before its submission to the CITY.

Deliverables – Project Management

- Meeting Agendas and Summaries
- Monthly Invoices

PHASE 2 – SITE PLANNING AND TECHNOLOGY ASSESSMENT

MEAD & HUNT will evaluate and compare the following three (3) biological nutrient removal treatment processes, prepare conceptual site plans and a cost estimate for each:

1. Dual train, 5-stage Bardenpho oxidation ditch with external clarifiers and cloth media filtration
2. Dual train integrated fixed film activated sludge (IFAS) process with external clarifiers and cloth media filtration
3. Membrane bioreactor (MBR) process, no external clarifiers or filters required

Each of the process evaluations will include provisions for requisite screening, grit removal, high level disinfection, effluent disposal, reject storage and residuals handling.

This evaluation will include process descriptions, operations and maintenance (O&M) requirements, safety, reliability, cost effectiveness, capacity limitations, regulatory constraints, funding options, expansion capability and footprint. The existing site located at the intersection of Airport Rd and SR40 (attached Figure 1) indicates the proposed site for the future WWTP. This scope includes a preliminary assessment of wetlands and boundary conditions to determine if the site is suitable for construction of a WWTP and determination of the upland site area available for the construction of new facilities.

Upon completion, a Technical Memorandum (TM) conceptual site plan drawings will be provided for the City to proceed with final design and construction for the recommended improvements. The conceptual design layouts will be detailed in the technical memorandum and an evaluation matrix will be prepared to evaluate cost and non-cost factors that will support a ranking of alternatives. The evaluation scoring and weighting will be determined and agreed upon in coordination with City Stakeholders. This technical memorandum will also include an initial engineer's opinion of probable construction cost (EOPCC) and confirmation of project permitting requirements.

A draft technical memorandum and conceptual site plan will be submitted to the CITY for review and comment for each alternative.

MEAD & HUNT will schedule and attend a draft review meeting to review the CITY's comments on the draft technical memorandum. Comments received will be incorporated into the final technical memorandum to be utilized in the future for the development of design documents during the next project phase, to be negotiated separately.

Deliverables – Preliminary Design

- Draft Technical Memorandum and Conceptual Site Plan
- Technical Memorandum Review Meeting Summary
- Final Technical Memorandum and Conceptual Site Plan

PHASE 3 – SUBCONSULTANTS AND REIMBURSABLES

An allowance is included for subconsultants and reimbursables. The proposed subconsultants will be engaged and reimbursement for sub-consulting expenses shall be paid at actual cost plus 10%.

1. Survey – The City has an existing boundary and site survey for the property (attached as Figure 2). Supplemental surveys will be authorized to identify wetland boundaries.
2. Biological Assessment – A biological sub-consultant will be engaged to flag apparent wetland boundaries and obtain a jurisdictional sign-off from the appropriate state agency to determine the wetland limits and requisite upland buffers in order to identify the site area that can be used for construction.

Shawn Finley
 December 3, 2021
 Page 5

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 – Technology Evaluation and Memorandum</i>	<i>180 days</i>	<i>Receipt of notice to proceed</i>

COMPENSATION

The not-to-exceed cost for this Scope of Services is **\$ 127,500**.

The above fee is based on the following breakdown:

Phase/Task	Fee/Cost	Basis
<i>Phase 1 – Project Management</i>	<i>\$18,000</i>	<i>Lump Sum</i>
<i>Phase 2 – Technology Evaluation and Memorandum</i>	<i>\$98,000</i>	<i>Lump Sum</i>
<i>Phase 3 – Subconsultants and Reimbursables</i>	<i>\$11,500</i>	<i>Time & Materials</i>
<i>TOTAL</i>	<i>\$127,500</i>	

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.

Shawn Finley
December 3, 2021
Page 6

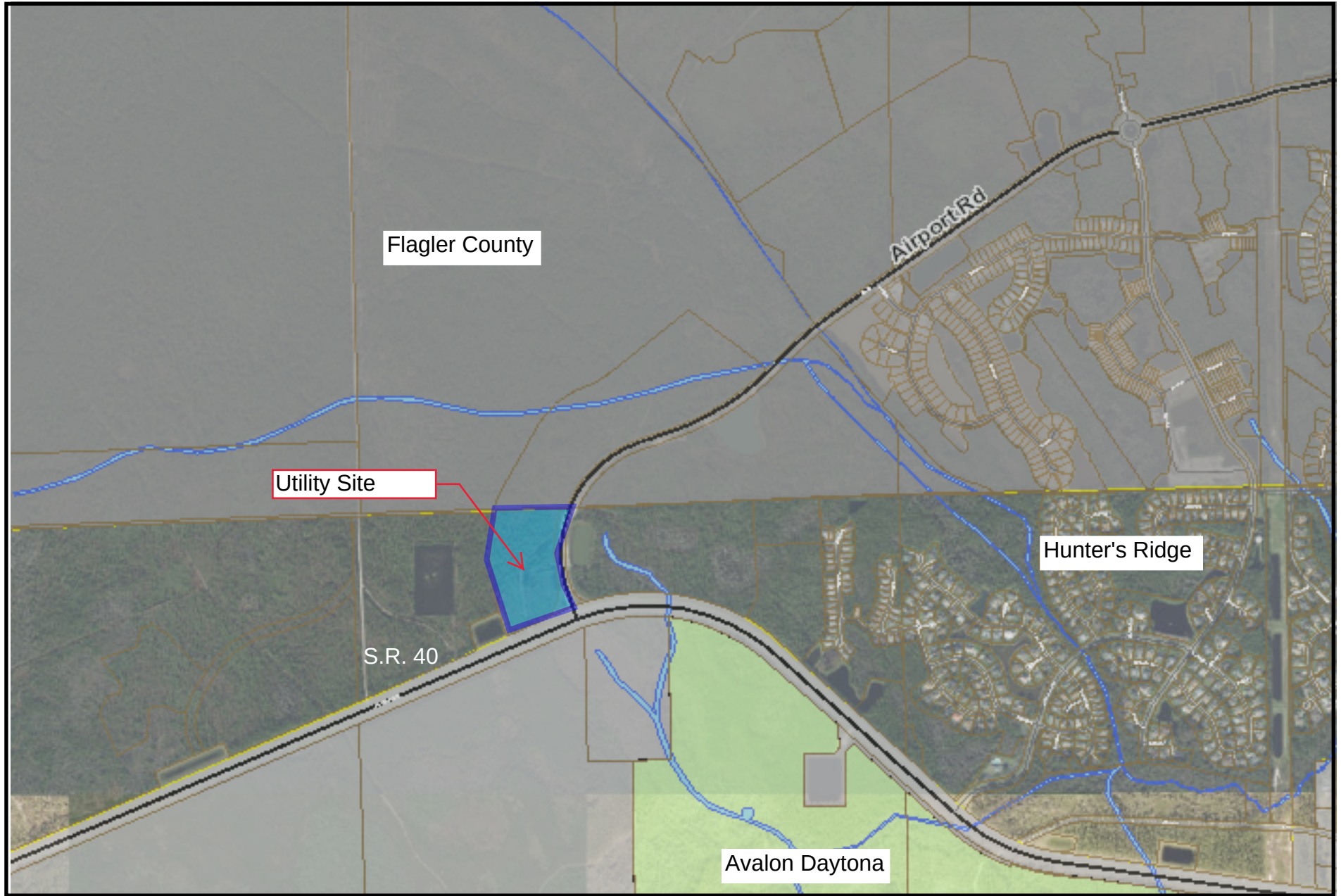
PURSUANT TO FLORIDA STATUTE SECTION 558.0035, AN
INDIVIDUAL EMPLOYEE OR AGENT OF MEAD & HUNT INC.
MAY NOT BE HELD INDIVIDUALLY LIABLE FOR
NEGLIGENCE.



CITY OF ORMOND BEACH
NEW WWTP TECHNOLOGY FEASIBILITY STUDY
ORMOND BEACH
ESTIMATED MANHOURLY SCHEDULE
December 7, 2021

Phase	Description	Senior Associate, Principal	Senior Associate, Principal	Senior Project Engineer	Engineer I	Technician IV	Administrative Assistant	Mileage	Total Task (\$)
	Hourly Rate	\$ 201.00	\$ 201.00	\$ 183.00	\$ 124.00	\$ 143.00	\$ 92.00	0.56	See Below
1	Project Management								
	Project Coordination and Invoicing	60	5	13			11		\$ 16,456.00
	Internal Kick-Off Meeting	1		1	1				\$ 508.00
	External Kick-Off Meeting	2		2	2			20.16	\$ 1,036.16
	Subtotals	63	5	16	3	0	11	\$ 20.16	\$ 18,000.16
2	Technology Evaluation and Memorandum								
	Treatment Process Technology Evaluation	39		100	80				\$ 36,059.00
	QAQC		20						\$ 4,020.00
	Site Layouts					80		\$ -	\$ 11,440.00
	Cost Estimating	8	4	10	20			\$ -	\$ 6,722.00
	Draft Memorandum Development	20		60	70		10	\$ -	\$ 24,600.00
	Draft Memorandum Review Meeting	2		2	2			20.16	\$ 1,036.16
	Final Memorandum Development	15	4	22	30	10	10		\$ 13,915.00
	Subtotals	84	28	194	202	90	20	\$ 20.16	\$ 97,792.16
	TOTAL ALL TASKS	147	33	210	205	90	31	\$ 40.32	\$ 115,792.32
									\$ 115,792.32
9	Subconsultant/Reimbursables Breakdown:								\$ 11,708
	Description	Amount							\$ -
	Survey Allowance	\$ 5,000.00							\$ -
	Geotech Allowance	\$ 6,500.00							\$ -
	Printing/Reproduction/Postage	\$ 208.00							\$ -
	Total	\$ 11,708.00							\$ 127,500

Western Utilities Site



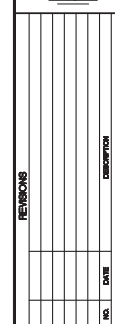
1 inch = 2,000 ft



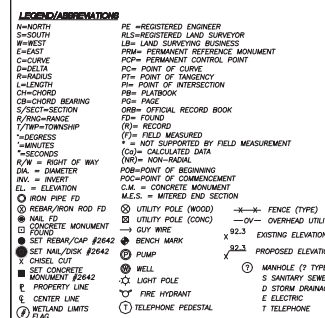
GIS data is provided on an "as is" basis. The accuracy or reliability of the data is not guaranteed or warranted in any way. The City of Ormond Beach specifically disclaims any warranty either expressed or implied, including, but not limited to, the implied warranties of merchantability and fitness for a particular use. The entire risk as to quality and performance of the data is with the end user. In no event will the City, its staff or its representatives be liable for any direct, indirect, incidental, special, consequential, or other damages, including loss of profit, arising out of the use of this data even if the City has been advised of the possibility of such



Figure 1



PROJECT NO.	98034A
DRAWING REFERENCE	034-BT1
REVISION NO./DATE	SEE REVISION TABLE
ORIGINAL ISSUE DATE	12/03/98
SHEET	1 OF 1



1. BASIS OF REARINGS: THE NORTH LINE OF SECTION 28, BENS 8 S 727726" W 9 PER BEAL DESCRIPTION.

2. FIELD SURVEY: THIS SURVEY IS REFERENCED TO AN ASSUMED PROJECT GRID. COORDINATES SHOWN ARE FOR THE CONVENIENCE OF THE FIELD SURVEY. THIS SURVEY WAS CONDUCTED BY THE ENGINEER PREVIOUSLY SURVEYED BY TAMURA ENGINEERING AND FOR THE PURPOSE OF THE FIELD SURVEY. THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL FIELD NOTES.

3. FIELD WORK FOR THIS SURVEY WAS COMPLETED ON JANUARY 06, 1999. THE SURVEY IS A RELOCATION OF THE SURVEY OF THE 1990'S. ALL ELEVATION WORK IN THE AREA SHOWN ON THIS SURVEY MUST BE PRECEDED BY A RELOCATION OF THE SURVEY OF THE 1990'S. THE SURVEY IS NOT PERMANENT TO THE UNDERGROUND FACILITY DAMAGE PREVENTION AND SAFETY OF THE FACILITY.

4. UNDERGROUND FACILITIES: IF ANY, NOT KNOWN, THE SURVEYOR SHALL BE RESPONSIBLE FOR LOCATING AND MARKING UNLESS OTHERWISE NOTED.

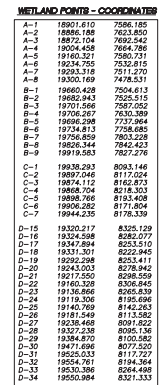
5. ADDITIONAL EASEMENTS, RESTRICTIONS AND/OR OTHER MATTERS SHOWN ON THIS SURVEY WHICH MAY BE FOUND IN THE COUNTY PUBLIC RECORDS SHALL BE THE RESPONSIBILITY OF THE SURVEYOR.

6. THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS/MAPPERS PER CHAPTER 461, F.S. REQUIRES THAT THE SURVEYOR SIGN AND SEAL THE SURVEY.

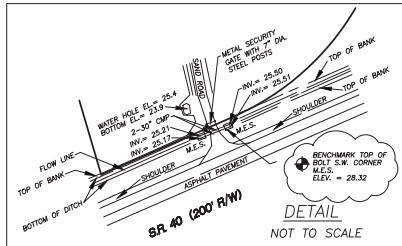
7. ELEVATIONS SHOWN ON THIS SURVEY ARE REFERENCED TO THE NATIONAL DATUM OF 1983. THE ELEVATION OF THE SURVEY IS FROM FLORIDA DEPT. OF TRANSPORTATION BENCHMARK NO. 1.

8. LIMITS OF WETLANDS SHOWN WERE DERIVED BY BIOLOGICAL CONSULTING ENGINEER, J. L. B. & ASSOCIATES, INC. ON JANUARY 1998. THE SURVEY WAS FIELD LOCATED BY THIS SURVEY ON 11/26/98 - 12/22/98.

H.J. BURROUGHS,
FLA. PROFESSIONAL ENGINEER #8130,
FLA. PROFESSIONAL SURVEYOR/MAPPER #2842



AS A POINT OF REFERENCE COMMENCE AT THE NORTHWEST CORNER OF SAU SECTION 28; THENCE ALONG THE NORTH LINE OF SAU SECTION NORTH 87°26'15" EAST A DISTANCE OF 1,000.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTHERLY ALONG THE NORTH 87°26'15" EAST A DISTANCE OF 648.18 FEET TO A POINT ON A CURVE CONVEYING AN ARC OF 110°00'00" TO THE POINT OF BEGINNING; THENCE SOUTHERLY ALONG THE 68°17'17" EAST, THENCE SOUTHERLY ALONG THE ARC OF SAU CURVE A DISTANCE OF 665.67 FEET, THROUGH A CENTRAL ANGLE OF 330.955° AND BEING SUBTENDED BY A CHORD BEARING NORTH 10°00'00" WEST A DISTANCE OF 1,000.00 FEET; THENCE SOUTHERLY ALONG THE NORTHWESTERLY, HAVING A RADIUS OF 450.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAU CURVE A DISTANCE OF 610.70 FEET, THROUGH A CENTRAL ANGLE OF 77°45'26" AND BEING SUBTENDED BY A CHORD BEARING NORTH 10°00'00" WEST A DISTANCE OF 1,000.00 FEET; THENCE NORTHERLY ALONG THE WEST LINE OF STATE ROAD 40 (A 200 FOOT RIGHT OF WAY); THENCE ALONG SAU CURVE A DISTANCE OF 200.618'14" WEST; A DISTANCE OF 246.81 FEET; THENCE SOUTHERLY ALONG THE 10°00'00" WEST, THENCE SOUTHERLY ALONG THE ARC OF SAU CURVE A DISTANCE OF 1,000.00 FEET, THROUGH A CENTRAL ANGLE OF 110°00'00" AND BEING SUBTENDED BY A CHORD BEARING NORTH 10°00'00" WEST A DISTANCE OF 1,000.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAU CURVE, A DISTANCE OF 906.50 FEET, THROUGH A CENTRAL ANGLE OF 110°00'00" AND BEING SUBTENDED BY A CHORD BEARING NORTH 01°50'20" WEST TO THE POINT OF BEGINNING.



DETAIL
NOT TO SCALE



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: Alex Schumann, City Engineer

Date: January 18, 2022

Subject: Bid Award for Shell Parking Restoration Project, Bid No. 2022-05

Commission Goal: N/A

Introduction

This is a request for award of a bid for the construction of the Shell Parking Restoration Project, Bid Number 2022-05

Background

The City of Ormond Beach currently maintains shell parking areas in a number of its parks and recreational facilities. Due to high use and subsequent high traffic, maintenance is required on a regular basis to continue the level of service provided at these parks. Given the time required to perform these maintenance activities, it was determined that incorporating the annual maintenance needs of the parking areas into a capital project would ensure that proper maintenance of the parking lots could occur in an efficient and cost-effective manner.

Staff evaluated the unpaved parking areas, and prioritized Sanchez Park based on the amount of replacement shell required and grading needed, and the need to ensure proper drainage of the lots to restore use of the entire parking area. The proposed Shell Parking Restoration project consists of removing limited sod and installing shell to raise and level the existing parking areas.

Discussion

On December 21, 2021, bids for the project were opened, and two (2) bids were received. Bids ranged from a high of \$195,380.25 to a low of \$65,331.15 from East Coast Marine Construction and Design. The original budget for the project was \$56,000.

Budget Impact

Funding of \$56,000 for the Shell Parking Restoration Project was included in the Fiscal

Year 2021-2022 budget, in Fund 317- Facility Renewal and Replacement. A budget amendment will be required in the amount of \$9,331.15 from Fund 317-Facility Renewal and Replacement to complete the project.

Citizen Impact

Construction impacts to the park will be limited in duration and should not impact the regular use and enjoyment of the park. Construction is only anticipated to take a couple of weeks. This project will allow for restored use of the entire parking lot at Sanchez Park and the enjoyment of these beautiful facilities at a level of service that City residents have grown to expect.

Recommendation

Staff recommends award of the base bid for the construction of the Shell Parking Restoration Project, Bid Number 2022-05, to East Coast Marine Construction and Design, for the Base Bid at the contract amount of \$65,331.15.

Attachments:

- 22-14 Shell Parking-East Coast Marine (P21-0210G) (PDF)
- Bid - East Coast Marine Construction (PDF)
- Bid Tabulation (PDF)

REVIEWED BY:


Kelly McGuire, Finance Director 12/30/2021


Claire Whitley, Assistant City Manager 1/7/2022

APPROVED BY:


Joyce A. Shanahan, City Manager 1/11/2022

RESOLUTION NO. 2022-14

A RESOLUTION ACCEPTING A BID FROM EAST COAST MARINE CONSTRUCTION & DESIGN, INC. FOR CONSTRUCTION SERVICES REGARDING THE SHELL PARKING RESTORATION PROJECT, UNDER BID NO. 2022-05; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, the City advertised for bids (Bid No. 2022-05) regarding construction services for the shell parking restoration 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 East Coast Marine Construction & Design, Inc. with a base bid of \$65,331.15, plus six additive bid alternates totaling \$60,615.10, for a total bid in the amount of \$125,946.25 is the lowest responsible and responsive bid (a copy of said bid being attached hereto and incorporated herein by reference), and

WHEREAS, Section 2-300(i), *Code of Ordinances*, provides that a bid may be accepted or rejected, in whole or in part, and

WHEREAS, the City's professional staff have determined that bid alternates 1, 2, 3, 4, 5 and 6 will be deleted from the underlying bids, and

WHEREAS, the City's professional staff recommend awarding the bid to East Coast Marine Construction & Design, Inc. for the base bid only in the amount of \$65,331.15, and

WHEREAS, the City Manager has certified that funds for the Project will be appropriated to the credit of the Facility Renewal and Replacement Fund (317) through a budget amendment and will not be 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 East Coast Marine Construction & Design, Inc. to perform the Project at a total cost not to exceed \$65,331.15 is hereby accepted.

SECTION TWO. All other bids relative to the aforescribed Project shall be deemed rejected upon the execution of a contract with East Coast Marine Construction & Design, Inc.

SECTION THREE. The Mayor and the City Manager are hereby authorized and directed to execute a contract with East Coast Marine Construction & Design, Inc. for the performance of the Project at the said price, and to pay the cost thereof from the Facility Renewal and Replacement Fund.

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

APPROVED AND AUTHENTICATED this 18th day of January, 2022.

BILL PARTINGTON

Mayor

ATTEST:

SUSAN CARROLL DAUDERIS

City Clerk

SECTION 00300

BID

CONTRACTORS NAME East Coast Marine Construction & Design LICENSE NO. 1526550

PROJECT IDENTIFICATION:

2022 Shell Parking Restoration

CONTRACT IDENTIFICATION AND NUMBER:

Bid No. 2022-05

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:

Date
12/10/21

Number
No. 1

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

BID (Cont'd.)
2022 Shell Parking Restoration
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

Base Bid - Sanchez Park - 329 Sanchez Ave

Item No.	Item Description	Item Quantity	Item Unit	Item Unit Price	Total Price	
A.1	Spread & Compact Crushed Coquina Shell	975	CY	\$65.09	\$63,446.04	\$63,462.75
A.2	Sod Removal	360	SY	\$5.19	\$1,870.00	\$1,868.40

TOTAL BASE BID \$ 65,316.04 \$65,331.15

(Figures)

Sixty-five thousand, three hundred sixteen dollars and 04/100

(Words)

Additive Alternate 1 - Ames Park - 195 S Beach St

Item No.	Item Description	Item Quantity	Item Unit	Item Unit Price	Total Price
B.1	Spread & Compact Crushed Coquina Shell	140	CY	\$65.09	\$9,112.60
B.2	Sod Removal	10	SY	\$5.19	\$51.90

TOTAL ADDITIVE ALTERNATE 1 BID \$ 9,164.50

(Figures)

Nine thousand, One hundred Sixty-Four dollars and 50/100

(Words)

BID (Cont'd.)
2022 Shell Parking Restoration
ORMOND BEACH, FLORIDA

Additive Alternate 2 - Cassen Park - 1 S Beach St

Item No.	Item Description	Item Quantity	Item Unit	Item Unit Price	Total Price
C.1	Spread & Compact Crushed Coquina Shell	345	CY	\$65.09	\$22,456.05

TOTAL ADDITIVE ALTERNATE 2 BID \$ 22,456.05

(Figures)

Twenty-two thousand, Four hundred Fifty-Six dollars and 05/100

(Words)

Additive Alternate 3 - Fortunato Park - 2 John Anderson Dr

Item No.	Item Description	Item Quantity	Item Unit	Item Unit Price	Total Price
D.1	Spread & Compact Crushed Coquina Shell	40	CY	\$65.09	\$2,603.60

TOTAL ADDITIVE ALTERNATE 3 BID \$ 2,603.60

(Figures)

Two thousand, Six hundred three dollars and 60/100

(Words)

Additive Alternate 4 - Huguenot Park - 401 N Beach Street

Item No.	Item Description	Item Quantity	Item Unit	Item Unit Price	Total Price
E.1	Spread & Compact Crushed Coquina Shell	80	CY	\$65.09	\$5,207.20
E.2	Sod Removal	45	SY	\$5.19	\$233.55

TOTAL ADDITIVE ALTERNATE 4 BID \$ 5,440.75

(Figures)

Five thousand, Four hundred forty dollars and 75/100

(Words)

BID (Cont'd.)
2022 Shell Parking Restoration
ORMOND BEACH, FLORIDA

Additive Alternate 5 - Nova Community Park - 440 N Nova Road

Item No.	Item Description	Item Quantity	Item Unit	Item Unit Price	Total Price
F.1	Spread & Compact Crushed Coquina Shell	145	CY	65.09	\$9,438.05
F.2	Sod Removal	600	SY	5.19	\$3,114.00
F.3	Relocate Sign	1	EA	\$250.00	\$250.00

TOTAL ADDITIVE ALTERNATE 5 BID

\$ 12,802.05

(Figures)

Twelve thousand, Eight hundred two dollars and 05/100

(Words)

Additive Alternate 6 - River Bend Nature Park - 775 Airport Road

Item No.	Item Description	Item Quantity	Item Unit	Item Unit Price	Total Price
G.1	Spread & Compact Crushed Coquina Shell	120	CY	65.09	\$7,810.80
G.2	Sod Removal	65	SY	5.19	\$337.35

TOTAL ADDITIVE ALTERNATE 6 BID

\$ 8,148.15

(Figures)

Eight thousand, One hundred Forty-eight dollars and 15/100

(Words)

BID (Cont'd.)
2022 Shell Parking Restoration
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 60 calendar days after the date when the Contract Time commences to run, and completed within 90 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 recognize 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 three hundred Dollars (\$ 300) 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
- (g) Verification of Employment Status Using E-Verify System

BID (Cont'd.)
2022 Shell Parking Restoration
ORMOND BEACH, FLORIDA

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

Mailing Address: East Coast Marine Construction & Design
 Street Address: 150 S. Palmetto Ave. STE 201
 City, State, Zip Code: Daytona Beach, FL. 32114
 Email: EastCoastMarineConstruction@gmail.com
 Telephone No.: 386-366-0164 Fax No.: 386-252-6050

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 12/21, 2021.

If BIDDER is:

An Individual

By _____
 (Individual's Name - Signature)

John W. Zembatt

(SEAL)

(Individual's Name - Typed or Printed)

doing business as _____

Business address: _____

Phone No.: _____

Fax No.: _____

BID (Cont'd.)
2022 Shell Parking Restoration
ORMOND BEACH, FLORIDA

If BIDDER is:

A Corporation

By East Coast Marine Construction & Design, Inc.
(Corporation Name)

Florida
(State of Incorporation)

By Mh Fletcher
(Name of Person Authorized to Sign - Signature)

Michael J. Fletcher
(Name of Person Authorized to Sign - Typed or Printed)

Project Manager
(Title)

(Corporate Seal)

Attest _____

Business address: 150 S. Palmetto Ave. STE: 201
Daytona Beach, FL. 32114

Phone No.: 386-366-0164

Fax No.: 386-252-6050

BID (Cont'd.)
2022 Shell Parking Restoration
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>
Red shell sand	Arrow Materials
Unit Vibratory Roller	United Rentals

Subcontractors:

Work Classification: Site Work

Name: Allstate Civil Construction

Address: 117C Blue Heron Dr. Daytona Beach FL. 32119

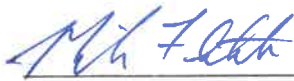
Phone Number: 386-465-2187 Fax Number:

BID (Cont'd.)
2022 Shell Parking Restoration
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.

 12/21/21

Name (signature) Date

Michael J. Fletcher

Name (typed or printed)

Project Manager

Title

BID (Cont'd.)
2022 Shell Parking Restoration
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.

East Coast Marine Construction & Design
 COMPANY NAME

MJ Fletcher
 AUTHORIZED SIGNATURE

Michael J. Fletcher
 NAME (PRINT OR TYPE)

Project Manager
 TITLE

12/21/21
 DATE

BID (Cont'd.)
2022 Shell Parking Restoration
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.

BID (Cont'd.)
2022 Shell Parking Restoration
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.

East Coast Marine Construction & Design

COMPANY NAME

Michael J. Fletcher

AUTHORIZED SIGNATURE

Michael J. Fletcher

NAME (PRINT OR TYPE)

Project Manager

TITLE

12/21/21

DATE

END OF BID

00300-17



BID OPENING TABULATION

Project: 2022 Shell Parking Restoration

Bid Number: 2022-05

Date & Time: December 21 at 2:00 PM

			Base Bid Sanchez Park	Additive Alternate 1 Ames Park	Additive Alternate 2 Cassen Park	Additive Alternate 3 Fortunato Park	Additive Alternate 4 Huguenot Park	Additive Alternate 5 Nova Community Park	Additive Alternate 6 River Bend Park	
Contractor	Addendum 1	Bid Bond	total cost	total cost	total cost	total cost	total cost	total cost	total cost	total cost
Montalvo Mejia Construction	x	y	\$195,376.86	\$38,941.13	\$65,724.43	\$18,605.11	\$29,329.34	\$57,104.17	\$41,908.41	\$446,989.45
East Coast Marine Construction	x	y	\$65,331.15	\$9,164.50	\$22,456.05	\$2,603.60	\$5,440.75	\$12,802.05	\$8,148.15	\$125,946.25
										\$0.00
										\$0.00
										\$0.00
										\$0.00
										\$0.00
										\$0.00

Please Note: The bid proposals are currently being reviewed. All submittals accepted by the City of Ormond Beach are subject to the City's terms and conditions and any and all additional terms and conditions submitted by the bidders are rejected and shall have no force and effect. Bid documents from the bidders listed herein are the only submittals received timely as of the above opening date and time. All other bid documents submitted in response to this solicitation, if any, are hereby rejected as late.

Tabulated by: Robert Hart
Title: Purchasing Coordinator

Opened by: Mark Carrick
Title: Engineering Technician



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: Claire Whitley, Assistant City Manager

Date: January 18, 2022

Subject: City of Ormond Beach Employees Mid-Contract Wage Adjustment

Commission Goal: N/A

Introduction

This is a request for City Commission consideration and approval of a mid-contract wage adjustment for City of Ormond Beach employees, effective January 29, 2022.

Background

The City of Ormond Beach has three collective bargaining units represented by Florida State Fraternal Order of Police, Inc. (FOP), International Association of Firefighters, Local 3499, (I.A.F.F.), and National Association of Government Employees (NAGE), with collective bargaining agreements currently in place through September 30, 2022.

On November 3, 2020, during the current contract period, Florida voters approved Amendment 2, which amends Florida's constitution to gradually increase the state's minimum wage to \$15.00 per hour by the year 2026. Additionally, during this contract period, nation-wide labor shortages have created significant challenges in the recruitment and retention of employees.

Discussion

Based on a review of the current job market and comparable wages offered within Volusia County, the following mid-contract increases will ensure the city remains competitive in the local market and help mitigate impacts on critical services until successor agreements are reached: \$1.50 per hour increase for covered law enforcement officers (FOP), and covered general employees (NAGE); and \$1.00 per hour increase for covered firefighters (I.A.F.F.), and administrative/technical employees (non-bargaining), excluding appointed and elected officials.

Three memorandums of understanding are attached for consideration, and if approved, will be provided to the respective collective bargaining units for consideration and

approval.

Budget Impact

The proposed mid-contract wage increases for the remainder of Fiscal Year 2021-2022 totals \$768,000. If approved, the current year cost of the wage increase would be with General Fund reserves and would be included in a future budget amendment.

Citizen Impact

Providing competitive compensation to employees enables the City to recruit and retain quality staff and supports continued delivery of high service levels in critical areas.

Recommendation

Staff recommends approval of the mid-contract adjustment for City of Ormond Beach employees effective January 29, 2022.

Attachments:

- 22-15 Collective bargaining MOUs (P22-0002, 0003, 0004G) (PDF)
- MOU NAGE Mid Contract Adjustment 2022 (PDF)
- MOU FOP Mid Contract Adjustment 2022 (PDF)
- MOU IAFF Mid Contract Adjustment 2022 (PDF)

REVIEWED BY:


Kelly McGuire, Finance Director 1/10/2022


Claire Whitley, Assistant City Manager 1/12/2022

APPROVED BY:


Joyce A. Shanahan, City Manager 1/12/2022

RESOLUTION NO. 2022-15

A RESOLUTION APPROVING A MID-CONTRACT WAGE ADJUSTMENT FOR CITY EMPLOYEES; AUTHORIZING THE EXECUTION OF MEMORANDUMS OF UNDERSTANDING; 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 a Memorandum of Understanding between the City and the National Association of Government Employees (NAGE), a copy of the Memorandum of Understanding being attached hereto and incorporated herein by reference.

SECTION TWO. The Mayor and the City Manager are hereby authorized and directed to execute a Memorandum of Understanding between the City and the Florida State Lodge Fraternal Order of Police, Inc., a copy of the Memorandum of Understanding being attached hereto and incorporated herein by reference.

SECTION THREE. The Mayor and the City Manager are hereby authorized and directed to execute a Memorandum of Understanding between the City and the International Association of Firefighters, Local 3499, a copy of the Memorandum of Understanding being attached hereto and incorporated herein by reference.

SECTION FOUR. The Memorandums of Understanding are contingent on and subject to approval by the bargaining members of each union.

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

APPROVED AND AUTHENTICATED, this 18th day of January, 2022.

BILL PARTINGTON
Mayor

ATTEST:

SUSAN CARROLL DAUDERIS
City Clerk

MEMORANDUM OF UNDERSTANDING

The City of Ormond Beach (hereinafter referred to as "City") and the National Association of Government Employees (hereinafter referred to as "Union"), and collectively referred to as "Parties", hereby enter into this Memorandum of Understanding ("MOU"); and agree as follows:

WHEREAS, the City and Union are parties to a Collective Bargaining Agreement ("Agreement") that became effective November 22, 2019, and runs through September 30, 2022; and

WHEREAS, the Parties enter into this MOU prior to and separate from the negotiation of a successor Agreement;

THE PARTIES AGREE AS FOLLOWS:

1. This MOU between the City and the Union shall serve to increase each covered employee's hourly base rate of pay by \$1.50. This increase applies only to the employee's base pay rate and does not affect any other types of compensation.
2. This MOU will take effect on January 29, 2022, which is the beginning of the payroll period for the February 18, 2022 pay date. The MOU is not retroactive to any prior periods covered under the current agreement.
3. The Union will return an executed copy of the agreement to the City no later than January 25, 2022, in order for this MOU to take effect.
4. All future wage increases shall be subject to negotiation by the parties.

This MOU is contingent on and subject to approval and execution by both the City and Union.

CITY OF ORMOND BEACH:

Bill Partington, Mayor Date

Joyce Shanahan, City Manager Date

NATIONAL ASSOCIATION OF GOVERNMENT EMPLOYEES:

Les Cantrell, National Representative Date

Ed Wilson, President Date

MEMORANDUM OF UNDERSTANDING

The City of Ormond Beach (hereinafter referred to as "City") and the Florida State Lodge Fraternal Order of Police, Inc. (hereinafter referred to as "Union"), and collectively referred to as "Parties", hereby enter into this Memorandum of Understanding ("MOU"); and agree as follows:

WHEREAS, the City and Union are parties to a Collective Bargaining Agreement ("Agreement") that became effective March 17, 2020, and runs through September 30, 2022; and

WHEREAS, the Parties enter into this MOU prior to and separate from the negotiation of a successor Agreement;

THE PARTIES AGREE AS FOLLOWS:

1. This MOU between the City and the Union shall serve to increase each covered employee's hourly base rate of pay by \$1.50. This increase applies only to the employee's base pay rate and does not affect any other types of compensation.
2. This MOU will take effect on January 29, 2022, which is the beginning of the payroll period for the February 18, 2022 pay date. The MOU is not retroactive to any prior periods covered under the current agreement.
3. The Union will return an executed copy of the agreement to the City no later than January 25, 2022, in order for this MOU to take effect.
4. All future wage increases shall be subject to negotiation by the parties.

This MOU is contingent on and subject to approval and execution by both the City and Union.

CITY OF ORMOND BEACH:

Bill Partington, Mayor Date

Joyce Shanahan, City Manager Date

FLORIDA STATE LODGE FRATERNAL ORDER OF POLICE, INC:

Ned D. Golden, FOP Representative Date

MEMORANDUM OF UNDERSTANDING

The City of Ormond Beach (hereinafter referred to as "City") and the Ormond Beach Firefighters Association, Local 3499, IAFF (hereinafter referred to as "Union"), and collectively referred to as "Parties", hereby enter into this Memorandum of Understanding ("MOU"); and agree as follows:

WHEREAS, the City and Union are parties to a Collective Bargaining Agreement ("Agreement") that became effective March 6, 2020, and runs through September 30, 2022; and

WHEREAS, the Parties enter into this MOU prior to and separate from the negotiation of a successor Agreement;

THE PARTIES AGREE AS FOLLOWS:

1. This MOU between the City and the Union shall serve to increase each covered employee's hourly base rate of pay by \$1.00. This increase applies only to the employee's base pay rate and does not affect any other types of compensation.
2. This MOU will take effect on January 29, 2022, which is the beginning of the payroll period for the February 18, 2022 pay date. The MOU is not retroactive to any prior periods covered under the current agreement.
3. The Union will return an executed copy of the agreement to the City no later than January 25, 2022, in order for this MOU to take effect.
4. All future wage increases shall be subject to negotiation by the parties.

This MOU is contingent on and subject to approval and execution by both the City and Union.

CITY OF ORMOND BEACH:

Bill Partington, Mayor Date

Joyce Shanahan, City Manager Date

INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL 3499:

Dan Brands, President Date



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: Susan C. Dauderis, City Clerk

Date: January 18, 2022

Subject: Volusia County Mosquito Control Request for Authorization

Commission Goal: Water Quality and Environment - Other

Introduction

This is a request by the Volusia County Mosquito Control Division to continue to authorize low-level flights over the City of Ormond Beach in connection with the inspection and aerial application of insecticides for the control of mosquito larvae and adult mosquitoes.

Background

The Volusia County Mosquito Control Division does aerial application of insecticides in order to suppress populations of both potential disease bearing and pest mosquitoes. Inspection flights and aircraft landings are made with helicopters for the purpose of finding and treating immature stages of mosquitoes in their breeding sites. Aerial spray flights are conducted over congested areas, which ordinarily cannot be adequately treated for the suppression of adult mosquitoes with ground equipment.

The Division uses aerial spraying as a last resort, but it also considers this aerial program as one of the primary defenses against the local mosquito population. Under regulations of the Federal Aviation Administration (FAA), Volusia County Mosquito Control Division must obtain a written authorization from the City of Ormond Beach requesting the division to make low-level inspection and spray flights under 500-foot altitude when its helicopters are over congested portions of the City.

Discussion

This FAA requirement is to make communities aware that aircraft will be making flights under the minimum of 1,000-foot altitude threshold for general aircraft operations. Mosquito control aircraft need to fly under 1,000 feet to inspect for immature mosquitoes, spray for immature mosquitoes, and spray for adult mosquitoes. The Volusia County Mosquito Control Division will be prevented from making such flights

over the City unless they receive a letter of request and authorization from the City, as the FAA requires.

The City has authorized this activity for many years. The Volusia County Mosquito Control Division will notify any individuals who have requested prior notification before aerial spraying. All such flights will be made in the public interest at such times as are considered necessary, and under such conditions as are considered effective and safe, for the purpose of providing comfort and public health protection for residents and visitors.

Budget Impact

This item has no budget impact to the City.

Citizen Impact

Inspection and aerial application by the Volusia County Mosquito Control Division to control mosquito larvae and adult mosquitoes provides public health protection for residents and visitors.

Recommendation

It is recommended that the City Manager be given authority to execute the attached letter of authority.

Attachments:

- Request from Volusia County Mosquito Control 2022 (PDF)

REVIEWED BY:


Kelly McGuire, Finance Director 12/20/2021


Claire Whitley, Assistant City Manager 1/5/2022

APPROVED BY:


Joyce A. Shanahan, City Manager 1/11/2022



**PUBLIC WORKS DEPARTMENT
MOSQUITO CONTROL DIVISION**

**PAUL LEONE
AIRBORNE OPERATIONS/INSPECTION SUPERVISOR**

801 South Street, New Smyrna Beach, Florida 32168
Phone: (386) 424-2920 • Fax: (386) 424-2924
pleone@volusia.org

December 20, 2021

Joyce Shanahan, City Manager
City of Ormond Beach
22 South Beach Street
Ormond Beach, FL 32174

Dear Ms. Shanahan,

Attached in this correspondence is a **Letter of Authority** which I am requesting to be filled out and returned to the listed address above. As in the past, per Federal Aviation Administration (FAA) regulations, this authorizes VCMC to perform low level flights, inspection, and application of insecticides in your town, city, or county to provide mosquito control aerial services.

Your prompt attention to this request is greatly appreciated. If you have any questions please feel free to contact me if necessary.

Respectfully,

Paul Leone

Paul Leone
Airborne Ops/Inspection Supervisor



PUBLIC WORKS DEPARTMENT
MOSQUITO CONTROL DIVISION

Letter of Authority

We hereby give authorization, during the calendar year 2022 through June 1st 2024, to the Volusia County Mosquito Control Division to perform low-level flights over our city and/or jurisdiction in connection with their aerial inspection and application of insecticides for the control of adult and larval mosquitoes in compliance with the FAA regulations explained in a letter from Volusia County Mosquito Control.

SIGNED: _____

DATE: _____

NAME: _____

TITLE: _____

CITY/TOWN/COUNTY: _____

STATE: _____

ZIP CODE: _____



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: Brian Rademacher, Economic Development Director

Date: January 18, 2022

Subject: Economic Development Strategic Plan

Commission Goal: Economic Development - Other

Introduction

This is a request for the City Commission to consider a Request for Proposals (RFP) solicitation to select an experienced and qualified firm or individual with professional experience in guiding and developing economic development strategic plans for local units of government to update and prepare an economic development strategic plan.

Background

The City Economic Development Department is guided by an economic development strategic plan. The mission of the plan is to influence the existing and future landscape of Ormond Beach by being proactive in business retention, expansion and attraction of target industry as well as the development of commercial corridors and Community Redevelopment Area (CRA) District. The strategic plan is intended to identify goals, objectives and implementation strategies that are attainable based on realistic economic development assumptions and resources. The plan will act as a policy document that City officials, local businesses, investors and residents will view as a tool in shaping the community's future financial viability.

The most recent economic development strategic plan was approved by the Commission in 2017 with an implementation horizon through 2019. Within the past three years the majority of key objectives have been achieved and in light of the changing economic landscape and trends it is time to reassess the economic and business landscape in order to have and implement a strategic plan that can be implemented over the next three-year horizon.

Discussion

The strategic plan is expected to identify goals, objectives and implementation strategies that are attainable based on realistic economic development assumptions

and resources. The plan acts as a policy document and a tool for implementation.

The intent of the strategic plan is:

1. To prepare a locally based economic development strategy with a three-year implementation plan with policies, projects and programs focused on core economic development programs.
2. Generally, seeks to diversify the economic base, leverage existing assets to improve the economic prosperity of the community.
3. Include a resiliency and recovery component to better prepare for and respond to disasters prevalent to communities in the twenty-first century.

Budget Impact

The fee for services will be competitive and dependent on the proposal received. Funding for the program has been included in the Fiscal Year 2021-2022 Economic Development Department budget.

Citizen Impact

Economic Development Strategic plans help shape the existing and future landscape of a community's economy. These plans identify strategies to expand the Ormond Beach tax base, provide for a variety of employment opportunities in Ormond Beach, and maintain and increase financial wealth of Ormond Beach residents.

Recommendation

Staff intends to proceed with advertising the attached RFP for Economic Development Strategic Plan, unless otherwise directed by the City Commission.

Attachments:

- RFP 2022-08 Economic Development Strategic Plan with links (PDF)

REVIEWED BY:


Kelly McGuire, Finance Director 12/30/2021


Claire Whitley, Assistant City Manager 1/12/2022

APPROVED BY:


Joyce A. Shanahan, City Manager 1/12/2022



City of Ormond Beach

22 South Beach Street
Ormond Beach, Florida 32174
Telephone (386) 676-3223
Fax (386) 676-3374

REQUEST FOR PROPOSALS

PROPOSER ACKNOWLEDGEMENT FORM

THIS FORM MUST BE COMPLETED AND RETURNED WITH YOUR PROPOSAL

RFP TITLE: Economic Development Strategic Plan

RFP NUMBER: 2022-08

RFP OPENING DATE & TIME: February 22, 2022 at 2:00 pm

RFP OPENING LOCATION: City Hall Training Room at Ormond Beach City Hall

PRE-PROPOSAL MEETING DATE & TIME: None

PRE-SUBMITTAL MEETING: N/A

Submittals Received After The Above Date And Time Will Not Be Accepted.

PROPOSER'S NAME: _____

PROPOSER'S MAILING ADDRESS: _____

CITY-STATE-ZIP: _____

F.E.I.N.: _____

PHONE NUMBER: _____

EMAIL: _____

If returning as a "No Submittal", please state reasons _____

I certify that this Proposal is made without prior understanding, agreement, or connection with any corporation, firm, or person submitting a Proposal for the same materials, services, supplies, or equipment, and is in all respects fair and made without collusion or fraud. I agree to abide by all conditions of this RFP and certify that I am authorized to sign this RFP for the Proposer. In submitting a RFP to the City of Ormond Beach, the Proposer offers and agrees that if the Proposal is accepted, the Proposer will convey, assign or transfer to the City of Ormond Beach all rights, title, and interest in and to all causes of action it may now or hereafter acquire under the Antitrust laws of the United States and the State of Florida for price fixing relating to the particular commodities or services purchased or acquired by the City of Ormond Beach. At the City's discretion, such assignment shall be made and become effective at the time the City tenders final payment to the Proposer.

X _____
AUTHORIZED SIGNATURE (MANUAL)

NAME (TYPED)

TITLE

DATED

GENERAL CONDITIONS

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 proposal on a contract to provide any goods or services to a public entity, may not submit a proposal on a contract with a public entity for the construction or repair of a public building or public work, may not submit Proposals 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.

PUBLIC RECORDS/NON-CONFIDENTIALITY OF BIDS AND/OR PROPOSALS.

The City of Ormond Beach cannot and does not warrant the confidentiality of any information submitted in response to this solicitation. Florida law provides that municipal records shall at all times be open for personal inspection by any person, Section 119.01, F.S., The Public Records Law. Information and materials received by the City of Ormond Beach in connection with all Proposers' response shall be deemed to be public records subject to public inspection upon award, recommendation for award, or 30 days after bid opening, whichever occurs first. Section 119.071, F.S.

DISTRIBUTION OF BIDS AND RFP'S: The City uses the services of DemandStar (www.demandstar.com) to distribute its bids and RFP's on-line on the Internet. If you have received a copy of this RFP from any source other than DemandStar, please be aware that you may not have received the latest version of the RFP or any related addendums.

SUBMISSION OF RESPONSES: All Submittals shall be delivered in a sealed envelope. The Request for Proposals (RFP) number, title, and opening date shall be clearly displayed on the outside of the sealed envelope (and on the outside of any express shipping package). The delivery of said submittal to the Purchasing Office on or before the specified opening date and time is solely and strictly the responsibility of the Submitter. Any submittal received by the Purchasing Office after the specified date and time will not be accepted. Submittals must be presented on forms provided by the City. No other forms will be accepted. Telephone, telefax and telegraph Submittals will not be

considered. No Submittal may be modified after opening. No Submittal may be withdrawn after opening for a period of ninety (90) days unless otherwise specified.

EXECUTION OF SUBMITTAL: Submittals must contain a manual signature of authorized representative in the space(s) provided. Submittals must be typed or printed in ink. Use of erasable ink is not permitted. All corrections made by Submitter to any Submittal entry must be initialed. The company name and Federal Employer Identification Number (F.E.I.N.) number shall appear in the space(s) provided.

RFP OPENING: Submittals shall be opened and the name of the submitters shall be read publicly. No discussion of the Submittals will occur at this time.

SUBMITTAL TABULATION: Any submitter wishing to receive a copy of the tabulation is required to enclose a stamped, self-addressed envelope with their Submittal response.

CLARIFICATION/CORRECTION OF RFP ENTRY: The City of Ormond Beach reserves the right to allow for the clarification of questionable entries and for the correction of obvious mistakes.

INTERPRETATION: Any questions concerning conditions and specifications shall be directed to the Purchasing Coordinator. Those interpretations which may affect the eventual outcome of this Submittal will be furnished in writing to all prospective Submitters. No interpretation shall be considered binding unless provided in writing by the City of Ormond Beach.

MINORITY POLICIES: The City of Ormond Beach, Florida, encourages the full participation of Disadvantaged and Women Business Enterprises (D&WBE) in the provision of goods and services.

LICENSES AND PERMITS: The Vendor/Contractor is responsible for obtaining all necessary permits and licenses to comply with all Federal, State, local laws, rules and regulations required to perform work in accordance with the specifications.

ADDITIONAL TERMS AND CONDITIONS: The City of Ormond Beach reserves the right to reject Submittals containing any additional terms or conditions not specifically requested in the original conditions and specifications.

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

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 Submittal and the monies which may become due hereunder are not assignable except with the prior written approval of the City Manager or City Commissioner, whichever authorized the purchase or Agreement.

LIABILITY: The Contractor shall hold and save the City of Ormond Beach, its officers, agents, and employees harmless against claims by third parties resulting from the Contractor'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 Contractor, 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 Contractor uses any design, device, or materials covered by letters, patent or copyright, it is mutually agreed and understood without exception that the Submittal prices shall include all royalties or cost arising from the use of such design, device, or materials in any way involved in the work.

NON-APPROPRIATION OF FUNDS: In the event sufficient budget funds are not available for a new fiscal period, the CITY shall notify the VENDOR/CONTRACTOR of such occurrence and the contract shall terminate on the last day of the current fiscal period, without any penalty or expense to the CITY of any kind whatsoever.

AWARDS: The CITY reserves the right, in its sole discretion, as the best interest of the CITY may require, to make award(s) by individual item, group of items, all or none, or a combination thereof; on a geographical basis and/or with one or more vendors, contractors, consultants or specialists; or to reject any and all Submittals or waive any minor irregularity or technicality in the Submittals received.

OTHER AGENCIES: All Bidder(s) awarded contracts from this bid or proposal may, permit any municipality or other government agency to participate in the contract under the same prices, terms, and conditions, if agreed to by both parties.

It is understood that at no time will any city, municipality, or other agency be obligated for placing an order for any other city, municipality, or agency: nor will any city, municipality, or agency be obligated for any bills incurred by any other city, municipality, or agency. Further, it is understood that each agency will issue its own purchase orders to the awarded bidder(s).

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)677-0311
CITYCLERK@ORMONDBEACH.ORG**

Ref: Fla. Stat. §119.0701(2016)

THE CITY OF ORMOND BEACH RESERVES THE RIGHT TO REJECT ANY OR ALL PROPOSALS, AND TO WAIVE INFORMALITIES AS MAY BE DEEMED TO BE IN THE BEST INTEREST OF THE CITY.

TERMS AND CONDITIONS

- A. The City of Ormond Beach reserves the right without prejudice to reject any or all proposals, to request clarification of information submitted, and to request additional information of one or more proposers.
- B. The City reserves the right to award the contract to the next most qualified firm if the successful firm fails to execute a contract within two weeks after the award of the contract by the City Commission.
- C. In accordance with federal, State, and local regulations, the firm shall not discriminate under the contract against any person.
- D. The firm shall not assign or transfer any interest in the contract without prior approval of the City Commission.
- E. The City reserves the right to terminate the contract at any time due to the vendor's default under terms of agreement.
- F. Submission of a proposal indicates acceptance by the firm of the conditions contained in this Request for Proposals unless clearly and specifically noted in the proposal submitted and confirmed in the contract between the City of Ormond Beach and the firm selected.
- G. Submittals should include a copy of firm's insurance certificate, Conflict, Non-Conflict of Interest Statement/Litigation Statement, Drug Free Workplace Certificate and E-Verify Statement.

I. OBJECTIVE OF THE REQUEST FOR PROPOSALS

The City of Ormond Beach is seeking a qualified consultant to provide professional economic development consulting services. Any firm or individual with proven professional experience in guiding and developing economic development strategic plans for local units of government, with emphasis on developing consensus for a strategic economic plan, and having interest in providing these services to the City of Ormond Beach, is invited to submit a Letter of Interest and Proposal.

II. SCOPE OF SERVICES

The City economic development program is guided by a strategic plan. The mission of the plan is to influence the existing and future landscape of Ormond Beach by being

proactive in business retention, expansion and attraction, and development of commercial corridors and CRA District. The strategic plan identifies goals, objectives and implementation strategies that are attainable based on realistic economic development assumptions and resources. The plan acts as a policy document that City officials, local businesses, investors and residents will view as a tool in shaping the community's future financial viability.

The City of Ormond Beach Economic Development Department seeks a consultant qualified in professional economic development strategic planning services. The scope of service is to prepare a locally based economic development strategy with a three-year implementation plan with policies, projects and programs. The plan generally seeks to diversify the economic base, leverage existing assets to improve the economic prosperity of the community and include a resiliency and recovery component. Qualified firms are encouraged to leverage their expertise and innovation to work with the City Economic Development Department on the strategic plan taking into consideration the following components:

1. Evaluate progress made on the previous plan's goals, objectives, action steps, and fiscal cost/benefit analysis of the Growth Assistance Program economic development incentive program (documentation to be provided by the Department of Economic Development).
2. Compile and present the most current demographic, economic, and employment data and provide report on economic trends, projected areas of growth and the regional context to create strategies for the creation and retention of a variety of employment opportunities in Ormond Beach.
3. Identify strategies for business retention, expansion and attraction including an updated assessment of target industries.
4. Identify strategies to continue support and growth of local entrepreneurs and small business development.
5. Formulate development and redevelopment strategies to expand the city's tax base through market segmentation, trends and outlook of the City's retail/commercial, hospitality and office sectors along key commercial corridors and CRA District.
6. Prepare a resiliency and recovery strategy following best practices and guidance by the International Economic Development Council.
7. Develop strategies, steps and tools for actionable implementation of the economic development plan.
8. Facilitation of a workshop or focus groups with the business community at a location in Ormond Beach.
9. The Consultant shall attend a meeting of the City Commission to present the findings of the final plan (date to be determined).

Recent studies and other necessary material to assist in the development of the strategic plan will be made available to the Consultant.

III. TERM OF AGREEMENT

The consultant shall complete the strategic plan within 120-160 days of being selected by the City. The consultant will coordinate with the City Economic Development Director the formulation of the workshop presentation and other written material. Upon approval of the draft plan by the City's Director of Economic Development, the final draft Plan shall

be completed within 3 weeks. The Consultant is responsible for providing a digital copy and 24-bound hard copies of the final report once approved by the City Commission. All reports and schedules shall be followed by the consultants in as mutually agreed to by the Consultant and City Economic Development Director. The Consultant shall use software authorized by the City for development of the final report, tables, graphs and maps.

IV. MINIMUM QUALIFICATIONS

To be considered by the City, proposing firm must:

Any firm or individual with proven professional experience in guiding and developing economic development strategic plans for local units of government, with emphasis on developing consensus for a strategic economic plan, and having interest in providing these services to the City of Ormond Beach, is invited to submit a Letter of Interest and Proposal.

V. PROPOSAL PROCESS

The firm or individual(s) interested in this contract should include a response to each of the following items in their written proposal:

Section 1	
Introduction	1. One (1) original letter of interest
	2. Request for Proposal form, completed.
Section 2	
Company Background	1. Philosophy and general project approach of the firm or individual.
	2. Proposed organizational chart. Include sub consultants, if appropriate.
Section 3	
Key Personnel Introduction	1. Detailed resumes of key person(s) to be assigned to the project, including but not limited to:
	a. Name and title
	b. Job assignments for other projects
	c. Percentage of time to be assigned to this project
	d. Current and projected workload of key individuals
	e. How many years with this firm
	f. How many years with other firms
	g. Experience (type of projects, size of projects, specific project involvement)
	h. Education and active registration(s)

	i. Other experience/qualifications that is relevant to this project.
Section 4	
Past Performance Experience	1. The proposer should have proven professional experience in similar work experience in preparation of Economic Development Strategic Plans, particularly in communities in Volusia County and/or the State of Florida. No less than three (3) studies are to be detailed identifying specific measures taken to accomplish each of the 6 tasks identified (if applicable), and identifying specific deliverables and measures taken to implement the plan recommendations.
Past Performance Experience	2. For each of the three (3) projects demonstrating past performance experience, please provide the following details:
	a. Name and location of the completed study, the year of commencement and of completion of the study, and the name and telephone number for the government's contract manager for the study.
	b. The names of your firm's staff which were directly responsible for the Parks and Recreation Study, specifically, those working directly with the local government representatives.
	c. The names and telephone numbers of the persons representing the individual agencies which the identified key staff worked with to complete the study.
	d. Specify the number of days from commencement of the engagement to the date the final study was accepted by the government. State the calendar date of the final report.
	e. The name and telephone number of the contracting agency and local government official responsible for oversight of the Parks and Recreation Master Plan Study.

Section 5	
References	1. List five (5) references that can comment on your firm's ability to complete an Economic Development Strategic Plan Study. The references shall be contacted as part of the committee's decision-making process. Include
	a. Name and address
	b. Telephone number
	c. Fax number
	d. E-mail address

Section 6	
Project Approach	1. Specify the firms approach to the proposed RFP.
	2. Include a proposed project timeline
	3. Current and projected workload of the company

Section 7	
Required Forms	1. Conflict, Non-Conflict of Interest Statement and Litigation Statement
	2. Drug Free Workplace Certificate
	3. Fee Proposal Form. Include fee rate for staff for additional services if requested by City Staff.
	4. Addendum Acknowledgment.

VI. PROPOSAL SUBMITTAL

Please check the contents of your RFP package carefully to ensure that you have in your possession all the necessary documents, as referenced within this RFP, including any addenda. If you are missing any items, please contact the City's Purchasing Coordinator at 386-676-3223, or by e-mail at: rob.hart@ormondbeach.org.

Submission of a proposal pursuant to this RFP shall constitute acknowledgement and acceptance of the terms and conditions set forth herein. Portions of this RFP and the contents of the proposal submitted by the successful proposer may become contractual obligations if an Agreement is awarded. Failure of the successful proposer to accept these obligations may result in cancellation of the award of contract.

The City reserves the right to withdraw this RFP at any time without prior notice. All proposals submitted in response to this RFP become the property of the City of Ormond Beach.

Deadline for Submission: To be considered, proposals must be received no later than 2:00 p.m., February 22, 2022.

Inquiries: Technical questions may arise as firms are preparing their proposals. The City will accept written inquiries regarding this RFP until seven (7) working days prior to the RFP due date. Questions received after that time will not be responded to. Answers to questions that warrant attention of all the potential proposers will be distributed in the form of an addendum. Please direct written inquiries to:

Rob Hart
 City of Ormond Beach
 22 South Beach Street
 Ormond Beach, Florida 32174
 Telephone: (386) 676-3223
 FAX: (386) 676-3374
 rob.hart@ormondbeach.org

Signature Requirements: Proposals must be signed by a duly authorized official(s) of the proposing firm. Consortiums, joint ventures, or teams submitting proposals, although permitted and encouraged, will not be considered responsive unless it is established that all contractual responsibility rests solely with one firm or legal entity which shall not be a subsidiary or affiliate with limited resources. Each proposal shall indicate the entity responsible for execution on behalf of the proposal team.

Proposal Delivery: You must submit one (1) unbound original plus one (1) electronic copy on compact disk (CD) or flash drive of the proposal no later than the date and time specified above. Submit proposals to: Rob Hart, Purchasing Coordinator, at City Hall down stairs in Room 101, 22 South Beach Street, Ormond Beach, FL 32174. The RFP title and number shall be plainly marked on the outside of the delivery envelope or package. It is solely the responsibility of the submitter to ensure that the Proposal is delivered on or before the specified date and time. Late proposals will not be accepted.

Addenda and Supplements to the Request for Proposals (RFP): In the event that it becomes necessary to revise any part of this RFP, or if additional information is necessary to enable the proposing firm to make an adequate interpretation of the provisions of this RFP, a supplement to the RFP will be provided to each firm that has requested a copy of this document.

Rejection Rights: The City of Ormond Beach reserves the right, at any time, to modify, waive or otherwise vary the terms and conditions of this RFP including, but not limited to, the deadlines for submission and submission requirements. The City further reserves the right to reject any or all submittals, to cancel or withdraw this RFP at any time and to negotiate with any party prior to or after submittal of proposals. Selection is also dependent upon the negotiation of a mutually acceptable contract with the successful proposers.

Cost of Proposal Preparation: No reimbursement will be made by the City of Ormond Beach for any costs incurred in the preparation of the proposal or presentation.

Proposals to be in Effect: Each proposal shall state that it is valid for a period of not less than 90 days from date of receipt.

VII. EVALUATION PROCESS AND CRITERIA

The City of Ormond Beach will conduct an evaluation of all proposals, submitted by the deadline, to determine compliance with proposal requirements and mandatory document submissions. The committee will consist of the Economic Development Director, Assistant Finance Director, and Director of Planning. The committee will evaluate proposals and select the Proposer that meets the best interests of the City, and will make a recommendation of Award of Contract to the City Commission.

The City reserves the following rights:

- Modify, extend, or cancel this RFP at any time to obtain additional proposals or for any other reason the City determines to be in its best interest;
- Issue a new RFP with terms and conditions that are the same, similar or substantially different as those set forth in this or a previous RFP in order to obtain additional proposals or for any other reason the City determines to be in its best interest;
- Conduct pre-award discussion and/or pre-award negotiations with any or all responsive and responsible proposer(s) who submit proposals determined to be reasonably acceptable of being selected for award; and, conduct personal interviews or require presentations of any or all proposer(s) prior to selection.
- Request that proposer(s) furnish additional information as the City may reasonably require.
- Accept or reject qualifications or proposals in part or whole, and/or waive any defect or deficiency in any proposal, if in the City's sole judgment, the defect or deficiency is not material in response to this RFP;
- Limit and/or determine the actual contract services to be included in a contract.
- Engage outside experts to assist staff in evaluating the merits and viability of each proposer.
- Obtain information for use in evaluating submittals from any source.
- Verify the information received in the proposal. If a proposer knowingly and willfully submits false information or data, the City of Ormond Beach reserves the right to reject that proposal. If it is determined that an Agreement was awarded as a result of false statements or other data submitted in response to this RFP, the City of Ormond Beach reserves the right

The City shall be the sole judge of the proposer's qualifications.

Evaluation Criteria:

For the purposes of further evaluation, the responsive proposals will be evaluated on, but shall not be limited to, consideration of the following criteria:

Qualifications and Experience (25 points)
 Project Approach (20 points)
 Similar/Past Projects (20 points)
 References (15 points)
 Current Workload (10)
 Price (10 points)

Responsive proposals will be ranked in each of the criteria

VIII. EXHIBITS

The following exhibits are provided to assist firms with preparing proposals:

Link to the 2017-2019 Economic Development Strategic Plan:

<https://www.ormondbeach.org/924/Strategic-Economic-Development-Plan>

Link to the City Economic Development Website:

<https://www.ormondbeach.org/194/Economic-Development>

Link to Ormond Beach Marketing Material:

<https://www.ormondbeach.org/926/Ormond-Beach-Marketing-Material>

Link to Doing Business In Ormond Beach Publication:

<https://www.ormondbeach.org/918/Doing-Business-in-Ormond-Beach>

REGISTRATION AND INSURANCE REQUIREMENTS FOR VENDOR/CONTRACTOR WORKING ON CITY PROJECTS

Registration Requirements

VENDORS doing business within the City Limits must be registered with the City. Requirements for registering a business are as follows:

Copy of City Business Tax Receipt (where your business is located).

Certificate of Insurance showing General Liability and Workers' Comp (or State Workers' Comp Exemption form).

Application Fee: \$25.00 For more information, contact the City's Business Tax Receipt official.

State Certified/Registered Contractors

All registered contractors must be registered with Volusia County. Volusia County Contractor Licensing, 123 W. Indiana Ave., Rm 203, Deland, FL 32720 (386) 736-5957 Opt. 2 –(386) 248-8158 Fax. Certified Contractors have the option of registering with Volusia County, or providing information directly to the business tax receipt official.

If you have any questions regarding the above requirements, please contact the business tax receipt official at (386) 676-3370.

EXHIBIT A

Risk Management and Insurance Requirements

A. Payment and Performance Bonds

1. Except as otherwise provided herein, the Contractor shall, prior to beginning performance, deliver to the City, and the City shall record in the public records of Volusia County, Florida, the Contractor's Payment and Performance Bond in an amount equal to the full amount of the Contract.
2.
 - (a) Payment and Performance Bonds shall not be required for any contract except those which are for the construction of a public building, for the prosecution and completion of a public work (as described in Section 180.06, **Florida Statutes**, as amended from time to time) or for repairs upon a public building or public work (as described in Section 180.06, **Florida Statutes**, as amended from time to time).
 - (b) With respect to those Contracts for which Payment and Performance Bonds are otherwise required:
 - i. Unless the City Manager, or designee, determines such Bond to be necessary to protect the interests of the City, no Contractor shall be required to provide a Payment and Performance Bond for any Contract which is for \$25,000.00 or less.
 - ii. Upon the request of the contractor, good cause shown by the Contractor, and a determination that the public health, safety and welfare will be sufficiently protected, the City Commission may exempt the contractor from the requirement of providing a Payment and Performance Bond for any Contract which is for more than \$25,000.00 but is less than \$200,000.00.
3. The Payment and Performance Bond shall list the Contractor as Principal and be issued by a surety insurer authorized to do business in Florida as a surety and listed as an acceptable surety in the Federal Register.
4. The Payment and Performance Bond shall be executed pursuant to Section 255.05, **Florida Statutes**, and be in a form substantially similar to the form set forth in Section 255.05(3), **Florida Statutes**.

5. The Payment and Performance Bond shall specifically provide coverage for delay damages due to a default by the Contractor.
6. The Payment and Performance Bond shall not make the Contract part of the Bond agreement.
7. In lieu of the Payment and Performance Bond, the Contractor may file with the Finance Director of the City, in an amount equal to the full amount of the Contract, cash, a money order, a certified check, a cashier's check, an irrevocable letter of credit, or a security of a type listed in Part II, Chapter 625, **Florida Statutes**.
8. In the event the surety on any Payment and Performance Bond furnished by the Contractor is declared bankrupt or becomes insolvent, or its right to do business in the State of Florida is terminated, the Contractor shall, within five (5) working days thereafter, substitute another Payment and Performance Bond and surety acceptable to the City.
9. The Contractor is totally and solely responsible for keeping its surety informed as to the Base Contract Price as bid, significant changes in the Project Scope, and the overall progress and completion of the Project for the entire life of the Contract.
10. The payment and performance bond requirements stated herein above shall not be applicable to service-related contracts unless otherwise determined by the City Manager in order to protect the health, safety and welfare of the general public.

B. Contractual Provisions Relative to Risk Management

All contracts for any public works to be performed, and service-related contracts, for or on behalf of the City shall include at a minimum, the following, or substantially similar, provisions:

1. Hold Harmless and Indemnity

The Contractor agrees to assume liability for and indemnify, hold harmless, and defend the City, its commissioners, mayor, officers, employees, agents, and attorneys of, from, and against all liability and expense, including reasonable attorney's fees, in connection with any and all claims, demands, damages, actions, causes of action, and suits in equity of whatever kind or nature, including claims for personal injury, property damage, equitable relief, or loss of use, to the extent caused by the negligence, recklessness, or intentionally wrongful conduct of the Contractor, its agents, officers, contractors, subcontractors, employees, or anyone else employed or utilized by the Contractor in the performance of this Contract. The Contractor's liability hereunder shall include all attorney's fees and costs incurred by the City in the enforcement of this provision.

2. Payment on Behalf of City

The Contractor shall pay all costs of the City's legal defense, as may be selected by the City, for all claims described in the Hold Harmless paragraph.

Such payment on behalf of the City shall be in addition to any and all other legal remedies available to the City and shall not be considered to be the City's exclusive remedy.

3. Loss Control/Safety

Precaution shall be exercised at all times by the Contractor for the protection of all persons, including employees and property. The Contractor shall comply with all applicable laws, regulations and ordinances related to safety and health, shall make special efforts to detect hazardous conditions, and shall take prompt action when loss control/safety measures are reasonably necessary.

The City may order work to be stopped if conditions exist that present an immediate danger to persons or property. The Contractor acknowledges that such work stoppage will not shift responsibility for any damages from the Contractor to the City.

4. Service Bond

For Service-related contracts only, the City may require the Contractor to secure a service bond with a minimum \$25,000 coverage limit for the period of the service agreement. The service bond covers dishonest acts of the contractor's employees against the City. A copy of the bond shall be provided to the City when the agreement commences.

Service-related contracts include and are not limited to businesses providing janitorial, pest control, general repair, security, carpet cleaning, locksmith, temporary employment, painting, moving services or other contracts as determined in the discretion of the Risk Manager as necessary to minimize loss.

C. Contractor's Insurance

1. General

The Contractor, including service-related contractors, shall purchase and maintain for the entire life of the Project, including any and all approved time extensions, until its final acceptance by the City, such insurance as will protect the Contractor from claims under Workers' Compensation, disability benefit laws or other similar employee benefit laws; from claims for damages because of bodily injury, occupational sickness or disease, or death of Contractor's employees; from claims insured by usual or unusual injury liability coverage; from claims or injury to or destruction of tangible property and from claims insured by usual Commercial General Liability coverage. This includes loss of use resulting therefrom, any or all of which may arise out of the Contractor's operations under the Contract Documents, whether such operations be by the Contractor, by any Subcontractor, or by anyone directly or indirectly employed by any of them or for whose acts any of them may be legally liable. The Contractor's deductibles/self-insured retentions shall be disclosed to the City and may be disapproved by the City, and may be reduced or eliminated at the sole discretion of the City. The Contractor is responsible for the amount of any deductible or self-insured retention.

2. 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 and not limited to 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 coverage.)

- (b) Commercial General Liability Insurance shall be written on a coverage form as broad as Insurance Services Office (ISO) Form CG 00 01 11 85, or its successor form, including but not limited to the following coverage (any deviation shall be noted on the Certificates of Insurance):

- a. Premises, Operations, Products and Completed 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 coverage 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 and not limited to the following amounts:

Limits (not less than)

\$1 Million Each Occurrence

\$2 Million General Aggregate

\$1 Million Aggregate Products & Completed Operations

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 is required if an Automobile(s) is used in the performance of the contract.

ISO Symbol 1 (Any Auto), or alternatively a combination of Symbol 2 (Owned Autos), Symbol 8 (Hired Autos), and Symbol 9 (Non-Owned Autos), and limits shall be no less than:

\$1 Million	Combined Single Limit for Bodily Injury and Property Damage
-------------	--

- (d) Excess Liability

For contracts \$250,000 or greater an Excess Liability Policy of at least but not limited to \$1,000,000 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 not to exceed \$25,0000 per occurrence.

- (e) Builder's Risk

Contractor shall purchase Builder's Risk Insurance for any contracts that are deemed to be vertical construction on an All-Risk policy, and shall also include coverage for wind, hail, and named storm. Limits of coverage shall be at least and not limited to the value of the project.

- (f) 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 provides a retroactive date no later than the inception date of claims made coverage.

D. 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 an endorsement 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.

E. 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 carrier; 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 including products and completed operations and Automobile Liability policies of insurance and certificates thereof.

**City of Ormond Beach
Request for Proposals (RFP)
Economic Development Strategic Plan
(RFP No. 2022-08)**

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.

COMPANY NAME

AUTHORIZED SIGNATURE

NAME

TITLE

 DATE

**City of Ormond Beach
Request for Proposals (RFP)
Economic Development Strategic Plan
(RFP No. 2022-08)**

RFP RESPONSE FORM

THIS RESPONSE IS SUBMITTED TO:

Purchasing Coordinator
City of Ormond Beach
22 S. Beach Street
Ormond Beach, Florida 32174

The undersigned SUBMITTER proposes and agrees, if this Submittal is accepted, to enter into a Contract with the CITY that reflects the items of this Request for Proposal (RFP) and to provide all services, as specified or indicated in the RFP Documents, in full accordance with the terms and conditions set forth in therein.

SUBMITTER accepts all of the terms and conditions of the General Conditions. SUBMITTER will sign the Contract) and submit the Contract security (when applicable) and other documents required by the Contract Documents within ten (10) days after the date of CITY's Notice of Award.

In submitting this information, SUBMITTER represents, as more fully set forth in the Agreement, that:

SUBMITTER has examined copies of all the RFP Documents and of the following Addenda:

Addendum Date

Addendum Number

Receipt of all of which is hereby acknowledged.

This Submittal 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; SUBMITTER has not directly or indirectly induced or solicited any other Submitter to submit a false or sham Submittal; SUBMITTER has not solicited or induced any

person, firm or a corporation to refrain from bidding; and SUBMITTER has not sought by collusion to obtain for himself any advantage over any other Bidder or over the CITY.

THIS RESPONSE IS SUBMITTED BY:

COMPANY NAME: _____

VENDOR/CONTRACTOR LICENSE NUMBER: _____

ADDRESS: _____

PHONE NO.: _____ FAX NO.: _____

SUBMITTER'S NAME: _____

(Typed or Printed in Ink)

TITLE: _____

AUTHORIZED SIGNATURE: I, _____
hereby

(Original signature required in each document)

declare that I have read and fully understand the RFP Documents and, including the General Conditions and the Scope of Work, and that I am duly authorized to sign and submit this Submittal.

The CITY reserves the right to reject any and all Submittals, to waive informalities, and to accept any Submittal or parts thereof as the CITY, in its sole discretion, determines to be in the best interest of the CITY.

PROPOSER: PLEASE ENSURE THAT YOU HAVE SIGNED THE RFP RESPONSE FORM OF THIS REQUEST FOR PROPOSAL. OMISSION OF A SIGNATURE ON THAT PAGE MAY RESULT IN REJECTION OF YOUR PROPOSAL.

THIS PAGE MUST BE COMPLETED AND RETURNED WITH YOUR PROPOSAL

**City of Ormond Beach
Economic Development Strategic Plan
(RFP 2022-08)**

**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.

COMPANY NAME

AUTHORIZED SIGNATURE

SIGNER'S NAME (PRINT OR TYPE)

TITLE

DATE

THIS PAGE MUST BE COMPLETED AND RETURNED WITH YOUR PROPOSAL

**City of Ormond Beach
Request for Proposals (RFP)
Economic Development Strategic Plan
(RFP No. 2022-08)
CITY OF ORMOND BEACH, FLORIDA
DRUG-FREE WORKPLACE CERTIFICATION**

IDENTICAL OR "TIE" SUBMITTALS: 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.

Company Name

Authorized Signature

Print Name

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: Kevin Gray, Deputy Public Works Director

Date: January 18, 2022

Subject: C&D Franchise Renewal for GEL Recycling, LLC

Commission Goal: N/A

Introduction

This item is to notify the City Commission of the renewal of an existing non-exclusive franchise agreement for the collection and disposal of construction and demolition debris generated within the City of Ormond Beach to GEL Recycling, LLC.

Background

On December 10, 2021, GEL Recycling, LLC, a business located at 1200 S. Leavitt Avenue, Orange City, Florida, 32763, submitted a construction and demolition roll-off services franchise agreement renewal application, affidavit of acknowledgment of business type, and a non-refundable renewal fee of \$1,500 to the City of Ormond Beach.

GEL Recycling, LLC acknowledges the per roll-off charge of \$48.95 to be remitted by the tenth day of each month accompanied by appropriate documentation, along with the \$5,000 franchise fee to be remitted after approval of the franchise renewal.

Discussion

Attached is the construction and demolition roll-off services franchise agreement renewal application in its entirety. City staff had previously conducted reference checks and a financial ability analysis of GEL Recycling, LLC to perform construction and demolition roll-off services within the City of Ormond Beach and reported the checks had provided no information to disallow the City Commission to grant a non-exclusive franchise agreement.

GEL Recycling, LLC offers 15-, 20-, 30-, and 40-yard roll-off containers. The principal owners have an extensive background in the recycling and solid waste industry, and staff expects a high level of customer satisfaction from the company.

Budget Impact

Revenues from this non-exclusive agreement will be \$5,000 from the receipt of the franchise fee, \$1,500 from the renewal fee, and approximately \$2,500 from pull charges.

Citizen Impact

The franchising of waste haulers ensures that these businesses operate within the requirements of the City of Ormond Beach. Currently, GEL Recycling, LLC, Waste Management Inc. of Florida, Waste Pro of Florida, Creech Enterprises dba Southeast Container, Samsula Landfill, and My Dumpster Guy, LLC serve as the only roll-off haulers permitted to do business within the corporate limits of the City of Ormond Beach.

Recommendation

City staff is providing public notice of its intent to renew the non-exclusive franchise agreement with GEL Recycling, LLC for the period from January 18, 2022, to January 18, 2023, unless otherwise instructed by the City Commission.

Attachments:

- 2021 Renewal Application from GEL (PDF)

REVIEWED BY:


Kelly McGuire, Finance Director 12/20/2021


Claire Whitley, Assistant City Manager 1/5/2022

APPROVED BY:


Joyce A. Shanahan, City Manager 1/11/2022

City of Ormond Beach
Public Works Department
Construction & Demolition Roll Off Services Franchise Application

Check one

☐ New ☒ Renewal ☐ Transfer ☐ Modification

Applicant Information:

Name: GEL Recycling LLC
 Address: 1200 S Leavitt Ave
 City/State/Zip Code: Orange City, FL 32763
 Phone Number: (386) 775-5385
 Contact Name: Kendi Winfrey

To the applicant: The following information checklist is provided to assist you in preparing your application for a non-exclusive franchise to provide containers for construction and demolition debris collection and disposal services to properties located in the City of Ormond Beach. Please provide the required information identified in this checklist as an attachment to the franchise application.

Franchise Application Requirements
And Requirement Checklist

- ☒ 1. Name(s) and business address(es) of principal officers and stockholders and other persons having financial or controlling interest in any partnership or corporation;
- ☐ 2. Name(s) and business address(es) of local managing officers of any publicly owned corporation having more than 25 shareholders;
- ☒ 3. Proof that corporation is in good standing in the State, and if not a Florida corporation, proof that applicant is qualified to do business in the State of Florida;
- ☐ 4. If applicant is other than a corporation, and is operating under a fictitious name, applicant shall be required to submit information that such fictitious name is registered and held by applicant;
- ☒ 5. List of type, number and complete description of all equipment to be used by applicant for providing safe and efficient services;
- ☒ 6. Description or listing of the applicant's and its related entity's experience in the collection of construction and demolition debris;
- ☒ 7. List of all franchises awarded to the applicant and the status of those franchises;

City of Ormond Beach
Public Works Department
Construction & Demolition Roll Off Services Franchise Application

- ☐ 8. List of all franchises applied for which were not granted during the previous five year period;
- ☒ 9. Written response to selection criteria as follows:
1. The public need for the proposed franchise or franchise transfer.
 2. The financial ability of the applicant to perform
 3. Such other matters or information regarding the applicant or proposed franchise that the City Commission may determine relevant in its legislative discretion;
- ☒ 10. Applicant shall maintain in full force and effect the insurance coverages required by Exhibit "A" of City of Ormond Beach Resolution No. 98-132 and any subsequent amendments thereto. Commercial General Liability coverage shall be \$1 million each occurrence, \$1 million aggregate products and completed operations and \$50,000 fire damage (any one fire).
- ☐ 11. An applicant for an initial franchise, or a material modification of an existing franchise, or a transfer of a franchise shall file the original and ten (10) copies of the application with the city clerk, or his or her designee. Any transfer of more than twenty-five (25) per cent of the ownership of the franchisee shall be deemed to be a "transfer of a franchise."
- ☒ 12. Contemporaneously with the filing of an application for an initial franchise, the applicant shall remit to the city a nonrefundable application fee in the amount of two thousand five hundred dollars (\$2,500.00); and contemporaneously with the filing of an application for a material modification of an existing franchise, or a transfer of a franchise, the applicant shall remit to the city, unless otherwise prohibited by law or waived by the city, a nonrefundable application fee in the amount of one thousand five hundred dollars (\$1,500.00). "Material modification" shall mean a change in any term or condition that substantially or materially affects any right or obligation of the franchisee or city under a franchise.
- ☐ 13. Within ten (10) business days after the filing of an application, the applicant shall furnish a complete copy of the application to all other collectors of construction and demolition debris that have franchises in the city. The copy shall be furnished by personal delivery or sent by certified mail, return receipt requested, to the principal business office of such other collectors of construction and demolition debris.

Definitions:

1. **Applicant:** a person or corporation applying to the City of Ormond Beach for a non-exclusive franchise to provide construction and demolition roll-off containers and/or collect construction and demolition debris within the City for hire, remuneration or other consideration.
2. **Franchisee:** person or corporation to whom the City has issued a non exclusive franchise to provide roll-off containers for construction and demolition services and/or to provide construction and demolition debris collection and disposal services to properties in the City.

City of Ormond Beach
Public Works Department
Construction & Demolition Roll Off Services Franchise Application

Applicant agrees to comply with all applicable provisions of the City of Ormond Beach, Florida Code of Ordinances Chapter 10, Article IV, as may be amended.

Milton E. Evans Jr
 Applicant name (Print or Type)

Milton E Evans Jr
 Applicant signature

11/29/2021
 Application submission date

Dennis Bep 12/10/21
 Application received by date

Dennis Bep 12/10/21
 Application fee received by check number check date

[Signature] 12/16/2021
 Approved City Manager/designee signature date

**City of Ormond Beach
Public Works Department
Construction & Demolition Roll Off Services Franchise Application**

**Affidavit
ACKNOWLEDGMENT OF BUSINESS TYPE**

The below named person, as applicant or legal representative for applicant, does hereby certify that all required information has been attached to the application and becomes a part thereof.

Applicant or applicant's legal representative agrees that applicant will comply with all provisions of the City of Ormond Beach Code of Ordinances, the laws, rules, ordinances and regulations of Volusia County, the State of Florida and the United States of America.

BUSINESS ADDRESS OF APPLICANT:

Address: 1200 S Leavitt Ave
City: Orange City State: FL Zip: 32763
Telephone No. (386) 775-5385 Fax No. (386) 775-0355
Federal ID. No. 59-3540038

SIGNATURE OF APPLICANT

if an individual: _____, doing business
Signature

as _____

If a Partnership: _____ by: _____
General Partner Signature

If a Corporation: GEL Recycling LLC
Corporate Name

(a _____ Corporation)

by: Milton E Evans Jr
Signature

Title: _____

Attest: _____ (SEAL)
Corporate Secretary



NOTARY PUBLIC: _____

STATE OF: Florida COUNTY OF: Volusia
The foregoing instrument was acknowledged before me this day of 2005, by Milton Evans Jr who is
(are) personally known to me or who has produced as identification and who did (did not) take an oath.

NOTARY PUBLIC SIGNATURE: Emily Hamel

NOTARY NAME, PRINTED, TYPED OR STAMPED: Emily Hamel

Commission Number: GG356534 My Commission Expires: 7/18/23

Construction & Demolition Roll-off Services Non-Exclusive Franchise Application Page 4 of 4

2021 FLORIDA LIMITED LIABILITY COMPANY ANNUAL REPORT

DOCUMENT# L19000028590

Entity Name: GEL RECYCLING, LLC**Current Principal Place of Business:**1200 S. LEAVITT AVE
ORANGE CITY, FL 32763**FILED**
Jan 21, 2021
Secretary of State
8074841757CC**Current Mailing Address:**1200 S. LEAVITT AVE
ORANGE CITY, FL 32763 US**FEI Number:** 59-3540038**Certificate of Status Desired:** Yes**Name and Address of Current Registered Agent:**B&C CORPORATE SERVICES OF CENTRAL FL INC
390 N. ORANGE AVE., STE 1400
ORLANDO, FL 32801 US*The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.***SIGNATURE:**

Electronic Signature of Registered Agent

Date

Authorized Person(s) Detail :

Title	MGR
Name	EVANS, MILTON E JR.
Address	1200 S. LEAVITT AVE
City-State-Zip:	ORANGE CITY FL 32763

*I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 605, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.***SIGNATURE:** MILTON E EVANS JR**PRESIDENT****01/21/2021**

Electronic Signature of Signing Authorized Person(s) Detail

Date



GEL Recycling, INC.

1200 S. LEAVITT AVENUE
ORANGE CITY, FLORIDA 32763
386-775-5385
FAX 386-775-0355

November 29, 2021

To: City of Ormond Beach

The equipment being used to haul materials in the City of Lake Mary are:

Truck number GR02, GR18 and GR28

Sincerely,

Kandi Winfrey
GEL Recycling

2021 / 2022

Volusia County Business Tax Receipt

Issued pursuant to F.S. 205 and Volusia County Code of Ordinances Chapter 114-1 by:
Volusia County Treasury and Billing - 125 W New York Ave, Room 120, Deland, FL 32720 - (386) 943-7085



Account #: 200310100005

Expires: September 30, 2022

Business Location: 1200 S LEAVITT AVE

Business Name: GEL RECYCLING, LLC

Owner Name: GEL RECYCLING LLC

Mailing Address 1200 S LEAVITT AVE
ORANGE CITY, FL 32763

BUSINESS TYPE	REQ DOC #	CODE	COUNT	TAX
Business Service		471	3	\$22.00

- This receipt indicates payment of a tax, which is levied for the privilege of doing the type(s) of business listed above within Volusia County. This receipt is non-regulatory in nature and is not meant to be a certification of the holder's ability to perform the service for which he is registered. This receipt also does not indicate that the business is legal or that it is in compliance with State or local laws and regulations.
- The business must meet all County and/or Municipality planning and zoning requirements or this Business Tax Receipt may be revoked and all taxes paid would be forfeited.
- The information contained on this Business Tax Receipt must be kept up to date. Contact the Volusia County Treasury and Billing for instructions on making changes to your account.

**THIS PORTION OF THE BUSINESS TAX RECEIPT MUST BE
POSTED CONSPICUOUSLY IN YOUR PLACE OF BUSINESS**

Volusia County Business Tax Receipt

Treasury and Billing - 125 W New York Ave, Room 120, Deland, FL 32720 - (386) 943-7085

DATE PAID: 07/23/2021

RECEIPT #: 442294

TOTAL TAX: \$22.00

PENALTY: \$0.00

TOTAL PAID: \$22.00

Business Name: GEL RECYCLING, LLC

Owner Name: GEL RECYCLING LLC

Mailing Address 1200 S LEAVITT AVE
ORANGE CITY, FL 32763

Account #: 200310100005

Expires: September 30, 2022

Business Location: 1200 S LEAVITT AVE

PLEASE DETATCH THIS PORTION OF THE BUSINESS TAX RECEIPT FOR YOUR RECORDS.



GELCORP-02

7.J.a
GANDULLAA

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
10/27/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Insurance Office of America, Inc. 1855 West State Road 434 Longwood, FL 32750	CONTACT Arlene Gandulla		
	PHONE (A/C, No, Ext): (407) 998-5575 15575	FAX (A/C, No): (321) 214-6452	
	E-MAIL ADDRESS: Arlene.Gandulla@ioausa.com		
INSURED Gel Recycling, LLC 1200 S. Leavitt Avenue Orange City, FL 32763	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A : Everest Indemnity Insurance Company		10851
	INSURER B : National Interstate Insurance Company		32620
	INSURER C : Zenith Insurance Company		13269
	INSURER D : Tokio Marine America Insurance Company		10945
	INSURER E :		
INSURER F :			

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☒ PRO-JECT ☐ LOC OTHER:			EF4ML01718191	11/3/2019	11/3/2020	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
B	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY ☒ PIP \$10,000			CAW021016703	11/3/2019	11/3/2020	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ Trailer Interch \$ 25,000
A	☐ UMBRELLA LIAB ☒ OCCUR ☒ EXCESS LIAB ☐ CLAIMS-MADE DED ☒ RETENTION \$ 10,000			EF4CU00137191	11/3/2019	11/3/2020	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ Aggregate \$ 4,000,000
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) ☐ Y ☒ N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	M1155106	11/3/2019	11/3/2020	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
D	Equipment Floater			IM500007003	11/3/2019	11/3/2020	Leased/Rented Equip 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

CANCELLATION

City of Ormand Beach
Public Works Department
City Hall 22 South Beach Street
Ormond Beach, FL 32174

AUTHORIZED REPRESENTATIVE

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.



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: Alex Schumann, City Engineer

Date: January 18, 2022

Subject: Bid Rejection for Stormwater Flap Gates Project, Bid No. 2022-02

Commission Goal: N/A

Introduction

This is a disposition item to inform the City Commission of staff's intent to reject bids received for the Stormwater Flap Gates Project, Bid Number 2022-02.

Background

Following Hurricane Irma in 2017, the City submitted a grant request to the Federal Emergency Management Agency (FEMA) through their Hazard Mitigation Grant Program (HMGP). The grant was awarded for the installation of flap gates/one-way check valves on 36 of the City's outfalls that are most prone to flood damage.

On October 19, 2021, staff informed the City Commission of their intent to solicit bids for the Stormwater Flap Gates Project. On November 23, 2021, one bid was received and opened. The bid was for \$1,096,433 from Carr & Collier, Inc.

Discussion

The cost estimate for this project was generated in 2018 as part of a FEMA HMGP for Hurricane Irma. The initial proposal was for installation of flap gates on all 108 City maintained outfalls. As the project progressed through the application review process, the scope was reduced to 36 outfalls in the areas with the highest damage in order to meet the HMGP Benefit Cost Analysis (BCA).

The Grant application was submitted with a project cost of \$367,500, resulting in a FEMA reimbursement of \$275,625 and the City's 25% match of \$91,875. When bids were opened, staff contacted the HMGP Grant administrators at Florida Division of Emergency Management, who indicated that there are no additional funds available for this project. The City's cost for this project has increased to \$820,808.

Budget Impact

Staff will continue to explore other alternative funding methods for this project in order to make this project more cost effective; including the identification of those flap gates providing the greatest benefit for additional flood control.

Citizen Impact

The outfalls identified will still function as originally designed and function normally during most storm events. In extreme storms or exceptional high tides, the storm pipes may back up into the streets.

Recommendation

Unless otherwise directed by the City Commission, staff intends to reject all bids received for the Stormwater Flap Gates Project, Bid Number 2022-02.

Attachments:

- Bid No. 2022-02 Tabulation (PDF)

REVIEWED BY:


 Kelly McGuire, Finance Director 1/6/2022


 Claire Whitley, Assistant City Manager 1/7/2022

APPROVED BY:


 Joyce A. Shanahan, City Manager 1/11/2022



BID OPENING TABULATION

Project: Stormwater Flap Gates
Bid Number: 2022-02
Date & Time: Novemeber 23, 2021 2:00pm

Contractor	Addendum 1	Bid Bond	Total Bid
Carr & Collier Inc	x	x	\$1,096,433.00

Please Note: The bid proposals are currently being reviewed. All submittals accepted by the City of Ormond Beach are subject to the City's terms and conditions and any and all additional terms and conditions submitted by the bidders are rejected and shall have no force and effect. Bid documents from the bidders listed herein are the only submittals received timely as of the above opening date and time. All other bid documents submitted in response to this solicitation, if any, are hereby rejected as late.

A blue ink signature of Robert Hart, the Purchasing Coordinator.

Tabulated by: Robert Hart
Purchasing Coordinator

A blue ink signature of Alex Schumann, the City Engineer.

Opened by: Alex Schumann
City Engineer



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: Joyce A. Shanahan, City Manager

Date: January 18, 2022

Subject: City Manager Status Report, January 2022

Commission Goal: Governance - Other

Introduction

This item provides the City Commission monthly information regarding City activities.

Background

In order to keep the City Commission informed on a variety of issues in a comprehensive and timely manner, staff provides this report regarding the status of citywide activities. The purpose of the report is to highlight general information in the various areas of business such as financial, economic development, capital projects, planning and building activities.

Discussion

Reports

Please see the following reports attached to this memo:

1. Building Permit Activity December 2021
2. Capital Improvements Program (CIP) Status Report December 2021
3. Planning Memorandum January 4, 2022
4. Development Activity Report December 2021
5. Financial Status Report November 2021
6. Economic Development Report December 2021
7. First Step Shelter Monthly Update November 2021

8. Commission Workshop Schedule 2022

Updates

1. CIP Projects

MacDonald House

- Work is complete.

U.S. 1 Water Main and Force Main Improvements

- The work on North US1 is complete. The Holly Hill Interconnect improvements are being tested to ensure functionality.

WRF Chlorine Contact Chamber Improvements

- The chlorine contact chamber is back on-line and functioning. The project remains on schedule.

Traffic Calming

- Speed tables have been installed on Dix Avenue and Neptune Avenue.
- Staff is scheduling neighborhood meetings for traffic calming installation on Highland Avenue, Melrose Avenue and Riverside Drive (Fluhart to Rockefeller).

Riviera Pedestrian Improvements

- Building permit has been issued, with the work scheduled to begin by the end of January and be complete in approximately 6 weeks.

Announcements

Proposed Workshops Schedule

All dates and topics are tentative and subject to change. Some items might be presented as discussion items on the regular Commission agenda.

<u>Date</u>	<u>Topic</u>
January 4, 2022	Shade Meeting - Collective Bargaining Discussion
January 18, 2022	Parks & Recreation Master Plan Update - Final Draft

FUTURE WORKSHOPS:

February 15, 2022	Cassen Park (date change)
March 22, 2022	Parks & Recreation Master Plan Update - Final Draft (date change)
April 5, 2022	Impact Fee Study (new request)
May 17, 2022	Reclaimed Water (new request)

June 7, 2022 Capital Improvements Program and Draft Budget
July 19, 2022 Draft Operating Budget

Recommendation

This report is for informational purposes and acceptance is recommended. Any additional information or clarification will be provided upon request, and staff will plan to proceed as directed.

Attachments:

- Building Permit Activity December 2021 (PDF)
- Capital Improvements Program (CIP) Status Report December 2021 (PDF)
- Planning Memorandum January 4, 2022 (PDF)
- Development Activity Report December 2021 (PDF)
- Financial Status Report November 2021 (PDF)
- Economic Development Report December 2021 (PDF)
- First Step Shelter Monthly Update November 2021 (PDF)
- Commission Workshop Schedule 2022 (PDF)

REVIEWED BY:



Claire Whitley, Assistant City Manager 1/12/2022

APPROVED BY:



Joyce A. Shanahan, City Manager 1/12/2022

Monthly Building Permit Summary

December 1 to December 30, 2021 versus December 1 to December 30, 2020 and year to date:

Total Building Permits Issued, including	December 1 to December 30, 2021	December 1 to December 30, 2020	<u>FY2021-22</u> <u>year to date</u> <u>(12/30/21)</u>	<u>FY2020-21</u> <u>year to date</u> <u>12/30/20</u>
Business Fire Inspection	1	7	10	26
Business Tax Receipt	0	12	14	37
Commercial Alterations	1	10	20	20
Commercial Buildings	3	3	3	3
Commercial Re-roof	4	4	10	10
Demolition	1	2	5	4
Dock	3	2	4	7
Doors	23	26	75	89
Driveways	0	12	3	24
Electrical (residential & commercial)	23	18	63	63
Fire Protection Systems	3	8	9	16
Fences	2	26	18	94
Garage or Carport	3	1	8	9
Garage sale	27	36	169	124
Gas	2	2	7	11
Generator	3	6	12	15
LDC (Driveways/Fences)	46	0	115	0
Mechanical (residential & commercial)	46	63	191	201
Mobile home set-up	1	5	2	11
Multi-Family Homes	18	0	18	0
Other categories (all other permits not listed)	26	55	126	171
Plumbing (residential & commercial)	12	12	25	35
Residential Remodel/Additions	9	8	30	28
Residential re-roof	85	81	275	246
Screen room/hard roof	4	3	10	12
Screen enclosure only	7	7	14	14
Shed	0	1	3	11
Signs	8	1	21	16
Single Family Homes	19	7	30	37
Solar	8	7	23	24
Special Events	9	1	23	8
Swimming pool	12	10	22	27
Utility connection only	3	7	17	18
Windows	43	33	127	123
Total permits	455	476	1,502	1,534
Total Valuation	\$20,407,456	\$12,270,492	\$58,368,687	\$45,759,368
Total fees	\$109,163	\$56,506	\$249,588	\$192,141

CAPITAL IMPROVEMENT STATUS - as of January 1, 2022

Project	Status	Project Manager	Engineer/ Architect	Contractor	CIP Budget	Const Contract \$	Design Start	Bid Award	Const NTP	% Complete
Construction										
CDBG Fleming Playground	Long lead time materials are ordered, delivery re-scheduled for March	Cara Culliver	In-House	PlayPower LT Farmington, Inc.	\$ 129,803	\$ 128,850		8/17/21		0%
MacDonald House Restoration - Ph I	Construction is complete	George Lavatelli	Const Mgr	AM Weigel	\$ 538,573	\$ 519,184		12/1/21	1/25/21	100%
North US1 WM/FM Improvements	Project is complete	Alex Schumann	Mead Hunt	Hazen Construction	\$ 3,155,000	\$ 2,673,200		8/4/20	9/28/20	100%
Riviera Park Pedestrian Signals	Sidewalk, crosswalk and asphalt work is in process	Cara Culliver	In-House	Economy Elec & Sparks Concrete	\$ 26,000	\$ 17,850		N/A	2/3/21	74%
SONC Gym	Erosion control and site demolition has begun. Vertical construction scheduled to commence once structure is delivered in Spring.	Cole Buck	Zev Cohen	Saboungi Construction	\$ 1,100,000	\$ 1,079,880		8/4/21	1/3/22	0%
Wilmette Stormwater Pump Station	Long lead time equipment is on order with delivery and mobilization re-scheduled for January	George Lavatelli	McKim/Creed	JD Weber Construction	\$ 550,000	\$ 512,153		2/16/21	11/1/21	0%
WRF Chlorine Contact Chamber Impvmts	Coatings are complete and curing, will be back in service by end of January	Alex Schumann	Mead Hunt	SGS Contracting Svcs	\$ 760,000	\$ 707,700		5/4/21	9/27/21	40%
WTP Sludge Residuals Facility Impvmts	Project is complete	Alex Schumann	McKim/Creed	SGS Contracting Svcs	\$ 1,200,000	\$ 1,048,700		8/20/19	7/20/20	100%
Airport Taxiway B Reconstruction, Taxiway D Rehabilitation	Contracts have been executed, construction is being scheduled	Steven Lichliter	Hoyle Tanner	Halifax Paving	\$ 2,383,000	\$ 2,230,763		11/16/21		0%
Bidding										
Facility Hardening (Re-Bid)	Bid awarded at the January 4, 2022 CC Mtg, contracts are being prepared for execution	Cole Buck	DJDesign		\$ 1,000,000					
Gazebo Replacement 2 - CP II	Bid awarded at the January 4, 2022 CC Mtg, contracts are being prepared for execution	George Lavatelli	In-House		\$ 60,000					
Stormwater Flap Gates	Bids came in significantly above project budget, rejection of bids on January 18 CC Mtg agenda	Alex Schumann	McKim/Creed		\$ 367,000					
Shell Parking Lot Restoration	Bids were opened on December 21, bid award is scheduled at the January 18 CC Mtg	Mark Carrick	In-House		\$ 56,000					
2022 Storm & Sewer Lining	Project was approved for bidding at the January 4 CC Mtg	Alex Schumann	In-House		\$ 800,000					
PD Access Control Replacement	RFP approved for advertisement at the January 4 CC Mtg	Alex Schumann	In-House		\$ 268,000					
Design										

Project	Status	Project Manager	Engineer/ Architect	Contractor	CIP Budget	Const Contract \$	Design Start	Bid Award	Const NTP	% Complete	7.L.b
Airport Access Roads	Design in process	Steven Lichliter	HTA		\$ 83,000		6/20			95%	
Airport Business Park Drive Ph II	Design in process	Alex Schumann	Zev Cohen		\$ 105,000		7/20			91%	
Cassen Park Impvmts	Design in process	Alex Schumann	Mynchenberg/ Hall & Ogle		\$ 65,000		10/20			59%	
CDBG 2022 Sidewalk Improvements	Design in process	Cara Culliver	In-House		\$ 114,611		10/21			75%	
Doug Thomas Way Extension	Design in process	Alex Schumann	Upham		\$ 90,000		6/21			37%	
Downtown: Sidewalk Renovations	Project specifications are being prepared	Cara Culliver	In-House		\$ 2,000,000		11/21			5%	
WM Replacement Ph 4-Mainland	Design in process	Cole Buck	Zev Cohen		\$ 250,000		4/21			55%	
WM Replacement Ph 4-Peninsula	Design in process	George Lavatelli	McKim/Creed		\$ 250,000		4/21			58%	
WRF Upgrades	Design in process	Alex Schumann	Mead Hunt		\$ 170,000		7/21			23%	
WTP Aeration, Clearwell & Splitter Box	Design in process	Tim Heyrend	McKim/Creed		\$ 2,220,000		1/21			75%	

**CITY OF ORMOND BEACH
FLORIDA
PLANNING MEMORANDUM**

TO: City Commission
Joyce A. Shanahan, City Manager
Terri Hamsher, Executive Secretary
Randy Hayes, City Attorney
Claire Whitley, Assistant City Manager

Susan Dauderis, City Clerk
Steve Johnson, GIS
Wendy Hontz, Assistant City Clerk
Cassidi Ritz, Paralegal
Cindy Pinizzotto, Senior Paralegal

FROM: Steven Spraker, AICP, Planning Director

DATE: January 04, 2022

SUBJECT: Agendas for Upcoming Meetings

Listed below are the preliminary agenda items for upcoming meetings. This list is to help prepare you in advance to meet advertising, notice and report writing deadlines. Please let me know at your earliest convenience if there are any problems with these items.

MTG. DATE	MTG.	TO LEGAL BY:	ITEM				
01/04	CC		Resolution				
			Item	Letter	To NJ	NJ Ad run	Post
			Redistricting	NA	12/16	12/23	NA
01/05	BOAA		480 Collins Street (NE)				
01/10	Design Comm		5:30 p.m.				
01/11	BFAB		Cancelled				
01/12	LSAB		Park & Rec Master Plan - Implementation				
01/13	Planning Board		Cancelled				
1/17	OMS Board		5:30 p.m.				
01/18	CC		Resolution				
			Item	Letter	To NJ	NJ Ad run	Post
			Cupola at Oceanside Preliminary Plat	NA	NA	NA	NA
			1st reading				
			Item	Letter	To NJ	NJ Ad run	Post
			Tattersall at Tymber Creek subdivision (SSS)	1/4	1/3	1/8	NA
			Regal Center Zoning (SSS)	1/4	1/3	1/8	NA
			Regal Center PBD DO (SSS)	1/4	1/3	1/8	NA
01/19	OADB						
01/24	HLPB		Cancelled				

7.L.c

MTG. DATE	MTG.	TO LEGAL BY:	ITEM																																													
2/1	CC	1/5	<table><tr><th colspan="5">2nd reading</th></tr><tr><th>Item</th><th>Letter</th><th>To NJ</th><th>NJ Ad run</th><th>Post</th></tr><tr><td>Tattersall at Tymber Creek subdivision (SSS)</td><td>1/4</td><td>1/17</td><td>1/21</td><td>NA</td></tr><tr><td>Regal Center Zoning</td><td>1/4</td><td>1/17</td><td>1/21</td><td>NA</td></tr><tr><td>Regal Center PBD DO</td><td>1/4</td><td>1/17</td><td>1/21</td><td>NA</td></tr></table>	2 nd reading					Item	Letter	To NJ	NJ Ad run	Post	Tattersall at Tymber Creek subdivision (SSS)	1/4	1/17	1/21	NA	Regal Center Zoning	1/4	1/17	1/21	NA	Regal Center PBD DO	1/4	1/17	1/21	NA																				
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Item	Letter	To NJ	NJ Ad run	Post																																												
Tattersall at Tymber Creek subdivision (SSS)	1/4	1/17	1/21	NA																																												
Regal Center Zoning	1/4	1/17	1/21	NA																																												
Regal Center PBD DO	1/4	1/17	1/21	NA																																												
2/2	BOAA		Discussion item: Calculated waterbody setbacks																																													
2/10	PB		722 South Atlantic Avenue – land use amendment (NE/BW) Benjamin rezonings (NE)																																													
2/14	OMS Design																																															
2/15	CC		Park & Recreation Master Plan final review workshop																																													
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3/10	PB		LDC Amendment: Calculated waterbody setbacks [T] Plantation Oaks major amendment [T] Ridgehaven – Small Scale land use amendment (Comprehensive Plan)- 2 nd ISBA area [T] Ridgehaven - Small Scale land use amendment (Comprehensive Plan)- Addison Drive parcels																																													

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MTG. DATE	MTG.	TO LEGAL BY:	ITEM				
3/14	OMS Design						
3/15	CC		[T] Impact fee workshop				
3/15	CC	2/16	1 st reading				
			Item	Letter	To NJ	NJ Ad run	Post
			722 South Atlantic Avenue – land use amendment (NE/BW)	TBD	TBD	TBD	NA
			Benjamin rezonings (NE)	TBD	TBD	TBD	NA
3/21	OMS Board						
3/21	HLPB						
4/5	CC		2 nd reading				
			Item	Letter	To NJ	NJ Ad run	Post
			722 South Atlantic Avenue – land use amendment (NE/BW)	TBD	TBD	TBD	NA
			Benjamin rezonings (NE)	TBD	TBD	TBD	NA

Planning projects

		Activity in last 14 days		Item completed
#	Project		Status	Staff Contact
Studies				
1.	FDEP Resiliency Grant		Grant awarded. Present to CC for acceptance. Date undetermined.	BW
2.	Park and Rec Master Plan		Received statistically valid survey. Joint meeting with LSAB & QLAB completed. City Commission workshop on 8/17/21 completed. Vision sessions completed. Vision needs advisory board and public meeting completed on 10/6/21. Draft report for advisory board’s review scheduled for 12/8/21. No quorum for LSAB – Scheduled 1/12/2022. CC workshop to be pushed back.	CC/BW/SSS/LS
3.	Impact Fee Update		Met with impact fee consultants. Working toward a date for meeting with building community and city commission workshop.	SSS/BW
4.	Stormwater (Engineering lead)		Draft under review.	DEA/BW
5.	Former Riverbend Golf Course (Economic Development lead)		Provided comments on scope of services to Economic Development Director. Approved on 10/5/21 City Commission agenda.	ED/SSS
Downtown				
6.	Sidewalk banding		Started process to create needed plan set for re-construction and bid documents.	CC/SSS
7.	Cabinet Wraps		Need forms from CAO to schedule for Ormond Arts District Board review.	SSS/BW
8.	Cassen Park (Engineering lead -design)		Working on site redesign. City Commission workshop scheduled.	Engineering
Development projects				
9.	Tattersall at Tymber Creek (former Marshside)		Denied (1-5) by Planning Board. Tentative schedule: 01/18/22 & 02/01/22 City Commission.	SSS/SPRC
10.	Plantation Oaks, major amendment		Neighborhood held on 12/6/2021. Awaiting re-submittal.	SSS/SPRC
11.	Former Tomoka Golf course		Second pre-application neighborhood meeting held on July 15, 2021. No application to date. No pre-application meeting to date.	SSS/SPRC
12.	Courtyards at Ormond Beach		1 st SPRC review completed. Neighborhood meeting occurred on August 25, 2021. Awaiting a re-submittal.	SSS/SPRC
13.	251 South Atlantic Avenue, vacant lot		Pre-application meeting with the SPRC for a transient lodging. No submittal to date.	SSS/SPRC
14.	55 South Nova Road		Splash car wash. Under conceptual review.	RG/SSS
15.	Tymber Creek Apartments		New submittal. 300 Apartment units. Under SPRC review.	SSS
Permitting software				
16.	Tyler/Energov Upgrade		Not scheduled to start to Dec 2021/Jan 2022.	CB/LM/RG/SSS
Land Development Code amendments				

17.	Creation of I-2 zoning District along Hull Road for potential annexation of properties	On hold. No applications for annexation along Hull Road.	NE
18.	Off-Road Recreational Vehicles course	Amendment to establish accessory use standards for off road courses in the REA zoning district. Additional analysis being performed by City Attorney's Office.	SSS
19.	Waterfront setbacks	Exploring amendment to utilize viewing angles in addition to calculated average setback. Scheduled to present as a discussion item to the BOAA.	RG
Other jurisdictions			
20.	Daytona Beach western development	1. Avalon Park preliminary plat approved. 2. No submittal for Avalon Park final plat. 3. Comprehensive plan submittal for Hand Avenue parcel near Williamson – reducing infrastructure impact. 4. Meetings occurring between Avalon Park, Daytona Beach and Ormond Beach. 5. OB Life participation.	SSS
Miscellaneous			
21.	CRS 5-year Cycle Visit (2022)	Floodplain requirement.	BW
22.	State law changes	Implement changes based upon recent legislation. Property rights element scheduled for October Planning Board. Transmitted to VGMC and state agencies for review.	BW/SSS
23.	MacDonald House renaming recommendation of HLPB	Discussion item prepared. No City Commission date determined.	BW
24.	Redistricting	Workshop held. Resolution of Intent scheduled for 01/04/2022.	GIS/SSS
25.	Business Tax Receipts		RG
Plats			
26.	Ormond Gateway	Plat approved. No additional action to date.	SSS
27.	Plantation Oaks, Unit 1A	Preliminary plat approved. Project under construction.	SSS
28.	Cupola Preliminary Plat	City Commission review on 1/18/2022.	SSS/SPRC



CITY OF ORMOND BEACH COMMERCIAL AND RESIDENTIAL DEVELOPMENT REPORT

Legend

- Residential Sites
- Commercial Sites
- ▲ Utility Provider Only

RESIDENTIAL PROJECTS

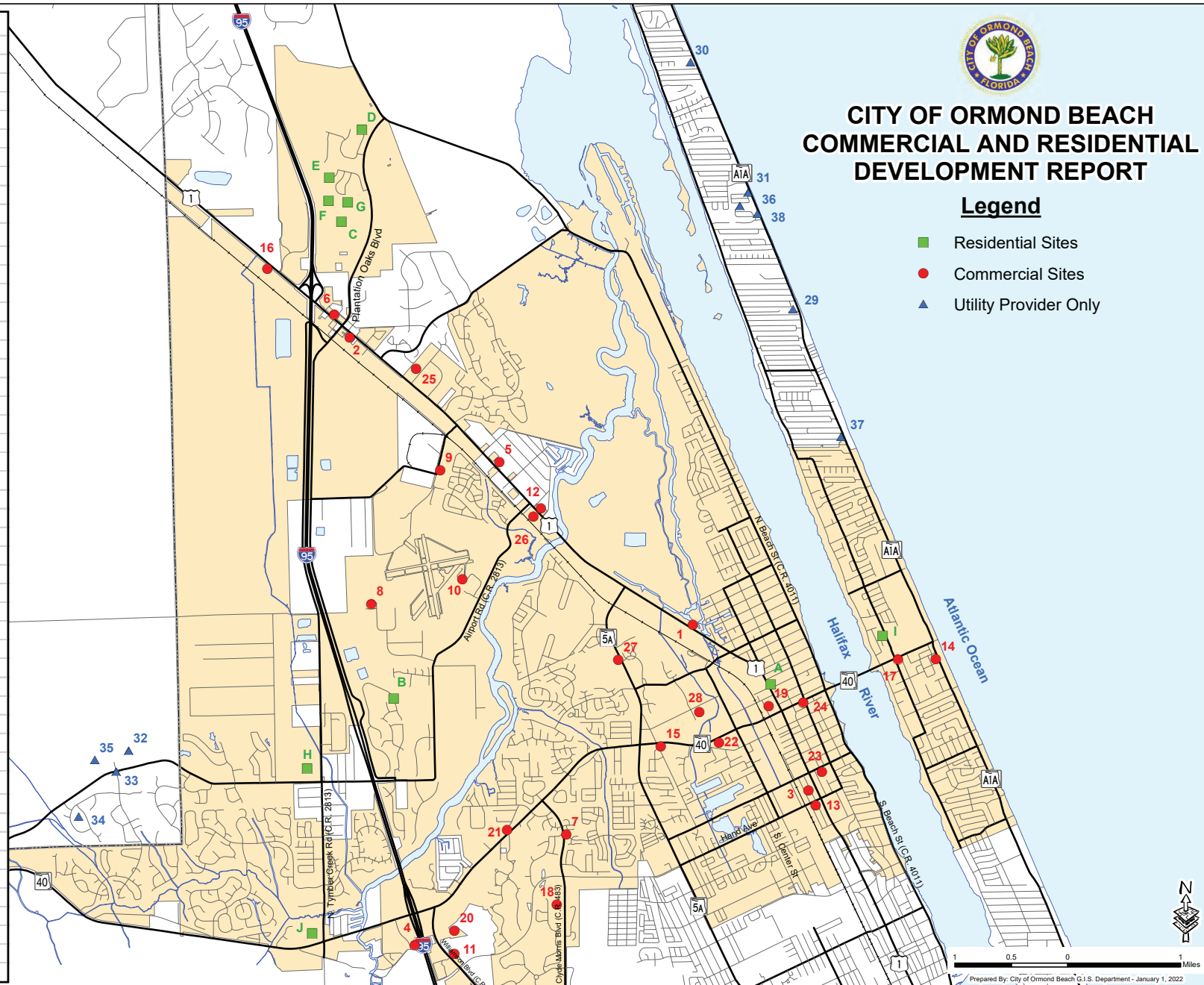
- A Courtyards at Ormond
- B Pineland Subdivision - Phase 4 & 5
- C Plantation Oaks - Major Amendment
- D Plantation Oaks - 1A
- E Plantation Oaks - 2B
- F Plantation Oaks - 2C
- G Plantation Oaks - 2D
- H Tattersall at Tymber Creek
- I The Cupola at Oceanside
- J Tymber Creek Apartments

COMMERCIAL PROJECTS

- 1 783 North US Hwy 1 - Campana
- 2 ACE Hardware
- 3 Air One
- 4 All Aboard Storage - Interchange Depot
- 5 Caldera Spas
- 6 Dunkin Donuts
- 7 Falls Guard House Modification
- 8 GPR 1
- 9 Hull Road RV and Boat Storage
- 10 KOMN Condominium Association INC
- 11 Love Whole Food Expansion
- 12 Lentz Surgical Center
- 13 McNamara Warehouse
- 14 Ocean Club Ormond Beach
- 15 Ormond Central
- 16 Ormond Gateway
- 17 Ormond Memorial Art Musuem
- 18 Paradise Point ALF
- 19 Perrott Depot
- 20 Regal Center
- 21 Revella at Ormond Beach ALF
- 22 Shoppes at Granada Pointe
- 23 SONC Gymnasium
- 24 The Pumphouse
- 25 Total Comfort
- 26 US 1 Business Park Amendment
- 27 Volusia Memorial Expansion
- 28 YMCA - Phase 3 Improvements/Amendment

ORMOND BEACH - UTILITY PROVIDER ONLY

- 29 101 Town and Country Lane
- 30 Beachview Cove
- 31 2284 Ocean Shore Boulevard
- 32 Celdine Subdivision (Flagler)
- 33 Force Main Extension (Flagler)
- 34 Huntington Forcemain Extension (Flagler)
- 35 Iris Subdivision (Flagler)
- 36 Ocean Village Townhomes
- 37 Surf Style
- 38 Verona Oceanside



1 0.5 0 1 Miles
Prepared By: City of Ormond Beach G.I.S. Department - January 1, 2022

City of Ormond Beach Commercial Development Report, as of January 1, 2022

Applications, site plans, and public hearing documents may be viewed at the Planning Department website: <http://fl-ormondbeach.civicplus.com/index.aspx?NID=247>

		Change in project status								Project nearing completion					Projects reviewed this month			Projects reviewed this month		
#	Project	Description	Application Date	1st Review	2nd Review	3rd Review	4th Review	Neighborhood meeting	Advisory Board	City Commission	Final Approval	DO Expiration	LDC Extension Expiration	Building Permit Info	Building Permit Value	Eng. Permit	Eng. Permit Constr. Value	Under Construction	CO Issued	E or Arc = Project Engineer or Architect O = Owner A = Applicant
1	783 N US HWY 1, CAMPANA 783 N US HWY 1 PZ# 2016-010	Construction of a 1,216 SF building for kayak rental & repair and associated site improvements on a 1.03 acre site.	11.06.15	11.20.15	02.03.16	03.11.16	05.20.16	Not applicable	Not applicable	Not applicable	05.24.16	Under Constr.		Issued 09.25.17	\$80,000	Issued 05.27.16	\$35,000	55%		E = Alann Engineering Group ARC/E: W.A. Cross O = Steven Campana
2	ACE HARDWARE 1480 N. U.S. Highway 1 PZ# 2021-011	Construction of a two (2) story building of approximately 16,853 SF that proposes retail activity including a garden center (defined as outdoor activity) of 2,566 SF.	11.12.20	12.07.20	02.24.21	04.01.21		Not applicable	03.11.21 Approved	04.20.21 & 05.04.21 (Approved)	05.05.21	Under Constr.		Issued 08.06.21	\$2,118,085	Issued 05.18.21	\$487,479	50%		E = Newkirk Engineering, Inc. ARC = DJ Design, Inc. O = Gross Family Properties NG, LLC
3	AIR ONE 390 Andalusia Avenue PZ# 2021-048	Construction of a 2,500 square foot storage/warehouse building on a 1.1 acre property.	04.07.21	04.28.21	06.15.21	07.07.21	08.19.21	Not applicable	Not applicable	Not applicable	09.15.21	09.15.23		Not applied	Not applied	Not applied	Not applied			E = Newkirk Engineering, Inc. O = Francis Family LLC
4	ALL ABOARD STORAGE, INTERCHANGE DEPOT 295 Interchange Boulevard PZ# 2021-072	Three storage facility of 111,825 square feet on a 2.94 acre parcel and associated site improvements	06.11.21	06.25.21	09.16.21			08.05.21	10.14.21 (Approved 7-0)	11.16.21 (Approved 5-0) & 12.07.21 (Approved 5-0)	12.08.21	12.08.23		Early review	Not applied	Not applied	Not applied			E = Newkirk Engineering, Inc. O = Southwest I-95, LLC APP = 295 Interchange LLC
5	CALDERA SPAS 1141 North U.S. Highway 1 PZ# 2022-007	Renovate existing building for new business and associated site improvements. No new building square footage.	11.16.21	11.30.21	Due 01.05.22			Not applicable	Not applicable	Not applicable										E = Newkirk Engineering, Inc. O = CMD Realty, LLC
6	DUNKIN DONUTS 1535 North U.S. Highway 1 PZ# 2019-002	Demolition of existing gas station (1,254 SF) and construction of a Dunkin Donuts coffee shop (2,013 SF) building with drive thru and associated site improvements.	11.26.18	12.11.18	04.05.19	05.09.19		Not applicable	Not applicable	Not applicable	05.22.19 revised 06.28.21	Under Constr.		Issued 02.02.20	\$300,000	Issued 07.17.19	\$71,500	45%		E = Anderson-Dixon, LLC O = Afshari 1535 LLC
7	FALLS GUARD HOUSE MODIFICATION 1 Falls Way PZ# 2021-064	Modification of the site's access to include a resident bypass lane and gated access. No new building square footage.	04.30.21	06.02.21	7.24.21			Not applicable	Not applicable	Not applicable	08.13.21	08.13.23								E = Zev Cohen & Associates O = Mhm communities
8	GPR 1 105 Runway Drive PZ# 2021-093	One story industrial building of 30,000 square feet on 3.35 acres within the Airport Business Park.	08.16.21	09.01.21	09.17.21			Not applicable	Not applicable	Not applicable	10.01.21 revision 12.02.21			Issued 10.25.21	\$2,708,400	Issued 10.27.21	\$397,019	5%		E = Newkirk Engineering, Inc. O = GPR1 LLC E = BPF Design Inc.
9	HULL ROAD RV & BOAT STORAGE 835 Hull Road PZ# 2021-006	Proposed RV & Boat storage of 20 spaces and associated site improvements on a 0.78 acre parcel.	11.18.20	12.01.20				Not applicable	Not applicable	Not applicable	04.16.21	04.16.23		Not applicable	Not applicable	Not applied	Not applied			E = Newkirk Engineering, Inc. O = BMill Inc.
10	KOMN CONDOMINIUM ASSOCIATION INC 85 Hangar Way PZ# 2021-014	Construction of two hangers. Lots 1 & 2 are 1.63 acres and a building of 15,720 SF. Lot 3 is 2.24 acres and a building of 23,520.	11.25.20	12.15.20				Not applicable	Not applicable	Not applicable	12.23.20	Under Constr.		Issued 09.01.21	\$983,443 & \$1,471,411	Issued 04.01.21	\$217,441.65	35%		E = Newkirk Engineering, Inc. APP = KOMN Condominium Association, Inc. O = City of Ormond Beach
11	LOVE WHOLE FOOD EXPANSION 275 Williamson Boulevard PZ# 2021-096	Addition of a 4,765 square foot building at the existing Love Whole property and associated site improvements.	10.06.21	10.24.21				Not applicable	Not applicable	Not applicable										E = Zev Cohen & Associates, Inc. O = Love Whole Foods
12	LENTZ SURGICAL CENTER 1031 North U.S. Highway 1 PZ# 2022-012	Construction of a 10,557 square foot building and associated site improvements on 1.06 acres.	12.21.21	DUE 01.04.22				Required	Not applicable	Not applicable										E = Newkirk Engineering, Inc. O = Bluewater Properties, LLC ARC = Larry Robinson, P.A.
13	McNAMARA WAREHOUSE 460 Andalusia Avenue PZ# 2021-030	Construction of an 840 square foot warehouse and associated site improvements on a 0.10 acre property.	01.12.21	01.28.21	03.16.21			Not applicable	Not applicable	Not applicable	04.27.21	04.27.23		Issued 09.01.21	\$66,177	Issued	\$2,000	0%		E = Parker Mynchenberg & Associates, Inc. O =McNamara Construction
14	OCEAN CLUB ORMOND BEACH 88 South Atlantic Avenue PZ# 2019-026	Demolition of existing building (10,866 SF) and construction of a new retail shop (8,596 SF)and related site improvements.	01.15.19	01.31.19	06.06.19	06.03.21		06.19.19	07.11.19	08.20.19 & 11.05.19 - Approved	08.08.21	08.08.23		Not applied	Not applied	Not applied	Not applied			E = The Performance Group O = 88 South Atlantic, LLC

* Highlighted projects indicate change in status (such as SPRC approval, CC approval, building permits issued, or CO issued).

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15	ORMOND CENTRAL 1 South Old Kings Road PZ# 2015-072	Proposed 4 unit, 8.72 acre commercial development. Project proposes site improvements to develop 4 pad ready sites.	04.09.16	04.26.16	11.16.16	02.01.17	08.02.17	08.30.17	10.12.17 Recom- mended Approval	11.21.17 & 12.05.17 Approved	12.08.17	Vested with demolition		Not applied	Not applied	Not applied	Not applied			O = Ormond Central Investors, LLC E = Newkirk Engineering, Inc.		
16	ORMOND GATEWAY 1670 North U.S. Highway 1 PZ# 2020-091	Development of a three lot commercial subdivision and associated site improvements.	09.11.20	10.06.20	12.16.20	02.01.20		Not applicable	01.14.21 Approved	2.16.21 Approved	03.01.21	03.01.23		Not applied	Not applied	Not applied	Not applied			E = Zev Cohen & Associates, Inc. O = Destination Interchange, LLC		
17	ORMOND MEMORIAL ART MUSEUM 78 East Granada Boulevard PZ# 2020-008	Expansion of the existing footprint and related site improvements.	08.10.20	08.27.20	11.03.20			09.30.20	08.13.20 - Special Exception for signage	09.23.20 - Special Exception for signage	12.11.20 revision 11.22.21	Under Constr.	Issued 12.29.20	\$3,074,000	Issued 12.29.20	\$76,296	60%			E = Parker Mynchenberg & Associates, Inc. O - City of Ormond Beach ARC - BPF Design		
18	PARADISE POINT ALF 350 Clyde Morris Boulevard PZ# 2021-015	87 unit Assisted Living Facility (ALF) for 100 residents. Total SF of 73,952 on a 12.05 acre parcel.	11.20.20	12.15.20	04.27.21			02.11.21	Not applicable	Not applicable	05.24.21	05.24.23		Issued 10.05.21	\$12,463,061	Issued 06.10.21	\$1,313,449	50%		E = Mark Dowst & Associates, Inc. APP = Paradise Pointe of Ormond Beach, LLC ARC = BPF Design, Inc.		
19	PERROTT DEPOT 29 North Perrott Drive PZ #2021-029	Redevelopment of 1.86-acre site that has an existing 4,834 distribution/warehouse use to include 12,540 square feet of self-storage buildings.	01.12.21	02.02.21	03.19.21	05.24.21		02.17.21	Not applicable	Not applicable	06.08.21 Revision 11.09.21	06.08.23		Not applied	Not applied	Issued 12.03.21	\$250,000			E = Newkirk Engineering, Inc. O = Hand & Yonge, LLC ARC = BPF Design, Inc.		
20	REGAL CENTER 215 Williamson Boulevard PZ #2022-002	Modifications to an existing 12 acre parcel to relocate a wet detention pond to rear of site for a proposed 1.31 acre outparcel fronting Williamson Boulevard.	10.24.21	11.08.21	12.27.21			Not applicable	12.09.21 (Approved 6-0)	01.18.22 & 02.01.22										E = Newkirk Engineering, Inc. O = Regal Cinemas APP = 215 Williamson Investors, LLC		
21	REVELLA AT ORMOND BEACH ALF 1211 West Granada Boulevard PZ# 2021-073	150 resident Assisted Living Facility, 120,501 SF on 5.54 acres and associated site improvements	05.29.21	06.27.21	08.31.21			06.28.21	Not applicable	Not applicable	09.28.21	09.28.23		Not applied	Not applied	Approved	\$2,184,284			E = Mark Dowst & Associates, Inc. O = 1245 Blvd. Investors, LLC APP = Ormond Beach Investments, LLC		
22	SHOPPES AT GRANADA POINTE 550 West Granada Boulevard PZ# 2019-120	Construction of a 21,114 square foot building on 2.52 acres within the Granada Pointe development and associated site work.	10.17.19	11.04.19	12.02.19			Not applicable	Not applicable	Not applicable	12.14.19	12.14.21	12.14.22	Not applied	Not applied	Not applied	Not applied			E = Newkirk Engineering, Inc. O = Granada Pointe Investors, LLC ARC = BPF Design, Inc.		
23	SONC GYMNASIUM 176 Division Avenue PZ# 2021-008	Construction of a gymnasium of 7,429 SF over existing outdoor basketball court.	11.11.20	11.24.20	01.26.21			Not applicable	Not applicable	Not applicable	02.21.21	02.21.23		In Review	\$1,079,880	Approved	\$142,110			E = Zev Cohen & Associates O = City of Ormond Beach ARC = DJ Design, Inc.		
24	THE PUMPHOUSE 100 West Granada Boulevard PZ# 2018-088	Project purchased the building at 100 West Granada Boulevard and proposes the restaurant at this location with 30 seats. The existing building at 100 West Granada Blvd. would remain.	07.09.18	07.24.18	04.25.19	06.17.19	Revision 09.17.20	Not applicable	08.09.18 Approved	09.19.18 Approved	08.05.19 Revision 12.23.19	Under Constr.		Issued 10.29.19	\$147,000	Issued 11.01.19	\$215,000	90%		E = Finley Engineering Solutions, Inc O = Highlander Corporation		
25	TOTAL COMFORT 1345 North U.S. Highway 1 PZ# 2018-080	A phased development. Phase 1 is an RV and Boat facility of 150 spaces. Phase 2 is two 15,370 SF building with associated site improvements. Total site is 11.47 acres.	09.19.19	10.08.19				Not applicable	Outdoor storage 04.11.19	Outdoor Storage Approved 05.21.19	Revision 07.27.21	Under Constr.		Issued 02.01.21 &02.03.21	RV building = \$206,609 Office= \$1,608,639	Issued 07.31.19	\$1,529,684.52	75%		E = Parker Mynchenberg & Associates, Inc. App = Cameo Solutions, LLC ARC = BPF Design, Inc.		
26	US 1 BUSINESS PARK AMENDMENT 1044 North U.S. Highway 1 PZ# 2020-075	US 1 Business Park addition of warehouse and mini-warehouse. Building 1 is 7,810 SF and building 2 is 6,600 SF.	07.31.20	08.17.20	09.28.20			Not applicable	10.08.20	Approved 11.04.20 & 12.01.20	01.03.21 Revision 06.15.21	01.03.23		Issued 06.28.21	\$430,000	Issued 04.07.21	\$250,879	85%		E = Alann Engineering Group, Inc. O = Triple Three Development, Inc.		
27	VOLUSIA MEMORIAL EXPANSION 548 North Nova Road PZ# 2022-009	Expansion of the existing building by approximately 400 square feet and associated site improvements.	11.25.22	12.02.21				Not applicable	Not applicable	Not applicable	12.21.21	12.21.23		Not applied	Not applied	Not applied	Not applied			E = Newkirk Engineering, Inc. O = Volusia Memorial Funeral Home		
28	YMCA, PHASE 3 IMPROVEMENTS AMENDMENT 500 Sterhaus Drive PZ# 2021-076	Removal of after school building and updating of the playground area.	06.21.21	07.25.21				Not applicable	Not applicable	Not applicable	08.26.21	08.26.23		Not applied	Not applied	Not applied	Not applied			E = Zev Cohen and Associates, Inc. ARC = BPF Design Incorporated O = Volusia Flagler Family YMCA		

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Ormond Beach is Utility Provider Only																						
29	101 TOWN & COUNTRY LANE 101 Town & Country Lane PZ #2019-078	Utility connection for existing multi-family development.	05.07.19	06.10.19	07.07.19			Outside City	Outside City	Outside City	07.18.19	Under constr.	NA	Not applicable	Not applicable	Utilities only Issued 09.11.2019	\$126,650	40%		E = Ultra Design Consultant, Inc.		
30	BEACHVIEW COVE 2960 Oceanshore Boulevard PZ#21-045	28 lot subdivision in Volusia County. Utility connection only	08.24.21	09.06.21	10.01.21	10.29.21		Outside City	Outside City	Outside City	11.11.21	06.15.23		Not applicable	Not applicable	Not applied	Not applied			E = Alliant O = Lake Pointe Villas LLC		
31	2284 OCEAN SHORE BOULEVARD 2284 Ocean Shore Boulevard PZ-2021-045	Septic to sewer connection	03.21.21	04.05.21	05.25.21			Outside City	Outside City	Outside City	06.15.21	06.15.21		Not applicable	Not applicable	Not applied	Not applied			E = Alann Engineering Group O = Steven Sahai		
32	CELEDINE SUBDIVISION (FLAGLER) PZ# 2021-069 Flagler County	Utility connection for 99 single-family homes. Flagler County (Hunter's Ridge).	05.12.21	06.07.21	08.30.21	10.19.21		Outside City	Outside City	Outside City	11.22.21			Not applicable	Not applicable	Not applied	Not applied			E = Alann Engineering Group O = U.S. Capital Alliance, LLC		
33	FORCE MAIN EXTENSION (FLAGLER) PZ# 2021-070 Airport Road right-of-way	Force main extension in Flagler County (Hunter's Ridge DRI) along Airport Road	05.12.21	06.07.21	08.30.21			Outside City	Outside City	Outside City	08.31.21			Not applicable	Not applicable	Pending	Not applied	5%		E = Alann Engineering Group O = U.S. Capital Alliance, LLC		
34	HUNTINGTON FORCE MAIN EXTENSION Huntington subdivision PZ #-19-024(A)	Force main extension within the Huntington subdivision	08.19.19	09.10.19				Outside City	Outside City	Outside City	04.29.20	Under Constr.		Not applicable	Not applicable	Approved (21-7125) 09.27.21	\$117,025	70%		E = Zev Cohen and Associates, Inc.		
35	IRIS SUBDIVISION (FLAGLER) PZ# 2021-071 Flagler County	Utility connection for 76 single-family homes. Flagler County (Hunter's Ridge)	05.12.21	06.07.21	10.29.21			Outside City	Outside City	Outside City				Not applicable	Not applicable	Not applied	Not applied			E = Alann Engineering Group O = U.S. Capital Alliance, LLC		
36	OCEAN VILLAGE TOWNHOMES 90 Verona Vista Ct. PZ# 2020-056	19 unit townhome development on 3.75 in Volusia County.	05.21.20	06.03.20				Outside City	Outside City	Outside City	07.17.20	07.17.22	NA	Not applicable	Not applicable	Pending	\$139,028	30%		E = Alann Engineering Group, Inc. O = Cornelius Prior APP = John Wine		
37	SURF STYLE 1054 Ocean Shore Boulevard PZ# 2022-006	Volusia County project. Development of a 10,890 building. SPRC review is for the utility connection.	11.16.21	11.29.21				Outside City	Outside City	Outside City										E = Zev Cohen and Associates, Inc. O = 1054 Ocean Shores Blvd, LLC		
38	VERONA OCEANSIDE PZ #2020-011 2162 Ocean Shore Boulevard	Volusia County project. Replat of 3.50 acres into 5 single-family lots and 18 multi-family townhome lots.	12.08.19	12.27.19	06.08.20			Outside City	Outside City	Outside City	06.18.20	06.18.22	NA	Not applicable	Not applicable	Utilities only Issued 05.19.21	\$117,270	90%		O = MHK Of Volusia County E = Parker Mynchenberg & Associates		

* Highlighted projects indicate change in status (such as SPRC approval, CC approval, building permits issued, or CO issued).

City of Ormond Beach Residential Development Report, as of January 1, 2022

#	Project	Description	Application Date	1st Review	2nd Review	3rd Review	4th Review	Neighborhood meeting	Advisory Board	City Commission	Final Approval	DO Expiration	LDC Extension Expiration	Eng. Permit	Eng. Permit Constr. Value	Under construction	E or Arc = Project Engineer or Architect O = Owner A = Applicant
A	COURTYARDS AT ORMOND 135 North Yonge Street PZ# 2021-079	Construct a 3 unit, 10,889 square foot retail building and a 48 unit multi family apartment complex.	06.17.21	07.09.21				08.15.21	Required	Required							E = Parker Mynchenberg & Associates O = CST Holdings, LLC ARC = BPF Design
B	PINELAND, PHASES 4 & 5 252 Sunset Point Drive PZ# 2015-084	Construction of 78 single family lots. Plan submitted seek to revise the original subdivision construction plans.	10.07.20	10.27.20				Completed	Approved	Approved	Approved 12.04.17 Updated 12.23.20	Under Construction		Issued 10.19.2020	\$3,590,910	95%	E = Zahn Engineering O = ForeStar
C	PLANTATION OAKS, MAJOR AMENDMENT Plantation Oaks PZ# 2021-101	Modification of existing development order to modify the age restriction for phase 3, and place single-family homes on the former golf course and middle school site. Total increase of 291 residential units to 1,868 residential units.	09.24.21	10.08.21				12.06.21	Required	Required							E = Parker Mynchenberg & Associates O = Plantation Oaks of Ormond Beach, LLC
D	PLANTATION OAKS, 1A 1395 Fountain View Street PZ# 2020-029	Development of 121 lots on 100.91 acres. Preliminary plat. Single family homes.	02.06.20	03.01.20	04.09.21			Not Required	PB 05.13.21 Approved	CC 06.01.21	08.27.21			Issued 09.17.21	\$3,400,200	5%	E = Parker Mynchenberg & Associates O = Plantation Oaks of Ormond Beach, LLC
E	PLANTATION OAKS, 2B 2389 Destrenan Drive PZ# 2020-024	Development of 125 lots on 89.16 acres. Manufactured home phase.	12.14.17	01.24.18	07.17.18			Volusia County approval	Volusia County approval	Volusia County approval	09.20.18	Under construction	Under construction	Issued 03.29.2021	\$2,390,520	5%	E = Parker Mynchenberg & Associates O = Plantation Oaks of Ormond Beach, LLC
F	PLANTATION OAKS, 2C 2124 Esplanada Drive PZ# 2020-025	Development of 121 lots on 63.12 acres. Manufactured home phase.	12.14.17	2.07.18	07.17.18			Volusia County approval	Volusia County approval	Volusia County approval	09.20.18	Under construction	Under construction	Issued 09.17.21	\$3,044,572	0%	E = Parker Mynchenberg & Associates O = Plantation Oaks of Ormond Beach, LLC
G	PLANTATION OAKS, 2D 2258 Chretien Drive PZ# 2020-026	Development of 84 units on 27.32 acres. Manufactured home phase.	12.14.17	02.12.18	08.24.18			Volusia County approval	Volusia County approval	Volusia County approval	09.20.18	Under construction	Under construction	Issued 09.17.21	\$1,784,746	0%	E = Parker Mynchenberg & Associates O = Plantation Oaks of Ormond Beach, LLC
H	TATTERSALL AT TYMBER CREEK Airport Road & Tymber Creek PZ# 2021-067	Construction of a 143 lot single family subdivision on 84.14 acres and associated site improvements.	05.13.21	06.15.21	10.15.21	11.09.21		10.21.21	Denied (5-1) 12.09.21	01.18.22 & 02.02.22							E = Zev Cohen and Associates O = Tymber Sky and Enclave of Tymber Creek LLC APP = Paytas Homes
I	THE CUPOLA AT OCEANSIDE 100 North Halifax Drive PZ# 2021-068	12 two story townhomes - previously Halifax 100- and associated site improvements.	05.17.21	06.22.21				Completed	Approved	Approved	08.25.21	Under construction		Issued 09.03.21	\$548,099	10%	E - Newkirk Engineering O = Halifax 100 LLC APP = Halifax Enterprises LLC
I	THE CUPOLA AT OCEANSIDE PRE. PLAT 100 North Halifax Drive PZ# 2022-004	Preliminary Plat for 12 townhomes.	11.01.21	11.16.21	12.23.21			Completed	Approved (6-0) 12.09.21	01.18.22							E - Newkirk Engineering O = Halifax 100 LLC APP = Halifax Enterprises LLC
J	TYMBER CREEK APARTMENTS 2011 West Granada Boulevard PZ#2022-008	300 multi-family units and associated site improvements on a vacant 19.62 acre parcel.	12.07.21	12.27.21				Required	Required	Required							E - Newkirk Engineering O = VCP Ormond Beach, LLC ARC = English Associates, Inc.

* Highlighted projects indicate change in status (such as SPRC approval, CC approval, building permits issued, or CO issued).

Planning public hearing items

City Commission items					
File Number	Item	Description	Planning Board	City Commission	City Commission
NA	Redistricting	This is a request for a Resolution of Intent for the redistricting of City Commission boundaries, as required by the Charter of the City of Ormond Beach based upon the 2020 U.S. Census for Ormond Beach. If approved, the resolution would be advertised for the adoption of the redistricting ordinance scheduled for February 15, 2022 (1st reading) and March 1, 2022 (2nd reading).	NA	01.04.2022	Ordinance 02.15.2022 and 03.01.2022
2021-067	Tattersall at Tymber Creek, Issuance of a Development Order	This is a request for a Planned Residential Development (PRD) amendment for the issuance of a development order for the Tattersall at Tymber Creek Planned Residential Development, submitted by Trey Paytas, Manager, Paylin Tymber 1 and 2, LLC with the authorization of the property owner Tymber Sky, LLC & Enclave of Timber Creek, LLC. The Planned Residential Development development order seeks to allow 143 single-family lots on approximately 84.14 acres and associated subdivision improvements. The Tattersall at Tymber Creek subdivision is located at 304 North Tymber Creek Road, 370 North Tymber Creek Road and 2099 Airport Road.	Denied (5-1), 12.09.2021	01.18.2022	If approved on first reading, 02.01.2022
2022-02	Zoning Map Amendment - 215 Williamson Boulevard, Regal Center Ormond	This is a request by 215 Williamson Investors LLC, with authorization of the property owner, Regal Cinemas, Inc., for a zoning map amendment from B-8 (Commercial) to PBD (Planned Business Development) and the issuance of a development order. The Planned Business Development zoning map amendment seeks to (1) create an outparcel along Williamson Boulevard, (2) allow additional uses within the PBD, and (3) create a framework for future redevelopment. This item is for the zoning map amendment. The subject property is 12.00+ acres and is located at 215 Williamson Boulevard.	Approved (6-0), 12.09.2021	01.18.2022	If approved on first reading, 02.01.2022
2022-02	Issuance of a Development Order - 215 Williamson Boulevard, Regal Center Ormond	This is a request by 215 Williamson Investors LLC, with authorization of the property owner, Regal Cinemas, Inc., for a zoning map amendment from B-8 (Commercial) to PBD (Planned Business Development) and the issuance of a development order. The Planned Business Development zoning map amendment seeks to (1) create an outparcel along Williamson Boulevard, (2) allow additional uses within the PBD, and (3) create a framework for future redevelopment. This item is for the issuance of the development order. The subject property is 12.00+ acres and is located at 215 Williamson Boulevard.	Approved (6-0), 12.09.2021	01.18.2022	If approved on first reading, 02.01.2022
2022-04	Preliminary Plat – 100 North Halifax Drive	This is a request from Nancy Lohman, Halifax Enterprises, LLC for a preliminary plat for a 1.48-acre property located at 100 North Halifax Drive for a twelve (12) unit townhome development called the Cupola at Oceanside.	Approved (6-0), 12.09.2021	01.18.2022	Not applicable
2021-092	Property Rights Element	An administrative request for a Comprehensive Plan Amendment through the Expedited State Review (ESR) process, creating the Property Rights Element, adding a Goal, Objective and Policies to ensure that private property rights are considered in local decision-making in accordance with Florida Statutes Section 163.3177(6)(i). This a requirement of cities based upon the last legislative session.	Approved 7-0, 10.14.2021	Approved 5-0, 11.16.2021	Tentatively 01.04.2022
Note: City Commission items are based upon the best information available as of December 30, 2021 and are subject to change . City Commission agendas are available at: https://ormondbeach.igm2.com/citizens/default.aspx? . For additional information, please contact the Planning Department via e-mail at comdev@ormondbeach.org or by telephone at (386) 676-3238.					

Board of Adjustment and Appeals - January 5, 2022

File Number	Item	Description
2022-10	480 Collins Street, front and rear yard variances	Application of Kevin Luttrell and Cynthia Dewitt, property owners, of 480 Collins Street. The subject property is zoned T-2 (Manufactured Home). Based on the non-conforming size of the lot, the applicant is requesting two variances to allow the installation of a manufactured home as follows: (1) Front yard setback variance: Section 2-21(B)(9)(a) of the Land Development Code requires a front yard setback of 25'. The applicant seeks to allow the manufactured home at a front yard setback of 15' requiring a 10' variance to the required 25' front yard setback and (2) Rear yard setback variance: Section 2-21(B)(9)(b) of the Land Development Code requires a rear yard setback of 20'. The applicant seeks to allow the manufactured home at a rear yard setback of 15', requiring a 5' variance to the required 20' rear yard setback.
The Board of Adjustment and Appeals agenda is available at: https://www.ormondbeach.org/218/Board-of-Adjustment-Appeals . For additional information, please contact the Planning Department via e-mail at comdev@ormondbeach.org or by telephone at (386) 676-3238.		

Planning Board - January 13, 2022

File Number	Item	Description
No agenda items - meeting canceled		



Monthly Financial Status Report November 2021

This report provides the City Commission with an update of the financial status of the City's operating funds. The purpose of the report is to identify any significant variances from the adopted budget and to identify any adverse trends and their implications for the current and future years' budgets. Revenues at or above 17% benchmark is favorable, while expenses at or below the 17% benchmark is also favorable. The first table below provides a summary of the revenues and expenditures to date by fund. Additional detail by fund type is provided in subsequent tables.

Fund	Final Budget	YTD Actual		YTD Actual	
		Revenues	YTD %	Expenses	YTD %
001 - General Fund	37,753,928	4,141,618	11%	5,888,444	16%
104 - Community Redevelopment	2,129,601	897,609	42%	16,691	1%
106 - Ormond Crossing	255,461	162,953	64%	-	0%
107 - Stormwater	2,531,000	426,876	17%	190,646	8%
108 - Airport	2,657,240	33,449	1%	46,751	2%
109 - Local Law Enforcement Trust Fund	65,800	-	0%	-	0%
115 - Recreation Facility Fee	41,600	21,413	51%	344	1%
205 - Financing Debt Service	730,798	121,802	17%	184,328	25%
210 - Debt Service GOB 2003	114,934	14,790	13%	-	0%
211 - Debt Service 2005 CIP Note	157,000	26,166	17%	-	0%
220 - Debt Service GOB 2010	352,747	45,387	13%	-	0%
301 - General Capital Improvement	534,075	54,406	10%	138,269	26%
302 - General Equipment & Vehicle	421,363	39,733	9%	59,892	14%
305 - Public Safety Vehicle & Equip	2,148,225	333,915	16%	55,796	3%
308 - Transportation	2,835,677	64,635	2%	224,510	8%
310 - Recreation Impact Fee	125,000	22,311	18%	1,882	2%
316 - Local Roads Impact Fee	60,000	13,711	23%	1,882	3%
317 - Facilities Renewal & Replacement	693,000	68,130	10%	7,064	1%
318 - Stormwater Impact Fee	25,000	14,745	59%	-	0%
401 - Water/Wastewater Operating Fund	21,810,055	3,323,526	15%	3,146,704	14%
408 - Water/Wastewater E&V Fund	200,000	25,007	13%	-	0%
409 - Water/Wastewater Capital	7,627,865	449,696	6%	539,792	7%
414 - Water/Wastewater Consolidated Debt	5,228,000	871,334	17%	-	0%
434 - Water Impact Fee	520,000	207,674	40%	27,340	5%
435 - Wastewater Impact Fee	400,000	172,275	43%	41,999	10%
460 - Solid Waste	9,444,232	1,502,715	16%	934,126	10%
502 - Workers Compensation	801,612	145,608	18%	247,758	31%
504 - General Liability	1,260,253	210,092	17%	1,099,359	87%
Total	\$ 100,924,466	\$ 13,411,576	13%	\$ 12,853,577	13%

**Financial Status Report:
November 2021**

General Fund Revenues

Ad valorem Taxes- Annual revenue is estimated at \$13.3 million and is based on the taxable value (\$3.9 billion) and the General Fund operating millage (3.9128). Actuals to date are \$1.7 million or 12.8% of the budgeted amount.

Utility Taxes- The City levies a utility tax of 10% on electric and gas sales. To date, the City has collected (\$392,345).

Communication Taxes – Communication service taxes through November 2021 are \$0. Payments are received in arrears with the first payment typically occurring in January 2022.

Business Tax –Business tax collections amounted to \$38,952 through November 2021. The majority of business taxes are collected in the last quarter of the fiscal year.

Licenses, Permits and Franchise Fees – This revenue source includes building permits, plan review and franchise fees. The City has franchise fee agreements which require electric and natural gas providers to remit 6% of gross sales to the City. Payments made to the City for franchise fees often occur several months after they are collected by FPL and other providers. Collections through November 2021 are \$253,439.

Intergovernmental – This revenue source includes municipal revenue sharing and sales tax both of which were expected to be negatively impact by the COVID pandemic. Through November 2021, the City received a total of \$402,214 in this category.

Charges for Services – This category includes the County library lease and Leisure Services user charges. Additional revenue from contracts for right of way mowing, traffic signal maintenance, and street lighting are included in this category. The City received a total of \$200,556 in this category through November of this fiscal year.

Fines and Forfeitures – Traffic, code enforcement, and court fines make up this revenue category. Revenues were \$4,477.

Miscellaneous Revenue – Interest and internal service charges for Fleet and Engineering are included in this revenue category. Revenues collected were \$369,608.

Transfers In –Transfers have been recorded in the amount of \$778,282.

Financial Status Report: November 2021

General Fund Revenues - November 2021

	Final	YTD	\$	% of	YTD	\$	%
	<u>Budget</u>	<u>FY 2021-22</u>	<u>Variance</u>	<u>Budget</u>	<u>FY 2020-21</u>	<u>Variance</u>	<u>Variance</u>
Property Tax	\$ 13,280,820	\$ 1,701,745	\$ 11,579,075	12.8%	\$ 2,026,036	\$ (324,291)	-16.01%
Utility Taxes	4,243,000	392,345	3,850,655	9.2%	407,287	(14,942)	-3.67%
Communication Tax							
Receipts	1,590,000	-	1,590,000	0.0%	-	-	0.00%
Business Tax	284,500	38,952	245,548	13.7%	30,348	8,605	28.35%
Licenses, Permits & Fees	4,217,350	253,439	3,963,911	6.0%	234,896	18,543	7.89%
Intergovernmental	4,083,300	402,214	3,681,086	9.9%	373,119	29,095	7.80%
Charges for Services	773,800	200,556	573,244	25.9%	129,251	71,305	55.17%
Fines & Forfeitures	73,000	4,477	68,523	6.1%	4,637	(160)	-3.45%
Miscellaneous Revenues	2,899,771	369,608	2,530,163	12.7%	193,038	176,570	91.47%
Transfers In	4,669,680	778,282	3,891,398	16.7%	744,620	33,662	4.52%
Use of Fund Balance	1,638,707	-	1,638,707	0.0%	-	-	0.00%
	\$ 37,753,928	\$ 4,141,618	\$ 33,612,310	11.0%	\$ 4,143,232	\$ (1,614)	-0.04%

General Fund Reserve – This category includes commitments made by the City Commission by resolution or Commission comments at the City Commission meeting.

Purpose	Amount	CC Meeting Date	Approval Process
Ormond Beach Memorial Art Museum			
Service Agreement increase	\$ 24,320	10/5/2021	Resolution 2021-159
Performing Art Center ECHO Match	\$ 600,000	10/5/2021	Commission Comments
Dr. Mary McLeod Bethune Statuary Fund	\$ 20,000	10/19/2021	Commission Comments

General Fund Expenditures

Personnel Services - This category includes wages and benefits paid by the City. Personnel services account for \$24.26 million of the General Fund gross budget. Expenditures through November 2021 were \$4.2 million or 17.5% of the budget amount.

Operating Expenditures - This category includes \$10.3 million for maintenance contracts, utilities, tools, fuel, insurance, supplies and contracts for service with community agencies. Through November 2021, \$1.1 million has been spent.

Grants and Aids - This category includes contributions made to not for profit organizations which were budgeted at \$173,235 which includes \$81,707 of economic development incentives. Of note the \$81,707 includes entities such as; Security First, Concentrated Aloe and Future Foods. \$27,832 has been expended year to date.

Transfers Out – The budget for transfers from the General Fund to other funds is \$2.8 million with \$476,890 made through November 2021.

Financial Status Report: November 2021

General Fund Expenditures - November 2021

	Final Budget	YTD FY 2021-22	\$ Variance	% of Budget	YTD FY 2020-21	\$ Variance	% Variance
City Commission	\$ 394,168	\$ 57,969	\$ 336,199	14.7%	\$ 56,460	\$ 1,509	2.67%
City Administration	658,142	117,904	540,238	17.9%	88,463	29,441	33.28%
Support Services	380,870	86,607	294,263	22.7%	68,660	17,947	26.14%
City Attorney	805,651	145,550	660,101	18.1%	118,432	27,118	22.90%
Legislation & Policy	2,238,831	408,029	1,830,802	18.2%	332,014	76,014	22.89%
Finance	1,007,418	177,118	830,300	17.6%	135,171	41,947	31.03%
Information Technology	1,029,282	124,198	905,084	12.1%	95,557	28,642	29.97%
Human Resources	465,061	81,180	383,881	17.5%	72,337	8,843	12.22%
Planning	669,253	115,118	554,135	17.2%	76,735	38,383	50.02%
Building Inspections	1,078,444	171,407	907,037	15.9%	151,781	19,626	12.93%
Police Administration	947,704	128,039	819,665	13.5%	105,861	22,178	20.95%
Police Operations	6,093,571	1,010,142	5,083,429	16.6%	855,107	155,035	18.13%
Community Outreach	523,971	87,829	436,142	16.8%	63,302	24,527	38.74%
Criminal Investigations	1,378,597	198,586	1,180,011	14.4%	194,640	3,946	2.03%
Community Services	380,455	55,342	325,113	14.5%	50,625	4,717	9.32%
Records	172,361	28,105	144,256	16.3%	18,613	9,492	51.00%
Neighborhood Impr.	430,544	72,918	357,626	16.9%	51,176	21,742	42.48%
Police	9,927,203	1,580,961	8,346,242	15.9%	1,339,324	241,637	18.04%
Fire	6,245,373	1,160,720	5,084,653	18.6%	969,845	190,875	19.68%
Streets	2,227,185	290,158	1,937,027	13.0%	277,966	12,192	4.39%
Engineering	1,088,022	179,432	908,590	16.5%	129,208	50,224	38.87%
Fleet	1,380,289	288,507	1,091,782	20.9%	165,086	123,421	74.76%
Public Works	4,695,496	758,097	3,937,399	16.1%	572,261	185,836	32.47%
Economic Development	382,023	95,252	286,771	24.9%	85,615	9,637	11.26%
Building Maintenance	826,057	128,823	697,234	15.6%	113,441	15,382	13.56%
Administration	731,473	123,155	608,318	16.8%	98,843	24,312	24.60%
Nova Recreation	321,410	44,654	276,756	13.9%	38,608	6,046	15.66%
S. Ormond Neigh. Center	278,969	31,282	247,687	11.2%	33,128	(1,846)	-5.57%
Athletic Fields Mnt.	1,464,924	108,912	1,356,012	7.4%	156,218	(47,306)	-30.28%
Parks	2,326,992	119,366	2,207,626	5.1%	235,968	(116,602)	-49.41%
Environmental Learning	155,789	19,161	136,628	12.3%	16,631	2,530	15.21%
The Casements	267,669	46,430	221,239	17.3%	41,231	5,199	12.61%
Performing Arts Center	273,166	59,635	213,531	21.8%	30,160	29,475	97.73%
Senior Center	97,399	4,918	92,481	5.0%	6,970	(2,052)	-29.44%
Community Events	206,649	25,306	181,343	12.2%	19,434	5,872	30.22%
Leisure Services	6,950,497	711,642	6,238,855	10.2%	790,632	(78,990)	-9.99%
Grants & Aid*	91,528	27,832	63,696	30.4%	7,440	20,392	274.08%
Transfers	2,861,337	476,890	2,384,447	16.7%	217,830	259,060	118.93%
Vacancy Savings/Contingency	112,182	-	112,182	0.0%	-	-	0.00%
	\$ 37,753,928	\$ 5,888,444	\$ 31,865,484	15.6%	\$ 4,846,542	\$ 1,041,902	21.50%

*Does not include Economic Development Incentives

*Does not include Gymnastics Expenses from FY 2020-2021

Financial Status Report: November 2021

Downtown Redevelopment Trust

Revenues – Budgeted revenues are comprised of City, County, Hospital, and special district property taxes levied on property within the Downtown Redevelopment boundaries and amount to \$718,686 with \$810,205 collected year to date. The City's budgeted contribution is \$524,246.

Expenditures – A total of \$16,691 has been expended for capital projects and service contracts (Ormond Main Street and property improvement grants).

Downtown Redevelopment Fund Revenues - November 2021

	Final Budget	YTD FY 2021-22	\$ Variance	% of Budget	YTD FY 2020-21	\$ Variance	% Variance
Grant	\$ -	\$ -	\$ -	0.0%	\$ -	\$ -	0.0%
Local Units	718,686	810,205	(91,519)	112.7%	-	810,205	0.0%
Miscellaneous	1,500	30	1,470	2.0%	16	14	84.0%
Transfers In	524,246	87,374	436,872	16.7%	76,086	11,288	14.8%
Use of Fund Balance	885,169	-	885,169	0.0%	-	-	0.0%
	\$ 2,129,601	\$ 897,609	\$ 1,231,992	42.1%	\$ 76,102	\$ 821,507	1079.48%

Downtown Redevelopment Fund Expenditures

	Final Budget	YTD FY 2021-22	\$ Variance	% of Budget	YTD FY 2020-21	\$ Variance	% Variance
Planning	\$ 85,000	\$ 16,600	\$ 68,400	19.5%	\$ 15,350	\$ 1,250	8.1%
Public Works	1,711,501	91	1,711,410	0.0%	271	(180)	-66.5%
Grants	100,000	-	100,000	0.0%	-	-	0.0%
Leisure Services	233,100	-	233,100	0.0%	15,258	(15,258)	-100.0%
Contingency	-	-	-	0.0%	-	-	0.0%
	\$ 2,129,601	\$ 16,691	\$ 2,112,910	0.8%	\$ 30,880	\$ (14,189)	-45.95%

Financial Status Report: November 2021

Stormwater Fund

Revenues – The primary revenue source is stormwater user fees. User fees were budgeted at \$2.525 million with \$426,787 received through November 2021.

Expenditures – The budget for stormwater maintenance is \$2.5 million with \$190,646 spent to date. Transfers of \$32,884 have also been made year to date.

Stormwater Fund Revenues - November 2021

	Final Budget	YTD FY 2021-22	\$ Variance	% of Budget	YTD FY 2020-21	\$ Variance	% Variance
Grants	\$ -	\$ -	\$ -	0.0%	\$ -	\$ -	0.00%
Stormwater Fees	2,525,000	426,787	2,098,213	16.9%	425,152	1,635	0.38%
Miscellaneous	6,000	89	5,911	1.5%	64	25	40.09%
Intergovernmental	-	-	-	0.0%	-	-	0.00%
Use of Fund Balance	-	-	-	0.0%	-	-	0.00%
	<u>\$ 2,531,000</u>	<u>\$ 426,876</u>	<u>\$ 2,104,124</u>	<u>16.9%</u>	<u>\$ 425,215</u>	<u>\$ 1,661</u>	<u>0.39%</u>

Stormwater Fund Expenditures

	Final Budget	YTD FY 2021-22	\$ Variance	% of Budget	YTD FY 2020-21	\$ Variance	% Variance
Maintenance	1,932,571	157,762	1,774,809	8.2%	151,207	6,555	4.34%
Engineering Support	\$ 71,995	\$ -	\$ 71,995	0.0%	\$ -	\$ -	0.00%
Transfers Out	197,307	32,884	164,423	16.7%	35,348	(2,464)	-6.97%
Contingency	329,127	-	329,127	0.0%	-	-	0.00%
	<u>\$ 2,531,000</u>	<u>\$ 190,646</u>	<u>\$ 2,340,354</u>	<u>7.5%</u>	<u>\$ 186,555</u>	<u>\$ 4,091</u>	<u>2.19%</u>

Financial Status Report: November 2021

Water and Wastewater Fund

Revenues – The primary revenue sources are water and sewer user fees. User fees were budgeted at \$20.4 million with \$3.265 million collected year to date. The budget also includes \$350,055 in transfers.

Expenditures – Operating expenses for utility billing and water/wastewater public works services is budgeted in the amount of \$11.12 million with \$1,381,576 million expended to date. The budget also includes \$10.6 million in transfers of which \$1,765,128 have been made through November 2021.

Water/Wastewater Fund Revenues - November 2021

	Final Budget	YTD FY 2021-22	\$ Variance	% of Budget	YTD FY 2020-21	\$ Variance	% Variance
Water/Sewer Charges	\$ 20,455,000	\$ 3,265,018	\$ 17,189,982	16.0%	\$ 3,358,405	\$ (93,387)	-2.78%
Miscellaneous	55,000	166	54,834	0.3%	426	(260)	-61.12%
Transfers In	350,055	58,342	291,713	16.7%	71,654	(13,312)	-18.58%
Intergovernmental	-	-	-	0.0%	-	-	0.00%
Use of Fund Balance	950,000	-	950,000	0.0%	-	-	0.00%
	\$ 21,810,055	\$ 3,323,526	\$ 18,486,529	15.2%	\$ 3,430,485	\$ (106,960)	-3.12%

Water/Wastewater Fund Expenditures

	Final Budget	YTD FY 2021-22	\$ Variance	% of Budget	YTD FY 2020-21	\$ Variance	% Variance
Utility Billing	\$ 2,340,003	\$ 205,758	\$ 2,134,245	8.8%	\$ 270,496	\$ (64,738)	-23.93%
Water Production	3,455,063	400,597	3,054,466	11.6%	365,407	35,190	9.63%
Water Distribution	1,147,329	198,432	948,897	17.3%	149,260	49,172	32.94%
Wastewater Treatment	2,893,201	333,784	2,559,417	11.5%	444,547	(110,763)	-24.92%
Wastewater Collection	1,283,155	243,005	1,040,150	18.9%	176,397	66,608	37.76%
Transfers Out	10,590,758	1,765,128	8,825,630	16.7%	2,106,222	(341,094)	-16.19%
Contingency	100,546	-	100,546	0.0%	-	-	0.00%
	\$ 21,810,055	\$ 3,146,704	\$ 18,663,351	14.4%	\$ 3,512,329	\$ (365,625)	-10.41%

Financial Status Report: November 2021

Solid Waste Fund

Revenues – The primary revenue source is solid waste franchise and user fees. To date \$131,048 in franchise fees and \$1,371,667 in user fees have been collected.

Expenditures – Personnel, operating, capital expenses and transfers expended to date are \$934,126.

Solid Waste Fund Revenues - November 2021

	Final Budget	YTD FY 2020-21	\$ Variance	% of Budget	YTD FY 2019-20	\$ Variance	% Variance
Franchise Fees	\$ 1,500,000	\$ 131,048	\$ 1,368,952	8.7%	\$ 264,937	\$ (133,889)	-50.54%
User Fees	7,940,000	1,371,667	\$ 6,568,333	17.3%	1,270,565	101,102	7.96%
Miscellaneous	1,000	-	\$ 1,000	0.0%	66	(66)	-100.00%
Intergovernmental	-	-	-	0.0%	-	-	0.00%
Use of Fund Balance	3,232	-	\$ 3,232	0.0%	-	-	0.00%
	<u>\$ 9,444,232</u>	<u>\$ 1,502,715</u>	<u>\$ 7,941,517</u>	<u>15.9%</u>	<u>\$ 1,535,568</u>	<u>\$ (32,853)</u>	<u>-2.14%</u>

Solid Waste Fund Expenditures

	Final Budget	YTD FY 2020-21	\$ Variance	% of Budget	YTD FY 2019-20	\$ Variance	% Variance
Collection & Disposal	\$ 7,068,712	\$ 629,087	\$ 6,439,625	8.9%	\$ 1,133,548	\$ (504,461)	-44.50%
Recycling	1,096,778	91,915	1,004,863	8.4%	196,730	(104,815)	-53.28%
Engineering	-	-	-	0.0%	-	-	0.00%
Transfers Out	1,278,742	213,124	1,065,618	16.7%	209,194	3,930	1.88%
Contingency	-	-	-	0.0%	-	-	0.00%
	<u>\$ 9,444,232</u>	<u>\$ 934,126</u>	<u>\$ 8,510,106</u>	<u>9.9%</u>	<u>\$ 1,539,472</u>	<u>\$ (605,346)</u>	<u>-39.32%</u>



December 2021

Ormond Beach November Employment

19,664

This is up 6.2% from last year

Ormond Beach Unemployment Rate

3.4%

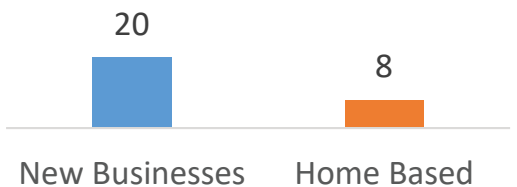
Total Permits Issued in November

421

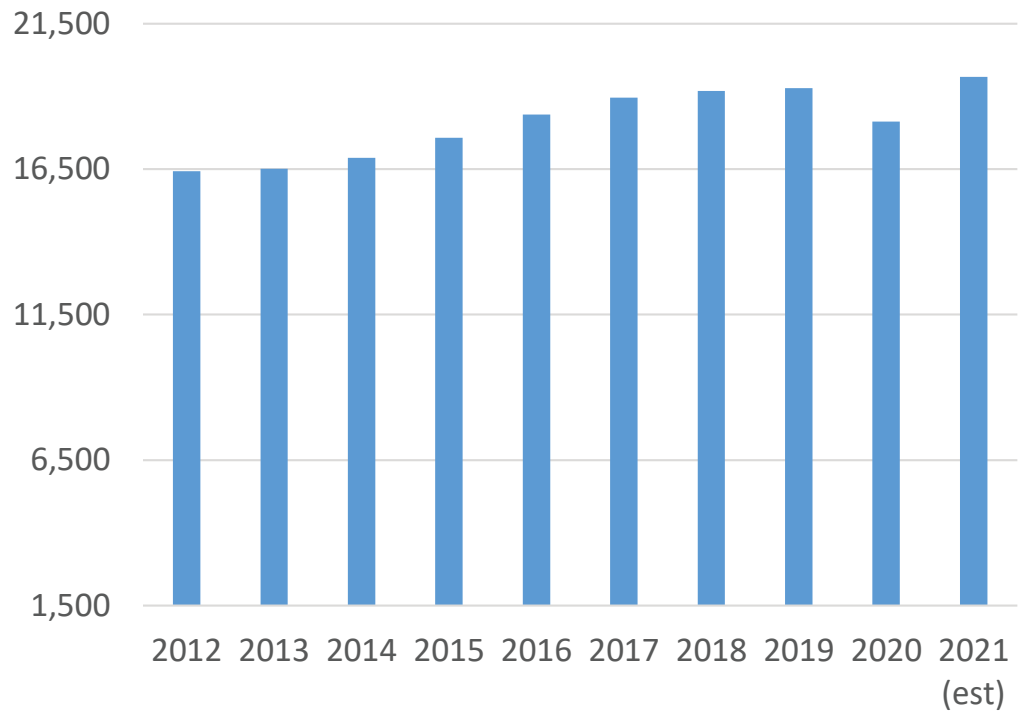
Permit Valuation for November

\$9.6m

New Business Tax Receipts



Ormond Beach Employment Trend



Commercial Real Estate Key Indicators

Current Quarter	RBA	Vacancy Rate	Market Rent	Availability Rate
Office	1,600,892	5.2%	\$19.78	5.6%
Industrial	2,897,746	6.3%	\$8.96	6.3%
Retail	4,068,044	3.0%	\$15.95	3.8%

*RBA = Rentable Building Area The number shown is the total RBA for all buildings in that asset class in Ormond Beach.



December, 2021

Notes and Updates:

- **Employment** for November was 19,664 up 6.2% from the same time last year. Employment is up 1,057 since January. The unemployment rate is 3.4% which is down from 3.8% this time last year. The Florida Department of Economic Opportunity will release end of the year labor force data in late January and the January 2022 report in March.
- **The Economic Development Department** continues to promote SizeUp Ormond Beach to help level the competitive business playing field. The software provides small businesses with market research that will help them: Rank their business performance compared to industry competitors; Discover potential customers, suppliers, and better understand your competitive landscape; Optimize advertising to target ideal customer segments. It can be accessed at the following link: <https://sizeup.info/ormondbeach>
- **The City wrapped up** the Fall session of Kauffman FastTRAC. Approximately 15 students officially finished the program. The program is offered in partnership with Volusia/Flagler SCORE and is facilitated by two certified business coaches. The 10-week program provided students an opportunity to grow their idea into a business plan. Registration for the Spring Session will begin in February and start in March.
- **The Economic Development Department** and Ormond Beach Chamber of Commerce will host the first session of Startup Grind on January 13th from 5:30 to 7:00pm at Rivergrille. This Fireside Chat will feature the owners and operators of Ormond Beach Dunkin Franchises Sara and Dana Afshari. More information and tickets are available here: [Startup Grind Ormond Beach | Global Community for Entrepreneurs](#).
- The new edition of Doing Business In Ormond Beach is available. The magazine serves as a reference for entrepreneurs and business owners to navigate the process of starting and expanding a business in Ormond Beach. The guide answers frequently asked questions of business owners and entrepreneurs and includes information on where to start, which department or organization to contact, and key considerations when operating a business. Hard copies are available by request and digital e-book is available on the following website: <https://www.ormondbeach.org/918/Doing-Business-in-Ormond-Beach>.

Thank you,
Brian Rademacher
Economic Development Director

Hamsher, Terri

From: Shanahan, Joyce
Sent: Monday, December 6, 2021 9:58 AM
To: Hamsher, Terri
Subject: FW: monthly update

FYI

From: Victoria Fahlberg <VictoriaFahlberg@firststepshelter.org>
Sent: Friday, December 3, 2021 12:46 PM
Subject: monthly update

[External Email-Use Caution] - OB/IT Helpdesk

Greetings from First Step Shelter! We hope you had a nice Thanksgiving and are wishing you wonderful holidays!

As we come to know our population better, we feel it's important to let you know as much as we can about who we are serving to better understand the needs and challenges here at the shelter and the importance of your support for these vulnerable people. This month, we're highlighting the significant health issues faced by our residents. In the last year, six of our residents have died from medical issues. So far, we've served residents with:

Cancer (3 residents)	Severe Asthma	Congestive Heart Failure
Untreated Visual Impairment – Glaucoma, Retinal Tears, Cataracts	End Stage Renal Disease on Dialysis	Chronic Obstructive Pulmonary Disease
Multiple Sclerosis	Traumatic Brain Injury	Insulin Dependent Diabetes
Non-healing Wounds	Deaf and Dumb Disability	Chronic Anemia
Seizure Disorder – Uncontrolled	Hypertension - Uncontrolled	End Stage Liver Disease
Amputees with Impaired Mobility	Stroke with Impaired Mobility	Fractured Pelvis
Super Morbid Obesity with Impaired Mobility	Non-healing of Bones after surgery	

It's easy to see why our Health Unit and nurse case managers are so vital to our ability to adequately serve the folks here. We give thanks for all of you and for our partnership with Halifax Health and Advent Health who support our Health Unit and nurses. Although Giving Tuesday has passed, if you would like to personally contribute to the care of our residents and help them succeed, you can donate here: [First Step Shelter, Inc. | Kindful](#)

Looking forward to the New Year and getting even more people into housing! Below are our numbers for November. Victoria

Shelter Intakes	2020	2021					
		1st quarter	2nd	3rd	October	Nov	Total
DBPD	54	26	11	20	4	3	118
OBPD	2	0	0	0	1	1	4
POPD	0	2	0	0	0	0	2
DBSPD	0	0	0	0	0	0	0
SDPD	1	0	1	1	0	0	3
PIPD	0	0	0	0	0	0	0
HHPD	2	0	0	0	0	1	3

Volusia County	3	2	1	0	0	0	6
Total Law Enforcement	62	30	13	21	5	5	136
Total Hospitals	38	5	2	5	4	2	56
Total SS and Worship	55	30	34	41	22	10	192
	155	65	49	67	31	17	384

Services Received	2020	2021					
		1st quarter	2nd	3rd	October	Nov	Total
SSI/SSDI	52	22	22	24	11	10	141
Employment	57	9	12	15	7	4	104
Total with Income	109	31	34	39	18	14	245
Food Stamps	80	37	26	28	15	8	194
Birth Certificates	61	10	2	0	2	1	76
Medicare	23	16	11	13	4	7	74
Medicaid	44	14	17	18	6	9	108
Other insurance	8	2	4	4	6	0	24
Total Insurance	75	32	32	35	16	16	206
Housing	65	9	22	35	14	10	155
Rapid Rehousing	1	2	8	8	1	0	20

Health Concerns	2021					
	1st quarter	2nd	3rd	October	Nov	Total
Drug Problem	25	21	21	16	5	88
Alcohol Problem	18	22	16	8	8	72
Hypertension	12	12	10	6	7	47
COPD	5	11	7	4	1	28
Asthma	6	8	8	7	1	30
Diabetes	3	4	5	5	2	19
Other Medical Problem	31	18	29	21	11	110
Total Medical Problem	89	96	66	67	15	333
Psychotropic Medication	43	28	28	16	10	125
Psychotropic & Medical	56	19	39	11	7	132
Average length of stay	69.5	60.65	63.88	64.45	63.21	

Safe Zone Referrals	23-Nov	2021					Total to date
	31-Dec	1st quarter	2nd	3rd	October	Nov	
DBPD	23	402	724	951	320	57	2477
OBPD	0	4	2	8	3	3	20
POPD	0	2	4	8	5	1	20
DBSPD	0	14	2	0	0	0	16
SDPD	0	4	4	0	0	0	8
Deland*	0	1	0	0	0	0	1
Orange City*	0	0	1	0	0	0	1

HHPD	7	6	4	4	1	2	24
Volusia County	1	3	9	4	0	1	18
Total Law Enforcement	31	436	750	975	329	64	2585
Daily Average	8	5	8	11	10	2	

Victoria Fahlberg, PhD, MPH
 Executive Director
 First Step Shelter Inc.
 3889 W. International Speedway Blvd.
 Daytona Beach, Fl. 32124
 386-361-3800 Ext: 201





City Commission Workshop Schedule

Updated January 13, 2022

Updated Workshop Schedule: All dates/topics are tentative and subject to change. Some may be presented as discussion items on the regular Commission Agenda.

<u>Date</u>	<u>Topic</u>
January 4, 2022	Shade Meeting – Collective Bargaining Issues
January 18, 2022	Parks and Recreation Master Plan Update – Final Draft

FUTURE WORKSHOPS:

February 15, 2022	Cassen Park (date change)
March 22, 2022	Parks & Recreation Master Plan Update-Final Draft (date change)
April 5, 2022	Impact Fee Study (new request)
May 17, 2022	Reclaimed Water (new request)
June 7, 2022	Capital Improvements Program and Draft Budget
July 19, 2022	Operating Budget



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: January 18, 2022

Subject: Comprehensive Plan Amendment, Property Rights Element

Commission Goal: Community Development - Other

Introduction

This is an administrative request to approve a Comprehensive Plan Amendment through the Expedited State Review (ESR) process, creating the Property Rights Element, adding a Goal, Objective and Policies, to ensure that private property rights are considered in local decision-making in accordance with Florida Statutes Section 163.3177(6)(I).

Background

House Bill 59, which became law on June 29, 2021, added Florida Statutes Section 163.3177(6)(I) requiring every city and county “to include in its comprehensive plan a property rights element.” The City is required to adopt this new element “by the earlier of the date of its adoption or its next proposed plan amendment that is initiated after July 1, 2021, or the date of the next scheduled evaluation and appraisal of its comprehensive plan.”

Inclusion of the property rights element is intended to protect private property rights and to ensure they are considered in local decision-making. Florida Statutes provide the language of the proposed objective 1.1 and policies 1.1.1 through 1.1.4 as possible language local governments can adopt to meet the statutory requirement to have a property rights element.

Planning Board Review

The Planning Board reviewed this amendment at the October 14, 2021 meeting and unanimously recommended approval.

Volusia Growth Management Commission (VGMC) Review

Per the VGMC letter and memo dated December 29, 2021 (attached), the comprehensive plan amendment to add a Property Rights Element satisfies the

requirement of Florida House Bill 59. All adjacent and affected local governments were properly notified and the anticipated proposed large-scale amendment will not result in negative impacts on adjacent units of local government in Volusia County.

Department of Economic Opportunity (DEO) Review and Response

The Department of Economic Opportunity provided a review and comment related to adverse impacts to important state resources and facilities within the Department's authorized scope of review. It was noted, per the attached letter dated December 15, 2021, the City's proposed Goal 1 limited consideration of private property rights to "planning and development" decisions. In order to ensure no conflict in the adopted language, the amendment language has been revised to broaden it to "Judicially acknowledged and constitutionally protected" which is consistent with the Statute.

Budget Impact

There is no budget impact as the result of this amendment. The amendment is a requirement by Florida Statutes requiring every city and county "to include in its comprehensive plan a property rights element."

Citizen Impact

House Bill 59 mandates all local governments to adopt a Property Rights Element as part of their comprehensive plan. According to House Bill 59, prior to the City processing the next city-initiated or private property landowner-initiated amendment to the City's Comprehensive Plan, the City must add a property rights element. Therefore, this essentially means that any development proposal that requires a comprehensive plan amendment is under a moratorium until the City adds its property rights element into the Comprehensive Plan. The approval of this amendment will ensure that comprehensive plan amendments can continue to be processed.

Recommendation

It is recommended that the City Commission approve the proposed amendments to add the required Property Rights Element to the Comprehensive Plan in compliance with Florida Statutes Section 163.3177(6)(I).

Attachments:

- 21-44 Property Rights Element Comp Plan Amendment (P21-0162G) (PDF)
- Exhibit A - Final Version (PDF)
- 10.14.2021 Planning Board Property Rights Element Staff Report (PDF)
- Draft Planning Board Minutes Excerpt from 10.14.2021 (PDF)
- Bureau of Community Planning and Growth Letter (CTY. ORMOND BCH. 21-01ESR (P)) (PDF)
- 21-077 Consistency Certification (VGMC) (PDF)

REVIEWED BY:
Kelly McGuire, Finance Director 10/25/2021
Claire Whitley, Assistant City Manager 11/10/2021**APPROVED BY:**
Joyce A. Shanahan, City Manager 11/11/2021

ORDINANCE NO. 2021-44

AN ORDINANCE AMENDING THE CITY OF ORMOND BEACH COMPREHENSIVE PLAN BY CREATING A NEW PROPERTY RIGHTS ELEMENT, INCLUDING GOALS, OBJECTIVES, AND POLICIES, PROVIDING THAT PRIVATE PROPERTY RIGHTS ARE CONSIDERED IN LOCAL DECISION-MAKING IN ACCORDANCE WITH FLORIDA STATUTES SECTION 163.3177(6)(i); PROVIDING FOR TRANSMITTING COPIES OF THE NOTICE AND AMENDMENT TO THE STATE REVIEWING AGENCIES, THE COUNTY OF VOLUSIA, AND ANY OTHER LOCAL GOVERNMENT OR GOVERNMENTAL AGENCY REQUESTING A COPY; PROVIDING FOR PUBLIC HEARINGS; PROVIDING FOR CONFLICTING ORDINANCES; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, by Ordinance No. 90-36, the City Commission did adopt the *City of Ormond Beach Comprehensive Plan*, as required by the Local Government Comprehensive Planning and Land Development Regulation Act (Chapter 163, Part II, *Florida Statutes*) which *Comprehensive Plan* has been subsequently amended, and

WHEREAS, Florida's Community Planning Act was amended during the 2021 Legislative Session by the passage of House Bill Number 59 (initially codified as Chapter Number 2021-195, Laws of Florida) to require every city and county within the State "to include in its comprehensive plan a property rights element." (Section 163.3177(6)(i), *Florida Statutes*); and

WHEREAS, the City of Ormond Beach respects judicially acknowledged and constitutionally protected private property rights; and

WHEREAS, the proposed amendment to the *City of Ormond Beach Comprehensive Plan* is being submitted under the expedited state review process as provided in Section 163.3184, *Florida Statutes*; and

WHEREAS, on October 14, 2021 the Planning Board serving as the local planning agency, conducted a public meeting with due public notice on the *Comprehensive Plan* amendment, and recommended approval thereof, and

WHEREAS, the City Commission has duly conducted a public hearing authorizing transmittal of the requested *Comprehensive Plan* amendment, as described in §163.3184(3) and (11), *Florida Statutes*, and

WHEREAS, the City Commission has duly conducted a public hearing adopting the requested *Comprehensive Plan* amendment, as described in §163.3184(3)(c)(1), (4)(e)(1) and (11), *Florida Statutes*, and

WHEREAS, the City Commission finds that approval of the *Comprehensive Plan* amendment will preserve the internal consistency of the City's *Comprehensive Plan* pursuant to §163.3177, *Florida Statutes*, now therefore,

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

SECTION ONE. The foregoing recitals are incorporated herein by reference as the legislative findings of the Ormond Beach City Commission.

SECTION TWO. The text of the Property Rights Element of the *City of Ormond Beach Comprehensive Plan*, is hereby created to read as depicted in Exhibit "A" attached hereto

and incorporated herein by reference (Note: Additions in text are shown by underline; and deletions in text are shown by ~~strikeout~~).

SECTION THREE. In order to make the *City of Ormond Beach Comprehensive Plan*, as hereby amended, available to the public, a certified copy of the enacting Ordinance, as well as certified copies of the *City of Ormond Beach Comprehensive Plan* and the amendments thereto, shall be located in the Planning Department of the City of Ormond Beach. The Planning Director shall also make copies available to the public for a reasonable reproduction charge.

SECTION FOUR. The Planning Director is hereby authorized and directed to transmit the appropriate number of copies of the notice and amendment within ten (10) days after the first reading of this Ordinance to the appropriate agencies and to any other unit of local government who has filed a written request for a copy in accordance with the provisions of Section 163.3184, Florida Statutes and Volusia Growth Management Commission rules per Section 202.3 of the Charter of Volusia County.

SECTION FIVE. Pursuant to §163.3184(3) and (5), *Florida Statutes*, the second reading of this *Comprehensive Plan* amendment shall not exceed 180 days after the receipt of the Department of Economic Opportunity comments.

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

SECTION SEVEN. In the event any section or provision of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such declaration

shall not be deemed to affect the validity of this Ordinance as a whole or any other section or provision thereof.

SECTION EIGHT. The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the City of Ormond Beach that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land use dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administrative Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

PASSED UPON at the first reading of the City Commission, this 16th day of November, 2021.

PASSED UPON at the second and final reading of the City Commission, this 18th day of January, 2022.

BILL PARTINGTON
Mayor

ATTEST:

SUSAN CARROLL DAUDERIS
City Clerk

EXHIBIT “A”
Page 1 of 1

PROPERTY RIGHTS ELEMENT
GOALS OBJECTIVES AND POLICIES

GOAL 1: PRIVATE PROPERTY RIGHTS

TO RESPECT JUDICIALLY ACKNOWLEDGED AND CONSTITUTIONALLY PROTECTED PRIVATE PROPERTY RIGHTS.

OBJECTIVE 1.1: PRIVATE PROPERTY RIGHTS AND DECISION-MAKING

The following policies are to ensure that private property rights shall be considered in local decision-making.

POLICY 1.1.1:

The City will consider in its decision-making, the right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.

POLICY 1.1.2:

The City will consider in its decision-making, the right of the property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any person, subject to state law and local ordinances.

POLICY 1.1.3:

The City will consider in its decision-making the right of the property owner to privacy and to exclude others from the property to protect the owner’s possessions and property.

POLICY 1.1.4:

The City will consider in its decision-making the right of the property owner to dispose of his or her property through sale or gift.

STAFF REPORT

City of Ormond Beach Department of Planning

MEETING DATE: October 14, 2021

SUBJECT: Comprehensive Plan Amendments, Text Amendment to
Create the Property Rights Element

APPLICANT: City Initiated

NUMBER: ESR 21-092

PROJECT PLANNER: Becky Weedo, AICP, CFM, Senior Planner

INTRODUCTION: This is an administrative request to approve a Comprehensive Plan Amendment through the Expedited State Review (ESR) process, creating the Property Rights Element, adding a Goal, Objective and Policies to ensure that private property rights are considered in local decision-making in accordance with Florida Statutes Section 163.3177(6)(i).

BACKGROUND: House Bill 59, which became law on June 29, 2021, added Florida Statutes Section 163.3177(6)(i) requiring every city and county “to include in its comprehensive plan a property rights element.” The city is required to adopt this new element “by the earlier of the date of its adoption or its next proposed plan amendment that is initiated after July 1, 2021, or the date of the next scheduled evaluation and appraisal of its comprehensive plan.”

Inclusion of the property rights element is intended to protect private property rights and to ensure they are considered in local decision-making. Florida Statutes provide the language of the proposed objective 1.1 and policies 1.1.1 through 1.1.4 as possible language local governments can adopt to meet the statutory requirement to have a property rights element. Staff proposes the following language to meet the minimum statutory standard of having a property rights element in the Comprehensive Plan.

PROPOSED AMENDMENT:

12. PROPERTY RIGHTS ELEMENT

GOAL 1: PRIVATE PROPERTY RIGHTS

**TO MAKE PLANNING AND DEVELOPMENT DECISIONS WITH RESPECT FOR
PROPERTY RIGHTS.**

OBJECTIVE 1.1: PRIVATE PROPERTY RIGHTS AND DECISION-MAKING

The City will respect judicially acknowledged and constitutionally protected private property rights.

POLICY 1.1.1:

The City will consider in its decision-making, the right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.

POLICY 1.1.2:

The City will consider in its decision-making, the right of the property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any person, subject to state law and local ordinances.

POLICY 1.1.3:

The City will consider in its decision-making the right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.

POLICY 1.1.4:

The City will consider in its decision-making the right of the property owner to dispose of his or her property through sale or gift.

ANALYSIS:

Per Policy 2.5.2 of the City's Comprehensive Plan, the following criteria shall be used in reviewing Comprehensive Plan amendments:

- 1. Are the proposed amendments consistent with the Comprehensive Plan Goals, Objectives and Policies?** The proposed amendment acknowledges compliance with Section 163.3177(6)(i)2, Florida Statutes which requires all cities and counties to adopt a Property Rights Element in its Comprehensive Plan.
- 2. Does it meet the criteria established in the City's Comprehensive Plan and the Florida Statutes?** The proposed amendment acknowledges compliance with Section 163.3177(6)(i)2, Florida Statutes which requires all cities and counties to adopt a Property Rights Element in its Comprehensive Plan.
- 3. Whether the land uses are appropriate uses of the land.** Not applicable. This is not a land use map amendment.

4. Whether there is adequate infrastructure to serve the proposed land use. Not applicable. This is not a land use map amendment.

5. Whether the proposed map amendment impacts surrounding jurisdictions. Not applicable. This is not a land use map amendment.

RECOMMENDATION: It is recommended that the Planning Board recommend **APPROVAL** of the proposed amendments to add the required Property Rights Element to the Comprehensive Plan in compliance with Florida Statutes Section 163.3177(6)(i).

This item is tentatively scheduled to be heard by the City Commission for the transmittal hearing on November 16, 2021. The second reading (adoption hearing) will be scheduled at the next available City Commission meeting subsequent to the Florida Department of Economic Opportunity (DEO) and Volusia Growth Management Commission (VGMC) review.

EXCERPT
M I N U T E S
ORMOND BEACH PLANNING BOARD
Regular Meeting

October 14, 2021

7:00 PM

City Commission Chambers
 22 South Beach Street
 Ormond Beach, FL 32174

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE PLANNING BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THIS PUBLIC MEETING, THAT PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, SAID PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, INCLUDING THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

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 IN WRITING, OR MAY CALL 677-0311 FOR INFORMATION REGARDING AVAILABLE AIDS AND SERVICES.

I. ROLL CALL

Members Present

Harold Briley, Vice Chair
 G.G. Galloway
 Al Jorczak
 Mike Scudiero
 Angeline Shull
 Lori Tolland
 Doug Thomas, Chair

Staff Present

Steven Spraker, Planning Director
 Becky Weedon, Senior Planner
 Randy Hayes, City Attorney
 Marcella Miller, Recording Technician

II. INVOCATION

Mr. Galloway led the invocation.

III. PLEDGE OF ALLEGIANCE

IV. 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).

Mr. Jorczak motioned to approve PBD 2021-072(B) – Issuance of a Development Order – 295 Interchange Boulevard, All-Aboard Storage, Interchange Depot . Ms. Shull seconded it. Vote was called, and the motion was approved (7-0).

C. ESR 21-092 – Comprehensive Plan Amendment – Property Rights Element

Ms. Becky Weedo, Senior Planner, stated that ESR 21-092 is an administrative request to approve a Comprehensive Plan Amendment through the Expedited State Review (ESR) process, creating the Property Rights Element, adding a Goal, Objective and Policies to ensure that private property rights are considered in local decision-making in accordance with Florida Statutes Section 163.3177(6)(i). She added that House Bill 59 became law on June 29, 2021, amending the Florida Statutes requiring every local government to include in its Comprehensive Plan a property rights element. Inclusion of the property rights element is intended to protect private property rights and ensure they are considered in local decision making. Ms. Weedo explained that the city must adopt this element before its next proposed large-scale plan amendment initiated after July 1, 2021 or before the next evaluation and appraisal report. She concluded that it is recommended that the Planning Board approve the proposed amendments to add the required property rights element to the Comprehensive Plan in compliance with the Florida Statutes. The tentative City Commission dates are November 16, 2021 for the transmittal hearing, and potentially in January 2022 for adoption.

Mr. Scudiero confirmed that this Comprehensive Plan amendment is basically a housekeeping item. The board members agreed that the proposed element will not change anything since the city already considers property rights in its decision-making process.

Mr. Briley motioned to approve ESR 21-092 – Comprehensive Plan Amendment – Property Rights Element. Ms. Shull seconded it. Vote was called, and the motion was approved (7-0).

D. ISBA 2021-100 – North U.S. 1 Interlocal Service Boundary Agreement (ISBA) second amendment – Ridge Haven

Mr. Steven Spraker, Planning Director, explained ISBA 2021-100, is an administrative request for the second amendment of the North U.S. 1 Interlocal Service Boundary Agreement (ISBA) to add the land area associated with the proposed Ridge Haven subdivision, including any enclaves. Mr. Spraker explained the location of the property. The ISBA is an agreement between Volusia County and the City of Ormond Beach that was originally approved in 2014 and amended in 2019 for the Plantation Oaks subdivision (the first amendment). The proposed second ISBA amendment is to add a map of the Ridge Haven subdivision area, including any enclaves, to the existing agreement and does not include any text changes to the existing agreement. Mr. Spraker stated that the agreement establishes jurisdictional authority within the North U.S.1 corridor whether a property is in unincorporated Volusia County or Ormond Beach, they are under the Ormond Beach land use, zoning, permitting and code enforcement. He commented that the City of Ormond Beach is responsible for the growth of the North U.S.1 corridor. Mr. Spraker continued that it was a decision made by the City Commission and has worked well as the City is going through redevelopment in that area. The City partnered with the

Ron DeSantis
GOVERNOR



Dane Eagle
SECRETARY

December 15, 2021

The Honorable Bill Partington
Mayor, City of Ormond Beach
City Hall
22 South Beach Street
Ormond Beach, Florida 32174

Dear Mayor Partington:

The Department of Economic Opportunity ("Department") has reviewed the City of Ormond Beach proposed comprehensive plan amendment (Amendment No. 21-01ESR), received on November 22, 2021, pursuant to the expedited state review process in Section 163.3184(2) - (3), Florida Statutes (F.S.). We have identified a comment related to adverse impacts to important state resources and facilities within the Department's authorized scope of review. The Agency's comment regarding these amendments are attached to this letter.

The City should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment. In addition, the City is reminded that:

- Section 163.3184(3)(b), F.S., authorizes other reviewing agencies to provide comments directly to the City. **If the City receives reviewing agency comments and they are not resolved, these comments could form the basis for a challenge to the amendment after adoption.**
- **The second public hearing**, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of agency comments or the amendment shall be **deemed withdrawn** unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment pursuant to Section 163.3184(3)(c)1., F.S.
- **The adopted amendment must be rendered to the Department.** Under Section 163.3184(3)(c)2. and 4., F.S., the **amendment effective date** is 31 days after the Department notifies the City that the amendment package is complete or, if challenged, until it is found to be in compliance by the Department or the Administration Commission.

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
(850) 245.7105 | www.FloridaJobs.org | [www.Twitter.com/FLDEO](https://twitter.com/FLDEO) | www.Facebook.com/FLDEO

An equal opportunity employer/program. Auxiliary aids and service are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.

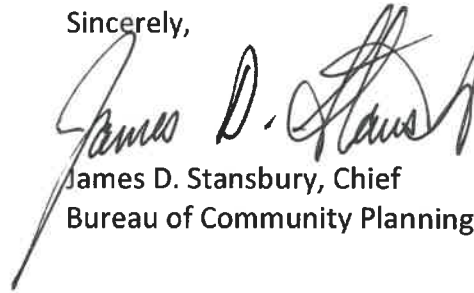
The Honorable Mayor Partington

December 15, 2021

Page 2 of 3

If you have any questions concerning this review, please contact Paul Lim, Planning Analyst, by telephone at (850) 717-8511 or by email at Paul.Lim@deo.myflorida.com.

Sincerely,

A handwritten signature in black ink, appearing to read "James D. Stansbury". The signature is fluid and cursive, with a long horizontal stroke at the end.

James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS/pl

Enclosure(s): Procedures for Adoption

cc: Becky Weedo, AICP, CFM, Senior Planner, City of Ormond Beach

Hugh Harling, Jr., Executive Director, East Central Florida Regional Planning Council

Agency's comments**Comment: Property Rights Element**

Section 163.3177(6)(i)1., F.S. (Ch. 2021-195, Laws of Fla.), requires each local government to include a property rights element in its comprehensive plan. The local government has mirrored the statement of rights provided by Section 163.3177(6)(i)1., F.S. However, the proposed property rights element limits consideration of private property rights to "planning and development" decisions in Goal 1: Private Property Rights.

Prior to adoption, the Property Rights Element must be revised to consider private property rights in all of the City's "local decisionmaking."

Please be advised the property rights element adopted by the local government may not conflict with the statement of rights provided under Section 163.3177(6)(i)1., F.S. To ensure adopted language does not conflict, the Department recommends that the local government consult with its legal department.

**SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS
FOR EXPEDITED STATE REVIEW**

Section 163.3184(3), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit electronically using the Department's electronic amendment submittal portal "**Comprehensive Plan and Amendment Upload**" (<https://floridajobs.secure.force.com/cp/>) **or** submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the State Land Planning Agency and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ State Land Planning Agency identification number for adopted amendment package;

_____ Summary description of the adoption package, including any amendments proposed but not adopted;

_____ Identify if concurrency has been rescinded and indicate for which public facilities. (Transportation, schools, recreation and open space).

_____ Ordinance number and adoption date;

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact;

_____ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

_____ In the case of text amendments, changes should be shown in strike-through/underline format.

_____ In the case of future land use map amendments, an adopted future land use map, **in color format**, clearly depicting the parcel, its future land use designation, and its adopted designation.

_____ A copy of any data and analyses the local government deems appropriate.

Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

_____ Copy of the executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for expedited review:

"The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If the amendment is timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance."

_____ List of additional changes made in the adopted amendment that the State Land Planning Agency did not previously review;

_____ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

_____ Statement indicating the relationship of the additional changes not previously reviewed by the State Land Planning Agency in response to the comment letter from the State Land Planning Agency.



Volusia Growth Management Commission

December 29, 2021

Becky Weedo, AICP, CFM, Senior Planner
City of Ormond Beach
22 S. Beach Street
Ormond Beach, FL 32174

**RE: VGMC Case #21-077, City of Ormond Beach
Large Scale Amendment – Creation of Property Rights Element
Certificate of Consistency**

Dear Ms. Weedo,

VGMC Case No. 21-077 qualifies for certification in accordance with Chapter 90, Article II. of the Volusia County Code of Ordinances, Volusia Growth Management Commission Consistency Certification Rules and Organization. Based upon the lack of objection filed by another unit of local government, VGMC Case No. 21-077 is hereby deemed certified as consistent without the need for a public hearing.

The Volusia Growth Management Commission appreciates the efforts of the City of Ormond Beach to further intergovernmental cooperation and coordination in Volusia County. If you have any questions regarding this matter, please do not hesitate to call me.

Sincerely,



Sid Vihlen, Jr.
VGMC Chairman



Memorandum

To: Sid Vihlen, Jr., Chair
From: Chris Dougherty, AICP
Cc: Merry Chris Smith, Operations Manager
Date: December 29, 2021
Subject: VGMC Case No. 21-077 – Ormond Beach Large Scale Amendment (Property Rights Element)

Introduction

The purpose of this memorandum is to provide a summary of the proposed amendment and a determination by the VGMC planning staff of whether or not, according to the information provided by the submitting unit of local government, there may reasonably be significant adverse impacts as a result of this amendment package. This large scale amendment package includes a text amendment to the City's Comprehensive Plan, creating a Property Rights Element in accordance with House Bill 59.

Summary

VGMC Case No. 21-077 – Ormond Beach was received by VGMC staff and deemed complete on November 29, 2021. In accordance with VGMC requirements, the case has been reviewed and, based on the information provided in the application, a summary of the proposed amendment is provided below.

1. The purpose of adopting a Property Rights Element is to satisfy the requirement of Florida House Bill 59 that all local governments add a Property Rights Element to their Comprehensive Plan.
2. The proposed change to the text of the Comprehensive Plan includes the addition of Goals, Objectives, and Policies, which comprises the statement of property rights as provided by Section 163.3177, F.S.

Findings

Upon review of the information provided by the City of Ormond Beach, it may be concluded that:

1. All adjacent and affected local governments have been properly notified by Ormond Beach of the changes to the City's Comprehensive Plan contemplated by the amendment.
2. The proposed addition of the Property Rights Element to the City's Comprehensive Plan meets the requirements stipulated by Florida House Bill 59. This addition does not amend any pre-existing property rights or provide any additional protections. Thus, it is not anticipated that the proposed Ormond Beach large scale amendment package, VGMC Case No. 21-077 (Property Rights Element), will result in negative impacts on adjacent units of local government in Volusia County.

In accordance with Volusia County Code Section 90-35, units of local government had until December 27, 2021 (28 days from the date the application was deemed complete) to file an objection to this comprehensive plan amendment with the VGMC.



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: January 18, 2022

Subject: Tattersall at Tymber Creek, Issuance of a Development Order

Commission Goal: Community Development - Other

Introduction

This is a request for a Planned Residential Development (PRD) amendment for the issuance of a development order for the Tattersall at Tymber Creek PRD, submitted by Trey Paytas, Manager, Paylin Tymber 1 and 2, LLC with the authorization of the property owner Marsha Madorsky c/o Tymber Sky LLC & Enclave of Timber Creek LLC. The PRD development order seeks to allow 143 single-family lots on 84.14± acres and associated subdivision improvements. The Tattersall at Tymber Creek subdivision is located at the northwest intersection of Tymber Creek Road and Airport Road on 304 North Tymber Creek Road, 370 North Tymber Creek Road and 2099 Airport Road.

Background

The subject property has a land use designation of "Suburban Low Density Residential" (SLDR) for 67.54 acres and "Open Space/Conservation" (OS/C) for 16.6 acres. The zoning classification is PRD. The City's Land Development Code requires that any subdivision of lands within the "Suburban Low Density Residential" land use designation with lots of less than two acres (one acre if connecting to water and sewer) be approved through the Planned Residential Development process. In order to subdivide land less than one acre within the "Suburban Low Density Residential" land use category, a three-step process is required. The steps are as follows:

1. PRD Development Order: This process requires the applicant to provide a holding capacity analysis, flood zone information, proposed lot layout, recreation areas, phasing plan, generalized areas of stormwater, road layouts, and landscaping buffers. The PRD Development Order does not require the applicant to provide detailed engineering information regarding the application. The detailed engineering work is not done until the Preliminary Plat approval process.
2. Preliminary Plat: After a PRD has been approved, the applicant's engineer performs detailed work in terms of the stormwater design, utilities, lot grading, and road layout. The Preliminary Plat requires review and a recommendation

from the Planning Board and review/action by the City Commission.

3. Final Plat: The final plat is a legal document that is reviewed by an independent City Surveyor and the City's Legal Department to ensure compliance with State Statutes.

The land area for the subdivision has seen applications for lots less than 80' in width that have both been denied. The 2018 application for the subdivision land area was denied based upon:

1. Lots that were less than 80' in width. The application proposed 29 lots from 60' to 69' in width, 86 lots from 70' to 79' in width and 29 lots that are above 80' in width.
2. Request to reduce the required 40' perimeter setback.
3. Concerns with traffic.
4. Concerns with flooding.
5. Memo of agreement between CAND02 and the Edward James Corporation.
6. Planning Board denial (3-2) that occurred on September 13, 2018.

The current application differs from the 2018 application as follows:

1. Lot sizes: The Tattersall at Tymber Creek PRD proposes 143 single-family residential units that are a minimum of 80' in width and 110' in depth.
2. Perimeter setback: The Tattersall at Tymber Creek PRD fully complies with the required 40' perimeter setback.
3. Memo of Agreement: The Marshside application provided a memo of agreement between CAND02 and the Edward James Corporation with certain development conditions. The current Tattersall at Tymber Creek project does not include any such agreement.
4. Lots between Groover Branch and Tymber Creek Road: The Marshside application contained seven lots independent of the subdivision with access from North Tymber Creek Road. The current Tattersall at Tymber Creek project does not include these seven lots and the upland land area between Groover Branch and Tymber Creek Road is proposed as a compensating storage stormwater pond to meet floodplain management requirements.

Project Description:

The project has the following attributes:

1. The total project size is 84.14 acres.
2. The development of lots is proposed to be phased and consists of 143 lots. The phasing plan is as follows:
 - a. Phase 1 - 66 lots;
 - b. Phase 2 - 24 lots; and
 - c. Phase 3 - 53 lots.
 - d. The subdivision phasing may be modified with review and approval of the Site Plan Review Committee.
2. The project shall be required to obtain a Preliminary Plat and provide detailed engineering plans with review by the Planning Board and action by the City Commission prior to the issuance of a site construction permit.

3. The proposed gross density is 1.69 units per acre. The density within the "Suburban Low Density Residential" land use area is 2.12 units per acre.
4. All lots shall be 80' in width. The 80' width is required per Section 2-11 of the Land Development Code (SR zoning district).
5. The sole waiver sought are two entry features that are designed at 16' in height where the Land Development Code does not recognize entry features. The Land Development Code does allow monument signs at 8' in height.
6. School concurrency for the zoning action has been approved. Additional school concurrency would be required for the plat (detailed construction plans).
7. A traffic study was performed and is included in the staff report.
8. A six (6') foot sidewalk is proposed along Airport Road to Leeway Trail (beyond the project limits) to allow a walkable path to Pathways Elementary.
9. The project has reserved land of 32' feet in depth, totaling 1.86 acres, along Tymber Creek Road for future roadway expansion by Volusia County.
10. Environmental Assessment Analysis was performed by Zev Cohen and Associates. Zev Cohen staff performed field analysis of the property consistent with Chapter 62-340 F.A.C. and the 1987 Corps of Engineers Wetlands Delineation Manual. A total of 13.05 acres of wetlands exist on the Tattersall at Tymber Creek property. As designed, the project would have 1.49 acres of direct impacts to on-site wetlands.
11. The project buffers are as follows:
 - A. West (abutting city property). Required: 10'. Provided: 40' natural area.
 - B. Airport Road. Required 20'. Provided: Minimum of 40', varies along frontage.
 - C. North Tymber Creek Road. Required 20'. Provided: Minimum of 40', varies along frontage.
 - D. North (abutting single-family). Required: 10'. Provided: minimum 40' natural area, ranges.
12. Natural areas: 12.69 acres required outside of wetlands and buffers and 13.30 provided. There is an additional 11.57 acres of preserved wetlands and 3.82 acres of upland buffers. The total natural area is approximately 34.1% of the total site.
13. Recreation area: 12,870 square feet of outdoor recreation area required and 19,668 square feet is proposed. The project seeks a transfer of the indoor recreation area to outdoor recreation area as allowed by the Land Development Code.

Discussion

It is important to note that the subdivision of land in the "Suburban Low Density Residential" land use category is a three (3) step process. The first step is the zoning action of a development order under the PRD zoning classification. The property currently has no development order. The issuance of the development order does not require construction level site plans that would provide stormwater, floodplain, or utility designs. The construction documents are performed once the zoning development order has been approved.

Past applications and the neighborhood meeting discussed issues including traffic, the two elementary schools within the area, flooding, stormwater, preservation of natural areas, and the desire to reduce the density of the subdivision. The application has been reviewed by the Site Plan Review Committee and a recommendation provided.

Planning Board review:

On December 9, 2021, the Planning Board reviewed the application and recommended denial of the PRD. There were 14 individuals who addressed the Planning Board on the following topics:

1. School Impacts

- A. Traffic related to schools and there is an accident waiting to happen.
- B. School pick-up and stacking on Abacus Avenue (Deer Creek).
- C. Why are the school gates not opened earlier during the pick up to allow on-site school stacking?
- D. Traffic in AM peak is a problem for the area.

2. Traffic

- A. Tymber Creek Road - speaker stated traffic count on Tymber Creek Road (Broadway Avenue to Airport Road) from 2008 to May of this year has increased.
- B. Question the level of service standards and consistency with Volusia County Comprehensive Plan.
- C. Location of the driveway on Tymber Creek Road.
- D. Traffic will get worse as Tymber Creek Road is connected with LPGA Boulevard.
- E. Traffic is getting worse in the area.

3. Environmental Impact

- A. Impacts to wildlife.
- B. Concern to the percolation for drinking water for properties in unincorporated Volusia County.
- C. The property is a swamp.
- D. Lots that touch the wetlands should not be approved.
- E. Property is absorbing water for the area.
- F. Property sits under water year-round.
- G. Questioned the type of buffers proposed.

4. Stormwater/Flooding

- A. Project would increase flooding.
- B. Stormwater is an existing issue along Airport Road, Leeway Trail and Durrance Lane.
- C. Adding roads and homes would only increase runoff to these areas regardless of stormwater retention.
- D. Concerned about water quality based on fertilizer and pesticides.

- E. Impacts to surrounding property owners and even though all the engineers approved a design, it can still fail to work.
- F. Property on Toni Street floods and this property will make that worse.
- G. All of the property is wet and unbuildable.
- H. Concern with the existing water flow onto the property from Durrance Acres and how that would be maintained.
- I. Properties in Durance Acres have flooding problems with horses standing hoof-deep in water.

5. Density

- A. Density needs to be lowered.
- B. Density should be followed of the 2006 approved plan.

At the Planning Board meeting the applicant and the design team responded as follows:

1. School Impacts

- A. A six-foot sidewalk from Airport Road to Leeway Trail to aid walkers to school.
- B. Traffic engineer stated the characteristics of elementary schools have changed with less children riding buses. Elementary schools were not designed for the type of stacking that is being generated today. The stacking is not a new problem and a meeting with School Board staff should occur.

2. Traffic

- A. Project team offered to provide screening for neighbor across the Tymber Creek Road access point. The driveway cannot shift based on the wetland and distance required from the Airport Road/Tymber Creek Road intersection.
- B. There is level of service standards established for roadways and all standards are being met. The project meets or exceeds all level of service standards established by the city, Volusia County and the Transportation Planning Organization (TPO). No waivers are sought for traffic.

3. Environmental Impact

- A. Buffers are to remain natural with no clearing/construction.
- B. Tomoka River is an outstanding Florida waterway (OFW), the tributaries have elevated protections.
- C. Environmental consultant confirmed that they met with St. Johns River Water management staff and had verified the wetland lines.
- D. Environmental consultant stated approximately 14 acres of 84 acres that are wetlands (16 percent) and the remainder of the land is not low and marshy.
- E. Project engineer described floodplain impacts and that any impacts or filling would be offset with the compensating storage pond with a 1:1 ratio.

4. Stormwater/Flooding

- A. Both the City and St. Johns River Water Management District require the review of pre-development and post-development in terms of rates and volume.

- B. Stormwater design must, by city and state law, accept existing stormwater from off-site sources and cannot block that flow.
- C. The property discharges to an outstanding Florida waterway which requires additional stormwater treatment volume in the ponds, as well as additional phosphorus and nitrogen removal.
- D. The post development discharge will be less after development than the pre-development condition.
- E. Nine acres of stormwater.
- F. No variances are being sought for stormwater and all state and local standards would be met.

Planning Board members discussed the items listed above and had the following comments:

1. The number of homes is still about the same as three years ago and the traffic has not gotten any better.
2. There is room for improvement and this project can still get better.
3. Questions remain on the environment and water. Was hoping for less density even though the project is within the land use range.
4. Cannot see adding more homes and adding more water to areas that have a flooding problem. "Flooding is a problem that we are seeing at every meeting."
5. Could not vote for the project and added that neighborhoods need to be held to higher standard with more recreation areas and less density.
6. Without more information on how the water issues will be addressed, he could not support this request.
7. Suggested letting the experts that understand flooding resolve these issues with expectations from the Board, similar to other projects.
8. The area lacks housing and if we are not careful the federal government will tell communities what type of housing to have.
9. This is the first step in a multi-step process that will provide additional information with the next step. The next step includes Planning Board and City Commission review of the project.
10. Does not want this project to impact other property owners in terms of water, but a developer has rights with what to do with the property under the zoning.
11. Lowering density, lowers the project impacts (traffic, stormwater, and flooding).

The complete Planning Board draft minutes are attached to the City Commission packet.

Budget Impact

There is no budget impact associated with the application. If approved, the applicant would be required to prepare and submit detailed engineering plans.

Citizen Impact

One key aspect of the "Suburban Low Density Residential" land use is the requirement

of obtaining a PRD public hearing approval with certain open space, common area, and recreational area requirements. This application has adjusted the lot sizes and complied with the required perimeter buffer setbacks that were the primary objection of previous applications. The current application is the first of three steps that provides a zoning review with detailed construction drawings occurring in the next step (preliminary plat). All steps have City Commission review and action. Issues of school operations, traffic, environment, stormwater/floodplain, and density were all discussed at the Planning Board meeting. The Planning Board draft minutes should be reviewed for citizen impacts.

Site Plan Review Committee comments after the Planning Board Meeting

1. School Impacts

- A. The elementary school impact has existed for a number of years and will occur with or without the project.
- B. There are operational issues that need addressing, with or without the project.
- C. The project has an adequate capacity letter from the School Board. This letter states that an expected 17 students are projected to attend Pathways.
- D. The project is installing a six (6') sidewalk along Airport Road (beyond their property boundary) to provide a walking path to the school.

2. Traffic

- A. Level of Service criteria are established for roadways and intersections by Volusia County and the city. A traffic study has been performed and reviewed by an independent traffic consultant that concludes all Level of Service standards have been met. This does not mean that there are not traffic impacts, but that the project meets concurrency standards.
- B. If the project moves forward, the traffic study would be finalized and Volusia County impact fees would be required and are greater than the project's proportionate fair share calculations.

3. Environmental Impact

- A. Natural buffers are provided around the property. The project provides over 20% natural preservation that excludes wetlands and upland buffers.
- B. Final wetland lines would be established as part of the preliminary plat.

4. Stormwater/Flooding

- A. The areas of Durrance Acres and the properties in unincorporated Volusia County along Tymber Creek Road do not have a master stormwater system, public paved roadways and utilize well and septic systems. There are existing flooding issues in both Durrance Acres and the properties in unincorporated Volusia County along Tymber Creek Road. Testimony was provided about the current application further creating flooding issues.
- B. The following Goals, Objectives and Policies in the Comprehensive Plan regulation stormwater and flood control:
Future Land Use Element, Objective 4.2 and related policies.

Utilities Element, Goal 2, Objective 2.2 and related 31 policies.

Key policies include:

POLICY 2.2.7.

The following criteria shall apply when considering applications for development activities that utilize wetlands as part of the stormwater management system:

1. Stormwater outfalls from a development may be directed to the wetland only when free of debris and free of chemical pollutants and silt that will adversely impact wetlands, and only at rates that do not disturb vegetation or increase turbidity. Sheet flow and other overland drainage of runoff shall be controlled.
2. The proposed action shall not cause stormwater runoff on the wetland to take place at a rate that would exceed the natural rate.
3. The allowed total increased runoff, in combination with the total fill allowed, shall not cause total natural flood-storage capacity of the wetland to fall below, or fall below further, the projected volume of runoff on the whole developed wetland watershed generated by a 100-year frequency, 24-hour duration rainfall event.

POLICY 2.2.12.

Stormwater management systems shall be designed to ensure that post-development runoff does not exceed pre-development levels, in terms of the volume, rate, timing and pollutant load of runoff.

POLICY 2.2.15.

Stormwater runoff shall be detained for a sufficient amount of time, as needed, to provide for the settling and filtration of pollutants to the maximum extent possible before discharging into a surface waterbody or recharging into the groundwater as required by State regulations.

POLICY 2.2.24.

Environmental assessments of stormwater facilities shall be required of development on the basis of its location, magnitude, and character in order to assess the impacts of stormwater runoff and related facilities upon water quality, fish and wildlife values, floodplains, wetlands, and other environmentally sensitive areas.

- C. Section 3-18 of the Land Development Code provides the requirements for surface water runoff control. Section 3-18 (i) Off-site Drainage facilities, states, "A positive drainage system shall be provided which will not adversely impact downstream owners or adjacent lands. Outfall of the surface water management or storm drainage system for the development shall be of an acceptable quality, shall not be discharged in excess of volumes otherwise allowed by this article.
- D. State statutes, implemented by the St. Johns River Water Management District would apply.
- E. With a preliminary plat, the following information is required:
 1. Stormwater plan including:
 - a. Site topography survey;

- b. Evidence of acceptance of water from off-site properties;
 - c. Nutrient loading information. There are higher standards for this property based upon the Tomoka River being an Outstanding Florida waterway; and
 - d. Pre-development and post development calculations.
- 2. Floodplain review including:
 - a. Base flood elevation study;
 - b. Amount of fill in the floodplain; and
 - c. Amount of compensating storage provided.
- 5. Density
 The City's Comprehensive Plan has established the Planned Residential Development zoning classification to implement the goals of the "Suburban Low Density Residential" land use category. These goals include performing a site-specific holding capacity analysis to determine density, requiring less density than in the City core areas, providing recreational, common, and natural areas, and clustering units to preserve environmentally sensitive areas. The proposed application achieves the goals of the land use and zoning designations

Recommendation

Key considerations for deliberation include lots sizes, perimeter setbacks, and traffic impacts and compliance with the provisions of the Planned Residential Development regulations.

The Planning Board recommended denial (5-1) of the application. If the City Commission determines that the application fails to meet the criteria of the Land Development Code, consistent with the Planning Board recommendation, then the attached ordinance should be denied.

If there is a belief that the application meets the Land Development Code criteria, then the ordinance should be approved containing the specific findings of:

- a. Phased development of 143 lots;
- b. The provision of additional outdoor recreational square footage in lieu of indoor recreational facilities as permitted under a Planned Residential Development;
- c. Allowance of the sign and architectural renderings as shown in the attached ordinance;
- d. Allowance of a five-year expiration date for phase one of the project from the date of City Commission approval; and
- e. Require that the detailed engineering plans (stormwater, utilities, and floodplain) for the subdivisions be prepared and submitted for the preliminary plat which is reviewed by the Planning Board and acted upon by the City Commission.

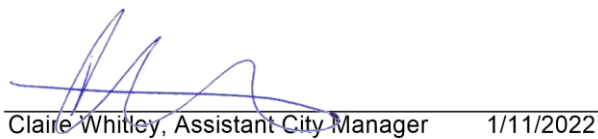
Attachments:

- 22-01 Tattersall at Tymber Creek - Development Order (P21-0194S) (PDF)

- Tattersall at Tymber Creek Development Order (PDF)
- Tattersall DO Exhibits A-G (PDF)
- 12.09.2021, Tattersall at Tymber Creek, PB Staff Report, combined (PDF)
- DRAFT, Planning Board minutes, 12.09.2021 - Tattersall at Tymber Creek (PDF)
- Correspondence Received After PB Meeting - Tattersall at Tymber Creek (PDF)

REVIEWED BY:


Kelly McGuire, Finance Director 12/30/2021


Claire Whitley, Assistant City Manager 1/11/2022

APPROVED BY:


Joyce A. Shanahan, City Manager 1/12/2022

ORDINANCE NO. 2022-01

AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A PLANNED RESIDENTIAL DEVELOPMENT DEVELOPMENT ORDER FOR THE “TATTERSALL AT TYMBER CREEK” SUBDIVISION, AUTHORIZING A PHASED SUBDIVISION OF 143 LOTS ON 84.14± ACRES TO BE LOCATED AT 304 NORTH TYMBER CREEK ROAD (PARCEL ID NUMBER: 4124-00-00-0240), 2099 AIRPORT ROAD (PARCEL ID NUMBER: 4123-00-00-0012), AND 370 NORTH TYMBER CREEK ROAD (PARCEL ID NUMBER: 4124-00-00-0250); ESTABLISHING CONDITIONS AND EXPIRATION OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, Paylin Tymber 1 and 2, LLC, a Florida Limited Liability Company (the “Applicant”), with the authorization of Enclave of Timber Creek LLC, a Florida Limited Liability Company and Timber Sky LLC, a Florida Limited Liability Company (the “Property Owners”) has submitted an application to allow the development of a phased subdivision of 143 lots on 84.14± acres to be located at 304 North Tymber Creek Road (Parcel ID number: 4124-00-00-0240), 2099 Airport Road (Parcel ID number: 4123-00-00-0012), 370 North Tymber Creek Road (Parcel ID number 4124-00-00-0250), (the “Property”) to be known as “Tattersall at Tymber Creek”, described and depicted in the Planned Residential Development (“PRD”) Development Order attached hereto and incorporated herein, and

WHEREAS, on July 11, 1989, by Ordinance 1989-39, the City Commission annexed 58.53 acres located on the west side of Tymber Creek Road and north of Airport Road, which has been recorded in Official Records Book 3334 at Pages 317 through 326, inclusive of the Public Records of Volusia County, Florida, and

WHEREAS, the property that was annexed by Ordinance No. 1989-39 was intended to be developed for residential purposes, and

WHEREAS, on October 18, 2005, by Ordinance No. 2005-35, the City Commission annexed 37.9 acres located at 370 North Tymber Creek Road, recorded in Official Records Book 5685 at Pages 1004 through 1015, inclusive of the Public Records of Volusia County, Florida, and being situated directly north of and adjacent to the 58.53 acres that was annexed by Ordinance No. 1989-39, and

WHEREAS, on November 14, 2006, by Ordinance No. 2006-09, the City Commission approved the rezoning and development order for the “Marshside Village” Planned Residential Development for 68 lots or 1.47 units per gross acre located at 304 North Tymber Creek Road, at the intersection of Airport Road and Tymber Creek Road, which was recorded in Official Records Book 6051 at Pages 4063 through 4089, inclusive of the Public Records of Volusia County, Florida; however this approval expired on November 14, 2014, and

WHEREAS, on November 18, 2008, by Ordinance 2008-54, the City Commission approved The Future Land Use Map amendment for 21.3 acres from Volusia County “Rural” to “Suburban Low Density Residential”; approved 16.9 acres from Volusia County “Environmental System Corridor” to “Open Space/Conservation”, and approved a Future Land Use Map density restriction for the subdivision lands with the land use of “Suburban Low Density Residential” of 3.47 units per acre on 67.54 acres, and

WHEREAS, on February 5, 2013, by Ordinance 2013-01, the City Commission rezoned the 37.9 acres located west of Tymber Creek Road and north of Airport Road from Volusia

County A-2 (Rural Agriculture) and Volusia County RC (Resource Corridor) to Ormond Beach Planned Residential Development (PRD), but denied the Development Order that would have allowed the phased development of 163 lots that were proposed at 60.00 feet in width by 110.00 feet in depth, and

WHEREAS, on November 5, 2018, by Ordinance 2018-28, the City Commission denied the PRD Development Order based upon lot sizes less than 80.00 feet in width and perimeter setback encroachments, and

WHEREAS, the Property is currently zoned as Planned Residential Development; however, no Development Order exists for the property, and

WHEREAS, the Planning Board held a public hearing on December 9, 2021, as required by Chapter 1, Article II, Section 1-15(d) of the *Land Development Code*, and has recommended denial, and

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

- (1) The report and recommendations of the Planning Board;
- (2) The report and recommendations of the Site Plan Review Committee;
- (3) The comments of governmental agencies, utility corporations and individuals, as received, and
- (4) The testimony provided at public hearings, including from the City's planning staff, the Applicant, expert witnesses, and persons that may be affected as a result of the application, and documentary evidence pertaining thereto, if any, and

WHEREAS, the City Commission further finds that there is competent substantial evidence to support the following:

- (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;
- (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;
- (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;
- (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 foregoing recitals are incorporated herein as the findings of the City Commission.

SECTION TWO. The application for the issuance of a Planned Residential Development Development Order for the Tattersall at Tymber Creek project is hereby approved. The Mayor and the City Manager are authorized and directed to execute and issue the attached Development Order for the “Tattersall at Tymber Creek” Planned Residential Development District to allow the phased development of 143 lots on 84.14± acres to be located on the Property.

SECTION THREE. The project shall be required to obtain a Preliminary Plat and provide detailed engineering plans with review by the Planning Board and action by the City Commission prior to the issuance of a site construction permit.

SECTION FOUR. The project shall consist of three phases as follows: Phase 1 - 66 lots, Phase 2 – 24 lots, and Phase 3 – 53 lots. The subdivision phasing may be modified with review and approval of the Site Plan Review Committee.

SECTION FIVE. Section 3-47(C)(2) of the Land Development Code establishes an eight (8') foot limitation for residential zoning. Section 3-47(A) of the Land Development Code

provides that alternative signage may be approved by the City Commission through planned developments and special exceptions. The Applicant's request for the entry feature/signage shown as sign elevation #1 and sign elevation #3 at a height of sixteen feet (16') as shown, described, and depicted in Exhibit "G" to the PRD Development Order is hereby approved.

SECTION SIX. Section 2-35(h)(3) of the Land Development Code allows additional outdoor recreational areas to be provided in lieu of indoor recreation area. The project is required to provide 12,870 square feet of outdoor recreational area. The Applicant's proposed 19,668 square feet of outdoor recreational area exceeds the Land Development Code requirements and is hereby accepted.

SECTION SEVEN. The applicant shall construct sidewalk along Airport Road, along the project's boundary and beyond the property's boundary to connect with the sidewalk at Leeway Trail in Phase 1 of the project development.

SECTION EIGHT. The Applicant, including the Applicant's successor and assign, shall at all times fully comply with the terms and conditions of the PRD Development Order.

SECTION NINE. This Ordinance shall take effect immediately upon its adoption. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

PASSED UPON at the first reading of the City Commission this 18th day of January, 2022.

PASSED UPON at the second and final reading of the City Commission this 1st
day of February, 2022

BILL PARTINGTON
Mayor

ATTEST:

SUSAN CARROLL DAUDERIS
City Clerk

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

IN RE: Application of: Paylin Tymber 1 and 2, LLC, a Florida Limited Liability Company, with the authorization of the property owners Enclave of Timber Creek LLC, a Florida Limited Liability Company and Timber Sky LLC, a Florida Limited Liability Company

Planned Residential Development PRD 2021-067

Project Name: Tattersall at Tymber Creek

Property Addresses: 304 North Tymber Creek, 2099 Airport Road, 370 North Tymber Creek Road

Parcel ID Nos. 4124-00-00-0240, 4123-00-00-0012, 4124-00-00-0250

DEVELOPMENT ORDER

This matter having come on for public hearing before the City Commission of the City of Ormond Beach, Florida, on January 18, 2022 and February 1, 2022, and the City Commission having considered those items as required by 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 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;
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;

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;

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;

Thereupon and in consideration thereof, the City Commission hereby orders

that:

A. The application of Paylin Tymber 1 and 2, LLC, a Florida Limited Liability Company (the “Applicant”), with the authorization of the property owners Enclave of Timber Creek LLC, a Florida Limited Liability Company and Timber Sky LLC, a Florida Limited Liability Company (the “Property Owners”), for a Planned Residential Development (“PRD”) Development Order authorizing the development and construction of a residential subdivision to be known as “Tattersall at Tymber Creek” located on a 84.14± acre parcel at 304 North Tymber Creek Road (Parcel ID number: 4124-00-00-0240), 2099 Airport Road, (Parcel ID number: 4123-00-00-0012), 370 North Tymber Creek Road (Parcel ID number 4124-00-00-0250) on that real property described in Exhibit "A" attached hereto and incorporated herein by reference is hereby granted, subject to the following conditions:

1. All applicable provisions of Chapter 2, District and General Regulations, Article II, District Regulations, Section 2-35, Planned Residential Development District, of the City of Ormond Beach *Land Development Code*, except as otherwise specifically modified are hereby made a part of this Development Order;

2. The project shall be required to obtain a Preliminary Plat and provide detailed engineering plans with review by the Planning Board and action by the City Commission prior to the issuance of a site construction permit;

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

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

5. Full and complete compliance with the Applicant’s Fence plan attached as Exhibit “D”;

6. Full and complete compliance with the Applicant’s Phasing plan attached as Exhibit “E”;

7. Full and complete compliance with the Applicant’s Architectural Elements plans attached as Exhibit “F”;

8. Full and complete compliance with the Applicant’s Sign plans attached as Exhibit “G”;

B. The final plans for the development project shall be consistent with all of the conditions listed in this Development Order and as depicted in the plans attached hereto as Exhibits “C” through “G” and incorporated herein by reference.

C. No material change shall be made to the final plan for the development project without further review by the Planning Board and approval by the City Commission in accordance with the procedures for the approval or modification of development orders.

D. All site construction activity shall be performed in strict compliance with the terms and conditions of this Development Order approved for this development project, and of the *Land Development Code*.

E. There shall be no site preparation including clearing, filling, dredging, or excavation, nor shall any construction begin until the Preliminary Plat site plans are approved. If construction has not begun within five years (February 1, 2027) from the date of City Commission approval of this Development Order with the subdivision plat processed in accordance with Sections 4-17 or 4-18 of the *Land Development Code*, this Development Order shall automatically become void and shall have no further effect. Before the planned development permit can be re-established, a new PRD Development Order application must be filed and shall be reviewed and approved by the Planning Board and the City Commission under the provisions of Section 1-14(3)(b), of the *Land Development Code*.

F. In the event the use of the land approved by this Planned Residential Development Order is abandoned for a period of two (2) years or there has been no construction activity during that period, any permit shall be void and a Notice of Final Plan Revocation shall be filed under the provisions of Section 1-14(3)(b) of the *Land Development Code*, and a new application for a PRD Development Order must be submitted for consideration in accordance with the requirements of the *Land Development Code*.

G. 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.

H. This Development Order shall be recorded in the public records of Volusia County, Florida, at the expense of Paylin Tymber 1 and 2, LLC, a Florida Limited Liability Company (the "Applicant"), with the authorization of the property owners Enclave of Timber Creek LLC, a Florida Limited Liability Company and Timber Sky LLC, a Florida Limited Liability Company, (the "Property Owners") and shall be binding upon the Applicant and Property Owners and its successors and assigns, and shall run with the real property described in Exhibit "A" attached hereto and incorporated herein by reference. (Volusia County Parcel ID Numbers 4124-00-00-0240, 4124-00-00-0250, 4123-00-00-0012).

ORDERED this 1st day of February, 2022.

CITY COMMISSION
CITY OF ORMOND BEACH, a Florida
municipal corporation

By: _____
BILL PARTINGTON
Mayor

(CITY SEAL)

Attest: _____
JOYCE A. SHANAHAN
City Manager

EXHIBIT "A"

Page 1 of 2

PARCEL 1:

The Southwest one quarter (1/4) of the Northwest one quarter (1/4) of Section 24, Township 14 South, Range 31 East, Volusia County, Florida, excepting therefrom the Easterly 33 feet in Hull Road, a 66 foot street as now laid out; also subject to an easement over and upon the Southerly 25 feet thereof; also excepting therefrom: a portion from the West one quarter (1/4) of said Section 24, as the **point of beginning**, run North 01°56'27" West along the West line of said Section 24 a distance of 119.25 feet; thence departing said West line, run North 88°19'45" East a distance of 1348.62 feet; thence South 01°27'18" East a distance of 100.17 feet to a point on the South line of Northwest one quarter (1/4) of said Section 24; thence following said South line South 87°31'05" West a distance of 1347.82 feet to West one quarter (1/4) of Section 24 and **point of beginning**, all of the above containing 25.839 acres.

PARCEL B:

A portion of Section 23, Township 14 South, Range 31 East, Volusia County, Florida, described as follows:

From the East one quarter (1/4) of said Section 23, run North 01°56'27" West along the East line of said Section 23 a distance of 119.25 feet to the point of beginning; thence continue North 01°56'27" West along said East line a distance of 2516.66 feet to the Northeast corner of said Section 23; thence South 87°52'34" West along the North line of said Section 23 a distance of 197.43 feet; thence departing said line, run South 01°56'27" East a distance of 2515.42 feet; thence North 88°19'45" East, a distance of 157.43 feet to the point of beginning, containing 9.093 acres.

LESS AND EXCEPT the following parcel:

A portion of the Southwest 1/4 of the Northwest 1/4 of Section 24, Township 14 South, Range 31 East, Volusia County, Florida.

Commence at the Southwest corner of the Northwest 1/4 of said Section 24; thence North 00°52'02" West along the West line of said Section 24 a distance of 119.27 feet to a point on the existing right-of-way line per Official Records Book 3252, Page 101 in the Public Records of Volusia County, Florida; thence North 89°24'03" East along said right-of-way line a distance of 1264.55 feet to the **Point of Beginning**; thence continue North 89°24'03" East along said right-of-way line a distance of 25.00 feet to the intersection with the Westerly right-of-way line of Tymber Creek Road, a 66.00 foot wide right-of-way; thence North 00° 45 '48" West along said right of way line a distance of 25.00 feet; thence departing said right-of-way line South 44°19'08" West a distance of 35.30 feet to the **Point of Beginning**.

PARCEL C:

The Northwest 1/4 of the Northwest 1/4 of Section 24, Township 14 South, Range 31 East, Volusia County, Florida, being more particularly described as follows:

Beginning at the Northwest section corner of said Section 24, Township 14 South, Range 31 East; thence North 87°12'56" East along the North line of said Section 24, Township 14 South, Range 31 East, a distance of 1297.11 feet to a point on the West Right of Way line of North Tymber Creek Road; thence South 1°53'40" East along said West Right of Way line, a distance of 1288.22 feet; thence South 88°32'17" West a distance of 1295.97 feet to the West line of said Section 24, Township 14 South, Range 31 East; thence North 1°56'27" West along said West line of said Section 24, a distance of 1258.30 feet to the **Point of Beginning**.

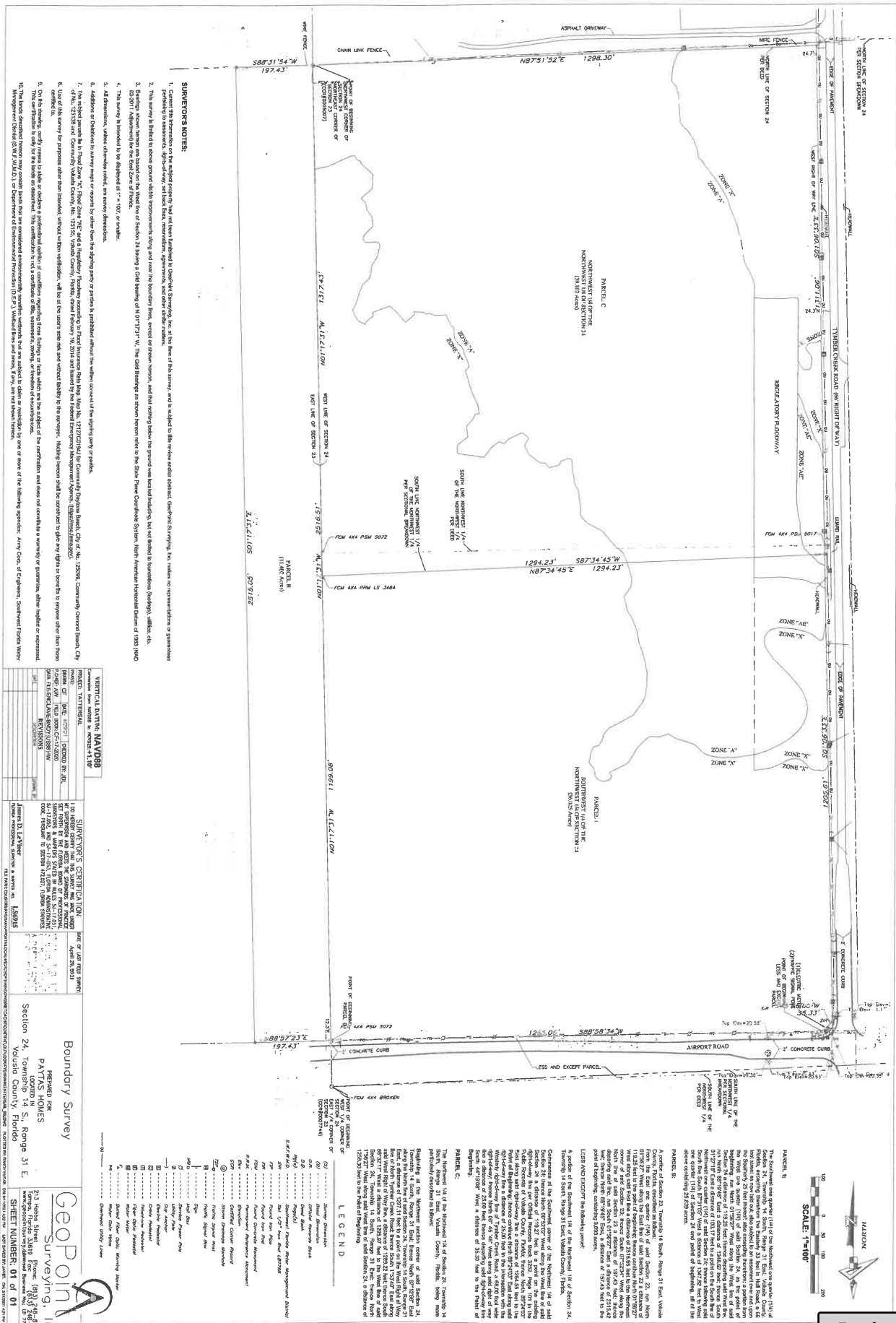


EXHIBIT “B”
Page 1 of 2

Special Conditions – Tattersall at Tymber Creek

Plan sheets are included in Exhibit “C” and shall be complied with at all times. Specific conditions include:

1. The total number of lots approved are 143. All lots shall be 80’ in width.
 - A. The project shall be required to obtain a Preliminary Plat and provide detailed engineering plans with review by the Planning Board and action by the City Commission prior to the issuance of a site construction permit. A preliminary plat, shall include following information is required:
 1. Stormwater plan including:
 - A. Site topography survey;
 - B. Evidence of acceptance of water from off-site properties;
 - C. Nutrient loading information. There are higher standards for this property based upon the Tomoka River being an Outstanding Florida waterway; and
 - D. Pre-development and post development calculations.
 2. Floodplain review including:
 - A. Base flood elevation study;
 - B. Amount of fill in the floodplain; and
 - C. Amount of compensating storage provided.
2. The proposed gross density is 1.69 units per acre. The density within the “Suburban Low Density Residential” land use area is 2.12 units per acre.
3. The setbacks for the project shall be:

Rear: 20’

Rear (accessory): 5’

Side: 7.5’

Side (accessory): 5’

Side Corner: 25’

Front Yard: 25’
4. The maximum building coverage shall be 50%. The maximum lot coverage shall be 70%.
5. The maximum building height shall be 35 feet.
6. Section 2-35(H)(3) of the Land Development Code allows additional outdoor recreational areas to be provide in lieu of indoor recreation area. The project is required to provide 12,870 square feet of outdoor recreational area. The proposed 19,668 square feet of

EXHIBIT “B”
Page 2 of 2

outdoor recreational area exceeds the Land Development Code requirements and is hereby accepted.

7. The subdivision shall have access from Airport Road and Tymber Creek. Both access points are shown as full access.
8. The project shall reserve land, totaling 1.86 acres, along Tymber Creek Road for future roadway expansion by Volusia County.
9. The applicant shall construct sidewalk along Airport Road along the project’s boundary and beyond the property’s boundary to connect with the sidewalk at Leeway Trail in Phase 1 of the project development.
10. Internal sidewalks are required on both sides of the streets within the subdivision.

A fence plan is included in Exhibit “D” and shall be complied with at all times. Specific conditions include:

11. The lots that abut Airport and Tymber Creek Roads shall have architectural standards that would only allow a six (6’) foot vinyl fence and the fence would be installed as a subdivision improvement.

A phasing plan is included in Exhibit “E” and shall be complied with at all times. Specific conditions include:

12. The project shall consist of three phases as follows: Phase 1 -66 lots, Phase 2 – 24 lots, and Phase 3 – 53 lots as shown, described, and depicted in Exhibit “E” attached hereto and incorporated herein by reference. The subdivision phasing may be modified with review and approval of the Site Plan Review Committee.

An Architectural Elements plan is included in Exhibit “F” and shall be complied with at all times. Specific conditions include:

13. Home designs shall be consistent with the architectural elevations provided in Exhibit “F” and an architectural review committee for the subdivision is required.

A signage plan is included in Exhibit “G” and shall be complied with at all times. Specific conditions include:

14. Section 3-47(C) of the Land Development Code establishes an eight (8’) foot limitation for residential zoning. Section 3-47(A) of the Land Development Code states, “Alternative signage may be approved by the city commission through planned developments and special exceptions.” The entry features/signage proposed, shown as sign elevation #1 and sign elevation #3 are proposed to be a height of 16’. The Applicant’s request for the entry feature/signage at a height of 16’ as shown, described, and depicted in Exhibit “G” attached hereto and incorporated herein by reference is hereby approved

TATTERSALL AT TYMBER CREEK

CITY OF ORMOND BEACH - VOLUSIA COUNTY, FL

PLANNED DEVELOPMENT

PROJECT DESCRIPTION:

THIS PROJECT INCLUDES THE CONSTRUCTION OF 143 SINGLE FAMILY RESIDENTIAL LOTS ALONG WITH ASSOCIATED ROADWAY, STORMWATER AND UTILITY INFRASTRUCTURE.

SITE INFORMATION:

[illegible]

NOTE: MAXIMUM DENSITY PER ORDINANCE 08-54 IS 234 UNITS BASED ON 67.54 ACRES OF PROPERTY WITH THE SLDR LAND USE.

NOTE: THE SCALE OF THESE PLANS MAY HAVE CHANGED DUE TO REPRODUCTION.

DEVELOPER:

PAYLIN TYMBER 1 AND 2, LLC
794 SANDERS ROAD, SUITE 1
PORT ORANGE, FL 32129
PHONE: 386-756-0439
FAX: 386-304-3308
CONTACT PERSON: JAMES W. PAYTA
e-mail: tpoytas@paytashomes.com

CIVIL ENGINEER:

ZEVE COHEN & ASSOCIATES, INC.
300 INTERCHANGE BLVD, SUITE C
ORMOND BEACH, FL 32174
PHONE: 386-677-2482
FAX: 386-677-2505
CONTACT PERSON: RANDY HUDAK, P.E.
e-mail: rthuddk@zevecohen.com

LANDSCAPE ARCHITECT:

ZEY COHEN & ASSOCIATES, INC.
300 INTERCHANGE BLVD, SUITE C
ORMOND BEACH, FL 32174
PHONE: 386-677-2482
FAX: 386-677-2505
CONTACT PERSON: JAKE STEHR, RLA
e-mail: jstehr@zeycohen.com

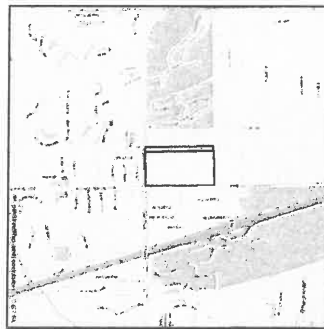
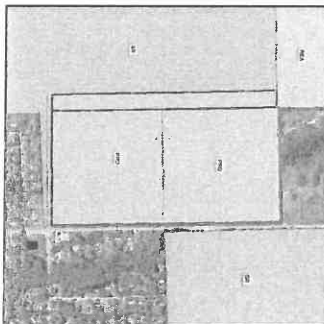
LEGAL:

COBB COLE
231 NORTH WOODLAND BLVD.
DELAND, FL 32720
PHONE: 386-736-7700
FAX: 386-944-7966
CONTACT PERSON: MARK WATTS
email: mark.watts@cobbcole.com

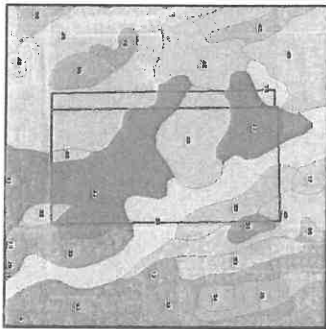
SHEET INDEX:

- | | |
|----|---------------------------------------|
| C1 | COVER SHEET |
| C2 | CONCEPT PLAN |
| C3 | WETLAND IMPACT & NATURAL AREA EXHIBIT |
| C4 | STORMWATER PLAN |
| C5 | UTILITY PLAN |
| C6 | CONSTRUCTION DETAILS |
| C7 | PHASING PLAN |

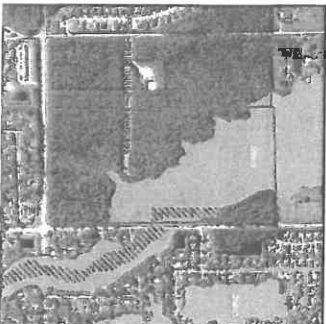
VICINITY MAP

ZONING MAP

SOILS MAP



FLOOD ZONE MAP



THE SITE LIES WITHIN THE FOLLOWING VOLusia COUNTY SOIL CLASSIFICATIONS:
22-ELECTRA FINE SAND, 0 TO 5 PERCENT SLOPES; 23-FANNON FINE SAND;
24-FLUVAUDINTE 45-FINDED FINE SANDS; 49-POCONA FINE SAND;
51-POCONA FINE SAND, DEPRESSIOIAL

THE PROPERTY LIES IN:
FLOOD ZONE A, AE & X PER FEMA MAP 12127C0194J

**TATTERSALL
PLANNED DEVELOPMENT
COVER SHEET**

CITY OF ORMOND BEACH

VOLUSIA COUNTY, FLORIDA

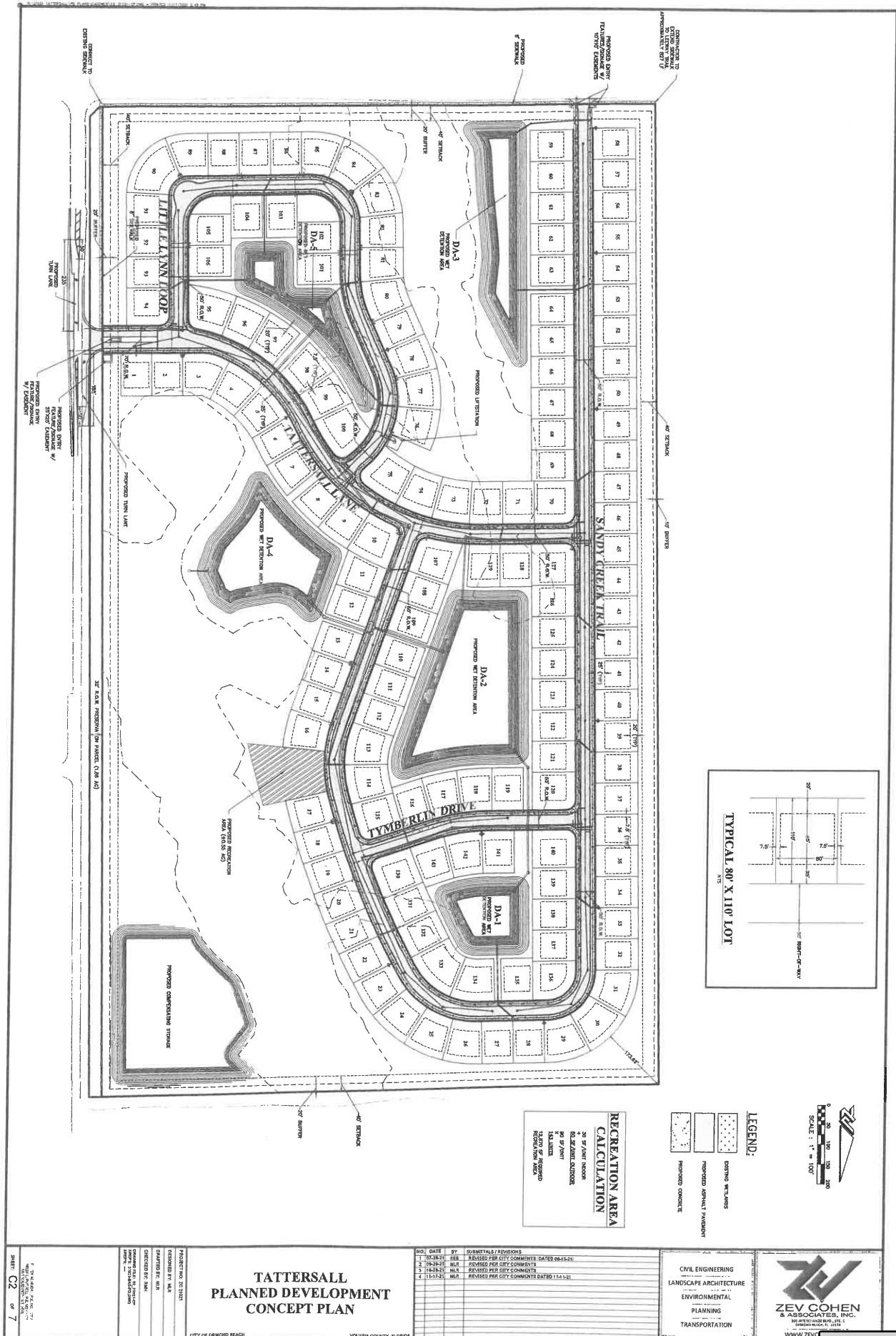
NO.	DATE	BY	SUBMITTALS / REVISIONS
1	07-26-21	EEB	REVISED PER CITY COMMENTS DATED 06-15-21
2	08-28-21	MLR	REVISED PER CITY COMMENTS
3	10-28-21	MLR	REVISED PER CITY COMMENTS

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CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE
ENVIRONMENTAL
PLANNING
TRANSPORTATION



**ZEV COHEN
& ASSOCIATES, INC.**
100 WALL STREET, SUITE 1100
NEW YORK, NY 10038
WWW.ZEVCOHEN.COM





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& ASSOCIATES, INC.**
300 WATERBURY BLVD., STE. C
SHARPOUR BEACH, FL 32174
A FIRM OF
WWW.ZEVCOHEN.COM

CITY OF ORMOND BEACH VOLUSIA COUNTY, FLORIDA

PROJECT NO: ZC 21021
DESIGNED BY: M.R
DRAWN BY: M.R
CHECKED BY: R.VH
DRAWING FILE: 03_1822-WW
XREF: 21021-WW-01.DWG
XREF: 21021-WW-02.DWG

SHEET: C3 OF 7



ALL WET STORMWATER MANAGEMENT AREAS ARE REQUIRED TO HAVE FOUNTAINS.

PROPOSED FLOOD RISK MAP

☐	OR	☐	PROPOSED STORMWATER INFIL.
☒		☒	PROPOSED STORMWATER MANHOLE
☐		☐	PROPOSED WES
☐		☐	PROPOSED YARD DRAIN

CITY OF ORMOND BEACH

VOLusia COUNTY, FLORIDA

NO.	DATE	BY	SUBMITTALS / REVISIONS
1	07-26-21	ESB	REVISED PER CITY COMMENTS DATED 06-15-21
2	09-28-21	MLR	REVISED PER CITY COMMENTS
3	10-28-21	MLR	REVISED PER CITY COMMENTS

CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE
ENVIRONMENTAL
PLANNING
TRANSPORTATION



**ZEV COHEN
& ASSOCIATES, INC.**
INDUSTRIAL/COMMERCIAL BLDG., STE. C
CHRYSLER BLVD., N. 31174
TEL. 610-328-8888 • FAX 610-328-8888
WWW.ZEVCOHEN.COM

EXHIBIT "C"

Page 5 of 6

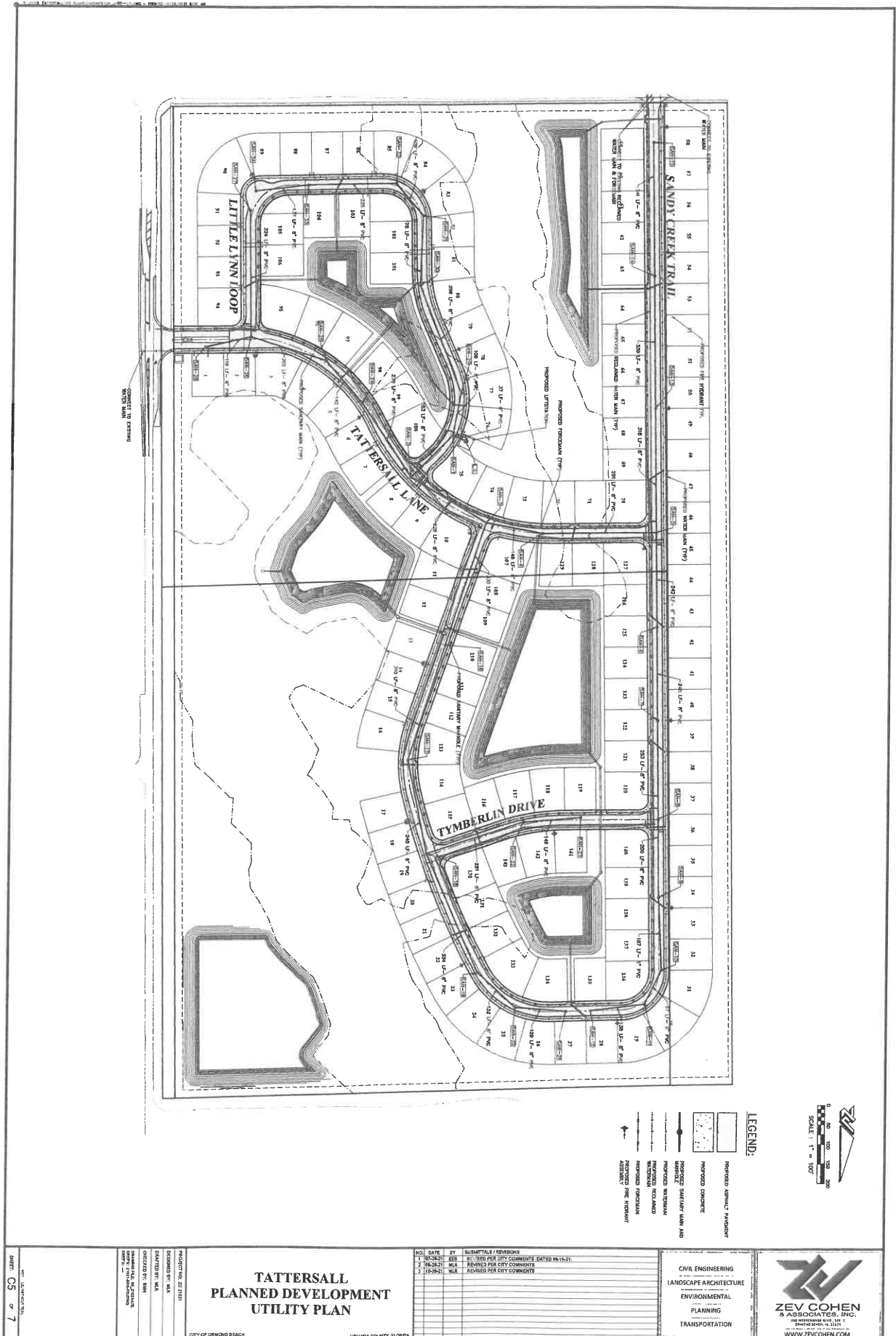
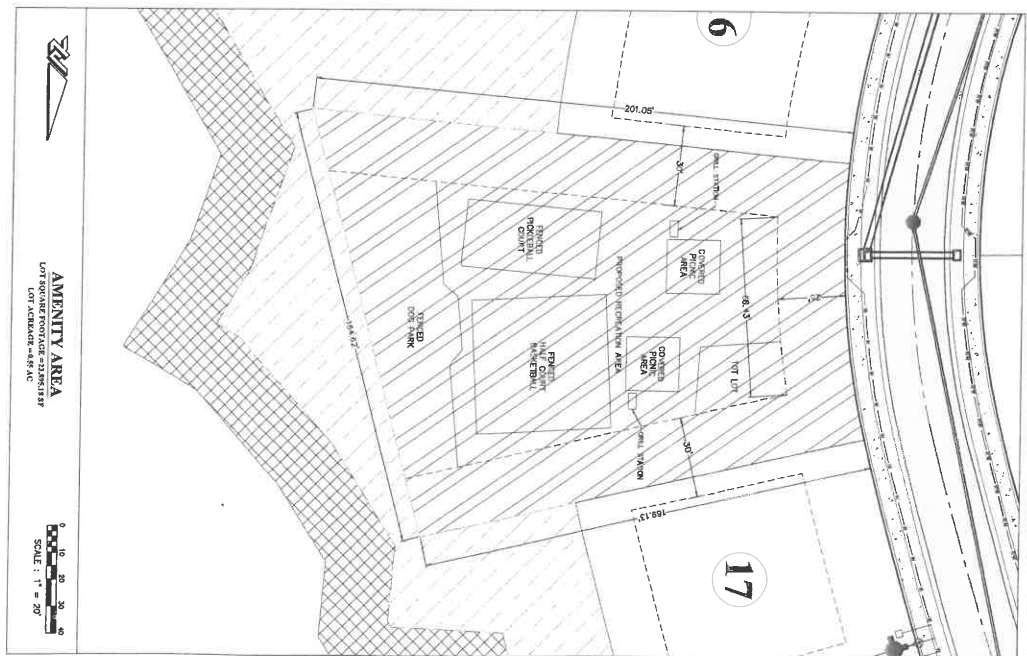
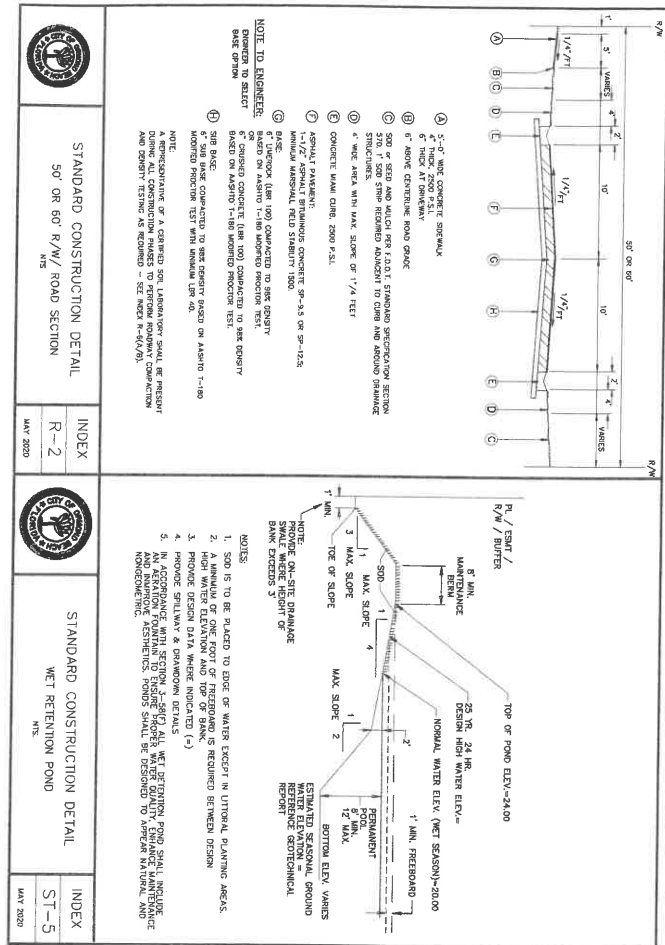


EXHIBIT "C" Page 6 of 6



PROJECT NUMBER: 20-0001
DRAWN BY: [Name]
CHECKED BY: [Name]
DATE: [Date]

AMENITY AREA
LOT 16.0000 - 42.71 AC
LOT 17.0000 - 42.71 AC

SCALE: 1" = 20'

NO.	DATE	BY	SUBMITTAL / REVISIONS
1	05-24-20	EEB	REVISION PER CITY COMMENTS, DATED 05-15-20
2	06-02-20	MLK	REVISION PER CITY COMMENTS
3	06-02-20	MLK	REVISION PER CITY COMMENTS

CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE
ENVIRONMENTAL
PLANNING
TRANSPORTATION



TATTERSALL PLANNED DEVELOPMENT CONSTRUCTION DETAILS

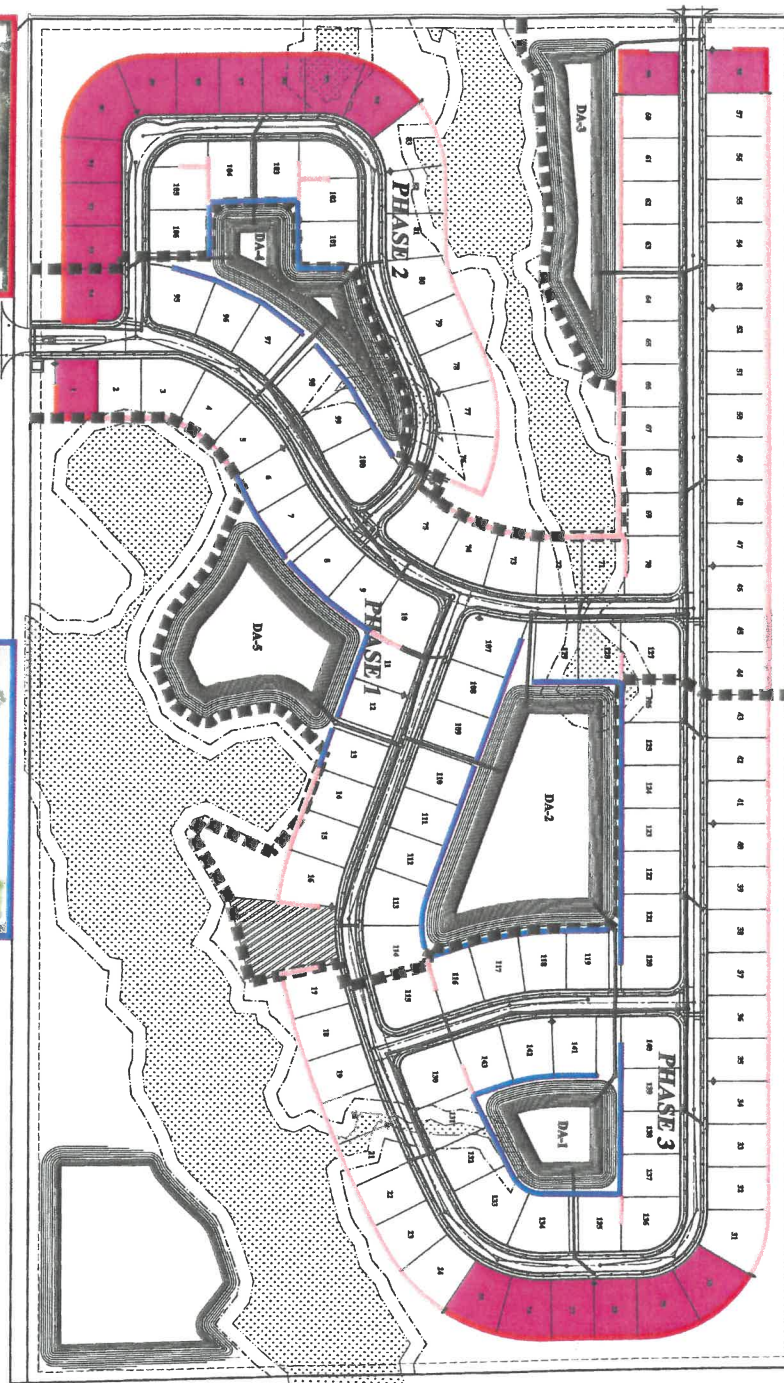
CITY OF ORLANDO, FLORIDA

VOUSSEA COUNTY, FLORIDA

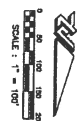
EXHIBIT "D"

FENCING EXHIBIT

- WHITE VINYL PRIVACY FENCING REQUIRED
- ONLY BLACK/BRONZE SLOTTED ALUMINUM FENCING ALLOWED
- WHITE VINYL PRIVACY FENCING OR BLACK/BRONZE SLOTTED ALUMINUM ALLOWED
- FENCING INSTALLED BY DEVELOPER BEFORE COMPLETION OF CONSTRUCTION PER PHASE



LOT COUNT PER PHASE:
 PHASE 1: 66
 PHASE 2: 24
 PHASE 3: 24
 TOTAL: 114



EXAMPLE OF WHITE VINYL FENCING
 MAX. HEIGHT: 6 FT



EXAMPLE OF BLACK/BRONZE SLOTTED ALUMINUM FENCING
 MAX. HEIGHT: 4 FT

TATTERSALL PLANNED DEVELOPMENT PHASING PLAN CITY OF CRANFORD, NEW JERSEY		CIVIL ENGINEERING LANDSCAPE ARCHITECTURE ENVIRONMENTAL PLANNING TRANSPORTATION	 ZEV COHEN & ASSOCIATES, INC. 1000 ROUTE 100, SUITE 100 CRANFORD, NJ 07016 WWW.ZEVCOHEN.COM
PREPARED BY: [blank] CHECKED BY: [blank] DATE: [blank]	REVISIONS: 1. [blank] 2. [blank]	SCALE: 1" = 100' DATE: [blank]	



LOT COUNT PER PHASE
PHASE 1: 66
PHASE 2: 24
PHASE 3: 53
TOTAL: 143

CIVIL ENGINEERING
PROFESSIONAL ENGINEERING AND ARCHITECTURE
LANDSCAPE ARCHITECTURE
PROFESSIONAL ENGINEERING AND ARCHITECTURE
ENVIRONMENTAL
PROFESSIONAL ENGINEERING AND ARCHITECTURE
PLANNING
PROFESSIONAL ENGINEERING AND ARCHITECTURE
TRANSPORTATION



CITY OF DENVER BEACH

VOLUSIA COUNTY, FLORIDA

ELEVATIONS



PAYTAS HOMIES

EXHIBIT "F"
Page 2 of 9



PAYTAS HOMES

EXHIBIT "F"

Page 3 of 9



PAYTAS HOMES

EXHIBIT "F"
Page 4 of 9



PAYTAS HOMIES

EXHIBIT "F"
Page 5 of 9

Elevation is an artist's concept only and may vary. All elevations are subject to conform to community covenants and restrictions.
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PAYTAS HOMES

EXHIBIT "F"
Page 6 of 9



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PAYTAS HOMES

EXHIBIT "F"
Page 7 of 9

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PAYTAS HOMES

EXHIBIT "F"
Page 8 of 9

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PAYTAS HOMES



Elevation is an artist's concept only and may vary. All elevations are subject to conform to community covenants and restrictions. Designs are property of Paytas Homes, Inc. and cannot be duplicated due to copyright laws. CRC03945

PAYTAS HOMES

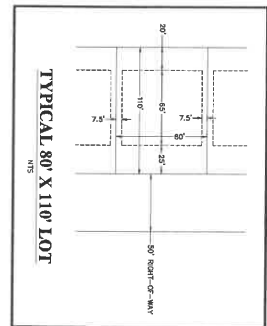
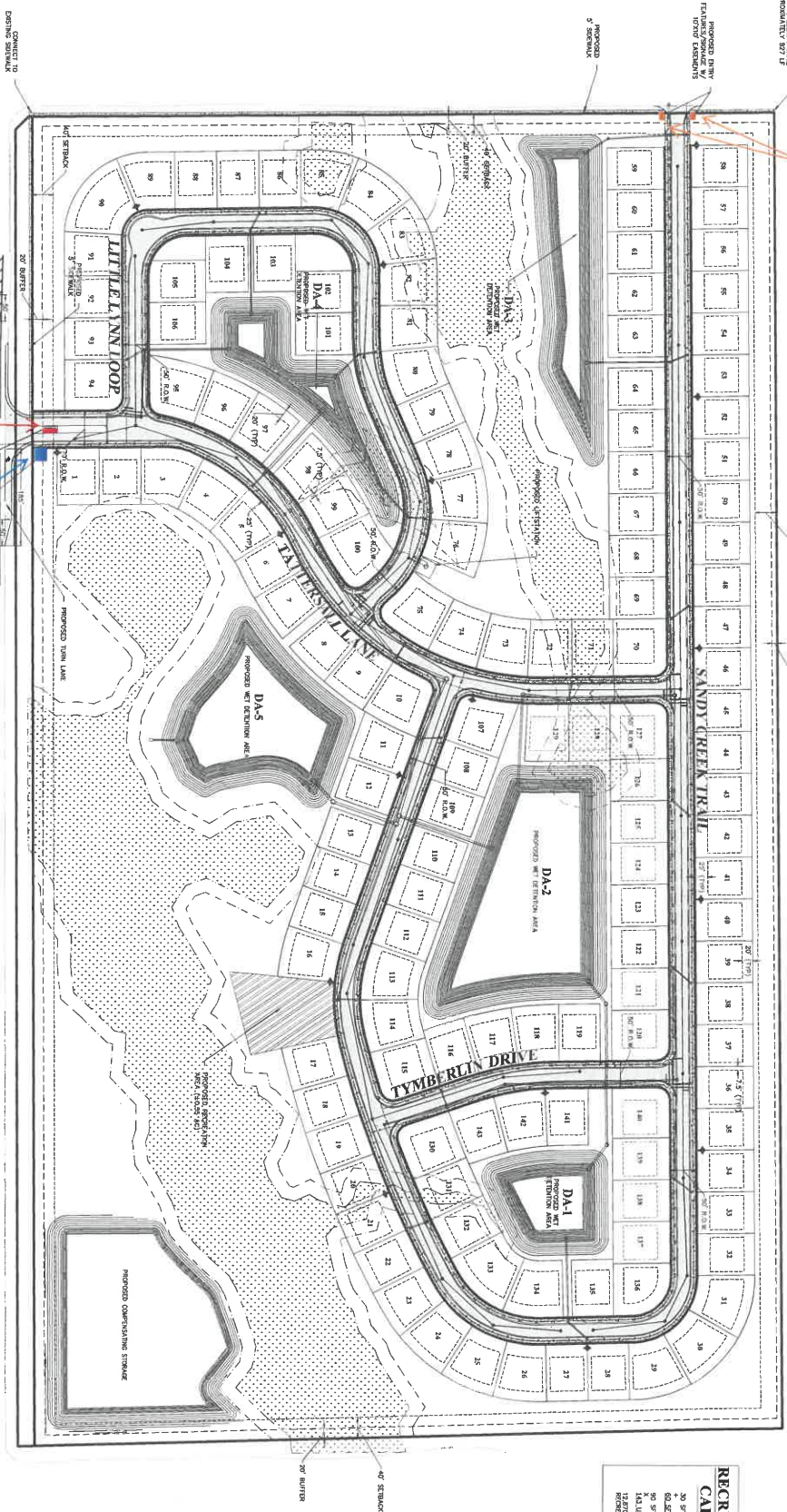
EXHIBIT "G"

Page 1 of 4

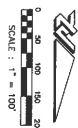
SIGN ELEVATION #3

SIGN ELEVATION #2

SIGN ELEVATION #1



- LEGEND:
- EXISTING SETBACK
 - PROPOSED ASPHALT PAVEMENT
 - PROPOSED CONCRETE



RECREATION AREA CALCULATION

- 24 3/4" DIAM. POOL W/COVER
- 60 3/4" DIAM. POOL
- 36 3/4" DIAM. POOL
- 140 3/4" DIAM. POOL
- RECREATION AREA

TATTERSALL PLANNED DEVELOPMENT CONCEPT PLAN

CITY OF ORLANDO BEACH

VOLUSIA COUNTY, FLORIDA

NO.	DATE	BY	SUBMITTALS / REVISIONS
1	07-28-11	EEB	REVISED PER CITY COMMENTS (DATED 06-15-11)
2	09-28-11	MLR	REVISED PER CITY COMMENTS

CIVIL ENGINEERING
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TRANSPORTATION



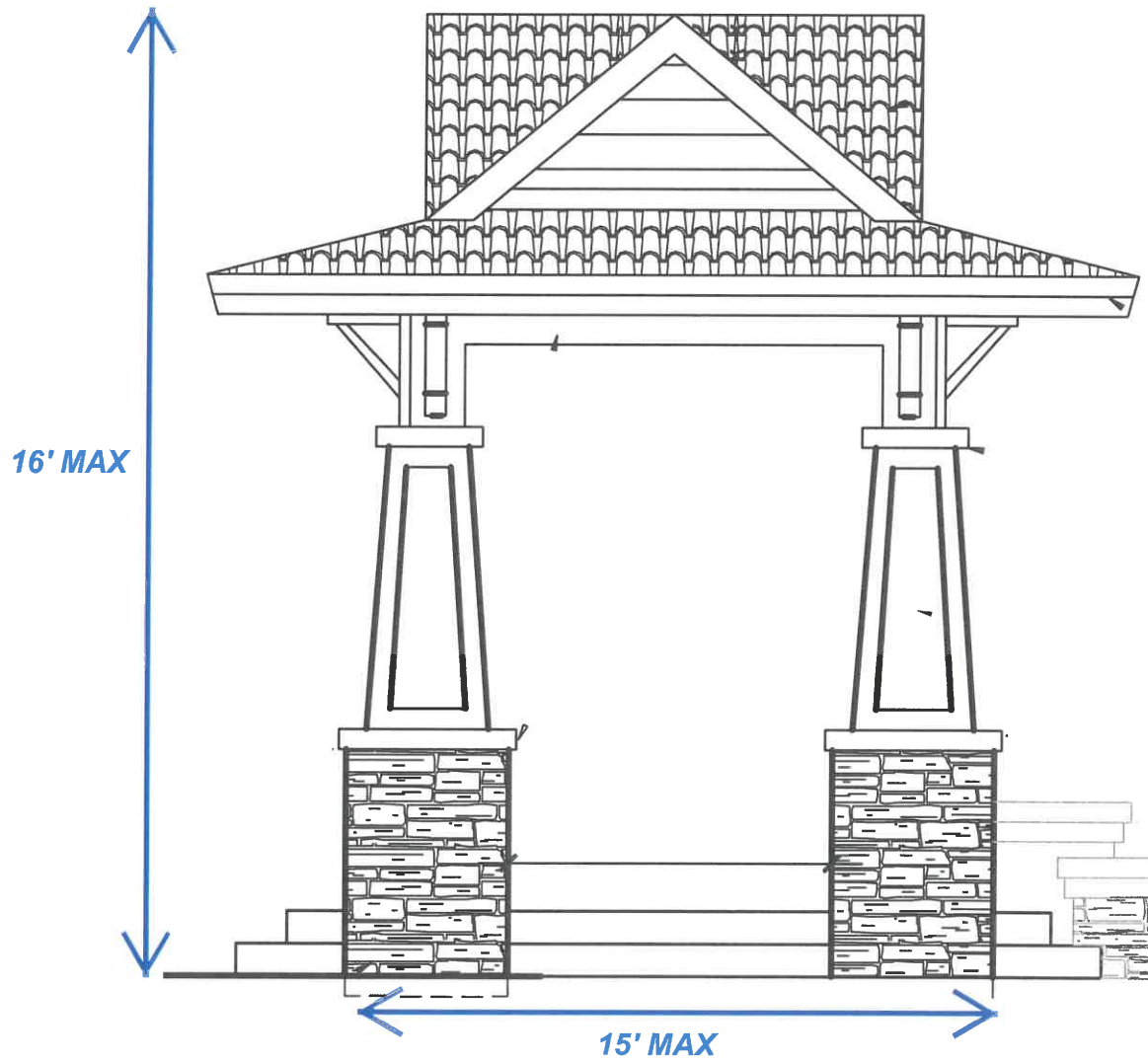
SIGN ELEVATION #1

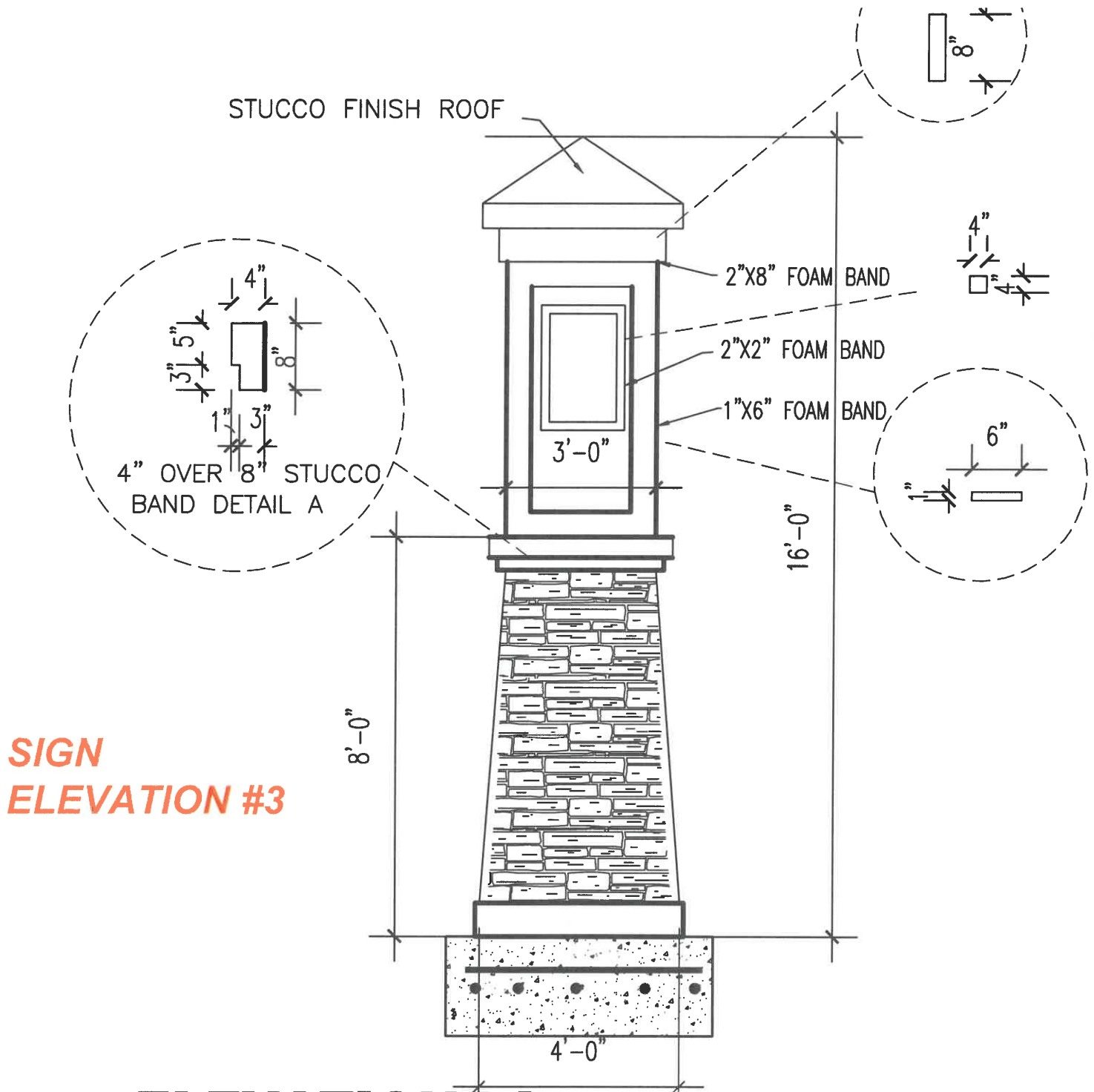
EXHIBIT "G"
Page 3 of 4

SIGN ELEVATION #2



EXHIBIT "G"

Page 4 of 4



**SIGN
ELEVATION #3**

STAFF REPORT

City of Ormond Beach Department of Planning

DATE: November 29, 2021

SUBJECT: Tattersall at Tymber Creek– Issuance of a development order

APPLICANT: Trey Paytas, Manager, Paylin Tymber 1 and 2, LLC

NUMBER: PRD 2021-067

PROJECT PLANNER: Steven Spraker, AICP, Planning Director

INTRODUCTION: This is a request for a Planned Residential Development (PRD) amendment for the issuance of a development order for the Tattersall at Tymber Creek Planned Residential Development, submitted by Trey Paytas, Manager, Paylin Tymber 1 and 2, LLC with the authorization of the property owner Tymber Sky, LLC & Enclave of Timber Creek, LLC. The Planned Residential Development development order seeks to allow 143 single-family lots on 84.14± acres and associated subdivision improvements. The Tattersall at Tymber Creek subdivision is located at the northwest intersection of Tymber Creek Road and Airport Road on 304 North Tymber Creek Road, 370 North Tymber Creek Road and 2099 Airport Road.

LOCATION:

The subject property is located at the northwest corner of Tymber Creek Road and Airport Road. The property extends approximately 2,500 linear feet along Tymber Creek Road and 1,450 linear feet along Airport Road. The subdivision includes three (3) parcels as follows:

1. 304 North Tymber Creek Road, parcel number: 4124-00-00-0240;
2. 2099 Airport Road, parcel number: 4123-00-00-0012;
3. 370 North Tymber Creek, parcel number: 4124-00-00-0250.

EXHIBIT 1: Location map



BACKGROUND: The subject property has a land use designation of “Suburban Low Density Residential” (SLDR) for 67.54 acres and “Open Space/Conservation” (OS/C) for 16.6 acres. The zoning classification is Planned Residential Development. The land use and zoning maps of the subject property are included in ATTACHMENT 1.

The following is a summary of the past development review and approval for the 84.14 acres included in the proposed Tattersall at Tymber Creek subdivision:

- ❖ On October 18, 2005, the City Commission approved Ordinance 2005-35 annexing 37.9 acres into the City from unincorporated Volusia County. The annexed land is directly north of the original Marshside subdivision of 46.24 acres.
- ❖ On November 14, 2006, the City Commission approved Ordinance 2006-09 authorizing the zoning approval of 68 lots (80' X 110') on 46.24 acres. The Ordinance also allowed the provision of additional outdoor recreational square footage in lieu of indoor recreational facilities and required the construction of a sidewalk along Airport Road.
- ❖ On November 18, 2008, the City Commission approved Ordinance 2008-54 amending the Future Land Use Map of the Comprehensive Plan designation of 37.9 acres that was annexed in 2005 as follows:
 1. The Future Land Use Map amendment for 21.3 acres from Volusia County “Rural” to “Suburban Low Density Residential”.
 2. The Future Land Use Map amendment for 16.9 acres from Volusia County “Environmental System Corridor” to “Open Space/Conservation”.
 3. A Future Land Use Map density restriction for the subdivision lands with the land use of “Suburban Low Density Residential” of 3.47 units per acre on 67.54 acres.
- ❖ October 11, 2012, the Planning Board reviewed the application incorporating an additional 37.9 acres of land area into the Marshside Planned Residential Development. The application sought to:
 1. Rezone the annexed land, approximately 37.9 acres, from Volusia County A-2 (Rural Agriculture) and RC (Resource Corridor) to the Ormond Beach Planned Residential Development (PRD) zoning designation.
 2. Amend the original Marshside PRD to include the annexed 37.9 acres for a total project size of 84.14 acres. The project proposes the phased development of 163 lots that are 60' in width and 110' in depth.

The Planning Board unanimously recommended approval to rezone 37.9 acres from Volusia County A-2 (Rural Agriculture) and RC (Resource Corridor) to the Ormond Beach Planned Residential Development (PRD) zoning classification. The Planning Board recommended denial of the request to amend the Planned Residential Development to allow the phased development of 163 lots that are 60' in width and 110' in depth by a 6 to 1 vote. The Planning Board recommended that the lot widths should remain at 80' in width as approved with the original 2006 development plan. The issue of traffic related to the two elementary schools, Pathways and Pine Trails, and the planned widening of Tymber Creek Road was discussed.

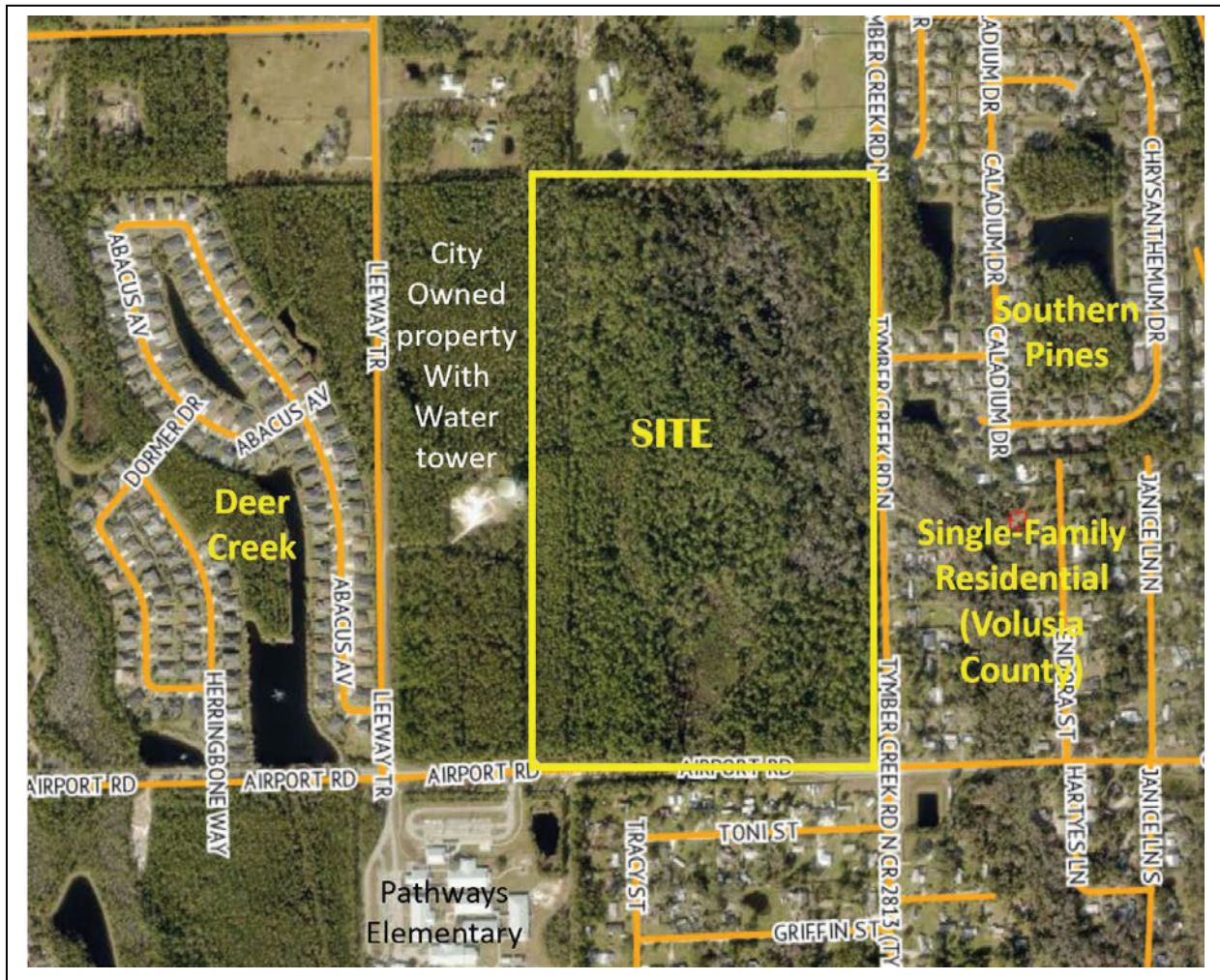
- ❖ On February 4, 2013, the City Commission acted upon the rezoning and Planned Residential Development amendment. The City Commission approved the rezoning of 37.9 acres from Volusia County A-2 (Rural Agriculture) and RC (Resource Corridor) to the Ormond Beach Planned Residential Development (PRD) zoning designation. The City Commission denied the request to amend the Planned Residential Development to allow the phased development of 163 lots that are 60' in width and 110' in depth. Key issues discussed included:
 1. Increasing the subdivision density by allowing a lot size less than 80' in width.
 2. Traffic impacts of the two elementary schools in close proximity to the proposed subdivision.
 3. Development should be compatible with the surrounding subdivisions.
 4. Flooding concerns and stormwater management.
- ❖ The project's original approval of 68 lots on 46.24 acres expired on November 14, 2014.
- ❖ On November 5, 2018, the City Commission denied the execution and issuance of a Planned Residential Development development order to allow 144 single-family lots. Key items discussed in the denial of the development order included:
 1. Lots that were less than 80' in width. The application proposed 29 lots from 60' to 69' in width, 86 lots from 70' to 79' in width and 29 lots that are above 80' in width.
 2. Request to reduce the required 40' perimeter setback.
 3. Concerns with traffic.
 4. Concerns with flooding.
 5. A memo of agreement between CANDO2 and the Edward James Corporation.
 6. Planning Board denial (3-2) that occurred on September 13, 2018.
- ❖ October 21, 2021 neighborhood meeting for current application: A neighborhood meeting was conducted regarding the proposed subdivision with a summary provided in ATTACHMENT 2. Key items discussed included:
 1. Traffic along Airport Road and Tymber Creek Road.
 2. Subdivision access point along North Tymber Creek Road.
 3. Stormwater and compensating storage.
 4. Natural areas and areas to be cleared for development.
 5. Discussion of the project fencing.
 6. Discussion of the number of homes and if they could be reduced.
 7. School concurrency.
 8. The price of the proposed homes within the subdivision.

Also, with ATTACHMENT 2 are e-mails that were sent as part of the neighborhood meeting process that included the topics of:

1. Fencing along north property boundary.
2. Traffic conditions of Tymber Creek Road from Saddler's Run to Airport Road.

3. Reduction of quality of life and rural nature of the area.
4. Compensating storage area and flooding.
5. Stormwater.
6. Subdivision access points along Airport Road and North Tymber Creek Road.

EXHIBIT 2: Aerial map of the subject property and area



The uses around the subject property are as follows:

EXHIBIT 3: Land uses and zoning

Direction	Current Land Uses	Future Land Use Designation	Zoning
North	Single Family Residential	Volusia County (VC) “Rural” and “Environmental Systems Corridor”	VC “A-2 (Rural Agriculture)” and “RC (Resource Corridor)”
South	Airport Road, Residential	VC “Urban Low Density”	VC “MH-4 (Rural Mobile Home)”
East	Tymber Creek Road, Residential	VC “Urban Low Density”	VC “MH-4 (Rural Mobile Home)”
West	City property	“Public/Institutional” and “Recreation/Open Space”	“SR (Suburban Residential)”

PROCESS: The City’s Land Development Code requires that any subdivision of lands within the “Suburban Low Density Residential” land use designation with lots of less than two acres (one acre if connecting to water and sewer) be approved through the Planned Residential Development process. The zoning map amendment to designate the Tattersall at Tymber Creek land area to the Planned Residential Development zoning category occurred in 2013. In order to subdivide land less than one acre within the “Suburban Low Density Residential” land use category, a three-step process is required. The steps are as follows:

1. **Planned Residential Development Development Order:** This process requires the applicant to provide a holding capacity analysis, flood zone information, proposed lot layout, recreation areas, phasing plan, generalized areas of stormwater, road layouts, and landscaping buffers. **The Planned Residential Development Development Order does not require the applicant to provide detailed engineering information regarding the application. The detailed engineering work is not done until the Preliminary Plat approval process.** The application for a development order is reviewed under criteria within the analysis section and the application can be approved, approved with conditions, or denied based on the elevation of the criteria.

Under the City’s Land Development Code, the Planned Residential Development becomes the zoning district of the project site. The zoning designation for this property occurred in 2013 and there is no development order associated with the Planned Development. The purpose of the land use and PRD zoning classification are to consider the land capacity and to reduce subdivision density. The Planned Residential Development development order becomes a contract between the developer and the City, and identifies the overall development concept, the number of lots and the location of the lots.

The process for the issuance of the development is as follows:

Exhibit 4: Application process

Reviewing entity/action	Date	Required advertising
SPRC submittal	May 13, 2021	Not required.
SPRC comments	June 15, 2021	Not required.
SPRC 2 nd submittal	October 1, 2021	Not required.
SPRC comments (2 nd review)	October 15, 2021	Not required.
Neighborhood meeting	October 21, 2021	1. Mail notice, 600' radius. 2. Newspaper advertisement.
SPRC 3 rd submittal	October 29, 2021	Not required.
SPRC comments (3 rd review)	November 9, 2021	Not required.
Planning Board	December 9, 2021	1. Mail notice, 300' radius. 2. Newspaper advertisement. 3. Site posting.
City Commission (tentatively)	January 4, 2022 (1 st reading) January 18, 2022 (2 nd reading)	1. Mail notice, 300' radius. 2. Newspaper advertisement.
If approved, proceed to Preliminary Plat (see below)	To be determined.	Not required.

2. Preliminary Plat: After a Planned Residential Development has been approved, the applicant's engineer performs detailed work in terms of the stormwater design, utilities, lot grading, and road layout. The Preliminary Plat requires review and a recommendation from the Planning Board and review/action by the City Commission. There are two options for development once a Preliminary Plat has been approved:

Option 1 - Proceed with the application for construction for completion of the required improvements prior to recording the final plat per Section 4-18(H)(1) of the Land Development Code. When the required off-site and on-site improvements are complete, the final plat along with the records and data would be submitted by the applicant to the City Engineer and reviewed by the Site Plan Review Committee (SPRC). The final plat would be approved by the City Commission and recorded.

Option 2 - Proceed with final plat review and approval, with the completion of required improvements after recording the plat per Section 4-18(H)(2) of the Land

Development Code. With this option the applicant files surety documents guaranteeing that such improvements will be installed. All guarantees are incorporated in a bonded agreement for the construction of the required improvements in the form acceptable to the City Attorney. The final plat would be recorded and the applicant would then construct the improvements.

3. **Final Plat:** The final plat is a legal document that is reviewed by an independent City Surveyor and the City's Legal Department to ensure compliance with State Statutes. Under Option 1 above, the City Commission would review and approve the plat after all improvements have been constructed. Under Option 2 above, the City Commission would review and approve the final plat with the preliminary plat.

The proposed Tattersall at Tymber Creek is seeking only the Planned Residential Development Order approval at this time. If the Planned Residential Development amendment is approved, detailed engineering plans would need to be reviewed by the Site Plan Review Committee and forwarded to the Planning Board and City Commission when appropriate.

PROJECT DESCRIPTION:

The project has the following attributes:

1. The total project size is 84.14 acres.
2. The development of lots is proposed to be phased and consists of 143 lots. The phasing plan is as follows:
 - Phase 1 – 66 lots;
 - Phase 2 – 24 lots; and
 - Phase 3 – 53 lots.

The subdivision phasing may be modified with review and approval of the Site Plan Review Committee

3. The project shall be required to obtain a Preliminary Plat and provide detail engineering plans with review by the Planning Board and action by the City Commission prior to the issuance of a site construction permit.
4. Subdivision Density:

EXHIBIT 5: Subdivision density

Type of density	Units per acre	Number of units (maximum)
Holding capacity (Soils, floodplain, and utilities)	2.95	248
Land use restriction (Ordinance 2008-54)	3.47	234
Gross density (Number of project acres divided by number of lots)	1.69	143
Net density (SLDR land use area only)	2.12	143

The proposed gross density is 1.69 units per acre. The density within the "Suburban Low Density Residential" land use area is 2.12 units per acre.

5. All lots shall be 80' in width. The 80' width is required per Section 2-11 of the Land Development Code (SR zoning district).
6. The setbacks for the project are proposed as follows:
 - Rear: 20'
 - Rear (accessory): 5'
 - Side: 7.5'
 - Side (accessory): 5'
 - Side Corner: 25'
 - Front Yard: 25'
7. The maximum building coverage is 50%. The maximum lot coverage is 70%.
8. The maximum building height is 35 feet.
9. The subdivision shall have access from Airport Road and Tymber Creek. Both access points are shown as full access.
10. The project has reserved land, totaling 1.86 acres, along Tymber Creek Road for future roadway expansion by Volusia County.
11. School concurrency for the zoning action is provided in ATTACHMENT 3. Additional school concurrency would be required for the plat (detailed construction plans).
12. A traffic study was performed and is included in ATTACHMENT 6 and discussed in the analysis section of this report.
13. A six (6') foot sidewalk is proposed along Airport Road to Leeway Trail (beyond the project limits) to allow a walkable path to Pathways Elementary.
14. The project proposes internal sidewalks on both sides of the streets within the Tattersall at Tymber Creek subdivision.
15. ATTACHMENT 5 provides an Environmental Assessment Analysis performed by Zev Cohen and Associates. Zev Cohen staff performed field analysis of the property consistent with Chapter 62-340 F.A.C. and the *1987 Corps of Engineers Wetlands Delineation Manual*. A total of 13.05 acres of wetlands exist on the Tattersall at Tymber Creek property. As designed, the project would have 1.49 acres of direct impacts to on-site wetlands.
16. Wetland 4 within the Environmental Assessment Analysis includes a channelized wetland known as Groover Branch. Groover Branch discharges south and connects offsite to the Tomoka River.
17. The water conservation plan during the design utilizes reuse water for irrigation throughout the site.
18. The property lies within flood zone X (area of minimal flood hazard), flood zone A (1% annual chance floodway), a regulatory floodway, and a 0.2% annual chance floodway. Additional floodplain analysis would occur with the construction drawings of the preliminary plat.

19. The project buffers are as follows (see Sheet C3 of ATTACHMENT 7):
 - A. West (abutting city property). Required: 10'. Provided: 40' natural area.
 - B. Airport Road. Required 20'. Provided: Minimum of 40', varies along frontage.
 - C. North Tymber Creek Road. Required 20'. Provided: Minimum of 40', varies along frontage.
 - D. North (abutting single-family). Required: 10'. Provided: minimum 40' natural area, ranges.
20. Exhibit C of the applicant's submittal, ATTACHMENT 7, provides a fence exhibit for the subdivision. The lots that abut Airport and Tymber Creek Roads shall have architectural standards that would only allow a six (6') foot vinyl fence and the fence would be installed as a subdivision improvement. The exhibit details specifications of fences within the subdivision.
21. The project proposes architectural controls for home construction that are provided in Exhibit E, included in ATTACHMENT 7.
22. Outdoor recreation for subdivision residents is proposed in a 0.55 acre tract that includes a possible tot lot, covered picnic area, a half-court basketball court and a pickleball court, and a dog park. (Exhibit B, Sheet 6 of ATTACHMENT 7).
23. Architectural elevations have been proposed (ATTACHMENT 7).

ANALYSIS:

Key differences from the 2018 Marshside application:

1. Lot sizes: The Tattersall at Tymber Creek Planned Residential Development proposes 143 single-family residential units that are a minimum of 80' in width and 110' in depth. The previous Marshside application proposed 144 single-family residential units of varying lot sizes that included 29 lots from 60' to 69' in width, 86 lots from 70' to 79' in width and 29 lots that are above 80' in width. The current application complies with the required 80' foot in width lot sizes.
2. Perimeter setback: The Tattersall at Tymber Creek Planned Residential Development fully complies with the required 40' perimeter setback. The previous Marshside application requested a 30' boundary setback. On lots 77-110 (abutting City property) and lots 138-141 (lots on the Tymber Creek cul-de-sac) the perimeter setback for the Marshside application was proposed to be reduced to 25'.
3. Memo of Agreement: The Marshside application provided a memo of agreement between CANDO2 and the Edward James Corporation with certain development conditions. The current Tattersall at Tymber Creek project does not include any such agreement.
4. Lots between Groover Branch and Tymber Creek Road. The Marshside application contained seven lots independent of the subdivision with access from North Tymber Creek Road. The current Tattersall at Tymber Creek project does not include these seven lots and the upland land area between Grover Branch and Tymber Creek Road is proposed as a compensating storage stormwater pond to meet floodplain management requirements.

Density: The West Ormond land use plan was adopted in 1988 for the expected growth in the western part of Ormond Beach. The 1988 land use plan created a holding capacity analysis to determine site specific density based upon utilities, soils, floodplain, and wetlands. The holding capacity analysis is within the city's Land Development Code. Ormond Beach has experienced an average annual growth rate from 2010 of 1.3% from the 2010 census to the 2020 census. Residential development has occurred within the River Oaks, Chelsea Place and Deer Creek subdivisions from 2010 to 2020. Recent subdivision developments have occurred in Cypress Trails (48 lots) and Pineland (192 lots). There have been no multi-family developments permitted since 2010 (Madison Glen and Olive Grove).

The following chart illustrates the gross density of residential subdivisions in the Ormond Beach area:

EXHIBIT 6: Residential subdivision gross densities:

Subdivision	First plat	Last plat	Units	Gross Density
Breakaway Trails (DRI)	1986	2003	984	1.38
Moss Point	1989	NA	19	0.70
Broadwater	1990	NA	60	0.50
Hunter's Ridge (DRI)	1991	2016	982	0.79
Ormond Green	1991	1999	94	1.99
Pine Trails	1991	2000	70	2.38
Southern Trace	1995	NA	25	2.26
Saddlers Run	1996	NA	70	2.34
Indian Springs	1999	NA	20	0.93
Tymber Crossings	1999	2002	98	2.00
Southern Pines	1999	2004	139	1.90
Tuscany	2004	NA	53	2.47
Creekside	2004	NA	66	1.12
River Oaks	2014	2016	101	1.73
Pineland	2019	2021	192	1.22

The holding capacity calculation for the subject property is 2.95 units per acre. The total gross density is 1.69 units per acre.

Traffic: The applicant was required to perform a traffic impact study which followed the methodology adopted by the River to Sea Transportation Planning Organization. City staff obtained the review of a 3rd party traffic engineer who has provided comments on the traffic impact analysis. North Tymber Creek Road and Airport Road east of Tymber Creek Road are Volusia County roadways. Volusia County Traffic Engineering shall also review the traffic study. The traffic study included the following analysis:

1. The unsignalized intersection of Airport Road and Leeway Trail currently operates at a Level of Service (LOS) of F in the A.M. peak hour with a 91.1 second delay. The intersection operates at a LOS of B in the P.M. peak hour (Table 1 of traffic study).
2. The signalized intersections of (1) Granada Boulevard at Tymber Creek Road, (2) Tymber Creek Road at Tymber Run, and (3) Tymber Creek Road at Airport Road operate with adopted LOS (Table 2 of traffic study).
3. All roadway segments in the study area currently operate within an acceptable LOS (Table 3 of traffic study).
4. Based upon the Institute of Transportation Engineers (ITE) 10th Edition of the Trip Generation Manual the project is expected to generate a total of:
 - A. 1,473 daily trips, with 736 trips entering and 737 trips exiting;
 - B. 108 a.m. peak hour trips, with 27 trips entering and 81 trips exiting; and
 - C. 146 p.m. peak hour trips, with 92 trips entering and 54 trips exiting.
5. Adding the Tattersall at Tymber Creek project trips (Tables 6 and 7 of the traffic study) indicates:
 - A. The un-signalized intersection at Airport Road and Leeway Trail continues to fail in the A.M. peak hour.
 - B. The signalized intersections meet the required LOS with the project trips added.
 - C. Recommended to optimize the signal timing splits of the A.M. and P.M. peak hours.
6. The project proposes an all-way stop at the un-signalized intersection of Leeway Trail and Airport Road. The independent traffic consultant and city Public Works staff object to the installation of the all-way stop. The warrants to add stop signs along Airport Road have not been met.
7. All roadway segments were expected to operate within an acceptable LOS during the P.M. peak hour with the exception of Granada Boulevard from Tymber Creek Road to I-95 (Table 12 of the traffic study).
8. Airport Road contains Pine Trails Elementary School at 300 North Airport Road, constructed in 1984 per the Volusia County Property Appraiser website, and

Pathways Elementary School at 2100 Airport Road, constructed in 1997 per the Volusia County Property Appraiser website. The two schools are located a little more than one mile from each other and cause traffic congestion during the morning drop-off and afternoon pick-up.

9. A detailed analysis of the impact of school traffic was performed as part of the traffic study (page 18 of the report).
10. The project is required to provide right and left turn lanes on North Tymber Creek Road. The turn lane improvements are subject to Volusia County review and permitting.
11. Sidewalks are proposed (six feet in width) along the entrance of the project along Tymber Creek Road to Airport Road and along Airport Road across the project. In addition, the project would connect the project to Leeway Trail extending the sidewalk off-site along Airport Road.
12. As stated on Page 20 of the traffic study, “Based on the current Florida Statutes and procedures outlined in the R2CTPO TIA guidelines, the proportionate share shall be calculated based upon the number of trips from the proposed development being approved.”
13. The issuance of the development order zoning action does not provide concurrency vesting. The concurrency vesting would occur with the platting process.

One variance sought and items exceeding the Planned Residential Development standards:

Within ATTACHMENT 7, Exhibit F proposes subdivision signage and entry features. Section 3-47(C)(4) of the Land Development Code establishes an eight (8') foot limitation for residential zoning. Section 3-47(A) of the Land Development Code states, “Alternative signage may be approved by the city commission through planned developments and special exceptions.”

Exhibit F shows sign elevation #1 as an entry feature along North Tymber Creek Road with a 16' height and width of 15'. The structure is an entry feature and would need to be permitted through the development order. This structure is required to be located 5' from the right-of-way. Sign elevation #2 is located in the median of the subdivision street from North Tymber Creek Road and is shown as 6' in height. Sign elevation #2 meets the Land Development Code requirements and does not require any additional approval. Sign elevation #3 is located along Airport Road and is shown at 16' in height. This sign would need to be approved as part of the issuance of the development order.

The project exceeds the requirements of the Planned Residential Development regulations as follows:

1. The landscape buffer along Airport Road that is required to be 20' in width and a minimum 40' in width of natural area will be provided;
2. The landscape buffer along North Tymber Creek Road that is required to be 20' in

- width and a minimum 40' in width of natural area will be provided;
3. The landscape buffer to the city parcel (west of property) is required to be 6' and is a minimum 40' in width of natural area will be provided;
 4. The landscape buffer along the north property boundary is required to be 20' in width and a minimum 40' in width of natural area will be provided;
 5. The project has reserved land of 32' feet in depth, totaling 1.86 acres, along Tymber Creek Road for future roadway expansion by Volusia County;
 6. There will be construction of the Airport Road sidewalk from the property boundary to Leeway Trail;
 7. Natural areas: 12.69 acres required outside of wetlands and buffers and 13.30 provided. There is an additional 11.57 acres of preserved wetlands and 3.82 acres of upland buffers. The total natural area is approximately 34.1% of the total site;
 8. Recreation area: 12,870 square feet of outdoor recreation area required and 19,668 square feet is proposed; and
 9. The architectural controls of the subdivision will be provided.

Correspondence received:

Correspondence received by Planning staff are included in ATTACHMENT 4. Note that additional correspondence is within the neighborhood meeting section. Any additional correspondence received after the publication of the staff report would be provided to the Planning Board separate of the staff report and included in the meeting minutes.

CRITERIA FOR REVIEW:

The following are the review criteria for Planned Residential Developments from the Land Development Code:

Planned Residential Development Criteria

Section 2-35, Chapter 2, Article II of the Land Development Code details the requirements of a Planned Residential Development:

1. Section 2-35.H.3, Chapter 2, Article II states, "Thirty (30) square feet of indoor recreation floor area, including exercise rooms, all-purpose space, dining areas and similar uses shall be provided for each dwelling unit, unless waived by the City Commission and replaced at a minimum as provided below:
 - a. Subdivisions of 200 dwelling units or less may provide, at a minimum, an additional 30 square feet per unit of outdoor active recreation space in compliance with this Section in lieu of the indoor recreation floor area requirement.
 - b. Subdivisions that do not provide indoor recreational facilities are not eligible for park and recreation impact fee credits.
 - c. The open space and/or additional outdoor facilities must be compatible with adjacent properties and the recreational facilities must be consistent with the needs of the project.
 - d. The Development Review Board and City Commission determine, after reviewing the proposed development plan, that the preservation of natural resources and/or provision

of additional recreation facilities is appropriate and that indoor recreational facilities can be waived.”

The applicant is providing additional square footage as outdoor recreation as permitted under Subsection 1a (above) in lieu of the indoor recreation requirement. The conversion of required indoor recreation to outdoor recreation has been permitted in other Planned Residential Developments such as Creekside, Southern Pines, and Pineland.

2. Section 2-35.H.4, Chapter 2, Article II of the Land Development Code states, “Sixty (60) square feet of outdoor active recreation space (exclusive of parking, landscaping, retention/detention ponds and other site features), including pools, pool decks, shuffleboard courts, tennis courts, and fishing piers and similar uses, shall be provided for each dwelling unit. Impact fee credits for any specific outdoor recreation site shall be limited to three hundred (300) dwelling units.”

The project is required to provide a total of 8,580 square feet of recreation area. The additional 30 square feet of outdoor recreation area in lieu of the indoor recreation, requires a total of 12,870 square feet of outdoor recreation area. The project is proposing 19,668 square feet of recreational area. The recreational amenities include a possible tot lot, covered picnic area, a half-court basketball court and a pickleball court, and a dog park.

3. Section 2-35.H.7., Chapter 2, Article II of the Land Development Code states, “Thirty (30) square feet of common accessible, open space shall be provided for each dwelling unit.
 - a. Common open space shall be available to all the residents of the development. At the option of the developer, subject to the approval of the City Commission, common open space may be dedicated to the use of the general public.
 - b. Common open space must be adequately landscaped and irrigated.
 - c. Natural features worthy of preservation shall be left in a natural state.
 - d. Water bodies may be utilized to meet twenty-five percent (25%) of the available open space requirement, provided significant recreational use of the waterbody can be demonstrated. Water retention and wetlands areas may not be included in this calculation.”

The approved project was required to provide 4,290 square feet of common space. The applicant has provided the common open space with additional area within the recreation amenity area.

4. Section 2-35.H.8., Chapter 2, Article II of the Land Development Code states, “Twenty percent (20%) of the project shall be left in a natural state. This may include designated conservation areas within lots or common areas, but shall not include classified wetlands and required upland buffers.”

The project is proposing that 13.30 acres of the site is to remain in a natural state where the Land Development Code requirement would be 12.69 acres. The project proposes a natural buffer around the boundary of the site. Note that there

is an additional 11.57 acres of preserved wetlands and 3.82 acres of upland buffers.

5. Other Uses. Section 2-35.B.2., Chapter 2, Article II of the Land Development Code allows other uses within planned residential developments.

The only use proposed is single-family residential. No other uses are proposed.

In considering the issuance of a development order for a Planned Residential Development, the Planning Board may recommend approval, approval with conditions, or denial of the application on the extent to which the development offers site amenities above that normally found for permitted uses in the district with regard to the following:

a) Innovative Site Design

The applicant states, “the goal of this development is to provide significant open areas and active recreation areas for the residents of the development to use and enjoy as well as attractive larger home sites with timeless elevations and designs.” The proposed application provides additional site amenities above and beyond what a standard one-acre subdivision would provide, including open space, recreational facilities, and architectural and landscape design for the lots. The project proposes varied architectural characteristics so the houses do not all appear the same.

b) Coordinated Architectural Design

The Tattersall at Tymber Creek project shall have an Architectural Control Committee tasked with enforcing the architectural design guidelines detailed in the plan set.

c) Open Space, Recreation, Common Areas

The project has exceeded the space required for open space, recreation and common areas. The applicant states, “the development preserves over 11 acres of wetlands and includes over 6 acres of beautiful wet ponds.” As discussed under the Planned Residential Development section, the applicant is providing a recreation area and common open space.

d) Coordinated Streetscape Elements

The applicant states, “the development includes significant entry features, buffering, and landscape features as specifically innovated for this project by the landscape architects and engineers at Zev Cohen & Associates.” Required streetscape elements such as street tree plantings and lighting shall be provided during the preliminary and final plat processes.

The project is not seeking any waivers to the lot size or the required perimeter setbacks. It is staff’s determination that this plan achieves the goals of the land use and zoning designation. The project is of low density as required by the Comprehensive Plan and exceeds the PRD requirements in open space and recreation area.

The Planning Board is required to review the rezoning request using the following criteria established in the Land Development Code to approve, approve with conditions, or deny the rezoning amendment:

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 proposed application meets or exceeds the Planned Residential Development requirements contained within the Land Development Code. Examples of where the project exceeds the Land Development Code include:

- a. The landscape buffer along Airport Road that is required to be 20' in width and is a minimum 40' in width of natural area is provided;
- b. The landscape buffer along North Tymber Creek Road that is required to be 20' in width and a minimum 40' in width of natural area will be provided;
- c. The landscape buffer to the city parcel (west of property) is required to be 6' and a minimum 40' in width of natural area will be provided;
- d. The landscape buffer along the north property boundary is required to be 20' in width and a minimum 40' in width of natural area will be provided;
- e. The project has reserved land of 32' feet in depth, totaling 1.86 acres, along Tymber Creek Road for future roadway expansion by Volusia County;
- f. There will be construction of the Airport Road sidewalk from the property boundary to Leeway Trail;
- g. Natural areas: 12.69 acres required outside of wetlands and buffers and 13.30 provided. There is an additional 11.57 acres of preserved wetlands and 3.82 acres of upland buffers. The total natural area is approximately 34.1% of the total site;
- h. Recreation area: 12,870 square feet of outdoor recreation area required and 19,668 square feet is proposed; and
- i. The architectural controls of the subdivision will be provided.

Previous applications for this property have focused on the traffic impacts of development, lot sizes, and potential stormwater issues. If there is a determination that the application has negative impacts that would adversely affect the public health, safety, welfare or quality of life, then the project should be denied.

The applicant has provided the required information in terms of lot sizes and layout, street locations, buffer requirements, and Planned Residential Development requirements. The Site Plan Review Committee has reviewed the application and concluded that it conforms to the requirements of the Land Development Code. Please note site-specific information (stormwater, lighting details, and landscaping details) shall be provided with Preliminary and Final Plat applications. The application exceeds the requirements of site buffering, recreational amenities, and common space. The

SPRC concludes that the zoning related application will not adversely affect public health, safety, or welfare.

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

The property is designated “Suburban Low Density Residential” on the City’s Future Land Use Map. The City’s Comprehensive Plan identifies that the SLDR land use category be located in the outlying suburban areas of the City. The Future Land Use Element of the Comprehensive Plan states,

“It is the intent of the SLDR District to establish density standards that will achieve an intensity of development approximately 20% to 30% less than in the urban core (e.g., 1.6 to 2.5 units per acre, gross density) while encouraging smart growth principles such as compact and cluster development to reduce the cost of extending utilities and allow for the efficient delivery of government services. Maximum potential density or holding capacity within the SLDR District is determined on a case by case basis based on site specific conditions relative to on-site environmental constraints and the availability of central water and sewer services.”

The following is a list of the Comprehensive Plan Objectives and Policies pertaining to the proposed PRD:

Land Use Element

Goal 1: Land Use Distribution:

FUTURE DEVELOPMENT AND REDEVELOPMENT ACTIVITIES SHOULD BE DIRECTED IN APPROPRIATE AREAS AS DEPICTED ON THE FUTURE LAND USE MAP TO MEET THE LAND USE NEEDS OF THE ANTICIPATED POPULATION, IN A MANNER CONSISTENT WITH SOUND PLANNING PRINCIPLES, THE GOALS, OBJECTIVES AND POLICIES CONTAINED HEREIN, AND THE DESIRED COMMUNITY CHARACTER.

THE FUTURE LAND USE ELEMENT SHOULD ALLOW LIMITED COMMERCIAL EXPANSION, PROMOTE INDUSTRIAL USE, AND MAINTAIN CURRENT RESIDENTIAL DENSITIES IN THE CORE AREA WHILE ESTABLISHING LOWER DENSITIES IN THE PERIMETER AREAS, FOCUSING REDEVELOPMENT IN THE DOWNTOWN COMMUNITY REDEVELOPMENT AREA, US1, AND SRA1A, AND PROVIDING OR A CONTINUED HIGH LEVEL OF OPEN SPACE. FUTURE GROWTH SHALL BE TIMED AND LOCATED TO MAXIMIZE EXISTING PUBLIC INFRASTRUCTURE.

POLICY 1.1.2. Continue to promote sound planning for the location and design of new residential developments, including on-site common open space and recreation facilities.

POLICY 1.1.5. Encourage innovative design measures for new residential developments and ensure that adequate provision is made for neighborhood facilities suitable to the type of development proposed.

POLICY 1.1.6. Provide the opportunity, through zoning and other land use controls, for the development of a variety of housing types (i.e., single-family, duplex, townhouse, multi-family) in both conventional, planned unit and cluster type developments that will meet the varied needs of the citizens of Ormond Beach.

The development is within the required holding capacity, and the gross density range, and the lot area is consistent and furthers the intent of the Comprehensive Plan policies.

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.

Based on Light Detection and Ranging (LIDAR) from Volusia County and confirmed with actual survey topographical information, the Tattersall at Tymber Creek property appears to be one to two feet below the elevation of Airport Road. The contours provide some information regarding the depressional areas within the site that hold stormwater runoff. As these depressions fill up, the surface water would flow towards Groover Branch. The site has three isolated wetlands and one hydrologically connected wetland. The isolated wetlands total 3.51 acres and 1.30 acres are proposed to be impacted. The two smaller isolated wetland areas will be completely filled for construction of homes/roadways. The largest isolated wetland will be reduced by 0.75 acres. The volume of surface water flowing to this wetland will also be reduced. The hydrologically connected wetland is part of Groover Branch, an Outstanding Florida Waters (OFW), and totals 9.54 acres with 0.19 acres of wetland impact (a finger of the wetland area). Groover Branch shall provide the stormwater outfall for the Tattersall at Tymber Creek stormwater.

A compensating storage pond is shown on the northeast corner of the property between Groover Branch and Tymber Creek Road. The project shall be required to obtain a St. Johns River Water Management District permit for wetland impacts, compensating storage, and stormwater management. Additional information regarding wetlands, drainage, and flood impacts will be provided at the time of platting.

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 site plan implements the land use designations of "Suburban Low Density Residential" and "Open Space/Conservation" with a gross density of 1.69 units per acre and a net density of 2.12 units per acre. The property abuts roadways on the east and south property boundaries. To the west, the property abuts City owned land that contains a water tower. To the north, the property abuts large lot residential uses. The project has a minimum 40-foot buffer proposed around the perimeter of the site. It is not expected that the development would depreciate the value of the surrounding property or have negative impacts to this area of the City.

Past applications have stated the adverse traffic impacts of the subdivision combined with the location of Pathways and Pine Trails elementary. Comments received in the neighborhood meeting included the access point along Tymber Creek Road and intersection congestion at Tymber Creek Road and Airport Road. If there is a belief that the project would have negative impacts to surrounding properties, these criteria would be appropriate to seek amendments of the proposed plans or recommend denial of the application.

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 development. Traffic and sidewalks were discussed earlier in the staff report. Based on data and analysis, there was a conclusion that impacts to roadways and the intersection operate at an acceptable level of service at build-out. Based upon state statutes any impacts of the project above adopted level of services would be required to provide a proportionate fair share agreement. There is adequate water and wastewater capacity to serve the project. Finally, the project was reviewed by the Volusia County School Board and a concurrency certificate is shown in ATTACHMENT 3.

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 traffic study has been provided in ATTACHMENT 6 of this staff report. The adopted roadway level of service on Tymber Creek Road and Airport Road is E. The traffic study concluded that intersections and roadway segments meet the established Level of Service standards.

This area is heavily influenced by the two elementary schools (Pathways and Pine Trails) within the project area. There is heavy roadway usage in the A.M. peak under the existing conditions. Similar to many schools within Volusia County there is a vehicle drop off and pick-up and less reliance on busing and walking/biking to school. The drop-off/pick-up leads to peak hour stacking just before school and at pick-up times. The traffic study detailed the a.m. peak experience (page 18) and is reflective of staff's observation of the traffic impacts. The peak stacking occurs between 7:20 A.M. and 7:50 A.M. The intersection of Leeway Trail and Airport Road is impacted by the stacking and operates at a Level-of-Service of F in the A.M. peak. The traffic study reviewed the installation of an all-way stop at Leeway Trail and Airport Road. City staff and the independent traffic consultant recommend against an all-way stop because the conditions (warrants) for an all-way stop are not met.

Past applications, the neighborhood meeting, and correspondence all point to the existing traffic issues related to the elementary schools. The traffic study seeks to address the traffic related concerns and comments.

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

The project utilizes the natural constraints of the site to provide a lower density development consistent with the intent of the "Suburban Low Density Residential" land use category. Natural and landscaped areas are provided around the entire perimeter of the project to ensure it is aesthetically pleasing when viewed externally. Wetlands

and natural areas have been preserved to provide a natural setting for residents within the project. A majority of the lots abut a landscape area, conservation, or stormwater pond. The project will also have an Architectural Control Committee.

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

The overall design indicates safe movement on the site. The proposed road and access layouts conform to the dimensional standards in the Land Development Code.

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

The project is required to utilize a Homeowners Association (HOA), which will institute an Architectural Control Committee to review construction plans within the development. The site plan exhibits outline regulations governing the construction of buildings and landscaping on individual lots, in order to encourage aesthetics and harmony within the development.

10. The testimony provided at public hearings.

The project has not been reviewed at a public hearing and no testimony has been provided. Any testimony at the Planning Board meeting would be provided in the meeting minutes for the City Commission review.

RECOMMENDATION:

The City's Comprehensive Plan has established the Planned Residential Development zoning classification to implement the goals of the "Suburban Low Density Residential" land use category. These goals include performing a site specific holding capacity analysis to determine density, requiring less density than in the City core areas, providing recreational, common, and natural areas, and clustering units to preserve environmentally sensitive areas. The proposed application achieves the goals of the land use and zoning designations.

Key considerations for deliberation include lots sizes, perimeter setbacks, and traffic impacts. The traffic impacts of this project have been analyzed and determined to be within the Level of Services adopted by the City Comprehensive Plan. Staff is recommending approval based upon the criteria of the Land Development Code and Comprehensive Plan. If there is a belief that the application failed to meet the established criteria, then the application should either be recommended for revisions or denied.

It is recommended that the Planning Board **APPROVE** a Planned Residential Development amendment seeking to allow 143 single-family lots on 84.14± acres and associated subdivision improvements, located at 304 North Tymber Creek Road, 370 North Tymber Creek Road and 2099 Airport Road as follows:

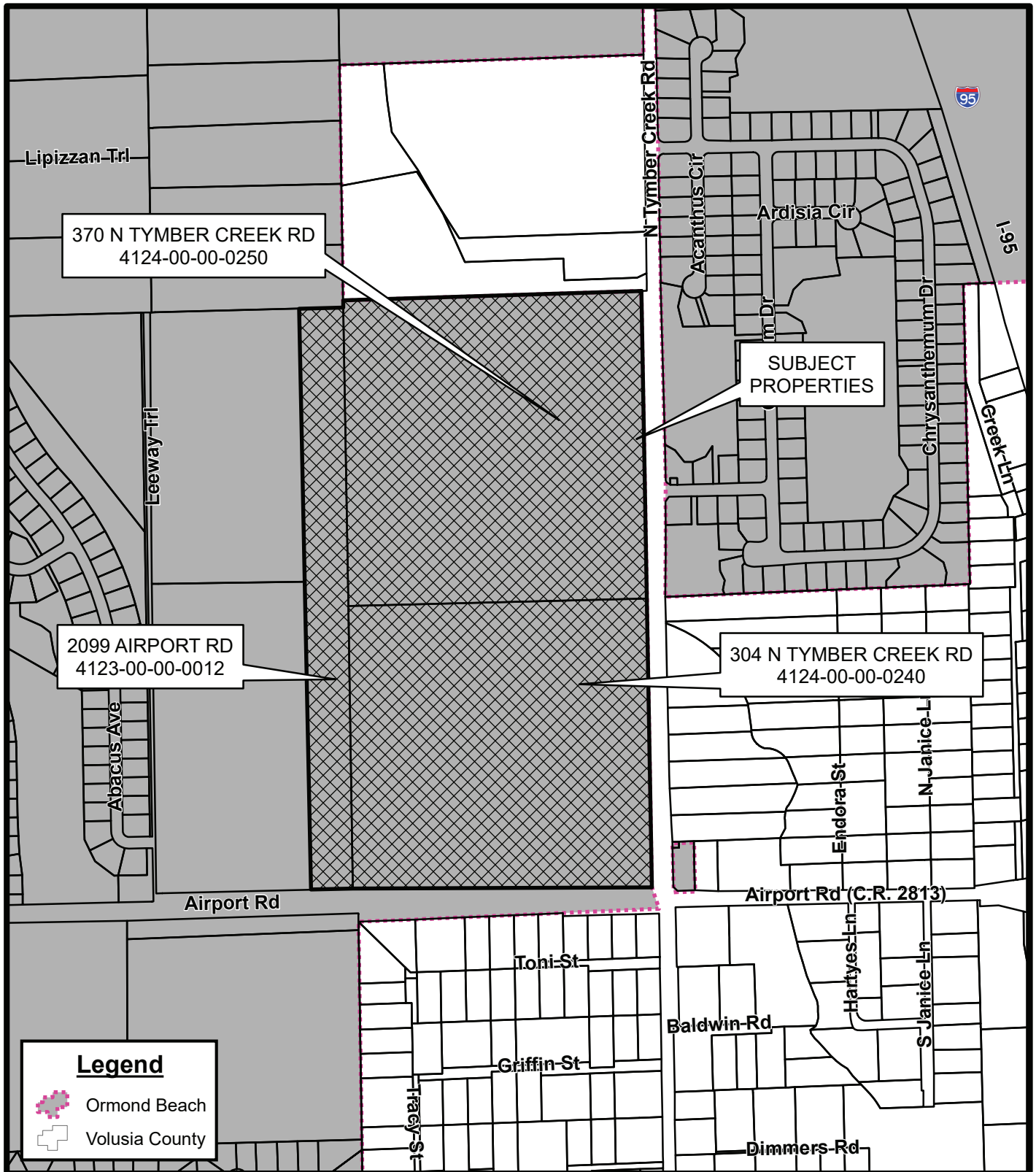
- a. Phased development of 143 lots;
- b. The provision of additional outdoor recreational square footage in lieu of indoor recreational facilities as permitted under a Planned Residential Development;
- c. Allowance of the sign and architectural renderings as shown in ATTACHMENT 7, Exhibit F;
- d. Allowance of a five-year expiration date for phase one of the project from the date of City Commission approval; and
- e. Require that the detailed engineering plans (stormwater, utilities, and floodplain) for the subdivisions be prepared and submitted for the Preliminary Plat which is reviewed by the Planning Board and acted upon by the City Commission.

ATTACHMENTS

- Attachment 1: Location, land use, and zoning maps.
Attachment 2: Neighborhood meeting summary.
Attachment 3: School concurrency
Attachment 4: Correspondence received
Attachment 5: Environmental Assessment Analysis
Attachment 6: Traffic impact study
Attachment 7: Applicant provided information and site plans

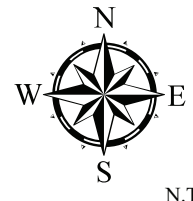
ATTACHMENT 1

Location, land use, and
zoning maps



TATTERSALL AT TYMBER CREEK
304 N TYMBER CREEK RD, 370 N TYMBER CREEK RD
AND 2099 AIRPORT RD
LOCATION MAP

Prepared By: The City of Ormond Beach
 G.I.S. Department - October 15, 2021

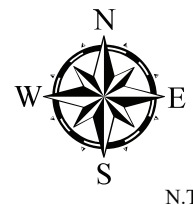


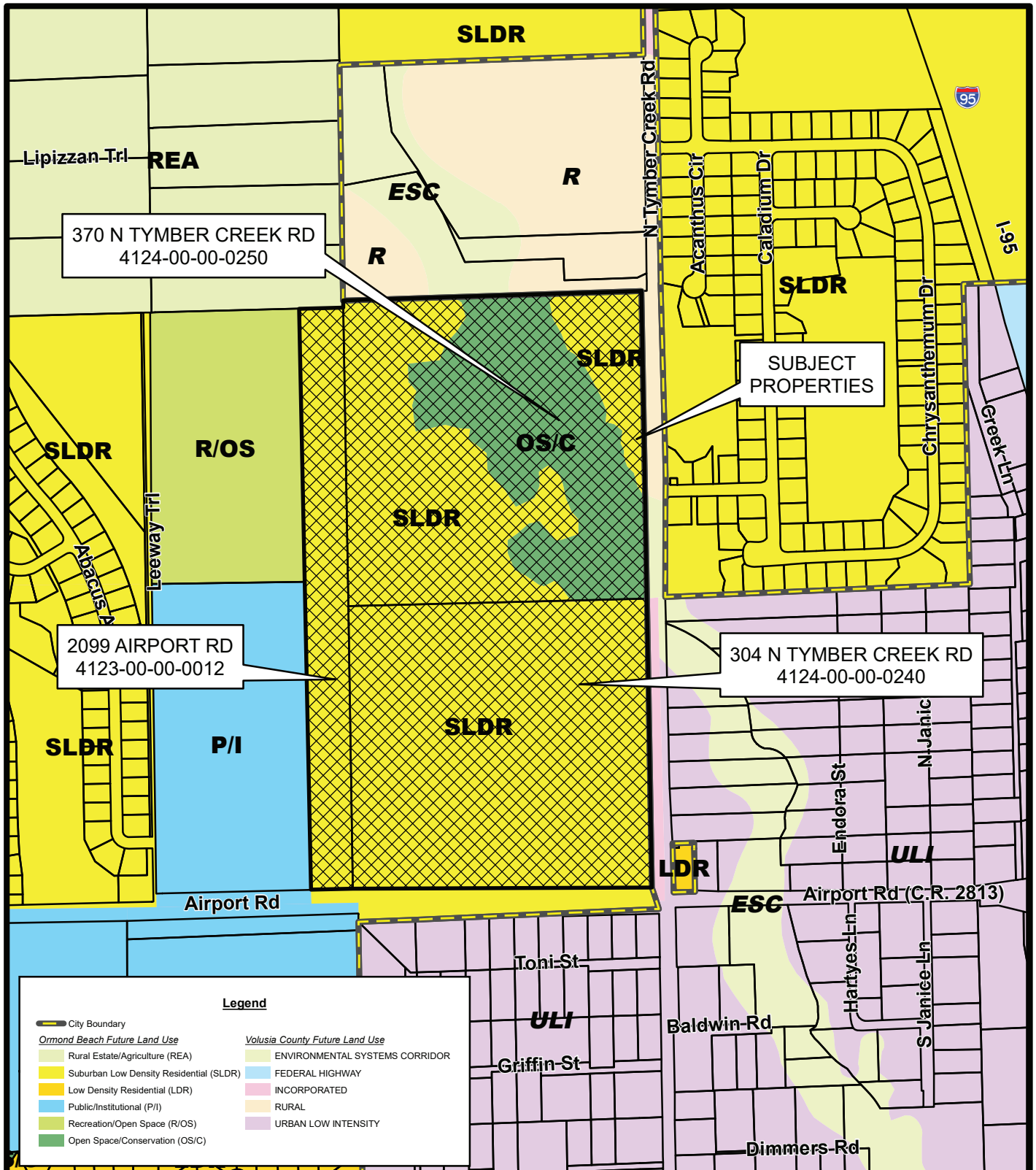
N.T.S.



**AERIAL MAP
TATTERSALL AT TYMBER CREEK
304 N TYMBER CREEK RD, 370 N TYMBER CREEK RD
AND 2099 AIRPORT RD**

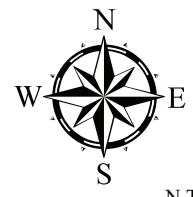
Prepared By: The City of Ormond Beach
G.I.S. Department - October 15, 2021

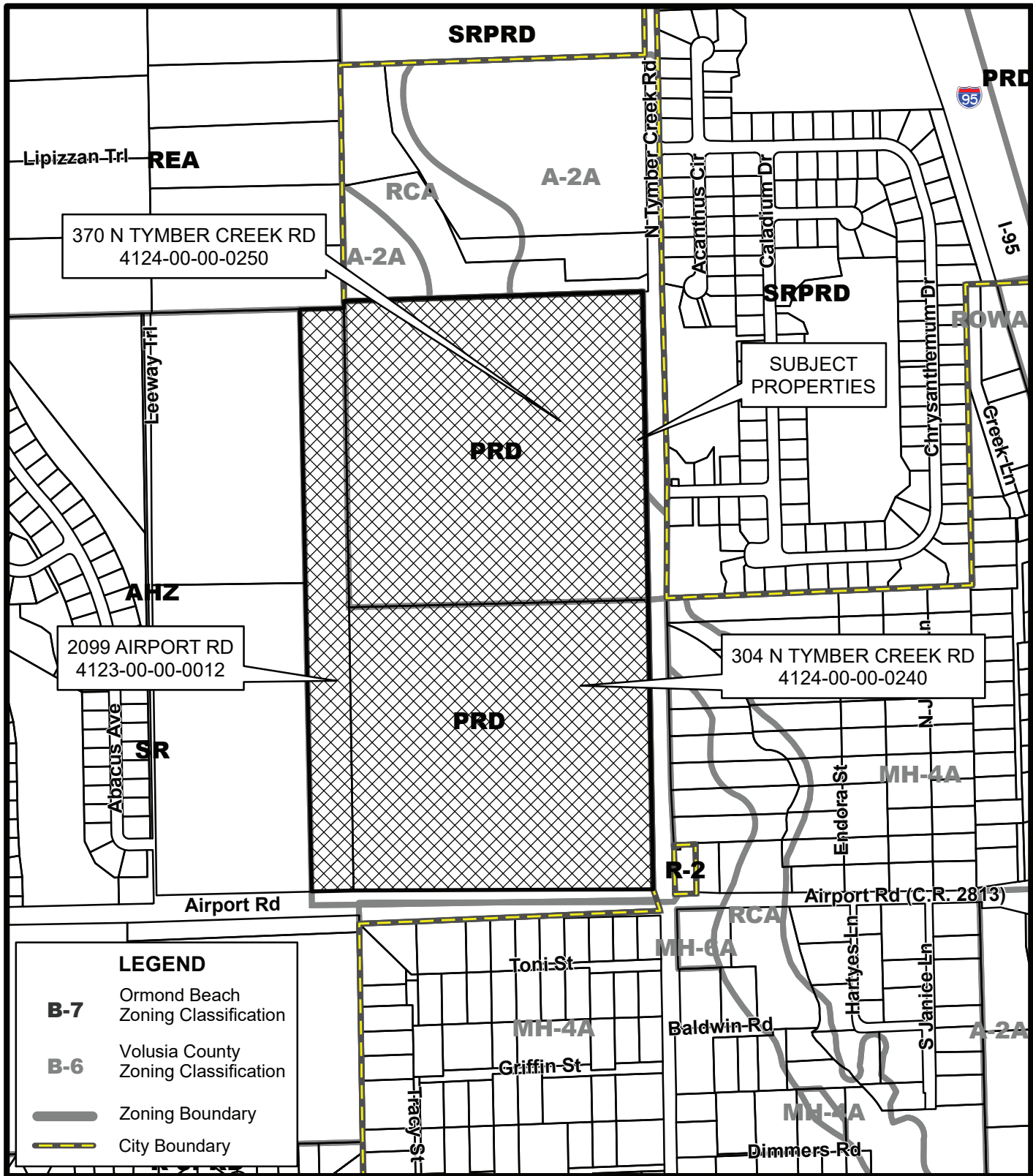




**FUTURE LAND USE MAP
TATTERSALL AT TYMBER CREEK
304 N TYMBER CREEK RD, 370 N TYMBER CREEK RD
AND 2099 AIRPORT RD**

Prepared By: The City of Ormond Beach
G.I.S. Department - October 15, 2021

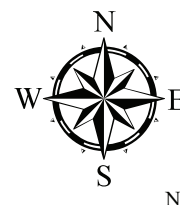




ZONING MAP

**TATTERSALL AT TYMBER CREEK
304 N TYMBER CREEK RD, 370 N TYMBER CREEK RD
AND 2099 AIRPORT RD**

Prepared By: The City of Ormond Beach
G.I.S. Department - October 15, 2021

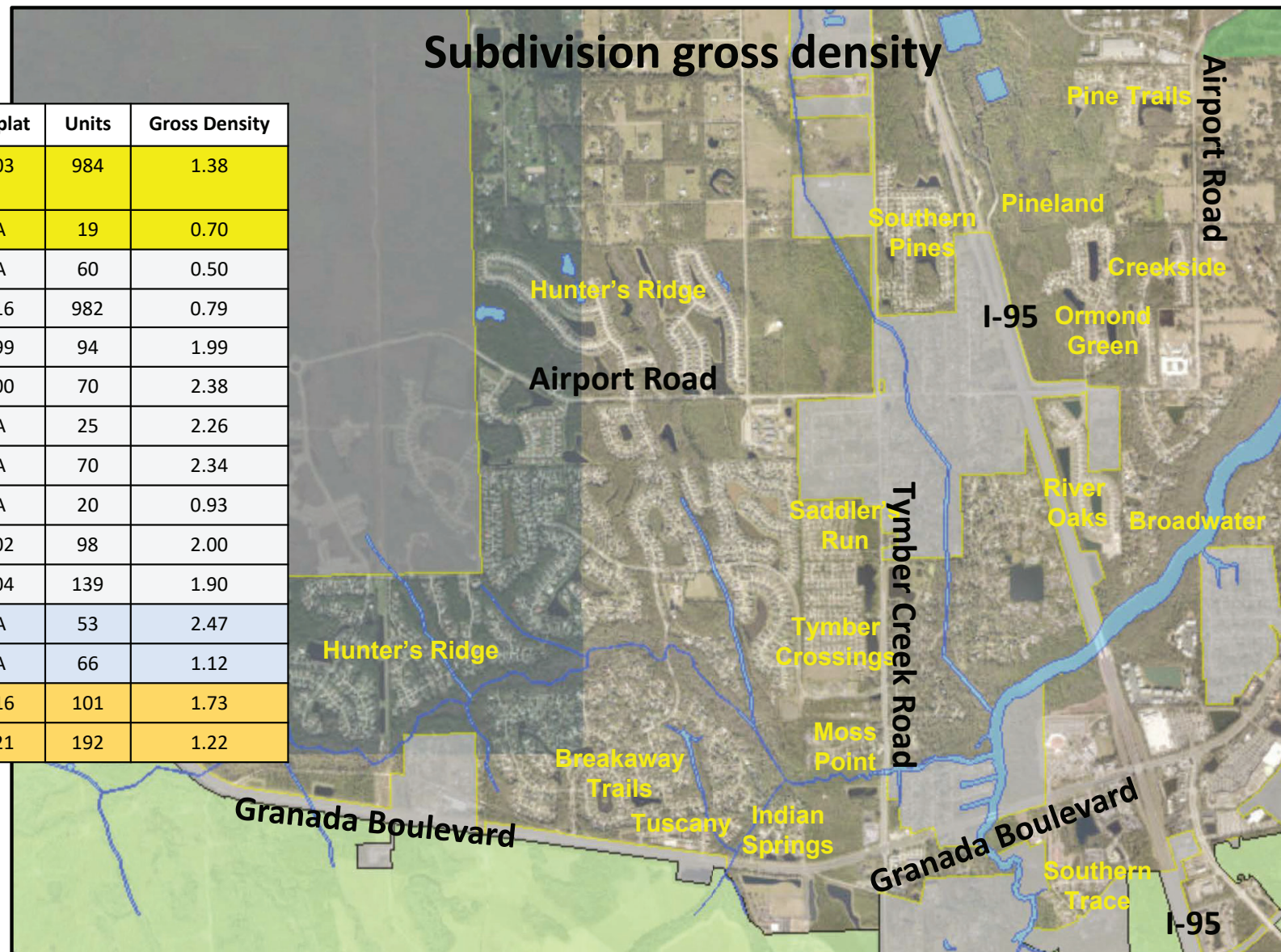


Tattersall at Tymber Creek aerial map



Subdivision gross density

Subdivision	First plat	Last plat	Units	Gross Density
Breakaway Trails (DRI)	1986	2003	984	1.38
Moss Point	1989	NA	19	0.70
Broadwater	1990	NA	60	0.50
Hunter's Ridge (DRI)	1991	2016	982	0.79
Ormond Green	1991	1999	94	1.99
Pine Trails	1991	2000	70	2.38
Southern Trace	1995	NA	25	2.26
Saddlers Run	1996	NA	70	2.34
Indian Springs	1999	NA	20	0.93
Tymber Crossings	1999	2002	98	2.00
Southern Pines	1999	2004	139	1.90
Tuscany	2004	NA	53	2.47
Creekside	2004	NA	66	1.12
River Oaks	2014	2016	101	1.73
Pineland	2019	2021	192	1.22



ATTACHMENT 2

Neighborhood meeting summary



Post Office Box 2491
Daytona Beach, Florida 32115-2491
(386) 255-8171
CobbCole.com

Memorandum

To: Steve Spraker, Planning Director, City of Ormond Beach
From: Lynne Figenschier, Florida Registered Paralegal
Date: November 1, 2021
Client/Matter Paytas-Tattersall
#:
Subject: Neighborhood Meeting Summary – October 21, 2021

A neighborhood meeting was held onsite in the Daytona Room at the Hampton Inn Daytona Ormond/Beach on October 21, 2021 at 6:00 p.m.

Mark Watts, Nika Hosseini, Lynne Figenschier from Cobb Cole, Sans Lassiter & Katie Dearing from LTG, Dwight Durant, Randy Hudak, Bill Lites & Mallory Tatum from Zev Cohen and Jim & Trey Paytas were in attendance and explained the project and application. Several interested neighbors attended the meeting. Please see the attached sign-in sheet.

Mr. Watts provided an overview of the application and proposed project. A PowerPoint presentation was shown to the attendees, which included information about the property and project specifics.

Mr. Lassiter & Ms. Dearing provided the traffic analysis information. Mr. Hudak provided the overall site plan information.

Some of the concerns expressed/questions asked at this meeting are:

- Airport Road is a concern - fast drivers
- Issues with traffic at Airport Road & Tymber Creek Road
- Asked about the timing on the current signal light
- Concerns about traffic; how will it be made better?
- Questions about the extension of Tymber Creek Road; will it happen?

- Concern about headlights in her house from project's front entrance; offer was made to give landscape to help shield the lights; neighbor doesn't want plants.
- Will we be pumping water onto Airport Road? Answer was no.
- Will the developer clear cut the trees? Answer: Yes, the developer will have to clear trees from some areas to raise soil levels to build the houses. There will be other areas and stormwater areas that will not have any trees cut down.
- Concern about where the animals will go (eagles & wild pigs).
- Owner of horse farm north of the project area asked about fencing. Mr. Watts showed the site plan with a red line around some of the perimeter areas. This is the proposed fencing area.
- Neighbor would like the developer to reduce the number of homes to reduce the water. Mr. Watts expressed that the developer is building less homes than allowed & fewer than previously proposed.
- A question was asked when Airport Road will be widened. Mr. Lassiter did not know that answer.
- A question was asked about school capacity. Mr. Watts stated that this development has been approved for school capacity and once the plat process begins, the developer will reserve the student seats in the zoned schools.
- There was concern that the development of this project will flood nearby homes. Zev Cohen explained the engineering process for the development and where water will flow.
- Question was asked about utilities. Will this be septic or city water/sewer? It will be city water & sewer.
- Question was asked about the existing creek flooding? Zev Cohen explained that the storage ponds are made for 100-year-floods.
- Asked what the prices of the new homes would be. Mr. Paytas stated that they might be in the range of \$500,000 to \$600,000, depending on the cost of supplies.
- There was a question about where the fertilizer from homes would go. Zev Cohen explained the sloping, drainage plan of the subdivision & treatment ponds.
- Mr. Spraker stated the first public hearing (Planning Board) will be on December 9, 2021.

Cobb Cole received several emails and a letter from surrounding property owners. Copies of those are attached with this memo.

Also included is the list of property owners to whom we sent the Invitation to Neighborhood Meeting and a copy of the Invitation.

We look forward to this item being discussed at the public hearings.

Scott W. Cichon
 Robert A. Merrell III
 John P. Ferguson
 Mark A. Watts
 Heather Bond Vargas
 Michael J. Woods
 Raymond L. Schumann
 Kathleen L. Crotty
 Michael O. Sznajstajler
 Matthew S. Welch
 Robert E. Doan
 William A. Rice
 Douglas J. Collins
 Sara E. Glover
 Holly W. Zitzka
 Jessica L. Gow
 Nika K. Hosseini
 Sydney V. Cichon



Daytona Beach • DeLand

231 N. Woodland Blvd.
 DeLand, Florida 32720
 (386) 736-7700
 Fax (386) 785-1549
 CobbCole.com

OF COUNSEL
 Larry D. Marsh

RETIRED
 Thomas S. Hart

William M. Cobb
 (1881-1939)
 Thomas T. Cobb
 (1916-2004)
 W. Warren Cole, Jr.
 (1926-2008)

October 2, 2021

INVITATION TO COMMUNITY MEETING

Dear Neighbor:

Cobb Cole has the pleasure of representing Enclave of Timber Creek, LLC & Tymber Sky, LLC (property owners) and Paylin Tymber 2, LLC (developer) with respect to the property located at 304 N. Tymber Creek Road, Ormond Beach, FL 32174 (as outlined in red and highlighted in yellow on the attached map). The developer intends to develop the property as a single-family planned residential development project.

As future neighbors to the proposed development, we would like to invite you to a neighborhood meeting on, **Thursday, October 21, 2021 at 6:00 p.m. in the Daytona Room at the Hampton Inn Daytona/Ormond, located at 155 Interchange Blvd., Ormond Beach, FL 32174**

You may provide written comments or questions regarding these requests by email to Lynne.Figenschner@CobbCole.com or by letter to Lynne Figenschner, Paralegal, Cobb Cole, 231 N. Woodland Blvd., DeLand, FL 32720. Comments/Questions received by Wednesday, October 20, 2021 at 12:00 noon, will be presented during the meeting and become part of the record reported to the City of Ormond Beach. Please include your name, address and contact information in your correspondence.

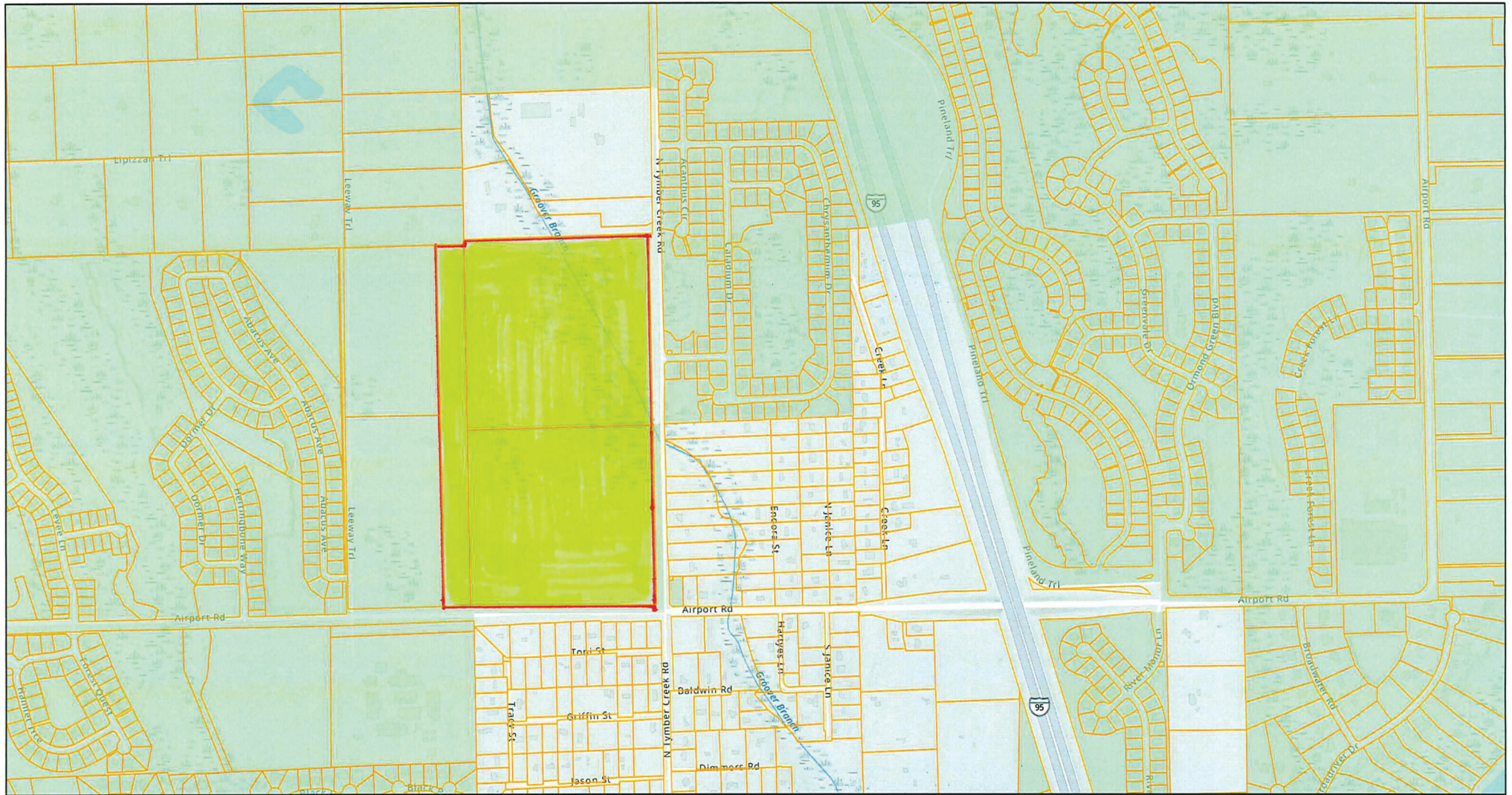
We look forward to your attendance at this meeting and discussing the proposed project.

Sincerely,

Mark A. Watts, Esq.
 Mark.Watts@cobbcole.com

MAW:lf

Volusia County Property Appraiser

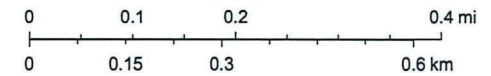


9/16/2021, 5:41:04 PM

Cities

 ORMOND BEACH

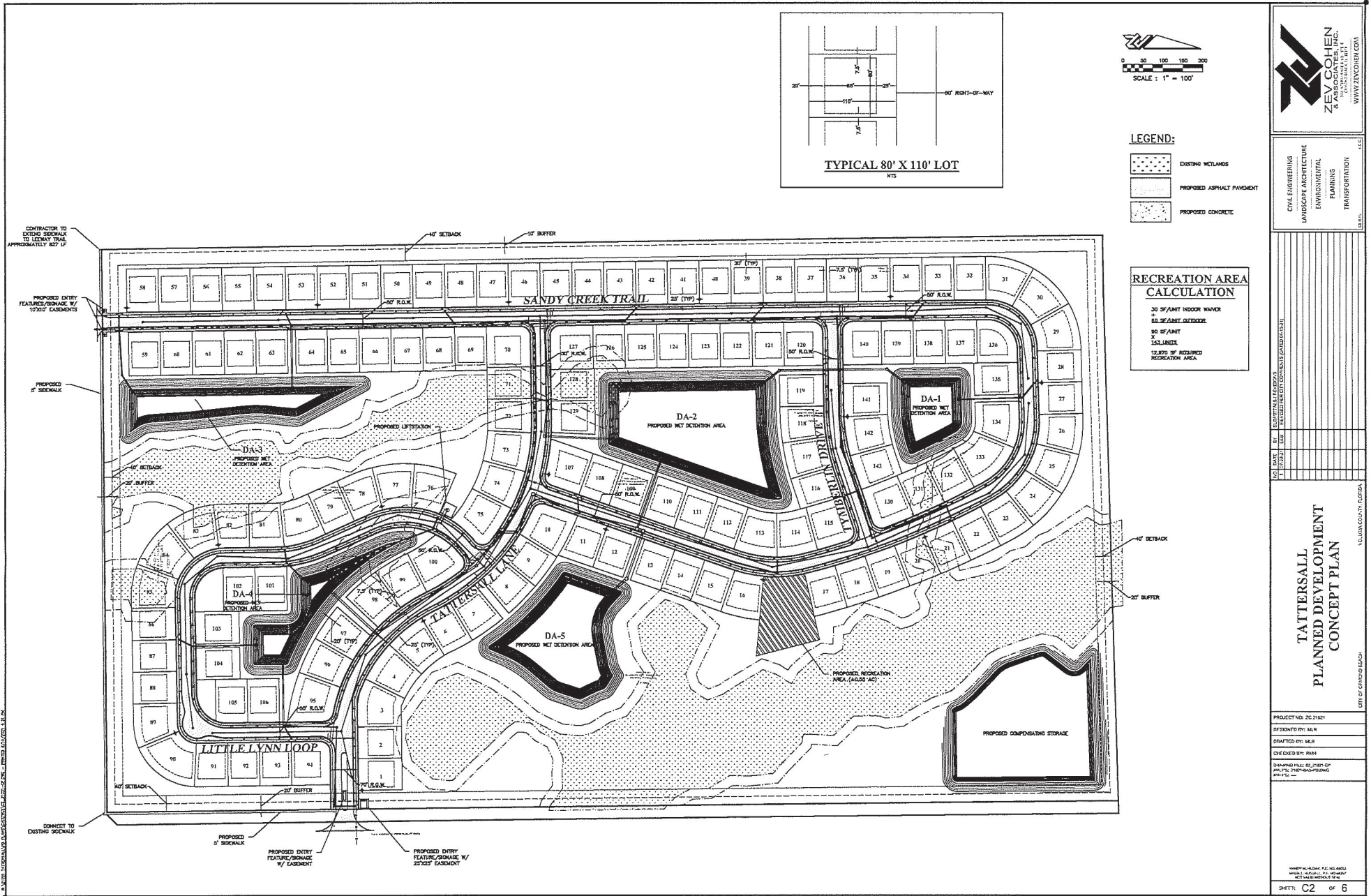
1:9,028



Esri, NASA, NGA, USGS, FEMA, Esri Community Maps Contributors, Flagler County, FDEP, Esri, HERE, Garmin, SafeGraph, INCREMENT P, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

ArcGIS Web AppBuilder

Packet Pg. 305



Lynne Figenschers

From: Mark Edwards <edwards16b@gmail.com>
Sent: Monday, October 4, 2021 4:41 PM
To: Lynne Figenschers; Mark Watts
Subject: Enclave of Timber Creek Comments for Record
Attachments: IMG_5063.HEIC

Dear Cobb Cole representatives,

My name is Mark Edwards. I own the property that adjoins this project on its entire north border. I am typically a proponent of smart development, and at this juncture do not have any significant problems with this development.

I do, however, see that there is no indication of a privacy wall, as was included in the last developers attempt to develop this property. I would firmly ask that a 6', architecturally attractive, stucco wall be constructed between our properties, at the 40' setback as shown on the site plan, along the west 50% of the property line that adjoins us. There are roughly 8 proposed homes along this area and this would provide a sound barrier and privacy for both parties.

I would add that the comments contained in this correspondence in no way should be considered a blanket endorsement for this project. After some due diligence, I will respectfully give my comments in the future.

Also, was it your intention to use the alternate spelling of "Timber" (Tymber)?

I look forward to further discussion.

Regards,

--

Mark Edwards

Volo LLC

200 E. Granada Blvd.

Suite 206

Ormond Beach, FL 32176

386-290-9888

Notice: The information contained in this email transmission is intended by the sender for the use of the named individual or entity to which it is directed and may contain information that is privileged or otherwise confidential. It is not intended for transmission to, or receipt by, anyone other than the named addressee (or a person authorized to deliver it to the named addressee). It should not be copied or forwarded to any unauthorized persons. If you have received this electronic mail transmission in error, please delete it from your system without copying or forwarding it, and notify the sender of the error by reply email or by calling Cobb Cole at 386-255-8171, so that we can update our address records accordingly.

Lynne Figenscher

From: Barry Miller <millerpsu66@gmail.com>
Sent: Tuesday, October 5, 2021 7:15 PM
To: Lynne Figenscher
Subject: Enclave of Timber Creek

Follow Up Flag: Follow up
Flag Status: Flagged

Me thinks you misspelled Timber in your letter. Perhaps not. You decide. My real purpose of writing to you is have one question regarding the building of this subdivision. Has anyone addressed the condition of Timber Creek Road from Saddlers Run north to and beyond Airport Road? This was in the county's plans some 12-15 years ago but by the wayside with building downturn around 2008. Something must be done to accomodate the traffic to and from two elementary schools, the local fire station along with the normal traffic from several thousand homes. Building another subdivision along Tymber Creek is going to had substantially to traffic numbers on Tymber Creek Road. Just something to think about and talk about at the meeting. I won't be able to attend the meeting but I hope this concern is discussed. Thank you.

Barry Miller
55 Caladium Drive
Across the street from the proposed Enclave

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Lynne Figenscher

From: Patricia Myers <pmyers921@gmail.com>
Sent: Sunday, October 10, 2021 5:06 PM
To: Lynne Figenscher
Subject: 304 N Timber Creek Rd

Good Evening,

I am writing as a property owner on Tymber Creek and we moved here because it was off the beaten path, away from so much traffic, more of a country setting and the plans to develop at 304N Tymber Creek is going to effect that tremendously. Not only is traffic going to increase it will be a mess trying to get in and out of the area for work etc while construction is going on.

We are totally against this development. This will take away from every reason we chose to move to this area.

Please take this into consideration and look for other areas to develop.

Thank you!

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Lynne Figensch

From: Monica Severini <gseverini@earthlink.net>
Sent: Monday, October 18, 2021 10:12 AM
To: Lynne Figensch
Subject: Tattersall Planned Development

Dear Ms. Figensch,

Regarding the property located at 304 N. Tymber Creek Road, Ormond Beach, we are inquiring about the proposed compensating storage area.

What will be stored, where is the entrance/exit going to be and will there be a buffer to conceal the storage area?

What will be the impact to the area regarding traffic since there are now numerous developments (and two schools) already established?

I'm assuming the subject of flooding will be discussed.

We will be attending the meeting Thursday, 10/21.

Thank you.

George & Monica Severini
Southern Pines
24 Acanthus Circle
Ormond Beach
386-615-8310

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David R. Juhl
2040 Toni Street
Diamond Beach, Fl.
32174

Cobb / Cole,

my concerns for the new development at
304 N. Tymber Creek Road are as follows.

1. Water run off, I may stand corrected but the last permit application for this project was turned down for the possible flooding of neighboring property.
2. The close proximity of the Airport Road Entrance/Exit to the school zone, morning and Afternoons as school opens and closes are very busy and hectic to say the least. Adding one more driveway so close to young students could prove fatal.
3. Entrance and Exit from Toni St. is most difficult during heavy traffic times. The Airport Rd and Tymber Creek Rd intersection is a very busy intersection and the extra traffic will make it much more dangerous.

4. Your Airport Rd. Entrance is across from the rear of my property. Will I be subjected to traffic headlights at all hours of the night?
5. What will become of the wildlife from that area. We have witnessed Eagles many times across the street nesting and hunting as well as other species.

Thank You,

David and Evelyn Jull
2040 Toni St.
Ormond Beach, Florida.
32174

Lynne Figenscher

From: Spraker, Steven <Steven.Spraker@ormondbeach.org>
Sent: Thursday, October 21, 2021 7:54 AM
To: Lynne Figenscher; Mark Watts; Randy Hudak; 'Trey Paytas'
Subject: FW: Flooding next to proposed Tattersall Dev
Attachments: IMG-2546.jpg; IMG-2547.jpg; Process (slides from Marshside PB).pptx

Good morning,

Please see the correspondence below.

As part of the presentation tonight, I would suggest covering the following items:

1. Process.
2. Why is the item required to go through a public hearing?
3. Site layout, including natural space left abutting properties to the north.
4. No variances to lot sizes or perimeter setbacks are being requested.
5. Stormwater. How can a property that has standing water be developed? Why is there standing water?
6. Traffic. Results of traffic study, proposed sidewalks, impacts of two schools and this development. Note Public Works and city traffic reviewer are not in favor of an all-way stop at Leeway Trail and Airport Road.
7. School. Project reviewed by Volusia County Schools.

The City Manager has expressed concern about the capacity of the meeting room where this meeting is being held. She recalled the Granada Pointe amendment that had individuals standing in the outside hallway at this location. I would suggest trying to get as many seats in the room as possible.

Thank you

Steven

From: Spraker, Steven
Sent: Thursday, October 21, 2021 7:38 AM
To: 'Deb W' <debweinbergfl@gmail.com>
Subject: RE: Flooding next to proposed Tattersall Dev

Good morning,

Per your request, staff can include your correspondence in the Planning Board packet once the items moves forward.

Every subdivision is required to complete a stormwater management plan prepared by a professional engineer and reviewed by professional engineer's with the City of Ormond Beach and Saint Johns River Water Management District. The stormwater management system for the subdivision is required to be maintained by a Homeowners Association. Operational issues in the right-of-way are

the responsibility of the city. There have been significant rain events that have produced inches of rain in a short period of time over the last six months.

For the current project, they are a zoning level and will not have final engineered plans for stormwater. This shall occur with the preliminary plat which will also have a review before the Planning Board and City Commission. The project engineers have preformed analysis of the property and can speak towards how stormwater is planned to be addressed. The design team can address this item at the neighborhood meeting and I will advise them of your question.

I will see you tonight.

Thank you

Steven

Steven Spraker, AICP
Planning Director



Planning Department
22 South Beach Street, Room 104
Ormond Beach, FL 32175
Direct Line: 386.676.3341
Department: 386.676.3238
Cell: 386.366.1590
Fax: 386.676.3361
E-mail: Steven.Spraker@ormondbeach.org

From: Deb W <debweinbergfl@gmail.com>
Sent: Wednesday, October 20, 2021 9:12 PM
To: Spraker, Steven <Steven.Spraker@ormondbeach.org>
Subject: Fwd: Flooding next to proposed Tattersall Dev

[External Email-Use Caution] - OB/IT Helpdesk

Steven:

Thank you for the update on the Tattersall development. We have read it over and have many concerns but one specifically; this area is consistently flooded with water even during the dry season.

Where will all this water go once all the homes will be built? Right now the water overflows into storm drains on Airport road. Will this be a City expense?

On a personal level we had the unfortunate experience of living next to a home that was built by Paytas. Not only was the elevation of the home raised several more feet than the original plans (unsure if this was filed or not) but this caused additional flow into the wetlands area between our homes. Additionally at least 30-40 old cypress trees were removed, multiple loads of fill brought into the wetlands area. Immediately after a light rain we started to flood. We spoke with Paytas staff who denied they had knowledge this was a wetlands area & refused to remedy the problem.

We then called FPL, Ormond Beach Planning & St. Johns Water Management, to have this disaster remedied.

We believe that if this complex is developed with this developer there will be many long term problems for the existing residents in the area.

Who will be the responsible party after the fact and have to deal with the problems left behind ?

Attached are two photos after a typical rainfall by the entrance to KB development off Leeway Trail. This illustrates how a developer provides assurances that there will be no flooding and clearly this is not the case. The storm drain is not graded properly; It should be closer to the road and not in a grassy area . Luckily after Leeway was partially repaved, flooding decreased . Again we ask:

Who is responsible for fixing this?

Would greatly appreciate it if you would forward this email and photos to the planning committee.

We plan on attending the first meeting tomorrow night .

With gratitude,

Debra & Matt Weinberg

2341 Lipizzan Trail

Ormond Beach

----- Forwarded message -----

From: **Deb W** <debweinbergfl@gmail.com>

Date: Sun, Oct 3, 2021 at 9:56 AM

Subject: Flooding next to proposed Tattersall Dev

To: <debweinbergfl@gmail.com>

Notice: Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

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Subdivision application process

Planned Residential Development

- Step 1: Submit PRD to the Site Plan Review Committee.
- Step 2: Neighborhood meeting
- Step 3: Planning Board (advisory board) review of PRD.
- Step 4: City Commission (final action)

Notes:

❖ A holding capacity analysis considering flood plain, wetlands, soils is required.

❖ A PRD is a zoning document that shows lots, landscape buffers, open areas, recreational areas, and architectural standards.

❖ PRD does not require engineering construction plans that include stormwater and utilities.

Subdivision application process

Preliminary Plat

- Step 1: Submit subdivision contraction plans to the Site Plan Review Committee.
- Step 2: Planning Board (advisory board) review of Preliminary Plat.
- Step 3: City Commission (final action)

Notes:

- ❖ Option 1: Construction subdivision improvements and then plat; or
- ❖ Option 2: Bond improvements and sell lots, then go to construction.

Subdivision application process

Final Plat

- Step 1: Subdivision construction.
- Step 2: Submit final plat for SPRC review.
- Step 3: City Commission (final action)

Notes:

- ❖ Subdivision improvements completed, inspected, and accepted. Final plat allows the selling of lots, construction of houses.
- ❖ Phases undergo Preliminary and Final plat approval.





ATTACHMENT 3

School concurrency



Scott Fritz, Ed.D.
Superintendent of Schools

School Board of Volusia County

Mrs. Linda Cuthbert, Chairman
Ms. Jamie M. Haynes, Vice Chairman
Mrs. Anita Burnette
Mr. Ruben Colón
Mr. Carl Persis

School Adequate Capacity Determination Finding of Adequate Capacity Letter

June 2, 2021

Mark A. Watts, Esq
Cobb Cole
231 N. Woodland Blvd.
DeLand, FL 32720

RE: Tattersall at Tymber Creek PD– Ormond Beach
School Capacity Review #21-05-18-001-A

Dear: Mr. Watts

The County Charter requires any Comprehensive Plan Amendment or Rezoning allowing increased residential density to be effective only when adequate public schools can be timely planned and constructed to serve the projected increase in student population. The district uses this requirement as the guiding principle behind the school adequate capacity review.

The School District has reviewed the information for the proposed development associated with 84 +/- acres of property located at the intersection of Airport Rd and N. Tymber Creek Rd within Ormond Beach city limits. Proposed amendment would provide the possibility for one hundred and forty-six (146) single-family units.

The district uses county wide Student Generation Rates (SGRs) of (.273) for single-family dwelling units. By applying the SGR to the use types in Table 1, we find the project could generate forty (40) full time students.

Table 1

UNIT TYPE	SGR	UNIT COUNT	STUDENTS GENERATED
Single Family Dwelling Unit	.273	146	39.858
Multifamily Dwelling Unit	.127	0	0
Manufactured Home Dwelling Unit	.047	0	0
Total			40

FACILITIES SERVICES
3750 OLSON DRIVE, DAYTONA BEACH, FLORIDA 32124
PHONE: 386/734-7190 • FAX` 386/506-5056

An Equal Opportunity Employer

Tattersall at Tymber Creek PD– Ormond Beach
June 2, 2021

When performing adequate capacity review district staff evaluates the effects of the proposed change compared to any remaining permanent capacity within the impacted schools, up to 100%, Table 2. The projected increase in student population may be over 100% if there are plans to serve increased student population in that planning area within the long-term planning horizon. A finding of adequate capacity may be issued in either case.

Table 2

Schools	2019-20 SY Enrollment	% of Permanent Capacity	Plans for capacity increase long-term	Traditional K-12 Students projected
Pathways Elementary	761	109.66%	no	17
Hinson Middle	1040	114.37%	no	10
Mainland High	1854	90.06%	no	12
Other				1

The project is projected to increase the student population greater than 100% of capacity at the elementary and middle level. It however does not increase the planning area or schools over 115%. The use of adjacent schools might be necessary at the time of review. Based upon these long-term plans for growth, the school district has no objections to the proposed Comp Plan Amendment and PD.

All future development orders, such as site plans and subdivisions, are subject to school concurrency review. School concurrency will be evaluated at that time when the impact of development is specifically quantified and known. Only funded school improvements and then current capacity will be considered at that time.

No Student Reservations have been made at this time.

Please note that the School Board has the right to adjust the attendance boundaries to balance the student enrollment populations at these area schools. Consequently, students generated from this project may not attend the current assigned schools.

If you should have additional questions please contact me at (386) 947-8786, extension 50709.

Sincerely,



Stephanie B. Doster,
Coordinator, Planning

Cc: Dr. Scott Fritz, Superintendent of Schools
Steven Grube, Director, Planning and Construction
Steven Sparker, Ormond Beach
Lisa Divina, Volusia County School Board Project File

FACILITIES SERVICES
3750 OLSON DRIVE, DAYTONA BEACH, FLORIDA 32124
PHONE: 386/734-7190 • FAX: 386/506-5056

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Finding of Adequate School Capacity
Volusia County School Board

Project Information	
Project Name	Tattersall at Tymber Creek PD
VCSB Project #	21-05-18-001-A
Jurisdiction Project#	
Parcel ID Numbers:	4123-00-00-0012, 4124-00-00-0240, 4124-00-00-0250
Project Location:	304 N. Tymber Creek Rd
Potential Residential Units:	146
Property Owner/Applicant:	Paylin Tymber -Contract Purchaser Cobb Cole-Mark A Watts Esq.-Agent
Notes: Additional review will be required at time of subdivision/site plan submittal(s). No Student Reservations have been made.	

Based upon the Findings of Fact, pursuant to School Board Policy 612 and Section 206 of the County Charter, the school district has determined at this time that school capacity is adequate to serve the proposed increase in residential density. This Finding shall constitute competent substantial evidence that adequate public school capacity is likely to be available at the time it is required to serve the planned new development.

Capacity is not being reserved with this Finding unless otherwise noted on this document. This Finding of Adequate School Capacity allows this subject project to continue through the Comprehensive Plan Amendment and/or rezoning process; however, may be subject to additional school capacity review in the future.



 Stephanie B. Doster,
 Coordinator, Planning

2 June 2021
 Issue Date

Adequate Capacity Review - Tattersall at Tymber Creek PD

[illegible]

ATTACHMENT 4

Correspondence received

From: [Deb W](#)
To: [Spraker, Steven](#)
Subject: Fwd: Flooding next to proposed Tattersall Dev
Date: Wednesday, October 20, 2021 9:12:40 PM
Attachments: [IMG-2546.jpg](#)
[IMG-2547.jpg](#)

[External Email-Use Caution] - OB/IT Helpdesk

Steven:

Thank you for the update on the Tattersall development. We have read it over and have many concerns but one specifically; this area is consistently flooded with water even during the dry season.

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We plan on attending the first meeting tomorrow night .

With gratitude,

Debra & Matt Weinberg

2341 Lipizzan Trail

Ormond Beach

----- Forwarded message -----

From: **Deb W** <debweinbergfl@gmail.com>

Date: Sun, Oct 3, 2021 at 9:56 AM

Subject: Flooding next to proposed Tattersall Dev

To: <debweinbergfl@gmail.com>





ATTACHMENT 5

Environmental Assessment Analysis



300 Interchange Blvd., Suite C
Ormond Beach, FL 32174
386-677-2482 • Fax: 386-677-2505
www.ZevCohen.com

Environmental Assessment
For
Tattersall at Tymber Creek

ZC 21021

November 18, 2021

Prepared For:

Jim Paytas and Trey Paytas
Paylin Tymber 102, LLC
794 Sanders Road, Suite 1
Port Orange, FL 32129

Prepared By:

Bill Lites and Mallory Tatum
Zev Cohen & Associates, Inc.
300 Interchange Blvd., Suite C
Ormond Beach, FL 32174
(386) 677-2482

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1.0 PROJECT INFORMATION

The project site is located in the City of Ormond Beach, Volusia County, Florida, in Section 23 and 24, Township 14 South, and Range 31 East (**Location Map**). The property is 85 acres and is bound by single family, low density residential to the north, North Tymber Creek Road to the east, Airport Road to the south, and an undeveloped forested area to the west (**Aerial Map**). The latitude and longitude coordinates for the approximate center of the project are 29°16'39.82"N, 81°7'54.78"W (WGS84/NAD83) as determined on the USGS Favoretta Quad (**USGS Quadrangle Map**).

The property owner for this project is:

Jim Paytas and Trey Paytas
Paylin Tymber 102, LLC
794 Sanders Road, Suite 1
Port Orange, FL 32129

The environmental scientists for this project are:

Bill Lites and Mallory Tatum
Zev Cohen and Associates, Inc.
300 Interchange Boulevard
Ormond Beach, FL 32174

The proposed project, Tattersall at Tymber Creek, includes the construction of a residential subdivision development with associated infrastructure and a stormwater management system.

Zev Cohen & Associates, Inc. (ZCA) Environmental Department staff has conducted an Environmental Assessment (EA) of the subject property with associated site visits in March and April 2021. ZCA reviewed previous environmental reports for the subject property, characterized habitat types, verified the presence and delineated the extent of wetlands, assessed wetland impacts and mitigation, and documented the potential of occurrence of federal and state protected species. This EA report includes survey methodology, results, and supplementary materials.

2.0 SOILS

A review of the soil types present was conducted to characterize the existing conditions on the subject property. The soil review used soils surveys conducted by the United States Department of Agriculture (USDA) Natural Resources Conservation Services (NRCS). Data are presented in accordance to Official Soil Series Descriptions (**Soils Map**).

22 – Electra Fine Sand, 0 to 5 Percent Slopes: This is a somewhat poorly drained and nearly level soil that occurs in elevated portions of flatwoods. The water table is typically between 20 and 40 inches during the wettest months and drops to below 40 inches during drier periods. The organic content and natural fertility are low.

23 – Farnton Fine Sand: This is a poorly drained, nearly level soil in flatwoods. The water table is within 10 inches during wet periods and within 40 inches for 6 months or more during drier periods. The seasonal high water table is at the surface. Runoff is slow.

24 – Fluvaquents: These are nearly level, poorly drained, and frequently floods soils on flood plains of rivers, creeks, and lakes. They consist of stratified layers of sandy, loamy, and clayey material, with a mucky surface texture. The subject property has been channelized in this area and system is known as Groover Branch.

45 – Pineda Fine Sand: This is a nearly level, poorly drained soil that occurs in broad, low flats of flatwoods. The water table is within a depth of 10 inches for 1 to 6 months in most years and some areas have standing water during some months. Permeability is rapid to moderately rapid.

49 – Pomona Fine Sand: This is a poorly drained, nearly level soil that occurs in low, broad areas of flatwoods. Usually, the water table is within 10 inches during wet periods and within 40 inches during drier periods. The available water capacity is medium and permeability is rapid up to 18 inches, with slow internal drainage. However, if artificial drainage is provided, then it improves.

51 – Pomona –St. Johns Complex: This is a poorly drained Pomona and St. Johns soils that is usually covered with standing water for long periods that occur in drainage ways and broad depressions in flatwoods. The soil is supposed to be almost always saturated within 10 inches of the soil surface.

3.0 LAND USE AND VEGETATIVE COMMUNITY

The subject property is composed of uplands consistent with upland coniferous forests, coniferous plantations, hydric pine flatwoods, and a slash pine swamp forest (**Habitat Map**). Land use of the subject property was classified according to the Florida Department of Transportation (FDOT) (1999) *Florida Land Use, Cover and Forms Classification System* (FLUCFCS). The land use and vegetative communities observed on the subject property are described in detail below.

410 – Upland Coniferous Forests – The majority of the uplands on the project site are composed of naturally recruited slash pine (*Pinus elliottii*), longleaf pine (*Pinus palustris*), with a few southern magnolias (*Magnolia grandiflora*), live oaks (*Quercus virginiana*), cabbage palms (*Sabal palmetto*), and pignut hickories (*Carya glabra*) throughout. There is an open sub-canopy with a groundcover of saw palmetto (*Serenoa repens*), Yaupon holly (*Ilex vomitoria*), American beautyberry (*Callicarpa americana*), wax myrtle (*Myrica cerifera*), gallberry (*Ilex glabra*), coontie (*Zamia integrifolia*), wild coffee (*Psychotria nervosa*), bracken fern (*Pteridium aquilinum*), muscadine grape (*Vitis rotundifolia*), and wild blackberry (*Rubus cuneifolius*).

441 – Coniferous Plantations - A section of slash pine plantations exists on the western edge of the property. This area is dominated by furrowed slash pine with an understory of wax myrtle, gallberry, broomsedge (*Andropogon virginicus*), wild blackberry, and muscadine grape.

625 – Hydric Pine Flatwoods – The wetland strand on western side of the property runs north to south and the isolated wetland within the central portion of the project is composed of hydric pine flatwoods. These wetlands are dominated by a canopy of slash pine, dahoon holly (*Ilex cassine*), loblolly bay (*Gordonia lasianthus*), with a relatively open understory and ground cover composed of sparse fetterbush (*Lyonia lucida*), wiregrass (*Aristida stricta*), red root (*Lachnanthes caroliana*), and Virginia chain fern (*Woodwardia virginica*). These wetlands are bordered by a ridge of saw palmetto.

627 – Slash Pine Swamp Forest – The large wetland strand that contains a portion of Groover Branch runs through the site and was channelized in the past. This area is dominated by a canopy of slash pine, pond cypress (*Taxodium ascendens*), cabbage palm, swamp bay (*Persea palustris*), black gum (*Nyssa sylvatica*), sweet bay (*Magnolia virginiana*), sweet gum (*Liquidambar styraciflua*) and red maple (*Acer rubrum*). The shrub and ground cover consists of wax myrtle, maidencane (*Panicum hemitomon*), broadleaf arrowhead (*Sagittaria latifolia*), pickerelweed (*Pontedaria cordata*) roadgrass (*Eleocharis baldwinii*), Chapman’s beaksedge (*Rhynchospora chapmanii*), St. John’s Wort (*Hypericum fasciculatum*), swamp fern (*Blechnum serrulatum*), Virginia chainfern, galberry, sweetscent (*Pluchea odorata*), spadeleaf (*Centella asiatica*), red root, bushy bluestem (*Andropogon glomeratus*), saw grass (*Cladium jamaicense*), Cinnamon fern (*Osmunda cinnamomea*), bog button (*Lachnocaulon anceps*), red root, and poison ivy (*Toxicodendron radicans*).

4.0 WETLANDS AND OTHER SURFACE WATERS

Forested wetlands and pine dominated wetlands were observed on the subject property. A total of **13.05** acres of wetlands were delineated in the field in April 2021 (**Wetlands Map**). Criteria used to determine the presence of wetlands and surface waters and delineate their boundaries were in accordance with Chapter 62-340 F.A.C. and the 1987 *Corps of Engineers Wetlands Delineation Manual*.

Wetland lines have not been inspected by St. Johns River Water Management District (SJRWMD, District), the Florida Department of Environmental Protection (FDEP), nor the US Army Corps of Engineers (USACE). Following application submittals, site inspections with the agencies to confirm wetland lines, Uniform Mitigation Assessment Methodology (UMAM) values, approve seasonal high water levels (SHWL), and jurisdiction with the SJRWMD and FDEP.

4.1 Wetland Impacts

Approximately 1.49 acres of direct wetland impacts are proposed (**Wetland Impact Map**). Most of the wetland impacts are planned for the smaller, isolated wetlands on the west side of the site. The large wetland strand on the east side of the property that

contains Groover Branch is being avoided, with a small impact to a man-made strand on the west side of the wetland.

Wetland	Total Area (ac)	Impact Area (ac)
W-1	0.25	0.25
W-2	2.96	0.75
W-3	0.30	0.30
W-4	9.54	0.19
Total	13.05	1.49

4.2 Avoidance and Minimization of Wetland Impacts

This is a region of Ormond Beach that is experiencing strong growth in residential housing developments and associated infrastructure, including the Hunters Ridge Development of Regional Impact (DRI), Huntington Lakes, and the Pineland Subdivision.

The local transportation network is in place for this type of development with adjacent roads including Tymber Creek Road, Airport Road, and Leeway Trail. West Granada Boulevard and Interstate-95 are also in close proximity at 1.4 miles and 2.2 miles to the south and west, respectively.

During the planning and design process, wetland impacts were avoided where possible to maximize the onsite development. Several previous plans for this area have been evaluated over the recent years that proposed much larger impacts. The current plan has been modified to avoid wetland impacts to the high quality wetland strand on the eastside of the property that contains Groover Branch. The isolated upland pockets on the interior of the site and to the west are partially planned for impact due to the impracticality of completely avoiding impacts.

4.3 SJRWMD Jurisdictional Wetlands

All of the wetlands (**13.05** total wetland acres) on the subject property are jurisdictional to the SJRWMD. An Environmental Resource Permit (ERP) will be applied for to impact a portion of the onsite wetlands and their upland buffers.

4.4 FDEP (Section 404) Jurisdictional Wetlands

It has been determined by ZCA staff scientists that one of the onsite wetlands (**W-4, 9.54 ac**) is connected to the Waters of the United States (WOTUS) and is jurisdictional to the FDEP (under the Federal 404 program) by connection to the Tomoka River, a Traditionally Navigable Water (TNW) and the nearest WOTUS. This wetland is considered adjacent as it contains Groover Branch, a tributary to the Tomoka River. Groover Branch was channelized prior to 1943 and runs through W-4 on the site. Wetlands 1, 2 and 3 are isolated from WOTUS as multiple upland berm and systems

disconnect the wetlands from WOTUS. An Individual Permit (IP) through FDEP may be required if 404 jurisdictional wetlands are planned for impact.

4.5 USACE (Section 10) Jurisdictional Wetlands

It has been determined by ZCA staff scientists that all of the onsite wetlands are not jurisdictional to the USACE. USACE retains jurisdiction over all Section 10 waters and wetlands within 300ft of Section 10 waters, the closest being the Tomoka River. Because the onsite wetlands lie over 300ft from the Tomoka River, no permitting will be required by USACE.

4.6 Wetland Mitigation

Approximately 1.55 acres of direct wetland impacts are proposed (**Wetland Impact Map**). Offsite mitigation is currently proposed to offset the direct and secondary impacts to the onsite wetlands.

Wetland mitigation will be required for impacts to Wetland 1 and Wetland 4. A total of 1.55 acres of direct wetland impacts are proposed resulting in the total functional loss of 0.47 wetland mitigation credits (**UMAM Table 1**). The proposed project lies within the Halifax River Basin. Tiger Bay, Farmton, and Lake Swamp Mitigation Banks all service this area and have available mitigation credits for purchase for the impacted habitats. Wetland 1 and Wetland 3 are isolated and less than half an acre in size. Therefore, mitigation to impact these wetlands will not be required according to Subsection 10.2.2.1, AHVI. Under this subsection, wetland mitigation is not required for impacts to isolated wetlands less than half an acre in size as they do not provide significant habitat wetland dependent species.

5.0 PROTECTED SPECIES

Prior to visiting the site, a background literature search was also conducted to compile a list of state and federally protected animal and plant species that could occur on-site. The three primary sources of literature reviewed include the Florida Fish and Wildlife Conservation Commission's (FWC) *Florida's Endangered Species, Threatened Species, And Species of Special Concern*, the United States Fish and Wildlife Service's (USFWS) Threatened and Endangered Species System (TESS) database, and the Florida Department of Agriculture and Consumer Services (FDACS), Division of Plant Industry's (DPI) *Notes on Florida's Endangered and Threatened Plants*. Additional information was gathered from the Florida Natural Areas Inventory (FNAI) *Field Guides to the Rare Animals/Plants of Florida*, and the Florida Committee on Rare and Endangered Plants and Animals (FCREPA) *Rare and Endangered Biota of Florida Series: Volumes 1-5*, ZCA's *Protected Species Database*, including the *Florida Scrub-Jay Database* (a Zev Cohen proprietary database comprised of data acquired from several agencies, direct observations, and scientific journals), and the FWC's Eagle Nest Locator web site.

5.1 Protected Wildlife Species

The state and federally protected animal species with the potential to occur on the project site are listed in Table 5.1.1, below. The estimated likelihood of occurrence of each species is noted in the table and those species with at least a moderate likelihood of occurrence are discussed following the table.

Figure 5.1.1. Federally and Florida state protected wildlife species with the potential to occur on the subject property, in Volusia County, Florida.

Species Name	Common Name	Agency Listing		Likelihood of Occurrence	Habitat
		FWC/USFWS			
<i>Alligator mississippiensis</i>	American alligator	FT		Moderate	Lakes, slow moving rivers
<i>Amphelocoma coerulescens</i>	Florida scrub-jay	FT		Low	Scrub, xeric oak
<i>Drymarchon corais couperi</i>	Eastern indigo snake	FT		Low	Wide variety of habitats
<i>Egretta caerulea</i>	Little blue heron	ST		Low	Shallow water bodies in FL
<i>Egretta tricolor</i>	Tricolored heron	ST		Low	Coastal ponds, marshes, swamps
<i>Falco sparverius paulus</i>	Southeastern American kestrel	ST		Low	Open habitats with scattered trees
<i>Gopherus polyphemus</i>	Gopher tortoise	ST		High	Sandhills, scrub, flatwoods
<i>Haliaeetus leucocephalus</i>	Bald eagle	BE		Low	Common adjacent to water
<i>Laterallus jamaicensis</i>	Eastern Black Rail	FPT		Low	Salt, brackish, and fresh wetlands
<i>Mycteria americana</i>	Wood stork	FT		Low	Shallow open waters
<i>Picoides borealis</i>	Red-cockaded woodpecker	FE		Low	Mature pine forests with regular burn
<i>Pituophis melanoleucus</i>	Florida pine snake	ST		Low	Upland areas adjacent to wetlands
<i>Platalea ajaja</i>	Roseate spoonbill	ST		Low	Coastal ponds, marshes, swamps

FE= Federally Endangered; FT= Federally Threatened; FPT= Federally Proposed Threatened; BE= Bald and Golden Eagle Protection Act; ST= State Threatened; SSC= Species of Special Concern.

Gopher tortoise (*Gopherus Polyphemus*) – The gopher tortoise is a state-designated Threatened Species and is being considered for federal protection due to habitat loss associated with development. Gopher tortoises require uplands that have a high enough elevation to allow for the construction of underground burrows that would not be below the groundwater table. These conditions are present on the subject property. A 100% gopher tortoise survey will be required for the property within 90 days prior to construction to be conducted by an Authorized Gopher Tortoise Agent. Associated gopher tortoise permitting with FWC and relocation will be required, if occupied habitat is proposed for impact.

Bald Eagle (*Haliaeetus leucocephalus*) – According to the FWC, Eagle Nest Locator database, the closest bald eagle nest is over 1.0 mile away. Please note that the location provided by this website is provided only to allow the user to view the general location of a nest and to confirm that an appropriate area of interest was targeted by the user's search. Development adjacent to known bald eagle nests is restricted under the Bald and Golden Eagle Protection Act. Because no nests occur within 660' of the site, development of the site will not be constrained by permitting for the bald eagle.

5.2 Wildlife Survey

A preliminary site review was conducted to assess the potential presence of protected wildlife species on the subject property. The only federally or state protected species found to occur on the project site was the gopher tortoise. A 100% gopher tortoise survey will be required for the property within 90 days prior to construction to be conducted by an Authorized Gopher Tortoise Agent. A gopher tortoise relocation permit will be required depending upon the amount of burrows located. Any tortoise burrows identified during the survey will require excavation and relocation of tortoises to an Authorized Gopher Tortoise Recipient Site.

5.3 Protected Plant Species

The state and federally protected plant species with the potential to occur on the project site are listed in Table 5.3.1 below. The estimated likelihood of occurrence of each species is noted in the table and those species with at least a moderate likelihood of occurrence are discussed following the table.

Table 5.3.1 Protected plant species with potential presence on the project site.

Species Name	Common Name	Agency Listing	Likelihood of Occurrence	Habitat
		FDACS/FWS		
<i>Acrostichum danaeifolium</i>	Giant leather fern	CE	Low	Brackish and freshwater marshes
<i>Asplenium auritum</i>	Auricled spleenwort	E	Low	Hammocks
<i>Asplenium serratum</i>	Bird's-nest spleenwort	E	Low	Hammocks and swamps
<i>Calamintha ashei</i>	Ashe's savory	T	Low	Dry pinelands and sand pine scrub
<i>Calamovilfa curtissii</i>	Curtiss' reedgrass	T	Low	Pine flatwoods
<i>Calopogon barbatus</i>	Bearded grass pink	T	Low	Wet pine flatwoods, bogs
<i>Calopogon multiflorus</i>	Many-flowered grass pink	E	Low	Pine flatwoods, esp. recently burned
<i>Campyloneurum phyllitidis</i>	Strap fern	E	Low	Hammocks; epiphytic
<i>Centrosema arenicola</i>	Sand butterfly pea	E	Low	Sandhills and scrubby flatwoods
<i>Conradina grandiflora</i>	Large-flowered rosemary	E	Low	Pinelands
<i>Cucurbita okeechobeensis</i>	Okeechobee gourd	E/E	Low	Hammocks
<i>Deeringothamnus rugelii</i>	Rugel's pawpaw	E/E	Low	Wet pine flatwoods
<i>Encyclia tampensis</i>	Butterfly orchid	CE	Low	Mangrove, cypress and hardwood swamps; hammocks
<i>Epidendrum conopseum</i>	Greenfly orchid	CE	Low	Moist hammocks, cypress and hardwood swamps; epiphytic
<i>Garberia heterophylla</i>	Garberia	T	Low	Sand pine and oak scrub
<i>Glandularia tampensis</i>	Tampa vervain	E	Low	live oak-cabbage palm hammocks and pine palmetto flatwoods
<i>Harrisella porrecta</i>	Threadroot orchid	T	Low	Cypress and hardwood swamps, old citrus groves; epiphytic
<i>Hartwrightia floridana</i>	Florida hartwrightia	T	Low	Acid, seepage areas
<i>Helianthus carnosus</i>	Lakeside sunflower	E	Low	Wet flatwoods
<i>Hexalectris spicata</i>	Crested coralroot	E	Low	Hammocks
<i>Illicium parviflorum</i>	Yellow star anise	E	Low	Wet woods and swamps
<i>Lechea cernua</i>	Nodding pinweed	T	Low	Scrub
<i>Lechea divaricata</i>	Spreading pinweed; pine pinweed	E	Low	Pinelands

<i>Lilium catesbaei</i>	Catesby's lily	T	Low	Moist pine flatwoods and savannahs
<i>Listera australis</i>	Southern twayblade	T	Low	Hammocks
<i>Lobelia cardinalis</i>	Cardinal flower	T	Low	Streams, riverbanks and spring runs
<i>Lycopodiella cernua</i>	Nodding clubmoss	CE	Low	Wet pinelands
<i>Matelea floridana</i>	Florida milkweed; panhandle anglepod	E	Low	Upland hardwood and mixed forests
<i>Monotropis reynoldsiae</i>	Pigmy-pipes; sweet pinesap	E	Low	Deciduous woods; parasitic on the roots of <i>Cornus florida</i>
<i>Nemastylis floridana</i>	Fall-flowering ixia; celestial lily	E	Low	Swamps, marshes and wet pine flatwoods
<i>Ophioglossum palmatum</i>	Hand adder's tongue fern	E	Low	Hammocks; epiphytic on Sabal palmetto
<i>Osmunda cinnamomea</i>	Cinnamon fern	CE	Observed	Wet woods and swamps
<i>Osmunda regalis</i>	Royal fern	CE	Observed	Wet woods and swamps
<i>Pecluma dispersa</i>	Polypody fern	T	Low	Hammocks
<i>Pecluma plumula</i>	Polypody fern	E	Low	Hammocks; epiphytic
<i>Pecluma ptilodon</i>	Swamp plume polypody	E	Low	Hammocks
<i>Platanthera blephariglottis</i>	Large white fringed orchid	T	Low	Marshes, and wet, open, grassy areas
<i>Platanthera cristata</i>	Golden fringed orchid	T	Low	Marshes and wet, pine flatwoods
<i>Platanthera flava</i>	Southern tubercled orchid; gypsy-spikes	T	Low	Cypress and hardwood swamps
<i>Platanthera nivea</i>	Snowy orchid; bog torch	T	Low	Wet pine flatwoods
<i>Pogonia ophioglossoides</i>	Rose pogonia	T	Low	Marshes and wet, pine flatwoods
<i>Pteroglossaspis ecristata</i>	Wild coco; giant orchid	T	Low	Sand pine scrub and sandhills
<i>Rhapidophyllum hystrix</i>	Needle palm	CE	Low	Wet to mesic woods and hammocks
<i>Rhododendron canescens</i>	Pink azalea	CE	Low	Streambanks and swamp margins
<i>Sarracenia minor</i>	Hooded pitcherplant	T	Low	Wet, open, acid pinelands and bogs
<i>Schwalbaea americana</i>	American chaffseed	E/E	Low	Dry, oak woods and pinelands
<i>Spiranthes brevilabris</i> var. <i>floridana</i>	Florida ladies' tresses	E	Low	Pine flatwoods
<i>Spiranthes laciniata</i>	Lace-lip ladies' tresses	T	Low	Marshes and cypress swamps
<i>Spiranthes longilabris</i>	Long-lip ladies' tresses	T	Low	Marshes and wet pine flatwoods
<i>Spiranthes ovalis</i>	Oval ladies' tresses	E	Low	Wooded hills and streambanks
<i>Spiranthes polyantha</i>	Green ladies' tresses	E	Low	Hammocks
<i>Spiranthes tuberosa</i>	Little ladies' tresses; little pearl twist	T	Low	Pine flatwoods
<i>Tillandsia utriculata</i>	Giant wild pine	E	Low	Hammocks and cypress swamps; epiphytic
<i>Zamia pumila</i>	Florida coontie	CE	Observed	Hammocks, pinelands and Indian middens
<i>Zephyranthes atamasca</i>	Rain lily	T	Low	Wet pine flatwoods and meadows
<i>Zephyranthes simpsonii</i>	Simpson's zephyr lily	T	Low	Wet pine flatwoods and meadows

E= Endangered; T= Threatened; CE= Commercially Exploited

Based on the results of the database search described above, 3 protected plant species were observed by ZCA staff. The cinnamon fern and royal fern were observed in the flagged wetland and the coontie was observed in the uplands onsite. Plants listed as CE are only protected against illegal harvesting. No protected plant species are expected to be impacted within the proposed development nor will future permitting be required.

6.0 SUMMARY

Zev Cohen and Associates, Inc. has conducted a site review on the proposed project site for the purposes of determining the presence or potential presence wetlands and state and federally protected wildlife. Four wetland areas were observed totaling 13.05 acres. Permitting through SJRWMD and possibly FDEP will be required. On or offsite wetland mitigation to offset wetland impacts will also be required.

A wildlife survey was conducted to evaluate the potential presence of state and federally protected wildlife species. The gopher tortoise was the only listed species with possible presence on the subject property. A 100% gopher tortoise survey will be required for the property within 90 days prior to construction to be conducted by an Authorized Gopher Tortoise Agent.

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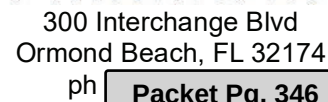
Appendix A

Exhibits



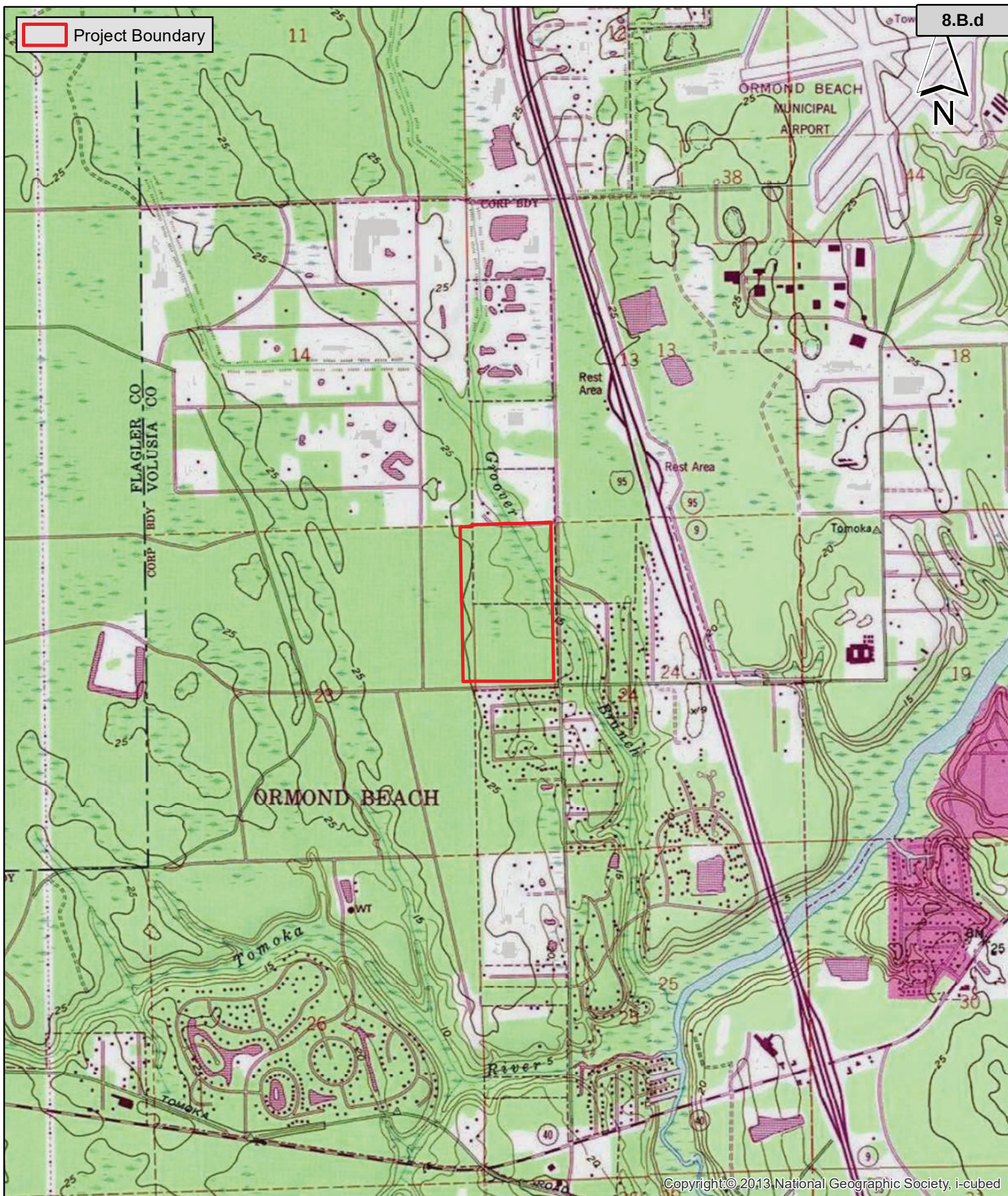
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Location Map
Tattersall at Tymber Creek
Volusia County, Florida



Project Boundary

8.B.d



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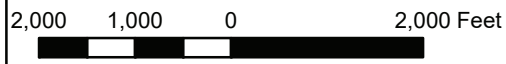
USGS = U.S. Geological Survey

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USGS Quadrangle Map
Tattersall at Tymber Creek
Ormond Beach, Florida

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& ASSOCIATES INC

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Legend

 Project Boundary



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Aerial Map Tattersall at Tymber Creek Ormond Beach, Florida

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880 440 0 880 Feet

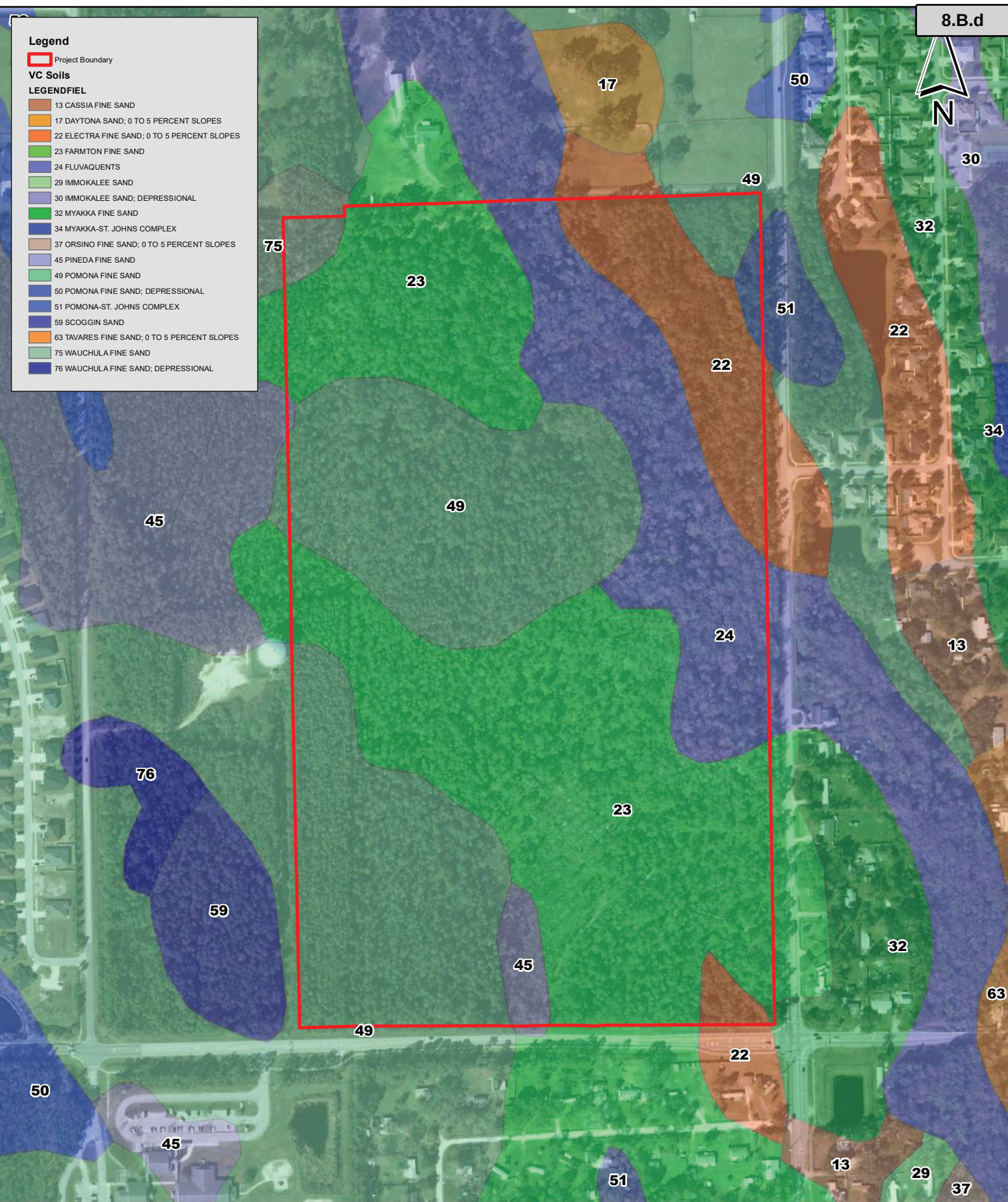
Legend

Project Boundary

VC Soils

LEGENDFIEL

- 13 CASSIA FINE SAND
- 17 DAYTONA SAND; 0 TO 5 PERCENT SLOPES
- 22 ELECTRA FINE SAND; 0 TO 5 PERCENT SLOPES
- 23 FARMTON FINE SAND
- 24 FLUVAQUENTS
- 29 IMMOKALEE SAND
- 30 IMMOKALEE SAND; DEPRESSIONAL
- 32 MYAKKA FINE SAND
- 34 MYAKKA-ST. JOHNS COMPLEX
- 37 ORSINO FINE SAND; 0 TO 5 PERCENT SLOPES
- 45 PINEDA FINE SAND
- 49 POMONA FINE SAND
- 50 POMONA FINE SAND; DEPRESSIONAL
- 51 POMONA-ST. JOHNS COMPLEX
- 59 SCOGGIN SAND
- 63 TAVARES FINE SAND; 0 TO 5 PERCENT SLOPES
- 75 WAUCHULA FINE SAND
- 76 WAUCHULA FINE SAND; DEPRESSIONAL



Soils Map

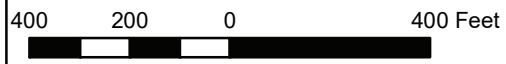
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Project Boundary

Habitat Type

410 - Upland Coniferous Forest

441 - Coniferous Plantations

625 - Hydric Pine Flatwoods

627 - Slash Pine Swamp Forest

8.B.d

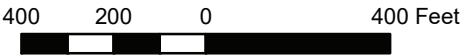
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Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Info:

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Path: Z:\PROJECTS\2021\21021\Habitat Map.mxd



Habitat Map

Tattersall at Tymber Creek

Ormond Beach, Florida

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Legend

-  Wetlands (13.05 ac)
-  Project Boundary



Date Saved: 7/9/2021 Created by: ghayworth
 Path: Z:\PROJECTS\2021\21021\Wetlands Map.mxd

390 195 0 390 Feet

Wetland Map

Tattersall at Tymber Creek

Ormond Beach, Florida

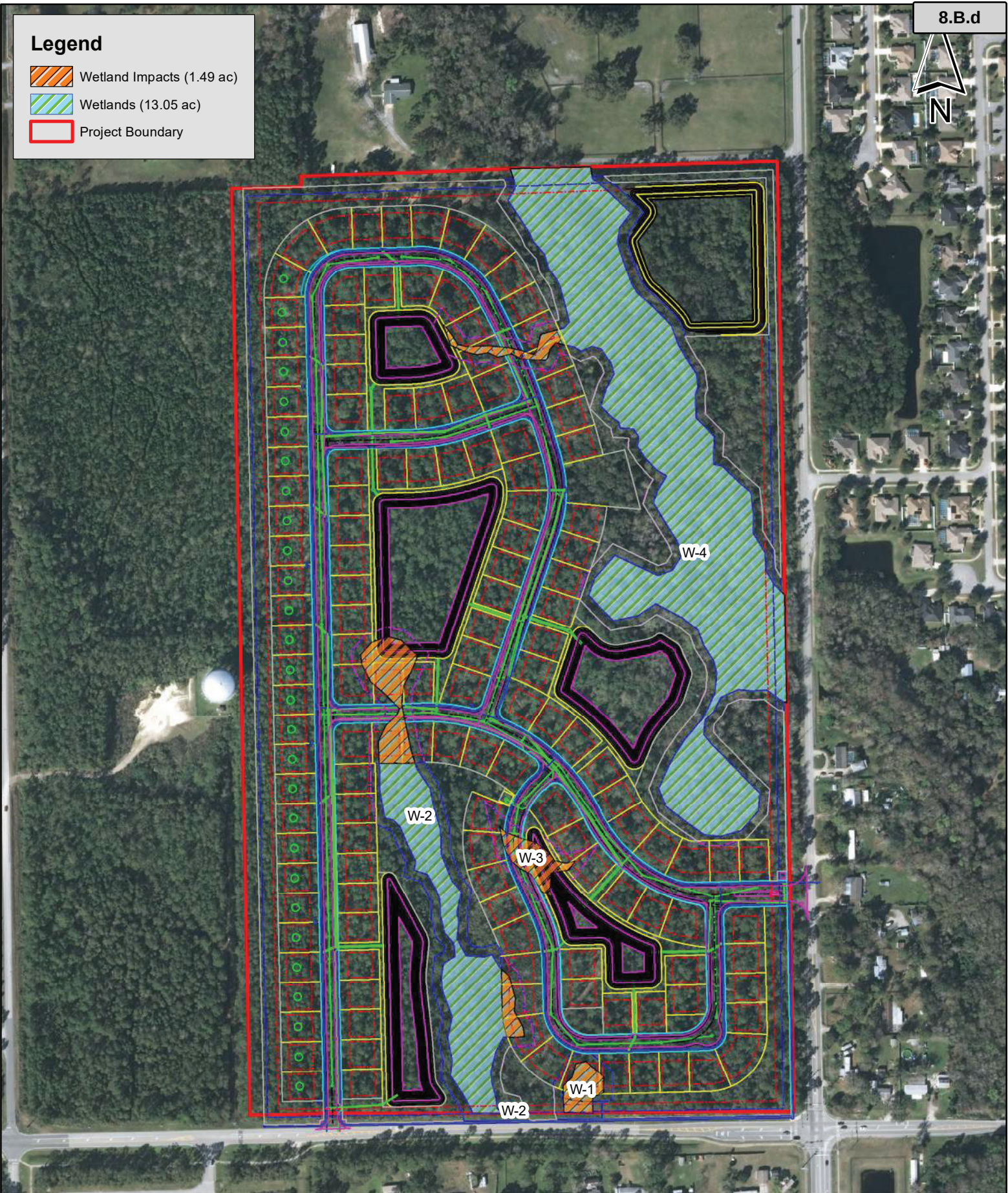


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Legend

-  Wetland Impacts (1.49 ac)
-  Wetlands (13.05 ac)
-  Project Boundary



Wetland Impact Map
Tattersall at Tymber Creek
Ormond Beach, Florida

Date Saved: 11/18/2021 created by: mtatum
Path: Z:\PROJECTS\2021\21021\Wetlands Map.mxd

350 175 0 350 Feet



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ATTACHMENT 6

Traffic impact analysis

- Traffic impact analysis dated September 2021
- City independent reviewer comments, Traffic Engineering Data Solutions, Inc., dated October 18, 2021
- Volusia County traffic review comments, dated November 8, 2021

**Tattersall at Tymber Creek
City of Ormond Beach, Florida**

Traffic Impact Analysis

**Prepared for: PAYLIN Tymber 1 and 2, LLC
By: LTG, Inc.
September 2021**



PROFESSIONAL ENGINEERING CERTIFICATION

I hereby certify that I am a Professional Engineer properly registered in the State of Florida practicing with LTG, Inc., a corporation authorized to operate as an engineering business, EB 0009227, by the State of Florida Department of Professional Regulation, Board of Professional Engineers, and that I have prepared or approved the evaluations, findings, opinions, conclusions, or technical advice attached hereto for:

PROJECT: Tattersall at Tymber Creek – Traffic Impact Analysis
LOCATION: City of Ormond Beach, Florida
CLIENT: PAYLIN Tymber 1 and 2, LLC
JOB #: 5223.04

I hereby acknowledge that the procedures and references used to develop the results contained in these computations are standard to the professional practice of Transportation Engineering as applied through professional judgment and experience.

Prepared by:

LTG, Inc.

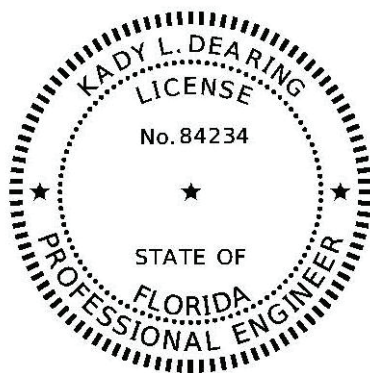
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Certificate of Authorization 9227

386/257-2571

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SIGNED AND SEALED BY:*



ON THE DATE ADJACENT TO THE SEAL

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CERTIFICATE OF AUTHORIZATION 9227

KADY L. DEARING, P.E. NO. 84234

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APPENDICES

Appendix A - Preliminary Site Plan
Appendix B - Approved Methodology Letter
Appendix C - Turning Movement Count Data, FDOT's Seasonal Factor and Trip Assignment
Appendix D - Intersections HCS Summary Sheets - Existing Conditions
Appendix E - Volusia County Signal Timings
Appendix F - FDOT Traffic Trends
Appendix G - Vested Trip Information & Trip Assignment Spreadsheets
Appendix H - Intersections HCS Summary Sheets – Background Conditions
Appendix I - Intersections HCS Summary Sheets – Background Conditions Improved
Appendix J - Intersections HCS Summary Sheets – Build-out Conditions

1

INTRODUCTION

LTG, Inc. (LTG) has been retained by PAYLIN Tymber 1 and 2, LLC to prepare a Traffic Impact Analysis (TIA) for the proposed Tattersall at Tymber Creek development. The development is located in the northwest quadrant of the Tymber Creek Road at Airport Road intersection in the City of Ormond Beach, Florida. The development will consist of 146 single family dwelling units. Figure 1 shows the location of the project relative to the surrounding road network.

Access to the site is proposed by a full access driveway along Tymber Creek Road and a full access driveway along Airport Road. The anticipated build-out year is 2024. A preliminary site plan is included as Appendix A.

Study Procedures

Standard engineering and planning procedures were used to determine the impacts of the proposed project. Reference data was obtained from the Florida Department of Transportation (FDOT), the Volusia County Traffic Engineering Department, the City of Ormond Beach Public Works and/or Development Services Departments, the Institute of Transportation Engineers (ITE), and the River to Sea Transportation Planning Organization (R2CTPO).

Study Area

The following roadway segments and intersections are included in the analysis per the approved methodology (Appendix B):

Intersections:

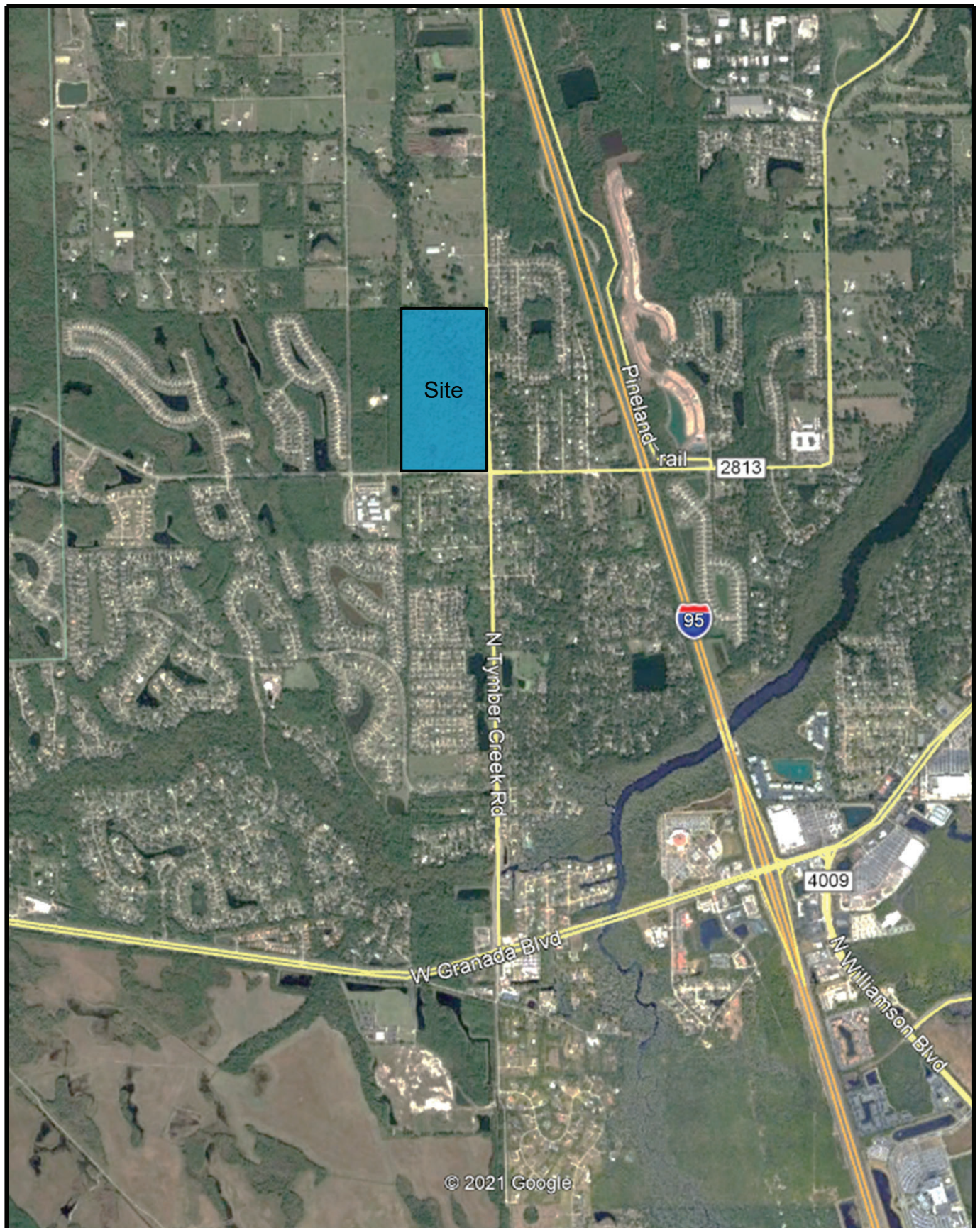
1. Tymber Creek Road at Granada Boulevard
2. Tymber Creek Road at Tymber Run
3. Tymber Creek Road at Airport Road
4. Airport Road at Leeway Trail
5. Tymber Creek Road at Project Driveway 1 (future conditions)
6. Airport Road at Project Driveway 2 (future conditions)

Roadway Segments:

- Airport Road from Granada Boulevard to Tymber Creek Road
- Tymber Creek Road from Granada Boulevard to US 1
- Granada Boulevard from Tymber Creek Road to I-95
- Granada Boulevard from Clyde Morris Boulevard to Nova Road (near critical)
- Williamson Boulevard from LPGA Boulevard to Hand Avenue (vested critical)
- Williamson Boulevard from Hand Avenue to SR40
- Hand Avenue from Clyde Morris Boulevard to Nova Road (critical)

Planned Roadway Improvements

Information on programmed or planned roadway improvements in the area of interest were obtained from the FDOT Five Year Work Program, Volusia County, the River to Sea TPO, and previously approved projects. The Volusia County Capital Improvement Program (CIP) and the River to Sea TPO Transportation Improvement Program (TIP) indicates that Williamson Boulevard from LPGA Boulevard to Strickland Range Road is to be widened from two to four lanes.



**Tattersall at
Tymber Creek**



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Site Location Map

Project No.: 5223.04

Figure 1

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2

EXISTING ROADWAY ANALYSIS

Turning movement counts (TMCs) were conducted during the a.m. and p.m. peak-hours on September 9, 2021, at the study area intersections (see Appendix C). The existing traffic counts were adjusted by the FDOT Seasonal Factor (SF) specified for the week the data is collected. The spreadsheet used to develop the existing, background and build-out traffic volumes is also located in Appendix C. The factored existing a.m. and p.m. peak-hour traffic volumes are depicted in Figure 2.

Unsignalized Intersection Analysis

The existing operating conditions at the unsignalized intersection was analyzed using HCS 7, which utilizes the procedures outlined in Chapter 20 of the *Highway Capacity Manual 6th Edition*, titled “Two-Way Stop-Controlled Intersections”. Table 1 shows the existing level of service (LOS) at the unsignalized study area intersection. The HCS summary sheets are attached as Appendix D.

Table 1
Existing A.M. and P.M. Peak-Hour LOS – Unsignalized Intersections
Tattersall at Tymber Creek

Intersection	Adopted LOS	AM Peak-Hour				PM Peak-Hour			
		Critical Approach	Delay (sec.)	LOS	V/C greater than 1.0?	Critical Approach	Delay (sec.)	LOS	V/C greater than 1.0?
Airport Rd. at Leeway Tr.	E	SB	91.1	F	No	SB	11.7	B	No

As indicated in Table 1, the intersection of Airport Road at Leeway Trail currently operates outside of the adopted LOS during the a.m. peak hour. Improvements for the deficiency will be recommended under background conditions; Please refer to the **2024 BACKGROUND ROADWAY ANALYSIS** section of the report.

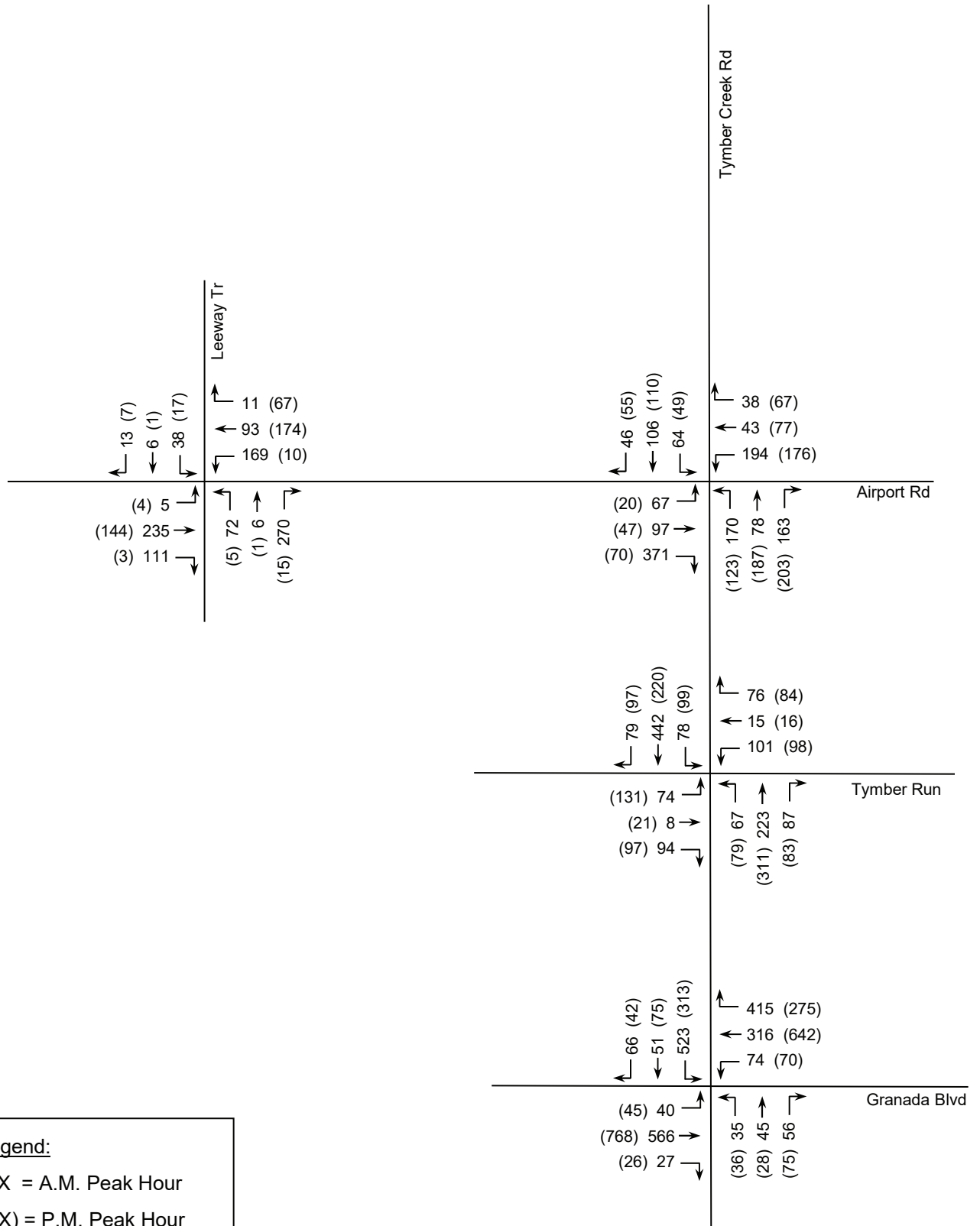
Signalized Intersection Analysis

The existing operating conditions at the signalized intersections were analyzed using HCS 7, which utilizes the procedures outlined in Chapter 19 of the *Highway Capacity Manual 6th Edition*, titled “Signalized Intersections”. Table 2 shows the existing LOS and volume-to-capacity ratio (v/c) ratio at the signalized study area intersections. The HCS summary sheets are located in Appendix D. The signal timings are provided in Appendix E.

Table 2
Existing A.M. and P.M. Peak-Hour LOS - Signalized Intersections
Tattersall at Tymber Creek

Intersection	Adopted LOS	AM Peak-Hour			PM Peak-Hour		
		Delay (sec.)	LOS	V/C greater than 1.0?	Delay (sec.)	LOS	V/C greater than 1.0?
Granada Blvd. at Tymber Creek Rd.	D	49.0	D	No	42.3	D	Yes/ NBT
Tymber Creek Rd. at Tymber Run	E	11.4	B	No	11.7	B	No
Tymber Creek Rd. at Airport Rd.	E	35.8	D	No	18.1	B	No

As indicated in Table 2, all signalized intersections currently operate within the adopted LOS during the a.m. and p.m. peak hours. However, the v/c ratio for the northbound approach at the Granada Boulevard at Tymber Creek Road intersection exceeds 1.0. Improvements for the deficiency are recommended under background conditions; Please refer to the **2024 BACKGROUND ROADWAY ANALYSIS** section of the report.



**Tattersall at
Tymber Creek**



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**Adjusted A.M. and P.M.
Existing Peak Hour
Volumes**

Project No.: 5223.04

Figure 2



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Roadway Segment Analysis

Roadway LOS describes the operating conditions determined from the number of vehicles passing over a given section of roadway during a specified time period. It is a qualitative measure of several factors which include speed, travel time, traffic interruptions, freedom to maneuver, driver comfort, convenience, safety, and vehicle operating costs. Six LOS categories have been established as standards by which to gauge roadway performance designated by the letters A through F. The LOS categories are defined as follows:

<i>Level of Service A:</i>	<i>Free flow, individual users virtually unaffected by the presence of others.</i>
<i>Level of Service B:</i>	<i>Stable flow with a high degree of freedom to select operating conditions.</i>
<i>Level of Service C:</i>	<i>Flow remains stable, but with significant interactions with others.</i>
<i>Level of Service D:</i>	<i>High-density stable flow in which the freedom to maneuver is severely restricted.</i>
<i>Level of Service E:</i>	<i>This condition represents the capacity level of the road.</i>
<i>Level of Service F:</i>	<i>Forced flow in which the traffic exceeds the amount that can be served.</i>

The Volusia County 2019 Average Annual Daily Traffic (AADT) & Historical Counts spreadsheet was used to assess the study area roadway segments under existing conditions. The existing LOS for the study area road segments during the p.m. peak-hour are shown in Table 3. As indicated, all roadway segments currently operate within an acceptable LOS.

Table 3
Existing P.M. Peak-Hour LOS - Roadway Segments¹
Tattersall at Tymber Creek

Roadway	Segment		No. of Lanes	Adopted LOS	Peak-Hour Two-Way Capacity	2019 AADT	Existing PM Peak-Hour Two-Way Volume	Existing Volume Exceed Adopted LOS?
Airport Rd. ²	Granada Blvd.	Leeway Trail	2U	E	2,240	3,744	337	No
	Leeway Trail	Tymber Creek Rd.	2U	E	2,240	4,356	392	No
Tymber Creek Rd.	Granada Blvd.	Tymber Run	4D	E	1,540	10,760	990	No
	Tymber Run	Airport Rd.	2U	E	1,540	9,520	830	No
	Airport Rd.	US 1	2U	E	1,230	2,100	200	No
Granada Blvd.	Tymber Creek Rd.	I-95	4D	D	3,580	31,500	2,835	No
	Clyde Morris Blvd.	Nova Rd.	4D	D	3,580	36,500	2,670	No
Williamson Blvd.	LPGA Blvd.	Strickland Range Rd.	4D	E	3,410	18,640	1,520	No
	Strickland Range Rd.	Hand Ave.	4D	E	3,410	18,640	1,520	No
	Hand Ave.	SR 40	4D	E	3,410	21,870	1,770	No
Hand Ave.	Clyde Morris Blvd.	Shangri La Dr.	2U	E	1,540	16,350	1,300	No
	Shangri La Dr.	Nova Rd.	4D	E	3,410	17,000	1,360	No

¹The adopted LOS, peak hour two-way capacity and p.m. peak hour two-way volume obtained from Volusia County, unless stated otherwise.

²Peak hour two-way capacity based on comparable roadway segments reported in the Volusia County 2019 AADT spreadsheet. The p.m. peak hour volume for each segment was obtained from TMCs collected at Leeway Tr. and Tymber Creek Rd.

3

2024 FUTURE TRAFFIC CONDITIONS

Traffic in the area is expected to grow due to local government approvals. The following section documents the methods used to project future 2024 traffic conditions by using either historical growth rates and/or vested trip information and anticipated project traffic.

Background Traffic

The growth rates for each study area roadway segment will be determined using the following method:

- Historic growth trends calculated based upon the last five years of historic count data to determine a roadway segment's applicable trend growth rate using the best fitted regression analysis.
- If the R^2 value is less than 0.70, then ten (10) years of historical traffic data will be used to determine the trends growth rate using the best fitted regressions analysis.
- If the R^2 is still less than 0.70, the R^2 for the adjoining northbound and southbound segments will be analyzed to determine the average growth rate of adjoining segments can be utilized.
- Then the growth rate shall be determined by the trend fitted curve. If the overall trend fitted curve is positive, 2% shall be used. If the overall trend fitted curve is negative, then a 1% growth rate will be applied.
- In no case shall the growth rate be negative.
- Vested trips will be applied in addition to growth rates where applicable.
- If the R^2 value is greater than 70%, and the growth rate is greater than 3%, the background growth will be determined using either vested trips or the growth rate, whichever is more conservative.
- If the R^2 value is greater than 70%, and the growth rate is greater than 3%, and there is a high number of vested trips to be applied by multiple vested projects with various land uses, a request may be made to reduce vested traffic by 30% if the vested traffic is 30% of the total background growth.

The growth comparison and applied growth used in the analysis are provided in Table 4. The FDOT *Traffic Trends* analysis worksheets are attached as Appendix F. The vested trip information provided by the Volusia County is attached as Appendix G.

Table 4
Historical Growth Rates and Vested Traffic
Tattersall at Tymber Creek

Roadway	Limits		5-Year			10-Year			Applied Growth Rate	Applied Growth If Using Adjacent Segment	High Growth? Y/N	Vested Trips	Growth (# of Trips)	Growth Method Applied	Total Growth Applied (# of Trips)	Total Background Volume
	From	To	Best Fit Regression	R ² Value	Historical Growth Rate	Best Fit Regression	R ² Value	Historical Growth Rate								
Airport Rd.	Granada Blvd.	Leeway Trail	N/A	-	-	N/A	-	-	Check adjacent	1.00%	N	0	10	1% Annual	10	347
	Leeway Trail	Tymber Creek Rd.	Decaying Exp	35.5%	1.52%	Linear	44.3%	2.50%	Check adjacent	1.00%	N	0	12	1% Annual	12	404
Tymber Creek Rd.	Granada Blvd.	Tymber Run	Exponential	49.1%	-5.48%	Exponential	6.4%	-1.00%	Check adjacent	1.00%	N	223	50	1% + Vested	223	1,213
	Tymber Run	Airport Rd.	Decaying Exp	40.7%	1.36%	Linear	50.3%	2.97%	Check adjacent	1.00%	N	193	42	1% + Vested	193	1,023
	Airport Rd.	US 1	Decaying Exp	8.2%	0.87%	Exponential	57.9%	3.23%	Check adjacent	1.00%	N	0	10	1% Annual	10	210
Granada Blvd.	Tymber Creek Rd.	I-95	Decaying Exp	0.413	0.0109	Exponential	67.6%	0.0263	Check adjacent	1.00%	N	613	142	1% Annual + Vested	613	3448
	Clyde Morris Blvd.	Nova Rd.	Linear	78.5%	2.67%	-	-	-	2.67%	-	N	70	356	Historical + Vested	426	3,096
	LPGA Blvd.	Strickland Range Rd.	Linear	84.2%	7.20%	-	-	-	7.20%	-	Y	704	547	Vested	704	2224
Williamson Blvd.	Strickland Range Rd.	Hand Ave.	Linear	84.2%	7.20%	-	-	-	7.20%	-	Y	704	547	Vested	704	2224
	Hand Ave.	SR 40	Exponential	60.8%	1.27%	Decaying Exp	41.8%	-2.55%	Check adjacent	1.00%	N	0	89	1% Annual	89	1,859
Hand Ave.	Clyde Morris Blvd.	Shangri La Dr.	Decaying Exp	77.7%	0.82%	-	-	-	1.00%	-	N	128	65	Historical + Vested	193	1,493
	Shangri La Dr.	Nova Rd.	Decaying Exp	42.2%	0.68%	Linear	61.1%	2.17%	Check adjacent	1.00%	N	0	68	Historical Growth	68	1,428

Project Trip Generation

The daily, a.m. and p.m. peak-hour trip generation for the development was determined using the Institute of Transportation Engineers (ITE) 10th Edition of the Trip Generation Manual. The resulting project trip generation is presented in Table 5.

Table 5
Project Trip Generation
Tattersall at Tymber Creek

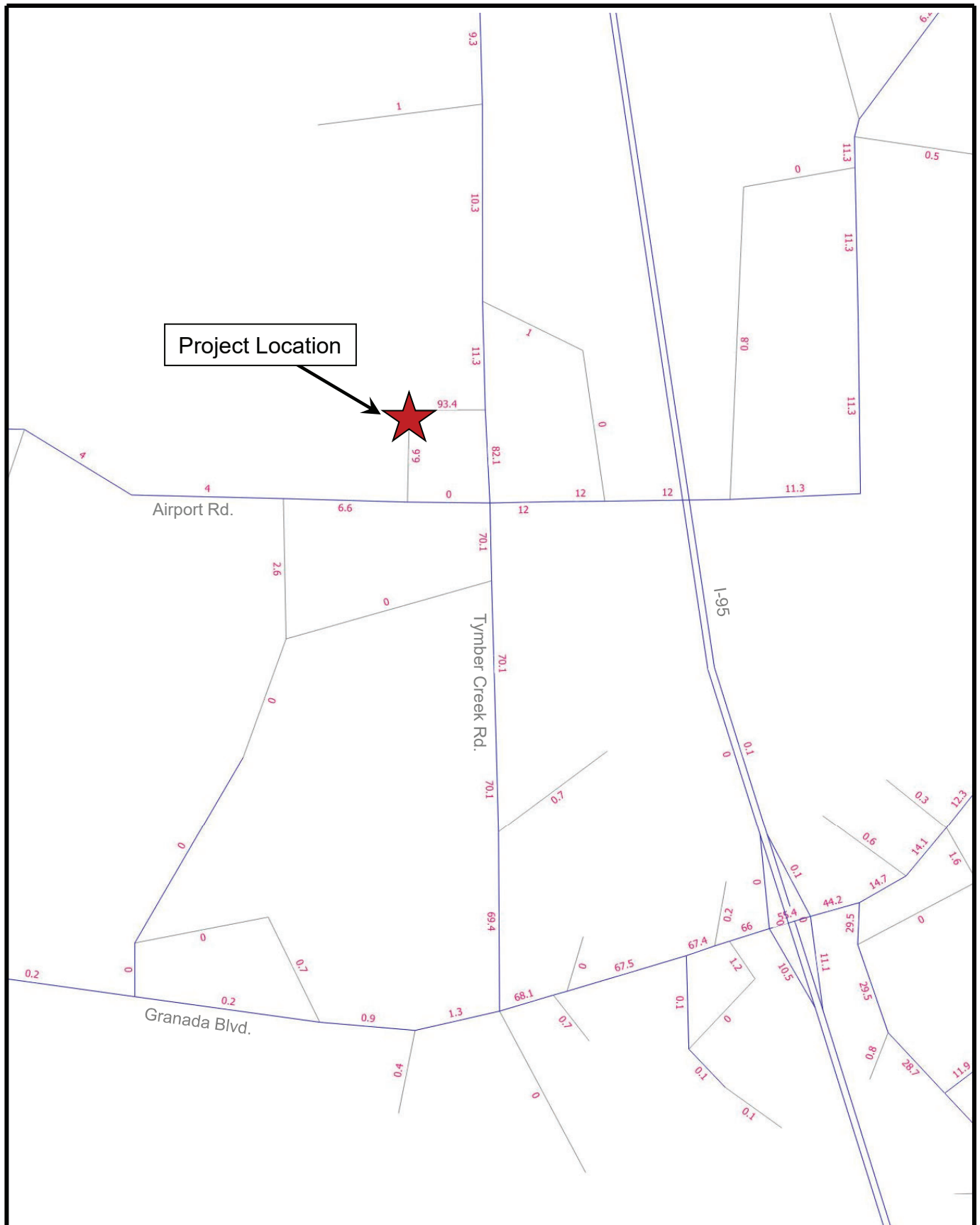
Time Period	Land Use	Land Use Code	Trip Rate Equation	Quantity (X)		Percent Entering	Percent Exiting	Trips Entering	Trips Exiting	Total Trips (T)
Daily	Single Family Detached Residential	210	$\ln(T)=0.92\ln(X)+2.71$	146	DU	50%	50%	736	737	1,473
AM Peak-Hour			$T=0.71(X)+4.80$			25%	75%	27	81	108
PM Peak-Hour			$\ln(T)=0.96\ln(X)+0.20$			63%	37%	92	54	146

Project Trip Distribution

The Central Florida Regional Planning Model, version 6.1 (CFRPM), was used to obtain the project trip distribution for the proposed development. A Traffic Analysis Zone (TAZ) and corresponding socio-economic (S/E) data were added to the 2025 base network to represent the project. A select zone analysis was completed and the resultant trip distribution, shown in percent of total external project trips, is presented in Figure 3.

Project Trip Assignment

Using the trip distribution, the a.m. and p.m. peak-hour project trips were assigned to the study area roadway network. Figures 4A and 4B graphically depicts the 2024 total background traffic and 2024 build-out a.m. and p.m. peak-hour project trips at the study area intersections.



**Tattersall at
Timber Creek**



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**Project Trip
Distribution (%)**

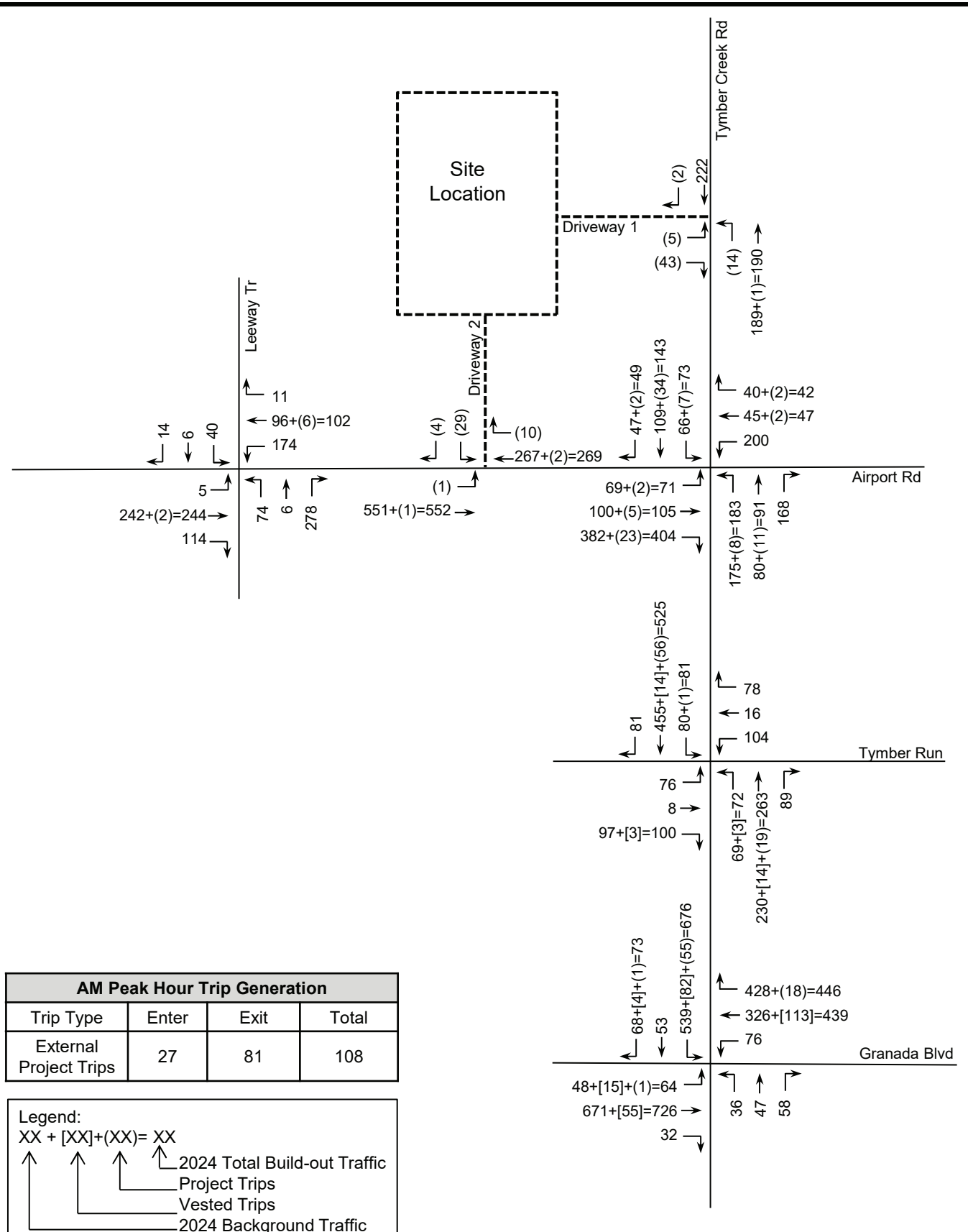
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Figure 3



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**Tattersall at
Tymber Creek**



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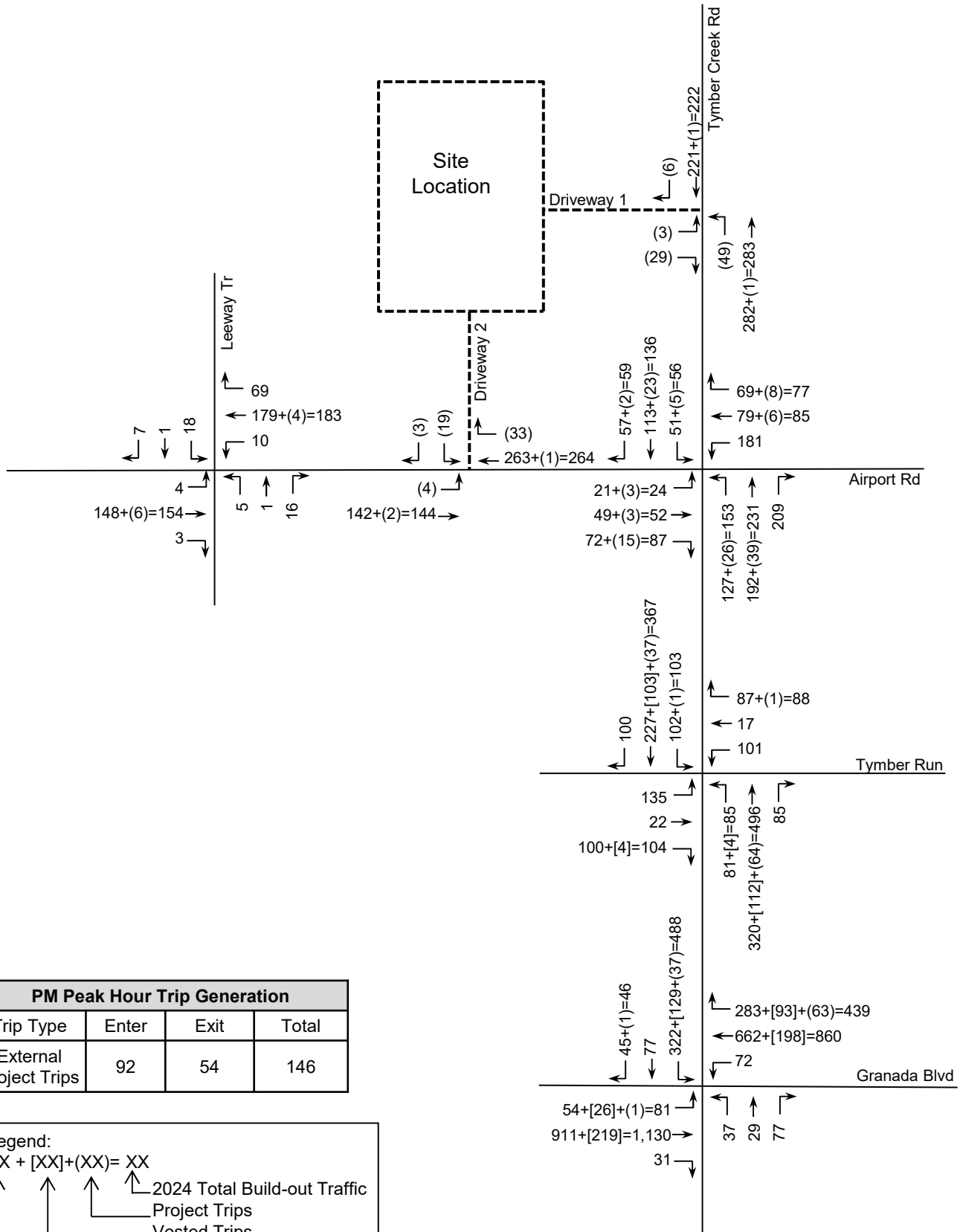
**Build-Out
A.M. Peak Hour
Volumes**

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Figure 4A



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**Tattersall at
Tymber Creek**



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**Build-Out
P.M. Peak Hour
Volumes**

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Figure 4B



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4

2024 BACKGROUND FUTURE ROADWAY ANALYSIS

The study area intersections and roadway segments were analyzed based on the future roadway conditions to determine potential impacts and to investigate mitigation requirements. The study area roadway segments were analyzed under 2024 background and build-out conditions. Please refer to Table 12 provided in the **2024 BUILD-OUT ROADWAY ANALYSIS** section of the report. Please note that all planned roadway improvements are included in the future condition analyses. The results of the background intersection analysis are presented below.

Unsignalized Intersection Analysis

The unsignalized study area intersection was analyzed to determine the operating conditions under 2024 background conditions and the results are presented in Table 6. The HCS summary sheets are attached as Appendix H.

Table 6
2024 Background A.M. and P.M. Peak-Hour LOS – Unsignalized Intersections
Tattersall at Tymber Creek

Intersection	Adopted LOS	AM Peak-Hour				PM Peak-Hour			
		Critical Approach	Delay (sec.)	LOS	V/C greater than 1.0?	Critical Approach	Delay (sec.)	LOS	V/C greater than 1.0?
Airport Rd at Leeway Tr.	E	SB	118.6	F	No	SB	11.9	B	No

As indicated in Table 6, Airport Road at Leeway Trail is not expected to operate within the adopted LOS under 2024 background conditions during the a.m. peak hour. Since the v/c ratio does not exceed 1.0 for any of the approach lanes, it is recommended that ALL-WAY STOP control be considered to improve the delay on the minor streets. The analysis of the intersection with the proposed modification to traffic control is provided in Table 7.

Table 7
2024 Background Peak Hour LOS - Unsignalized Intersection - Improved
Tattersall at Tymber Creek

Intersection	Adopted LOS	AM Peak-Hour				PM Peak-Hour			
		Critical Approach	Delay	LOS	V/C greater than 1.0?	Critical Approach	Delay	LOS	V/C greater than 1.0?
Airport Rd at Leeway Tr.	E	EB	38.3	E	No	EB	10.2	B	No

Signalized Intersection Analysis

The signalized intersection was analyzed to determine the operating conditions under 2024 background conditions and the results are presented in Table 8. The HCS summary sheets are included in Appendix H.

Table 8
2024 Background A.M. and P.M. Peak-Hour LOS – Signalized Intersections
Tattersall at Tymber Creek

Intersection	Adopted LOS	AM Peak-Hour			PM Peak-Hour		
		Delay (sec.)	LOS	V/C greater than 1.0?	Delay (sec.)	LOS	V/C greater than 1.0?
Granada Blvd. at Tymber Creek Rd.	D	51.6	D	Yes/ NBT	47.2	D	Yes/ NBT
Tymber Creek Rd. at Tymber Run	E	11.8	B	No	12.9	B	No
Tymber Creek Rd. at Airport Rd.	E	31.0	C	No	18.3	B	No

As indicated in Table 8, the Granada Boulevard at Tymber Creek Road intersection is expected to operate within the adopted LOS during the a.m. and p.m. peak hours, however the v/c ratio is greater than 1.0 for the northbound through movement. The following improvement is recommended to achieve a v/c ratio less than 1.0:

- Granada Boulevard at Tymber Creek Road:
 - Optimize signal timing splits – a.m. and p.m. peak hours

The analysis of the intersection with the proposed improvement is provided in Table 9. The HCS summary sheets are located in Appendix I.

Table 9
2024 Background A.M. & P.M. Peak-Hour LOS - Signalized Intersection - Improved
Tattersall at Tymber Creek

Intersection	Adopted LOS	AM Peak-Hour			PM Peak-Hour		
		Delay (sec.)	LOS	V/C greater than 1.0?	Delay (sec.)	LOS	V/C greater than 1.0?
Granada Blvd. at Tymber Creek Rd.	D	49.1	D	No	45.4	D	No

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2024 BUILD-OUT ROADWAY ANALYSIS

The study area intersections and roadway segments were analyzed based on the roadway conditions at the time of project build-out to determine potential impacts of project-generated trips and investigate mitigation requirements. The improvements recommended in background conditions in addition to planned and programmed improvements have been included in the 2024 build-out analysis for those applicable intersections and roadway segments.

Unsignalized Intersections Analysis

The unsignalized study area intersections were analyzed to determine the operational LOS under 2024 build-out conditions. The a.m. and p.m. peak-hour HCS results are provided in Table 10. The HCS summary sheets are attached as Appendix J.

Table 10
2024 Build-Out A.M. and P.M. Peak-Hour LOS – Unsignalized Intersections
Tattersall at Tymber Creek

Intersection	Adopted LOS	AM Peak-Hour				PM Peak-Hour			
		Critical Approach	Delay (sec.)	LOS	V/C greater than 1.0?	Critical Approach	Delay (sec.)	LOS	V/C greater than 1.0?
Airport Rd. at Leeway Tr.	E	EB	39.4	E	No	EB	10.3	B	No
Tymber Creek Rd. at Driveway #1	E	EB	10.1	B	No	EB	10.2	B	No
Airport Rd. at Driveway #2	E	SB	17.1	C	No	SB	11.6	B	No

As indicated in Table 10, the unsignalized study areas intersections are anticipated to operate within the adopted LOS during the a.m. and p.m. peak hours under 2024 buildout conditions.

Signalized Intersections Analysis

The signalized study area intersections were analyzed to determine the operational LOS during the a.m. and p.m. peak-hours under 2024 build-out conditions. The peak-hour HCS results are provided in Table 11. The HCS summary sheets are attached as Appendix J.

Table 11
2024 Build-Out A.M. and P.M. Peak-Hour LOS – Signalized Intersections
Tattersall at Tymber Creek

Intersection	Adopted LOS	AM Peak-Hour			PM Peak-Hour		
		Delay (sec.)	LOS	V/C greater than 1.0?	Delay (sec.)	LOS	V/C greater than 1.0?
Granada Blvd. at Tymber Creek Rd.	D	50.9	D	No	47.1	D	No
Tymber Creek Rd. at Tymber Run	E	12.1	B	No	13.5	B	No
Tymber Creek Rd. at Airport Rd.	E	33.1	C	No	19.0	B	No

As indicated in Table 11, All study area intersections are expected to operate within the adopted LOS during the a.m. and p.m. peak hours under 2024 buildout conditions.

2024 Build-Out Roadway Segment Analysis

The study area roadway segments were analyzed under 2024 background and buildout conditions to determine the expected LOS during the p.m. peak period. The results are shown in Table 12. Please note that the planned and funded improvement for the future widening of Williamson Boulevard from LPGA Boulevard to Strickland Range Road to four lanes has been analyzed under 2024 future conditions. As shown, all roadway segments are expected to operate within an acceptable LOS during the p.m. peak hour with the exception of Granada Boulevard from Tymber Creek Road to I-95. The following improvements are recommended to improve the future background LOS deficiency:

Granada Boulevard from Tymber Creek Road to I-95:

- Widen from 4-lanes to 6-lanes

The improved roadway segment analysis for the deficient segment is provided in Table 12.

Table 12
2024 Build-Out P.M. Roadway Segment Analysis
Tattersall at Tymber Creek

Roadway	Segment		No. of Lanes	Adopted LOS	Peak-Hour Two-Way Capacity	Existing PM Peak-Hour Two-Way Volume	Total Growth Applied (# of Trips)	2024 Total Background Volume	V/C Ratio	Background Volume Exceed Adopted LOS?	Project Distribution	Project Trips	2024 Total Build-Out Volume	2024 Build-Out Volume Exceed Adopted LOS?
Airport Rd.	Granada Blvd	Leeway Trail	2U	E	2,240	337	10	347	0.15	No	4.0%	6	353	No
	Leeway Trail	Tymber Creek Rd	2U	E	2,240	392	12	404	0.18	No	6.6%	10	414	No
Tymber Creek Rd.	Granada Blvd	Tymber Run	4D	E	1,540	990	273	1,263	0.82	No	70.1%	102	1,365	No
	Tymber Run	Airport Rd	2U	E	1,540	830	235	1,065	0.69	No	70.1%	102	1,167	No
	Airport Rd	US 1	2U	E	1,230	200	10	210	0.17	No	82.1%	120	330	No
Granada Blvd.	Tymber Creek Rd	I-95	4D	E	3,580	2,835	755	3,590	1.01	Yes	68.1%	99	3,689	Yes
	Clyde Morris Blvd	Nova Rd	4D	D	3,580	2,670	426	3,096	0.86	No	9.7%	14	3,110	No
Williamson Blvd.	LPGA Blvd	Strickland Range Rd	4D	E	3,410	1,520	704	2,224	0.65	No	14.3%	21	2,245	No
	Strickland Range Rd	Hand Ave	4D	E	3,410	1,520	704	2,224	0.65	No	16.8%	25	2,249	No
	Hand Ave	SR 40	4D	E	3,410	1,770	89	1,859	0.55	No	29.5%	43	1,902	No
Hand Ave.	Clyde Morris Blvd	Shangri La Dr	2U	E	1,540	1,300	193	1,493	0.97	No	8.9%	13	1,506	No
	Shangri La Dr	Nova Rd	4D	E	3,410	1,360	68	1,428	0.42	No	8.4%	12	1,440	No
Segment Improved¹														
Roadway	Segment		No. of Lanes	Adopted LOS	Peak-Hour Two-Way Capacity	Existing PM Peak-Hour Two-Way Volume	Total Growth Applied (# of Trips)	2024 Total Background Volume	V/C Ratio	Background PM Volume Exceed Adopted LOS?	Project Distribution	Project Trips	2024 Total Build-Out Volume	2024 Build-Out Volume Exceed Adopted LOS?
Granada Blvd.	Tymber Creek Rd	I-95	6D	E	5,120	2,835	755	3,590	0.70	No	68.1%	99	3,689	No

¹Improved capacities were determined using the FDOT Generalized Service Tables and comparable capacities from Volusia County's AADT Table; Improvements not currently funded for construction.

Queue Length and Turn Lane Analysis

A queue length analysis was conducted to determine recommended storage lengths for existing turn lanes at the study area intersections. The background and build-out HCS results were used to obtain the 95th percentile queue lengths anticipated for each exclusive turn lane during the a.m. and p.m. peak-hours that was impacted by project trips or show a queue storage ratio over 1.0 in the HCS results. Turn lane requirements were evaluated using the Volusia County LDC Section 72-619, Table VI and FDOT Design Manual (FDM) Exhibit 212-1. For design purposes, only the peak-hour queue is reported and analyzed for a more conservative analysis. The resulting recommended turn lane lengths for the intersections are provided in Table 13. As indicated in the table, the following turn-lanes are shown to be deficient during the peak hour:

- Granada Boulevard at Tymber Creek Road:
 - Eastbound left-turn lane
 - Westbound right-turn lane
 - Southbound left-turn lane
- Tymber Creek Road at Airport Road:
 - Eastbound right-turn lane
 - Southbound left-turn lane

In addition to the 95th percentile queue length analysis provided in Table 13, a field visit was conducted on September 16, 2021, from 7:15 a.m. to 8:15 a.m. and from 1:30 p.m. to 3:00 p.m. at the Airport Road at Leeway Trail intersection to observe the maximum queue length on Airport Road as a result of school operations. The following observations were made:

- The flashing beacon school speed limit signs are in a good condition and operate during the school times identified.
- The eastern access on Airport Road is designated for buses, while the Leeway Trail entrance is for parent drop-off during the a.m. peak period.
- The pedestrian crosswalk pavement markings and signage on Airport Road, at the Leeway Trail intersection, are visible and in good condition. A crossing guard is present during arrival and dismissal to assist students across.
- A total of 19 of pedestrians observed to utilize the intersection during the a.m. arrival period and a total of 58 pedestrians observed crossing at the intersection during the dismissal period.
- From 7:25 a.m. to 7:30 a.m. the eastbound through volume begins to increase allowing for less gaps between vehicles. By 7:30 a.m., the westbound left-turn vehicle queue fills the storage area provided for both school driveways and extends approximately 775-ft.
- 7:34 a.m. - Steady eastbound through traffic observed and causes the westbound left-turn queue to spill into the westbound through lane; back of queue extends to the edge of the school zone, approximately 1,050-ft.
- 7:36 a.m. - The maximum westbound queue is observed at approximately 1,560-ft. from the Leeway Trail intersection.
- 7:40 a.m. – The queue begins to clear and the westbound through lane is no longer obstructed. By 7:42 a.m. the queue is manageable within the turn lane storage area; back of queue approximately 450-ft.
- The peak period during the afternoon dismissal observed between 2:25 p.m. and 2:35 p.m. with minimal delay in the eastbound through movement. Traffic operations at the school was clear by 2:38 p.m.; the crossing guards left the intersection at 2:40 p.m.
- LTG staff spoke with the school Principal during the a.m. peak hour observation. The Principal informed LTG that he was unaware of any issues/concerns with traffic operations, and he was never notified by a government agency regarding traffic safety or vehicular queue.

Table 13
Queue Length and Turn Lane Analysis
Tattersall at Tymber Creek

Intersection	Turn Lane	Posted Speed Limit (mph)	Existing Lane Length (ft.) ¹	Required Deceleration (ft.) ²	2021 Existing				2024 Background			2024 Build-Out					Cause for Deficiency
					Peak-Hour Used in Analysis	95th Percentile Queue Length (ft.)	Total Required Turn Lane Length (ft.)	Lane Length Deficiency (ft.)	95th Percentile Queue Length (ft.)	Total Required Turn Lane Length (ft.)	Lane Length Deficiency (ft.)	95th Percentile Queue Length (ft.)	Total Required Turn Lane Length (ft.)	Lane Length Deficiency (ft.)	Difference from Background to Build-Out (ft.)	Project Trips	
Granada Blvd. at Tymber Creek Rd.	EBL	50	485	350	PM	125	475	0	200	550	65	200	550	65	0	1	Background
	WBR	50	450	350	AM	450	800	350	525	875	425	575	925	475	50	18	Existing
	SBL	45	640	240	AM	425	665	25	475	715	75	525	765	125	50	55	Existing
Tymber Creek Rd. at Airport Rd.	EBL	35	230	155	AM	50	205	0	50	205	0	75	230	0	0	2	N/A
	EBR	35	230	155	AM	475	630	400	375	530	300	400	555	325	25	23	Existing
	NBL	40	385	185	AM	150	335	0	150	335	0	175	360	0	0	8	N/A
	SBL	40	235	185	AM	75	260	25	75	260	25	75	260	25	0	7	Existing
Airport Rd. at Leeway Tr. ³	WBL	35	450	155	AM	25	180	0	75	230	0	75	230	0	0	0	N/A

¹Approximate total turn lane length; includes taper.

²Based upon Volusia County LDC Section 72-619 Table VI and FDOT FDM Exhibit 212

³Results based on HCS analysis; Maximum observed queue during the a.m. peak hour documented in report write-up.

Site Access Analysis

Access to the development is proposed by a full access driveway along Tymber Creek Road and a full access driveway along Airport Road. Tymber Creek Road is currently maintained by Volusia County with a posted speed limit of 40 miles per hour (mph). Airport Road is currently maintained by the City of Ormond Beach. The proposed project driveway on Tymber Creek Road is required to meet current driveway and turn lane criteria outlined in the Volusia County Land Development Code (LDC) Section 72-619.

Section 72-619 of the LDC states that a left-turn lane of 12-ft. in width shall be provided when the average peak hour inbound left-turn volume is 25 vehicles or more and a right-turn lane of 12-ft. in width shall be provided when the speed limit equals or exceeds 35 miles per hour. Based on this criterion, the proposed turn volumes and posted speed limit, the following turn-lanes are required:

Tymber Creek Road at Project Driveway 1:

- 185-ft. southbound right-turn lane (includes 50-ft. taper)
- 235-ft. northbound left-turn lane (includes 50-ft. taper and 50-ft. vehicle queue)

Alternate Mode Analysis

As requested by the Volusia County, an alternative mode analysis has been conducted to determine existing and proposed alternate modes of transportation within the immediate project study area.

An existing sidewalk along the south side of Airport Road currently provides pedestrian access from Tymber Creek Road to Leeway Trail and varies in width from 5-ft. to 6-ft. Existing pedestrian signal control is present at the Tymber Creek Road at Airport Road intersection. As outlined in the LDC, a 5-ft. sidewalk is required to be installed along the property frontage in order to provide pedestrian access to the site. The planned sidewalks will also connect to the existing sidewalk network at the Tymber Creek Road at Airport Road intersection.

There are currently no bicycle lanes present along Tymber Creek Road or Airport Road adjacent to the site location. Votran, Volusia County's public transportation system, provides transportation alternatives to all urban areas of the county via fixed route buses and paratransit vehicles. The frequency of most routes is one hour, with a few operating on the half-hour. Standard daily service is provided from 6 a.m. – 7 p.m., Monday through Saturday, with a limited fixed route service at night and on Sunday. Votran currently does not operate a fixed bus route within the vicinity of the project site.

Based on the field visit conducted during the a.m. and p.m. peak hour, no conflict between vehicular traffic and pedestrians was observed. Pedestrians and vehicular drivers obeyed traffic laws and operations were safe. Arrival drop-off and dismissal pick-up operations at the school appeared to go smoothly and moved quickly. A majority of the students utilizing the crosswalks at the Airport Road at Leeway Trail intersection continued west on Airport Road or north on Leeway Trail.

Proportionate Share (PS)

Based on the current Florida Statue and procedures outlined in the R2CTPO TIA guidelines, the proportionate share shall be calculated based upon the number of trips from the proposed development being approved. The project traffic is then divided by the change in roadway capacity resulting from the recommended improvements to result in a PS percentage. The total estimated construction cost for the improvement is multiplied by the PS percentage to determine the applicant's PS contribution.

The PS formula is to be applied only to those facilities that are determined to be significantly impacted by the project traffic under review. The recommended improvements eligible for PS determination, the estimated improvements costs and PS calculation are to be negotiated once the TIA has been approved.

6

CONCLUSION AND RECOMMENDATIONS

This study was conducted to evaluate the impact of the proposed Tattersall at Tymber Creek development on the surrounding roadway network within the City of Ormond Beach, Florida. The development is expected to generate 153 net a.m. peak-hour trips and 159 net p.m. peak-hour trips. The results of the roadway segment and intersection analyses are summarized in Tables 14 and 15, below.

Table 14
Recommended Improvements - Roadway Segments
Tattersall at Tymber Creek

Roadway	Segment		When Improvement Required	
	From	To	2024 Background	Build-Out
SR 40/Granada Blvd.	Tymber Creek Rd.	I-95	6L	

Table 15
Recommended Improvements - Intersections
Tattersall at Tymber Creek

Intersection	When Improvement Required		
	2021 Existing	2024 Background	Build-Out
Granada Blvd. at Tymber Creek Rd.		Optimize signal timing splits	
Airport Rd. at Leeway Tr.	ALL-WAY Stop		

The queue length analysis determined that four turn lanes are shown to be deficient under 2021 existing conditions and one turn lane is shown to be deficient under 2024 background conditions during the peak hour. Three turn lanes are required to provide additional length to accommodate project traffic during the a.m. peak hour. A field visit was conducted at the Airport Road at Leeway Trail intersection to observe traffic operations of Pathways Elementary School. In summary, the maximum westbound vehicle queue extends approximately 1,560-ft. during the a.m. peak arrival period (7:30 a.m. – 7:40 a.m.). Although the queue spills back into the westbound through lane, the congestion clears within 8-10 minutes from when maximum storage capacity is reached.

Access to the development is proposed by a full access driveway along Tymber Creek Road and a full access driveway along Airport Road. The project driveway on Tymber Creek Road is required to meet current driveway criteria outlined within the Volusia County LDC, Section 72-619. Therefore, the following turn lanes are warranted:

Tymber Creek Road at Project Driveway 1:

- 185-foot southbound right-turn lane (includes 50-ft. taper)
- 235-foot northbound left-turn lane (includes 50-ft. taper and 50-ft. vehicle queue)

An existing sidewalk along Airport Road varies in width from 5-ft. to 6-ft. and pedestrian control features are provided at the Tymber Creek Road at Airport Road intersection for access to the elementary school site. The proposed development will also provide 5-ft. sidewalk along the property frontage and connection to the existing sidewalk network.

If deemed necessary by the agencies, the recommended improvements eligible for proportionate share (PS), the estimated improvement cost, and PS calculations are to be negotiated once the TIA results are accepted by the Ormond Beach City and Volusia County.

Based on the results of the TIA and the recommended improvements listed above, the proposed The Tattersall at Tymber Creek development is recommended for approval.

APPENDICES

APPENDIX A

Preliminary Site Plan

**TATTERSALL
PLANNED DEVELOPMENT
CONCEPT PLAN**

PROJECT NO: 20-21021

DESIGNED BY: MLR

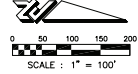
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CHECKED BY: RMH

DRAWING FILE: 20-21021-CP

DATE: 11/04/2020

REVISION:

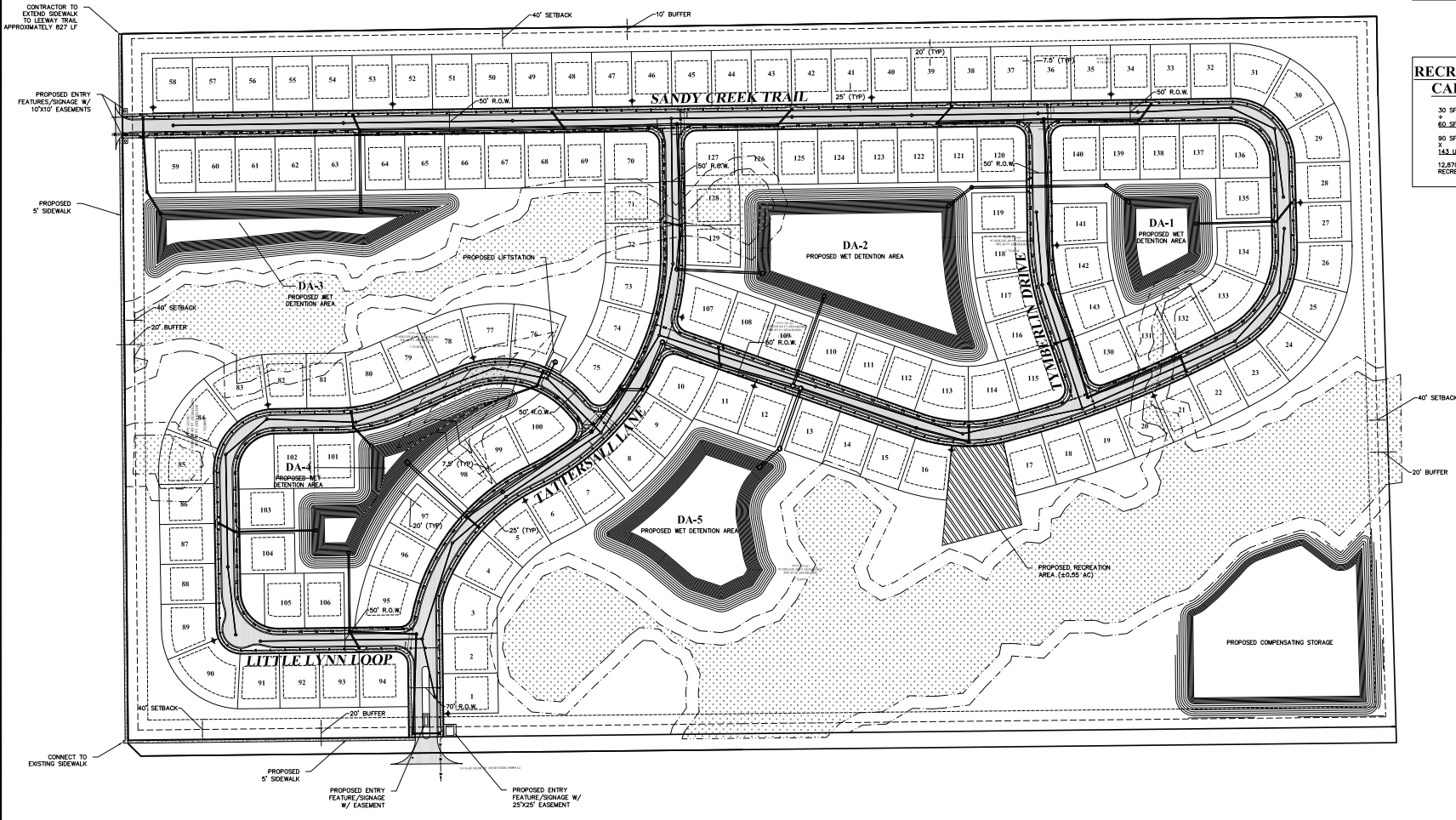
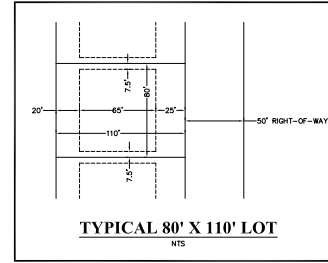


LEGEND:

- EXISTING WETLANDS
- PROPOSED ASPHALT PAVEMENT
- PROPOSED CONCRETE

**RECREATION AREA
CALCULATION**

30 SF/UNIT INDOOR WAVER
60 SF/UNIT OUTDOOR
90 SF/UNIT
143 UNITS
12,870 SF REQUIRED
RECREATION AREA



APPENDIX B

Approved Methodology



Volusia County
Traffic Engineering

The following proposed development project has an **APPROVED TIA METHODOLOGY (valid for 6 months):**

Project: Tattersale at Tymber Creek

Date of Approval: September 9, 2021

Conditions: _____

Approval Signature: _____

A TIA for this project can now be accepted for review by the county. TIAs must be completed per the River-to-Sea TPO TIA Guidelines, which can be found on the R2CTPO.org website.

- ☐ **If submitting a Volusia County development application**, the following TIA-related items are required at project submission**:

Completed TIA Checklist

Two (2) Hard Copies of the complete TIA

One (1) CD that includes a PDF copy of the complete TIA & all computer input files

Response to Comments (if resubmitted)



City Development projects that need a TIA approval from the county must submit TIAs through the Volusia County Right-of-Way Use Permit application process.** Please see the following for more information: <http://www.volusia.org/services/public-works/engineering-and-construction/development-engineering/use-permits.stml>. The items below are required:

Completed TIA Checklist

Two (2) Hard Copies of the complete TIA

One (1) CD that includes a PDF copy of the complete TIA & all computer input files

Response to Comments (if resubmitted)

****If the applicant's traffic engineer wishes to submit the TIA package to Volusia County Traffic Engineering directly, the county development application number or county use permit number MUST be typed or written on the TIA Cover.**

Applicants with large projects, complex projects, or projects with access concerns on county roads are highly suggested to meet with county reviewers earlier in the process. The applicant is responsible for setting up these meetings with the county. A city development review staff representative must also be in attendance for coordination purposes.

Questions about TIAs and TIA methodologies should be addressed to Melissa Winsett at mwinsett@volusia.org or Anthony Taylor at ataylor@volusia.org.



Via Email: (Steven.Spraker@ormondbeach.org)

Ref: 5223.03

August 31, 2021

Mr. Steven S. Spraker, AICP
Ormond Beach Planning Director
22 South Beach Street
Ormond Beach, FL 32174

Re: Tattersall at Tymber Creek - Traffic Impact Analysis (TIA) Methodology Letter *Revised*
Ormond Beach, Florida

Dear Mr. Spraker:

LTG, Inc. (LTG) has been retained by PAYLIN Tymber 1 and 2, LLC to prepare a Traffic Impact Analysis (TIA) for the proposed Tattersall at Tymber Creek development located in the northwest quadrant of the Tymber Creek Road at Airport Road intersection in the City of Ormond Beach, Florida. Figure 1 shows the location of the project relative to the surrounding road network. The total development consists of 146 single family dwelling units. Build-out of the project is anticipated by year 2024.

Access to the site is proposed via a full access driveway along Tymber Creek Road and a full access driveway along Airport Road. A copy of the preliminary site plan is attached as Exhibit A.

The City of Ormond Beach has adopted the River to Sea Transportation Planning Organization (R2CTPO) Transportation Impact Analysis (TIA) guidelines. In accordance with these guidelines, this letter outlines the proposed methodology by which the analysis will be conducted. The analysis will be based on the latest concurrency information as obtained from the City of Ormond Beach and Volusia County Traffic Engineering Department.

Analysis Period

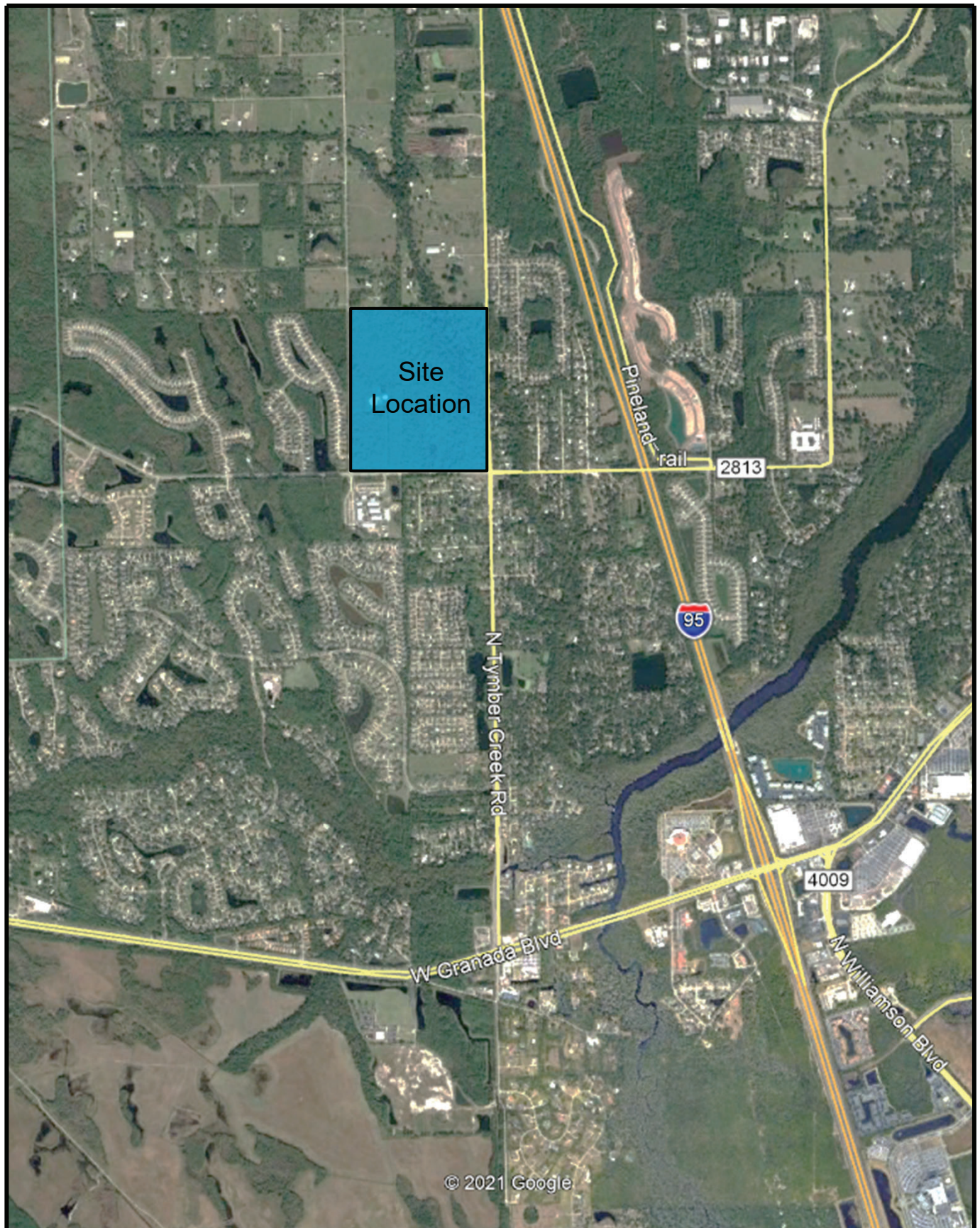
Roadway segments will be analyzed based on p.m. peak-hour two-way traffic and intersections will be analyzed for the a.m. and p.m. peak-hours. The analysis will be conducted under 2021 existing conditions and 2024 future build-out conditions. The a.m. and p.m. peak-hour turning movement counts will be collected on a typical weekday (Tuesday, Wednesday, or Thursday) between the hours of 7:00 a.m. - 9:00 a.m. and 4:00 - 6:00 p.m. the week of August 30, 2021, when school is in session. The existing traffic counts will be adjusted by the FDOT Seasonal Factor (SF) specified for the week the data is collected.

Project Trip Generation

The daily, a.m., and p.m. peak-hour trip generation for the development was determined using the Institute of Transportation Engineers (ITE), 10th edition of the *Trip Generation Manual*. The resulting project trip generation is summarized in Table 1.

Table 1
Project Trip Generation
Tattersall at Tymber Creek

Time Period	Land Use	Land Use Code	Trip Rate Equation	Quantity (x)		Percent Entering	Percent Exiting	Trips Entering	Trips Exiting	Total Trips (T)
Daily	Single Family Detached Residential	210	$\text{Ln}(T)=0.92\text{Ln}(X)+2.71$	146	DU	50%	50%	736	737	1,473
AM Peak-Hour			$T=0.71(X)+4.80$			25%	75%	27	81	108
PM Peak-Hour			$\text{Ln}(T)=0.96\text{Ln}(X)+0.20$			63%	37%	92	54	146



**Tattersall at
Tymber Creek**



NTS

Site Location Map

Project No.: 5223.03

Figure 1



LTG *Engineering
& Planning*

1450 W. Granada Blvd, Suite 2 – Ormond Beach, Florida 32174
Telephone: 386.257.2571 Fax: 386.257.6996 EB# 0009227

Project Trip Distribution

The Central Florida Regional Planning Model, version 7 (CFRPM), was used to obtain the project trip distribution for the proposed development. A Traffic Analysis Zone (TAZ) and corresponding socio-economic (S/E) data were added to the 2025 base network to represent the project. A select zone analysis was completed and resulted in the external project trip distribution. The resulting project trip distribution along Tymber Creek Road, north of the project, has been manually modified from 11.3% to 8.0%. The remaining 3.3% has been reassigned to Airport Road, east of the project. Additionally, the resulting trip assignment to project driveways is provided below and is based on proposed access, site plan layout, destination, and engineering judgement.

- West Airport Rd. – 70% Airport access, 30% Tymber Creek access
- North Tymber Creek – 20% Airport access, 80% Tymber Creek Access
- South Tymber Creek – 40% Airport access, 60% Tymber Creek Access
- East Airport Rd. – 40% Airport access, 60% Tymber Creek Access

Study Area

Per the R2CTPO guidelines, projects must include all roadway segments to which the site has direct connections, that are impacted by the proposed project to within three percent or greater of the peak-hour two-way adopted level of service (LOS) capacity, major intersections along the significant segments, and roadway segments that have been designated as “critical” or “near critical” within the site traffic influenced segments.

Critical and near critical roadways are defined by Volusia County as roadways with a volume to capacity (v/c) ratio that is equal to or greater than 1.0 and 0.90, respectively. Figure 3 depicts the critical and near critical roadway segments within the area.

Using the project trip distribution, p.m. peak-hour project trips were assigned to the roadway network to determine the roadway segments that are impacted by the proposed project to within three percent or greater of the peak-hour two-way adopted level of service (LOS) capacity. Table 2 presents the significance test on area roadways for the proposed development. The following intersections and roadway segments will be included in the study:

Roadway Segments:

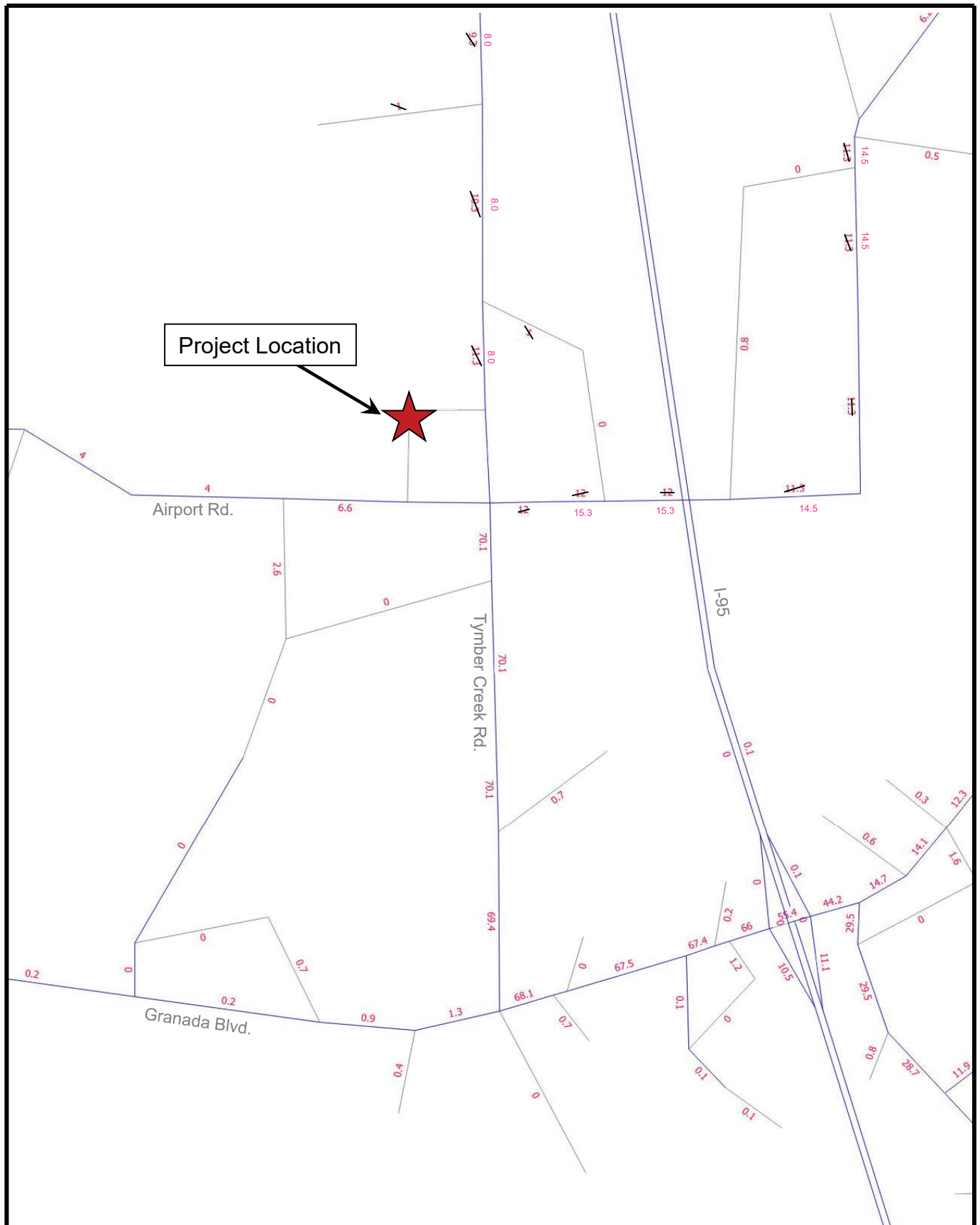
- Airport Road from Granada Boulevard to Tymber Creek Road
- Tymber Creek Road, from Granada Boulevard to Broadway Avenue/US 1
- SR 40/Granada Boulevard from Clyde Morris Boulevard to Nova Road (near critical)
- SR 40/Granada Boulevard from Tymber Creek Road to Interstate-95
- Williamson Boulevard from LPGA Boulevard to Hand Avenue (vested critical)
- Hand Avenue from Clyde Morris Boulevard to Nova Road

Intersections:

- Tymber Creek Road at Granada Boulevard
- Tymber Creek Road at Tymber Run
- Tymber Creek Road at Airport Road
- Airport Road at Leeway Trail
- Tymber Creek Road at Project Driveway 1 (future conditions)
- Airport Road at Project Driveway 2 (future conditions)

Build-Out Traffic

The build-out traffic will be developed by the sum of the background traffic (derived from historical growth rates and vested trips as identified by Volusia County) and the estimated project traffic. The growth rate for each study area roadway segment was determined using the method developed by Volusia County in August of 2020 (see Exhibit B), the vested trips as identified by the County’s latest vested trips table, received June 2021, and the latest Volusia County AADT spreadsheet. The FDOT *Traffic Trends* summary sheets are attached as Exhibit B. Tables 3 and 4 summarize the historical annual growth, vested trips, and the applied growth method used in the analysis for the study area roadway segments and the additional segments needed for the intersection analyses.



**Tattersall at
Timber Creek**



NTS

**Project Trip
Distribution (%)**

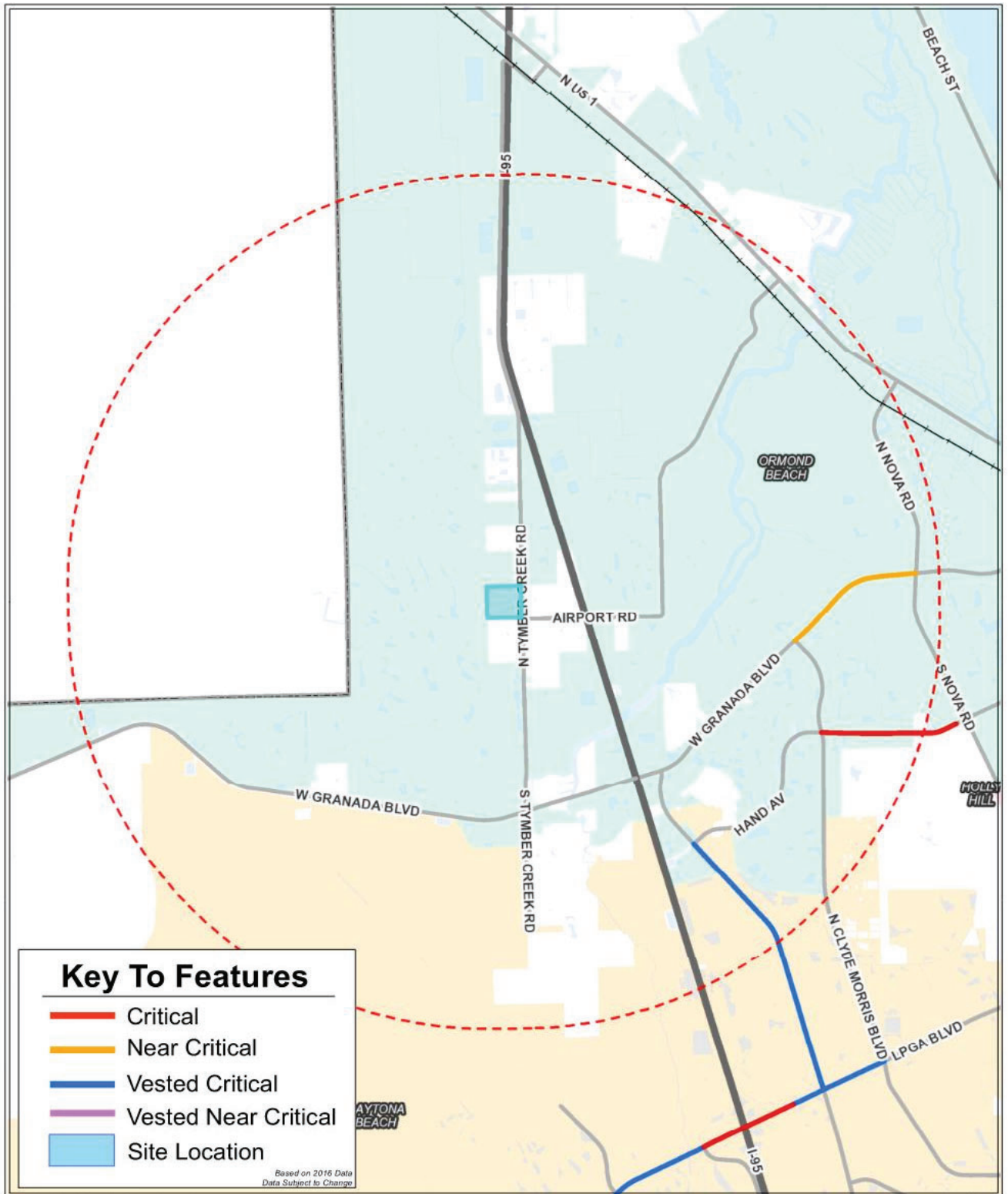
Project No.: 5223.03

Figure 2



LTG *Engineering
& Planning*

1450 W. Granada Blvd, Suite 2 – Ormond Beach, Florida 32174
Telephone: 386.257.2571 Fax: 386.257.6996 EB# 0009227



Mapping Tool Provided Courtesy of
Volusia County Public Works and is
a graphic representation only.

Date 06/8/2021

3 mile Critical/Near Critical Roadway Buffer Tattersall at Tymber Creek

N
W E
S
1 inch = 5,319 feet

**Tattersall at
Tymber Creek**



NTS

Critical/Near-Critical Roadway Map

Project No.: 5223.03

Figure 3

LTG Engineering & Planning

1450 W. Granada Blvd, Suite 2 – Ormond Beach, Florida 32174
Telephone: 386.257.2571 Fax: 386.257.6996 EB# 0009227

Mr. Steven Spraker, AICP
August 31, 2021
Page 6

Table 2
Significance Test
Tattersall at Tymber Creek

Roadway	Limits		No. of Lanes	Jurisdiction	Adopted LOS ¹	Peak-Hour Two-Way Capacity at Adopted LOS ²	Build Out Project Distribution	PM Peak-Hour Two-Way		
	From	To						Project Trips	Impact of LOS	3% Significant?
Airport Rd	Granada Blvd.	Tymber Creek Rd.	2	Volusia	E	2,240	6.6%	10	0.45%	No
	Tymber Creek Rd.	Pineland Tr.	2	Volusia	E	2,240	12.0%	18	0.80%	No
	Pineland Tr.	Sunshine Blvd.	2	Volusia	E	2,240	11.3%	16	0.71%	No
	Sunshine Blvd.	US 1	2	Volusia	E	2,240	6.2%	9	0.40%	No
Tymber Creek Rd.	Riverbend Rd.	Granada Blvd.	2	Volusia	E	1,020	0.0%	0	0.00%	No
	Granada Blvd.	Tymber Run	4	Volusia	E	1,540	70.1%	102	6.62%	Yes
	Tymber Run	Airport Rd.	2	Volusia	E	1,540	70.1%	102	6.62%	Yes
	Airport Rd.	Project Driveway 1	2	Volusia	E	1,230	82.1%	120	9.76%	Yes
	Project Driveway 1	Broadway Ave/US 1	2	Volusia	E	1,230	11.3%	16	1.30%	No
Granada Blvd.	Rima Ridge Rd.	Tymber Creek Rd.	4	FDOT	D	3,580	1.3%	2	0.06%	No
	Tymber Creek Rd.	I-95	4	FDOT	D	3,580	68.1%	99	2.77%	No
	I-95	Williamson Blvd.	4	FDOT	D	3,580	44.2%	65	1.82%	No
	Williamson Blvd.	Clyde Morris Blvd.	4	FDOT	D	3,580	14.7%	21	0.59%	No
	Clyde Morris Blvd.	Nova Rd.	4	FDOT	D	3,580	9.7%	14	0.39%	No
Williamson Blvd.	LPGA Blvd.	Hand Ave.	2	Volusia	E	1,540	16.8%	25	1.62%	No
	Hand Ave.	Granada Blvd.	4	Volusia	E	3,410	29.5%	43	1.26%	No
Hand Ave.	Williamson Blvd.	Clyde Morris Blvd.	2	Volusia	E	1,540	11.9%	17	1.10%	No
	Clyde Morris Blvd.	Shangri La Dr.	2	Volusia	E	1,540	8.9%	13	0.84%	No
	Shangri La Dr.	Nova Rd.	4	Volusia	E	3,410	8.4%	12	0.35%	No
I-95	LPGA Blvd.	Granada Blvd.	6	FDOT	D	11,860	21.6%	32	0.27%	No
	Granada Blvd.	US 1	6	FDOT	D	10,060	0.1%	0	0.00%	No

¹Per Comprehensive Plan of Jurisdiction

²Per 2019 VC AADT Spreadsheet

	Critical
	Near Critical
	Vested Critical
	Vested Near Critical
	Significant

Table 3
Trends Growth and Vested Trips – Study Area Roadway Segments
Tattersall at Tymber Creek

Roadway	Segment		5-Year			10-Year			Applied Growth Rate	Applied Growth If Using Adjacent Segment	High Growth? Y/N	Vested Trips	Existing Peak-Hour Volume	Existing AADT Year	Build-Out Year	Growth (# of Trips)	Growth Method	Total Growth Applied (# of Trips)	2024 Background Volume
	From:	To:	Best Fit Regression	R ² Value	Historical Growth Rate	Best Fit Regression	R ² Value	Historical Growth Rate											
Airport Rd*	Granada Blvd.	Tymber Creek Rd.	N/A	-	-	N/A	-	-	Check adjacent	1.00%	N	0	N/A*	2019	2024	0	N/A	0	N/A
Airport Rd.	Tymber Creek Rd.	Pineland Tr.	Decaying Exp	35.5%	1.52%	Linear	44.3%	2.50%	Check adjacent	1.00%	N	0	560	2019	2024	28	1% Annual	28	588
Tymber Creek Rd.	Granada Blvd.	Tymber Run	Exponential	49.1%	-5.48%	Exponential	6.4%	-1.00%	Check adjacent	1.00%	N	175	990	2019	2024	50	1% + Vested	225	1,215
	Tymber Run	Airport Rd.	Decaying Exp	40.7%	1.36%	Linear	50.3%	2.97%	Check adjacent	1.00%	N	193	830	2019	2024	42	1% + Vested	235	1,065
	Airport Rd.	Broadway Ave/US 1	Decaying Exp	8.2%	0.87%	Exponential	57.9%	3.23%	Check adjacent	1.00%	N	0	200	2019	2024	10	1% Annual	10	210
Granada Blvd.	Clyde Morris Blvd.	Nova Rd.	Linear	78.5%	2.67%	-	-	-	2.67%	-	N	46	2,670	2019	2024	356	Historical + Vested	402	3,072
Williamson Blvd.	LPGA Blvd.	Hand Ave.	Linear	84.2%	7.20%	-	-	-	7.20%	-	Y	341	1,520	2019	2024	547	Historical	547	2,067
Hand Ave.	Clyde Morris Blvd.	Shangri La Dr.	Decaying Exp	77.7%	0.82%	-	-	-	1.00%	-	N	76	1,300	2019	2024	65	Historical + Vested	141	1,441
	Shangri La Dr.	Nova Rd.	Decaying Exp	42.2%	0.68%	Linear	61.1%	2.17%	Check adjacent	1.00%	N	0	1,360	2019	2024	68	Historical Growth	68	1,428

*Existing segment volume of Airport Rd from Granada Blvd to Tymber Creek Road will be based on turning movement counts collected.

Table 4
Trends Growth and Vested Trips – Additional Segments for Intersection Analyses
Tattersall at Tymber Creek

Roadway	Segment		5-Year			10-Year			Applied Growth Rate	Applied Growth If Using Adjacent Segment	High Growth? Y/N	Vested Trips	Existing Peak-Hour Volume	Existing AADT Year	Build-Out Year	Growth (# of Trips)	Growth Method	Total Growth Applied (# of Trips)	2024 Background Volume
	From:	To:	Best Fit Regression	R ² Value	Historical Growth Rate	Best Fit Regression	R ² Value	Historical Growth Rate											
Granada Blvd.	Pinto Lane	Rima Ridge Rd.	Exponential	85.0%	6.20%	-	-	-	6.20%	-	Y	0	1,120	2019	2024	347	Historical	347	1,467
	Rima Ridge Rd.	Tymber Creek Rd.	Decaying Exp	41.3%	1.09%	Exponential	67.6%	2.63%	Check adjacent	6.20%	Y	0	2,835	2019	2024	879	Historical	879	3,714
	Tymber Creek Rd.	I-95	Decaying Exp	41.3%	1.09%	Exponential	67.6%	2.63%	Check adjacent	1.00%	N	335	2,835	2019	2024	142	1% + Vested	477	3,312
	I-95	Clyde Morris Blvd.	Exponential	1.6%	-0.28%	Exponential	4.9%	0.28%	Check adjacent	1.00%	N	0	3,195	2019	2024	160	1% Annual	160	3,355
US 1	Nova Rd.	Airport Rd.	Decaying Exp	98.2%	1.18%	-	-	-	1.18%	-	N	0	2,880	2019	2024	170	Historical	170	3,050
	Airport Rd.	I-95	Decaying Exp	42.6%	0.42%	Linear	65.8%	1.83%	Check adjacent	1.18%	N	0	2,115	2019	2024	125	Historical	125	2,240

Segment Analysis – Existing and Build-Out Conditions

If the future projected volume is expected to exceed the maximum service volume of a roadway segment, a transportation analysis may be conducted to determine service volume specific to that segment. The procedures documented in the latest version of the FDOT *Quality/Level of Service Handbook* will be used to determine specific capacity, if necessary.

Intersection Analysis – A.M. & P.M. Weekday Peak-Hour

The operating conditions for both the existing and future conditions at the signalized and unsignalized intersections will be analyzed using the *Highway Capacity Software 7, Version 7.9.5* (HCS) or Synchro 10. These software programs utilize the procedures outlined in Chapters 19 and 20 of the HCM 6th Edition *Highway Capacity Manual*, titled “Signalized Intersections” and “Two-Way Stop Control Intersections,” respectively.

Alternative Mode Analysis

An alternate mode analysis will be conducted to analyze any transit stops within ¼ mile of the site, provisions for sidewalks adjacent to public roads within the limits of the site, sidewalk connectivity between parcels, provisions for any bicycle amenities, such as bike racks or lockers, and identification to any schools within 2-mile of the site. **The assessment of Hazardous walking conditions along Airport Road, west of Tymber Creek Road, will be included.**

Queue Length and Turn Lane Analysis

All turn lanes that are impacted by project traffic will be included in a queueing evaluation. Additional analysis will be provided along Airport Road as it relates to school traffic, as requested by the City.

Site Access Analysis

A site access analysis based on the proposed site plan and driveway geometry will be included in the analysis. The current driveway spacing and turn lane criteria standards adopted by the maintaining agency will be used to evaluate any necessary access improvements or recommendations.

Improvements

All improvements funded for construction within the first three years of the Volusia County and FDOT five-year work programs will be considered in the analysis. The Volusia County Capital Improvement Program (CIP) and the River to Sea TPO Transportation Improvement Program (TIP) indicates that Williamson Boulevard from LPGA Boulevard to Hand Avenue is planned to be widened from two to four lanes. **The section of Williamson Boulevard, from LPGA Boulevard to Strickland Range Road, is currently under construction. Williamson Boulevard from Strickland Range Road to Hand Avenue is planned for future widening, however it is not funded at this time.**

If warranted, appropriate roadway and intersection improvements will be identified. Conditions will be analyzed for improvements that are required for mitigation. All proposed mitigation improvements will be consistent with the appropriate city and county comprehensive plans transportation elements. In particular, if a proposed mitigation improvement is to widen a county roadway beyond that which is indicated on the County's adopted Future Number of Lanes, an alternative mitigation improvement project will be proposed. Proportionate share calculations will be based on construction costs approved by Volusia County Engineering and Construction Division. Site access needs in terms of turn lane storage and deceleration shall be identified.

It is understood that this methodology will remain valid for a period of six (6) months from the date of approval.

Mr. Steven Spraker, AICP
August 31, 2021
Page 9

Please review and advise if the City is in agreement with this proposed methodology or provide comments relating to preferred revisions. If you have any questions, please contact me at 386.257.2571.

Sincerely,
LTG, Inc.



Kady L. Deering, PE
Project Engineer

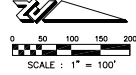
Attachments:

Exhibit A: Preliminary Site Plan

Exhibit B: FDOT Traffic Trends

EXHIBIT A

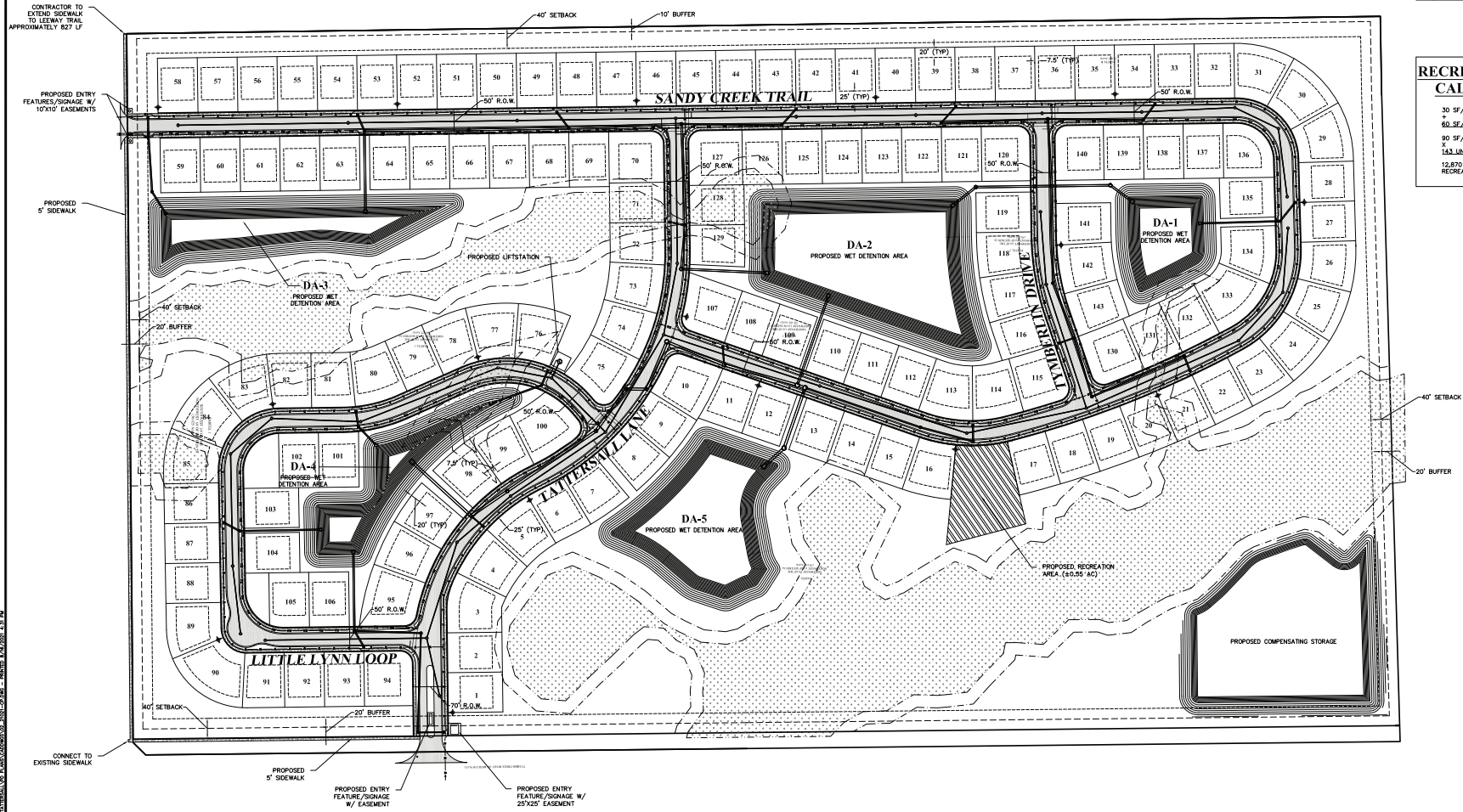
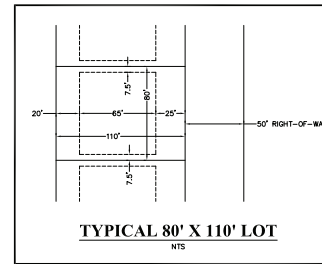
Preliminary Site Plan

**LEGEND:**

-  EXISTING WETLANDS
-  PROPOSED ASPHALT PAVEMENT
-  PROPOSED CONCRETE

RECREATION AREA CALCULATION

30 SF/UNIT INDOOR WAVER
 60 SF/UNIT OUTDOOR
 90 SF/UNIT
 143 UNITS
 12,870 SF REQUIRED RECREATION AREA


**TATTERSALL
 PLANNED DEVELOPMENT
 CONCEPT PLAN**

 VOLusia COUNTY, FLORIDA
 CITY OF JENNINGS BRANCH

PROJECT NO: ZC 21021

DESIGNED BY: MLR

DRAWN BY: MLR

CHECKED BY: RMH

DRAWING FILE: 01_21021021

DATE: 11/04/2020

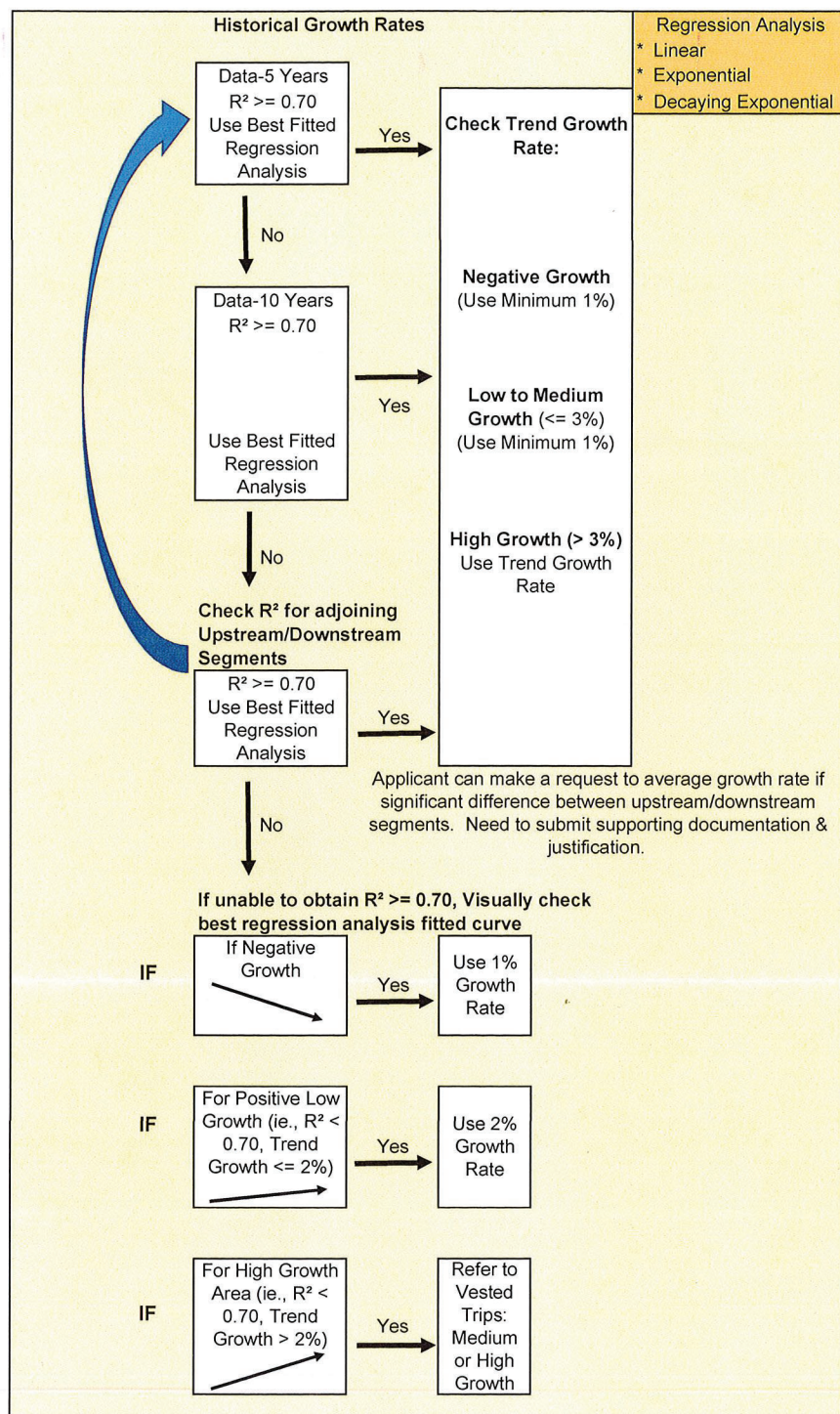
REVISION:

 RAYEVA HODAK, P.E., REG. 00000
 MECHANICAL ENGINEER
 10710 E. 10th Avenue, Suite 100
 Fort Lauderdale, FL 33304
SHEET **C2** OF 6

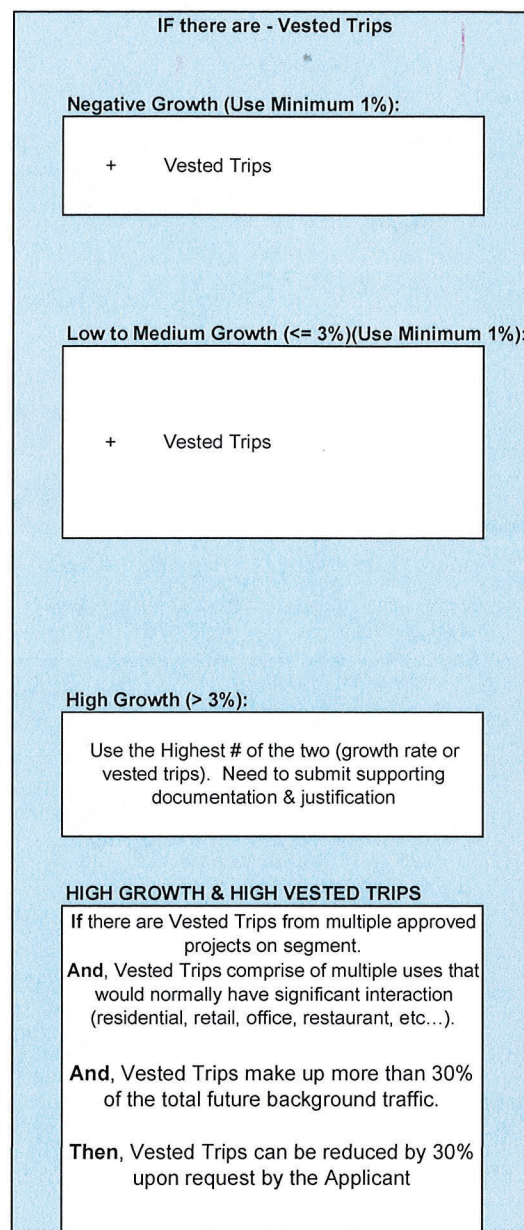
EXHIBIT B

FDOT Traffic Trends

Volusia County's Segment Growth Rates and Vested Trips Instructions Policy



AND



Signed:

Jon E. Cheney
 Jon E. Cheney, P.E.

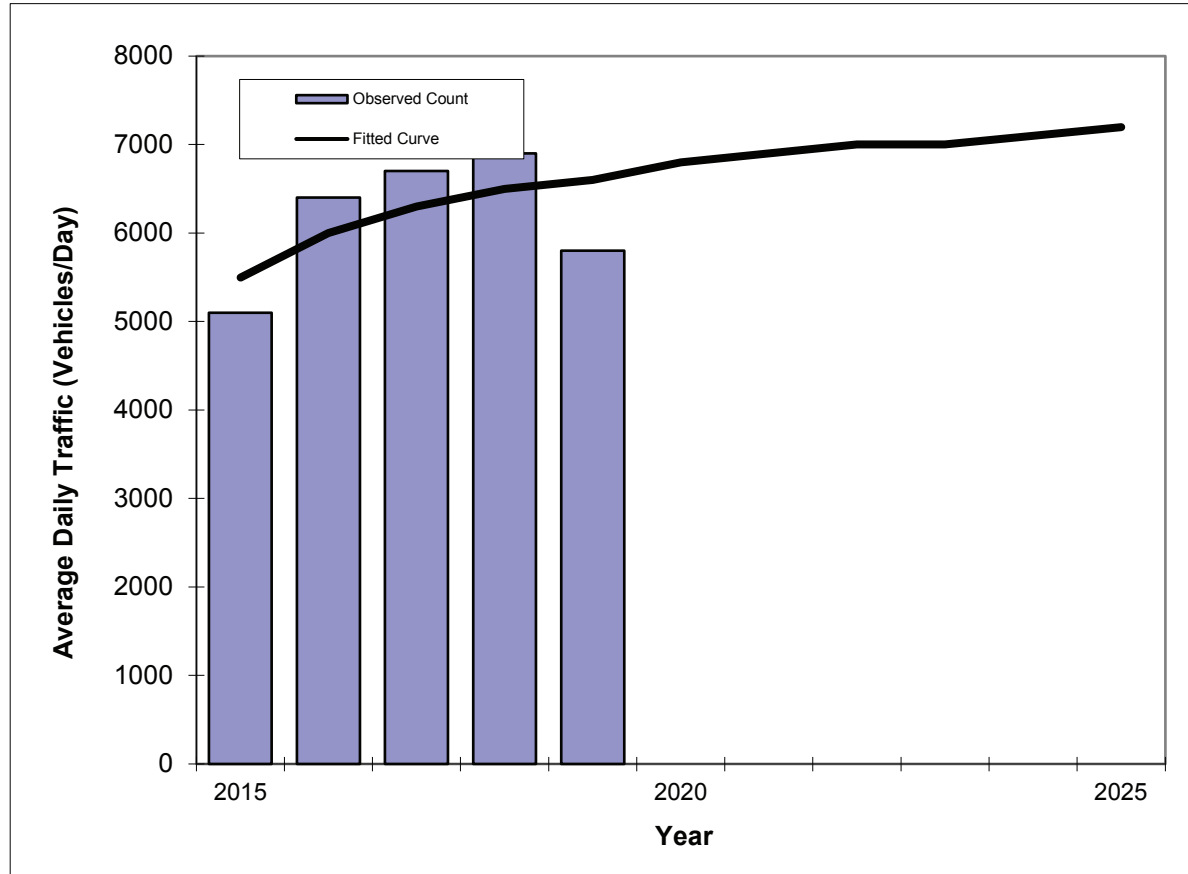
Date:

8/27/2020

TRAFFIC TRENDS

Airport Rd -- Tymber Creek Rd to Pineland Tr

County:	Volusia
Station #:	60
Highway:	Airport Rd



Year	Traffic (ADT/AADT)	
	Count*	Trend**
2015	5100	5500
2016	6400	6000
2017	6700	6300
2018	6900	6500
2019	5800	6600
2021 Opening Year Trend		
2021	N/A	6900
2022 Mid-Year Trend		
2022	N/A	7000
2024 Design Year Trend		
2024	N/A	7100
TRANPLAN Forecasts/Trends		

Trend R-squared:	35.5%
Compounded Annual Historic Growth Rate:	3.28%
Compounded Growth Rate (2019 to Design Year):	1.52%
Printed:	9-Jun-21

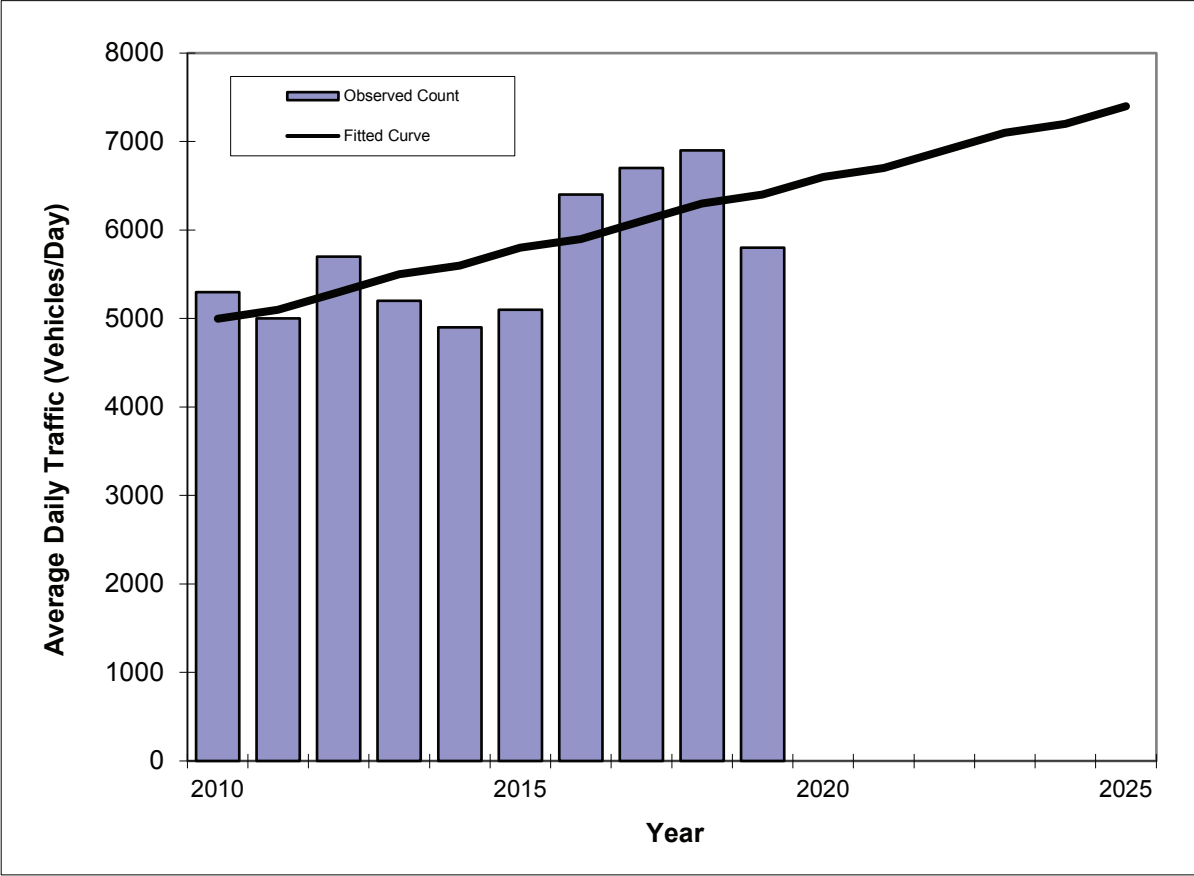
Decaying Exponential Growth Option

*Axle-Adjusted

TRAFFIC TRENDS

Airport Rd -- Tymber Creek Rd to Pineland Tr

County:	Volusia
Station #:	60
Highway:	Airport Rd



Year	Traffic (ADT/AADT)	
	Count*	Trend**
2010	5300	5000
2011	5000	5100
2012	5700	5300
2013	5200	5500
2014	4900	5600
2015	5100	5800
2016	6400	5900
2017	6700	6100
2018	6900	6300
2019	5800	6400
2021 Opening Year Trend		
2021	N/A	6700
2022 Mid-Year Trend		
2022	N/A	6900
2024 Design Year Trend		
2024	N/A	7200
TRANPLAN Forecasts/Trends		

** Annual Trend Increase:	161
Trend R-squared:	44.3%
Trend Annual Historic Growth Rate:	3.11%
Trend Growth Rate (2019 to Design Year):	2.50%
Printed:	9-Jun-21
Straight Line Growth Option	

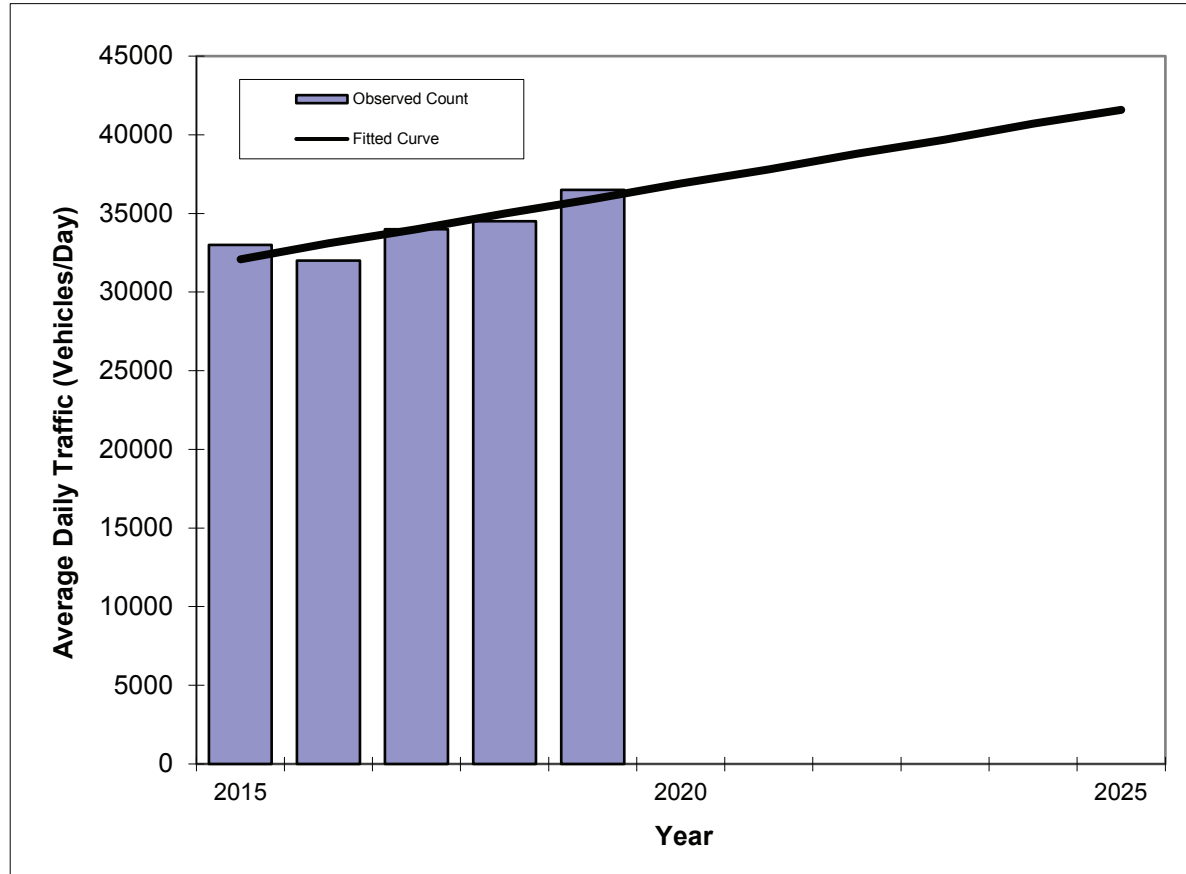
*Axle-Adjusted

TRAFFIC TRENDS

Granada Blvd -- Clyde Morris Blvd to Nova Rd

County:
Station #:
Highway:

Volusia
489
Granada Blvd



Year	Traffic (ADT/AADT)	
	Count*	Trend**
2015	33000	32100
2016	32000	33100
2017	34000	34000
2018	34500	35000
2019	36500	35900
2021 Opening Year Trend		
2021	N/A	37800
2022 Mid-Year Trend		
2022	N/A	38800
2024 Design Year Trend		
2024	N/A	40700
TRANPLAN Forecasts/Trends		

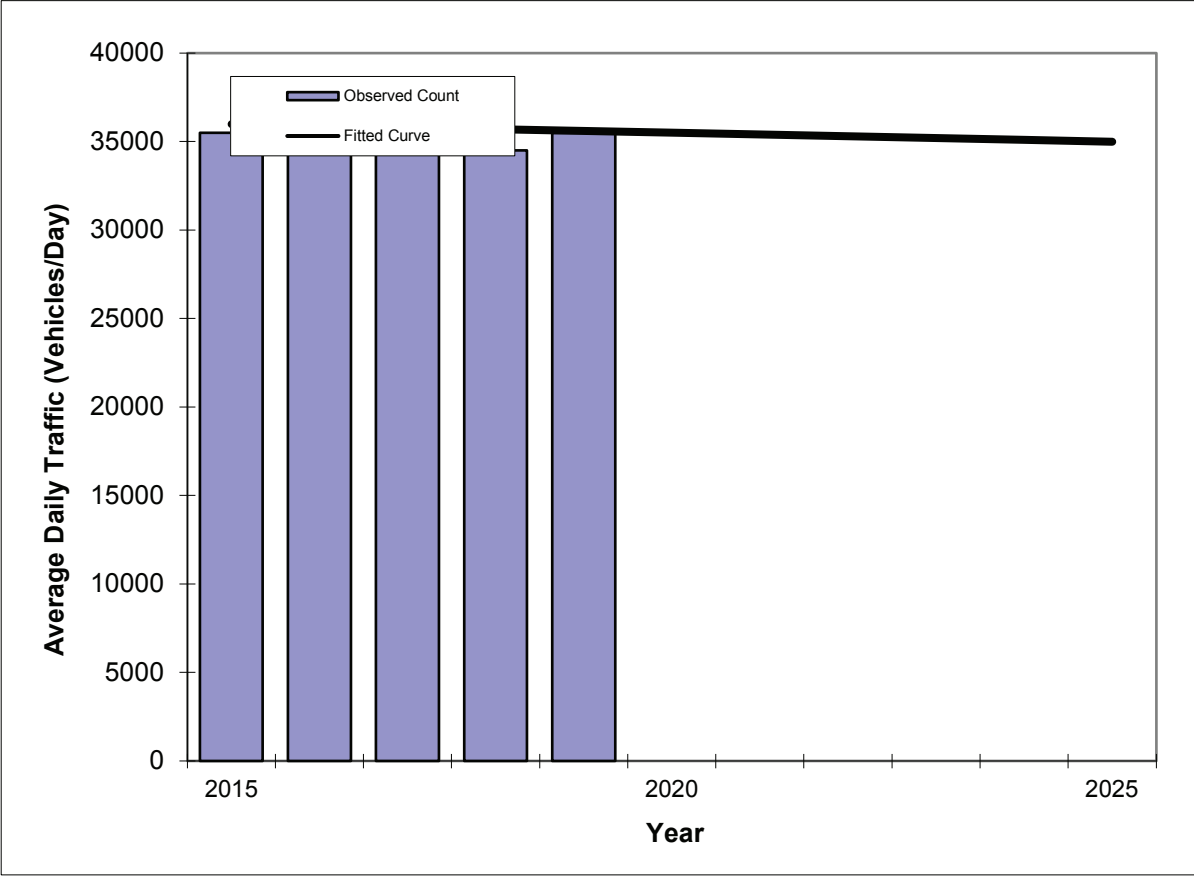
**** Annual Trend Increase:** 950
Trend R-squared: 78.5%
Trend Annual Historic Growth Rate: 2.96%
Trend Growth Rate (2019 to Design Year): 2.67%
Printed: 9-Jun-21

Straight Line Growth Option

*Axle-Adjusted

TRAFFIC TRENDS
Granada Blvd -- I-95 to Clyde Morris Blvd

County:	Volusia
Station #:	522
Highway:	Granada Blvd



Year	Traffic (ADT/AADT)	
	Count*	Trend**
2015	35500	36000
2016	35500	35900
2017	38000	35800
2018	34500	35700
2019	35500	35600
2021 Opening Year Trend		
2021	N/A	35400
2022 Mid-Year Trend		
2022	N/A	35300
2024 Design Year Trend		
2024	N/A	35100
TRANPLAN Forecasts/Trends		

Trend R-squared:	1.6%
Compounded Annual Historic Growth Rate:	-0.28%
Compounded Growth Rate (2019 to Design Year):	-0.28%
Printed:	9-Jun-21
Exponential Growth Option	

*Axle-Adjusted

TRAFFIC TRENDS

Granada Blvd -- I-95 to Clyde Morris Blvd

County:

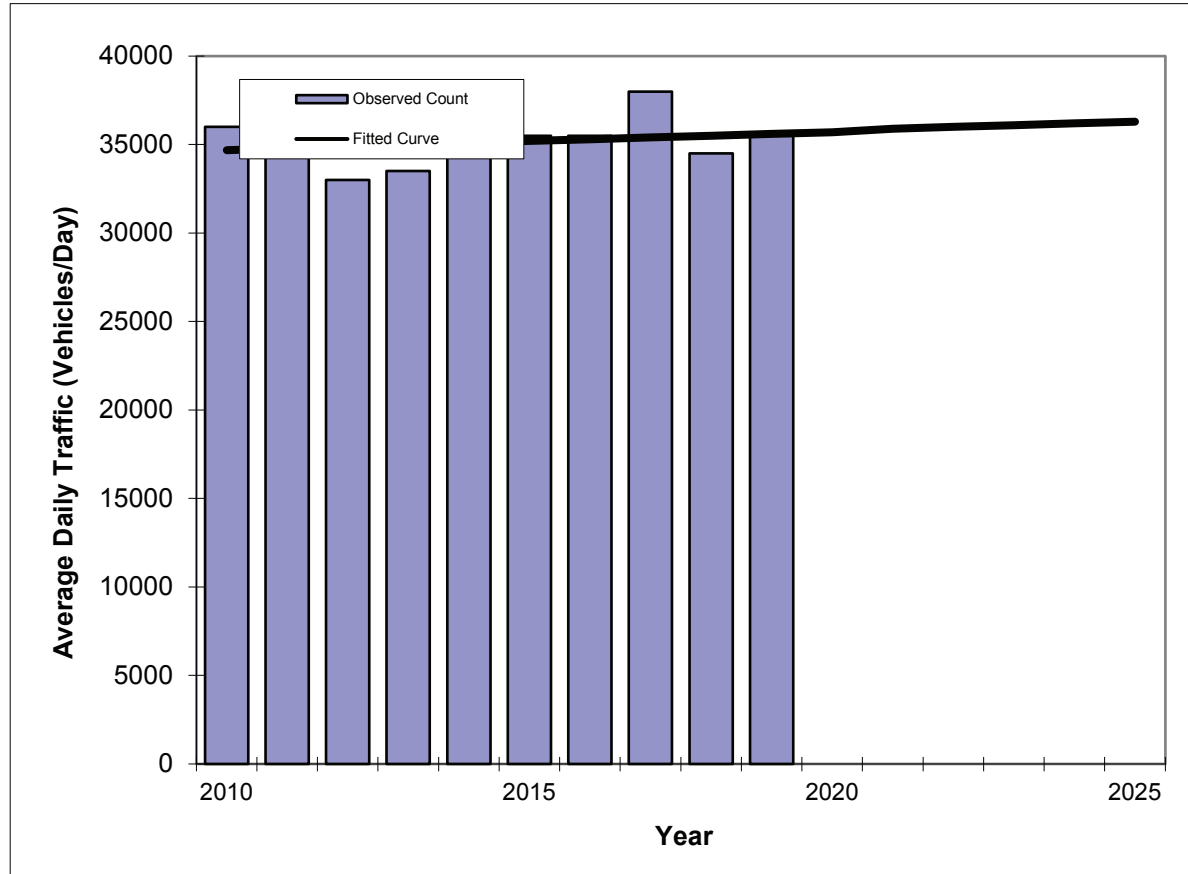
Volusia

Station #:

522

Highway:

Granada Blvd



Year	Traffic (ADT/AADT)	
	Count*	Trend**
2010	36000	34700
2011	36000	34800
2012	33000	34900
2013	33500	35000
2014	34500	35100
2015	35500	35200
2016	35500	35300
2017	38000	35400
2018	34500	35500
2019	35500	35600
2021 Opening Year Trend		
2021	N/A	35900
2022 Mid-Year Trend		
2022	N/A	36000
2024 Design Year Trend		
2024	N/A	36200
TRANPLAN Forecasts/Trends		

Trend R-squared: 4.9%
 Compounded Annual Historic Growth Rate: 0.32%
 Compounded Growth Rate (2019 to Design Year): 0.28%
 Printed: 9-Jun-21

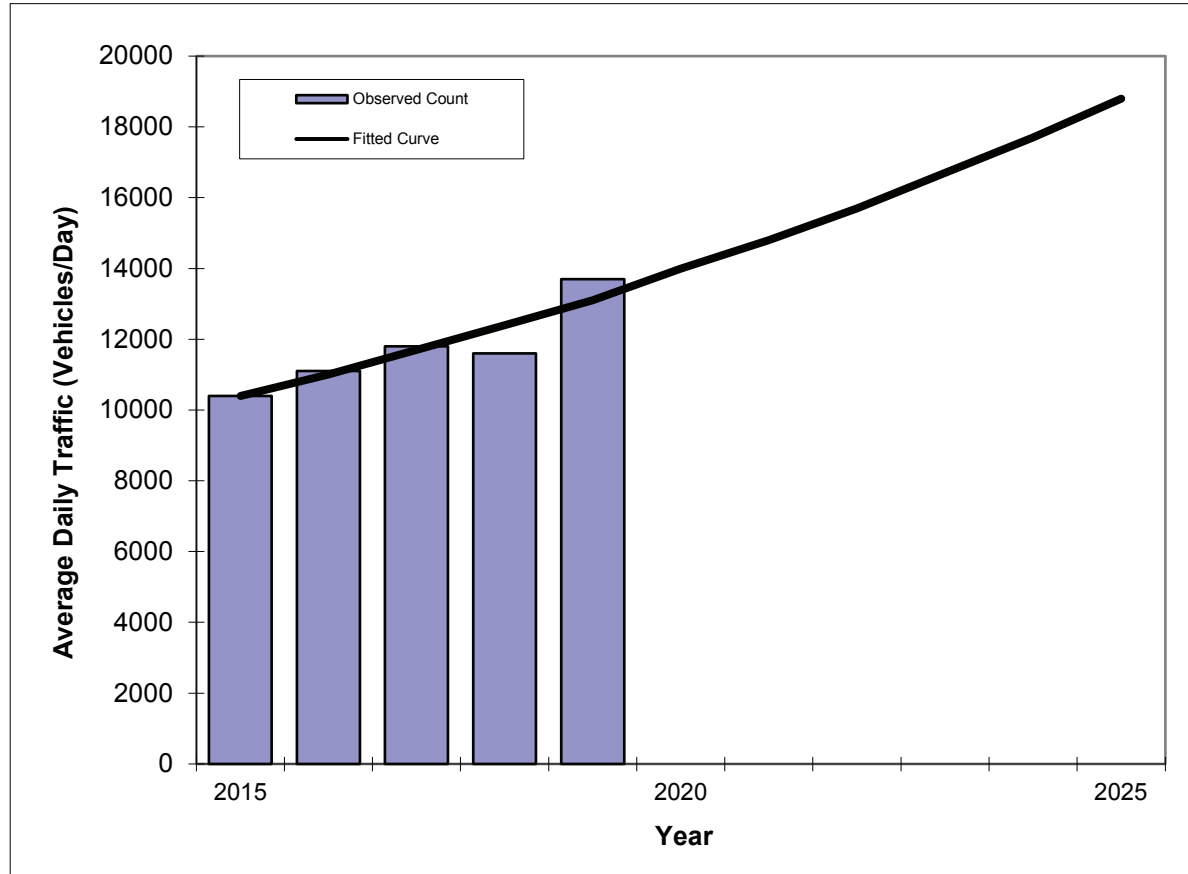
Exponential Growth Option

*Axle-Adjusted

TRAFFIC TRENDS

Granada Blvd -- Pinto Lane to Rima Ridge Rd

County:	Volusia
Station #:	523
Highway:	Granada Blvd



Year	Traffic (ADT/AADT)	
	Count*	Trend**
2015	10400	10400
2016	11100	11000
2017	11800	11700
2018	11600	12400
2019	13700	13100
2021 Opening Year Trend		
2021	N/A	14800
2022 Mid-Year Trend		
2022	N/A	15700
2024 Design Year Trend		
2024	N/A	17700
TRANPLAN Forecasts/Trends		

Trend R-squared:	85.0%
Compounded Annual Historic Growth Rate:	6.20%
Compounded Growth Rate (2019 to Design Year):	6.20%
Printed:	9-Jun-21

Exponential Growth Option

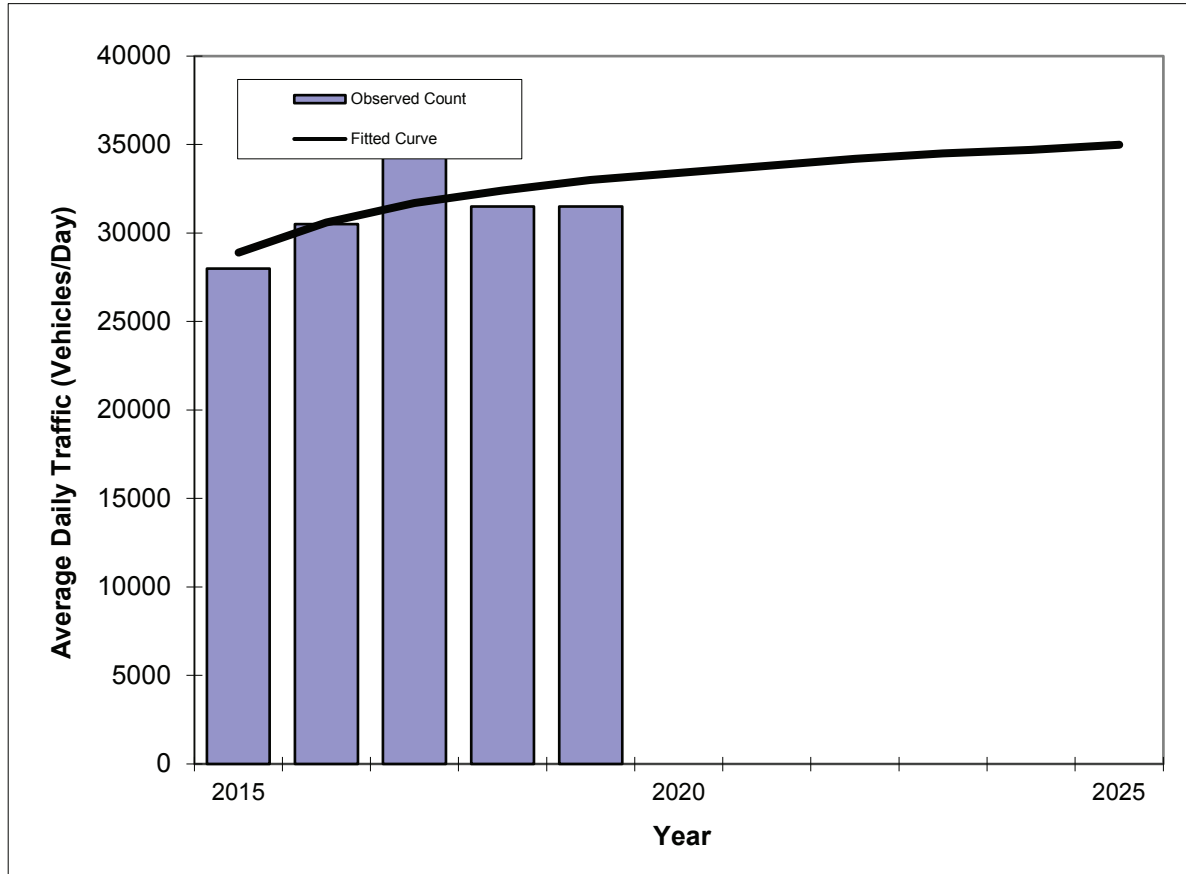
*Axle-Adjusted

TRAFFIC TRENDS

Granada Blvd -- Rima Ridge Rd to I-95

County:
Station #:
Highway:

Volusia
499
Granada Blvd



Year	Traffic (ADT/AADT)	
	Count*	Trend**
2015	28000	28900
2016	30500	30600
2017	35000	31700
2018	31500	32400
2019	31500	33000
2021 Opening Year Trend		
2021	N/A	33800
2022 Mid-Year Trend		
2022	N/A	34200
2024 Design Year Trend		
2024	N/A	34700
TRANPLAN Forecasts/Trends		

Trend R-squared: 41.3%
 Compounded Annual Historic Growth Rate: 2.59%
 Compounded Growth Rate (2019 to Design Year): 1.09%
 Printed: 9-Jun-21

Decaying Exponential Growth Option

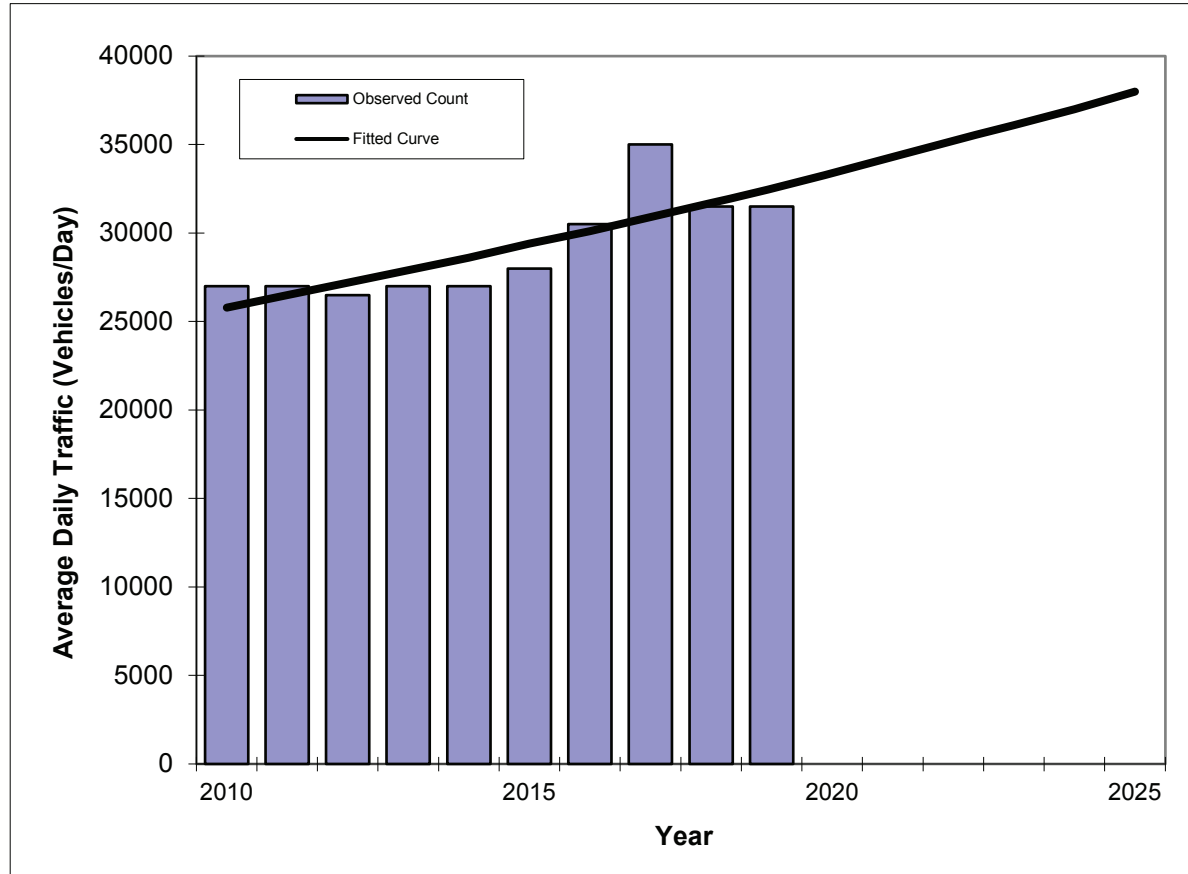
*Axle-Adjusted

TRAFFIC TRENDS

Granada Blvd -- Rima Ridge Rd to I-95

County:
Station #:
Highway:

Volusia
499
Granada Blvd



Year	Traffic (ADT/AADT)	
	Count*	Trend**
2010	27000	25800
2011	27000	26500
2012	26500	27200
2013	27000	27900
2014	27000	28600
2015	28000	29400
2016	30500	30100
2017	35000	30900
2018	31500	31700
2019	31500	32500
2021 Opening Year Trend		
2021	N/A	34300
2022 Mid-Year Trend		
2022	N/A	35200
2024 Design Year Trend		
2024	N/A	37000
TRANPLAN Forecasts/Trends		

Trend R-squared: 67.6%
 Compounded Annual Historic Growth Rate: 2.64%
 Compounded Growth Rate (2019 to Design Year): 2.63%
 Printed: 9-Jun-21

Exponential Growth Option

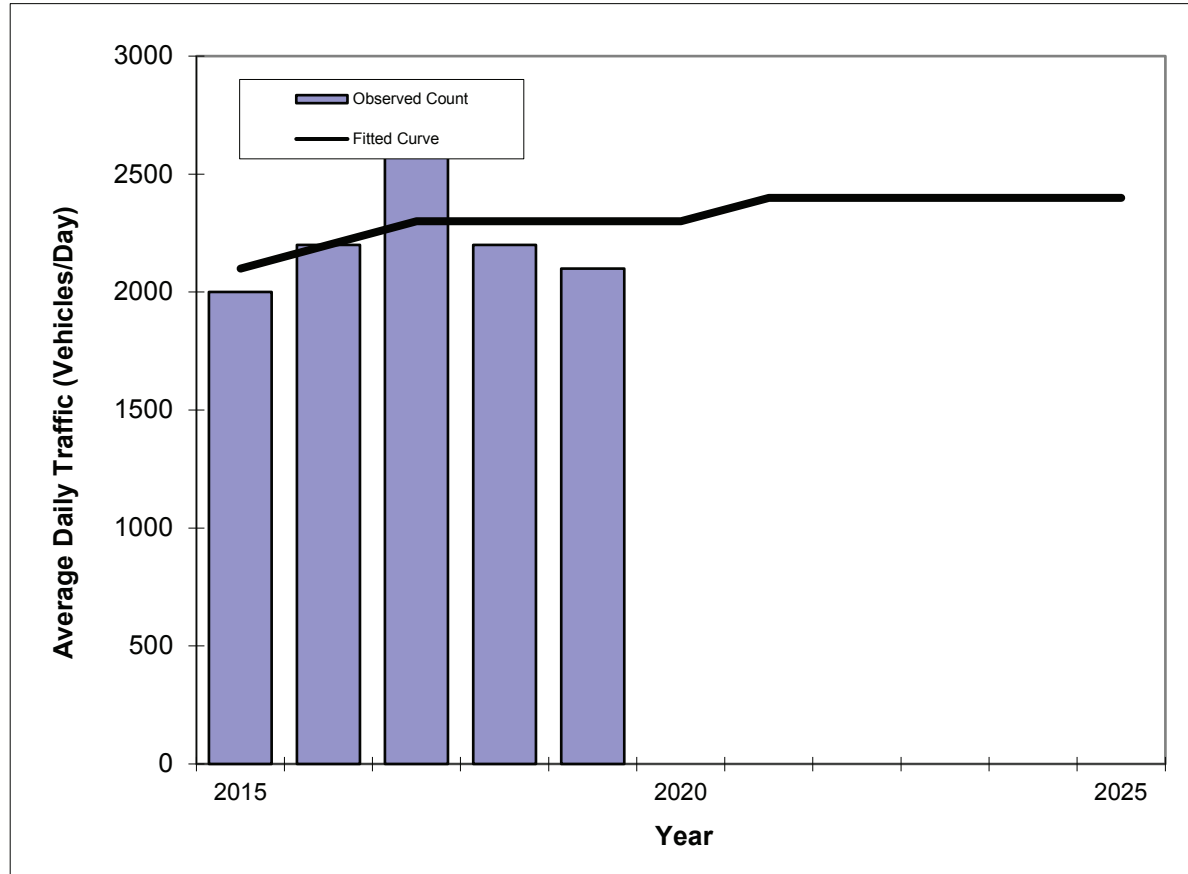
*Axle-Adjusted

TRAFFIC TRENDS

Tymber Creek Rd -- Airport Rd to Broadway Ave/US 1

County:
Station #:
Highway:

Volusia
1883
Tymber Creek Rd



Year	Traffic (ADT/AADT)	
	Count*	Trend**
2015	2000	2100
2016	2200	2200
2017	2700	2300
2018	2200	2300
2019	2100	2300
2021 Opening Year Trend		
2021	N/A	2400
2022 Mid-Year Trend		
2022	N/A	2400
2024 Design Year Trend		
2024	N/A	2400
TRANPLAN Forecasts/Trends		

Trend R-squared: 8.2%
 Compounded Annual Historic Growth Rate: 1.12%
 Compounded Growth Rate (2019 to Design Year): 0.87%
 Printed: 9-Jun-21

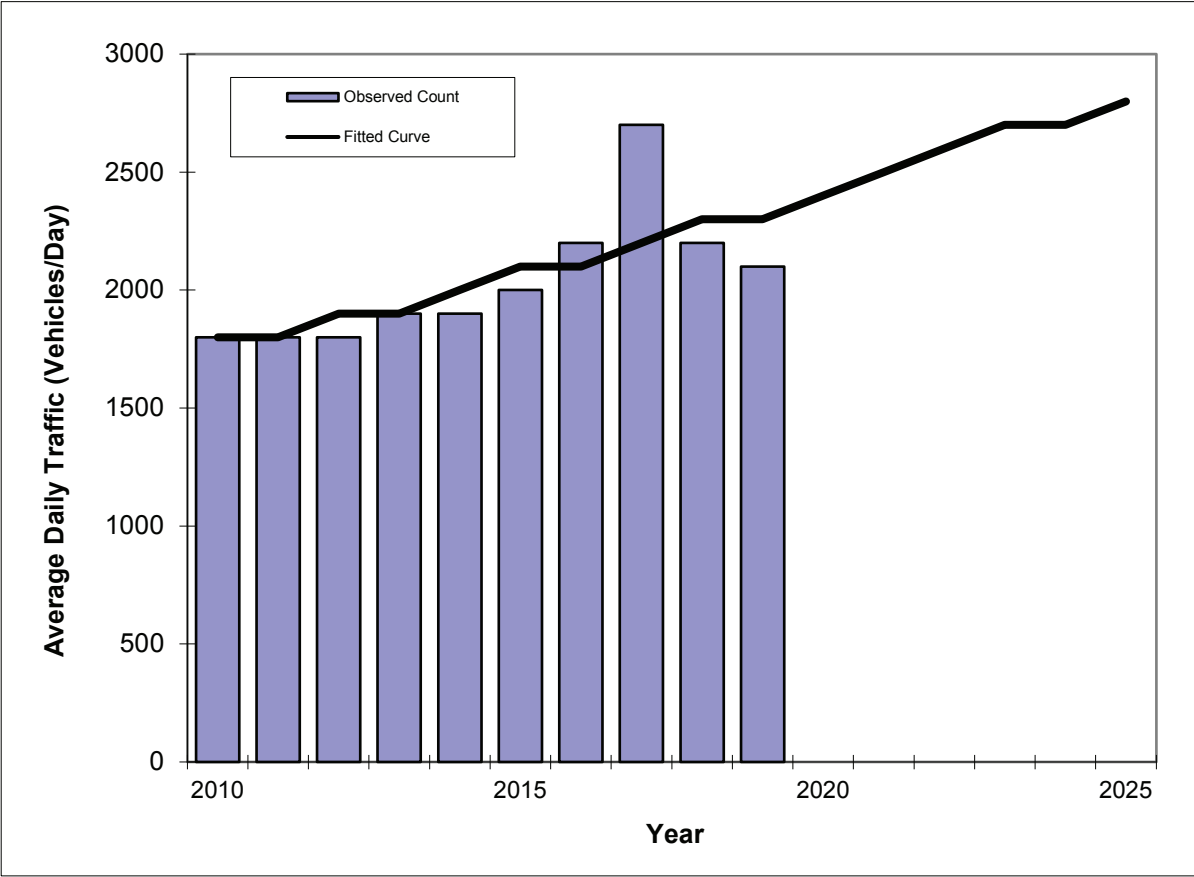
Decaying Exponential Growth Option

*Axle-Adjusted

TRAFFIC TRENDS

Tymber Creek Rd -- Airport Rd to Broadway Ave/US 1

County:	Volusia
Station #:	1883
Highway:	Tymber Creek Rd



Year	Traffic (ADT/AADT)	
	Count*	Trend**
2010	1800	1800
2011	1800	1800
2012	1800	1900
2013	1900	1900
2014	1900	2000
2015	2000	2100
2016	2200	2100
2017	2700	2200
2018	2200	2300
2019	2100	2300
2021 Opening Year Trend		
2021	N/A	2500
2022 Mid-Year Trend		
2022	N/A	2600
2024 Design Year Trend		
2024	N/A	2700
TRANPLAN Forecasts/Trends		

Trend R-squared:	57.9%
Compounded Annual Historic Growth Rate:	3.42%
Compounded Growth Rate (2019 to Design Year):	3.26%
Printed:	9-Jun-21
Exponential Growth Option	

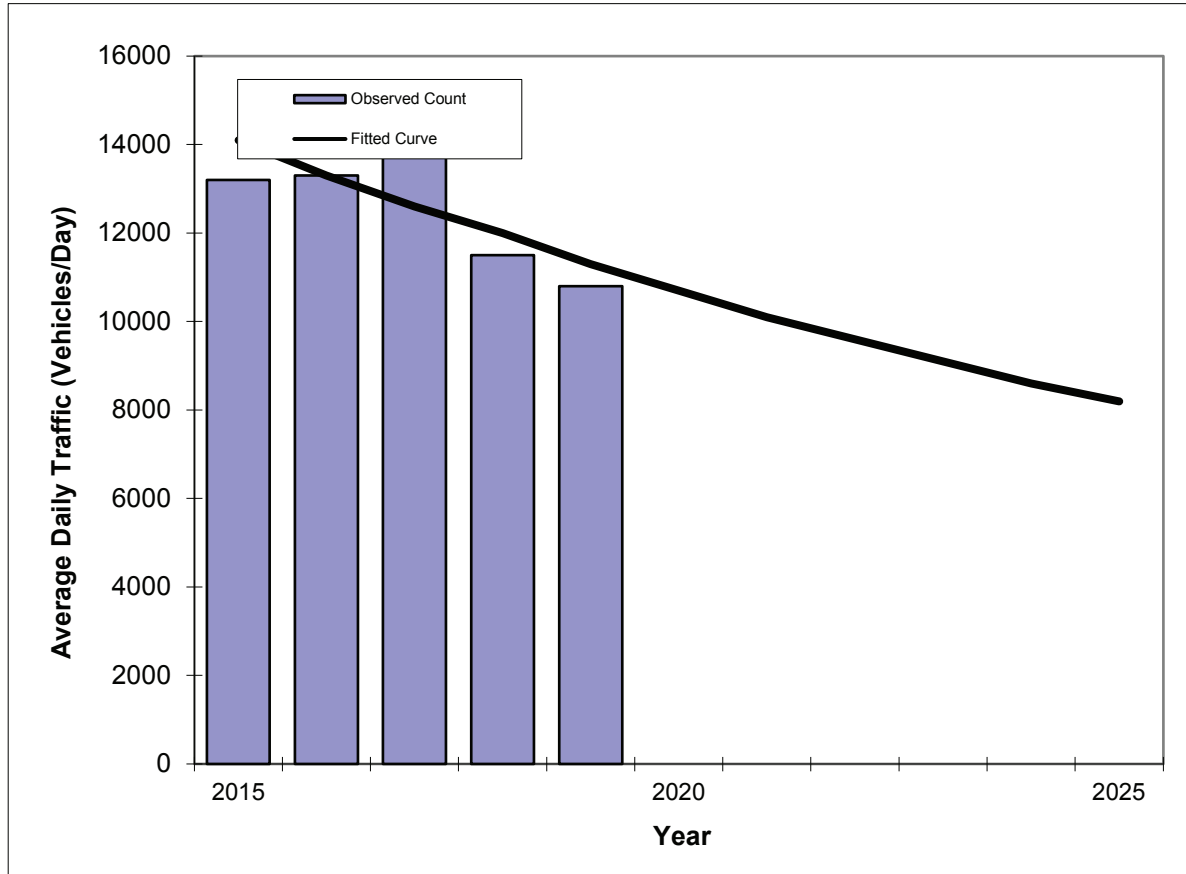
*Axle-Adjusted

TRAFFIC TRENDS

Tymber Creek Rd -- Granada Blvd to Tymber Run

County:
Station #:
Highway:

Volusia
1881
Tymber Creek Rd



Year	Traffic (ADT/AADT)	
	Count*	Trend**
2015	13200	14100
2016	13300	13300
2017	14700	12600
2018	11500	12000
2019	10800	11300
2021 Opening Year Trend		
2021	N/A	10100
2022 Mid-Year Trend		
2022	N/A	9600
2024 Design Year Trend		
2024	N/A	8600
TRANPLAN Forecasts/Trends		

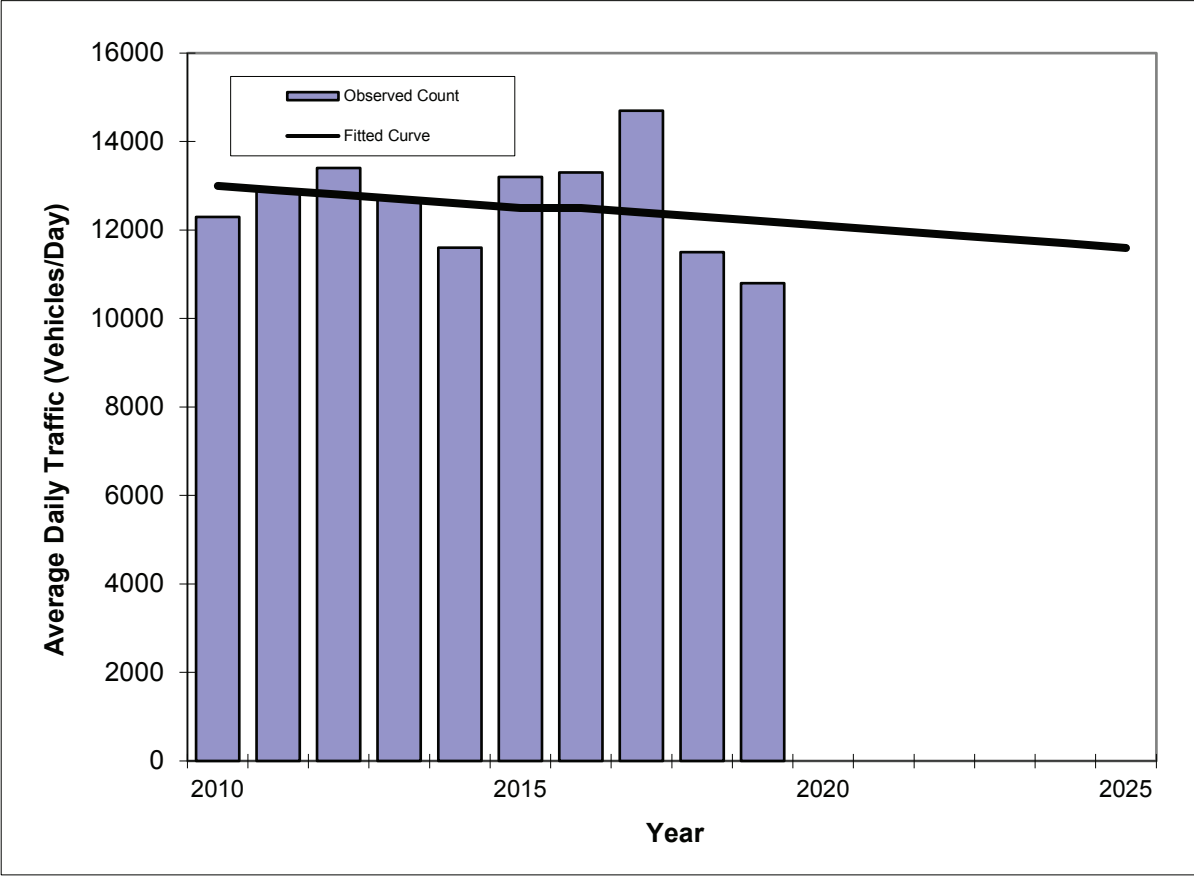
Trend R-squared: 49.1%
 Compounded Annual Historic Growth Rate: -5.01%
 Compounded Growth Rate (2019 to Design Year): -5.48%
 Printed: 9-Jun-21

Exponential Growth Option

*Axle-Adjusted

TRAFFIC TRENDS
Tymber Creek Rd -- Granada Blvd to Tymber Run

County:	Volusia
Station #:	1881
Highway:	Tymber Creek Rd



Year	Traffic (ADT/AADT)	
	Count*	Trend**
2010	12300	13000
2011	12900	12900
2012	13400	12800
2013	12700	12700
2014	11600	12600
2015	13200	12500
2016	13300	12500
2017	14700	12400
2018	11500	12300
2019	10800	12200
2021 Opening Year Trend		
2021	N/A	12000
2022 Mid-Year Trend		
2022	N/A	11900
2024 Design Year Trend		
2024	N/A	11700
TRANPLAN Forecasts/Trends		

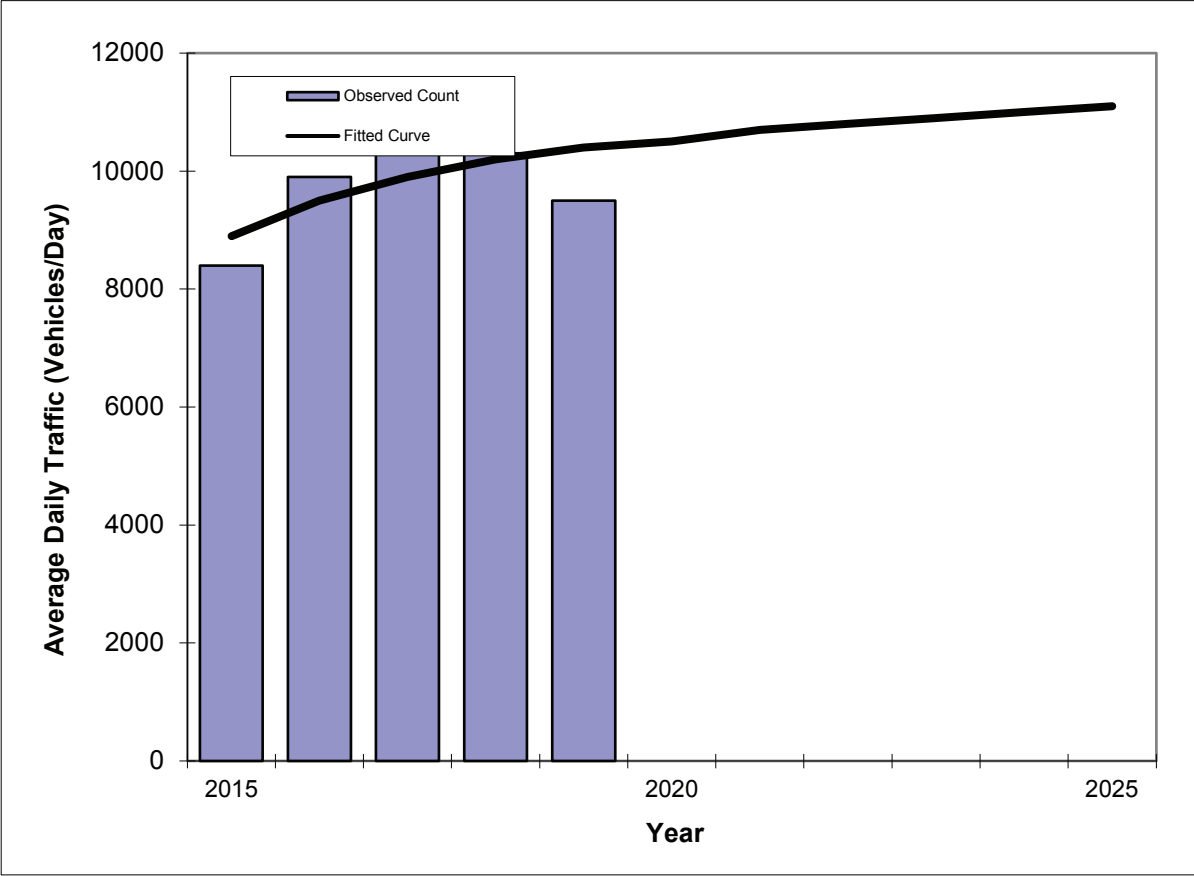
Trend R-squared:	6.4%
Compounded Annual Historic Growth Rate:	-0.61%
Compounded Growth Rate (2019 to Design Year):	-1.00%
Printed:	9-Jun-21
Exponential Growth Option	

*Axle-Adjusted

TRAFFIC TRENDS

Tymber Creek Rd -- Tymber Run to Airport Rd

County:	Volusia
Station #:	1882
Highway:	Tymber Creek Rd



Year	Traffic (ADT/AADT)	
	Count*	Trend**
2015	8400	8900
2016	9900	9500
2017	10800	9900
2018	10300	10200
2019	9500	10400
2021 Opening Year Trend		
2021	N/A	10700
2022 Mid-Year Trend		
2022	N/A	10800
2024 Design Year Trend		
2024	N/A	11000
TRANPLAN Forecasts/Trends		

Trend R-squared:	40.7%
Compounded Annual Historic Growth Rate:	2.59%
Compounded Growth Rate (2019 to Design Year):	1.36%
Printed:	9-Jun-21
Decaying Exponential Growth Option	

*Axle-Adjusted

TRAFFIC TRENDS

Tymber Creek Rd -- Tymber Run to Airport Rd

County:

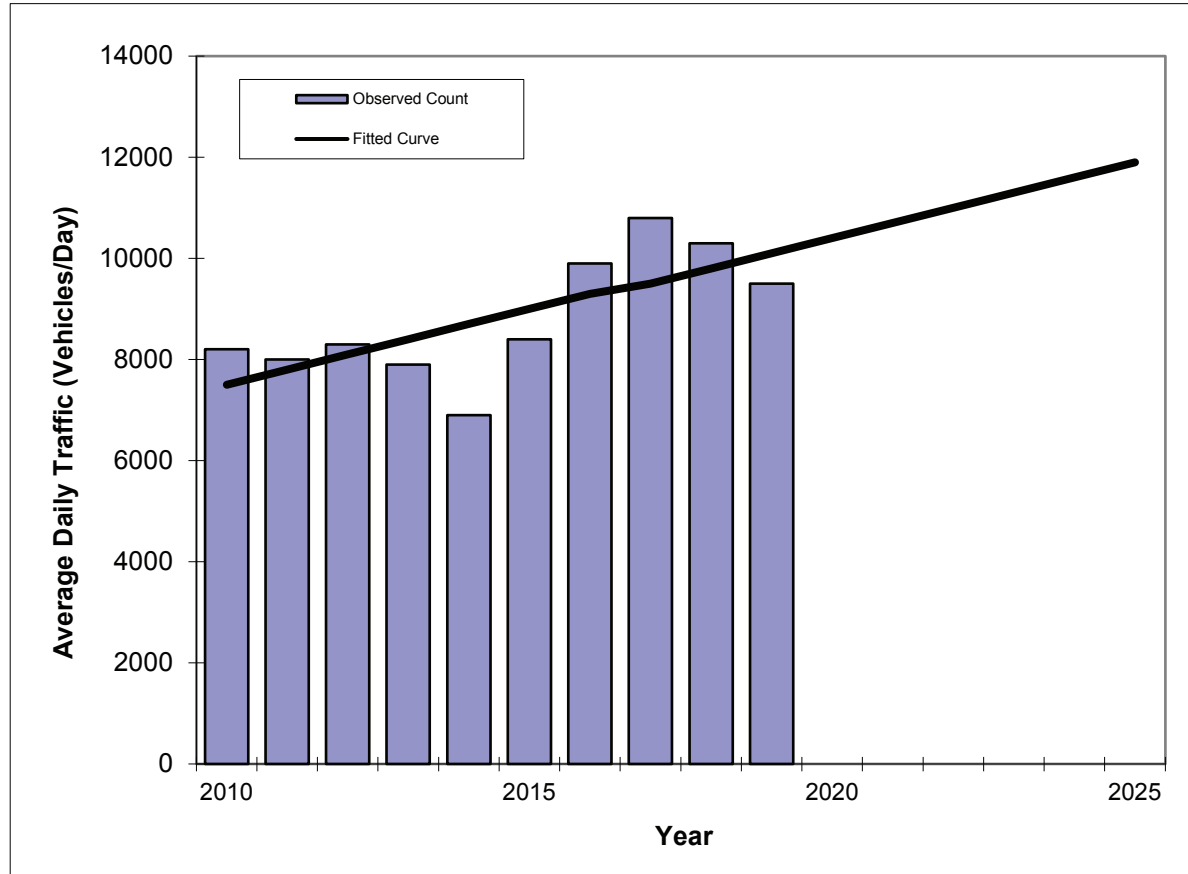
Volusia

Station #:

1882

Highway:

Tymber Creek Rd



Year	Traffic (ADT/AADT)	
	Count*	Trend**
2010	8200	7500
2011	8000	7800
2012	8300	8100
2013	7900	8400
2014	6900	8700
2015	8400	9000
2016	9900	9300
2017	10800	9500
2018	10300	9800
2019	9500	10100
2021 Opening Year Trend		
2021	N/A	10700
2022 Mid-Year Trend		
2022	N/A	11000
2024 Design Year Trend		
2024	N/A	11600
TRANPLAN Forecasts/Trends		

**** Annual Trend Increase:** 290
Trend R-squared: 50.3%
Trend Annual Historic Growth Rate: 3.85%
Trend Growth Rate (2019 to Design Year): 2.97%
Printed: 9-Jun-21

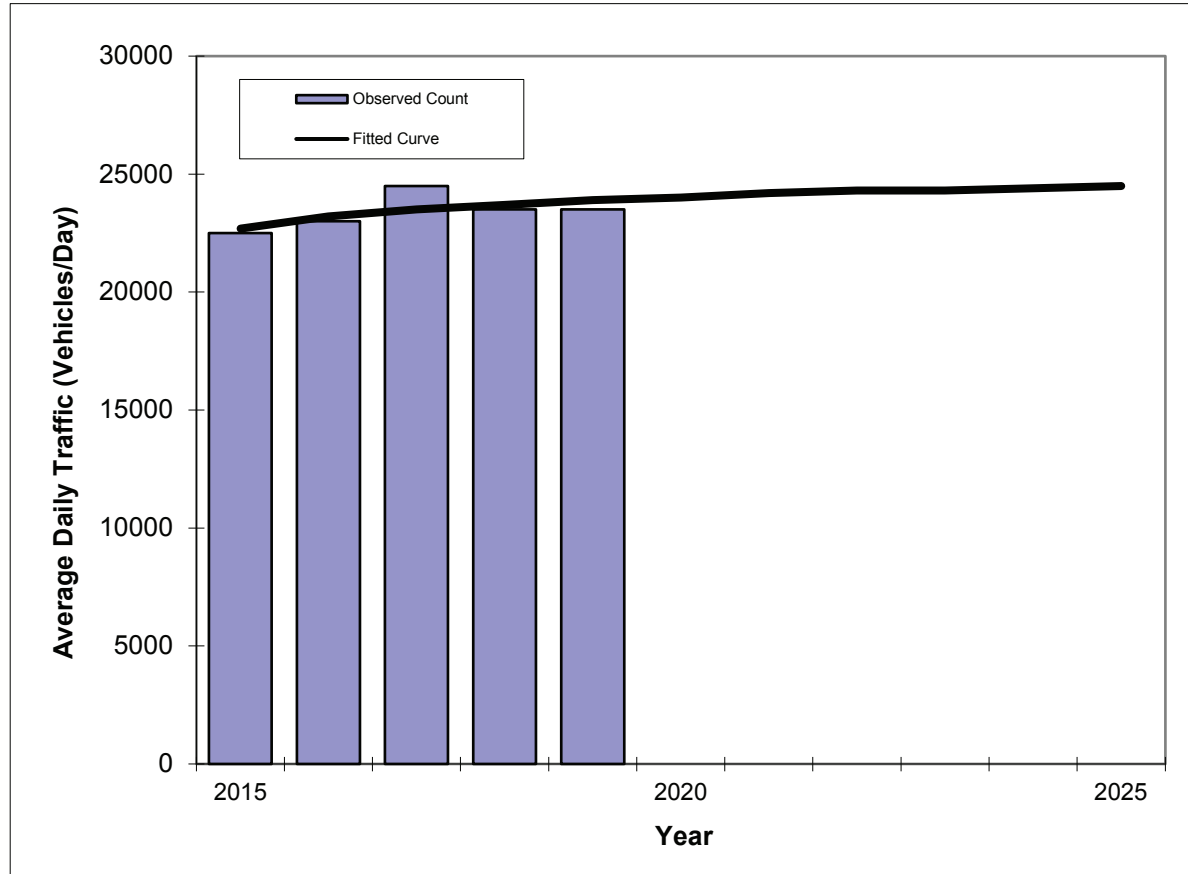
Straight Line Growth Option

*Axle-Adjusted

TRAFFIC TRENDS

US 1 -- Airport Rd to I-95

County:	Volusia
Station #:	351
Highway:	US 1



Year	Traffic (ADT/AADT)	
	Count*	Trend**
2015	22500	22700
2016	23000	23200
2017	24500	23500
2018	23500	23700
2019	23500	23900
2021 Opening Year Trend		
2021	N/A	24200
2022 Mid-Year Trend		
2022	N/A	24300
2024 Design Year Trend		
2024	N/A	24400
TRANPLAN Forecasts/Trends		

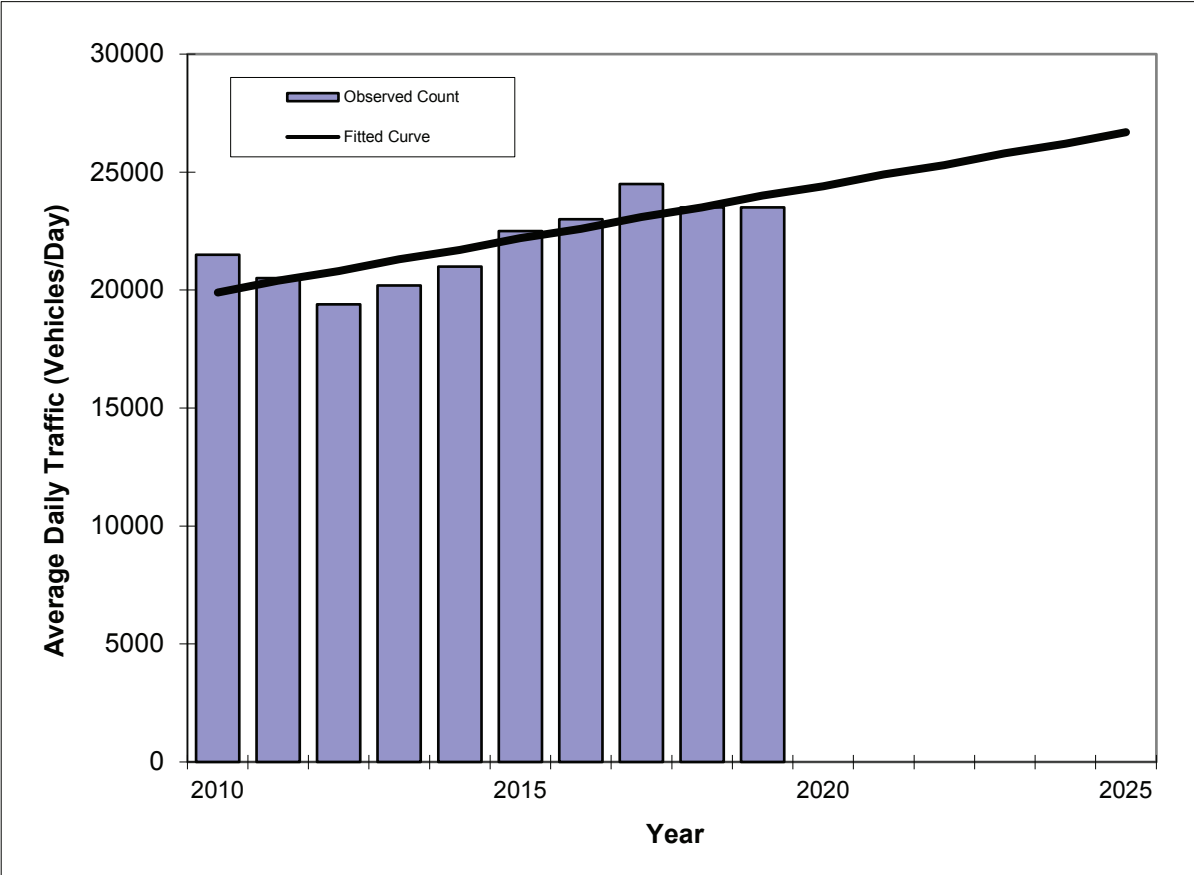
Trend R-squared:	42.6%
Compounded Annual Historic Growth Rate:	1.07%
Compounded Growth Rate (2019 to Design Year):	0.42%
Printed:	9-Jun-21

Decaying Exponential Growth Option

*Axle-Adjusted

TRAFFIC TRENDS
US 1 -- Airport Rd to I-95

County:	Volusia
Station #:	351
Highway:	US 1



Year	Traffic (ADT/AADT)	
	Count*	Trend**
2010	21500	19900
2011	20500	20400
2012	19400	20800
2013	20200	21300
2014	21000	21700
2015	22500	22200
2016	23000	22600
2017	24500	23100
2018	23500	23500
2019	23500	24000
2021 Opening Year Trend		
2021	N/A	24900
2022 Mid-Year Trend		
2022	N/A	25300
2024 Design Year Trend		
2024	N/A	26200
TRANPLAN Forecasts/Trends		

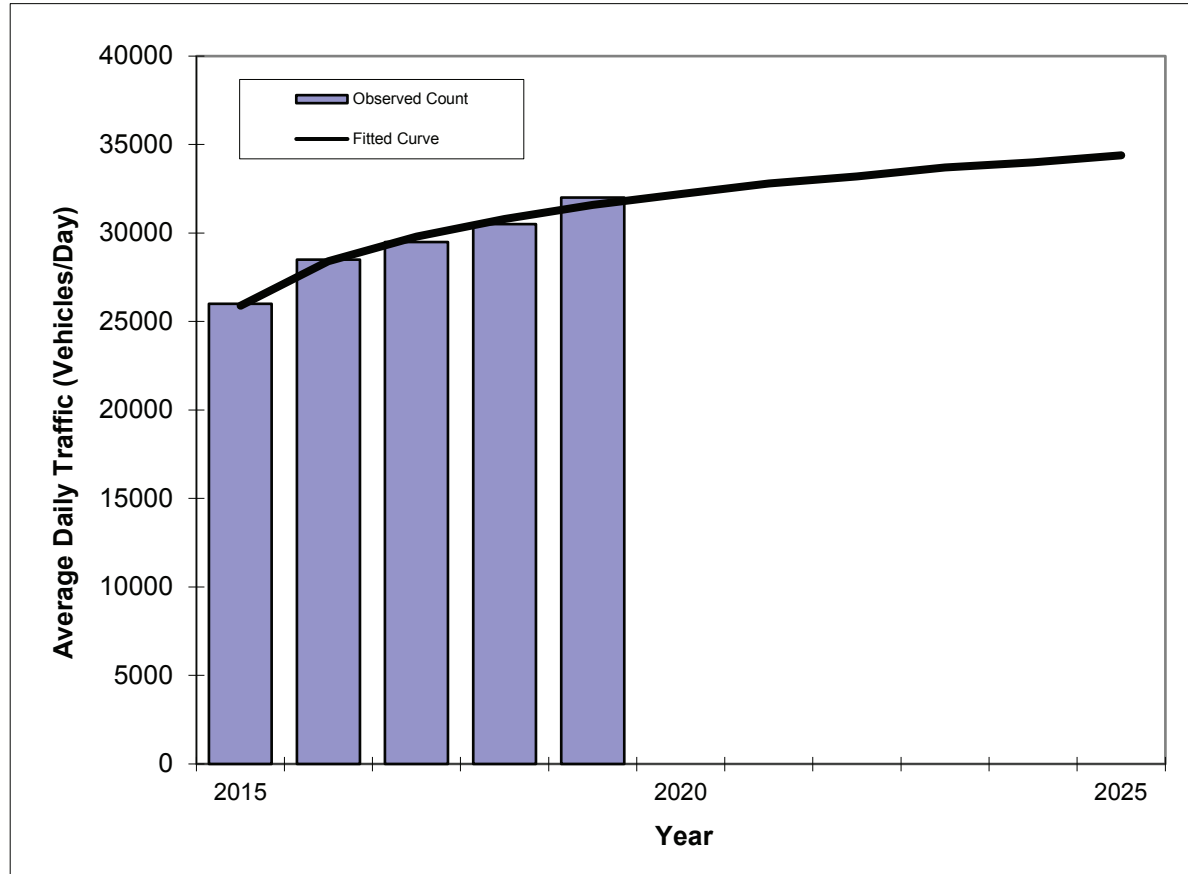
** Annual Trend Increase:	451
Trend R-squared:	65.8%
Trend Annual Historic Growth Rate:	2.29%
Trend Growth Rate (2019 to Design Year):	1.83%
Printed:	9-Jun-21
Straight Line Growth Option	

*Axle-Adjusted

TRAFFIC TRENDS

US 1 -- Nova Rd to Airport Rd

County:	Volusia
Station #:	100
Highway:	US 1



Year	Traffic (ADT/AADT)	
	Count*	Trend**
2015	26000	25900
2016	28500	28400
2017	29500	29800
2018	30500	30800
2019	32000	31600
2021 Opening Year Trend		
2021	N/A	32800
2022 Mid-Year Trend		
2022	N/A	33200
2024 Design Year Trend		
2024	N/A	34000
TRANPLAN Forecasts/Trends		

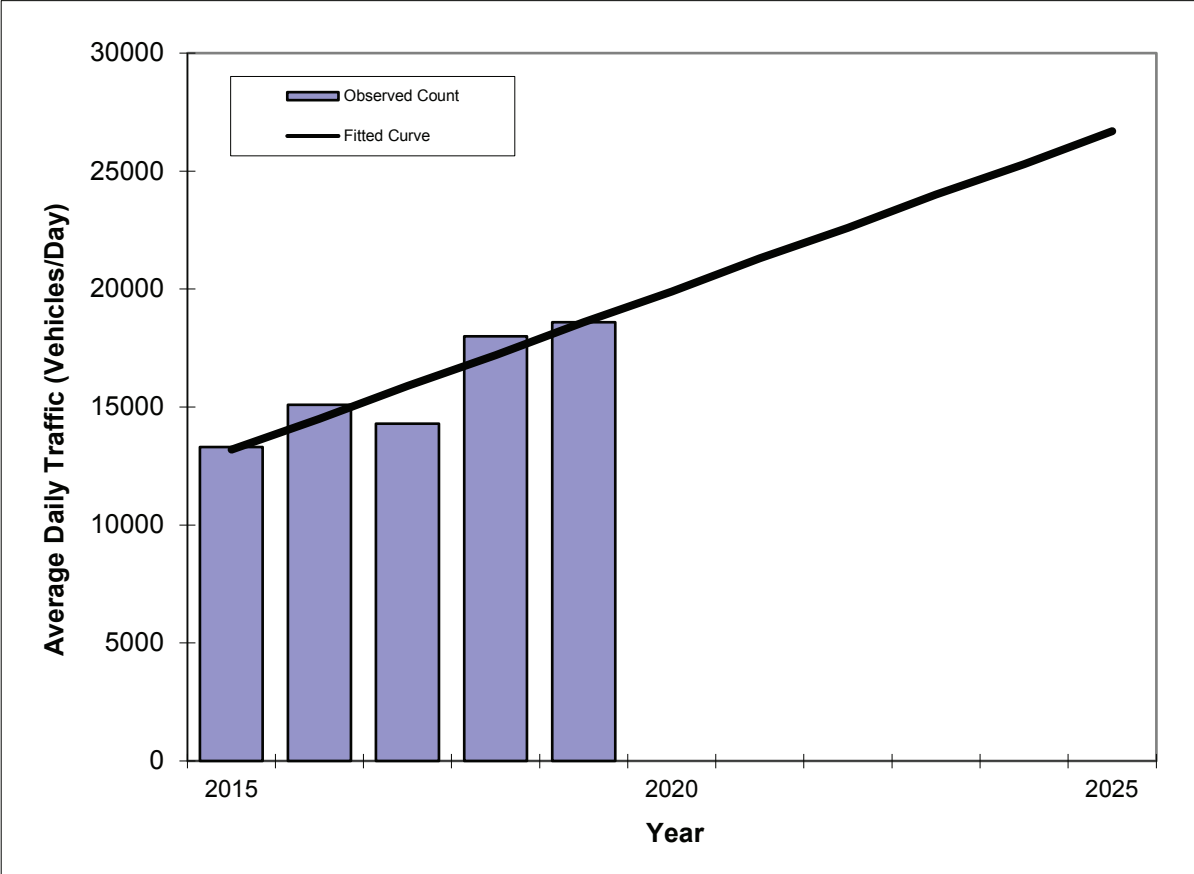
Trend R-squared:	98.2%
Compounded Annual Historic Growth Rate:	4.91%
Compounded Growth Rate (2019 to Design Year):	1.18%
Printed:	9-Jun-21

Decaying Exponential Growth Option

*Axle-Adjusted

TRAFFIC TRENDS
Williamson Blvd -- LPGA Blvd to Hand Ave

County:	Volusia
Station #:	2001
Highway:	Williamson Blvd



Year	Traffic (ADT/AADT)	
	Count*	Trend**
2015	13300	13200
2016	15100	14500
2017	14300	15900
2018	18000	17200
2019	18600	18600
2021 Opening Year Trend		
2021	N/A	21300
2022 Mid-Year Trend		
2022	N/A	22600
2024 Design Year Trend		
2024	N/A	25300
TRANPLAN Forecasts/Trends		

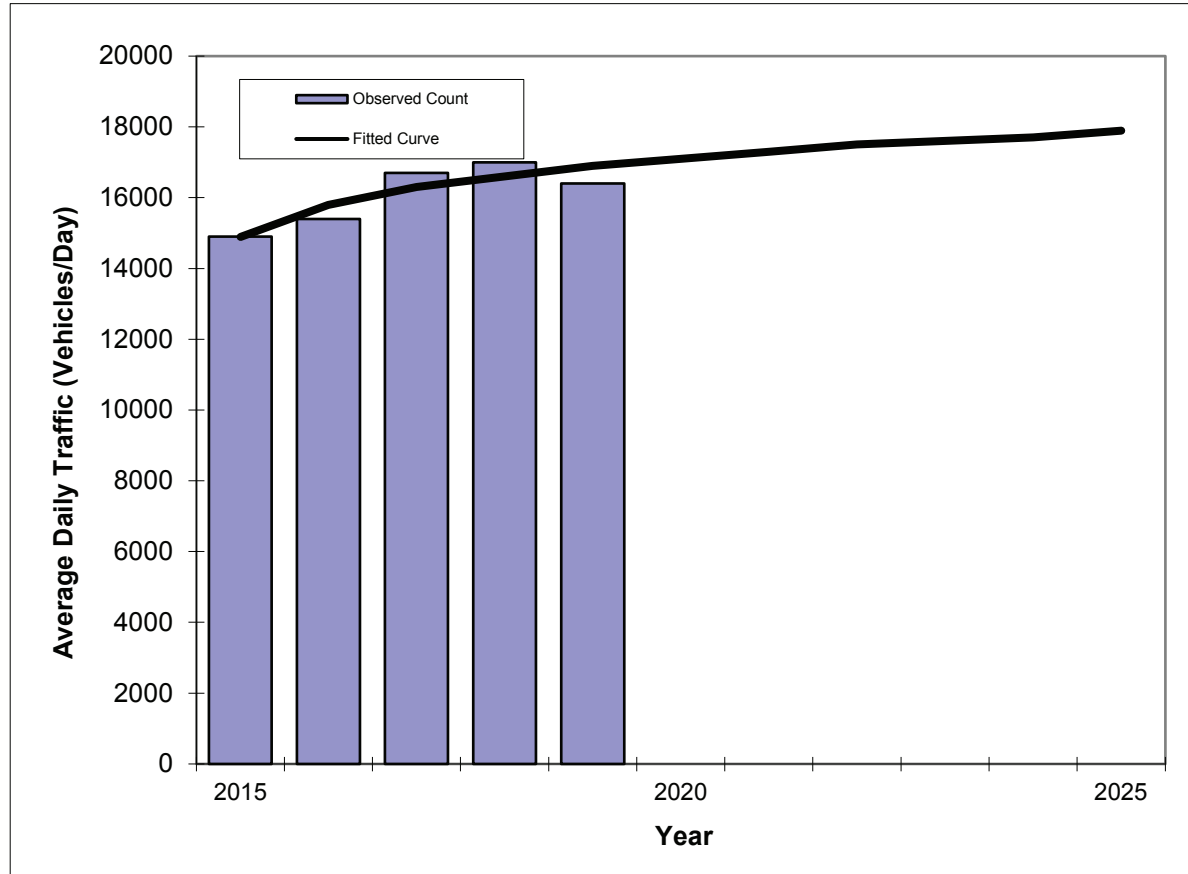
** Annual Trend Increase:	1,350
Trend R-squared:	84.2%
Trend Annual Historic Growth Rate:	10.23%
Trend Growth Rate (2019 to Design Year):	7.20%
Printed:	9-Jun-21
Straight Line Growth Option	

*Axle-Adjusted

TRAFFIC TRENDS

Hand Ave -- Clyde Morris Blvd to Shangri La Dr

County:	Volusia
Station #:	832
Highway:	Hand Ave



Year	Traffic (ADT/AADT)	
	Count*	Trend**
2015	14900	14900
2016	15400	15800
2017	16700	16300
2018	17000	16600
2019	16400	16900
2021 Opening Year Trend		
2021	N/A	17300
2022 Mid-Year Trend		
2022	N/A	17500
2024 Design Year Trend		
2024	N/A	17700
TRANPLAN Forecasts/Trends		

Trend R-squared:	77.7%
Compounded Annual Historic Growth Rate:	2.84%
Compounded Growth Rate (2019 to Design Year):	0.82%
Printed:	6-Jul-21

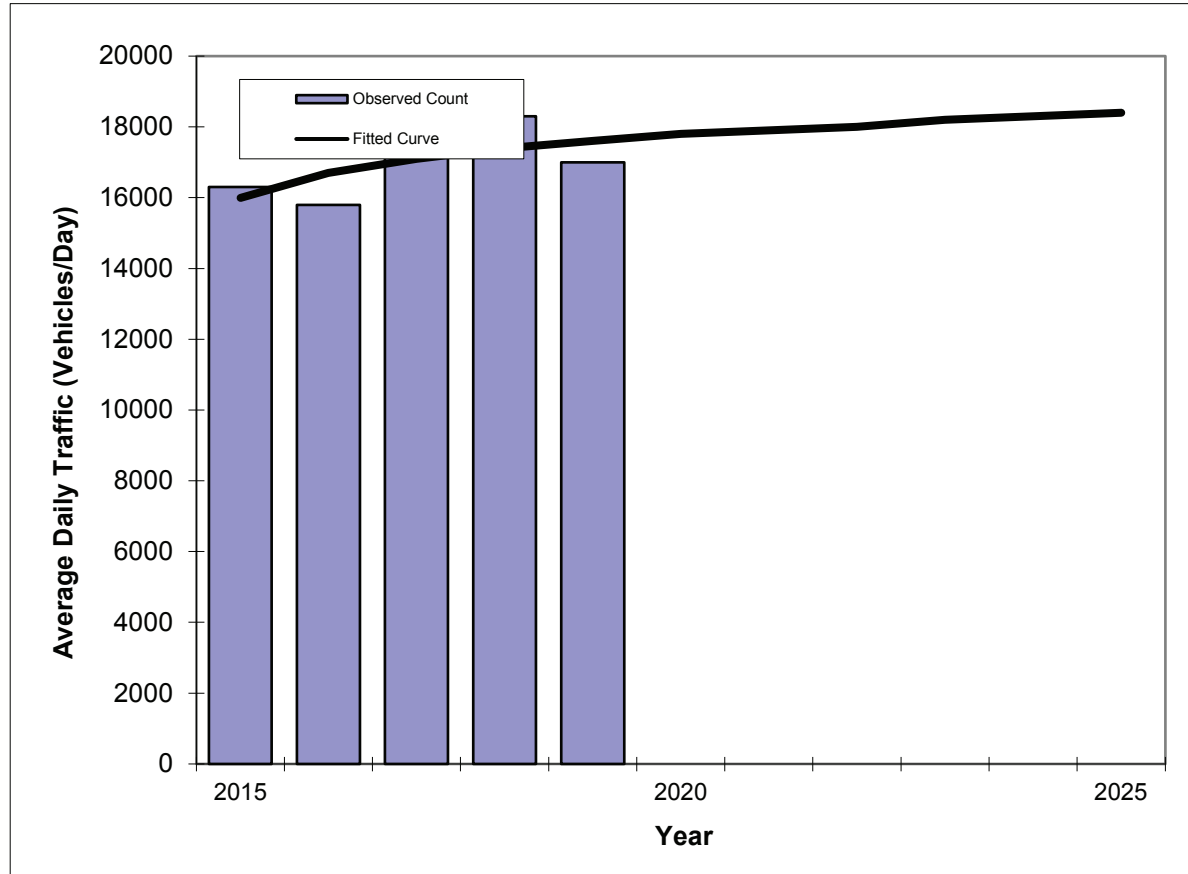
Decaying Exponential Growth Option

*Axle-Adjusted

TRAFFIC TRENDS

Hand Ave -- Shangri La Dr to Nova Rd

County:	Volusia
Station #:	833
Highway:	Hand Ave



Year	Traffic (ADT/AADT)	
	Count*	Trend**
2015	16300	16000
2016	15800	16700
2017	17300	17100
2018	18300	17400
2019	17000	17600
2021 Opening Year Trend		
2021	N/A	17900
2022 Mid-Year Trend		
2022	N/A	18000
2024 Design Year Trend		
2024	N/A	18300
TRANPLAN Forecasts/Trends		

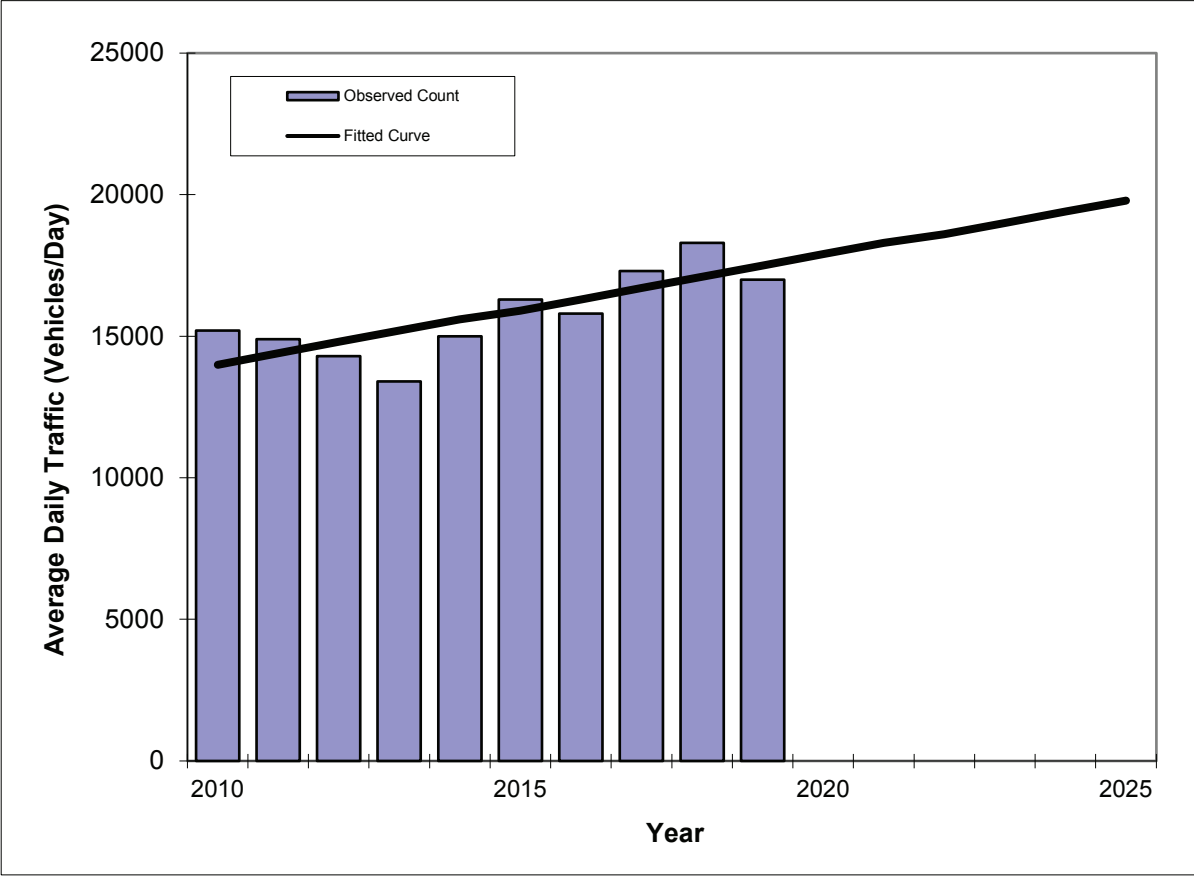
Trend R-squared:	42.2%
Compounded Annual Historic Growth Rate:	2.24%
Compounded Growth Rate (2019 to Design Year):	0.68%
Printed:	6-Jul-21

Decaying Exponential Growth Option

*Axle-Adjusted

TRAFFIC TRENDS
Hand Ave -- Shangri La Dr to Nova Rd

County:	Volusia
Station #:	833
Highway:	Hand Ave



Year	Traffic (ADT/AADT)	
	Count*	Trend**
2010	15200	14000
2011	14900	14400
2012	14300	14800
2013	13400	15200
2014	15000	15600
2015	16300	15900
2016	15800	16300
2017	17300	16700
2018	18300	17100
2019	17000	17500
2021 Opening Year Trend		
2021	N/A	18300
2022 Mid-Year Trend		
2022	N/A	18600
2024 Design Year Trend		
2024	N/A	19400
TRANPLAN Forecasts/Trends		

** Annual Trend Increase:	385
Trend R-squared:	61.1%
Trend Annual Historic Growth Rate:	2.78%
Trend Growth Rate (2019 to Design Year):	2.17%
Printed:	6-Jul-21
Straight Line Growth Option	

*Axle-Adjusted

APPENDIX C

Turning Movement Count Data, FDOT's Seasonal Factor, Trip Assignment Spreadsheets

DE TRAFFIC

detraffic.com

386-341-4186

Tymber Creek Rd at SR 40

Volusia County, FL

File Name : 04 Tymber at SR 40

Site Code : 00000004

Start Date : 9/9/2021

Page No : 1

Groups Printed- Automobiles - Commercial

	Tymber Creek Rd Southbound				SR 40 Westbound				Tymber Creek Rd Northbound				SR 40 Eastbound				Int. Total
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	
Factor	1.0	1.0	1.0		1.0	1.0	1.0		1.0	1.0	1.0		1.0	1.0	1.0		
07:00 AM	96	15	18	129	21	70	83	174	11	16	18	45	13	121	9	143	491
07:15 AM	107	14	16	137	18	67	95	180	12	13	16	41	11	143	9	163	521
07:30 AM	144	11	12	167	18	81	110	209	8	11	14	33	10	158	6	174	583
07:45 AM	138	11	18	167	20	78	106	204	9	10	13	32	10	122	6	138	541
Total	485	51	64	600	77	296	394	767	40	50	61	151	44	544	30	618	2136
08:00 AM	129	14	19	162	17	87	100	204	6	11	12	29	9	137	6	152	547
08:15 AM	125	12	16	153	14	99	84	197	4	9	14	27	8	128	7	143	520
08:30 AM	109	9	13	131	18	87	78	183	5	8	18	31	7	114	4	125	470
08:45 AM	109	9	13	131	15	75	66	156	6	6	14	26	8	101	3	112	425
Total	472	44	61	577	64	348	328	740	21	34	58	113	32	480	20	532	1962
04:00 PM	65	15	16	96	23	153	83	259	13	11	23	47	19	165	10	194	596
04:15 PM	64	15	14	93	22	163	70	255	12	9	22	43	17	176	9	202	593
04:30 PM	84	10	14	108	19	135	58	212	10	9	20	39	16	189	8	213	572
04:45 PM	83	13	10	106	19	155	56	230	10	8	19	37	13	196	8	217	590
Total	296	53	54	403	83	606	267	956	45	37	84	166	65	726	35	826	2351
05:00 PM	83	22	9	114	14	167	49	230	10	8	19	37	12	203	6	221	602
05:15 PM	77	21	9	107	17	161	86	264	7	8	17	32	11	185	7	203	606
05:30 PM	67	18	14	99	19	153	81	253	9	4	19	32	9	176	5	190	574
05:45 PM	58	9	9	76	18	143	81	242	11	3	14	28	7	141	4	152	498
Total	285	70	41	396	68	624	297	989	37	23	69	129	39	705	22	766	2280
Grand Total	1538	218	220	1976	292	1874	1286	3452	143	144	272	559	180	2455	107	2742	8729
Apprch %	77.8	11	11.1		8.5	54.3	37.3		25.6	25.8	48.7		6.6	89.5	3.9		
Total %	17.6	2.5	2.5	22.6	3.3	21.5	14.7	39.5	1.6	1.6	3.1	6.4	2.1	28.1	1.2	31.4	
Automobiles	1508	204	202	1914	280	1813	1263	3356	121	129	253	503	163	2392	94	2649	8422
% Automobiles	98	93.6	91.8	96.9	95.9	96.7	98.2	97.2	84.6	89.6	93	90	90.6	97.4	87.9	96.6	96.5
Commercial	30	14	18	62	12	61	23	96	22	15	19	56	17	63	13	93	307
% Commercial	2	6.4	8.2	3.1	4.1	3.3	1.8	2.8	15.4	10.4	7	10	9.4	2.6	12.1	3.4	3.5

DE TRAFFIC

detraffic.com

386-341-4186

Tymber Creek Rd at SR 40

Volusia County, FL

File Name : 04 Tymber at SR 40

Site Code : 00000004

Start Date : 9/9/2021

Page No : 2

	Tymber Creek Rd Southbound				SR 40 Westbound				Tymber Creek Rd Northbound				SR 40 Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 07:15 AM																	
07:15 AM	107	14	16	137	18	67	95	180	12	13	16	41	11	143	9	163	521
07:30 AM	144	11	12	167	18	81	110	209	8	11	14	33	10	158	6	174	583
07:45 AM	138	11	18	167	20	78	106	204	9	10	13	32	10	122	6	138	541
08:00 AM	129	14	19	162	17	87	100	204	6	11	12	29	9	137	6	152	547
Total Volume	518	50	65	633	73	313	411	797	35	45	55	135	40	560	27	627	2192
% App. Total	81.8	7.9	10.3		9.2	39.3	51.6		25.9	33.3	40.7		6.4	89.3	4.3		
PHF	.899	.893	.855	.948	.913	.899	.934	.953	.729	.865	.859	.823	.909	.886	.750	.901	.940
Automobiles	510	43	59	612	68	301	406	775	28	40	51	119	37	543	23	603	2109
% Automobiles	98.5	86.0	90.8	96.7	93.2	96.2	98.8	97.2	80.0	88.9	92.7	88.1	92.5	97.0	85.2	96.2	96.2
Commercial	8	7	6	21	5	12	5	22	7	5	4	16	3	17	4	24	83
% Commercial	1.5	14.0	9.2	3.3	6.8	3.8	1.2	2.8	20.0	11.1	7.3	11.9	7.5	3.0	14.8	3.8	3.8

DE TRAFFIC

detraffic.com

386-341-4186

Tymber Creek Rd at SR 40

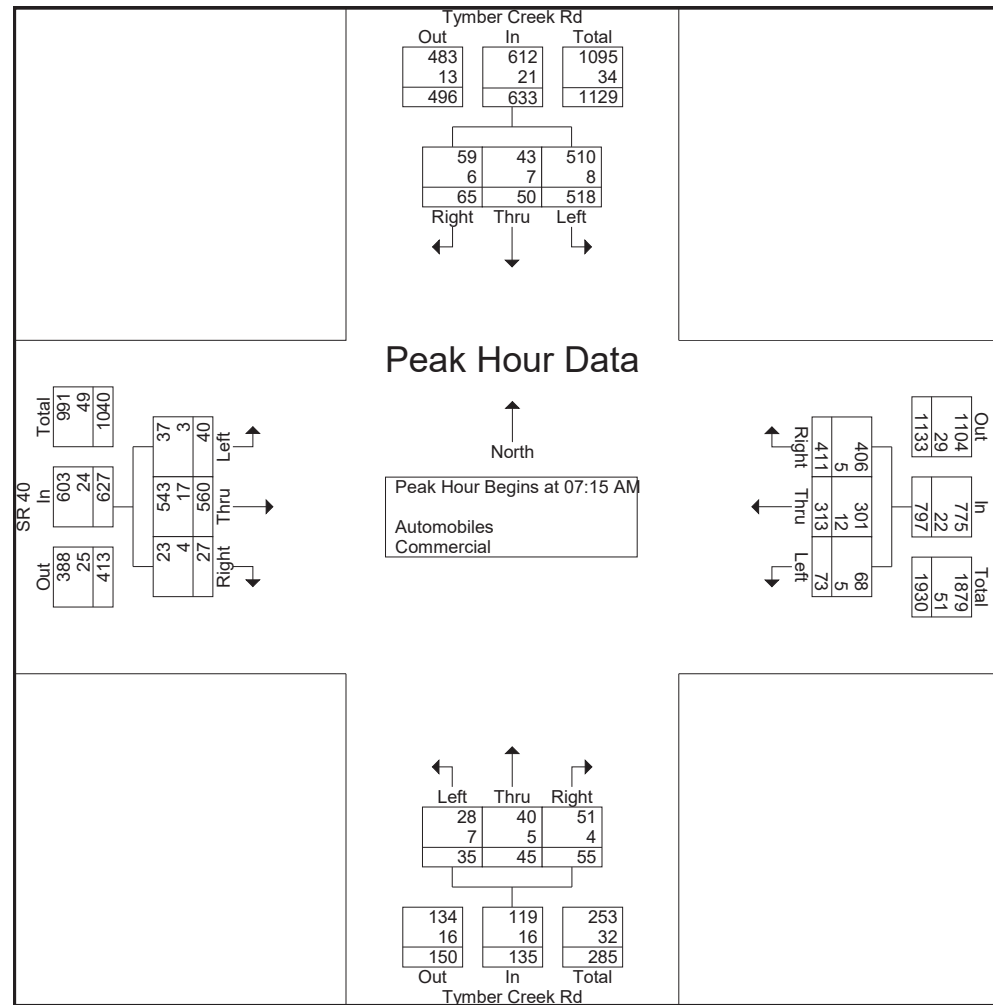
Volusia County, FL

File Name : 04 Tymber at SR 40

Site Code : 00000004

Start Date : 9/9/2021

Page No : 3



DE TRAFFIC

detraffic.com

386-341-4186

Tymber Creek Rd at SR 40

Volusia County, FL

File Name : 04 Tymber at SR 40

Site Code : 00000004

Start Date : 9/9/2021

Page No : 4

	Tymber Creek Rd Southbound				SR 40 Westbound				Tymber Creek Rd Northbound				SR 40 Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 04:45 PM																	
04:45 PM	83	13	10	106	19	155	56	230	10	8	19	37	13	196	8	217	590
05:00 PM	83	22	9	114	14	167	49	230	10	8	19	37	12	203	6	221	602
05:15 PM	77	21	9	107	17	161	86	264	7	8	17	32	11	185	7	203	606
05:30 PM	67	18	14	99	19	153	81	253	9	4	19	32	9	176	5	190	574
Total Volume	310	74	42	426	69	636	272	977	36	28	74	138	45	760	26	831	2372
% App. Total	72.8	17.4	9.9		7.1	65.1	27.8		26.1	20.3	53.6		5.4	91.5	3.1		
PHF	.934	.841	.750	.934	.908	.952	.791	.925	.900	.875	.974	.932	.865	.936	.813	.940	.979
Automobiles	300	72	37	409	67	618	265	950	31	25	69	125	39	745	22	806	2290
% Automobiles	96.8	97.3	88.1	96.0	97.1	97.2	97.4	97.2	86.1	89.3	93.2	90.6	86.7	98.0	84.6	97.0	96.5
Commercial	10	2	5	17	2	18	7	27	5	3	5	13	6	15	4	25	82
% Commercial	3.2	2.7	11.9	4.0	2.9	2.8	2.6	2.8	13.9	10.7	6.8	9.4	13.3	2.0	15.4	3.0	3.5

DE TRAFFIC

detraffic.com

386-341-4186

Tymber Creek Rd at SR 40

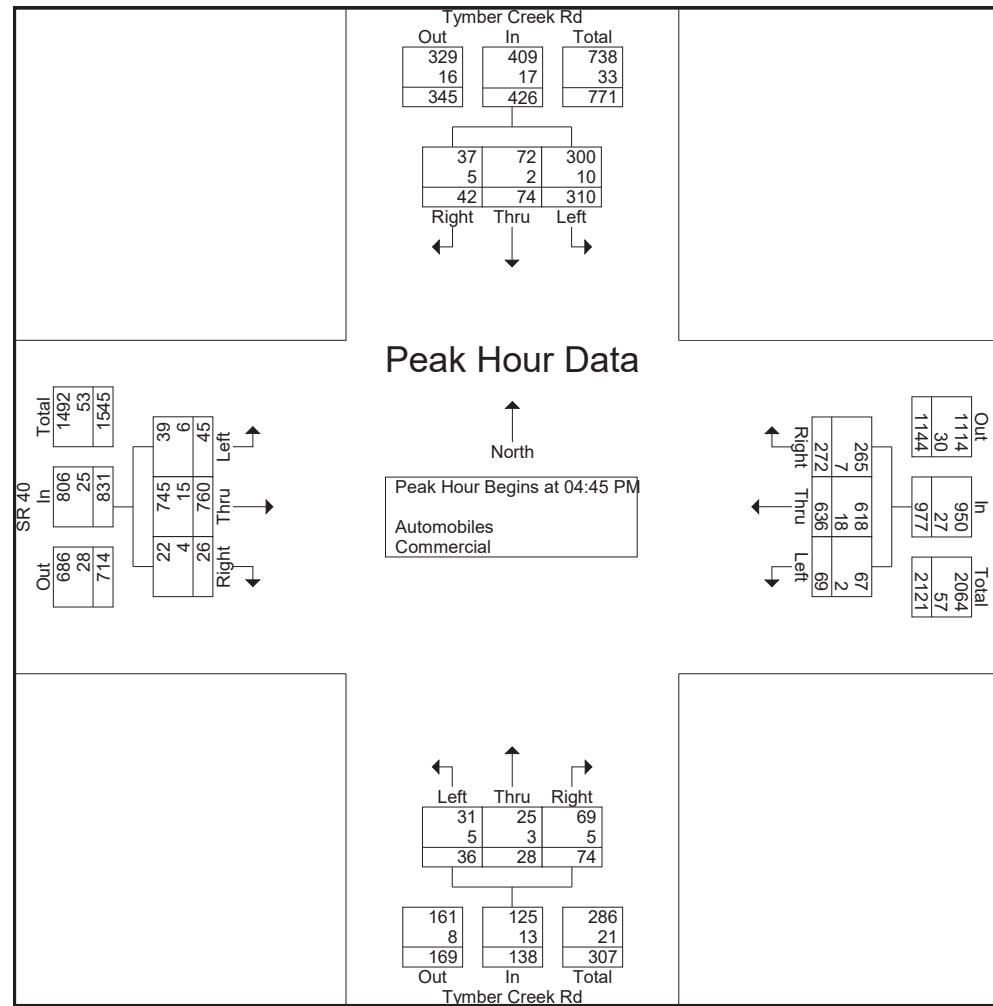
Volusia County, FL

File Name : 04 Tymber at SR 40

Site Code : 00000004

Start Date : 9/9/2021

Page No : 5



DE TRAFFIC

detraffic.com
 386-341-4186
 Tymber Creek Rd at SR 40
 Volusia County, FL

File Name : 04 Tymber at SR 40
 Site Code : 00000004
 Start Date : 9/9/2021
 Page No : 6

Groups Printed- Peds

	Tymber Creek Rd Southbound					SR 40 Westbound					Tymber Creek Rd Northbound					SR 40 Eastbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Factor	1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0		
07:30 AM	0	0	0	0	0	0	0	0	1	1	0	0	0	1	1	0	0	0	1	1	3
Total	0	0	0	0	0	0	0	0	1	1	0	0	0	1	1	0	0	0	1	1	3
08:15 AM	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Total	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
04:45 PM	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	1
Total	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	1
05:00 PM	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	1
05:15 PM	0	0	0	1	1	0	0	0	2	2	0	0	0	0	0	0	0	0	0	0	3
05:30 PM	0	0	0	1	1	0	0	0	1	1	0	0	0	0	0	0	0	0	1	1	3
05:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	1
Total	0	0	0	2	2	0	0	0	4	4	0	0	0	0	0	0	0	0	2	2	8
Grand Total	0	0	0	3	3	0	0	0	6	6	0	0	0	1	1	0	0	0	3	3	13
Apprch %	0	0	0	100		0	0	0	100		0	0	0	100		0	0	0	100		
Total %	0	0	0	23.1	23.1	0	0	0	46.2	46.2	0	0	0	7.7	7.7	0	0	0	23.1	23.1	

DE TRAFFIC

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386-341-4186

Tymber Creek Rd at Tymber Run

Volusia County, FL

File Name : 03 Tymber at Run

Site Code : 00000003

Start Date : 9/9/2021

Page No : 1

Groups Printed- Automobiles - Commercial

	Tymber Creek Rd Southbound				Tymber Run Westbound				Tymber Creek Rd Northbound				River Chase Way Eastbound				Int. Total
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	
Factor	1.0	1.0	1.0		1.0	1.0	1.0		1.0	1.0	1.0		1.0	1.0	1.0		
07:00 AM	25	79	22	126	32	1	12	45	22	54	25	101	14	5	27	46	318
07:15 AM	22	68	19	109	29	6	18	53	21	54	24	99	17	2	26	45	306
07:30 AM	20	147	18	185	26	4	19	49	17	66	21	104	19	4	20	43	381
07:45 AM	19	118	19	156	25	3	20	48	15	46	20	81	11	1	20	32	317
Total	86	412	78	576	112	14	69	195	75	220	90	385	61	12	93	166	1322
08:00 AM	16	105	22	143	20	2	18	40	13	55	21	89	26	1	27	54	326
08:15 AM	10	100	22	132	18	2	12	32	10	43	18	71	10	4	27	41	276
08:30 AM	8	77	20	105	14	3	12	29	9	68	13	90	19	3	27	49	273
08:45 AM	6	80	16	102	9	2	13	24	8	61	10	79	10	2	23	35	240
Total	40	362	80	482	61	9	55	125	40	227	62	329	65	10	104	179	1115
04:00 PM	27	63	28	118	27	4	22	53	23	81	23	127	35	6	28	69	367
04:15 PM	27	54	26	107	26	4	21	51	20	78	22	120	33	5	25	63	341
04:30 PM	23	51	23	97	23	2	20	45	19	75	20	114	32	4	24	60	316
04:45 PM	21	50	19	90	21	6	20	47	16	74	17	107	30	6	19	55	299
Total	98	218	96	412	97	16	83	196	78	308	82	468	130	21	96	247	1323
05:00 PM	17	46	20	83	22	4	19	45	13	74	17	104	26	3	23	52	284
05:15 PM	15	57	18	90	20	1	24	45	14	73	13	100	24	3	20	47	282
05:30 PM	14	56	16	86	18	3	19	40	13	70	13	96	19	3	20	42	264
05:45 PM	9	53	12	74	14	3	17	34	15	67	12	94	14	1	17	32	234
Total	55	212	66	333	74	11	79	164	55	284	55	394	83	10	80	173	1064
Grand Total	279	1204	320	1803	344	50	286	680	248	1039	289	1576	339	53	373	765	4824
Apprch %	15.5	66.8	17.7		50.6	7.4	42.1		15.7	65.9	18.3		44.3	6.9	48.8		
Total %	5.8	25	6.6	37.4	7.1	1	5.9	14.1	5.1	21.5	6	32.7	7	1.1	7.7	15.9	
Automobiles	267	1167	308	1742	325	46	261	632	234	990	275	1499	325	49	355	729	4602
% Automobiles	95.7	96.9	96.2	96.6	94.5	92	91.3	92.9	94.4	95.3	95.2	95.1	95.9	92.5	95.2	95.3	95.4
Commercial	12	37	12	61	19	4	25	48	14	49	14	77	14	4	18	36	222
% Commercial	4.3	3.1	3.8	3.4	5.5	8	8.7	7.1	5.6	4.7	4.8	4.9	4.1	7.5	4.8	4.7	4.6

DE TRAFFIC

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386-341-4186

Tymber Creek Rd at Tymber Run
Volusia County, FL

File Name : 03 Tymber at Run

Site Code : 00000003

Start Date : 9/9/2021

Page No : 2

	Tymber Creek Rd Southbound				Tymber Run Westbound				Tymber Creek Rd Northbound				River Chase Way Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 07:15 AM																	
07:15 AM	22	68	19	109	29	6	18	53	21	54	24	99	17	2	26	45	306
07:30 AM	20	147	18	185	26	4	19	49	17	66	21	104	19	4	20	43	381
07:45 AM	19	118	19	156	25	3	20	48	15	46	20	81	11	1	20	32	317
08:00 AM	16	105	22	143	20	2	18	40	13	55	21	89	26	1	27	54	326
Total Volume	77	438	78	593	100	15	75	190	66	221	86	373	73	8	93	174	1330
% App. Total	13	73.9	13.2		52.6	7.9	39.5		17.7	59.2	23.1		42	4.6	53.4		
PHF	.875	.745	.886	.801	.862	.625	.938	.896	.786	.837	.896	.897	.702	.500	.861	.806	.873
Automobiles	75	427	76	578	94	14	67	175	62	210	81	353	69	7	88	164	1270
% Automobiles	97.4	97.5	97.4	97.5	94.0	93.3	89.3	92.1	93.9	95.0	94.2	94.6	94.5	87.5	94.6	94.3	95.5
Commercial	2	11	2	15	6	1	8	15	4	11	5	20	4	1	5	10	60
% Commercial	2.6	2.5	2.6	2.5	6.0	6.7	10.7	7.9	6.1	5.0	5.8	5.4	5.5	12.5	5.4	5.7	4.5

DE TRAFFIC

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386-341-4186

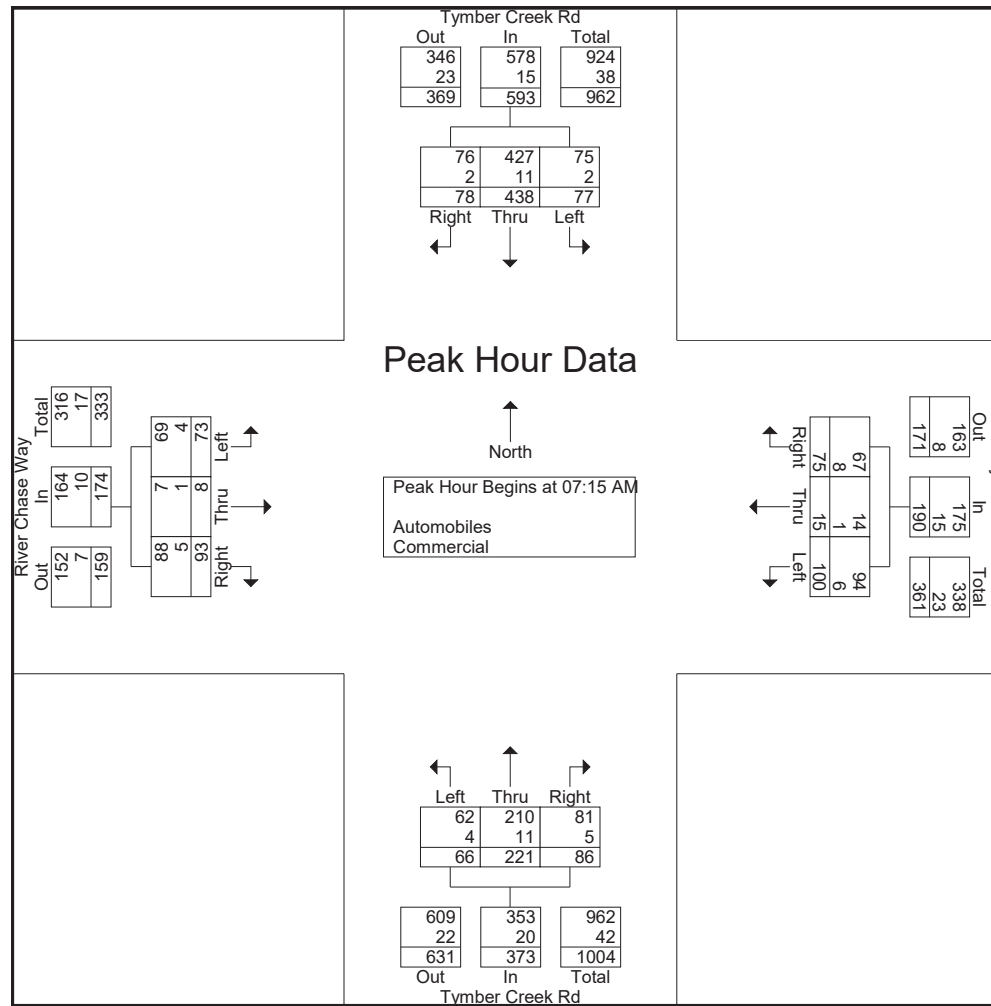
Tymber Creek Rd at Tymber Run
Volusia County, FL

File Name : 03 Tymber at Run

Site Code : 00000003

Start Date : 9/9/2021

Page No : 3



DE TRAFFIC

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386-341-4186

Tymber Creek Rd at Tymber Run
Volusia County, FL

File Name : 03 Tymber at Run

Site Code : 00000003

Start Date : 9/9/2021

Page No : 4

	Tymber Creek Rd Southbound				Tymber Run Westbound				Tymber Creek Rd Northbound				River Chase Way Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 04:00 PM																	
04:00 PM	27	63	28	118	27	4	22	53	23	81	23	127	35	6	28	69	367
04:15 PM	27	54	26	107	26	4	21	51	20	78	22	120	33	5	25	63	341
04:30 PM	23	51	23	97	23	2	20	45	19	75	20	114	32	4	24	60	316
04:45 PM	21	50	19	90	21	6	20	47	16	74	17	107	30	6	19	55	299
Total Volume	98	218	96	412	97	16	83	196	78	308	82	468	130	21	96	247	1323
% App. Total	23.8	52.9	23.3		49.5	8.2	42.3		16.7	65.8	17.5		52.6	8.5	38.9		
PHF	.907	.865	.857	.873	.898	.667	.943	.925	.848	.951	.891	.921	.929	.875	.857	.895	.901
Automobiles	92	211	94	397	93	14	76	183	77	296	80	453	127	20	93	240	1273
% Automobiles	93.9	96.8	97.9	96.4	95.9	87.5	91.6	93.4	98.7	96.1	97.6	96.8	97.7	95.2	96.9	97.2	96.2
Commercial	6	7	2	15	4	2	7	13	1	12	2	15	3	1	3	7	50
% Commercial	6.1	3.2	2.1	3.6	4.1	12.5	8.4	6.6	1.3	3.9	2.4	3.2	2.3	4.8	3.1	2.8	3.8

DE TRAFFIC

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386-341-4186

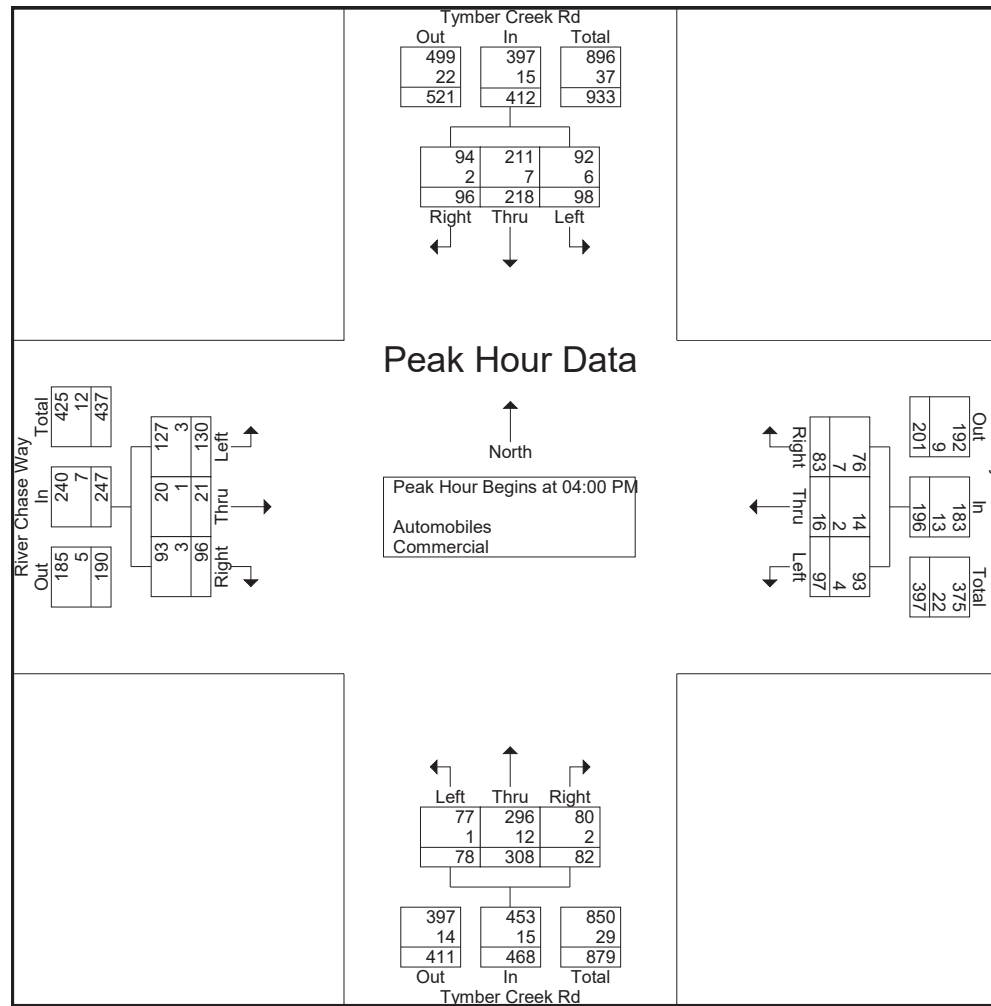
Tymber Creek Rd at Tymber Run
Volusia County, FL

File Name : 03 Tymber at Run

Site Code : 00000003

Start Date : 9/9/2021

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DE TRAFFIC

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386-341-4186

Tymber Creek Rd at Tymber Run
Volusia County, FL

File Name : 03 Tymber at Run

Site Code : 00000003

Start Date : 9/9/2021

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Groups Printed- Peds

	Tymber Creek Rd Southbound					Tymber Run Westbound					Tymber Creek Rd Northbound					River Chase Way Eastbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Factor	1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0		
07:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	1
Total	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	1
08:00 AM	0	0	0	1	1	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	2
08:15 AM	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	2
08:30 AM	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Total	0	0	0	3	3	0	0	0	0	0	0	0	0	1	1	0	0	0	1	1	5
04:00 PM	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	1
04:15 PM	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	1
Total	0	0	0	0	0	0	0	0	2	2	0	0	0	0	0	0	0	0	0	0	2
05:00 PM	0	0	0	1	1	0	0	0	0	0	0	0	0	1	1	0	0	0	1	1	3
05:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	1
05:45 PM	0	0	0	1	1	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	2
Total	0	0	0	2	2	0	0	0	1	1	0	0	0	2	2	0	0	0	1	1	6
Grand Total	0	0	0	5	5	0	0	0	3	3	0	0	0	4	4	0	0	0	2	2	14
Apprch %	0	0	0	100		0	0	0	100		0	0	0	100		0	0	0	100		
Total %	0	0	0	35.7	35.7	0	0	0	21.4	21.4	0	0	0	28.6	28.6	0	0	0	14.3	14.3	

DE TRAFFIC

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386-341-4186

Tymber Creek Rd at Airport Rd

Volusia County, FL

File Name : 02 airport at tymber

Site Code : 00000002

Start Date : 9/9/2021

Page No : 1

Groups Printed- Automobiles - Commercial

	Tymber Creek Rd Southbound				Airport Rd Westbound				Tymber Creek Rd Northbound				Airport Rd Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
Factor	1.0	1.0	1.0		1.0	1.0	1.0		1.0	1.0	1.0		1.0	1.0	1.0		
07:00 AM	11	30	14	55	51	10	12	73	24	11	41	76	19	28	43	90	294
07:15 AM	12	28	11	51	48	8	11	67	35	20	25	80	16	26	39	81	279
07:30 AM	17	25	13	55	48	19	9	76	50	17	52	119	22	26	117	165	415
07:45 AM	15	24	13	52	45	9	10	64	48	19	42	109	11	25	124	160	385
Total	55	107	51	213	192	46	42	280	157	67	160	384	68	105	323	496	1373
08:00 AM	19	28	9	56	51	7	8	66	35	21	42	98	17	19	87	123	343
08:15 AM	13	24	10	47	44	5	9	58	21	24	54	99	11	22	35	68	272
08:30 AM	17	21	8	46	34	7	7	48	21	20	44	85	10	16	26	52	231
08:45 AM	9	18	6	33	26	9	6	41	20	25	54	99	9	18	39	66	239
Total	58	91	33	182	155	28	30	213	97	90	194	381	47	75	187	309	1085
04:00 PM	11	25	9	45	42	16	12	70	27	44	62	133	5	9	22	36	284
04:15 PM	15	24	16	55	35	25	18	78	35	45	43	123	5	16	14	35	291
04:30 PM	12	26	17	55	43	20	19	82	26	53	53	132	5	16	13	34	303
04:45 PM	11	34	12	57	54	15	17	86	34	43	43	120	5	6	20	31	294
Total	49	109	54	212	174	76	66	316	122	185	201	508	20	47	69	136	1172
05:00 PM	13	26	11	50	43	17	18	78	21	28	54	103	5	12	19	36	267
05:15 PM	17	22	16	55	53	17	19	89	27	35	42	104	5	9	19	33	281
05:30 PM	14	20	14	48	43	12	19	74	28	28	35	91	5	10	18	33	246
05:45 PM	16	25	9	50	36	17	12	65	27	26	45	98	7	8	15	30	243
Total	60	93	50	203	175	63	68	306	103	117	176	396	22	39	71	132	1037
Grand Total	222	400	188	810	696	213	206	1115	479	459	731	1669	157	266	650	1073	4667
Apprch %	27.4	49.4	23.2		62.4	19.1	18.5		28.7	27.5	43.8		14.6	24.8	60.6		
Total %	4.8	8.6	4	17.4	14.9	4.6	4.4	23.9	10.3	9.8	15.7	35.8	3.4	5.7	13.9	23	
Automobiles	206	383	182	771	673	203	196	1072	469	441	716	1626	150	263	646	1059	4528
% Automobiles	92.8	95.8	96.8	95.2	96.7	95.3	95.1	96.1	97.9	96.1	97.9	97.4	95.5	98.9	99.4	98.7	97
Commercial	16	17	6	39	23	10	10	43	10	18	15	43	7	3	4	14	139
% Commercial	7.2	4.2	3.2	4.8	3.3	4.7	4.9	3.9	2.1	3.9	2.1	2.6	4.5	1.1	0.6	1.3	3

DE TRAFFIC

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386-341-4186

Tymber Creek Rd at Airport Rd
Volusia County, FL

File Name : 02 airport at tymber

Site Code : 00000002

Start Date : 9/9/2021

Page No : 2

	Tymber Creek Rd Southbound				Airport Rd Westbound				Tymber Creek Rd Northbound				Airport Rd Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 07:15 AM																	
07:15 AM	12	28	11	51	48	8	11	67	35	20	25	80	16	26	39	81	279
07:30 AM	17	25	13	55	48	19	9	76	50	17	52	119	22	26	117	165	415
07:45 AM	15	24	13	52	45	9	10	64	48	19	42	109	11	25	124	160	385
08:00 AM	19	28	9	56	51	7	8	66	35	21	42	98	17	19	87	123	343
Total Volume	63	105	46	214	192	43	38	273	168	77	161	406	66	96	367	529	1422
% App. Total	29.4	49.1	21.5		70.3	15.8	13.9		41.4	19	39.7		12.5	18.1	69.4		
PHF	.829	.938	.885	.955	.941	.566	.864	.898	.840	.917	.774	.853	.750	.923	.740	.802	.857
Automobiles	57	98	46	201	187	42	36	265	165	73	158	396	64	96	366	526	1388
% Automobiles	90.5	93.3	100	93.9	97.4	97.7	94.7	97.1	98.2	94.8	98.1	97.5	97.0	100	99.7	99.4	97.6
Commercial	6	7	0	13	5	1	2	8	3	4	3	10	2	0	1	3	34
% Commercial	9.5	6.7	0	6.1	2.6	2.3	5.3	2.9	1.8	5.2	1.9	2.5	3.0	0	0.3	0.6	2.4

DE TRAFFIC

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386-341-4186

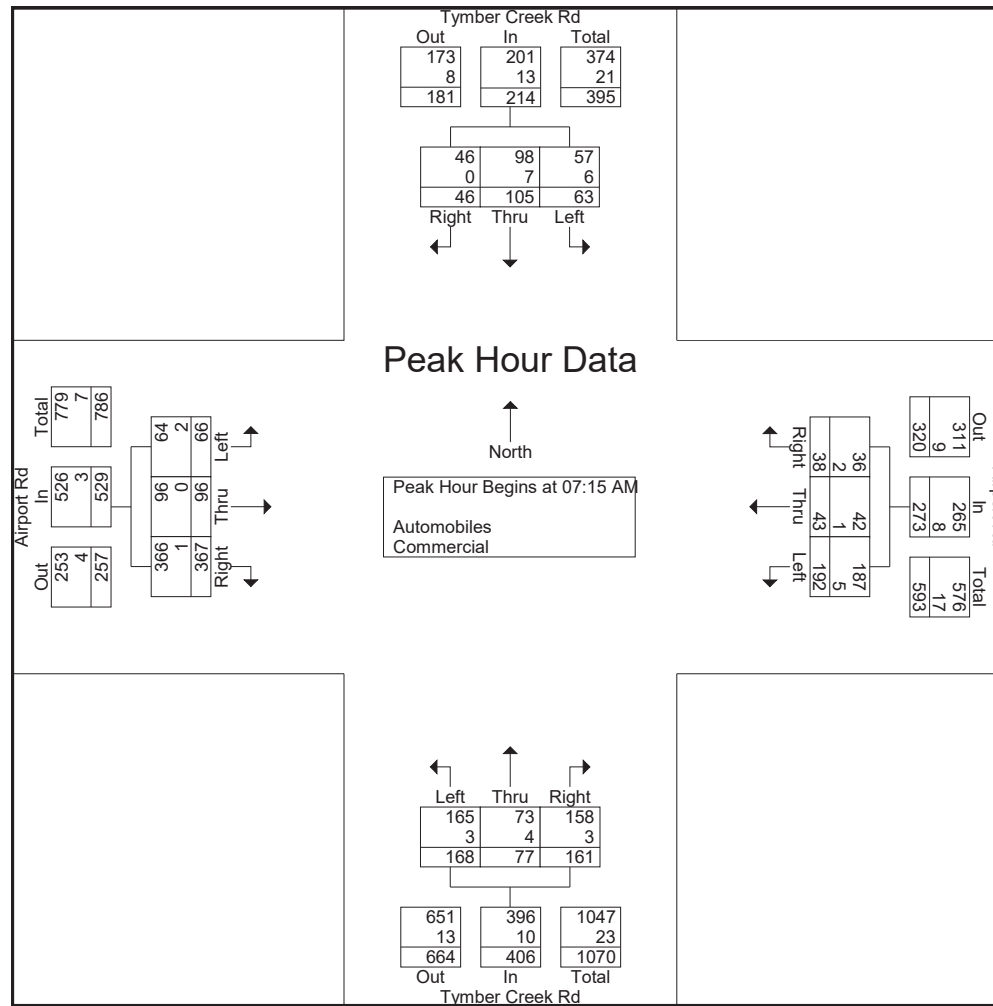
Tymber Creek Rd at Airport Rd
Volusia County, FL

File Name : 02 airport at tymber

Site Code : 00000002

Start Date : 9/9/2021

Page No : 3



DE TRAFFIC

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386-341-4186

Tymber Creek Rd at Airport Rd
Volusia County, FL

File Name : 02 airport at tymber

Site Code : 00000002

Start Date : 9/9/2021

Page No : 4

	Tymber Creek Rd Southbound				Airport Rd Westbound				Tymber Creek Rd Northbound				Airport Rd Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 04:00 PM																	
04:00 PM	11	25	9	45	42	16	12	70	27	44	62	133	5	9	22	36	284
04:15 PM	15	24	16	55	35	25	18	78	35	45	43	123	5	16	14	35	291
04:30 PM	12	26	17	55	43	20	19	82	26	53	53	132	5	16	13	34	303
04:45 PM	11	34	12	57	54	15	17	86	34	43	43	120	5	6	20	31	294
Total Volume	49	109	54	212	174	76	66	316	122	185	201	508	20	47	69	136	1172
% App. Total	23.1	51.4	25.5		55.1	24.1	20.9		24	36.4	39.6		14.7	34.6	50.7		
PHF	.817	.801	.794	.930	.806	.760	.868	.919	.871	.873	.810	.955	1.00	.734	.784	.944	.967
Automobiles	47	108	53	208	167	73	62	302	120	180	197	497	18	46	68	132	1139
% Automobiles	95.9	99.1	98.1	98.1	96.0	96.1	93.9	95.6	98.4	97.3	98.0	97.8	90.0	97.9	98.6	97.1	97.2
Commercial	2	1	1	4	7	3	4	14	2	5	4	11	2	1	1	4	33
% Commercial	4.1	0.9	1.9	1.9	4.0	3.9	6.1	4.4	1.6	2.7	2.0	2.2	10.0	2.1	1.4	2.9	2.8

DE TRAFFIC

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386-341-4186

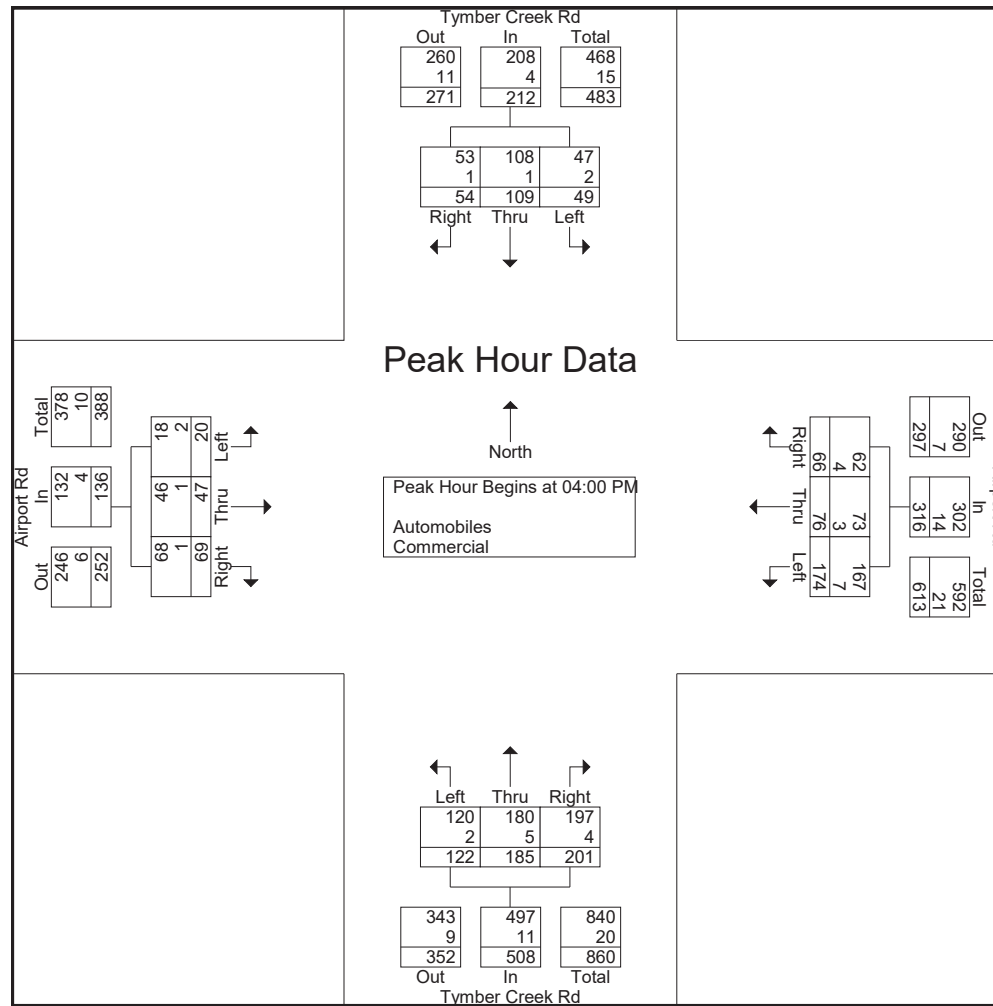
Tymber Creek Rd at Airport Rd
Volusia County, FL

File Name : 02 airport at tymber

Site Code : 00000002

Start Date : 9/9/2021

Page No : 5



DE TRAFFIC

detraffic.com

386-341-4186

Tymber Creek Rd at Airport Rd
Volusia County, FL

File Name : 02 airport at tymber

Site Code : 00000002

Start Date : 9/9/2021

Page No : 6

Groups Printed- Peds

	Tymber Creek Rd Southbound					Airport Rd Westbound					Tymber Creek Rd Northbound					Airport Rd Eastbound						
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total	
Factor	1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0			
07:30 AM	0	0	0	1	1	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	2
Total	0	0	0	1	1	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	2
08:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	1	
08:15 AM	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	
08:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	1	
Total	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	2	2	3	
04:45 PM	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	1
Total	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	1
05:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0	0	0	1	1	2	
05:30 PM	0	0	0	1	1	0	0	0	1	1	0	0	0	0	0	0	0	0	1	1	3	
Total	0	0	0	1	1	0	0	0	1	1	0	0	0	1	1	0	0	0	2	2	5	
Grand Total	0	0	0	3	3	0	0	0	3	3	0	0	0	1	1	0	0	0	4	4	11	
Apprch %	0	0	0	100		0	0	0	100		0	0	0	100		0	0	0	100			
Total %	0	0	0	27.3	27.3	0	0	0	27.3	27.3	0	0	0	9.1	9.1	0	0	0	36.4	36.4		

DE TRAFFIC

detraffic.com

386-341-4186

Leeway Trail at Airport Rd

Volusia County, FL

File Name : Leeway Trail

Site Code : 00000002

Start Date : 9/9/2021

Page No : 1

Groups Printed- Automobiles - Commercial

	Leeway Trail Southbound				Airport Rd Westbound				Pathways Elementary Northbound				Airport Rd Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
07:00 AM	7	1	3	11	9	22	2	33	11	2	62	75	2	52	10	64	183
07:15 AM	6	2	4	12	41	16	4	61	16	2	42	60	1	43	16	60	193
07:30 AM	8	3	2	13	65	30	3	98	14	1	73	88	1	59	61	121	320
07:45 AM	17	0	4	21	52	24	2	78	30	1	90	121	1	79	23	103	323
Total	38	6	13	57	167	92	11	270	71	6	267	344	5	233	110	348	1019
08:00 AM	14	0	3	17	6	28	5	39	8	0	10	18	2	45	2	49	123
08:15 AM	11	0	4	15	3	26	4	33	9	0	5	14	2	52	0	54	116
08:30 AM	9	0	2	11	4	26	2	32	1	1	4	6	1	44	2	47	96
08:45 AM	7	1	4	12	5	20	3	28	2	0	2	4	1	43	1	45	89
Total	41	1	13	55	18	100	14	132	20	1	21	42	6	184	5	195	424
04:00 PM	4	1	1	6	8	41	10	59	0	1	16	17	1	23	2	26	108
04:15 PM	3	0	2	5	5	51	15	71	1	0	16	17	0	25	2	27	120
04:30 PM	5	1	2	8	6	42	15	63	4	0	7	11	1	26	2	29	111
04:45 PM	3	0	1	4	2	36	12	50	0	0	1	1	1	38	0	39	94
Total	15	2	6	23	21	170	52	243	5	1	40	46	3	112	6	121	433
05:00 PM	5	0	2	7	2	42	16	60	1	0	3	4	1	43	0	44	115
05:15 PM	4	0	2	6	0	52	23	75	0	1	4	5	1	36	1	38	124
05:30 PM	4	0	3	7	2	42	17	61	1	0	5	6	1	28	0	29	103
05:45 PM	2	0	4	6	1	36	11	48	0	0	1	1	0	26	2	28	83
Total	15	0	11	26	5	172	67	244	2	1	13	16	3	133	3	139	425
Grand Total	109	9	43	161	211	534	144	889	98	9	341	448	17	662	124	803	2301
Apprch %	67.7	5.6	26.7		23.7	60.1	16.2		21.9	2	76.1		2.1	82.4	15.4		
Total %	4.7	0.4	1.9	7	9.2	23.2	6.3	38.6	4.3	0.4	14.8	19.5	0.7	28.8	5.4	34.9	
Automobiles	106	9	38	153	211	515	136	862	98	9	341	448	13	629	124	766	2229
% Automobiles	97.2	100	88.4	95	100	96.4	94.4	97	100	100	100	100	76.5	95	100	95.4	96.9
Commercial	3	0	5	8	0	19	8	27	0	0	0	0	4	33	0	37	72
% Commercial	2.8	0	11.6	5	0	3.6	5.6	3	0	0	0	0	23.5	5	0	4.6	3.1

DE TRAFFIC

detraffic.com

386-341-4186

Leeway Trail at Airport Rd

Volusia County, FL

File Name : Leeway Trail

Site Code : 00000002

Start Date : 9/9/2021

Page No : 2

	Leeway Trail Southbound				Airport Rd Westbound				Pathways Elementary Northbound				Airport Rd Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 07:00 AM																	
07:00 AM	7	1	3	11	9	22	2	33	11	2	62	75	2	52	10	64	183
07:15 AM	6	2	4	12	41	16	4	61	16	2	42	60	1	43	16	60	193
07:30 AM	8	3	2	13	65	30	3	98	14	1	73	88	1	59	61	121	320
07:45 AM	17	0	4	21	52	24	2	78	30	1	90	121	1	79	23	103	323
Total Volume	38	6	13	57	167	92	11	270	71	6	267	344	5	233	110	348	1019
% App. Total	66.7	10.5	22.8		61.9	34.1	4.1		20.6	1.7	77.6		1.4	67	31.6		
PHF	.559	.500	.813	.679	.642	.767	.688	.689	.592	.750	.742	.711	.625	.737	.451	.719	.789
Autmobiles	38	6	11	55	167	89	10	266	71	6	267	344	5	227	110	342	1007
% Autmobiles	100	100	84.6	96.5	100	96.7	90.9	98.5	100	100	100	100	100	97.4	100	98.3	98.8
Commercial	0	0	2	2	0	3	1	4	0	0	0	0	0	6	0	6	12
% Commercial	0	0	15.4	3.5	0	3.3	9.1	1.5	0	0	0	0	0	2.6	0	1.7	1.2

DE TRAFFIC

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386-341-4186

Leeway Trail at Airport Rd

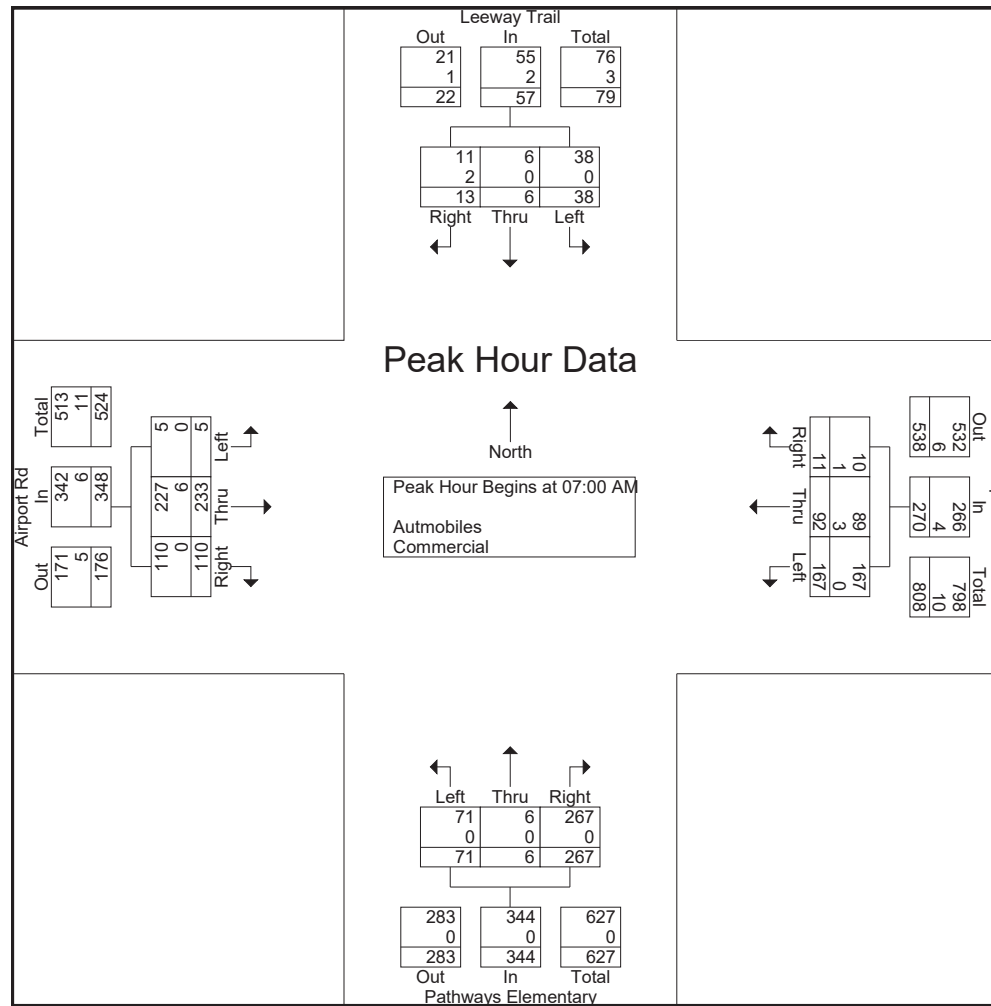
Volusia County, FL

File Name : Leeway Trail

Site Code : 00000002

Start Date : 9/9/2021

Page No : 3



DE TRAFFIC

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386-341-4186

Leeway Trail at Airport Rd

Volusia County, FL

File Name : Leeway Trail

Site Code : 00000002

Start Date : 9/9/2021

Page No : 4

	Leeway Trail Southbound				Airport Rd Westbound				Pathways Elementary Northbound				Airport Rd Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 04:30 PM																	
04:30 PM	5	1	2	8	6	42	15	63	4	0	7	11	1	26	2	29	111
04:45 PM	3	0	1	4	2	36	12	50	0	0	1	1	1	38	0	39	94
05:00 PM	5	0	2	7	2	42	16	60	1	0	3	4	1	43	0	44	115
05:15 PM	4	0	2	6	0	52	23	75	0	1	4	5	1	36	1	38	124
Total Volume	17	1	7	25	10	172	66	248	5	1	15	21	4	143	3	150	444
% App. Total	68	4	28		4	69.4	26.6		23.8	4.8	71.4		2.7	95.3	2		
PHF	.850	.250	.875	.781	.417	.827	.717	.827	.313	.250	.536	.477	1.00	.831	.375	.852	.895
Automobiles	16	1	6	23	10	166	62	238	5	1	15	21	3	133	3	139	421
% Automobiles	94.1	100	85.7	92.0	100	96.5	93.9	96.0	100	100	100	100	75.0	93.0	100	92.7	94.8
Commercial	1	0	1	2	0	6	4	10	0	0	0	0	1	10	0	11	23
% Commercial	5.9	0	14.3	8.0	0	3.5	6.1	4.0	0	0	0	0	25.0	7.0	0	7.3	5.2

DE TRAFFIC

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386-341-4186

Leeway Trail at Airport Rd

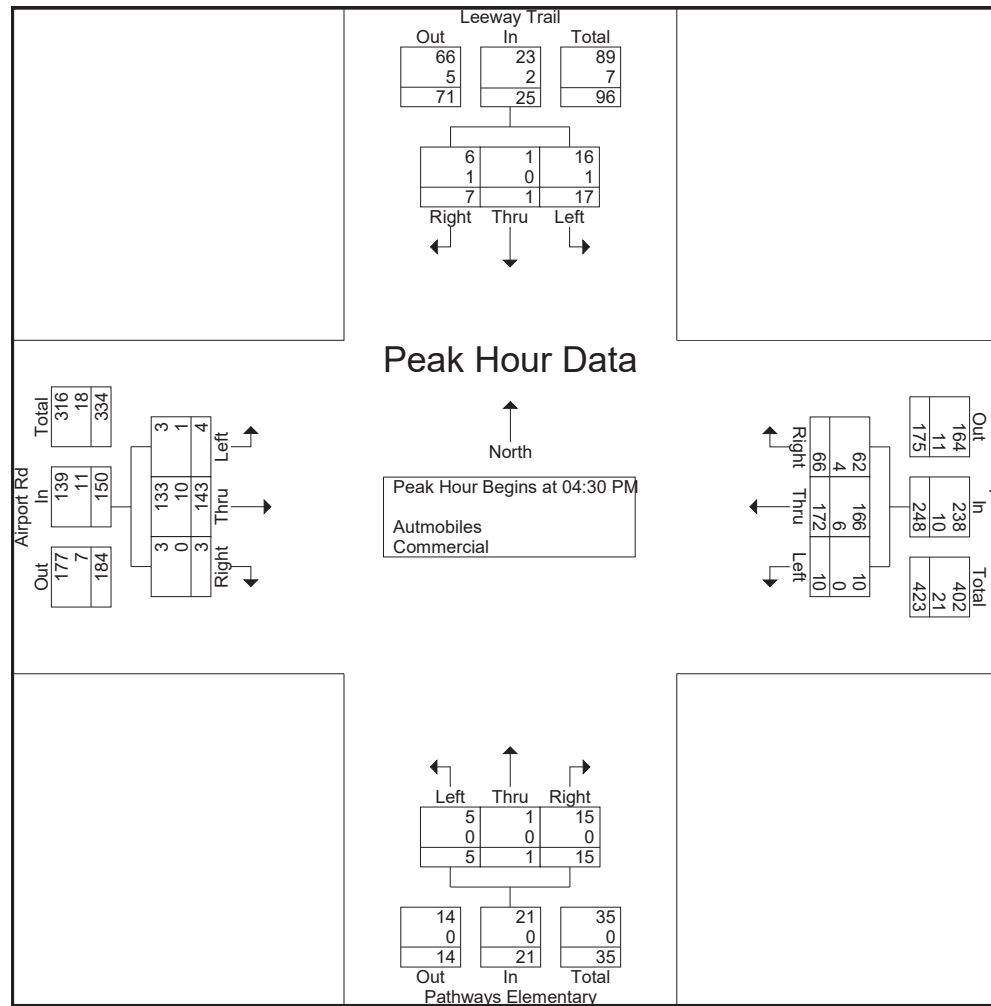
Volusia County, FL

File Name : Leeway Trail

Site Code : 00000002

Start Date : 9/9/2021

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DE TRAFFIC

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386-341-4186

Leeway Trail at Airport Rd

Volusia County, FL

File Name : Leeway Trail

Site Code : 00000002

Start Date : 9/9/2021

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Groups Printed- Peds

	Leeway Trail Southbound					Airport Rd Westbound					Pathways Elementary Northbound					Airport Rd Eastbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
07:15 AM	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
07:30 AM	0	0	0	24	24	0	0	0	0	0	0	0	0	0	0	0	0	0	37	37	61
07:45 AM	0	0	0	19	19	0	0	0	0	0	0	0	0	0	0	0	0	0	26	26	45
Total	0	0	0	44	44	0	0	0	0	0	0	0	0	0	0	0	0	0	63	63	107
08:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	10	10	10
08:15 AM	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Total	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	10	10	11
05:15 PM	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	1
05:30 PM	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Total	0	0	0	1	1	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	2
Grand Total	0	0	0	46	46	0	0	0	1	1	0	0	0	0	0	0	0	0	73	73	120
Apprch %	0	0	0	100		0	0	0	100		0	0	0	0		0	0	0	100		
Total %	0	0	0	38.3	38.3	0	0	0	0.8	0.8	0	0	0	0	0	0	0	0	60.8	60.8	



NB Approach



SB Approach



EB Approach



WB Approach

	Tymber Creek Rd at SR 40		Volusia County	
	www.de-traffic.com		Project Number: L21-51	Sheet Number: 1
	299 McGregor Rd. DeLand FL. 32720			



NB Approach



SB Approach



EB Approach



WB Approach

	Tymber Creek Rd at Tymber Run		Volusia County	
	www.de-traffic.com		Project Number: L21-51	Sheet Number: 2
	299 McGregor Rd. DeLand Fl. 32720			



NB Approach



SB Approach



EB Approach



WB Approach

	Tymber Creek Rd at Airport Rd		Volusia County	
	www.de-traffic.com		Project Number: L21-51	Sheet Number: 3
	299 McGregor Rd. DeLand Fl. 32720			



NB Approach



SB Approach



EB Approach



WB Approach

	Leeway Trail at Airport Rd		Volusia County	
	www.de-traffic.com		Project Number: L21-51	Sheet Number: 4
	299 McGregor Rd. DeLand Fl. 32720			

2020 PEAK SEASON FACTOR CATEGORY REPORT - REPORT TYPE: ALL
 CATEGORY: 7900 VOLUSIA COUNTYWIDE

WEEK	DATES	SF	MOCF: 0.93	
			PSCF	
* 1	01/01/2020 - 01/04/2020	0.99	1.06	
* 2	01/05/2020 - 01/11/2020	0.95	1.02	
* 3	01/12/2020 - 01/18/2020	0.92	0.99	
* 4	01/19/2020 - 01/25/2020	0.91	0.98	
* 5	01/26/2020 - 02/01/2020	0.89	0.96	
* 6	02/02/2020 - 02/08/2020	0.88	0.95	
* 7	02/09/2020 - 02/15/2020	0.87	0.94	
* 8	02/16/2020 - 02/22/2020	0.88	0.95	
* 9	02/23/2020 - 02/29/2020	0.90	0.97	
*10	03/01/2020 - 03/07/2020	0.92	0.99	
*11	03/08/2020 - 03/14/2020	0.94	1.01	
*12	03/15/2020 - 03/21/2020	0.96	1.03	
*13	03/22/2020 - 03/28/2020	1.05	1.13	
14	03/29/2020 - 04/04/2020	1.14	1.23	
15	04/05/2020 - 04/11/2020	1.24	1.33	
16	04/12/2020 - 04/18/2020	1.33	1.43	
17	04/19/2020 - 04/25/2020	1.26	1.35	
18	04/26/2020 - 05/02/2020	1.20	1.29	
19	05/03/2020 - 05/09/2020	1.14	1.23	
20	05/10/2020 - 05/16/2020	1.07	1.15	
21	05/17/2020 - 05/23/2020	1.06	1.14	
22	05/24/2020 - 05/30/2020	1.05	1.13	
23	05/31/2020 - 06/06/2020	1.03	1.11	
24	06/07/2020 - 06/13/2020	1.02	1.10	
25	06/14/2020 - 06/20/2020	1.01	1.09	
26	06/21/2020 - 06/27/2020	1.02	1.10	
27	06/28/2020 - 07/04/2020	1.02	1.10	
28	07/05/2020 - 07/11/2020	1.03	1.11	
29	07/12/2020 - 07/18/2020	1.04	1.12	
30	07/19/2020 - 07/25/2020	1.03	1.11	
31	07/26/2020 - 08/01/2020	1.02	1.10	
32	08/02/2020 - 08/08/2020	1.02	1.10	
33	08/09/2020 - 08/15/2020	1.01	1.09	
34	08/16/2020 - 08/22/2020	1.01	1.09	
35	08/23/2020 - 08/29/2020	1.01	1.09	
36	08/30/2020 - 09/05/2020	1.01	1.09	
37	09/06/2020 - 09/12/2020	1.01	1.09	
38	09/13/2020 - 09/19/2020	1.01	1.09	
39	09/20/2020 - 09/26/2020	1.00	1.08	
40	09/27/2020 - 10/03/2020	0.99	1.06	
41	10/04/2020 - 10/10/2020	0.98	1.05	
42	10/11/2020 - 10/17/2020	0.97	1.04	
43	10/18/2020 - 10/24/2020	0.98	1.05	
44	10/25/2020 - 10/31/2020	0.98	1.05	
45	11/01/2020 - 11/07/2020	0.98	1.05	
46	11/08/2020 - 11/14/2020	0.99	1.06	
47	11/15/2020 - 11/21/2020	0.99	1.06	
48	11/22/2020 - 11/28/2020	0.99	1.06	
49	11/29/2020 - 12/05/2020	0.99	1.06	
50	12/06/2020 - 12/12/2020	0.99	1.06	
51	12/13/2020 - 12/19/2020	0.99	1.06	
52	12/20/2020 - 12/26/2020	0.95	1.02	
53	12/27/2020 - 12/31/2020	0.92	0.99	

* PEAK SEASON

27-FEB-2021 10:30:05

830UPD

5_7900_PKSEASON.TXT

AM Peak-Hour Factored Volumes

		TMCs Collected				2021 Factored Existing Traffic				Background Traffic				Build-Out Traffic																							
Intersection	Approach	Movement	TMC Year	Raw Count	Raw Truck Count	% Heavy Vehicles	Seasonal Factor	Est. Count	Est. Truck Count	% Heavy Vehicles	Approach Growth Rate	Approach Volume	Background Volume w/o Vested Traffic	Vested Traffic	Total Background Volume	% Model Distribution	Project Trip Direction	Project Trips	Total Build-Out Volume	Peak-Hour Factor																	
1. Timber Creek Rd. at Graciosa Blvd	Eastbound	U-Turn	2021	0	0	0%	1.01	0	0	0%	6.20%	751	0	13	0	1.3%	In	0	0	0.94																	
		Through		40	3	0%		40	3	6.20%			671	55	726			0	726																		
		Right		27	4	15%		27	4	15%			32	32	32			0	32																		
	Westbound	U-Turn		0	0	0%		0	0	0%			1.00%	829	78			5	7%		1.00%	829	78	5	7%	0.94											
		Through		313	12	4%		313	12	4%					326			113	439				0	439													
		Right		23	5	21%		23	5	21%					428			428	428				68.1%	In	18		446										
	Northbound	U-Turn		0	0	0%		0	0	0%					1.00%			140	0				0	0%	1.00%		140	0	0	0%	0.94						
		Through		35	7	20%		35	7	20%									35				35	35				0	35								
		Right		45	5	11%		45	5	11%									47				47	47				0	47								
	Southbound	U-Turn		0	0	0%		0	0	0%									1.00%				659	0				0	0%	1.00%		659	0	0	0%	0.94	
		Through		518	8	2%		518	8	2%														539				82	621				68.1%	Out	56		676
		Right		50	7	14%		51	7	14%														53				53	53				0	53			
		Right		65	6	9%	65	6	9%		68	6				72	1.3%			Out				1				73									
2. Timber Creek Rd. at Timber Run	Eastbound	U-Turn	2021	0	0	0%	1.01	0	0	0%	1.00%	181				0	76			0				7.6%				In	0				0	0.87			
		Through		73	4	5%		74	4	5%			76	76		76	0			76																	
		Right		93	5	5%		94	5	5%			97	3		100	0			100																	
	Westbound	U-Turn		0	0	0%		0	0	0%			1.00%	198		0	0			0%	1.00%	198				0			0				0%		0.87		
		Through		100	6	6%		101	6	6%					104	104	104	0		104																	
		Right		15	1	7%		15	1	7%					16	16	16	0		16																	
	Northbound	U-Turn		0	0	0%		0	0	0%					1.00%	388	0	0		0%					1.00%	388	0		0		0%		0.87				
		Through		66	4	6%		67	4	6%							69	3	72	0			72														
		Right		221	11	5%		223	11	5%							230	14	244	59.4%			In				19		263								
	Southbound	U-Turn		0	0	0%		0	0	0%							1.00%	617	0	0			0%				1.00%		617	0	0	0%				0.87	
		Through		77	2	3%		78	2	3%									80	80			80							0.7%	Out	1					81
		Right		438	11	3%		442	11	3%									455	14			469							59.4%	Out	56					525
		Right		79	2	3%	79	2	3%		81	81							81				81														
3. Timber Creek Rd. at Airport Rd	Eastbound	U-Turn	2021	0	0	0%	1.01	0	0	0%	1.00%	550							0	69			0	6.9%				In		0	0	0.86					
		Through		66	2	3%		67	2	3%			69	69					69	2.0%	Out	2	70														
		Right		367	1	0%		371	1	0%			382	382					382	28.0%	Out	23	404														
	Westbound	U-Turn		0	0	0%		0	0	0%			1.00%	284					0	0	0%	1.00%	284							0	0			0%	0.86		
		Through		192	5	3%		194	5	3%					200	200			200	0	200																
		Right		43	1	2%		43	1	2%					45	45			45	6.0%	In				2	46											
	Northbound	U-Turn		0	0	0%		0	0	0%					1.00%	422			0	0	0%				1.00%	422				0	0		0%	0.86			
		Through		168	3	2%		170	3	2%							175	175	175	28.0%	In						8		182								
		Right		77	4	5%		78	4	5%							80	80	80	42.0%	In						11		91								
	Southbound	U-Turn		0	0	0%		0	0	0%							1.00%	223	0	0	0%						1.00%		223	0	0		0%			0.86	
		Through		63	6	10%		64	6	10%									66	66	66									9.0%	Out		7				73
		Right		105	7	7%		106	7	7%									109	109	109									42.0%	Out		34				143
		Right		46	0	0%	46	0	0%		47	47							47	47	2.0%			Out				2		49							
4. Airport Rd. at Leeway Tr	Eastbound	U-Turn	2021	0	0	0%	1.01	0	0	0%	1.00%	362							0	0	0%			7.0%				In		0	0	0.79					
		Through		5	0	0%		5	0	0%			5	5					5	0	5																
		Right		233	6	3%		235	6	3%			242	242					242	7.0%	Out	2	244														
	Westbound	U-Turn		0	0	0%		0	0	0%			1.00%	281					0	0	0%	7.0%	In							0	0		0.79				
		Through		167	0	0%		169	0	0%					174	174			174	0	174																
		Right		52	3	3%		53	3	3%					55	55			55	7.0%	Out				6	61											
	Northbound	U-Turn		0	0	0%		0	0	0%					1.00%	358			0	0	0%				7.0%	In				0	0			0.79			
		Through		71	0	0%		72	0	0%							74	74	74	0	74																
		Right		8	0	0%		8	0	0%							8	8	8	0	8																
	Southbound	U-Turn		0	0	0%		0	0	0%							1.00%	59	0	0	0%						7.0%		In	0	0				0.79		
		Through		267	0	0%		270	0	0%									278	278	278									0	278						
		Right		38	0	0%		38	0	0%									40	40	40									0	40						
		Right		13	2	15%	13	2	15%		14	14							14		14																
5. Timber Creek Rd. at Project Driveway 1	Eastbound	U-Turn	2021	0	0	0%	1.01	0	0	0%	1.00%	0							0	0	0%			52.0%				In		0	0	0.92					
		Through		0	0	0%		0	0	0%			0	0					0	6.0%	Out	0	0														
		Right		0	0	0%		0	0	0%			0	0					0	53.0%	Out	43	43														
	Westbound	U-Turn		0	0	0%		0	0	0%			1.00%	0					0	0	0%	52.0%	In							0	0		0.92				
		Through		0	0	0%		0	0	0%					0	0			0	0	0				0	0											
		Right		0	0	0%		0	0	0%					0	0			0	0	0				0	0											
	Northbound	U-Turn		0	0	0%		0	0	0%					1.00%	0			0	0	0%				52.0%	In				0	0			0.92			
		Through		0	0	0%		0	0	0%							0	0	0	0	0						0		0								
		Right		0	0	0%		0	0	0%							0	0	0	0	0						0		0								
	Southbound	U-Turn		0	0	0%		0	0	0%							1.00%	0	0	0	0%						52.0%		In	0	0				0.92		
		Through		0	0	0%		0	0	0%									0	0	0									0	0					0	0
		Right		0	0	0%		0	0	0%									0	0	0									0	0					0	0
		Right		0	0	0%	0	0	0%		222	0							222	7.0%	Out			2				222									
6. Airport Rd. at Project Driveway 2	Eastbound	U-Turn	2021	0	0	0%	1.01	0	0	0%	1.00%	0							0	0	0%			5.0%				In		0	0	0.92					
		Through		0	0	0%		0	0	0%			0	0					0	0	0	0	0														
		Right		0	0	0%		0	0	0%			0	0					0	0	0	0	0														
	Westbound	U-Turn		0	0	0%		0	0	0%			1.00%	0					0	0	0%	5.0%	In							0	0		0.92				
		Through		0	0	0%		0	0	0%					0	0			0	0	0				0	0											
		Right		0	0	0%		0	0	0%					0	0			0	0	0				0	0											
	Northbound	U-Turn		0	0	0%		0	0	0%					1.00%	0			0	0	0%				5.0%	In				0	0			0.92			
		Through		0	0	0%		0	0	0%							0	0	0	0	0						0		0								
		Right		0	0	0%		0	0	0%							0	0	0	0	0						0		0								
	Southbound	U-Turn		0	0	0%		0	0	0%							1.00%	0	0	0	0%						5.0%		In	0	0				0.92		
		Through		0	0	0%		0	0	0%									0	0	0									0	0					0	0
		Right		0	0	0%		0	0	0%									0	0	0									0	0					0	0

Note:
Peak-Hour Factor
Min = 0.75 Max = 0.95

PM Peak-Hour Factored Volumes

Intersection	Approach	Mvmt	TMCs Collected			Seasonal Factor	2021 Factored Existing Traffic			Approach Growth Rate	Background Traffic			Build-Out Traffic			Peak-Hour Factor				
			TMC Year	Raw Count	% Heavy Vehicle		Est. Count	Est. Truck Count	% Heavy Vehicles		Background Volume w/o Vested	Vested Traffic	Total Background Volume	% Model Distribution	Project Trip Direction	Project Trips		Total Build-Out Volume			
1. Timber Creek Rd at Canada Blvd	Eastbound	U-Turn	2021	45	6	13%	0%	45	0	0%	6.20%	0	0	0	1.3%	In	1	81	0.98		
		Through		760	15	2%		768	15	2%		911	219	1,130		0	0	1,130			
		Right		26	4	15%		26	4	15%		31	0	31		0	0	31			
	Westbound	U-Turn		0	0	0%		0	0	0%	1.00%	72	0	72		0	0	72			
		Through		636	18	3%		642	18	3%		662	198	860		0	0	860			
		Right		272	7	3%		279	7	3%		283	93	376	68.1%	In	63	439			
	Northbound	U-Turn		36	5	14%		36	5	14%	1.00%	37	0	37		0	0	37			
		Through		28	3	11%		28	3	11%		29	0	29		0	0	29			
		Right		74	5	7%		75	5	7%		77	0	77		0	0	77			
	Southbound	U-Turn		0	0	0%		0	0	0%	1.00%	0	0	0		0	0	0			
		Through		310	10	3%		313	10	3%		322	129	451	68.1%	Out	37	488			
		Right		74	2	3%		75	2	3%		77	0	77		0	0	77			
			Right		42	5	12%		42	5	12%		44	1	45	1.3%	Out	1		46	
	2. Timber Creek Rd at Timber Run	Eastbound	U-Turn	2021	130	3	2%	1.01	131	3	2%	1.00%	135	0	135		0	0		135	0.90
			Through		21	1	0%		21	1	0%		22	0	22		0	0		22	
Right				96	3	3%		97	3	3%		100	4	104		0	0	104			
Westbound		U-Turn		87	4	4%		88	4	4%	1.00%	101	0	101		0	0	101			
		Through		16	2	13%		16	2	13%		17	0	17		0	0	17			
		Right		83	7	8%		84	7	8%		87	0	87	0.7%	In	1	88			
Northbound		U-Turn		78	1	1%		79	1	1%	1.00%	81	4	85		0	0	85			
		Through		308	12	4%		311	12	4%		320	112	432	69.4%	In	64	496			
		Right		85	2	2%		86	2	2%		88	0	88		0	0	88			
Southbound		U-Turn		0	0	0%		0	0	0%	1.00%	0	0	0		0	0	0			
		Through		98	6	6%		99	6	6%		102	102	204	69.4%	Out	1	103			
		Right		218	7	3%		220	7	3%		227	103	330	69.4%	Out	37	367			
			Right		86	2	2%		87	2	2%		100	0	100		0	0	100		
3. Timber Creek Rd at Airport Rd		Eastbound	U-Turn	2021	20	2	10%	1.01	20	2	10%	1.00%	21	0	21		0	0	21	0.97	
			Through		47	1	2%		47	1	2%		49	0	49	6.0%	Out	3	52		
	Right			69	1	1%		70	1	1%		72	0	72	28.0%	Out	15	87			
	Westbound	U-Turn		174	7	4%		176	7	4%	1.00%	181	0	181		0	0	181			
		Through		78	3	4%		79	3	4%		79	0	79	6.0%	In	6	85			
		Right		66	4	6%		67	4	6%		69	0	69	0.0%	In	8	77			
	Northbound	U-Turn		122	2	2%		123	2	2%	1.00%	127	0	127	28.0%	In	26	153			
		Through		185	5	3%		187	5	3%		192	0	192	42.0%	In	39	231			
		Right		201	4	2%		203	4	2%		209	0	209	6.0%	0	0	209			
	Southbound	U-Turn		0	0	0%		0	0	0%	1.00%	0	0	0		0	0	0			
		Through		49	2	4%		49	2	4%		51	0	51	3.0%	Out	5	56			
		Right		109	1	1%		110	1	1%		113	0	113	42.0%	Out	23	136			
			Right		84	1	2%		85	1	2%		87	0	87	3.0%	Out	2	89		
	4. Airport Rd at Lacey Pl	Eastbound	U-Turn	2021	4	1	25%	1.01	4	1	25%	1.00%	4	0	4	0.0%	0	0	4		0.90
			Through		143	10	7%		144	10	7%		148	0	148	7.0%	In	6	154		
Right				3	0	0%		3	0	0%		3	0	3	0.0%	0	0	3			
Westbound		U-Turn		0	0	0%		0	0	0%	1.00%	0	0	0		0	0	0			
		Through		10	0	0%		10	0	0%		10	0	10	0.0%	0	0	10			
		Right		172	6	3%		174	6	3%		179	0	179	7.0%	Out	4	183			
Northbound		U-Turn		58	5	8%		59	5	8%	1.00%	60	0	60	0.0%	0	0	60			
		Through		5	0	0%		5	0	0%		5	0	5	0.0%	0	0	5			
		Right		1	0	0%		1	0	0%		1	0	1	0.0%	0	0	1			
Southbound		U-Turn		15	0	0%		15	0	0%	1.00%	16	0	16	0.0%	0	0	16			
		Through		17	1	6%		17	1	6%		18	0	18	0.0%	0	0	18			
		Right		1	0	0%		1	0	0%		1	0	1	0.0%	0	0	1			
			Right		7	1	14%		7	1	14%		7	0	7	0.0%	0	0	7		
5. Timber Creek Rd at Project Driveway 1		Eastbound	U-Turn	2021	0	0	0%	1.01	0	0	0%	1.00%	0	0	0	0.0%	0	0	0	0.92	
			Through		0	0	0%		0	0	0%		0	0	0	53.0%	Out	29	29		
	Right			0	0	0%		0	0	0%		0	0	0	0.0%	0	0	0			
	Westbound	U-Turn		0	0	0%		0	0	0%	1.00%	0	0	0	0.0%	0	0	0			
		Through		0	0	0%		0	0	0%		0	0	0	0.0%	0	0	0			
		Right		0	0	0%		0	0	0%		0	0	0	0.0%	0	0	0			
	Northbound	U-Turn		0	0	0%		0	0	0%	1.00%	0	0	0	0.0%	0	0	0			
		Through		0	0	0%		0	0	0%		0	0	0	0.0%	0	0	0			
		Right		0	0	0%		0	0	0%		0	0	0	0.0%	0	0	0			
	Southbound	U-Turn		0	0	0%		0	0	0%	1.00%	0	0	0	0.0%	0	0	0			
		Through		0	0	0%		0	0	0%		0	0	0	0.0%	0	0	0			
		Right		0	0	0%		0	0	0%		0	0	0	0.0%	0	0	0			
			Right		0	0	0%		0	0	0%		0	0	0	0.0%	0	0	0		
	6. Airport Rd at Project Driveway 2	Eastbound	U-Turn	2021	0	0	0%	1.01	0	0	0%	1.00%	0	0	0	0.0%	0	0	0		0.92
			Through		0	0	0%		0	0	0%		0	0	0	4.0%	In	4	4		
Right				0	0	0%		0	0	0%		142	0	142	2.0%	In	2	144			
Westbound		U-Turn		0	0	0%		0	0	0%	1.00%	0	0	0	0.0%	0	0	0			
		Through		0	0	0%		0	0	0%		0	0	0	0.0%	0	0	0			
		Right		0	0	0%		0	0	0%		263	0	263	2.0%	Out	1	264			
Northbound		U-Turn		0	0	0%		0	0	0%	1.00%	0	0	0	0.0%	0	0	0			
		Through		0	0	0%		0	0	0%		0	0	0	0.0%	0	0	0			
		Right		0	0	0%		0	0	0%		0	0	0	0.0%	0	0	0			
Southbound		U-Turn		0	0	0%		0	0	0%	1.00%	0	0	0	0.0%	0	0	0			
		Through		0	0	0%		0	0	0%		0	0	0	0.0%	0	0	0			
		Right		0	0	0%		0	0	0%		0	0	0	0.0%	0	0	0			
			Right		0	0	0%		0	0	0%		0	0	35.0%	Out	19	19			
			Through		0	0	0%		0	0	0%		0	0	0.0%	0	0	0			
			Through		0	0	0%		0	0	0%		0	0	5.0%	Out	3	3			

APPENDIX D

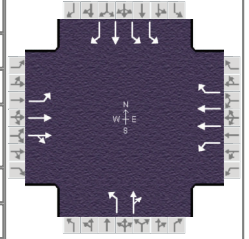
Intersections HCS Summary Sheets - Existing Conditions

HCS7 Signalized Intersection Results Summary

8.B.d

General Information

Agency	LTG, Inc.			Duration, h	0.250
Analyst	BNH	Analysis Date	9/17/2021	Area Type	Other
Jurisdiction	Volusia County	Time Period	A.M. Peak Existing	PHF	0.94
Urban Street	SR 40	Analysis Year	2021	Analysis Period	1> 7:00
Intersection	SR 40 & Tymber Creek Rd	File Name	1- SR 40 & Tymber Creek Rd AM.xus		
Project Description	Tattersall at Tymber Creek				



Demand Information

	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Demand (v), veh/h	40	566	27	74	316	415	35	45	56	523	51	66

Signal Information

Cycle, s	160.0	Reference Phase	2									
Offset, s	0	Reference Point	End									
Uncoordinated	No	Simult. Gap E/W	On	Green	5.2	4.1	74.7	11.3	31.0	0.0		
Force Mode	Fixed	Simult. Gap N/S	On	Yellow	5.2	0.0	5.2	4.0	4.0	0.0		
				Red	4.5	0.0	2.0	4.7	4.2	0.0		

Timer Results

	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Assigned Phase	1	6	5	2		4		8
Case Number	2.0	4.0	2.0	3.0		10.0		9.0
Phase Duration, s	14.9	81.9	18.9	85.9		20.0		39.2
Change Period, ($Y+R_c$), s	9.7	7.2	9.1	7.2		8.7		8.7
Max Allow Headway (MAH), s	5.0	0.0	5.0	0.0		5.3		5.1
Queue Clearance Time (g_s), s	6.0		9.9			12.9		26.8
Green Extension Time (g_e), s	0.1	0.0	0.2	0.0		0.0		3.7
Phase Call Probability	0.85		0.97			1.00		1.00
Max Out Probability	0.00		0.00			1.00		0.14

Movement Group Results

	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement	1	6	16	5	2	12	7	4	14	3	8	18
Adjusted Flow Rate (v), veh/h	43	318	313	79	336	441	37	107		556	54	70
Adjusted Saturation Flow Rate (s), veh/h/ln	1697	1856	1825	1570	1752	1598	1527	1579		1730	1693	1497
Queue Service Time (g_s), s	4.0	17.6	17.7	7.9	8.6	31.0	3.7	10.9		24.8	4.3	6.4
Cycle Queue Clearance Time (g_c), s	4.0	17.6	17.7	7.9	8.6	31.0	3.7	10.9		24.8	4.3	6.4
Green Ratio (g/C)	0.03	0.47	0.47	0.06	0.49	0.49	0.07	0.07		0.19	0.19	0.19
Capacity (c), veh/h	55	866	852	96	1725	786	108	112		660	323	286
Volume-to-Capacity Ratio (X)	0.779	0.367	0.368	0.817	0.195	0.562	0.345	0.963		0.843	0.168	0.246
Back of Queue (Q), ft/ln (95 th percentile)	102.3	321	310.2	188.8	164.8	448.2	80.8	298.2		430.5	93	118.2
Back of Queue (Q), veh/ln (95 th percentile)	3.8	12.5	12.4	6.6	6.4	17.8	2.8	11.0		16.9	3.3	4.4
Queue Storage Ratio (RQ) (95 th percentile)	0.23	0.00	0.00	0.45	0.00	0.99	0.00	0.00		0.77	0.00	0.50
Uniform Delay (d_1), s/veh	76.9	27.5	27.5	74.2	22.8	28.5	70.8	74.1		62.4	54.1	55.0
Incremental Delay (d_2), s/veh	27.9	1.2	1.2	20.6	0.3	2.9	2.7	73.6		6.4	0.3	0.6
Initial Queue Delay (d_3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0		0.0	0.0	0.0
Control Delay (d), s/veh	104.8	28.7	28.7	94.8	23.1	31.4	73.5	147.8		68.9	54.5	55.6
Level of Service (LOS)	F	C	C	F	C	C	E	F		E	D	E
Approach Delay, s/veh / LOS	33.5		C	34.0		C	128.7		F	66.4		E
Intersection Delay, s/veh / LOS	49.0						D					

Multimodal Results

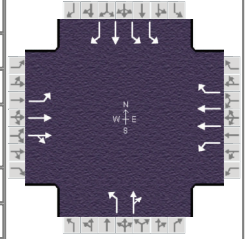
	EB			WB			NB			SB		
Pedestrian LOS Score / LOS	1.92		B	2.28		B	2.47		B	2.34		B
Bicycle LOS Score / LOS	1.04		A	1.19		A	0.73		A	1.61		B

HCS7 Signalized Intersection Results Summary

8.B.d

General Information

Agency	LTG, Inc.			Duration, h	0.250
Analyst	BNH	Analysis Date	9/17/2021	Area Type	Other
Jurisdiction	Volusia County	Time Period	P.M. Peak Existing	PHF	0.95
Urban Street	SR 40	Analysis Year	2021	Analysis Period	1> 7:00
Intersection	SR 40 & Tymber Creek Rd	File Name	1.1- SR 40 & Tymber Creek Rd PM.xus		
Project Description	Tattersall at Tymber Creek				



Demand Information

	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Demand (v), veh/h	45	768	26	70	642	275	36	28	75	313	75	42

Signal Information

Cycle, s	170.0	Reference Phase	2									
Offset, s	0	Reference Point	End									
Uncoordinated	No	Simult. Gap E/W	On	Green	6.3	2.1	96.1	11.3	20.4	0.0		
Force Mode	Fixed	Simult. Gap N/S	On	Yellow	5.2	0.0	5.2	4.0	4.0	0.0		
				Red	4.5	0.0	2.0	4.7	4.2	0.0		

Timer Results

	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Assigned Phase	1	6	5	2		4		8
Case Number	2.0	4.0	2.0	3.0		10.0		9.0
Phase Duration, s	16.0	103.3	18.1	105.4		20.0		28.6
Change Period, ($Y+R_c$), s	9.7	7.2	9.1	7.2		8.7		8.2
Max Allow Headway (MAH), s	5.0	0.0	5.0	0.0		5.3		5.1
Queue Clearance Time (g_s), s	6.9		9.0			13.3		17.9
Green Extension Time (g_e), s	0.1	0.0	0.2	0.0		0.0		2.6
Phase Call Probability	0.89		0.97			1.00		1.00
Max Out Probability	0.00		0.00			1.00		0.01

Movement Group Results

	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement	1	6	16	5	2	12	7	4	14	3	8	18
Adjusted Flow Rate (v), veh/h	47	420	415	74	676	289	38	108		329	79	44
Adjusted Saturation Flow Rate (s), veh/h/ln	1626	1870	1848	1767	1766	1572	1612	1536		1716	1856	1459
Queue Service Time (g_s), s	4.9	21.4	21.4	7.0	17.0	16.2	3.8	11.3		15.9	6.6	4.7
Cycle Queue Clearance Time (g_c), s	4.9	21.4	21.4	7.0	17.0	16.2	3.8	11.3		15.9	6.6	4.7
Green Ratio (g/C)	0.04	0.57	0.57	0.05	0.58	0.58	0.07	0.07		0.12	0.12	0.12
Capacity (c), veh/h	60	1057	1045	93	2040	908	107	102		413	223	175
Volume-to-Capacity Ratio (X)	0.788	0.398	0.398	0.791	0.331	0.319	0.354	1.062		0.799	0.354	0.252
Back of Queue (Q), ft/ln (95 th percentile)	123.3	366.1	357.4	167.4	286	255.6	84.2	334		298.8	149.1	88.4
Back of Queue (Q), veh/ln (95 th percentile)	4.5	14.4	14.3	6.5	11.2	10.0	3.0	12.3		11.7	5.8	3.2
Queue Storage Ratio (RQ) (95 th percentile)	0.27	0.00	0.00	0.40	0.00	0.56	0.00	0.00		0.53	0.00	0.38
Uniform Delay (d_1), s/veh	81.2	20.7	20.7	79.6	18.8	18.6	75.9	79.4		72.8	68.7	67.8
Incremental Delay (d_2), s/veh	26.7	1.1	1.1	18.8	0.4	0.9	2.8	106.8		5.0	1.4	1.1
Initial Queue Delay (d_3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0		0.0	0.0	0.0
Control Delay (d), s/veh	107.9	21.8	21.9	98.4	19.2	19.5	78.7	186.2		77.8	70.1	68.9
Level of Service (LOS)	F	C	C	F	B	B	E	F		E	E	E
Approach Delay, s/veh / LOS	26.5		C	24.9		C	158.3		F	75.6		E
Intersection Delay, s/veh / LOS	42.3						D					

Multimodal Results

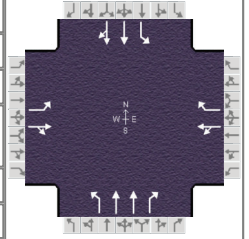
	EB			WB			NB			SB		
Pedestrian LOS Score / LOS	1.91		B	2.27		B	2.48		B	2.34		B
Bicycle LOS Score / LOS	1.22		A	1.34		A	0.73		A	1.23		A

HCS7 Signalized Intersection Results Summary

8.B.d

General Information

Agency	LTG, Inc.			Duration, h	0.250
Analyst	BNH	Analysis Date	9/17/2021	Area Type	Other
Jurisdiction	Volusia County	Time Period	A.M. Peak Existing	PHF	0.87
Urban Street	Tymber Creek Rd	Analysis Year	2021	Analysis Period	1> 7:00
Intersection	Tymber Creek Rd & Ty...	File Name	2- Tymber Creek Rd & Tymber Run AM.xus		
Project Description	Tattersall at Tymber Creek				



Demand Information

	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Demand (v), veh/h	74	8	94	101	15	76	67	223	87	78	442	79

Signal Information

Cycle, s	46.9	Reference Phase	2								
Offset, s	0	Reference Point	End								
Uncoordinated	Yes	Simult. Gap E/W	On	Green	19.3	13.1	0.0	0.0	0.0	0.0	0.0
Force Mode	Fixed	Simult. Gap N/S	On	Yellow	5.0	4.0	0.0	0.0	0.0	0.0	0.0
				Red	2.5	3.0	0.0	0.0	0.0	0.0	0.0

Timer Results

	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Assigned Phase		4		8		2		6
Case Number		6.0		7.0		5.0		6.0
Phase Duration, s		20.1		20.1		26.8		26.8
Change Period, ($Y+R_c$), s		7.0		7.0		7.5		7.5
Max Allow Headway (MAH), s		4.2		4.2		5.2		5.2
Queue Clearance Time (g_s), s		12.3		9.4		10.7		7.4
Green Extension Time (g_e), s		1.4		1.5		8.8		8.8
Phase Call Probability		1.00		1.00		1.00		1.00
Max Out Probability		0.00		0.00		0.00		0.00

Movement Group Results

	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement	7	4	14	3	8	18	5	2	12	1	6	16
Adjusted Flow Rate (v), veh/h	85	117			133	87	77	256	100	90	306	292
Adjusted Saturation Flow Rate (s), veh/h/ln	1362	1464			958	1472	794	1738	1535	1114	1856	1757
Queue Service Time (g_s), s	2.7	2.9			3.9	2.1	3.5	2.1	1.9	2.5	5.3	5.4
Cycle Queue Clearance Time (g_c), s	10.3	2.9			7.4	2.1	8.7	2.1	1.9	4.7	5.3	5.4
Green Ratio (g/C)	0.28	0.28			0.28	0.28	0.41	0.41	0.41	0.41	0.41	0.41
Capacity (c), veh/h	301	396			405	398	396	1445	638	568	771	730
Volume-to-Capacity Ratio (X)	0.282	0.296			0.329	0.220	0.194	0.177	0.157	0.158	0.397	0.400
Back of Queue (Q), ft/ln (95 th percentile)	36.4	40.2			51	28.8	24.2	27.5	22.3	22.7	74.7	69.9
Back of Queue (Q), veh/ln (95 th percentile)	1.4	1.5			1.9	1.1	0.9	1.1	0.8	0.9	2.9	2.8
Queue Storage Ratio (RQ) (95 th percentile)	0.00	0.00			0.00	0.00	0.11	0.00	0.09	0.11	0.00	0.00
Uniform Delay (d_1), s/veh	19.6	13.4			16.1	13.1	12.4	8.5	8.4	10.0	9.4	9.5
Incremental Delay (d_2), s/veh	0.5	0.4			0.5	0.3	0.3	0.1	0.2	0.2	0.5	0.5
Initial Queue Delay (d_3), s/veh	0.0	0.0			0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Control Delay (d), s/veh	20.1	13.8			16.6	13.3	12.8	8.6	8.6	10.2	9.9	10.0
Level of Service (LOS)	C	B			B	B	B	A	A	B	A	A
Approach Delay, s/veh / LOS	16.5	B		15.3	B		9.3	A		10.0	A	
Intersection Delay, s/veh / LOS	11.4						B					

Multimodal Results

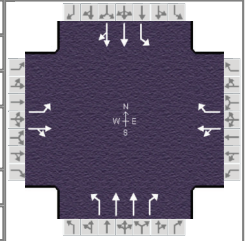
	EB			WB			NB			SB		
Pedestrian LOS Score / LOS	2.41	B		2.26	B		1.88	B		1.88	B	
Bicycle LOS Score / LOS	0.82	A		0.85	A		0.85	A		1.06	A	

HCS7 Signalized Intersection Results Summary

8.B.d

General Information

Agency	LTG, Inc.			Duration, h	0.250
Analyst	BNH	Analysis Date	9/17/2021	Area Type	Other
Jurisdiction	Volusia County	Time Period	P.M. Peak Existing	PHF	0.90
Urban Street	Tymber Creek Rd	Analysis Year	2021	Analysis Period	1> 7:00
Intersection	Tymber Creek Rd & Ty...	File Name	2.1- Tymber Creek Rd & Tymber Run PM.xus		
Project Description	Tattersall at Tymber Creek				



Demand Information

	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Demand (v), veh/h	131	21	97	98	16	84	79	311	83	99	220	97

Signal Information

Cycle, s	44.6	Reference Phase	2								
Offset, s	0	Reference Point	End								
Uncoordinated	Yes	Simult. Gap E/W	On	Green	16.1	14.0	0.0	0.0	0.0	0.0	0.0
Force Mode	Fixed	Simult. Gap N/S	On	Yellow	5.0	4.0	0.0	0.0	0.0	0.0	0.0
				Red	2.5	3.0	0.0	0.0	0.0	0.0	0.0

Timer Results

	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Assigned Phase		4		8		2		6
Case Number		6.0		7.0		5.0		6.0
Phase Duration, s		21.0		21.0		23.6		23.6
Change Period, ($Y+R_c$), s		7.0		7.0		7.5		7.5
Max Allow Headway (MAH), s		4.2		4.2		5.2		5.2
Queue Clearance Time (g_s), s		13.2		8.9		7.9		8.7
Green Extension Time (g_e), s		1.7		1.8		7.5		7.5
Phase Call Probability		1.00		1.00		1.00		1.00
Max Out Probability		0.01		0.00		0.00		0.00

Movement Group Results

	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement	7	4	14	3	8	18	5	2	12	1	6	16
Adjusted Flow Rate (v), veh/h	146	131			127	93	88	346	92	110	182	170
Adjusted Saturation Flow Rate (s), veh/h/ln	1395	1591			929	1510	1037	1752	1585	1002	1856	1666
Queue Service Time (g_s), s	4.4	2.7			3.5	2.0	2.8	3.0	1.7	3.8	3.0	3.1
Cycle Queue Clearance Time (g_c), s	11.2	2.7			6.9	2.0	5.9	3.0	1.7	6.7	3.0	3.1
Green Ratio (g/C)	0.31	0.31			0.31	0.31	0.36	0.36	0.36	0.36	0.36	0.36
Capacity (c), veh/h	364	478			433	454	473	1285	581	466	680	611
Volume-to-Capacity Ratio (X)	0.400	0.274			0.293	0.206	0.185	0.269	0.159	0.236	0.267	0.279
Back of Queue (Q), ft/ln (95 th percentile)	55.5	36.1			43.6	25.8	24.1	39.8	20.6	32.2	42.5	39.4
Back of Queue (Q), veh/ln (95 th percentile)	2.2	1.4			1.6	1.0	1.0	1.5	0.8	1.2	1.7	1.6
Queue Storage Ratio (RQ) (95 th percentile)	0.00	0.00			0.00	0.00	0.11	0.00	0.08	0.15	0.00	0.00
Uniform Delay (d_1), s/veh	17.9	11.6			14.1	11.4	11.8	9.7	9.3	12.0	9.7	9.7
Incremental Delay (d_2), s/veh	0.7	0.3			0.4	0.2	0.3	0.2	0.2	0.4	0.3	0.4
Initial Queue Delay (d_3), s/veh	0.0	0.0			0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Control Delay (d), s/veh	18.6	11.9			14.4	11.6	12.0	9.9	9.5	12.4	10.0	10.1
Level of Service (LOS)	B	B			B	B	B	A	A	B	A	B
Approach Delay, s/veh / LOS	15.4	B		13.2	B		10.1	B		10.6	B	
Intersection Delay, s/veh / LOS	11.7						B					

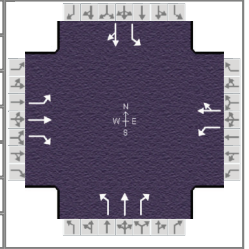
Multimodal Results

	EB		WB		NB		SB	
Pedestrian LOS Score / LOS	2.40	B	2.25	B	1.89	B	1.89	B
Bicycle LOS Score / LOS	0.94	A	0.85	A	0.92	A	0.87	A

HCS7 Signalized Intersection Results Summary

8.B.d

General Information				Intersection Information	
Agency	LTG, Inc.			Duration, h	0.250
Analyst	BNH	Analysis Date	9/17/2021	Area Type	Other
Jurisdiction	Volusia County	Time Period	A.M. Existing	PHF	0.86
Urban Street	Tymber Creek Rd	Analysis Year	2021	Analysis Period	1> 7:00
Intersection	Tymber Creek Rd & Airp...	File Name	3- Tymber Creek Rd & Airport Rd AM.xus		
Project Description	Tattersall at Tymber Creek				



Demand Information	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Demand (v), veh/h	67	97	371	194	43	38	170	78	163	64	106	46

Signal Information											
Cycle, s	89.4	Reference Phase	2								
Offset, s	0	Reference Point	End								
Uncoordinated	Yes	Simult. Gap E/W	On	Green	10.4	12.9	10.2	25.0	0.0	0.0	
Force Mode	Fixed	Simult. Gap N/S	On	Yellow	4.5	4.5	4.0	4.0	0.0	0.0	
				Red	3.5	3.5	3.5	3.5	0.0	0.0	

Timer Results	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Assigned Phase		8	7	4	1	6		2
Case Number		5.3	1.0	4.0	1.0	3.0		6.3
Phase Duration, s		32.5	17.7	50.2	18.4	39.3		20.9
Change Period, ($Y+R_c$), s		7.5	7.5	7.5	8.0	8.0		8.0
Max Allow Headway (MAH), s		4.2	4.1	4.2	4.1	4.2		4.2
Queue Clearance Time (g_s), s		25.8	9.7	4.7	10.0	9.9		10.9
Green Extension Time (g_e), s		0.0	0.5	2.8	0.4	2.0		2.0
Phase Call Probability		1.00	1.00	1.00	0.99	1.00		1.00
Max Out Probability		1.00	0.02	0.01	0.01	0.00		0.00

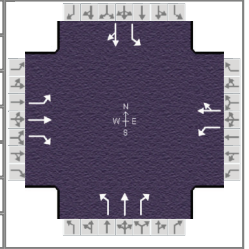
Movement Group Results	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement	3	8	18	7	4	14	1	6	16	5	2	12
Adjusted Flow Rate (v), veh/h	78	113	431	226	94		198	91	190	74	177	
Adjusted Saturation Flow Rate (s), veh/h/ln	1291	1885	1598	1767	1725		1781	1826	1585	1223	1703	
Queue Service Time (g_s), s	4.1	4.1	23.8	7.7	2.7		8.0	3.0	7.9	5.0	8.9	
Cycle Queue Clearance Time (g_c), s	4.2	4.1	23.8	7.7	2.7		8.0	3.0	7.9	5.0	8.9	
Green Ratio (g/C)	0.28	0.28	0.28	0.42	0.48		0.28	0.35	0.35	0.14	0.14	
Capacity (c), veh/h	441	527	446	577	823		342	639	555	257	246	
Volume-to-Capacity Ratio (X)	0.177	0.214	0.966	0.391	0.115		0.577	0.142	0.342	0.289	0.718	
Back of Queue (Q), ft/ln (95 th percentile)	56.7	80.6	470.8	136	44.6		153.3	58.1	128.7	71.1	180.6	
Back of Queue (Q), veh/ln (95 th percentile)	2.2	3.2	18.7	5.3	1.8		6.0	2.2	5.1	2.6	6.8	
Queue Storage Ratio (RQ) (95 th percentile)	0.26	0.00	2.14	0.51	0.00		0.41	0.00	0.47	0.32	0.00	
Uniform Delay (d_1), s/veh	24.7	24.7	31.8	17.8	12.9		26.7	19.9	21.5	34.9	36.5	
Incremental Delay (d_2), s/veh	0.2	0.2	33.9	0.4	0.1		1.5	0.1	0.4	0.6	3.9	
Initial Queue Delay (d_3), s/veh	0.0	0.0	0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	
Control Delay (d), s/veh	24.9	24.9	65.7	18.2	13.0		28.2	20.0	21.8	35.5	40.4	
Level of Service (LOS)	C	C	E	B	B		C	B	C	D	D	
Approach Delay, s/veh / LOS	53.2		D	16.7		B	24.1		C	39.0		D
Intersection Delay, s/veh / LOS	35.8						D					

Multimodal Results	EB		WB		NB		SB	
Pedestrian LOS Score / LOS	2.11	B	1.90	B	1.92	B	2.13	B
Bicycle LOS Score / LOS	1.51	B	1.02	A	1.28	A	0.90	A

HCS7 Signalized Intersection Results Summary

8.B.d

General Information				Intersection Information	
Agency	LTG, Inc.			Duration, h	0.250
Analyst	BNH	Analysis Date	9/17/2021	Area Type	Other
Jurisdiction	Volusia County	Time Period	P.M. Existing	PHF	0.95
Urban Street	Tymber Creek Rd	Analysis Year	2021	Analysis Period	1> 7:00
Intersection	Tymber Creek Rd & Airp...	File Name	3.1- Tymber Creek Rd & Airport Rd PM.xus		
Project Description	Tattersall at Tymber Creek				



Demand Information	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Demand (v), veh/h	20	47	70	176	77	67	123	187	203	49	110	55

Signal Information													
Cycle, s	62.7	Reference Phase	2										
Offset, s	0	Reference Point	End										
Uncoordinated	Yes	Simult. Gap E/W	On	Green	5.1	12.0	7.6	7.0	0.0	0.0			
Force Mode	Fixed	Simult. Gap N/S	On	Yellow	4.5	4.5	4.0	4.0	0.0	0.0			
				Red	3.5	3.5	3.5	3.5	0.0	0.0			

Timer Results	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Assigned Phase		8	7	4	1	6		2
Case Number		5.3	1.0	4.0	1.0	3.0		6.3
Phase Duration, s		14.5	15.1	29.6	13.1	33.1		20.0
Change Period, (Y+R _c), s		7.5	7.5	7.5	8.0	8.0		8.0
Max Allow Headway (MAH), s		4.2	4.1	4.2	4.1	4.2		4.2
Queue Clearance Time (g _s), s		4.7	7.5	6.0	5.4	7.9		7.5
Green Extension Time (g _e), s		1.0	0.4	1.0	0.3	2.4		2.4
Phase Call Probability		0.99	0.96	1.00	0.90	1.00		1.00
Max Out Probability		0.00	0.00	0.00	0.00	0.00		0.00

Movement Group Results	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement	3	8	18	7	4	14	1	6	16	5	2	12
Adjusted Flow Rate (v), veh/h	21	49	74	185	152		129	197	214	52	174	
Adjusted Saturation Flow Rate (s), veh/h/ln	1157	1870	1598	1753	1698		1781	1856	1585	1167	1778	
Queue Service Time (g_s), s	1.0	1.5	2.7	5.5	4.0		3.4	4.5	5.9	2.3	5.5	
Cycle Queue Clearance Time (g_c), s	1.0	1.5	2.7	5.5	4.0		3.4	4.5	5.9	2.3	5.5	
Green Ratio (g/C)	0.11	0.11	0.11	0.26	0.35		0.31	0.40	0.40	0.19	0.19	
Capacity (c), veh/h	243	208	177	443	598		387	744	635	338	341	
Volume-to-Capacity Ratio (X)	0.087	0.238	0.415	0.418	0.254		0.335	0.265	0.336	0.152	0.510	
Back of Queue (Q), ft/ln (95 th percentile)	13.1	29.7	46	94.4	63.1		58.1	73.6	82.3	27.8	98.7	
Back of Queue (Q), veh/ln (95 th percentile)	0.5	1.2	1.8	3.7	2.4		2.3	2.9	3.2	1.1	3.9	
Queue Storage Ratio (RQ) (95 th percentile)	0.06	0.00	0.21	0.35	0.00		0.15	0.00	0.30	0.12	0.00	
Uniform Delay (d_1), s/veh	25.2	25.5	26.0	19.1	14.5		16.8	12.6	13.0	21.4	22.7	
Incremental Delay (d_2), s/veh	0.2	0.6	1.5	0.6	0.2		0.5	0.2	0.3	0.2	1.2	
Initial Queue Delay (d_3), s/veh	0.0	0.0	0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	
Control Delay (d), s/veh	25.4	26.0	27.5	19.7	14.7		17.3	12.8	13.3	21.7	23.9	
Level of Service (LOS)	C	C	C	B	B		B	B	B	C	C	
Approach Delay, s/veh / LOS	26.7	C		17.5	B		14.1	B		23.4	C	
Intersection Delay, s/veh / LOS	18.1						B					

Multimodal Results	EB		WB		NB		SB	
Pedestrian LOS Score / LOS	2.12	B	1.90	B	1.89	B	2.11	B
Bicycle LOS Score / LOS	0.73	A	1.04	A	1.38	A	0.86	A

HCS7 Two-Way Stop-Control Report

8.B.d

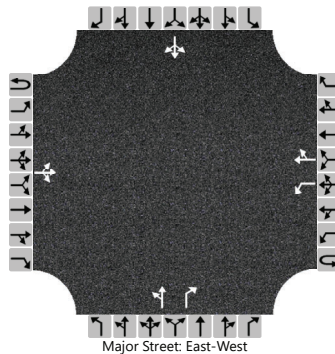
General Information

Analyst	BNH
Agency/Co.	LTG, Inc.
Date Performed	9/16/2021
Analysis Year	2021
Time Analyzed	A.M. Peak Existing
Intersection Orientation	East-West
Project Description	Tattersall at Tymber Creek

Site Information

Intersection	Airport Rd & Leeway Trl
Jurisdiction	Volusia County
East/West Street	Airport Rd
North/South Street	Leeway Trail
Peak Hour Factor	0.79
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	1	0	0	1	1	0		0	1	1		0	1	0
Configuration			LTR			L		TR		LT		R			LTR	
Volume (veh/h)		5	235	111		169	93	11		72	6	270		38	6	13
Percent Heavy Vehicles (%)		1				1				1	1	1		1	1	15
Proportion Time Blocked																
Percent Grade (%)									0				0			
Right Turn Channelized									No							
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)		4.1				4.1				7.1	6.5	6.2		7.1	6.5	6.2
Critical Headway (sec)		4.11				4.11				7.11	6.51	6.21		7.11	6.51	6.35
Base Follow-Up Headway (sec)		2.2				2.2				3.5	4.0	3.3		3.5	4.0	3.3
Follow-Up Headway (sec)		2.21				2.21				3.51	4.01	3.31		3.51	4.01	3.44

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		6				214				99		342			72	
Capacity, c (veh/h)		1460				1127				198		680			106	
v/c Ratio		0.00				0.19				0.50		0.50			0.68	
95% Queue Length, Q ₉₅ (veh)		0.0				0.7				2.5		2.8			3.5	
Control Delay (s/veh)		7.5				8.9				40.0		15.5			91.1	
Level of Service (LOS)		A				A				E		C			F	
Approach Delay (s/veh)	0.1				5.5				21.0				91.1			
Approach LOS									C				F			

HCS7 Two-Way Stop-Control Report

8.B.d

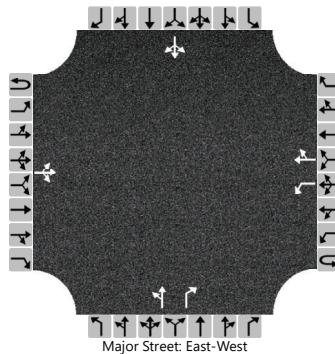
General Information

Analyst	BNH
Agency/Co.	LTG, Inc.
Date Performed	9/16/2021
Analysis Year	2021
Time Analyzed	P.M. Peak Existing
Intersection Orientation	East-West
Project Description	Tattersall at Tymber Creek

Site Information

Intersection	Airport Rd & Leeway Trl
Jurisdiction	Volusia County
East/West Street	Airport Rd
North/South Street	Leeway Trail
Peak Hour Factor	0.90
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	1	0	0	1	1	0		0	1	1		0	1	0
Configuration			LTR			L		TR		LT		R			LTR	
Volume (veh/h)		4	144	3		10	174	67		5	1	15		17	1	7
Percent Heavy Vehicles (%)		25				1				1	1	1		6	1	14
Proportion Time Blocked																
Percent Grade (%)									0				0			
Right Turn Channelized									No							
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)		4.1				4.1				7.1	6.5	6.2		7.1	6.5	6.2
Critical Headway (sec)		4.35				4.11				7.11	6.51	6.21		7.16	6.51	6.34
Base Follow-Up Headway (sec)		2.2				2.2				3.5	4.0	3.3		3.5	4.0	3.3
Follow-Up Headway (sec)		2.43				2.21				3.51	4.01	3.31		3.55	4.01	3.43

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		4				11				7		17			28	
Capacity, c (veh/h)		1174				1421				522		886			566	
v/c Ratio		0.00				0.01				0.01		0.02			0.05	
95% Queue Length, Q ₉₅ (veh)		0.0				0.0				0.0		0.1			0.2	
Control Delay (s/veh)		8.1				7.6				12.0		9.1			11.7	
Level of Service (LOS)		A				A				B		A			B	
Approach Delay (s/veh)	0.2				0.3				10.0				11.7			
Approach LOS									A				B			

APPENDIX E

Signal Timing Sheets

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION - DISTRICT FIVE
SR 40 - TSMO Signal Retiming
Volusia County
FIN 440412-1-32-02

Designed By:	J.M.
Date:	1/7/2019
Checked By:	R.A.A.
Date:	1/7/2019

Section	79100	Mile Post	25.565	Node	1
Sig ID	257	Controller	Econolite ASC/3-2100	System ID	17
Maj. Street	SR 40	Orientation	E-W	SOP	9
Min. Street	Tymber Creek Rd.	Orientation	N-S		

Pedestrians

Movement # (Controller Phase Ø)	1	2	3	4	5	6	7	8	Notes
Direction	EBL	WB	SB	NB	WBL	EB			
Speed Limit (mph)	50	50	40	30	50	50			
Vehicle Traversed Width	181	162	170	188	163	163			
Approach Grades	-0.4%	0.1%	0.2%	-0.8%	0.1%	-0.4%			
Ped-X (curb to curb)		112	140	136		101			
Crossing Time		32	40	39		29			
Ped-X (button to curb)		14	18	18		13			
Ped-X (button to far curb)		126	158	154		114			
Crossing Time (to far curb)		42	53	52		38			

Controller Timings (seconds)

Movement # (Controller Phase Ø)	1	2	3	4	5	6	7	8	Notes
Direction	EBL	WB	SB	NB	WBL	EB			
Turn Type	Prot		Split	Split	Prot				
Min Green	5	16	6	6	5	16			
Ext	4.0	4.0	4.0	4.0	4.0	4.0			
Yellow Change Interval	5.2	5.2	4.4	3.7	5.1	5.2			
Red Clearance Interval	4.5	2.0	4.2	4.7	4.0	2.0			
Max I	25	50	40	20	25	50			
Max II (Timing Plan 1)	12	80	42	14	14	80			
Walk		7	7	7		7			
Flashing Don't Walk		32	40	39		29			
Min Splits	15.0	47.0	56.0	55.0	15.0	44.0			
Detector Memory		ON				ON			
Det. Cross Switch.									
Recall		Min				Min			
CNA									
Coord Phase		YES				YES			

Coordination Timings (seconds)

Plan	Pattern	C-O-S	Splits								Cycle Length	Offset	Seq
AM	1		18	72	50	20	20	70	-	-	160	11	4
MIDDAY	2		18	67	45	20	23	62	-	-	150	26	3
PM	3		18	87	45	20	20	85	-	-	170	40	3

Notes

- Offset referenced to end of first through movement 2 & 6
- Phases 3 lags for all patterns
- Program Max II (Timing Plan 1) during coordination
- Program fixed force-offs
- PED recall on coord phases. Program to rest in walk

		Pattern 1			
Ring-1	2	1	4	3	
Ring-2	5	6			
		Patterns 2 & 3			
Ring-1	1	2	4	3	
Ring-2	5	6			

COUNTY OF VOLUSIA TRAFFIC SIGNAL TIMING SHEET

LOCATION: Tymber Creek Rd & River Chase Way
Ormond BeachISOLATED: ☒ XDATE: 3/24/2015SIGNAL #: 401CO-ORD: ☐Design By: M. TobinSystem #: -

Controller Timing Chart

PHASE	1	2	3	4	5	6	7	8
DIRECTION	-	NB	-	WB	-	SB	-	EB
TURN TYPE	-	-	-	-	-	-	-	-
MIN GREEN		11		7		11		7
EXTENSION		4		3		4		3
CLEARANCE		5.0		4.0		5.0		4.0
ALL RED		2.5		3.0		2.5		3.0
WALK		-		-		-		7
FDW		-		-		-		20
MAX 1		45		25		45		25
MAX 2		-		-		-		-
MAX 3		60		-		60		-
ADJUST		5		-		5		-
RECALL		MIN		-		MIN		-
DETECTOR		LOCK		LOCK		LOCK		LOCK
FLASH		YELLOW		RED		YELLOW		RED
SET		2		-		2		-
CLEAR		2		-		2		-
BASE DAY	1	2	3	4	5	6	7	
MON #1	TIME 00:01-00:00							Crosswalk Length
	PLAN FREE							P2
TUES#1	TIME 00:01-00:00							-
	PLAN FREE							P4
WED #1	TIME 00:01-00:00							-
	PLAN FREE							P6
THU #1	TIME 00:01-00:00							-
	PLAN FREE							P8
FRI #1	TIME 00:01-00:00							-
	PLAN FREE							
SAT #2	TIME 00:01-00:00							
	PLAN FREE							
SUN #3	TIME 00:01-00:00							
	PLAN FREE							
CONTROLLER TYPE	CONDITION OF OVERHEAD			OK		PROM NUMBER		P8
3000E	OVERHEAD STREET NAMES			NO				68 Feet
PHASES:	8Φ	ILLUMINATED STREET NAMES			YES	8216A 3.7.3		SIGNAL OWNER ⁴
CABINET TYPE	V	PRE-EMPTION			YES	IP ADDRESS		Ormond Beach
CABINET DATE	11/2005	PRE-EMPTION TYPE			INFRARED	-		LED YES

REMARKS:

2	4
6	8

COUNTY OF VOLUSIA TRAFFIC SIGNAL TIMING SHEET

LOCATION: Tymber Creek Rd & Airport Rd

Ormond Beach

ISOLATED: ☒ X

DATE: 2/20/2015

SIGNAL #: 357

CO-ORD: ☐

Design By: M. Tobin

System #: -

Controller Timing Chart

PHASE	1	2	3	4	5	6	7	8	
DIRECTION	NBL	SB	-	WB	-	NB	WBL	EB	
TURN TYPE	PERM/PROT	-	-	-	-	-	PERM/PROT	-	
MIN GREEN	5	12	-	7	-	12	5	7	
EXTENSION	3	3	-	3	-	3	3	3	
CLEARANCE	4.5	4.5	-	4.0	-	4.5	4.0	4.0	
ALL RED	3.5	3.5	-	3.5	-	3.5	3.5	3.5	
WALK	-	10	-	10	-	10	-	10	
FDW	-	15	-	20	-	15	-	20	
MAX 1	20	35	-	25	-	35	20	25	
MAX 2	-	-	-	-	-	-	-	-	
MAX 3	-	-	-	-	-	-	-	-	
ADJUST	-	-	-	-	-	-	-	-	
RECALL	-	MIN	-	-	-	MIN	-	-	
DETECTOR	NON-LOCK	LOCK	-	NON-LOCK	-	LOCK	NON-LOCK	NON-LOCK	
FLASH	-	YELLOW	-	RED	-	YELLOW	-	-	
SET	-	-	-	-	-	-	-	-	
CLEAR	-	-	-	-	-	-	-	-	
BASE DAY	1	2	3	4	5	6	7		
MON #1	TIME 00:01-00:00								Crosswalk Length
	PLAN FREE								P2
TUES#1	TIME 00:01-00:00								52 Feet
	PLAN FREE								P4
WED #1	TIME 00:01-00:00								42 Feet
	PLAN FREE								P6
THU #1	TIME 00:01-00:00								50 Feet
	PLAN FREE								P8
FRI #1	TIME 00:01-00:00								
	PLAN FREE								
SAT #2	TIME 00:01-00:00								
	PLAN FREE								
SUN #3	TIME 00:01-00:00								
	PLAN FREE								
CONTROLLER TYPE	CONDITION OF OVERHEAD		Good		PROM NUMBER		P8		
3000E	OVERHEAD STREET NAMES		NO				62 Feet		
PHASES:	8Φ	ILLUMINATED STREET NAMES		YES		8216A 3.7.3		SIGNAL OWNER ^A	
CABINET TYPE	V	PRE-EMPTION		YES		IP ADDRESS		County	
CABINET DATE	01/2006	PRE-EMPTION TYPE		INFRARED		-		LED	YES

REMARKS:

1	2	4
6	7	8

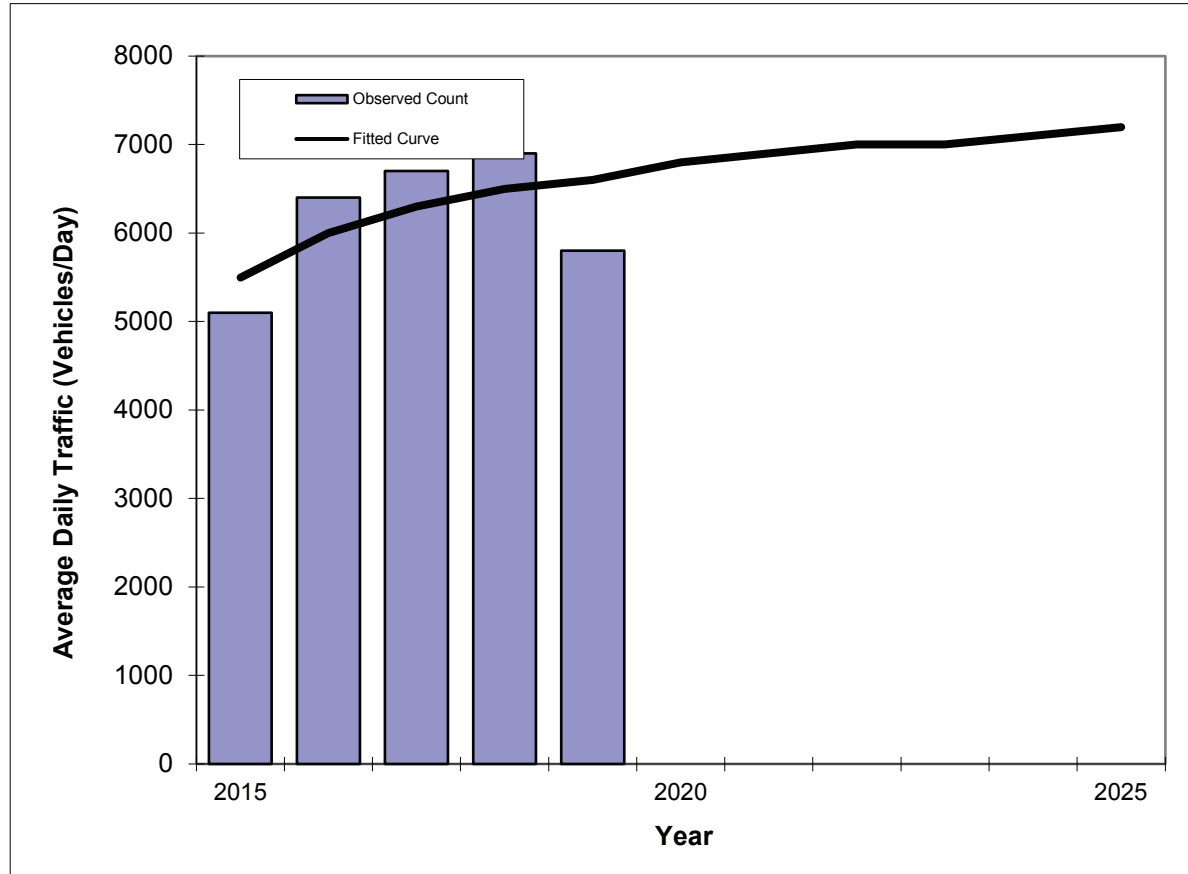
APPENDIX F

FDOT Traffic Trends

TRAFFIC TRENDS

Airport Rd -- Tymber Creek Rd to Pineland Tr

County:	Volusia
Station #:	60
Highway:	Airport Rd



Year	Traffic (ADT/AADT)	
	Count*	Trend**
2015	5100	5500
2016	6400	6000
2017	6700	6300
2018	6900	6500
2019	5800	6600
2021 Opening Year Trend		
2021	N/A	6900
2022 Mid-Year Trend		
2022	N/A	7000
2024 Design Year Trend		
2024	N/A	7100
TRANPLAN Forecasts/Trends		

Trend R-squared:	35.5%
Compounded Annual Historic Growth Rate:	3.28%
Compounded Growth Rate (2019 to Design Year):	1.52%
Printed:	9-Jun-21

Decaying Exponential Growth Option

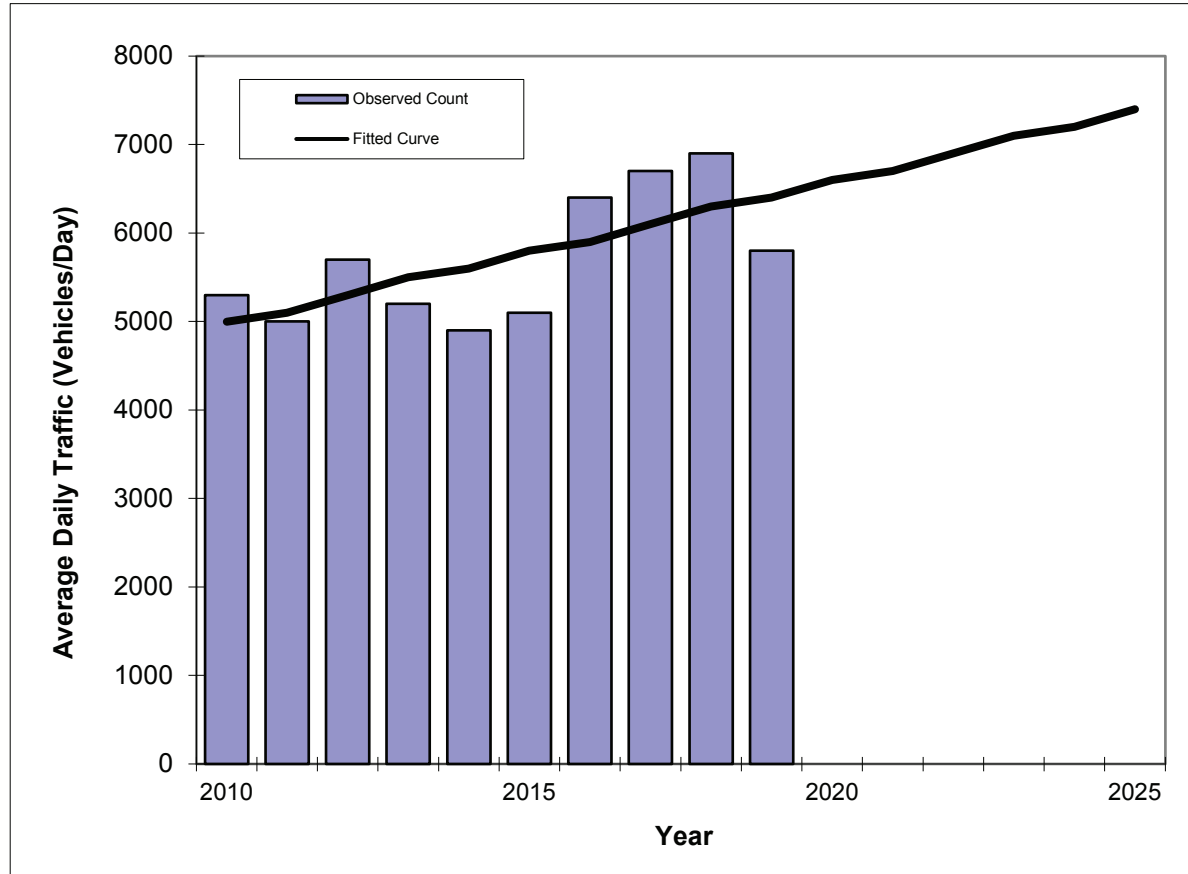
*Axle-Adjusted

TRAFFIC TRENDS

Airport Rd -- Tymber Creek Rd to Pineland Tr

County:
Station #:
Highway:

Volusia
60
Airport Rd



Year	Traffic (ADT/AADT)	
	Count*	Trend**
2010	5300	5000
2011	5000	5100
2012	5700	5300
2013	5200	5500
2014	4900	5600
2015	5100	5800
2016	6400	5900
2017	6700	6100
2018	6900	6300
2019	5800	6400
2021 Opening Year Trend		
2021	N/A	6700
2022 Mid-Year Trend		
2022	N/A	6900
2024 Design Year Trend		
2024	N/A	7200
TRANPLAN Forecasts/Trends		

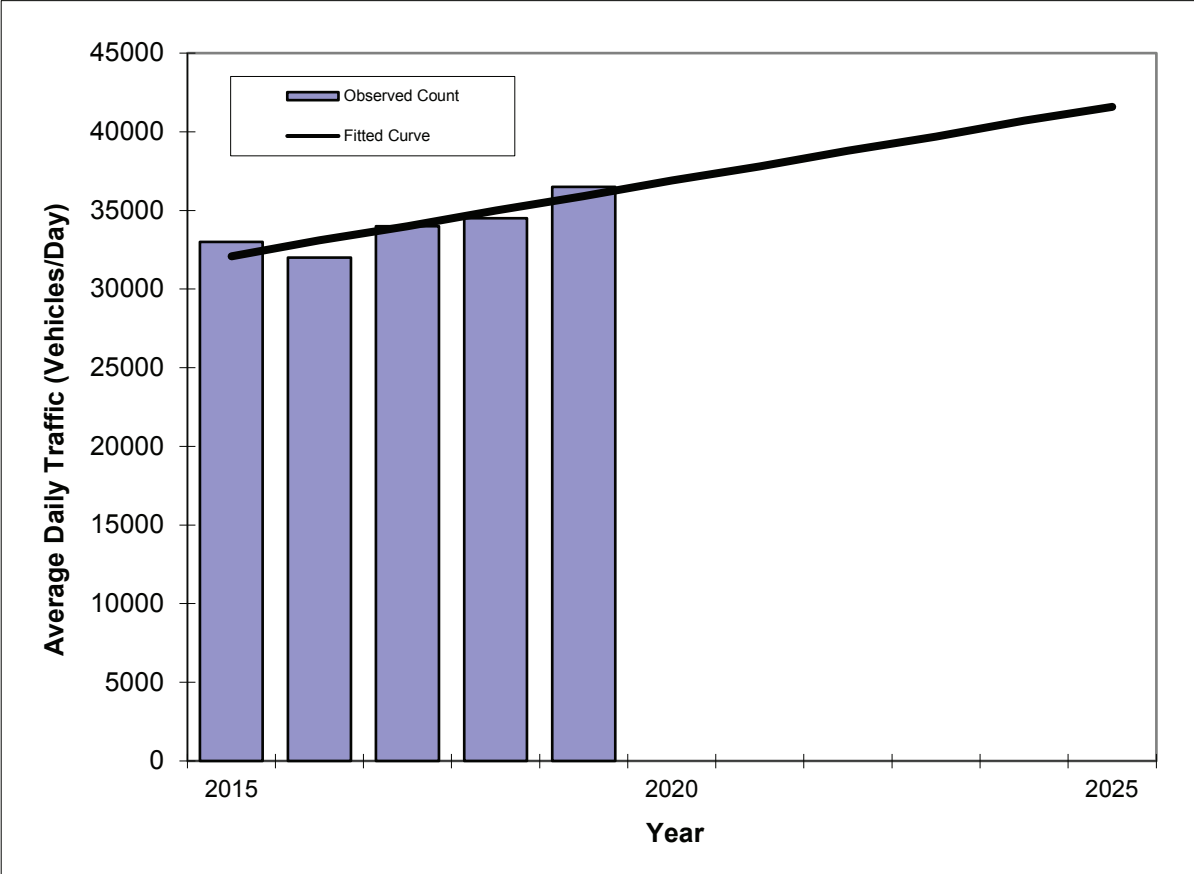
** Annual Trend Increase: 161
 Trend R-squared: 44.3%
 Trend Annual Historic Growth Rate: 3.11%
 Trend Growth Rate (2019 to Design Year): 2.50%
 Printed: 9-Jun-21

Straight Line Growth Option

*Axle-Adjusted

TRAFFIC TRENDS
Granada Blvd -- Clyde Morris Blvd to Nova Rd

County:	Volusia
Station #:	489
Highway:	Granada Blvd



Year	Traffic (ADT/AADT)	
	Count*	Trend**
2015	33000	32100
2016	32000	33100
2017	34000	34000
2018	34500	35000
2019	36500	35900
2021 Opening Year Trend		
2021	N/A	37800
2022 Mid-Year Trend		
2022	N/A	38800
2024 Design Year Trend		
2024	N/A	40700
TRANPLAN Forecasts/Trends		

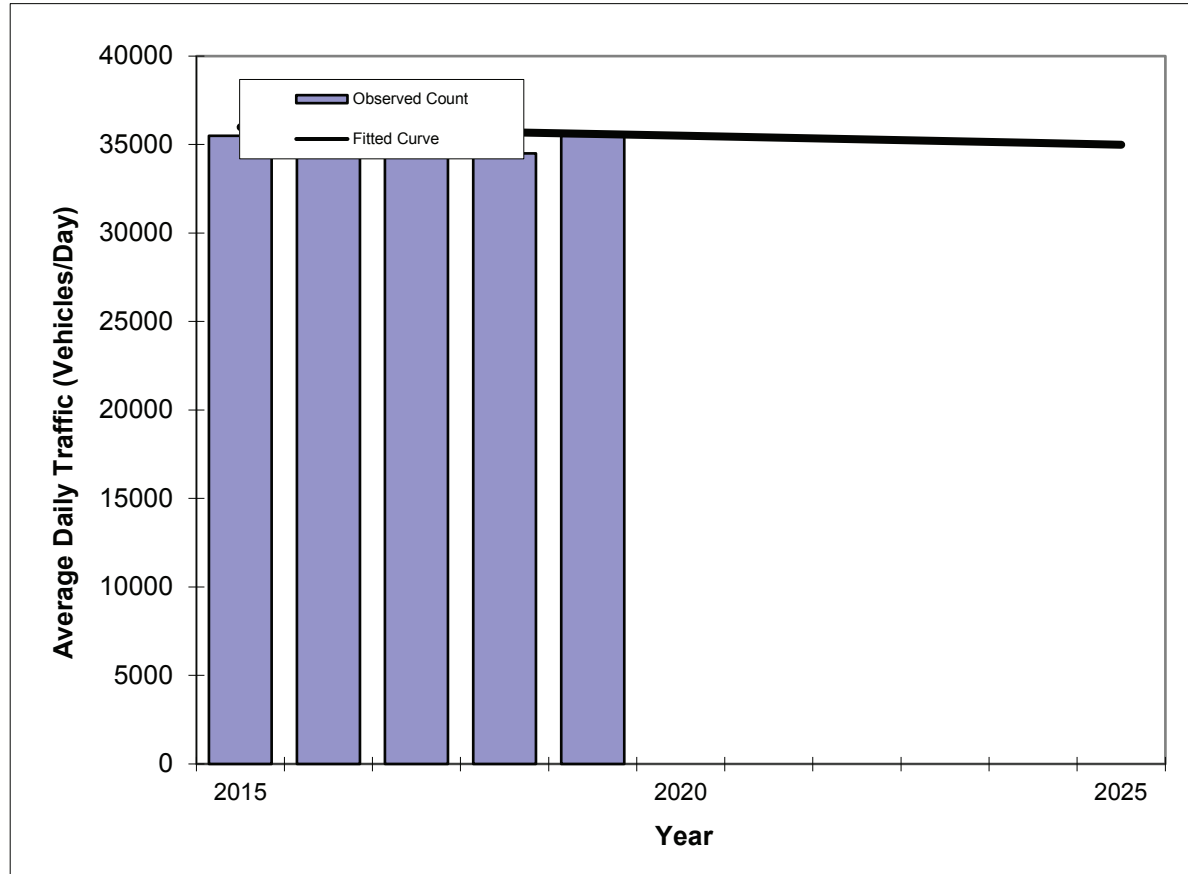
** Annual Trend Increase:	950
Trend R-squared:	78.5%
Trend Annual Historic Growth Rate:	2.96%
Trend Growth Rate (2019 to Design Year):	2.67%
Printed:	9-Jun-21
Straight Line Growth Option	

*Axle-Adjusted

TRAFFIC TRENDS

Granada Blvd -- I-95 to Clyde Morris Blvd

County:	Volusia
Station #:	522
Highway:	Granada Blvd



Year	Traffic (ADT/AADT)	
	Count*	Trend**
2015	35500	36000
2016	35500	35900
2017	38000	35800
2018	34500	35700
2019	35500	35600
2021 Opening Year Trend		
2021	N/A	35400
2022 Mid-Year Trend		
2022	N/A	35300
2024 Design Year Trend		
2024	N/A	35100
TRANPLAN Forecasts/Trends		

Trend R-squared:	1.6%
Compounded Annual Historic Growth Rate:	-0.28%
Compounded Growth Rate (2019 to Design Year):	-0.28%
Printed:	9-Jun-21

Exponential Growth Option

*Axle-Adjusted

TRAFFIC TRENDS

Granada Blvd -- I-95 to Clyde Morris Blvd

County:

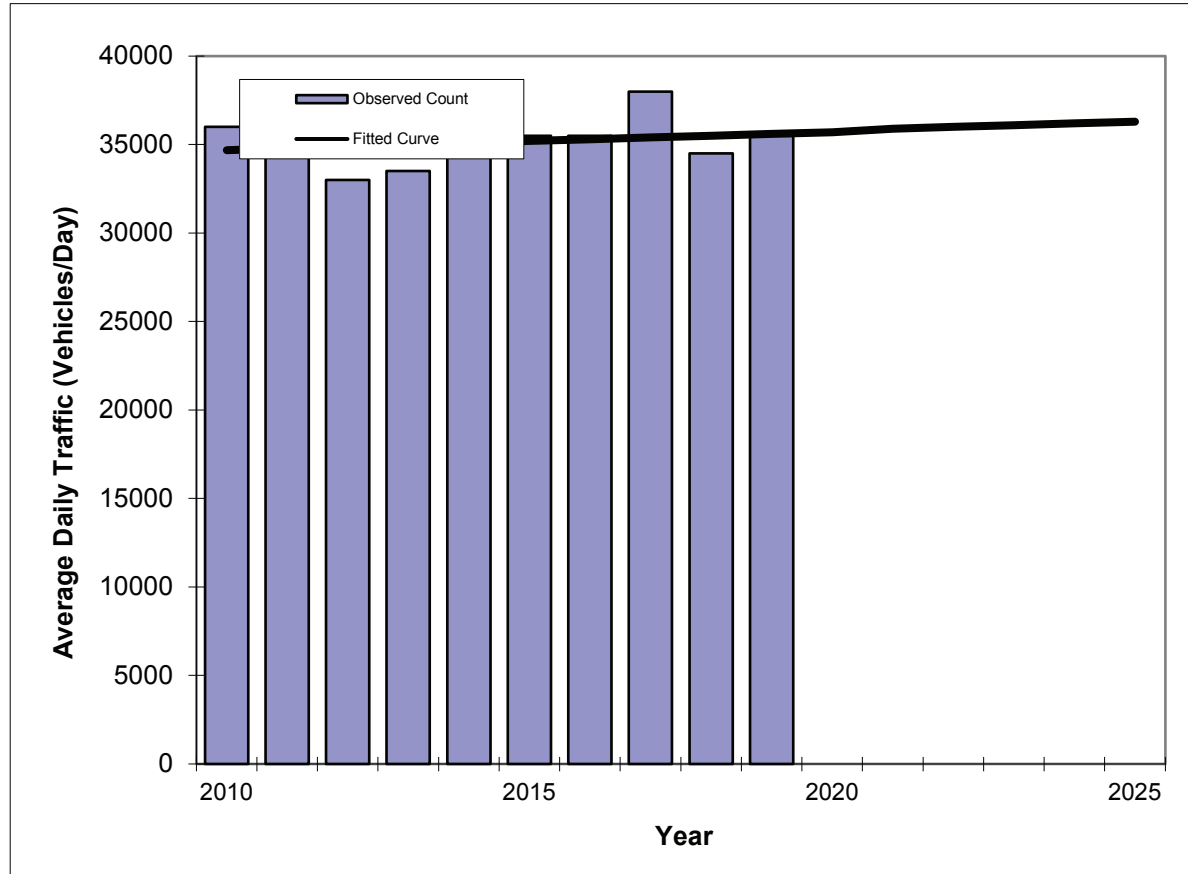
Volusia

Station #:

522

Highway:

Granada Blvd



Year	Traffic (ADT/AADT)	
	Count*	Trend**
2010	36000	34700
2011	36000	34800
2012	33000	34900
2013	33500	35000
2014	34500	35100
2015	35500	35200
2016	35500	35300
2017	38000	35400
2018	34500	35500
2019	35500	35600
2021 Opening Year Trend		
2021	N/A	35900
2022 Mid-Year Trend		
2022	N/A	36000
2024 Design Year Trend		
2024	N/A	36200
TRANPLAN Forecasts/Trends		

Trend R-squared: 4.9%
 Compounded Annual Historic Growth Rate: 0.32%
 Compounded Growth Rate (2019 to Design Year): 0.28%
 Printed: 9-Jun-21

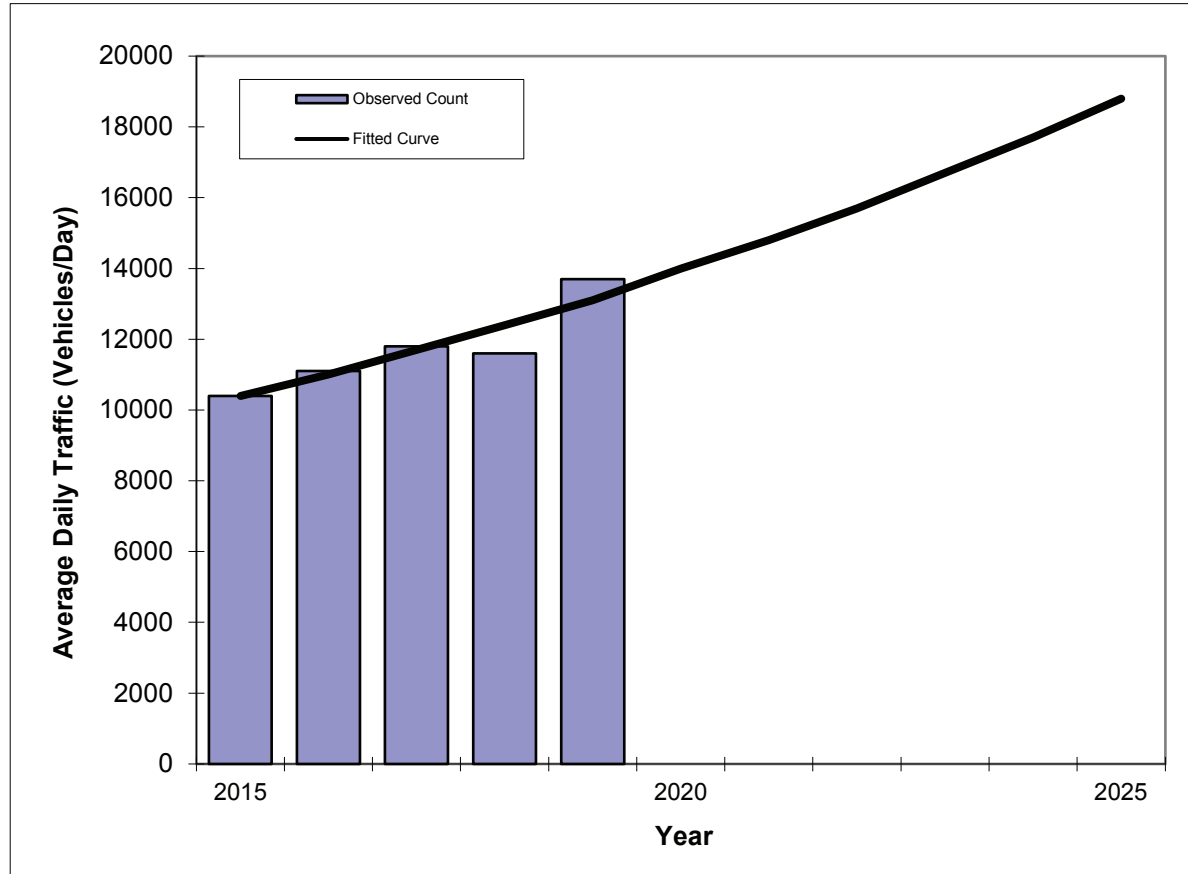
Exponential Growth Option

*Axle-Adjusted

TRAFFIC TRENDS

Granada Blvd -- Pinto Lane to Rima Ridge Rd

County:	Volusia
Station #:	523
Highway:	Granada Blvd



Year	Traffic (ADT/AADT)	
	Count*	Trend**
2015	10400	10400
2016	11100	11000
2017	11800	11700
2018	11600	12400
2019	13700	13100
2021 Opening Year Trend		
2021	N/A	14800
2022 Mid-Year Trend		
2022	N/A	15700
2024 Design Year Trend		
2024	N/A	17700
TRANPLAN Forecasts/Trends		

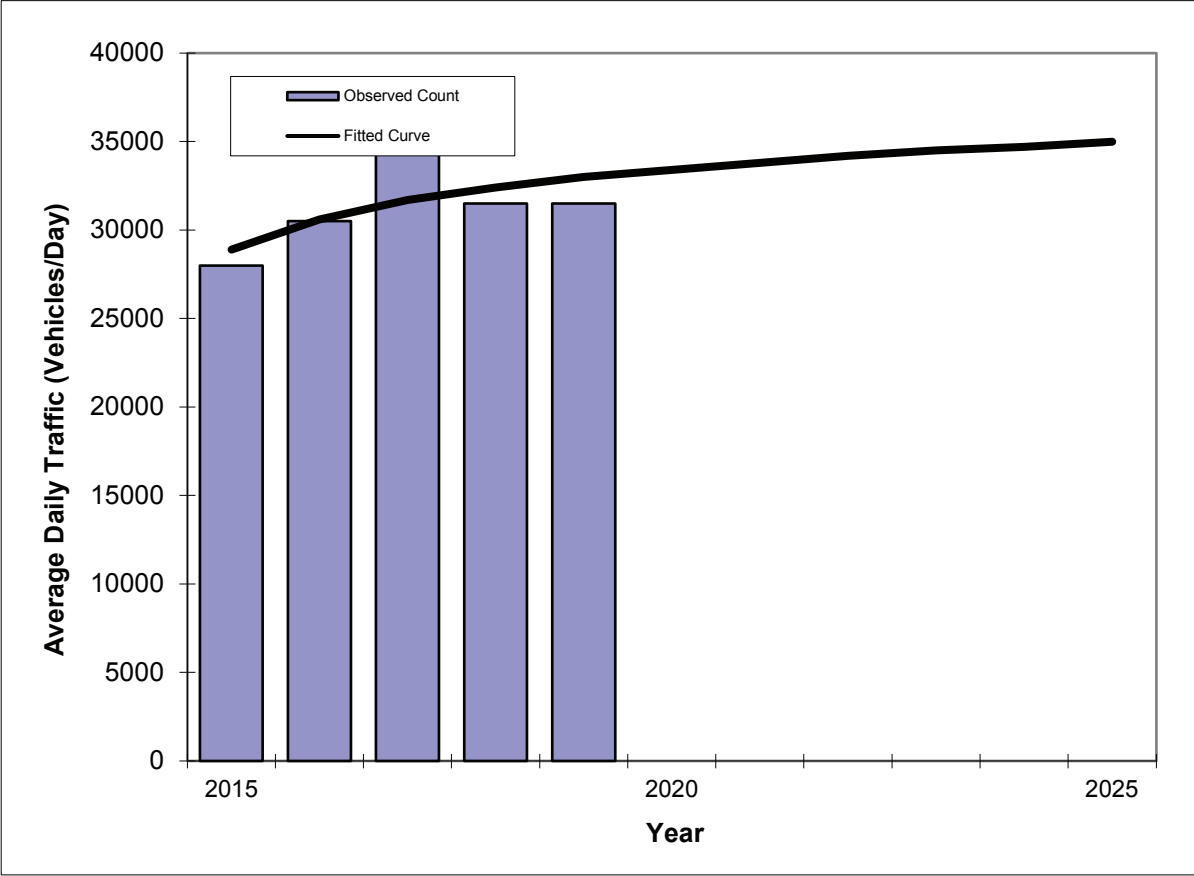
Trend R-squared:	85.0%
Compounded Annual Historic Growth Rate:	6.20%
Compounded Growth Rate (2019 to Design Year):	6.20%
Printed:	9-Jun-21

Exponential Growth Option

*Axle-Adjusted

TRAFFIC TRENDS
Granada Blvd -- Rima Ridge Rd to I-95

County:	Volusia
Station #:	499
Highway:	Granada Blvd



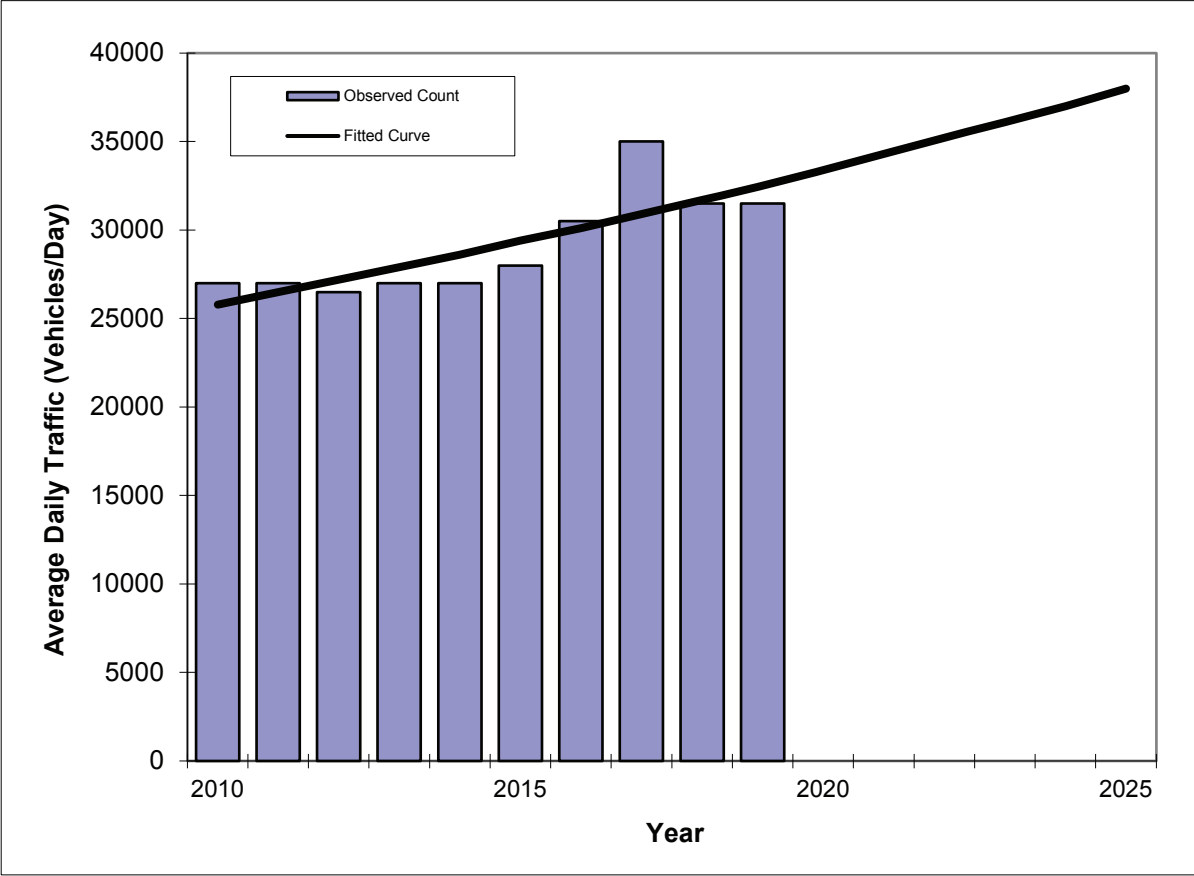
Year	Traffic (ADT/AADT)	
	Count*	Trend**
2015	28000	28900
2016	30500	30600
2017	35000	31700
2018	31500	32400
2019	31500	33000
2021 Opening Year Trend		
2021	N/A	33800
2022 Mid-Year Trend		
2022	N/A	34200
2024 Design Year Trend		
2024	N/A	34700
TRANPLAN Forecasts/Trends		

Trend R-squared:	41.3%
Compounded Annual Historic Growth Rate:	2.59%
Compounded Growth Rate (2019 to Design Year):	1.09%
Printed:	9-Jun-21
Decaying Exponential Growth Option	

*Axle-Adjusted

TRAFFIC TRENDS
Granada Blvd -- Rima Ridge Rd to I-95

County:	Volusia
Station #:	499
Highway:	Granada Blvd



Year	Traffic (ADT/AADT)	
	Count*	Trend**
2010	27000	25800
2011	27000	26500
2012	26500	27200
2013	27000	27900
2014	27000	28600
2015	28000	29400
2016	30500	30100
2017	35000	30900
2018	31500	31700
2019	31500	32500
2021 Opening Year Trend		
2021	N/A	34300
2022 Mid-Year Trend		
2022	N/A	35200
2024 Design Year Trend		
2024	N/A	37000
TRANPLAN Forecasts/Trends		

Trend R-squared:	67.6%
Compounded Annual Historic Growth Rate:	2.64%
Compounded Growth Rate (2019 to Design Year):	2.63%
Printed:	9-Jun-21
Exponential Growth Option	

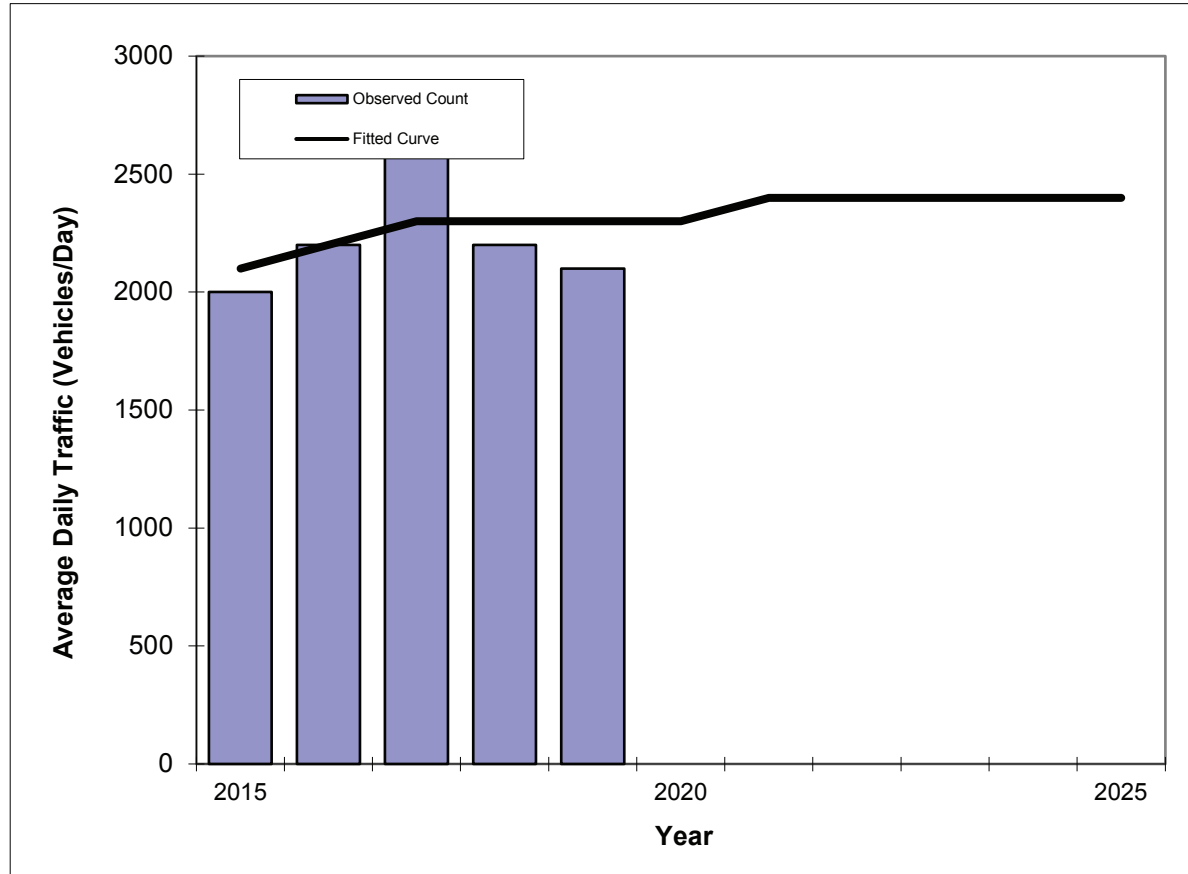
*Axle-Adjusted

TRAFFIC TRENDS

Tymber Creek Rd -- Airport Rd to Broadway Ave/US 1

County:
Station #:
Highway:

Volusia
1883
Tymber Creek Rd



Year	Traffic (ADT/AADT)	
	Count*	Trend**
2015	2000	2100
2016	2200	2200
2017	2700	2300
2018	2200	2300
2019	2100	2300
2021 Opening Year Trend		
2021	N/A	2400
2022 Mid-Year Trend		
2022	N/A	2400
2024 Design Year Trend		
2024	N/A	2400
TRANPLAN Forecasts/Trends		

Trend R-squared: 8.2%
 Compounded Annual Historic Growth Rate: 1.12%
 Compounded Growth Rate (2019 to Design Year): 0.87%
 Printed: 9-Jun-21

Decaying Exponential Growth Option

*Axle-Adjusted

TRAFFIC TRENDS

Tymer Creek Rd -- Airport Rd to Broadway Ave/US 1

County:

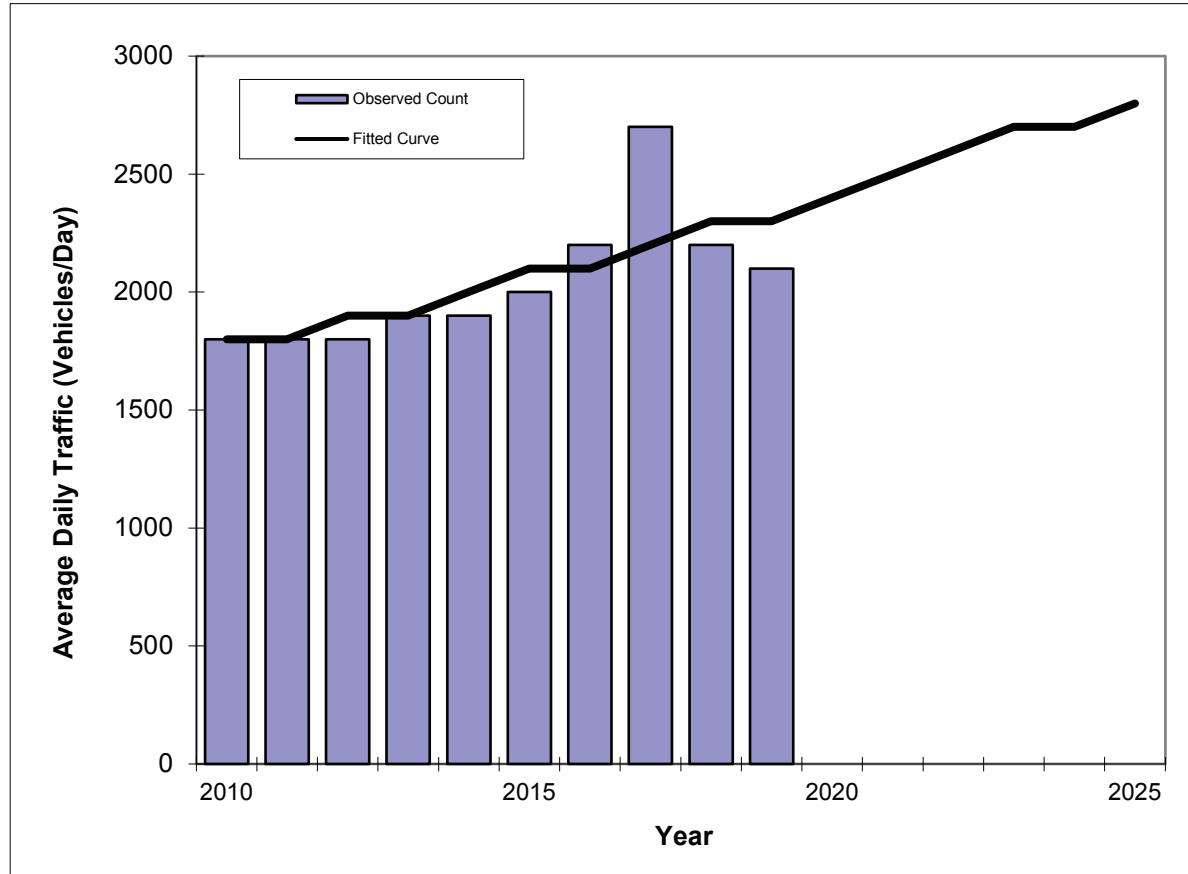
Volusia

Station #:

1883

Highway:

Tymer Creek Rd



Year	Traffic (ADT/AADT)	
	Count*	Trend**
2010	1800	1800
2011	1800	1800
2012	1800	1900
2013	1900	1900
2014	1900	2000
2015	2000	2100
2016	2200	2100
2017	2700	2200
2018	2200	2300
2019	2100	2300
2021 Opening Year Trend		
2021	N/A	2500
2022 Mid-Year Trend		
2022	N/A	2600
2024 Design Year Trend		
2024	N/A	2700
TRANPLAN Forecasts/Trends		

Trend R-squared: 57.9%
 Compounded Annual Historic Growth Rate: 3.42%
 Compounded Growth Rate (2019 to Design Year): 3.26%
 Printed: 9-Jun-21

Exponential Growth Option

*Axle-Adjusted

TRAFFIC TRENDS

Tymber Creek Rd -- Granada Blvd to Tymber Run

County:

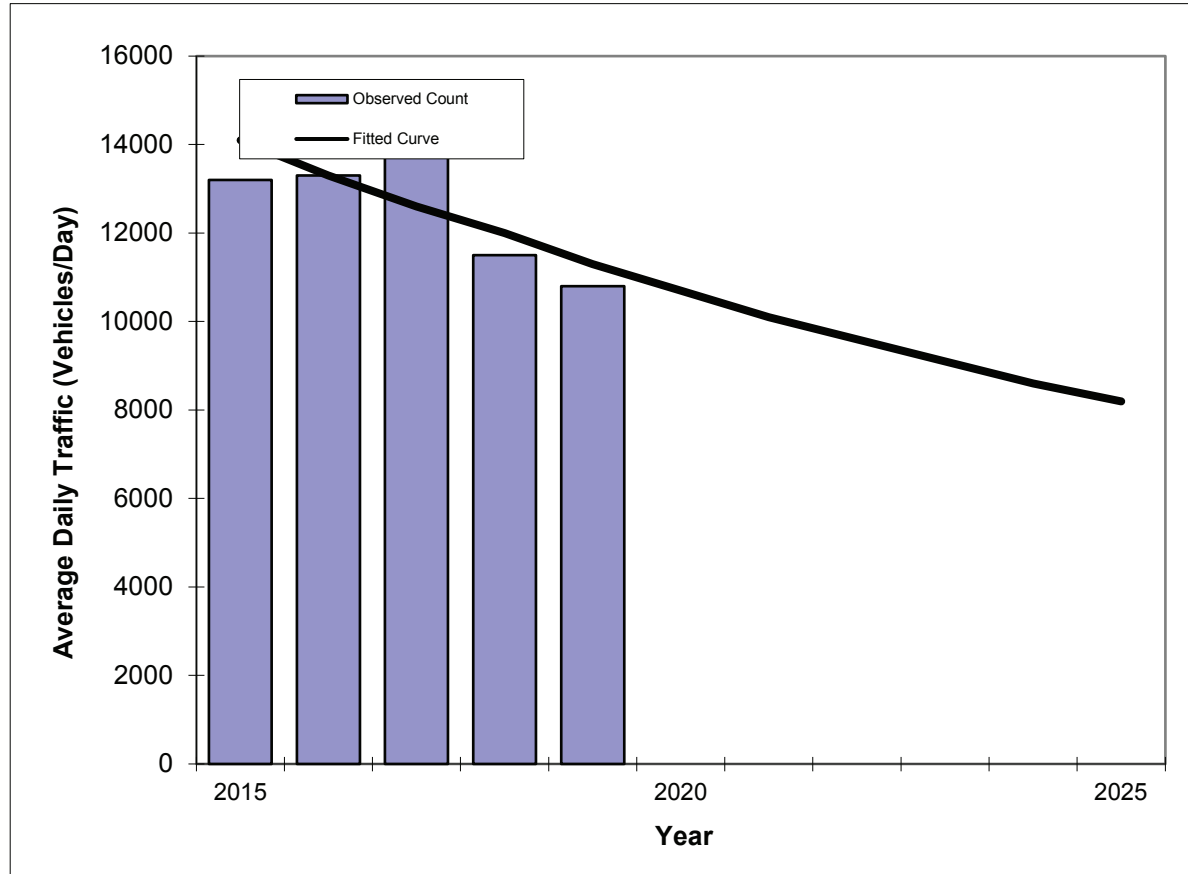
Volusia

Station #:

1881

Highway:

Tymber Creek Rd



Year	Traffic (ADT/AADT)	
	Count*	Trend**
2015	13200	14100
2016	13300	13300
2017	14700	12600
2018	11500	12000
2019	10800	11300
2021 Opening Year Trend		
2021	N/A	10100
2022 Mid-Year Trend		
2022	N/A	9600
2024 Design Year Trend		
2024	N/A	8600
TRANPLAN Forecasts/Trends		

Trend R-squared: 49.1%
 Compounded Annual Historic Growth Rate: -5.01%
 Compounded Growth Rate (2019 to Design Year): -5.48%
 Printed: 9-Jun-21

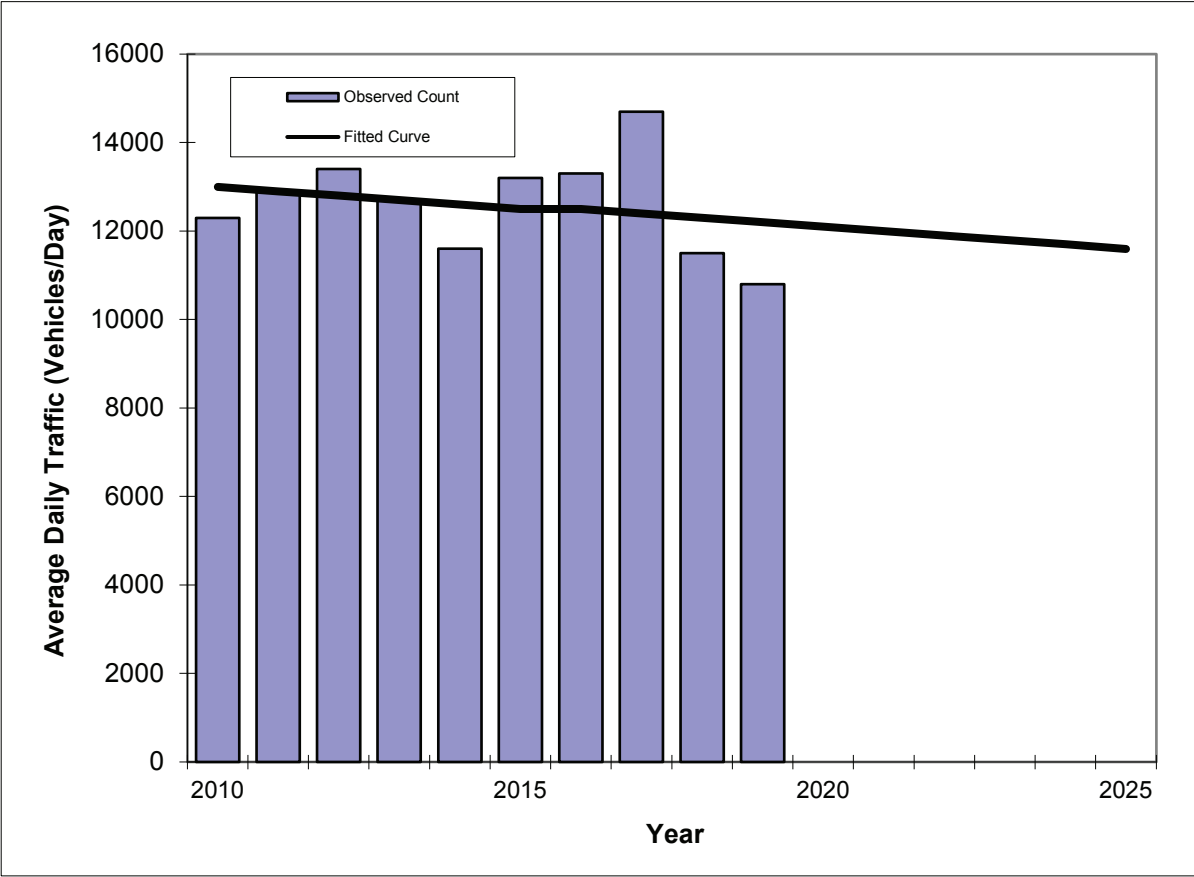
Exponential Growth Option

*Axle-Adjusted

TRAFFIC TRENDS

Tymber Creek Rd -- Granada Blvd to Tymber Run

County:	Volusia
Station #:	1881
Highway:	Tymber Creek Rd



Year	Traffic (ADT/AADT)	
	Count*	Trend**
2010	12300	13000
2011	12900	12900
2012	13400	12800
2013	12700	12700
2014	11600	12600
2015	13200	12500
2016	13300	12500
2017	14700	12400
2018	11500	12300
2019	10800	12200
2021 Opening Year Trend		
2021	N/A	12000
2022 Mid-Year Trend		
2022	N/A	11900
2024 Design Year Trend		
2024	N/A	11700
TRANPLAN Forecasts/Trends		

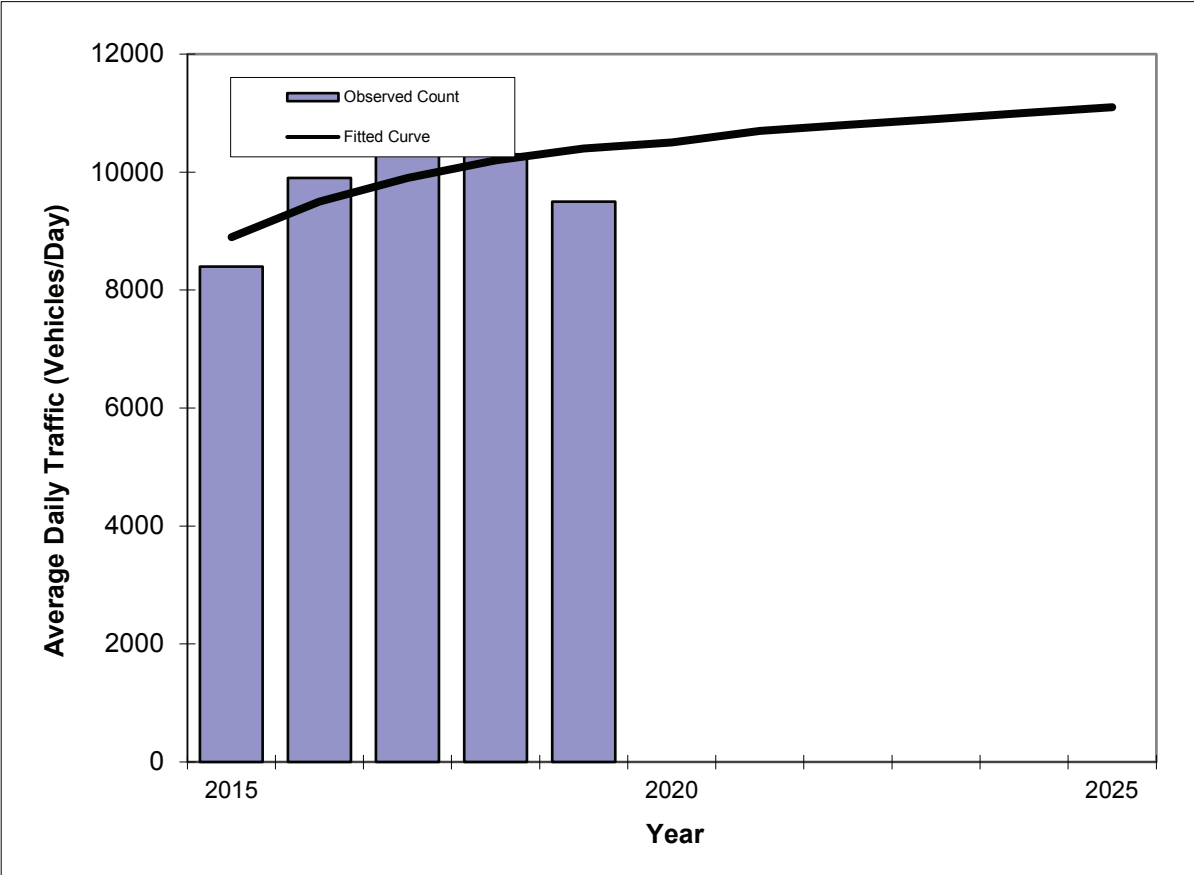
Trend R-squared:	6.4%
Compounded Annual Historic Growth Rate:	-0.61%
Compounded Growth Rate (2019 to Design Year):	-1.00%
Printed:	9-Jun-21
Exponential Growth Option	

*Axle-Adjusted

TRAFFIC TRENDS

Tymber Creek Rd -- Tymber Run to Airport Rd

County:	Volusia
Station #:	1882
Highway:	Tymber Creek Rd



Year	Traffic (ADT/AADT)	
	Count*	Trend**
2015	8400	8900
2016	9900	9500
2017	10800	9900
2018	10300	10200
2019	9500	10400
2021 Opening Year Trend		
2021	N/A	10700
2022 Mid-Year Trend		
2022	N/A	10800
2024 Design Year Trend		
2024	N/A	11000
TRANPLAN Forecasts/Trends		

Trend R-squared:	40.7%
Compounded Annual Historic Growth Rate:	2.59%
Compounded Growth Rate (2019 to Design Year):	1.36%
Printed:	9-Jun-21
Decaying Exponential Growth Option	

*Axle-Adjusted

TRAFFIC TRENDS

Tymber Creek Rd -- Tymber Run to Airport Rd

County:

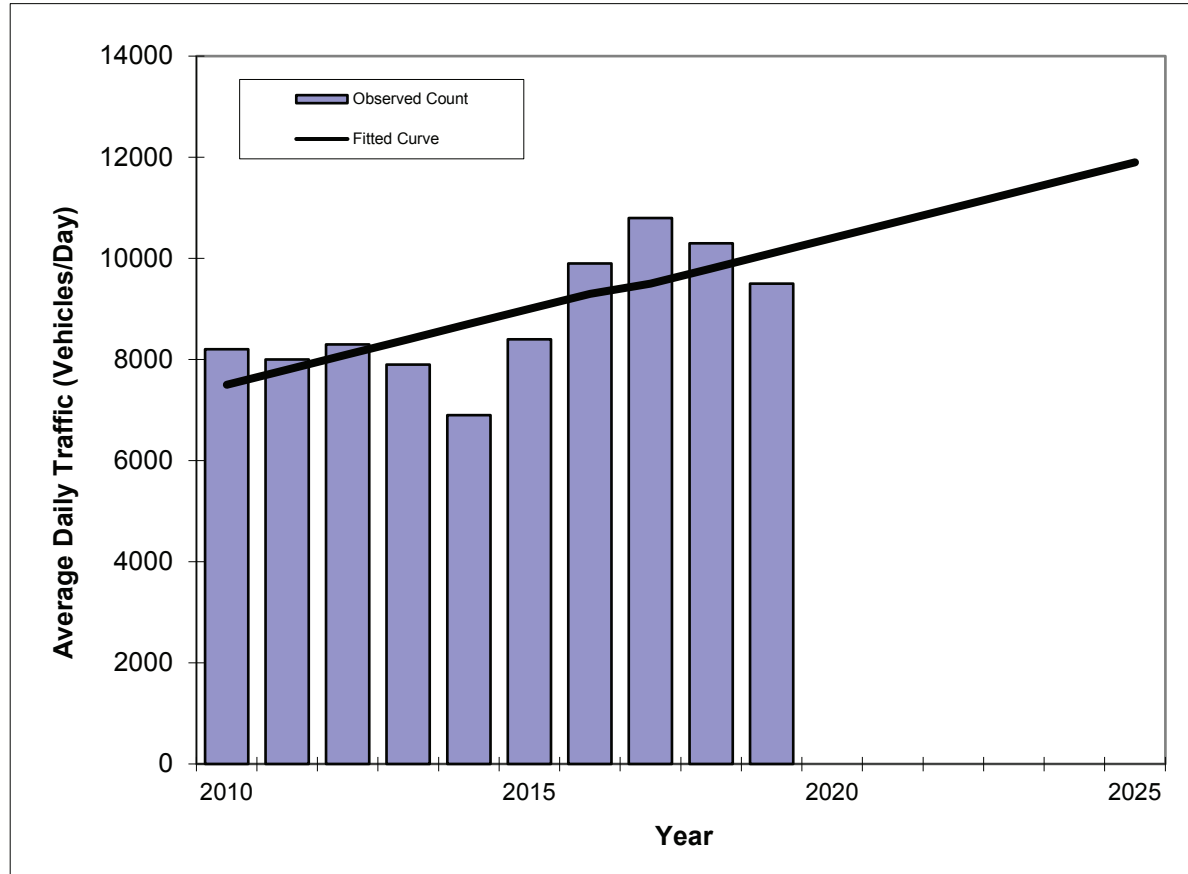
Volusia

Station #:

1882

Highway:

Tymber Creek Rd



Year	Traffic (ADT/AADT)	
	Count*	Trend**
2010	8200	7500
2011	8000	7800
2012	8300	8100
2013	7900	8400
2014	6900	8700
2015	8400	9000
2016	9900	9300
2017	10800	9500
2018	10300	9800
2019	9500	10100
2021 Opening Year Trend		
2021	N/A	10700
2022 Mid-Year Trend		
2022	N/A	11000
2024 Design Year Trend		
2024	N/A	11600
TRANPLAN Forecasts/Trends		

** Annual Trend Increase: 290

Trend R-squared: 50.3%

Trend Annual Historic Growth Rate: 3.85%

Trend Growth Rate (2019 to Design Year): 2.97%

Printed: 9-Jun-21

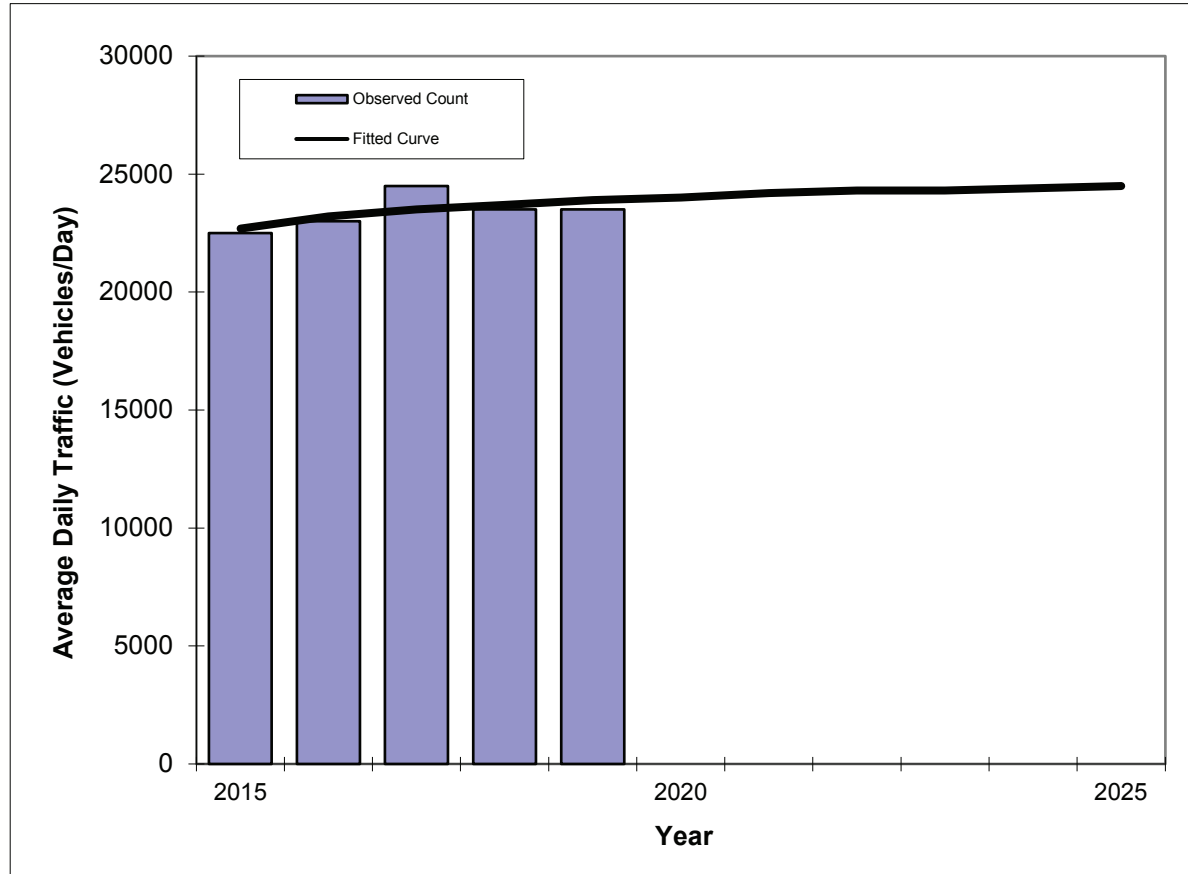
Straight Line Growth Option

*Axle-Adjusted

TRAFFIC TRENDS

US 1 -- Airport Rd to I-95

County:	Volusia
Station #:	351
Highway:	US 1



Year	Traffic (ADT/AADT)	
	Count*	Trend**
2015	22500	22700
2016	23000	23200
2017	24500	23500
2018	23500	23700
2019	23500	23900
2021 Opening Year Trend		
2021	N/A	24200
2022 Mid-Year Trend		
2022	N/A	24300
2024 Design Year Trend		
2024	N/A	24400
TRANPLAN Forecasts/Trends		

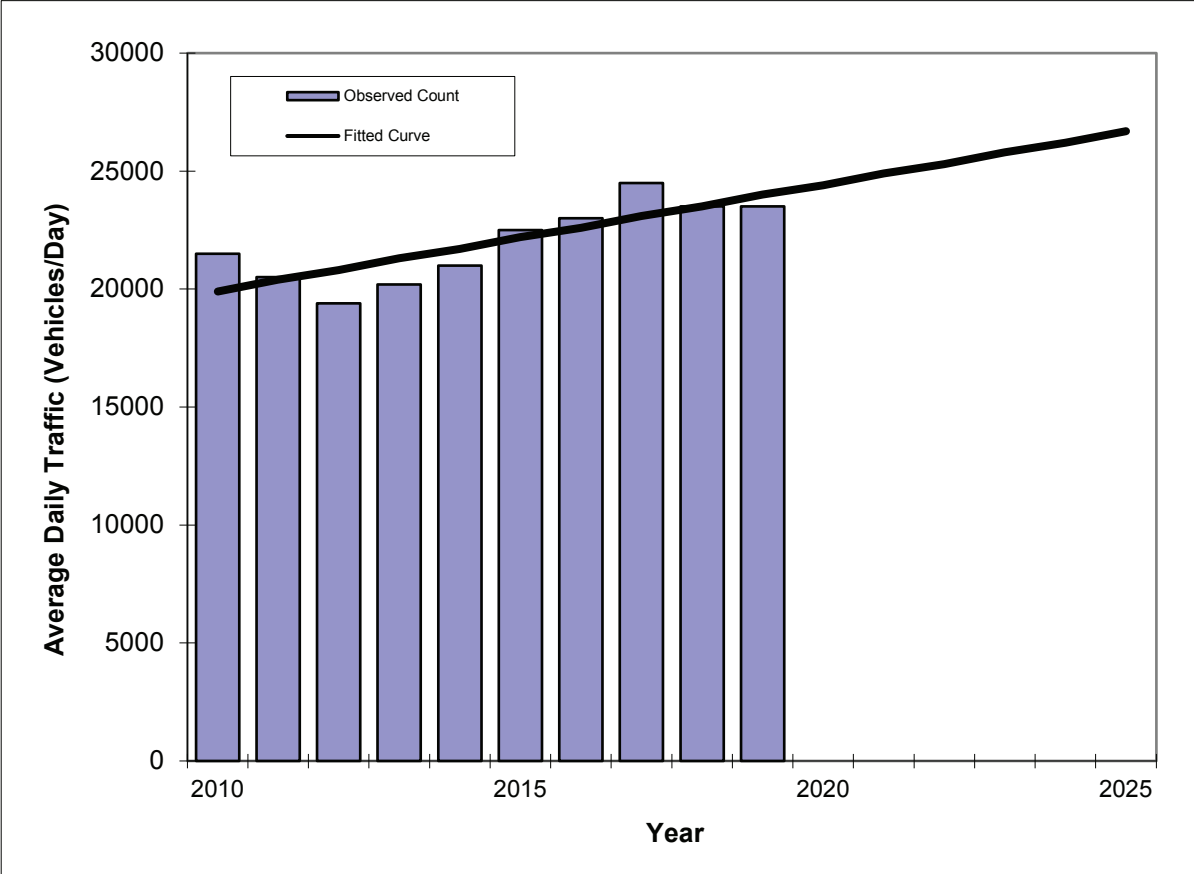
Trend R-squared:	42.6%
Compounded Annual Historic Growth Rate:	1.07%
Compounded Growth Rate (2019 to Design Year):	0.42%
Printed:	9-Jun-21

Decaying Exponential Growth Option

*Axle-Adjusted

TRAFFIC TRENDS
US 1 -- Airport Rd to I-95

County:	Volusia
Station #:	351
Highway:	US 1



Year	Traffic (ADT/AADT)	
	Count*	Trend**
2010	21500	19900
2011	20500	20400
2012	19400	20800
2013	20200	21300
2014	21000	21700
2015	22500	22200
2016	23000	22600
2017	24500	23100
2018	23500	23500
2019	23500	24000
2021 Opening Year Trend		
2021	N/A	24900
2022 Mid-Year Trend		
2022	N/A	25300
2024 Design Year Trend		
2024	N/A	26200
TRANPLAN Forecasts/Trends		

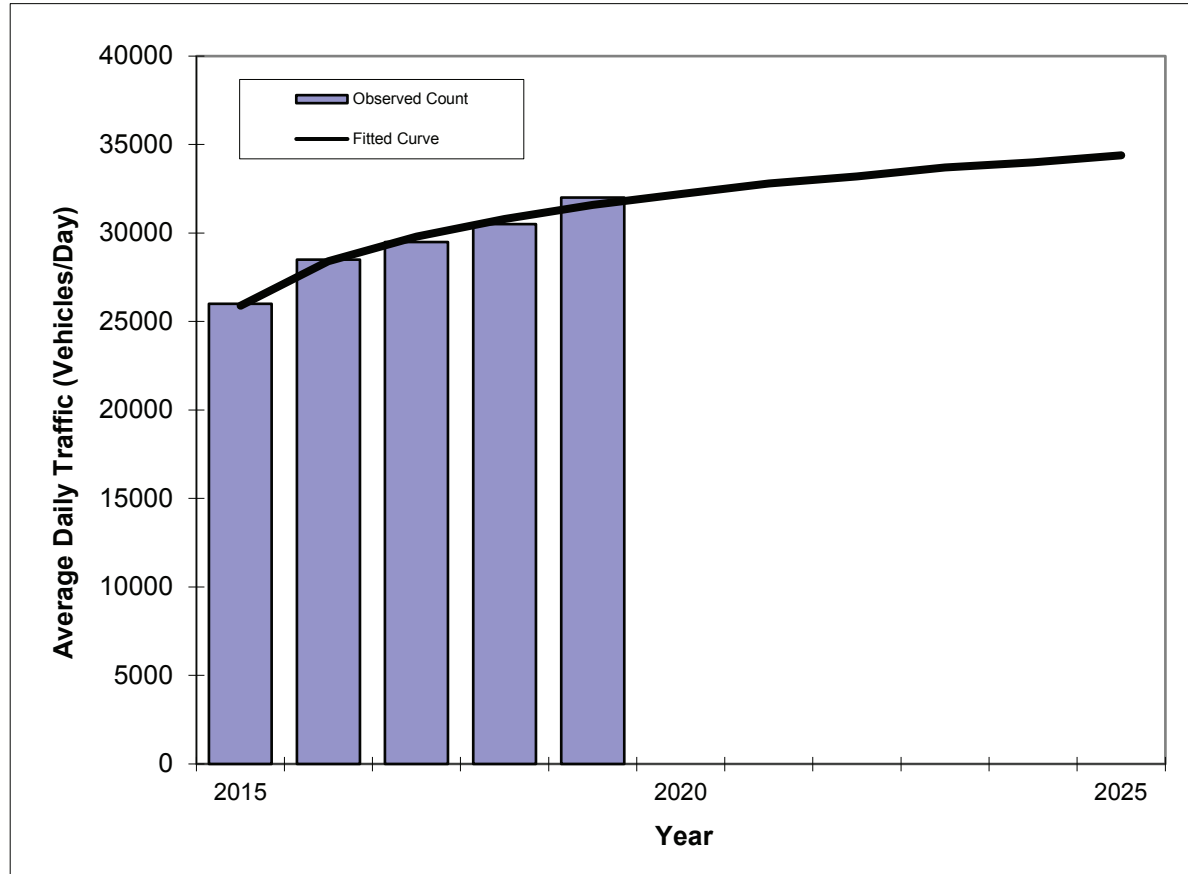
** Annual Trend Increase:	451
Trend R-squared:	65.8%
Trend Annual Historic Growth Rate:	2.29%
Trend Growth Rate (2019 to Design Year):	1.83%
Printed:	9-Jun-21
Straight Line Growth Option	

*Axle-Adjusted

TRAFFIC TRENDS

US 1 -- Nova Rd to Airport Rd

County:	Volusia
Station #:	100
Highway:	US 1



Year	Traffic (ADT/AADT)	
	Count*	Trend**
2015	26000	25900
2016	28500	28400
2017	29500	29800
2018	30500	30800
2019	32000	31600
2021 Opening Year Trend		
2021	N/A	32800
2022 Mid-Year Trend		
2022	N/A	33200
2024 Design Year Trend		
2024	N/A	34000
TRANPLAN Forecasts/Trends		

Trend R-squared:	98.2%
Compounded Annual Historic Growth Rate:	4.91%
Compounded Growth Rate (2019 to Design Year):	1.18%
Printed:	9-Jun-21

Decaying Exponential Growth Option

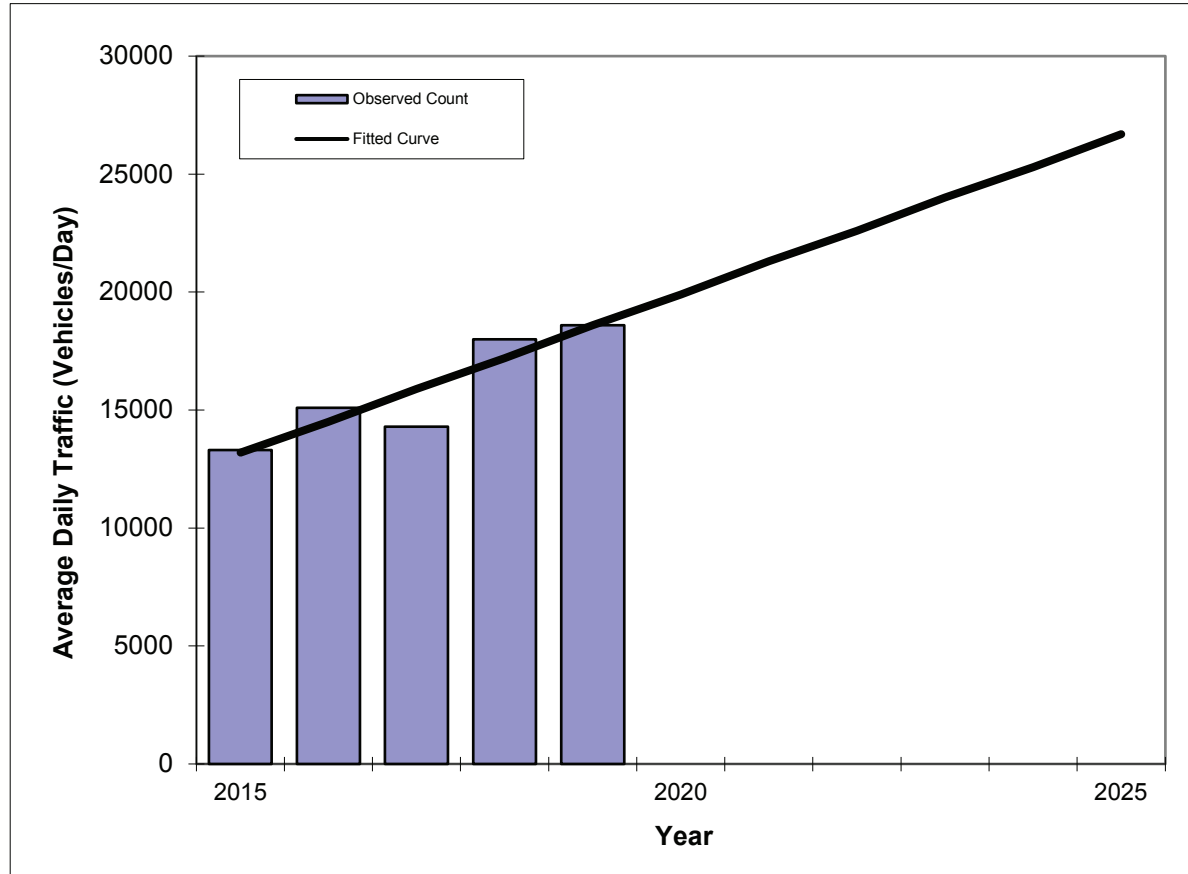
*Axle-Adjusted

TRAFFIC TRENDS

Williamson Blvd -- LPGA Blvd to Hand Ave

County:
Station #:
Highway:

Volusia
2001
Williamson Blvd



Year	Traffic (ADT/AADT)	
	Count*	Trend**
2015	13300	13200
2016	15100	14500
2017	14300	15900
2018	18000	17200
2019	18600	18600
2021 Opening Year Trend		
2021	N/A	21300
2022 Mid-Year Trend		
2022	N/A	22600
2024 Design Year Trend		
2024	N/A	25300
TRANPLAN Forecasts/Trends		

**** Annual Trend Increase:** 1,350
Trend R-squared: 84.2%
Trend Annual Historic Growth Rate: 10.23%
Trend Growth Rate (2019 to Design Year): 7.20%
Printed: 9-Jun-21

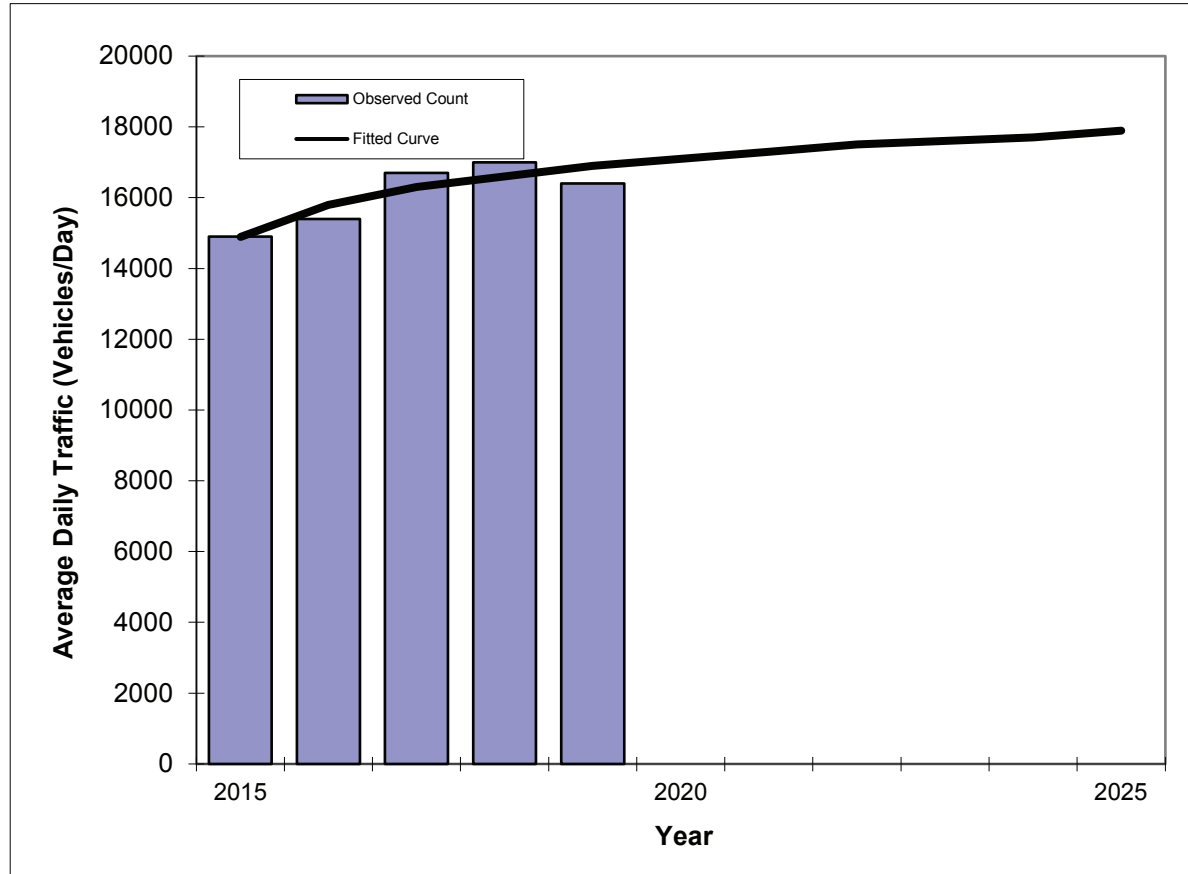
Straight Line Growth Option

*Axle-Adjusted

TRAFFIC TRENDS

Hand Ave -- Clyde Morris Blvd to Shangri La Dr

County:	Volusia
Station #:	832
Highway:	Hand Ave



Year	Traffic (ADT/AADT)	
	Count*	Trend**
2015	14900	14900
2016	15400	15800
2017	16700	16300
2018	17000	16600
2019	16400	16900
2021 Opening Year Trend		
2021	N/A	17300
2022 Mid-Year Trend		
2022	N/A	17500
2024 Design Year Trend		
2024	N/A	17700
TRANPLAN Forecasts/Trends		

Trend R-squared:	77.7%
Compounded Annual Historic Growth Rate:	2.84%
Compounded Growth Rate (2019 to Design Year):	0.82%
Printed:	6-Jul-21

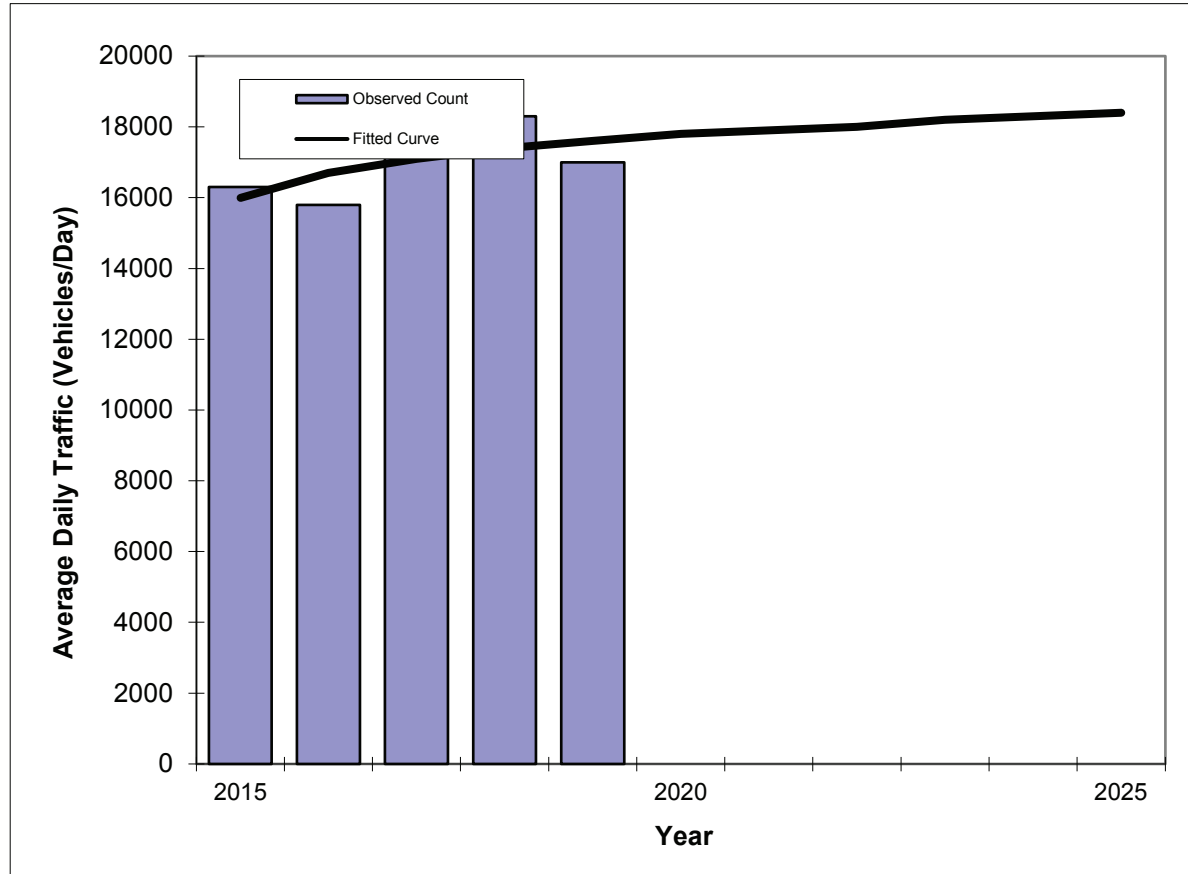
Decaying Exponential Growth Option

*Axle-Adjusted

TRAFFIC TRENDS

Hand Ave -- Shangri La Dr to Nova Rd

County:	Volusia
Station #:	833
Highway:	Hand Ave



Year	Traffic (ADT/AADT)	
	Count*	Trend**
2015	16300	16000
2016	15800	16700
2017	17300	17100
2018	18300	17400
2019	17000	17600
2021 Opening Year Trend		
2021	N/A	17900
2022 Mid-Year Trend		
2022	N/A	18000
2024 Design Year Trend		
2024	N/A	18300
TRANPLAN Forecasts/Trends		

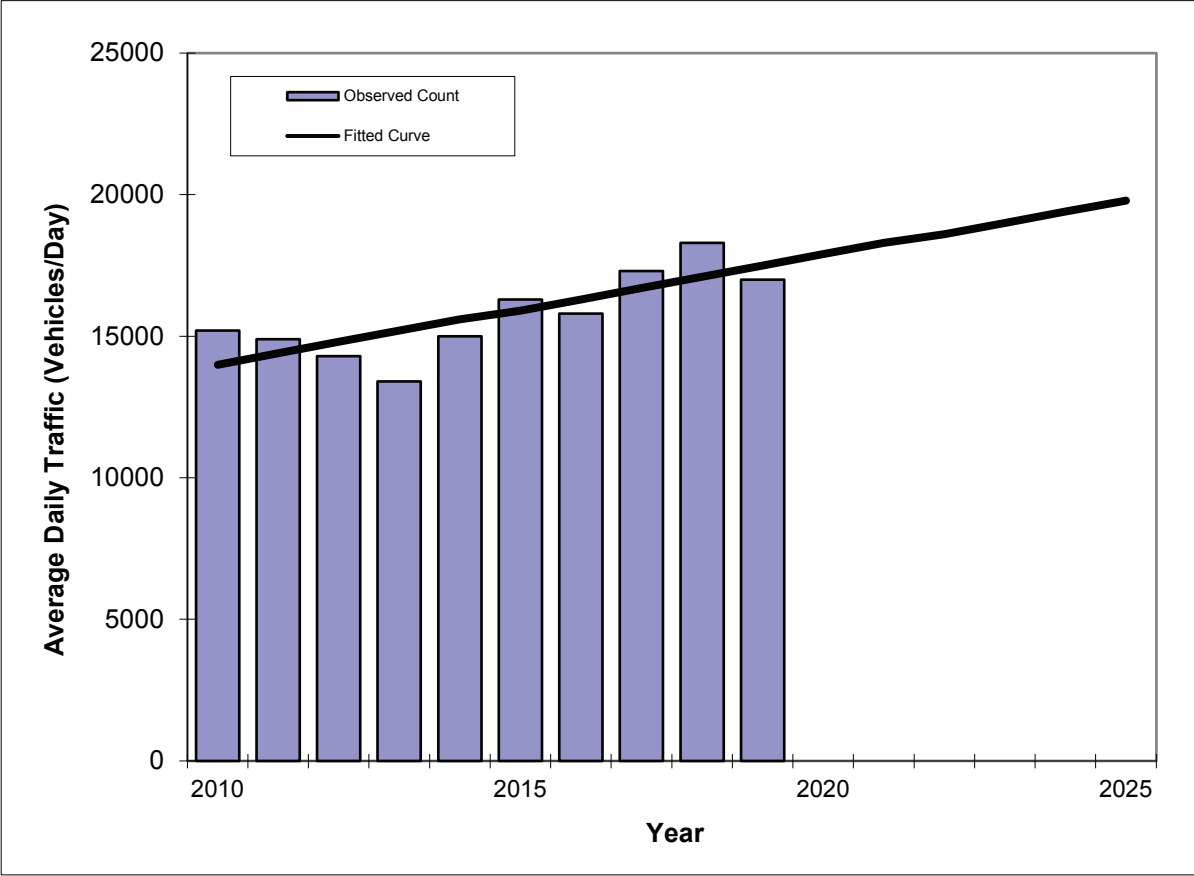
Trend R-squared:	42.2%
Compounded Annual Historic Growth Rate:	2.24%
Compounded Growth Rate (2019 to Design Year):	0.68%
Printed:	6-Jul-21

Decaying Exponential Growth Option

*Axle-Adjusted

TRAFFIC TRENDS
Hand Ave -- Shangri La Dr to Nova Rd

County:	Volusia
Station #:	833
Highway:	Hand Ave



Year	Traffic (ADT/AADT)	
	Count*	Trend**
2010	15200	14000
2011	14900	14400
2012	14300	14800
2013	13400	15200
2014	15000	15600
2015	16300	15900
2016	15800	16300
2017	17300	16700
2018	18300	17100
2019	17000	17500
2021 Opening Year Trend		
2021	N/A	18300
2022 Mid-Year Trend		
2022	N/A	18600
2024 Design Year Trend		
2024	N/A	19400
TRANPLAN Forecasts/Trends		

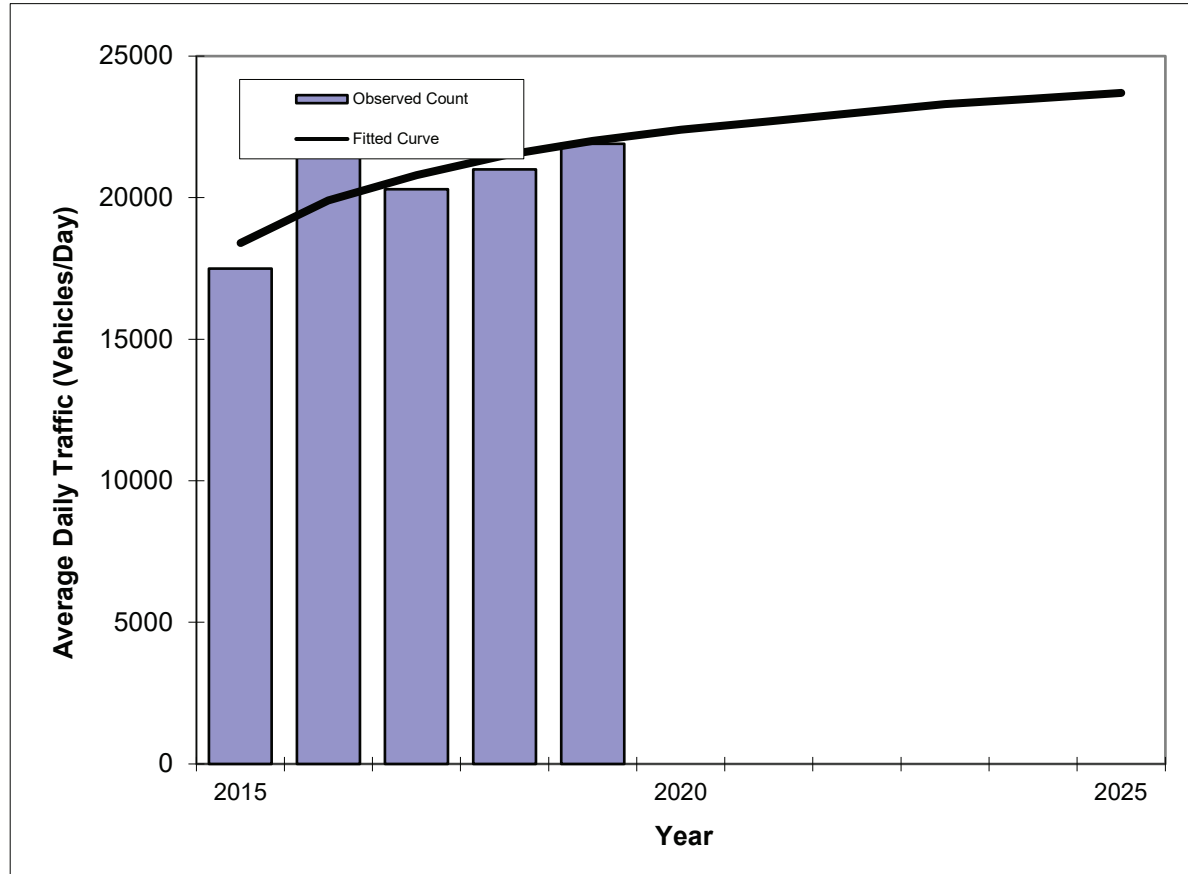
** Annual Trend Increase:	385
Trend R-squared:	61.1%
Trend Annual Historic Growth Rate:	2.78%
Trend Growth Rate (2019 to Design Year):	2.17%
Printed:	6-Jul-21
Straight Line Growth Option	

*Axle-Adjusted

TRAFFIC TRENDS

Williamson -- Hand to SR 40

County:	Volusia
Station #:	2001
Highway:	Williamson



Year	Traffic (ADT/AADT)	
	Count*	Trend**
2015	17500	18400
2016	21900	19900
2017	20300	20800
2018	21000	21500
2019	21900	22000
2021 Opening Year Trend		
2021	N/A	22700
2022 Mid-Year Trend		
2022	N/A	23000
2024 Design Year Trend		
2024	N/A	23500
TRANPLAN Forecasts/Trends		

Trend R-squared:	60.8%
Compounded Annual Historic Growth Rate:	3.99%
Compounded Growth Rate (2019 to Design Year):	1.27%
Printed:	21-Sep-21

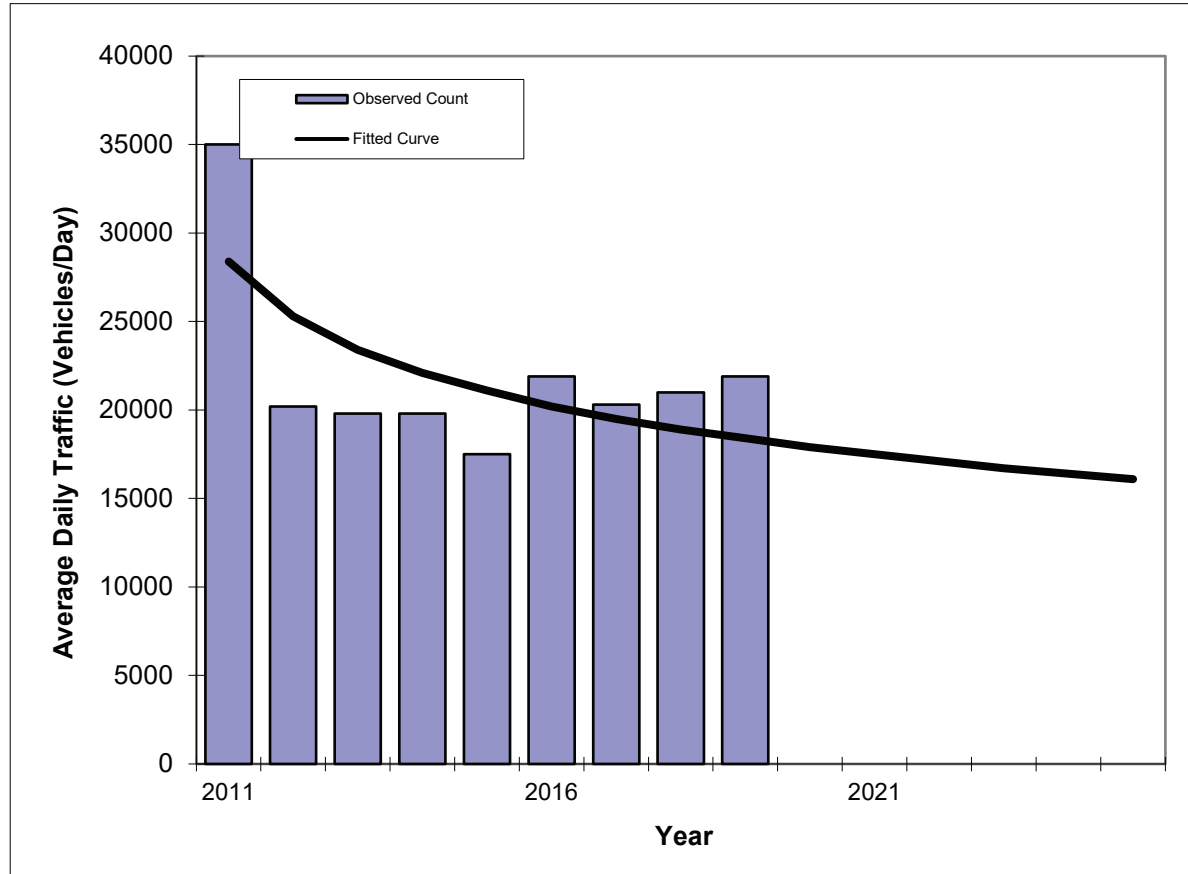
Decaying Exponential Growth Option

*Axle-Adjusted

TRAFFIC TRENDS

Williamson -- Hand to SR 40

County:	Volusia
Station #:	2001
Highway:	Williamson



Year	Traffic (ADT/AADT)	
	Count*	Trend**
2011	35000	28400
2012	20200	25300
2013	19800	23400
2014	19800	22100
2015	17500	21100
2016	21900	20200
2017	20300	19500
2018	21000	18900
2019	21900	18400
2021 Opening Year Trend		
2021	N/A	17500
2022 Mid-Year Trend		
2022	N/A	17100
2024 Design Year Trend		
2024	N/A	16400
TRANPLAN Forecasts/Trends		

Trend R-squared:	41.8%
Compounded Annual Historic Growth Rate:	-3.55%
Compounded Growth Rate (2019 to Design Year):	-2.55%
Printed:	21-Sep-21

Decaying Exponential Growth Option

*Axle-Adjusted

APPENDIX G

Vested Trip Information

Volusia County Vested Trip Database on Critical/Non-Critical Reads - Approved Devs and Devs under Review

By Critical Area, P36 Peak

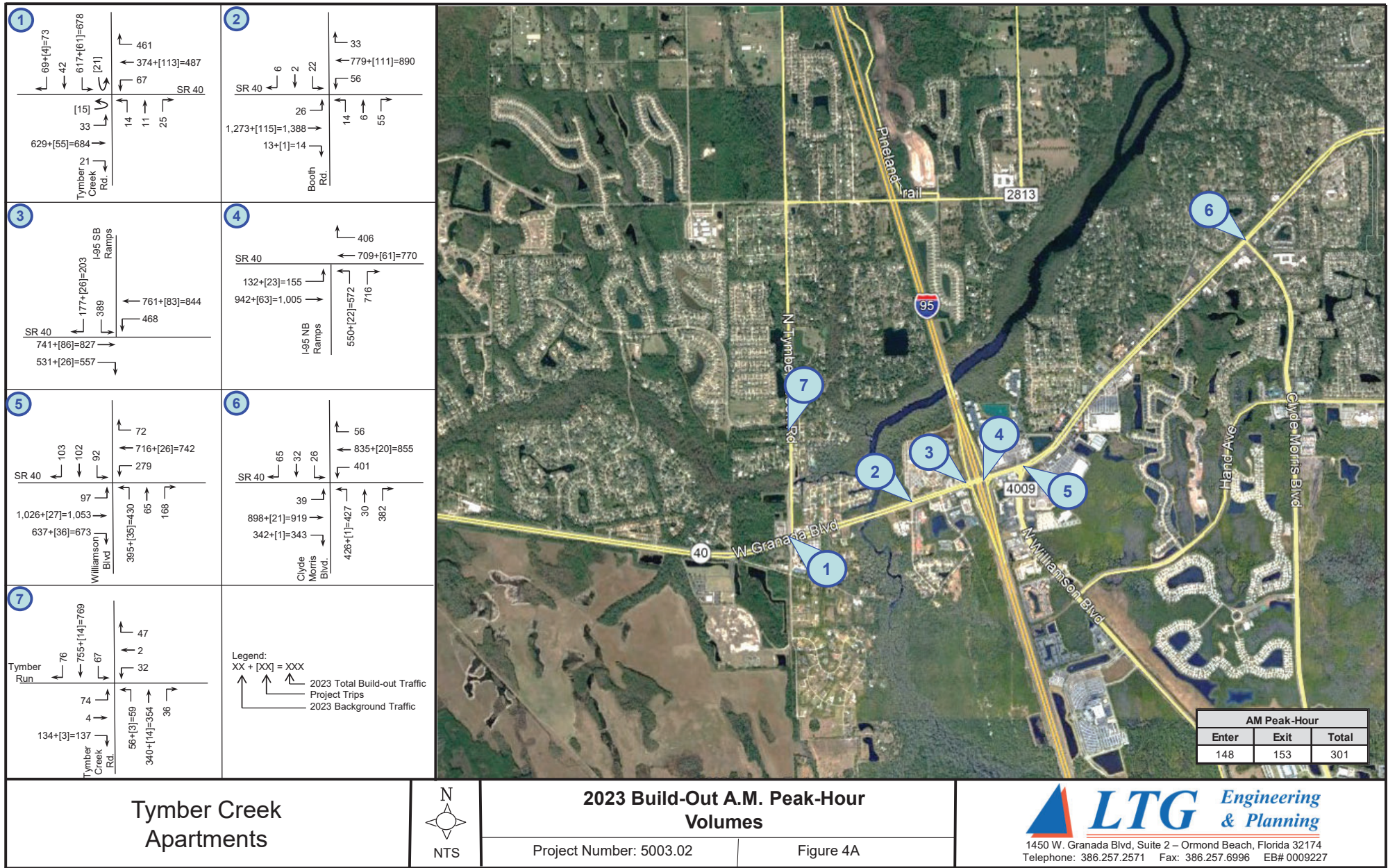
Developments not considered vested
Parent Trip trips - should not be included in overall, only for informational purposes

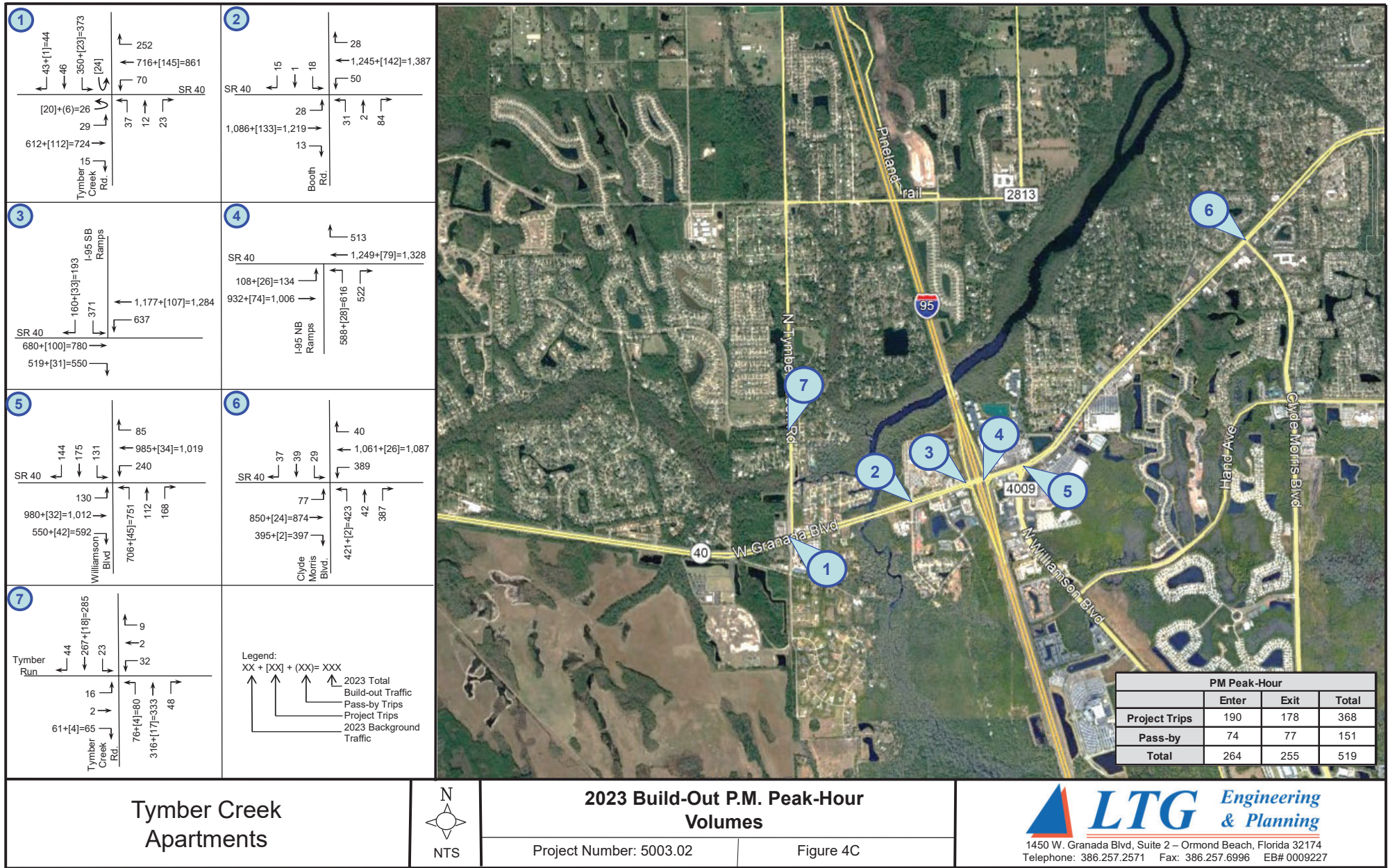
No 2018 counts taken

[illegible][illegible]

Location	Department	2017 FY19 PA 26 PA 27 PA 28	PA 29	PA 30	PA 31	PA 32	PA 33	PA 34	PA 35	PA 36	PA 37	PA 38	PA 39	PA 40	PA 41	PA 42	PA 43	PA 44	PA 45	PA 46	PA 47	PA 48	PA 49	PA 50	PA 51	PA 52	PA 53	PA 54	PA 55	PA 56	PA 57	PA 58	PA 59	PA 60	PA 61	PA 62	PA 63	PA 64	PA 65	PA 66	PA 67	PA 68	PA 69	PA 70	PA 71	PA 72	PA 73	PA 74	PA 75	PA 76	PA 77	PA 78	PA 79	PA 80	PA 81	PA 82	PA 83	PA 84	PA 85	PA 86	PA 87	PA 88	PA 89	PA 90	PA 91	PA 92	PA 93	PA 94	PA 95	PA 96	PA 97	PA 98	PA 99	PA 100	PA 101	PA 102	PA 103	PA 104	PA 105	PA 106	PA 107	PA 108	PA 109	PA 110	PA 111	PA 112	PA 113	PA 114	PA 115	PA 116	PA 117	PA 118	PA 119	PA 120	PA 121	PA 122	PA 123	PA 124	PA 125	PA 126	PA 127	PA 128	PA 129	PA 130	PA 131	PA 132	PA 133	PA 134	PA 135	PA 136	PA 137	PA 138	PA 139	PA 140	PA 141	PA 142	PA 143	PA 144	PA 145	PA 146	PA 147	PA 148	PA 149	PA 150	PA 151	PA 152	PA 153	PA 154	PA 155	PA 156	PA 157	PA 158	PA 159	PA 160	PA 161	PA 162	PA 163	PA 164	PA 165	PA 166	PA 167	PA 168	PA 169	PA 170	PA 171	PA 172	PA 173	PA 174	PA 175	PA 176	PA 177	PA 178	PA 179	PA 180	PA 181	PA 182	PA 183	PA 184	PA 185	PA 186	PA 187	PA 188	PA 189	PA 190	PA 191	PA 192	PA 193	PA 194	PA 195	PA 196	PA 197	PA 198	PA 199	PA 200	PA 201	PA 202	PA 203	PA 204	PA 205	PA 206	PA 207	PA 208	PA 209	PA 210	PA 211	PA 212	PA 213	PA 214	PA 215	PA 216	PA 217	PA 218	PA 219	PA 220	PA 221	PA 222	PA 223	PA 224	PA 225	PA 226	PA 227	PA 228	PA 229	PA 230	PA 231	PA 232	PA 233
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Location		Project	STP year	Project	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP year	STP 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APPENDIX H

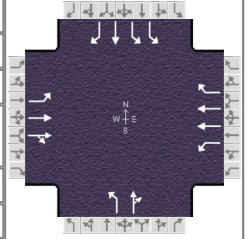
Intersections HCS Summary Sheets – Background Conditions

HCS7 Signalized Intersection Results Summary

8.B.d

General Information

Agency	LTG, Inc.			Duration, h	0.250
Analyst	BNH	Analysis Date	9/17/2021	Area Type	Other
Jurisdiction	Volusia County	Time Period	A.M. Peak Background	PHF	0.94
Urban Street	SR 40	Analysis Year	2024	Analysis Period	1> 7:00
Intersection	SR 40 & Tymber Creek Rd	File Name	1- SR 40 & Tymber Creek Rd AM.xus		
Project Description	Tattersall at Tymber Creek				



Demand Information

	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Demand (v), veh/h	63	726	32	76	439	428	36	47	58	621	53	72

Signal Information

Cycle, s	160.0	Reference Phase	2									
Offset, s	0	Reference Point	End									
Uncoordinated	No	Simult. Gap E/W	On	Green	7.9	1.5	70.4	11.3	35.1	0.0		
Force Mode	Fixed	Simult. Gap N/S	On	Yellow	5.2	0.0	5.2	4.0	4.0	0.0		
				Red	4.5	0.0	2.0	4.7	4.2	0.0		

Timer Results

	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Assigned Phase	1	6	5	2		4		8
Case Number	2.0	4.0	2.0	3.0		10.0		9.0
Phase Duration, s	17.6	77.6	19.1	79.1		20.0		43.3
Change Period, ($Y+R_c$), s	9.7	7.2	9.1	7.2		8.7		8.2
Max Allow Headway (MAH), s	5.0	0.0	5.0	0.0		5.3		5.1
Queue Clearance Time (g_s), s	8.3		10.1			13.3		31.5
Green Extension Time (g_e), s	0.1	0.0	0.1	0.0		0.0		3.6
Phase Call Probability	0.95		0.97			1.00		1.00
Max Out Probability	0.21		0.13			1.00		0.40

Movement Group Results

	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement	1	6	16	5	2	12	7	4	14	3	8	18
Adjusted Flow Rate (v), veh/h	67	406	400	81	467	455	38	112		661	56	77
Adjusted Saturation Flow Rate (s), veh/h/ln	1697	1856	1828	1570	1752	1598	1527	1580		1730	1693	1497
Queue Service Time (g_s), s	6.3	25.1	25.1	8.1	13.6	35.1	3.8	11.3		29.5	4.3	6.7
Cycle Queue Clearance Time (g_c), s	6.3	25.1	25.1	8.1	13.6	35.1	3.8	11.3		29.5	4.3	6.7
Green Ratio (g/C)	0.05	0.44	0.44	0.06	0.45	0.45	0.07	0.07		0.22	0.22	0.22
Capacity (c), veh/h	84	816	804	98	1574	717	108	112		759	371	329
Volume-to-Capacity Ratio (X)	0.797	0.498	0.498	0.824	0.297	0.635	0.355	1.001		0.870	0.152	0.233
Back of Queue (Q), ft/ln (95 th percentile)	151.9	436.1	420.9	194.2	247.5	508.6	83.2	317.9		502.3	92.8	2.3
Back of Queue (Q), veh/ln (95 th percentile)	5.7	17.0	16.8	6.8	9.6	20.2	2.9	11.7		19.8	3.3	0.1
Queue Storage Ratio (RQ) (95 th percentile)	0.34	0.00	0.00	0.47	0.00	1.12	0.00	0.00		0.90	0.00	0.01
Uniform Delay (d_1), s/veh	75.2	32.1	32.1	74.1	28.0	34.0	70.9	74.4		60.2	50.4	51.4
Incremental Delay (d_2), s/veh	21.1	2.2	2.2	20.9	0.5	4.2	2.8	85.5		8.7	0.3	0.5
Initial Queue Delay (d_3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0		0.0	0.0	0.0
Control Delay (d), s/veh	96.3	34.3	34.3	95.0	28.5	38.2	73.7	159.8		68.9	50.7	51.9
Level of Service (LOS)	F	C	C	F	C	D	E	F		E	D	D
Approach Delay, s/veh / LOS	39.1		D	38.3		D	137.8		F	66.0		E
Intersection Delay, s/veh / LOS	51.6						D					

Multimodal Results

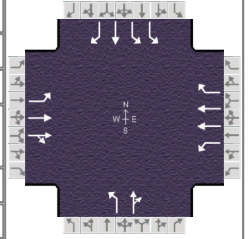
	EB			WB			NB			SB		
Pedestrian LOS Score / LOS	1.93		B	2.29		B	2.47		B	2.34		B
Bicycle LOS Score / LOS	1.21		A	1.32		A	0.74		A	1.80		B

HCS7 Signalized Intersection Results Summary

8.B.d

General Information

Agency	LTG, Inc.			Duration, h	0.250
Analyst	BNH	Analysis Date	9/17/2021	Area Type	Other
Jurisdiction	Volusia County	Time Period	P.M. Peak Background	PHF	0.95
Urban Street	SR 40	Analysis Year	2024	Analysis Period	1> 7:00
Intersection	SR 40 & Tymber Creek Rd	File Name	1.1- SR 40 & Tymber Creek Rd PM.xus		
Project Description	Tattersall at Tymber Creek				



Demand Information

	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Demand (v), veh/h	80	1130	31	72	860	376	37	29	77	451	77	45

Signal Information

Cycle, s	170.0	Reference Phase	2	<
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Timer Results

	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Assigned Phase	1	6	5	2		4		8
Case Number	2.0	4.0	2.0	3.0		10.0		9.0
Phase Duration, s	20.3	95.8	18.2	93.7		20.0		35.9
Change Period, ($Y+R_c$), s	9.7	7.2	9.1	7.2		8.7		8.2
Max Allow Headway (MAH), s	5.0	0.0	5.0	0.0		5.3		5.1
Queue Clearance Time (g_s), s	10.7		9.2			13.3		24.8
Green Extension Time (g_e), s	0.1	0.0	0.2	0.0		0.0		2.9
Phase Call Probability	0.98		0.97			1.00		1.00
Max Out Probability	0.26		0.01			1.00		0.19

Movement Group Results

	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement	1	6	16	5	2	12	7	4	14	3	8	18
Adjusted Flow Rate (v), veh/h	84	614	608	76	905	396	39	112		475	81	47
Adjusted Saturation Flow Rate (s), veh/h/ln	1626	1870	1852	1767	1766	1572	1612	1536		1716	1856	1459
Queue Service Time (g_s), s	8.7	39.7	39.8	7.2	28.8	28.1	3.9	11.3		22.8	6.5	4.8
Cycle Queue Clearance Time (g_c), s	8.7	39.7	39.8	7.2	28.8	28.1	3.9	11.3		22.8	6.5	4.8
Green Ratio (g/C)	0.06	0.52	0.52	0.05	0.51	0.51	0.07	0.07		0.16	0.16	0.16
Capacity (c), veh/h	102	975	966	95	1798	800	107	102		560	303	238
Volume-to-Capacity Ratio (X)	0.828	0.629	0.630	0.799	0.504	0.495	0.363	1.093		0.847	0.268	0.199
Back of Queue (Q), ft/ln (95 th percentile)	208.4	635.1	620.5	172.6	454.5	413	86.6	346.8		407.8	143.9	89.2
Back of Queue (Q), veh/ln (95 th percentile)	7.6	25.0	24.8	6.7	17.8	16.1	3.1	12.8		15.9	5.6	3.3
Queue Storage Ratio (RQ) (95 th percentile)	0.46	0.00	0.00	0.42	0.00	0.91	0.00	0.00		0.73	0.00	0.38
Uniform Delay (d_1), s/veh	78.8	29.0	29.0	79.5	27.6	27.4	75.9	79.4		69.1	62.2	61.5
Incremental Delay (d_2), s/veh	21.2	3.1	3.1	19.2	1.0	2.2	2.9	116.3		8.0	0.7	0.6
Initial Queue Delay (d_3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0		0.0	0.0	0.0
Control Delay (d), s/veh	100.0	32.1	32.1	98.7	28.6	29.6	78.8	195.6		77.1	62.9	62.1
Level of Service (LOS)	F	C	C	F	C	C	E	F		E	E	E
Approach Delay, s/veh / LOS	36.5		D	32.7		C	165.4		F	74.0		E
Intersection Delay, s/veh / LOS	47.2						D					

Multimodal Results

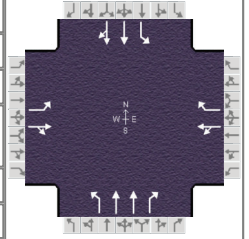
	EB			WB			NB			SB		
Pedestrian LOS Score / LOS	1.92		B	2.28		B	2.47		B	2.34		B
Bicycle LOS Score / LOS	1.57		B	1.62		B	0.74		A	1.48		A

HCS7 Signalized Intersection Results Summary

8.B.d

General Information

Agency	LTG, Inc.			Duration, h	0.250
Analyst	BNH	Analysis Date	9/17/2021	Area Type	Other
Jurisdiction	Volusia County	Time Period	A.M. Peak Background	PHF	0.87
Urban Street	Tymber Creek Rd	Analysis Year	2024	Analysis Period	1> 7:00
Intersection	Tymber Creek Rd & Ty...	File Name	2- Tymber Creek Rd & Tymber Run AM.xus		
Project Description	Tattersall at Tymber Creek				



Demand Information

	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Demand (v), veh/h	76	8	100	104	16	78	72	244	89	80	469	81

Signal Information

Cycle, s	50.0	Reference Phase	2								
Offset, s	0	Reference Point	End								
Uncoordinated	Yes	Simult. Gap E/W	On	Green	21.3	14.2	0.0	0.0	0.0	0.0	0.0
Force Mode	Fixed	Simult. Gap N/S	On	Yellow	5.0	4.0	0.0	0.0	0.0	0.0	0.0
				Red	2.5	3.0	0.0	0.0	0.0	0.0	0.0

Timer Results

	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Assigned Phase		4		8		2		6
Case Number		6.0		7.0		5.0		6.0
Phase Duration, s		21.2		21.2		28.8		28.8
Change Period, ($Y+R_c$), s		7.0		7.0		7.5		7.5
Max Allow Headway (MAH), s		4.2		4.2		5.2		5.2
Queue Clearance Time (g_s), s		13.3		10.2		11.8		8.0
Green Extension Time (g_e), s		1.5		1.5		9.6		9.6
Phase Call Probability		1.00		1.00		1.00		1.00
Max Out Probability		0.01		0.00		0.01		0.01

Movement Group Results

	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement	7	4	14	3	8	18	5	2	12	1	6	16
Adjusted Flow Rate (v), veh/h	87	124			138	90	83	280	102	92	323	309
Adjusted Saturation Flow Rate (s), veh/h/ln	1361	1463			947	1472	769	1738	1535	1090	1856	1760
Queue Service Time (g_s), s	3.0	3.3			4.3	2.3	4.1	2.5	2.0	2.8	5.9	6.0
Cycle Queue Clearance Time (g_c), s	11.3	3.3			8.2	2.3	9.8	2.5	2.0	5.2	5.9	6.0
Green Ratio (g/C)	0.28	0.28			0.28	0.28	0.43	0.43	0.43	0.43	0.43	0.43
Capacity (c), veh/h	291	403			397	406	387	1495	660	562	798	757
Volume-to-Capacity Ratio (X)	0.300	0.308			0.347	0.221	0.214	0.188	0.155	0.164	0.405	0.408
Back of Queue (Q), ft/ln (95 th percentile)	41.1	46.5			57.8	32.2	28.5	32.7	24.3	25.1	85	79.9
Back of Queue (Q), veh/ln (95 th percentile)	1.6	1.7			2.2	1.2	1.1	1.3	0.9	1.0	3.3	3.2
Queue Storage Ratio (RQ) (95 th percentile)	0.00	0.00			0.00	0.00	0.13	0.00	0.10	0.12	0.00	0.00
Uniform Delay (d_1), s/veh	21.0	14.1			17.2	13.8	13.0	8.7	8.6	10.3	9.7	9.7
Incremental Delay (d_2), s/veh	0.6	0.4			0.5	0.3	0.4	0.1	0.2	0.2	0.5	0.5
Initial Queue Delay (d_3), s/veh	0.0	0.0			0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Control Delay (d), s/veh	21.6	14.6			17.7	14.0	13.4	8.8	8.7	10.5	10.2	10.2
Level of Service (LOS)	C	B			B	B	B	A	A	B	B	B
Approach Delay, s/veh / LOS	17.5	B		16.2	B		9.6	A		10.2	B	
Intersection Delay, s/veh / LOS	11.8						B					

Multimodal Results

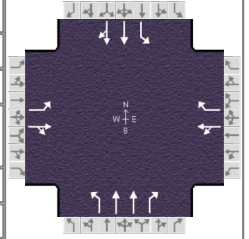
	EB			WB			NB			SB		
Pedestrian LOS Score / LOS	2.41	B		2.26	B		1.88	B		1.88	B	
Bicycle LOS Score / LOS	0.84	A		0.86	A		0.87	A		1.09	A	

HCS7 Signalized Intersection Results Summary

8.B.d

General Information

Agency	LTG, Inc.			Duration, h	0.250
Analyst	BNH	Analysis Date	9/17/2021	Area Type	Other
Jurisdiction	Volusia County	Time Period	P.M. Peak Background	PHF	0.90
Urban Street	Tymber Creek Rd	Analysis Year	2024	Analysis Period	1> 7:00
Intersection	Tymber Creek Rd & Ty...	File Name	2.1- Tymber Creek Rd & Tymber Run PM.xus		
Project Description	Tattersall at Tymber Creek				



Demand Information

	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Demand (v), veh/h	135	22	104	101	17	87	85	432	85	102	330	100

Signal Information

Cycle, s	54.1	Reference Phase	2									
Offset, s	0	Reference Point	End									
Uncoordinated	Yes	Simult. Gap E/W	On	Green	22.5	17.1	0.0	0.0	0.0	0.0		
Force Mode	Fixed	Simult. Gap N/S	On	Yellow	5.0	4.0	0.0	0.0	0.0	0.0		
				Red	2.5	3.0	0.0	0.0	0.0	0.0		

Timer Results

	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Assigned Phase		4		8		2		6
Case Number		6.0		7.0		5.0		6.0
Phase Duration, s		24.1		24.1		30.0		30.0
Change Period, ($Y+R_c$), s		7.0		7.0		7.5		7.5
Max Allow Headway (MAH), s		4.2		4.2		5.3		5.3
Queue Clearance Time (g_s), s		16.2		10.7		10.6		11.8
Green Extension Time (g_e), s		1.6		1.8		10.8		10.7
Phase Call Probability		1.00		1.00		1.00		1.00
Max Out Probability		0.03		0.00		0.01		0.01

Movement Group Results

	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement	7	4	14	3	8	18	5	2	12	1	6	16
Adjusted Flow Rate (v), veh/h	150	140			131	97	94	480	94	113	246	231
Adjusted Saturation Flow Rate (s), veh/h/ln	1394	1590			924	1510	924	1752	1585	886	1856	1708
Queue Service Time (g_s), s	5.5	3.6			4.5	2.5	4.0	4.9	2.0	5.2	4.7	4.8
Cycle Queue Clearance Time (g_c), s	14.2	3.6			8.7	2.5	8.6	4.9	2.0	9.8	4.7	4.8
Green Ratio (g/C)	0.32	0.32			0.32	0.32	0.42	0.42	0.42	0.42	0.42	0.42
Capacity (c), veh/h	335	488			409	463	445	1475	667	431	781	719
Volume-to-Capacity Ratio (X)	0.448	0.287			0.321	0.209	0.212	0.325	0.142	0.263	0.315	0.322
Back of Queue (Q), ft/ln (95 th percentile)	75.6	51.7			60.1	35.6	32.7	68.9	25	42.4	71.4	66.1
Back of Queue (Q), veh/ln (95 th percentile)	3.0	2.0			2.2	1.3	1.3	2.7	1.0	1.6	2.8	2.6
Queue Storage Ratio (RQ) (95 th percentile)	0.00	0.00			0.00	0.00	0.15	0.00	0.10	0.20	0.00	0.00
Uniform Delay (d_1), s/veh	21.9	14.0			17.1	13.7	13.1	10.3	9.5	13.5	10.3	10.3
Incremental Delay (d_2), s/veh	0.9	0.3			0.4	0.2	0.3	0.2	0.1	0.5	0.3	0.4
Initial Queue Delay (d_3), s/veh	0.0	0.0			0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Control Delay (d), s/veh	22.8	14.3			17.6	13.9	13.4	10.5	9.6	14.0	10.6	10.7
Level of Service (LOS)	C	B			B	B	B	B	A	B	B	B
Approach Delay, s/veh / LOS	18.7	B		16.0	B		10.8	B		11.3	B	
Intersection Delay, s/veh / LOS	12.9						B					

Multimodal Results

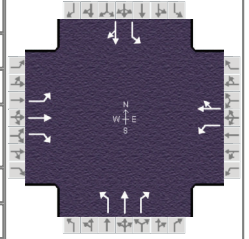
	EB			WB			NB			SB		
Pedestrian LOS Score / LOS	2.41	B		2.26	B		1.89	B		1.89	B	
Bicycle LOS Score / LOS	0.97	A		0.86	A		1.04	A		0.98	A	

HCS7 Signalized Intersection Results Summary

8.B.d

General Information

Agency	LTG, Inc.			Duration, h	0.250
Analyst	BNH	Analysis Date	9/17/2021	Area Type	Other
Jurisdiction	Volusia County	Time Period	A.M. Peak Background	PHF	0.86
Urban Street	Tymber Creek Rd	Analysis Year	2024	Analysis Period	1> 7:00
Intersection	Tymber Creek Rd & Airp...	File Name	3- Tymber Creek Rd & Airport Rd AM.xus		
Project Description	Tattersall at Tymber Creek				



Demand Information

	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Demand (v), veh/h	69	100	382	200	45	40	175	80	168	66	109	47

Signal Information

Cycle, s	87.7	Reference Phase	2
Offset, s	0	Reference Point	End
Uncoordinated	Yes	Simult. Gap E/W	On
Force Mode	Fixed	Simult. Gap N/S	On

Timer Results

	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Assigned Phase		8	7	4	1	6		2
Case Number		5.3	1.0	4.0	1.0	3.0		6.3
Phase Duration, s		30.2	18.0	48.2	18.4	39.5		21.0
Change Period, ($Y+R_c$), s		7.5	7.5	7.5	8.0	8.0		8.0
Max Allow Headway (MAH), s		4.2	4.1	4.2	4.1	4.2		4.2
Queue Clearance Time (g_s), s		21.9	10.0	4.9	10.0	9.9		10.9
Green Extension Time (g_e), s		0.8	0.5	2.5	0.4	2.1		2.1
Phase Call Probability		1.00	1.00	1.00	0.99	1.00		1.00
Max Out Probability		1.00	0.02	0.01	0.02	0.00		0.00

Movement Group Results

	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement	3	8	18	7	4	14	1	6	16	5	2	12
Adjusted Flow Rate (v), veh/h	80	116	374	233	99		203	93	195	77	181	
Adjusted Saturation Flow Rate (s), veh/h/ln	1286	1885	1598	1767	1724		1781	1826	1585	1221	1704	
Queue Service Time (g_s), s	4.3	4.3	19.9	8.0	2.9		8.0	3.0	7.9	5.0	8.9	
Cycle Queue Clearance Time (g_c), s	4.3	4.3	19.9	8.0	2.9		8.0	3.0	7.9	5.0	8.9	
Green Ratio (g/C)	0.26	0.26	0.26	0.40	0.46		0.29	0.36	0.36	0.15	0.15	
Capacity (c), veh/h	416	489	414	561	801		352	655	569	264	254	
Volume-to-Capacity Ratio (X)	0.193	0.238	0.903	0.414	0.123		0.579	0.142	0.343	0.291	0.715	
Back of Queue (Q), ft/ln (95 th percentile)	59.3	84.3	367.2	141.9	47.4		153	57.2	127.8	71.6	180.6	
Back of Queue (Q), veh/ln (95 th percentile)	2.3	3.3	14.6	5.5	1.9		6.0	2.2	5.0	2.7	6.8	
Queue Storage Ratio (RQ) (95 th percentile)	0.27	0.00	1.67	0.53	0.00		0.41	0.00	0.46	0.32	0.00	
Uniform Delay (d_1), s/veh	25.7	25.7	31.4	18.4	13.4		25.7	19.0	20.6	33.9	35.6	
Incremental Delay (d_2), s/veh	0.2	0.2	20.1	0.5	0.1		1.5	0.1	0.4	0.6	3.7	
Initial Queue Delay (d_3), s/veh	0.0	0.0	0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	
Control Delay (d), s/veh	25.9	25.9	51.5	18.8	13.4		27.3	19.1	20.9	34.5	39.3	
Level of Service (LOS)	C	C	D	B	B		C	B	C	C	D	
Approach Delay, s/veh / LOS	42.7		D	17.2		B	23.2		C	37.9		D
Intersection Delay, s/veh / LOS	31.0						C					

Multimodal Results

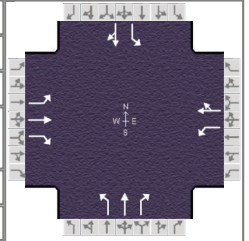
	EB			WB			NB			SB		
Pedestrian LOS Score / LOS	2.12		B	1.90		B	1.91		B	2.21		B
Bicycle LOS Score / LOS	1.43		A	1.03		A	1.30		A	0.91		A

HCS7 Signalized Intersection Results Summary

8.B.d

General Information

Agency	LTG, Inc.			Duration, h	0.250
Analyst	BNH	Analysis Date	9/17/2021	Area Type	Other
Jurisdiction	Volusia County	Time Period	P.M.Peak Background	PHF	0.95
Urban Street	Tymber Creek Rd	Analysis Year	2024	Analysis Period	1> 7:00
Intersection	Tymber Creek Rd & Airp...	File Name	3.1- Tymber Creek Rd & Airport Rd PM.xus		
Project Description	Tattersall at Tymber Creek				



Demand Information

	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Demand (v), veh/h	21	49	72	181	79	69	127	192	209	51	113	57

Signal Information

Cycle, s	63.1	Reference Phase	2								
Offset, s	0	Reference Point	End								
Uncoordinated	Yes	Simult. Gap E/W	On	Green	5.3	12.0	7.8	7.0	0.0	0.0	
Force Mode	Fixed	Simult. Gap N/S	On	Yellow	4.5	4.5	4.0	4.0	0.0	0.0	
				Red	3.5	3.5	3.5	3.5	0.0	0.0	

Timer Results

	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Assigned Phase		8	7	4	1	6		2
Case Number		5.3	1.0	4.0	1.0	3.0		6.3
Phase Duration, s		14.5	15.3	29.8	13.3	33.3		20.0
Change Period, ($Y+R_c$), s		7.5	7.5	7.5	8.0	8.0		8.0
Max Allow Headway (MAH), s		4.2	4.1	4.2	4.1	4.2		4.2
Queue Clearance Time (g_s), s		4.8	7.6	6.1	5.6	8.1		7.7
Green Extension Time (g_e), s		1.0	0.5	1.0	0.3	2.5		2.5
Phase Call Probability		1.00	0.96	1.00	0.90	1.00		1.00
Max Out Probability		0.00	0.00	0.00	0.00	0.00		0.00

Movement Group Results

	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement	3	8	18	7	4	14	1	6	16	5	2	12
Adjusted Flow Rate (v), veh/h	22	52	76	191	156		134	202	220	54	179	
Adjusted Saturation Flow Rate (s), veh/h/ln	1153	1870	1598	1753	1698		1781	1856	1585	1161	1778	
Queue Service Time (g_s), s	1.1	1.6	2.8	5.6	4.1		3.6	4.6	6.1	2.5	5.7	
Cycle Queue Clearance Time (g_c), s	1.1	1.6	2.8	5.6	4.1		3.6	4.6	6.1	2.5	5.7	
Green Ratio (g/C)	0.11	0.11	0.11	0.27	0.35		0.31	0.40	0.40	0.19	0.19	
Capacity (c), veh/h	241	206	176	445	600		384	744	636	335	338	
Volume-to-Capacity Ratio (X)	0.092	0.250	0.430	0.428	0.260		0.348	0.272	0.346	0.160	0.529	
Back of Queue (Q), ft/ln (95 th percentile)	13.9	31.3	47.8	97.9	65.5		60.7	76.6	85.9	29.4	103.3	
Back of Queue (Q), veh/ln (95 th percentile)	0.5	1.2	1.9	3.8	2.5		2.4	3.0	3.4	1.1	4.1	
Queue Storage Ratio (RQ) (95 th percentile)	0.06	0.00	0.22	0.37	0.00		0.16	0.00	0.31	0.13	0.00	
Uniform Delay (d_1), s/veh	25.5	25.7	26.2	19.2	14.5		17.0	12.7	13.1	21.7	23.0	
Incremental Delay (d_2), s/veh	0.2	0.6	1.7	0.7	0.2		0.5	0.2	0.3	0.2	1.3	
Initial Queue Delay (d_3), s/veh	0.0	0.0	0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	
Control Delay (d), s/veh	25.6	26.3	27.9	19.8	14.8		17.5	12.9	13.5	21.9	24.3	
Level of Service (LOS)	C	C	C	B	B		B	B	B	C	C	
Approach Delay, s/veh / LOS	27.0		C	17.6		B	14.2		B	23.8		C
Intersection Delay, s/veh / LOS	18.3						B					

Multimodal Results

	EB			WB			NB			SB		
Pedestrian LOS Score / LOS	2.12		B	1.90		B	1.89		B	2.11		B
Bicycle LOS Score / LOS	0.73		A	1.06		A	1.40		A	0.87		A

HCS7 Two-Way Stop-Control Report

8.B.d

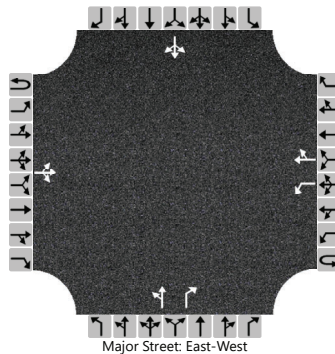
General Information

Analyst	BNH
Agency/Co.	LTG, Inc.
Date Performed	9/16/2021
Analysis Year	2024
Time Analyzed	A.M. Peak Background
Intersection Orientation	East-West
Project Description	Tattersall at Tymber Creek

Site Information

Intersection	Airport Rd & Leeway Trl
Jurisdiction	Volusia County
East/West Street	Airport Rd
North/South Street	Leeway Trail
Peak Hour Factor	0.79
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	1	0	0	1	1	0		0	1	1		0	1	0
Configuration			LTR			L		TR		LT		R			LTR	
Volume (veh/h)		5	242	114		174	96	11		74	6	278		40	6	14
Percent Heavy Vehicles (%)		1				1				1	1	1		1	1	15
Proportion Time Blocked																
Percent Grade (%)									0				0			
Right Turn Channelized									No							
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)		4.1				4.1				7.1	6.5	6.2		7.1	6.5	6.2
Critical Headway (sec)		4.11				4.11				7.11	6.51	6.21		7.11	6.51	6.35
Base Follow-Up Headway (sec)		2.2				2.2				3.5	4.0	3.3		3.5	4.0	3.3
Follow-Up Headway (sec)		2.21				2.21				3.51	4.01	3.31		3.51	4.01	3.44

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		6				220				101		352			76	
Capacity, c (veh/h)		1455				1115				188		671			97	
v/c Ratio		0.00				0.20				0.54		0.52			0.79	
95% Queue Length, Q ₉₅ (veh)		0.0				0.7				2.8		3.1			4.2	
Control Delay (s/veh)		7.5				9.0				44.6		16.1			118.6	
Level of Service (LOS)		A				A				E		C			F	
Approach Delay (s/veh)	0.1				5.6				22.5				118.6			
Approach LOS									C				F			

HCS7 Two-Way Stop-Control Report

8.B.d

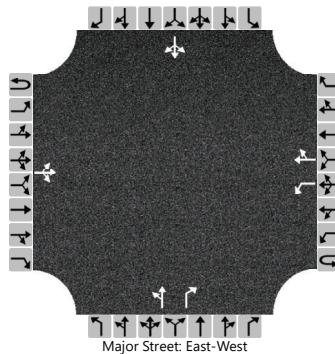
General Information

Analyst	BNH
Agency/Co.	LTG, Inc.
Date Performed	9/16/2021
Analysis Year	2024
Time Analyzed	P.M. Peak Background
Intersection Orientation	East-West
Project Description	Tattersall at Tymber Creek

Site Information

Intersection	Airport Rd & Leeway Trl
Jurisdiction	Volusia County
East/West Street	Airport Rd
North/South Street	Leeway Trail
Peak Hour Factor	0.90
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	1	0	0	1	1	0		0	1	1		0	1	0
Configuration			LTR			L		TR		LT		R			LTR	
Volume (veh/h)		4	148	3		10	179	69		5	1	16		18	1	7
Percent Heavy Vehicles (%)		25				1				1	1	1		6	1	14
Proportion Time Blocked																
Percent Grade (%)									0				0			
Right Turn Channelized									No							
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)		4.1				4.1				7.1	6.5	6.2		7.1	6.5	6.2
Critical Headway (sec)		4.35				4.11				7.11	6.51	6.21		7.16	6.51	6.34
Base Follow-Up Headway (sec)		2.2				2.2				3.5	4.0	3.3		3.5	4.0	3.3
Follow-Up Headway (sec)		2.43				2.21				3.51	4.01	3.31		3.55	4.01	3.43

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		4				11				7		18			29	
Capacity, c (veh/h)		1166				1416				513		881			554	
v/c Ratio		0.00				0.01				0.01		0.02			0.05	
95% Queue Length, Q ₉₅ (veh)		0.0				0.0				0.0		0.1			0.2	
Control Delay (s/veh)		8.1				7.6				12.1		9.2			11.9	
Level of Service (LOS)		A				A				B		A			B	
Approach Delay (s/veh)	0.2				0.3				10.0				11.9			
Approach LOS									A				B			

APPENDIX I

Intersections HCS Summary Sheets – Background Conditions- Improved

HCS7 All-Way Stop Control Report

8.B.d

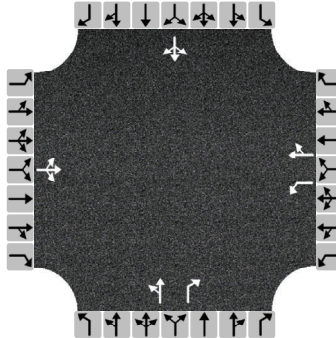
General Information

Analyst	BNH
Agency/Co.	LTG, Inc.
Date Performed	9/22/2021
Analysis Year	2024
Analysis Time Period (hrs)	0.25
Time Analyzed	A.M. Background Improvmen
Project Description	Tattersal at Tymber Creek

Site Information

Intersection	Airport Rd & Leeway Trl
Jurisdiction	Volusia County
East/West Street	Airport Rd
North/South Street	Leeway Trl
Peak Hour Factor	0.79

Lanes



Vehicle Volume and Adjustments

Approach	Eastbound			Westbound			Northbound			Southbound		
Movement	L	T	R	L	T	R	L	T	R	L	T	R
Volume	5	242	114	174	96	11	74	6	278	40	6	14
% Thrus in Shared Lane												
Lane	L1	L2	L3	L1	L2	L3	L1	L2	L3	L1	L2	L3
Configuration	LTR			L	TR		LT	R		LTR		
Flow Rate, v (veh/h)	457			220	135		101	352		76		
Percent Heavy Vehicles	2			2	3		2	2		2		

Departure Headway and Service Time

Initial Departure Headway, hd (s)	3.20			3.20	3.20		3.20	3.20		3.20		
Initial Degree of Utilization, x	0.406			0.196	0.120		0.090	0.313		0.068		
Final Departure Headway, hd (s)	6.77			7.76	7.19		7.80	6.62		8.39		
Final Degree of Utilization, x	0.860			0.475	0.271		0.220	0.647		0.177		
Move-Up Time, m (s)	2.0			2.3	2.3		2.3	2.3		2.0		
Service Time, ts (s)	4.77			5.46	4.89		5.50	4.32		6.39		

Capacity, Delay and Level of Service

Flow Rate, v (veh/h)	457			220	135		101	352		76		
Capacity	532			464	501		461	544		429		
95% Queue Length, Q ₉₅ (veh)	9.2			2.5	1.1		0.8	4.6		0.6		
Control Delay (s/veh)	38.3			17.3	12.5		12.7	20.6		13.2		
Level of Service, LOS	E			C	B		B	C		B		
Approach Delay (s/veh)	38.3			15.5			18.9			13.2		
Approach LOS	E			C			C			B		
Intersection Delay, s/veh LOS	24.3						C					

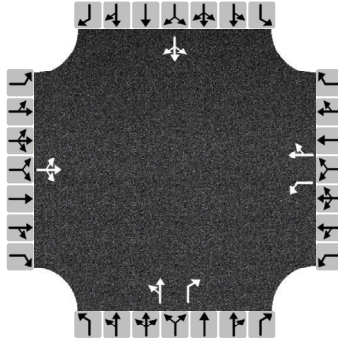
HCS7 All-Way Stop Control Report

8.B.d

General Information

Analyst	BNH	Intersection	Airport Rd & Leeway Trl
Agency/Co.	LTG, Inc.	Jurisdiction	Volusia County
Date Performed	9/22/2021	East/West Street	Airport Rd
Analysis Year	2024	North/South Street	Leeway Trl
Analysis Time Period (hrs)	0.25	Peak Hour Factor	0.90
Time Analyzed	P.M. Background Improvmen		
Project Description	Tattersal at Tymber Creek		

Lanes



Vehicle Volume and Adjustments

Approach	Eastbound			Westbound			Northbound			Southbound		
Movement	L	T	R	L	T	R	L	T	R	L	T	R
Volume	4	148	3	10	179	69	5	1	16	18	1	7
% Thrus in Shared Lane												
Lane	L1	L2	L3	L1	L2	L3	L1	L2	L3	L1	L2	L3
Configuration	LTR			L	TR		LT	R		LTR		
Flow Rate, v (veh/h)	172			11	276		7	18		29		
Percent Heavy Vehicles	25			2	3		2	2		6		

Departure Headway and Service Time

Initial Departure Headway, hd (s)	3.20			3.20	3.20		3.20	3.20		3.20		
Initial Degree of Utilization, x	0.153			0.010	0.245		0.006	0.016		0.026		
Final Departure Headway, hd (s)	5.38			5.34	4.66		6.12	5.00		5.75		
Final Degree of Utilization, x	0.257			0.016	0.357		0.011	0.025		0.046		
Move-Up Time, m (s)	2.0			2.3	2.3		2.3	2.3		2.0		
Service Time, ts (s)	3.38			3.04	2.36		3.82	2.70		3.75		

Capacity, Delay and Level of Service

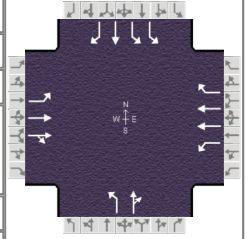
Flow Rate, v (veh/h)	172			11	276		7	18		29		
Capacity	670			674	773		588	721		626		
95% Queue Length, Q ₉₅ (veh)	1.0			0.1	1.6		0.0	0.1		0.1		
Control Delay (s/veh)	10.2			8.1	9.9		8.9	7.8		9.0		
Level of Service, LOS	B			A	A		A	A		A		
Approach Delay (s/veh)	10.2			9.9			8.1			9.0		
Approach LOS	B			A			A			A		
Intersection Delay, s/veh LOS	9.8						A					

HCS7 Signalized Intersection Results Summary

8.B.d

General Information

Agency	LTG, Inc.			Duration, h	0.250
Analyst	BNH	Analysis Date	9/17/2021	Area Type	Other
Jurisdiction	Volusia County	Time Period	A.M. Peak Background Improved	PHF	0.94
Urban Street	SR 40	Analysis Year	2024	Analysis Period	1> 7:00
Intersection	SR 40 & Tymber Creek Rd	File Name	1- SR 40 & Tymber Creek Rd AM.xus		
Project Description	Tattersall at Tymber Creek				



Demand Information

	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Demand (v), veh/h	63	726	32	76	439	428	36	47	58	621	53	72

Signal Information

Cycle, s	160.0	Reference Phase	2									
Offset, s	0	Reference Point	End									
Uncoordinated	No	Simult. Gap E/W	On	Green	8.0	1.5	67.2	13.4	36.1	0.0		
Force Mode	Fixed	Simult. Gap N/S	On	Yellow	5.2	0.0	5.2	4.0	4.0	0.0		
				Red	4.5	0.0	2.0	4.7	4.2	0.0		

Timer Results

	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Assigned Phase	1	6	5	2		4		8
Case Number	2.0	4.0	2.0	3.0		10.0		9.0
Phase Duration, s	17.7	74.4	19.2	75.9		22.1		44.3
Change Period, (Y+R _c), s	9.7	7.2	9.1	7.2		8.7		8.2
Max Allow Headway (MAH), s	5.0	0.0	5.0	0.0		5.3		5.1
Queue Clearance Time (g _s), s	8.3		10.1			13.0		31.2
Green Extension Time (g _e), s	0.2	0.0	0.2	0.0		0.4		4.9
Phase Call Probability	0.95		0.97			1.00		1.00
Max Out Probability	0.00		0.00			0.17		0.09

Movement Group Results

	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement	1	6	16	5	2	12	7	4	14	3	8	18
Adjusted Flow Rate (v), veh/h	67	406	400	81	467	455	38	112		661	56	77
Adjusted Saturation Flow Rate (s), veh/h/ln	1697	1856	1828	1570	1752	1598	1527	1580		1730	1693	1497
Queue Service Time (g _s), s	6.3	26.0	26.0	8.1	14.0	36.4	3.7	11.0		29.2	4.3	6.7
Cycle Queue Clearance Time (g _c), s	6.3	26.0	26.0	8.1	14.0	36.4	3.7	11.0		29.2	4.3	6.7
Green Ratio (g/C)	0.05	0.42	0.42	0.06	0.43	0.43	0.10	0.10		0.23	0.23	0.23
Capacity (c), veh/h	85	779	767	99	1504	686	138	142		781	382	338
Volume-to-Capacity Ratio (X)	0.791	0.521	0.522	0.817	0.310	0.664	0.278	0.785		0.846	0.148	0.227
Back of Queue (Q), ft/ln (95 th percentile)	151.2	452.3	436.5	193.3	256.1	529.4	80.1	236.1		489	92	2.2
Back of Queue (Q), veh/ln (95 th percentile)	5.7	17.7	17.5	6.8	9.9	21.0	2.8	8.7		19.3	3.3	0.1
Queue Storage Ratio (RQ) (95 th percentile)	0.34	0.00	0.00	0.47	0.00	1.16	0.00	0.00		0.87	0.00	0.01
Uniform Delay (d ₁), s/veh	75.2	34.5	34.5	74.0	30.1	36.5	67.9	70.6		59.3	49.6	50.5
Incremental Delay (d ₂), s/veh	20.3	2.5	2.5	20.1	0.5	5.0	1.5	12.9		5.5	0.3	0.5
Initial Queue Delay (d ₃), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0		0.0	0.0	0.0
Control Delay (d), s/veh	95.5	37.0	37.0	94.1	30.6	41.5	69.5	83.5		64.8	49.9	51.0
Level of Service (LOS)	F	D	D	F	C	D	E	F		E	D	D
Approach Delay, s/veh / LOS	41.5		D	40.7		D	79.9		E	62.4		E
Intersection Delay, s/veh / LOS	49.1						D					

Multimodal Results

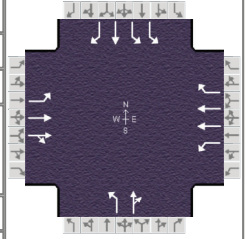
	EB			WB			NB			SB		
Pedestrian LOS Score / LOS	1.93		B	2.29		B	2.47		B	2.34		B
Bicycle LOS Score / LOS	1.21		A	1.32		A	0.74		A	1.80		B

HCS7 Signalized Intersection Results Summary

8.B.d

General Information

Agency	LTG, Inc.			Duration, h	0.250
Analyst	BNH	Analysis Date	9/17/2021	Area Type	Other
Jurisdiction	Volusia County	Time Period	P.M. Peak Background Improvement	PHF	0.95
Urban Street	SR 40	Analysis Year	2024	Analysis Period	1> 7:00
Intersection	SR 40 & Tymber Creek Rd	File Name	1.1- SR 40 & Tymber Creek Rd PM.xus		
Project Description	Tattersall at Tymber Creek				



Demand Information

	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Demand (v), veh/h	80	1130	31	72	860	376	37	29	77	451	77	45

Signal Information

Cycle, s	170.0	Reference Phase	2	
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Timer Results

	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Assigned Phase	1	6	5	2		4		8
Case Number	2.0	4.0	2.0	3.0		10.0		9.0
Phase Duration, s	20.4	92.1	18.3	89.9		23.1		36.5
Change Period, (Y+R _c), s	9.7	7.2	9.1	7.2		8.7		8.2
Max Allow Headway (MAH), s	5.0	0.0	5.0	0.0		5.3		5.1
Queue Clearance Time (g _s), s	10.7		9.2			14.0		24.7
Green Extension Time (g _e), s	0.2	0.0	0.2	0.0		0.4		3.6
Phase Call Probability	0.98		0.97			1.00		1.00
Max Out Probability	0.00		0.00			0.32		0.04

Movement Group Results

Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement	1	6	16	5	2	12	7	4	14	3	8	18
Adjusted Flow Rate (v), veh/h	84	614	608	76	905	396	39	112		475	81	47
Adjusted Saturation Flow Rate (s), veh/h/ln	1626	1870	1852	1767	1766	1572	1612	1536		1716	1856	1314
Queue Service Time (g_s), s	8.7	41.6	41.6	7.2	30.1	29.3	3.8	12.0		22.7	6.5	5.3
Cycle Queue Clearance Time (g_c), s	8.7	41.6	41.6	7.2	30.1	29.3	3.8	12.0		22.7	6.5	5.3
Green Ratio (g/C)	0.06	0.50	0.50	0.05	0.49	0.49	0.10	0.10		0.17	0.17	0.17
Capacity (c), veh/h	103	934	925	95	1720	765	146	139		571	309	219
Volume-to-Capacity Ratio (X)	0.821	0.657	0.658	0.794	0.526	0.517	0.266	0.801		0.831	0.262	0.217
Back of Queue (Q), ft/ln (95 th percentile)	206.6	667	652.3	172.1	475.5	431.9	82.7	252.5		399.6	143.2	89.3
Back of Queue (Q), veh/ln (95 th percentile)	7.5	26.3	26.1	6.7	18.6	16.9	3.0	9.3		15.6	5.6	3.3
Queue Storage Ratio (RQ) (95 th percentile)	0.46	0.00	0.00	0.41	0.00	0.95	0.00	0.00		0.71	0.00	0.38
Uniform Delay (d_1), s/veh	78.7	31.7	31.7	79.5	30.1	29.9	72.0	75.2		68.5	61.7	61.3
Incremental Delay (d_2), s/veh	19.9	3.6	3.7	18.6	1.2	2.5	1.4	16.7		5.2	0.6	0.7
Initial Queue Delay (d_3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0		0.0	0.0	0.0
Control Delay (d), s/veh	98.5	35.3	35.4	98.1	31.3	32.4	73.4	91.9		73.7	62.4	62.0
Level of Service (LOS)	F	D	D	F	C	C	E	F		E	E	E
Approach Delay, s/veh / LOS	39.4	D		35.3	D		87.1	F		71.3	E	
Intersection Delay, s/veh / LOS	45.4						D					

Multimodal Results

	EB			WB			NB			SB		
Pedestrian LOS Score / LOS	1.92	B		2.28	B		2.47	B		2.34	B	
Bicycle LOS Score / LOS	1.57	B		1.62	B		0.74	A		1.48	A	

APPENDIX J

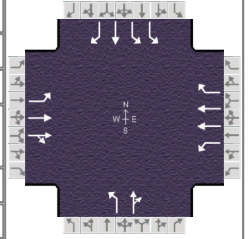
Signalized Intersections HCS Summary Sheets – Build-out Conditions

HCS7 Signalized Intersection Results Summary

8.B.d

General Information

Agency	LTG, Inc.			Duration, h	0.250
Analyst	BNH	Analysis Date	9/17/2021	Area Type	Other
Jurisdiction	Volusia County	Time Period	A.M. Peak Buildout Improved	PHF	0.94
Urban Street	SR 40	Analysis Year	2024	Analysis Period	1> 7:00
Intersection	SR 40 & Tymber Creek Rd	File Name	1- SR 40 & Tymber Creek Rd AM.xus		
Project Description	Tattersall at Tymber Creek				

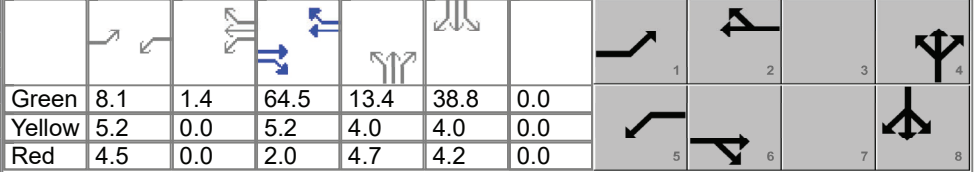


Demand Information

	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Demand (v), veh/h	64	726	32	76	439	446	36	47	58	676	53	73

Signal Information

Cycle, s	160.0	Reference Phase	2
Offset, s	0	Reference Point	End
Uncoordinated	No	Simult. Gap E/W	On
Force Mode	Fixed	Simult. Gap N/S	On



Timer Results

	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Assigned Phase	1	6	5	2		4		8
Case Number	2.0	4.0	2.0	3.0		10.0		9.0
Phase Duration, s	17.8	71.7	19.2	73.1		22.1		47.0
Change Period, ($Y+R_c$), s	9.7	7.2	9.1	7.2		8.7		8.2
Max Allow Headway (MAH), s	5.0	0.0	5.0	0.0		5.3		5.1
Queue Clearance Time (g_s), s	8.4		10.1			13.0		33.8
Green Extension Time (g_e), s	0.1	0.0	0.2	0.0		0.4		5.0
Phase Call Probability	0.95		0.97			1.00		1.00
Max Out Probability	0.01		0.00			0.17		0.18

Movement Group Results

	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement	1	6	16	5	2	12	7	4	14	3	8	18
Adjusted Flow Rate (v), veh/h	68	406	400	81	467	474	38	112		719	56	78
Adjusted Saturation Flow Rate (s), veh/h/ln	1697	1856	1828	1570	1752	1598	1527	1580		1730	1693	1497
Queue Service Time (g_s), s	6.4	26.8	26.8	8.1	14.5	39.7	3.7	11.0		31.8	4.2	6.6
Cycle Queue Clearance Time (g_c), s	6.4	26.8	26.8	8.1	14.5	39.7	3.7	11.0		31.8	4.2	6.6
Green Ratio (g/C)	0.05	0.40	0.40	0.06	0.41	0.41	0.10	0.10		0.24	0.24	0.24
Capacity (c), veh/h	86	748	737	99	1444	658	138	142		839	410	363
Volume-to-Capacity Ratio (X)	0.794	0.543	0.543	0.819	0.323	0.721	0.278	0.785		0.858	0.137	0.214
Back of Queue (Q), ft/ln (95 th percentile)	153.8	465.6	449.3	193.6	263.2	578.1	80.1	236.1		527.4	89.8	121.8
Back of Queue (Q), veh/ln (95 th percentile)	5.8	18.2	18.0	6.8	10.2	22.9	2.8	8.7		20.8	3.2	4.5
Queue Storage Ratio (RQ) (95 th percentile)	0.34	0.00	0.00	0.47	0.00	1.27	0.00	0.00		0.94	0.00	0.52
Uniform Delay (d_1), s/veh	75.1	36.5	36.5	74.1	31.9	39.3	67.9	70.6		58.0	47.5	48.4
Incremental Delay (d_2), s/veh	20.4	2.8	2.9	20.4	0.6	6.7	1.5	12.9		6.4	0.2	0.4
Initial Queue Delay (d_3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0		0.0	0.0	0.0
Control Delay (d), s/veh	95.5	39.3	39.3	94.4	32.5	46.1	69.5	83.5		64.3	47.7	48.8
Level of Service (LOS)	F	D	D	F	C	D	E	F		E	D	D
Approach Delay, s/veh / LOS	43.7		D	43.7		D	79.9		E	61.8		E
Intersection Delay, s/veh / LOS	50.9						D					

Multimodal Results

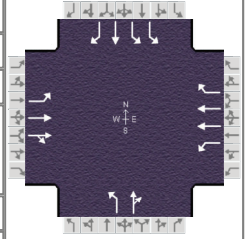
	EB			WB			NB			SB		
Pedestrian LOS Score / LOS	1.93		B	2.29		B	2.46		B	2.34		B
Bicycle LOS Score / LOS	1.21		A	1.33		A	0.74		A	1.90		B

HCS7 Signalized Intersection Results Summary

8.B.d

General Information

Agency	LTG, Inc.			Duration, h	0.250
Analyst	BNH	Analysis Date	9/17/2021	Area Type	Other
Jurisdiction	Volusia County	Time Period	P.M. Peak Buildout Improvement	PHF	0.95
Urban Street	SR 40	Analysis Year	2024	Analysis Period	1> 7:00
Intersection	SR 40 & Tymber Creek Rd	File Name	1.1- SR 40 & Tymber Creek Rd PM.xus		
Project Description	Tattersall at Tymber Creek				



Demand Information

	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Demand (v), veh/h	81	1130	31	72	860	439	37	29	77	488	77	46

Signal Information

Cycle, s	170.0	Reference Phase	2	
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Timer Results

	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Assigned Phase	1	6	5	2		4		8
Case Number	2.0	4.0	2.0	3.0		10.0		9.0
Phase Duration, s	20.5	90.1	18.3	87.9		23.1		38.5
Change Period, (Y+R _c), s	9.7	7.2	9.1	7.2		8.7		8.2
Max Allow Headway (MAH), s	5.0	0.0	5.0	0.0		5.3		5.1
Queue Clearance Time (g _s), s	10.8		9.2			14.0		26.6
Green Extension Time (g _e), s	0.2	0.0	0.2	0.0		0.4		3.7
Phase Call Probability	0.98		0.97			1.00		1.00
Max Out Probability	0.01		0.00			0.32		0.07

Movement Group Results

Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement	1	6	16	5	2	12	7	4	14	3	8	18
Adjusted Flow Rate (v), veh/h	85	614	608	76	905	462	39	112		514	81	48
Adjusted Saturation Flow Rate (s), veh/h/ln	1626	1870	1852	1767	1766	1572	1612	1536		1716	1856	1314
Queue Service Time (g_s), s	8.8	42.5	42.6	7.2	30.8	37.2	3.8	12.0		24.6	6.4	5.3
Cycle Queue Clearance Time (g_c), s	8.8	42.5	42.6	7.2	30.8	37.2	3.8	12.0		24.6	6.4	5.3
Green Ratio (g/C)	0.06	0.49	0.49	0.05	0.47	0.47	0.10	0.10		0.18	0.18	0.18
Capacity (c), veh/h	103	912	904	95	1677	746	146	139		611	331	234
Volume-to-Capacity Ratio (X)	0.824	0.673	0.673	0.796	0.540	0.619	0.266	0.801		0.840	0.245	0.207
Back of Queue (Q), ft/ln (95 th percentile)	209.1	683.9	668.2	172.2	487.4	533.2	82.7	252.5		428.1	140.9	89.9
Back of Queue (Q), veh/ln (95 th percentile)	7.6	26.9	26.7	6.7	19.0	20.8	3.0	9.3		16.7	5.5	3.3
Queue Storage Ratio (RQ) (95 th percentile)	0.46	0.00	0.00	0.41	0.00	1.17	0.00	0.00		0.76	0.00	0.38
Uniform Delay (d_1), s/veh	78.6	33.2	33.2	79.5	31.6	33.2	72.0	75.2		67.5	60.0	59.6
Incremental Delay (d_2), s/veh	20.0	3.9	4.0	18.8	1.3	3.8	1.4	16.7		6.0	0.5	0.6
Initial Queue Delay (d_3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0		0.0	0.0	0.0
Control Delay (d), s/veh	98.6	37.1	37.2	98.3	32.8	37.1	73.4	91.9		73.5	60.6	60.2
Level of Service (LOS)	F	D	D	F	C	D	E	F		E	E	E
Approach Delay, s/veh / LOS	41.2	D		37.6		D	87.1	F		70.9	E	
Intersection Delay, s/veh / LOS	47.1						D					

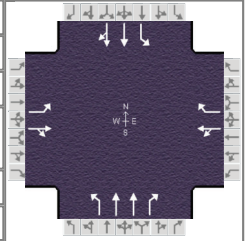
Multimodal Results

	EB			WB			NB			SB		
Pedestrian LOS Score / LOS	1.92	B		2.28	B		2.47	B		2.34	B	
Bicycle LOS Score / LOS	1.57	B		1.68	B		0.74	A		1.55	B	

HCS7 Signalized Intersection Results Summary

8.B.d

General Information					Intersection Information	
Agency	LTG, Inc.			Duration, h	0.250	
Analyst	BNH			Analysis Date	9/17/2021	
Jurisdiction	Volusia County			Area Type	Other	
		Time Period	A.M. Peak Bauldout		PHF	0.87
Urban Street	Tymber Creek Rd			Analysis Year	2024	
Intersection	Tymber Creek Rd & Ty...			Analysis Period	1> 7:00	
Project Description	Tattersall at Tymber Creek			File Name	2- Tymber Creek Rd & Tymber Run AM.xus	



Demand Information	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Demand (v), veh/h	76	8	100	104	16	78	72	263	89	81	525	81

Signal Information											
Cycle, s	53.3	Reference Phase	2								
Offset, s	0	Reference Point	End								
Uncoordinated	Yes	Simult. Gap E/W	On	Green	23.8	15.0	0.0	0.0	0.0	0.0	
Force Mode	Fixed	Simult. Gap N/S	On	Yellow	5.0	4.0	0.0	0.0	0.0	0.0	
				Red	2.5	3.0	0.0	0.0	0.0	0.0	

Timer Results	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Assigned Phase		4		8		2		6
Case Number		6.0		7.0		5.0		6.0
Phase Duration, s		22.0		22.0		31.3		31.3
Change Period, ($Y+R_c$), s		7.0		7.0		7.5		7.5
Max Allow Headway (MAH), s		4.2		4.2		5.2		5.2
Queue Clearance Time (g_s), s		14.1		10.8		13.2		8.9
Green Extension Time (g_e), s		1.5		1.5		10.7		10.8
Phase Call Probability		1.00		1.00		1.00		1.00
Max Out Probability		0.01		0.00		0.01		0.01

Movement Group Results	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement	7	4	14	3	8	18	5	2	12	1	6	16
Adjusted Flow Rate (v), veh/h	87	124			138	90	83	302	102	93	356	341
Adjusted Saturation Flow Rate (s), veh/h/ln	1361	1463			948	1472	725	1738	1535	1068	1856	1769
Queue Service Time (g_s), s	3.2	3.5			4.7	2.5	4.6	2.8	2.1	3.0	6.9	6.9
Cycle Queue Clearance Time (g_c), s	12.1	3.5			8.8	2.5	11.2	2.8	2.1	5.7	6.9	6.9
Green Ratio (g/C)	0.28	0.28			0.28	0.28	0.45	0.45	0.45	0.45	0.45	0.45
Capacity (c), veh/h	280	402			388	404	371	1564	691	564	835	796
Volume-to-Capacity Ratio (X)	0.312	0.309			0.355	0.222	0.223	0.193	0.148	0.165	0.426	0.428
Back of Queue (Q), ft/ln (95 th percentile)	44.8	51.2			63.3	35.3	30.8	37.2	25.5	26.9	100.5	94.1
Back of Queue (Q), veh/ln (95 th percentile)	1.7	1.9			2.4	1.3	1.2	1.4	1.0	1.1	3.9	3.8
Queue Storage Ratio (RQ) (95 th percentile)	0.00	0.00			0.00	0.00	0.14	0.00	0.11	0.13	0.00	0.00
Uniform Delay (d_1), s/veh	22.5	15.1			18.4	14.8	13.6	8.7	8.5	10.4	9.8	9.9
Incremental Delay (d_2), s/veh	0.6	0.4			0.6	0.3	0.4	0.1	0.1	0.2	0.5	0.5
Initial Queue Delay (d_3), s/veh	0.0	0.0			0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Control Delay (d), s/veh	23.1	15.6			18.9	15.0	14.0	8.8	8.7	10.6	10.3	10.4
Level of Service (LOS)	C	B			B	B	B	A	A	B	B	B
Approach Delay, s/veh / LOS	18.7	B		17.4	B		9.7	A		10.4	B	
Intersection Delay, s/veh / LOS	12.1						B					

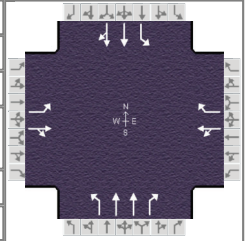
Multimodal Results	EB		WB		NB		SB	
Pedestrian LOS Score / LOS	2.42	B	2.26	B	1.88	B	1.88	B
Bicycle LOS Score / LOS	0.84	A	0.86	A	0.89	A	1.14	A

HCS7 Signalized Intersection Results Summary

8.B.d

General Information

Agency	LTG, Inc.			Duration, h	0.250
Analyst	BNH	Analysis Date	9/17/2021	Area Type	Other
Jurisdiction	Volusia County	Time Period	P.M. Peak Buildout	PHF	0.90
Urban Street	Tymber Creek Rd	Analysis Year	2024	Analysis Period	1> 7:00
Intersection	Tymber Creek Rd & Ty...	File Name	2.1- Tymber Creek Rd & Tymber Run PM.xus		
Project Description	Tattersall at Tymber Creek				



Demand Information

	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Demand (v), veh/h	135	22	104	101	17	88	85	496	85	103	367	100

Signal Information

Cycle, s	59.1	Reference Phase	2									
Offset, s	0	Reference Point	End									
Uncoordinated	Yes	Simult. Gap E/W	On	Green	26.0	18.5	0.0	0.0	0.0	0.0		
Force Mode	Fixed	Simult. Gap N/S	On	Yellow	5.0	4.0	0.0	0.0	0.0	0.0		
				Red	2.5	3.0	0.0	0.0	0.0	0.0		

Timer Results

	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Assigned Phase		4		8		2		6
Case Number		6.0		7.0		5.0		6.0
Phase Duration, s		25.5		25.5		33.5		33.5
Change Period, ($Y+R_c$), s		7.0		7.0		7.5		7.5
Max Allow Headway (MAH), s		4.2		4.2		5.3		5.3
Queue Clearance Time (g_s), s		17.6		11.5		11.7		13.8
Green Extension Time (g_e), s		1.6		1.8		12.4		12.3
Phase Call Probability		1.00		1.00		1.00		1.00
Max Out Probability		0.05		0.00		0.02		0.03

Movement Group Results

	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement	7	4	14	3	8	18	5	2	12	1	6	16
Adjusted Flow Rate (v), veh/h	150	140			131	98	94	551	94	114	267	252
Adjusted Saturation Flow Rate (s), veh/h/ln	1394	1590			926	1510	890	1752	1585	830	1856	1719
Queue Service Time (g_s), s	6.0	3.9			5.0	2.8	4.5	6.0	2.0	6.1	5.4	5.5
Cycle Queue Clearance Time (g_c), s	15.6	3.9			9.5	2.8	9.7	6.0	2.0	11.8	5.4	5.5
Green Ratio (g/C)	0.31	0.31			0.31	0.31	0.44	0.44	0.44	0.44	0.44	0.44
Capacity (c), veh/h	322	487			398	462	440	1561	706	412	826	765
Volume-to-Capacity Ratio (X)	0.467	0.288			0.329	0.212	0.215	0.353	0.134	0.278	0.323	0.329
Back of Queue (Q), ft/ln (95 th percentile)	85.3	58.6			67.9	40.8	35.8	87.6	26.9	47.9	84.5	77.9
Back of Queue (Q), veh/ln (95 th percentile)	3.4	2.3			2.5	1.5	1.4	3.4	1.1	1.8	3.3	3.1
Queue Storage Ratio (RQ) (95 th percentile)	0.00	0.00			0.00	0.00	0.16	0.00	0.11	0.22	0.00	0.00
Uniform Delay (d_1), s/veh	24.0	15.4			18.8	15.0	13.5	10.6	9.5	14.4	10.5	10.5
Incremental Delay (d_2), s/veh	1.1	0.3			0.5	0.2	0.3	0.2	0.1	0.5	0.3	0.4
Initial Queue Delay (d_3), s/veh	0.0	0.0			0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Control Delay (d), s/veh	25.1	15.7			19.2	15.2	13.9	10.8	9.7	14.9	10.8	10.9
Level of Service (LOS)	C	B			B	B	B	B	A	B	B	B
Approach Delay, s/veh / LOS	20.6	C		17.5	B		11.1	B		11.6	B	
Intersection Delay, s/veh / LOS	13.5						B					

Multimodal Results

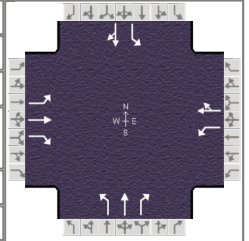
	EB			WB			NB			SB		
Pedestrian LOS Score / LOS	2.42	B		2.26	B		1.89	B		1.89	B	
Bicycle LOS Score / LOS	0.97	A		0.87	A		1.10	A		1.01	A	

HCS7 Signalized Intersection Results Summary

8.B.d

General Information

Agency	LTG, Inc.			Duration, h	0.250
Analyst	BNH	Analysis Date	9/17/2021	Area Type	Other
Jurisdiction	Volusia County	Time Period	A.M. Peak Buildout	PHF	0.86
Urban Street	Tymber Creek Rd	Analysis Year	2024	Analysis Period	1> 7:00
Intersection	Tymber Creek Rd & Airp...	File Name	3- Tymber Creek Rd & Airport Rd AM.xus		
Project Description	Tattersall at Tymber Creek				



Demand Information

	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Demand (v), veh/h	71	105	404	200	47	42	183	91	168	73	143	49

Signal Information

Cycle, s	92.7	Reference Phase	2
Offset, s	0	Reference Point	End
Uncoordinated	Yes	Simult. Gap E/W	On
Force Mode	Fixed	Simult. Gap N/S	On

Timer Results

	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Assigned Phase		8	7	4	1	6		2
Case Number		5.3	1.0	4.0	1.0	3.0		6.3
Phase Duration, s		31.3	18.5	49.8	19.1	43.0		23.9
Change Period, ($Y+R_c$), s		7.5	7.5	7.5	8.0	8.0		8.0
Max Allow Headway (MAH), s		4.2	4.1	4.2	4.1	4.2		4.2
Queue Clearance Time (g_s), s		23.2	10.5	5.2	10.7	10.1		13.5
Green Extension Time (g_e), s		0.5	0.5	2.6	0.5	2.4		2.4
Phase Call Probability		1.00	1.00	1.00	1.00	1.00		1.00
Max Out Probability		1.00	0.03	0.01	0.03	0.00		0.00

Movement Group Results

	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement	3	8	18	7	4	14	1	6	16	5	2	12
Adjusted Flow Rate (v), veh/h	83	122	376	233	103		213	106	195	85	223	
Adjusted Saturation Flow Rate (s), veh/h/ln	1281	1885	1598	1767	1724		1781	1826	1585	1206	1717	
Queue Service Time (g_s), s	4.8	4.8	21.2	8.5	3.2		8.7	3.6	8.1	5.8	11.5	
Cycle Queue Clearance Time (g_c), s	4.8	4.8	21.2	8.5	3.2		8.7	3.6	8.1	5.8	11.5	
Green Ratio (g/C)	0.26	0.26	0.26	0.40	0.46		0.31	0.38	0.38	0.17	0.17	
Capacity (c), veh/h	406	483	409	546	786		346	689	598	284	294	
Volume-to-Capacity Ratio (X)	0.203	0.253	0.917	0.426	0.132		0.615	0.154	0.327	0.299	0.758	
Back of Queue (Q), ft/ln (95 th percentile)	65.7	95.4	398.1	154.3	54.6		166.4	67.9	132.1	82.3	227.3	
Back of Queue (Q), veh/ln (95 th percentile)	2.6	3.8	15.8	6.0	2.1		6.6	2.6	5.2	3.0	8.6	
Queue Storage Ratio (RQ) (95 th percentile)	0.30	0.00	1.81	0.58	0.00		0.44	0.00	0.48	0.37	0.00	
Uniform Delay (d_1), s/veh	27.4	27.5	33.6	19.8	14.6		26.1	19.1	20.5	34.3	36.6	
Incremental Delay (d_2), s/veh	0.2	0.3	23.8	0.5	0.1		1.8	0.1	0.3	0.6	4.0	
Initial Queue Delay (d_3), s/veh	0.0	0.0	0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	
Control Delay (d), s/veh	27.7	27.7	57.4	20.3	14.7		27.9	19.2	20.9	34.9	40.6	
Level of Service (LOS)	C	C	E	C	B		C	B	C	C	D	
Approach Delay, s/veh / LOS	46.9		D	18.6		B	23.4		C	39.0		D
Intersection Delay, s/veh / LOS	33.1						C					

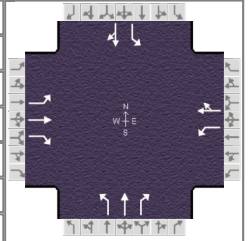
Multimodal Results

	EB			WB			NB			SB		
Pedestrian LOS Score / LOS	2.12		B	1.90		B	1.91		B	2.24		B
Bicycle LOS Score / LOS	1.44		A	1.04		A	1.34		A	1.00		A

HCS7 Signalized Intersection Results Summary

8.B.d

General Information				Intersection Information		
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Demand Information	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Demand (v), veh/h	24	52	87	181	85	77	153	231	209	56	136	59

Signal Information													
Cycle, s	64.4	Reference Phase	2										
Offset, s	0	Reference Point	End										
Uncoordinated	Yes	Simult. Gap E/W	On	Green	6.4	12.0	8.0	7.0	0.0	0.0			
Force Mode	Fixed	Simult. Gap N/S	On	Yellow	4.5	4.5	4.0	4.0	0.0	0.0			
				Red	3.5	3.5	3.5	3.5	0.0	0.0			

Timer Results	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Assigned Phase		8	7	4	1	6		2
Case Number		5.3	1.0	4.0	1.0	3.0		6.3
Phase Duration, s		14.5	15.5	30.0	14.4	34.4		20.0
Change Period, (Y+R _c), s		7.5	7.5	7.5	8.0	8.0		8.0
Max Allow Headway (MAH), s		4.2	4.1	4.2	4.1	4.2		4.2
Queue Clearance Time (g _s), s		5.5	7.8	6.7	6.4	8.1		8.8
Green Extension Time (g _e), s		1.1	0.5	1.1	0.4	2.8		2.8
Phase Call Probability		1.00	0.97	1.00	0.94	1.00		1.00
Max Out Probability		0.00	0.00	0.00	0.00	0.00		0.00

Movement Group Results	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement	3	8	18	7	4	14	1	6	16	5	2	12
Adjusted Flow Rate (v), veh/h	25	55	92	191	171		161	243	220	59	205	
Adjusted Saturation Flow Rate (s), veh/h/ln	1138	1870	1598	1753	1696		1781	1856	1585	1119	1788	
Queue Service Time (g_s), s	1.3	1.7	3.5	5.8	4.7		4.4	5.7	6.1	2.9	6.8	
Cycle Queue Clearance Time (g_c), s	1.3	1.7	3.5	5.8	4.7		4.4	5.7	6.1	2.9	6.8	
Green Ratio (g/C)	0.11	0.11	0.11	0.26	0.35		0.32	0.41	0.41	0.19	0.19	
Capacity (c), veh/h	235	203	173	438	592		385	761	650	320	333	
Volume-to-Capacity Ratio (X)	0.107	0.270	0.528	0.435	0.288		0.419	0.320	0.338	0.184	0.616	
Back of Queue (Q), ft/ln (95 th percentile)	16.5	34.4	60.9	101.4	75.3		74.9	95.4	86.3	33.5	125.7	
Back of Queue (Q), veh/ln (95 th percentile)	0.6	1.4	2.4	3.9	2.9		3.0	3.7	3.4	1.3	5.0	
Queue Storage Ratio (RQ) (95 th percentile)	0.07	0.00	0.28	0.38	0.00		0.20	0.00	0.31	0.15	0.00	
Uniform Delay (d_1), s/veh	26.2	26.4	27.1	19.7	15.2		17.2	12.9	13.0	22.5	24.1	
Incremental Delay (d_2), s/veh	0.2	0.7	2.5	0.7	0.3		0.7	0.2	0.3	0.3	1.8	
Initial Queue Delay (d_3), s/veh	0.0	0.0	0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	
Control Delay (d), s/veh	26.4	27.1	29.6	20.4	15.4		17.9	13.1	13.3	22.8	25.9	
Level of Service (LOS)	C	C	C	C	B		B	B	B	C	C	
Approach Delay, s/veh / LOS	28.3	C		18.0	B		14.4	B		25.2	C	
Intersection Delay, s/veh / LOS	19.0						B					

Multimodal Results	EB		WB		NB		SB	
Pedestrian LOS Score / LOS	2.12	B	1.90	B	1.89	B	2.11	B
Bicycle LOS Score / LOS	0.77	A	1.08	A	1.52	B	0.92	A

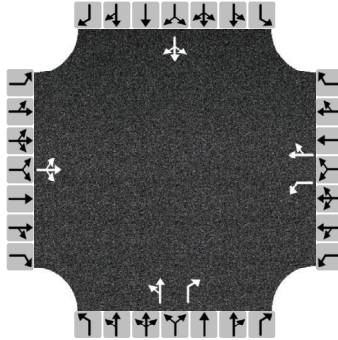
HCS7 All-Way Stop Control Report

8.B.d

General Information

Analyst	BNH	Intersection	Airport Rd & Leeway Trl
Agency/Co.	LTG, Inc.	Jurisdiction	Volusia County
Date Performed	9/22/2021	East/West Street	Airport Rd
Analysis Year	2024	North/South Street	Leeway Trl
Analysis Time Period (hrs)	0.25	Peak Hour Factor	0.79
Time Analyzed	A.M. Buildout Improvmen		
Project Description	Tattersal at Tymber Creek		

Lanes



Vehicle Volume and Adjustments

Approach	Eastbound			Westbound			Northbound			Southbound		
Movement	L	T	R	L	T	R	L	T	R	L	T	R
Volume	5	244	114	174	102	11	74	6	278	40	6	14
% Thrus in Shared Lane												
Lane	L1	L2	L3	L1	L2	L3	L1	L2	L3	L1	L2	L3
Configuration	LTR			L	TR		LT	R		LTR		
Flow Rate, v (veh/h)	459			220	143		101	352		76		
Percent Heavy Vehicles	2			2	3		2	2		2		

Departure Headway and Service Time

Initial Departure Headway, hd (s)	3.20			3.20	3.20		3.20	3.20		3.20		
Initial Degree of Utilization, x	0.408			0.196	0.127		0.090	0.313		0.068		
Final Departure Headway, hd (s)	6.79			7.77	7.21		7.83	6.65		8.43		
Final Degree of Utilization, x	0.867			0.476	0.287		0.220	0.650		0.178		
Move-Up Time, m (s)	2.0			2.3	2.3		2.3	2.3		2.0		
Service Time, ts (s)	4.79			5.47	4.91		5.53	4.35		6.43		

Capacity, Delay and Level of Service

Flow Rate, v (veh/h)	459			220	143		101	352		76		
Capacity	530			463	499		460	542		427		
95% Queue Length, Q ₉₅ (veh)	9.4			2.5	1.2		0.8	4.7		0.6		
Control Delay (s/veh)	39.4			17.3	12.8		12.7	20.8		13.2		
Level of Service, LOS	E			C	B		B	C		B		
Approach Delay (s/veh)	39.4			15.5			19.0			13.2		
Approach LOS	E			C			C			B		
Intersection Delay, s/veh LOS	24.7						C					

HCS7 All-Way Stop Control Report

8.B.d

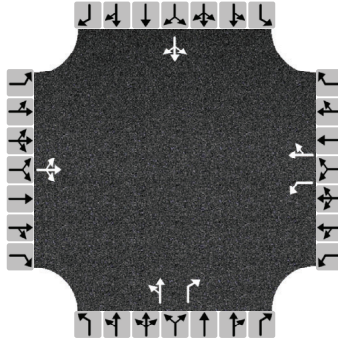
General Information

Analyst	BNH
Agency/Co.	LTG, Inc.
Date Performed	9/22/2021
Analysis Year	2024
Analysis Time Period (hrs)	0.25
Time Analyzed	P.M. Buildout Improvmen
Project Description	Tattersal at Tymber Creek

Site Information

Intersection	Airport Rd & Leeway Trl
Jurisdiction	Volusia County
East/West Street	Airport Rd
North/South Street	Leeway Trl
Peak Hour Factor	0.90

Lanes



Vehicle Volume and Adjustments

Approach	Eastbound			Westbound			Northbound			Southbound		
Movement	L	T	R	L	T	R	L	T	R	L	T	R
Volume	4	154	3	10	183	69	5	1	16	18	1	7
% Thrus in Shared Lane												
Lane	L1	L2	L3	L1	L2	L3	L1	L2	L3	L1	L2	L3
Configuration	LTR			L	TR		LT	R		LTR		
Flow Rate, v (veh/h)	179			11	280		7	18		29		
Percent Heavy Vehicles	25			2	3		2	2		6		

Departure Headway and Service Time

Initial Departure Headway, hd (s)	3.20			3.20	3.20		3.20	3.20		3.20		
Initial Degree of Utilization, x	0.159			0.010	0.249		0.006	0.016		0.026		
Final Departure Headway, hd (s)	5.38			5.35	4.67		6.15	5.03		5.78		
Final Degree of Utilization, x	0.268			0.017	0.363		0.011	0.025		0.046		
Move-Up Time, m (s)	2.0			2.3	2.3		2.3	2.3		2.0		
Service Time, ts (s)	3.38			3.05	2.37		3.85	2.73		3.78		

Capacity, Delay and Level of Service

Flow Rate, v (veh/h)	179			11	280		7	18		29		
Capacity	669			673	771		586	716		623		
95% Queue Length, Q ₉₅ (veh)	1.1			0.1	1.7		0.0	0.1		0.1		
Control Delay (s/veh)	10.3			8.1	10.0		8.9	7.9		9.1		
Level of Service, LOS	B			A	B		A	A		A		
Approach Delay (s/veh)	10.3			9.9			8.1			9.1		
Approach LOS	B			A			A			A		
Intersection Delay, s/veh LOS	9.9						A					

HCS7 Two-Way Stop-Control Report

8.B.d

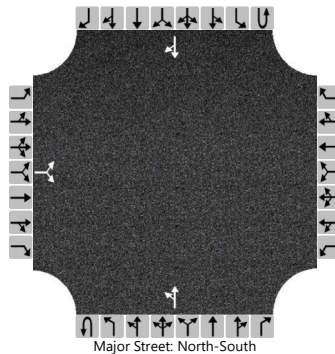
General Information

Analyst	BNH
Agency/Co.	LTG, Inc.
Date Performed	9/22/2021
Analysis Year	2024
Time Analyzed	A.M. Peak Buildout
Intersection Orientation	North-South
Project Description	Tattersall at Tymber Creek

Site Information

Intersection	Tymber Creek Rd & Drive#1
Jurisdiction	Volusia County
East/West Street	Driveway # 1
North/South Street	Tymber Creek Rd
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	1	0		0	0	0	0	0	1	0	0	0	1	0
Configuration			LR							LT						TR
Volume (veh/h)		5		43						14	190				222	2
Percent Heavy Vehicles (%)		1		1						1						
Proportion Time Blocked																
Percent Grade (%)	0															
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)		7.1		6.2						4.1						
Critical Headway (sec)		6.41		6.21						4.11						
Base Follow-Up Headway (sec)		3.5		3.3						2.2						
Follow-Up Headway (sec)		3.51		3.31						2.21						

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)			52							15						
Capacity, c (veh/h)			761							1329						
v/c Ratio			0.07							0.01						
95% Queue Length, Q ₉₅ (veh)			0.2							0.0						
Control Delay (s/veh)			10.1							7.7						
Level of Service (LOS)			B							A						
Approach Delay (s/veh)	10.1								0.6							
Approach LOS	B															

HCS7 Two-Way Stop-Control Report

8.B.d

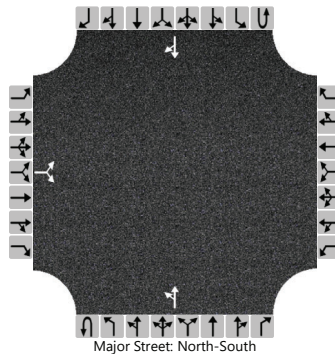
General Information

Analyst	BNH
Agency/Co.	LTG, Inc.
Date Performed	9/22/2021
Analysis Year	2024
Time Analyzed	P.M. Peak Buildout
Intersection Orientation	North-South
Project Description	Tattersall at Tymber Creek

Site Information

Intersection	Tymber Creek Rd & Drive#1
Jurisdiction	Volusia County
East/West Street	Driveway # 1
North/South Street	Tymber Creek Rd
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	1	0		0	0	0	0	0	1	0	0	0	1	0
Configuration			LR							LT						TR
Volume (veh/h)		3		29						49	283				222	6
Percent Heavy Vehicles (%)		1		1						1						
Proportion Time Blocked																
Percent Grade (%)	0															
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)		7.1		6.2						4.1						
Critical Headway (sec)		6.41		6.21						4.11						
Base Follow-Up Headway (sec)		3.5		3.3						2.2						
Follow-Up Headway (sec)		3.51		3.31						2.21						

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)			35							53						
Capacity, c (veh/h)			732							1324						
v/c Ratio			0.05							0.04						
95% Queue Length, Q ₉₅ (veh)			0.1							0.1						
Control Delay (s/veh)			10.2							7.8						
Level of Service (LOS)			B							A						
Approach Delay (s/veh)	10.2								1.5							
Approach LOS	B															

HCS7 Two-Way Stop-Control Report

8.B.d

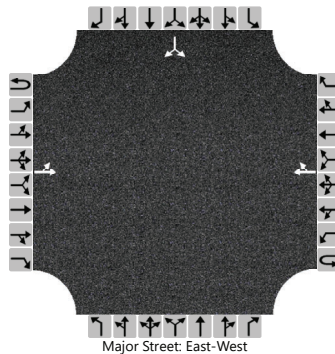
General Information

Analyst	BNH
Agency/Co.	LTG, Inc.
Date Performed	9/16/2021
Analysis Year	2024
Time Analyzed	A.M. Peak Buildout
Intersection Orientation	East-West
Project Description	Tattersall at Tymber Creek

Site Information

Intersection	Airport Rd & Driveway #2
Jurisdiction	Volusia County
East/West Street	Airport Rd
North/South Street	Driveway #2
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	1	0	0	0	1	0		0	0	0		0	1	0
Configuration		LT						TR							LR	
Volume (veh/h)		1	552				269	10						29		4
Percent Heavy Vehicles (%)		1												1		1
Proportion Time Blocked																
Percent Grade (%)													0			
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)		4.1												7.1		6.2
Critical Headway (sec)		4.11												6.41		6.21
Base Follow-Up Headway (sec)		2.2												3.5		3.3
Follow-Up Headway (sec)		2.21												3.51		3.31

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		1													36	
Capacity, c (veh/h)		1263													334	
v/c Ratio		0.00													0.11	
95% Queue Length, Q ₉₅ (veh)		0.0													0.4	
Control Delay (s/veh)		7.9													17.1	
Level of Service (LOS)		A													C	
Approach Delay (s/veh)	0.0												17.1			
Approach LOS													C			

HCS7 Two-Way Stop-Control Report

8.B.d

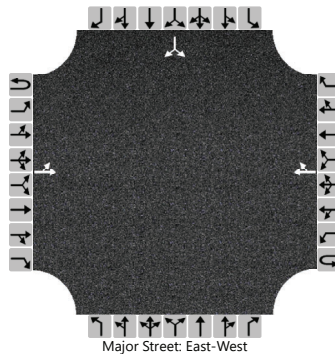
General Information

Analyst	BNH
Agency/Co.	LTG, Inc.
Date Performed	9/16/2021
Analysis Year	2024
Time Analyzed	P.M. Peak Buildout
Intersection Orientation	East-West
Project Description	Tattersall at Tymber Creek

Site Information

Intersection	Airport Rd & Driveway #2
Jurisdiction	Volusia County
East/West Street	Airport Rd
North/South Street	Driveway #2
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	1	0	0	0	1	0		0	0	0		0	1	0
Configuration		LT						TR							LR	
Volume (veh/h)		4	144				264	33						19		3
Percent Heavy Vehicles (%)		1												1		1
Proportion Time Blocked																
Percent Grade (%)													0			
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)		4.1												7.1		6.2
Critical Headway (sec)		4.11												6.41		6.21
Base Follow-Up Headway (sec)		2.2												3.5		3.3
Follow-Up Headway (sec)		2.21												3.51		3.31

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		4													24	
Capacity, c (veh/h)		1243													571	
v/c Ratio		0.00													0.04	
95% Queue Length, Q ₉₅ (veh)		0.0													0.1	
Control Delay (s/veh)		7.9													11.6	
Level of Service (LOS)		A													B	
Approach Delay (s/veh)	0.2												11.6			
Approach LOS													B			



Ref: 11472-1

TECHNICAL MEMORANDUM

To: Mr. Steven Spraker, AICP
From: Sergio Narea, P.E.
Subject: Traffic Impact Analysis Review – Tattersall at Tymber Creek
 Ormond Beach, Florida
Date: October 18, 2021

We have reviewed the Traffic Impact Analysis (dated September 2021) as prepared by LTG, Inc. for the Tattersall at Tymber Creek development in Ormond Beach, Florida. Our comments are summarized below:

1. Please provide the updated Project Trip Distribution (Figure 3) in the study, consistent with that provided in the approved methodology.
2. In Table 4 (Historical Growth Rates and Vested Traffic), please confirm the vested trips numbers in the table. For the Tymber Creek Road segment from Granada Blvd to Tymber Run, the vested trips was noted as 223; however, per the vested trip spreadsheets the number of vested trips on this segment should read 454 trips. Additionally, please check the Total Growth Applied values, for this same segment (Tymber Creek Road from Granada Blvd to Tymber Run) the Growth Applied Method states that 1% + Vested was used to calculate Total Growth Applied, however, the Total Growth Applied is only representative of the vested trips and does not include the trips from the 1% annual growth.
3. The study recommends that the Two-Way STOP-control at the Airport Road and Leeway Trail intersection be converted to an ALL-WAY STOP-control; however, we believe that an ALL-WAY STOP is not warranted and could further complicate existing issues during the AM Peak Hour. Under Background conditions, the southbound approach is the only approach that is failing with a delay of 118.6 (s/veh) during the AM peak hour and no approaches are shown as failing during the PM peak hour. Being that the school arrival hour coincides with the AM peak hour; the failure of the southbound approach during the AM peak hour is directly due to the westbound left-turning traffic turning into the school and is not directly related to the development trips. Under the Background Improved conditions (converting to an ALL-WAY STOP) the southbound approach is no longer shown as failing, but now shows a significant increase in the 95th percentile queue and delay for the eastbound and westbound approaches.
4. The access analysis identified the need for a 235-foot northbound left-turn lane and a 185-foot southbound right-turn lane at the Tymber Creek Road and full access driveway (Driveway #1), and we are in agreement. However, please provide an HCS analysis at buildout which includes the proposed turn lanes at Tymber Creek Road/Driveway #1. Additionally, please conduct a site access analysis at the Airport Road and full access driveway (Driveway #2).

Should you have any questions, please contact me at (386) 753-0558.

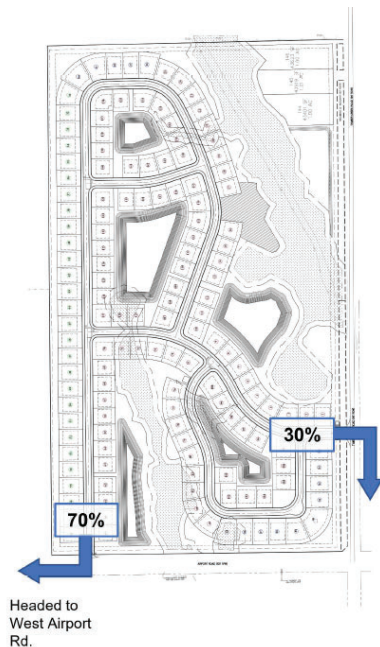


Traffic Engineering

Project Name: Tattersall at Tymber Creek
Project Manager: Melissa Winsett (mwinsett@volusia.org)
Subject: TIA Comments
Date: November 8, 2021

Comments

1. **Page 2, "Planned Roadway Improvements":** As stated in our methodology comments (#2), the four lane widening of Williamson Blvd. between Hand Ave. and Strickland Range Rd is not funded for construction. Therefore, the analysis needs to be based on that section being 2-lanes. Please revise Table 3, Table 12, and all other relevant sections of the segment and intersection analyses.
2. **Page 8, Table 4, Historical Growth Rates and Vested Traffic:** The vested trips include 278 trips from Tymber Creek Apts. Though the TIA was approved, please confirm with the city that the trips are vested.
3. **Page 10, Figure 3, "Project Trip Distribution (%)":**
 - a. Please explain how 0% of the project trip distribution is allocated on Airport Rd. between the driveway and Tymber Creek Rd.
 - b. Please verify the trip distribution at the development. Staff is having a difficult time generating the A.M. and P.M. peak hour volumes in figures 4A and 4B.
 - c. VCTE Commentary: Figure 3 is confusing since it doesn't match the driveway turning movements. This was a point of confusion during the methodology phase. To address reviewers' comments, please include the driveway assignment graphic that was sent to VCTE from LTG on 9-9-21 and clearly explain what was done to derive driveway turning movements.



From: Kady Dearing <kdearing@ltg-inc.us>
To: Melissa Winsett <mwinsett@volusia.org>, Spraker Steven <Steven.Spraker@o...>
CC: Anna Propst <apropst@ltg-inc.us>, Bakhan Hamagharib <bhamagharib@ltg-inc...>
Date: 9/3/2021 3:29 PM
Subject: RE: [EX] RE: Tattersall at Tymber Creek VCTE TIA methodology comments August 2021.pdf
Attachments: Tattersall - Driveway Assignment Example.png

Hi Melissa,

Thank you for your review and acceptance of the methodology letter.

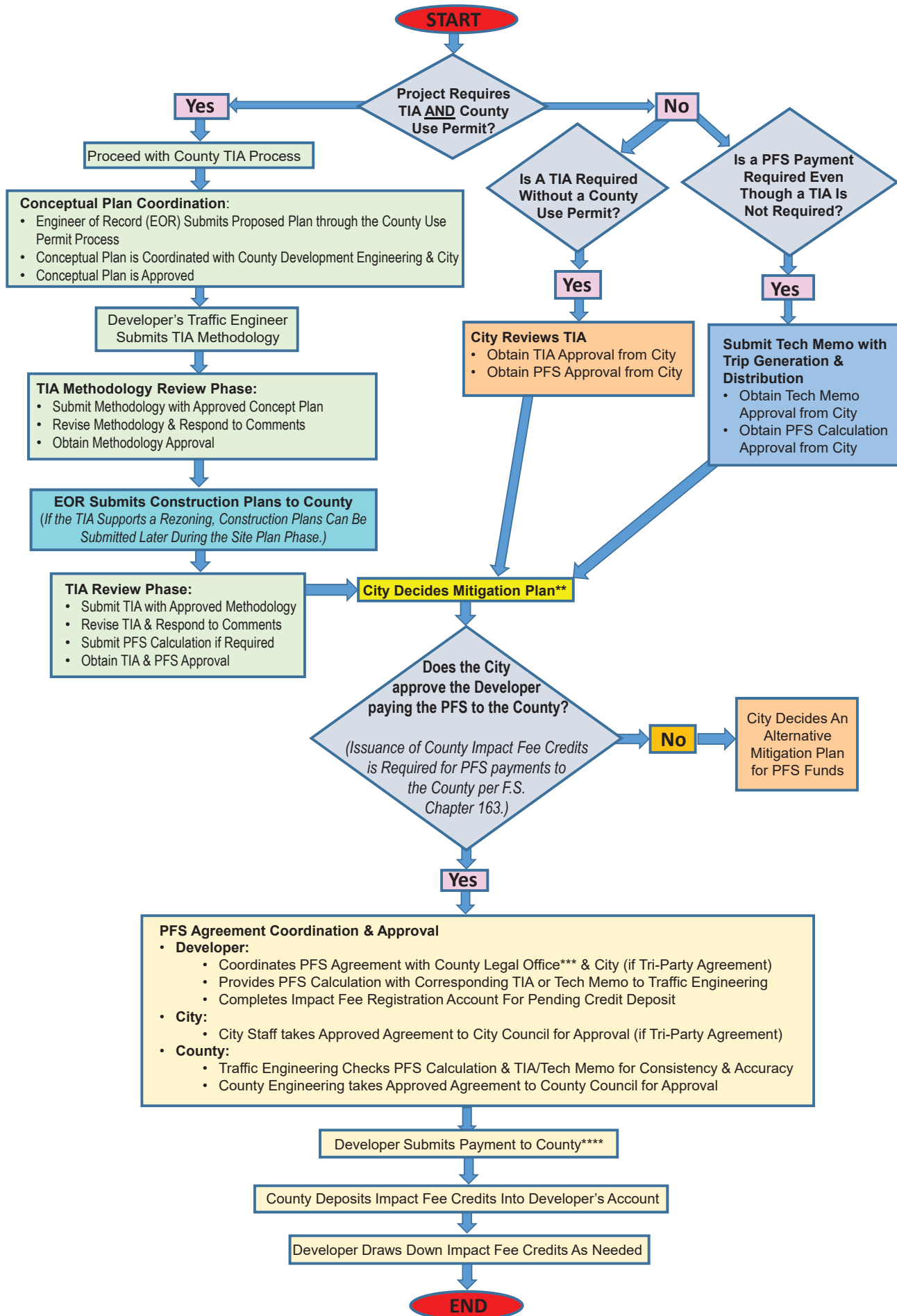
For the two driveways, we wanted to show that assignments may vary based on the destination/attraction of the trip itself. For example the trips that are headed to West Airport Road (from the site) may use a different driveway if they were to head North by using Tymber Creek Road depending on where they live within the development. This is shown by the percent split between the two access points. I've attached a picture of an example of the first assignment listed on Page 2 - West Airport Road.

Please let us know if you have any additional questions or comments.
Thanks again!

Kady Dearing, PE
 Project Engineer
 [cid:image004.jpg@01D7A0D8.6CAF8020]

4. **Pages 11 & 12, Figures 4A and 4B:**
 - a. Please explain how the driveway volumes were derived.
 - b. VCTE Commentary: See 2c above.
5. **Page 18:** For clarity, please identify the field visit and assessment section with a separate title. It currently resides under the Queue Length and Turn Lane Analysis.

6. **Page 20, Site Access Analysis:** Please identify the recommended improvements for the Airport Road site access driveway, which appears to be within the observed school back of queue (1560 feet).
7. **Page 20, Alternative Modes Analysis:**
 - a. The TIA states that a 5-ft sidewalk will be built by developer along the property frontage. Does this include both Airport Rd and Tymber Creek Rd? Please clearly state where the developer will be constructing sidewalks.
 - b. Please identify the route student residents will take to Pathways Elementary either by a thorough description or map with highlighted route. Will children have to cross Airport Road at a location without a crossing guard? How will students access the crossing guard at Leeway Trail? Identify any additional needs.
 - c. Advisory: The alternative mode analysis section in TIAs is required in the River to Sea TPO TIA Guidelines – not specifically Volusia County.
8. **Page 20, Proportionate Fair Share:** Please provide a PFS payment with the revised TIA.
9. **Page 21, “Conclusion and Recommendations”:**
 - a. The first paragraph states that the development will generate 153 net a.m. peak-hour trips and 159 net p.m. peak-hour trips. This information is not consistent with the information provided in Table 5 and figures 4A and 4B. Please confirm that the remainder of the TIA analyzed the correct trip generation data.
 - b. Identify if the developer will be constructing sidewalks on both Airport Road and Tymber Creek Road along the entire property frontage.
10. **Advisory to City - Airport Road Improvement Recommendation:** Section 4 Page 13 identifies a new multi-way stop as an improvement for the intersection of Airport Road & Leeway Trail to address 2024 background traffic. We suggest the applicant provide a multi-way stop warrant analysis to the city, which would enable city staff to verify that the identified recommendation is acceptable
16. **TIA and Site Plan Review:** The TIA and TIA and site plan review do not constitute final driveway approval. Any access control will be independent of the TIA review and will be determined only through the actual plans review process. If you have any questions, please contact Joe Spiller (Development Engineering) at JSpiller@Volusia.org - not the assigned VCTE Project Manager.
17. **Advisory:** Any questions related to the above TIA comments (unless otherwise stated) should be directed toward the VCTE TIA Project Manager identified above.
19. **Advisory:** As of October 1, 2021, VCTE implemented an updated TIA and PFS procedures process for reviews of city developments. The memo is attached to these comments. Please review the procedures and provide all future submittals accordingly.



This flow chart applies to development projects in the cities. Unincorporated development projects generally follow the same process & requirements.

* Projects that don't require TIAs but are located in areas that have deficient roadways & are required to pay PFS.

** Local Govt of which Project is located decides if the developer will build an improvement, pay PFS to the city, pay PFS to the county, pay for a signal, etc.

*** The city decides whether a 2-party or 3 Agreement is necessary between Developer, County & City.

**** Payment must be made by the expiration date & be attached to the Project's executed PFS agreement..

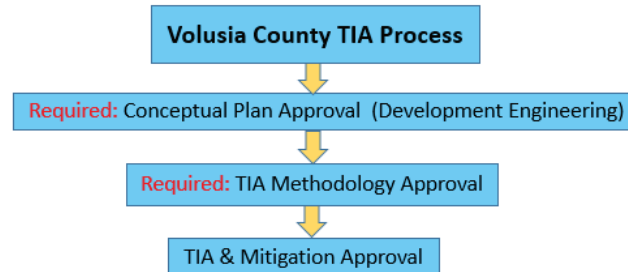


TRAFFIC IMPACT ANALYSIS, PROPORTIONATE FAIR SHARE PAYMENT & COUNTY TRANSPORTATION IMPACT FEE CREDIT PROCESSES

As of October 1, 2021, Volusia County Traffic Engineering and Development Engineering established the following processes for Use Permit TIA reviews, PFS payments and agreements, and Impact Fee crediting:

TRAFFIC IMPACT ANALYSIS (TIA)

The following steps must be followed in *sequential order* to submit TIA methodologies & TIAs to Traffic Engineering:



1) Preliminary Conceptual Plan Coordination: (Allow 1 Week Minimum)

- Conceptual plan approval is required **prior** to the review of the TIA methodology and must be coordinated through the Use Permit process. A Use Permit Application is required to initiate this process. Please contact Land Development staff at (386) 736-5942 if you require information regarding the permit process, application, fees, etc. For further conceptual plan coordination, please contact Joe Spiller of Development Engineering (jspiller@volusia.org or 386-736-5967 x 12466).
- Use Permits are ultimately permits for construction. The TIA methodology and conceptual plan approvals are prerequisites for construction plan approval. <https://www.volusia.org/services/growth-and-resource-management/planning-and-development/land-development/applications-and-forms.shtml>

2) TIA Methodology Review and Approval: (Allow 1-2 Weeks Minimum)

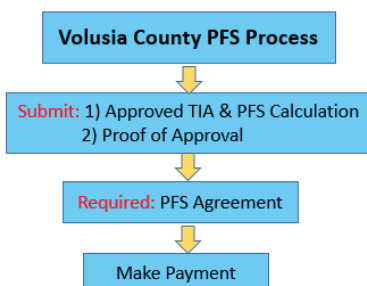
- TIA methodologies must be submitted through the Use Permit application process and must follow the River to Sea TPO Guidelines. <https://www.r2ctpo.org/planning-studies/tia-guidelines/>
- Development Engineering will send Traffic Engineering's comments to the applicant or applicant's authorized agent, which is typically the Engineer of Record for the proposed development. Traffic Engineering shall identify additional contacts and addresses to be copied regarding the TIA methodology.
- The TIA Methodology approval by Traffic Engineering, valid for 6 months, will be issued once all county comments have been addressed as well as the final methodology is provided. The TIA must be submitted before the methodology expires.

3) TIA Review and Approval: (Allow 2-3 Weeks Minimum)

- All TIAs must have an approved methodology. No TIAs will be reviewed without one.
- All TIAs must be submitted through the Use Permit Process. The following items are required -- Incomplete TIA packages will not be reviewed:
 1. TIA PDF containing PFS calculation (if applicable)
 2. Completed TIA Checklist
 3. Response to All Reviewer Comments
 4. TIA Computer Input Files (Synchro, HCS, Model Distribution Files; etc.) **Note:** Computer input files cannot be uploaded in the permit system without being corrupted. Please send email link to download files (ataylor@volusia.org & mwinsett@volusia.org) or USB flash drive to Traffic Engineering. Failure to send files will cause TIA review delay.
- Development Engineering will send TIA comments to the applicant or applicant's authorized agent which is typically the Engineer of Record for the proposed development. Traffic Engineering shall identify additional contacts and addresses to be copied regarding the TIA review.
- If mitigation is required, Traffic Engineering will request a PFS calculation when the TIA has minimal Level of Service analyses comments. Such calculation must be included in the TIA document. Premature PFS calculations will not be reviewed.
- The TIA approval by Traffic Engineering will be issued once all county comments have been addressed and the final TIA, which shall contain the approved PFS calculation (if applicable), is provided.
- PFS mitigation discussions and coordination should be completed prior to starting the PFS payment process. Please contact Tadd Kasbeer, County Engineer at 386-736-5978 x 12177.

PROPORTIONATE FAIR SHARE (PFS) AGREEMENTS & PAYMENTS

All steps are required to be followed in *sequential order* to be able to make a PFS payment to Volusia County:



- First, Submit the Approved TIA and/or PFS Calculation for Validation.** To enter into a PFS Agreement and pay PFS to Volusia County, the project's TIA or technical memorandum will be used to review the proposed PFS calculation and amount for consistency and accuracy regarding construction costs, segment and intersection PFS calculation application, and critical/near-critical road mitigation.

Please Email the following to Melissa Winsett (mwinsett@volusia.org) of Traffic Engineering:

For Developments that Required a TIA – 2 Required Items:

- Local Jurisdiction*-Approved TIA PDF that includes the PFS calculation
- Proof of TIA/PFS Approval from Local Jurisdiction* – Dated Correspondence with official's name, signature, contact info

For Developments requiring PFS Payment but weren't required to complete TIAs – 2 Required Items:

- Local Jurisdiction*- Approved Technical Memorandum** & PFS calculation
- Proof of Tech Memo/PFS Approval from Local Jurisdiction* – Dated Correspondence with official's name, signature, contact info

** Local Jurisdiction: The local government that is officially reviewing and approving the project – typically a city.*

***Technical Memorandum: Document that identifies a project's trip generation and distribution onto roadway segments that has insufficient capacity and require mitigation to obtain approval.*

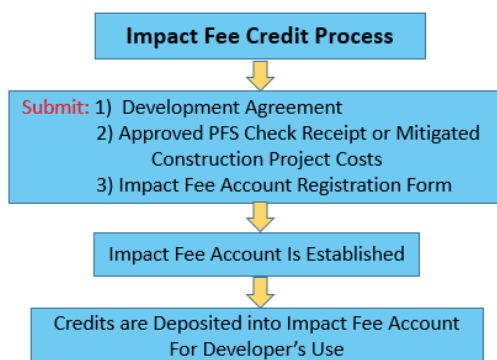
Upon satisfactory confirmation, Traffic Engineering will notify the respective city and County Attorney's Office that the PFS Amount has been validated. The approved PFS amount is valid for one year. Expired PFS will require resubmission to Traffic Engineering.

- Second, the Developer Must Enter Into a PFS Legal Agreement (Allow 4-6 Weeks Minimum for County Council Approval):**
 - Once Traffic Engineering Validates the PFS Amount, the developer may coordinate a PFS agreement with the County Attorney's office. Please contact Russ Brown (rbrown@volusia.org or [386-736-5950](tel:386-736-5950) x12947).
 - Note: All Parent Tract TIAs must pursue "Master PFS Agreements" in lieu of separate PFS agreements for each lot or parcel with in the parent tract or PUD.
- Third, the Developer Must Provide the PFS Payment to Volusia County:**
 - Once the PFS Agreement has been Fully Executed, the PFS Payment can be made.
 - The developer must submit the following two items to Kristen Vieira (kvieira@volusia.org or [386-736-5967](tel:386-736-5967) x 12177)
 - 1) Final Executed County PFS Agreement or Master Agreement:
 - 2) PFS check with same amount outlined in the PFS Agreement: Checks can be addressed to: "County of Volusia." In return, a receipt will be provided. PFS checks should be sent to the address below:

Attn: Kristen Vieira
Volusia County Engineering
123 West Indiana Avenue, Room 402
Deland, FL 32720-4262

IMPACT FEE CREDITS

The following steps are required to be able to obtain impact fee credits for PFS payment or construction mitigation improvement:



1. Establish an Impact Fee Credit Account:

- After the PFS payment is made or constructed improvements are complete, contact Engineering & Construction to establish an impact fee credit account and obtain credits. Contact: Scott Carraro (scarraro@volusia.org, (386) 736-5967 x12287). Please allow 5-7 business days.
 - For Impact Fee Credits related to PFS Payments, please submit the following supporting documentation to Engineering and Construction:
 - Copy of the project's recorded development agreement
 - Copy of your PFS check and receipt.
 - Completed Volusia County Impact Fee Account Registration form** attached. Registration forms require original signatures. Copies or PDF's will not be accepted.
 - .
 - For Impact fee credits related to Constructed Improvements, please submit the following to Engineering & Construction:
 - Copy of the project's recorded development agreement.
 - Actual costs incurred such as executed construction contracts or contractor invoices. Engineers' estimates are not accepted. An itemized tabulation delineating eligible costs is required when contracts or invoices include ineligible items. Note: Eligible costs include design, permitting, right-of-way (if applicable), and construction & CEI.
 - Completed Volusia County Impact Fee Account Registration form**, attached. Registration forms require original signatures. Copies or PDF's will not be accepted.

****Note:** Your Transportation Impact Fee Credit Account is like a bank account. The "List of Person(s) authorized to sign for this account", on the form, will be the people authorized to make withdrawals from your Transportation Impact Fee Credit Account.

2. Allow Staff to Process Information and Make Deposit:

- The submittal will be reviewed by county engineering staff and additional information may be requested of the applicant.
- Engineering & Construction will deliver the original executed Registration Form to County Growth and Resource Management (GRM). Contact: Beth Branton (bbranton@volusia.org, (386) 736-5924, ext. 12097).
- GRM will not accept executed forms from anyone other than Engineering & Construction.
- GRM will establish the Transportation Impact Fee Credit Account and send the applicant an email with instructions on how to pay County Transportation Impact Fees with credits, or if desired, transfer your credits. Please be aware that the county auditor completes audits of transportation impact fee credit files.

For questions regarding the following, please call:

- **Impact Fee Credit Registration** - Scott Carraro at (386) 736-5967, ext. 12287, scarraro@volusia.org
- **Impact Fees or Impact Fee Credit Account balance** - Beth Branton at (386) 736-5924, ext. 12097, bbranton@volusia.org.
- **PFS Agreements**, please contact Russ Brown at [386-736-5950](tel:386-736-5950) x12947, rbrown@volusia.org
- **PFS payments**, please contact Kristen Vieira at 386-736-5968, ext. 12177, kvieira@volusia.org
- **PFS calculations**, please contact Melissa Winsett at 386-736-5968, ext. 12322, mwinsett@volusia.org

Growth and Resource Management - Impact Fees
123 West Indiana Avenue, Room 200
DeLand, FL 32720-4604
TELEPHONE: (386) 736-5924, ext. 12097
E-MAIL: impactfees@volusia.org

NOTE: Credit must be applied to projects within the above zone

Date: _____

Name	E-Mail Address
------	----------------

Business Name

Mailing Address

City _____ State _____ Zip _____
 () () ()

Telephone Number**Fax Number**

1. Physical Address:

City:

The correct numeric street address for the site must be furnished. If unsure, contact the City or County where the project is located for the correct address.

2. Property Tax Parcel Number(s):

_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

3. List of Person(s) authorized to sign complete any/all transactions for this account:**

****ONLY persons listed will be given information or access to the account.**

Printed Name _____

Signature

Printed Name _____

Signature

Printed Name _____

Signature

Signature of Applicant/Property Owner: _____

THIS AREA TO BE COMPLETED BY VOLUSIA COUNTY PERSONNEL

Total credits to be awarded: \$ _____

Proportionate Fair Share Payment:	Yes	No
1		
2		
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Date of PFS payment Development Project:

Additional Details:

Approved by (signature)

Tadd Kasbeer, P.E., County Engineer

Date _____

ATTACHMENT 7

Applicant provided information and site plans

- Summary Letter
- Holding Capacity Analysis
- Exhibit A: Boundary Survey
- Exhibit B: Plan sheets
- Exhibit C: Fence Exhibit
- Exhibit D: Phasing Exhibit
- Exhibit E: Typical Architectural Elevations
- Exhibit F: Signage Exhibit

Scott W. Cichon
 Robert A. Merrell III
 John P. Ferguson
 Mark A. Watts
 Heather Bond Vargas
 Michael J. Woods
 Raymond L. Schumann
 Kathleen L. Crotty
 Michael O. Sznajstajler
 Matthew S. Welch
 Robert E. Doan
 William A. Rice
 Douglas J. Collins
 Sar E. Glover
 Holly W. Zitzka
 Jessica L. Gow
 Joseph A. Cottingham
 Nika K. Hosseini
 Sydney V. Cichon



Daytona Beach • DeLand

231 N. Woodland Blvd.
 DeLand, Florida 32720
 (386) 736-7700
 Fax (386) 785-1549
 CobbCole.com

September 30, 2021

OF COUNSEL
 Larry D. Marsh

RETIRED
 Thomas S. Hart

William M. Cobb
 (1881-1939)
 Thomas T. Cobb
 (1916-2004)
 W. Warren Cole, Jr.
 (1926-2008)

Steve Spraker
 Planning Director
 City of Ormond Beach
 22 South Beach Street
 Ormond Beach, FL 32174

Re: Tattersall at Tymber Creek PD
 Parcel ID No(s): 4123-00-00-0012, 4124-00-00-0240 & 4124-00-00-0250

Dear Steve:

Our office has the pleasure of representing Enclave of Timber Creek LLC and Tymber Sky, LLC (owners) and Paylin Tymber 1 and 2, LLC (contract purchaser) with the development of the above-referenced properties in Ormond Beach, Florida. This project presently consists of 143 single-family residential units. As outlined herein, and in the accompanying response from Zev Cohen & Associates, this project is consistent with the directives contained in the Ormond Beach Comprehensive Plan and the requirements for the Planned Residential Development zoning overlay and provides the following:

a. Innovative site design.

The Tattersall at Tymber Creek project encompasses 84 acres of land with a proposed gross density of 1.74 residential units per acre. As a result, the goal of this development is to provide significant open areas and active recreation areas for the residents of the development to use and enjoy as well as attractive larger home sites with timeless elevations and designs. The PD Plan, attached to the development agreement as Exhibit "B" demonstrates the innovative nature of the project design as a whole, with expansive open and green space, larger lot sizes, and interconnected street and sidewalk features.

b. Coordinated architectural design.

The Tattersall at Tymber Creek development provides for unique and thoughtful elevations for single family residences, which includes the minimum dimensional standards of 80 feet by 110 feet to provide the residents of Ormond Beach a beautiful home and community to

Page 2

reside and work in. The development also provides for distinctive and classic entry features and signage, as further detailed in Exhibits “E” and “F” to the development agreement.

c. Open space, recreation, common areas.

The development offers over 22 acres of open space areas, active recreation, and amenity areas for the residents of the development to enjoy as part of an active lifestyle in Ormond Beach. The development also preserves over 11 acres of wetlands, and includes over 6 acres of beautiful wet ponds throughout the development.

d. Coordinated streetscape elements.

The development includes significant entry features, buffering, and landscape features as specifically innovated for this project by the landscape architects and engineers at Zev Cohen & Associates. The exhibits to the development agreement illustrate the interconnected elements of the cohesive streetscape in addition to connecting sidewalks surrounding the proposed development.

Based on the responses above, we are excited to move the proposed Tattersall at Tymber Creek project forward for the residents of Ormond Beach. As always, should you have any questions, please do not hesitate to contact me.

Sincerely,

/s/ *Mark A. Watts*

Mark A. Watts
Mark.Watts@CobbCole.com

TATTERSALL AT TYMBER CREEK

21021

HOLDING ANALYSIS

CITY OF ORMOND BEACH

October 26, 2021
Revised



300 Interchange Blvd • Ormond Beach, FL 32174

386-677-2482 • Fax 386-677-2505

Civil Engineering • Transportation • Environmental
Landscape Architecture • Planning



300 Interchange Blvd • Ormond Beach, FL 32174
 386.677.2482 • Fax 386.677.2505

Civil Engineering • Transportation • Environmental
 Landscape Architecture • Planning

Project Name: TATTERSALL AT TYMBER CREEK
 Project No.: 21021
 Date: October 26, 2021
 By: RH
 Description: TABLE OF CONTENTS

- A. SUMMARY
- B. HOLDING ANALYSIS SPREADSHEET
- C. AREA EXHIBIT
- D. FLOOD, SOILS & FLU MAP COMBINED
- E. FLOOD & SOILS MAP COMBINED
- F. FLOOD MAP
- G. SOILS MAP
- H. CITY OF ORMOND BEACH LDC SECTION 2-35.C.4

Summary of Subdivision Density

1. Holding capacity based on soils, flood plain and utilities (see information contained within the Report):
 - Maximum number of units: 248.88
 - Units per acre (67.64 total acres): 3.68
2. Gross density based on the number of project acres divided by the proposed number of lots:
 - Maximum number of units: 143
 - Units per acre (67.64 total acres): 2.12
3. Proposed Gross Density is 1.69 units per acre
4. Proposed Net density is 2.12 units per acre
5. Maximum allowable units per Ordinance 08-54 is 234 units based on a total SLDR Land Use developable site area of 67.54 (3.46 units per acre).

Note: Minor discrepancies in the total developable site area within the SLDR Land Use are acknowledged but have no effect on the proposed density of 2.12 units per acres since it is well below the maximum calculated density of 3.68 units per acre as well as below the maximum allowed by Ordinance 80-54, 3.46 units per acre.

TATTERSALL AT TYMBER CREEK
HOLDING ANALYSIS

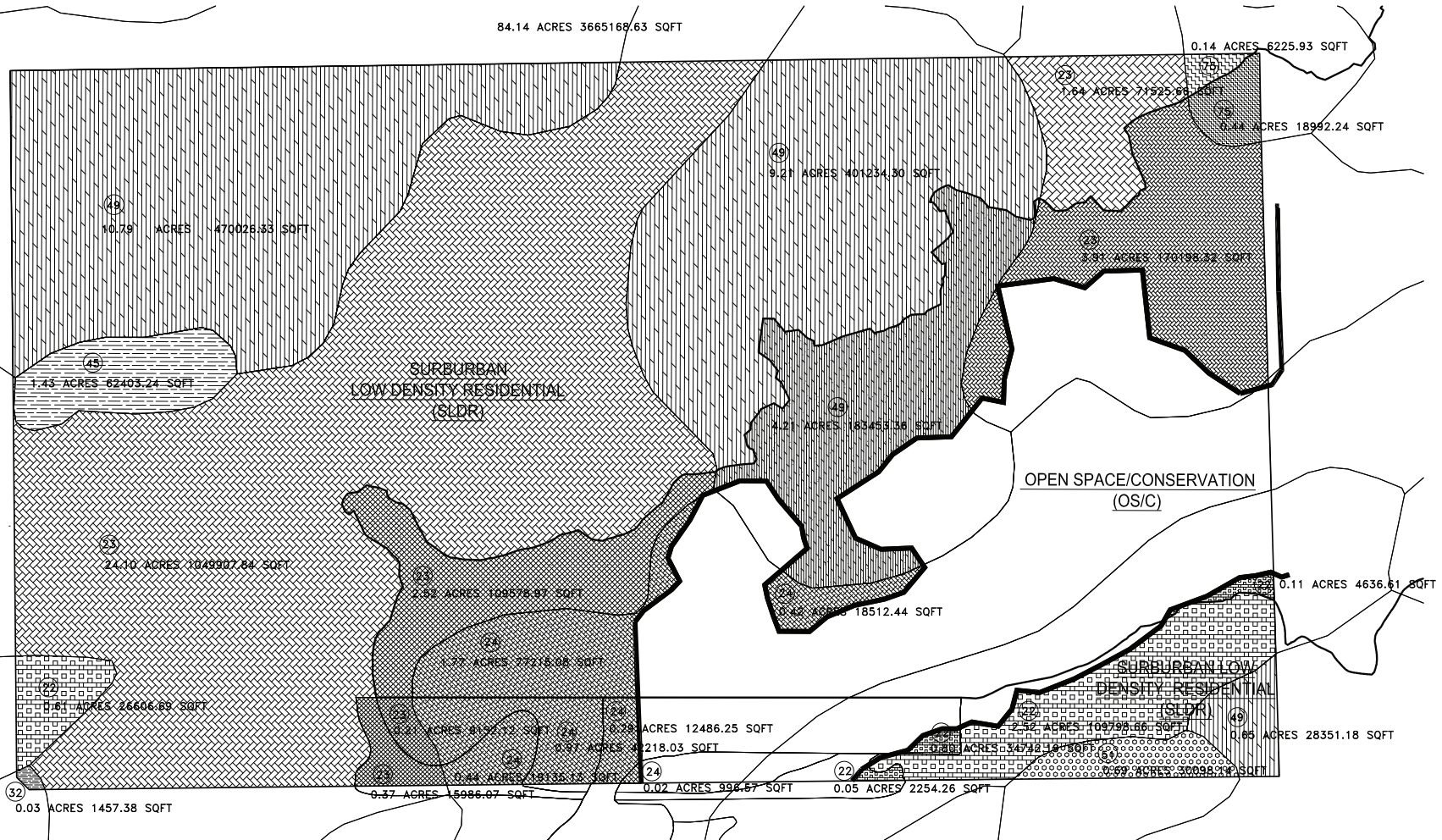
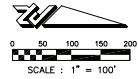
8.B.d

SOIL TYPE	AREA IN 100 YR FLOODPLAIN		AREA OUT OF 100 YEAR FLOODPLAIN		DEVELOPMENT POTENTIAL	DENSITY FACTOR W/IN FLOOD PLAIN	DENSITY FACTOR OUTSIDE FLOOD PLAIN	ALLOWABLE DENSITY (UNITS)	HIGH WATER TABLE ELEV. (IN. BELOW GROUND)
	SQ FT	ACRES	SQ FT	ACRES					
22	2,254.26	0.05	26,606.69	0.61	MED/HIGH	4	6	3.87	24-42
	4,374.92	0.10	109,798.66	2.52	MED/HIGH	4	6	15.53	
	4,636.61	0.11			MED/HIGH	4	6	0.43	
23	9,152.12	0.21	71,525.66	1.64	MED LOW/MED	3	4	7.20	6-18
	15,986.07	0.37	1,049,907.84	24.10	MED LOW/MED	3	4	97.51	
	109,578.97	2.52	0.00		MED LOW/MED	3	4	7.55	
	170,198.32	3.91			MED LOW/MED	3	4	11.72	0-12
	149.38	0.003							
24	996.57	0.02			LOW/MED LOW	0.5	3	0.01	
	12,486.25	0.29			LOW/MED LOW	0.5	3	0.14	
	18,512.44	0.42			LOW/MED LOW	0.5	3	0.21	
	19,135.13	0.44			LOW/MED LOW	0.5	3	0.22	
	42,218.03	0.97			LOW/MED LOW	0.5	3	0.48	
	77,215.08	1.77			LOW/MED LOW	0.5	3	0.89	6-18
32			1,457.38	0.03	MED		4	0.13	
45			62,403.24	1.43	MED		4	5.73	
49	183,453.36	4.21	28,351.18	0.65	MED LOW/MED	3	4	15.24	6-18
			401,234.30	9.21	MED		4	36.84	0
			470,026.33	10.79	MED		4	43.16	
51			30,098.14	0.69	VERY LOW		0.2	0.14	
75	18,992.24	0.44	6,225.93	0.14	MED LOW/MED	3	4	1.88	
Total:	689,339.75	15.83	2,257,635.35	51.83				248.88	

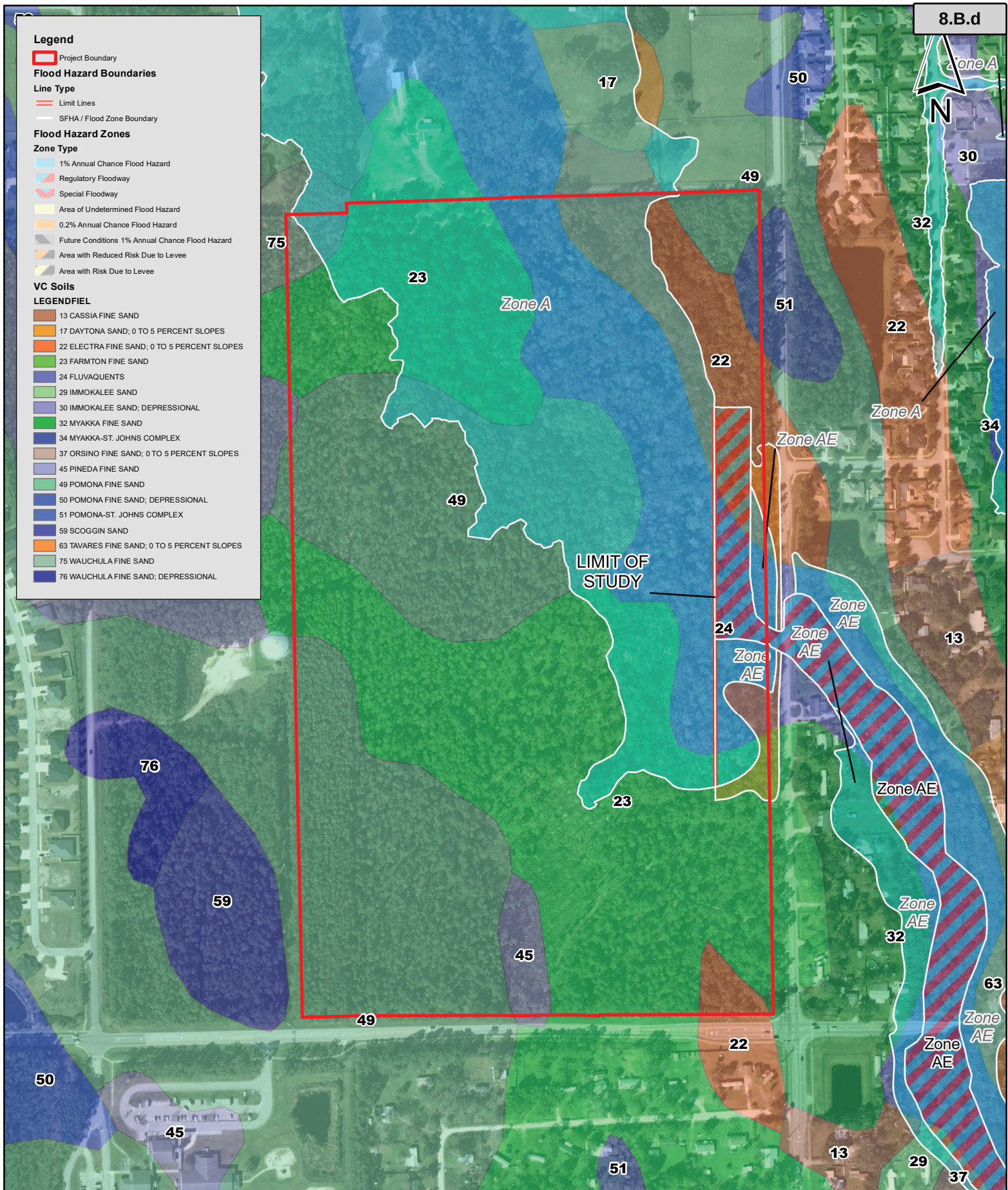
Acerage Check:

Total Acreage: 2,946,975.10 SQFT

67.65 ACRES



FLOOD, SOIL & FLU PLAN
SCALE: 1" = 100'



FEMA Flood & Soils Map Tattersall at Tymber Creek Ormond Beach, Florida

ZEVC **COHEN**
& ASSOCIATES INC.
300 Interchange Blvd
Ormond Beach, FL 32174
ph 386-6
Packet Pg. 535

Date Saved: 10/6/2021 Created by: amuldowney
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FEMA Flood Map

Tattersall at Tymber Creek

Ormond Beach, Florida



300 Interchange Blvd
Ormond Beach, FL 32174

ph 386-6

Packet Pg. 536

Date Saved: 10/6/2021 Created by: amuldowney
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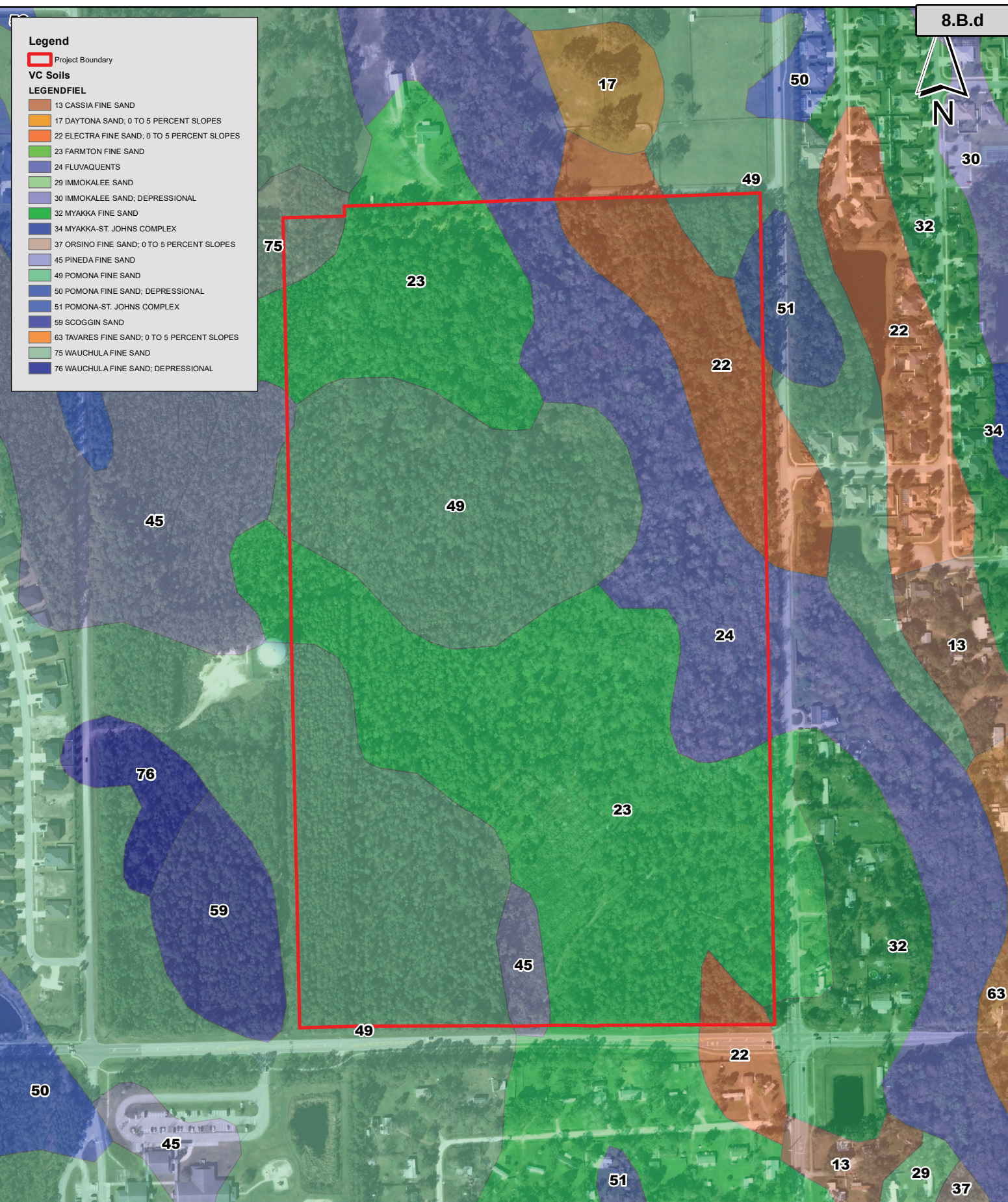
Legend

Project Boundary

VC Soils

LEGENDFIEL

- 13 CASSIA FINE SAND
- 17 DAYTONA SAND; 0 TO 5 PERCENT SLOPES
- 22 ELECTRA FINE SAND; 0 TO 5 PERCENT SLOPES
- 23 FARMTON FINE SAND
- 24 FLUVAQUENTS
- 29 IMMOKALEE SAND
- 30 IMMOKALEE SAND; DEPRESSIONAL
- 32 MYAKKA FINE SAND
- 34 MYAKKA-ST. JOHNS COMPLEX
- 37 ORSINO FINE SAND; 0 TO 5 PERCENT SLOPES
- 45 PINEDA FINE SAND
- 49 POMONA FINE SAND
- 50 POMONA FINE SAND; DEPRESSIONAL
- 51 POMONA-ST. JOHNS COMPLEX
- 59 SCOGGIN SAND
- 63 TAVARES FINE SAND; 0 TO 5 PERCENT SLOPES
- 75 WAUCHULA FINE SAND
- 76 WAUCHULA FINE SAND; DEPRESSIONAL



Holding capacity; density. Density determined in subsection (c)(1) of this section is for gross density purposes only. A more refined methodology for determining the **holding capacity** of a particular site proposed for development is derived from a three-tiered system based on soil characteristics related to the high seasonal groundwater tables (as derived from the SCS soil classification study); flooding potential as noted on the FEMA, FIRM maps; and the availability of central water and/or central sewer facilities. Table 2 illustrates the relationship between environmental constraints and water and sewer availability when calculating density. This table lists the coefficients for determining density in a matrix.

The procedure for determining **holding capacity** is as follows:

Step 1: Applicant prepares environmental constraints map for the parcel proposed for development;

Step 2: Calculate the acreage of property within each particular environmental constraints category;

Step 3: Multiply the acreage in each category by a coefficient determined by site-specific environmental constraints and availability of water and sewer as noted in table 2.

Step 4: Sum the totals for each category to achieve the **holding capacity** for the parcel in terms of maximum potential density.

Once the **holding capacity** is determined, the developer must prepare plans that are consistent with the **holding capacity** and environmental constraints of the subject property.

Five (5) distinct environmental constraint categories have been identified and are described below, together with their density allocations.

a.

Very Low. Areas that lie within the 100-year floodplain and where the seasonal high water table is at or above the surface or areas outside of the 100-year floodplain where the seasonal high water table is six inches (6") or more above the surface. Here, the constraints are seen as being severe, with associated environmental impacts too damaging for community development. Areas in this category are, for the most part, the riverine wetlands and cypress swamps interspersed among the pine flatwoods. Representative soils include the various mucks associated with the wetlands and more established cypress systems. A nominal standard of 0.2 units to the acre (one (1) unit per five (5) acres) is assigned as the maximum achievable density for this category, regardless of the availability of central utilities (facilities are not planned for these areas). In some cases, it is conceivable that a single development site could be located within a five-acre parcel classified entirely as "very low." However, a more likely scenario, particularly for larger parcels, would be the transfer of the density allocation to the more buildable areas of the site.

b.

Low. Includes soil types with a seasonally high water table that, at times, will reach and exceed the surface. This category includes land that falls within designated 100-year

floodprone areas and has a seasonal high water table that does not reach the surface and is not greater than six inches (6") below the surface, or lands where the water table will occasionally be at or above the surface (zero (0) to six inches (6") above) but, for various reasons, is not designated as a 100-year floodprone area. The low category encompasses the more subtle depressional features among the flatwoods. The pine/cypress vegetative community and the depressional variety of the Pomona, Immokalee, and Myakka soil series commonly occur in this category. These lands can tolerate a certain amount of mitigated modification without irreversible environmental damage. The maximum density value for this category is 0.5 units per acre (one (1) unit per two (2) acres) regardless of the availability of utilities. As with the very low category, these levels of development can be achieved only under the ideal circumstances consistent with the criteria for protection of wetlands that typically occur within this soil category. Therefore, development is not likely to occur at assigned densities within these areas but will probably be transferred to other more suitable on-site uplands.

c.

Medium Low. These are areas that are within the 100-year floodplain and the seasonal high water table is greater than six inches (6") to twenty-four inches (24") below the surface or those areas that are outside of the floodplain and the seasonal high water table does not reach the surface and is not greater than six inches (6") below the surface. Density ranges in this category are one (1) unit per two (2) acres without infrastructure; one (1) unit per acre with central water only; and three (3) units per acre with both central water and sewer. Depending upon actual vegetative system conditions, these areas may be suitable for limited development or for open space uses with on-site density transfer to more suitable areas.

d.

Medium. The criteria for designating lands in the medium category is the seasonal high water table greater than six inches (6") below the surface to twenty-four inches (24") below and outside of floodprone areas or is twenty-four inches (24") or greater below surface if in floodprone area. Extensive areas in the western and southern portion of the Pamlico Terrace are in this category. Due to the nearly level terrain in those areas within the floodplain, the water table hovers near the surface for two (2) to three (3) months a year. However, with proper drainage design and adequate infrastructure, development potential can reach up to four (4) units per acre with central water and sewer; one (1) unit per two (2) acres with no central utilities; and two (2) units per acre with central water only. Planned unit developments, with net densities in excess of one (1) unit per acre utilizing either well or septic or one (1) unit per two (2) acres utilizing well and septic may be allowed provided that minimum lot size requirements are not reduced, to achieve maximum potential density. Instead, transfer of density to a portion of the site serviced by a central system will be allowed, provided the proposed development is consistent with the zoning district requirements, level-of-service standards, and compatible with the natural resources.

e.

High. This category includes lands that are not within a floodprone area and have a water table deeper than twenty-four inches (24") below the surface. These lands generally consist of deep sandy soils and are the most suited for community development. They are in relatively short supply due to the prevailing high water tables and floodprone conditions

in the undeveloped perimeter areas of the city and the early development of the deep, sandy ridge areas. Representative soils of this category include the Tavares, Daytona, and DeLand series. Up to six (6) units to the acre (roughly the equivalent of duplex or zero-lot-line development on five thousand (5,000) square foot lots) is achievable with central utilities. With central water only, the maximum density would be three (3) units per acre if that could be achieved under health department septic standards. The location of package plants is acceptable in the medium and high categories for planned unit developments at the higher densities (e.g., greater than one (1) unit per acre) on an interim basis only where it is not economically feasible (due to and/or sewer service at the time of development. In these cases, the development shall be dry-lined and impact fees paid in advance or bonded for. Without central sewer or water, the maximum density is one (1) unit per two (2) acres (project size in relation to line extension distances) to connect to central water.

Table 1. Density Determinations

EXPAND

Development Potential	None	Water Only*	Water and Sewer
Very Low	0.2	0.2	0.2
Low	0.5	0.5	0.5
Medium Low	0.5	1.0	3.0
Medium	0.5	1.0	4.0
High	0.5	1.0	6.0

* For purposes of computing maximum potential density only; a minimum lot size of 1 acre is required for any development utilizing septic tanks. Connection to central sewer will be required whenever line extensions and appurtenances thereto are deemed economically feasible.

Table 2. Characteristics of Environmental Constraint Categories

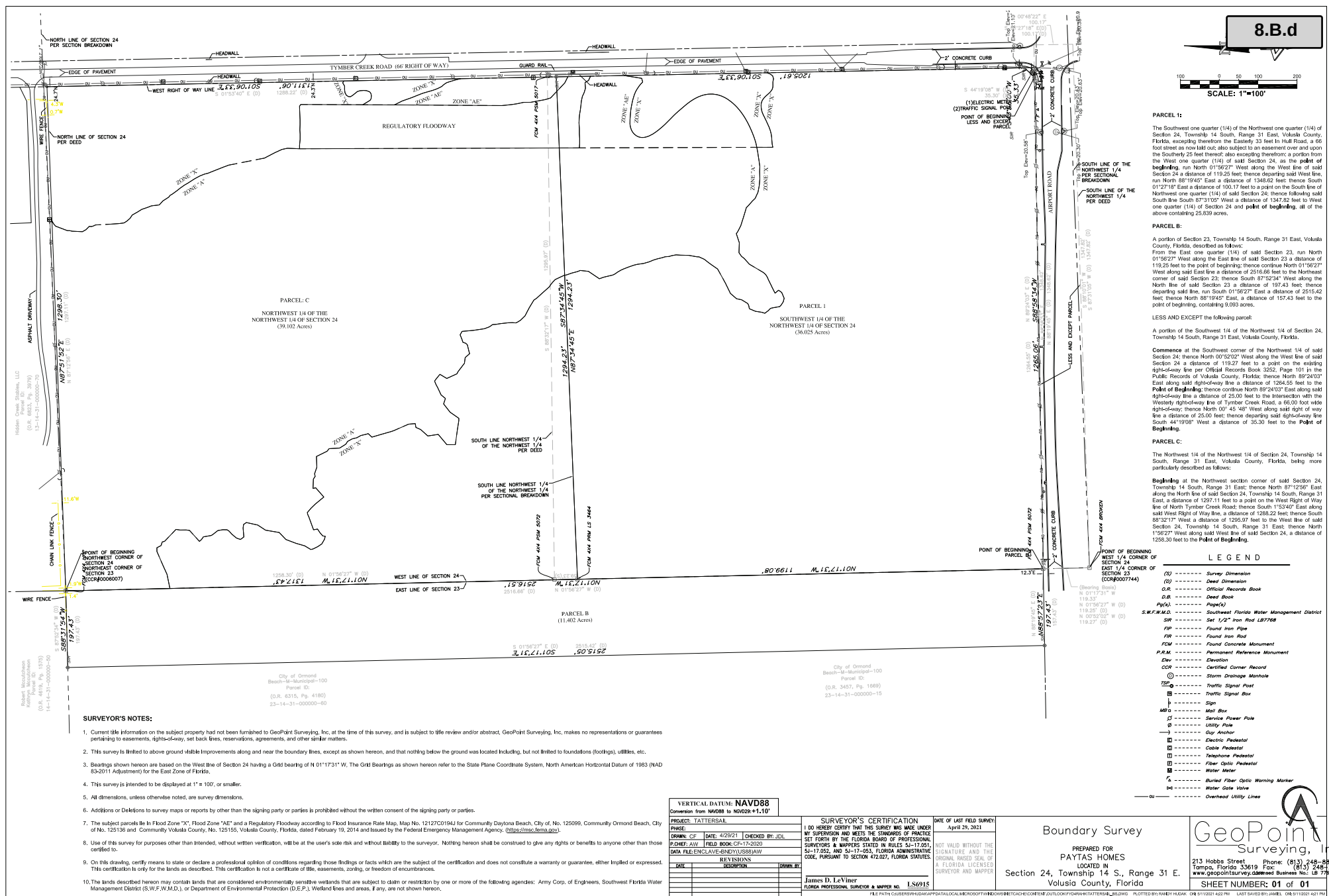
EXPAND

Environmental Constraints	100-Year Floodplain	Seasonal High Water Table
Very Low	N/A	At or above the surface
Low	IN	0.1" to 6" below surface
Medium Low	IN	6" to 24" below surface

Environmental Constraints	100-Year Floodplain	Seasonal High Water Table
	OUT	0.01" to 6" below surface
Medium	IN	24"+ below surface
	OUT	6" to 24" below surface
High	OUT	24" + below surface

Exhibit A

Boundary survey



PARCEL 1:

The Southwest one quarter (1/4) of the Northwest one quarter (1/4) of Section 24, Township 14 South, Range 31 East, Volusia County, Florida, excepting therefrom the Easelly 33 feet in Hull Road, a 66 foot wide easement, 66 feet wide, 66 feet wide, 66 feet wide, 66 feet wide, the Southerly 25 feet thereof; also excepting therefrom: a portion from the West one quarter (1/4) of said Section 24, as the **point of beginning**, run North 01°56'27" West along the West line of said Section 24 a distance of 119.25 feet; thence departing said West line, run North 88°19'45" East a distance of 134.82 feet; thence South 01°27'18" East a distance of 100.17 feet to a point on the South line of Northwest one quarter (1/4) of said Section 24; thence following said South line 67.50 feet to a distance of 164.82 feet to West one quarter (1/4) of Section 24 and **point of beginning**, all of the above containing 25.839 acres.

PARCEL B:

A portion of Section 23, Township 14 South, Range 31 East, Volusia County, Florida, described as follows:

From the East one quarter (1/4) of said Section 23, run North 01°56'27" West along the East line of said Section 23 a distance of 119.25 feet to the point of beginning; thence continue North 01°56'27" West along said East line a distance of 2516.66 feet to the Northeast corner of said Section 23; thence South 87°52'34" West along the North line of said Section 23 a distance of 197.43 feet; thence departing said line, run South 01°56'27" East a distance of 2515.42 feet; thence North 88°19'45" East, a distance of 157.43 feet to the point of beginning, containing 9.93 acres.

LESS AND EXCEPT the following parcel:

A portion of the Southwest 1/4 of the Northwest 1/4 of Section 24,
Township 14 South, Range 31 East, Volusia County, Florida.

Commence at the Southwest corner of the Northwest 1/4 of said Section 24; thence North 00°52'02" West along the West line of said Section 24 a distance of 119,27 feet to a point on the existing right-of-way line per Official Records Book 3252, Page 101 in the Public Records of Volusia County, Florida; thence North 89°24'03" East along said right-of-way line a distance of 126,45 feet to the **Point of Beginning**; thence continue North 89°24'03" East along said right-of-way line a distance of 25.00 feet to the intersection with the Westerly right-of-way line of Tyndler Center Road, a 66.00 foot wide right-of-way line, thence North 00° 45' 46" West along said right-of-way line a distance of 25.00 feet; thence departing said right-of-way line South 44°19'08" West a distance of 35.30 feet to the **Point of Beginning**.

PARCEL C:

The Northwest 1/4 of the Northwest 1/4 of Section 24, Township 14 South, Range 31 East, Volusia County, Florida, being more particularly described as follows:

Beginning at the Northwest section corner of said Section 24, Township 14 South, Range 31 East; thence North 67°12'50" East along the North line of said Section 24, Township 14 South, Range 31 East, a distance of 1297.11 feet to a point on the West Right of Way line of North Tymber Creek Road; thence South 1°53'40" East along said West Right of Way line, a distance of 1268.22 feet; thence South 68°32'17" West a distance of 1295.97 feet to the West line of said Section 24, Township 14 South, Range 31 East; thence North 1°56'27" West along said West line of said Section 24, a distance of 1258.30 feet to the **Point of Beginning**.

LEGEND	
-----	Survey Dimension
(D)	Deed Dimension
(R)	Official Records Book
D.B.	Deed Book
Page(s)	Page(s)
S.W.F.W.M.D.	Southwest Florida Water Management District
SR	Set 1/2" Iron Rod 187768
FR	Found Iron Pipe
FR	Found Iron Rod
FCM	Found Concrete Monument
P.C.M.	Permanent Reference Monument
Elev.	Elevation
CCR	Certified Canon Record
⊙	Storm Drainage Manhole
⊙	Traffic Signal
⊙	Traffic Signal Box
⊙	Sign
MB	Mail Box
⊙	Service Power Pole
⊙	Utility Pole
⊙	Guy Anchor
⊙	Electric Pedestal
⊙	Cable Pedestal
⊙	Telephone Pedestal
⊙	Electric Pedestal
⊙	Water Meter
⊙	Buried Fire Optic Warning Meter
⊙	Water Solenoid
⊙	Overhead Utility Lines

Boundary Survey

PREPARED FOR
PAYTAS HOMES
LOCATED IN
Section 24, Township 14 S., Range 31 E.
Volusia County, Florida

----- Water Gate Valve
----- Overhead Utility Lines



GeoPoint
Surveying, Inc.

213 Hobbs Street Phone: (813) 248-8888
Tampa, Florida 33619 Fax: (813) 248-2266
www.geopointsurvey.com Business No. LB 7786

SHEET NUMBER: 01 of 01

Exhibit B

Plan sheets

TATTERSALL AT TYMBER CREEK

CITY OF ORMOND BEACH - VOLUSIA COUNTY, FL PLANNED DEVELOPMENT

DEVELOPER:

PAYLIN TYMBER 1 AND 2, LLC
794 SANDERS ROAD, SUITE 1
PORT ORANGE, FL 32129
PHONE: 386-756-0439
FAX: 386-304-3308
CONTACT PERSON: JAMES W. PAYTAS, III
e-mail: fpaytas@paytashomes.com

CIVIL ENGINEER:

ZEV COHEN & ASSOCIATES, INC.
300 INTERCHANGE BLVD, SUITE C
ORMOND BEACH, FL 32174
PHONE: 386-677-2482
FAX: 386-677-2505
CONTACT PERSON: RANDY HUDAK, P.E.
e-mail: rhudak@zevcohen.com

LANDSCAPE ARCHITECT:

ZEV COHEN & ASSOCIATES, INC.
300 INTERCHANGE BLVD, SUITE C
ORMOND BEACH, FL 32174
PHONE: 386-677-2482
FAX: 386-677-2505
CONTACT PERSON: JAKE STEHR, RLA
e-mail: jstehr@zevcohen.com

LEGAL:

COBB COLE
231 NORTH WOODLAND BLVD.
DELAND, FL 32720
PHONE: 386-736-7700
FAX: 386-944-7966
CONTACT PERSON: MARK WATTS
email: mark.watts@cobbcole.com

PROJECT DESCRIPTION:

THIS PROJECT INCLUDES THE CONSTRUCTION OF 143 SINGLE FAMILY RESIDENTIAL LOTS ALONG WITH ASSOCIATED ROADWAY, STORMWATER AND UTILITY INFRASTRUCTURE.

SITE INFORMATION:

SITE ADDRESS:	304 N TYMBER CREEK ROAD, ORMOND BEACH, FL 32174
PROJECT AREA:	8.84 AC
TAX PARCEL I.D. #:	412300000012, 412400000240, 412400000250
EXISTING & PROPOSED ZONING:	PRD - PLANNED RESIDENTIAL DEVELOPMENT
EXISTING & PROPOSED LAND USE:	SUBURBAN LOW DENSITY RESIDENTIAL (SLDR) & OPEN SPACE/CONSERVATION (OS/C)
TOTAL LOT COUNT:	143
LOT BREAKDOWN:	
80 FT X 110 FT LOT	143
GROSS DENSITY:	1.69 PER ACRE
NET DENSITY:	2.12 PER ACRE
SETBACKS:	
FRONT:	25 FT
SIDE:	7.5 FT (INTERIOR); 25 FT (CORNER); 5 FT (ACCESSORY STRUCTURE)
REAR:	20 FT; 5 FT (ACCESSORY STRUCTURE)
REQUIRED LANDSCAPE BUFFER(S):	20 FT - ALONG AIRPORT ROAD 20 FT - ALONG TYMBER CREEK ROAD 10 FT - WEST 20 FT - NORTH
MAXIMUM BUILDING COVERAGE:	50%
MAXIMUM LOT IMPERVIOUS COVERAGE:	70%
MAXIMUM BUILDING HEIGHT:	35 FT
UTILITIES:	PROVIDED BY CITY OF ORMOND BEACH

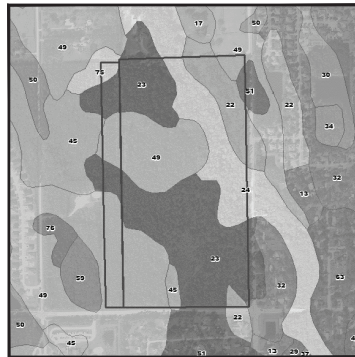
LAND USE TABLE:	ACREAGE	PERCENTAGE
EXISTING CONDITIONS:		
WETLAND AREA	13.05 AC	15.5%
UPLAND AREA	71.09 AC	84.5%
WETLAND IMPACT AREA:	1.43 AC	
PROPOSED IMPROVEMENTS:		
LOTS	30.65 AC	36.5%
RIGHT-OF-WAY	8.75 AC	10.4%
POND AREA	8.90 AC	10.6%
LANDSCAPE/OPEN SPACE	23.53 AC	28.05%
AMENITY AREA	0.55 AC	0.65%
WETLANDS TO REMAIN	11.62 AC	13.8%

NOTE: MAXIMUM DENSITY PER ORDINANCE 08-54 IS 234 UNITS BASED ON 67.54 ACRES OF PROPERTY WITH THE SLDR LAND USE.

NOTE: THE SCALE OF THESE PLANS MAY HAVE CHANGED DUE TO REPRODUCTION.



VICINITY MAP
SCALE: 1" = 1,200'



SOILS MAP
SCALE: 1" = 600'

THE SITE LIES WITHIN THE FOLLOWING VOLUSIA COUNTY SOIL CLASSIFICATIONS:
22-ELECTRA FINE SAND, 0 TO 5 PERCENT SLOPES; 23-FARROW FINE SAND;
24-FLUVAIGENTS; 45-FINEA FINE SAND; 49-POMONA FINE SAND;
51-POMONA FINE SAND, DEPRESSIONAL



ZONING MAP
SCALE: 1" = 600'

CURRENT ZONING FOR THIS SITE IS: PRD - PLANNED RESIDENTIAL DEVELOPMENT



FLOOD ZONE MAP
SCALE: 1" = 600'

THE PROPERTY LIES IN:
FLOOD ZONE A, AE & X PER FEMA MAP 121270184J

SHEET INDEX:

- C1 COVER SHEET
- C2 CONCEPT PLAN
- C3 WETLAND IMPACT & NATURAL AREA EXHIBIT
- C4 STORMWATER PLAN
- C5 UTILITY PLAN
- C6 CONSTRUCTION DETAILS
- C7 PHASING PLAN

8.B.d



CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE
ENVIRONMENTAL
PLANNING
TRANSPORTATION

NO.	DATE	BY	REVISION	DESCRIPTION
1	10/24/21	MLR	REVISION	REVISION
2	10/24/21	MLR	REVISION	REVISION
3	10/24/21	MLR	REVISION	REVISION
4	10/24/21	MLR	REVISION	REVISION
5	10/24/21	MLR	REVISION	REVISION
6	10/24/21	MLR	REVISION	REVISION
7	10/24/21	MLR	REVISION	REVISION
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98	10/24/21	MLR	REVISION	REVISION
99	10/24/21	MLR	REVISION	REVISION
100	10/24/21	MLR	REVISION	REVISION

TATTERSALL
PLANNED DEVELOPMENT
COVER SHEET

PROJECT NO: 2021021

DESIGNED BY: MLR

DRAWN BY: MLR

CHECKED BY: RMH

DRAWING FILE: D:\21021-CDV

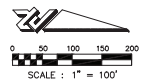
DATE: 10/24/21

WFP'S: 00000 DWS

WFP'S: 00000 DWS

RANDYAL HUDAK, P.E. NO. 00000
MELISSA HUBBELL, P.E. NO. 00000
NOT A PROFESSIONAL ENGINEER

SHEET C1 OF 7

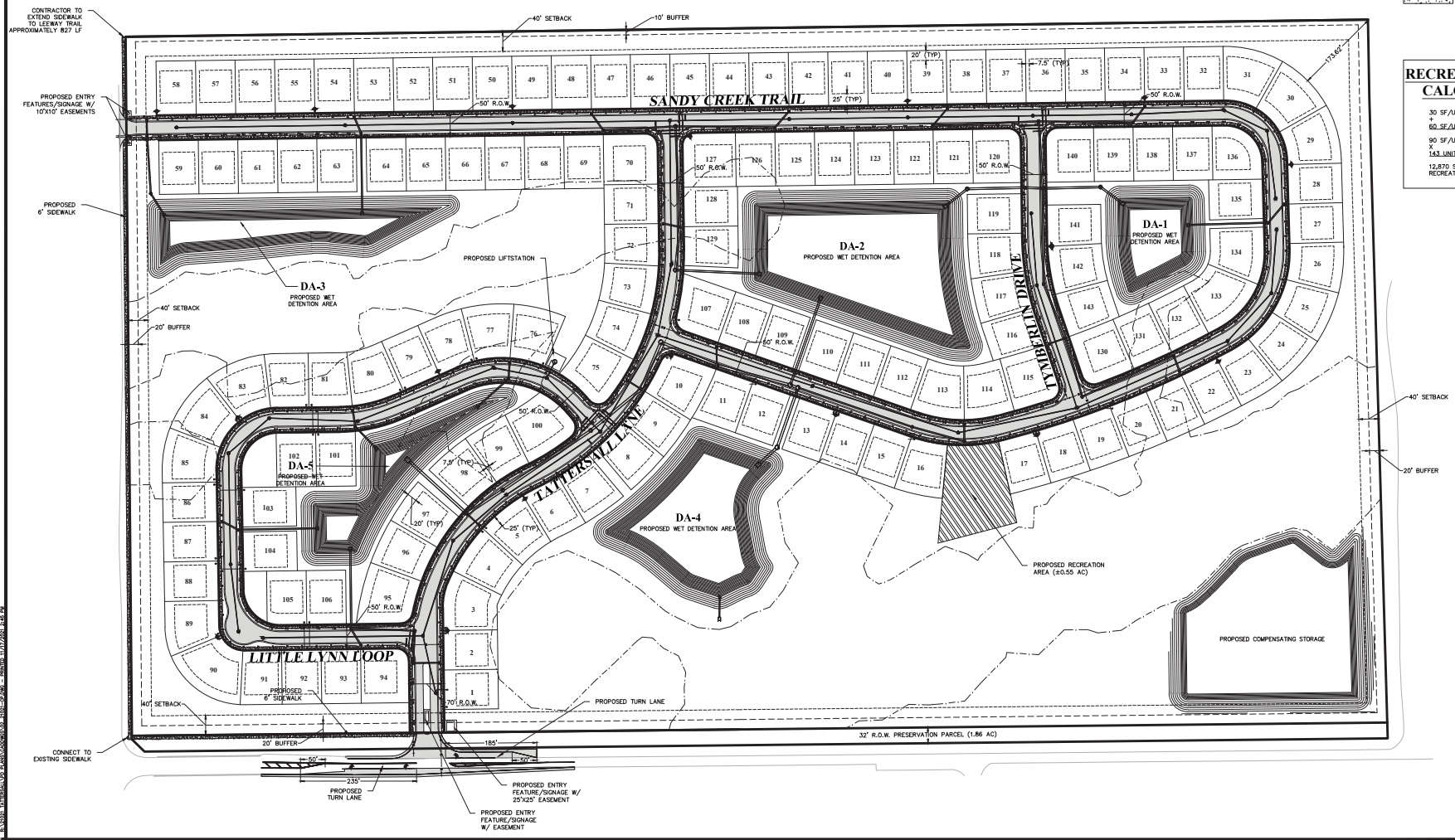
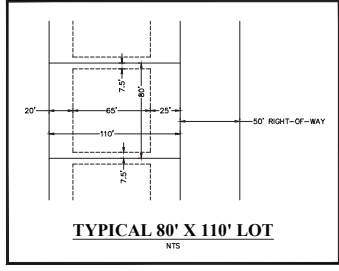


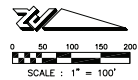
LEGEND:

- EXISTING WETLANDS
- PROPOSED ASPHALT PAVEMENT
- PROPOSED CONCRETE

**RECREATION AREA
CALCULATION**

30 SF/UNIT INDOOR
+
60 SF/UNIT OUTDOOR
= 90 SF/UNIT
X 153 UNITS
= 13,770 SF REQUIRED
RECREATION AREA



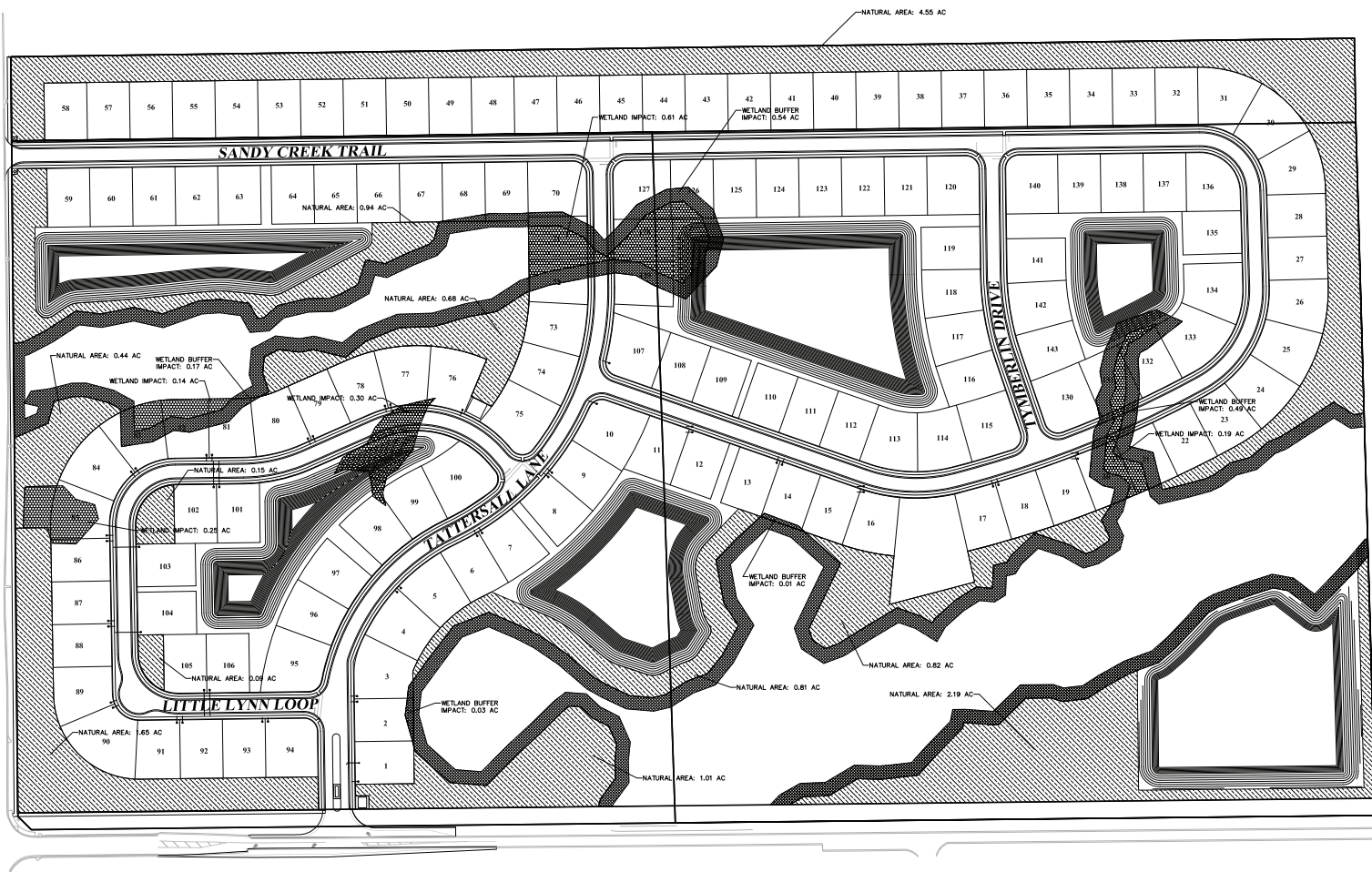


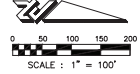
LEGEND:

- 
 PROPOSED DIRECT
WETLAND IMPACT
(1.49 AC)
- 
 PROPOSED WETLAND
BUFFER IMPACT
(1.24 AC)
- 
 PROPOSED NATURAL
AREA (13.3 AC)

AREAS:

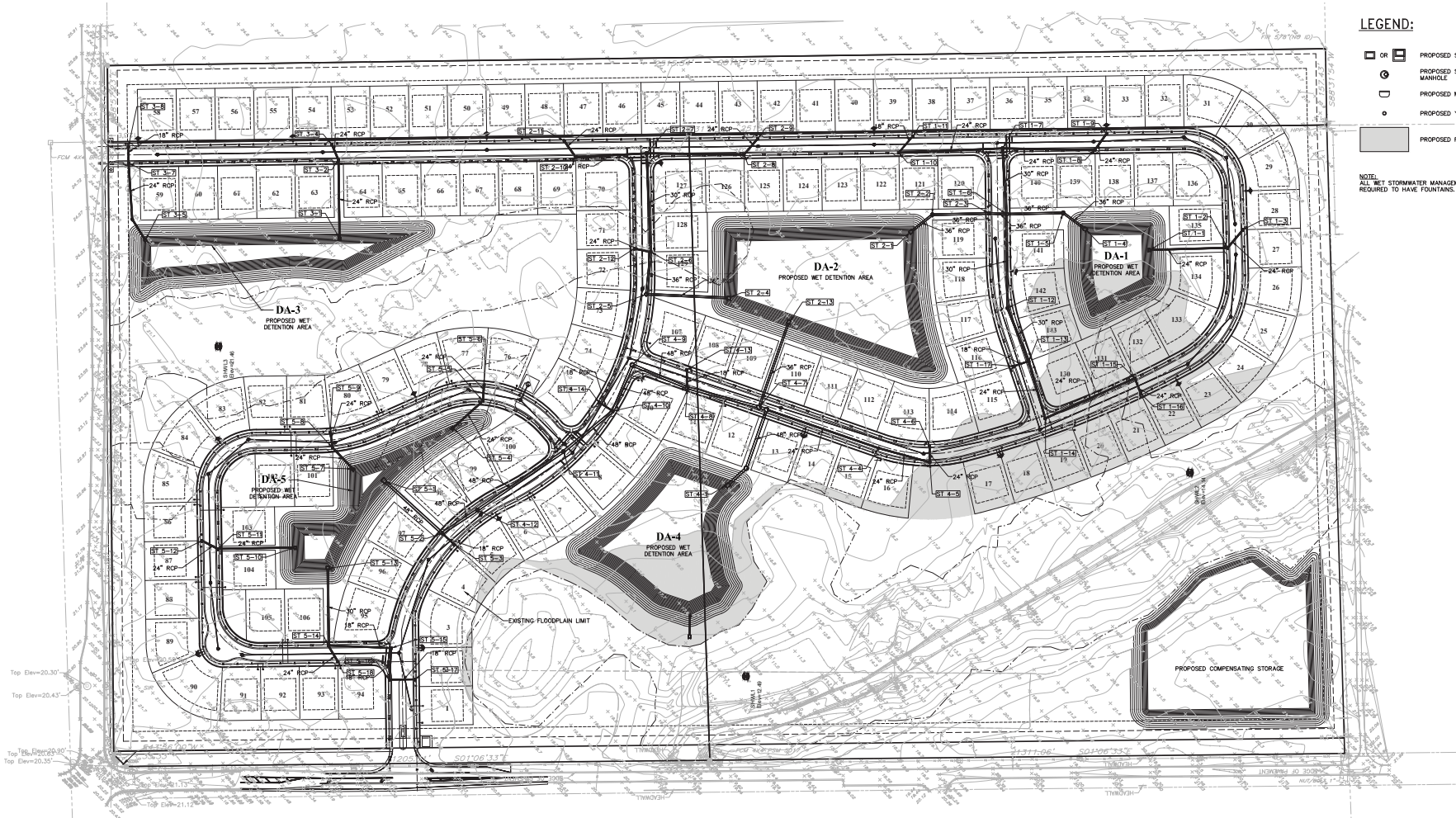
- * TOTAL WETLAND AREA: 13.05 AC
- * TOTAL WETLAND BUFFER AREA: 5.05 AC
- * TOTAL WETLAND TO REMAIN AREA: 11.57 AC
- * TOTAL WETLAND BUFFER TO REMAIN AREA: 3.82 AC



**LEGEND:**

-  OR  PROPOSED STORMWATER INLET
 PROPOSED STORMWATER MANHOLE
 PROPOSED MES
 PROPOSED YARD DRAIN
 PROPOSED FLOOD PLAIN IMPACT

NOTE:
 ALL WET STORMWATER MANAGEMENT AREAS
 ARE REQUIRED TO HAVE FOUNTAINS.



**TATTERSALL
 PLANNED DEVELOPMENT
 STORMWATER PLAN**

PROJECT NO. 20-21021

DESIGNED BY: MLR

DRAWN BY: MLR

CHECKED BY: RMH

DRAWING FILE: 20-21021-01

DATE: 11/14/2020

WSP: 11/14/2020

WSP: 11/14/2020

WSP: 11/14/2020

WSP: 11/14/2020

WSP: 11/14/2020

WSP: 11/14/2020

WSP: 11/14/2020

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WSP: 11/14/2020

WSP: 11/14/2020

WSP: 11/14/2020

WSP: 11/14/2020

WSP: 11/14/2020

WSP: 11/14/2020

RAOYAL HONOLULU, P.E. NO. 6555

MEYER, ROBERT, P.E. NO. 6557

NOT VALID WITHOUT SEAL

NOT VALID WITHOUT SEAL

NOT VALID WITHOUT SEAL

NOT VALID WITHOUT SEAL

NOT VALID WITHOUT SEAL

NOT VALID WITHOUT SEAL

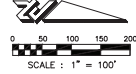
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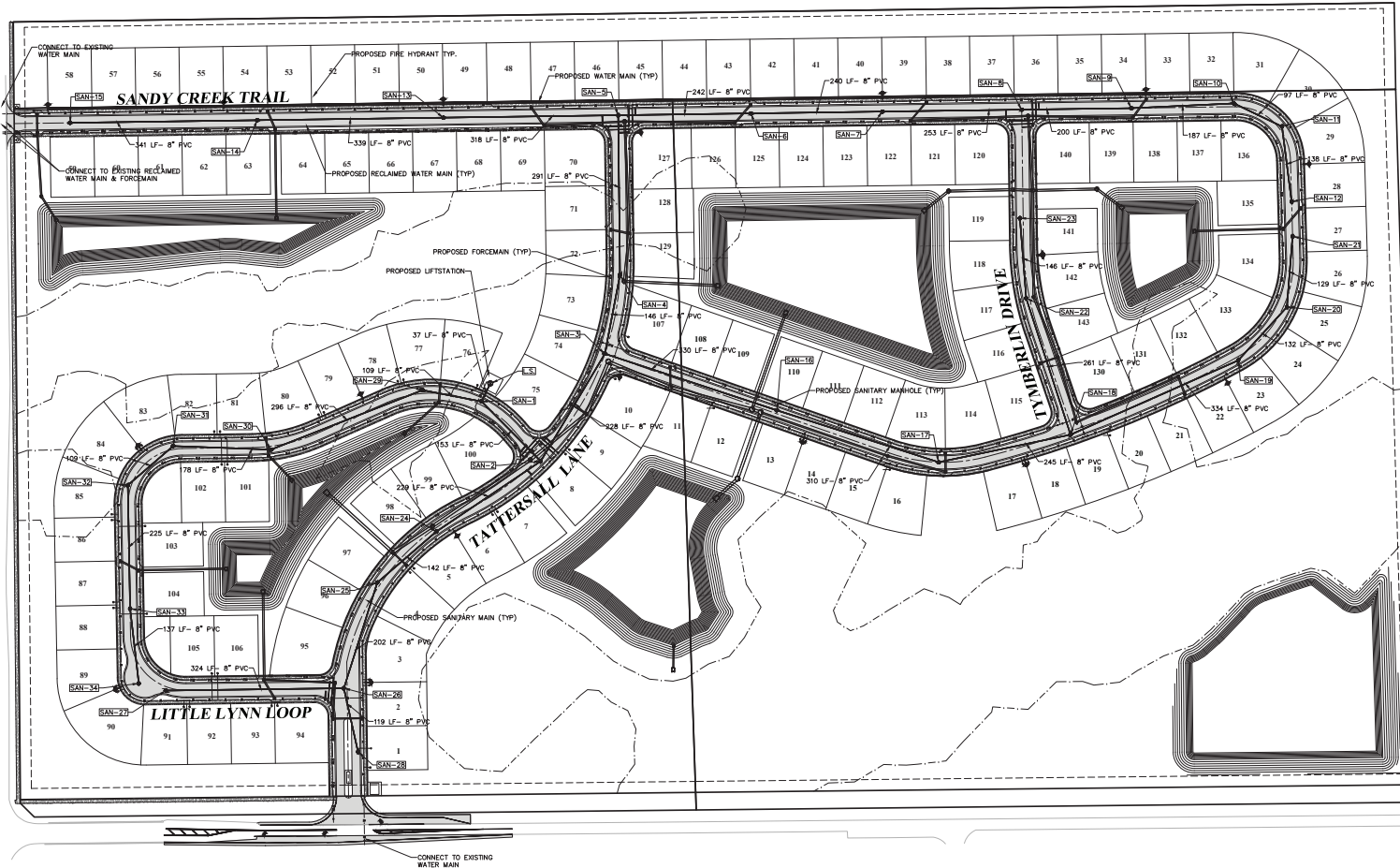
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NOT VALID WITHOUT SEAL

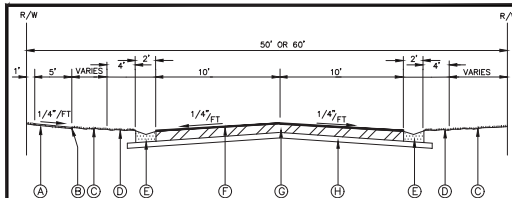
SHEET C4 OF 7

**LEGEND:**

-  PROPOSED ASPHALT PAVEMENT
-  PROPOSED CONCRETE
-  PROPOSED SANITARY MAIN AND MANHOLE
-  PROPOSED WATERMAIN
-  PROPOSED RECLAIMED WATERMAIN
-  PROPOSED FORCEMAN
-  PROPOSED FIRE HYDRANT ASSEMBLY



8.B.d TATTERSALL PLANNED DEVELOPMENT CONSTRUCTION DETAILS - JUNE 14, 2020 8.B.d



- (A) 5'-0" WIDE CONCRETE SIDEWALK
4" THICK, 2500 P.S.I.
6" THICK AT DRIVEWAY
- (B) 6" ABOVE CENTERLINE ROAD GRADE
- (C) SOD or SEED AND MULCH PER F.D.O.T. STANDARD SPECIFICATION SECTION 570. 1" SOD STRIP REQUIRED ADJACENT TO CURB AND AROUND DRAINAGE STRUCTURES.
- (D) 4' WIDE AREA WITH MAX. SLOPE OF 1 1/4 FEET
- (E) CONCRETE MIAMI CURB, 2500 P.S.I.
- (F) ASPHALT PAVEMENT:
1-1/2" ASPHALT BITUMINOUS CONCRETE SP-9.5 OR SP-12.5;
MINIMUM MARSHALL FIELD STABILITY 1500.
- (G) BASE:
6" LIMEROCK (LBR 100) COMPACTED TO 98% DENSITY
BASED ON AASHTO T-180 MODIFIED PROCTOR TEST.
OR
6" CRUSHED CONCRETE (LBR 100) COMPACTED TO 98% DENSITY
BASED ON AASHTO T-180 MODIFIED PROCTOR TEST.
- (H) SUB BASE:
6" SUB BASE COMPACTED TO 98% DENSITY BASED ON AASHTO T-180
MODIFIED PROCTOR TEST WITH MINIMUM LBR 40.

NOTE TO ENGINEER:
ENGINEER TO SELECT
BASE OPTION

NOTE:
A REPRESENTATIVE OF A CERTIFIED SOIL LABORATORY SHALL BE PRESENT
DURING ALL CONSTRUCTION PHASES TO PERFORM ROADWAY COMPACTION
AND DENSITY TESTING AS REQUIRED - SEE INDEX R-6(A/B).



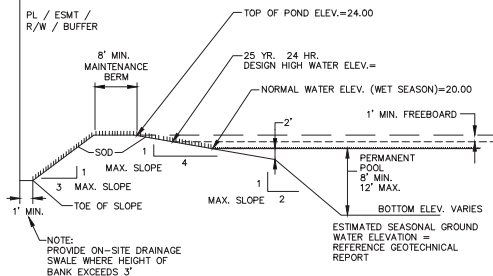
STANDARD CONSTRUCTION DETAIL
50' OR 60' R/W / ROAD SECTION
NTS

INDEX
R-2
MAY 2020



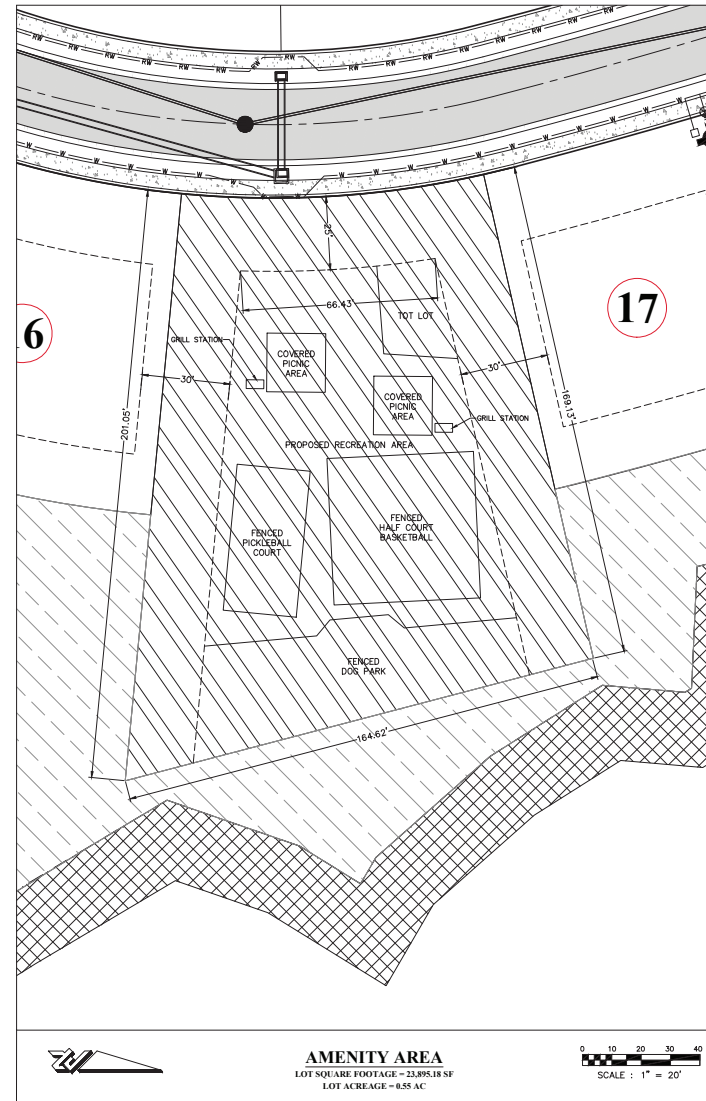
STANDARD CONSTRUCTION DETAIL
WET RETENTION POND
NTS.

INDEX
ST-5
MAY 2020

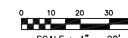


NOTES:

1. SOD IS TO BE PLACED TO EDGE OF WATER EXCEPT IN LITTORAL PLANTING AREAS.
2. A MINIMUM OF ONE FOOT OF FREEBOARD IS REQUIRED BETWEEN DESIGN HIGH WATER ELEVATION AND TOP OF BANK.
3. PROVIDE DESIGN DATA WHERE INDICATED (=)
4. PROVIDE SPILLWAY & DRAINAGE DETAILS
5. IN ACCORDANCE WITH SECTION 3-58(F) ALL WET DETENTION POND SHALL INCLUDE AN AERATION FOUNTAIN TO ENSURE PROPER WATER QUALITY, ENHANCE MAINTENANCE AND IMPROVE AESTHETICS. PONDS SHALL BE DESIGNED TO APPEAR NATURAL AND NONGEOMETRIC.



AMENITY AREA
LOT SQUARE FOOTAGE ~ 23,895.18 SF
LOT ACREAGE ~ 0.55 AC



CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE
ENVIRONMENTAL
PLANNING
TRANSPORTATION

NO. DATE BY
1 10/15/2019 M.R.
2 10/28/2019 M.R.
3 11/05/2019 M.R.

TATTERSALL
PLANNED DEVELOPMENT
CONSTRUCTION DETAILS

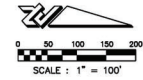
PROJECT NO: 20-21021
DESIGNED BY: M.R.
DRAWN BY: M.R.
CHECKED BY: RMH
DRAWING FILE: 20-21021-DET
DWG: 20-21021-DET.DWG
SWP: 5

RANDYAL HODAL, P.E. NO. 0550
MELANIE HODAL, P.E. NO. 0550
NOT VALID WITHOUT SEAL

SHEET C6 OF 7

Exhibit C

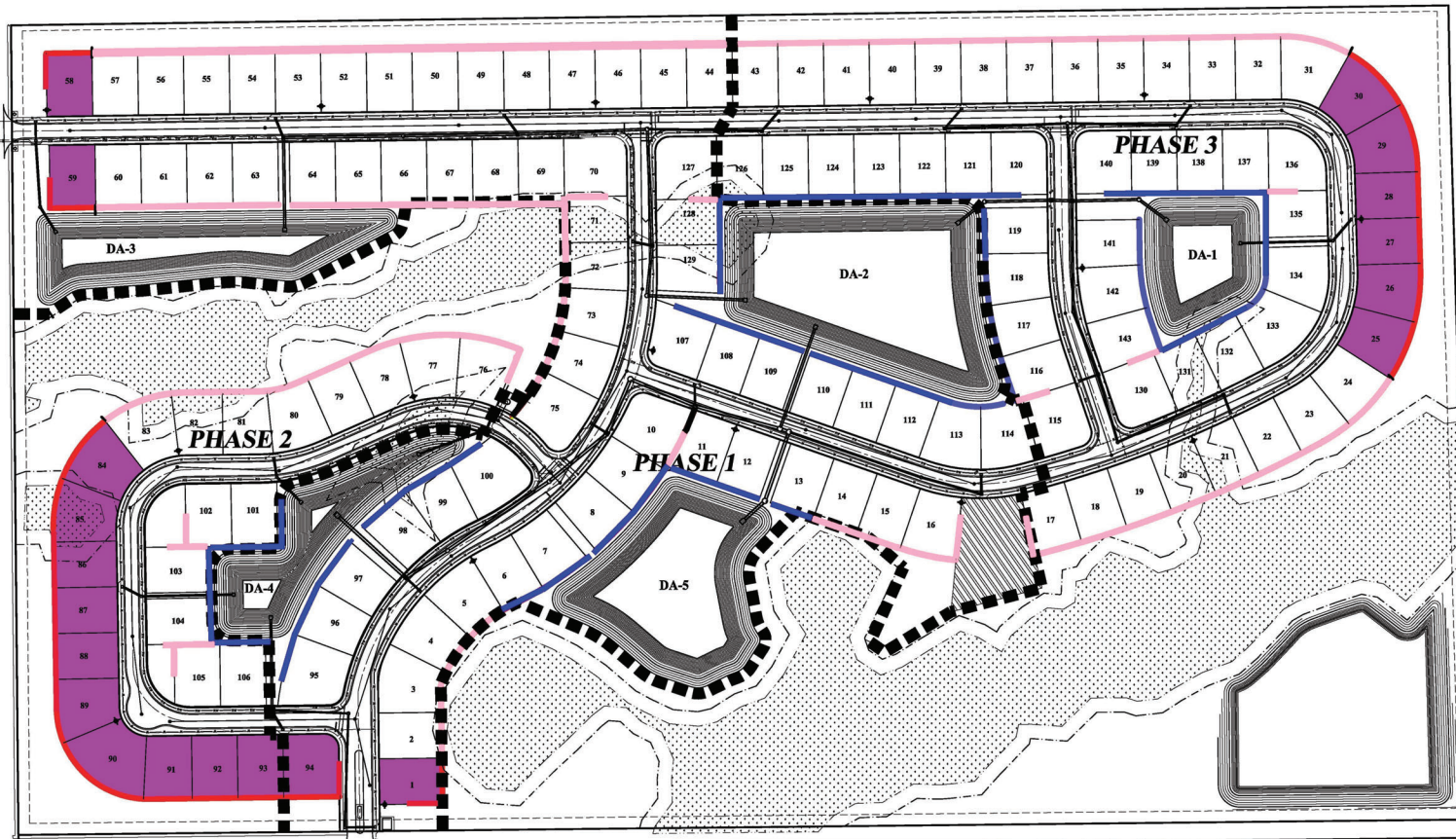
Fence Exhibit



- - WHITE VINYL PRIVACY FENCING REQUIRED
- - ONLY BLACK/BRONZE SLOTTED ALUMINUM FENCING ALLOWED
- - WHITE VINYL PRIVACY FENCING OR BLACK/BRONZE SLOTTED ALUMINUM ALLOWED
- - FENCING INSTALLED BY DEVELOPER BEFORE COMPLETION OF CONSTRUCTION PER PHASE

FENCING EXHIBIT

LOT COUNT PER PHASE:
 PHASE 1: 66
 PHASE 2: 24
 PHASE 3: 53
 TOTAL: 143



CIVIL ENGINEERING
 LANDSCAPE ARCHITECTURE
 ENVIRONMENTAL
 PLANNING
 TRANSPORTATION

DATE: 11/11/2011
 BY: [Signature]
 CHECKED BY: [Signature]
 PROJECT NO: 201101

TATTERSALL PLANNED DEVELOPMENT PHASING PLAN

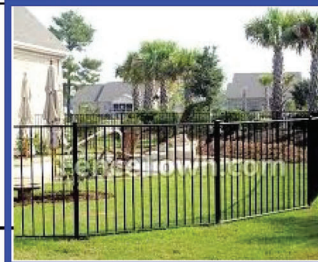
DESIGNED BY: MUR
 DRAFTED BY: MUR
 CHECKED BY: RMH

DRAWING FILE: 08_21121-01-01
 XREFS: XXXXXX.DWG
 XREFS: XXXXXX.DWG

SHEET: C7 OF 7



EXAMPLE OF WHITE VINYL FENCING
 MAX. HEIGHT: 6 FT



EXAMPLE OF BLACK/BRONZE SLOTTED ALUMINUM FENCING
 MAX. HEIGHT: 4 FT

Exhibit D

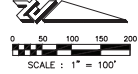
Phasing Exhibit

NO.	DATE	BY	REVISION
1	10/26/21	MLR	ISSUED FOR CITY COMMENTS
2	11/02/21	MLR	REVISED PER CITY COMMENTS

**TATTERSALL
PLANNED DEVELOPMENT
PHASING PLAN**

PROJECT NO: 20-21021
DESIGNED BY: MLR
DRAFTED BY: MLR
CHECKED BY: RMH

DRAWING FILE: 21021-PHASE
DATE: 11/02/21
DWG: 21021-PHASE.dwg



LOT COUNT PER PHASE:
PHASE 1: 66
PHASE 2: 24
PHASE 3: 53
TOTAL: 143

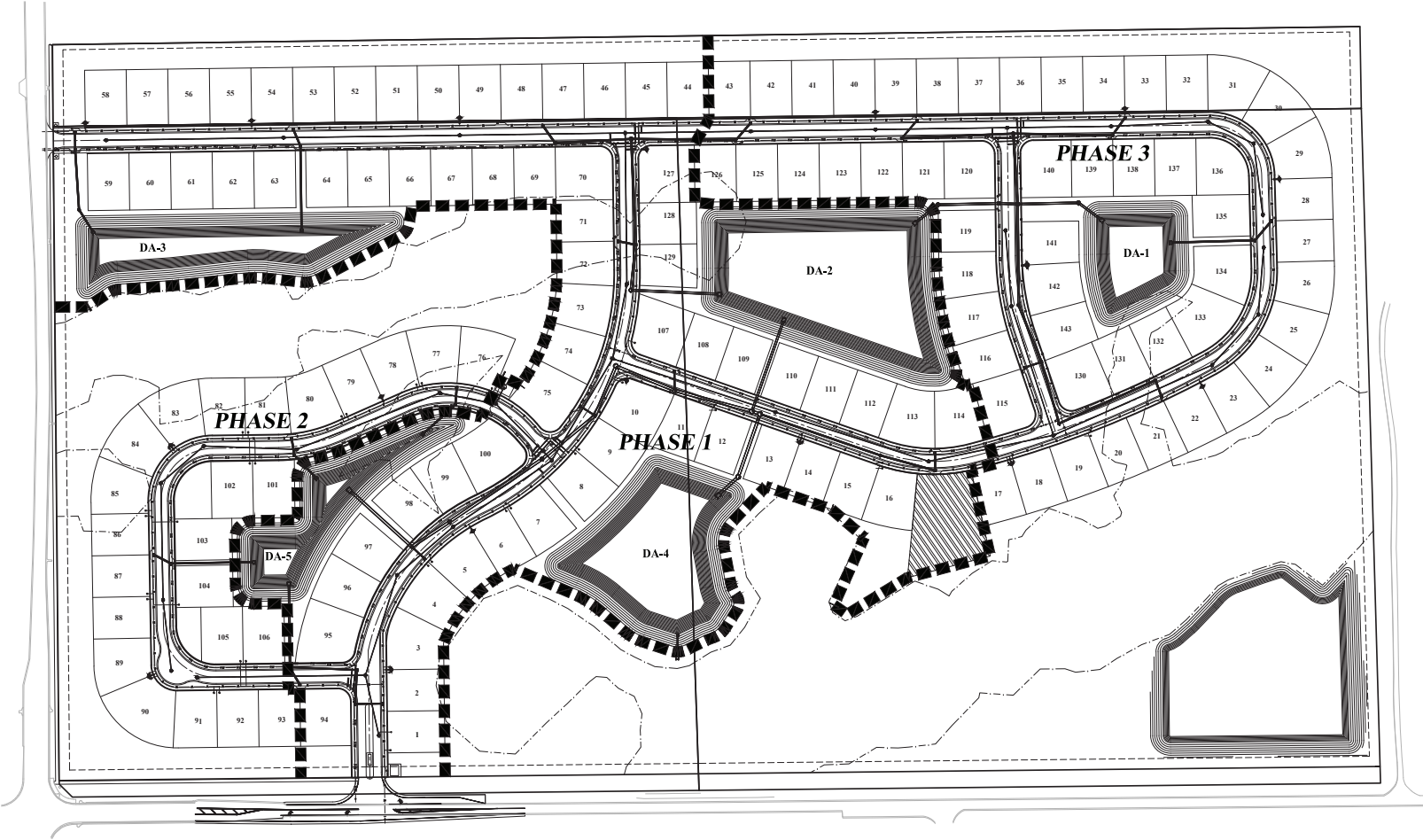


Exhibit E

Typical Architectural Elevations

ELEVATIONS



PAYTAS HOMES



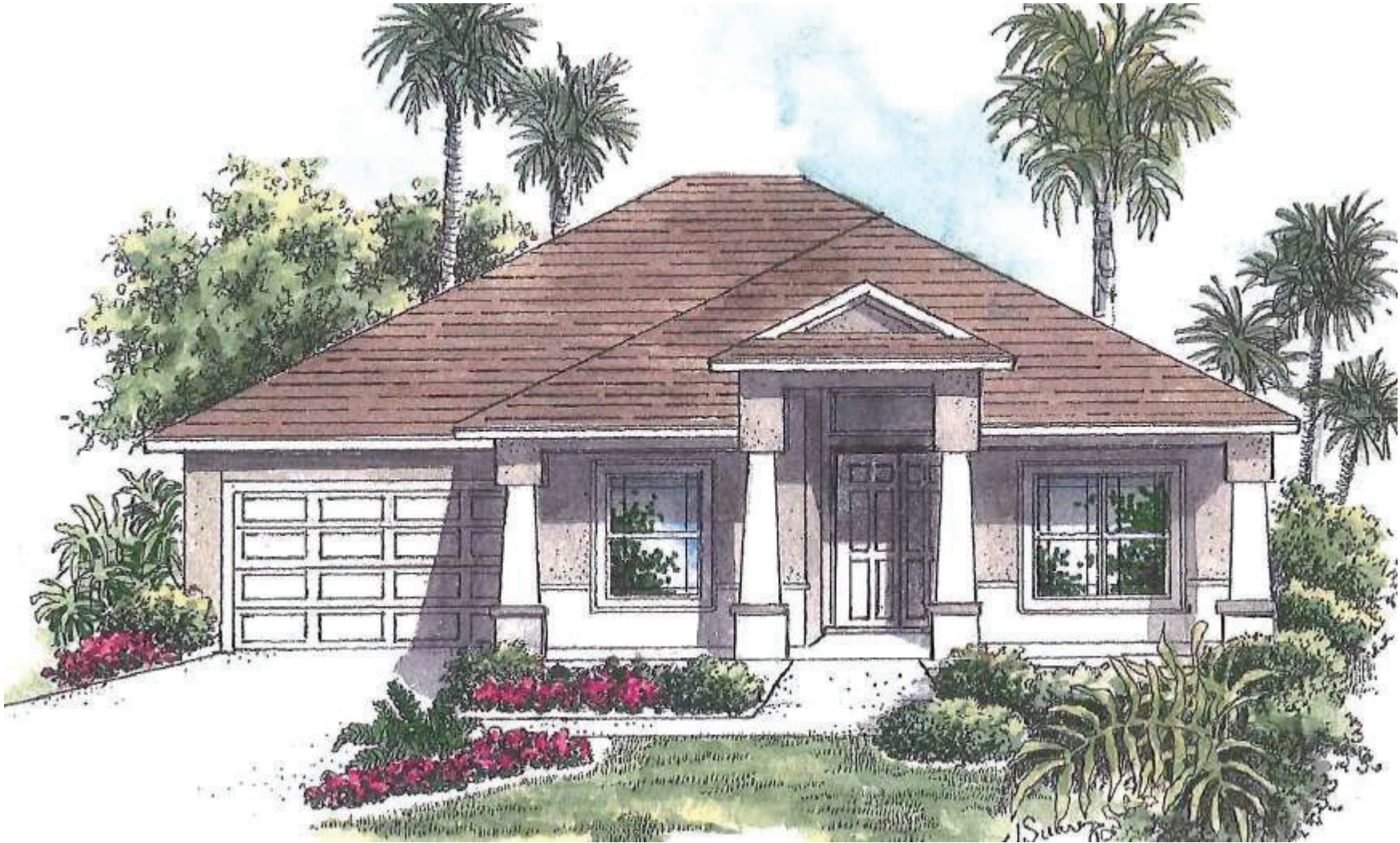
PAYTAS HOMES



PAYTAS HOMES



PAYTAS HOMES



Elevation is an artist's concept only and may vary. All elevations are subject to conform to community covenants and restrictions.
Designs are property of Paytas Homes, Inc. and cannot be duplicated due to copyright laws. CRC039455

PAYTAS HOMES



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PAYTAS HOMES



Elevation is an artist's concept only and may vary. All elevations are subject to conform to community covenants and restrictions.
Designs are property of Paytas Homes, Inc. and cannot be duplicated due to copyright laws. CRC039455

PAYTAS HOMES



Elevation is an artist's concept only and may vary. All elevations are subject to conform to community covenants and restrictions.
Designs are property of Paytas Homes, Inc. and cannot be duplicated due to copyright laws. CRC039455

PAYTAS HOMES

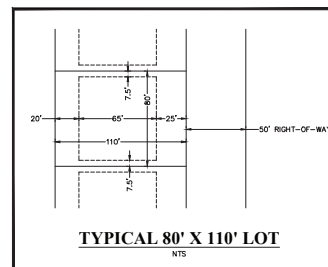


Elevation is an artist's concept only and may vary. All elevations are subject to conform to community covenants and restrictions.
Designs are property of Paytas Homes, Inc. and cannot be duplicated due to copyright laws. CRC039455

PAYTAS HOMES

Exhibit F

Signage Exhibit

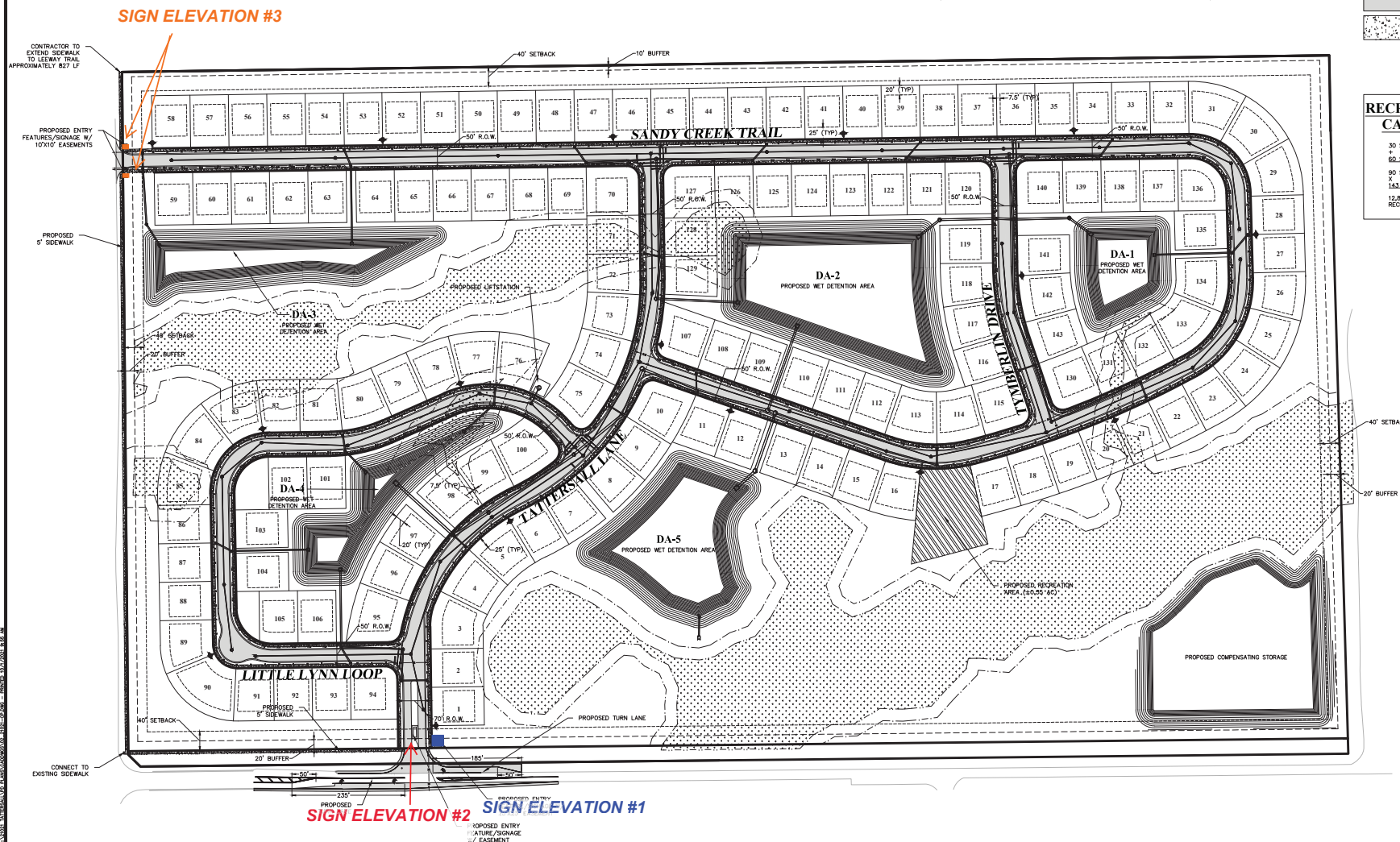


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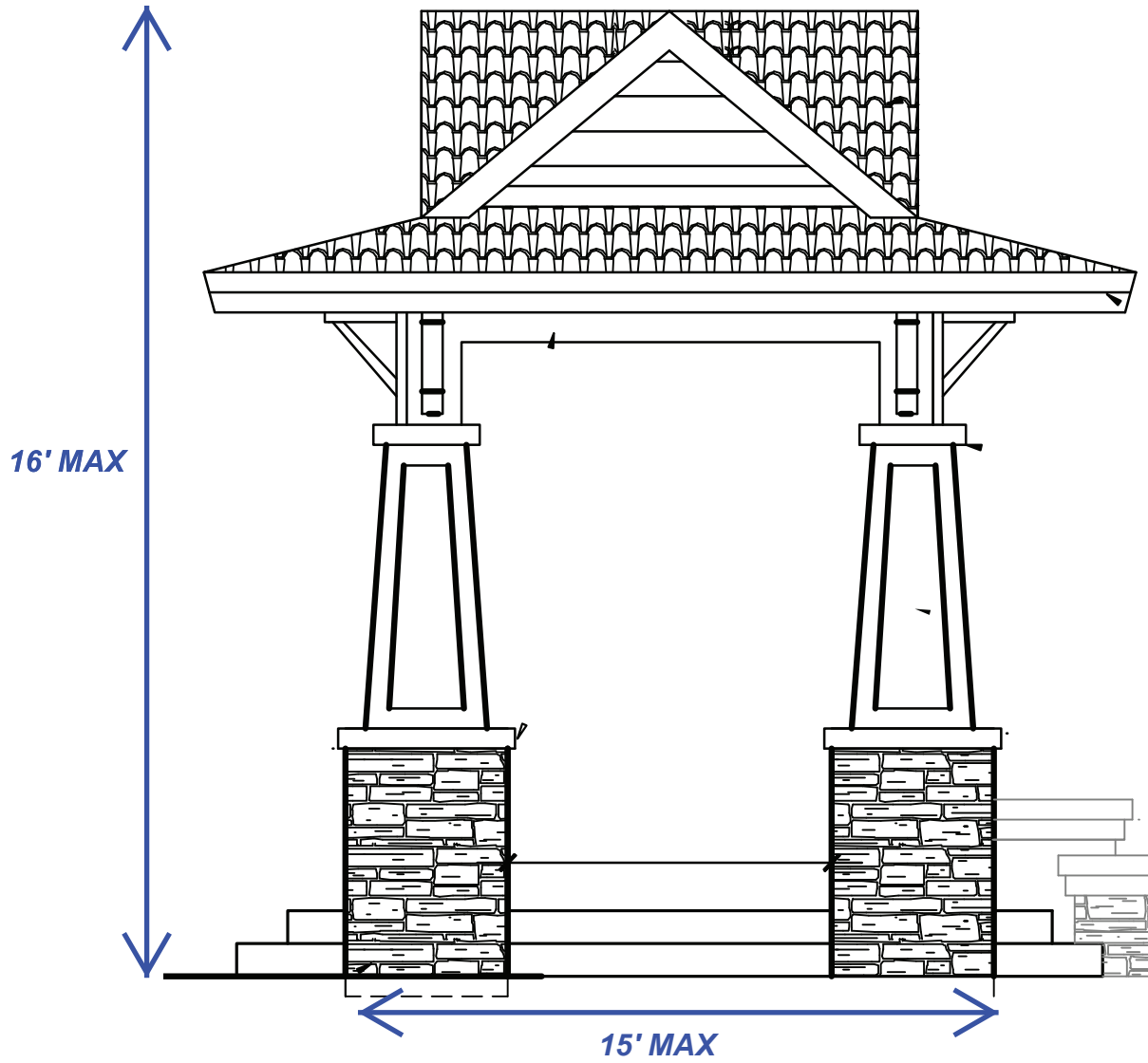
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**RECREATION AREA
CALCULATION**

30 SF/UNIT INDOOR WAIVER
+
60 SF/UNIT OUTDOOR
90 SF/UNIT
X
143 UNITS
12,870 SF REQUIRED
RECREATION AREA

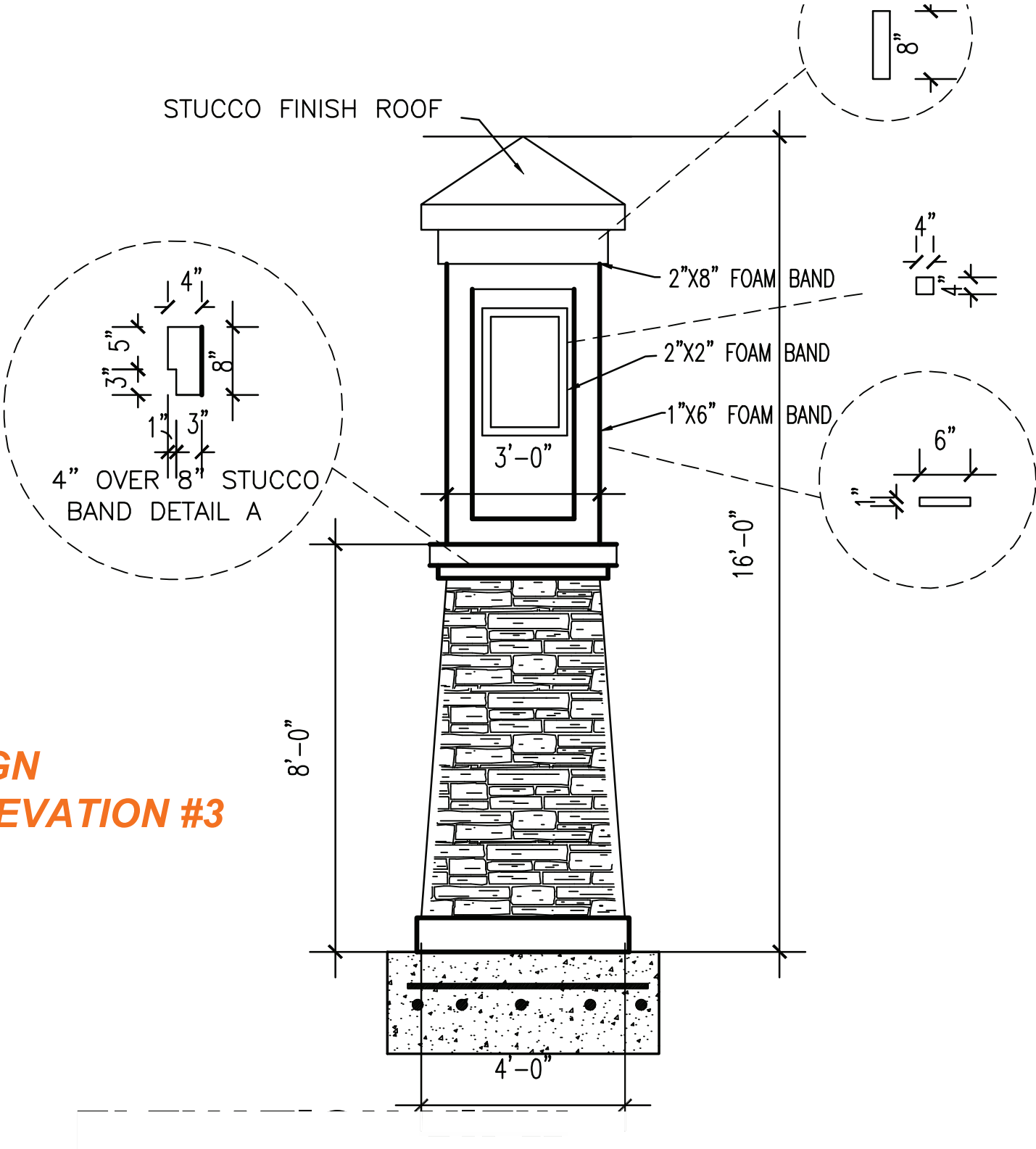


235
PROPOSED
SIGN ELEVATION #2



SIGN ELEVATION #2





December 9, 2021

DRAFT

**Planning Board
minutes**

**Tattersall at Tymber Creek
Issuance of a Development Order**

V. APPROVAL OF MINUTES

November 04, 2021

Mr. Jorczak moved to approve the November 4, 2021 Minutes. Ms. Tolland seconded the motion. The minutes were unanimously approved.

VI. PLANNING DIRECTOR'S REPORT

Mr. Spraker, Planning Director, stated that there are cards located in the back of the room on the table if anyone was interested in speaking on an agenda item.

VII. PUBLIC HEARINGS

A. PRD 2021-067: Tattersall at Tymber Creek, Issuance of a Development Order

Mr. Steven Spraker, Planning Director, stated that PRD 2021-067 is a request submitted by Mr. Trey Paytas, Manager, Paylin Tymber 1 and 2, LLC, with the authorization of the property owner Tymber Sky, LLC and Enclave of Tymber Creek, LLC. The Planned Residential Development development order seeks to allow 143 single-family lots on approximately 84.14 acres and associated subdivision improvements. The Tattersall at Tymber Creek subdivision is located at 304 North Tymber Creek Road, 370 North Tymber Creek Road and 2099 Airport Road. Mr. Spraker explained that the PRD is a zoning document and that the steps to submit it consist of going to the City Site Plan Review Committee (SPRC), then conduct a neighborhood meeting, which occurred on October 21st, and the third step is today, going before the Planning Board. The Planning Board reviews the staff report, the neighborhood meeting, testimony provided tonight and then provides a recommendation to the City Commission. The final step is the City Commission where two public hearings are held. The City Commission reviews all of the information from the previous steps and makes a final decision on the application.

Mr. Spraker reviewed the PRD and explained that it requires a holding capacity analysis which is site specific and is based on the floodplain, wetlands, and soils of the property. The PRD zoning document shows the lots, the landscape buffers, open areas, recreation areas and architectural standards. The project is reviewed based on the criteria within the Land Development Code (LDC) that was included in the staff report. The PRD does not require detailed engineering plans, meaning no stormwater plans or utility plans. Those plans come with the next step. Mr. Spraker continued that the second step of the application process and subdivision approval, is a preliminary plat - construction level drawings. The details of the streets, stormwater, and utilities are contained within the preliminary plat, which is also reviewed by the Planning Board as the advisory board to the City Commission, and then goes to the City Commission for two public hearings. If approved, the subdivision improvements would be constructed with the plat at the end, or a performance bond could be posted to record the plat, sell the lots and then go to construction. Mr. Spraker concluded that the last step is a final plat which is submitted to the SPRC and goes to City Commission. At this step, the land can be subdivided and sold.

Mr. Spraker remarked that the subject property has a land use of "Suburban Low-Density Residential (SLDR)" for 67.54 acres. The LDC requires that anything within the SLDR land use that is greater than one unit per acre is required to go through this

public hearing process which requires a provision of natural open space, recreation and common open space. Examples of this process include the Pineland and Creekside subdivisions which have gone through the same process. Within this western Ormond Beach area, based on a 1988 land use study, there was a goal to reduce the density. The goal was to reduce it 20 to 30 percent, rather than what is allowed in the city's core areas. Mr. Spraker noted that with the Future Land Use Element the "Suburban Low-Density Residential" land use density sought 1.6 to 2.5 gross units per acre. Mr. Spraker reviewed a map that showed landmarks of Pathways Elementary and a city-owned parcel along Leeway Trail, further up Leeway Trail – Durrance Acres, Tymber Creek, and Southern Pines. The property already has a PRD zoning, therefore there is no zoning action tonight and it is solely focused on the issuance of a development order.

Mr. Spraker explained that the property has had three previous applications: (1) 2006 – approved for 80'-wide lots and expired in 2014; (2) 2012 – denied for 60'-wide lots and expired in 2013; and (3) 2018 – denied for a mixture of 60', 70' and 80'-wide lots. Concerns with the 2018 application were the lot sizes, encroachment into the perimeter setback, a memorandum of agreement with an outside organization, and lots between Groover Branch and Tymber Creek Road.

Mr. Spraker elaborated that the total size of the property is 84.14 acres and the gross density is 1.69 units per acre. The scale the land use is looking for is between 1.6 and 2.5. He continued that the holding capacity analysis says that the land can support 248 lots or 2.95 units per acre. The net density, removing the wetlands, would be 2.12 units per acre. Mr. Spraker added that there are three phases of development with 66 lots proposed in phase 1, 24 lots proposed in phase 2, and 53 lots proposed in phase 3. The project provided the city a school concurrency document from the school concurrency review. If approved, as the project advances, there are additional school concurrency reviews that occur with the construction. Around the entire property is a 40' minimum natural buffer. In some areas the buffer is greater but never less than 40'. Mr. Spraker noted that the project has a 32' right-of-way preservation for the future expansion of Tymber Creek by Volusia County. A sidewalk is proposed from Airport Road in Tymber Creek, beyond their property connecting to Leeway Trail to connect to the school. Per the LDC, part of the PRD requires 12.69 acres outside of the wetlands, land that could otherwise be developed. The project proposed 13.30 acres and included a recreation area that is .55 acres, exceeding the LDC requirements.

Mr. Spraker stated that there are two access points, one on N. Tymber Creek Road and the other on Airport Road, both are shifted away from the wetlands and intersection. There are 13.5 acres of wetlands. There are 1.49 acres of direct impact to the wetlands. He commented that the remaining wetland areas is 11.56 with no impact into the Groover Branch to the wetland. The required buffer is 5.05 acres with an impact of 1.24 acres, leaving a remaining area of 3.82 acres.

Mr. Spraker elaborated that the lot sizes proposed are a minimum of 80' in width by 110' in depth, consistent with the Suburban Residential zoning. The issue with the previous two applications were that there were lot sizes less than the 80' minimum. The exhibits provide a fencing and phasing plan, constructed as part of the subdivision improvements with white PVC fencing, which will provide architectural control for the fences abutting the roadways. Mr. Spraker explained that architectural

standards are part of the development application. The site is asking for one waiver. The LDC allows an 8' monument sign and they are seeking to do architectural embellishments with a maximum of 16' in height. The Land Development Code (LDC) does not recognize architectural embellishments; therefore, they are seeking a PBD process to allow one both on Tymber Creek Road and Airport Road. The sign on Airport Road is proposed to be slightly smaller.

Mr. Spraker explained that the past applications, the neighborhood meetings, and calls received have identified concerns regarding school traffic with two elementary schools, Pathways Elementary and Pine Trail Elementary located in close proximity on Airport Road. It causes traffic congestion during the AM peak hour. Mr. Spraker continued that traffic is always a concern with any development. Tymber Creek and Airport Roads and east of Tymber Creek are Volusia County roadways. Airport Road, west of Tymber Creek is a city roadway. A traffic impact analysis was done within the staff report and a third-party Traffic Engineering Data Solutions (TEDS) company has been hired by the city to review the traffic study. Representative Mr. Chris Walsh, P.E. from TEDS is in attendance to answer any inquiries. Mr. Spraker elaborated that the conclusion of the traffic study is, when adding the proposed trips into the existing trips, the signalized intersection at Airport Road and Tymber Creek Road, and the segments of Airport Road and Tymber Creek Road, the level of services are still met. The traffic is one of their criteria that the Board can consider in their review of the application. He continued that within the traffic input analysis there is a detail of the analysis of the school traffic. The applicant summarized every five minutes what was transpiring in the AM peak hour with school traffic. Their conclusion was based on the Florida Statutes and the guidelines with the traffic impact analysis. The proportionate fair share would be calculated based on the number of trips and the impacts would be mitigated through the proportionate fair share.

Mr. Spraker continued that another item that has been brought to staff's attention is the subdivision gross density in the west Ormond area. As part of OB Life, the city staff performed density calculations of all the projects west of Interstate 95, and for this project the density calculations of all projects east of interstate 95 were done and individually reviewed in an exhibit in this meeting. The purpose of displaying the exhibit is to show that all of the development in the area is consistent with the west Ormond land use plan in 1988 at and around two units per acre. The gross density proposed in Tattersall is 1.69, consistent with other developments approved in the area. Mr. Spraker added that the residential building permits were reviewed for single-family homes over the last ten years. There was a lull in 2012 with 34 permits issued to a high in 2017 with 158 permits issued, which was the buildout of Chelsea Place, Deer Creek and in 2019-2020 with the buildout of Cypress Trails and Pineland. There is an average of 100 single-family home permits that have been permitted over the last ten years. Plantation Oaks, phase 1A, is the only neighborhood currently under infrastructure construction, with 121 lots. Mr. Spraker remarked that the city received census data showing that the city increased 5,000 people from 2010 to 2020. That is an average growth rate of 1.3 percent per year.

Mr. Spraker commented on the stormwater and floodplain and stated that the existing topography has a depression area within the land which is going to hold water. It is lower than the other elevations and lower than the roadway. If the project moves to the preliminary plat there will be a stormwater management plan that will go through

all of the phases. Pineland is one of the most recent examples where there was standing water on that property. Mr. Spraker added that there are wetlands that will remain on the property. He continued that the floodplain is around Groover Branch. The LDC and St. Johns River Management District require that if the floodplain is filled in, equal amount of compensating storage is required.

Mr. Spraker concluded that two communication documents were delivered to the Planning Board, one in the Board packet and one on each Board member's dais this evening. E-mails to Cobb Cole Attorneys at Law, were also provided from the neighborhood meeting and included as part of the Board packet. In summary, the changes since the 2018 application are that the lot sizes have been made conforming to the requirements, the perimeter setback has been met or exceeded, there is no Memorandum of Agreement, and the lots between Groover Branch and Tymber Creek Road have been removed. The project meets the Comprehensive Plan goal of reducing subdivision density as well. Mr. Spraker reviewed how it also exceeds the LDC with the landscape buffer along all four property boundaries, the right-of-way preservation along Tymber Creek Road, the construction of sidewalks beyond property boundaries, and the open space and recreation areas. Mr. Spraker concluded that staff recommends approval of a Planned Residential Development (PRD) amendment seeking to allow 143 single-family lots on 84.14± acres and associated subdivision improvements, located at 304 Tymber Creek Road, 370 North Tymber Creek Road and 2099 Airport Road as follows:

- A. Phased development of 143 lots;
- B. The provision of additional outdoor recreational square footage in lieu of indoor recreational facilities as permitted under a Planned Residential Development (PRD);
- C. Allowance of the sign and architectural renderings;
- D. Allowance of a five-year expiration date for phase one of the project from the date of City Commission approval; and
- E. Require that the detailed engineering plans (stormwater, utilities, and floodplain) for the subdivisions be prepared and submitted for the preliminary plat which is reviewed by the Planning Board and acted upon by the City Commission.

Mr. Spraker stated that the Planning Board can approve the item, approve it with conditions, or deny it. Tentative City Commission Dates are January 18, 2022 for first reading and February 1, 2022 for second reading.

Mr. Jorczak inquired if the water analysis shows the additional stormwater storage needed and if the plan could be altered to reduce the number of lots. Mr. Spraker replied yes, and added that the number of lots could not be increased. If there are site specific conditions that require the stormwater pond to be bigger, they can lose lots, but cannot go below 80' in width.

The Memorandum of Agreement was discussed and it was explained that at one time it had to do with penalties if there were issues with the lot clearing. It was an agreement between the developer and an outside organization. Attorney Hayes added that it was an unenforceable agreement that is not relevant to the development or to tonight's discussion.

Clarification of the item was discussed amongst the Chairman and Planning Director expressing that the property is already zoned and is designated for residential housing and furthermore that the task tonight is to decide if the site layout is consistent with the criteria approval, then it should be recommended, and if not, then the Board should recommend denial. If approved, the Board will receive the construction drawings once they are ready.

Ms. Tolland commented that the whole area is wetlands and lower land, and asked if being built upon, if a lot of fill would be required and how that fill will affect water and the wetlands. Mr. Spraker showed overhead where the fill would occur and stated that the applicants site design sets an elevation based on the FEMA base flood elevation. When building a house, the requirement is to be at least one foot above that elevation. It will also be graded and altered to go into the stormwater ponds that would eventually nourish the wetlands.

Mr. Scudiero inquired about the traffic study the applicant did that added the trips that would occur from this development to the existing traffic and how although it did meet the traffic standards, it got an 'F' in the morning. Mr. Spraker explained that the worst area was at Leeway Trail and Airport Road due to making a left-hand turn during the AM peak. A three-way stop was suggested on Airport Road. It was reviewed by Mr. Walsh and Public Works and it came back that the issue is that it only meets the warrant for 30 minutes, and does not meet the traffic warrants for a stop sign the rest of the day. It is a condition that would likely continue with or without this project.

Mr. Scudiero asked about leaving the property for the future expansion of Tymber Creek Road and asked if it is being done in the 'near'- future. Mr. Spraker replied that it is a long-range plan. Through the County's review it was identified that the desire is to preserve the right-of-way. He commented that it is good planning that as lots develop to ensure that there is future right-of-way, even if it may never be used, at least it is there.

Mr. Scudiero inquired about the fact that there was not an exit on Airport Road in 2018. Mr. Spraker replied that as the public hearing went through, there was a cul-de-sac proposed. During the review of the current project, Volusia County Traffic Engineering staff stated they would not allow the closing of Airport Road with the sole access onto North Tymber Creek Road. It is required to have two access points with not all of the traffic being placed on North Tymber Creek Road.

Mr. Jorczak expounded on the potential expansion of Tymber Creek Road from the Saddlers Run area up to the traffic light, and referred to Mr. Spraker's comment that it probably would not happen for five years since it is a Volusia County operation and asked the status of the County planning and if it is a funding issue and if the City of Ormond Beach can apply pressure to determine if it can have that piece of roadway expanded up to the traffic light. He continued, by asking how it would correlate with the three-phase development if it goes forward with an approval by the City Commission. If built out within the three-to-five-year period, what is being looked at relative to the prospect of having relief to that intersection with the expansion of Tymber Creek Road. Mr. Spraker replied that Volusia County has a list of priority projects and have certain funding but not enough dollars to match the needs, so they streamlined the impact fees in Volusia County towards the expansion of Williamson

Boulevard. There is no funding identified for the section from Tymber Creek to Saddlers Run because they have other roads that are failing at a greater rate.

Mr. Mark Watts, Land Use and Environmental Law Department, Cobb Cole Attorneys at Law, 231 North Woodland Boulevard, DeLand, introduced those working with him on the project: Mr. Jim Paytas and Mr. Tres, Paytas, Paytas Homes; Mr. Tom Valley; Mr. Randy Hudak, Project Engineer, Mr. Bill Lites, Environmental Consultant, and Mr. Dwight Durant, Zev Cohen and Associates; Mr. Sans Lassiter and Ms. Katie Dearing, Lassiter Transportation Group; and Nika Hosseini, Cobb Cole Attorneys at Law. Mr. Watts explained that they designed the proposed project specifically so that there are minimal waivers and variances with specific lot sizes and patterns. He stated that the site is on the west side of Interstate 95 on the northwest intersection of Airport Road and Tymber Creek Road. The property has a "Suburban Low-Density Residential" and "Open Space/Conservation" land use classification with a density cap. He reiterated that the overall site is 84 acres with 143 lots being proposed with 80' wide minimum lot sizes. The net density is 2.12 and the existing zoning is Planned Residential Development (PRD) and it is requested that the development agreement and the development order be approved with the zoning.

Mr. Watts explained that the goal is to stick with an 80' lot pattern consistent with what is in the area and consistent with the existing zoning standards that otherwise would apply. He continued that 44 out of 84 acres is designated for open space and recreation consisting of a pond, buffer, land preservation/recreation areas. Additional sidewalks are added to the plan to encourage pedestrian connectivity to the schools in an effort to address those concerns. Mr. Watts pointed out that initially there was not a plan for a connection to Airport Road but followed the County's lead to provide points of access both on Airport Road and Tymber Creek Road.

Referencing Mr. Jorczak's inquiry regarding the plans and if they will change depending on wetland information, or if larger ponds will be put in once the stormwater calculations are finalized, Mr. Watts answered yes. He continued that a cap is set for the maximum number of lots. If the wetland lines or any other information changes as going through the process, the number of lots can be reduced. In the prior proposals, additional lots were proposed on the northeast corner of Tymber Creek but are not proposed at this time. Referencing Ms. Tolland's inquiry regarding fill in certain areas, he explained that the northeast corner of Tymber Creek is planned for a compensating storage pond. Mr. Watts clarified that compensating storage is for retaining stormwater onsite and not for RV and boat storage. Mr. Watts reviewed the development standards beginning with the maximum building lot coverage of 50 percent, which varies from the standard building code. 70 percent impervious lot coverage was requested. More of the lot is covered with building versus driveways. The building height proposed is the standard for the single-family zoning classifications of 35'. Mr. Watts commented that the builder and developer are local. Paytas Homes are headquartered in Volusia County with a long history of being in the community and have a good reputation.

Mr. Watts touched on the phasing plan and how the neighborhood would be laid out including the accesses and displayed the different elevations of Paytas homes overhead. He then changed the topic to transportation and stated that they meet the State Statute and standards set by the TPO and the City in how traffic and property

is evaluated in regards to concurrency and the traffic impacts. Mr. Watts elaborated on school capacity and how the school board has been contacted regarding the proposal and number of lots. They gave their approval that they have capacity to serve the additional students that would be generated by the development. He explained that the capacity for each phase has to be vested for the number of lots proposed per phase and rechecked with the school board. Mr. Watts added that they are consistent with the Comprehensive Plan with the carrying capacity at 100 lots below what the maximum would be under the Comprehensive Plan. There is a 1.6 to 2.5 density range the Comprehensive Plan set aside for that area and the project is at 1.69 units per acre. Mr. Watts expressed they are exceeding the requirements in a lot of areas including buffering, by meeting the minimum with a 40' buffer in all areas and some areas 50' to 60'. He noted that the traffic standards are being met and the LDC standards are being exceeded. Mr. Watts invited project staff to present on the project beginning with Mr. Hudak to speak on the stormwater for the project.

Mr. Randy Hudak, Project Engineer, Zev Cohen and Associates, stated that there are approximately nine acres consisting of six stormwater ponds, one being the compensating storage pond. He reiterated how the analysis shows that the city requirements and floodplain impact, as well as St. Johns Water Management District requirements, were met. He elaborated on the discharge process to the wetlands, explaining that the rate of discharge and the volume discharge to the wetlands have to be balanced. The interest is not to eliminate all of the discharge to Groover Branch to the wetlands, but continue to hydrate them but reduce it to help alleviate some of the flooding within the area. Mr. Hudak stated that the analysis shows that the volume of discharge is being reduced by 40 percent to 80 percent depending on the rainfall. Both the City and St. Johns require to analyze a 9 ½" rainfall, 25-year-storm and a 5" rainfall, the average mean annual storm. The rates and volumes are being reduced.

Ms. Shull asked if there will be sidewalks and gutters inside of the subdivision. Mr. Hudak answered that there will be. The gutters go to stormwater as well as pipes that lead to the stormwater ponds. The information is included in the drainage plan that specifies the inlet locations and the pipes and where they go and lead. Ms. Shull inquired how much fill will be needed to fill in the property. Mr. Hudak replied that the fill will be generated from the ponds.

Mr. Sans Lassiter, Lassiter Transportation Group, 1450 W. Granada Boulevard, stated that he has been in business for 30 years and understands traffic on Granada Boulevard. He continued that he has done a lot of development and been involved with a lot of studies in the city and county and understand the conditions that are causing the delay for some of the improvements that need to be done. Mr. Lassiter addressed the value of the access on Tymber Creek Road and added that they are consultants to the Volusia County School District and helps them plan new schools and mitigate problems at existing schools. He commented that there is not a school in the county where there is no traffic congestion in the AM or PM peak hours. Mr. Lassiter alluded to his familiarity as he looked at earlier versions of development proposals for this piece of property. He added that his grandkids went to Pathways Elementary and with his wife being a school teacher in Volusia County he understands the conditions. Mr. Lassiter continued that the access to Tymber Creek Road allows access during the peak hours for traffic to not have to use Airport Road. He noted that as bad as the school traffic seems, it is a relatively short-lived problem.

He agreed that the school traffic is a real problem with the peak problem occurring in five to ten minutes. The problems of delay reduce significantly thereafter. Mr. Lassiter commented on the aforementioned Tymber Creek and the funding needed to improve the road from Saddlers Run north to Airport Road, and stated that he is aware and was involved in the traffic signal design that is out there today. The county's issues and pressures are known. He spoke on the half cent sales tax they were trying to push that would have done a lot for Tymber Creek Road but it did not happen and they are still looking for solutions. This project will provide more impact fees than it is costing in terms of prop share offsite impacts. Mr. Lassiter noted that they are setting aside the additional right-of-way on Tymber Creek Road.

Mr. Galloway stated that the problem is not with the city and that it is with the school board putting two elementary schools that close together. The problem will exist for all the land holders. He asked how the issue is going to be resolved whether it be with this or other projects during key times when the elementary kids are going to school and leaving school. He concluded that the school board should address what is being done to the property owners out there and the damage being done. Mr. Galloway concluded that he hopes that someone from the city goes to the Volusia County School Board to tell them since they created the problem that they need to start thinking about resolving it.

Mr. Lassiter concurred it was the wrong place to put a school in his opinion. He thinks there needs to be a school site in another location to cut down on the congestion. He continued that a suggestion was made to make a start time change to the school hours with the school board and it did not go over well.

Mr. Watts commented that the number of parents that bring their children to school versus the number of children that walk or ride a bus has shifted which changed the behavior from a parental standpoint.

Ms. Shull inquired about the outdoor/indoor recreation space specified on the project plans and asked if there was outdoor recreation space. Mr. Watts replied that there is outdoor recreation space. The approach is instead of having structured indoor recreation there is a large recreation outdoor area. He stated that they don't have the indoor space that would be required under the code based on the number of lots. Mr. Jim Paytas, Paytas Homes, 794 Sander Drive, Port Orange, continued that an area has been set aside for outdoor recreation. There are requirements and he added that he would like it to be a specific location for the residents with a gazebo, pavilion, dog park and pickleball court. Mr. Watts added that there are also trails and sidewalks through the neighborhood. He stated that looking at code there is a certain square footage of clubhouse or indoor space required and explained that it is hard with 143 lots due to the cost of it being spread across each of the landowners to maintain it on an annual basis. It was stated that the outdoor space is half an acre.

Audience Comments

Mr. Bob McCutcheon, 425 Leeway Trail, stated that his questions had been answered at this time.

Ms. Lizebeth Dworak, 55 Abacus Avenue, stated that she lives in Hunter's Ridge off of Leeway Trail. She expressed concern regarding traffic and commented that there is an accident waiting to happen. She expressed concerns with school traffic and the

parents lining up in the neighborhood on Abacus Drive. Ms. Dworak continued that traffic was very bad in the AM and during the school pickup. She stated that the school crossing guard can detail the accidents or near accidents in the area. School parking on Abacus Drive impacts the residents and prevents emergency vehicles from accessing the area. Ms. Dworak questioned the impacts of the development on schools and emergency personnel. She asked if anyone considered the wildlife living within the subject property. Ms. Dworak referenced a project in Ohio that impacted surrounding properties with flooding and stormwater.

Mr. Ron Hooper, no address provided, stated that he was not in favor of the Tattersall project. He referenced the 2018 denial by the City Commission that was upheld by the Circuit Court. He continued that the denial was based in part on traffic impacts and stormwater management. He referenced a past project that had 68 units approved for a portion of the subject property. Mr. Hooper elaborated that the traffic count on Tymber Creek Road from 2008 to May of this year has increased 107% according to Volusia County Traffic Engineering. Mr. Hooper stated he spoke with Mr. Costello with Volusia County and commented that the project would impact traffic congestion significantly. He added that locating so many lots within two miles of two schools is not prudent planning. Mr. Hooper inquired about the type of buffer proposed within the project and asked if it would be cleared or if the natural vegetative buffer would be left.

Mr. Norman Lane, 1314 Northside Drive, stated the City is moving to extend the runway at the Ormond Municipal Airport. The extension is intended to increase air traffic at the airport, particularly larger aircrafts including jets. He specified that a developer is already building ten new luxury hangars to accommodate the additional aircraft. Mr. Lane stated the proposed Tattersall subdivision lies within the Airport Overlay District and will be directly affected by the extension of the runway and homeowners will be listening to the almost continuous noise from airplanes and helicopters flying close overhead. Mr. Lane questioned if the developer is required to inform any potential buyers that the noise will be increasing over what it is now due to the proposed runway extension.

Mr. Lane stated that he would also like to note that a very similar development that was to be called Marshside was proposed for the same land in 2018. It had the same density as this one. Marshside was rejected due to the known flooding issues on the property. Mr. Lane concluded, since then, other development has occurred in the area, which, along with this one, will only increase the flooding problems. Mr. Lane questioned what would justify this development when the previous one was rejected.

Ms. Patricia Sparks, 290 South Janice Lane, 305 Tymber Creek Road, and 1976 Airport Road, stated that 16 subdivisions feed into the intersection of Tymber Creek and Airport Road with possibly more to come. Ms. Sparks stated the traffic count on Tymber Creek Road from 2008 to 2017 of this year has increased by 47 percent according to Volusia County Traffic Engineering from Broadway Avenue to Airport Road. Ms. Sparks referenced the Volusia County Comprehensive Plan Traffic Element and stated that its goal is to lessen traffic and establish high standards for development. Ms. Sparks asked where the high standards for Tattersall for pedestrian safety and traffic reduction are. She stated that the number of lots within the Tattersall project need to be reduced. She added that stormwater is an issue for this project including Airport Road, Leeway Trail and Durrance Lane and commented on

how it has to be resolved. Ms. Sparks concluded that adding roads and homes would only increase runoff to these areas regardless of stormwater retention.

Ms. Kelly McBurney, 289 South Janice Lane, stated that she does not live in the city and she lives in unincorporated Volusia County. She stated that this affects her and her neighbors because the creek flows through their properties. She expressed concern about the water amount and quality (fertilized, oil, etc.). She added that they drink their water through wells. Ms. McBurney stated their critical percolation areas are going to be covered up and filled in with houses, roads and pollution. She commented that she is all for people getting homes, but how it should be limited where people get homes. Ms. McBurney stated that the site is not a site to build on., and questioned if the outdoor recreation area would be elevated to the same elevation as the building lots. Ms. McBurney stated that the property is all swamp and how the swamp is needed. Ms. McBurney expressed concern on the impacts on wildlife.

Ms. Laura Olson, 323 North Tymber Road, stated that others have touched on the traffic, stormwater, flood issues, and negative impacts of this development. She referenced the neighborhood meeting and her question regarding the location of the entrance/exit of the Tattersall project in relationship to her property. She expressed concern that this access point could be in front of her home. Ms. Olson recalled at the neighborhood meeting when she stated that she did not want headlights in her home at all hours of the day and night, commented that the applicants admitted that they had not considered this issue. She continued that she noticed that the issue was not discussed this evening. The project engineer stated that they would plant shrubs and she stated that she was not interested in shrubs based on visibility issues getting out of her driveway. Ms. Olson stated that she was not provided the opportunity to provide any follow-up questions, such as if it is going to be a gated community. She commented that the entrance on Tymber Creek Road needs to be moved north where there are woods. She expressed belief in property ownership rights and freedom, smart growth, and concluded “, *but please don’t tread on me.*”

Mr. Mark Edwards, 110 John Anderson Drive, stated that he owns the abutting property at 408 Tymber Creek Road. He continued that after looking at previous plans, he believes that this design is the most intelligent plan presented for this property. He noted that the property is zoned correctly and that there are buffers and stormwater. Mr. Edwards commented that there may be a different plan in the future that was way worse than that could get approved. He stated that he is an impacted neighbor and is in favor of this plan. Mr. Edwards concluded he understands the concerns, but the current developer is a reputable company and there could be worse plans in the future.

Mr. Ron Aubel, 11 Cross Vine Drive, Southern Pines, stated his concerns are traffic and stormwater within this area and has lived in Southern Pines for five years and noticed Tymber Creek Road is a heavily traveled roadway by his standards. The US1 and Broadway Avenue area has brought commercial traffic down Tymber Creek Road. He referenced the existing school traffic and questioned if Tymber Creek Road would be connected with Margaritaville and LPGA Boulevard to bring more traffic in this area. He commented that the property is a swamp. Mr. Aubel inquired about the open space and recreational amenities being provided and stated that they would need hip boots to walk around the swamp.

Ms. Missy Herrero, 111 North Saint Andrews Drive, stated that she was at the County Council meeting on a different matter and was listening to a man who lives in Deland

and there was a similar development that was very wet and it involved fill. She added that the Deland project passed all the stormwater studies and all of the engineers signed off on it and the adjacent properties are underwater. She stated that no one has been able to help the DeLand man and he has hired an attorney at his own expense. She noted that there are several lots on this plan that are within the wetland. Ms. Herrero encouraged the Planning Board to not approve anything that touches the wetlands. She stated that it is all wet and suggested that maybe the density needs to come down. Ms. Herrero concluded she understood zoning and knows that they have rights, but this should be taken seriously, because once it is done, you cannot go back.

Mr. David Juhl, 2040 Toni Street, stated the rear of his property abuts Airport Road. He commented that hip boots are what is needed for this property and that this is a terrible piece of property to build on. He added that he spoke to the project engineers and he is sure that they are good at what they do, but noted that the engineers are long on education and very short on common sense. Mr. Juhl questioned how the project was going to save him with stormwater in the northeast corner of the property. Mr. Juhl noted that the whole 84-acre property is absorbing water and will be covering with roads and houses, and commented on how all of the water has to go somewhere. Mr. Juhl stated that after a heavy rain there is six inches of water in his yard and questioned the impact of this development. Mr. Juhl stated that he cannot sell the property because of flooding and he cannot live there because it is flooded. He concluded that they have not come up with a plan yet that is adequate for flooding.

Mr. Clay Beazley, 2180 Arabian Trail, stated that he has a video of water that crosses Leeway Trail in a heavy rain and crosses the Tattersall property. He commented that there is nothing in Volusia County to do anything out there with the 25-year plan. Mr. Beazley added that he has lived in Durrance Acres for 35 years. He continued expressing that his issue was the flooding and not traffic. Mr. Beazley stated that there are 91 residences in Durrance Acres and this area flows across the Tattersall property to make it to Groover Creek. The property sits under water year-round. Mr. Beazley expressed that his concern was the 91 neighbors who already have problems with flooding. He continued that the Tattersall development needs to handle the water that flows onto the property from Durrance Acres. He referenced Riviera Oaks where they had to buy homes and build retention ponds based on flooding. Mr. Beazley stated, "we are up against a class action lawsuit from 91 property owners that has told these people time and time again that we do not need this." He concluded that the north side of the property would be devastating to put homes in there and stop the sheet flow, and reiterated that his concern is not traffic.

Mr. Collin Marshall, 99 Levee Lane, stated traffic is a big concern. Mr. Marshall recalled that ten years ago Tymber Creek Road was single file and then the four-laning occurred. Mr. Marshall commented that it is back to being congested and something needs to be done. He concurred with the previous comments on flooding and that the property is wet. He noted that water comes over the curb and onto Airport Road. Mr. Marshall questioned if an environmental study had been done. He expressed concern with water quality including fertilizer that would drain to the Tomoka River.

Ms. Deborah Bozeman, 2401 Lipizzan Trail, expressed concern of filling in the property and what would happen to the horse farmers in Durrance Acres. She stated that today if it rains, horses are standing hoof-deep in water. She added that you can see water on the land today. She commented that traffic is always a concern. Ms.

Bozeman concluded that she does believe that the land should be built upon, but the original plan should be followed.

Ms. Julie Ufheil, 57 Abacus Avenue, asked if the Planning Board had been out to the site. She asked if the Board members have walked the site. She stated that she lived on Abacus Avenue and commented how the school parents arrive an hour before release and they park down the middle of the road. She described the issues with school pick-up and distracted parents. Ms. Ufheil requested “no parking” signs along all of Abacus Avenue. She questioned why the school gates could not be opened earlier to allow on-site stacking for the school.

Chairman Thomas commented that he has been in the area frequently and has family members in this area and stated that the School Board deserves a lot of the comments. Ms. Ufheil asked why schools were placed near the Flagler and Volusia County line.

Applicants Response

Mr. Watts referenced Mr. Hoopers inquiries about the buffers and stated that these are to be left in a natural state (40’ area around the site). He then referenced the question from Mr. Lane regarding the airport and stated that all the airport information is of record and disclosed as part of the city regulations. Mr. Watts noted that the outdoor recreation would be at the same elevation as the lots around it. He stated that Ms. Olson asked about the access across the property. Mr. Watts explained at the neighborhood meeting there were offers to plant additional landscape materials in front of her house if desired. He said that Ms. Olson declined the offer and Mr. Paytas offered to review the access point slope during the construction site plan. Mr. Watts continued that the issue with shifting the access north is that the access would be in the wetland area. The access location is to the furthest point away from the Airport and Tymber Creek Roads intersection and not in the wetland system.

Mr. Watts stated that Mr. Marshall asked about the flow across the property, and explained that there are extra regulations based on the flow into the Tomoka River (classified as an outstanding Florida waterway). “Because the Tomoka River is an outstanding Florida waterway (OFW) the tributaries have elevated protections and Zev Cohen can address this.” Mr. Watts continued that the last resident stated the need for additional sidewalks in the area. The project is proposing a six-foot sidewalk from Airport Road to Leeway Trail. Mr. Watts added that the city, Volusia County and the TPO have traffic standards and the project is seeking no waivers on traffic or stormwater. Mr. Watts explained that they are required to abide by the laws and that is what we are asking you to allow us to do.

Mr. Watts asked Randy Hudak and Bill Lites with Zev Cohen and Associates to address the stormwater and wetland questions. Mr. Watts stated that Mr. Lites has walked the property with St. Johns River Water Management District staff to verify the wetland boundaries. Mr. Watts asked Mr. Hudak to describe the stormwater and flooding regulations in designing a site.

Mr. Randy Hudak, P.E., Zev Cohen and Associates, stated both the city and St. Johns River Water Management District require the review of pre-development and post-development in terms of rates and volume. He continued that a review of the surrounding area is required and not just the properties boundaries. He acknowledged the surrounding property owners concerns regarding flooding and stated that this is part of the stormwater design. Mr. Hudak explained that the contributing properties’ stormwater is reviewed including the properties to the north (Durrance Acres) or the

city property to the west, and these areas are accommodated through the stormwater design with either treatment or a bypass to Groover Branch. He stated that the property discharges to an outstanding Florida waterway which requires additional stormwater treatment volume in the ponds as well as additional phosphorus and nitrogen removal (either dry ponds or filter boxes).

Mr. Watts asked Mr. Hudak to address comments regarding the volume of water coming off the property. Mr. Hudak stated from a volume perspective that the stormwater design would reduce from 40 to 80 percent of what is currently discharging from the property.

Ms. Tolland stated that from the comments there is a water issue already without the property being developed. She added that the land itself is low and wet. Neighbors have indicated when it rains there are a lot of flooding issues. She asked when developing if there are enough wetlands and stormwater to accommodate the development and the flow from neighbors. Mr. Hudak responded that there are nine acres of stormwater ponds that are sized to accommodate the runoff and off-site flow. Mr. Watts added for the stormwater design there are specific technical standards that are outside of the zoning context within the city's Land Development Code (LDC) and St. Johns River Water Management District regulations that have to be met. Mr. Watts summarized that there are thirteen acres of wetlands and nine acres of stormwater ponds for the site and reassured that all stormwater regulations would be met.

Mr. Watts asked Mr. Lites to describe the wetlands and his meetings with St. Johns River Water Management District staff. Mr. Lites stated that they have delineated the wetlands on-site. He noted that a wetland is visible from Airport Road, but the site has approximately 14 acres of 84 acres that are wetlands (16 percent) and the remainder of the land is not low and marshy. He added that there is a lot of slope that comes off Groover Branch. Mr. Lites detailed that the wetland by Airport Road is wet and holds water, but the remainder of the site is not wet. He concluded that they have met with St. Johns River Water Management District staff who has inspected the wetland lines established by Zev Cohen and they are substantially similar to the wetland delineation shown on the maps.

Ms. Shull asked for an explanation of wetlands. Mr. Lites explained that wetlands occur in places that have inundation of water for 30 consecutive days of groundwater within six inches of the surface and wetland vegetation. He summarized that wetlands have wetland vegetation and hydrology at or above the surface that generates a hydric soil which is an organic soil and that is what is used to define a wetland.

Chairman Thomas asked if wetlands were defined in categories/classifications. Mr. Lites stated no and how that was a former city ordinance.

Mr. Galloway offered to walk the property to show the wetland area and the upland areas.

Mr. Watts stated when a project starts, the project environmentalist flags and then delineates the wetlands on-site. He continued that the next step is for the St. Johns River Water Management District staff to review the wetland lines, visit the site, and review/confirm with the wetland delineations. The lines shown in the project maps are accurate and have been verified with St. Johns River Water Management District

staff. Mr. Watts stated that there may be minor shifting as the project construction plans are designed.

Mr. Galloway asked if the wetlands have been flagged. Mr. Watts confirmed that the wetland has been flagged and marked with GPS. Mr. Galloway stated that wetlands lines have been marked for anyone who wants to walk the property with him.

Mr. Clay Beazley, 2180 Arabian Trail, asked for the flood zone A and X delineation on the project maps. He asked for the flood zone delineation to be shown as well as the setbacks from Groover Creek. Mr. Watts stated that there is a compensating storage area and asked Mr. Hudak to detail the flood zone. Mr. Hudak showed and described the flood zone on the concept plan. He described any impacts or filling would be offset with the compensating storage pond. He stated that floodzone X is outside the floodplain area and floodzone A is within the floodplain area. Mr. Hudak concluded that there is a direct ratio (1:1) for the amount of fill and the amount of compensating storage within the floodplain.

Mr. Watts asked Mr. Lassiter if a Traffic Impact Analysis has been performed and if an independent consultant with TEDs has reviewed the study for the city. Mr. Lassiter continued that the real traffic issues are caused by the school. Mr. Lassiter stated that there is an opportunity to sit down with the School Board staff and discuss the issues. He noted there is property available to assist with the stacking and commented that there are requirements related to when schools can open gates for parents picking up their children. Mr. Lassiter explained that elementary school traffic patterns have changed and the school buses are not utilized and parents are driving their children to school. Elementary schools were not designed for the type of stacking that is being generated today. Mr. Lassiter concluded that the stacking is not a new problem and a meeting with the School Board staff should occur.

Chairman Thomas commented that the School Board owns land west of the existing school. Mr. Lassiter stated that parking/stacking needs to be removed from the neighboring subdivisions. Mr. Watts stated that from the Land Development Code there are certain standards and how they have been met. The project team would be happy to meet with School Board staff.

Mr. Jorczak asked if a preliminary environmental study has been done with respect to gopher tortoises. Mr. Lites replied that there are gopher tortoises on-site and that the survey and relocation occurs as part of construction before each phase. He confirmed that there are recipient sites available for gopher tortoise relocation if needed. Mr. Watts confirmed that the gopher tortoise review and permitting are required with construction drawings and building permits.

Board discussion

Mr. Scudiero stated he does not love this and there is no doubt that it is better than three years ago. The number of homes is still about the same as three years ago and the traffic has not improved with the proposed plan. He continued that he drives by the property every day and it is very wet. It may be the wetland he is seeing but it is always wet. He commented that Volusia County should have expanded the widening of Tymber Creek Road to Airport Road. Mr. Scudiero stated he understood the school concurrency, but how this project will add more students to a school with many portables at Pathway and Pine Trails Elementary. Mr. Scudiero concluded that he would like to think there is room for improvement and this project can still get

better. He stated that he is a “no” for now and maybe one day it will be more acceptable.

Ms. Tolland stated that she still has questions regarding the environment and water. She added that she is not confident that the development will be able to handle what is already there with the project development. She expressed that the traffic is a problem that will get worse with development. Ms. Tolland concluded that she was hoping for less density even though the project is within the land use range.

Ms. Shull stated that she lived in Deer Creek and she stated that the property was always wet no matter what time of year. She commented that Deer Creek and this area is marshland. She continued that she cannot see adding more homes and adding more water to areas that have a flooding problem. “Flooding is a problem that we are seeing at every meeting.” Ms. Shull stated that she understood that there are reports but if you go to the site, there is water there. “When it rains, the roads are flooded.” She commented that she could not see how adding more homes would help this area. Ms. Shull acknowledged the existing problem with school traffic and how this project would add to the existing issue. She stated that the current layout is better but she would like to have seen more recreation area. “There should be a higher standard for recreation amenities in Ormond Beach neighborhoods.”

Ms. Shull asked if there are additional environmental studies that are done with the construction drawings. Mr. Spraker responded that the packet included a preliminary environmental assessment analysis and if approved, a number of the items discussed tonight would be required such as an environmental study, the stormwater and compensating storage analysis. Mr. Spraker reviewed the subdivision process with the three steps of Planned Development, preliminary plat, and final plat.

Ms. Shull stated that she could not vote for the project and added that neighborhoods need to be held to higher standard with more recreation areas and less density. She concluded that flooding is a primary concern.

Mr. Jorczak concurred that this was a better plan than previous versions. He stated that he is in favor of controlling the density based on the impacts of the number of homes. The land to the north of the property (Durrance Acres) is designated for large lots that is an amenity based on the lot size and agricultural uses. He added that he would like to see the density reduced and questioned a reduction that would still be profitable for the developer. Mr. Jorczak stated he was concerned with the water in the entire general area. He recalled that Flagler County is also approving a number of homes in Hunter’s Ridge, Flagler County. He expressed concern of the impact of the Flagler County development on the drainage of this area of Airport Road and Tymber Creek Road. He acknowledged the land use and zoning regulations but wondered if it takes into account the big picture of the area. Mr. Jorczak concluded that he would have preferred to see something less intensive and questioned if that would be economically feasible.

Mr. Jorczak questioned if the Planning Board had any recourse to address issues at the next step. Mr. Spraker replied that if there was an item that did not work, such as stormwater or floodplain impact, those would be reviewed and acted upon by the Site Plan Review Committee (SPRC) with the preliminary plat. The preliminary plat requires Planning Board review and City Commission action. Mr. Spraker concluded it was up to the Planning Board to make recommendation on this application. Mr. Spraker added that after the Planning Board makes recommendation on the current

application, the applicant could elect to be heard by the City Commission or make changes in the concept plan.

Mr. Jorczak stated he would like to see more regarding the water issues. Mr. Spraker stated that the Land Development Code (LDC) framework is a three-step process with the zoning document being the contract establishing the maximum number of units, lot layout, buffers, open space and recreation area. The next step is the construction drawings. Mr. Spraker explained that this process is established not to have applicant's perform detailed and expensive engineered plans if the lot layout (zoning) is not acceptable. Mr. Spraker stated that the applicant likely will have a decision if they want to move to full construction drawings to address the stormwater/flooding concerns presented.

Mr. Jorczak stated that without more information on how the water issues will be addressed, he could not support this request.

Mr. Galloway referenced a former project along Mirror Lake that had stormwater issues. He suggested letting the experts that understand flooding resolve these issues with expectations from the Board. He stated that this project is a multi-step process that is a long way from approval and construction. He commented that the Board got something started on Mirror Lake that addressed the property owners' concerns. He added that there is an existing flooding issue and asked what will come of the property in the future. Mr. Galloway stated that federal and state regulations may impact the way housing is provided in the future. He highlighted that this application is from a local, well known, housing builder and local experienced engineering firm, and questioned how in the construction drawings that a number of lots may be smaller. Mr. Galloway stated that he hates when someone buys a piece of property and others call it all wet. He commented that all of Florida is wet. He questioned the mindset of allowing development in the past in this area and now not allowing new development. Mr. Galloway stated that Florida has been found. He added that the area lacks housing and if we are not careful the federal government will tell communities what type of housing to have. He continued that he would support the application and noted that he does not like people being flooded. He stated that the flooding is coming from a lot of different areas and concluded that he believes that the water situation will be better with development.

Chairman Thomas asked for clarification on if one project cannot change the flow of water to impact someone else's. Mr. Spraker responded that Chairman Thomas was correct and that both the city and St. Johns River Water Management District regulate stormwater.

Chairman Thomas questioned the City Attorney if a property is impacted after development what recourses there are. Attorney Hayes answered that it depends on the situation and how what might happen is difficult to speculate. Attorney Hayes stated that one property owner cannot impact another which is the purpose of requiring information from professional engineers. He continued that there are several parts to this process and this part is the PRD zoning with past applications proposed on this property. Attorney Hayes confirmed that the application meets the density range established. He added that the Board needs to take the evidence presented in the staff report and testimony provided and weigh that in terms of the criteria of the Land Development Code (LDC). Attorney Hayes reminded the Board the recommendation was advisory to the City Commission.

Chairman Thomas stated if there are water impacts to property owners from this development it would cost those property owners to resolve this issue.

Chairman Thomas recalled that he has seen Ormond Beach grow over time. He stated that water impacts are his primary concern and acknowledged that traffic would always be an issue. He concluded that he understood based on the Board member comments that this project would not be recommended for approval.

Mr. Galloway asked Attorney Hayes if the Planning Board reduced the number of lots, then if the City Commission could amend the lot total at their review. Attorney Hayes asked what evidence it would be based on for there to be a requirement to reduce the number of lots. The decision needs to be guided by the evidence that has been presented, including the testimony provided tonight. Attorney Hayes stated that the lot layout was a maximum that was conditioned on the detailed engineering and permit review organizations.

Mr. Galloway stated that the real issue is the water and expressed his understanding that the project engineers will perform the required calculations and inquired if additional area be dedicated to stormwater. Attorney Hayes replied that if there is a sense on the Board that they like the project but wished there were less lots and there is not enough information to make a definitive determination on that basis, the Board can make a general recommendation of denial with a comment that the project is good, but the number of lots should be reduced.

Chairman Thomas asked if the Board recalled the application for a riding stable in Durrance Acres and stated that he visited the property. He continued that the pasture on this property was underwater and expressed concern with the general problem in the area. He commented that there is a definite water problem and a lot of people moved to this area knowing so. Chairman Thomas concluded that he does not want this project to impact other property owners in terms of water, but a developer has rights with what to do with the property under the zoning.

Mr. Galloway stated he does not want to make a decision just to keep an application going to reduce the development. Mr. Galloway commented that there has to be a way to move this on. Attorney Hayes stated that the project would advance to the City Commission whether the project is denied or approved by the Planning Board. He stated that the decision has to be based upon sound evidence and this quasi-judicial process. He stated that the Board heard evidence from the applicant and the applicant's professional consultants, and have recommendation from Planning staff, and heard testimonies from residents who live in the area and who have given eye witness testimony. This is all weighed as part of the decision. He stated the problem that he heard is that flooding is a concern and less impervious would result in less flooding which then drives the question if the density can be reduced. Attorney Hayes asked it is going to be based upon and expressed that there does not appear to be support.

Attorney Hayes stated from his perspective the Board can vote the application up or down as presented or a secondary approach is if the project would work but only with a reduced number of lots, then it can be denied on that basis with a recommendation that a lesser number of units be considered. This does not require the applicant to reduce the density.

Chairman Thomas stated that at one time the Planning Board voted to approve something and the City Commission unanimously denied the application.

Ms. Tolland stated she wanted to make a comment that the Board members are not the experts. “What we are saying is that we think lower density may solve a water problem.” She questioned if there are any other ways to address water problems than to decrease the number of lots. Mr. Jorczak concurred with Ms. Tolland’s question and stated even if the property retains all of its water and does not discharge any water, it impacts other properties including unincorporated Volusia County which the city has no control over their stormwater. Mr. Jorczak stated lowering density, lowers the project impacts (traffic, stormwater, and flooding).

Attorney Hayes stated that another way to evaluate the flooding question is based on what has been heard from the applicant and residents and if it is believed that the evidence supports a portion that the project would improve the flooding or if you think it would make it worse. Obviously, the applicant’s consultants believe that the flooding problems would be reduced, but there has not been that discussion. Attorney Hayes stated that there has been discussion about the existing flooding problems.

Mr. Spraker stated that the City Attorney’s advice is a good evaluation tool. Mr. Spraker stated that Durrance Acres was developed with no infrastructure, including roads, water, sewer, or stormwater to support rural living. The properties in unincorporated Volusia County were constructed prior to stormwater regulations and existing stormwater issues. The subject property is subject to all current stormwater requirements including the current condition of water flow across the property. Mr. Spraker continued that the development cannot stop the existing water flow across the property. He stated that the project is required to treat the stormwater on-site, including grading of the land, creation of the stormwater ponds and ensure that they are not discharging and more water than the pre-development condition. Mr. Spraker concluded that he understood the frustration of the Board, but this stage of the development is at a zoning level and the questions tonight are part of the construction drawings.

Chairman Thomas asked if this item could be tabled to allow the Planning Board to determine if they are going to hear any items after 10:00 p.m. Attorney Hayes stated that they could briefly table this item to consider hearing items after 10:00 p.m.

Ms. Tolland motioned to table PRD 2021-067: Tattersall at Tymber Creek, Issuance of a Development for three minutes. Ms. Shull seconded it. A voice vote was called, and the motion was approved (6-0).

Mr. Galloway motioned to hear additional items after 10:00 p.m. Mr. Scudiero seconded it. A voice vote was called, and the motion was approved (6-0).

Mr. Galloway stated he wanted to re-emphasize that a water problem at Mirror Lake was resolved with another development. This development has the ability to help the existing problem that will not otherwise be resolved. Mr. Galloway added that you have to trust that the designer, engineers, city, and St. Johns River Water Management District will provide stormwater management per the city and state regulations. Mr. Galloway reiterated that with no development, the surrounding property owners will still have a flooding problem.

Ms. Shull questioned how putting additional homes on this property will resolve a flooding problem. Mr. Galloway replied it is the same situation as Mirror Lake. Ms. Shull stated they do not know if the Mirror Lake issue has been resolved. Mr. Galloway commented that he has visited the area and has not observed flooding.

Ms. Shull stated it is not the applicant's responsibility to take care of the other properties. Chairman Thomas replied that staff stated that the project must accept the flow that is occurring onto their property as well as their own water and retain it on-site.

Ms. Shull asked how much fill is required to bring the site up for development. Mr. Spraker answered that the fill information is part of the preliminary plat, construction drawings that would be provided to the Planning Board at a future date. The grading and filling information is not required at the zoning review of the subdivision development.

Mr. Jorczak sought to confirm that the construction drawings would be provided to the Planning Board. Mr. Spraker confirmed that the Planning Board and City Commission would both review and act upon the preliminary plat, construction drawings. Mr. Galloway stated that the Board would be moving it to get to the next stage of the subdivision development. Ms. Tolland commented that to allow it to move forward determines the site design and the Planning Board is only reviewing consistency at that point. She recalled that a speaker, Ms. Herrero, stated that once it is done, it cannot be undone. Ms. Tolland concluded that she wants to go carefully and commented that she is not 100 percent there.

Mr. Scudiero stated that he still has traffic concerns and does not believe that there is evidence there that this project will better the flooding issues with water. We know the project will not make traffic better. He continued that he is not against growth, it is just that this is the wrong time for this project. Mr. Scudiero stated that government owes it to its citizenry to make all of this stuff right before they come asking for other things to be approved.

Chairman Thomas asked for a motion.

Mr. Scudiero motioned to deny PRD 2021-067: Tattersall at Tymber Creek, Issuance of a Development Order. Ms. Shull seconded it. Vote was called, and the motion was denied (5-1), with Mr. Galloway opposed.

Chairman Thomas thanked those individuals who attended. A recess for five minutes was taken.

B. PBD 2022-002(A) – Zoning Map Amendment – 215 Williamson Boulevard, Regal Cinema Ormond

Mr. Steven Spraker, Planning Director, stated that PBD 2022-002(A) is a request submitted by 215 Williamson Investors LLC, with authorization of property owner, Regal Cinemas, Inc., for a zoning map amendment from B-8 (Commercial) to Planned Business Development (PBD) and the issuance of a development order. The PBD zoning map amendment seeks to (1) create an outparcel along Williamson Boulevard, (2) allow additional uses within the PBD, and (3) create a framework for future redevelopment. The subject property is 12.00± acres. Mr. Spraker stated that items B and C would be presented together.

Mr. Spraker displayed an aerial and described the property and the surrounding uses. He stated that the site plan divided the project area into five parcels as described below:

Parcel 1: Outparcel of 1.31 acres along Williamson Boulevard. This is the area where the stormwater pond would be relocated.

From: [Eaton, Noel](#)
To: [Spraker, Steven](#)
Subject: FW: Lot on corner of Tymber Creek & Airport Rd- Tattersall
Date: Monday, December 6, 2021 8:13:09 AM

Email regarding Tattersall at Tymber Creek

Noel Eaton

Senior Planner



22 S. Beach Street – Room 104
 Ormond Beach, FL 32174
 386-676-3345



Please consider the environment before printing this e-mail

From: Kathleen D'ambra <kathyd036@gmail.com>
Sent: Friday, December 3, 2021 10:53 PM
To: Eaton, Noel <Noel.Eaton@ormondbeach.org>
Subject: Lot on corner of Tymber Creek & Airport Rd

[External Email-Use Caution] - OB/IT Helpdesk

Hello,

I called and spoke to you the other day and you suggested that I write an email.

I noticed a sign on the corner of Tymber Creek & Airport Rd about some development that is trying to take place on this corner. First what about the gopher's. Periodicaly they get turned around and try to cross the street and I stop my car, pick them up and put them back in the woods. What will happen to them?

Why anyone would want to purchase this property is beyond me. It is always flooding over the road and very, very, wet. This is a wetlands and should stay as such. Any attempt to fill it in when there is apparently an underground spring there as it is ALWAYS very wet, is going to amount to a mass of problems. Some property is meant to remain and not be developed and this is one. If anyone has any common sense at all. Between the water, and the wild life it is certainly going to present a lot of problems

Thank you,
 Kathleen D'Ambra

Correspondence received after Planning Board meeting

**Tattersall at Tymber Creek
Issuance of a Development Order**

From: [Roger Duvernoy](#)
To: [Spraker, Steven](#)
Cc: [Roger Duvernoy](#); [Ricki Stofsky](#)
Subject: Tattersall @ Tymber Creek
Date: Monday, December 13, 2021 10:22:45 PM

[External Email-Use Caution] - OB/IT Helpdesk

Dear Ormond Beach Planning Board commissioners:

I am writing concerning the Planning Board's Public Hearing on Dec 9, about the Planned residential development 2021-067 Tattersall at Timber Creek issuance of a development order.

I live at 39 Herringbone Way (Deer Creek) Hunters Ridge, directly adjacent to the proposed development.

I feel the proposed development would directly and unfavorably impact our quality of life and our property values.

If you had walked this property, you would know it is swampland, which floods after any rainfall!

Even though we haven't had a good rainfall for weeks, a simple look into the property shows standing water!

Imagine what will happen when this land gets filled in? Where will all that water go?

It will impact wildlife, causing massive flooding, increase congestion and noise...for what?

There's residential development going on all around us. The difference is their land is suitable for building!

if the developers were stupid enough to buy that property, that's their problem.

A village idiot would know better!

I'm pleading with you to deny them their permit to build.

Sincerely,

Roger duvernoy

I

Sent from my iPhone

From: [Ricki Stofsky](#)
To: [Spraker, Steven](#)
Subject: Tattersal project
Date: Tuesday, December 14, 2021 10:25:16 AM

[External Email-Use Caution] - OB/IT Helpdesk

To: Steven Spraker, Director of the Planning Board Ormond Beach, Florida

From: Ricki Stofsky

Re: Public hearing of Tattersal project on Tymber Creek and Airport Road

I reside at 39 Herringbone Way in Deer Creek which is part of Hunter's Ridge. It is adjacent to the project being discussed, and I drive by the area every day. I was at the public hearing last week but didn't express my opinion verbally. I will do so now.

It was very apparent to me that the great majority of residents in the area do not want the Tattersal project to be approved by the Planning Board.

One resident who lives north of the project said it was the best version of the other failed plans. Is that what we want? The best of the worst? Think about it.

I thought the homeowners presented the issues well: the fear of flooding, the traffic congestion (which is critical now WITHOUT the influx of hundreds (thousands?) of additional residents and cars) and the fear that our property values will go down.

I wanted to add another point .

When I moved to Ormond Beach ten years ago from New York, I chose it because it was a beautiful, natural, quiet community. It wasn't Daytona Beach. It wasn't Palm Coast, and it wasn't Port Orange. It was an oasis in the area. Within 5 minutes of my house, I could see cows and horses down Airport Road. It had lots of trees and open spaces, too. I could see the sunsets, which are so beautiful they could make you cry.

But I fear my world is changing.

Honestly, I am not against development, but I am against overdevelopment. When taken in the context of what is going on right now very close by in the Route 40, LPGA, Williamson, Clyde Moris areas, this strikes me as overdevelopment. The addition will put a massive strain on Grenada Boulevard, and other local services.

The Planning Board can decide to go ahead with this massive project and drastically change the very nature of Ormond Beach.. or it can veto the plan and uphold the integrity of the community.

I sincerely hope you decide against the project.

The choice is yours.

Ricki Stofsky.



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: January 18, 2022

Subject: 215 Williamson Boulevard (Regal Center), Zoning Map Amendment

Commission Goal: Community Development - Other

Introduction

This is a request by 215 Williamson Investors LLC, with authorization of the property owner, Regal Cinemas, Inc., for a zoning map amendment from B-8 (Commercial) to PBD (Planned Business Development) and the issuance of a development order. The Planned Business Development zoning map amendment seeks to: (1) create an outparcel along Williamson Boulevard, (2) allow additional uses within the Planned Business Development, and (3) create a framework for future redevelopment. The subject property is approximately 12.00 acres and is located at 215 Williamson Boulevard. This ordinance is for the zoning map amendment and the next ordinance is for the issuance of the development order.

Background

The subject property has a land use of "Commercial" and a B-8 (Commercial) zoning designation. The property was annexed into the City of Ormond Beach on December 5, 1995 with Ordinance No. 95-170. The property had a Volusia County development order to construct a 12-screen movie theater that was transferred into the City of Ormond Beach. The movie theater was constructed in 1996. The movie theater use was impacted by the COVID-19 pandemic and the property has been listed for sale. The applicant is the contract purchaser of the property.

The site development for the movie theater use is unique. Site characteristics of the property include the following:

1. Along Williamson Boulevard, the property has a Greenbelt buffer of 36';
2. Two stormwater ponds exist on either side of the access aisle for the property;
3. A pole sign exists based on the landscape buffer and the location of the building at the rear of the site;
4. There is a large parking lot designed to serve the peak usage of the movie theater use; and

5. The two-story building is 39,368 square feet and approximately 50' in height. The building is located in the rear of the property.

The applicant has identified the following challenges in the redevelopment of the existing property which has led to the requested zoning map amendment:

1. Configuration of the theater facility does not lend itself to any type of big box retailer;
2. Renovations necessary to the theater's sloped floors so that they are at grade level with the balance of the building;
3. The extraordinary set back of the existing theater building from Williamson Boulevard diminishes visibility from the road for future use;
4. The 620 existing parking spaces which would not be necessary under most redevelopment uses;
5. Limited road frontage and visibility for the entire property from all sides; and
6. Demolition of the 2,300 theater seats and structural components.

For the purpose of the redevelopment site plan, the subject property is divided into five (5) parcels or areas of redevelopment. It is important to note that these are not tax parcels. The parcels are useful for understanding the redevelopment purpose of each area. The parcels are described further in item B, the issuance of the development, and are as follows:

- A. Parcel 1: Outparcel of 1.31 acres along Williamson Boulevard. This is the area where the stormwater pond would be relocated.
- B. Parcel 2: Existing stormwater pond south of the access drive. This stormwater pond area is proposed to be cleaned up and a fountain installed. There are no changes in the use of this area.
- C. Parcel 3: Existing parking field for the former theater use. Parcel 3 is 3.63 acres. Parcel 3 would be developed into a future use. The Planned Development seeks to allow the B-8 uses and additional uses within the development order.
- D. Parcel 4: Existing former movie theater building of 39,368 square feet. Parcel 4 is 4.43 acres and includes some parking. The building is proposed to be redeveloped. The Planned Development seeks to allow the B-8 uses and additional uses within the development order.
- E. Parcel 5: This area is the relocated stormwater pond and is 1.87 acres.

Discussion

Chapter 1, Article I, Section 1-15.C.3 of the Land Development Code provides the criteria for a zoning map amendment. Staff analysis demonstrates that the application will not adversely affect public health, safety, welfare or the quality of life. 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 zoning map amendment 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-8 (Commercial) to PBD; 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".

PLANNING BOARD

The Planning Board reviewed the application on December 9, 2021 and recommended approval (6-0). There were no individuals who spoke for or against the zoning map amendment.

Budget Impact

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

Citizen Impact

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. The existing site has been closed for over a year and without redevelopment the conditions of blight start to occur. The zoning map amendment seeks to establish the zoning necessary to redevelop the existing site.

Recommendation

It is recommended that the City Commission approve the zoning map amendment for a 12.00± acre property from B-8 (Commercial) to Planned Business Development.

Attachments:

- 22 -02 Regal Center Zoning Map Amendment (P21-0205G) (PDF)
- Exhibit A Legal Description, 215 Williamson Boulevard (PDF)
- Exhibit B Proposed Zoning, 215 Williamson Boulevard (PDF)
- 12.09.2021, Zoning Map Amendment - Regal Center, PB Staff Report, COMBINED (PDF)
- DRAFT, Planning Board minutes, 12.09.2021 - Regal Center (PDF)

REVIEWED BY:


Kelly McGuire, Finance Director 12/28/2021


Claire Whitley, Assistant City Manager 1/11/2022

APPROVED BY:


Joyce A. Shanahan, City Manager 1/12/2022

ORDINANCE NO. 2022-02

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 12.00-ACRES LOCATED AT 215 WILLIAMSON BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4230-00-00-0014) FROM B-8 (COMMERCIAL) TO PLANNED BUSINESS DEVELOPMENT (PBD); AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, Regal Cinemas, Inc., a Tennessee Corporation authorized to conduct business in Florida, is the owner of real property (“Property Owner”) located at 215 Williamson Boulevard (Volusia County parcel number 4230-00-00-0014), as more particularly described and depicted in Exhibit “A” attached hereto and incorporated herein (“Property”), and

WHEREAS, 215 Williamson Investors, LLC, a Florida limited liability company (“Contract Purchaser”) and the Property Owner have entered into a contract for purchase/sale of the Property, and

WHEREAS, the Contract Purchaser, with the consent of the Property Owner, has submitted an application to the city to re-zone the Property from B-8 (Commercial) to Planned Businesses Development (PBD), and

WHEREAS, the Property to be re-zoned is more than ten contiguous acres, consisting of approximately 12.00 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. The foregoing recitals are incorporated herein as the findings of the City Commission.

SECTION TWO. 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, to change the zoning designation of the property described and depicted on Exhibit “A” from B-8 (Commercial) to Planned Business Development (PBD) as shown and depicted in Exhibit “B”.

SECTION THREE. The re-zoning hereby approved shall become effective subject to and on the date the Applicant/Contract Purchaser acquires ownership-title to the Property. The Applicant/Contract Purchaser shall provide to the city a copy of the deed of conveyance. The re-zoning hereby approved shall not become effective, and said approvals shall be deemed to be null and void and shall have no legal force or effect, in the event the Applicant/Contract Purchaser fails to acquire ownership-title to the Property or in the event the contract between the Applicant/Contract Purchaser and the Property Owner is terminated or expires without the conveyance of the Property to the Applicant/Contract Purchaser.

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 18th day of January, 2022.

PASSED UPON at the second reading of the City Commission, this 1st day of February, 2022.

BILL PARTINGTON
Mayor

ATTEST:

SUSAN CARROLL DAUDERIS
City Clerk

EXHIBIT "A"
PAGE 1 OF 2

LEGAL DESCRIPTION

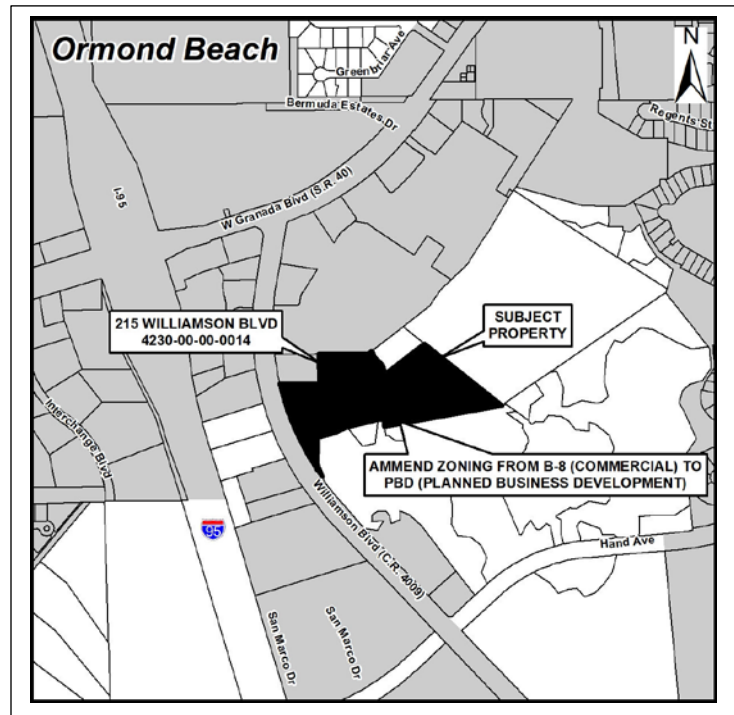
A PORTION OF SECTION 30, TOWNSHIP 14 SOUTH, RANGE 32 EAST, VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: AS A POINT OF REFERENCE, COMMENCE AT A CONCRETE MONUMENT MARKING THE SOUTH ONE-QUARTER CORNER OF SAID SECTION 30; THENCE RUN NORTH 89°30'28" WEST, ALONG THE SOUTH LINE OF SAID SECTION 30, A DISTANCE OF 484.54 FEET TO A POINT THEREIN; THENCE, DEPARTING SAID SECTION LINE, RUN NORTH 32°27'31" WEST A DISTANCE OF 163.57 FEET; THENCE RUN NORTH 17°49'13" WEST A DISTANCE OF 318.80 FEET; THENCE RUN NORTH 18°20'40" WEST A DISTANCE OF 103.32 FEET; THENCE RUN SOUTH 77°31'10" WEST A DISTANCE OF 3.29 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE SOUTH 77°31'10" WEST A DISTANCE OF 37.17 FEET TO THE NORTHEASTERLY CORNER OF AREA "L", A DESCRIBED IN OFFICIAL RECORDS BOOK 3779, PAGE 4373, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE RUN SOUTH 78°34'22" WEST (SOUTH 78°33'43" WEST PER DEED), ALONG THE NORTH LINE OF SAID AREA "L", A DISTANCE OF 214.89 FEET TO THE NORTHWESTERLY CORNER THEREOF, SAID POINT ALSO LYING IN THE SOUTH LINE OF THE 15 FOOT ACCESS EASEMENT KNOWN AS EASEMENT "W" AND BEING DESCRIBED IN OFFICIAL RECORDS BOOK 3779, PAGE 4410, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE RUN WESTERLY AND SOUTHERLY, ALONG THE SOUTHERLY LINE OF SAID EASEMENT "W", THE FOLLOWING COURSES AND DISTANCES: SOUTH 61°44'28" WEST (SOUTH 61°43'41" WEST PER DEED) A DISTANCE OF 93.77 FEET; THENCE RUN SOUTH 76°01'52" WEST (SOUTH 76°01'05" WEST PER DEED) A DISTANCE OF 117.88 FEET; THENCE RUN SOUTH 02°18'45" WEST (SOUTH 02°17'58" WEST PER DEED) A DISTANCE OF 115.36 FEET; THENCE RUN SOUTH 03°13'28" EAST (SOUTH 03°14'15" EAST PER DEED) A DISTANCE OF 61.75 FEET; THENCE RUN SOUTH 19°44'01" EAST (SOUTH 19°44'48" EAST PER DEED) A DISTANCE 136.51 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF THE 130 FOOT WIDE RIGHT-OF-WAY OF WILLIAMSON BOULEVARD, SAID POINT LYING IN A CURVE, CONCAVE EASTERLY, AND HAVING A RADIUS OF 1830.08 FEET; THENCE RUN NORTHERLY AND WESTERLY, ALONG SAID CURVED RIGHT-OF-WAY LINE, A DISTANCE OF 716.60 FEET, OR THROUGH AN CENTRAL ANGLE OF 22°26'06", HAVING A CHORD DISTANCE OF 712.03 FEET AND A CHORD BEARING OF NORTH 25°16'48" WEST, TO A POINT THEREIN; THENCE, DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE, RUN NORTH 89°56'42" EAST A DISTANCE OF 272.16 FEET; THENCE RUN NORTH 04°04'04" WEST A DISTANCE OF 200.49 FEET TO A POINT IN THE SOUTHERLY LINE OF ORMOND TOWNE SQUARE, AS DESCRIBED IN WARRANTY DEED FROM PATRICIA LAGONI, TRUSTEE, TO THE FAISON-SOFRAN PARTNERSHIP, AS RECORDED IN OFFICIAL RECORDS BOOK 3779, PAGE 4422, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE RUN NORTH 89°56'42" EAST (NORTH 89°55'55" EAST PER DEED), ALONG THE SOUTHERLY LINE OF SAID ORMOND TOWNE SQUARE, A DISTANCE OF 326.31 FEET TO A CONCRETE MONUMENT IN SAID SOUTHERLY LINE; THENCE RUN NORTH 52°24'56" EAST (NORTH 52°25'11" EAST PER DEED), CONTINUING ALONG SAID SOUTH LINE OF ORMOND TOWNE SQUARE, A DISTANCE OF 48.52 FEET TO A POINT THEREIN, SAID POINT BEING THE NORTHWESTERLY CORNER OF AREA "K", AS DESCRIBED IN OFFICIAL RECORDS BOOK 3779, PAGE 4381, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE, DEPARTING THE SOUTH LINE OF SAID ORMOND TOWNE SQUARE AND ALONG THE WESTERLY LINE OF SAID AREA "K", RUN SOUTH 20°35'09" EAST (SOUTH 20°34'54" EAST PER DEED) A DISTANCE OF 40.46 FEET; THENCE RUN SOUTH 43°13'00" EAST (SOUTH 43°12'45" EAST PER DEED), ALONG SAID WESTERLY LINE, A DISTANCE OF 85.30 FEET; THENCE RUN SOUTH 14°10'46" EAST (SOUTH 13°17'25" EAST PER DEED), ALONG SAID WESTERLY LINE, A DISTANCE OF 55.05 FEET (55.31 FEET PER DEED) TO THE SOUTHWESTERLY CORNER OF SAID AREA "K"; THENCE CONTINUE NORTH 52°23'55" EAST (NORTH 52°25'11" EAST PER DEED), ALONG THE SOUTHERLY LINE OF SAID AREA "K", A DISTANCE OF 335.64 FEET (336.59 FEET PER DEED) TO THE SOUTHEASTERLY CORNER THEREOF, SAID POINT LYING IN THE WESTERLY LINE OF THAT PARCEL OF LAND DEEDED FROM PATRICIA LAGONI, AS TRUSTEE, TO THE COUNTY OF VOLUSIA, AS DESCRIBED IN OFFICIAL RECORDS BOOK 3779, PAGE 4430, OF THE PUBLIC RECORDS VOLUSIA COUNTY, FLORIDA; THENCE RUN SOUTH 51°35'00" EAST (SOUTH 51°34'45" EAST PER SAID DEED) A DISTANCE OF 613.82 FEET TO A POINT THEREIN; THENCE, DEPARTING SAID WESTERLY LINE, RUN SOUTH 77°31'10" WEST A DISTANCE OF 749.30 FEET; THENCE RUN NORTH 25°32'51" WEST A DISTANCE OF 51.33 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION.

TOGETHER WITH NON-EXCLUSIVE EASEMENTS FOR THE BENEFIT OF THE ABOVE DESCRIBED PARCEL AS CREATED BY AND SET FORTH IN THAT CERTAIN DECLARATION OF RECIPROCAL EASEMENTS AND RESTRICTIVE COVENANTS BETWEEN PATRICIA LAGONI, AS TRUSTEE PURSUANT TO THAT TRUST DATED OCTOBER 6, 1988, DESIGNATED AS TRUST NO. IDI-1, AND REGAL CINEMAS, INC., A TENNESSEE CORPORATION, RECORDED JANUARY 26, 1996 IN OFFICIAL RECORDS BOOK 4073, PAGE 873.

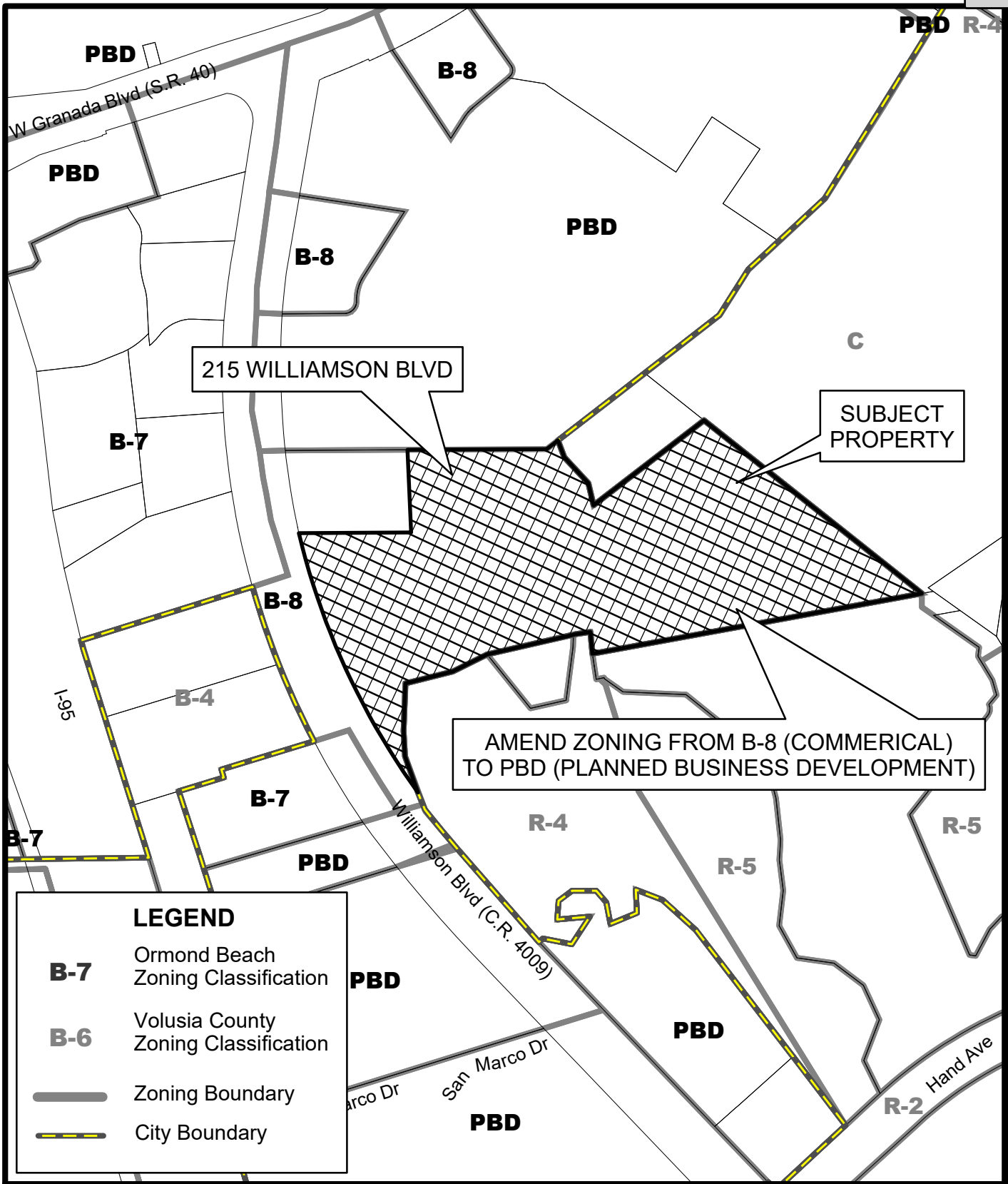
ALSO TOGETHER WITH NON-EXCLUSIVE EASEMENTS FOR THE BENEFIT OF THE ABOVE DESCRIBED PARCEL AS CREATED BY AND SET FORTH IN THAT CERTAIN TEMPORARY CONSTRUCTION AND PARKING/RETENTION AREA STABILIZATION EASEMENT BETWEEN PATRICIA LAGONI, AS TRUSTEE PURSUANT TO THAT TRUST DATED OCTOBER 6, 1988, DESIGNATED AS TRUST NO. IDI-1, AND IN FAVOR OF REGAL CINEMAS, INC., A TENNESSEE CORPORATION, RECORDED JANUARY 26, 1996 IN OFFICIAL RECORDS BOOK 4073, PAGE 905.

EXHIBIT "A"
PAGE 2 OF 2

LOCATION MAP

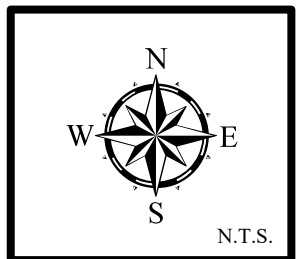


PARCEL ID: 4230-00-00-0014
OWNER: REGAL CINEMAS, INC., A TENNESSEE CORPORATION
APPLICANT: 215 WILLIAMSON INVESTORS, LLC, A FLORIDA LIMITED LIABILITY COMPANY
PBD ADDRESS: 215 WILLIAMSON BOULEVARD, ORMOND BEACH, FL 32174



PROPOSED ZONING MAP
215 WILLIAMSON BLVD
(4230-00-00-0014)

Prepared By: City of Ormond Beach
G.I.S. Department 11/5/2021



STAFF REPORT

City of Ormond Beach Department of Planning

DATE: November 29, 2021

SUBJECT: 215 Williamson Boulevard, Regal Center: Zoning Map Amendment to PBD

APPLICANT: 215 Williamson Investors LLC, with authorization of the property owner, Regal Cinemas, Inc.

NUMBER: PBD 2022-002(A)

PROJECT PLANNER: Steven Spraker, AICP, Planning Director

INTRODUCTION: This is a request by 215 Williamson Investors LLC, with authorization of the property owner, Regal Cinemas, Inc., for a zoning map amendment from B-8 (Commercial) to PBD (Planned Business Development) and the issuance of a development order. The Planned Business Development zoning map amendment seeks to: (1) create an outparcel along Williamson Boulevard, (2) allow additional uses within the Planned Business Development, and (3) create a framework for future redevelopment. The subject property is approximately 12.00 acres and is located at 215 Williamson Boulevard. This staff report, item A, is for the zoning map amendment and the next staff report, item B, is for the issuance of the development order. The subject property is shown below.

EXHIBIT 1: Project location, 215 Williamson Boulevard



BACKGROUND: The subject property has a land use of “Commercial” and a B-8 (Commercial) zoning designation. The property was annexed into the City of Ormond Beach on December 5, 1995 with Ordinance 95-170. The property had a Volusia County development order to construct a 12-screen movie theater that was transferred into the City of Ormond Beach. The movie theater was constructed in 1996. The movie theater use was impacted by the COVID-19 pandemic and the property has been listed for sale. The applicant is the contract purchaser of the property.

The site development for the movie theater use is unique. Site characteristics of the property include the following:

1. Along Williamson Boulevard, the property has a Greenbelt buffer of 36’;
2. Two stormwater ponds exist on either side of the access aisle for the property;
3. A pole sign exists based on the landscape buffer and the location of the building at the rear of the site;
4. There is a large parking lot designed to serve the peak usage of the movie theater use; and
5. The two-story building is 39,368 square feet and approximately 50’ in height. The building is located in the rear of the property.

The following are the abutting uses to the subject properties:

Exhibit 2: Abutting land use and zoning designations

Land Use and Zoning Designations of Adjacent Property			
	Current Land Uses	Future Land Use Designation	Zoning Classification
North	Tire Kingdom & Ormond Towne Square	“Commercial”	B-8 (Commercial)
South	Vacant land – Daytona Beach	Daytona Beach “Level 2 Residential” and Volusia County “Urban Medium Intensity”	Daytona Beach Planned Development & Volusia County C (Conservation)
East	Vacant conservation land	Volusia County “Urban Medium Intensity”	Volusia County C (Conservation)
West	Commercial uses	“Tourist Commercial” and Volusia County “Commercial”	B-7 (Highway Tourist Commercial) and Volusia County B-4

The applicant has identified the following challenges in the redevelopment of the existing property which has led to the requested zoning map amendment:

1. Configuration of the theater facility does not lend itself to any type of big box retailer;
2. Renovations necessary to the theater's sloped floors so that they are at grade level with the balance of the building;
3. The extraordinary set back of the existing theater building from Williamson Boulevard diminishes visibility from the road for future use;
4. The 620 existing parking spaces which would not be necessary under most redevelopment uses;
5. Limited road frontage and visibility for the entire property from all sides; and
6. Demolition of the 2,300 theater seats and structural components.

For the purpose of the redevelopment site plan, the subject property into six (6) parcels or areas. It is important to note that these are not tax parcels. The parcels are useful for the understanding the redevelopment purpose of each area. The parcels are described further in item B, the issuance of the development, and are as follows:

- A. Parcel 1: Outparcel of 1.31 acres along Williamson Boulevard. This is the area where the stormwater pond would be relocated.
- B. Parcel 2: Existing stormwater pond south of the access drive. This stormwater pond area is proposed to be cleaned up and a fountain installed. There are no changes in the use of this area.
- C. Parcel 3: Existing parking field for the former theater use. Parcel 3 is 3.63 acres. Parcel 3 would be developed into a future use. The Planned Development seeks to allow the B-8 uses and additional uses within the development order.
- D. Parcel 4: Existing former movie theater building of 39,368 square feet. Parcel 4 is 4.43 acres and includes some parking. The building is proposed to be redeveloped. The Planned Development seeks to allow the B-8 uses and additional uses within the development order.
- E. Parcel 5: This area is the relocated stormwater pond and is 1.87 acres.

ANALYSIS:

The project seeks two actions:

- A. **Zoning map amendment from B-8 (Commercial) to Planned Business Development. The zoning map amendment is the action sought for this staff report.**
- B. Issuance of a development order to (1) create an outparcel along Williamson Boulevard, (2) allow additional uses within the Planned Business Development, and (3) create a framework for future redevelopment.

This report seeks to review the zoning map amendment. 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.”

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 proposed action is a zoning map amendment from B-7 (Highway Tourist Commercial) with a Planned Business Development overlay to Planned Business Development. This item does not approve a specific development plan which is reviewed with the development order item. The zoning map amendment will not adversely affect public health, safety, welfare or the quality of life. The Planned Business Development zoning classification is consistent with the Interchange Boulevard area.

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

The property is designated as “Commercial” on the City’s Future Land Use Map (FLUM). The proposed development is consistent with the Comprehensive Plan. Specifically, the Future Land Use Element of the Comprehensive Plan states:

General Commercial (GC)

Purpose: A multi-use land use category to provide for the sales of retail goods and services, high density multi-family, professional offices and services, and restaurants, depending on the range of population to be served and the availability of transit. 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: 0.7 (2.0 within the Downtown Community Redevelopment area)

The “Commercial” land use designation specifically envisions commercial uses. The redevelopment of this property has certain challenges that include (1) a lack of roadway visibility, the large parking field, and the existing building structure. The location is appropriate for commercial uses and 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 property is an existing developed site. There are no wetlands on-site. The project 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 zoning action does not approve a specific development plan and this criterion 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 map amendment establishes the framework for the development order (next agenda item) that details the specific development approval. The zoning map amendment seeks to allow the framework for a commercial use consistent with the land use designation.

The proposed project is consistent with the property’s land use designation and zoning classification and will not depreciate the value of surrounding property. The project will not 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.**

The zoning map amendment establishes the framework for the development order (next agenda item) that details the specific development approval. There are adequate public facilities to serve the proposed development, including roads, sidewalks, bike paths, potable water, wastewater treatment, drainage, fire and police safety, parks and recreation facilities, schools, and playgrounds. It is expected that redevelopment uses would have less facility impacts than a movie theater.

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 traffic patterns for the redevelopment of this property shall be reviewed with the individual site plans once the final uses are determined. The purpose of this item is to provide the zoning framework to allow uses that would fit and be appropriate for this property. Based on the *ITE Trip Generation Manual* the movie theater use would generate 3,074 average daily trips with 243 trips in the P.M. peak hour. Redevelopment uses are expected to have a lower trip generation. It is not expected that the project access points would be altered.

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 functional use of space would be reviewed as part of the development order agenda item.

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 site plan (development order item) would review 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.

The zoning map amendment establishes the framework for the development order (next agenda item) that details the specific development approval. The site plan (development order item) would review the use of materials and architectural features.

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 zoning map amendment 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-8 (Commercial) to 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 or subdivision of land, but instead a framework for these zoning actions. It is recommended that the Planning Board recommend **APPROVAL** of the zoning map amendment for a 12.00± acre property from B-8 (Commercial) to Planned Business Development.

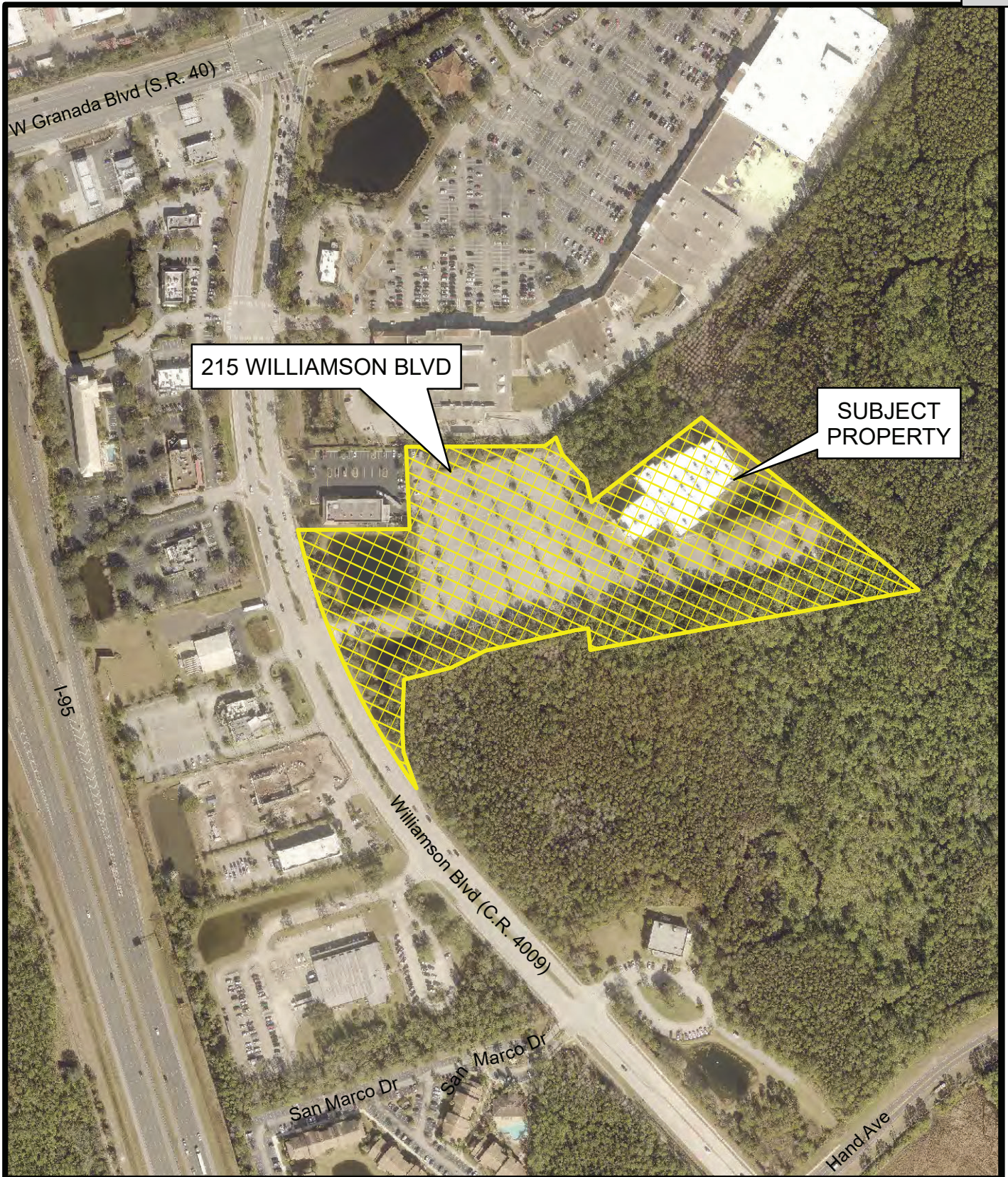
The project is tentatively scheduled for the City Commission on January 18, 2022 (first reading) and if approved on first reading, the second reading will be on February 1, 2022 (final reading).

Attachments:

- Attachment 1: Location, aerial, land use maps and site pictures
- Attachment 2: Zoning map of the amendment

ATTACHMENT 1

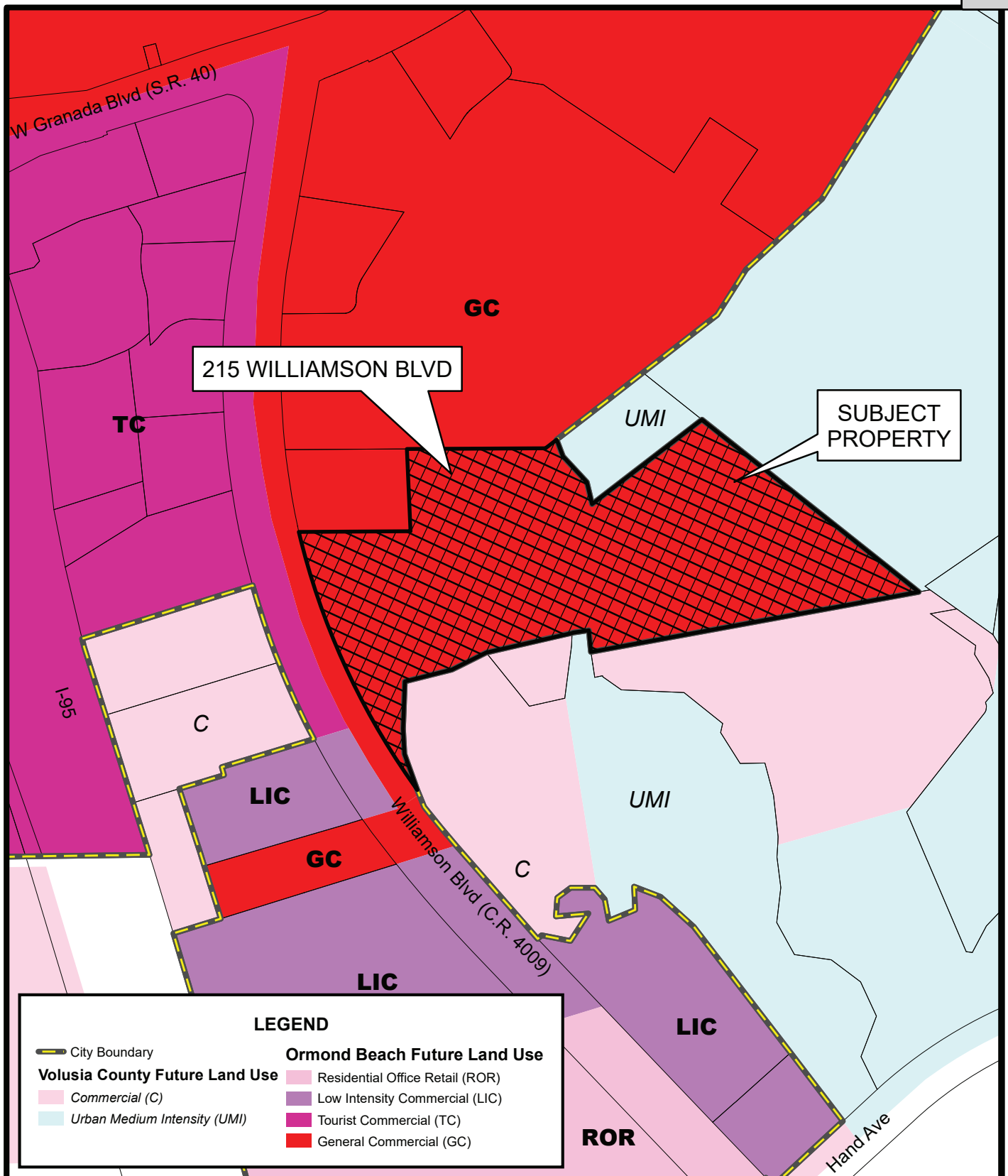
Location, aerial, land use
maps and site pictures



AERIAL MAP
215 WILLIAMSON BLVD
(4230-00-00-0014)

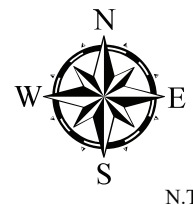
Prepared By: City of Ormond Beach
 G.I.S. Department 11/5/2021

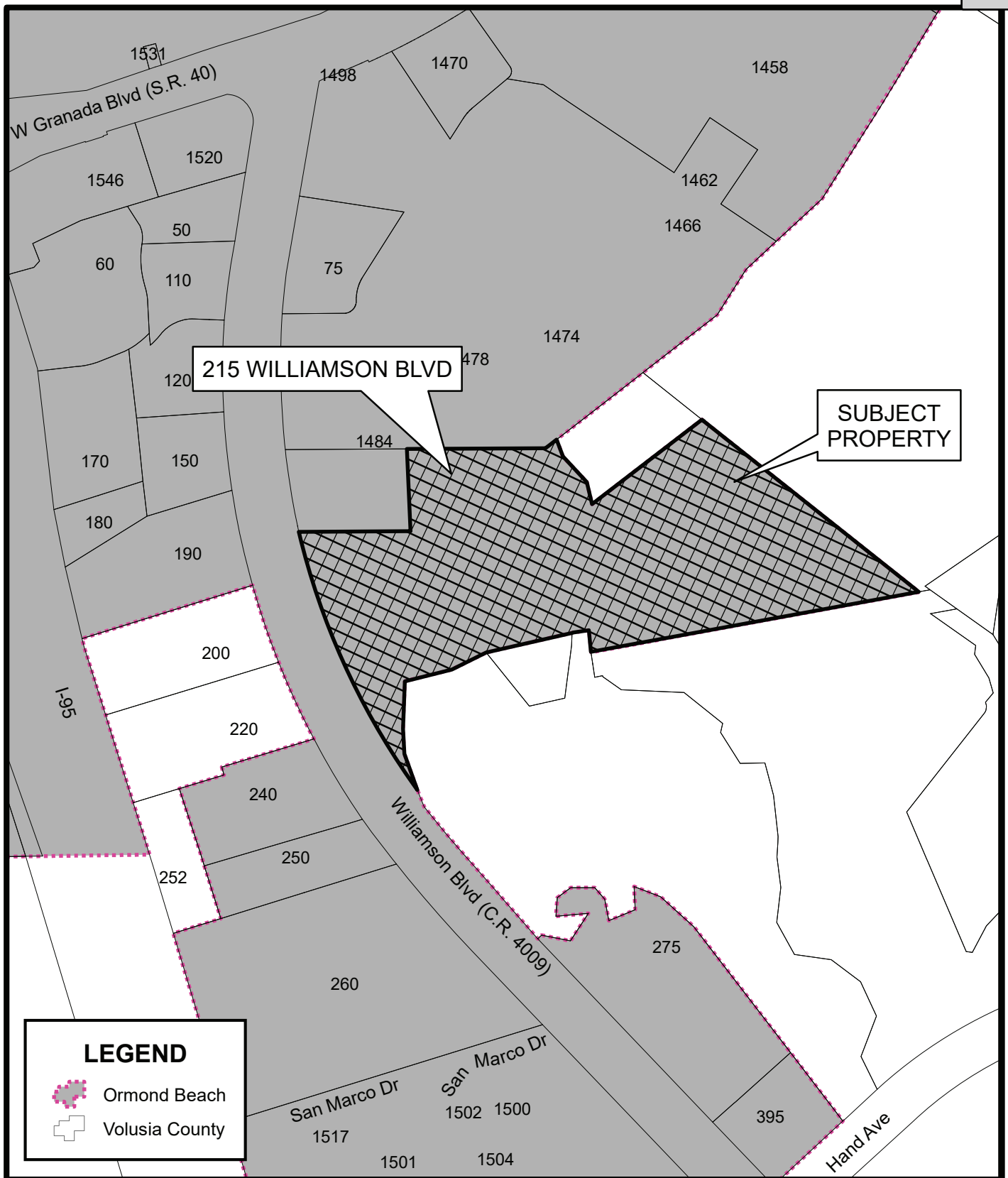




**FUTURE LAND USE MAP
215 WILLIAMSON BLVD
(4230-00-00-0014)**

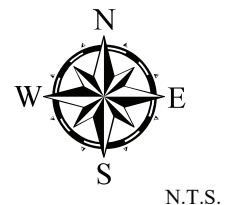
Prepared By: City of Ormond Beach
G.I.S. Department 11/5/2021





LOCATION MAP
215 WILLIAMSON BLVD
(4230-00-00-0014)

Prepared By: City of Ormond Beach
 G.I.S. Department 11/5/2021







Existing sign proposed to be renovated



Parcel 1 (outparcel) from Williamson Boulevard

Parcel 1 (outparcel) from the access drive

8.C.d

Tire Kingdom



Parcel 2 (existing stormwater pond) from the access drive

8.C.d





Parcel 3 (existing parking area)



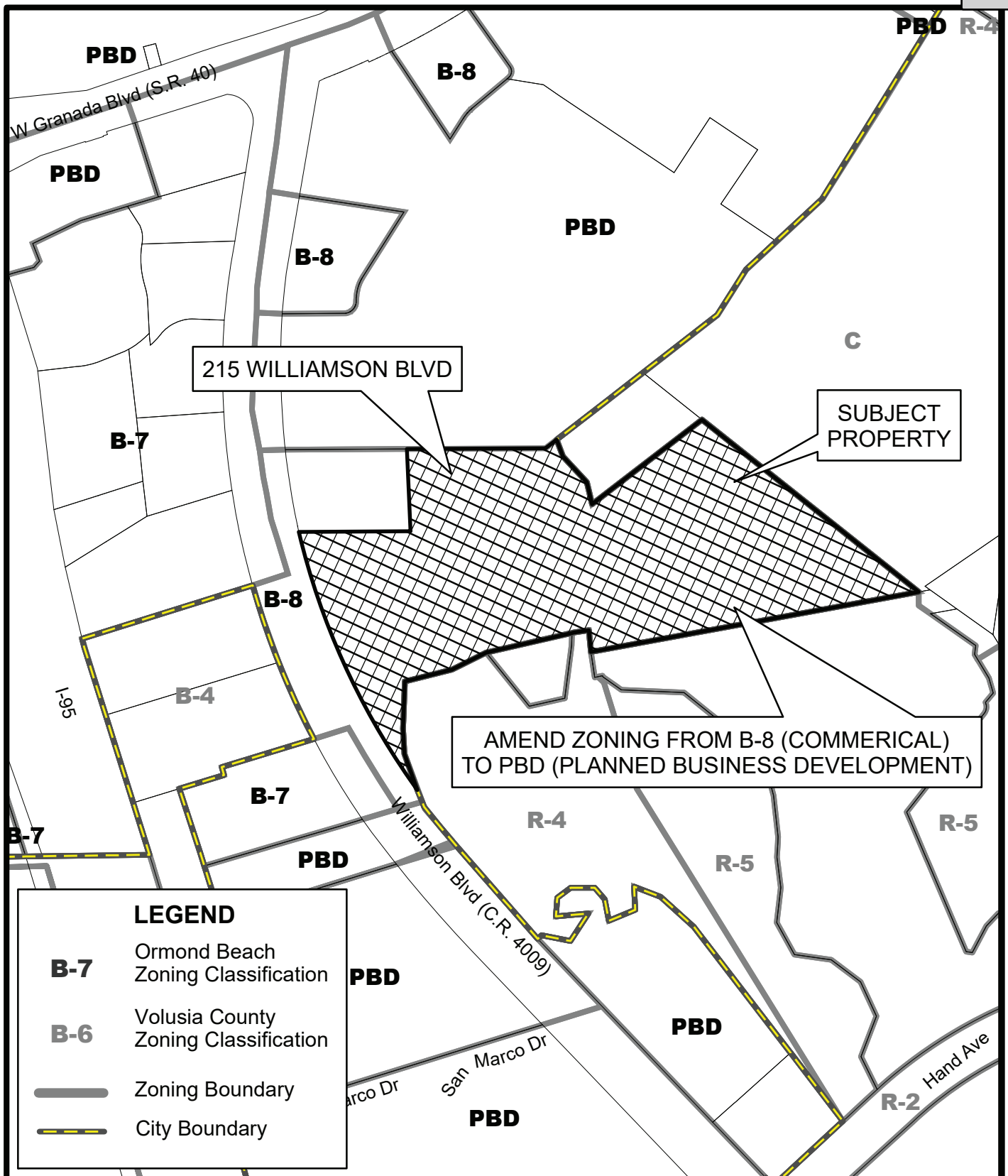
Parcel 4 (existing building)



Parcel 5 (proposed stormwater area)

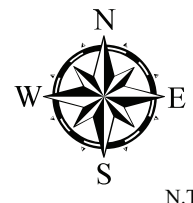
ATTACHMENT 2

Zoning map of the
amendment



PROPOSED ZONING MAP
215 WILLIAMSON BLVD
(4230-00-00-0014)

Prepared By: City of Ormond Beach
 G.I.S. Department 11/5/2021



December 9, 2021

DRAFT

**Planning Board
minutes**

**Regal Center, Zoning and Issuance
of a Development Order**

Ms. Shull stated it is not the applicant's responsibility to take care of the other properties. Chairman Thomas replied that staff stated that the project must accept the flow that is occurring onto their property as well as their own water and retain it on-site.

Ms. Shull asked how much fill is required to bring the site up for development. Mr. Spraker answered that the fill information is part of the preliminary plat, construction drawings that would be provided to the Planning Board at a future date. The grading and filling information is not required at the zoning review of the subdivision development.

Mr. Jorczak sought to confirm that the construction drawings would be provided to the Planning Board. Mr. Spraker confirmed that the Planning Board and City Commission would both review and act upon the preliminary plat, construction drawings. Mr. Galloway stated that the Board would be moving it to get to the next stage of the subdivision development. Ms. Tolland commented that to allow it to move forward determines the site design and the Planning Board is only reviewing consistency at that point. She recalled that a speaker, Ms. Herrero, stated that once it is done, it cannot be undone. Ms. Tolland concluded that she wants to go carefully and commented that she is not 100 percent there.

Mr. Scudiero stated that he still has traffic concerns and does not believe that there is evidence there that this project will better the flooding issues with water. We know the project will not make traffic better. He continued that he is not against growth, it is just that this is the wrong time for this project. Mr. Scudiero stated that government owes it to its citizenry to make all of this stuff right before they come asking for other things to be approved.

Chairman Thomas asked for a motion.

Mr. Scudiero motioned to deny PRD 2021-067: Tattersall at Tymber Creek, Issuance of a Development Order. Ms. Shull seconded it. Vote was called, and the motion was denied (5-1), with Mr. Galloway opposed.

Chairman Thomas thanked those individuals who attended. A recess for five minutes was taken.

B. PBD 2022-002(A) – Zoning Map Amendment – 215 Williamson Boulevard, Regal Cinema Ormond

Mr. Steven Spraker, Planning Director, stated that PBD 2022-002(A) is a request submitted by 215 Williamson Investors LLC, with authorization of property owner, Regal Cinemas, Inc., for a zoning map amendment from B-8 (Commercial) to Planned Business Development (PBD) and the issuance of a development order. The PBD zoning map amendment seeks to (1) create an outparcel along Williamson Boulevard, (2) allow additional uses within the PBD, and (3) create a framework for future redevelopment. The subject property is 12.00± acres. Mr. Spraker stated that items B and C would be presented together.

Mr. Spraker displayed an aerial and described the property and the surrounding uses. He stated that the site plan divided the project area into five parcels as described below:

Parcel 1: Outparcel of 1.31 acres along Williamson Boulevard. This is the area where the stormwater pond would be relocated.

Parcel 2: Existing stormwater pond south of the access drive. This stormwater pond area is proposed to be cleaned up and a fountain installed. There are no changes in the use of this area.

Parcel 3: Existing parking field for the former theater use. Parcel 3 would be developed into a future use. The Planned Development seeks to allow the B-8 uses and additional uses within the development order.

Parcel 4: Existing former movie theater building of 39,368 square feet. The building is proposed to be redeveloped. The Planned Development seeks to allow the B-8 uses and additional uses within the development order.

Parcel 5: This area is the relocated stormwater pond and is 1.87 acres.

Mr. Spraker continued that there are three reasons for the Planned Business Development (PBD):

1. To allow the existing pylon sign for future users based on the limited visibility from the roadway;
2. To allow a building height of 50' for parcels 3 and 4. The existing building is 50' in height.
3. To allow certain uses on parcels 3 and 4 for the redevelopment. The actual use would go back through the Site Plan Review Committee (SPRC). Mr. Spraker stated that the sexually orientated business was prohibited and a pharmacy use was added to the outparcel.

Mr. Spraker noted that Planning staff had concern with the RV and Boat storage requested based on the future applications across the city. He stated that staff is recommending approval of the applications and that no end users have been identified to date.

Mr. Paul Holub, applicant, managing member of 215 Williamson Investors, LLC., thanked the Planning Board for allowing this application to be heard. Mr. Holub stated that they redeveloped a Regal Cinema in Port Orange about ten years ago but it was a different situation with more frontage to the roadway. He commented that the redevelopment of this site is going to be more difficult based on the location of the building, the parking field, and the size of the existing building. Mr. Holub stated that they agree with staff on all items except the RV and Boat storage that would include covered and uncovered parking. He added that they hired a consultant for potential uses and a need for this use was discovered. The Planned Business Development (PBD) allows the ability to take any use within the Land Development Code (LDC) and incorporate it within a development order. Mr. Holub stated that the uses for the project are still being considered and no final uses have been decided. The outdoor storage is a needed use within the city. He explained that the potential outdoor storage would be screened by the rear of Ormond Town Square and wetlands/conservation area.

Mr. Holub reviewed pictures of the site and stated that there have been homeless issues on the property. Their goal is to clean up the property and redevelop the property into commercial uses. He detailed the site plan and the configuration of the stormwater areas.

Mr. Jorczak asked how the stormwater would get relocated. Mr. Holub replied that the back would be excavated for the back pond and then would fill the front pond.

The project has had a preliminary meeting with the St. Johns River Water Management District staff. Mr. Holub stated the water would be transferred through the existing drainage system via gravity. The pond at the front on the south side of the drive aisle would be cleaned and a fountain added.

Ms. Shull asked about the RV and Boat storage. Mr. Holub explained that they would be the developer of the RV and Boat storage if that use is selected. The project would have some covered and some uncovered parking areas, fenced and well landscaped. Ms. Shull inquired if the existing building would be used for RV and Boat storage. Mr. Holub answered that the existing building would be separate and one potential use would be indoor storage. He stated that the storage uses were in place and that there are no other uses or back up plans, as part of the redevelopment.

Chairman Thomas asked if the existing building concept for storage would be similar to Hyde Park. Mr. Holub confirmed that storage would be similar and stated the beauty of this building is that it is built to withstand anything, a fortress. He continued that it was designed that way because of the 2,300 occupants it could hold. Attributes include block construction, fire sprinklers, steel trusses, newer roof and air conditioning units.

Ms. Shull asked if the pond could be left in the front (parcel 1) and develop the rear with the RV and Boat storage. Mr. Holub replied that the RV and Boat storage would be in the existing parking field. He reiterated that the final uses have not been determined and that it really depends on the market as far as what could be developed. Mr. Holub stated that a hotel chain has also looked at the property and expressed how there are a lot of moving parts. He highlighted that any redevelopment would be a substantial reduction in project trips from the movie theater use. Mr. Holub concluded that if a RV and Boat storage use occurred, it would be well screened and not impact infrastructure such as water and sewer.

Ms. Tolland asked how that RV and Boat storage use would not be visible. Mr. Holub stated that the Discount Tire access would remain and that the outdoor storage would be fenced with decorative aluminum fencing along with perimeter landscaping. Mr. Holub added that property abuts the back of the shopping center and wetlands to the east and south.

Mr. Scudiero inquired about the outparcel and potential uses. Mr. Holub stated that the outparcel would meet all city standards, such as the Greenbelt landscape buffer and the perimeter buffers. There have been several concept plans including a sit-down restaurant, quick service restaurant with a drive-through, and a retail building. Mr. Holub stated that there has been interest in the outparcel. Mr. Holub commented that the easiest part of the project is the outparcel with the parking field redevelopment being a challenge.

Mr. Jorczak asked how long the rental agreement would run for. Mr. Holub responded that there are varying parking space dimensions. The leases are typically three to six months as short-term leases. Mr. Jorczak asked what the capacity would be for the RV and Boat parking use. Mr. Holub estimated between 170 and 180 parking spaces depending on space sizes. Mr. Jorczak commented that the traffic impact was small. Mr. Holub confirmed that the traffic impact would be substantially reduced to virtually nothing and stated that the RV and Boat parking use is a placeholder at this time in case other uses cannot be completed.

Mr. Galloway stated that he is aware of several properties that are having retention ponds relocated to more appropriate locations on property. He continued that he is all for the relocation of the stormwater pond for the outparcel. Mr. Galloway mentioned the Stor-It property as an example of covered RV and Boat parking. He commented that it is a great use for a property that needs to be redeveloped.

Chairman Thomas asked if there had been any opposition to this project. Mr. Spraker responded that staff has not received any form of opposition to this project.

Ms. Tolland asked about the property to the south along Williamson Boulevard and if it is buildable. Mr. Holub stated that the property south of the property is in the City of Daytona Beach and he believes it has conservation zoning on it. There was a discussion about surrounding properties and the appropriateness of the requested uses under consideration.

Mr. Jorczak motioned to approve PBD 2022-002(A) – Zoning Map Amendment – 215 Williamson Boulevard, Regal Cinema Ormond. Mr. Galloway seconded it. Vote was called, and the motion was approved (6-0).

C. PBD 2022-002(B) – Issuance of a Development Order – 215 Williamson Boulevard, Regal Center Ormond

Mr. Steven Spraker, Planning Director, stated that he had no additional material other than what was presented in item B. He added that if there is a desire to allow RV and Boat storage, then the motion should include this use.

Mr. Galloway asked why this application is in two separate items. Attorney Hayes answered that one item is a zoning action and the second item is for the issuance of a development order.

Mr. Jorczak asked the reasoning for not supporting the RV and Boat storage use. Mr. Spraker stated that the RV and Boat storage use is only allowed in the industrial zoning district and how introducing this use with this project opens the door for other future applications. Mr. Jorczak asked if we are opening a door. Mr. Spraker replied that a door is being opened, but the Planning Board and City Commission control the door through the planned development process. Attorney Hayes stated that the planned development is really talking about potential uses.

Mr. Galloway asked if the site plan for a particular use would come back to the Planning Board. Mr. Spraker stated that the uses are being determined through the Planned Development process and the individual site plans would be reviewed and approved by the Site Plan Review Committee (SPRC). Mr. Spraker stated that the Planned Development is for the uses. Mr. Spraker stated that of all the sites this one is the most appropriate based on the roadway screening for RV and Boat storage. With this approval there may be more applications for the RV and Boat storage use.

Chairman Thomas stated that on the bad side there is a risk of additional applications but on the good side there is a significant reduction of traffic impacts. Mr. Spraker concurred that there would be less of a traffic impact with redevelopment of this site. Chairman Thomas also stated that this site is unique with the large setbacks and lack of visibility. Chairman Thomas concluded that he has no problem with the RV and Boat storage use.

Mr. Scudiero stated that other applications for a RV and Boat storage use could be reviewed on the benchmarks established here. Ms. Tolland stated that the location of the RV and Boat storage use should be considered. The Board agreed that there is a

need for RV and Boat storage. Chairman Thomas reiterated that the RV and Boat storage use is a traffic reduction. Mr. Galloway mentioned the storage use on Granada Boulevard is set off the roadway which is appropriate. Mr. Scudiero concluded that it is important to remember this is a redevelopment that is seeking to utilize the existing site characteristics.

Mr. Scudiero remarked on the existing sign. Mr. Holub stated that the sign would be refurbished. He commented that whatever is done to the project would be done first class no matter what the final uses turn out to be. Mr. Holub concluded that this is a very unusual parcel.

Ms. Shull asked when the PBD is used in this application what it does to the B-8 zoning. Mr. Spraker responded that it incorporates the uses within the B-8 zoning district into the PBD development order. Ms. Shull asked if a PBD can be done in other areas. Mr. Spraker responded that the PBD is available in all commercial zoning districts and any use in the Land Development Code (LDC) can be incorporated.

Ms. Shull asked Mr. Holub about the status of the Granada Pointe development. Mr. Holub stated that project had fill in the floodplain and a required compensating storage pond was constructed. He indicated that there is an approved site plan for a retail center for the land between the car wash and the WaWa. There have been issues with securing the building materials for this building. A grocery chain is looking at the site west of Tomoka Avenue and on the north side for a national coffee chain and a dental office.

Mr. Galloway expressed appreciation for local investors redeveloping property within Ormond Beach.

Chairman Thomas asked for a motion.

Ms. Tolland motioned to approve PBD 2022-002(B) – Issuance of a Development Order – 215 Williamson Boulevard, Regal Center Ormond. Mr. Jorczak seconded it. Ms. Tolland clarified that the motion was for the applicant's request that included the RV and Boat storage use. Mr. Jorczak agreed to the clarification. Vote was called, and the motion was approved (6-0).

D. PP 2022-004 – Preliminary Plat – 100 North Halifax Drive

Mr. Steven Spraker, Planning Director, stated that PP 2022-004 – preliminary plat – 100 North Halifax Drive is a request submitted by Ms. Nancy Lohman, Halifax Enterprises, LLC for a 1.48-acre property located at 100 North Halifax Drive for a twelve-unit townhome development called the Cupola at Oceanside.

Mr. Spraker stated the project has approved construction plans and is undergoing a subdivision of land with the preliminary plat. Mr. Spraker stated that the preliminary plat is consistent with the Planned Residential Development (PRD) and staff is recommending approval.

Mr. Cody Bogart, Newkirk Engineering stated he is part of the design team and is representing Ms. Lohman who is receiving a planetarium dedication tonight with her husband. Mr. Bogart stated he is available for any questions.

Mr. Galloway asked why this is in front of the Board. Mr. Spraker explained the three-step subdivision process of (1) Planned Residential Development, (2) preliminary plat, and (3) final plat.



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: January 18, 2022

Subject: 215 Williamson Boulevard (Regal Center), PBD Development Order

Commission Goal: Community Development - Other

Introduction

This is a request by 215 Williamson Investors LLC, with authorization of the property owner, Regal Cinemas, Inc., for a zoning map amendment from B-8 (Commercial) to PBD (Planned Business Development) and the issuance of a development order. The Planned Business Development zoning map amendment seeks to: (1) create an outparcel along Williamson Boulevard, (2) allow additional uses within the Planned Business Development, and (3) create a framework for future redevelopment. The subject property is approximately 12.00 acres and is located at 215 Williamson Boulevard. This item is for the issuance of the development order

Background

The subject property has a land use of "Commercial" and a B-8 (Commercial) zoning designation. The property was annexed into the City of Ormond Beach on December 5, 1995 with Ordinance No. 95-170. The property had a Volusia County development order to construct a 12-screen movie theater that was transferred into the City of Ormond Beach. The movie theater was constructed in 1996. The movie theater use was impacted by the COVID-19 pandemic and the property has been listed for sale. The applicant is the contract purchaser of the property.

The site development for the movie theater use is unique. Site characteristics of the property include the following:

1. Along Williamson Boulevard, the property has a Greenbelt buffer of 36';
2. Two stormwater ponds exist on either side of the access aisle for the property;
3. A pole sign exists based on the landscape buffer and the location of the building at the rear of the site;
4. There is a large parking lot designed to serve the peak usage of the movie theater use; and
5. The two-story building is 39,368 square feet and approximately 50' in height.

The building is located in the rear of the property.

Key attributes of the project include:

1. The site is approximately 12.00 acres.
2. The redevelopment plan proposes to relocate the existing stormwater pond to the north of the driveway access along Williamson Boulevard and create a 1.31 acre outparcel. The stormwater pond relocation would be constructed to the rear of the property.
3. The site plan divides the subject property into five (5) parcels or areas. It is important to note that these are not tax parcels. The parcels are useful for understanding the redevelopment purpose of each area. The parcels, shown on Sheet 6 of ATTACHMENT 4 in the Planning Board Staff Report, are as follows:
 - A. Parcel 1: Outparcel of 1.31 acres along Williamson Boulevard. This is the area where the stormwater pond would be relocated.
 - B. Parcel 2: Existing stormwater pond south of the access drive. This stormwater pond area is proposed to be cleaned up and a fountain installed. There are no changes in the use of this area.
 - C. Parcel 3: Existing parking field for the former theater use. Parcel 3 is 3.63 acres. Parcel 3 would be developed into a future use. The Planned Development seeks to allow the B-8 uses and additional uses within the development order.
 - D. Parcel 4: Existing former movie theater building of 39,368 square feet. Parcel 4 is 4.43 acres and includes some parking. The building is proposed to be redeveloped. The Planned Development seeks to allow the B-8 uses and additional uses within the development order.
 - E. Parcel 5: This area is the relocated stormwater pond and is 1.87 acres.
4. The 12-acre property proposes to be subdivided with a lot split. The outparcel would become the second property.
5. At the southeastern portion of the property, within Parcel 5, there is an existing private easement that restricts a 50-foot area for a natural area. This easement would either need to be modified or the stormwater pond area amended. This is an outstanding Site Plan Review Committee comment.
6. As the property redevelops, a mobility fee credit for the transportation impacts would be applicable. The existing property has a mobility fee value of \$73,753.59 based on the existing use. Proposed uses would have a mobility fee calculated and deducted from the existing credit. The existing building would also have water and sewer impact fee credits based on the number of existing fixtures.
7. Development of individual parcels would be reviewed and permitted by the Site Plan Review Committee (SPRC) based on the uses approved within the Planned Business Development.
8. The dimensional standards of the B-8 zoning district would be applicable.

Discussion

The project is seeking a Planned Business Development based on the following requests:

1. The Planned Development application seeks to allow the existing pylon sign for future users based on the limited visibility from the roadway.
2. The requested height for Parcel 3 (parking lot) and Parcel 4 (existing building) is 50'. The existing building is 50' in height. Note that Parcel 1 (outparcel) would develop under the B-8 dimensional requirements.
3. Uses. To allow the following uses:
Request 1: Parcel 3 (parking lot) and Parcel 4 (existing building). The following uses are sought in addition to the B-8 uses in Section 2-29 of the Land Development Code:
Permitted uses: (1) Car wash/detailing, (2) Warehouse, Storage - Indoor, (3) Warehouse, Business, (4) Outdoor Storage of Automobiles, Boats, RVs and Trailers (covered or uncovered), (5) Transient Lodging, (6) Collector - Exotic & Specialty Vehicle Sales, (7) Museum, (8) Hospital, (9) Pharmacy (Medical Marijuana).
Conditional use: (1) Malted Beverage Producer.
Special Exception use: (1) Telecommunications Tower.
Prohibited use: (1) Sexually Oriented Businesses.
Request 2: Parcel 1 (Outparcel): The following uses are sought in addition to the B-8 uses in Section 2-29 of the Land Development Code:
Permitted uses: (1) Pharmacy (Medical Marijuana).

Planning staff did express concern with the RV and Boat parking use and the introduction of an industrial/outdoor storage use to a commercial corridor.

PLANNING BOARD

The Planning Board recommended approval of the issuance of the development order application. Planning Board members stated that the application and proposed Planned Business Development requests were appropriate based on the property's characteristics. Planning Board members believed that the RV and Boat storage use should be allowed and would be screened based on the abutting uses surrounding the property. A Planning Board member stated it is important to remember this is a redevelopment project that is seeking to utilize the existing site characteristics. Board members also noted that the redevelopment would significantly reduce traffic on the property. There were no individuals who spoke for or against the application.

Budget Impact

There is no anticipated budget impact as the result of the issuance of the development order.

Citizen Impact

The subject property has been vacant for over a year and the application seeks to redevelop the site for commercial uses. The property does not abut residential uses. The redevelopment and prevention of blight is expected to have positive citizen impacts.

Recommendation

It is recommended that the City Commission approve PBD 2022-002(B) that authorizes the issuance of a development order for the Regal Center at 215 Williamson Boulevard to (1) create an outparcel along Williamson Boulevard, (2) allow additional uses within the Planned Business Development, and (3) create a framework for future redevelopment. Within the Planned Business Development, the project would specifically allow:

- a) Pylon Signage. The renovation and rehabilitation of the existing pylon sign as shown in ATTACHMENT 4 of the Planning Board Staff Report;
- b) Building height. Allowance of a building height for Parcel 3 (parking lot) and Parcel 4 (existing building) of 50'.
- c) Uses. To allow the following uses:

Request 1: Parcel 3 (parking lot) and Parcel 4 (existing building). The following uses are sought in addition to the B-8 uses in Section 2-29 of the Land Development Code:

Permitted uses: (1) Car wash/detailing, (2) Warehouse, Storage - Indoor, (3) Warehouse, Business, (4) Outdoor Storage of Automobiles, Boats, RVs and Trailers (covered or uncovered), (5) Transient Lodging, (6) Collector - Exotic & Specialty Vehicle Sales, (7) Museum, (8) Hospital, (9) Pharmacy (Medical Marijuana).

Conditional use: (1) Malted Beverage Producer.

Special Exception use: (1) Telecommunications Tower.

Prohibited use: (1) Sexually Oriented Businesses.

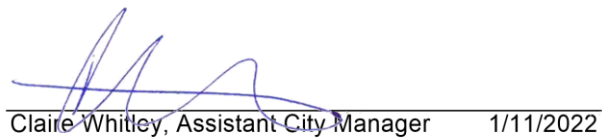
Request 2: Parcel 1 (Outparcel): The following uses are sought in addition to the B-8 uses in Section 2-29 of the Land Development Code:

Permitted uses: (1) Pharmacy (Medical Marijuana).

Subject to the applicant resolving the outstanding Site Plan Review Committee comments. The ordinance is written to allow Outdoor Storage of Automobiles, Boats, RVs and Trailers (covered or uncovered) per the Planning Board's recommendation.

Attachments:

- 22 -03 Regal Center - Development Order (P21-0206G)(PDF)
- Regal Center - Development Order (PDF)
- Exhibit A, Legal Description, 215 Williamson Boulevard (PDF)
- Exhibit B, SPRC Comments, 215 Williamson Boulevard (PDF)
- Exhibit C, Special Conditions, 215 Williamson Boulevard (PDF)
- Exhibit D, Signage, 215 Williamson Boulevard (PDF)
- Exhibit E, Site Plans, 215 Williamson Boulevard (PDF)
- 12.09.2021, Development Order - Regal Center, PB Staff Report, Combined(PDF)
- DRAFT, Planning Board minutes, 12.09.2021 - Regal Center (PDF)

REVIEWED BY:
Kelly McGuire, Finance Director 12/28/2021
Claire Whitley, Assistant City Manager 1/11/2022**APPROVED BY:**
Joyce A. Shanahan, City Manager 1/12/2022

ORDINANCE NO. 2022-03

AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A PLANNED BUSINESS DEVELOPMENT TO BE LOCATED AT 215 WILLIAMSON BOULEVARD, TO BE KNOWN AS THE “REGAL CENTER”; AUTHORIZING AN OUTPARCEL ALONG WILLIAMSON BOULEVARD; ALLOWING ADDITIONAL USES AND CREATING A FRAMEWORK FOR FUTURE REDEVELOPMENT; ESTABLISHING CONDITIONS AND EXPIRATIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, Regal Cinemas, Inc., a Tennessee Corporation authorized to conduct business in Florida, is the owner of real property (“Property Owner”) located at 215 Williamson Boulevard (Volusia County parcel number 4230-00-00-0014), as more particularly described and depicted in Exhibit “A” attached hereto and incorporated herein (“Property”), and

WHEREAS, 215 Williamson Investors, LLC, a Florida limited liability company (“Contract Purchaser”) and the Property Owner have entered into a contract for purchase/sale of the Property, and

WHEREAS, the Contract Purchaser with authorization from the Property Owner, has initiated this Ordinance for the issuance of a Development Order for a Planned Business Development to (1) create an outparcel along Williamson Boulevard, (2) allow additional uses within the Planned Business Development, and (3) create a framework for future redevelopment of the Property, consisting of approximately 12.00 acres, to be known as “Regal Center” as

described and depicted in the Planned Business Development (PBD) Development Order attached hereto and incorporated herein, and

WHEREAS, the Property has been rezoned from B-8 (Commercial) to Planned Business Development (PBD), and

WHEREAS, the proposed Project shall maintain the uses and dimensional standards of the B-8 (Highway Tourist Commercial) zoning district except as otherwise provided in the PBD Development Order, and

WHEREAS, the Planning Board held a public hearing in accordance with Section 1-15(c)(5) of the *Land Development Code*, and has recommended approval of the proposed Development Order for the project, and

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

- (1) The report and recommendations of the Planning Board;
- (2) The report and recommendations of the Site Plan Review Committee;
- (3) The comments of governmental agencies, utility corporations and individuals, as received, and
- (4) The testimony provided at public hearings, including from the City's planning staff, the Applicant, expert witnesses, and persons that may be affected as a result of the application, and documentary evidence pertaining thereto, if any, and

WHEREAS, the City Commission further finds 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 foregoing recitals are incorporated herein as the findings of the City Commission.

SECTION TWO. The application of the Contract Purchaser for the issuance of a Planned Business Development Development Order for the Regal Center project is hereby approved. The Mayor and the City Manager are authorized and directed to execute and issue the attached Development Order for the “Regal Center” Planned Business Development to (1) create an outparcel along Williamson Boulevard, (2) allow additional uses within the Planned Business Development, and (3) create a framework for future redevelopment of the Property, consisting of approximately 12.00 acres.

SECTION THREE. Section 2-36(c) of the *Land Development Code* allows the inclusion of any use allowed under the Land Development Code for any district within a Planned Business Development District. The uses for the Planned Business Development as shown, described, and depicted in Exhibit “C” to the PBD Development Order are hereby granted.

SECTION FOUR. Section 3-47(A) of the Land Development Code provides that alternative business premise identification signage may be approved by the City Commission through planned developments and special exceptions. The Applicant's request to refurbish the existing pylon sign as shown, described, and depicted in Exhibit "D" to the PBD Development Order is hereby granted.

SECTION FIVE. Section 2-29 of the Land Development Code establishes a thirty foot (30') building height limit. The Applicant's request for a building height of fifty feet (50') for parcel 3 (existing parking lot) and parcel 4 (existing building) as shown, described, and depicted in Exhibit "E" to the PBD Development Order is hereby granted.

SECTION SIX. 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 SEVEN. The development order hereby approved by this Ordinance shall become effective subject to and on the date the Applicant/Contract Purchaser acquires ownership-title to the Property. The Applicant/Contract Purchaser shall provide to the city a copy of the deed of conveyance. The development order approved by this Ordinance shall not become effective, and shall be null and void and of no legal force or effect, in the event the Applicant/Contract Purchaser fails to acquire ownership-title to the Property or in the event the contract between the Applicant/Contract Purchaser and the Property Owner is terminated or expires without the conveyance of the Property to the Applicant/Contract Purchaser.

SECTION EIGHT. This Ordinance shall take effect immediately upon its adoption. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

PASSED UPON at the first reading of the City Commission this 18th day of January 2022.

PASSED UPON at the second and final reading of the City Commission this 1st day of February 2022.

BILL PARTINGTON
Mayor

ATTEST:

SUSAN CARROLL DAUDERIS
City Clerk

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

IN RE: **Application of:** 215 Williamson Investors, LLC, a Florida Limited Liability Company
 Application No. 2022-002
 Project Name: Regal Center
 Property Address: 215 Williamson Boulevard
 Parcel ID No.: 4230-00-00-0014

**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 January 18, 2022 and February 1, 2022, 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 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;
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; and

Thereupon and in consideration thereof, the City Commission hereby orders

that:

A. The application of 215 Williamson Investors, LLC, a Florida Limited Liability Company with authorization of Regal Cinemas, Inc., the property owner of approximately 12.00 acres of land located at 215 Williamson Boulevard (Volusia County parcel number: 4230-00-00-0014), for a Development Order for a Planned Business Development to be known as “Regal Center” to (1) create an outparcel along Williamson Boulevard, (2) allow additional uses within the Planned Business Development, and (3) create a framework for future redevelopment on the Property, together with associated site improvements more particularly described and depicted in Exhibit "A" attached hereto and incorporated herein, is hereby granted, subject to the following conditions:

1. All applicable provisions of Chapter 2, District and General Regulations, Article II, District Regulations, Section 2-36, Planned Business Development, of the City of Ormond Beach *Land Development Code*, except as otherwise specifically modified hereby, shall at all times be strictly complied with;

2. The outstanding comments from the Site Plan Review Committee list in Exhibit “B” shall be satisfied;

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

4. Full and complete compliance with the Applicant’s signage plan attached as Exhibit “D”;

5. Full and complete compliance with the Applicant's Site Plan attached as Exhibit "E";

B. The final plans for the development project shall be consistent with all the conditions listed in this Development Order and as depicted in the plans that are attached hereto and incorporated herein by reference as Exhibit "E".

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

D. All site construction activity shall be performed in strict compliance with the terms and conditions of this Planned Business Development Order approved for this development project, and of the *Land Development Code*.

E. If the final plan approval lapses under the provisions of Section 1-14(3) of the *Land Development Code* before the planned development permit can be established, a new application for a Planned Business Development Order must be submitted for consideration in accordance with the requirements of the *Land Development Code*.

F. In the event the use of the land approved by this Planned Business Development Order is abandoned for a period of two (2) years any permit issued hereunder and this Planned Business Development Order shall automatically become void and a Notice of Final Plan Revocation shall be filed under the provisions of Section 1-14(3)(b) of the *Land Development Code*, and a new application for a Planned Business Development Order must be submitted for consideration in accordance with the requirements of the *Land Development Code*.

G. 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.

H. In the event a building permit has not been issued within thirty-six (36) months, which date shall be February 1, 2025, then this Development Order shall automatically become void and shall have no further legal effect per Chapter 1, Article II, Section 1-14(3), of the *Land Development Code*. If a building or site engineering permit is issued on or before February 1, 2025 the project shall be vested.

I. This Planned Business Development Order shall be recorded in the public records of Volusia County, Florida, at the expense of the 215 Williamson Investors, LLC, a Florida Limited

Liability Company, and shall be binding upon 215 Williamson Investors, LLC, a Florida Limited Liability Company and the property owner, Regal Cinemas, Inc., a Tennessee Corporation, and its successors and assigns, and shall run with the real property described in Exhibit "A" attached hereto.

J. This development order shall become effective subject to and on the date the Applicant/Contract Purchaser acquires ownership-title to the Property. The Applicant/Contract Purchaser shall provide to the city a copy of the deed of conveyance. The development order shall not become effective, and shall be null and void and of no legal force or effect, in the event the Applicant/Contract Purchaser fails to acquire ownership-title to the Property or in the event the contract between the Applicant/Contract Purchaser and the Property Owner is terminated or expires without the conveyance of the Property to the Applicant/Contract Purchaser.

ORDERED this 1st day of February, 2022.

CITY COMMISSION
CITY OF ORMOND BEACH, a Florida
municipal corporation

By: _____
BILL PARTINGTON
Mayor

(CITY SEAL)

Attest: _____
JOYCE A. SHANAHAN
City Manager

EXHIBIT "A"

PAGE 1 OF 2

LEGAL DESCRIPTION

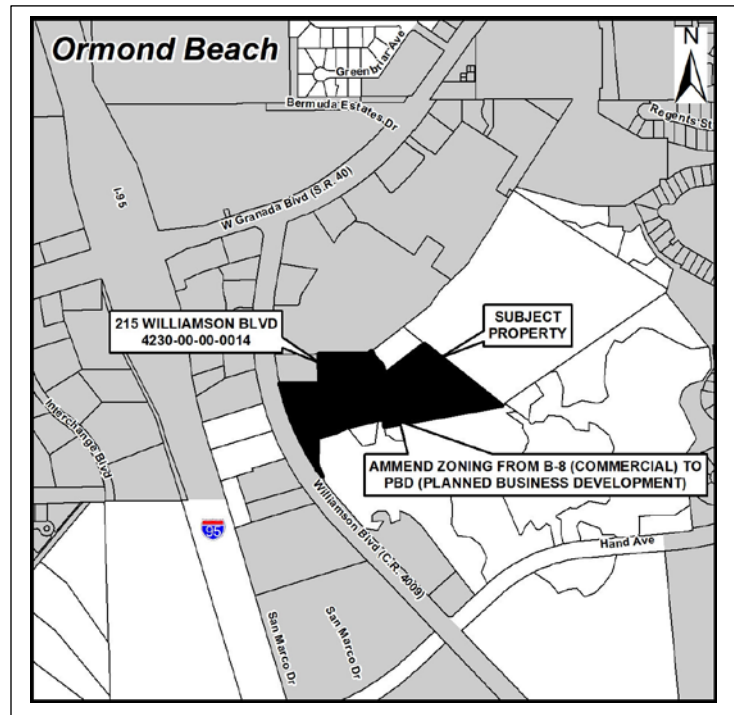
A PORTION OF SECTION 30, TOWNSHIP 14 SOUTH, RANGE 32 EAST, VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: AS A POINT OF REFERENCE, COMMENCE AT A CONCRETE MONUMENT MARKING THE SOUTH ONE-QUARTER CORNER OF SAID SECTION 30; THENCE RUN NORTH 89°30'28" WEST, ALONG THE SOUTH LINE OF SAID SECTION 30, A DISTANCE OF 484.54 FEET TO A POINT THEREIN; THENCE, DEPARTING SAID SECTION LINE, RUN NORTH 32°27'31" WEST A DISTANCE OF 163.57 FEET; THENCE RUN NORTH 17°49'13" WEST A DISTANCE OF 318.80 FEET; THENCE RUN NORTH 18°20'40" WEST A DISTANCE OF 103.32 FEET; THENCE RUN SOUTH 77°31'10" WEST A DISTANCE OF 3.29 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE SOUTH 77°31'10" WEST A DISTANCE OF 37.17 FEET TO THE NORTHEASTERLY CORNER OF AREA "L", A DESCRIBED IN OFFICIAL RECORDS BOOK 3779, PAGE 4373, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE RUN SOUTH 78°34'22" WEST (SOUTH 78°33'43" WEST PER DEED), ALONG THE NORTH LINE OF SAID AREA "L", A DISTANCE OF 214.89 FEET TO THE NORTHWESTERLY CORNER THEREOF, SAID POINT ALSO LYING IN THE SOUTH LINE OF THE 15 FOOT ACCESS EASEMENT KNOWN AS EASEMENT "W" AND BEING DESCRIBED IN OFFICIAL RECORDS BOOK 3779, PAGE 4410, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE RUN WESTERLY AND SOUTHERLY, ALONG THE SOUTHERLY LINE OF SAID EASEMENT "W", THE FOLLOWING COURSES AND DISTANCES: SOUTH 61°44'28" WEST (SOUTH 61°43'41" WEST PER DEED) A DISTANCE OF 93.77 FEET; THENCE RUN SOUTH 76°01'52" WEST (SOUTH 76°01'05" WEST PER DEED) A DISTANCE OF 117.88 FEET; THENCE RUN SOUTH 02°18'45" WEST (SOUTH 02°17'58" WEST PER DEED) A DISTANCE OF 115.36 FEET; THENCE RUN SOUTH 03°13'28" EAST (SOUTH 03°14'15" EAST PER DEED) A DISTANCE OF 61.75 FEET; THENCE RUN SOUTH 19°44'01" EAST (SOUTH 19°44'48" EAST PER DEED) A DISTANCE 136.51 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF THE 130 FOOT WIDE RIGHT-OF-WAY OF WILLIAMSON BOULEVARD, SAID POINT LYING IN A CURVE, CONCAVE EASTERLY, AND HAVING A RADIUS OF 1830.08 FEET; THENCE RUN NORTHERLY AND WESTERLY, ALONG SAID CURVED RIGHT-OF-WAY LINE, A DISTANCE OF 716.60 FEET, OR THROUGH AN CENTRAL ANGLE OF 22°26'06", HAVING A CHORD DISTANCE OF 712.03 FEET AND A CHORD BEARING OF NORTH 25°16'48" WEST, TO A POINT THEREIN; THENCE, DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE, RUN NORTH 89°56'42" EAST A DISTANCE OF 272.16 FEET; THENCE RUN NORTH 04°04'04" WEST A DISTANCE OF 200.49 FEET TO A POINT IN THE SOUTHERLY LINE OF ORMOND TOWNE SQUARE, AS DESCRIBED IN WARRANTY DEED FROM PATRICIA LAGONI, TRUSTEE, TO THE FAISON-SOFRAN PARTNERSHIP, AS RECORDED IN OFFICIAL RECORDS BOOK 3779, PAGE 4422, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE RUN NORTH 89°56'42" EAST (NORTH 89°55'55" EAST PER DEED), ALONG THE SOUTHERLY LINE OF SAID ORMOND TOWNE SQUARE, A DISTANCE OF 326.31 FEET TO A CONCRETE MONUMENT IN SAID SOUTHERLY LINE; THENCE RUN NORTH 52°24'56" EAST (NORTH 52°25'11" EAST PER DEED), CONTINUING ALONG SAID SOUTH LINE OF ORMOND TOWNE SQUARE, A DISTANCE OF 48.52 FEET TO A POINT THEREIN, SAID POINT BEING THE NORTHWESTERLY CORNER OF AREA "K", AS DESCRIBED IN OFFICIAL RECORDS BOOK 3779, PAGE 4381, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE, DEPARTING THE SOUTH LINE OF SAID ORMOND TOWNE SQUARE AND ALONG THE WESTERLY LINE OF SAID AREA "K", RUN SOUTH 20°35'09" EAST (SOUTH 20°34'54" EAST PER DEED) A DISTANCE OF 40.46 FEET; THENCE RUN SOUTH 43°13'00" EAST (SOUTH 43°12'45" EAST PER DEED), ALONG SAID WESTERLY LINE, A DISTANCE OF 85.30 FEET; THENCE RUN SOUTH 14°10'46" EAST (SOUTH 13°17'25" EAST PER DEED), ALONG SAID WESTERLY LINE, A DISTANCE OF 55.05 FEET (55.31 FEET PER DEED) TO THE SOUTHWESTERLY CORNER OF SAID AREA "K"; THENCE CONTINUE NORTH 52°23'55" EAST (NORTH 52°25'11" EAST PER DEED), ALONG THE SOUTHERLY LINE OF SAID AREA "K", A DISTANCE OF 335.64 FEET (336.59 FEET PER DEED) TO THE SOUTHEASTERLY CORNER THEREOF, SAID POINT LYING IN THE WESTERLY LINE OF THAT PARCEL OF LAND DEEDED FROM PATRICIA LAGONI, AS TRUSTEE, TO THE COUNTY OF VOLUSIA, AS DESCRIBED IN OFFICIAL RECORDS BOOK 3779, PAGE 4430, OF THE PUBLIC RECORDS VOLUSIA COUNTY, FLORIDA; THENCE RUN SOUTH 51°35'00" EAST (SOUTH 51°34'45" EAST PER SAID DEED) A DISTANCE OF 613.82 FEET TO A POINT THEREIN; THENCE, DEPARTING SAID WESTERLY LINE, RUN SOUTH 77°31'10" WEST A DISTANCE OF 749.30 FEET; THENCE RUN NORTH 25°32'51" WEST A DISTANCE OF 51.33 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION.

TOGETHER WITH NON-EXCLUSIVE EASEMENTS FOR THE BENEFIT OF THE ABOVE DESCRIBED PARCEL AS CREATED BY AND SET FORTH IN THAT CERTAIN DECLARATION OF RECIPROCAL EASEMENTS AND RESTRICTIVE COVENANTS BETWEEN PATRICIA LAGONI, AS TRUSTEE PURSUANT TO THAT TRUST DATED OCTOBER 6, 1988, DESIGNATED AS TRUST NO. IDI-1, AND REGAL CINEMAS, INC., A TENNESSEE CORPORATION, RECORDED JANUARY 26, 1996 IN OFFICIAL RECORDS BOOK 4073, PAGE 873.

ALSO TOGETHER WITH NON-EXCLUSIVE EASEMENTS FOR THE BENEFIT OF THE ABOVE DESCRIBED PARCEL AS CREATED BY AND SET FORTH IN THAT CERTAIN TEMPORARY CONSTRUCTION AND PARKING/RETENTION AREA STABILIZATION EASEMENT BETWEEN PATRICIA LAGONI, AS TRUSTEE PURSUANT TO THAT TRUST DATED OCTOBER 6, 1988, DESIGNATED AS TRUST NO. IDI-1, AND IN FAVOR OF REGAL CINEMAS, INC., A TENNESSEE CORPORATION, RECORDED JANUARY 26, 1996 IN OFFICIAL RECORDS BOOK 4073, PAGE 905.

EXHIBIT "A"
PAGE 2 OF 2

LOCATION MAP



PARCEL ID: 4230-00-00-0014
OWNER: REGAL CINEMAS, INC., A TENNESSEE CORPORATION
APPLICANT: 215 WILLIAMSON INVESTORS, LLC, A FLORIDA LIMITED LIABILITY COMPANY
PBD ADDRESS: 215 WILLIAMSON BOULEVARD, ORMOND BEACH, FL 32174

EXHIBIT “B”
PAGE 1 OF 2

**SITE PLAN REVIEW COMMITTEE (SPRC) OUTSTANDING
COMMENTS**

Project Name: PZ-22-002

Project Description: 215 Williamson Boulevard, Regal Center

Review Comments List Date: 12/13/2021

Ref. # 19, Civil Engineer, David Allen, 11/2/21 2:52 PM, Cycle 1, Unresolved

Markup: Civil-Buffer Site, 04 SWPPP.pdf

The survey calls out this area as a buffer, with OR Book and page. How will the recorded buffer be modified to allow the encroachment of the pond?

Reviewer Response: David Allen - 12/7/21 9:01 AM

Please provide additional information on this buffer easement when available.

Responded by: Harry Newkirk - 11/22/21 1:33 PM

Applicant is reviewing buffer encroachment; pending no response at this time.

Ref. # 29, Civil Engineer, David Allen, 12/7/21 9:02 AM, Cycle 2, Unresolved

Comment: This comment remains unresolved. Please provide additional information as it becomes available.

Ref. # 1, Landscape Architect, Cara Culliver, 10/25/21 10:49 AM, Cycle 1, Unresolved

Markup: Landscape Comments, 06 SITE LAYOUT.pdf

- Please graphically/written call out all the landscape buffers for each side.
- Please show/survey all existing trees to be removed with the new improvements.
- Please provide a landscape betterment plan for the entire site. Please demonstrate that the Greenbelt, all landscape buffers, parking areas and minimum tree site requirements are met. Please note or survey existing trees within these areas.
- Terminal landscape islands are required on the altered rear parking lot.
- Please provide irrigation plan for new improvements. Add notes that the existing system shall be operable & provide 100% coverage with 50% overlap prior to C.O.

Responded by: Harry Newkirk - 11/22/21 1:45 PM

Landscape buffer widths added to revised plan. Existing trees to be removed was added to the SWPPP plan and landscape plan added to show trees around relocated stormwater pond. The Cypress trees around the pond will be water for a month by property owner and will be installed along the stormwater pond water line. A landscape betterment plan will be responded to after an on-site meeting with Cara Culliver.

Ref. # 26, Landscape Architect, Cara Culliver, 11/30/21 12:03 PM, Cycle 2, Unresolved

Markup: Landscape Comments, L1 LANDSCAPE PLAN.pdf

- Please show/survey all existing trees to be removed with the new improvements (two ponds & parking lot removal, trees within the landscape islands). (repeat comment)
- Please provide a landscape betterment plan for the entire site. Please demonstrate that the Greenbelt, all landscape buffers, and parking areas are met. Please note or survey existing trees within these areas (repeat comment). For the minimum tree site requirements going to assume the site meets these requirements due to the large buffer areas preserved, however, removed specimen

EXHIBIT "B"

PAGE 2 OF 2

trees will need to be mitigated for. Please provide a chart and show on the plan these proposed trees.

- Please provide some landscape clean up notes on the plan. All existing hedges will be boxed into a neat appearance. All landscape areas shall be free of weeds and mulched, see note #2.

- Terminal landscape islands are required on the altered rear parking lot.

Ref. # 27, Landscape Architect, Cara Culliver, 11/30/21 3:09 PM, Cycle 2, Unresolved

Markup: Continued Landscape Comments, L1 LANDSCAPE PLAN.pdf

- Please provide irrigation plan for new improvements. Add notes that the existing system shall be operable & provide 100% coverage with 50% overlap prior to C.O.

- When Parcel 1 is developed a detailed landscape & irrigation plans will be required. All minimum tree, Greenbelt and code requirements will apply.

Ref. # 7, Planning Director, Steven Spraker, 11/1/21 1:24 PM, Cycle 1, Unresolved

Markup: Planning, Easement Book 4073, Page 873, 06 SITE LAYOUT.pdf

Please look at easement within Book 4073, Page 873 that appears to restrict this land areas for natural landscape. How is this land area able to be converted to a stormwater area?

Responded by: Harry Newkirk - 11/22/21 1:46 PM

Applicant is reviewing buffer encroachment; pending no response at this time.

Ref. # 9, Planning Director, Steven Spraker, 11/1/21 1:35 PM, Cycle 1, Unresolved

Comment:

This submittal is missing information on the split. The lot split needs:

1. Overall sketch or survey and legal description of existing overall parcel (master parcel).
2. Sketch or survey and legal description of existing each newly created parcels (two new lots). There is one for the outparcel, but not for the remaining master parcel.

Note: a lot split can only created a total of two lots from one lot. The sheets provided show multiple parcels. If more than two lots are desired, a Preliminary Plat would be required.

Responded by: Harry Newkirk - 11/22/21 1:56 PM

1. *Please find attached a sketch/legal of the parent parcel less the proposed out parcel.*
2. *Please find attached a survey and legal of the proposed out parcel.*
3. *Applicant is only requesting one (1) lot split for the frontage out-parcel and acknowledges that any further lot split would require the plat process or land condo format.*

Ref. # 28, Planning Director, Steven Spraker, 12/2/21 3:21 PM, Cycle 2, Unresolved

Comment:

For the lot split,

I see the overall and the outparcel sketch and legal description. I do not see the sketch and legal description for the remaining property (parcels 2-5). Please let me know if i missed it or please provide.

EXHIBIT “C”

Page 1 of 2

Special Conditions

1. The site plan divides the subject property into six (6) parcels or areas. It is important to note that these are not tax parcels. The parcels are useful for the understanding the redevelopment purpose of each area. The parcels, shown in Exhibit “E” are as follows:

Parcel 1: Outparcel of 1.31 acres along Williamson Boulevard. This is the area where the stormwater pond would be relocated.

Parcel 2: Existing stormwater pond south of the access drive. This stormwater pond area is proposed to be cleaned up and a fountain installed. There are no changes in the use of this area.

Parcel 3: Existing parking field for the former theater use. Parcel 3 is 3.63 acres. Parcel 3 would be developed into a future use. The Planned Development seeks to allow the B-8 uses and additional uses within the development order.

Parcel 4: Existing former movie theater building of 39,368 square feet. Parcel 4 is 4.43 acres and includes some parking. The building is proposed to be redeveloped. The Planned Development seeks to allow the B-8 uses and additional uses within the development order.

Parcel 5: This area is the relocated stormwater pond and is 1.87 acres.

2. The 12-acre property proposes to be subdivided with a lot split. The outparcel would become the second property.
3. Section 2-36(c) of the *Land Development Code* allows the inclusion of any use allowed under the Land Development Code for any district within the Planned Business Development District. The requested uses as shown, described, and depicted in Exhibit “C” are hereby granted.

Parcels 3 (parking lot) and parcel 4 (existing building). The following uses are sought in addition to the B-8 uses in Section 2-29 of the Land Development Code:

Permitted uses: (1) Car wash/detailing, (2) Warehouse, Storage – Indoor, (3) Warehouse, Business, (4) Outdoor Storage of Automobiles, Boats, RVs and Trailers (covered or uncovered), (5) Transient Lodging, (6) Collector – Exotic & Specialty Vehicle Sales, (7) Museum, (8) Hospital, (9) Pharmacy (Medical Marijuana).

Conditional use: (1) Malted Beverage Producer.

Special Exception use: (1) Telecommunications Tower.

Prohibited use: (1) Sexually Oriented Businesses.

EXHIBIT “C”
Page 2 of 2

Special Conditions

Parcel 1 (Outparcel): The following uses are sought in addition to the B-8 uses in Section 2-29 of the Land Development Code:

Permitted uses: (1) Pharmacy (Medical Marijuana).

4. Section 3-47(A) of the Land Development Code states “Alternative business premise identification signage may be approved by the city commission through planned developments and special exceptions.” The applicant seeks to allow the refurbishment of the existing pylon sign. The refurbishment of the existing pylon sign as shown, described, and depicted in Exhibit “D” attached hereto and incorporated herein by reference is hereby granted.
5. Section 2-29 of the Land Development Code establishes a 30’ height limit. A building height of fifty (50’) for parcel 3 (existing parking lot) and parcel 4 (existing building) as shown, described, and depicted in Exhibit “E” attached hereto and incorporated herein by reference is hereby granted.
6. Collector, Exotic and Specialty Vehicles and Museum shall be defined as follows:

Collector, exotic and specialty vehicles: Vehicles of the type sold at auctions held by major auction firms specializing those categories such as Mecum, RM Sotheby, Barrett Jackson and the like, and also shall include new and preowned limited demand specialty vehicles.

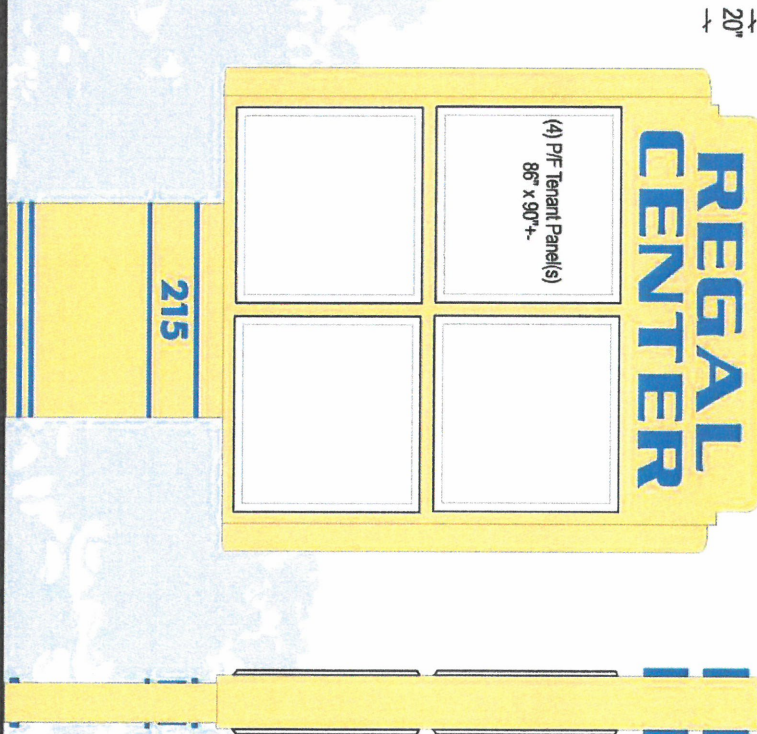
Museum: A building or structure used for the housing and display of historical, technological, scientific, engineering objects, artifacts and /or visual arts.
7. Outdoor Storage of Automobiles, Boats, RVs and Trailers may be covered or uncovered. This use would be allowed to waive the typical internal landscaping islands based on the use and relocate the material required in the landscape island to other locations on-site.
8. As the property redevelops, a mobility fee credit for the transportation impacts would be applicable. The existing property has a mobility fee value of \$73,753.59 based on the existing use. Proposed uses would have a mobility fee calculated and deducted from the existing credit. The existing building would also have water and sewer impact fee credits based on the number of existing fixtures.
9. Development of individual parcels would be reviewed and permitted by the Site Plan Review Committee (SPRC) based on the uses approved within the Planned Business Development.
10. The dimensional standards of the B-8 zoning district would be applicable with the building height exception for parcels three (3) and four (4) of 50’ in building height.

EXHIBIT "D"
Page 1 of 2



EXHIBIT "D"

Page 2 of 2



GENERAL SPECIFICATIONS

Revamp existing sign. Paint body of sign tan/ivory. Remove changeable copy panels and replace with (4) P/F white acrylic panels for tenant names. Regal Center reverse channel letters painted blue. Halo illumination provided by white LED. Address and base highlights non illuminated PVC painted to match channel letters

Customer	Date	Scale	Drawing #	Approved as is	Approved w/changes	Redraw w/changes	PJ Sign Systems @ 2020 Original Design	Authorized Signature & Date	This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electric Code and/or other applicable local codes. This includes grounding and bonding	 614 Fern Ave. Holly Hill, FL 32117 386.257.4522 Fax 386.257.5122 pjsigns@clt.com
Holub	9.17.21	NTS	HRC9.17.21	☐	☐	☐				



GENERAL CONSTRUCTION NOTES

- [illegible]

SITE AND GENERAL INFORMATION

- [illegible]

VOLUSIA COUNTY GENERAL NOTES

1. NOTIFY THE LOCAL COALITION OF ANY PLANNED EXHAUSTION PROJECT IN WRITING AT LEAST A MINIMUM OF 90 DAYS PRIOR TO THE START OF CONSTRUCTION. THE LOCAL COALITION SHALL HAVE THE RIGHT TO REQUEST A MEETING WITH THE COUNTY TO DISCUSS THE PROJECT AND TO REQUEST INFORMATION ON OTHER ACTIONS NECESSARY FOR THE PROTECTION OF THE PROJECT.
2. VOLUNTARILY COMPLY WITH THE PROVISIONS OF THE 1995 PLANNED DEVELOPMENT ACT AND THE 1995 PLANNED DEVELOPMENT ACT RULES, AND A MINIMUM ADVANCED NOTICE OF 90 DAYS TO THE COUNTY TO PROPOSED PROJECT.
3. COMPLY WITH THE COUNTY ZONING ORDINANCE (PHD 32-04-03) AS REQUIRED WITH A MINIMUM ADVANCED NOTICE OF 90 DAYS TO THE COUNTY TO PROPOSED PROJECT.
4. PROVIDE A MINIMUM 14 DAY OR MORE NOTICE TO THE COUNTY OF ANY PLANNED EXHAUSTION PROJECT.
5. ALL EXISTING STRUCTURES WITHIN THE COUNTY RIGHT-OF-WAY SHALL EITHER BE REMOVED OR BE PROVIDED A TEMPORARY ALLOWANCE IN ACCORDANCE WITH THE PLANNED DEVELOPMENT ACT AND THE 1995 PLANNED DEVELOPMENT ACT RULES. ANY STRUCTURE THAT IS REQUIRED TO REMAIN SHALL BE REPAIRED AND/OR REFINISHED IN ACCORDANCE WITH THE PLANNED DEVELOPMENT ACT AND THE 1995 PLANNED DEVELOPMENT ACT RULES. ANY STRUCTURE THAT IS REQUIRED TO BE REMOVED SHALL BE REMOVED WITHIN THE SPECIFIED TIME FRAME. ANY STRUCTURE THAT IS REQUIRED TO BE REPAIRED AND/OR REFINISHED SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME. ANY STRUCTURE THAT IS REQUIRED TO BE REMOVED SHALL BE REMOVED WITHIN THE SPECIFIED TIME FRAME. ANY STRUCTURE THAT IS REQUIRED TO BE REPAIRED AND/OR REFINISHED SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
6. OWNERS OF EXISTING OR CONSTRUCTION STRUCTURES ON A MINIMUM OF 90 DAYS PRIOR TO THE START OF CONSTRUCTION SHALL BE PROVIDED A TEMPORARY ALLOWANCE IN ACCORDANCE WITH THE PLANNED DEVELOPMENT ACT AND THE 1995 PLANNED DEVELOPMENT ACT RULES. ANY STRUCTURE THAT IS REQUIRED TO REMAIN SHALL BE REPAIRED AND/OR REFINISHED IN ACCORDANCE WITH THE PLANNED DEVELOPMENT ACT AND THE 1995 PLANNED DEVELOPMENT ACT RULES. ANY STRUCTURE THAT IS REQUIRED TO BE REMOVED SHALL BE REMOVED WITHIN THE SPECIFIED TIME FRAME. ANY STRUCTURE THAT IS REQUIRED TO BE REPAIRED AND/OR REFINISHED SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
7. NO TRUCK OR LOADING UNITS SHALL BE LEFT ON THE PLANNED DEVELOPMENT ACT RIGHT-OF-WAY. UNLESS ALLOWED BY THE COUNTY THROUGH AN EMERGENCY PERMIT. ANY TRUCK OR LOADING UNITS SHALL BE LEFT ON THE PLANNED DEVELOPMENT ACT RIGHT-OF-WAY. UNLESS ALLOWED BY THE COUNTY THROUGH AN EMERGENCY PERMIT. ANY TRUCK OR LOADING UNITS SHALL BE LEFT ON THE PLANNED DEVELOPMENT ACT RIGHT-OF-WAY. UNLESS ALLOWED BY THE COUNTY THROUGH AN EMERGENCY PERMIT.
8. REPAIRING EXHAUSTION SHALL REQUIRE THE OWNER OF PROJECT TO OBTAIN THE NECESSARY PERMITS FROM THE COUNTY. ANY PROJECT THAT IS REQUIRED TO BE REPAIRED AND/OR REFINISHED SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME. ANY PROJECT THAT IS REQUIRED TO BE REMOVED SHALL BE REMOVED WITHIN THE SPECIFIED TIME FRAME.
9. THE COUNTY RIGHT-OF-WAY SHALL BE REPAIRED AND/OR REFINISHED IN ACCORDANCE WITH THE PLANNED DEVELOPMENT ACT AND THE 1995 PLANNED DEVELOPMENT ACT RULES. ANY PROJECT THAT IS REQUIRED TO BE REPAIRED AND/OR REFINISHED SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME. ANY PROJECT THAT IS REQUIRED TO BE REMOVED SHALL BE REMOVED WITHIN THE SPECIFIED TIME FRAME.
10. CARRY OUT TO MEET THE REQUIREMENTS OF THE PLANNED DEVELOPMENT ACT AND THE 1995 PLANNED DEVELOPMENT ACT RULES. ANY PROJECT THAT IS REQUIRED TO BE REPAIRED AND/OR REFINISHED SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME. ANY PROJECT THAT IS REQUIRED TO BE REMOVED SHALL BE REMOVED WITHIN THE SPECIFIED TIME FRAME.
11. ALL PLANNING MATERIALS AND DOCUMENTS WITHIN THE RIGHT-OF-WAY SHALL BE REPAIRED AND/OR REFINISHED IN ACCORDANCE WITH THE PLANNED DEVELOPMENT ACT AND THE 1995 PLANNED DEVELOPMENT ACT RULES. ANY PROJECT THAT IS REQUIRED TO BE REPAIRED AND/OR REFINISHED SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME. ANY PROJECT THAT IS REQUIRED TO BE REMOVED SHALL BE REMOVED WITHIN THE SPECIFIED TIME FRAME.
12. EFFECTIVE PLANNING MATERIALS SHALL BE PROVIDED TO THE COUNTY WITHIN THE SPECIFIED TIME FRAME. ANY PROJECT THAT IS REQUIRED TO BE REPAIRED AND/OR REFINISHED SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME. ANY PROJECT THAT IS REQUIRED TO BE REMOVED SHALL BE REMOVED WITHIN THE SPECIFIED TIME FRAME.
13. REPAIRING EXHAUSTION SHALL REQUIRE THE OWNER OF PROJECT TO OBTAIN THE NECESSARY PERMITS FROM THE COUNTY. ANY PROJECT THAT IS REQUIRED TO BE REPAIRED AND/OR REFINISHED SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME. ANY PROJECT THAT IS REQUIRED TO BE REMOVED SHALL BE REMOVED WITHIN THE SPECIFIED TIME FRAME.

INDEX NO.	DESCRIPTION	DATE
	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION ROADWAY AND TRAFFIC DESIGN STANDARDS - 2021 / 2022 AND QUALIFIED PRODUCTS LIST	

NO.	DATE	DESCRIPTION	NO.	DATE	DESCRIPTION
192	10-10-82	TEMPERATURE MONITORING AND ELEMENT CONTROL	193-199		GENERAL INFORMATION FOR TRAFFIC CONTROL
193	10-10-82	TEMPERATURE MONITORING - TRAFFIC J&P	194-195		THROUGH WORK ZONES
194	10-10-82	TEMPERATURE MONITORING - TRAFFIC J&P	196-197		THROUGH WORK ZONES
195	10-10-82	CLAMP AND TIE TO THE 3'S	198-199		GENERAL CLOSURE
196	10-10-82	CLAMP AND TIE TO THE 3'S	200-201		ALUMINUM RECEIVING TRUCKS (P&T) WORK ON SHOULDER
197	10-10-82	CLAMP AND TIE TO THE 3'S	202-203		ALUMINUM RECEIVING TRUCKS (P&T) WORK ON SHOULDER
198	10-10-82	CLAMP AND TIE TO THE 3'S	204-205		ALUMINUM RECEIVING TRUCKS (P&T) WORK ON SHOULDER
199	10-10-82	CLAMP AND TIE TO THE 3'S	206-207		MULTI-COMPARTMENT TRUCKS FOR BRIDGE &
200	10-10-82	CONCRETE PAVEMENT CONCRETE	208-209		MULTI-COMPARTMENT TRUCKS FOR BRIDGE &
201	10-10-82	CONCRETE PAVEMENT CONCRETE	210-211		SPECIAL MAINTENANCE AREAS
202	10-10-82	CONCRETE PAVEMENT CONCRETE			
203	10-10-82	CONCRETE PAVEMENT CONCRETE			
204	10-10-82	CONCRETE PAVEMENT CONCRETE			
205	10-10-82	CONCRETE PAVEMENT CONCRETE			
206	10-10-82	CONCRETE PAVEMENT CONCRETE			
207	10-10-82	CONCRETE PAVEMENT CONCRETE			
208	10-10-82	CONCRETE PAVEMENT CONCRETE			
209	10-10-82	CONCRETE PAVEMENT CONCRETE			
210	10-10-82	CONCRETE PAVEMENT CONCRETE			
211	10-10-82	CONCRETE PAVEMENT CONCRETE			

ABBREVIATIONS

[illegible]

LEGEND ADDITIONAL SYMBOLS WITHIN PLANS NOT SHOWN HERE, SEE INDIVIDUAL DRAWING LEGEND WHERE APPLICABLE

LEGEND ADDITIONAL SYMBOLS WITHIN PLANS NOT SHOWN HERE, SEE INDIVIDUAL DRAWING LEGEND WHERE APPLICABLE

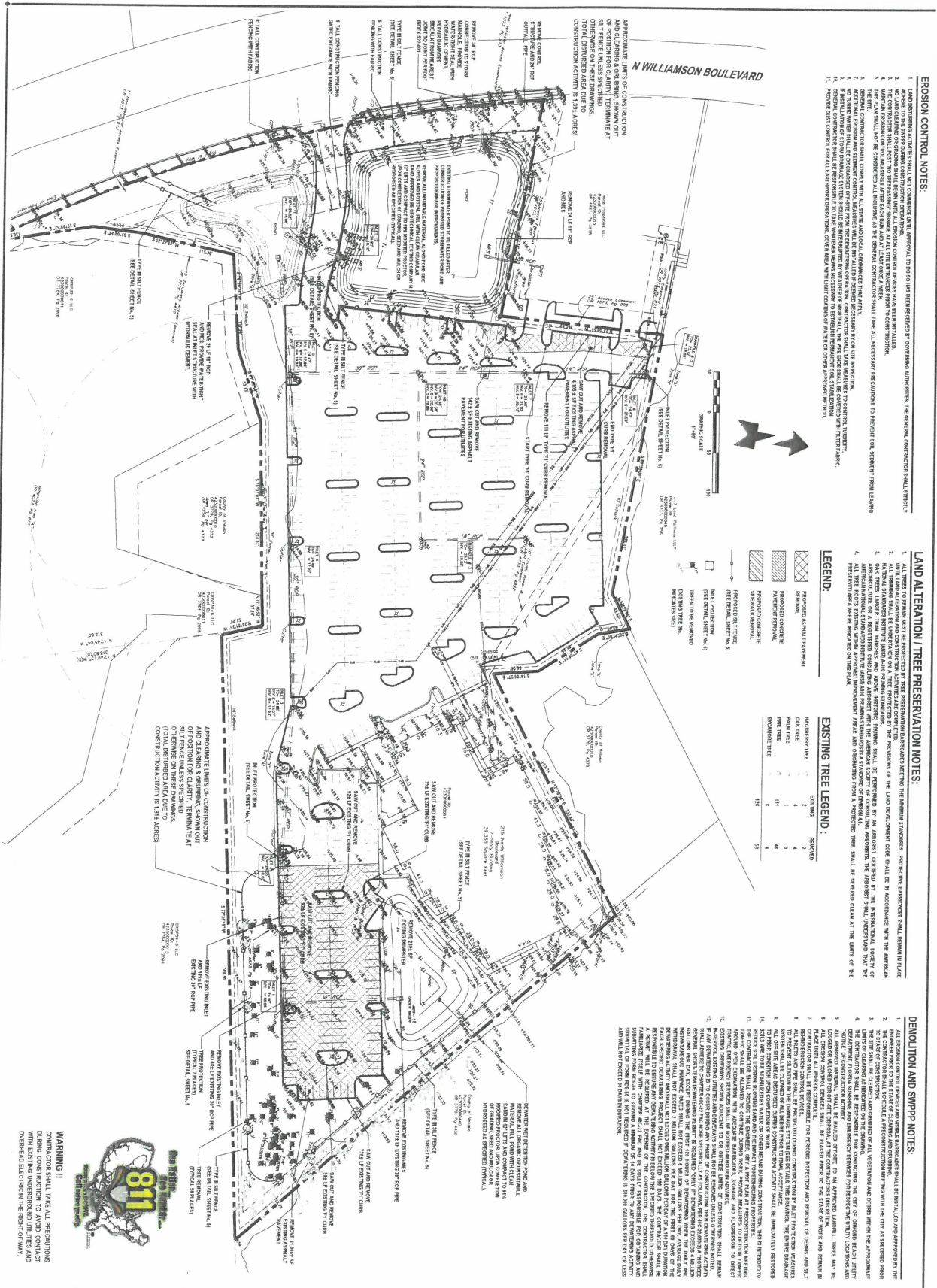
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REVISIONS

DATE	DESCRIPTION

EXHIBIT "E"

Page 4 of 11



EROSION CONTROL NOTES:

1. EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
2. THE CONSTRUCTION SHALL NOT BE PERMITTED TO PROCEED UNTIL THE EROSION CONTROL MEASURES HAVE BEEN INSTALLED.
3. THE EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
4. THE EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
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10. THE EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.

LAND ALTERATION / TREE PRESERVATION NOTES:

1. ALL TREES TO REMAIN AND BE PROTECTED BY THE PRESERVATION APPROVED MEASURES. PROTECTIVE BARBERS SHALL REMAIN IN PLACE.
2. ALL TREES SHALL BE PROTECTED BY THE PRESERVATION APPROVED MEASURES. PROTECTIVE BARBERS SHALL REMAIN IN PLACE.
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10. ALL TREES SHALL BE PROTECTED BY THE PRESERVATION APPROVED MEASURES. PROTECTIVE BARBERS SHALL REMAIN IN PLACE.

LEGEND:

- PROPOSED ASPHALT PAVEMENT
- PROPOSED CONCRETE
- PROPOSED GRAVEL
- PROPOSED GRAVEL
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EXISTING TREE LEGEND:

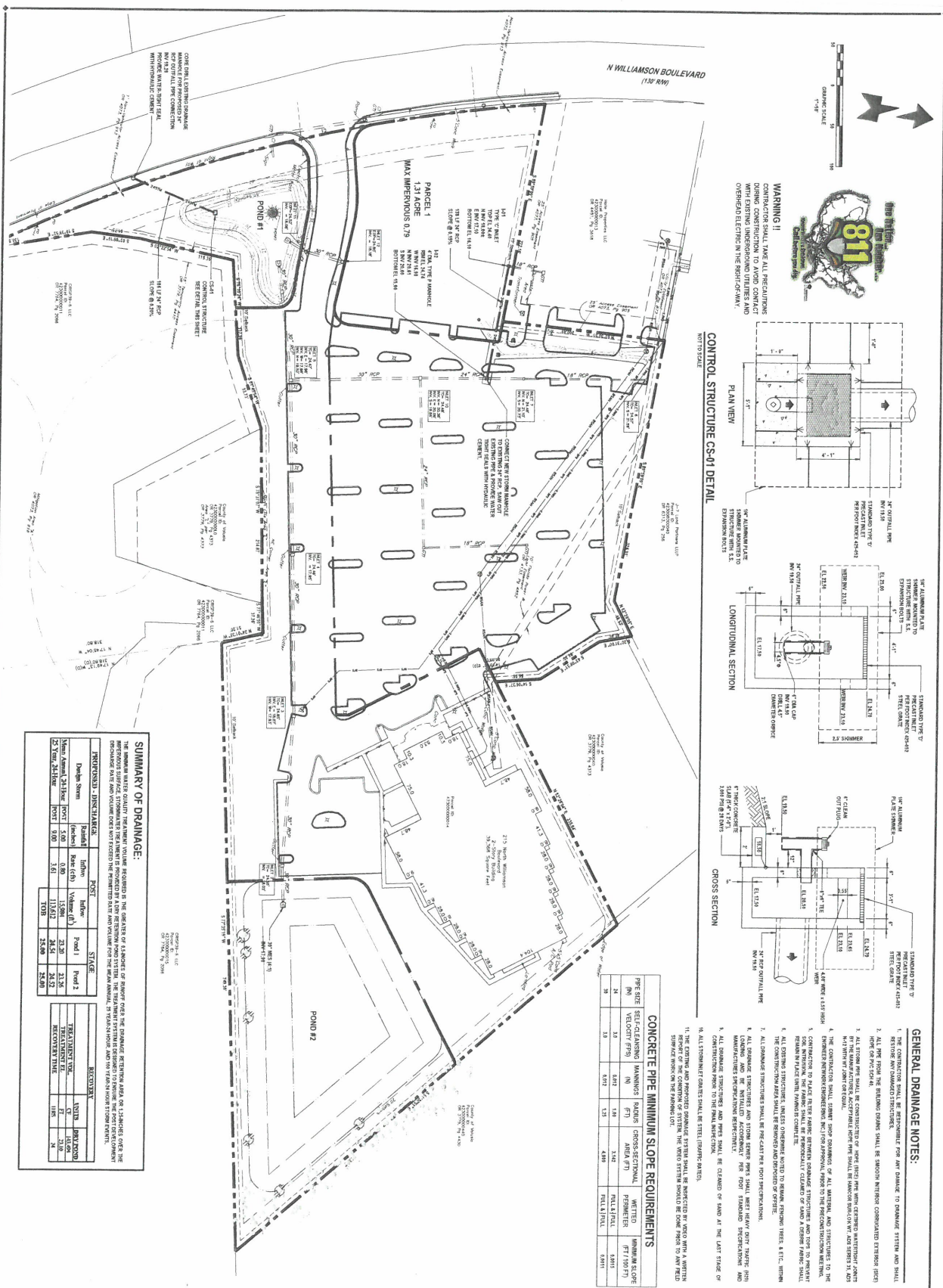
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DEMOLITION AND SWPPP NOTES:

1. ALL EXISTING CONSTRUCTION SHALL BE DEMOLISHED AND REMOVED FROM THE SITE.
2. THE DEMOLITION SHALL BE PERMITTED TO PROCEED UNTIL THE DEMOLITION MEASURES HAVE BEEN INSTALLED.
3. THE DEMOLITION MEASURES SHALL BE MAINTAINED THROUGHOUT THE DEMOLITION PERIOD.
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35. THE DEMOLITION MEASURES SHALL BE MA

EXHIBIT "E"

Page 6 of 11



PROCESSED - HIN-TABLE				POST		STAGE	
Deple-Item	Partial	Initial	Initial	Post 1	Post 2		
Year/Am/24-hr	Post	5.00	0.90	15.981	21.20	23.36	
25/Am/24-hr	Post	5.00	1.61	11.012	24.64	21.32	
				1.00	25.88	25.88	

TREATMENT		RECOVERY	
TREATMENT YR.	TIME	YR.	WEEKS
24	176	176	21.00
25	176	176	21

PIPE SIZE (IN)	SELF-CLEANING VELOCITY (FPS)	MINIMUMS (IN)	RADIUS (FT)	CROSS-SECTIONAL AREA (FT ²)	WETTED PERIMETER (FT)	MINIMUM SLOPE (FT/100 FT)
24	3.0	0.62	3.69	3.42	PULL & PULL	0.0015
36	3.0	0.92	5.25	4.00	PULL & PULL	0.0011

[illegible]

REVISIONS	
DATE	DESCRIPTION
11/22/21	CITY COMMENTS

Packet Pg. 660

EXHIBIT "E"
Page 7 of 11

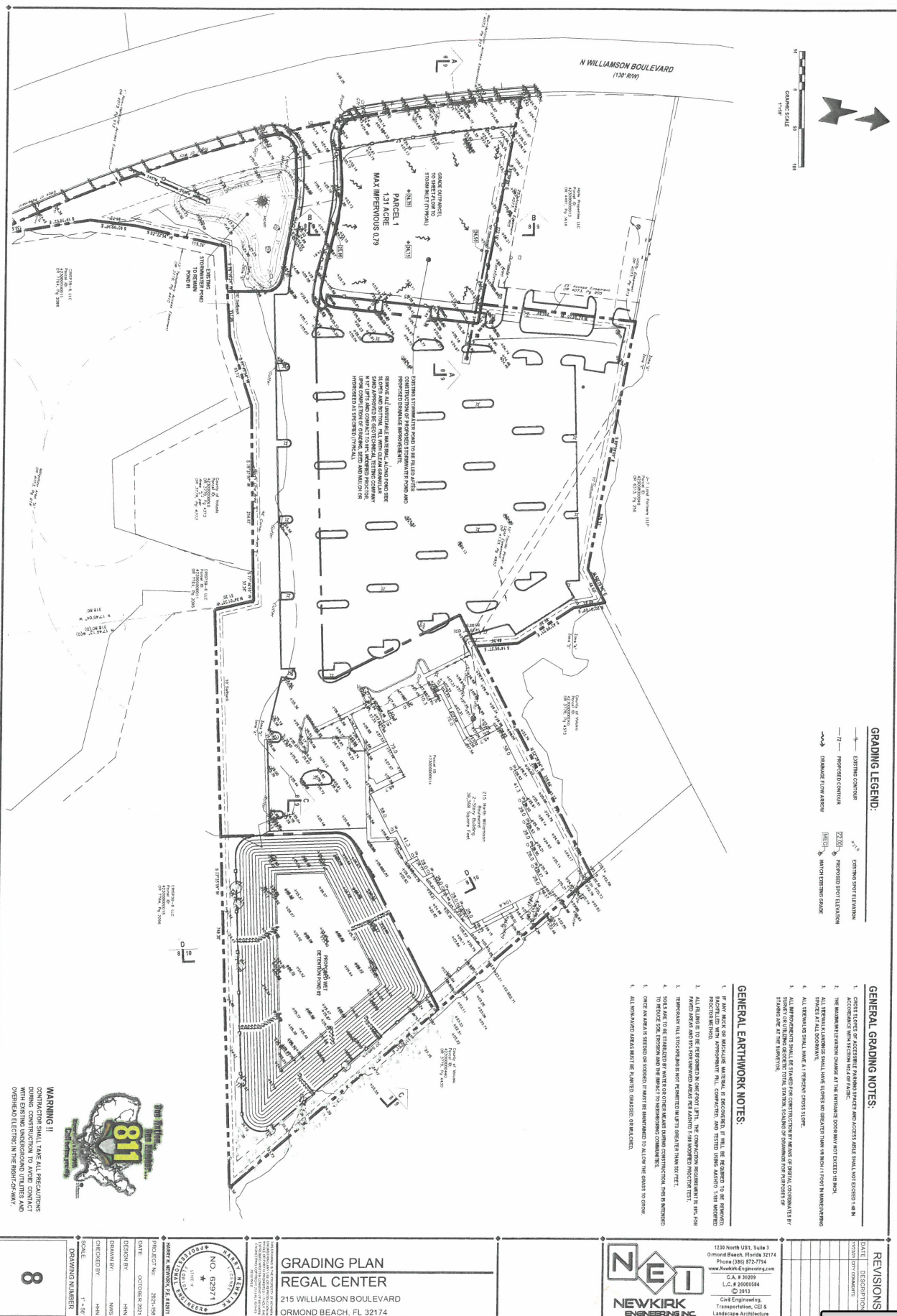
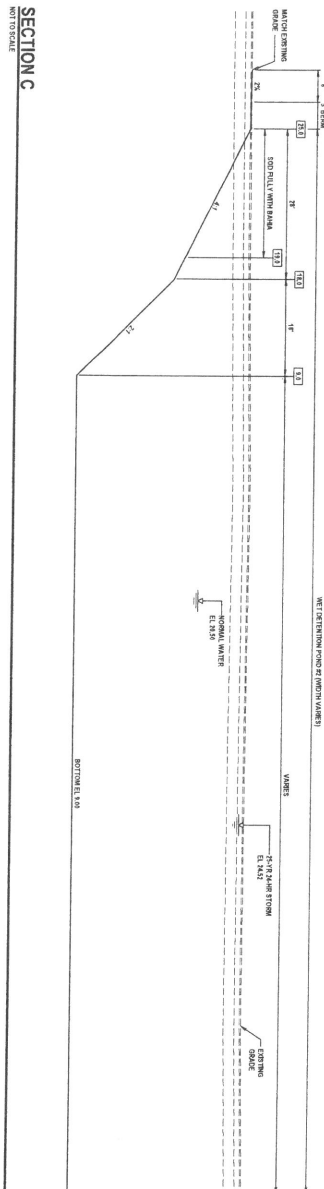
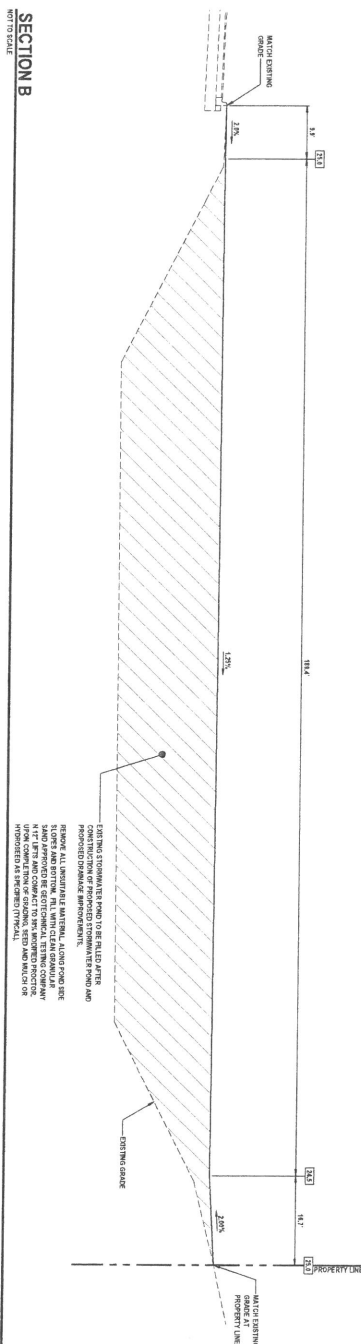
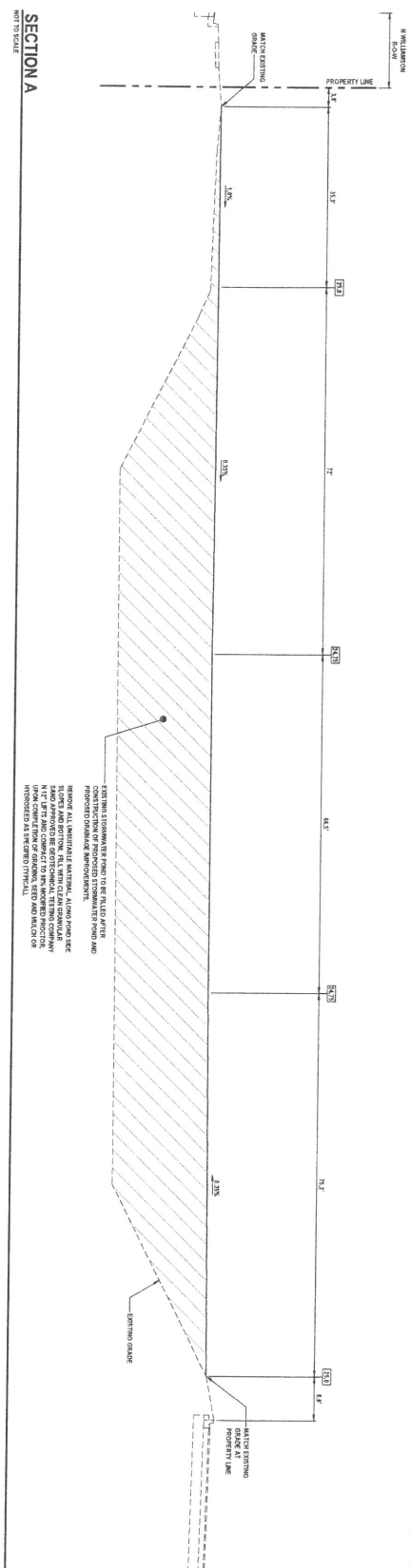


EXHIBIT "E"

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REVISIONS	
DATE	DESCRIPTION
1/22/21	CITY COMMENTS

Packet Pg. 662



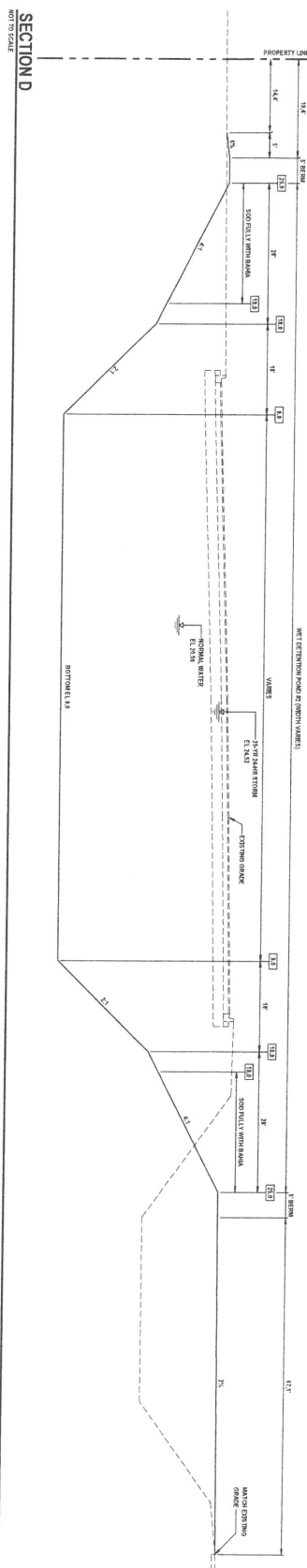
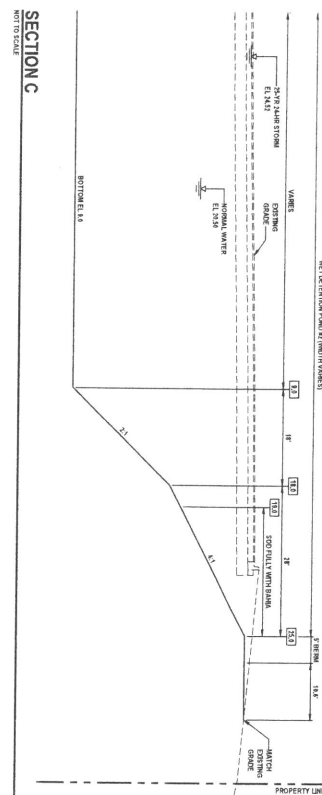
CROSS SECTIONS
REGAL CENTER
215 WILLIAMSON BOULEVARD
ORMOND BEACH, FL 32174



PROJECT NO:	2024-159
DATE:	OCTOBER 2024
DESIGN BY:	HRN
DRAWN BY:	MMS
CHECKED BY:	HRN
SCALE:	AS SHOWN
DRAWING NUMBER	

EXHIBIT "E"

Page 9 of 11



CROSS SECTIONS
REGAL CENTER
215 WILLIAMSON BOULEVARD
ORMOND BEACH, FL 32174



1230 North US1, Suite 3
Ormond Beach, Florida 32174
Phone (386) 872-7754
www.NewKirk-Engineering.com
C.A. # 30209
L.C. # 26-000584
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Civil Engineering, CEI &
Transportation, CEI &
Landscape Architecture

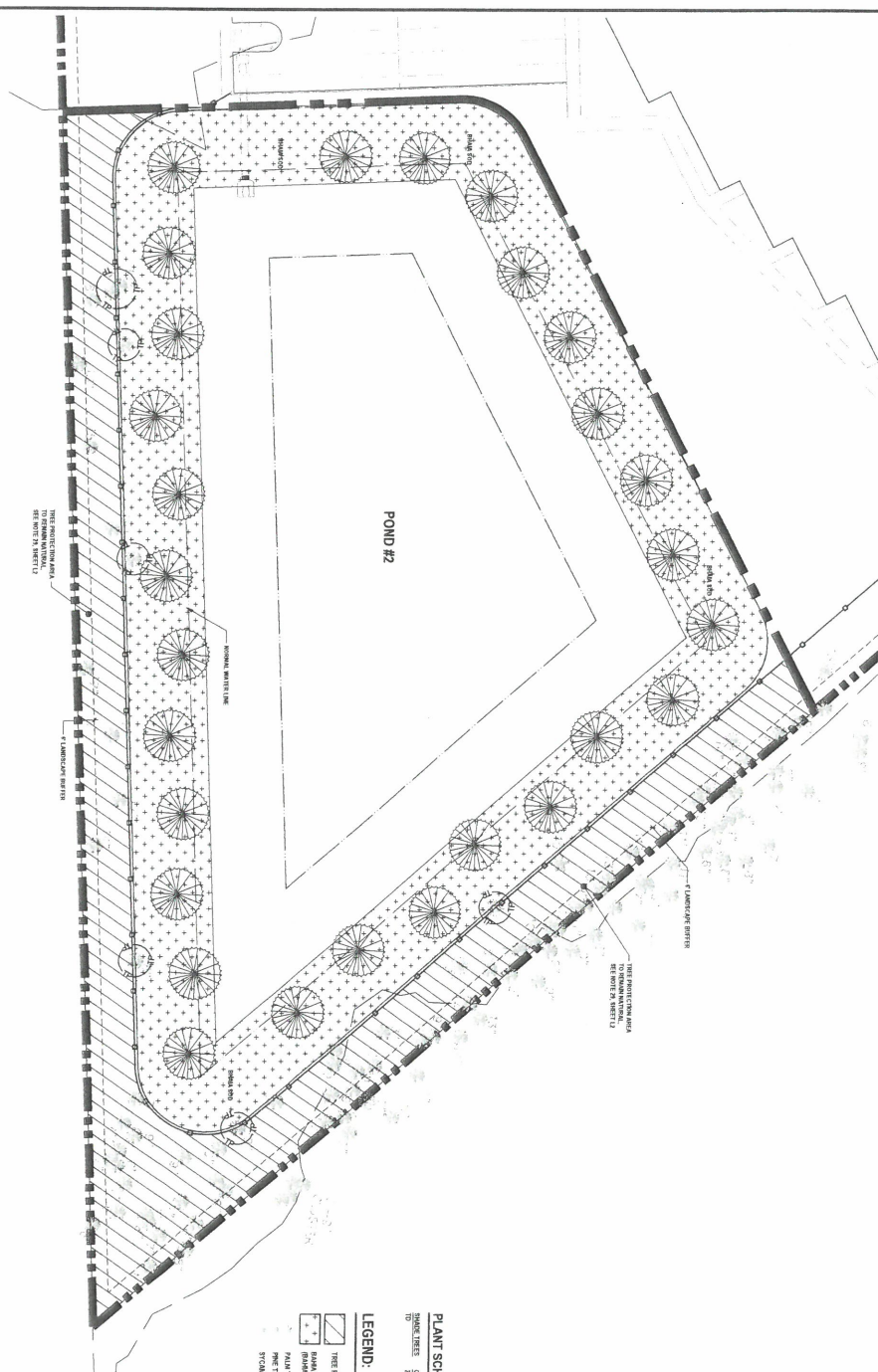
DATE	REVISIONS
------	-----------

Packet Pg. 663





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.



PLANT SCHEDULE		
SHADE TREES	QTY	ROT#
TD	29	TAXO

SHADE	PREC.	QTY	HOT/ATICAL NAME	COMMON NAME	SIZE	RELATIONS
TD		29	TAYLOR IN DETICAM	BLAD CYPRUS	2.5" OAL, 19" HT.	

LEGEND:

LANDSCAPE PLAN
REGAL CENTER
215 WILLIAMSON BOULEVARD
ORMOND BEACH, FL 32174



NEWKIRK
ENGINEERING INC.

1230 North US1, Suite 3
Ormond Beach, Florida 32174
Phone (386) 872-7794
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C.A. # 38209
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Transportation, CEI &
Landscape Architecture

REVISIONS	
DATE	DESCRIPTION

Packet Pg. 665

STAFF REPORT

City of Ormond Beach Department of Planning

DATE: November 29, 2021

SUBJECT: 215 Williamson Boulevard, Regal Center: Issuance of Development Order

APPLICANT: 215 Williamson Investors LLC, with authorization of the property owner, Regal Cinemas, Inc.

NUMBER: PBD 2022-002(B)

PROJECT PLANNER: Steven Spraker, AICP, Planning Director

INTRODUCTION: This is a request by 215 Williamson Investors LLC, with authorization of the property owner, Regal Cinemas, Inc., for a zoning map amendment from B-8 (Commercial) to PBD (Planned Business Development) and the issuance of a development order. The Planned Business Development zoning map amendment seeks to: (1) create an outparcel along Williamson Boulevard, (2) allow additional uses within the Planned Business Development, and (3) create a framework for future redevelopment. The subject property is approximately 12.00 acres and is located at 215 Williamson Boulevard. This staff report is for the issuance of the development order. The subject property is shown below.

EXHIBIT 1: Project location, 215 Williamson Boulevard



BACKGROUND: The subject property has a land use of “Commercial” and a B-8 (Commercial) zoning designation. The property was annexed into the City of Ormond Beach on December 5, 1995 with Ordinance 95-170. The property had a Volusia County development order to construct a 12-screen movie theater that was transferred into the City of Ormond Beach. The movie theater was constructed in 1996. The movie theater use was impacted by the COVID-19 pandemic and the property has been listed for sale. The applicant is the contract purchaser of the property.

The site development for the movie theater use is unique. Site characteristics of the property include the following:

1. Along Williamson Boulevard, the property has a Greenbelt buffer of 36’;
2. Two stormwater ponds exist on either side of the access aisle for the property;
3. A pole sign exists based on the landscape buffer and the location of the building at the rear of the site;
4. There is a large parking lot designed to serve the peak usage of the movie theater use; and
5. The two-story building is 39,368 square feet and approximately 50’ in height. The building is located in the rear of the property.

The following are the abutting uses to the subject properties:

Exhibit 2: Abutting land use and zoning designations

Land Use and Zoning Designations of Adjacent Property			
	Current Land Uses	Future Land Use Designation	Zoning Classification
North	Tire Kingdom & Ormond Towne Square	“Commercial”	B-8 (Commercial)
South	Vacant land – Daytona Beach	Daytona Beach “Level 2 Residential” and Volusia County “Urban Medium Intensity”	Daytona Beach Planned Development & Volusia County C (Conservation)
East	Vacant conservation land	Volusia County “Urban Medium Intensity”	Volusia County C (Conservation)
West	Commercial uses	“Tourist Commercial” and Volusia County “Commercial”	B-7 (Highway Tourist Commercial) and Volusia County B-4

ANALYSIS:

The project seeks two actions:

- A. Zoning map amendment from B-8 (Commercial) to Planned Business Development. The zoning map amendment is the action sought for this staff report.
- B. Issuance of a development order to (1) create an outparcel along Williamson Boulevard, (2) allow additional uses within the Planned Business Development, and (3) create a framework for future redevelopment.**

Project description: The applicant has provided site plans for the project and a summary of the project in ATTACHMENT 3. The items in **bold** are specific requests of this Planned Business Development. Below is a summary of the project:

1. Challenges in redevelopment of the movie theater property. The applicant has identified the following challenges in their summary letter and these include:
 - A. Configuration of the theater facility does not lend itself to any type of big box retailer;
 - B. Renovations necessary to the theater's sloped floors so that they are at grade level with the balance of the building;
 - C. The extraordinary set back of the existing theater building from Williamson Boulevard diminishes visibility from the road for future use;
 - D. The 620 existing parking spaces which would not be necessary under most redevelopment uses;
 - E. Limited road frontage and visibility for the entire property from all sides; and
 - F. Demolition of the 2,300 theater seats and structural components.
2. The site is approximately 12.00 acres.
3. The redevelopment plan proposes to relocate the existing stormwater pond to the north of the driveway access along Williamson Boulevard and create a 1.31 acre outparcel. The stormwater pond relocation would be constructed to the rear of the property.
4. The site plan divides the subject property into six (6) parcels or areas. It is important to note that these are not tax parcels. The parcels are useful for the understanding the redevelopment purpose of each area. The parcels, shown on Sheet 6 of ATTACHMENT 4 are as follows:
 - A. Parcel 1: Outparcel of 1.31 acres along Williamson Boulevard. This is the area where the stormwater pond would be relocated.
 - B. Parcel 2: Existing stormwater pond south of the access drive. This stormwater pond area is proposed to be cleaned up and a fountain installed. There are no changes in the use of this area.
 - C. Parcel 3: Existing parking field for the former theater use. Parcel 3 is 3.63 acres. Parcel 3 would be developed into a future use. The Planned

Development seeks to allow the B-8 uses and additional uses within the development order.

- D. Parcel 4: Existing former movie theater building of 39,368 square feet. Parcel 4 is 4.43 acres and includes some parking. The building is proposed to be redeveloped. The Planned Development seeks to allow the B-8 uses and additional uses within the development order.
- E. Parcel 5: This area is the relocated stormwater pond and is 1.87 acres.
- 5. The 12-acre property proposes to be subdivided with a lot split. The outparcel would become the second property.
- 6. **The Planned Development application seeks to allow the existing pylon sign for future users based on the limited visibility from the roadway.**
- 7. **The requested height for parcels 3 (parking lot) and parcel 4 (existing building) is 50'. The existing building is 50' in height.** Note that the parcel 1 (outparcel) would develop under the B-8 dimensional requirements.
- 8. **Allowed uses: parcels 3 (parking lot), parcel 4 (existing building) and parcel 5 (proposed stormwater area). The following uses are proposed in addition to the B-8 zoning district uses (also see ATTACHMENT 3).**

The following uses are sought in addition to the B-8 uses in Section 2-29 of the Land Development Code:

Permitted uses: (1) Car wash/detailing, (2) Warehouse, Storage – Indoor, (3) Warehouse, Business, (4) Outdoor Storage of Automobiles, Boats, RVs and Trailers (covered or uncovered), (5) Transient Lodging, (6) Collector – Exotic & Specialty Vehicle Sales, (7) Museum, (8) Hospital, (9) Pharmacy (Medical Marijuana).

Conditional use: (1) Malted Beverage Producer.

Special Exception use: (1) Telecommunications Tower.

Prohibited use: (1) Sexually Oriented Businesses.

- 9. **Allowed uses: parcel 1 (outparcel):** In addition to the B-8 uses in Section 2-29 of the Land Development Code, the Pharmacy (medical marijuana) has been requested.
- 10. Definitions for two uses not identified in the Land Development Code, Collector, Exotic and Specialty Vehicles and Museum, have been provided in ATTACHMENT 3.
- 11. The applicant's letter request states that in the event parcel 3 is developed for the Outdoor Storage of Automobiles, Boats, RVs and Trailers (covered or uncovered) use, a waiver of the typical internal landscaping islands is requested. The nature of the storage use prevents internal landscaping islands and this material would be relocated to the project perimeters, which has been approved in other storage facility uses.

12. At the southeastern portion of the property, within parcel 5, there is an existing private easement that restricts a 50-foot area for a natural area. This easement would either need to be modified or the stormwater pond area amended. This is an outstanding Site Plan Review Committee comment.
13. As the property redevelops, a mobility fee credit for the transportation impacts would be applicable. The existing property has a mobility fee value of \$73,753.59 based on the existing use (see ATTACHMENT 3). Proposed uses would have a mobility fee calculated and deducted from the existing credit. The existing building would also have water and sewer impact fee credits based on the number of existing fixtures.
14. Development of individual parcels would be reviewed and permitted by the Site Plan Review Committee (SPRC) based on the uses approved within the Planned Business Development.
15. The dimensional standards of the B-8 zoning district would be applicable.

Project process: The following exhibit displays the project's history to date:

Exhibit 3: Application process

Reviewing entity/action	Date	Required advertising
SPRC submittal	October 24, 2021	Not required.
SPRC comments	November 8, 2021	Not required.
SPRC 2 nd submittal	November 24, 2021	Not required.
SPRC comments (2 nd review)	Due December 8, 2021	Not required.
Planning Board	December 9, 2021	1. Mail notice, 300' radius. 2. Newspaper advertisement. 3. Site posting.
City Commission (tentatively)	January 18, 2022 (1 st reading) February 1, 2022 (2 nd reading)	1. Mail notice, 300' radius. 2. Newspaper advertisement.
SPRC submittal for final infrastructure improvement	To be determined.	Not required.
Issuance of site engineering permit and building permit	To be determined.	Not required.
SPRC submittal for individual parcel development	To be determined.	Not required.

Planned Business Development:

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.”

Reasons for a Planned Business Development:

1. Pylon Signage. The Planned Development application seeks to allow the existing pylon sign for future users based on the limited visibility from the roadway. Section 2-73(b)(5) of the Land Development Code states that Williamson Boulevard is within the Greenbelt and Gateway Preservation District. Section 3-47(C)(1)(a)(1) of the Land Development Code requires monument signs (8' maximum height) with the Greenbelt and Gateway Preservation District. The applicant could maintain the existing sign with no waivers under Section 3-43(2) of the Land Development Code. The applicant desires to renovate the existing signage to architecturally upgrade the signage per ATTACHMENT 4. The request to renovate the signage is allowed by Section 3-47(A) of the Land Development Code that states, “Alternative signage may be approved by the city commission through planned developments and special exceptions”.

Based on the lack of visibility for parcels 3 (parking lot) and parcel 4 (existing building) and the ability to simply maintain the sign, staff is supportive of the request to renovate the existing site signage.

2. Building height. The requested height for parcels 3 (parking lot) and parcel 4 (existing building) is 50'. The existing building is 50' in height. Note that the parcel 1 (outparcel) would develop under the B-8 dimensional requirements. Section 2-29 of the Land Development Code establishes a 30' height limit. The existing building on parcel 4 is 50' in height. Staff is supportive of the request for a 50' height limit on parcel 3 (parking lot) and parcel 4 (existing building).
3. Uses. Section 2-36 of the Land Development Code states,
Permitted uses. A PBD may incorporate any commercial or residential development allowed as permitted uses in the underlying zoning district designation, as well as any commercial or residential uses allowed under the Land Development Code for any district, provided the following findings are made:

- (1) The use is specifically shown on the site plan and includes a list of all proposed uses not permitted in the underlying zoning district (to the maximum extent known at the time of site plan submittal), a general description of the location, floor area to be occupied by such use, typical hours of operation and other relevant operation characteristics.
- (2) The use, by virtue of its location, vehicular circulation pattern, noise and visual buffering, traffic generation rates and peak traffic hours, odor emission controls, lighting and use of materials will not have an adverse impact on surrounding land uses, particularly where the site abuts areas developed with or zoned primarily for single-family homes.
- (3) Conversion of occupancy from a use approved under a PBD to a permitted use in the underlying district will not require an amendment to the PBD.
- (4) The use does not exceed any size limitations, use restrictions or other requirements provided under article II of this chapter.

There are two parcel related use requests. They are as follows:

Request 1: Parcels 3 (parking lot) and parcel 4 (existing building). The following uses are sought in addition to the B-8 uses in Section 2-29 of the Land Development Code:

Permitted uses: (1) Car wash/detailing, (2) Warehouse, Storage – Indoor, (3) Warehouse, Business, (4) Outdoor Storage of Automobiles, Boats, RVs and Trailers (covered or uncovered), (5) Transient Lodging, (6) Collector – Exotic & Specialty Vehicle Sales, (7) Museum, (8) Hospital, (9) Pharmacy (Medical Marijuana).

Conditional use: (1) Malted Beverage Producer.

Special Exception use: (1) Telecommunications Tower.

Prohibited use: (1) Sexually Oriented Businesses.

Request 2: Parcel 1 (Outparcel):

Permitted uses: (1) Pharmacy (Medical Marijuana).

It is understood the desire for a wide range of options as property redevelopment occurs. Some uses such as Warehouse, Storage – Indoor, Warehouse, Business, Collector – Exotic & Specialty Vehicle Sales, Museum would be appropriate for the existing building in parcel 4. Staff does have concern with the Outdoor Storage of Automobiles, Boats, RVs and Trailers (covered or uncovered), likely within parcel 3, and would not recommend the allowance of this use. The Outdoor Storage of Automobiles, Boats, RVs and Trailers (covered or uncovered) is allowed within the I-1 (Industrial) zoning district and is not allowed on commercial corridors. Staff would not recommend the inclusion of Automobiles, Boats, RVs and Trailers (covered or uncovered) within the development order.

Project public benefits:

Section 2-36(h)(3) of the Land Development Code requires the provisions of public benefits that demonstrate that a project's site plan design is more than the minimum

standards required. The applicant has provided a summary of the public benefits in ATTACHMENT 3. Below is a summary of the public benefits of the project from the applicant:

1. Reduce traffic impacts from previous theater use.
2. Add illuminated fountain to parcel 2.
3. Provide central location with screening for storage of boats, trailers and RVs to mitigate current code violations that occur throughout the city with unlawful storage in residential areas.
4. Redevelopment of this unique property will eliminate blight and other impacts such as landscape overgrowth, lack of building and site maintenance, homeless camps and vandalism that typically follow properties that go dark.
5. Parking lot fixtures that remain will be changed to energy saving LED fixtures.
6. The existing pylon sign will be refurbished with architectural features and will be modified to energy saving LED illumination.
7. Clean and maintain the overgrowth of tree limbs and underbrush surrounding the Williamson retention pond, parcel 2, in order to provide visibility to the new fountain.

CONCLUSION:

In considering an application for a Planned Business Development, 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.**

Parcel 4 has an existing building that would be modified based on the final use selected. Any new building would be required to comply with the architectural design standards of Section 3-69 of the Land Development Code.

- b) Landscaping and related site amenities.**

The site has existing landscape buffers in place. Many of these buffers are natural vegetation. The redevelopment would update any dead or missing material. Any new site development, such as the outparcel would comply with the required landscape requirements of the Land Development Code.

- c) Mitigation of off-site impacts.**

The redevelopment of the property is likely to have less intensive uses than the movie theater. The property is surrounded by commercial uses to the north and west, a conservation area to the east, and a vacant parcel with a Daytona Beach multi-family/assisted living facility use.

- d) Overall lighting plan, particularly in relation to aesthetics and glare.**

The existing lighting is proposed to remain and have LED fixtures installed. Any new

lighting would be required to meet the Land Development Code requirements.

e) Overall signage plan, particularly related to aesthetics and readability.

The redevelopment of the property seeks to allow the update of the existing site pylon sign. The signage is a key component based on the large setbacks of the building and landscaping along Williamson Boulevard.

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 proposed development conforms to the standards of the Land Development Code and seeks the Planned Business Development process based on the signage, building height and uses. The proposed redevelopment plan is appropriate for the location and will not negatively impact surrounding properties. The development will not create undue crowding beyond the conditions normally permitted in the zoning district. 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.

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

The property is designated as “Commercial” on the City’s Future Land Use Map (FLUM). The proposed development is consistent with the Comprehensive Plan. Specifically, the Future Land Use Element of the Comprehensive Plan states:

General Commercial (GC)

Purpose: A multi-use land use category to provide for the sales of retail goods and services, high density multi-family, professional offices and services, and restaurants, depending on the range of population to be served and the availability of transit. 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: 0.7 (2.0 within the Downtown Community Redevelopment area)

The “Commercial” land use designation specifically envisions commercial uses. The redevelopment of this property has certain challenges that include (1) a lack of roadway visibility, the large parking field, and the existing building structure. The location is appropriate for commercial uses and is consistent with the Comprehensive Plan.

The application also supports the following policies in the Future Land Use Element of the Comprehensive Plan:

Objective 1.2.: Ensure that adequate amounts of land are available to meet the commercial land use needs of the community.

Policy 1.2.6.: New commercial development shall be required to provide appropriate buffers and landscaping to minimize negative impacts on surrounding uses.

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 property has been developed and this is a redevelopment project. The survey indicates that the project is located in flood zone "X" and is not within a flood zone. The project 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.

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 project is consistent with the property's land use designation and zoning classification and will not depreciate the value of surrounding property. The proposed project is consistent with the property's land use designation and zoning classification and will not depreciate the value of surrounding property. The project will not 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.**

There are adequate public facilities to serve the proposed development, including roads, sidewalks, bike paths, potable water, wastewater treatment, drainage, fire and police safety, parks and recreation facilities, schools, and playgrounds.

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.**

Per the ITE Trip Generation Manual, 10th edition, the movie theater use generated 3,074 average daily trips with 243 trips occurring in the PM peak hour. The redevelopment of the project is likely to reduce the trip generation from this property. Each individual development would have an independent site plan and a review of the project traffic impacts.

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

The characteristics of the existing property and building present redevelopment challenges. The Planned Business Development seeks to provide the framework to redevelop the property to prevent blight and the impacts of blight.

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

The proposed development provides for the safety of its occupants and visitors. Each individual parcel would have its own site plan once final uses are determined.

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

The existing building is not being modified at this time. Any future building would be required to comply with Section 3-69 of the Land Development Code.

10. The testimony provided at public hearings.

This application has not been heard and no public testimony has been provided.

RECOMMENDATION:

It is recommended that the Planning Board recommend **APPROVAL** of PBD 2022-002(B) that approves the issuance of a development order for the Regal Center at 215 Williamson Boulevard to (1) create an outparcel along Williamson Boulevard, (2) allow additional uses within the Planned Business Development, and (3) create a framework for future redevelopment. Within the Planned Business Development, the project would specifically allow:

- a) Pylon Signage. The renovation and rehabilitation of the existing pylon sign as shown in ATTACHMENT 4;
- b) Building height. Allowance of a building height for parcels 3 (parking lot) and parcel 4 (existing building) of 50'.
- c) Uses. To allow the following uses as shown in ATTACHMENT 3:

Request 1: Parcels 3 (parking lot) and parcel 4 (existing building). The following uses are sought in addition to the B-8 uses in Section 2-29 of the Land Development Code:

Permitted uses: (1) Car wash/detailing, (2) Warehouse, Storage – Indoor, (3) Warehouse, Business, ~~(4) Outdoor Storage of Automobiles, Boats, RVs and Trailers (covered or uncovered)~~, (5) Transient Lodging, (6) Collector – Exotic & Specialty Vehicle Sales, (7) Museum, (8) Hospital, (9) Pharmacy (Medical Marijuana).

Conditional use: (1) Malted Beverage Producer.

Special Exception use: (1) Telecommunications Tower.

Prohibited use: (1) Sexually Oriented Businesses.

Request 2: Parcel 1 (Outparcel):

Permitted uses: (1) Pharmacy (Medical Marijuana).

Staff would not recommend of the inclusion of the Outdoor Storage of Automobiles, Boats, RVs and Trailers (covered or uncovered) use within the Planned Business Development.

Subject to the applicant resolving the outstanding Site Plan Review Committee comments within ATTACHMENT 1. The project is tentatively scheduled for the City Commission on January 18, 2022 (first reading) and if approved on first reading, the second reading on February 1, 2022 (final reading).

Attachments:

Attachment 1: Site Plan Review Committee comments

Attachment 2: Maps and pictures of the project area

Attachment 3: Applicant letter and trip generation information

Attachment 4: Site plans

ATTACHMENT 1

Site Plan Review Committee comments



Current Project - Project Markups Listing

PZ-22-002

File Name	Markup Name	Markup Text	Markup Date	Created by
07 DRAINAGE.pdf	Civil-Sheet 7-Draiange	Please add a note that the existing pipe system shall be inspected by video with a written report of the condition of system. This shall be in addition to the video of new pipe system. The video inspection should be done prior to any final surface work on the parking area.	11/03/2021	David Allen
07 DRAINAGE.pdf	Civil-Pond Max Stage	The max stage of the ponds appear to create overflow in several of the inlets. Please review and revise if necessary.	11/03/2021	David Allen
09 SECTIONS.pdf	Civil-Sections	Not graphically correct.	11/03/2021	David Allen
10 SECTIONS.pdf	Civil-Sections 10	Not Graphically Correct	11/03/2021	David Allen
11 UTILITIES.pdf	Civil-Gravity Sewer	Please change Note #11 to reflect that the video inspection will be for the existing gravity main prior to any surface work is completed for the parking.	11/03/2021	David Allen
04 SWPPP.pdf	Civil-Buffer Area	The survey calls out this area as a buffer, with OR Book and page. How will the recorded buffer be modified to allow the encroachment of the pond?	11/02/2021	David Allen
Stormwater Report - Regal Center.pdf	Civil-Storm	The total area shown on plan sheet 6 is 12.06 acres. The survey calls out 12.01 acres. Please reconcile the actual project areas.	11/02/2021	David Allen

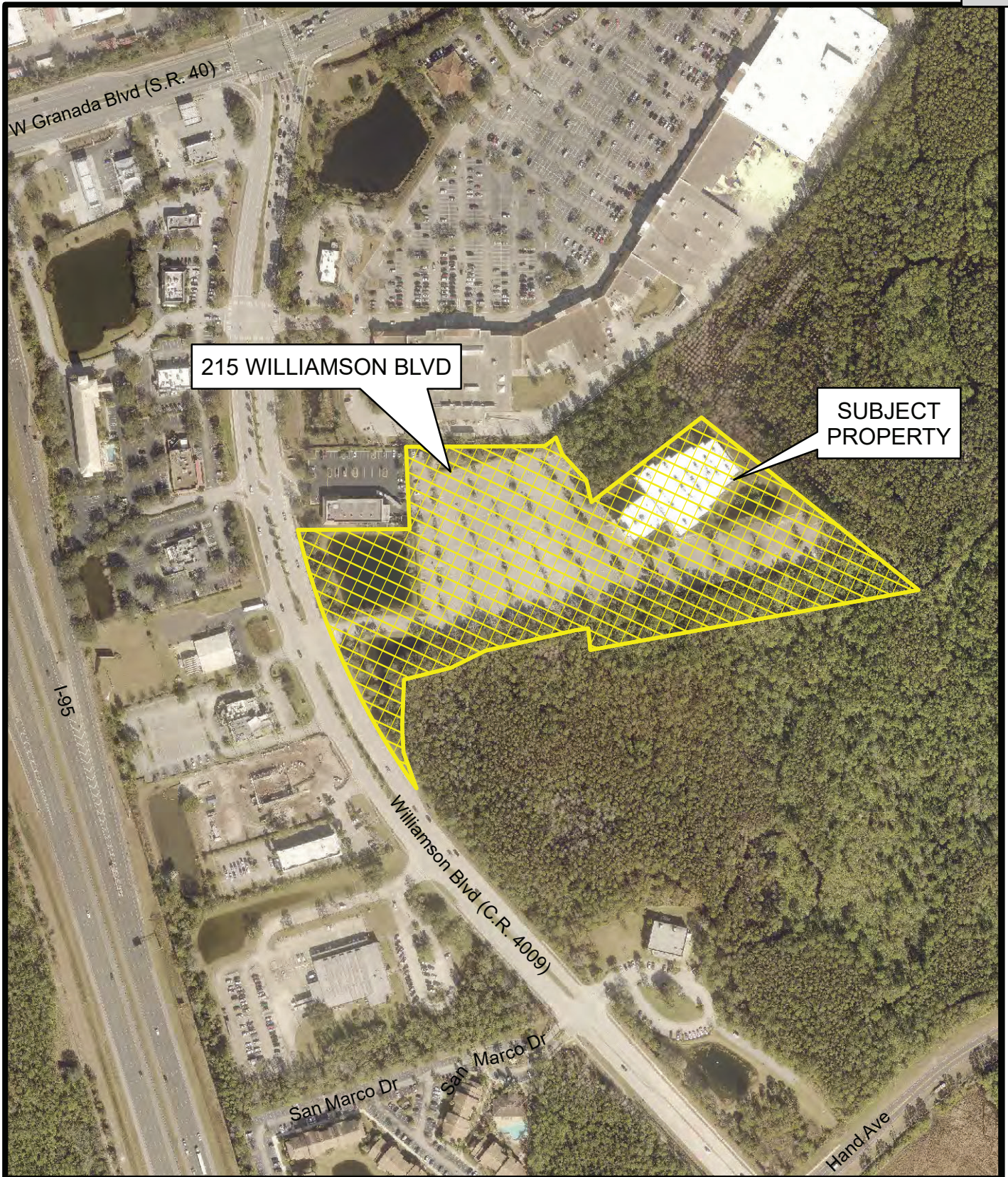


Current Project - Project Markups Listing

06 SITE LAYOUT.pdf	CSC	- Please graphically/written call out all the landscape buffers for each side. - Please show/survey all existing trees to be removed with the new improvements. - Please provide a landscape betterment plan for the entire site. Please demonstrate that the Greenbelt, all landscape buffers, parking areas and minimum tree site requirements are met. Please note or survey existing trees within these areas. - Terminal landscape islands are required on the altered rear parking lot. - Please provide irrigation plan for new improvements. Add notes that the existing system shall be operable & provide 100% coverage with 50% overlap prior to C.O.	11/01/2021	Cara Culliver
06 SITE LAYOUT.pdf	SSS	Please look at easement within Book 4073, Page 873 that appears to restrict this land areas for natural landscape. How is this land area able to be converted to a stormwater area?	11/01/2021	Steven Spraker
10.26.2021. Regal center PBD request.pdf	SSS	Planning staff is not supportive of RV and boat storage on this property.	11/01/2021	Steven Spraker

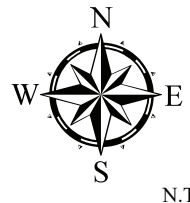
ATTACHMENT 2

Maps and pictures of the
project area

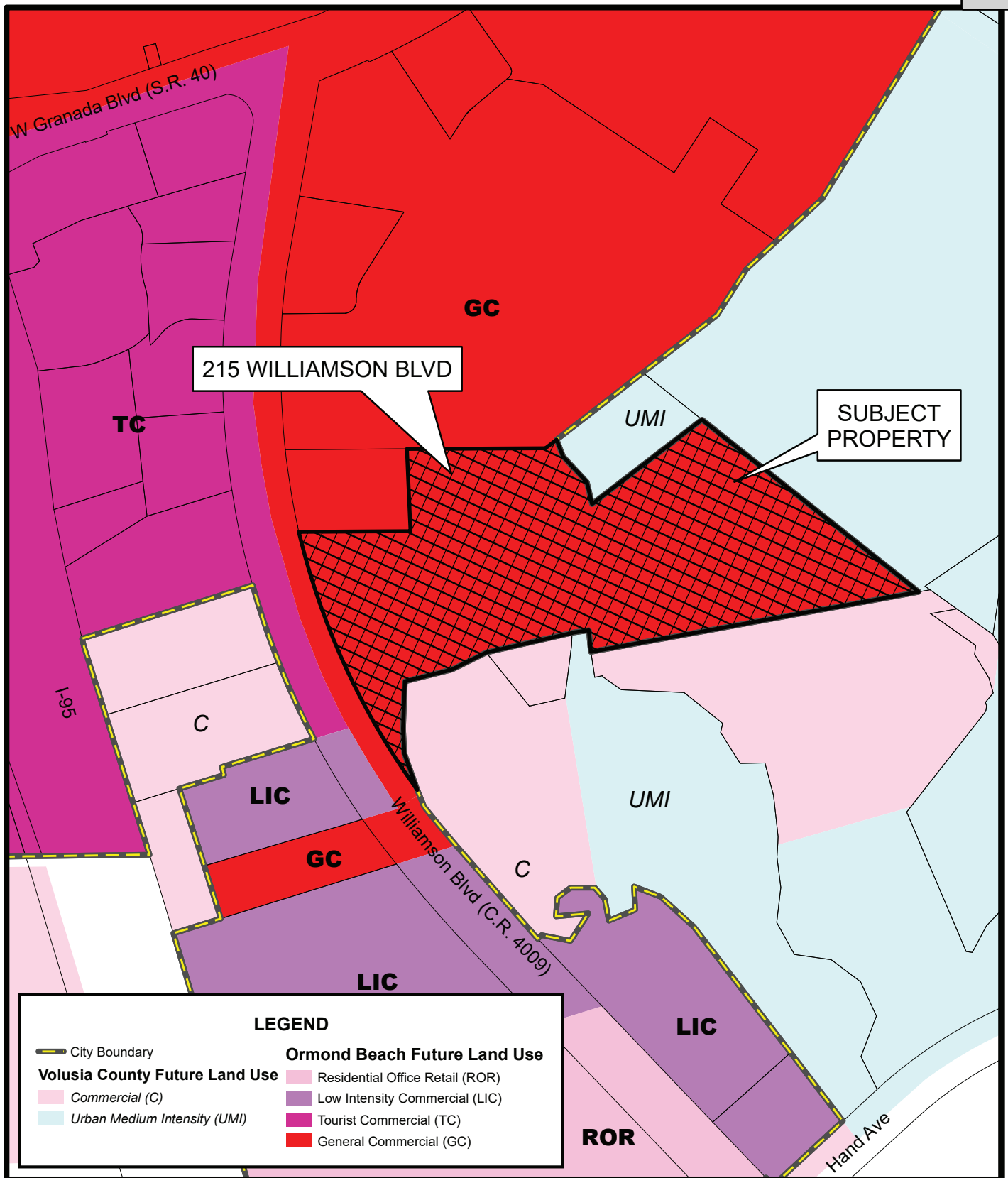


AERIAL MAP
215 WILLIAMSON BLVD
(4230-00-00-0014)

Prepared By: City of Ormond Beach
 G.I.S. Department 11/5/2021

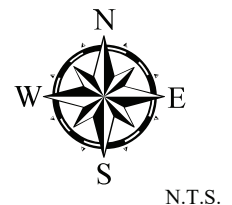


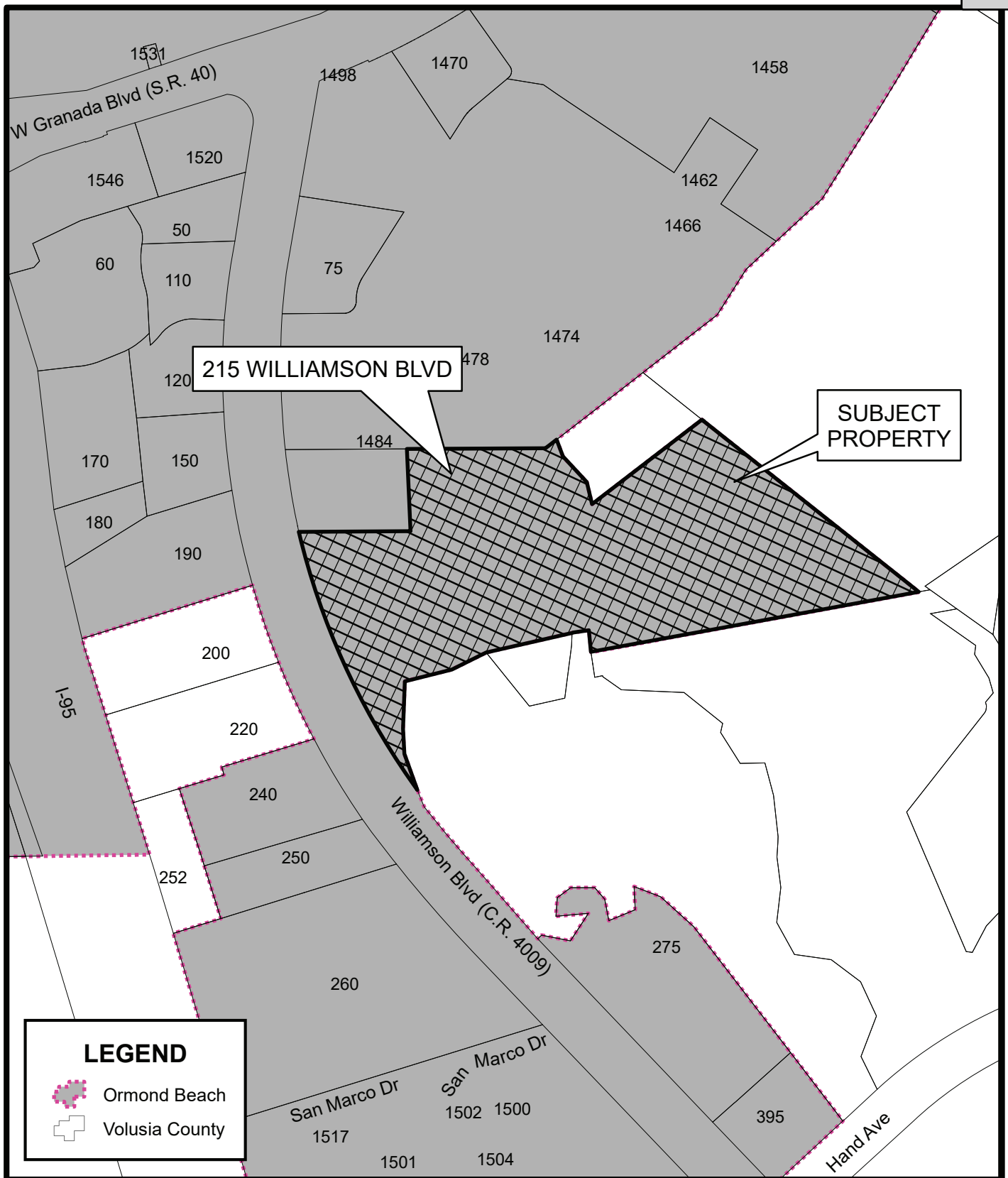
N.T.S.



**FUTURE LAND USE MAP
215 WILLIAMSON BLVD
(4230-00-00-0014)**

Prepared By: City of Ormond Beach
G.I.S. Department 11/5/2021

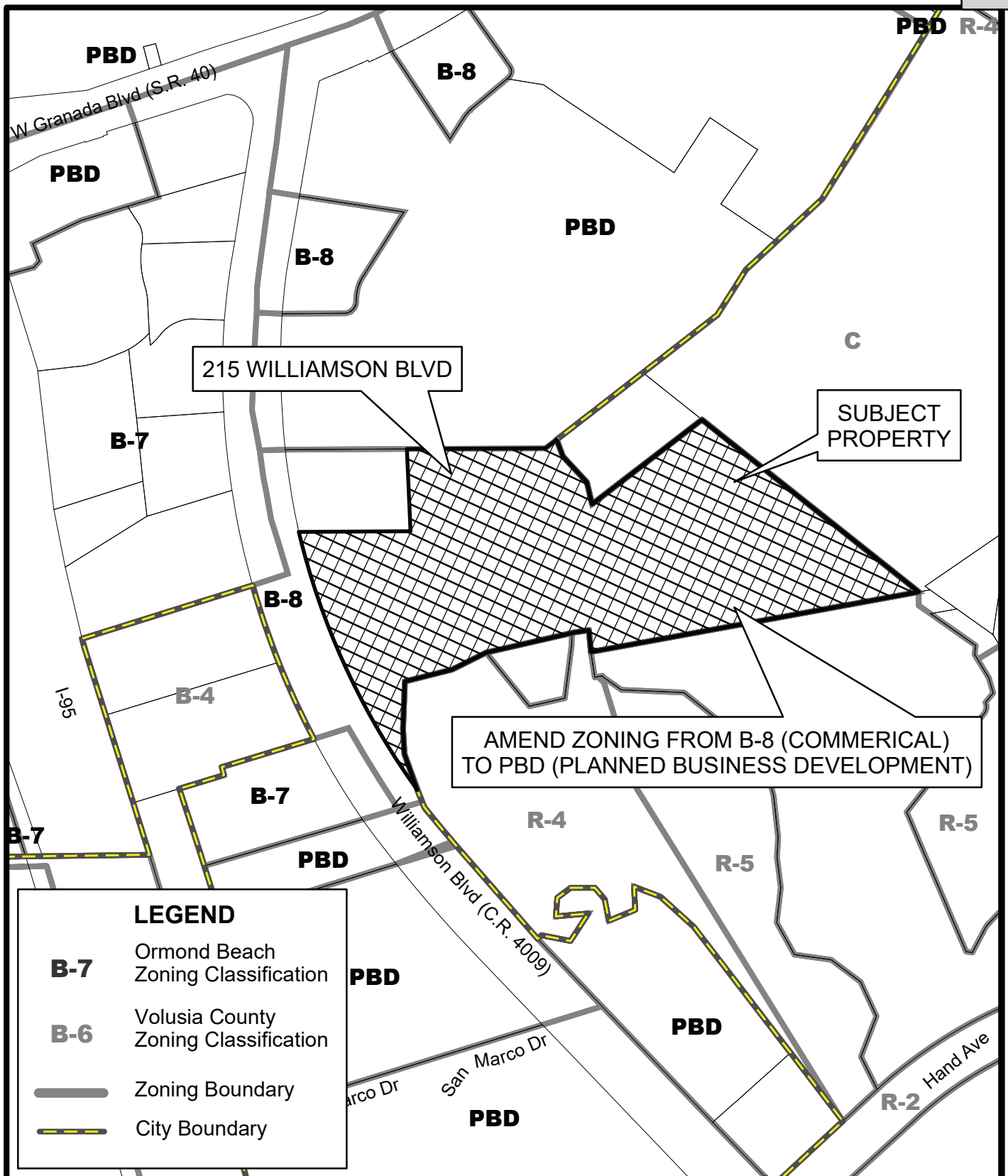




LOCATION MAP
215 WILLIAMSON BLVD
(4230-00-00-0014)

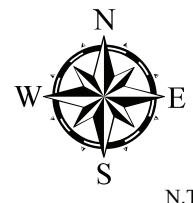
Prepared By: City of Ormond Beach
 G.I.S. Department 11/5/2021





PROPOSED ZONING MAP
215 WILLIAMSON BLVD
(4230-00-00-0014)

Prepared By: City of Ormond Beach
 G.I.S. Department 11/5/2021







Existing sign proposed to be renovated



Parcel 1 (outparcel) from Williamson Boulevard

Parcel 1 (outparcel) from the access drive

8.D.h

Tire Kingdom



Parcel 2 (existing stormwater pond) from the access drive

8.D.h





Parcel 3 (existing parking area)



Parcel 4 (existing building)

Parcel 5 (proposed stormwater area)

ATTACHMENT 3

Applicant letter and trip
generation information



REGAL CINEMA – PAST – PRESENT – FUTURE

REVISED: NOVEMBER 18, 2021

The original theatre was completed in 1996 and was operated under the Regal Cinema Theatre chain, providing first run movies to the Ormond Beach community for almost twenty-five years.

Prior to COVID the attendance numbers for the Ormond Beach Regal had declined significantly. Regal Cinema, Inc. made a decision in late 2020 to close this facility due to a variety of impacts, including the reduction in attendance, the more recently developed Cobb Theatre in Daytona Beach and the 12-screen theatre at the Pavilion, Port Orange. COVID also impacted the theatre operation and likely was the final setback that moved Regal to close this location.

For the future, theatres in general are in a difficult position as movie customers have in home access to streaming first run movies, in some cases on the same day they are released in theatres; other first run movies are released in a very short time frame after theatre release. It is very unlikely that another theatre will be constructed in Ormond Beach due to our population and close proximity to other venues.

FUTURE REDEVELOPMENT

The redevelopment of this property, including the parking field and more specifically the 39,368 s.f. theatre building has its challenges due to the following:

- A. Configuration of the theatre facility does not lend itself to any type of big box retailer.
- B. Renovations necessary to theatre sloped floors so that they are at grade level with the balance of the building.
- C. The extraordinary set back of the existing theatre building from Williamson Boulevard diminishes visibility from the road for future use.
- D. The 620 existing parking spaces which would not be necessary under most redevelopment uses.
- E. Limited road frontage and visibility for the entire property from all sides.
- F. Demolition of the 2,300 theatre seats and structural components.

We have been in discussion with a variety of proposed users for the overall complex, including interest in the out-parcel, redevelopment of the theatre building, office users who



value a secured perimeter and access to I-95, and also retail and hotel uses for Parcel 3 (5.07 acres).

Currently the property is vacant, however there have been several homeless camps set up on the perimeter of the property boundaries and in some cases, directly on the property. As with any vacant property, this will continue to be an issue until the property is redeveloped and occupied.

This PBD will be the base of a logical repurposing plan. It utilizes the site's major assets – location at the center of the Ormond Beach market, privacy due to visual and access buffers on 3 sides, and proximity to I-95 for north-south access, and SR 40 for east-west access. It will become a contributor to the City's economic base and remove an area of potential blight.

RELOCATION OF EXISTING STORMWATER POND

In conjunction with our PBD Application, we have engaged Newkirk Engineering to relocate the existing stormwater pond at Williamson Boulevard to the rear (southeast corner) of the property. The relocation of the stormwater pond has been discussed in concept with SJRWMD and they had no initial objection to the relocation.

CREATION OF FRONTAGE PARCEL – WILLIAMSON BOULEVARD

In conjunction with the relocation of the stormwater pond, we propose to fill the existing pond and create Parcel 1 (1.363 acres). This parcel will be subdivided from the overall tract through the Lot Split Application. Upon approval of the lot split from the City of Ormond Beach, we will secure a separate tax parcel number.

It is anticipated that this parcel will be developed under a ground lease, a build to suit or sold for commercial uses permitted under the B-8 zoning and this PBD. The inquiries we have received range from medical, office, retail, restaurant, including QSR's with drive thru facilities.

The outparcel shall abide under the B-8 Dimensional and Use Standards.

UTILITIES

The current Regal Theatre has potable water, fire protection and gravity sewer utilities provided by the City of Ormond Beach. We propose to extend the gravity sewer and water for future development of Parcel 1. We will also include extension of water and sewer stubbed out to Parcel 3 for future development.



INGRESS – EGRESS WILLIAMSON BOULEVARD AND CROSS ACCESS

The current 12.06 acre parcel has one main entrance with a northbound right turn lane and a southbound left turn lane to the entrance. This will continue to be the main ingress and egress to the overall property.

There is currently a cross access easement with the existing Discount Tire Store and that will remain in place.

The proposed out-parcel may have a secondary ingress – egress access driveway subject to City and County approval.

LANDSCAPING EXISTING – PROPOSED

The future development of the out-parcel (Parcel #1) will include new landscaping and buffers to conform with City standards.

In the event Parcel 3 is developed for outdoor covered storage then applicant is requesting a waiver of typical landscape islands and perimeter landscaping would be similar to the landscape buffers depicted on the Concept Plan.

In the event Parcel 3 is redeveloped for uses other than outdoor storage then redevelopment shall include landscaping to meet City standards.

SURROUNDING PROPERTIES

The Regal property is surrounded by and adjacent to the following:

North – the rear of Ormond Town Square

South – predominately wetlands, wetland mitigation and conservation land

East – predominately wetlands and conservation land

West – Discount Tire Store

There are no existing residential properties adjacent to the Regal property and it is very unlikely that any of the surrounding land could be developed for residential – multi-family purposes due to the existing wetlands and conservation overlay. The Regal property has very limited visibility to Williamson Boulevard which adds to screening on all four sides of the property.



PROPOSED REDEVELOPMENT OF REGAL THEATRE BUILDING

Currently the proposed redevelopment and future use of the Regal Theatre building is to utilize the same for climate controlled indoor general storage. The alternate use may be climate controlled indoor storage of collector cars, RV and boats.

There have been other uses that have been discussed including office, educational and governmental uses.

CURRENT MOBILITY FEES – TRANSFER OF CREDITS

Listed below is the existing mobility fee that is associated with the previous theatre use:

<u>Existing Square Feet</u>	<u>Estimated Mobility Fee</u>
Regal Cinema 39,368 s.f.	TBD *

The applicant is requesting that in the event the Regal building is used for other purposes that are less intense such as a warehouse use, that the mobility fee for the less intense use shall be calculated and any remaining mobility fee credit may be used to offset mobility fees due on redevelopment of any portion of the remaining property.

The mobility fee credits would be assigned to the Regal Center Ormond project and used only for onsite redevelopment. Applicant is requesting that the mobility fee credit will be available for a period of 5 years with no reduction in value.

** Applicant will provide to staff for review and approval the vested trips and applicable adjustments to determine the final mobility fee amount.*

EXISTING PYLON SIGN – FUTURE OUTPARCEL SIGNAGE

Applicant is requesting that the existing pylon sign may remain for future businesses advertising the redevelopment of both the property and theatre building. Photos of the existing sign and the architectural embellishments proposed for the sign are included for your consideration.

The development of Parcel 1 will include its own monument sign and building signs subject to existing City codes.



EXISTING B-8 COMMERCIAL ZONING AND ADDITIONAL USES

The following are the existing Permitted, Conditional Uses and Special Exception Uses for the Regal Center Property and the numbered uses listed in **bold** print are additional uses the applicant is requesting approval for:

Permitted Uses

Adult Day Care Center
 Assisted Living Facility
 Business and Prof. Office
 Business Service
 Clubs and Fraternal Org.
 Convenience Store Type A
 Financial Institution
 Instructional Physical Act.
 Nursing Home
 Retail Sales and Services
 School, Public
~~Sexually Oriented Business~~
 Veterinarian
1. Car Wash/Detailing
2. Warehouse, Storage, Indoor
3. Warehouse, Business
4. Outdoor Storage of Automobiles, Boats, RV's and Trailers (Covered and Uncovered)
5. Transient Lodging
6. Collector – Exotic & Specialty Vehicle Sales
7. Museum
8. Hospital
9. Pharmacy

Conditional Uses

Bowling Center
 Child Care Facility
 Community Residential Home
 Convenience Store, Type B
 Convenience Store, Type C
 Dwelling, Multifamily
 Family Day Care Home
 House of Worship
 Parks and Recreation Facilities, Public
 Parks and Recreation Facilities, Private
 Personal Services
 Public Facilities
 Public Utilities
 Recreational Facilities, Indoor
 Restaurant, Type "A"
 Restaurant, Type "B"
 Restaurant, Type "C"
 School, Private
 Shopping Center
 Telecommunications Towers, Camouflaged
 Theater
 Wind Energy System
1. Malted Beverage Producer

Special Exception Uses

Automatic Amusement Center
 Outdoor Activity
 Outdoor Storage
 Recreational Facilities, Outdoor
 Warehouse, Mini – Rental
1. Telecommunication Tower

All additional Permitted, Conditional and Special Exception uses requested under the PBD shall not apply to the proposed out-parcel, except for "9. Pharmacy" which applicant is requesting as a Permitted Use for the out-parcel.

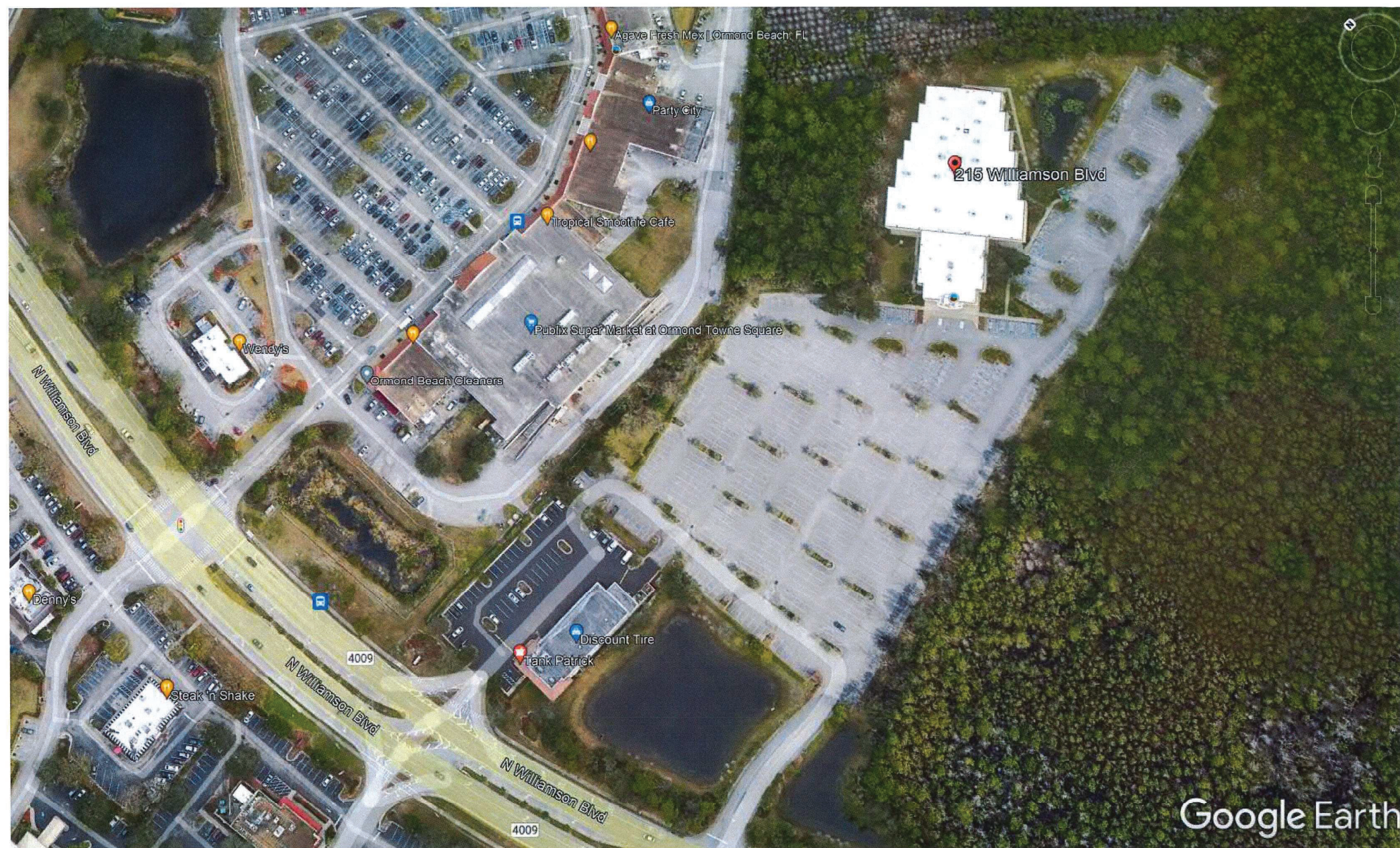
DIMENSIONAL STANDARDS

1. Applicant is requesting that the maximum height of the B-8 zoning of 30' is increased to 50'. The current theatre building height is 49.48'. The increase to maximum height shall exclude the proposed out-parcel.
2. Applicant requests a waiver to landscape islands that may conflict with the future redevelopment of the parking field for outdoor storage.
3. Applicant may further subdivide portions of the parking field depending on the type of redevelopment. Staff will be authorized to process, review and approve such lot split applications at staff level.



PUBLIC BENEFITS

1. Reduce traffic impacts from previous theatre use.
2. Add illuminated fountain to Parcel 2.
3. Provide central location with screening for storage of boats, trailers and RVs to mitigate current code violations that occur throughout the city with unlawful storage in residential areas.
4. Redevelopment of this unique property will eliminate blight and other impacts such as landscape overgrowth, lack of building and site maintenance, homeless camps and vandalism that typically follow properties that go dark.
5. Parking lot fixtures that remain will be changed to energy saving LED fixtures.
6. The existing pylon sign will be refurbished with architectural features and will be modified to energy saving LED illumination.
7. Clean and maintain the overgrowth of tree limbs and underbrush surrounding the Williamson retention pond, (Parcel #2) in order to provide visibility to the new fountain.





Google Earth

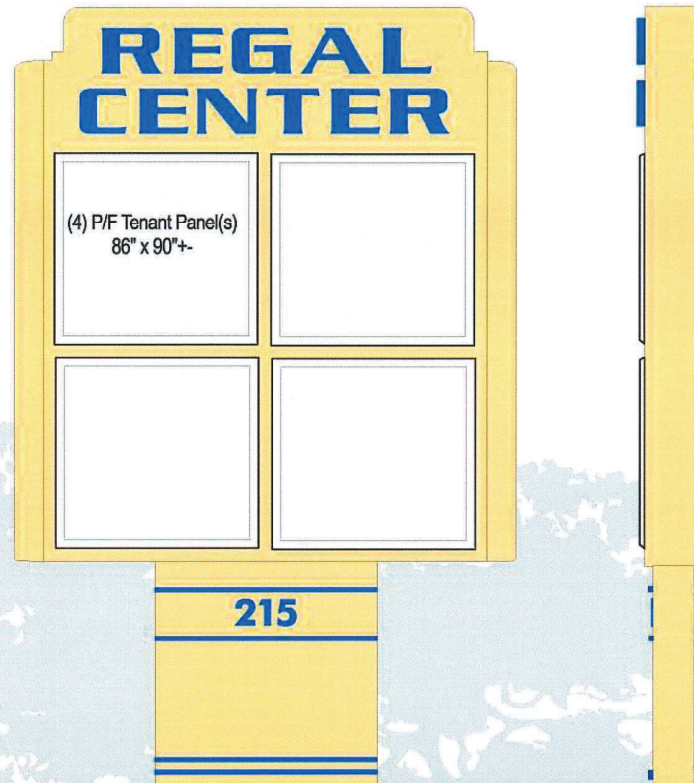


REGAL 12

**BARGAIN DAY TUESDAY
WITH RCC CARD**

**BERNADETTE
ONCE UPON A TIME
HOBBS AND SHAW
47 METERS
RACING IN THE RAIN
DORA AND THE LOST CITY**

20"



GENERAL SPECIFICATIONS

Revamp existing sign. Paint body of sign tan/ivory. Remove changeable copy panels and replace with (4) P/F white acrylic panels for tenant names. Regal Center reverse channel letters painted blue. Halo illumination provided by white LED. Address and base highlights non illuminated PVC painted to match channel letters

Customer Holub	Date 9.17.21	Scale NTS	Drawing # HRC9.17.21	Approved as is ☐ Approved w/changes ☐ Redraw w/changes ☐	PJ Sign Systems © 2020 Original Design Authorized Signature & Date	This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electric Code and/or other applicable local codes. This includes grounding and bonding.	 614 Fern Ave. Holly Hill, FL 32117 386.257.4522 Fax 368.257.5122
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Regal Centre Ormond

Project Name: PZ-22-002

Project Description: 215 Williamson Boulevard

REF.17: Provide Definitions as follows:

(1)

Collector, exotic and specialty vehicles: Vehicles of the type sold at auctions held by major auction firms specializing those categories, such as Mecum, RM Sotheby, Barrett Jackson and the like, and also shall include new and preowned limited demand specialty vehicles.

(2)

Museum: A building or structure used for the housing and display of historical, technological, scientific, engineering objects, artifacts and/or visual arts”.

Description/ITE Code	Units	ITE Vehicle Trip Generation Rates								Expected Units	Total Generated Trips			Total Distribution of Generated Trips					
		(peak hours are for peak hour of adjacent street traffic unless highlighted)									Daily	AM Hour	PM Hour	AM In	AM Out	Pass-By	PM In	PM Out	Pass-By
		Weekday	AM	PM	Pass-By	AM In	AM Out	PM In	PM Out										
Mobile Home Park 240	Acres	39.61	3.20	4.45		18%	82%	63%	37%		0	0	0	0	0	0	0	0	0
Mobile Home Park 240	Vehicles	3.38	0.27	0.36		16%	84%	63%	37%		0	0	0	0	0	0	0	0	0
Senior Adult Housing-Detached 251	DU	3.71	0.22	0.27		35%	65%	61%	39%		0	0	0	0	0	0	0	0	0
Senior Adult Housing- Attached 252	Occ.DU	3.48	0.13	0.16		36%	64%	60%	40%		0	0	0	0	0	0	0	0	0
Congregate Care Facility 253	Occ.DU	2.15	0.06	0.17		61%	39%	56%	44%		0	0	0	0	0	0	0	0	0
Congregate Care Facility 253	DU	2.02	0.06	0.17		59%	41%	55%	45%		0	0	0	0	0	0	0	0	0
Assisted Living 254	Occ. Beds	2.74	0.17	0.29		73%	27%	52%	48%		0	0	0	0	0	0	0	0	0
Assisted Living 254	Beds	2.66	0.14	0.22		65%	35%	44%	56%		0	0	0	0	0	0	0	0	0
Assisted Living 254	Employees	3.93	NA	0.55		NA	NA	NA	NA		0	NA	0	NA	NA	0	NA	NA	0
Retirement Community 255	Occ. Units	2.81	0.18	0.29		64%	36%	48%	52%		0	0	0	0	0	0	0	0	0
Recreational Homes 260	DU	3.16	0.16	0.26		67%	33%	41%	59%		0	0	0	0	0	0	0	0	0
Recreational Homes 260	Acres	1.33	0.07	0.11		67%	33%	41%	59%		0	0	0	0	0	0	0	0	0
Timeshare 265	DU	10.03	0.48	0.75		NA	NA	NA	NA		0	0		NA	NA	0	NA	NA	0
Residential PUD 270	DU	7.50	0.51	0.62		22%	78%	65%	35%		0	0	0	0	0	0	0	0	0
Residential PUD 270	Acres	46.78	2.88	4.05		NA	NA	NA	NA		0	0	0	NA	NA	0	NA	NA	0
Hotel 310	Occ. Room	8.92	0.67	0.70		58%	42%	49%	51%		0	0	0	0	0	0	0	0	0
Hotel 310	Rooms	8.17	0.56	0.59		61%	39%	53%	47%		0	0	0	0	0	0	0	0	0
Hotel 310	Employees	14.34	0.69	0.80		60%	40%	54%	46%		0	0	0	0	0	0	0	0	0
All Suites Hotel 311	Occ.Room	6.24	0.48	0.55		67%	33%	42%	58%		0	0	0	0	0	0	0	0	0
All Suites Hotel 311	Rooms	4.90	0.38	0.40		55%	45%	45%	55%		0	0	0	0	0	0	0	0	0
Business Hotel 312	Occ. Room	7.27	0.58	0.62		59%	41%	60%	40%		0	0	0	0	0	0	0	0	0
Business Hotel 312	Employees	72.67	7.17	7.60		59%	41%	60%	40%		0	0	0	0	0	0	0	0	0
Motel 320	Occ.Room	9.11	0.64	0.58		36%	64%	53%	47%		0	0	0	0	0	0	0	0	0
Motel 320	Rooms	5.63	0.45	0.47		36%	64%	54%	46%		0	0	0	0	0	0	0	0	0
Motel 320	Employees	12.81	0.91	0.73		54%	46%	54%	46%		0	0	0	0	0	0	0	0	0
Resort Hotel 330	Occ. Room	13.43	0.37	0.49		72%	28%	43%	57%		0	0	0	0	0	0	0	0	0
Resort Hotel 330	Rooms	NA	0.31	0.42		72%	28%	43%	57%		0	0	0	0	0	0	0	0	0
Resort Hotel 330	Employees	13.58	0.15	0.25		69%	31%	40%	60%		0	0	0	0	0	0	0	0	0
City Park 411	Acres	1.59	NA	NA		NA	NA	NA	NA		0	NA	NA	NA	NA	0	NA	NA	0
City Park 411	Picnic Sites	5.87	NA	NA		NA	NA	NA	NA		0	NA	NA	NA	NA	0	NA	NA	0
County Park 412	Acres	2.28	0.01	0.06		80%	20%	41%	59%		0	0	0	0	0	0	0	0	0
State Park 413	Acres	0.65	NA	NA		NA	NA	NA	NA		0	NA	NA	NA	NA	0	NA	NA	0
State Park 413	Picnic Sites	9.95	NA	0.55		NA	NA	43%	57%		0	NA	0	NA	NA	0	0	0	0
State Park 413	Employees	42.55	NA	4.67		NA	NA	43%	57%		0	NA	0	NA	NA	0	0	0	0
Water Slide Park 414	Parking Space	2.27	0.08	0.28		70%	30%	21%	79%		0	0	0	0	0	0	0	0	0
Beach Park 415	Acres	29.81	0.48	1.30		59%	41%	29%	71%		0	0	0	0	0	0	0	0	0
Campground/RV Park 416	Acres	NA	0.48	0.98		42%	58%	69%	31%		0	0	0	0	0	0	0	0	0
Regional Park 417	Acres	4.57	0.15	0.20		57%	43%	45%	55%		0	0	0	0	0	0	0	0	0
Regional Park 417	Picnic Sites	61.82	4.00	9.60		75%	25%	41%	59%		0	0	0	0	0	0	0	0	0
Regional Park 417	Employees	79.77	4.59	10.26		65%	35%	45%	55%		0	0	0	0	0	0	0	0	0
National Monument 418	Acres	5.37	0.23	0.42		NA	NA	NA	NA		0	0	0	NA	NA	0	NA	NA	0
National Monument 418	Employees	31.05	3.05	5.58		NA	NA	NA	NA		0	0	0	NA	NA	0	NA	NA	0
Marina 420	Berths	2.96	0.08	0.19		33%	67%	60%	40%		0	0	0	0	0	0	0	0	0
Marina 420	Acres	20.93	NA	NA		NA	NA	NA	NA		0	NA	NA	NA	NA	0	NA	NA	0
Golf Course 430	Acres	5.04	0.21	0.30		74%	26%	34%	66%		0	0	0	0	0	0	0	0	0
Golf Course 430	Employees	20.52	1.01	1.48		68%	32%	48%	52%		0	0	0	0	0	0	0	0	0
Golf Course 430	Holes	35.74	2.23	2.78		79%	21%	45%	55%		0	0	0	0	0	0	0	0	0
Miniature Golf Course 431	Holes	NA	NA	0.33		NA	NA	33%	67%		0	NA	0	NA	NA	0	0	0	0
Golf Driving Range 432	Tees	13.65	0.40	1.25		61%	39%	45%	55%		0	0	0	0	0	0	0	0	0
Batting Cages 433	Cages	NA	NA	2.22		NA	NA	55%	45%				0	NA	NA	0	0	0	0
Multipurpose Rec. Facility 435	Acres	90.38	1.92	5.77		NA	NA	NA	NA		0	0	0	NA	NA	0	NA	NA	0
Bowling Alley 437	KSF²	33.33	3.13	3.54		60%	40%	35%	65%		0	0	0	0	0	0	0	0	0
Live Theater 441	Seats	NA	NA	0.02		NA	NA	50%	50%		0	NA	0	NA	NA	0	0	0	0
Movie Theater w/o matinee 443	KSF²	78.06	0.22	6.16		NA	NA	94%	6%	39.4	3,074	9	243	NA	NA	0	228	15	0
Movie Theater w/o matinee 443	Movie Screens	220.00	NA	24.00		NA	NA	41%	59%		0	NA	0	NA	NA	0	0	0	0
Movie Theater w/o matinee 443	Seats	1.76	0.01	0.07		NA	NA	75%	25%		0	0	0	NA	NA	0	0	0	0
Movie Theater w/o matinee 443	Employees	53.12	0.15	4.20		NA	NA	NA	NA		0	0	0	NA	NA	0	NA	NA	0

Description/ITE Code	Units	ITE Vehicle Trip Generation Rates (peak hours are for peak hour of adjacent street traffic unless highlighted)								Expected Units	Total Generated Trips			Total Distribution of Generated Trips					
		Weekday	AM	PM	Pass-By	AM In	AM Out	PM In	PM Out		Daily	AM Hour	PM Hour	AM In	AM Out	Pass-By	PM In	PM Out	Pass-By
Fast Food with Drive Thru 934	KSF ²	496.12	49.35	33.48	50%	51%	49%	52%	48%		0	0	0	0	0	0	0	0	0
Fast Food with Drive Thru 934	Seats	19.52	1.32	0.94	50%	53%	47%	53%	47%		0	0	0	0	0	0	0	0	0
Fast Food Drive Thru Only 935	KSF ²	NA	NA	153.85	89%	NA	NA	54%	46%		0	NA	0	NA	NA	0	0	0	0
Coffee/Donut Shop w/o Drive Thru 936	KSF ²	NA	117.23	40.75		51%	49%	50%	50%		0	0	0	0	0	0	0	0	0
Coffee/Donut Shop w/ Drive Thru 937	KSF ²	818.58	110.75	42.93		51%	49%	50%	50%		0	0	0	0	0	0	0	0	0
Coffee/Donut Drive Thru Only 938	KSF ²	1800.00	303.33	75.00	89%	50%	50%	50%	50%		0	0	0	0	0	0	0	0	0
Bread/Bagel Shop w/o Drive Thru 939	KSF ²	NA	70.22	28.00		47%	53%	50%	50%		0	0	0	0	0	0	0	0	0
Bread/Bagel Shop w/ Drive Thru 940	KSF ²	NA	36.92	19.56		50%	50%	50%	50%		0	0	0	0	0	0	0	0	0
Quick Lube Vehicle Shop 941	Service Bays	40.00	3.00	5.19		67%	33%	55%	45%		0	0	0	0	0	0	0	0	0
Automobile Care Center 942	Service Bays	12.48	1.52	2.17		68%	32%	NA	NA		0	0	0	0	0	0	NA	NA	0
Automobile Care Center 942	KSF ²	15.86	2.94	3.38		65%	35%	50%	50%		0	0	0	0	0	0	0	0	0
Automobile Parts & Service Center 943	KSF ²	NA	NA	4.46		NA	NA	42%	58%				0	NA	NA	0	0	0	0
Gasoline/Service Station 944	Fuel Position	168.56	12.16	13.87	42%	51%	49%	50%	50%		0	0	0	0	0	0	0	0	0
Serv.Station w/ Conven.Mkt 945	Fuel Position	162.78	10.16	13.38	56%	50%	50%	50%	50%		0	0	0	0	0	0	0	0	0
Serv.Stat.w/Conv.Mkt.&Carwash 946	Fuel Position	152.84	11.93	13.94		51%	49%	51%	49%		0	0	0	0	0	0	0	0	0
Self-Service Carwash 947	Stalls	108.00	8.00	5.54		50%	50%	51%	49%		0	0	0	0	0	0	0	0	0
Automated Car Wash 948	KSF ²	NA	NA	14.12		NA	NA	51%	49%		0	NA	0	NA	NA	0	0	0	0
											3,074	9	243	0	0	0	228	15	0

RED Rates = CAUTION - Use Carefully - Small Sample Size

Green Rates = Peak Hour of Generator - (no peak rate for the rush hour of adjacent street traffic)

Blue Rates = Saturday Daily total - (no weekday daily rate)

*Pass-By % are Rates from Weekday PM Peak Period

*The Total Pass-By Trips will be Distributed: 50% IN / 50 % OUT

NA = Not Available

KSF² = Units of 1,000 square feet

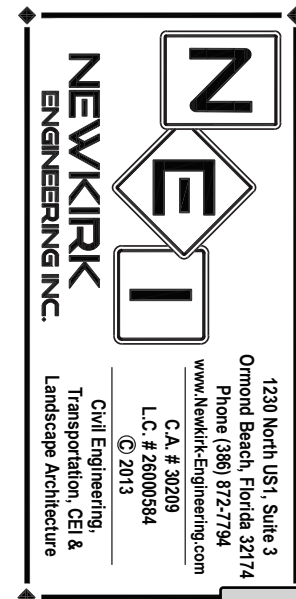
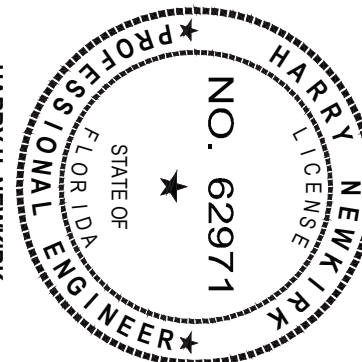
DU = Dwelling Unit

Fuel Position = the number of vehicles that could be fueled simultaneously

Occ.Room = Occupied Room

22-Nov-21

HARRY H. NEWKIRK,
P.E. FL. REG. NO. 62971



215 Williamson Boulevard Mobility fee (transportation) impact fee credits

Mobility Fee - 215 Williamson Boulevard		
GSF	39,368 SF	
Divide by 1000	39.368	
TTGR per 1000	78.06 #443 (ITE)	
TTGR =	3073	
ICR/PB	0.00 Passer by %	
Deduct IC/PB trips	0	
TGR - IC/PB	3073.07	
Person Trips	1.50	
Total Person Trips	4610	
Roads	\$1.76	\$8,112.89
Transit	\$8.00	\$36,876.79
Bike/Ped	\$6.24	\$28,763.90
	\$16.00	\$73,753.59
GSF = Gross Square Feet		
TGR = Trip Generation Rate		
ICR/PB = Internal Capture/ Passer by trips		
TTR = Total Trip Generation		
AVO = Average Vehicle Occupancy		
SF = Square Feet		

Impact fee credit: \$73,753.59

ATTACHMENT 4

Site plans

INDEX OF SHEETS

DWG.NO.	DESCRIPTION
1	COVER
SU-1	BOUNDARY AND TOPOGRAPHIC SURVEY
3	DEVELOPMENT INFORMATION
4	DEMOLITION AND SWPPP PLAN
5	SWPPP DETAILS AND NOTES
6	SITE LAYOUT PLAN
7	DRAINAGE PLAN
8	GRADING PLAN
9	CROSS SECTIONS
10	CROSS SECTIONS
11	UTILITY PLAN
12	MISCELLANEOUS DETAILS
13	CITY DETAILS AND NOTES
14	CITY DETAILS AND NOTES
15	MAINTENANCE OF TRAFFIC
L1	LANDSCAPE PLAN
L2	LANDSCAPE DETAILS AND NOTES

SITE PLAN DRAWINGS FOR REGAL CENTER

SECTION 30, TOWNSHIP 14, RANGE 30
423000000014

215 WILLIAMSON BOULEVARD
ORMOND BEACH, FL 32174

OCTOBER 2021
REVISED NOVEMBER 2021

PROJECT TEAM

8.D.h

APPLICANT:	215 WILLIAMSON INVESTORS, LLC PO BOX 730086 ORMOND BEACH, FL 32174 PHONE: (386) 677-7617 EMAIL: HOLUBDEV@AOL.COM
OWNER:	REGAL CINEMAS, INC. 101 E BLOUNT AVENUE KNOXVILLE, TN 37920 PHONE: (865) 925-9611 EMAIL: ROBBIE.POPE@REGALCINEMAS.COM
CIVIL ENGINEER / PROJECT MANAGER / LANDSCAPE ARCHITECT:	NEWKIRK ENGINEERING, INC. 1230 NORTH US HIGHWAY 1, SUITE 3 ORMOND BEACH, FL 32174 PHONE: (386) 872-7794 EMAIL: CODY@NEWKIRK-ENGINEERING.COM
SURVEYOR:	A.A. WILBERT JR., LAND SURVEYING, INC. PO BOX 1497 ORMOND BEACH, FL 32175 (386) 676-9055 EMAIL: WILBERTSURVEYING@CFL.RR.COM

CONTACT NUMBERS

BUILDING & PERMITS - CITY OF ORMOND BEACH BUILDING DIVISION (386) 676-3234
PLANNING & ZONING - CITY OF ORMOND BEACH PLANNING DEPT. (386) 676-3238
WATER - CITY OF ORMOND BEACH PUBLIC WORKS (386) 676-3220
WASTEWATER - CITY OF ORMOND BEACH PUBLIC WORKS (386) 676-3220
GAS - TECO PEOPLES GAS - (386) 672-2232
ELECTRIC - FLORIDA POWER & LIGHT (386) 257-7502
TELEPHONE/CABLE - AT&T (386) 254-8550

LEGAL DESCRIPTION

A PORTION OF SECTION 30, TOWNSHIP 14 SOUTH, RANGE 30 EAST, VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: AS A POINT OF REFERENCE, COMMENCE AT A CONCRETE MONUMENT MARKING THE SOUTH ONE-QUARTER CORNER OF SAID SECTION 30, THENCE RUN NORTH 87°02'00" WEST, ALONG THE SOUTH LINE OF SAID SECTION 30, A DISTANCE OF 484.54 FEET TO A POINT THEREIN; THENCE, DEPARTING SAID SECTION LINE, RUN NORTH 32°27'31" WEST A DISTANCE OF 163.51 FEET; THENCE RUN NORTH 17°41'15" WEST A DISTANCE OF 318.15 FEET; THENCE RUN NORTH 19°20'00" WEST A DISTANCE OF 163.51 FEET; THENCE RUN SOUTH 77°31'10" WEST A DISTANCE OF 3.29 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE SOUTH 77°31'10" WEST A DISTANCE OF 37.17 FEET TO THE NORTHEASTERLY CORNER OF AREA "L", A DESCRIBED IN OFFICIAL RECORDS BOOK 3779, PAGE 4371, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE RUN SOUTH 18°36'02" WEST SOUTH 77°33'40" WEST PER DEED, ALONG THE NORTH LINE OF SAID AREA "L", A DISTANCE OF 214.89 FEET TO THE NORTHWESTERLY CORNER THEREOF; SAID POINT ALSO LYING IN THE SOUTH LINE OF THE 1/2 FOOT ACCESS EASEMENT KNOWN AS EASEMENT "W" AND BEING DESCRIBED IN OFFICIAL RECORDS BOOK 3779, PAGE 4410, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE RUN WESTERLY AND SOUTHERLY, ALONG THE SOUTHERLY LINE OF SAID EASEMENT "W", THE FOLLOWING COURSES AND DISTANCES: SOUTH 61°44'28" WEST SOUTH 61°44'41" WEST PER DEED, A DISTANCE OF 51.77 FEET; THENCE RUN SOUTH 10°11'52" WEST SOUTH 70°10'50" WEST PER DEED, A DISTANCE OF 117.88 FEET; THENCE RUN SOUTH 02°18'45" WEST (SOUTH 02°17'59" WEST PER DEED) A DISTANCE OF 115.36 FEET; THENCE RUN SOUTH 05°13'28" EAST (SOUTH 05°14'15" EAST PER DEED) A DISTANCE OF 81.15 FEET; THENCE RUN SOUTH 16°40'11" EAST (SOUTH 16°44'48" EAST PER DEED) A DISTANCE OF 158.51 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF THE 130 FOOT WIDE RIGHT-OF-WAY OF WILLIAMSON BOULEVARD, SAID POINT LYING IN A CURVE, CONCAVE EASTERLY, AND HAVING A RADIUS OF 100.00 FEET; THENCE RUN NORTHERLY AND WESTERLY, ALONG SAID CURVED RIGHT-OF-WAY LINE, A DISTANCE OF 76.60 FEET, OR THROUGH AN CENTRAL ANGLE OF 22°28'06", HAVING A CHORD DISTANCE OF 712.03 FEET AND A CHORD BEARING OF NORTH 25°16'48" WEST, TO A POINT THEREIN; THENCE, DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE, RUN NORTH 89°54'42" EAST A DISTANCE OF 272.16 FEET; THENCE RUN NORTH 04°10'40" WEST A DISTANCE OF 200.48 FEET TO A POINT IN THE SOUTHERLY LINE OF ORMOND TOWNE SQUARE, AS DESCRIBED IN WARRANTY DEED FROM PATRICIA LAGON, TRUSTEE, TO THE FASON-SOPRAN PARTNERSHIP, AS RECORDED IN OFFICIAL RECORDS BOOK 3779, PAGE 442, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE RUN NORTH 89°54'42" EAST (NORTH 89°55'59" EAST PER DEED), ALONG THE SOUTHERLY LINE OF SAID ORMOND TOWNE SQUARE, A DISTANCE OF 326.31 FEET TO A CONCRETE MONUMENT IN SAID SOUTHERLY LINE; THENCE RUN NORTH 52°24'36" EAST (NORTH 52°22'11" EAST PER DEED), CONTINUING ALONG SAID SOUTHERLY LINE OF ORMOND TOWNE SQUARE, A DISTANCE OF 48.52 FEET TO A POINT THEREIN; SAID POINT BEING THE NORTHWESTERLY CORNER OF AREA "K", AS DESCRIBED IN OFFICIAL RECORDS BOOK 3779, PAGE 4381, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE, DEPARTING THE SOUTH LINE OF SAID ORMOND TOWNE SQUARE AND ALONG THE WESTERLY LINE OF SAID AREA "K", RUN SOUTH 02°18'45" WEST (SOUTH 02°17'59" WEST PER DEED) A DISTANCE OF 40.44 FEET; THENCE RUN SOUTH 43°13'00" EAST (SOUTH 43°12'45" EAST PER DEED), ALONG SAID WESTERLY LINE, A DISTANCE OF 85.39 FEET; THENCE RUN SOUTH 16°41'10" EAST (SOUTH 17°17'27" EAST PER DEED), ALONG SAID WESTERLY LINE, A DISTANCE OF 55.69 FEET (55.31 FEET PER DEED) TO THE SOUTHWESTERLY CORNER OF SAID AREA "K"; THENCE CONTINUE NORTH 52°23'55" EAST (NORTH 52°23'11" EAST PER DEED), ALONG THE SOUTHERLY LINE OF SAID AREA "K", A DISTANCE OF 335.64 FEET (308.59 FEET PER DEED) TO THE SOUTHEASTERLY CORNER THEREOF; SAID POINT LYING IN THE WESTERLY LINE OF THAT PARCEL OF LAND (DECEASED FROM PATRICIA LAGON, AS TRUSTEE, TO THE COUNTY OF VOLUSIA, AS DESCRIBED IN OFFICIAL RECORDS BOOK 3779, PAGE 440, OF THE PUBLIC RECORDS VOLUSIA COUNTY, FLORIDA; THENCE RUN SOUTH 07°10'10" EAST (SOUTH 07°14'45" EAST PER DEED) A DISTANCE OF 61.13 FEET TO A POINT THEREIN; THENCE, DEPARTING SAID WESTERLY LINE, RUN SOUTH 77°31'10" WEST A DISTANCE OF 148.30 FEET; THENCE RUN NORTH 25°32'51" WEST A DISTANCE OF 51.33 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION.

TOGETHER WITH NON-EXCLUSIVE EASEMENTS FOR THE BENEFIT OF THE ABOVE DESCRIBED PARCEL AS CREATED BY AND SET FORTH IN THAT CERTAIN DECLARATION OF RECIPROCAL EASEMENTS AND RESTRICTIVE COVENANTS BETWEEN PATRICIA LAGON, AS TRUSTEE PURSUANT TO THAT TRUST DATED OCTOBER 8, 1988, DESIGNATED AS TRUST NO. 104-1, AND REGAL CINEMAS, INC., A TENNESSEE CORPORATION, RECORDED JANUARY 28, 1996 IN OFFICIAL RECORDS BOOK 4073, PAGE 873.

ALSO TOGETHER WITH NON-EXCLUSIVE EASEMENTS FOR THE BENEFIT OF THE ABOVE DESCRIBED PARCEL AS CREATED BY AND SET FORTH IN THAT CERTAIN TEMPORARY CONSTRUCTION AND PARKING/RETENTION AREA STABILIZATION EASEMENT BETWEEN PATRICIA LAGON, AS TRUSTEE PURSUANT TO THAT TRUST DATED OCTOBER 8, 1988, DESIGNATED AS TRUST NO. 104-1, AND IN FAVOR OF REGAL CINEMAS, INC., A TENNESSEE CORPORATION, RECORDED JANUARY 28, 1996 IN OFFICIAL RECORDS BOOK 4073, PAGE 965.

PROJECT STATEMENT

PROPOSE SITE PLAN MODIFICATIONS AT AN EXISTING 12.01 ACRE COMMERCIAL DEVELOPMENT. PROPOSE TO RELOCATE A WET DETENTION POND FOR A PROPOSED 1.31 ACRE OUTPARCEL WITH DRAINAGE AND UTILITY IMPROVEMENTS.

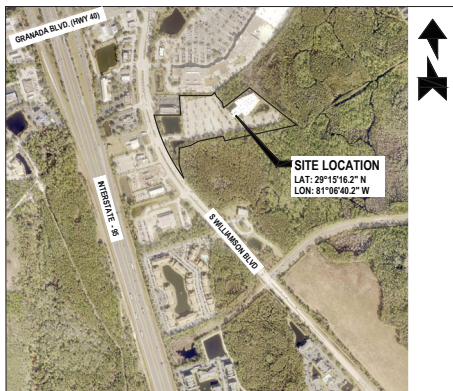
JURISDICTIONAL AGENCY PERMIT NO.

CITY OF ORMOND BEACH (DEVELOPMENT ORDER)
SJRWM (STORMWATER)
FDEP (NPDES NOI)
VOLUSIA COUNTY (R-Q-W USE)
VOLUSIA COUNTY HEALTH DEPARTMENT (WATER)

PZ-22-002
2022-P-USE-0049
FLD06708
29907-8

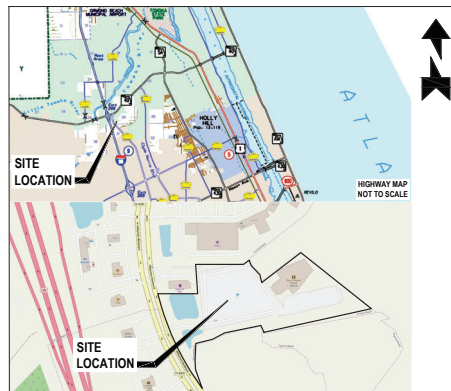
THE GENERAL CONTRACTOR SHALL ENSURE THAT ANY SUBCONTRACTOR HAS A COMPLETE SET OF CONSTRUCTION DRAWINGS FOR ITS RESPECTIVE WORK. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR SUBCONTRACTORS ONLY UTILIZING INDIVIDUAL DRAWINGS FOR ITS WORK WHERE ADDITIONAL INFORMATION MAY BE CONTAINED ON OTHER DRAWINGS WITHIN THE SET.

THESE DRAWINGS ARE THE PROPERTY OF NEWKIRK ENGINEERING, INC. ANY USE OR REPRODUCTION IN WHOLE OR PART IS PROHIBITED WITHOUT THE EXPRESS WRITTEN CONSENT OF NEWKIRK ENGINEERING, INC. COPYRIGHT 2013 ALL RIGHTS RESERVED.



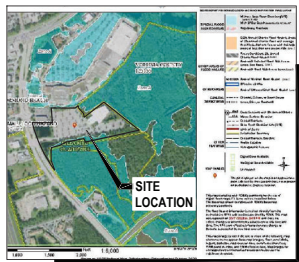
AERIAL MAP

SCALE: 1" = 500'



LOCATION MAP

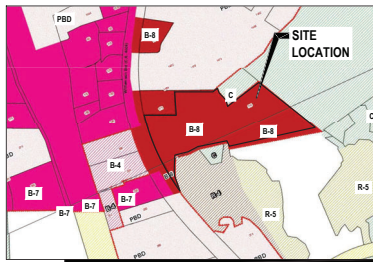
SCALE: 1" = 400'



FLOOD ZONE MAP

SCALE: 1" = 800'

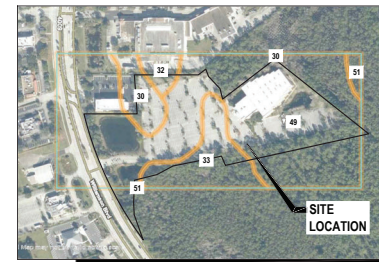
FLOOD ZONE "X" & "AE"
PANEL No. 12127C0213 J.EFF. 2/19/2014



ZONING MAP

SCALE: 1" = 500'

EXISTING ZONING: B-8 (COMMERCIAL)



SOILS MAP

SCALE: 1" = 300'

SOIL TYPES: SEE SHEET No. 3

PROJECT No. 2021-102

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C.E. # 2584
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Civil Engineering
Transportation, CEI &
Landscape Architecture

NEWKIRK ENGINEERING

HARRY H. NEWKIRK, P.E. # 62971
DRAWING NUMBER

1



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 EXISTING ASPHALT SHALL BE SAW CUT TO PROVIDE A STRAIGHT EVEN LINE.
17. PRIOR TO REMOVING CURB OR GUTTER, THE ADJACENT ASPHALT SHALL BE SAW CUT TO PROVIDE A STRAIGHT EVEN LINE.
18. ALL PROPOSED ELEVATIONS REFER TO FINISHED GRADES.
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 ASPHALTIC 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, DEVELOPERS 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 522,977 SF OR 12.006 ACRES. FOR BOUNDARY AND TOPOGRAPHIC SURVEY REFER TO THE SURVEY PERFORMED BY A.A. WILBERT JR., LAND SURVEYING, INC. (SEE SHEET No. 2 OF THESE PLANS).
2. THE ZONING IS B-8 (COMMERCIAL).
3. THE TAX PARCEL NUMBER IS 42300000014.
4. THE EXISTING SITE CONDITION IS A FULLY DEVELOPED LOT. THE FLUCFS LAND USE IS (140) COMMERCIAL AND SERVICES.
5. PER THE USDA NATIONAL RESOURCES CONSERVATION SERVICE FOR VOLUSIA COUNTY, THE SCS SOILS MAP INDICATES THE SITE CONSISTS OF (30) IMMOKALEE SAND, DEPRESSIONAL, (32) MYAKKA-MYAKKA, WET. FINE SANDS, 0 TO 2 PERCENT SLOPES, (33) MYAKKA FINE SAND, FREQUENTLY PONDED, 0 TO 1 PERCENT SLOPES, (40) POMONA FINE SAND AND (51) POMONA-ST. JOHNS COMPLEX.
6. THE SITE IS LOCATED WITHIN ZONE "X" & "AE" PER FEMA MAP PANEL No. 12127C0213 J, DATED FEBRUARY 19, 2014.
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 (OHW) 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 IS EXISTING 2.5" WATER METER TO REGAL BUILDING. PROPOSE A 1.5" METER FOR NEW OUTPARCEL.
12. WASTEWATER SERVICE IS PROVIDED BY "G" GRAVITY SEWER CONNECTIONS.
13. IRRIGATION SERVICE WILL BE PROVIDED BY PRIVATE WELL.
14. ALL ON-SITE WATER AND SEWER FACILITIES ARE OWNED AND MAINTAINED BY THE PROPERTY OWNER.

VOLUSIA COUNTY GENERAL NOTES:

1. NOTIFY VOLUSIA COUNTY DEVELOPMENT ENGINEERING DIVISION AT (386) 736-5926 A MINIMUM OF 24 HOURS PRIOR TO THE START OF CONSTRUCTION. FAILURE OF THE PERMITTEE TO OBTAIN THE APPROPRIATE INSPECTIONS PRIOR TO PROCEEDING WITH WORK SHALL NOT RELIEVE THE PERMITTEE FROM REEXCAVATION OR OTHER MEASURES NECESSARY FOR THE INSPECTION OF WORK.
2. VOLUSIA COUNTY TRAFFIC ENGINEERING (386) 736-5968 IS NOT A MEMBER OF SUNSHINE ONE CALL. WHEN REQUESTING LOCATES, PLEASE PROVIDE A MINIMUM ADVANCED NOTIFICATION OF TWO (2) BUSINESS DAYS PRIOR TO PROPOSED WORK.
3. COORDINATION WITH VOLUSIA COUNTY TRAFFIC OPERATIONS (386) 239-6535 IS REQUIRED WITH A MINIMUM ADVANCED NOTICE OF SEVEN (7) DAYS PRIOR TO ANY SIDEWALK, LANE OR ROAD CLOSURE (INCLUDING FLAGGING OPERATIONS).
4. OPERATIONS WITHIN THE COUNTY RIGHT-OF-WAY SHALL NORMALLY BE CONDUCTED 7:00 AM TO 7:00 PM, MONDAY THROUGH FRIDAY. ANY DEVIATION FROM THESE HOURS REQUIRES PRIOR APPROVAL FROM THE COUNTY DEVELOPMENT ENGINEER. EMERGENCY REPAIRS ARE EXCLUDED FROM THIS TIME RESTRICTION.
5. ALL EXISTING SIDEWALKS WITHIN COUNTY RIGHT-OF-WAY SHALL EITHER REMAIN OPEN OR BE PROVIDED A TEMPORARY WALKWAY IN ACCORDANCE WITH THE CURRENT VERSION OF FLORIDA DEPARTMENT OF TRANSPORTATION STANDARD INDEX NO. 102-680. ANY DAMAGE TO SIDEWALKS SHALL BE REPAIRED AND/OR REPLACED IN LIKE KIND BY THE CONTRACTOR. NEW SIDEWALKS AND SECTIONS THROUGH DRIVEWAYS MUST BE AT A 1.5% CROSS SLOPE AND 2% MAXIMUM CROSS SLOPE PER ADA STANDARDS.
6. DRIVING OR STAGING OF CONSTRUCTION VEHICLES OR MATERIALS IS NOT PERMITTED WITHIN THE COUNTY RIGHT-OF-WAY OR ON PEDESTRIAN WALKWAYS AND PATHS. THERE SHALL BE NO OVERNIGHT CONSTRUCTION VEHICLE RELATED PARKING, CONSTRUCTION MATERIAL PLACEMENT OR STORAGE OF ANY KIND PERMITTED WITHIN THE COUNTY RIGHT-OF-WAY.
7. NO TRENCH OR EXCAVATION SHALL BE LEFT OPEN OR UNATTENDED OVERNIGHT, UNLESS APPROVED BY THE COUNTY DEVELOPMENT ENGINEERING INSPECTOR. EXCAVATIONS SHALL MEET THE DROP OFF PROTECTION REQUIREMENTS OF THE LATEST FOOT DESIGN STANDARD INDEX NO. 102-680.
8. RESTORATION SHALL BE REQUIRED FOR ANY DAMAGE TO SIDEWALKS, CURBS, OR OTHER EXISTING STRUCTURES IN THE RIGHT-OF-WAY. ALL DISTURBED AREAS WITHIN THE COUNTY RIGHT OF WAY SHALL BE RE-GRADED AND SODDED. SEED AND MULCH IS NOT AN ACCEPTABLE ALTERNATIVE TO SODDING.
9. CURB PAINT TO MEET SPECIFICATIONS TO MEET STANDARDS IN FOOT "GREEN BOOK" SECTIONS 971-4 DURABLE PAINT AND 971-2 GLASS SPHERES.
10. ALL PAVEMENT MARKINGS AND STRIPING WITHIN PUBLIC RIGHTS-OF-WAY SHALL BE THERMOPLASTIC AND SHALL BE INSTALLED IN ACCORDANCE WITH FOOT STANDARD INDEX #711-001.
11. REFLECTIVE PAVEMENT MARKERS (RPM'S) SHALL BE PROVIDED FOR ALL CONSTRUCTION WITHIN PUBLIC RIGHTS-OF-WAY OF ALL THOROUGHFARES AND SHALL BE INSTALLED IN ACCORDANCE WITH FOOT STANDARD INDEX #708-001.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION ROADWAY AND TRAFFIC DESIGN STANDARDS - 2021 / 2022 AND QUALIFIED PRODUCTS LIST

INDEX NO.	DESCRIPTION	INDEX NO.	DESCRIPTION
102	TEMPORARY EROSION AND SEDIMENT CONTROL	102-600	GENERAL INFORMATION FOR TRAFFIC CONTROL
422-010	STRUCTURE BOTTOMS - TYPES J AND P		THROUGH WORK ZONES
205	PIPE BACKFILL	102-602	TWO-LANE AND MULTILANE, WORK ON SHOULDER
425-024	CURB INLET TOP TYPE B	102-600	SIDEWALK CLOSURE
509-001	CURB & CURB AND GUTTER	515-062	ALUMINUM PEDESTRIAN / BICYCLE PICKET RAILING
522-002	PUBLIC SIDEWALK CURB RAMPS	700-101	TYPICAL SECTIONS FOR PLACEMENT OF SINGLE & MULTIPLE COLUMN SIGNS
350-001	CONCRETE PAVEMENT JOINTS	711-001	SPECIAL MARKING AREAS
522-001	CONCRETE SIDEWALK		
514	OPTIONAL BASE GROUP AND STRUCTURAL NUMBERS		

ABBREVIATIONS

AWWA	AMERICAN WATER WORKS ASSOCIATION	GW	GROUND WATER	R	RADIUS
CMP	CORRUGATED METAL PIPE	HC	HANDICAP	RCP	REINFORCED CONCRETE PIPE
CPP	CORRUGATED PLASTIC PIPE	HDPE	HIGH DENSITY POLYETHYLENE	RPM	REFLECTIVE PAVEMENT MARKER
CTV	CABLE TELEVISION	K ₁	HORIZONTAL INVERT	RW	RIGHT-OF-WAY
DIP	DUCTILE IRON PIPE	K ₂	PERMEABILITY	SAN	SANITARY
ESMT	EASEMENT	KO	KNOCK OUT	SH	SEASONAL HIGH
EXIST	EXISTING	LF	LINEAL FEET	SMH	SANITARY MANHOLE
FADP	FLORIDA ADMINISTRATIVE CODE	MB	MAP BOOK	SJRW	ST. JOHNS RIVER WATER MANAGEMENT DISTRICT
FDEP	FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION	MES	MITERED END SECTION MECHANICAL JOINT	SS	SANITARY SEWER
FEMA	FEDERAL EMERGENCY MANAGEMENT AGENCY	N/A	NOT APPLICABLE	SWPPP	STORMWATER POLLUTION PREVENTION PLAN
FH	FIRE HYDRANT	NIC	NOT IN CONTRACT	TSB	TEMPORARY SEDIMENT BASIN
FOC	FIBER OPTIC CABLE	NGVD	NATIONAL GEODETIC VERTICAL DATUM	TYP	TYPICAL
FF EL	FRESH FLOOR ELEVATION	OHE	OVERHEAD ELECTRIC	UGE	UNDERGROUND ELECTRIC
FPBL	FLORIDA POWER & LIGHT	OR	OFFICIAL RECORD	UGT	UNDERGROUND TELEPHONE
FM	FORCE MAIN	PQ	PACE	USACOE	UNITED STATES ARMY CORP OF ENGINEERS
FPD	FEET PER DAY	PSI	POUNDS PER SQUARE INCH	W	WATER (POTABLE)
G	GAS	PVC	POLYVINYL CHLORIDE		
		PWMT	PAVEMENT		

LEGEND

	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)
	EXISTING ELEVATION (HARD)		PROPOSED SANITARY SEWER (# INDICATES SIZE)
	PROPOSED ELEVATION (HARD)		EXISTING WATER MAIN (# INDICATES SIZE)
	EXISTING FIRE HYDRANT		PROPOSED SANITARY SEWER (# 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 WATER VALVE		PROPOSED SILT/SEDIMENT FENCE
	EXISTING WATER METER		PROPOSED COIR ROLL OR WATTLE
	EXISTING STORM SEWER WITH INLET		PROPOSED FLOATING TURBIDITY BARRIER
	PROPOSED STORM SEWER WITH INLET		PROPOSED TREE PROTECTION
	12" IRON ROD (NO LD.)		

8.D.h

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Civil Engineering,
Transportation, CEI &
Landscaping & Site Work

NEWKIRK ENGINEERING

NEI

DEVELOPMENT INFORMATION
REGAL CENTER
215 WILLIAMSON BOULEVARD
ORMOND BEACH, FL 32174

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HARRY H. NEWKIRK, P.E.
REGISTERED PROFESSIONAL ENGINEER
NO. 62971
STATE OF FLORIDA

HARRY H. NEWKIRK, P.E. # 62971

PROJECT No.: 2021-158
DATE: OCTOBER 2021
DESIGN BY: HHN
DRAWN BY: NWS
CHECKED BY: HHN

SCALE:
DRAWING NUMBER

3

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 CLEARING OR GRADING SHALL BEGIN UNTIL ALL EROSION CONTROL DEVICES HAVE BEEN INSTALLED.

3. THE CONTRACTOR SHALL POST "NO TRESPASSING" SIGNS AT ALL SITE ENTRANCES PRIOR TO CONSTRUCTION.

4. ALL CONSTRUCTION MEASURES AFTER EACH RAIN AND AT LEAST EVERY 15 DAYS.

5. THIS PLAN SHALL NOT BE CONSIDERED ALL INCLUSIVE AS THE GENERAL CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO PREVENT SOIL SEDIMENT FROM LEAVING THE CONSTRUCTION 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. TURBID WATER SHALL BE DISCHARGED OFF SITE THROUGH A SEDIMENTATION AND FLOW MEASURING CONTROL. THE CONTRACTOR SHALL TAKE MEASURES TO CONTROL TURBIDITY.

9. IF INSTALLATION OF STORM DRAINAGE SYSTEM SHOULD BE INTERRUPTED BY WEATHER OF NIGHTTIME, THE PIPE ENDS SHALL BE COVERED WITH FILTER FABRIC.

10. THE CONTRACTOR SHALL MAINTAIN CONTROL OF ALL EROSION AND SEDIMENT MEASURES NECESSARY TO PREVENT EROSION AND SEDIMENT FROM LEAVING THE CONSTRUCTION SITE.

11. PROVIDE DUST CONTROL FOR ALL EARTHWORK OPERATIONS. COVER AREA WITH LIQUID COATING OF WATER OR OTHER APPROVED METHOD.

1. ALL TREES TO REMAIN MUST BE PROTECTED BY TREE PRESERVATION BARRIAGES MEETING THE MINIMUM STANDARDS. PROTECTIVE BARRIAGES SHALL REMAIN IN PLACE UNTIL LAND ALTERATION AND CONSTRUCTION ACTIVITIES ARE COMPLETED.

2. ALL TREES LOCATED ON OR ADJACENT TO A REGIONAL CORRIDOR SHALL BE PROTECTED BY THE PROVISIONS OF THE LAND DEVELOPMENT CODE SHALL BE IN ACCORDANCE WITH THE AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI) A300 PRUNING STANDARDS.

3. ALL TREES LARGER THAN 36-INCHES AND ABOVE (HISTORIC) PRUNING SHALL BE PERFORMED BY AN ARBORIST CERTIFIED BY THE INTERNATIONAL SOCIETY OF ARBORICULTURE (ISA) OR A REGIONAL SOCIETY OF ARBORICULTURE. THE AMERICAN SOCIETY OF CONSULTING ARBORISTS SHALL BE FULLY UNDERSTAND THE AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI) A300 PRUNING STANDARDS IS A STANDARD OF DIVISION 6.

4. ALL TREES EXISTING WITHIN APPROVED IMPROVEMENT AREAS AND ORIGINATING FROM A PROTECTED TREE, SHALL BE PRESERVED CLEAN AT THE LIMITS OF THE PRESERVED AREA WHERE INDICATED ON THIS PLAN.

	PROPOSED ASPHALT PAVEMENT REMOVAL
	PROPOSED CONCRETE PAVEMENT REMOVAL
	PROPOSED CONCRETE SIDEWALK REMOVAL
	PROPOSED SILT FENCE (SEE DETAIL, SHEET No. 5)
	INLET PROTECTION (SEE DETAIL, SHEET No. 5)
	TREES TO BE REMOVED EXISTING TREE (No. 11')

	EXISTING	REMOVE
HACKBERRY TREE	2	2
OAK TREE	4	4
PALM TREE	1	0
PINE TREE	111	48
SYCAMORE TREE	8	4
	126	58

1. ALL EROSION CONTROL DEVICES AND VESSEL BARRICADES SHALL BE INSTALLED AND APPROVED BY THE ENGINEER PRIOR TO THE START OF CLEARING AND GRUBBING.

2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MEETING WITH THE CITY BY SPECIFIED DATE PRIOR TO START OF CONSTRUCTION.

3. THE SITE SHALL BE CLEARED AND GRUBBED OF ALL VEGETATION AND DEBRIS WITHIN THE APPROXIMATELY 100' BUFFER ZONE AROUND THE DRAINAGE DRAINAGE DRAINAGE DRAINAGE DRAINAGE DRAINAGE DRAINAGE.

4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CONTACTING THE CITY OF OREGON REBAR UTILITY (503) 236-1034 TO LOCATE ALL UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING A "NOTICE" OF CONSTRUCTION ACTIVITY.

5. ALL REMOVED MATERIAL SHALL BE HAULED OFF-SITE TO AN APPROVED LANDFILL. TREES MAY BE REMOVED AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING A "NOTICE" OF CONSTRUCTION ACTIVITY.

6. ALL EROSION CONTROL DEVICES SHALL BE PLACED PRIOR TO THE START OF WORK AND REMAIN IN PLACE UNTIL THE WORK IS COMPLETED.

7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PERIODIC INSPECTION AND REMOVAL OF DEBRIS AND SILT BEHIND EROSION CONTROL DEVICES.

8. ALL DEBRIS SHALL BE COLLECTED DURING CONSTRUCTION BY BULK PROTECTION MEASURES TO PREVENT SILTATION IN THE DRAINAGE SYSTEM (SEE DETAILS IN THIS DRAWING). THE ENTIRE DRAINAGE DRAINAGE DRAINAGE DRAINAGE DRAINAGE DRAINAGE DRAINAGE SHALL BE CLEARED OF ALL DEBRIS AND SILT PRIOR TO CONSTRUCTION.

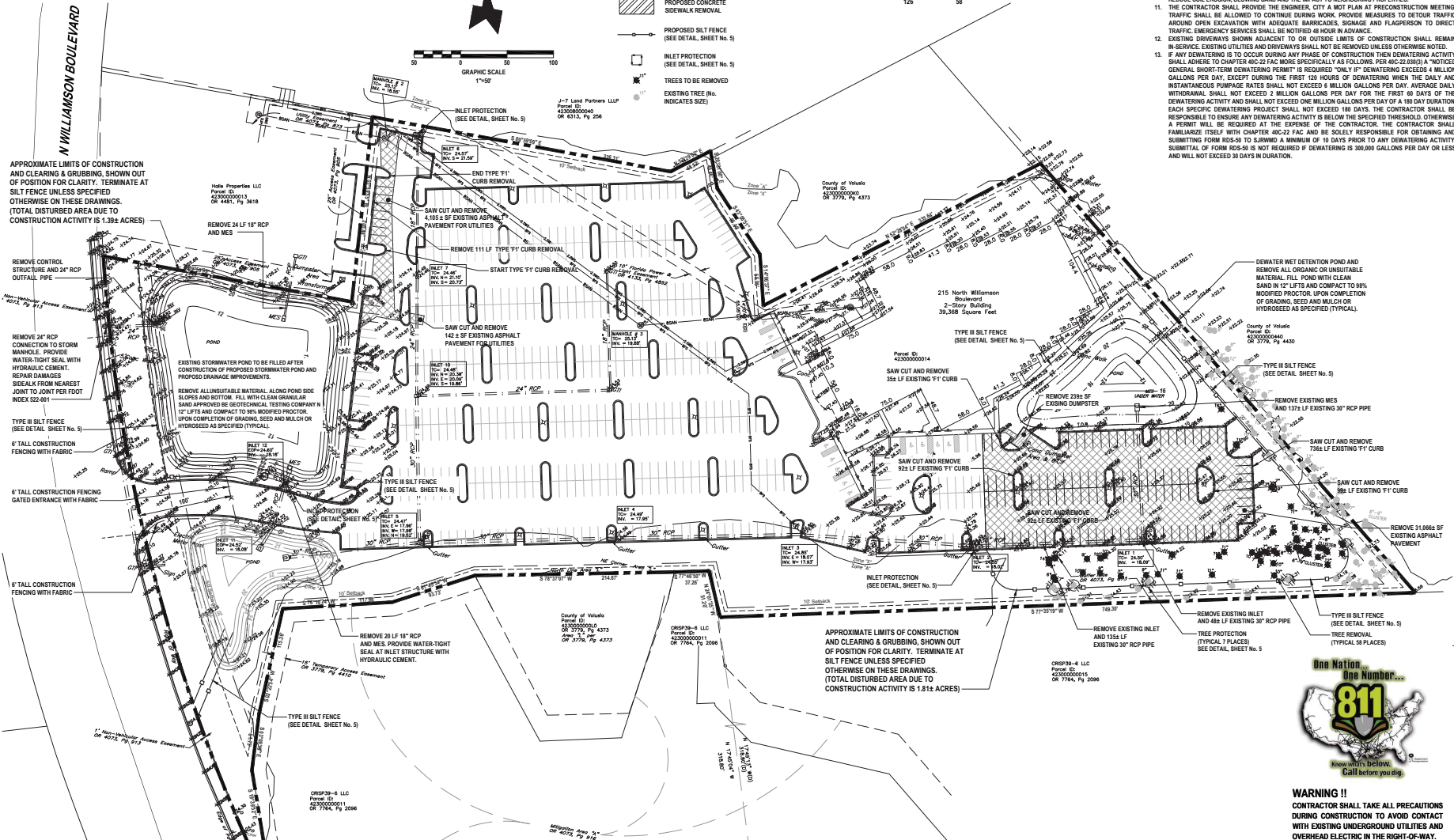
9. ALL OFF-SITE AREAS DETURBED DURING CONSTRUCTION ACTIVITY SHALL BE IMMEDIATELY RESTORED TO PRIOR CONDITION UPON COMPLETION OF WORK.

10. THE CITY SHALL BE RESPONSIBLE FOR THE MEETING WITH THE CONTRACTOR PRIOR TO CONSTRUCTION. IT IS INTENDED TO REDUCE SOIL EROSION, BLOWING SAND AND THE IMPACT TO NEIGHBORING PROPERTIES.

11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MEETING WITH THE CITY PRIOR TO CONSTRUCTION MEETING. TRAFFIC SHALL BE ALLOWED TO CONTINUE DURING WORK. PROVIDE MEASURES TO DETOUR TRAFFIC AROUND OPEN EXCAVATION WITH ADEQUATE BARRICADES, SIGNAGE AND FLAGPERSON TO DIRECT TRAFFIC AROUND EXCAVATION.

12. EXISTING DRIVEWAYS SHOWN ADJACENT TO OR OUTSIDE LIMITS OF CONSTRUCTION SHALL REMAIN UNDISTURBED. EXISTING DRIVEWAYS SHALL BE RESTORED TO ORIGINAL CONDITION UPON COMPLETION OF WORK.

13. IF ANY DETOURING IS TO OCCUR DURING ANY PHASE OF CONSTRUCTION THEN DETOURING ACTIVITY SHALL ADHERE TO CHAPTER 46C-22-020 F.M.C. (SPECIALLY AS FOLLOWS PER 46C-22-020(3) "NOTICED BY MAIL" AND 46C-22-020(4) "NOTICED BY MAIL" AND 46C-22-020(5) "NOTICED BY MAIL" AND 46C-22-020(6) "NOTICED BY MAIL" AND 46C-22-020(7) "NOTICED BY MAIL" AND 46C-22-020(8) "NOTICED BY MAIL" AND 46C-22-020(9) "NOTICED BY MAIL" AND 46C-22-020(10) "NOTICED BY MAIL" AND 46C-22-020(11) "NOTICED BY MAIL" AND 46C-22-020(12) "NOTICED BY MAIL" AND 46C-22-020(13) "NOTICED BY MAIL" AND 46C-22-020(14) "NOTICED BY MAIL" AND 46C-22-020(15) "NOTICED BY MAIL" AND 46C-22-020(16) "NOTICED BY MAIL" AND 46C-22-020(17) "NOTICED BY MAIL" AND 46C-22-020(18) "NOTICED BY MAIL" AND 46C-22-020(19) "NOTICED BY MAIL" AND 46C-22-020(20) "NOTICED BY MAIL" AND 46C-22-020(21) "NOTICED BY MAIL" AND 46C-22-020(22) "NOTICED BY MAIL" AND 46C-22-020(23) "NOTICED BY MAIL" AND 46C-22-020(24) "NOTICED BY MAIL" AND 46C-22-020(25) "NOTICED BY MAIL" AND 46C-22-020(26) "NOTICED BY MAIL" AND 46C-22-020(27) "NOTICED BY MAIL" AND 46C-22-020(28) "NOTICED BY MAIL" AND 46C-22-020(29) 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WARNING !!
CONTRACTOR SHALL TAKE ALL PRECAUTIONS
DURING CONSTRUCTION TO AVOID CONTACT
WITH EXISTING UNDERGROUND UTILITIES AND
OVERHEAD ELECTRIC IN THE RIGHT-OF-WAY.

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Civil Engineering
Surveying
Landscape Architecture



NEWKIRK
ENGINEERING, INC.

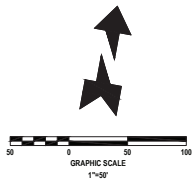
DEMOLITION AND SWPPP PLAN
REGAL CENTER
1215 WILLIAMSON BOULEVARD
ORMOND BEACH, FL 32174



HARRY H. NEWKIRK, P.E. #62971

PROJECT No:	2021-158
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4



SITE DEVELOPMENT USAGE

1. SETBACK:	BUILDING	LANDSCAPE	3. PROPOSED SITE COVERAGE:	SQ. FT	ACRE	%
FRONT (WILLIAMSON)	50 FEET	36 FEET	PARCEL 1			
REAR (EAST)	20 FEET	10 FEET	IMPERVIOUS	34,412	0.790	60.6
NORTH SIDE	10 FEET	10 FEET	OPEN SPACE	22,351	0.513	38.4
SOUTH SIDE	10 FEET	10 FEET	TOTAL SITE	56,763	1.303	100.0
2. EXISTING SITE COVERAGE:	SQ. FT	ACRE	PARCELS 2 - 5			
BUILDING	39,368	0.904	BUILDING	39,368	0.904	8.4
PAVEMENT	218,749	5.022	PAVEMENT	182,957	4.200	39.2
CONCRETE SIDEWALKS / DIVIDERS	7,216	0.165	CONCRETE SIDEWALKS / DIVIDERS	7,121	0.163	1.6
TOTAL SITE	522,977	12.006	TOTAL SITE	466,214	10.793	100.00
TOTAL IMPERVIOUS	265,333	6.091	TOTAL IMPERVIOUS	229,446	5.267	49.2
TOTAL OPEN SPACE	257,644	5.915	TOTAL OPEN SPACE	236,768	5.436	50.8
4. PARKING REQUIREMENTS (EXISTING 39,368 SF BUILDING)			OVERALL SITE			
INTENSIVE RETAIL 1 SPACE PER 225 SF = 39,368 / 225 = 175			IMPERVIOUS	263,858	6.057	50.5
TOTAL PARKING REQUIRED = 175			OPEN SPACE	259,119	5.949	49.5
5. PARKING PROVIDED		%	TOTAL OVERALL SITE	522,977	12.006	100.0
HANDICAP	13	2.5				
STANDARD	517	97.5				
TOTAL PARKING PROVIDED	530	100.0				

LEGEND

- TYPE "F1" CURB
SEE DETAIL, SHEET No. 13
- TYPE "F2" CURB
SEE DETAIL, SHEET No. 13
- "D" CURB TRANSITION TO FLAT
SEE DETAIL, SHEET No. 13

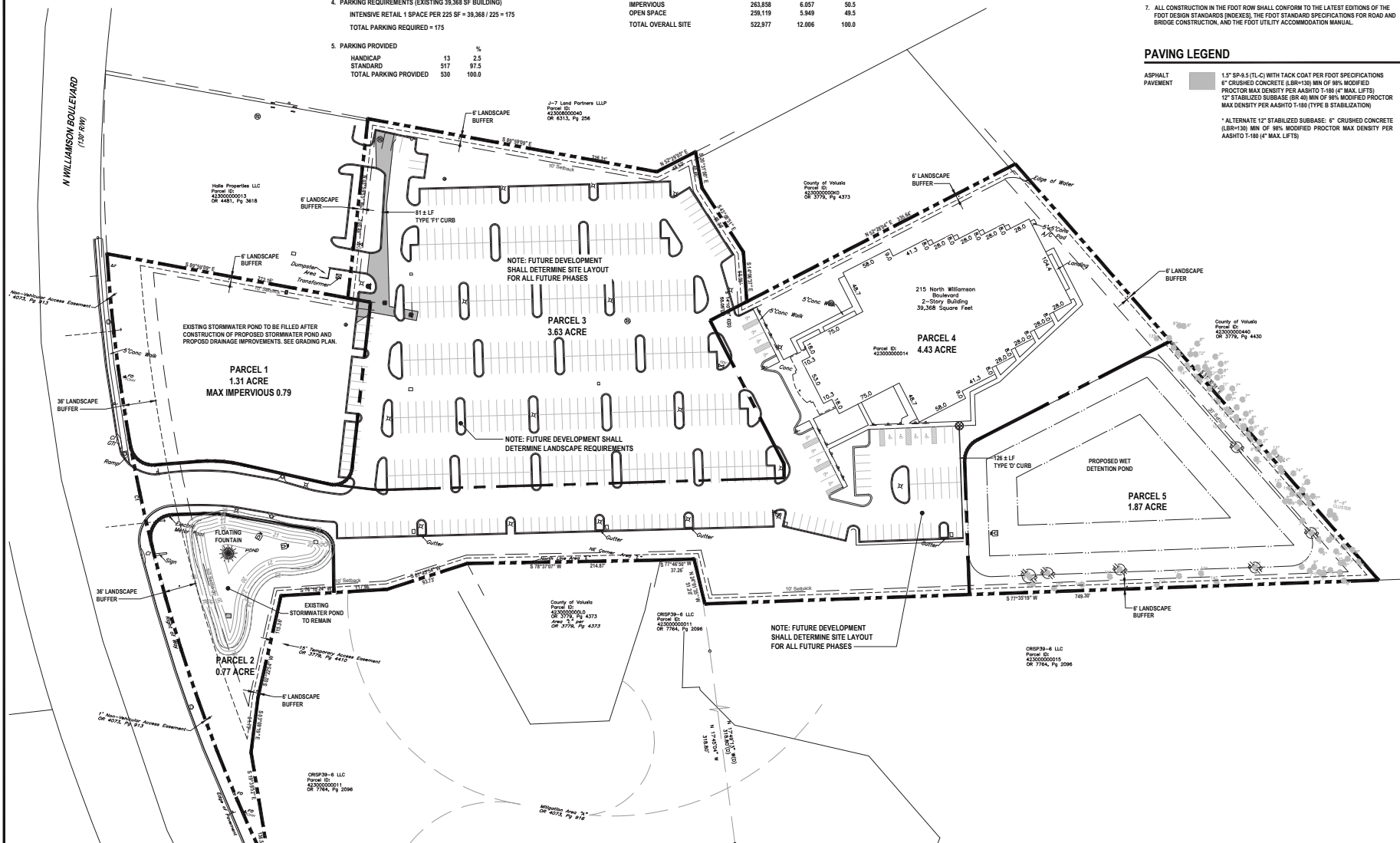
GENERAL NOTES:

- CITY OF ORMOND BEACH BUILDING PERMITS ARE REQUIRED FOR BUILDING, DUMPSTER ENCLOSURE, LIGHT POLES, SCREEN WALLS AND MONUMENT SIGNS. CONTRACTOR SHALL BE RESPONSIBLE FOR SUBMITTING APPROPRIATE INFORMATION (ENGINEERING, SPECIFICATIONS, SHOP DRAWINGS, ETC.).
- ALL DIMENSIONS AND TIES ARE TO THE EDGE OF PAVEMENT AND OUTSIDE FACE OF BUILDING.
- 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.
- THE CONTRACTOR SHALL COORDINATE WITH THE EXISTING ADJACENT BUSINESSES TO ENSURE THERE IS NO DISRUPTION TO THEIR RESPECTIVE OPERATIONS.
- THE CONTRACTOR AT ITS OWN DISCRETION SHALL MAINTAIN THE CONSTRUCTION SITE SECURE FROM TRESPASS.
- SOD ALL DISTURBED AREAS IN RIGHT-OF-WAY WITH BANIA SOD.
- 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-4.5 (TL-C) WITH TACK COAT PER FOOT SPECIFICATIONS
- 8" CRUSHED CONCRETE (LBR+100) MIN OF 8% MODIFIED PROCTOR MAX DENSITY PER AASHTO T-99 (4" MAX. LIFTS)
- 12" STABILIZED SUBBASE (BR 40) MIN OF 8% MODIFIED PROCTOR MAX DENSITY PER AASHTO T-99 (TYPE II STABILIZATION)
- *ALTERNATE 12" STABILIZED SUBBASE: 6" CRUSHED CONCRETE (LBR+100) MIN OF 8% MODIFIED PROCTOR MAX DENSITY PER AASHTO T-99 (4" MAX. LIFTS)



8.D.h

1/22/24 CITY COMMENTS

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www.hawkins-engineering.com
C.A. # 30009
L.C. # 30004
C.O. # 913

Civil Engineering
Transpiration, C&E &
Landscape Architecture

NEWKIRK
ENGINEERING

SITE LAYOUT PLAN
REGAL CENTER
215 WILLIAMSON BOULEVARD
ORMOND BEACH, FL 32174

HARRY H. NEWKIRK, P.E. # 62971
REGISTERED PROFESSIONAL ENGINEER

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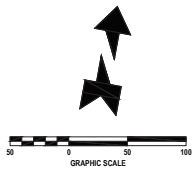
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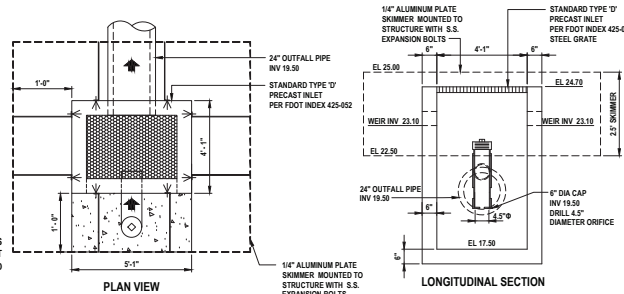
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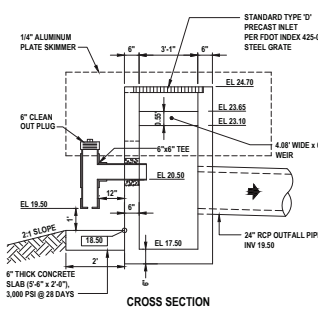
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WARNING !!
CONTRACTOR SHALL TAKE ALL PRECAUTIONS DURING CONSTRUCTION TO AVOID CONTACT WITH EXISTING UNDERGROUND UTILITIES AND OVERHEAD ELECTRIC IN THE RIGHT-OF-WAY.



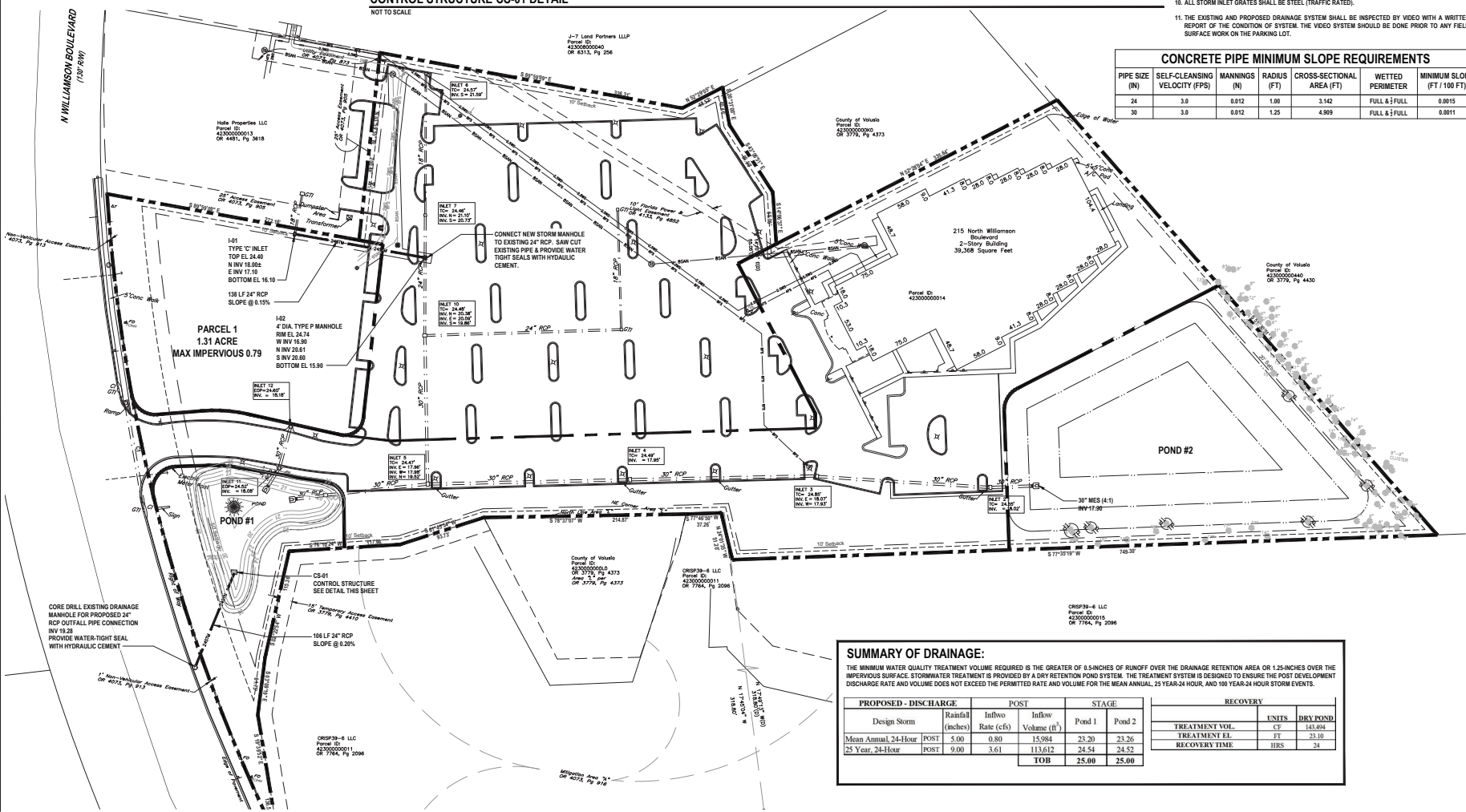
CONTROL STRUCTURE CS-01 DETAIL
NOT TO SCALE



GENERAL DRAINAGE NOTES:

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO DRAINAGE SYSTEM AND SHALL RESTORE ANY DAMAGED STRUCTURES.
2. ALL PIPE FROM THE BUILDING DRAINS SHALL BE SMOOTH INTERIOR CORRUGATED EXTERIOR (SIC) HOPE OR PVC SCH 40.
3. ALL STORM PIPE SHALL BE CONSTRUCTED OF HOPE (SIC) PIPE WITH CERTIFIED WATERTIGHT JOINTS BY THE MANUFACTURER. ACCEPTABLE HOPE PIPE SHALL BE HANCOX SUR-LOK WT. ADS SERIES 35 ADS N-12 WITH WT JOINT OR EQUAL.
4. THE CONTRACTOR SHALL SUBMIT SHOP DRAWINGS OF ALL MATERIAL AND STRUCTURES TO THE ENGINEER (NEWKIRK ENGINEERING, INC.) FOR APPROVAL PRIOR TO THE PRECONSTRUCTION MEETING.
5. CONTRACTOR TO PLACE FILTER FABRIC BETWEEN DRAINAGE STRUCTURES AND TOPS TO PREVENT SOIL INTRUSION. THE FABRIC SHALL BE PERIODICALLY CLEANED OF SAND A DESIGN FABRIC SHALL REMAIN IN PLACE UNTIL PAVING IS COMPLETE.
6. ALL EXISTING STRUCTURES, UNLESS OTHERWISE NOTED TO REMAIN, FENCING TREES, ETC., WITHIN THE CONSTRUCTION AREA SHALL BE REMOVED AND DISPOSED OF OFFSITE.
7. ALL DRAINAGE STRUCTURES SHALL BE PRE-CAST PER FOOT SPECIFICATIONS.
8. ALL DRAINAGE STRUCTURES AND STORM SEWER PIPES SHALL MEET HEAVY DUTY TRAFFIC (H20) LOADING AND BE INSTALLED ACCORDINGLY PER FOOT STANDARD SPECIFICATIONS AND MANUFACTURES SPECIFICATIONS RESPECTIVELY.
9. ALL DRAINAGE STRUCTURES AND PIPES SHALL BE CLEANED OF SAND AT THE LAST STAGE OF CONSTRUCTION PRIOR TO THE FINAL INSPECTION.
10. ALL STORM INLET GRATES SHALL BE STEEL (TRAFFIC RATED).
11. THE EXISTING AND PROPOSED DRAINAGE SYSTEM SHALL BE INSPECTED BY VIDEO WITH A WRITTEN REPORT OF THE CONDITION OF SYSTEM. THE VIDEO SYSTEM SHOULD BE DONE PRIOR TO ANY FIELD SURFACE WORK ON THE PARKING LOT.

CONCRETE PIPE MINIMUM SLOPE REQUIREMENTS					
PIPE SIZE (IN)	SELF-CLEANING VELOCITY (FPS)	MANNINGS (N)	RADIUS (FT)	CROSS-SECTIONAL AREA (FT ²)	WETTED PERIMETER
24	3.0	0.012	1.00	3.142	FULL & 3/4 FULL
30	3.0	0.012	1.25	4.909	FULL & 3/4 FULL



SUMMARY OF DRAINAGE:

THE MINIMUM WATER QUALITY TREATMENT VOLUME REQUIRED IS THE GREATER OF 0.5 INCHES OF RUNOFF OVER THE DRAINAGE RETENTION AREA OR 1.25 INCHES OVER THE IMPERVIOUS SURFACE. STORMWATER TREATMENT IS PROVIDED BY A DRY RETENTION POND SYSTEM. THE TREATMENT SYSTEM IS DESIGNED TO ENSURE THE POST DEVELOPMENT DISCHARGE RATE AND VOLUME DOES NOT EXCEED THE PERMITTED RATE AND VOLUME FOR THE MEAN ANNUAL, 25 YEAR-24 HOUR, AND 100 YEAR-24 HOUR STORM EVENTS.

PROPOSED - DISCHARGE			POST		STAGE		RECOVERY	
Design Storm	Rainfall (inches)	Inflow Rate (cfs)	Inflow Volume (ft ³)	Pond 1	Pond 2		TREATMENT VOL.	UNITS
Mean Annual, 24-Hour	5.00	0.80	15,984	23.20	23.26		TREATMENT EL.	FT
25 Year, 24-Hour	9.00	3.61	113,612	24.54	24.52		RECOVERY TIME	HRS
			TOB	25.00	25.00			

8.D.h

1/22/24 CITY COMMENTS

1230 North US1, Suite 3
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L.C. # 30004
C.O. # 913



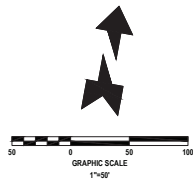
DRAINAGE PLAN
REGAL CENTER
215 WILLIAMSON BOULEVARD
ORMOND BEACH, FL 32174

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HARRY H. NEWKIRK, P.E. # 62971
PROJECT No.: 2021-158
DATE: OCTOBER 2021
DESIGN BY: HHN
DRAWN BY: NWS
CHECKED BY: HHN
SCALE: 1" = 50'
DRAWING NUMBER

7



GRADING LEGEND:

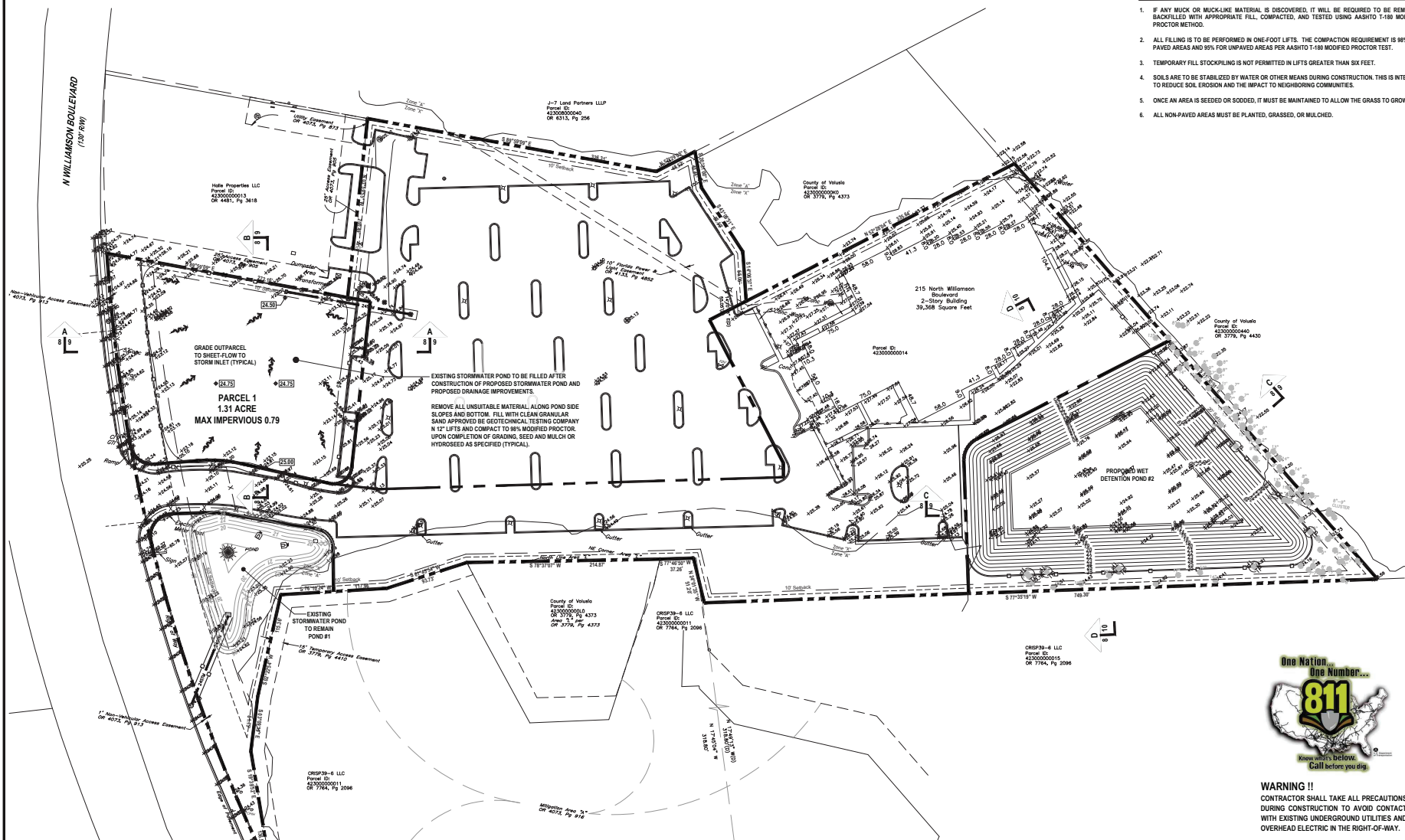
- EXISTING CONTOUR
- 72' PROPOSED CONTOUR
- DRAINAGE FLOW ARROW
- EXISTING SPOT ELEVATION
- PROPOSED SPOT ELEVATION
- MATCH EXISTING GRADE

GENERAL GRADING NOTES:

- CROSS SLOPES OF ACCESSIBLE PARKING SPACES AND ACCESS AISLE SHALL NOT EXCEED 1:48 IN ACCORDANCE WITH SECTION 902.4 OF FACBC.
- 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-99 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-99 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 SEEDED OR SOODED, IT MUST BE MAINTAINED TO ALLOW THE GRASS TO GROW.
- ALL NON-PAVED AREAS MUST BE PLANTED, GRASSED, OR MULCHED.



8.D.h

1/22/21 CITY COMMENTS

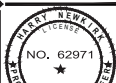
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Landscaping Architecture



GRADING PLAN
REGAL CENTER
215 WILLIAMSON BOULEVARD
ORMOND BEACH, FL 32174



HARRY H. NEWKIRK, P.E. # 62971

PROJECT No: 2021-158

DATE: OCTOBER 2021

DESIGN BY: HHN

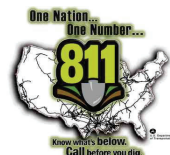
DRAWN BY: NWS

CHECKED BY: HHN

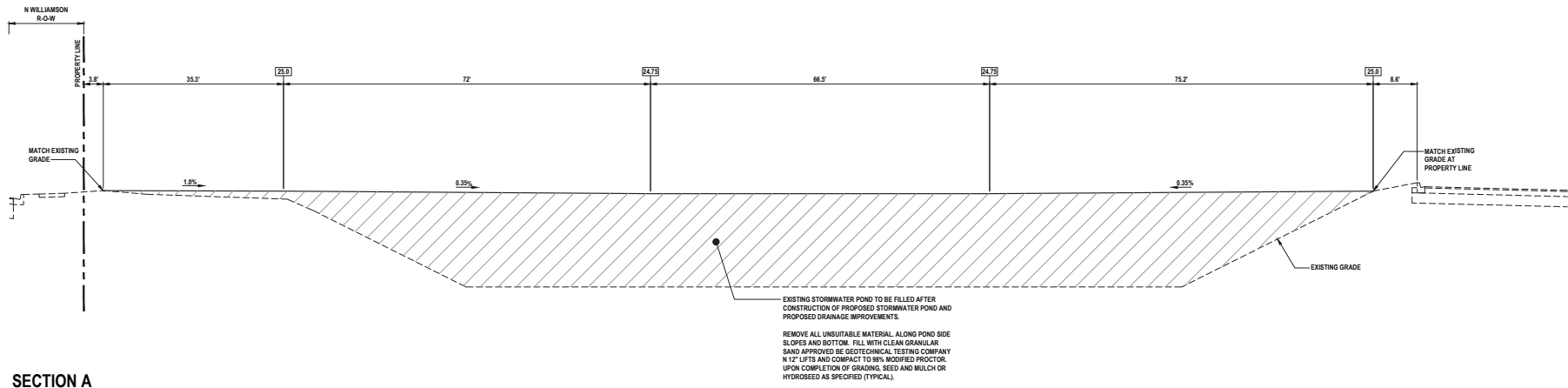
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DRAWING NUMBER

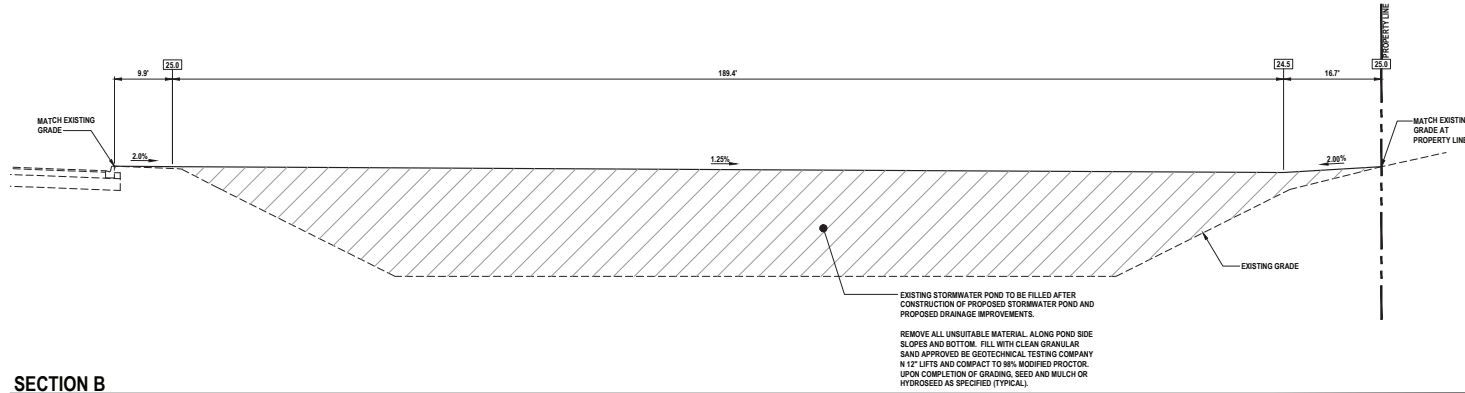
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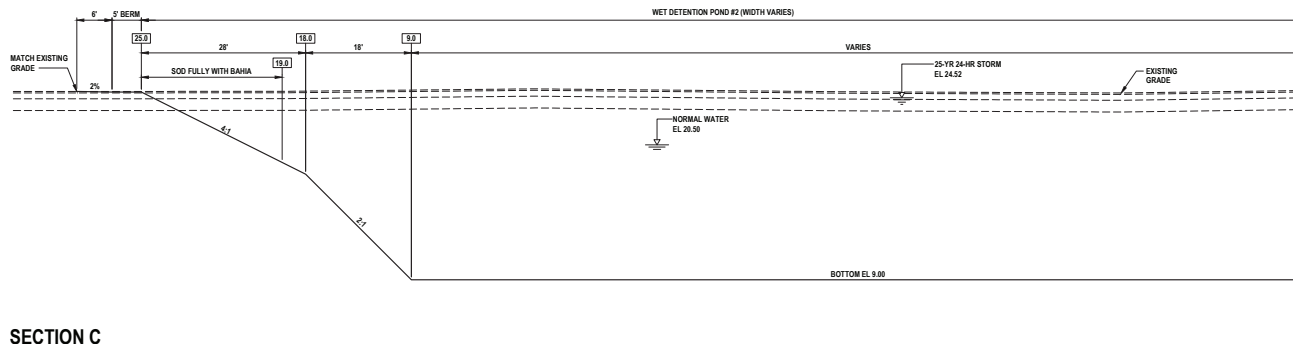
WARNING !!
CONTRACTOR SHALL TAKE ALL PRECAUTIONS DURING CONSTRUCTION TO AVOID CONTACT WITH EXISTING UNDERGROUND UTILITIES AND OVERHEAD ELECTRIC IN THE RIGHT-OF-WAY.



SECTION A
NOT TO SCALE



SECTION B
NOT TO SCALE



SECTION C
NOT TO SCALE

8.D.h

11/22/21 CITY COMMENTS

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CROSS SECTIONS
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PROJECT No: 2021-158

DATE: OCTOBER 2021

DESIGN BY: HHN

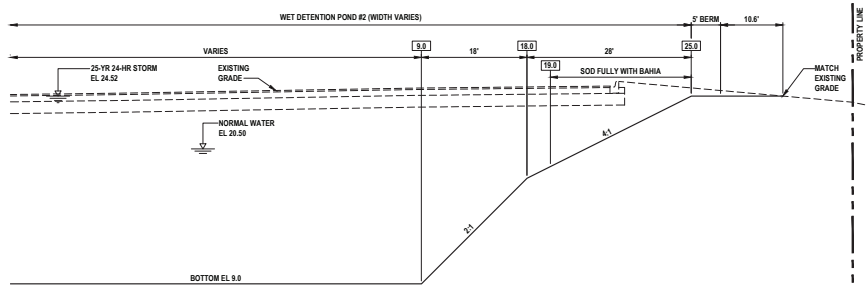
DRAWN BY: NWS

CHECKED BY: HHN

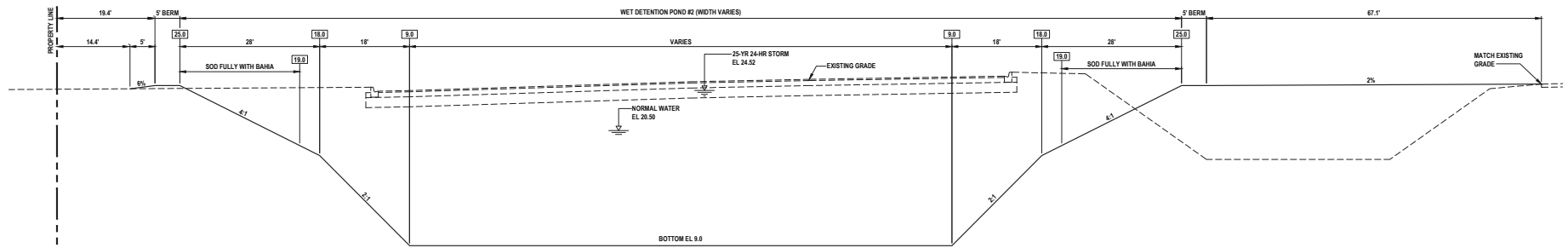
SCALE: AS SHOWN

DRAWING NUMBER

9



SECTION C
NOT TO SCALE



SECTION D
NOT TO SCALE

8.D.h

11/22/21 CITY COMMENTS

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DATE: OCTOBER 2021

DESIGN BY: HHR

DRAWN BY: NWS

CHECKED BY: HHR

SCALE: AS SHOWN

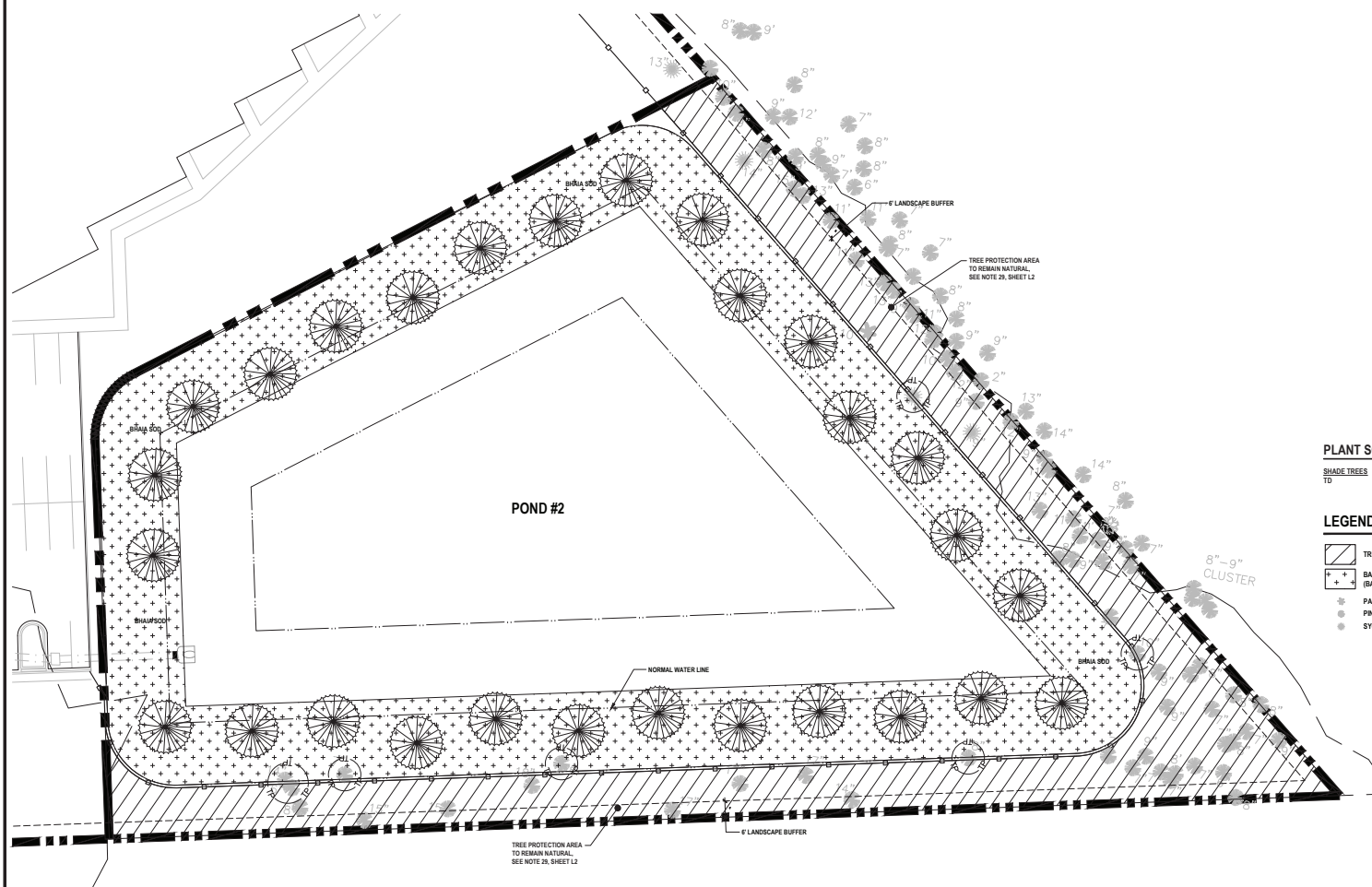
DRAWING NUMBER

10



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.

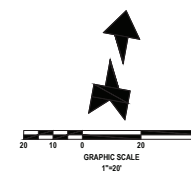


PLANT SCHEDULE

SHADE TREES TO	QTY	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
	29	TAXODIUM DISTICHUM	BALD CYPRESS	2.5\" CAL., 10' HT.	

LEGEND:

- TREE PROTECTION AREA
- BAHIA SOD OR HYDROSEED (BAHA SEED MIXTURE)
- PALM TREE
- PINE TREE
- SYCAMORE TREE

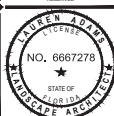


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LANDSCAPE PLAN
REGAL CENTER
215 WILLIAMSON BOULEVARD
ORMOND BEACH, FL 32174



LAUREN ADAMS, P.L.A. # 6667278

PROJECT No: 2021-158

DATE: NOVEMBER 2021

DESIGN BY: LAA

DRAWN BY: BWV

CHECKED BY: LAA

SCALE: 1" = 20'

DRAWING NUMBER

L1

December 9, 2021

DRAFT

**Planning Board
minutes**

**Regal Center, Zoning and Issuance
of a Development Order**

Ms. Shull stated it is not the applicant's responsibility to take care of the other properties. Chairman Thomas replied that staff stated that the project must accept the flow that is occurring onto their property as well as their own water and retain it on-site.

Ms. Shull asked how much fill is required to bring the site up for development. Mr. Spraker answered that the fill information is part of the preliminary plat, construction drawings that would be provided to the Planning Board at a future date. The grading and filling information is not required at the zoning review of the subdivision development.

Mr. Jorczak sought to confirm that the construction drawings would be provided to the Planning Board. Mr. Spraker confirmed that the Planning Board and City Commission would both review and act upon the preliminary plat, construction drawings. Mr. Galloway stated that the Board would be moving it to get to the next stage of the subdivision development. Ms. Tolland commented that to allow it to move forward determines the site design and the Planning Board is only reviewing consistency at that point. She recalled that a speaker, Ms. Herrero, stated that once it is done, it cannot be undone. Ms. Tolland concluded that she wants to go carefully and commented that she is not 100 percent there.

Mr. Scudiero stated that he still has traffic concerns and does not believe that there is evidence there that this project will better the flooding issues with water. We know the project will not make traffic better. He continued that he is not against growth, it is just that this is the wrong time for this project. Mr. Scudiero stated that government owes it to its citizenry to make all of this stuff right before they come asking for other things to be approved.

Chairman Thomas asked for a motion.

Mr. Scudiero motioned to deny PRD 2021-067: Tattersall at Tymber Creek, Issuance of a Development Order. Ms. Shull seconded it. Vote was called, and the motion was denied (5-1), with Mr. Galloway opposed.

Chairman Thomas thanked those individuals who attended. A recess for five minutes was taken.

B. PBD 2022-002(A) – Zoning Map Amendment – 215 Williamson Boulevard, Regal Cinema Ormond

Mr. Steven Spraker, Planning Director, stated that PBD 2022-002(A) is a request submitted by 215 Williamson Investors LLC, with authorization of property owner, Regal Cinemas, Inc., for a zoning map amendment from B-8 (Commercial) to Planned Business Development (PBD) and the issuance of a development order. The PBD zoning map amendment seeks to (1) create an outparcel along Williamson Boulevard, (2) allow additional uses within the PBD, and (3) create a framework for future redevelopment. The subject property is 12.00± acres. Mr. Spraker stated that items B and C would be presented together.

Mr. Spraker displayed an aerial and described the property and the surrounding uses. He stated that the site plan divided the project area into five parcels as described below:

Parcel 1: Outparcel of 1.31 acres along Williamson Boulevard. This is the area where the stormwater pond would be relocated.

Parcel 2: Existing stormwater pond south of the access drive. This stormwater pond area is proposed to be cleaned up and a fountain installed. There are no changes in the use of this area.

Parcel 3: Existing parking field for the former theater use. Parcel 3 would be developed into a future use. The Planned Development seeks to allow the B-8 uses and additional uses within the development order.

Parcel 4: Existing former movie theater building of 39,368 square feet. The building is proposed to be redeveloped. The Planned Development seeks to allow the B-8 uses and additional uses within the development order.

Parcel 5: This area is the relocated stormwater pond and is 1.87 acres.

Mr. Spraker continued that there are three reasons for the Planned Business Development (PBD):

1. To allow the existing pylon sign for future users based on the limited visibility from the roadway;
2. To allow a building height of 50' for parcels 3 and 4. The existing building is 50' in height.
3. To allow certain uses on parcels 3 and 4 for the redevelopment. The actual use would go back through the Site Plan Review Committee (SPRC). Mr. Spraker stated that the sexually orientated business was prohibited and a pharmacy use was added to the outparcel.

Mr. Spraker noted that Planning staff had concern with the RV and Boat storage requested based on the future applications across the city. He stated that staff is recommending approval of the applications and that no end users have been identified to date.

Mr. Paul Holub, applicant, managing member of 215 Williamson Investors, LLC., thanked the Planning Board for allowing this application to be heard. Mr. Holub stated that they redeveloped a Regal Cinema in Port Orange about ten years ago but it was a different situation with more frontage to the roadway. He commented that the redevelopment of this site is going to be more difficult based on the location of the building, the parking field, and the size of the existing building. Mr. Holub stated that they agree with staff on all items except the RV and Boat storage that would include covered and uncovered parking. He added that they hired a consultant for potential uses and a need for this use was discovered. The Planned Business Development (PBD) allows the ability to take any use within the Land Development Code (LDC) and incorporate it within a development order. Mr. Holub stated that the uses for the project are still being considered and no final uses have been decided. The outdoor storage is a needed use within the city. He explained that the potential outdoor storage would be screened by the rear of Ormond Town Square and wetlands/conservation area.

Mr. Holub reviewed pictures of the site and stated that there have been homeless issues on the property. Their goal is to clean up the property and redevelop the property into commercial uses. He detailed the site plan and the configuration of the stormwater areas.

Mr. Jorczak asked how the stormwater would get relocated. Mr. Holub replied that the back would be excavated for the back pond and then would fill the front pond.

The project has had a preliminary meeting with the St. Johns River Water Management District staff. Mr. Holub stated the water would be transferred through the existing drainage system via gravity. The pond at the front on the south side of the drive aisle would be cleaned and a fountain added.

Ms. Shull asked about the RV and Boat storage. Mr. Holub explained that they would be the developer of the RV and Boat storage if that use is selected. The project would have some covered and some uncovered parking areas, fenced and well landscaped. Ms. Shull inquired if the existing building would be used for RV and Boat storage. Mr. Holub answered that the existing building would be separate and one potential use would be indoor storage. He stated that the storage uses were in place and that there are no other uses or back up plans, as part of the redevelopment.

Chairman Thomas asked if the existing building concept for storage would be similar to Hyde Park. Mr. Holub confirmed that storage would be similar and stated the beauty of this building is that it is built to withstand anything, a fortress. He continued that it was designed that way because of the 2,300 occupants it could hold. Attributes include block construction, fire sprinklers, steel trusses, newer roof and air conditioning units.

Ms. Shull asked if the pond could be left in the front (parcel 1) and develop the rear with the RV and Boat storage. Mr. Holub replied that the RV and Boat storage would be in the existing parking field. He reiterated that the final uses have not been determined and that it really depends on the market as far as what could be developed. Mr. Holub stated that a hotel chain has also looked at the property and expressed how there are a lot of moving parts. He highlighted that any redevelopment would be a substantial reduction in project trips from the movie theater use. Mr. Holub concluded that if a RV and Boat storage use occurred, it would be well screened and not impact infrastructure such as water and sewer.

Ms. Tolland asked how that RV and Boat storage use would not be visible. Mr. Holub stated that the Discount Tire access would remain and that the outdoor storage would be fenced with decorative aluminum fencing along with perimeter landscaping. Mr. Holub added that property abuts the back of the shopping center and wetlands to the east and south.

Mr. Scudiero inquired about the outparcel and potential uses. Mr. Holub stated that the outparcel would meet all city standards, such as the Greenbelt landscape buffer and the perimeter buffers. There have been several concept plans including a sit-down restaurant, quick service restaurant with a drive-through, and a retail building. Mr. Holub stated that there has been interest in the outparcel. Mr. Holub commented that the easiest part of the project is the outparcel with the parking field redevelopment being a challenge.

Mr. Jorczak asked how long the rental agreement would run for. Mr. Holub responded that there are varying parking space dimensions. The leases are typically three to six months as short-term leases. Mr. Jorczak asked what the capacity would be for the RV and Boat parking use. Mr. Holub estimated between 170 and 180 parking spaces depending on space sizes. Mr. Jorczak commented that the traffic impact was small. Mr. Holub confirmed that the traffic impact would be substantially reduced to virtually nothing and stated that the RV and Boat parking use is a placeholder at this time in case other uses cannot be completed.

Mr. Galloway stated that he is aware of several properties that are having retention ponds relocated to more appropriate locations on property. He continued that he is all for the relocation of the stormwater pond for the outparcel. Mr. Galloway mentioned the Stor-It property as an example of covered RV and Boat parking. He commented that it is a great use for a property that needs to be redeveloped.

Chairman Thomas asked if there had been any opposition to this project. Mr. Spraker responded that staff has not received any form of opposition to this project.

Ms. Tolland asked about the property to the south along Williamson Boulevard and if it is buildable. Mr. Holub stated that the property south of the property is in the City of Daytona Beach and he believes it has conservation zoning on it. There was a discussion about surrounding properties and the appropriateness of the requested uses under consideration.

Mr. Jorczak motioned to approve PBD 2022-002(A) – Zoning Map Amendment – 215 Williamson Boulevard, Regal Cinema Ormond. Mr. Galloway seconded it. Vote was called, and the motion was approved (6-0).

C. PBD 2022-002(B) – Issuance of a Development Order – 215 Williamson Boulevard, Regal Center Ormond

Mr. Steven Spraker, Planning Director, stated that he had no additional material other than what was presented in item B. He added that if there is a desire to allow RV and Boat storage, then the motion should include this use.

Mr. Galloway asked why this application is in two separate items. Attorney Hayes answered that one item is a zoning action and the second item is for the issuance of a development order.

Mr. Jorczak asked the reasoning for not supporting the RV and Boat storage use. Mr. Spraker stated that the RV and Boat storage use is only allowed in the industrial zoning district and how introducing this use with this project opens the door for other future applications. Mr. Jorczak asked if we are opening a door. Mr. Spraker replied that a door is being opened, but the Planning Board and City Commission control the door through the planned development process. Attorney Hayes stated that the planned development is really talking about potential uses.

Mr. Galloway asked if the site plan for a particular use would come back to the Planning Board. Mr. Spraker stated that the uses are being determined through the Planned Development process and the individual site plans would be reviewed and approved by the Site Plan Review Committee (SPRC). Mr. Spraker stated that the Planned Development is for the uses. Mr. Spraker stated that of all the sites this one is the most appropriate based on the roadway screening for RV and Boat storage. With this approval there may be more applications for the RV and Boat storage use.

Chairman Thomas stated that on the bad side there is a risk of additional applications but on the good side there is a significant reduction of traffic impacts. Mr. Spraker concurred that there would be less of a traffic impact with redevelopment of this site. Chairman Thomas also stated that this site is unique with the large setbacks and lack of visibility. Chairman Thomas concluded that he has no problem with the RV and Boat storage use.

Mr. Scudiero stated that other applications for a RV and Boat storage use could be reviewed on the benchmarks established here. Ms. Tolland stated that the location of the RV and Boat storage use should be considered. The Board agreed that there is a

need for RV and Boat storage. Chairman Thomas reiterated that the RV and Boat storage use is a traffic reduction. Mr. Galloway mentioned the storage use on Granada Boulevard is set off the roadway which is appropriate. Mr. Scudiero concluded that it is important to remember this is a redevelopment that is seeking to utilize the existing site characteristics.

Mr. Scudiero remarked on the existing sign. Mr. Holub stated that the sign would be refurbished. He commented that whatever is done to the project would be done first class no matter what the final uses turn out to be. Mr. Holub concluded that this is a very unusual parcel.

Ms. Shull asked when the PBD is used in this application what it does to the B-8 zoning. Mr. Spraker responded that it incorporates the uses within the B-8 zoning district into the PBD development order. Ms. Shull asked if a PBD can be done in other areas. Mr. Spraker responded that the PBD is available in all commercial zoning districts and any use in the Land Development Code (LDC) can be incorporated.

Ms. Shull asked Mr. Holub about the status of the Granada Pointe development. Mr. Holub stated that project had fill in the floodplain and a required compensating storage pond was constructed. He indicated that there is an approved site plan for a retail center for the land between the car wash and the WaWa. There have been issues with securing the building materials for this building. A grocery chain is looking at the site west of Tomoka Avenue and on the north side for a national coffee chain and a dental office.

Mr. Galloway expressed appreciation for local investors redeveloping property within Ormond Beach.

Chairman Thomas asked for a motion.

Ms. Tolland motioned to approve PBD 2022-002(B) – Issuance of a Development Order – 215 Williamson Boulevard, Regal Center Ormond. Mr. Jorczak seconded it. Ms. Tolland clarified that the motion was for the applicant's request that included the RV and Boat storage use. Mr. Jorczak agreed to the clarification. Vote was called, and the motion was approved (6-0).

D. PP 2022-004 – Preliminary Plat – 100 North Halifax Drive

Mr. Steven Spraker, Planning Director, stated that PP 2022-004 – preliminary plat – 100 North Halifax Drive is a request submitted by Ms. Nancy Lohman, Halifax Enterprises, LLC for a 1.48-acre property located at 100 North Halifax Drive for a twelve-unit townhome development called the Cupola at Oceanside.

Mr. Spraker stated the project has approved construction plans and is undergoing a subdivision of land with the preliminary plat. Mr. Spraker stated that the preliminary plat is consistent with the Planned Residential Development (PRD) and staff is recommending approval.

Mr. Cody Bogart, Newkirk Engineering stated he is part of the design team and is representing Ms. Lohman who is receiving a planetarium dedication tonight with her husband. Mr. Bogart stated he is available for any questions.

Mr. Galloway asked why this is in front of the Board. Mr. Spraker explained the three-step subdivision process of (1) Planned Residential Development, (2) preliminary plat, and (3) final plat.



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: January 18, 2022

Subject: Cupola at Oceanside, Preliminary Plat

Commission Goal: Community Development - Other

Introduction

This is a request from Nancy Lohman, Halifax Enterprises, LLC, for a preliminary plat for a 1.48-acre property located at 100 North Halifax Drive for a twelve (12) unit townhome development called the Cupola at Oceanside.

Background

The property at 100 North Halifax Drive has a Future Land Use designation of “Medium Density Residential” and a zoning classification of Planned Residential Development.

The background of the property is provided below:

- On January 17, 2017, the City Commission approved Ordinance No. 2016-45 to amend the land use designation for 100 North Halifax Drive from “Public/Institutional” to “Medium Density Residential”. As part of the land use application a voluntary neighborhood meeting was conducted on September 27, 2016 at the subject property. There were approximately 25 individuals who attended the meeting and the discussion focused on the site plan attributes of the project.
- On March 7, 2017, the City Commission approved Ordinance No. 2017-06 that authorized a zoning map amendment for the property from R-2 (Single-Family Low Density) to R-5 (Multi-family Medium Density). The purpose of the amendment was to allow a residential development either using the R-5 zoning standards or a planned development as a Planned Residential Development.
- On November 7, 2017, the City Commission approved Ordinance No. 2017-33 that authorized a zoning map amendment for the property from R-5 (Multi-family Medium Density) to PRD (Planned Residential Development). As part of the rezoning and development order applications, a neighborhood meeting was held on August 28, 2017 within the existing church at 100 North Halifax Drive.
- On November 7, 2017, the City Commission approved Ordinance No. 2017-34

that authorized the issuance of a Development Order to allow the development of 12 garden townhomes. Based on the Planning Board recommendations and abutting property owners, the development order approved certain site and building standards.

- On November 5, 2018, the City Commission approved Ordinance No. 2018-26 that modified the approved building elevations. The application did not propose any modifications to the approved site improvements and sought only to modify the building elevations.
- On August 25, 2021, the Site Plan Review Committee (SPRC) approved the site plan for the Cupola at Oceanside.

Discussion

The purpose of the application is the subdivision of land for the development of a twelve (12) unit townhome development consistent with the approved site plan. The Preliminary Plat is the first step to allow the subdivision of land for the project. In order to subdivide land, preliminary and final plat approvals are required. The Land Development Code defines a Preliminary Plat as “a proposed subdivision plan that is in an exact and precise manner in which it may be evaluated pursuant to this Land Development Code and the comprehensive plan”. A Preliminary Plat contains information on stormwater design, utilities, lot grading, and road layout and is reviewed by the SPRC. The construction plans for the project have been approved by the SPRC. Preliminary Plats are reviewed by the Planning Board and acted upon by the City Commission.

PLANNING BOARD

The Planning Board reviewed the Preliminary Plat at the December 9, 2021 meeting and recommended approval (6-0). There were no individuals who spoke for or against the application.

Budget Impact

There are no budget impacts as the result of this amendment.

Citizen Impact

The application seeks the subdivision of land based on the approved Planned Residential Development. No negative citizen impact is anticipated.

Recommendation

It is recommended that the City Commission approve the Preliminary Plat for the subdivision of land on a 1.48-acre property located at 100 North Halifax Drive, the Cupola at Oceanside, for a twelve (12) unit townhome development consistent with the approved Planned Residential Development.

Attachments:

- 22-18 Cupola at Oceanside Preliminary Plat (P21-0199S)docx (PDF)
- Exhibit A (PDF)
- Exhibit B (PDF)
- 12.09.2021, Cupola at Oceanside Preliminary Plat, PB Staff Report, Combined (PDF)
- DRAFT, Planning Board minutes, 12.09.2021 - Cupola at Oceanside (PDF)

REVIEWED BY:
Kelly McGuire, Finance Director 12/28/2021
Claire Whitley, Assistant City Manager 1/11/2022**APPROVED BY:**
Joyce A. Shanahan, City Manager 1/12/2022

RESOLUTION NO. 2022-18

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA APPROVING THE PRELIMINARY PLAT FOR “THE CUPOLA AT OCEANSIDE”, A PLANNED RESIDENTIAL DEVELOPMENT SUBDIVISION; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, Halifax Enterprises, LLC, a Florida Limited Liability Company (the “Property Owner”) has submitted the preliminary plat for “The Cupola at Oceanside”, a Planned Residential Development subdivision, and

WHEREAS, the City Commission approved Ordinance 2017-33 authorizing a zoning map amendment for a 1.48 acre parcel from R-5 (Multi-Family Medium Density) to PRD (Planned Residential Development), and

WHEREAS, the City Commission approved Ordinance 2017-34 authorizing a Planned Residential Development Development Order to allow the construction of twelve garden townhomes and authorized the execution of a Development Order, which Development Order is recorded in the public records of Volusia County, Florida in Official Records Book 7488, at Pages 911 through 946, inclusive, and

WHEREAS, the City Commission approved Ordinance 2018-26 authorizing the first Planned Residential Development Development Order amendment to allow changes to the building elevations and authorized the execution of a first amended Development Order, which

Development Order is recorded in the public records of Volusia County, Florida in Official Records Book 7629, at Pages 337 through 356, inclusive, and

WHEREAS, the Site Plan Review Committee has approved “The Cupola at Oceanside” construction site plans on August 25, 2021, and

WHEREAS, the Site Plan Review Committee and Planning Board have reviewed the preliminary plat and recommend approval, and

WHEREAS, the City Commission concurs with the recommendations of the City staff and Planning Board, now therefore,

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

SECTION ONE. The City Commission hereby approves a preliminary plat for “The Cupola at Oceanside” residential subdivision of twelve-unit garden townhouses, as shown in the construction plans attached hereto as Exhibit “A” and preliminary plat attached hereto as “Exhibit “B”, subject to full and continuous compliance to the Planned Residential Development Development Order as approved by Ordinance 2017-34 and amended by Ordinance 2018-26.

SECTION TWO. The approval hereby granted shall expire automatically, in accordance with Chapter 1, Article II, Section 1-14(3)(a) of the *Land Development Code*, on **January 18, 2024**, unless the subject property is actively being developed such that permits have been issued and are continuing; or the requirements of Section 4-18 *Land Development Code*

have been satisfied and a final plat has been approved by the City Commission, recorded and the appropriate bond has been provided as required by Section 4-18(8)(c) of the *Land Development Code* for “The Cupola at Oceanside”.

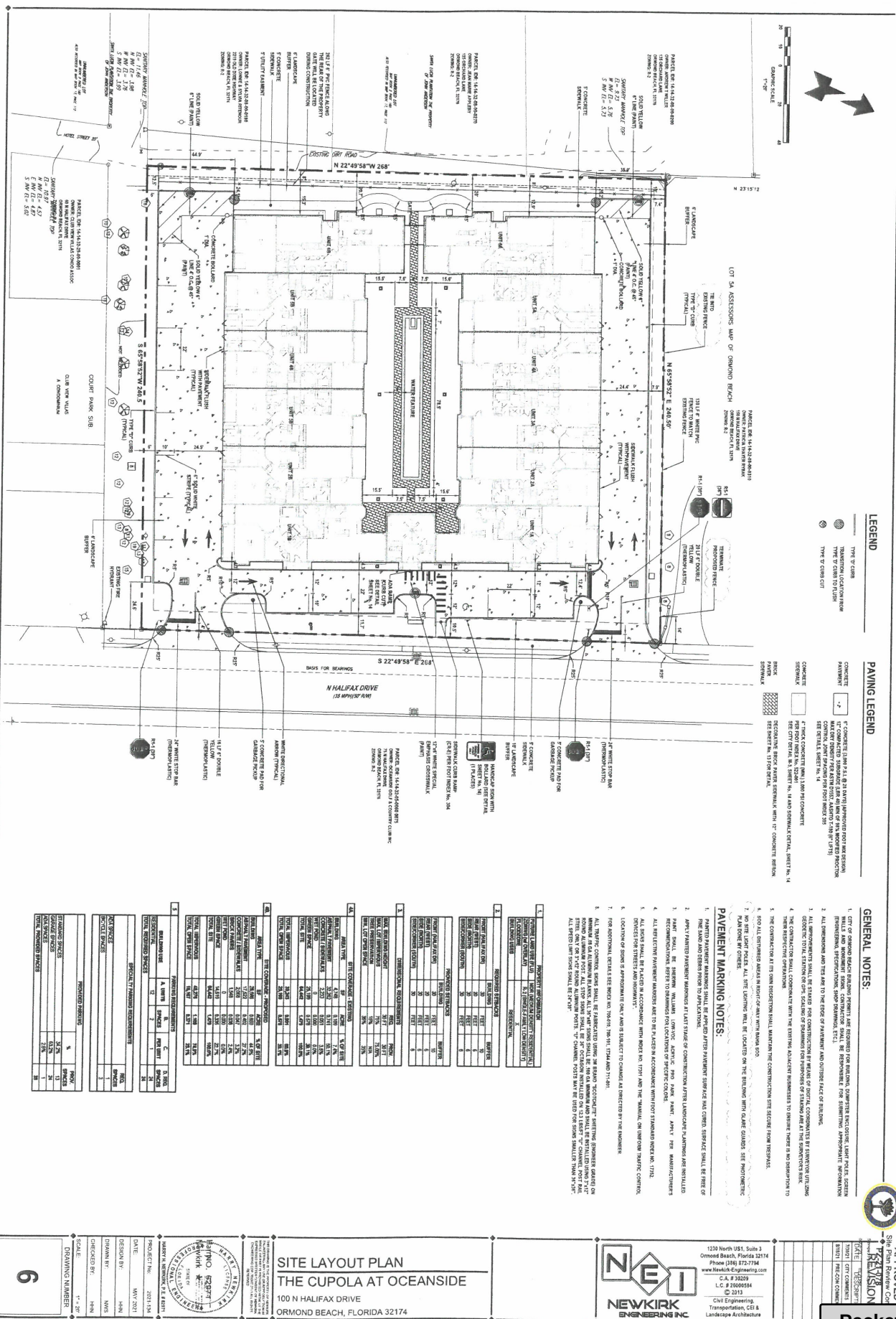
SECTION THREE. This Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED, this 18th day of January, 2022.

BILL PARTINGTON
Mayor

ATTEST:

SUSAN CARROLL DAUDERIS
City Clerk



PLANT SCHEDULE

[illegible]

PLANT MIX SCHEDULE

	MIX I FLOWER MIX AGAPANTHUS / AFRICAN LILY TULBAGHIA VIOLEACEA / SOCIETY GARLIC	128 S 137 265
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REFERENCE NOTES SCHEDULE

QTY	DESCRIPTION	SYMBOL
1	PERMALOC PRO-LINE EDGING 2"X 4" IN BRONZE DURABLE TO BE INSTALLED BETWEEN SOD AND LANDSCAPE BEDS IN COURTYARD AND BETWEEN SOD AND FENCE	

LANDSCAPE BUFFER DATA

NORTH BUFFERING 1/2 MILE: THERE IS AN AVERAGE 3000 FOOT R

		TOTAL		PERCENT	
PERCENT	TOTAL	PERCENT	TOTAL	PERCENT	TOTAL
TRUCKS					
SHRUBS	2	5	100	2	100
GRASS/LEGUMES	20	40	137	20	136
WET BATTER	20	40	136	20	136
TRUCKS					
SHRUBS	3	7	8	3	8
GRASS/LEGUMES	3	7	8	3	8
WET BATTER	90	96	99	90	99
TRUCKS					
SHRUBS	30	66	100	30	100
GRASS/LEGUMES	50	66	92	50	92
TRUCKS					
SHRUBS	2	5	100	2	100
GRASS/LEGUMES	20	49	78	20	78
WET BATTER	20	49	78	20	78
TRUCKS					
SHRUBS	20	49	197	20	197
GRASS/LEGUMES	20	49	78	20	78
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TRUCKS					
SHRUBS	20	49	197	20	197
GRASS/LEGUMES	20	49	78	20	78
WET BATTER	20	49	78		

BASED ON SITE AREA (1/1,900 S.F.)
LANDSCAPE AREA

BASED ON LANDSCAPE AREA (1,400 SF)	40
TOTAL TREES PROVIDED	43

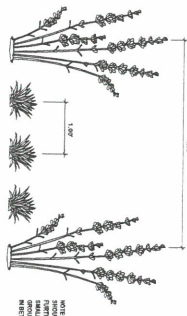
VEHICULAR USE AREA	
--------------------	--

3,500

THREE CHORDS	THREE CHORDS	TOTAL
RESISTING TREES TO REMAIN	0	1.00
PROTECTING PALMS TO REMAIN	0	1.00
PROPOSED 2.5' CAL. TREES (1 TREE CHORD)	17	1.00
PROPOSED 3.5' CAL. TREES (2 TREE CHORDS)	20	2.00
PROPOSED QUEN PALMS (3-3) (12/3)	4	1.00
PROPOSED DATE PALMS	4	1.00
TOTAL TREES PROVIDED	45	

NOTE:

2 PLANTING MIX SPACING



1 PLANTING MIX LAYOUT DETAIL

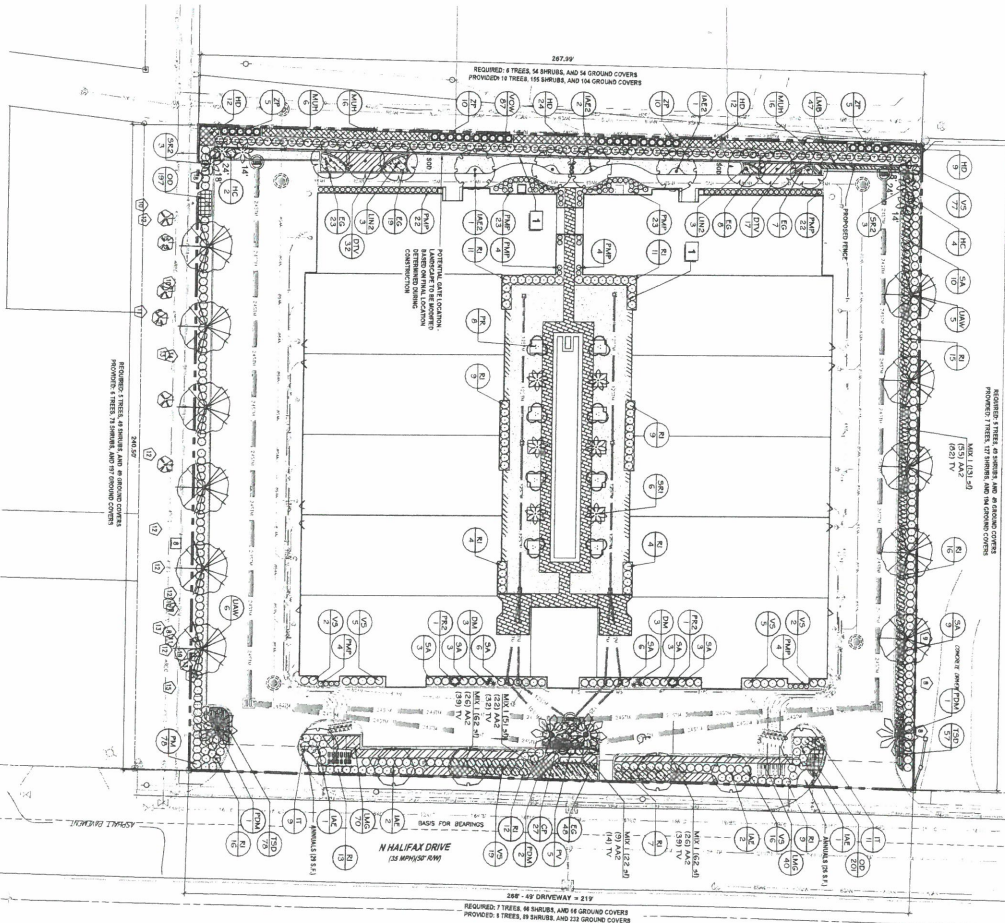
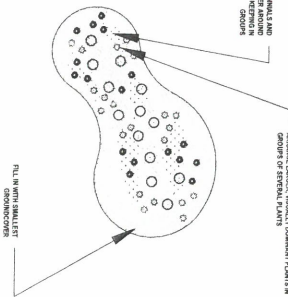
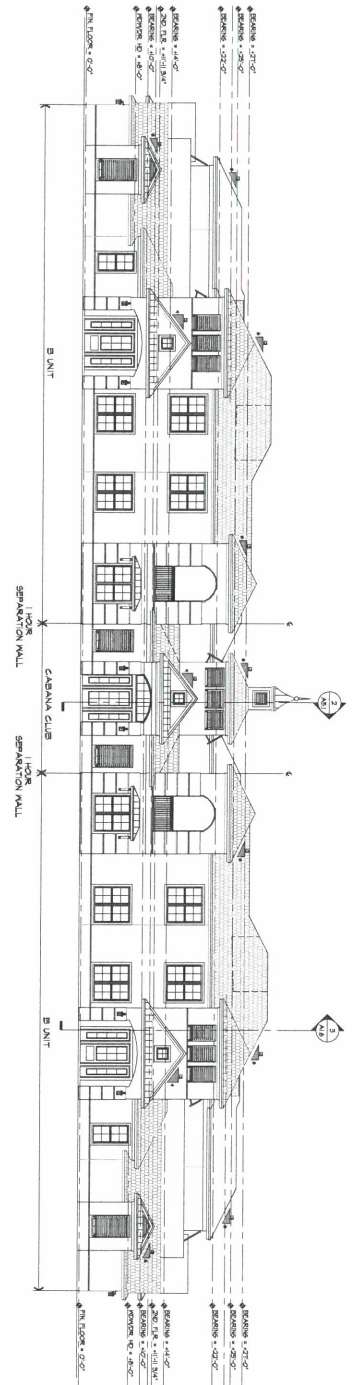


EXHIBIT "A"

Page 3 of 3

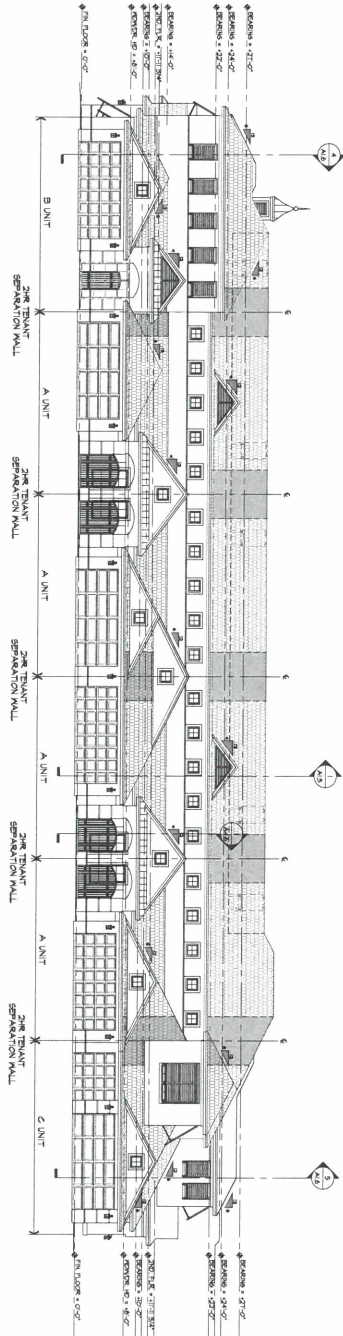
CONTROL ELEVATION - FRONT / EAST
SEE A3.1 FOR 1/4 INCH ELEVATION

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



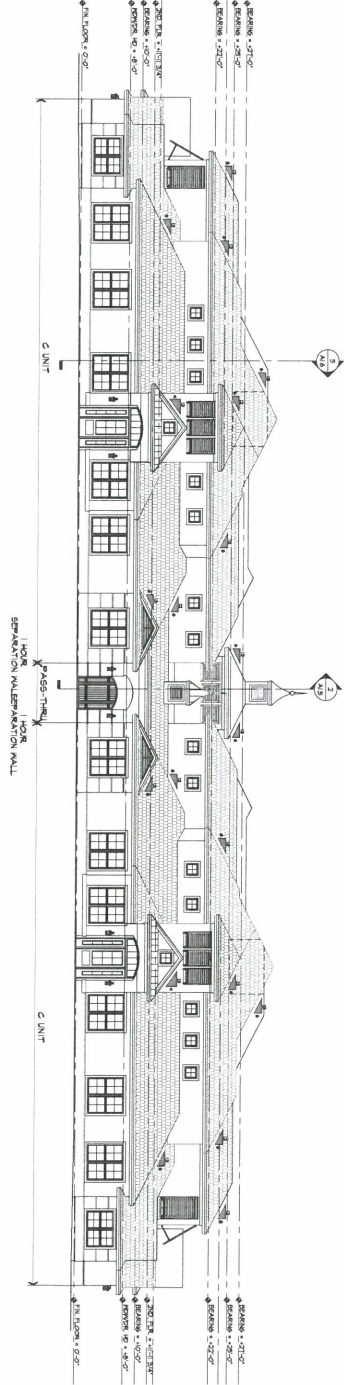
CONTROL ELEVATION - RIGHT / NORTH
SEE A3.2 FOR 1/4 INCH ELEVATION

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



CONTROL ELEVATION - REAR / WEST
SEE A3.3 FOR 1/4 INCH ELEVATIONS

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



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	PROJECT: A300.00 DRAWN: SDP APPROVED: SDP DATE: 1/10/20	CONTROL ELEVATIONS THE CUPOLA AT OCEANSIDE TOWNHOMES AT ORMOND BEACH, FLORIDA	REVISIONS		The Evans Group Architecture Planning 986 Douglas Avenue, Suite 100 Altamonte Springs Florida 32804 P: 407.650.8770	
	PROJECT: A300.00 DRAWN: SDP APPROVED: SDP DATE: 1/10/20	CONTROL ELEVATIONS THE CUPOLA AT OCEANSIDE TOWNHOMES AT ORMOND BEACH, FLORIDA	REVISIONS			

EXHIBIT "B"
Page 2 of 2

A PORTION OF LAND WITHIN SECTION 14, TOWNSHIP 14 SOUTH, RANGE 32 EAST, CITY OF ORMOND BEACH, VOLUSIA COUNTY, FLORIDA

CUPOLA AT OCEANSIDE

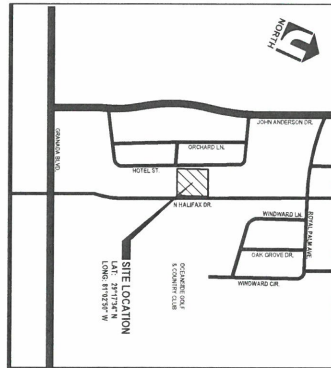
DESCRIPTION:

[illegible]

GENERAL NOTES:

- [illegible]

LOCATION MAP



LEGEND:

- | | |
|------|--------------------------------|
| RD | FOUND |
| NC | INCORPORATED |
| LI | LENGTH |
| LC | LISTED BUSINESS |
| MB | LICENSED CORPORATION |
| NO. | MAP BOOK |
| NO. | NUMBER |
| ORB | OFFICIAL RECORDS BOOK |
| POP | PERMANENT CONTROL POINT |
| PG | PAGE |
| PPM | PERMANENT REFERENCE MONUMENT |
| PPM | PROFESSIONAL SURVEYOR & MAPPER |
| RW | RIGHT-OF-WAY |
| SQFT | SQUARE FEET |
| | RIGHT-OF-WAY LINE |
| | EXISTING EASEMENT LINE |

MORTGAGEE'S CONSENT AND JOINDER
THE UNDERSIGNED HEREBY CERTIFIES THAT IT IS THE HOLDER OF A MORTGAGE

[illegible]

CERTIFICATE OF APPROVAL BY CITY ATTORNEY
THIS IS TO CERTIFY THAT ON _____ THE FLOOR OF _____

CERTIFICATE OF APPROVAL BY CITY ENGINEER

I HEREBY CERTIFY THAT _____ THE FORDSPOINTE WAS APPROVED

BY _____

ADMINISTRATIVE FILE NUMBER FOR THE CITY OF FORDSPOINTE

MAP BOOK: PAGE:

DEDICATION

PAINLESS PARTS JAMES ENTERPRISES, LLC, HAS CALLED THEIR PRESENTS TO BE EXERCISED WITH NAME AND CITY OF ORIGIN. THAT IS, IN RESPONSE TO A REPORT BY THE OFFICE OF PERSONAL DATA, AUTHORIZED BY

CERTIFICATE OF CLERK

THESE CHARTERS HAVE COVERED THE ECONOMIC AND POLITICAL CHANGES IN SOME INITIAL REASSESSMENTS OF CHAPTER 17 AFRICA STUDIES. AND IT WAS LATER RECORDED ON _____

AT _____

FILE NO. _____

CLERK OF THE SUPREME COURT _____

N AND FOR VOLUME COUNTY AFRICA _____

CERTIFICATE OF APPROVAL BY CITY OF ORMOND BEACH

[illegible]

REVIEW BY SURVEYOR AND MAPPER FOR THE CITY

I HEREBY CERTIFY THAT I HAVE REVIEWED THE ATTACHED P.M.T. FOR COMPLAINT AND
117 PART 4, RECORDS STATUTES, AND THAT I HAVE PROVIDED BOTH THE CITY AND
DEPARTMENT WITH MY PROPOSED RECOMMENDATIONS.

PERSON

WITNESS ADDRESS:

PRINTED NAME

CERTIFICATE OF SURVEYOR AND MAPPER

LEARN INC.
260 PINE WORTH AVENUE
DUBLIN, CALIFORNIA 94568
www.learninc.com

PHONE: (916) 472-6155
FAXED: (916) 472-6155
E-MAILED: info@learninc.com

SHEET 1 OF 2

SHEET NUMBER: P-1	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%; padding: 5px;"> COVER SHEET CUPOLA AT OCEANSIDE 100 HALIFAX DRIVE ORMOND BEACH, FLORIDA </td> <td style="width: 70%; padding: 5px; text-align: center;">  UPHAM INC. CIVIL ENGINEERING-SURVEYING-LANDSCAPE ARCHITECTURE 265 Kenilworth Avenue • Ormond Beach • Florida 32174 Voice: 386.672.9515 • Fax: 386.673.6554 • uphaminc.com U.S. # 000915 • 000917 </td> </tr> </table>	COVER SHEET CUPOLA AT OCEANSIDE 100 HALIFAX DRIVE ORMOND BEACH, FLORIDA	 UPHAM INC. CIVIL ENGINEERING-SURVEYING-LANDSCAPE ARCHITECTURE 265 Kenilworth Avenue • Ormond Beach • Florida 32174 Voice: 386.672.9515 • Fax: 386.673.6554 • uphaminc.com U.S. # 000915 • 000917
COVER SHEET CUPOLA AT OCEANSIDE 100 HALIFAX DRIVE ORMOND BEACH, FLORIDA	 UPHAM INC. CIVIL ENGINEERING-SURVEYING-LANDSCAPE ARCHITECTURE 265 Kenilworth Avenue • Ormond Beach • Florida 32174 Voice: 386.672.9515 • Fax: 386.673.6554 • uphaminc.com U.S. # 000915 • 000917		

STAFF REPORT

City of Ormond Beach

Department of Planning

DATE: November 29, 2021

SUBJECT: Cupola at Oceanside Preliminary Plat

APPLICANT: Nancy Lohman, Halifax Enterprises, LLC

NUMBER: PP 2022-004

PROJECT PLANNER: Steven Spraker, AICP, Planning Director

INTRODUCTION: This is a request from Nancy Lohman, Halifax Enterprises, LLC for a preliminary plat for a 1.48-acre property located at 100 North Halifax Drive for a twelve (12) unit townhome development called the Cupola at Oceanside. The preliminary plat location is shown in Exhibit 1 below.

EXHIBIT 1: Cupola at Oceanside (100 North Halifax Drive) preliminary plat area:



BACKGROUND:

The property at 100 North Halifax Drive (See ATTACHMENT 1) has a Future Land Use designation of “Medium Density Residential” and a zoning classification of Planned Residential Development. The background of the property is provided below:

- ❖ On January 17, 2017, the City Commission approved Ordinance 2016-45 to amend the land use designation for 100 North Halifax Drive from “Public/Institutional” to “Medium Density Residential”. As part of the land use

application a voluntary neighborhood meeting was conducted on September 27, 2016 at the subject property. There were approximately 25 individuals who attended the meeting and the discussion focused on the site plan attributes of the project.

- ❖ On March 7, 2017, the City Commission approved Ordinance 2017-06 that authorized a zoning map amendment for the property from R-2 (Single-Family Low Density) to R-5 (Multi-family Medium Density). The purpose of the amendment was to allow a residential development either using the R-5 zoning standards or a planned development as a Planned Residential Development.
- ❖ On November 7, 2017, the City Commission approved Ordinance 2018-33 that authorized a zoning map amendment for the property from R-5 (Multi-family Medium Density) to PRD (Planned Residential Development). As part of the rezoning and development order applications, a neighborhood meeting was held on August 28, 2017 within the existing church at 100 North Halifax Drive.
- ❖ On November 7, 2017, the City Commission approved Ordinance 2018-34 that authorized the issuance of a Development Order to allow the development of 12 garden townhomes. Based on the Planning Board recommendations and abutting property owners, the development order approved certain site and building standards.
- ❖ On November 5, 2018, the City Commission approved Ordinance 2018-26 that modified the approved building elevations. The application did not propose any modifications to the approved site improvements and sought only to modify the building elevations.
- ❖ On August 25, 2021, the Site Plan Review Committee approved the site plan for the Cupola at Oceanside.

ANALYSIS: The purpose of the application is the subdivision of land for the development of a twelve (12) unit townhome development consistent with the approved site plan. The Preliminary Plat is the first step to allow the subdivision of land for the project. The existing abutting land use and zoning designations are as follows:

EXHIBIT 2: Abutting land use and zoning designations:

Direction	Current Land Uses	Land Use Designation	Zoning
North	Single-Family residential	"Low-Density Residential"	R-2 (Single-Family Low-Density)
South	Multi-Family	"Medium-Density Residential"	R-5 (Multi-Family Medium-density)
East	Oceanside Country Club	"Low-Density Residential"	R-2.5 (Single-Family Low-Medium Density)
West	Single-Family Residential	"Low-Density Residential"	R-2 (Single-Family Low-Density)

In order to subdivide land, preliminary and final plat approvals are required. The Land Development Code defines a Preliminary Plat as “a proposed subdivision plan that is in an exact and precise manner in which it may be evaluated pursuant to this Land Development Code and the comprehensive plan”. A Preliminary Plat contains information on stormwater design, utilities, lot grading, and road layout and is reviewed by the Site Plan Review Committee (SPRC). The construction plans for the project have been approved by the Site Plan Review Committee. Preliminary Plats are reviewed by the Planning Board and acted upon by the City Commission. Once the Preliminary Plat has been approved, the applicant will proceed with one of the two options described below:

Option 1 - Proceed with the application for construction for completion of the required improvements prior to recording the final plat (LDC, Section 4-18(H)(1)). When the required off-site and on-site improvements are complete, the final plat along with the records and data would be submitted by the applicant to the City Engineer and reviewed by the Site Plan Review Committee (SPRC). The final plat would be approved by the City Commission and recorded.

Option 2 - Proceed with final plat review and approval, with the completion of required improvements after recording the plat. (LDC, Section 4-18(H)(2)). With this option the applicant files surety documents guaranteeing that such improvements will be installed. All guarantees are incorporated in a bonded agreement for the construction of the required improvements in the form acceptable to the City Attorney's office. The final plat would be recorded and the applicant would then construct the improvements.

The final plat is a legal document that is reviewed by an independent City Surveyor and the City's Legal Department to ensure compliance with State Statutes. Under Option 1 above, the City Commission would review and approve the plat after all improvements have been constructed. Under Option 2 above, the City Commission would review and approve the final plat with the Preliminary Plat.

CONCLUSION:

There are certain criteria that must be evaluated before a Preliminary Plat can be approved. According to Article I of the Land Development Code, The Planning Board shall consider the following in making its recommendation:

(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 Site Plan Review Committee has reviewed the proposed Preliminary Plat and it is consistent with the Land Development Code and the PRD (Planned Residential Development) zoning designation, subject to the resolution of the outstanding comments. Public health, safety, welfare or quality of life will not be adversely affected. The project is an investment into the beachside community and furthers the redevelopment goals of the city.

(2)The proposed development is consistent with the Comprehensive Plan.

The property is designated as “Medium Density Residential” on the City’s Future Land Use Map (FLUM). The proposed Planned Residential Development amendment is consistent with the Comprehensive Plan. Specifically, the Future Land Use Element of the Comprehensive Plan states:

Purpose: To allow a variety of highly aesthetic dwelling units, encouraging the establishment of recreation areas and open space and discouraging lookalike rows of dwellings. MDR also allows the development of relatively low-density duplex, townhouse and multi-family projects which emphasize open space and maintain a low profile, thus maximizing the compatibility with single-family areas. Institutional uses may be permitted in accordance with the maximum floor area ratio.

Density: Minimum 5-12 units per acre except in the Downtown Community Redevelopment Area where 5 - 15 units shall be allowed.

As stated in the 2017 and 2018 approved applications, the project also supports the following policies in the Future Land Use Element of the Comprehensive Plan:

Future Land Use Element

Objective 1.1.	Ensure that adequate lands are available to meet the residential land use needs of the community
Policy 1.1.1.	Continue to promote sound planning for the location and design of new residential developments including on-site common open space and recreation facilities.
Policy 1.1.4.	Encourage innovative design measures for new residential developments and ensure that adequate provision is made for neighborhood facilities suitable to the type of development proposed.
Policy 1.1.5.	Provide the opportunity, through zoning and other land use controls, for the development of a variety of housing types (i.e., single-family, duplex, townhouse, multi-family) that will meet the varied needs of the citizens of Ormond Beach.

Housing Element

GOAL 1	TO ACHIEVE AN ADEQUATE AND VARIED SUPPLY OF DECENT, SAFE, SANITARY AND AFFORDABLE HOUSING OPPORTUNITIES TO MEET THE EXISTING AND FUTURE NEEDS OF ALL RESIDENTS, ESPECIALLY THOSE OF LOWER INCOME.
Policy 1.1.1.	Development proposals and building regulations shall be reviewed to allow for innovative housing design and construction

	that reduces the construction costs of housing while maintaining and improving the quality of housing and residential neighborhoods to ensure that: the public health, safety, and welfare is being served and protected in the development of sound residential environments and quality housing; and that regulations are the minimum needed and do not unnecessarily increase housing costs. Innovation can be expected in many areas of private housing development, and public regulations must keep pace in order to promote the best housing at the most reasonable cost to the general public.
Objective 1.5	The City shall ensure, on a continual basis, that a variety of housing, including mobile homes or manufactured housing, affordable and rural housing is developed in the community to provide for the varied lifestyles of its existing and future residents....

The project is similar to the project at 60 North Halifax Drive and is a two-story townhome style residential development that would redevelop a site that has shown signs of blight over time. The Preliminary Plat 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 Preliminary Plat 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 site developed and this is a redevelopment project.

(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 subdivision of land will not 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 project complies with or exceeds the City's development regulations as approved in the PRD zoning and will not substantially or permanently depreciate the value of surrounding 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.**

There are adequate public facilities to serve the proposed development, including water, wastewater, roads, public safety, and stormwater. The Preliminary Plat demonstrates a unified master development plan for the project area.

- (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 preliminary plat proposes the construction of twelve (12) townhomes on a 1.48-acre property that was formerly used as a church. The Preliminary Plat is solely for the subdivision of land consistent with the approved Planned Residential Development zoning development order. The Preliminary Plat would have no impacts, no access points, traffic safety, or pedestrian/bicycle safety.

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

The proposed development plan is functional and is consistent with the approved Planned Residential Development zoning development order.

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

The proposed subdivision of land provides for the safety of its occupants and visitors.

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

The Preliminary Plat does not approve specific architectural drawings. The future development shall be required to comply with the approved Planned Residential Development zoning development order.

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

This project has not been reviewed by any advisory Board, therefore no public testimony has been provided. Any comments at the Planning Board shall be provided to the City Commission.

RECOMMENDATION: It is recommended that the Planning Board **APPROVE** the Preliminary Plat for the subdivision of land on a 1.48-acre property located at 100 North Halifax Drive, the Cupola at Oceanside, for a twelve (12) unit townhome development consistent with the approved Planned Residential Development.

Attachments:

Attachment 1: Maps of the project area

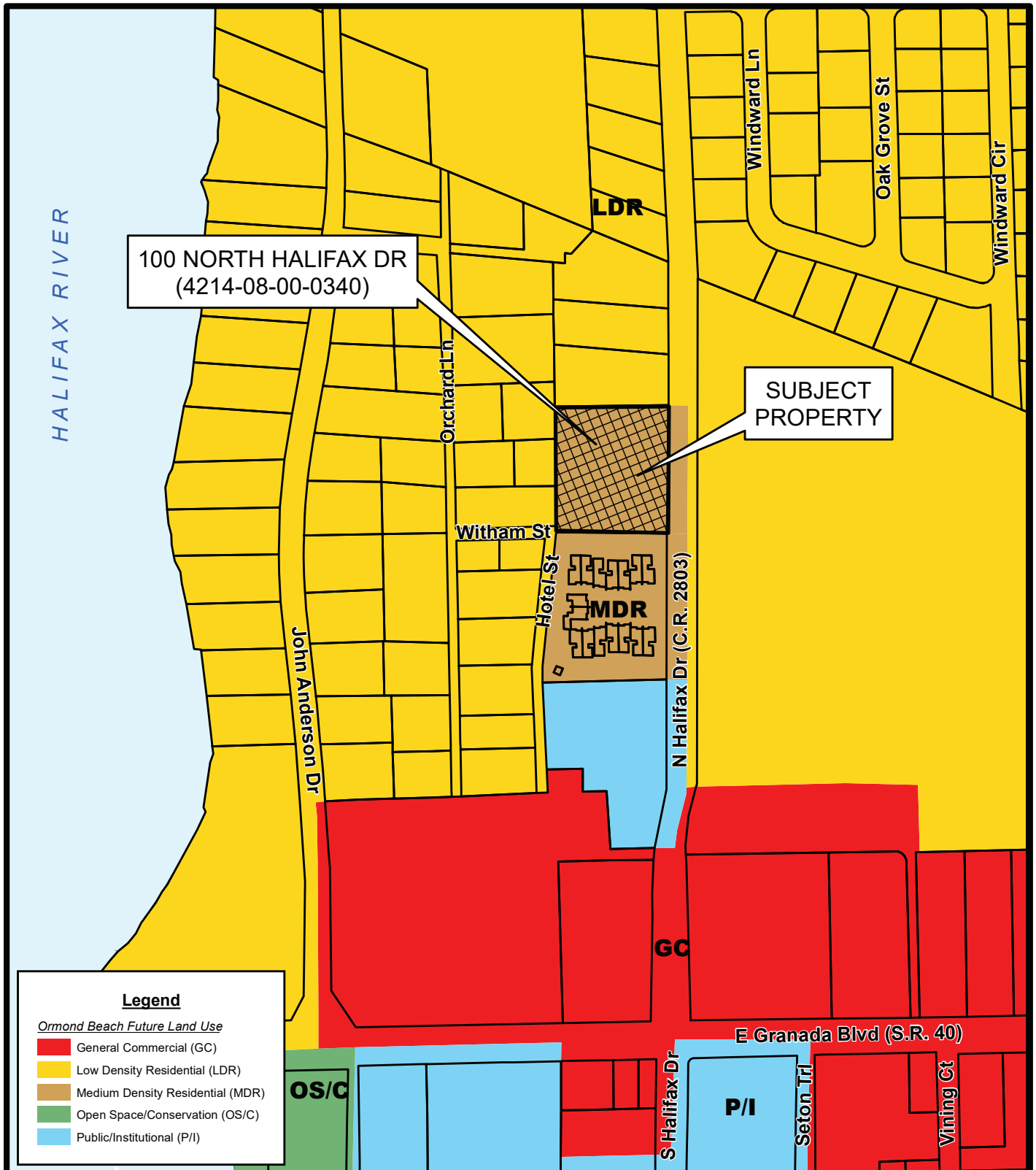
Attachment 2: SPRC outstanding comments

Attachment 3: Approved site plan

Attachment 4: Preliminary Plat

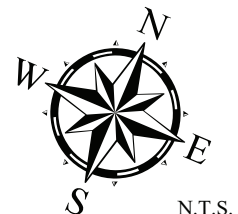
ATTACHMENT 1

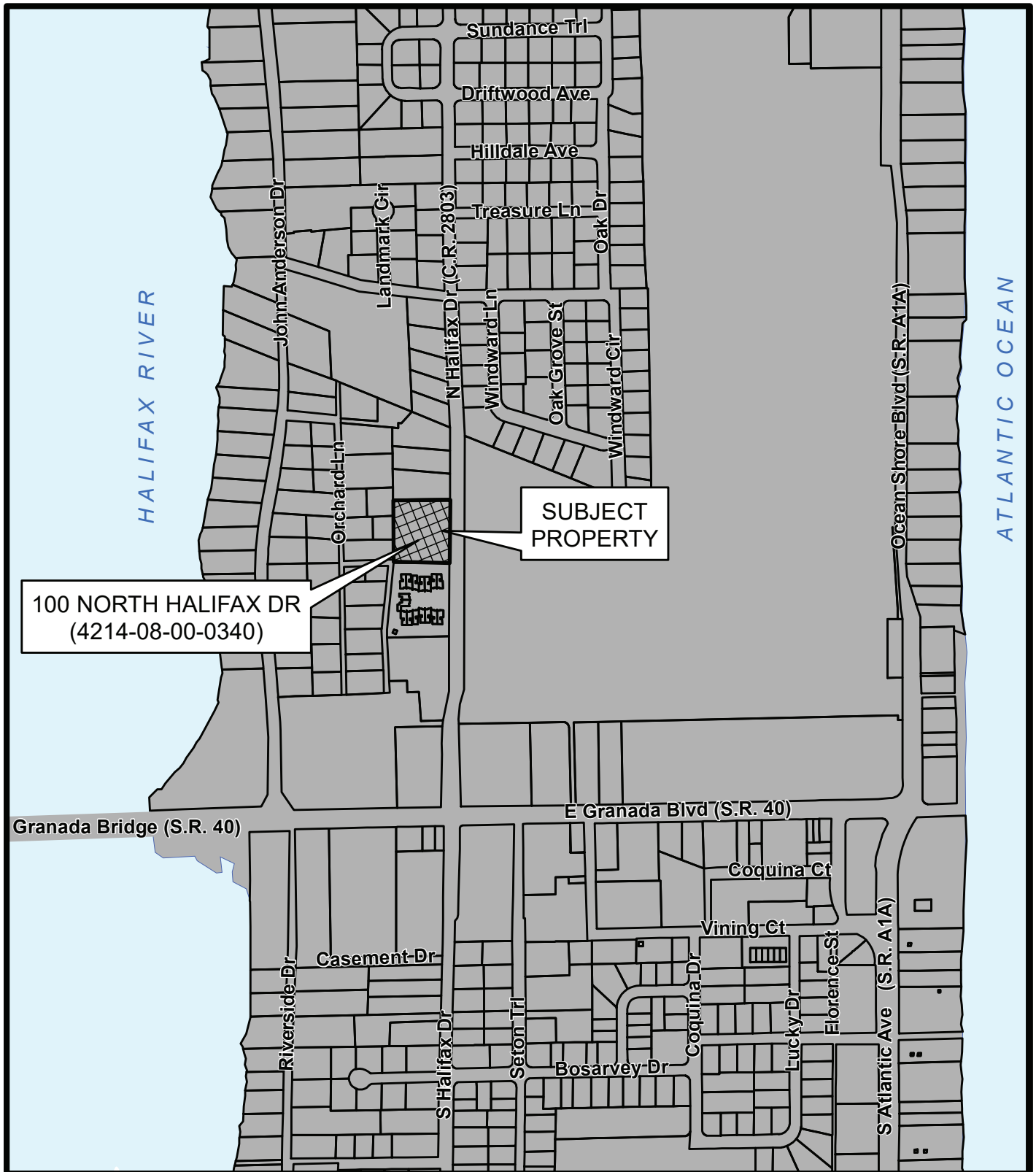
Maps of the project area



**FUTURE LAND USE MAP
100 NORTH HALIFAX DRIVE
(HALIFAX 100 LLC)**

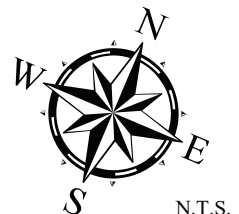
Prepared By: The City of Ormond Beach
G.I.S. Department - August 24, 2018





**100 NORTH HALIFAX DRIVE
(HALIFAX 100 LLC)
LOCATION MAP**

Prepared By: The City of Ormond Beach
G.I.S. Department - August 24, 2018



ATTACHMENT 2

Project Name: PZ-22-004

Project Description: 100 North Halifax Drive, The Cupola at Oceanside, Preliminary Plat

Review Comments List Date: 11/24/2021

Ref. # 6, Civil Engineer, David Allen, 11/8/21 3:14 PM, Cycle 1, Unresolved

Markup: Civil-Utility Easements, Cupola at Oceanside Preliminary Plat P-2.pdf

Sheet 1 states "All Public utility and drainage easements as shown or described on the plat hereby granted to the City of Ormond Beach."

There are no called out utility or drainage easements identified on this sheet.

Tract A is limited to : "Access for ingress and egress designated as Tract A shown or described on the plat hereby granted to the City of Ormond Beach for emergency vehicles and government services"

If Tract A is the Utility Easement, please clarify on the plat document.

Ref. # 7, Civil Engineer, David Allen, 11/8/21 3:57 PM, Cycle 1, Unresolved

Markup: Civil-City Engineer, Cupola at Oceanside Preliminary Plat P-1.pdf

Please change this name to Alex Schumann, P.E.

Ref. # 1, Planning Director, Steven Spraker, 11/7/21 2:28 PM, Cycle 1, Unresolved

Comment: Amend the name of the city clerk from Kate Settle to Susan Carroll Dauderis.

Ref. # 2, Planning Director, Steven Spraker, 11/7/21 2:30 PM, Cycle 1, Info Only

Comment: Preliminary Plats required review/recommendation from the Planning Board and action by the City Commission. Tentative dates are December 9th for Planning Board and January 18, 2022 for the City Commission.

Ref. # 3, Planning Director, Steven Spraker, 11/7/21 2:31 PM, Cycle 1, Unresolved

Comment: Please remove the Planning Commission certificate of approval. This does not go on Ormond Beach plats.

Ref. # 4, Planning Director, Steven Spraker, 11/7/21 2:36 PM, Cycle 1, Unresolved

Comment: Provide site survey.

Ref. # 8, Utility 1, Tim Heyrend, 11/9/21 4:36 PM, Cycle 1, Unresolved

Markup: Changemark note #01, The Cupola at Oceanside - City Approved Plan Set - 8.25.21.pdf
Show Invert Elevation and Drop Pipe Elevation

Ref. # 9, Utility 1, Tim Heyrend, 11/9/21 4:36 PM, Cycle 1, Unresolved

Markup: Changemark note #02, The Cupola at Oceanside - City Approved Plan Set - 8.25.21.pdf
Provide Sampling Station see City Standard Detail W-20

ATTACHMENT 3

Approved site plan

**LEGEND**

- TYPE 'D' CURB
 TRANSITION LOCATION FROM
 TYPE 'D' CURB TO FLUSH
 TYPE 'D' CURB CUT

PAVING LEGEND

- CONCRETE PAVEMENT
 4" CONCRETE (3,000 P.S.I. @ 28 DAYS) (APPROVED FOOT MIX DESIGN)
 12" COMPACTED SUBGRADE (LSR-40) MIN OF 80% MODIFIED PROCTOR
 MAX DRY DENSITY PER ASTM D1557, ASBHTO T-188 (8" LIFTS)
 CONTROL JOINT SPACING PER FOOT INDEX 305
 SEE DETAILS SHEET No. 14
- CONCRETE SIDEWALK
 4" THICK CONCRETE (MIN.) 3,000 PSI CONCRETE
 PER FOOT INDEX No. 32-81
 SEE CITY DETAIL M-3, SHEET No. 14 AND SIDEWALK DETAIL, SHEET No. 14
- BRICK PAVED SIDEWALK
 DECORATIVE BRICK PAVED SIDEWALK WITH 12" CONCRETE RIBBON.
 SEE SHEET No. 13 FOR DETAIL.

GENERAL NOTES:

- CITY OF ORMOND BEACH BUILDING PERMITS ARE REQUIRED FOR BUILDING, DUMPSTER ENCLOSURE, LIGHT POLES, SCREEN WALLS AND MONUMENT SIGNS. CONTRACTOR SHALL BE RESPONSIBLE FOR SUBMITTING APPROPRIATE INFORMATION (ENGINEERING, SPECIFICATIONS, SHOP DRAWINGS, ETC.).
- ALL DIMENSIONS AND TIES ARE TO THE EDGE OF PAVEMENT AND OUTSIDE FACE OF BUILDING.
- 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.
- THE CONTRACTOR SHALL COORDINATE WITH THE EXISTING ADJACENT BUSINESSES TO ENSURE THERE IS NO DISRUPTION TO THEIR RESPECTIVE OPERATIONS.
- THE CONTRACTOR AT ITS OWN DISCRETION SHALL MAINTAIN THE CONSTRUCTION SITE SECURE FROM TRESPASS.
- SOD ALL DISTURBED AREAS IN RIGHT-OF-WAY WITH BAHIA SOD.
- NO SITE LIGHT POLES. ALL SITE LIGHTING WILL BE LOCATED ON THE BUILDING WITH GLARE GUARDS. SEE PHOTOMETRIC PLAN DONE BY OTHERS.

PAVEMENT MARKING NOTES:

- PAINTED PAVEMENT MARKINGS SHALL BE APPLIED AFTER PAVEMENT SURFACE HAS CURED. SURFACE SHALL BE FREE OF FINE SAND AND DEBRIS PRIOR TO APPLICATION.
- APPLY PAINTED PAVEMENT MARKINGS AT LAST STAGE OF CONSTRUCTION AFTER LANDSCAPE PLANTINGS ARE INSTALLED.
- PAINT SHALL BE SHERWIN WILLIAMS LOW-VOC ACRYLIC PRO PARK PAINT. APPLY PER MANUFACTURER'S RECOMMENDATIONS. REFER TO DRAWINGS FOR LOCATIONS OF SPECIFIC COLORS.
- ALL REFLECTIVE PAVEMENT MARKERS ARE TO BE PLACED IN ACCORDANCE WITH FOOT STANDARD INDEX NO. 17352.
- ALL SIGNS SHALL BE PLACED IN ACCORDANCE WITH INDEX NO. 17351 AND THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS".
- LOCATION OF SIGNS IS APPROXIMATE ONLY AND IS SUBJECT TO CHANGE AS DIRECTED BY THE ENGINEER.
- FOR ADDITIONAL DETAILS SEE INDEX NO. 700-010, 700-101, 17344 AND 711-001.
- ALL TRAFFIC CONTROL SIGNS SHALL BE FABRICATED USING 3M BRAND "SCOTCHLOTE" SHEETING (ENGINEER GRADE) ON MINIMUM .08 GA ALUMINUM BLANKS. ALL 36"x48" SIGNS SHALL BE 100 GA MINIMUM AND SHALL BE INSTALLED USING 7"x12" ROUND ALUMINUM POST. ALL STOP SIGNS SHALL BE 36" OCTAGON INSTALLED ON 12.5 LB/FT "U" CHANNEL POST. ALL STEEL ONLY OR 7"x12" ROUND ALUMINUM POSTS. "U" CHANNEL POSTS MAY BE USED FOR SIGNS SMALLER THAN 36"x36". ALL SPEED LIMIT SIGNS SHALL BE 24"x36".

PROPERTY INFORMATION		
FUTURE LAND USE (PLU)	MOR (MEDIUM DENSITY RESIDENTIAL)	
ZONING (w/ OVERLAY)	R-2 (SINGLE-FAMILY LOW DENSITY)	
FLOODZONE	X	
BUILDING USES	RESIDENTIAL	

REQUIRED SETBACKS		
	FEET	BUFFER
FRONT (HALFAX DR)	30	10
REAR (WEST)	20	6
SIDE (NORTH)	30	6
SIDE/CORNER (SOUTH)	30	6

PROVIDED SETBACKS		
	FEET	BUFFER
FRONT (HALFAX DR)	30	10
REAR (WEST)	20	6
SIDE (NORTH)	30	6
SIDE/CORNER (SOUTH)	30	6

DIMENSIONAL REQUIREMENTS		
	REQ.	PROV.
MAX. BUILDING HEIGHT	30 FT.	30 FT.
MAX. LOT IMPERVIOUS	75%	75.00%
TREE PRESERVATION	10%	N/A
MIN. LOT OPEN SPACE	35%	35%

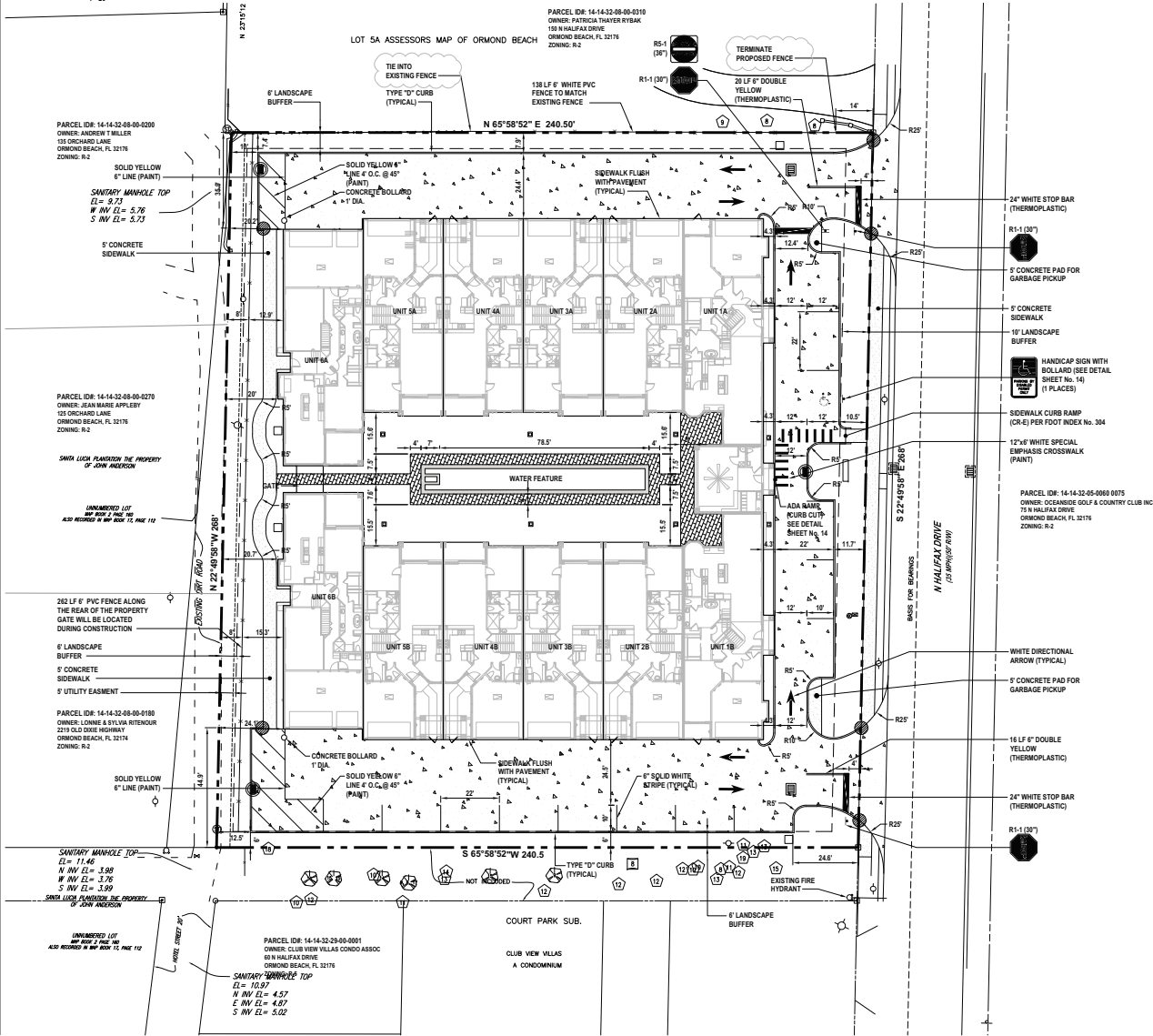
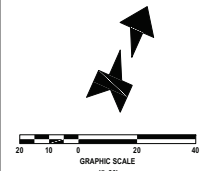
SITE COVERAGE - EXISTING			
AREA TYPE	SF	ACRE	% OF SITE
BUILDING	4,748	0.109	7.4%
ASPHALT PAVEMENT	32,282	0.741	50.1%
CONCRETE SIDEWALKS	2,233	0.051	3.3%
WET POND	0	0.000	0.0%
GREEN SPACE	25,190	0.578	36.1%
TOTAL SITE	64,442	1.479	100.0%
TOTAL IMPERVIOUS	36,430	0.851	55.0%
TOTAL OPEN SPACE	28,012	0.628	45.0%

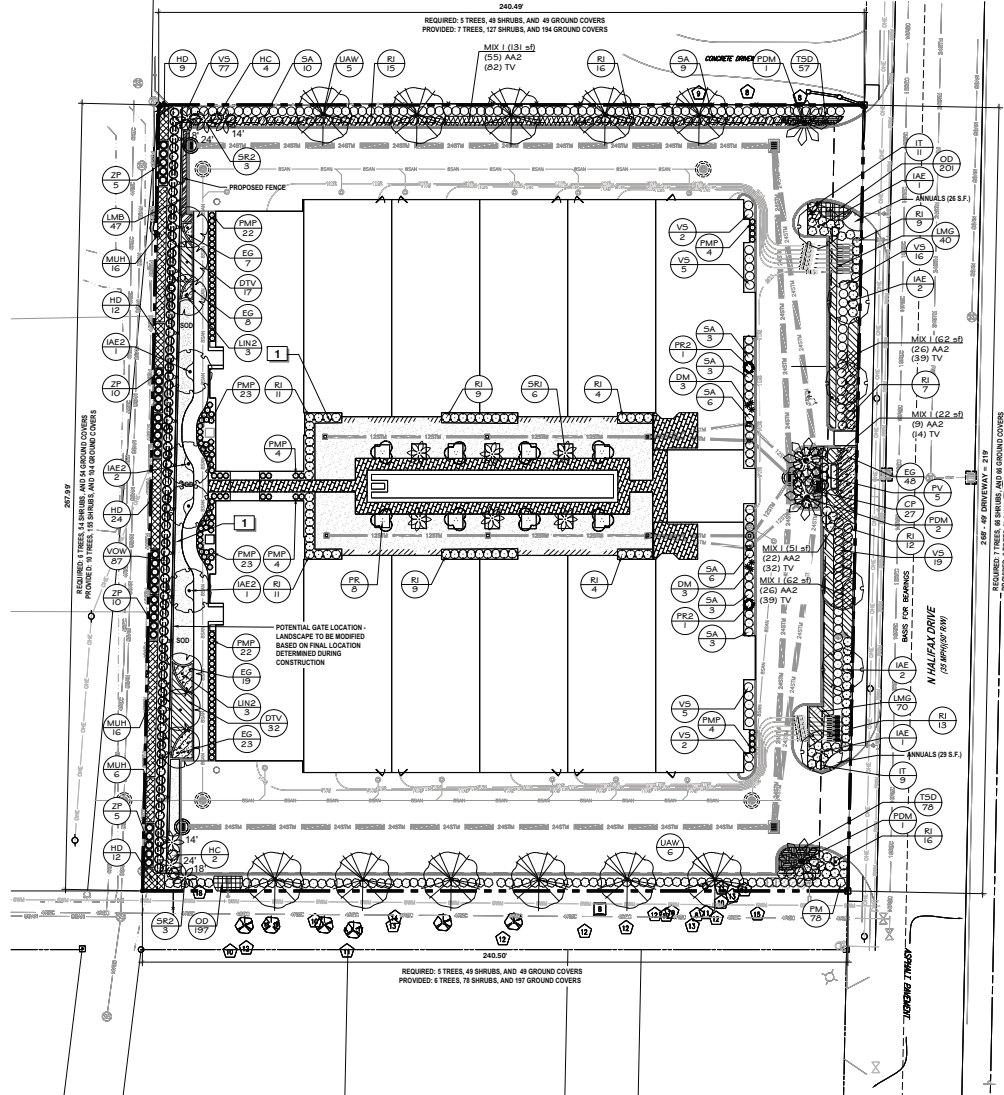
SITE COVERAGE - PROPOSED			
AREA TYPE	SF	ACRE	% OF SITE
BUILDING	28,000	0.659	44.0%
ASPHALT PAVEMENT	17,522	0.402	27.2%
CONCRETE SIDEWALKS	2,064	0.047	3.2%
BRICK PAVERS	1,548	0.036	2.4%
WET POND	0	0.000	0.0%
GREEN SPACE	14,910	0.339	22.2%
TOTAL SITE	64,442	1.479	100.0%
TOTAL IMPERVIOUS	48,276	1.108	74.9%
TOTAL OPEN SPACE	16,167	0.371	25.1%

PARKING REQUIREMENTS			
BUILDING USE	A. UNITS	B. SPACES PER UNIT	D. REQ. SPACES
RESIDENTIAL	12	2	24
TOTAL REQUIRED SPACES			24

SPECIALTY PARKING REQUIREMENTS		REQ. SPACES
ADA SPACES		3
BICYCLE SPACES		3

PROVIDED PARKING		%	PROV. SPACES
STANDARD SPACES		34.2%	13
GARAGE SPACES		63.2%	24
ADA SPACES		2.5%	3
TOTAL PROVIDED SPACES			38







AA-000009

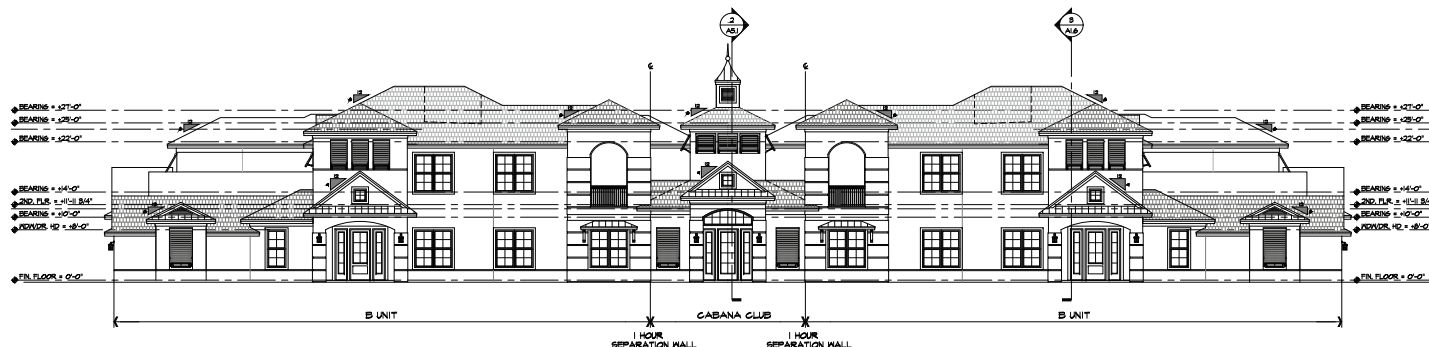
REVISIONS

CONTROL ELEVATIONS
THE CUPOLA AT OCEANSIDE
TOWNHOMES
AT
ORMOND BEACH, FLORIDA

PROJECT # 1400000
DRAWN: EOB
APPROVED: HEB
DATE: 1/10

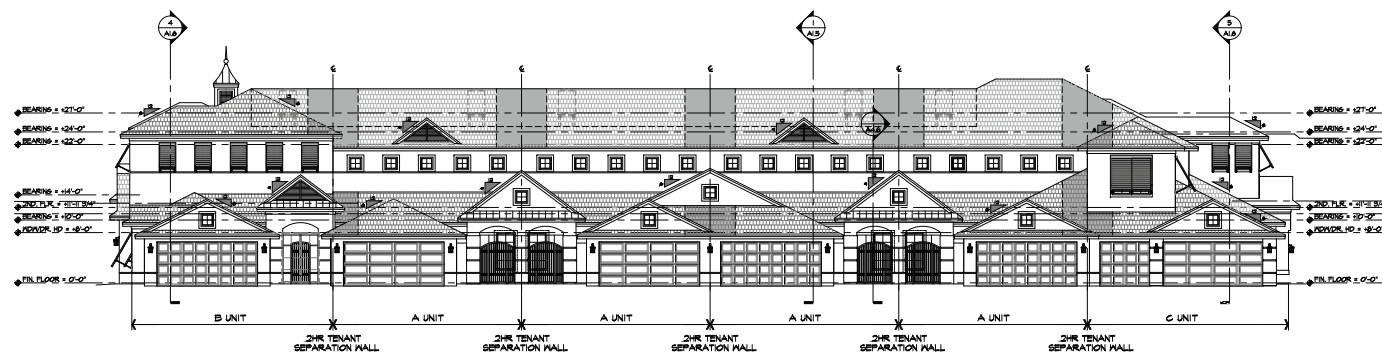


SHEET
A1.4



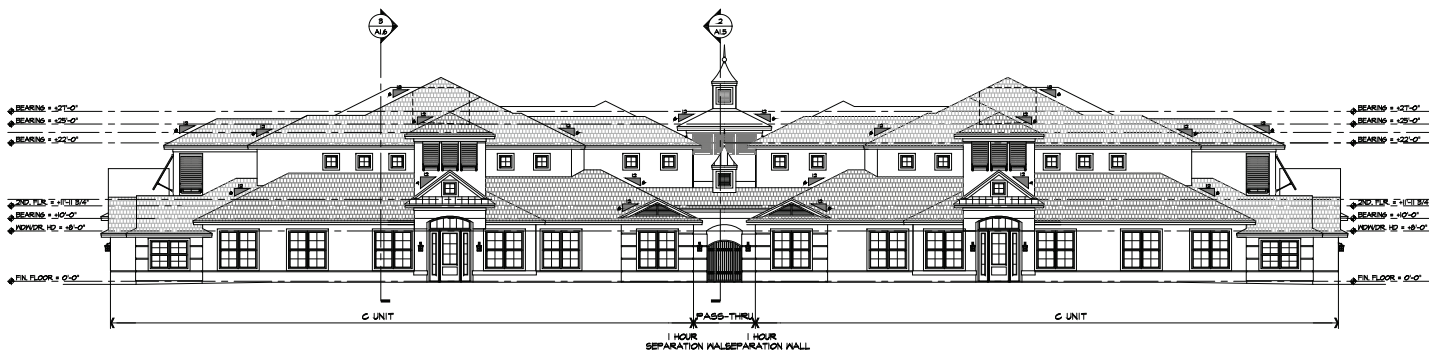
CONTROL ELEVATION - FRONT / EAST
SEE A3.1 FOR 1/4 INCH ELEVATION

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



CONTROL ELEVATION - RIGHT / NORTH
SEE A3.2 FOR 1/4 INCH ELEVATION

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



CONTROL ELEVATION - REAR / WEST
SEE A3.3 FOR 1/4 INCH ELEVATIONS

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

ATTACHMENT 4

Preliminary Plat

CUPOLA AT OCEANSIDE

A PORTION OF LAND WITHIN SECTION 14, TOWNSHIP 14 SOUTH, RANGE 32 EAST, CITY OF ORMOND BEACH, VOLUSIA COUNTY, FLORIDA

DESCRIPTION:

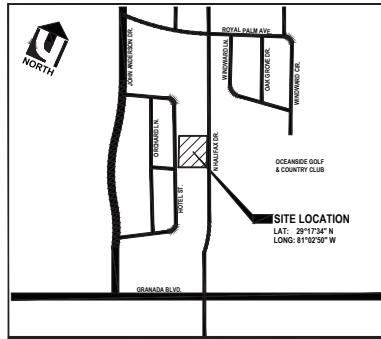
A PORTION OF GOVERNMENT LOT 2, SECTION 14, TOWNSHIP 14 SOUTH, RANGE 32 EAST, VOLUSIA COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF LOT 5, COURT PARK SUBDIVISION PER MAP BOOK 9, PAGE 161, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, SAID POINT ALSO BEING ON WESTERLY RIGHT-OF-WAY OF NORTH HALIFAX DRIVE, A 50.00 FOOT RIGHT-OF-WAY, AS NOW Laid OUT, THENCE RUN ALONG SAID RIGHT-OF-WAY, N 22°49'58" W FOR A DISTANCE OF 315.00 FEET FOR A POINT OF BEGINNING; THENCE DEPARTING SAID WESTERLY RIGHT-OF-WAY OF NORTH HALIFAX DRIVE, S 65°58'32" W FOR A DISTANCE OF 240.50 FEET; THENCE N 22°49'58" W AND PARALLEL WITH THE WESTERLY RIGHT-OF-WAY OF NORTH HALIFAX DRIVE, FOR A DISTANCE OF 268.00 FEET; THENCE N 65°58'32" E FOR A DISTANCE OF 345.50 FEET TO A POINT ON THE SAID WESTERLY RIGHT-OF-WAY OF NORTH HALIFAX DRIVE; THENCE S 22°49'58" E ALONG SAID RIGHT-OF-WAY FOR A DISTANCE OF 268.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIPTION CONTAINS 1.479 ACRES MORE OR LESS.

GENERAL NOTES:

1. ACCURACY: THE BOUNDARY LINEAR ERROR OF CLOSURE DOES NOT EXCEED 1:10,000. THE BOUNDARY ANGULAR ERROR OF CLOSURE DOES NOT EXCEED 15 SECONDS MULTIPLIED BY THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.
2. ALL MEASUREMENTS ON THIS PLAT IS IN U.S. FOOT AND DECIMALS THEREOF. ALL MEASUREMENTS REFER TO HORIZONTAL PLANE IN ACCORDANCE WITH THE DEFINITION OF THE UNITED STATES SURVEY FOOT OR METER ADOPTED BY THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY. ALL MEASUREMENTS SHALL USE THE 39.371171-1.288833333 EQUATION FOR CONVERSION FROM A U.S. FOOT TO METERS.
3. BEARINGS SHOWN HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM EAST ZONE NORTH AMERICAN DATUM OF 1983 (NAD83) WITH 2011 ADJUSTMENT AS DERIVED FROM THE LEIDENMANN NETWORK (A TOPNET GNSS NETWORK). AS A REFERENCE FOR THIS SURVEY, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF NORTH HALIFAX ROAD HAS A BEARING OF (S 27°48'30" E).
4. THIS PLAT AS RECORDED IN ITS GRAPHIC FORM IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.
5. TOTAL NUMBER OF LOTS = 12
6. ALL LOTS SHOWN ON PLAT ARE SUBJECT TO THE RECORDED "CUPOLA AT OCEANSIDE" (ORB XXXX, PG XXXX) AND ANY SUBSEQUENT AMENDMENTS.
7. UTILITIES INCLUDE BUT ARE NOT LIMITED TO SANITARY SEWER, POTABLE WATER, RECLAIMED WATER, STORM DRAINAGE, ELECTRIC, TELEPHONE, CABLE TELEVISION, TELECOMMUNICATIONS, FIBER OPTIC, SECURITY, AND NATURAL GAS.
8. ALL PLATTED UTILITY EASEMENTS SHOWN ON THIS PLAT INCLUDE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES; PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES. THIS SECTION SHALL NOT APPLY TO THOSE PRIVATE EASEMENTS GRANTED TO OR OBTAINED BY A PARTICULAR ELECTRIC, TELEPHONE, GAS OR OTHER PUBLIC UTILITY. SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE AND OPERATION SHALL COMPLY WITH THE NATIONAL ELECTRICAL SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION.
9. MONUMENTS SHALL BE SET AT ALL LOT CORNERS, POINTS OF INTERSECTION, AND CHANGES OF DIRECTION OF LINES WITHIN THE SUBDIVISION WHICH DO NOT REQUIRE A "P.R.M." OR "P.C.P." IN ACCORDANCE WITH FLORIDA STATUTES CHAPTER 177.09(1)(9).



LOCATION MAP
SCALE 1" = 100'

LEGEND:

- SET 4" CONCRETE MONUMENT "PRM" LB 3612
- FD FOUND
- INC INCORPORATED
- L LENGTH
- LB LICENSED BUSINESS
- LC LICENSED CORPORATION
- MB MAP BOOK
- Nb NUMBER
- ORB OFFICIAL RECORDS BOOK
- PCP PERMANENT CONTROL POINT
- PD PAGE
- PRM PERMANENT REFERENCE MONUMENT
- PSM PROFESSIONAL SURVEYOR & MAPPER
- R/W RIGHT-OF-WAY
- SQ SQUARE FEET
- R/W --- RIGHT-OF-WAY LINE
- EXISTING EASEMENT LINE



MAP BOOK:

PAGE:

DEDICATION

KNOWN ALL MEN BY THESE PRESENTS, HALIFAX ENTERPRISES LLC, IN FEE SIMPLE OF THE LANDS SHOWN AND DESCRIBED HEREON AS THE PLAT ENTITLED "CUPOLA AT OCEANSIDE", LOCATED IN THE CITY OF ORMOND BEACH, VOLUSIA COUNTY, FLORIDA HEREBY DEDICATE THE SAID LANDS AND PLAT FOR THE USE AND PURPOSES HEREON EXPRESSED. ALL PUBLIC UTILITY AND DAMAGE EASEMENTS AS SHOWN OR DESCRIBED ON THE PLAT IS HEREBY GRANTED TO THE CITY OF ORMOND BEACH, FLORIDA. ACCESS FOR HUMANS AND EQUINES DESIGNATED AS TRAIL "A", SHOWN OR DESCRIBED ON THE PLAT ARE HEREBY GRANTED TO THE CITY OF ORMOND BEACH FOR EMERGENCY VEHICLES AND GOVERNMENT SERVICES.

IN WITNESS WHEREOF, HALIFAX ENTERPRISES LLC HAS CAUSED THESE PRESENTS TO BE EXECUTED IN ITS NAME AND IT'S CORPORATE SEAL TO BE HEREUNTO AFFIXED BY ITS OFFICERS THEREUNTO DULY AUTHORIZED ON

THIS _____ DAY OF _____, 2021.

SIGNED AND SEALED IN THE PRESENCE OF

HALIFAX ENTERPRISES LLC

PRINTED NAME:

BY:

PRINTED NAME:

PRINTED NAME:

TITLE:

PRINTED NAME:

STATE OF FLORIDA

VOLUSIA COUNTY

THIS IS TO CERTIFY THAT ON THIS _____ DAY OF _____, 2021, BEFORE ME, AN OFFICER

DULY AUTHORIZED TO TAKE ACKNOWLEDGMENTS IN THE STATE AND COUNTY AFORESAID, PERSONALLY APPEARED

_____ AND _____ OF _____

HALIFAX ENTERPRISES LLC A FLORIDA LIMITED LIABILITY COMPANY, EXECUTED THE FOREGOING DEDICATION AND

SEVERALLY ACKNOWLEDGED THE EXECUTION THEREOF FOR AND ON BEHALF OF SAID CORPORATION.

THEY/ARE) (ARE NOT) KNOWN TO ME OR HAVE PRODUCED

_____ AS IDENTIFICATION.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL

ON THE ABOVE DATE.

NOTARY PUBLIC, STATE OF FLORIDA

AT LARGE

MY COMMISSION EXPIRES: _____

SEAL

MORTGAGEE'S CONSENT AND JOINDER

THE UNDERSIGNED HEREBY CERTIFIES THAT HE IS THE HOLDER OF A MORTGAGE, LEASE OR OTHER ENCUMBRANCE UPON PART OF THE PROPERTY DESCRIBED HEREON AND THAT THE UNDERSIGNED HEREBY JOINS IN AND CONSENTS TO THE DEDICATION OF THE LANDS DESCRIBED ABOVE BY THE OWNED THEREOF, AND AGREES THAT TO MORTGAGES, LEASES OR OTHER ENCUMBRANCES ARE RECORDED IN OFFICIAL RECORDS BOOK XXXX, PAGE XXXXX OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, SHALL BE SUBORDINATED TO THE DEDICATION SHOWN HEREON.

IN WITNESS WHEREOF, SEACAST NATIONAL BANK HAS CAUSED THESE PRESENTS TO BE SIGNED BY THE

AUTHORITY OF ITS BOARD OF DIRECTORS THIS _____ DAY OF _____, 2021.

SEACAST NATIONAL BANK

BY: _____

PRINTED NAME: XXXXXXXX

TITLE: EXECUTIVE VICE PRESIDENT (SEAL)

WITNESS: _____

PRINTED NAME: _____

STATE OF FLORIDA, COUNTY OF VOLUSIA

THIS IS TO CERTIFY, THAT ON _____, 2021,

BEFORE ME BY MEANS OF () PHYSICAL APPEARANCE OR () ONLINE NOTARIZATION,

AN OFFICER DULY AUTHORIZED TO TAKE ACKNOWLEDGMENTS IN THE STATE AND COUNTY AFORESAID,

PERSONALLY APPEARED _____

HE (SHE) IS PERSONALLY KNOWN TO ME (OR HAS PRODUCED _____) AS IDENTIFICATION,

OF THE NAMED CORPORATION INCORPORATED UNDER THE LAWS OF THE STATE OF FLORIDA, AND OFFICERS DESCRIBED

ON AND WHO EXECUTED THE FOREGOING DEDICATION AND SEVERALLY ACKNOWLEDGED THE EXECUTION THEREOF TO BE

KNOWN TO BE THEIR FREE ACT AND DEED AS SUCH OFFICERS THEREUNTO DULY AUTHORIZED. THAT THE OFFICIAL SEAL

OF SAID CORPORATION IS DULY AFFIXED THERETO, AND THAT THE SAID DEDICATION IS THE ACT AND DEED OF SAID

CORPORATION.

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

NOTARY PUBLIC

NAME: _____

COMMISSION # _____

MY COMMISSION EXPIRES: _____

CERTIFICATE OF APPROVAL BY CITY OF ORMOND BEACH

THIS STATEMENT HEREBY CERTIFIES THAT THE PLAT ENTITLED "CUPOLA AT OCEANSIDE", WAS APPROVED BY THE

ORMOND BEACH CITY COMMISSION ON _____.

BY: MAYOR BILL PARTINGTON, CITY OF ORMOND BEACH

ATTEST: KATE BETTLE, CITY CLERK

CERTIFICATE OF APPROVAL BY CITY ATTORNEY

THIS IS TO CERTIFY THAT ON _____, THE FOREGOING PLAT WAS APPROVED.

BY: RANDALL WATKES, ATTORNEY FOR THE CITY OF ORMOND BEACH

CERTIFICATE OF APPROVAL BY CITY ENGINEER

THIS IS TO CERTIFY THAT ON _____, THE FOREGOING PLAT WAS APPROVED.

BY: SHAWN FINLEY, ENGINEER FOR THE CITY OF ORMOND BEACH

CERTIFICATE OF CLERK

HEREBY CERTIFY THAT I HAVE EXAMINED THE FOREGOING PLAT AND FIND IT COMPLES IN FORM WITH ALL THE

REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AND IT WAS FILED FOR RECORD ON _____

AT _____

FILE NO: _____

CLERK OF THE CIRCUIT COURT

IN AND FOR VOLUSIA COUNTY, FLORIDA

PLANNING COMMISSION CERTIFICATE OF APPROVAL

THIS STATEMENT HEREBY CERTIFIES THAT THE PLAT ENTITLED "CUPOLA AT OCEANSIDE", WAS APPROVED BY THE

ORMOND BEACH PLANNING COMMISSION ON _____.

BY: CHAIRMAN, ORMOND BEACH

PLANNING COMMISSION

REVIEW BY SURVEYOR AND MAPPER FOR THE CITY

HEREBY CERTIFY THAT I HAVE REVIEWED THE ATTACHED PLAT FOR COMPLIANCE WITH THE REQUIREMENTS OF CHAPTER

177, PART 1, FLORIDA STATUTES, AND THAT I HAVE PROVIDED BOTH THE CITY AND THE SURVEYOR OF RECORD A LIST

OF DEVIATIONS, IF ANY, FROM SUCH REQUIREMENTS.

PSM No: _____ DATE: _____

BUSINESS ADDRESS _____

PRINTED NAME _____

CERTIFICATE OF SURVEYOR AND MAPPER

KNOWN ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED, BEING A LICENSED AND PROFESSIONAL SURVEYOR AND

MAPPER, DOES HEREBY CERTIFY THAT THE PLAT SHOWN AND DESCRIBED HEREON, ENTITLED "CUPOLA AT OCEANSIDE",

WAS PREPARED UNDER MY DIRECTION AND SUPERVISION, THAT THE PLAT COMPLES WITH ALL OF THE SURVEY

REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AND THAT ALL MONUMENTATION SHOWN HEREON OR REQUIRED

FOR CHAPTER 177, FLORIDA STATUTES, HAS BEEN PROPERLY PLACED.

UPHAM, INC. PHONE: (386) 672-9515

265 KENILWORTH AVENUE ORMOND BEACH, FLORIDA 32174

UPHAMINC.COM LICENSED BUSINESS NO. 3612

renew@uphaminc.com

SIGNED: _____

MICHAEL A. ARAD (LICENSE NO. 6514)

FLORIDA PROFESSIONAL SURVEYOR AND MAPPER

DATE: _____

SHEET 1 OF 2

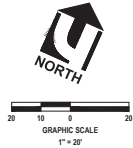
REVISIONS

DATE DESCRIPTION

CUPOLA AT OCEANSIDE

A PORTION OF LAND WITHIN SECTION 14 TOWNSHIP 14 SOUTH, RANGE 32 EAST, CITY OF ORMOND BEACH, VOLUSIA COUNTY, FLORIDA

MAP BOOK: PAGE:



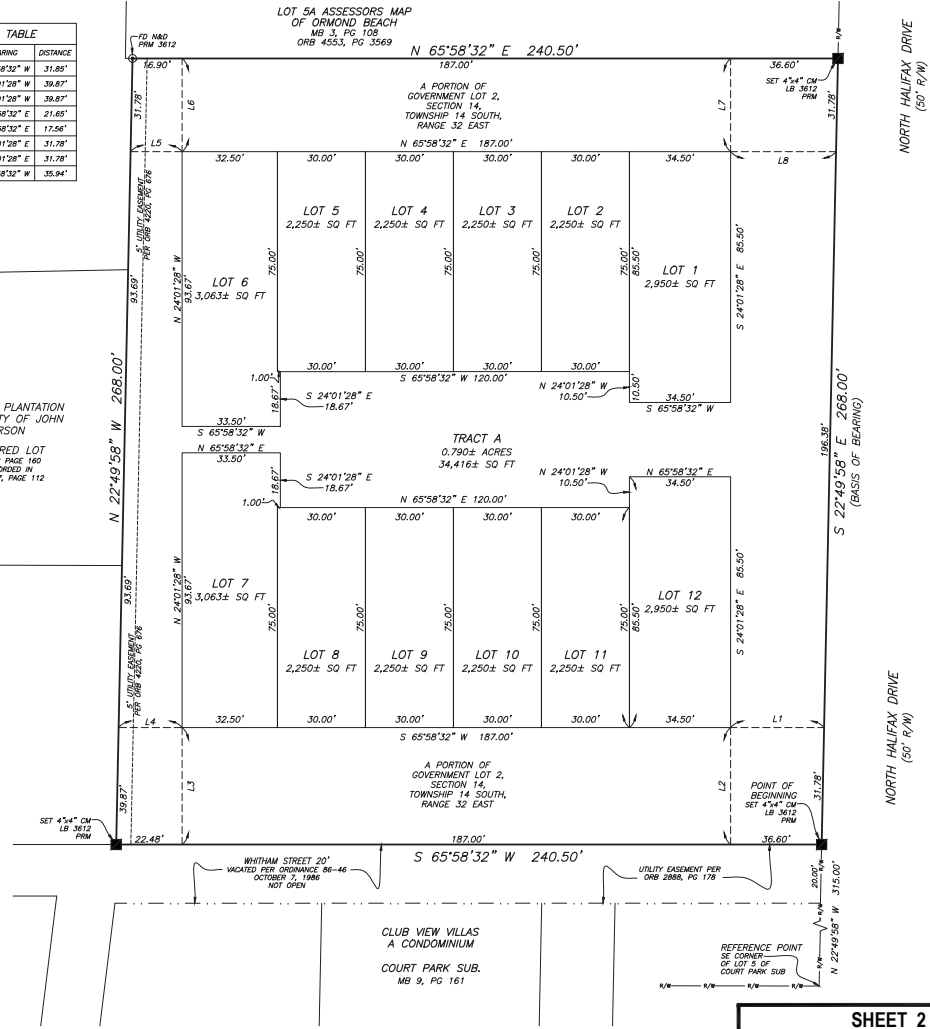
LINE #	BEARING	DISTANCE
L1	S 65°58'32" W	31.85'
L2	N 24°01'28" W	39.67'
L3	N 24°01'28" W	39.67'
L4	N 65°58'32" E	21.85'
L5	N 65°58'32" E	17.50'
L6	S 24°01'28" E	31.78'
L7	S 24°01'28" E	31.78'
L8	S 65°58'32" W	35.94'

SANTA LUCIA PLANTATION
THE PROPERTY OF JOHN
ANDERSON
UNNUMBERED LOT
MAP BOOK 3 PAGE 160
ALSO RECORDED IN
MAP BOOK 17, PAGE 112

LEGEND:

- SET 4" CONCRETE MONUMENT "PRM" LB 3612
- FD FOUND
- INC INCORPORATED
- L LENGTH
- LB LICENSED BUSINESS
- LC LICENSED CORPORATION
- MB MAP BOOK
- No. NUMBER
- ORB OFFICIAL RECORDS BOOK
- PCP PERMANENT CONTROL POINT
- PG PAGE
- PRM PERMANENT REFERENCE MONUMENT
- PSM PROFESSIONAL SURVEYOR & MAPPER
- R/W RIGHT-OF-WAY
- SQFT SQUARE FEET
- R/W — RIGHT-OF-WAY LINE
- EXISTING EASEMENT LINE

UPHAM
CIVIL ENGINEERING*SURVEYING*LANDSCAPE ARCHITECTURE
265 Kenilworth Avenue • Ormond Beach • Florida 32174
Voice: 386.672.9515 • Fax: 386.673.6554 • uphaminc.com
LB # 0003612 LC # 0000357



SHEET 2 OF 2

REVISIONS

DATE	DESCRIPTION

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DOCUMENT AND NOT FORWARDED
SIGNED AND SEALED AND THE
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BOUNDARY SHEET
CUPOLA AT OCEANSIDE
100 HALIFAX DRIVE
ORMOND BEACH, FLORIDA

PROJECT No. 210119
DATE: OCTOBER 16, 2021
DESIGN BY: RWS
DRAWN BY: JAE
CHECKED BY: RWS
SCALE: AS SHOWN
SHEET NUMBER:

P-2

December 9, 2021

DRAFT

**Planning Board
minutes**

**Cupola at Oceanside
Preliminary Plat**

need for RV and Boat storage. Chairman Thomas reiterated that the RV and Boat storage use is a traffic reduction. Mr. Galloway mentioned the storage use on Granada Boulevard is set off the roadway which is appropriate. Mr. Scudiero concluded that it is important to remember this is a redevelopment that is seeking to utilize the existing site characteristics.

Mr. Scudiero remarked on the existing sign. Mr. Holub stated that the sign would be refurbished. He commented that whatever is done to the project would be done first class no matter what the final uses turn out to be. Mr. Holub concluded that this is a very unusual parcel.

Ms. Shull asked when the PBD is used in this application what it does to the B-8 zoning. Mr. Spraker responded that it incorporates the uses within the B-8 zoning district into the PBD development order. Ms. Shull asked if a PBD can be done in other areas. Mr. Spraker responded that the PBD is available in all commercial zoning districts and any use in the Land Development Code (LDC) can be incorporated.

Ms. Shull asked Mr. Holub about the status of the Granada Pointe development. Mr. Holub stated that project had fill in the floodplain and a required compensating storage pond was constructed. He indicated that there is an approved site plan for a retail center for the land between the car wash and the WaWa. There have been issues with securing the building materials for this building. A grocery chain is looking at the site west of Tomoka Avenue and on the north side for a national coffee chain and a dental office.

Mr. Galloway expressed appreciation for local investors redeveloping property within Ormond Beach.

Chairman Thomas asked for a motion.

Ms. Tolland motioned to approve PBD 2022-002(B) – Issuance of a Development Order – 215 Williamson Boulevard, Regal Center Ormond. Mr. Jorczak seconded it. Ms. Tolland clarified that the motion was for the applicant's request that included the RV and Boat storage use. Mr. Jorczak agreed to the clarification. Vote was called, and the motion was approved (6-0).

D. PP 2022-004 – Preliminary Plat – 100 North Halifax Drive

Mr. Steven Spraker, Planning Director, stated that PP 2022-004 – preliminary plat – 100 North Halifax Drive is a request submitted by Ms. Nancy Lohman, Halifax Enterprises, LLC for a 1.48-acre property located at 100 North Halifax Drive for a twelve-unit townhome development called the Cupola at Oceanside.

Mr. Spraker stated the project has approved construction plans and is undergoing a subdivision of land with the preliminary plat. Mr. Spraker stated that the preliminary plat is consistent with the Planned Residential Development (PRD) and staff is recommending approval.

Mr. Cody Bogart, Newkirk Engineering stated he is part of the design team and is representing Ms. Lohman who is receiving a planetarium dedication tonight with her husband. Mr. Bogart stated he is available for any questions.

Mr. Galloway asked why this is in front of the Board. Mr. Spraker explained the three-step subdivision process of (1) Planned Residential Development, (2) preliminary plat, and (3) final plat.

Ms. Shull asked if the Planned Residential Development (PRD) was approved with another applicant. Mr. Spraker confirmed that the Planned Residential Development (PRD) was processed by Mr. Schwartz and the approval runs with the land and not the applicant.

Ms. Tolland asked if there are any continuing issues with the neighbors. Mr. Spraker stated he is not aware of any and believes that applicant has been coordinating with the neighbors.

Ms. Shull motioned to approve PP 2022-004 – preliminary plat – 100 North Halifax Drive. Ms. Tolland seconded it. Vote was called, and the motion was approved (6-0).

VIII. OTHER BUSINESS

A. Adoption of 2022 Planning Board Calendar.

Mr. Scudiero motioned to approve the adoption of the 2022 Planning Board Calendar. Ms. Shull seconded it. Vote was called, and the motion was approved (6-0).

X. MEMBER COMMENTS

Ms. Shull stated that she appreciated the time spent on the Tattersall project. She added that she hoped that the city would really pay attention to development. “Not everything has to be crammed into one spot and that is what makes Ormond unique.”

Chairman Thomas commented on how older projects built around trees and how today’s development includes clear-cutting.

Ms. Shull stated that the desire is to get the most dollars possible, but the subdivision needs to look good.

Mr. Jorczak wished everyone a Merry Christmas and a happy New Year.

Mr. Galloway stated that he and Mr. Beazley were going to walk the Tattersall property. He commented that within the next 12-24 months the federal government will require small houses in zoning classifications as attainable housing.

Chairman Thomas thanked staff.

XI. ADJOURNMENT

The meeting was adjourned at 11:15 p.m.

Respectfully submitted,

Steven Spraker, Planning Director