



AGENDA
CITY OF ORMOND BEACH, FLORIDA
CITY COMMISSION MEETING
August 1, 2023
7:00 PM

Mayor Bill Partington

Zone 1 - Commissioner Lori Tolland

Zone 3 - Commissioner Susan Persis

Zone 2 - Commissioner Travis Sargent

Zone 4 - Commissioner Harold Briley

COMMISSION CHAMBERS
22 South Beach Street, Ormond Beach, FL 32174
Phone: 386-677-0311 Web: www.ormondbeach.org

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- 1. CALL TO ORDER**
 - 2. INVOCATION**
 - 3. PLEDGE OF ALLEGIANCE**
 - 4. PRESENTATIONS AND PROCLAMATIONS**
 - A. Janet Frank
 - 5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**
 - 6. APPROVAL OF MINUTES**
 - A. Minutes from City Commission meeting - July 18, 2023
 - 7. COMMUNITY REDEVELOPMENT AGENCY**
 - A. **RESOLUTION NO. 2023-120:** A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA ACCEPTING A BID FROM LATOUR ENTERPRIZES, INC. D/B/A ECONOMY ELECTRIC CO. FOR CONSTRUCTION SERVICES REGARDING THE DOWNTOWN EAST GRANADA UTILITY UNDERGROUNDING PROJECT, UNDER BID NO. 2023-24; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE. **(SEE ITEM 8A)**

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

8. 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. 2023-120:** A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA ACCEPTING A BID FROM LATOUR ENTERPRIZES, INC. D/B/A ECONOMY ELECTRIC CO. FOR CONSTRUCTION SERVICES REGARDING THE DOWNTOWN EAST GRANADA UTILITY UNDERGROUNDING PROJECT, UNDER BID NO. 2023-24; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

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

- B. **RESOLUTION NO. 2023-121:** A RESOLUTION ACCEPTING A BID FROM ALGAT ENTERPRISES, INC. FOR CONSTRUCTION SERVICES REGARDING THE SPRING MEADOWS SIDEWALK REPAIR PROJECT, UNDER BID NO. 2023-01; 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

- C. **RESOLUTION NO. 2023-122:** A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND THE RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION IN SUPPORT OF PLANNING AND FUNDING OF VOLUSIA COUNTY TRANSPORTATION SYSTEM PROJECTS; AUTHORIZING THE EXPENDITURE OF FUNDING AND SETTING FORTH AN EFFECTIVE DATE.

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

- D. **RESOLUTION NO. 2023-123:** A RESOLUTION AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY UNDER THE HAZARD MITIGATION GRANT PROGRAM FOR FUNDING ASSISTANCE RELATIVE TO CONSTRUCTION OF A PUMP STATION ON FLEMING AVENUE; AUTHORIZING THE EXECUTION OF ALL DOCUMENTS INCIDENTAL THERETO, INCLUDING ANY CONTRACT NECESSARY FOR THE CITY TO ACCEPT THE GRANT AWARD; AND SETTING FORTH AN EFFECTIVE DATE.

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

- E. **RESOLUTION NO. 2023-124:** A RESOLUTION AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY UNDER THE HAZARD MITIGATION GRANT PROGRAM FOR FUNDING ASSISTANCE RELATIVE TO GENERATORS FOR FIRE STATIONS 92 AND 93;

AUTHORIZING THE EXECUTION OF ALL DOCUMENTS INCIDENTAL THERETO, INCLUDING ANY CONTRACT NECESSARY FOR THE CITY TO ACCEPT THE GRANT AWARD; AND SETTING FORTH AN EFFECTIVE DATE.

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

- F. **RESOLUTION NO. 2023-125:** A RESOLUTION RATIFYING, AFFIRMING AND AUTHORIZING EXPENDITURES FOR THE RENTAL OF A TEMPORARY BLOWER FROM DELOACH INDUSTRIES, INC.; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Bob Preis, Utilities Manager, (386) 676-3305

- G. **RESOLUTION NO. 2023-126:** A RESOLUTION AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT BETWEEN THE CITY AND THE FEDERAL AVIATION ADMINISTRATION REGARDING FUNDING FOR AN AERONAUTICAL SURVEY AND OBSTACLE ACTION PLAN FOR THE ORMOND BEACH MUNICIPAL AIRPORT; AUTHORIZING THE EXECUTION OF ALL NECESSARY DOCUMENTS INCIDENTAL THERETO FOR THE CITY TO ACCEPT THE GRANT AWARD; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Steven Lichliter, Airport Manager, (386) 615-7019

- H. **Construction & Demolition Franchise Renewal, Samsula Landfill, Inc.**

Staff Contact: Kevin Gray, Deputy Public Works Director, (386) 676-3325

Disposition: Approve as recommended in the City Manager memorandum dated August 1, 2023.

- I. **Notification of Possible Entitlement Status, Community Development Block Grant Program Fiscal Year 2024**

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

Disposition: Approve as recommended in the City Manager memorandum dated August 1, 2023.

9. PUBLIC HEARINGS

- A. **ORDINANCE NO. 2023-35:** 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 PORTION OF A CERTAIN PARCEL OF REAL PROPERTY TOTALING APPROXIMATELY 0.34 ACRES LOCATED AT 145 NORTH YONGE STREET (VOLUSIA COUNTY PARCEL NUMBER: 4215-04-01-0270), FROM B-4, CENTRAL BUSINESS, TO PLANNED BUSINESS DEVELOPMENT; AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

- B. **ORDINANCE NO. 2023-36:** 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 PORTION OF A CERTAIN PARCEL OF REAL PROPERTY TOTALING APPROXIMATELY 0.72 ACRES LOCATED AT 145 NORTH YONGE STREET (VOLUSIA COUNTY PARCEL NUMBER: 4215-04-01-0270), FROM R-3, SINGLE-FAMILY MEDIUM DENSITY, TO PLANNED RESIDENTIAL DEVELOPMENT; AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

- C. **ORDINANCE NO. 2023-37:** AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A PLANNED BUSINESS DEVELOPMENT AND PLANNED RESIDENTIAL DEVELOPMENT TO BE LOCATED AT 145 NORTH YONGE STREET (VOLUSIA COUNTY PARCEL NUMBER: 4215-04-01-0270), TO BE KNOWN AS THE "ORMOND ENCLAVE"; AUTHORIZING THE DEVELOPMENT OF 64 MULTI-FAMILY RESIDENTIAL UNITS AND ASSOCIATED SITE IMPROVEMENTS UNDER CERTAIN CONDITIONS; ESTABLISHING CONDITIONS AND EXPIRATIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

- D. **ORDINANCE NO. 2023-38:** 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 0.76 ACRES LOCATED AT 121 EAST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER: 4214-05-04-0051), FROM B-4, CENTRAL BUSINESS, TO PLANNED BUSINESS DEVELOPMENT; AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

- E. **ORDINANCE NO. 2023-39:** AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A PLANNED BUSINESS DEVELOPMENT TO BE LOCATED AT 121 EAST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER: 4214-05-04-0051), TO BE KNOWN AS "121 EAST"; AUTHORIZING THE DEVELOPMENT OF 24 MULTI-FAMILY RESIDENTIAL UNITS AND

ASSOCIATED SITE IMPROVEMENTS UNDER CERTAIN CONDITIONS; ESTABLISHING CONDITIONS AND EXPIRATIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

- F. **ORDINANCE NO. 2023-41:** AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE III, DEFINITIONS AND ACRONYMS, SECTION 1-22, DEFINITIONS OF TERMS AND WORDS; CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE I, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, SECTION 2-02, FUTURE LAND USE MAP DESIGNATIONS AND ZONING DISTRICTS; CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE II, DISTRICT REGULATIONS, SECTION 2-07, ZONING DISTRICT DESIGNATIONS; CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE II, DISTRICT REGULATIONS, SECTION 2-33, I-2, RESERVED; CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE IV, CONDITIONAL AND SPECIAL EXCEPTION REGULATIONS, SECTION 2-57, CRITERIA FOR REVIEW OF SPECIFIC CONDITIONAL AND SPECIAL EXCEPTION; OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY CREATING THE I-2, HEAVY INDUSTRIAL ZONING DISTRICT, PROVIDING USE DEFINITIONS, AND CREATING CONDITIONS FOR CONDITIONAL AND SPECIAL EXCEPTION USES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

- G. **ORDINANCE NO. 2023-42:** AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF ORMOND BEACH BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF ONE PARCEL OF REAL PROPERTY TOTALING 0.24± ACRES LOCATED AT 204 MAGNOLIA DRIVE (VOLUSIA COUNTY PARCEL NUMBER: 4214-20-02-0011) FROM "PUBLIC/INSTITUTIONAL" TO "LOW DENSITY RESIDENTIAL"; PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

- H. **ORDINANCE NO. 2023-43:** AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF ORMOND BEACH BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF A PORTION OF ONE PARCEL OF REAL PROPERTY TOTALING 5.2± ACRES LOCATED AT 901 AIRPORT ROAD (VOLUSIA COUNTY PARCEL NUMBER: 4238-01-40-0010) FROM "LIGHT INDUSTRIAL/UTILITIES" TO "OPEN SPACE/CONSERVATION"; PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

- I. **ORDINANCE NO. 2023-44:** AN ORDINANCE ANNEXING SIX PARCELS

OF REAL PROPERTY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY LOCATED SOUTH OF PENNSYLVANIA AVENUE, WEST OF PLANTATION OAKS BOULEVARD AND EAST OF INTERSTATE I-95 (VOLUSIA COUNTY PARCEL NUMBERS: 3136-01-09-0001, 3136-01-08-0010, 3136-01-07-0010, 3136-01-01-0021, 3136-01-21-0050, AND 3136-01-01-001A); AND ANNEXING PORTIONS OF THE INDIANA AVENUE RIGHT-OF-WAY, BENTON STREET RIGHT-OF-WAY, AND ROSEMARY STREET RIGHT-OF-WAY; SETTING FORTH ZONING PRIVILEGES AND OBLIGATIONS REGARDING THE PROPERTY; REDEFINING THE TERRITORIAL BOUNDARIES OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; REDESIGNATING THE BOUNDARIES OF ZONE 1 OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; PROVIDING FOR TRANSMISSION; PROVIDING FOR SEVERABILITY; 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**

July 18, 2023	7:00 p.m.	Commission Chambers
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Present: Mayor Bill Partington, Commissioners Lori Tolland, Travis Sargent, Susan Persis and Harold Briley, City Manager Joyce Shanahan, City Attorney Randy Hayes, Assistant City Manager Claire Whitley, City Clerk Susan Carroll Dauderis and Assistant City Clerk Taylor Lochert.

A G E N D A

- 1. CALL TO ORDER**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. ADOPTION OF FISCAL YEAR 2023-2024 TENTATIVE MILLAGE RATE**

- A. RESOLUTION NO. 2023-110:** A RESOLUTION ADOPTING PROPOSED MILLAGE RATES FOR THE 2023-2024 FISCAL YEAR; ESTABLISHING THE DATE, TIME AND PLACE FOR THE FIRST PUBLIC HEARING ON THE PROPOSED MILLAGE RATES AND THE TENTATIVE BUDGET; DIRECTING COMMUNICATION; EXPRESSING LEGISLATIVE INTENT; AND SETTING FORTH AN EFFECTIVE DATE.

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

- 5. PRESENTATIONS AND PROCLAMATIONS**
 - A. Judge Belle Schumann
 - B. Officer Gregory Stokes
 - C. Parks and Recreation Month
- 6. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**
- 7. APPROVAL OF MINUTES**
 - A. Minutes from City Commission meeting - June 6, 2023
- 8. 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. 2023-94:** A RESOLUTION AUTHORIZING THE EXECUTION OF A RENEWAL OF LEASE AND USE AGREEMENT BETWEEN THE CITY AND COUNCIL ON AGING OF VOLUSIA COUNTY, INC. FOR THE MANAGEMENT AND OPERATION OF THE ORMOND BEACH SENIOR CENTER; AND SETTING FORTH AN EFFECTIVE DATE.

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

- B. RESOLUTION NO. 2023-111:** A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT AND RESTATEMENT OF AUDIT AGREEMENT BETWEEN THE CITY AND JAMES MOORE & CO., P.L.; AND SETTING FORTH AN EFFECTIVE DATE.

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

- C. RESOLUTION NO. 2023-112:** A RESOLUTION AUTHORIZING

ADDITIONAL FUNDING FOR DIRECTIONAL DRILLING SERVICES FROM MID FLORIDA DIRECTIONAL DRILLING, LLC; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Bob Preis, Utilities Manager, (386) 676-3305*

- D. **RESOLUTION NO. 2023-113:** A RESOLUTION ACCEPTING THE BID OF MASCI GENERAL CONTRACTOR, INC. REGARDING THE 2023 ROADWAY RESURFACING PROJECT, UNDER BID NO. 2023-27; REJECTING ALL OTHER BIDS; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

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

- E. **RESOLUTION NO. 2023-114:** A RESOLUTION AUTHORIZING THE APPROVAL AND EXECUTION OF A PURCHASE AUTHORIZATION FOR THE PURCHASE OF ONE SKEETER FORD F550 BRUSH TRUCK, UNDER FLORIDA SHERIFFS ASSOCIATION BID NO. FSA23-VEF17.0; DECLARING VEHICLE #045 TO BE SURPLUS PROPERTY, AND AUTHORIZING THE DISPOSITION THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Howard Bailey, Fire Chief, (386) 676-3333*

- F. **RESOLUTION NO. 2023-115:** A RESOLUTION AUTHORIZING THE APPROVAL AND EXECUTION OF A PURCHASE AUTHORIZATION FOR THE PURCHASE OF NINE FORD INTERCEPTORS FROM BOZARD FORD UNDER FLORIDA SHERIFFS ASSOCIATION BID NO. FSA 22-VEL30.0; DECLARING CERTAIN VEHICLES TO BE SURPLUS PROPERTY AND AUTHORIZING THE DISPOSITION THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Kevin Gray, Deputy Public Works Director, (386) 676-3325*

- G. **Fleet Operations Fuel Island Monitoring Wells**

Staff Contact: *Kevin Gray, Deputy Public Works Director, (386) 676-3325*

Disposition: Approve as recommended in the City Manager memorandum dated July 18, 2023.

- H. **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 July 18, 2023.

- I. **Intent to Bid - Water Reclamation Facility (WRF) Upgrades**

Staff Contact: *Bob Preis, Utilities Manager, (386) 676-3305*

Disposition: Approve as recommended in the City Manager memorandum dated July 18, 2023.

- J. **City Manager Status Report, July 2023**

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

Disposition: Approve as recommended in the City Manager memorandum dated July 18, 2023.

9. PUBLIC HEARINGS

- A. **ORDINANCE NO. 2023-33:** AN ORDINANCE ANNEXING A PORTION OF HARMONY AVENUE RIGHT-OF-WAY INTO THE

CITY OF ORMOND BEACH, SAID PROPERTY LOCATED AT THE INTERSECTION OF HULL ROAD AND HARMONY AVENUE, BISECTING 1399 HULL TRAIL; SETTING FORTH ZONING PRIVILEGES AND OBLIGATIONS REGARDING THE RIGHT-OF-WAY; REDEFINING THE TERRITORIAL BOUNDARIES OF THE CITY OF ORMOND BEACH TO INCLUDE THE RIGHT-OF-WAY; REDESIGNATING THE BOUNDARIES OF ZONE 1 OF THE CITY OF ORMOND BEACH TO INCLUDE THE RIGHT-OF-WAY; PROVIDING FOR TRANSMISSION; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.
(SECOND READING)

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

- B. **ORDINANCE NO. 2023-35:** 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 PORTION OF A CERTAIN PARCEL OF REAL PROPERTY TOTALING APPROXIMATELY 0.34 ACRES LOCATED AT 145 NORTH YONGE STREET (VOLUSIA COUNTY PARCEL NUMBER: 4215-04-01-0270), FROM B-4, CENTRAL BUSINESS, TO PLANNED BUSINESS DEVELOPMENT; 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

- C. **ORDINANCE NO. 2023-36:** 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 PORTION OF A CERTAIN PARCEL OF REAL PROPERTY TOTALING APPROXIMATELY 0.72 ACRES LOCATED AT 145 NORTH YONGE STREET (VOLUSIA COUNTY PARCEL NUMBER: 4215-04-01-0270), FROM R-3, SINGLE-FAMILY MEDIUM DENSITY, TO PLANNED RESIDENTIAL DEVELOPMENT; 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. 2023-37:** AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A PLANNED BUSINESS DEVELOPMENT AND PLANNED RESIDENTIAL DEVELOPMENT TO BE LOCATED AT 145 NORTH YONGE STREET (VOLUSIA COUNTY PARCEL NUMBER: 4215-04-01-0270), TO BE KNOWN AS THE "ORMOND ENCLAVE"; AUTHORIZING THE DEVELOPMENT OF 64 MULTI-FAMILY RESIDENTIAL UNITS AND ASSOCIATED SITE IMPROVEMENTS UNDER CERTAIN CONDITIONS; ESTABLISHING CONDITIONS AND EXPIRATIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

- E. **ORDINANCE NO. 2023-38:** 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 0.76 ACRES LOCATED AT 121 EAST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER: 4214-05-04-0051), FROM B-4, CENTRAL BUSINESS, TO PLANNED BUSINESS DEVELOPMENT; 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

- F. **ORDINANCE NO. 2023-39:** AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A PLANNED BUSINESS DEVELOPMENT TO BE LOCATED AT 121 EAST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER: 4214-05-04-0051), TO BE KNOWN AS "121 EAST"; AUTHORIZING THE DEVELOPMENT OF 24 MULTI-FAMILY RESIDENTIAL UNITS AND ASSOCIATED SITE IMPROVEMENTS UNDER CERTAIN CONDITIONS; ESTABLISHING CONDITIONS AND EXPIRATIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

- G. **ORDINANCE NO. 2023-40:** AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF TWO PARCELS OF REAL PROPERTY TOTALING 52+ ACRES LOCATED AT 860 HULL ROAD AND 1399 HULL TRAIL FROM VOLUSIA COUNTY "INDUSTRIAL" TO ORMOND BEACH "HEAVY INDUSTRIAL"; INCLUDING A MAP ANNOTATION TO LIMIT THE FLOOR AREA RATIO TO 0.60; AUTHORIZING TRANSMITTAL; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

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

- H. **ORDINANCE NO. 2023-41:** AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE III, DEFINITIONS AND ACRONYMS, SECTION 1-22, DEFINITIONS OF TERMS AND WORDS; CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE I, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, SECTION 2-02, FUTURE LAND USE MAP DESIGNATIONS AND ZONING DISTRICTS; CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE II, DISTRICT REGULATIONS, SECTION 2-07, ZONING DISTRICT DESIGNATIONS; CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE II, DISTRICT REGULATIONS, SECTION 2-33, I-2, RESERVED; CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE IV, CONDITIONAL AND SPECIAL EXCEPTION REGULATIONS, SECTION 2-57, CRITERIA FOR REVIEW OF SPECIFIC CONDITIONAL AND SPECIAL EXCEPTION; OF THE CITY OF

ORMOND BEACH LAND DEVELOPMENT CODE, BY CREATING THE I-2, HEAVY INDUSTRIAL ZONING DISTRICT, PROVIDING USE DEFINITIONS, AND CREATING CONDITIONS FOR CONDITIONAL AND SPECIAL EXCEPTION USES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

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

- I. **ORDINANCE NO. 2023-42:** AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF ORMOND BEACH BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF ONE PARCEL OF REAL PROPERTY TOTALING 0.24± ACRES LOCATED AT 204 MAGNOLIA DRIVE (VOLUSIA COUNTY PARCEL NUMBER: 4214-20-02-0011) FROM “PUBLIC/INSTITUTIONAL” TO “LOW DENSITY RESIDENTIAL”; PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

- J. **ORDINANCE NO. 2023-43:** AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF ORMOND BEACH BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF A PORTION OF ONE PARCEL OF REAL PROPERTY TOTALING 5.2± ACRES LOCATED AT 901 AIRPORT ROAD (VOLUSIA COUNTY PARCEL NUMBER: 4238-01-40-0010) FROM “LIGHT INDUSTRIAL/UTILITIES” TO “OPEN SPACE/CONSERVATION”; PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

- K. **RESOLUTION NO. 2023-116:** A RESOLUTION AUTHORIZING THE EXECUTION AND ISSUANCE OF AN AMENDED SPECIAL EXCEPTION DEVELOPMENT ORDER TO ALLOW THE ADDITION OF VACUUM STALLS WITHIN THE FRONT YARD UNDER CERTAIN CONDITIONS AT “MISTER CAR WASH” LOCATED AT 49 SOUTH YONGE STREET, WHICH IS IN THE B-5, SERVICE COMMERCIAL ZONING DISTRICT; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

- L. **RESOLUTION NO. 2023-117:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA APPROVING THE PRELIMINARY PLAT FOR “ARCHER’S MILL PHASE 2”, SHOWN WITHIN PHASE 3 OF THE PLANTATION OAKS PLANNED RESIDENTIAL DEVELOPMENT; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

- M. **RESOLUTION NO. 2023-118:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA APPROVING THE PRELIMINARY PLAT FOR “ARCHER’S MILL PHASE 3”, SHOWN WITHIN PHASE 3 OF THE PLANTATION OAKS PLANNED RESIDENTIAL DEVELOPMENT; ESTABLISHING

CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

10. SECOND READING OF ORDINANCES

- A. **ORDINANCE NO. 2023-34:** AN ORDINANCE AMENDING SECTION 5-1, DEFINITIONS, OF ARTICLE I, IN GENERAL, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-10, ANIMALS CONSTITUTING A NUISANCE PROHIBITED, OF ARTICLE I, IN GENERAL, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-13, FEEDING OF FERAL OR STRAY ANIMALS PROHIBITED, OF ARTICLE I, IN GENERAL, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-23, RUNNING AT LARGE PROHIBITED OF ARTICLE II, LIVESTOCK, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-25, NOTICE OF IMPOUNDING, OF ARTICLE II, LIVESTOCK, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-62, LICENSES ANNUAL; FEE, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-67, DUPLICATE TAGS, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-69, RUNNING AT LARGE PROHIBITED, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING 5-70, IMPOUNDING OF VIOLATORS, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-72, RESPONSIBILITY FOR PAYMENT AND RECLAIMING AFTER IMPOUNDMENT, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-78, DANGEROUS DOGS, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-79, EXCEPTIONS, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-80, INVESTIGATION AND DETERMINATION OF DANGEROUS DOG, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-81, ACTION TO BE TAKEN BY OWNERS/KEEPERS OF DANGEROUS DOGS, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-82, RESERVED, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-83, OPTIONAL ACTION, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL, OF THE CITY OF ORMOND BEACH CODE OF ORDINANCES; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Staff Contact: Randy Hayes, City Attorney, (386) 676-3217

11. RESOLUTIONS

- A. **RESOLUTION NO. 2023-119:** A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT AND RESTATEMENT OF SHARED PARKING LOT USAGE AGREEMENT BETWEEN THE CITY AND NNN REIT, LP; AND SETTING FORTH AN EFFECTIVE DATE.

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

12. STAFF ACTION ITEMS

- A. Florida League of Cities Voting Delegate

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

13. REPORTS, SUGGESTIONS, REQUESTS

14. ADJOURNMENT

MINUTES

Item #1 – Meeting Call to Order

Mayor Partington called the meeting to order at 7:00 p.m.

Item #2 – Invocation

Pastor Neal Ganzel, Coquina Presbyterian Church, provided the invocation.

Item #3 – Pledge of Allegiance

Mayor Partington led the Pledge of Allegiance.

Item #4 – Adoption of Fiscal Year 2023-2024 Tentative Millage Rate

Item #4A – Fiscal Year 2023-2024 Tentative Millage Rate

City Clerk Susan C. Dauderis read by title only:

RESOLUTION NO. 2023-110

A RESOLUTION ADOPTING PROPOSED MILLAGE RATES FOR THE 2023-2024 FISCAL YEAR; ESTABLISHING THE DATE, TIME AND PLACE FOR THE FIRST PUBLIC HEARING ON THE PROPOSED MILLAGE RATES AND THE TENTATIVE BUDGET; DIRECTING COMMUNICATION; EXPRESSING LEGISLATIVE INTENT; AND SETTING FORTH AN EFFECTIVE DATE.

Mayor Partington stated the tentative millage rate for the City of Ormond Beach necessary to fund the Fiscal Year 2023-2024 budget was 3.9260 mills. He noted the rate was 13.71% above the rolled back rate of 3.4525 mills. He stated the tentative debt service millage rate was 0.080 for the 2010 General Obligation Bond Sinking Fund. He noted it was a public hearing and asked if there were any members of the public who wished to speak or ask questions prior to adoption of the tentative millage rate. He stated there were no persons registered to speak on the item.

Commissioner Persis moved, seconded by Commissioner Sargent, to approve the tentative operating millage rate to 3.9260 mills within Resolution No. 2023-110.

Call Vote:	Commissioner Tolland	Yes
	Commissioner Sargent	Yes
	Commissioner Persis	Yes
	Commissioner Briley	Yes
Carried.	Mayor Partington	No

Mayor Partington stated the tentative operating millage rate was set at 3.9260 mills, which was 13.71% above the rolled back millage rate of 3.4525 mills.

Item #5 – Presentation and Proclamations

Item 5A – Judge Belle Schumann

Mayor Partington presented a Key to the City, pin, and proclamation to Judge Belle Schumann for her dedication to the community and congratulated her on her retirement.

Item 5B – Officer Gregory Stokes

Mayor Partington presented a Key to the City, pin, and proclamation to Officer Gregory Stokes for his time with the City and the police department. He congratulated Officer Stokes on his well-deserved retirement.

Officer Stokes thanked the Mayor, Commission, and Mr. Joe Daniels and his late wife Ms. Elwillie Daniels for their support.

Item 5C – Parks and Recreation Month

Mayor Partington proclaimed July 2023, as Parks and Recreation Month and presented Leisure Services Director Robert Carolin with a proclamation.

Item #6 – Audience Remarks

Ms. Suzanne Scheiber, 548 Sandy Oaks Boulevard, stated she was there on behalf of Dream Green Volusia and requested the Commission’s support in the form of a letter to the Volusia County Council regarding research and ground truthing efforts to support Volusia Forever and Florida Forever funding to expand the wildlife corridor.

Ms. Judy Dragon, 33 Wilmette Avenue, expressed concerns regarding 37 Wilmette Avenue. She explained there was a neighborhood meeting in February 2023. She discussed the grievances her and surrounding neighbors had and fear of her safety. She reviewed the history of the property and city involvement. She noted there was a survey completed regarding the property and requested the resulting information.

Ms. Elaine Davis, 76 Melrose Avenue, discussed her concerns regarding the Neighborhood Improvement Department and the enforcement of codes within her neighborhood. She requested city employees report violations during their day when they drive past a property.

Mr. Douglas Young, 34 Melrose Avenue, reviewed his concerns regarding traffic within his neighborhood. He requested some speed humps be added and the Commission to review three prior studies on the traffic in the area.

Ms. Cynthia Valdez, 34 Wilmette Avenue, echoed the concerns of Ms. Dragon and requested the Neighborhood Improvement Department or Police Department be given more power to help with code enforcement.

Ms. Missy Herrero, 111 North Saint Andrews Drive, discussed the wildlife corridor and Ormond Beach Scenic Loop. She requested the Commission send a letter of support to the Volusia County Council to prioritize research of available land adjacent to the wildlife corridor.

Item #7 – Approval of Minutes

Mayor Partington advised the minutes of the June 6, 2023, 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 hearing no corrections, the minutes would stand approved as presented.

Commissioner Briley moved, seconded by Commissioner Sargent, for approval of the June 6, 2023, City Commission meetings minutes.

The motion passed by voice vote.

Item #8 – Consent Agenda

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

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

Call Vote:	Commissioner Sargent	Yes
	Commissioner Persis	Yes
	Commissioner Briley	Yes
	Commissioner Tolland	Yes
Carried.	Mayor Partington	Yes

Comments on the Consent Agenda

There were no additional comments on the Consent Agenda.

Item #9 – Public Hearings

Mayor Partington opened the Public Hearings.

Item #9A – Portion of Harmony Avenue, Annexation

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-33
AN ORDINANCE ANNEXING A PORTION OF HARMONY AVENUE RIGHT-OF-WAY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY LOCATED AT THE INTERSECTION OF HULL ROAD AND HARMONY AVENUE, BISECTING 1399 HULL TRAIL; SETTING FORTH ZONING PRIVILEGES AND OBLIGATIONS REGARDING THE RIGHT-OF-WAY; REDEFINING THE TERRITORIAL BOUNDARIES OF THE CITY OF ORMOND BEACH TO INCLUDE THE RIGHT-OF-WAY; REDESIGNATING THE BOUNDARIES OF ZONE 1 OF THE CITY OF ORMOND BEACH TO INCLUDE THE RIGHT-OF-WAY; PROVIDING FOR TRANSMISSION; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Commissioner Briley moved, seconded by Commissioner Persis, for approval of Ordinance No. 2023-33, on second reading, as read by title only.

Call Vote:	Commissioner Persis	Yes
	Commissioner Briley	Yes
	Commissioner Tolland	Yes
	Commissioner Sargent	Yes
Carried.	Mayor Partington	Yes

Item #9B – Ormond Enclave, Zoning Map Amendment to Planned Business Development (0.34 acres)

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-35
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 PORTION OF A CERTAIN PARCEL OF REAL PROPERTY TOTALING APPROXIMATELY 0.34 ACRES LOCATED AT 145 NORTH YONGE STREET (VOLUSIA COUNTY PARCEL NUMBER: 4215-04-01-0270), FROM B-4, CENTRAL BUSINESS, TO PLANNED BUSINESS DEVELOPMENT; AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Steven Spraker, Planning Director, reviewed a PowerPoint explaining Items 9B, 9C and 9D were all for a project at 145 North Yonge Street known as Ormond Enclave. He stated Item 9B was for a Zoning Map amendment from B-4, Central Business, to Planned Business Development (PBD), Item 9C was a Zoning Map amendment from R-3, Single-Family Medium Density, to Planned Residential Development (PRD) and Item 9D was for the issuance of a Development Order for 64 Multi-Family Residential units. He reviewed the history of the property and Ormond Enclave project. He discussed the neighboring Dollar General, parking, buffers, and setbacks. He reviewed the Planning Board recommendations noting the applicant consented to all five requests which included the movement of dumpster, additional security around the stormwater pond, establishing a wall around the perimeter of the site, revised entry point, and provide downlighting. He explained after the Planning Board meeting there was an email from neighboring property owner requesting a bamboo hedge along the rear of the property and noted the applicant also agreed to that request. He requested the Commission

include the bamboo hedge in their motion of the item if approved. He discussed the concerns received by residents.

Mr. Joey Posey, Storch Law Firm, reviewed the in-fill project and that it encouraged growth. He reviewed the potential developments and what was proposed. He discussed the buffers, open space, green spaces, tree preservation, property access, elevations, dog park, parking, stormwater, and Planning Board recommendations.

Commissioner Briley stated he agreed with the Planning Board recommendations and expressed concerns regarding the traffic on the neighboring residential roads. He discussed changing Highland Avenue and Dix Avenue to one-way streets to ease traffic concerns.

Mr. Spraker stated at the Planning Board meeting it was suggested to hold a neighborhood meeting to gauge the interest, noting there was no residential input at the time regarding one-way streets.

Commissioner Sargent inquired if there was a deacceleration lane; whereby, Mr. Steve Buswell, Parker Mynchenberg & Associates, stated there was a dedicated lane and discussed the traffic concerns. Commissioner Sargent inquired if there would be a fence around the stormwater pond; whereby, Mr. Posey stated that was a discussion item with the Planning Board and noted he would prefer to keep it consistent with the Land Development Code (LDC) and discussed safety concerns with a potential fence.

Commissioner Persis explained her concerns regarding the entrance and exit points for the project and noted some people would turn into an access point even if the roadway did not allow for that. She inquired about the size of the buffers; whereby, Mr. Posey stated the buffers would be 25 feet except around the residential where it would be a minimum of 50 feet.

Commissioner Tolland stated clumping bamboo would be the best material for the bamboo buffer. She discussed the traffic concerns but thanked the applicant for their efforts to ease the traffic. She stated she would like a fence around the retention pond for safety.

Commissioner Briley stated the city typically did not utilize fencing around retention ponds as the fence could catch debris and some were unsightly and noted he was not in favor of a fence around the retention pond.

Mayor Partington thanked the applicant for their work on the project and discussed his support of the walkability.

Commissioner Persis moved, seconded by Commissioner Tolland, for approval of Ordinance No. 2023-35, on first reading, as read by title only.

Call Vote:	Commissioner Briley	Yes
	Commissioner Tolland	Yes
	Commissioner Sargent	Yes
	Commissioner Persis	Yes
Carried.	Mayor Partington	Yes

Item #9C – Ormond Enclave, Zoning Map Amendment to Planned Residential Development (0.72 acres)

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-36
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 PORTION OF A CERTAIN PARCEL OF REAL PROPERTY TOTALING APPROXIMATELY 0.72 ACRES LOCATED AT 145 NORTH YONGE STREET (VOLUSIA COUNTY PARCEL NUMBER: 4215-04-01-0270), FROM R-3, SINGLE-FAMILY MEDIUM DENSITY, TO PLANNED RESIDENTIAL DEVELOPMENT; AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL

INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Sargent moved, seconded by Commissioner Persis, for approval of Ordinance No. 2023-36, on first reading, as read by title only.

Call Vote:	Commissioner Tolland	Yes
	Commissioner Sargent	Yes
	Commissioner Persis	Yes
	Commissioner Briley	Yes
Carried.	Mayor Partington	Yes

Item #9D – Ormond Enclave, 145 North Yonge St., Issuance of a Development Order

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-37
AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A PLANNED BUSINESS DEVELOPMENT AND PLANNED RESIDENTIAL DEVELOPMENT TO BE LOCATED AT 145 NORTH YONGE STREET (VOLUSIA COUNTY PARCEL NUMBER: 4215-04-01-0270), TO BE KNOWN AS THE “ORMOND ENCLAVE”; AUTHORIZING THE DEVELOPMENT OF 64 MULTI-FAMILY RESIDENTIAL UNITS AND ASSOCIATED SITE IMPROVEMENTS UNDER CERTAIN CONDITIONS; ESTABLISHING CONDITIONS AND EXPIRATIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Tolland moved, seconded by Commissioner Sargent, for approval of Ordinance No. 2023-37 with a bamboo buffer abutting the residential wall, on first reading, as read by title only.

Call Vote:	Commissioner Sargent	Yes
	Commissioner Persis	Yes
	Commissioner Briley	Yes
	Commissioner Tolland	Yes
Carried.	Mayor Partington	Yes

Item #9E – 121 East, 121 East Granada Boulevard, Zoning Map Amendment

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-38
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 0.76 ACRES LOCATED AT 121 EAST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER: 4214-05-04-0051), FROM B-4, CENTRAL BUSINESS, TO PLANNED BUSINESS DEVELOPMENT; AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Spraker stated Item 9E was for a Zoning Map amendment from B-4, Central Business, to PBD and Item 9F was for a Development Order for 24 Multi-Family Residential units. He reviewed the property, the surrounding area, proposed building, amenities, setbacks, parking, elevations, and correspondences received noting one was in favor of the project and one was not supportive. He stated Ormond Beach MainStreet was supportive of the project and the Planning Board recommended approval.

Mr. Rob Merrell, Cobb Cole, highlighted the project, discussed the community support of the project and showed a video of a fly over drawing of the proposed project.

Commissioner Sargent disclosed he had a phone conversation with Mr. Merrell. He inquired about the construction impacting the Starbucks drive-thru; whereby, Mr. Merrell

stated there would be protective fencing to prevent any disturbance of surrounding businesses. Commissioner Sargent expressed he concerns regarding the proposed median by the Florida Department of Transportation; whereby, Mr. Bryan Collyer, Dime Rock Properties, LLC, stated they were working with FDOT for their entrance and exit.

Commissioner Briley disclosed he spoke with Mr. Collyer on the project and discussed his support of the project for the downtown area.

Commissioner Persis expressed support of the project.

Commissioner Tolland discussed her support of the item noting her only concern was the building height but compared it to the Ormond Heritage building.

Mayor Partington expressed support for the project and location.

Commissioner Briley moved, seconded by Commissioner Persis, for approval of Ordinance No. 2023-38, on first reading, as read by title only.

Call Vote:	Commissioner Persis	Yes
	Commissioner Briley	Yes
	Commissioner Tolland	Yes
	Commissioner Sargent	Yes
Carried.	Mayor Partington	Yes

Item #9F – 121 East, 121 East Granada Boulevard, Issuance of a Development Order

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-39
AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A PLANNED BUSINESS DEVELOPMENT TO BE LOCATED AT 121 EAST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER: 4214-05-04-0051), TO BE KNOWN AS “121 EAST”; AUTHORIZING THE DEVELOPMENT OF 24 MULTI-FAMILY RESIDENTIAL UNITS AND ASSOCIATED SITE IMPROVEMENTS UNDER CERTAIN CONDITIONS; ESTABLISHING CONDITIONS AND EXPIRATIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Persis moved, seconded by Commissioner Sargent, for approval of Ordinance No. 2023-39, on first reading, as read by title only.

Call Vote:	Commissioner Briley	Yes
	Commissioner Tolland	Yes
	Commissioner Sargent	Yes
	Commissioner Persis	Yes
Carried.	Mayor Partington	Yes

Item #9G – Halifax Paving, 860 Hull Road & 1399 Hull Trail, Comprehensive Plan Amendment

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-40
AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF TWO PARCELS OF REAL PROPERTY TOTALING 52+ ACRES LOCATED AT 860 HULL ROAD AND 1399 HULL TRAIL FROM VOLUSIA COUNTY “INDUSTRIAL” TO ORMOND BEACH “HEAVY INDUSTRIAL”; INCLUDING A MAP ANNOTATION TO LIMIT THE FLOOR AREA RATIO TO 0.60; AUTHORIZING TRANSMITTAL; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Spraker explained the item was a large-scale Comprehensive Plan Amendment and reviewed the process for if approved as it was over 50 acres. He noted the request was

from Halifax Paving as they were building a new office and recently had the property annexed into the city for sewer and water connections. He clarified the item was only for the Halifax Paving parcel. He stated the Planning Board recommended approval.

Commissioner Sargent inquired if the property was where there would be fuel tanks; whereby, Mr. Spraker stated the property he was referring to was 874 Hull Road and not related to Halifax Paving. Mr. Spraker explained the property was owned by the FEC Railroad in unincorporated Volusia County.

Commissioner Sargent moved, seconded by Commissioner Briley, for approval of Ordinance No. 2023-40, on first reading, as read by title only.

Call Vote:	Commissioner Tolland	Yes
	Commissioner Sargent	Yes
	Commissioner Persis	Yes
	Commissioner Briley	Yes
Carried.	Mayor Partington	Yes

Item #9H – LDC Amendment, Creation of the I-2, Heavy Industrial Zoning District

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-41
AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE III, DEFINITIONS AND ACRONYMS, SECTION 1-22, DEFINITIONS OF TERMS AND WORDS; CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE I, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, SECTION 2-02, FUTURE LAND USE MAP DESIGNATIONS AND ZONING DISTRICTS; CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE II, DISTRICT REGULATIONS, SECTION 2-07, ZONING DISTRICT DESIGNATIONS; CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE II, DISTRICT REGULATIONS, SECTION 2-33, I-2, RESERVED; CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE IV, CONDITIONAL AND SPECIAL EXCEPTION REGULATIONS, SECTION 2-57, CRITERIA FOR REVIEW OF SPECIFIC CONDITIONAL AND SPECIAL EXCEPTION; OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY CREATING THE I-2, HEAVY INDUSTRIAL ZONING DISTRICT, PROVIDING USE DEFINITIONS, AND CREATING CONDITIONS FOR CONDITIONAL AND SPECIAL EXCEPTION USES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Spraker explained the item was to establish the I-2 zoning district and was not to rezone any specific property, but to provide future zoning action by the Commission. He noted the Planning Board recommended approval.

Commissioner Tolland stated it was an appropriate zoning action and explained she received concerns regarding a fuel farm at 874 Hull Road and stated she was not in favor of that property's future development.

Commissioner Sargent moved, seconded by Commissioner Persis, for approval of Ordinance No. 2023-41, on first reading, as read by title only.

Call Vote:	Commissioner Sargent	Yes
	Commissioner Persis	Yes
	Commissioner Briley	Yes
	Commissioner Tolland	Yes
Carried.	Mayor Partington	Yes

Item #9I – 204 Magnolia Drive, Comprehensive Plan Land Use Map Amendment (Small-Scale)

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-42

AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF ORMOND BEACH BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF ONE PARCEL OF REAL PROPERTY TOTALING 0.24± ACRES LOCATED AT 204 MAGNOLIA DRIVE (VOLUSIA COUNTY PARCEL NUMBER: 4214-20-02-0011) FROM “PUBLIC/INSTITUTIONAL” TO “LOW DENSITY RESIDENTIAL”; PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Spraker stated the item was an administrative amendment to correct the land use of 204 Magnolia Drive to make it consistent with the surrounding properties.

Commissioner Briley moved, seconded by Commissioner Persis, for approval of Ordinance No. 2023-42, on first reading, as read by title only.

Call Vote:	Commissioner Persis	Yes
	Commissioner Briley	Yes
	Commissioner Tolland	Yes
	Commissioner Sargent	Yes
Carried.	Mayor Partington	Yes

Item #9J – 901 Airport Road, Comprehensive Plan Land Use Map Amendment (Small-Scale)

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-43
AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF ORMOND BEACH BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF A PORTION OF ONE PARCEL OF REAL PROPERTY TOTALING 5.2± ACRES LOCATED AT 901 AIRPORT ROAD (VOLUSIA COUNTY PARCEL NUMBER: 4238-01-40-0010) FROM “LIGHT INDUSTRIAL/UTILITIES” TO “OPEN SPACE/CONSERVATION”; PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Briley moved, seconded by Commissioner Sargent, for approval of Ordinance No. 2023-43, on first reading, as read by title only.

Call Vote:	Commissioner Briley	Yes
	Commissioner Tolland	Yes
	Commissioner Sargent	Yes
	Commissioner Persis	Yes
Carried.	Mayor Partington	Yes

Item #9K – Mister Car Wash, 49 South Yonge Street, Special Exception

City Clerk Susan C. Dauderis read by title only:

RESOLUTION NO. 2023-116
A RESOLUTION AUTHORIZING THE EXECUTION AND ISSUANCE OF AN AMENDED SPECIAL EXCEPTION DEVELOPMENT ORDER TO ALLOW THE ADDITION OF VACUUM STALLS WITHIN THE FRONT YARD UNDER CERTAIN CONDITIONS AT “MISTER CAR WASH” LOCATED AT 49 SOUTH YONGE STREET, WHICH IS IN THE B-5, SERVICE COMMERCIAL ZONING DISTRICT; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Spraker explained the item was for a Special Exception at 49 South Yonge Street to add vacuum stalls to the front of the property and remove an access point. He stated there was a heavy landscape buffer and the use of a low vacuum proposed instead of a traditional vacuum. He noted the Planning Board recommended approval.

Commissioner Sargent moved, seconded by Commissioner Persis, for approval of Resolution No. 2023-116, as read by title only.

Call Vote:	Commissioner Tolland	Yes
	Commissioner Sargent	Yes
	Commissioner Persis	Yes
	Commissioner Briley	Yes
Carried.	Mayor Partington	Yes

Item #9L – Archer's Mill, Phase 2, Preliminary Plat (Part of Phase 3, Plantation Oaks PRD)

City Clerk Susan C. Dauderis read by title only:

RESOLUTION NO. 2023-117
 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA APPROVING THE PRELIMINARY PLAT FOR “ARCHER’S MILL PHASE 2”, SHOWN WITHIN PHASE 3 OF THE PLANTATION OAKS PLANNED RESIDENTIAL DEVELOPMENT; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Spraker stated both Items 9L and 9M were for a preliminary plat within the Plantation Oaks residential development. He reviewed the location of Phase 2 and Phase 3 of the development. He noted the Planning Board recommended approval.

Commissioner Persis moved, seconded by Commissioner Sargent, for approval of Resolution No. 2023-117, as read by title only.

Call Vote:	Commissioner Sargent	Yes
	Commissioner Persis	Yes
	Commissioner Briley	Yes
	Commissioner Tolland	Yes
Carried.	Mayor Partington	Yes

Item #9M – Archer's Mill, Phase 3, Preliminary Plat (Part of Phase 3, Plantation Oaks PRD)

City Clerk Susan C. Dauderis read by title only:

RESOLUTION NO. 2023-118
 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA APPROVING THE PRELIMINARY PLAT FOR “ARCHER’S MILL PHASE 3”, SHOWN WITHIN PHASE 3 OF THE PLANTATION OAKS PLANNED RESIDENTIAL DEVELOPMENT; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Sargent moved, seconded by Commissioner Tolland, for approval of Resolution No. 2023-118, as read by title only.

Call Vote:	Commissioner Persis	Yes
	Commissioner Briley	Yes
	Commissioner Tolland	Yes
	Commissioner Sargent	Yes
Carried.	Mayor Partington	Yes

Mayor Partington closed the public hearings.

Item #10 – Second Reading of Ordinances

Item #10A – Amendment to Code of Ordinances, Chapter 5 Animals and Fowl

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-34
 AN ORDINANCE AMENDING SECTION 5-1, DEFINITIONS, OF ARTICLE I, IN GENERAL, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-10, ANIMALS CONSTITUTING A NUISANCE PROHIBITED, OF ARTICLE I, IN GENERAL, OF CHAPTER 5, ANIMALS AND FOWL;

AMENDING SECTION 5-13, FEEDING OF FERAL OR STRAY ANIMALS PROHIBITED, OF ARTICLE I, IN GENERAL, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-23, RUNNING AT LARGE PROHIBITED OF ARTICLE II, LIVESTOCK, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-25, NOTICE OF IMPOUNDING, OF ARTICLE II, LIVESTOCK, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-62, LICENSES ANNUAL; FEE, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-67, DUPLICATE TAGS, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-69, RUNNING AT LARGE PROHIBITED, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING 5-70, IMPOUNDING OF VIOLATORS, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-72, RESPONSIBILITY FOR PAYMENT AND RECLAIMING AFTER IMPOUNDMENT, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-78, DANGEROUS DOGS, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-79, EXCEPTIONS, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-80, INVESTIGATION AND DETERMINATION OF DANGEROUS DOG, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-81, ACTION TO BE TAKEN BY OWNERS/KEEPERS OF DANGEROUS DOGS, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-82, RESERVED, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-83, OPTIONAL ACTION, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL, OF THE CITY OF ORMOND BEACH CODE OF ORDINANCES; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Mr. Randy Hayes, City Attorney, explained the item was consistent with the State of Florida law but added a second category for aggressive dogs. He noted it would allow the city’s Animal Control officers to be involved in the process earlier. He explained the item was intended to help ease the concerns of residents regarding aggressive dogs.

Commissioner Persis moved, seconded by Commissioner Tolland, for approval of Ordinance No. 2023-34, on second reading, as read by title only.

Call Vote:	Commissioner Briley	Yes
	Commissioner Tolland	Yes
	Commissioner Sargent	Yes
	Commissioner Persis	Yes
	Mayor Partington	Yes
Carried.		

Item #11 – Resolutions

Item #11A – 203 Tomoka Avenue, Amended and Restated Agreement for Shared Parking

City Clerk Susan C. Dauderis read by title only:

RESOLUTION NO. 2023-119
A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT AND RESTATEMENT OF SHARED PARKING LOT USAGE AGREEMENT BETWEEN THE CITY AND NNN REIT, LP; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Spraker explained the item was to amend a parking lot agreement regarding the vacuums previously placed by Sparkle-N-Shine. He noted the city did not own the property where the vacuums were and noted staff had no objections and recommended approval.

Commissioner Sargent moved, seconded by Commissioner Briley, for approval of Resolution No. 2023-119, as read by title only.

Call Vote:	Commissioner Tolland	Yes
	Commissioner Sargent	Yes
	Commissioner Persis	Yes
	Commissioner Briley	Yes
Carried.	Mayor Partington	Yes

Item #12 – Staff Action Items

Item #12A – Florida League of Cities Voting Delegate

Commissioner Persis moved for Mayor Partington to be designated as the Florida League of Cities Voting Delegate.

Mayor Partington stated he would be at the Florida League of Cities conference but was open to another Commissioner serving as the voting delegate as it was not required to be the Mayor.

Commissioner Persis moved, seconded by Commissioner Sargent, for Commissioner Persis to be designated as the Florida League of Cities Voting Delegate.

Motion passed by voice vote

Item #13 – Reports, Suggestions, Requests

Audience Remarks

Ms. Joyce Shanahan, City Manager, stated the city had plans to address the concerns of 37 Wilmette Avenue within 30 days and reviewed the code enforcement process and noted staff was actively working to correct the issues.

Commissioner Sargent thanked Ms. Shanahan for addressing the concerns discussed during Audience Remarks.

Commissioner Briley stated he would support a letter to the Volusia County Council from the Commission regarding the wildlife corridor research; whereby Commissioner Tolland expressed her support of the letter.

Mayor Partington inquired if staff could send the letter; whereby, Ms. Shanahan stated staff could draft and send the letter.

Events, Congratulations, Thanks and Sympathies

Ms. Shanahan stated the Police Department presented Sergeant Michael Garner the Police Officer of the Year award for 2022 and designated Community Service Officer Shannon Champion to receive the Civilian Employee of the Year award for 2022. She reviewed upcoming community events and expressed her deep appreciation for Officer Stokes for his years of services. She thanked the Commission for their work and input on the budget.

Ms. Claire Whitley, Assistant City Manager, expressed her support of Officer Stokes.

Commissioner Sargent congratulated Sergeant Garner and Ms. Champion. He thanked the Budget Advisory Board, Finance Director Kelly McGuire and Assistant Finance Director Chris Byle for their work on the budget. He thanked staff for their work on the homeless sites identified throughout the city.

Commissioner Persis recognized Officer Stokes and thanked him for his service. She thanked the Police Department for their professionalism with the Boehm Family during the heartbreaking loss of their daughter.

Commissioner Briley commended Officer Stokes and Judge Schumann and offered his condolences to the Boehm Family.

Commissioner Tolland discussed the events and meetings she attended over the past few weeks and requested a social media educational post regarding ReGrow the Loop online pledge. She reviewed updates from the ReGrow the Loop pilot program and their meetings. She congratulated Officer Garner, Ms. Champion, Officer Stokes, Judge

Schumann, Mr. Carolin and the Leisure Services Department. She thanked Ms. McGuire and the Budget Advisory Board for their work on the budget. She expressed her sympathies for the Boehm Family.

Commissioner Sargent, Commissioner Persis, Commissioner Briley and Commissioner Persis complemented and thanked the Leisure Services department for their work on the Independence Day Celebration.

Nova Road

Commissioner Briley expressed concerns regarding FDOT's plan to reduce Nova Road from six lanes to four; whereby, Commissioner Tolland stated the topic was worthy of a discussion.

Mayor Partington suggested a workshop with FDOT.

Item #14 – Adjournment

The meeting was adjourned at 9:13 p.m.

APPROVED: August 1, 2023

BY:

Bill Partington, Mayor

ATTEST:

Susan Carroll Dauderis,
City Clerk



City of Ormond Beach AGENDA ITEM

August 1, 2023 - City Commission

Number:8.A

Section:	CONSENT AGENDA		
Item Category:	Consent - Resolution	Res./Ord. No:	2023-120
Strategic Goal:	Quality of Life - Other		
Department:	Public Works - Engineering		
Subject:	Bid Award - Downtown East Granada Utility Undergrounding		
Summary:	This is a request for the City Commission, also acting as the Community Redevelopment Agency (CRA), to award a bid to Latour Enterprises, Inc. dba Economy Electric Co., for the construction of the Downtown - East Granada Utility Undergrounding project for the City's Downtown CRA District - East Granada Boulevard. The 2007 Downtown Master Plan identified the need to underground the existing aerial utilities to improve the visual quality of the downtown area, and allow a higher level of streetscape improvements along the selected corridor. Completion of the Boulevard 2000 project and 2012 Granda Boulevard Utility Undergrounding project eliminated the majority of overhead utility facilities along SR 40. One section remaining is the overhead wires at South Halifax Drive between East Granada Boulevard and Casements Drive, including those in the vicinity of the newly renovated Ormond Memorial Art Museum. On May 26, 2022, the City executed a Work Authorization with John Searcy & Associates, Inc. (JSA) for \$22,500 for engineering design to determine a construction schedule and to obtain detailed cost estimates. JSA provided an Engineer's Estimate of Probable Cost (EEOPC) of \$702,136 for the conversion of 15 customer electric services from overhead to underground, installing high voltage conduit and concrete equipment pads furnished by FP&L, installing conduit and wiring for East Granada Boulevard median islands power and empty conduit for irrigation control, and for associated site work and restoration. An additional direct cost of \$169,000 is due to FP&L, which covers design fees, and the cost of conduits, transformers, and additional items related to the underground conversion of this utility. On June 28, 2023, bids were received for the construction of this project, with one bidder responding to this advertisement. Economy		

	Electric Co. provided a bid of \$991,928.00 for the work inclusive of FP&L direct costs. Economy Electric Co. has completed a number of projects for the City and continues to be a valued partner.
Financial Impact:	Total estimated project construction cost is \$991,928. As this project was initially included in the prior year budget, an amendment will be needed to allocate funding and will be derived from Fund 104-Community Redevelopment Fund. Sufficient funding is available to award the project.
Citizen Impact:	Beautification of the Downtown CRA has been identified as a priority for the benefit of Ormond Beach citizens.
Recommended Action (Staff, Advisory Board and/or Other):	Staff recommends awarding the bid to Latour Enterprizes, Inc. dba Economy Electric Co. in the amount of \$991,928 for the construction of Downtown East Granada Utility Undergrounding.
Staff Contact:	Alex Schumann, City Engineer, (386) 676-3302
Attachments:	1. 23-120 E Granada Utility Underground-Latour (P23-0135G) 2. Latour Enterprizes, Inc dba Economy Electric Co 3. Downtown Undergrounding- E Granada Bid Award Recommendation 4. OH to UG Conversion - FPL Ballpark estimate letter_Shelifax
Approval:	Kelly McGuire, Finance Director 7/20/2023 Claire Whitley, Assistant City Manager 7/21/2023 Joyce Shanahan, City Manager 7/25/2023

RESOLUTION NO. 2023-120

A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA ACCEPTING A BID FROM LATOUR ENTERPRIZES, INC. d/b/a ECONOMY ELECTRIC CO. FOR CONSTRUCTION SERVICES REGARDING THE DOWNTOWN EAST GRANADA UTILITY UNDERGROUNDING PROJECT, UNDER BID NO. 2023-24; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, the City Commission approved Resolution No. 84-74 declaring the Central Business District (“District”), as described therein, to be a Community Redevelopment Area in accordance with section 163.357, *Florida Statutes*, and

WHEREAS, Resolution 84-74 further declared the City Commission to be the Community Redevelopment Agency (“Agency”) for the District, and

WHEREAS, in accordance with section 163.387, *Florida Statutes*, the City Commission approved Ordinance No. 84-34 establishing a Redevelopment Trust Fund (“Trust Fund”) for the Agency in accordance with the said statutory provisions, and

WHEREAS, by Resolution No. 87-4, the City Commission approved the Granada Boulevard Master Streetscape Plan (“Granada Plan”) as the official City policy and plan for the said area, and

WHEREAS, by Resolution No. 87-53, the City Commission approved the Bovard Avenue/Vining Court Master Streetscape Plan (“Bovard Plan”) as the official City policy and plan for the said area, and

WHEREAS, together the said plans comprised the Community Redevelopment Plan (“Plan”) for the said area, and

WHEREAS, the City Commission, also acting as the Agency, approved Resolution Nos. 89-262, 93-178, 93-252, 00-155, and 01-168 readopting and amending the Granada and Bovard Plans, and

WHEREAS, the City Commission, also acting as the Agency, approved Resolution No. 2004-181, amending the Granada Plan to provide the establishment of a Property Improvement Grant Program (“Grant Program”) for the District, and

WHEREAS, the City Commission, also acting as the Agency, approved Resolution 2004-187 establishing conditions for the implementation of the Property Improvement Grant Program for the District, and

WHEREAS, the City Commission, also acting as the Agency, approved Resolution 2007-157, adopting the updated master plan for the Ormond Beach Downtown Community Redevelopment Area (CRA), and

WHEREAS, the City Commission, also acting as the Agency, approved Resolution 2019-178, adopting the amended master plan for the Ormond Beach Downtown Community Redevelopment Area (CRA), and

WHEREAS, the City advertised for bids (Bid No. 2023-24) regarding construction services for the Downtown-East Granada Utility Undergrounding 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 Latour Enterprizes, Inc. d/b/a Economy Electric Co.

with a bid in the amount of \$991,928.00 is the lowest responsible and responsive bid (a copy of said bid being attached hereto and incorporated herein by reference), and

WHEREAS, the City Manager has certified that the money for the payment of the Project will be deposited to the credit of the Downtown Redevelopment Trust Fund (104) through a budget amendment and will not be appropriated for any other purpose, and

WHEREAS, the City Commission, on behalf of the City and the Community Redevelopment Agency, concurs with the foregoing recommendations, now therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, THAT:

SECTION ONE. The bid submitted by Latour Enterprizes, Inc. d/b/a Economy Electric to provide construction services at a total cost not to exceed \$991,928.00 is hereby accepted.

SECTION TWO. The Mayor/Chairman and the City Manager are hereby authorized and directed to execute a contract between the City and Latour Enterprizes, Inc. d/b/a Economy Electric Co. to provide construction services for the Project at the said price, and to pay the cost therefor from the Downtown Redevelopment Trust Fund.

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

APPROVED AND AUTHENTICATED this 1st day of August, 2023.

BILL PARTINGTON

Mayor, City of Ormond Beach and
Chairman, Central Business District CRA

ATTEST:

SUSAN CARROLL DAUDERIS

City Clerk

**SECTION 00300
BID**

CONTRACTORS NAME Latour Enterprizes, Inc. dba Economy Electric Co. LICENSE NO. EC0002188

PROJECT IDENTIFICATION:

**DOWNTOWN – EAST GRANADA
UTILITY UNDERGROUNDING**

CONTRACT IDENTIFICATION AND NUMBER:

Bid No. 2023-24

THIS BID IS SUBMITTED TO:

(Name and Address of Owner)

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

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

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

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

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

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

<u>Date</u>	<u>Number</u>
<u>June 15, 2023</u>	<u>1</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

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

BID (Cont'd.)
DOWNTOWN – EAST GRANADA UTILITY UNDERGROUNDING
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

BID (Cont'd.)
DOWNTOWN – EAST GRANADA UTILITY UNDERGROUNDING
ORMOND BEACH, FLORIDA

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

BID SCHEDULE

Item No.	Description	Estimated Quantity	Unit	Unit Price	Total Estimated Price
1.	Mobilization/Demobilization	<u>1</u>	LS	\$ <u>15,556</u>	\$ <u>15,556</u>
2.	General Conditions	<u>1</u>	LS	\$ <u>25,000</u>	\$ <u>25,000</u>
3.	Indemnification	<u>1</u>	LS	\$ <u>0</u>	\$ <u>0</u>
4.	Demolition	<u>1</u>	LS	\$ <u>36,269</u>	\$ <u>36,269</u>
5.	Installation of electrical equipment to be furnished by FP&L	<u>1</u>	LS	\$ <u>314,878</u>	\$ <u>314,878</u>
6.	Electric service conversions	<u>1</u>	LS	\$ <u>324,581</u>	\$ <u>324,581</u>
7.	Undergrounding street light circuits	<u>1</u>	LS	\$ <u>21,537</u>	\$ <u>21,537</u>
8.	Median islands power and irrigation control conduit	<u>1</u>	LS	\$ <u>185,461</u>	\$ <u>185,461</u>
9.	Site work	<u>1</u>	LS	\$ <u>16,677</u>	\$ <u>16,677</u>
10.	Patching, painting, and miscellaneous building repairs	<u>1</u>	LS	\$ <u>41,969</u>	\$ <u>41,969</u>
11.	Permit Fees and Miscellaneous Allowances	<u>1</u>	LS	\$ <u>10,000.00</u>	\$ <u>10,000</u>
TOTAL BASE BID				\$	<u>991,928</u> (Figures)

Nine hundred ninety one thousand nine hundred twenty eight dollars

(Words)

Deductive Alternate Bid #1	<u>1</u>	LS	\$ <u>0</u>	\$ <u>0</u>
Convert MacDonald House Electric From 3 phase WYE to 3 phase Delta And Delete FP&L WYE Transformer Installation and Wiring				

00300-3

BID (Cont'd.)
DOWNTOWN – EAST GRANADA UTILITY UNDERGROUNDING
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 240 calendar days after the date when the Contract Time commences to run, and completed within 270 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 Five Hundred Dollars (\$ 500.00) 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) Verification of Employment Status Using E-Verify System

BID (Cont'd.)
DOWNTOWN – EAST GRANADA UTILITY UNDERGROUNDING
ORMOND BEACH, FLORIDA

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

Mailing Address: Economy Electric Co.

Street Address: 538 West St.

City, State, Zip Code: Daytona Beach, FL, 32114

Email: billywigginsjr@economyelectricco.com

Telephone No.: 386-252-0573

Fax No.: 386-239-0721

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 June 28, 20 23.

If BIDDER is:

An Individual

By _____

(Individual's Name - Signature)

(SEAL)

(Individual's Name - Typed or Printed)

doing business as _____

Business address: _____

Phone No.: _____

Fax No.: _____

BID (Cont'd.)
DOWNTOWN – EAST GRANADA UTILITY UNDERGROUNDING
ORMOND BEACH, FLORIDA

If BIDDER is:

A Corporation

By Latour Enterprizes, Inc. dba Economy Electric Co.
(Corporation Name)

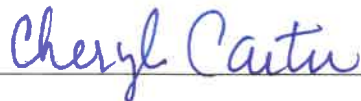
Florida
(State of Incorporation)

By 
(Name of Person Authorized to Sign - Signature)

Billy E. Wiggins Jr.
(Name of Person Authorized to Sign - Typed or Printed)

Vice President
(Title)

(Corporate Seal)

Attest 

Business address: Economy Electric Co.
538 West St. Daytona Beach, FL, 32114

Phone No.: 386-252-0573

Fax No.: 386-239-0721

BID (Cont'd.)
DOWNTOWN – EAST GRANADA UTILITY UNDERGROUNDING
ORMOND BEACH, FLORIDA

If BIDDER is:

A Joint Venture

By _____
(Name - Signature)

(Name - Typed or Printed)

Address: _____

Phone No.: _____

Fax No.: _____

By _____
(Name - Signature)

(Name - Typed or Printed)

Address: _____

Phone No.: _____

Fax No.: _____

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

BID (Cont'd.)
DOWNTOWN – EAST GRANADA UTILITY UNDERGROUNDING
ORMOND BEACH, FLORIDA

EQUIPMENT AND SUBCONTRACTORS LIST

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

Materials and Equipment:

<u>Item</u>	<u>Supplier</u>
<u>PVC Conduit</u>	<u>CED/Graybar/CES</u>
<u>Conductors</u>	<u>CED/Graybar/CES</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

Subcontractors:

Work Classification: Directional Drilling

Name: Coastal Cable Construction

Address: 5755 State Rd 11, Deleon Springs, FL 32130

Phone Number: 386-748-4185

Fax Number:

BID (Cont'd.)
DOWNTOWN – EAST GRANADA UTILITY UNDERGROUNDING
ORMOND BEACH, FLORIDA

Subcontractors:

Work Classification: _____

Name: _____

Address: _____

Phone Number: _____ Fax Number: _____

Work Classification: _____

Name: _____

Address: _____

Phone Number: _____ Fax Number: _____

Work Classification: _____

Name: _____

Address: _____

Phone Number: _____ Fax Number: _____

Work Classification: _____

Name: _____

Address: _____

Phone Number: _____ Fax Number: _____

Work Classification: _____

Name: _____

Address: _____

Phone Number: _____ Fax Number: _____

BID (Cont'd.)
DOWNTOWN – EAST GRANADA UTILITY UNDERGROUNDING
ORMOND BEACH, FLORIDA

TRENCH SAFETY STANDARDS

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

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

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

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

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



June 28, 2023

Name (signature)

Date

Billy E. Wiggins Jr.

Name (typed or printed)

Vice President

Title

BID (Cont'd.)
DOWNTOWN – EAST GRANADA UTILITY UNDERGROUNDING
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.



June 28, 2023

Name (signature)

Date

Billy E. Wiggins Jr.

Name (typed or printed)

Vice President

Title

BID (Cont'd.)
DOWNTOWN – EAST GRANADA UTILITY UNDERGROUNDING
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.

Latour Enterprizes, Inc. dba Economy Electric Co.

COMPANY NAME



AUTHORIZED SIGNATURE

Billy E. Wiggins Jr.

NAME (PRINT OR TYPE)

Vice President

TITLE

June 28, 2023

DATE

BID (Cont'd.)
DOWNTOWN – EAST GRANADA UTILITY UNDERGROUNDING
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.)
DOWNTOWN – EAST GRANADA UTILITY UNDERGROUNDING
ORMOND BEACH, FLORIDA

LOCAL VENDOR AFFIDAVIT OF ELIGIBILITY

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

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

Company Name: _____

Address: _____

Business or Contractor License Number: _____

Phone Number: _____ Fax Number: _____

Owner's Name: _____ Signature: _____

Sworn to before me this _____ day of _____

Notary Public for the State of _____ My Commission Expires _____

Notary Public Signature: _____

Printed Name: _____

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

VENDOR DO NOT COMPLETE BELOW

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

Vendor Certified by: _____ Date: _____

BID (Cont'd.)
DOWNTOWN – EAST GRANADA UTILITY UNDERGROUNDING
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.

Latour Enterprizes, Inc. dba Economy Electric Co.

COMPANY NAME


AUTHORIZED SIGNATURE

Billy E. Wiggins Jr.

NAME (PRINT OR TYPE)

Vice President

TITLE

June 28, 2023

DATE

END OF BID

00300-16R

SECTION 00410
BID BOND

KNOW ALL MEN BY THESE PRESENTS, that we Latour Enterprizes, Inc. dba Economy
Electric Company
(hereinafter called Principal) and
United Fire & Casualty Company
(hereinafter called the Surety) a corporation chartered and existing under the Laws of the State
IA of with its principal offices in the County of
Linn County, IA and authorized to do business in the State of Florida, in the full and just
sum of Five Percent of Amount Bid
Dollars (\$-----5%-----) good and lawful money of the
United States of America, to be paid upon demand of the City of Ormond Beach, Florida, to
which payment well and truly to be made we bind ourselves, our heirs, executors, administrators, and
assigns, jointly and severally and firmly by these presents,

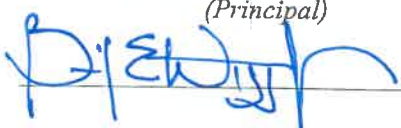
WHEREAS, the Principal is about to submit, or has submitted to the City of Ormond Beach,
Florida, a bid for work to be done on the **Downtown – East Granada Utility Undergrounding (Bid No.**
2023- 24) in, and for the City and

WHEREAS, the Principal desires to file this bond in accordance with law, in lieu of a certified or
cashier's check otherwise required to accompany this Bid.

NOW, THEREFORE: the conditions of this obligation are such that if the Bid be accepted the
Principal shall within ten (10) days after the receipt of notification of the acceptance thereof execute a
contract in accordance with the Bid and upon the terms, conditions and unit or lump sum prices set forth
therein, in the form and manner required by the Owner, and execute a sufficient and satisfactory Contract
Bond payable to the Owner, in an amount not less than the total contract price, as indicated by the
approximate quantities shown in the Bid, in form and with security satisfactory to the said City, then this
obligation to be void; otherwise to be and remain in full force and virtue in law; and the Surety shall upon
the failure of the Principal to comply with any or all of the foregoing requirements within the time
specified above, immediately pay to the aforesaid City upon demand the amount hereof in good and
lawful money of the United States of America, not as a penalty, but as liquidated damages.

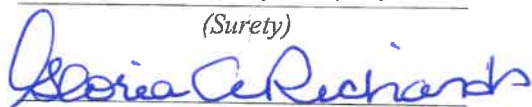
IN TESTIMONY WHEREOF, the Principal and Surety have caused these presents to be duly
signed and sealed this 28th day June, 20 23.

Latour Enterprizes, Inc. dba Economy Electric Company

(Principal)
By: 

ATTEST:


Sophia Golecki, Witness (SEAL)

United Fire & Casualty Company
(Surety)
By: 
Gloria A. Richards, Attorney-In-Fact &
FL Licensed Resident Agent
Inquiries: 407-786-7770

END OF SECTION
00410 - 1



UNITED FIRE & CASUALTY COMPANY, CEDAR RAPIDS, IA
 UNITED FIRE & INDEMNITY COMPANY, WEBSTER, TX
 FINANCIAL PACIFIC INSURANCE COMPANY, LOS ANGELES, CA
 CERTIFIED COPY OF POWER OF ATTORNEY

Inquiries: Surety Department
 118 Second Ave SE
 Cedar Rapids, IA 52401

(original on file at Home Office of Company – See Certification)

KNOW ALL PERSONS BY THESE PRESENTS, That United Fire & Casualty Company, a corporation duly organized and existing under the laws of the State of Iowa; United Fire & Indemnity Company, a corporation duly organized and existing under the laws of the State of Texas; and Financial Pacific Insurance Company, a corporation duly organized and existing under the laws of the State of California (herein collectively called the Companies), and having their corporate headquarters in Cedar Rapids, State of Iowa, does make, constitute and appoint

KIM E. NIV, JEFFREY W. REICH, SUSAN L. REICH, TERESA L. DURHAM, GLORIA A. RICHARDS, LISA A. ROSELAND, SONJA AMANDA FLOREE HARRIS, CHERYL A. FOLEY, ROBERT P. O'LINN, SARAH K. O'LINN, EMILY J. GOLECKI, NATHAN K. REICH, EACH INDIVIDUALLY

their true and lawful Attorney(s)-in-Fact with power and authority hereby conferred to sign, seal and execute in its behalf all lawful bonds, undertakings and other obligatory instruments of similar nature provided that no single obligation shall exceed \$100,000,000.00 and to bind the Companies thereby as fully and to the same extent as if such instruments were signed by the duly authorized officers of the Companies and all of the acts of said Attorney, pursuant to the authority hereby given and hereby ratified and confirmed.

The Authority hereby granted is continuous and shall remain in full force and effect until revoked by United Fire & Casualty Company, United Fire & Indemnity Company, and Financial Pacific Insurance Company.

This Power of Attorney is made and executed pursuant to and by authority of the following bylaw duly adopted by the Boards of Directors of United Fire & Casualty Company, United Fire & Indemnity Company, and Financial Pacific Insurance Company.

"Article VI – Surety Bonds and Undertakings"

Section 2, Appointment of Attorney-in-Fact. "The President or any Vice President, or any other officer of the Companies may, from time to time, appoint by written certificates attorneys-in-fact to act in behalf of the Companies in the execution of policies of insurance, bonds, undertakings and other obligatory instruments of like nature. The signature of any officer authorized hereby, and the Corporate seal, may be affixed by facsimile to any power of attorney or special power of attorney or certification of either authorized hereby; such signature and seal, when so used, being adopted by the Companies as the original signature of such officer and the original seal of the Companies, to be valid and binding upon the Companies with the same force and effect as though manually affixed. Such attorneys-in-fact, subject to the limitations set of forth in their respective certificates of authority shall have full power to bind the Companies by their signature and execution of any such instruments and to attach the seal the Companies thereto. The President or any Vice President, the Board of Directors or any other officer of the Companies may at any time revoke all power and authority previously given to any attorney-in-fact.

IN WITNESS WHEREOF, the COMPANIES have each caused these presents to be signed by its vice president and its corporate seal to be hereto affixed this

24th day of January, 2023



UNITED FIRE & CASUALTY COMPANY
 UNITED FIRE & INDEMNITY COMPANY
 FINANCIAL PACIFIC INSURANCE COMPANY

By: *Dennis J. Richmann*
 Vice President

State of Iowa, County of Linn, ss:

On 24th day of January, 2023, before me personally came Dennis J. Richmann

to me known, who being by me duly sworn, did depose and say; that he resides in Cedar Rapids, State of Iowa; that he is a Vice President of United Fire & Casualty Company, a Vice President of United Fire & Indemnity Company, and a Vice President of Financial Pacific Insurance Company the corporations described in and which executed the above instrument; that he knows the seal of said corporations; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporations and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporations.



Judith A. Jones
 Notary Public
 My commission expires: 4/23/2024

I, Mary A. Bertsch, Assistant Secretary of United Fire & Casualty Company and Assistant Secretary of United Fire & Indemnity Company, and Assistant Secretary of Financial Pacific Insurance Company, do hereby certify that I have compared the foregoing copy of the Power of Attorney and affidavit, and the copy of the Section of the bylaws and resolutions of said Corporations as set forth in said Power of Attorney, with the ORIGINALS ON FILE IN THE HOME OFFICE OF SAID CORPORATIONS, and that the same are correct transcripts thereof, and of the whole of the said originals, and that the said Power of Attorney has not been revoked and is now in full force and effect

In testimony whereof I have hereunto subscribed my name and affixed the corporate seal of the said Corporations this 28th day of June, 2023



By: *Mary A. Bertsch*
 Assistant Secretary,
 UF&C & UF&I & FPIC

6320 St. Augustine Road, Suite 2
Jacksonville, FL 32217

John Searcy & Associates, Inc.
Electrical Engineers



Florida Certificate No. 4805

Phone: (904) 739-1231
Fax: (904) 737-3367

July 10, 2023

George Lavatelli
City of Ormond Beach
22 South Beach Street
Ormond Beach, FL 32174

City of Ormond Beach – Downtown – East Granada Utility Undergrounding
Bid Number 2023-24

Dear George,

On June 28, 2023 one (1) bid was received for the above referenced project. A bid tabulation has been prepared and accompanies this correspondence. The bid was submitted by Economy Electric Company. The total amount of their bid was \$991,928.00.

We have reviewed the bid submitted by Economy Electric Company and it appears that they have the necessary licenses in place. The company has been in business for several years and according to their website they have completed projects for commercial, industrial and municipal clients. They appear to be qualified to perform the work required under this contract. With that being said, it is appropriate to authorize a bid award to Economy Electric Company.

If you have any questions, feel free to call me.

Respectfully,

David Hunter, PE

**CITY OF ORMOND BEACH
DOWNTOWN – EAST GRANADA UTILITY UNDERGROUNDING
CERTIFIED BID TABULATION SUMMARY
Bid Date: Wednesday, June 21, 2023**

Engineer's Certification:

I hereby certify this is a true and correct tabulation of the bids received. If applicable, unit prices were assumed to prevail in correcting any mathematical errors made by bidders. Owner may choose to award bid based upon original submitted totals.



Engineer

07/10/23
Date

<u>Rank</u>	<u>Contractor</u>	<u>Bid Amount</u>
1	Economy Electric Co. – Daytona Beach, FL	\$991,928.00

**BID OPENING TABULATION****Downtown - East Granada Utility Undergrounding****BID 2023-24****Date and Time: Wednesday, June 21, 2023 2:00 PM**

Contractor	Bid Bond	Addendum	Contractor Totals	Deductive Alternate	Contractor Total - Deductive Alternate
Economy Electric, 538 West St Daytona Beach FL 32114	y	y	\$991,928.00	\$0.00	\$991,928.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$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
Purchasing Coordinator

Opened by: George Lavatelli
Construction Engineer



May 13, 2022

Mr. George Lavatelli, P. E.
Construction Engineer
City of Ormond Beach
22 South Beach St
Ormond Beach, FL 32174

Dear George:

In response to your letter dated April 17, 2022, the non-binding "ballpark" estimate to convert the overhead electric distribution facilities described in that letter, and located v/o S Halifax & Sr 40, to an underground system is \$169,000.00 and is based on the customer performing the trenching and the conduit installation. This estimate is not an offer from FPL to perform the requested conversion and should not be construed or used as such for detailed planning purposes. It is provided strictly to assist your preliminary decision making.

This non-binding estimate is an "order of magnitude" estimate, and is based on previous FPL experience. However, due to the complex nature and variables associated with this type of work, the estimate may not accurately represent the actual cost your community would be obligated to pay FPL to convert its facilities. A detailed and "binding" estimate will be provided, should you decide based on this "ballpark" estimate, and will commence should you elect to pay the non-refundable engineering deposit as set forth in Florida Administrative Code 25-6.115. The deposit is required due to the complexity and time required to estimate such a conversion, and would be applied towards the estimated amount (known also as the CIAC amount) owed to FPL for the conversion, should you decide to proceed with the work contained in the estimate, and contract for that work within 180 days of the date the estimate is provided.

FPL estimates include **only** estimated charges to be paid by the applicant **to FPL**. Costs associated with restoration of property affected by the conversion; acquisition and recording of easements; "clearing" of trench routes; trenching, backfilling, and conduit installation of the primary backbone and individual service laterals; and rearrangement of customer service entrances have been excluded. These elements of the conversion will be the responsibility of the applicant. Rearrangement of customer electric service entrances may, in addition, impose additional **customer** expense if local inspecting authorities require customer wiring to be brought to current codes. The applicant is also responsible for arrangements that must be made to accommodate other utilities/pole licensees affected by the conversion.

Regarding easements, an underground electric distribution system cannot just simply replace an overhead system. Typically, overhead systems exist as part of a county or municipal right-of-way, and when necessary, as part of a specific easement. In contrast, an underground distribution system requires more space than is typically provided by road rights-of-way and easements for overhead facilities. In underground systems, major components formerly attached to poles must now occupy "at grade" appurtenances, e.g., ground level pad mounted transformers and switch cabinets. Facilities of an underground distribution system will not be placed in road right-of-way, with the exception of cables required for crossings. Additional easements will, in all likelihood, be required. Describing, securing, and recording easements, with opinions of title, is the responsibility of the applicant. FPL strongly suggests that all easements required for the conversion be described and secured prior to requesting the

detailed cost estimate. Obtaining easements is typically the most difficult aspect of the conversion process, the time required to secure the easements may exceed the 180 day binding estimate timeframe.

Should you decide to request a detailed "binding" estimate, an engineering deposit in the amount of \$2,520.00 would be required before commencing with the detailed design and estimating process. The request for the estimate must be in writing, and must describe in detail the facilities to be converted. Binding estimates are valid for 180 days, and would be subject to change in the event of a work scope change. Should actual FPL costs exceed the binding estimate amount, the applicant may be responsible for those additional costs up to a maximum of 10% of the binding estimate amount. Payment of the CIAC, easements (with opinion of title and recorded), agreements from other utilities/pole licensees, and execution of a Conversion Agreement would be required before commencement of construction.

Should you have any questions or wish to consider a binding cost estimate, please call me at 386-322-3439.

Sincerely,

A handwritten signature in black ink that reads "Beverly Hutto". The signature is written in a cursive, flowing style.

Beverly Hutto
Senior Technical Specialist

cc: Joshua Zehnder, FPL Engineering Leader
Mal Locke, FPL Sr. Customer Advisor



City of Ormond Beach AGENDA ITEM

August 1, 2023 - City Commission

Number:8.B

Section:	CONSENT AGENDA		
Item Category:	Consent - Resolution	Res./Ord. No:	2023-121
Strategic Goal:	Quality of Life - Other		
Department:	Public Works - Engineering		
Subject:	Bid Award - Sidewalk Repair, Spring Meadows		
Summary:	This is a request for the City Commission to award Bid No. 2023-01 for the construction of the Sidewalk Repair - Spring Meadows. After receiving multiple sidewalk repair requests from the Spring Meadows subdivision, staff surveyed the area, identified approximately 1,850 linear feet of sidewalk in need of repair, and developed plans and bid specifications for replacement of those sidewalks. To alleviate future maintenance issues in this area, root barriers will be installed to prevent tree roots from impacting the sidewalk. On May 25, 2023, bids for the project were opened, and three (3) bids were received, ranging from a high of \$130,166.50 to a low of \$108,714, the low bid was from Algat Enterprises, Inc.		
Financial Impact:	Funding for the Sidewalk Replacement project is available from Fund 308-Transportation Fund in the amount of \$217,800.		
Citizen Impact:	Construction impacts to the sidewalk system will be limited in duration and should not impact the regular use and enjoyment of the sidewalk. This project will maintain the sidewalks at our high standards and ensure that the sidewalks are ADA compliant for years to come.		
Recommended Action (Staff, Advisory Board and/or Other):	Staff recommends awarding of the bid for the Sidewalk Repair - Spring Meadows, Bid No. 2023-01, to Algat Enterprises, Inc., at the contract amount of \$108,714.		
Staff Contact:	Alex Schumann, City Engineer, (386) 676-3302		
Attachments:	23-121 Sidewalk repair Spring Meadows-Algat (P23-0132G) - Algat Enterprises, Inc Bid document - SPRING MEADOWS SIDEWALK PLANS - Signed Bid Tab		

Approval:

Kelly McGuire, Finance Director	7/19/2023
Claire Whitley, Assistant City Manager	7/21/2023
Joyce Shanahan, City Manager	7/25/2023

RESOLUTION NO. 2023-121

A RESOLUTION ACCEPTING A BID FROM ALGAT ENTERPRISES, INC. FOR CONSTRUCTION SERVICES REGARDING THE SPRING MEADOWS SIDEWALK REPAIR PROJECT, UNDER BID NO. 2023-01; 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. 2023-01) regarding construction services for the Spring Meadows sidewalk repair 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 Algat Enterprises, Inc. in the amount of \$108,714.00 is the lowest responsible and responsive bid (a copy of said bid being attached hereto and incorporated herein by reference), and

WHEREAS, the City Manager has certified that funds have been appropriated to the credit of the Transportation Fund (308) and that said funds have not been appropriated for any other purpose, and

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

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

SECTION ONE. The bid submitted by Algat Enterprises, Inc. to perform the Project at a total cost not to exceed \$108,714.00 is hereby accepted.

SECTION TWO. All other bids relative to the aforescribed Project shall be deemed rejected upon the execution of a contract with Algat Enterprises, Inc.

SECTION THREE. The Mayor and the City Manager are hereby authorized and directed to execute a contract with Algat Enterprises, Inc. for the performance of the Project at the said price, and to pay the cost thereof from the Transportation Fund.

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

APPROVED AND AUTHENTICATED this 1st day of August, 2023.

BILL PARTINGTON
Mayor

ATTEST:

SUSAN CARROLL DAUDERIS
City Clerk

**SECTION 00300
BID**

CONTRACTORS NAME Algar Enterprises, Inc. LICENSE NO. CGC1530957

PROJECT IDENTIFICATION: **SPRING MEADOWS SIDEWALK REPAIR**

CONTRACT IDENTIFICATION AND NUMBER:

Bid No. 2023-01

THIS BID IS SUBMITTED TO:

(Name and Address of Owner)

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

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

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

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

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

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

<u>Date</u>
<u>May 16th, 2023</u>

<u>Number</u>
<u>1</u>

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

00300-1

BID (Cont'd.)
SPRING MEADOWS SIDEWALK REPAIR
ORMOND BEACH, FLORIDA

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

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

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

BID SCHEDULE

Item	Description	Quantity	Unit	Unit cost	Total
1	Demolition	940	SY	\$15.00	\$14,100.00
2	Root Prune with Root Barrier	1,350	LF	\$17.00	\$22,950.00
3	Concrete Sidewalk	940	SY	\$57.60	\$54,144.00
4	ADA Detectable Mats	6	EA	\$400.00	\$2,400.00
5	Restoration	1	LS	\$15,000.00	\$15,000.00

TOTAL BID

\$ 108,714.00
(Figures)

One hundred eight thousand Seven hundred fourteen. Dollars zero Cents
(Words)

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

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

BIDDER recognizes that time is of the essence to complete this Project and that OWNER will suffer financial loss if the Work is not substantially complete within the time specified above, plus any extensions thereof allowed in accordance with Article 12 of the General Conditions. The BIDDER also 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

00300-2

Revised 12/18/20

BID (Cont'd.)
SPRING MEADOWS SIDEWALK REPAIR
ORMOND BEACH, FLORIDA

agrees to accept that as liquidated damages for delay (but not as a penalty) CONTRACTOR shall pay OWNER Three Hundred Dollars (\$ 300.00) 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

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

Mailing Address: 1800 Pembroke Dr. Ste 300 - #3425
Street Address: Pembroke Dr.
City, State, Zip Code: Orlando, FL 32810
Email: Office@AlgaEnterprises.com
Telephone No.: (407) 221-2045 Fax No.: N/A

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

SUBMITTED on May 25th, 2023.

00300-3

BID (Cont'd.)
SPRING MEADOWS SIDEWALK REPAIR
ORMOND BEACH, FLORIDA

If BIDDER is:

An Individual

By _____
(Individual's Name - Signature)

_____ (SEAL)
(Individual's Name - Typed or Printed)

doing business as _____

Business address: _____

Phone No.: _____

Fax No.: _____

BID (Cont'd.)
SPRING MEADOWS SIDEWALK REPAIR
ORMOND BEACH, FLORIDA

If BIDDER is:

A Partnership

By _____ (SEAL)
(Firm Name)

(General Partner - Signature)

(General Partner - Typed or Printed)

Business Address: _____

Phone No.: _____

Fax No.: _____

BID (Cont'd.)
SPRING MEADOWS SIDEWALK REPAIR
ORMOND BEACH, FLORIDA

If BIDDER is:

A Corporation

By Alcat Enterprises, Inc.
(Corporation Name)

Illinois
(State of Incorporation)

By Adam Minossora [Signature]
(Name of Person Authorized to Sign - Signature)

Adam Minossora [Signature]
(Name of Person Authorized to Sign - Typed or Printed)

PM / officer
(Title)

(Corporate Seal)

Attest [Signature]

Business address: 1800 Pembroke Dr. Ste 300 - #3425
Orlando, FL 32810

Phone No.: (407) 221-2045

Fax No.: N/A

00300-6

BID (Cont'd.)
SPRING MEADOWS SIDEWALK REPAIR
ORMOND BEACH, FLORIDA

If BIDDER is:

A Joint Venture

By _____
(Name - Signature)

(Name - Typed or Printed)

Address: _____

Phone No.: _____

Fax No.: _____

By _____
(Name - Signature)

(Name - Typed or Printed)

Address: _____

Phone No.: _____

Fax No.: _____

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

BID (Cont'd.)
SPRING MEADOWS SIDEWALK REPAIR
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>
Concrete	SEM Concrete
Sol	East Coast Lawn & Landscaping

Subcontractors:

Work Classification: Landscaping

Name: East Coast Lawn & Landscaping

Address: 743 Williams rd

Phone Number: 386-83-6754 Fax Number: N/A

BID (Cont'd.)
SPRING MEADOWS SIDEWALK REPAIR
ORMOND BEACH, FLORIDA

Subcontractors:

Work Classification: _____

Name: _____

Address: _____

Phone Number: _____ Fax Number: _____

Work Classification: _____

Name: _____

Address: _____

Phone Number: _____ Fax Number: _____

Work Classification: _____

Name: _____

Address: _____

Phone Number: _____ Fax Number: _____

Work Classification: _____

Name: _____

Address: _____

Phone Number: _____ Fax Number: _____

Work Classification: _____

Name: _____

Address: _____

Phone Number: _____ Fax Number: _____

BID (Cont'd.)
SPRING MEADOWS SIDEWALK REPAIR
ORMOND BEACH, FLORIDA

TRENCH SAFETY STANDARDS

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

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

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

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

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



Name (signature) Date
Adam Minoserra

Name (typed or printed)
PM / Officer

Title

BID (Cont'd.)
SPRING MEADOWS SIDEWALK REPAIR
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.

 5/25/23

Name (signature) Date
Adam Minossora

Name (typed or printed)
PM / officer

Title

BID (Cont'd.)
SPRING MEADOWS SIDEWALK REPAIR
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.

Alcat Enterprises, Inc.
COMPANY NAME


AUTHORIZED SIGNATURE

Adam Minossora
NAME (PRINT OR TYPE)

PM / Officer
TITLE

05/25/2023
DATE

BID (Cont'd.)
SPRING MEADOWS SIDEWALK REPAIR
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.)
SPRING MEADOWS SIDEWALK REPAIR
ORMOND BEACH, FLORIDA

LOCAL VENDOR AFFIDAVIT OF ELIGIBILITY

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

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

Company Name: N/A

Address: N/A

Business or Contractor License Number: N/A

Phone Number: N/A Fax Number: N/A

Owner's Name: N/A Signature: N/A

Sworn to before me this N/A day of N/A

Notary Public for the State of N/A My Commission Expires N/A

Notary Public Signature: N/A

Printed Name: N/A

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

VENDOR DO NOT COMPLETE BELOW

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

Vendor Certified by: N/A Date: N/A

BID (Cont'd.)
SPRING MEADOWS SIDEWALK REPAIR
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.

Algar Enterprises Inc.
COMPANY NAME


AUTHORIZED SIGNATURE

Adam Minossura
NAME (PRINT OR TYPE)

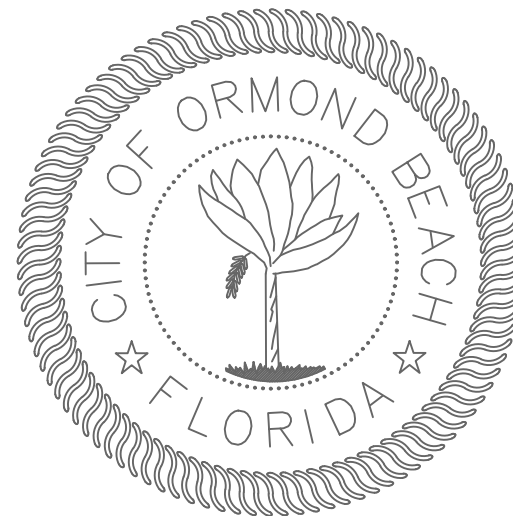
PM / Officer
TITLE

05 / 25 / 2023
DATE

END OF BID

00300-15

SPRING MEADOWS
SIDEWALK REPAIRS
BID NO.: 2023-01



SHEET	DESCRIPTION
1	COVER SHEET & PROJECT LOCATION MAP
2	KEY SHEET
3	QUANTITIES
4	SPRING MEADOWS DR
5	SPRING MEADOWS DR
6	SPRING MEADOWS DR & FERNMEADOW DR
7	SPRING MEADOWS DR
8	FERNMEADOW DR & SWEETMEADOW DR
9	CONSTRUCTION DETAILS & NOTES
10	CONSTRUCTION DETAILS & NOTES

JOYCE SHANAHAN



NO.	DATE	REVISIONS	BY

City of Ormond Beach
Engineering Division

BILL PARTINGTON, MAYOR JOYCE SHANAHAN, CITY MANAGER
ALEX SCHUMANN, P.E. CITY ENGINEER

**SPRING MEADOWS
SIDEWALK REPAIR**

KEY SHEET

DATE: 9/21/22	PROJECT NO.: 00-
SCALE: NTS	FILE NAME:
DRAWN BY: MC	SHEET: 2 of 10

DRAWING STATUS	
	DRAFT
	PERMIT
	BID
	ADDENDA
	CONSTRUCTION
	RECORD

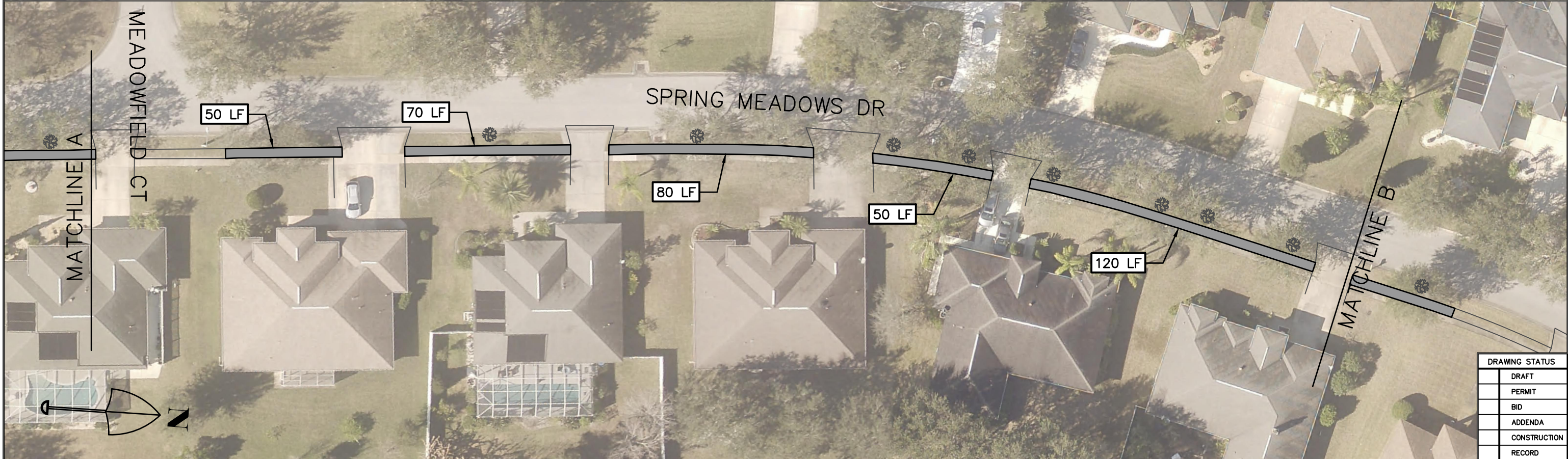
QUANTITIES		
DEMOLITION	PLAN QTY.	BID QTY.
PAY ITEMS	QTY.	QTY.
DEMO SIDEWALK	855 SY	940 SY
CONSTRUCTION	PLAN QTY.	BID QTY.
PAY ITEMS	QTY.	QTY.
INSTALL ROOT BARRIER	1,350 L.F.	1,350 L.F.
INSTALL SIDEWALK	855 SY	940 SY
INSTALL ADA DETECTABLE MATS	6	6

- BIDDER IS RESPONSIBLE TO VERIFY ALL TAKEOFFS AS THIS TABLE IS PROVIDED FOR CONVENIENCE. BID IN ACCORDANCE WITH THE PLANS, SCOPE AND SPECIFICATIONS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING THE FINISHED SLAB FROM ALL DAMAGE AND VANDALISM UNTIL THE CITY ACCEPTS OR APPROVES THE SLAB. ANY SLAB SECTION DAMAGED OR VANDALIZED PRIOR TO ACCEPTANCE OR APPROVAL SHALL BE CUT OUT BETWEEN JOINTS AND REPLACED. REPAIRS ARE NOT ACCEPTABLE.

DRAWING STATUS	
	DRAFT
	PERMIT
	BID
	ADDENDA
	CONSTRUCTION
	RECORD



TYPICAL REPAIR: FOR EACH LOCATION REMOVE AND REPLACE CONCRETE SIDEWALK, ROOT PRUNE AS REQUIRED, INSTALL ROOT BARRIER, & GRADE SIDEWALK TO BE ADA COMPLIANT



NO.	DATE	REVISIONS	BY

City of Ormond Beach
Engineering Division

BILL PARTINGTON, MAYOR
JOYCE SHANAHAN, CITY MANAGER

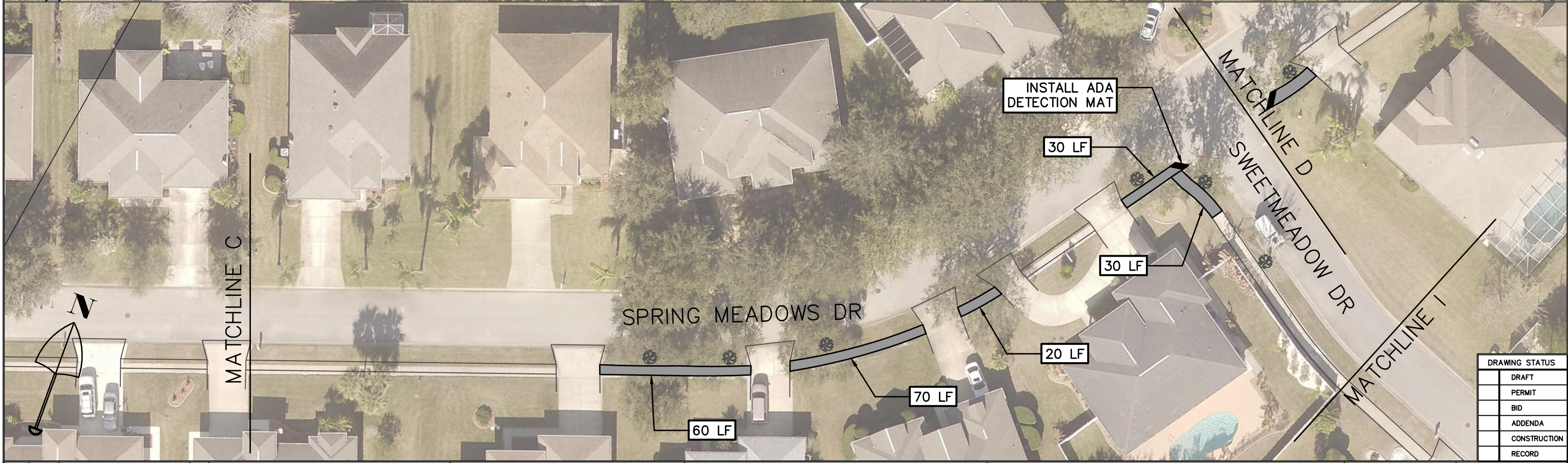
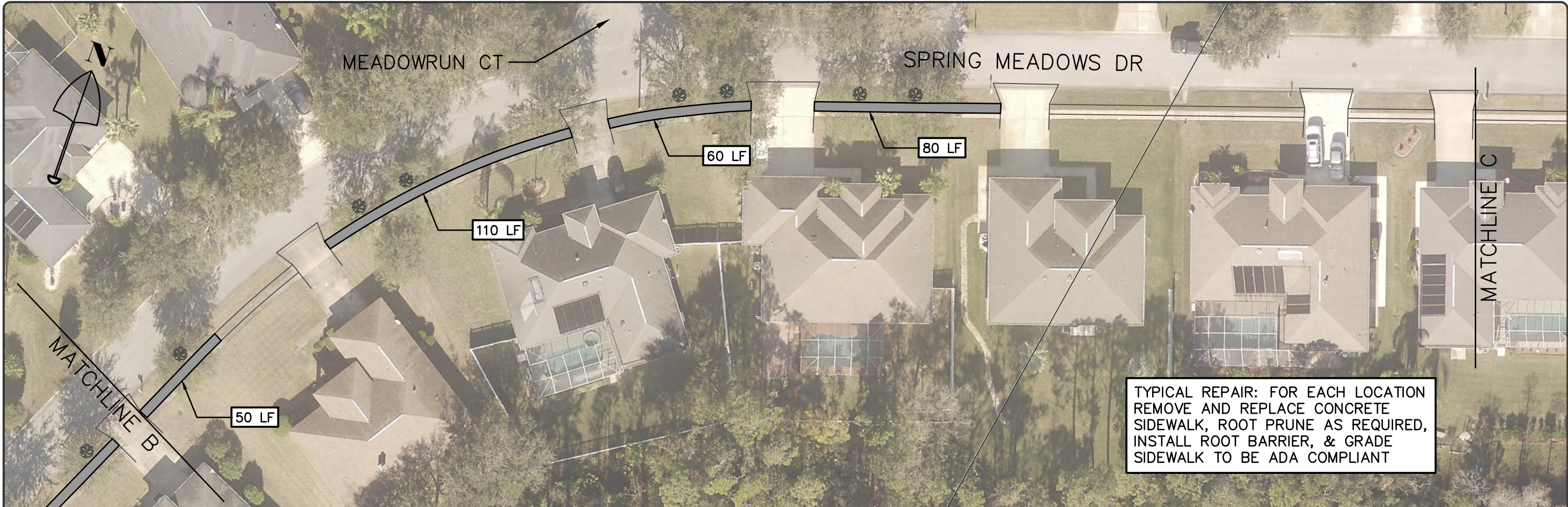
ALEX SCHUMANN, P.E. CITY ENGINEER

**SPRING MEADOWS
SIDEWALK REPAIR**

SPRING MEADOWS DR

DATE:	9/21/22	PROJECT NO.:	00-
SCALE:	1"=40'	FILE NAME:	
DRAWN BY:	MC	SHEET:	Page 76 of 754

DRAWING STATUS
DRAFT
PERMIT
BID
ADDENDA
CONSTRUCTION
RECORD



NO.	DATE	REVISIONS	BY

City of Ormond Beach
Engineering Division

BILL PARTINGTON, MAYOR
JOYCE SHANAHAN, CITY MANAGER

ALEX SCHUMANN, P.E. CITY ENGINEER

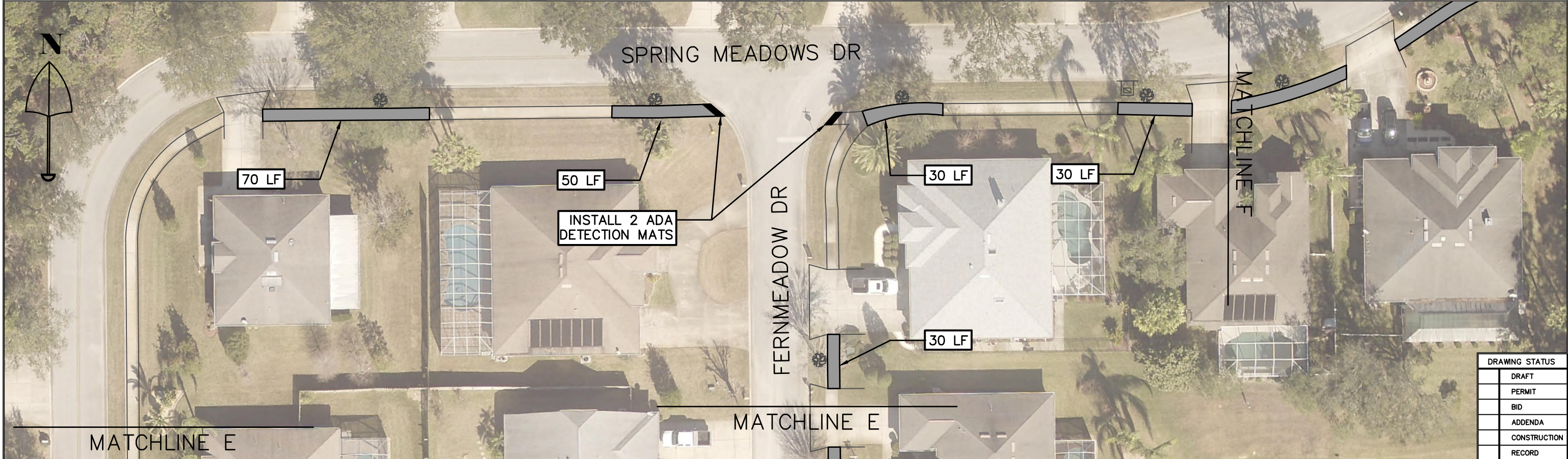
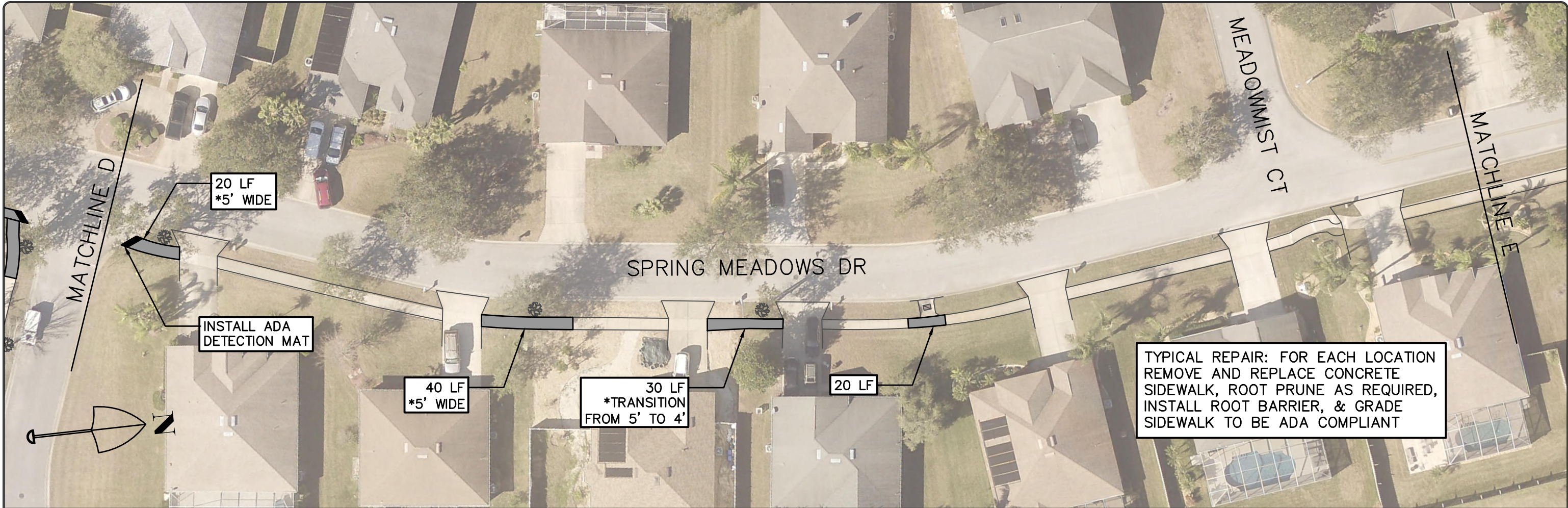
**SPRING MEADOWS
SIDEWALK REPAIR**

SPRING MEADOWS DR

DATE: 9/21/22
SCALE: 1"=40'
DRAWN BY: MC

PROJECT NO.: 00-
FILE NAME:
SHEET: Page 77 of 754

DRAWING STATUS
DRAFT
PERMIT
BID
ADDENDA
CONSTRUCTION
RECORD



NO.	DATE	REVISIONS	BY

City of Ormond Beach
Engineering Division

BILL PARTINGTON, MAYOR
JOYCE SHANAHAN, CITY MANAGER

ALEX SCHUMANN, P.E. CITY ENGINEER

**SPRING MEADOWS
SIDEWALK REPAIR**

**SPRING MEADOWS DR
& FERNMEADOW DR**

DATE:	9/21/22	PROJECT NO.:	00--
SCALE:	1"=40'	FILE NAME:	
DRAWN BY:	MC	SHEET:	Page 78 of 754

DRAWING STATUS
DRAFT
PERMIT
BID
ADDENDA
CONSTRUCTION
RECORD



NO.	DATE	REVISIONS	BY

City of Ormond Beach
Engineering Division

BILL PARTINGTON, MAYOR
JOYCE SHANAHAN, CITY MANAGER

ALEX SCHUMANN, P.E. CITY ENGINEER

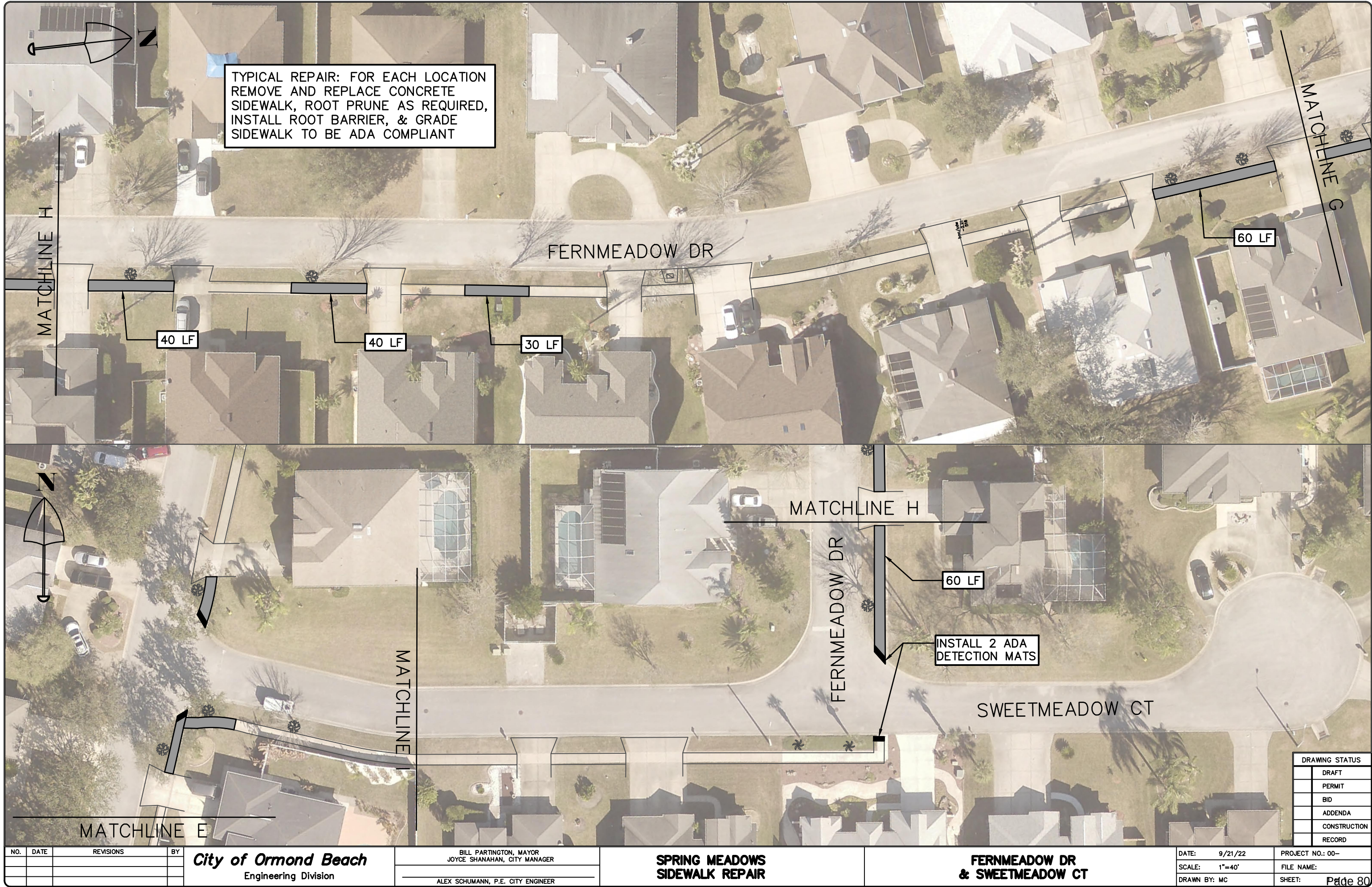
**SPRING MEADOWS
SIDEWALK REPAIR**

SPRONG MEADOWS DR

DATE: 9/21/22
SCALE: 1"=40'
DRAWN BY: MC

PROJECT NO.: 00-
FILE NAME:
SHEET: Page 79 of 754

DRAWING STATUS	
	DRAFT
	PERMIT
	BID
	ADDENDA
	CONSTRUCTION
	RECORD



NO.	DATE	REVISIONS	BY

City of Ormond Beach
Engineering Division

BILL PARTINGTON, MAYOR
JOYCE SHANAHAN, CITY MANAGER

ALEX SCHUMANN, P.E. CITY ENGINEER

**SPRING MEADOWS
SIDEWALK REPAIR**

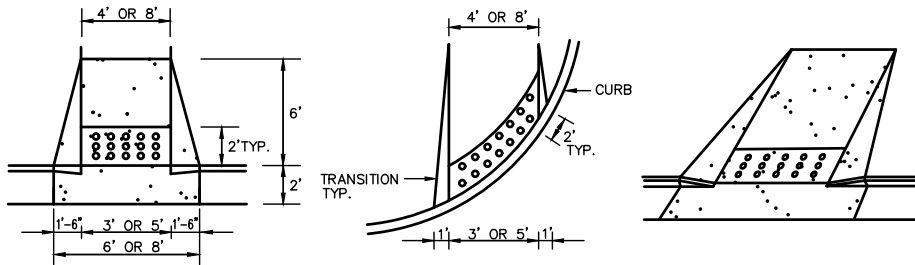
**FERNMEADOW DR
& SWEETMEADOW CT**

DATE: 9/21/22
SCALE: 1"=40'
DRAWN BY: MC

PROJECT NO.: 00-
FILE NAME:
SHEET: Page 80 of 754

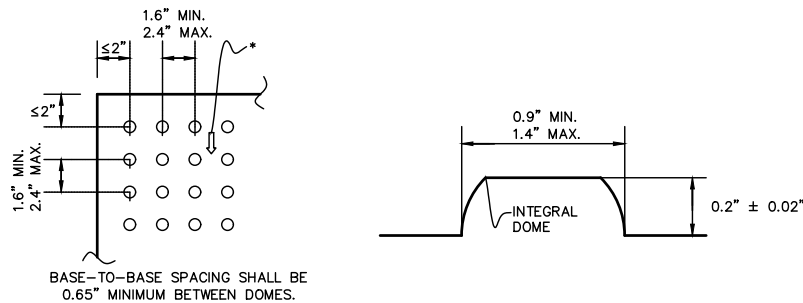
DRAWING STATUS	
	DRAFT
	PERMIT
	BID
	ADDENDA
	CONSTRUCTION
	RECORD

GENERAL NOTES: 1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF ORMOND BEACH'S LAND DEVELOPMENT CODE REQUIREMENTS, AND THE STANDARD CONSTRUCTION DETAILS AND CONSTRUCTION SPECIFICATIONS (SCDCS). AN ENGINEERING PERMIT AND TREE REMOVAL PERMIT IS REQUIRED PRIOR TO STARTING CONSTRUCTION. 2. NO LAND SHALL BE CLEARED, EXCAVATED OR FILLED AND NO STRUCTURE SHALL BE ERECTED, REPAIRED OR DEMOLISHED WITHOUT PROPER PERMIT(S) AS REQUIRED BY THE CITY OF ORMOND BEACH. 3. NOTIFY THE CITY OF ORMOND BEACH AT COMDEV@ORMONDBEACH.ORG 48 HOURS PRIOR TO THE START OF CONSTRUCTION. 4. ANY CONSTRUCTION CHANGES TO APPROVED PLANS SHALL BE SUBMITTED TO THE CITY OF ORMOND BEACH FOR APPROVAL PRIOR TO PERFORMING THE WORK. 5. ROAD CONSTRUCTION AND PIPE INSTALLATION COMPACTION AND DENSITY TESTING SHALL CONFORM TO THE CITY OF ORMOND BEACH'S MINIMUM REQUIREMENTS. CERTIFIED COPIES OF TEST REPORTS SHALL BE SUBMITTED TO THE CITY INSPECTOR AND THE CITY'S ENGINEERING DIVISION. 6. A PRE-PAVING UTILITY INSPECTION MUST BE REQUESTED AND COMPLETED PRIOR TO THE PAVING OF ALL ROADS, STREETS, AND PARKING AREAS. 7. A FINAL INSPECTION, TO BE CONDUCTED BY THE CITY OF ORMOND BEACH, SHALL BE PERFORMED ON ALL CONSTRUCTION. THE DESIGN ENGINEER SHALL NOTIFY THE CITY OF ORMOND BEACH AT COMDEV@ORMONDBEACH.ORG WHEN REQUESTING A FINAL INSPECTION. 8. THREE COMPLETE SETS OF AS-BUILT DRAWINGS (5 FOR SUBDIVISIONS) ARE REQUIRED TO BE SUBMITTED TO THE CITY OF ORMOND BEACH PRIOR TO REQUESTING A FINAL INSPECTION. AS-BUILT DRAWINGS MAY BE SUBMITTED IN DIGITAL FORMAT WITH DIGITAL SIGNATURE OF SURVEYOR AND/OR ENGINEER OF RECORD. 9. THE CITY HAS A CONTRACTOR FOR ROLL OFF SERVICE. NO OTHER CONTRACTOR SHALL BE PERMITTED TO PROVIDE THIS SERVICE. VERIFY COMPANY UNDER CONTRACT WITH THE CITY. 10. CONSTRUCTION SITES THAT DISTURB ONE ACRE OR MORE WILL BE REQUIRED TO SEEK COVERAGE UNDER THE GENERIC PERMIT FOR STORM WATER DISCHARGE FROM LARGE AND SMALL CONSTRUCTION ACTIVITIES. IN ACCORDANCE WITH THIS REQUIREMENT, A STORM WATER POLLUTION PREVENTION PLAN (SWPP) MUST BE SUBMITTED TO THE CITY OF ORMOND BEACH AT COMDEV@ORMONDBEACH.ORG PRIOR TO CONSTRUCTION TO BE IN COMPLIANCE WITH THE PERMIT. 11. CONTRACTOR WILL FOLLOW REQUIRED WASTE MANAGEMENT PRACTICES 12. SEEDING OR SODDING SHALL BE INITIATED FOR EROSION AND SEDIMENT CONTROL ON DISTURBED AREAS AS SOON AS PRACTICABLE IN PORTIONS OF THE SITE WHERE CONSTRUCTION ACTIVITIES HAVE TEMPORARILY OR PERMANENTLY CEASED. 13. ANY FIELD MODIFICATIONS OR DEVIATIONS TO THIS CONSTRUCTION PLAN REQUIRES WRITTEN APPROVAL BY BOTH THE ENGINEER OF RECORD AND THE CITY OF ORMOND BEACH.			PT PC WIDTH OF SIDEWALK (5' MIN.; 12' MAX.) TYPE A JOINT TYPE B JOINT 4" typ. 1/2" 1/2" PREMOLDED EXPANSION 1/8" min. d d/4 TYPE B JOINT 1. SIDEWALKS, BIKEPATHS, RAMPS, AND DRIVEWAY APRONS SHALL BE CONSTRUCTED OF PLAIN PORTLAND CEMENT CONCRETE WITH A MAXIMUM SLUMP OF 3 INCHES, A MINIMUM DEVELOPED COMPRESSIVE STRENGTH OF 2500 P.S.I. IN 28 DAYS, AND A MINIMUM UNIFORM THICKNESS OF 4 INCHES WHERE INTENDED SOLELY FOR PEDESTRIAN TRAFFIC, AND 6 INCHES THICK WHERE MOTOR VEHICLES ARE LIKELY TO CROSS. SIDEWALKS SHALL BE 5 FOOT WIDE UNLESS OTHERWISE SHOWN ON PLANS. 2. SIDEWALKS AND BIKE PATHS SHALL BE PLACED PARALLEL TO, AND ONE FOOT WITHIN THE RIGHT-OF-WAY LINE EXCEPT THAT THE CITY MAY APPROVE DEVIATIONS TO SAVE SPECIMEN TREES PROVIDED THAT THE PAVEMENT REMAINS WITHIN THE RIGHT-OF-WAY, IS NOT DIMINISHED IN WIDTH, AND REMAINS AT LEAST 4 FEET FROM THE EDGE OF THE STREET PAVEMENT, UNLESS OTHERWISE APPROVED BY THE CITY. 3. THE TOP OF THE CONCRETE SHALL BE AT AN ELEVATION NO LOWER THAN THE CROWN OF THE ADJACENT ROADWAY, AND NO HIGHER THAN 6 INCHES ABOVE THE CROWN UNLESS APPROVED BY THE CITY TO MAKE A MORE NATURAL TRANSITION WITH THE ADJACENT LAND. 4. ALL WALKS SHALL HAVE A CROSS SLOPE OF 1/4 INCH PER FOOT AND SHALL NOT EXCEED A LONGITUDINAL SLOPE OF 1:20, EXCEPT AT DESIGNATED RAMPS THAT SHALL NOT EXCEED 1:12. PROVIDE A TACTILE WARNING SURFACE AT ALL RAMPS PER A.D.A. THE CONTRACTOR SHALL INSURE THAT ALL PROVISIONS OF A.D.A AND FLORIDA ACCESSIBILITY CODE ARE MET.* 5. ISOLATION JOINTS (TYPE A JOINTS) SHALL BE PROVIDED BETWEEN EXISTING SLABS OR STRUCTURES AND FRESH CONCRETE, TO SEPARATE PEDESTRIAN SECTIONS FROM SECTIONS WHICH WILL ENCOUNTER VEHICLE TRAFFIC, TO SEPARATE FRESH PLACEMENT FROM CONCRETE WHICH HAS SET FOR MORE THAN 60 MINUTES, AND NO FARTHER APART THAN 100 FEET IN SIDEWALKS AND BIKEPATHS. JOINT MATERIAL SHALL BE SPECIFIED IN FOOT STANDARDS AND SPECIFICATIONS AND SHALL BE RUBBER, PLASTIC OR OTHER APPROVED NON-BIODEGRADABLE ELASTOMERIC MATERIAL. WOOD IS PROHIBITED. 6. CONTROL JOINTS (TYPE B JOINTS) SHALL BE TOOLED INTO THE FRESH CONCRETE TO A DEPTH EQUAL TO 1/4 THE SLAB THICKNESS AND SPACED APART A DISTANCE EQUAL TO THE WIDTH OF THE SLAB, AT MINIMUM SPACING OF 5', MAX SPACING OF 12'. 7. THE SLAB SURFACE SHALL BE BROOM FINISHED TO BE SLIP RESISTANT, AND SHALL MATCH AS CLOSELY AS POSSIBLE THE FINISH OF THE EXISTING ADJACENT SLABS AND ALL EDGES SHALL BE TOOLED TO ELIMINATE SHARP CORNERS. 8. THE BEARING SUBSURFACE SHALL HAVE ALL ORGANIC, LOOSE, AND DELETERIOUS MATTER REMOVED, AND THE REMAINING CLEAN SOIL SHALL BE SMOOTH, SOUND, AND SOLID. ANY FILL MATERIAL SHALL BE COMPACTED WITH A VIBRATORY OR IMPACT COMPACTION MACHINE IN MAXIMUM 12 INCH LIFTS OR COMPACTED WITH A HAND TAMPER IN MAXIMUM 4 INCH LIFTS. THE CITY SHALL REQUIRE A COMPACTION TEST FOR EACH LIFT IF THE TOTAL FILLED SECTION IS MORE THAN 12 INCHES DEEP OR IF THE SUBSURFACE HAS BEEN DISTURBED MORE THAN 12 INCHES DEEP. WHERE SUCH TEST IS REQUIRED, THE RESULTS SHALL SHOW A MINIMUM PROCTOR FIELD DENSITY OF 95 PERCENT. 9. ALL CONCRETE WORK IN THE RIGHT-OF-WAY SHALL BE INSPECTED BY THE CITY AFTER THE SUBSOIL IS PREPARED AND THE FORMS ARE SET, BUT BEFORE THE CONCRETE PLACEMENT BEGINS. 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING THE FINISHED SLAB FROM ALL DAMAGE AND VANDALISM UNTIL THE CITY ACCEPTS OR APPROVES THE SLAB, AFTER WHICH TIME THE OWNER OF THE ABUTTING LAND SHALL BE RESPONSIBLE FOR THE SLAB IN ACCORDANCE WITH THE CITY CODE. ANY SLAB SECTION DAMAGED OR VANDALIZED PRIOR TO ACCEPTANCE OR APPROVAL SHALL BE CUT OUT BETWEEN JOINTS AND REPLACED. REPAIRS ARE NOT ACCEPTABLE. 11. SIDEWALKS LOCATED WITHIN THE RIGHT-OF-WAY SHALL NOT BE TINTED, STAINED, COLORED, OR COATED. 12. ALL FORMS SHALL BE REMOVED PRIOR TO ACCEPTANCE OR APPROVAL AND THE DISTURBED GROUND SHALL BE BACKFILLED, REGRADED, AND SODDED SO THAT THE WEAR SURFACE OF THE CONCRETE IS REASONABLY FLUSH WITH THE ADJACENT GRADE.			POINT AT WHICH ROOTS ARE PRUNED PRIOR TO EXCAVATION EXISTING TREE EXISTING GRADE DEPTH OF EXCAVATION FOR PAVEMENT BASE AND SUB-BASE MATERIAL * ROOT PRUNING WITHIN TREE BARRICADE – CONSULT CITY ARBORIST OR CITY LANDSCAPE ARCHITECT NOTES: 1) CUTS ARE TO BE MADE <u>CLEANLY</u> WITH A SHARP ROOT PRUNING TOOL (SUCH AS A DOSCO OR VERMEER ROOT PRUNER). 2) INSTALL ORANGE PLASTIC MESH TREE BARRIER, WITH REBAR SUPPORTS, AT POINT OF PRUNING AND CONTINUE COMPLETELY AROUND TREE, PROTECTING THE AREA WITHIN THE DRIP LINE (EXTENT OF OUTER BRANCHES). 3) ROOT PRUNING PROCEDURE MUST BE DONE AND INSPECTED PRIOR TO ISSUANCE OF A BUILDING PERMIT OR GRADING AND FILL PERMIT.		
CITY OF ORMOND BEACH FLORIDA	STANDARD CONSTRUCTION DETAIL GENERAL CONSTRUCTION NOTES	INDEX M-2 MAY 2020	CITY OF ORMOND BEACH FLORIDA	STANDARD CONSTRUCTION DETAIL SIDEWALK, RAMP, AND DRIVEWAY APRON CONSTRUCTION REQUIREMENTS NTS	INDEX M-3 MAY 2020	CITY OF ORMOND BEACH FLORIDA	STANDARD CONSTRUCTION DETAIL ROOT PRUNING NTS.	INDEX LS-2 MAY 2020



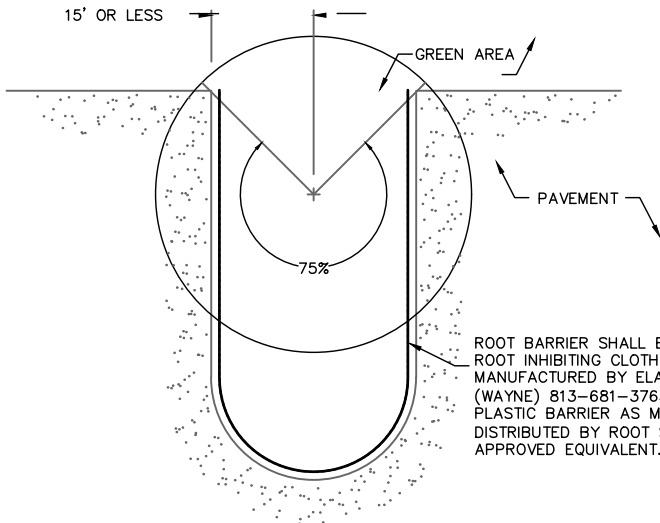
NOTES:

1. RAMP LOCATIONS ARE TO BE COORDINATED WITH AND IN CONFORMANCE WITH CROSSWALK MARKING DETAILS SHOWN IN THE PLANS.
2. CURBED RAMPS SHALL HAVE FLARED SIDES WITH A MAXIMUM SLOPE OF 12:1.
3. RAMPS SHALL HAVE A DETECTABLE WARNING SURFACE AS SHOWN.
4. RAMPS ARE TO BE CONSTRUCTED AT ALL LOCATIONS SHOWN IN THE PLANS EVEN WHEN A SIDEWALK IS NOT CONSTRUCTED CONCURRENTLY.
5. NO CURB TRANSITION IS NEEDED FOR MIAMI CURBS.
6. ALL RAMPS SHALL BE CONSTRUCTED IN ACCORDANCE WITH FDOT INDEX NO. 304 AND HANDICAPPED ACCESSIBILITY REQUIREMENTS IN ACCORDANCE WITH THE AMERICAN DISABILITIES ACT.

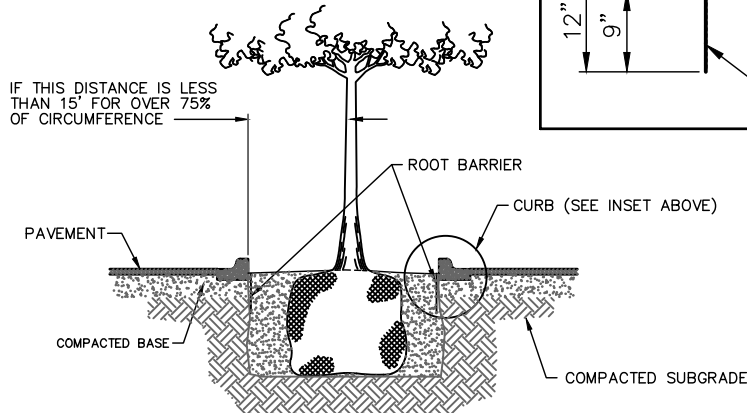
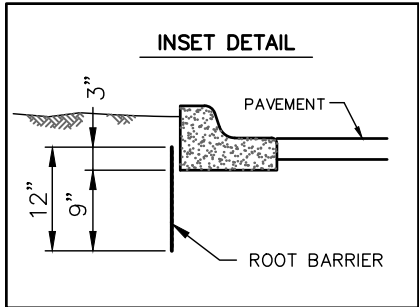


NOTES:

* ON RAMPS THAT ARE PERPENDICULAR WITH THE CURB LINE, THE DOME PATTERN SHALL BE IN-LINE WITH THE DIRECTION OF TRAVEL. ON RAMPS INTERSECTING CURBS ON A RADIUS, THE DOME PATTERN SHALL BE IN-LINE WITH THE DIRECTION OF TRAVEL TO THE EXTENT PRACTICAL.



PLAN VIEW



SECTION VIEW



STANDARD CONSTRUCTION DETAIL
SIDEWALK AND BIKE PATH RAMP
NTS

INDEX
M-4
MAY 2020



STANDARD CONSTRUCTION DETAIL
ROOT BARRIER
NTS

INDEX
LS-1
MAY 2020

NO.	DATE	REVISIONS	BY

City of Ormond Beach
Engineering Division

BILL PARTINGTON, MAYOR
JOYCE SHANAHAN, CITY MANAGER
ALEX SCHUMANN, P.E. CITY ENGINEER

SPRING MEADOWS
SIDEWALK REPAIR

CONSTRUCTION DETAILS & NOTES

DATE: 9/21/22	PROJECT NO.: 00-
SCALE:	FILE NAME:
DRAWN BY: MC	SHEET: 10 of 10

DRAWING STATUS
DRAFT
PERMIT
BID
ADDENDA
CONSTRUCTION
RECORD



BID OPENING TABULATION

Project: Spring Meadows Sidewalk Repair

Bid Number: 2023-01

Date & Time: May 25, 2023 2:00pm

Contractor	Addendum 1	Bid Bond	Contractor Totals
B & B Outdoor, 117 W Palmetto Ave, Pierson, FL 32180	y	y	\$130,166.50
Garcia Civil Contractors, 3361 Rouse Rd #130, Orlando, FL 32817	y	y	\$125,223.86
Algat Enterprises, Inc. 1800 Pembroke Dr Ste 300, Orland, FL 32810	y	check	\$108,714.00
0	0	0	\$0.00
0	0	0	\$0.00
0	0	0	\$0.00
0	0	0	\$0.00
0	0	0	\$0.00
0	0	0	\$0.00
0	0	0	\$0.00
0	0	0	\$0.00
0	0	0	\$0.00
0	0	0	\$0.00
0	0	0	\$0.00
0	0	0	\$0.00
0	0	0	\$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
Purchasing Coordinator

Opened by: Chris Oder
Chief Engineering Technician



City of Ormond Beach AGENDA ITEM

August 1, 2023 - City Commission

Number:8.C

Section:	CONSENT AGENDA		
Item Category:	Consent - Resolution	Res./Ord. No:	2023-122
Strategic Goal:	Transportation & Community Development - Other		
Department:	Planning & Building		
Subject:	FY 2023-2024 River to Sea Transportation Planning Organization Funding Agreement		
Summary:	This is a renewal of the funding agreement with the River-to-Sea Transportation Planning Organization (R2CTPO) for Fiscal Year (FY) 2023-2024. Since 2000, the City has entered into an annual agreement with the R2CTPO in support of its role in planning and funding of Volusia County transportation projects. The R2CTPO is responsible for projects and issues that are countywide. Participation in the organization is key for achieving project funding for regional transportation projects affecting Ormond Beach. The funding for this agreement is based on a formula based on population.		
Financial Impact:	Funding for this agreement of \$4,114 has been included in the General Fund operating budget of the Planning Department.		
Citizen Impact:	Transportation planning is important to all in Ormond Beach. The R2CTPO helps citizens speak with one voice to their state and federal agencies and elected officials on transportation-related issues, which directly affect the quality of life for all Ormond Beach residents and visitors.		
Recommended Action (Staff, Advisory Board and/or Other):	Staff recommends approval of the funding agreement with the R2CTPO.		
Staff Contact:	Steven Spraker, Planning Director, (386) 676-3341		
Attachments:	23-122 FY23-24 R2CTPO funding agreement (P23-0137G) - Funding Agreement		

	3. Letter, invoice
Approval:	Kelly McGuire, Finance Director 7/10/2023 Claire Whitley, Assistant City Manager 7/21/2023 Joyce Shanahan, City Manager 7/25/2023

RESOLUTION NO. 2023-122

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND THE RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION IN SUPPORT OF PLANNING AND FUNDING OF VOLUSIA COUNTY TRANSPORTATION SYSTEM PROJECTS; AUTHORIZING THE EXPENDITURE OF FUNDING AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, the City Commission desires to enter into an agreement with the River to Sea Transportation Planning Organization (R2CTPO) (f/k/a Volusia Transportation Planning Organization) to support R2CTPO's role in planning and funding Volusia County Transportation System projects, and

WHEREAS, the City Manager has certified that the City's \$4,114.00 funding contribution has been appropriated in the General Fund (001) 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 Mayor and the City Manager are hereby authorized and directed to execute an Agreement between the City of Ormond Beach and River to Sea Transportation Planning Organization to support planning and funding of Volusia County Transportation System projects, a copy of said Agreement is attached hereto and incorporated herein by reference, and to pay the City's contribution from the General Fund (001).

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

APPROVED AND AUTHENTICATED this 1st day of August, 2023.

BILL PARTINGTON
Mayor

ATTEST:

SUSAN CARROLL DAUDERIS
City Clerk

**MUNICIPALITY/
TRANSPORTATION PLANNING ORGANIZATION
FY 2023/24 FUNDING AGREEMENT**

THIS AGREEMENT, is made and entered into this ____ day of _____ 2023, by and between the **CITY OF ORMOND BEACH**, a municipal corporation organized and existing under the laws of the State of Florida (hereinafter "**CITY**"), and the **RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION** (hereinafter "**R2CTPO**").

WITNESSETH

WHEREAS, the River to Sea Transportation Planning Organization (R2CTPO) is the duly designated and constituted body responsible for carrying out the urban transportation planning and programming process for Volusia County and portions of Flagler County inclusive of the cities of Flagler Beach, Beverly Beach, and portions of Palm Coast and Bunnell; and

WHEREAS, Florida Statutes 339.175; 23 U.S.C 134; and 49 U.S.C. 5303 require that the urbanized area, as a condition to the receipt of federal capital or operating assistance, have a continuing, cooperative, and comprehensive transportation planning process that results in plans and programs consistent with the comprehensively planned development of the urbanized area; and

WHEREAS, metropolitan planning organizations are the lead transportation planning agencies in urban areas throughout the United States; and

WHEREAS, the Fast Act provides metropolitan planning organizations with the authority and responsibility for transportation planning and funding; and

WHEREAS, the quality of life and economic vitality of our community depend on coordinating transportation issues and developing complementary plans and policies; and

WHEREAS, the R2CTPO has the lead role in formulating regional transportation plans and programs and coordinating transportation issues among local entities and the Florida Department of Transportation (FDOT); and

WHEREAS, the CITY desires to enter into this Agreement with the R2CTPO to provide it with funding to support the functions necessary to achieve the R2CTPO's desired role in planning the transportation system;

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the CITY and the R2CTPO agree as follows:

1. **RECITALS.** The CITY and the R2CTPO hereby declare that the recitals set forth above are true and correct and incorporated herein.
2. **FISCAL YEAR 2023/24 FUNDING.** The CITY agrees to allocate **\$4,114.00** to the R2CTPO. Such funds shall be paid to the R2CTPO upon receipt of an invoice from the R2CTPO to the CITY. The payment shall be used for the R2CTPO fiscal year (FY) 2023/24 budget effective July 1, 2023. The funding provided to the R2CTPO by the CITY is equal to \$.10 per capita based on the 2018 BEBR estimates of population within each local governments jurisdiction as provided by the Bureau of Economic and Business Research, University of Florida.
3. **EFFECTIVE DATE AND TERMS.** The effective date of this Agreement is upon execution. The terms of this Agreement shall commence on the effective date and terminate on June 30, 2024.
4. **INTERPRETATION.** The headings contained in this Agreement are for reference purposes only and will not in any way affect the meaning or interpretation of this Agreement.
5. **MISCELLANEOUS**
 - a. This Agreement constitutes the entire Agreement between the parties with respect to the specific matters contained herein and supersedes all previous discussions, understandings and agreements, written or oral, between the parties hereto. Any amendments to or waivers of the provisions herein shall be made by the parties in writing. No other agreement, oral or otherwise, regarding the subject matter of this agreement shall be deemed to exist or to bind either party hereto.
 - b. If any sentence, phrase, paragraph, provision or portion of this agreement is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed an independent provision and such holding shall not affect the validity of the remaining portions hereto.
 - c. The parties hereby acknowledge that they have freely and voluntarily entered into this Agreement and that each party has been given the opportunity to receive the advice of independent legal counsel for all negotiations in connection with this Agreement.

6. **CONTROLLING LAWS**

- a. This Agreement and the provisions contained herein shall be construed, controlled and interpreted according to the laws of the State of Florida, and all duly adopted ordinances, regulations and policies of the CITY now in effect and those hereinafter adopted.
- b. The location for settlement of any and all lawsuits, claims, controversies or disputes, arising out of, or relating to, any part of this Agreement, or any breach thereof, shall be Volusia County, Florida.
- c. The parties to this Agreement agree to comply with all applicable federal, state and local laws, ordinances, rules and regulations pertaining to this Agreement.

7. **BINDING NATURE OF AGREEMENT.** This Agreement shall be binding only between the CITY and the R2CTPO, and inure to the benefit of the successors or assigns of the parties.

8. **NOTICES.** All notices, consents, approvals, waivers and deletions which any party shall be required or shall desire to make or give under this Agreement shall be in writing and shall be sufficient only when mailed by certified mail, first class postage affixed, addressed as follows:

CITY: City Manager
City of Ormond Beach
P.O. Box 277
Ormond Beach, FL 32175

R2CTPO: Colleen Nicoulin, Executive Director
River to Sea TPO
1 Deuce Ct., Suite 100
Daytona Beach, FL 32124

9. **AUDIT AND RECORD KEEPING PROCEDURES.** The R2CTPO shall maintain accurate public records of all services rendered in the performance of the agreement and shall provide access to such records in accordance with Florida Statutes, Section 119.07(1) (a), which states that the record can be inspected and copied by any person desiring to do so, at any reasonable time, under reasonable conditions and under supervision by the custodian of the public records. All records shall be maintained according to the State of Florida, *General Records Schedule GS1-SL for State and Local Government Agencies*, issued by the

Department of State, State Library and Archives of Florida, in accordance with the statutory provisions of Chapters 119 and 257, Florida Statutes. If any audit, litigation, claim, negotiation or other action involving the records has been started before the expiration of the retention period and disposition of the records, the records shall be retained until the completion of the action and resolution of all issues which arise from.

10. **PROVISIONS NOTWITHSTANDING.** Notwithstanding the provisions set forth above, nothing contained herein shall alter, amend or change those terms and conditions set forth in the bylaws of the River to Sea Transportation Planning Organization.

IN WITNESS WHEREOF, the parties have hereunto executed this Agreement as of the day and year first above written.

RIVER TO SEA TPO



Signature

Print Name: Colleen Nicoulin

Title: River to Sea TPO Executive Director

ATTEST:



Signature

Print Name: Donna King

Title: River to Sea TPO Administrative Assistant

(CORPORATE SEAL)

CITY OF ORMOND BEACH

Signature

Print Name: _____

Title: _____

ATTEST:

Signature

Print Name: _____

Title: _____

(CORPORATE SEAL)



Shawn -
Please
prepare
an
agenda
item
TX
Jey

To: River to Sea Transportation Planning Organization Member
From: Mariel Lemke
Date: June 9, 2023
Re: FY 2023/24 Funding Agreement and Invoice

The River to Sea Transportation Planning Organization (R2CTPO) collects funding annually from each member to support the R2CTPO's functions necessary to achieve the desired role in planning the transportation system.

Enclosed you will find a Funding Agreement for the FY 2023/24 TPO member assessment. Please execute and return the original to the TPO office. An invoice for the FY 2023/2024-member assessment for your processing is also included. If you have any questions, please contact us.

Thank you for your support of the R2CTPO.

Mariel Lemke

Accounting Manager
River to Sea Transportation Planning Organization (TPO)
1 Deuce Court, Suite 100
Daytona Beach, FL 32124
☎ 386.226.0422 ext. 20423
MLemke@r2ctpo.org
www.r2ctpo.org

Beverly Beach	DeBary	Flagler Beach	New Smyrna Beach	Palm Coast	South Daytona
Bunnell	DeLand	Flagler County	Oak Hill	Pierson	Volusia County
Daytona Beach	Deltona	Holly Hill	Orange City	Ponce Inlet	
Daytona Beach Shores	Edgewater	Lake Helen	Ormond Beach	Port Orange	

River to Sea TPO

1 Deuce Ct., Suite 100
Daytona Beach, FL 32124
386-226-0422

INVOICE

INVOICE NO: OB2024

DATE: June 9, 2023

DUE: July 9, 2023

Ms. Joyce Shanahan, City Manager
City of Ormond Beach
P.O. Box 277
Ormond Beach, FL 32175

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
	River to Sea TPO FY 23/24 Member Assessment		\$4,114.00
TOTAL DUE			\$4,114.00

Make all checks payable to: River to Sea TPO

If you have any questions concerning this invoice, please call: Mariel Lemke 386-226-0422 ext. 20423.

THANK YOU FOR YOUR PARTICIPATION!



City of Ormond Beach

AGENDA ITEM

August 1, 2023 - City Commission

Number:8.D

Section:	CONSENT AGENDA		
Item Category:	Consent - Resolution	Res./Ord. No:	2023-123
Strategic Goal:	Water Quality & the Environment - Other		
Department:	Public Works - Engineering		
Subject:	Hazard Mitigation Grant Submittal - Fleming Ave Pump Station		
Summary:	This is a request for authorization for the submittal of an online grant application for the Fleming Avenue Pump Station project to the Federal Emergency Management Association (FEMA) Hazard Mitigation Grant Program (HMGP) under Federal Disaster declaration for Hurricane Ian (FEMA-4673-DR-FL). The HMGP provides grants to local governments to implement long-term hazard mitigation measures after major disaster declarations. Following the May 2009 no name storm event, a study was conducted which recommended a two-phase approach to improve the drainage in the Laurel Creek Basin area. Phase 1, consisting of interconnecting the Central Park lakes, was successfully completed and resulted in reduced flooding and shortened time periods for the recovery of flooded roadways. Phase 2 improvements expand upon the interconnectivity of Phase 1 and provide a means to more rapidly drawdown the five interconnected lakes during extreme storm events. Phase 2 consists of a flood control pump station on Fleming Avenue which would discharge to the Halifax River via a force main located along the Fleming Avenue corridor. The pump station will be used to drawdown the Central Park lake system prior to large storm events to provide additional stormwater attenuation volume and provide emergency pumping ability to the river during flood events. Application criteria requires that state/local governments have an approved Local Mitigation Strategy (LMS) and requires projects to be part of the LMS. The City participates in the Volusia County LMS and these projects were submitted, approved, and included in the LMS project listing attached. Since Volusia County was directly affected by Hurricane Ian, projects within the County are eligible for Tier 1 funding. Deadline for application submittal to the Florida Department of Emergency Management is August 29, 2023.		

Financial Impact:	If approved, FEMA will pay up to 75% of the cost. Engineer's opinion of probable cost for the Fleming Avenue Pump Station is \$12,561,200. The City is requesting \$9,420,900 from the HMGP, with the City's share being \$3,140,300. The City received notice that this project was included in the State's approved budget with a legislative appropriation of \$5,350,000. This legislative funding can be applied to the City's share. If additional funds are required, funding is available from Stormwater Fund 107.	
Citizen Impact:	Surrounding residents will benefit from this project as it will greatly reduce the likelihood of flooding in the area. Residents will experience temporary inconvenience during construction, as portions of Fleming Avenue will be excavated for installation of the discharge pipe to the Halifax River.	
Recommended Action (Staff, Advisory Board and/or Other):	Staff recommends approval of the submission of the Fleming Avenue Pump Station project to FEMA's HMGP grant program.	
Staff Contact:	Alex Schumann, City Engineer, (386) 676-3302	
Attachments:	1. 23-123 HMGP Fleming Pump Station (P23-0092G) 2. HMGP Application Fleming Avenue Stormwater Pump Station 3. LMS Priority Letter & Priority List HMGP IAN 2023	
Approval:	Kelly McGuire, Finance Director 7/17/2023 Claire Whitley, Assistant City Manager 7/21/2023 Joyce Shanahan, City Manager 7/25/2023	

RESOLUTION NO. 2023-123

A RESOLUTION AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY UNDER THE HAZARD MITIGATION GRANT PROGRAM FOR FUNDING ASSISTANCE RELATIVE TO CONSTRUCTION OF A PUMP STATION ON FLEMING AVENUE; AUTHORIZING THE EXECUTION OF ALL DOCUMENTS INCIDENTAL THERETO, INCLUDING ANY CONTRACT NECESSARY FOR THE CITY TO ACCEPT THE GRANT AWARD; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, the City Commission desires to construct a pump station on Fleming Avenue in Central Park at an estimated cost of \$12,561,200.00 (“the Project”), and

WHEREAS, the Federal Emergency Management Agency has a current grant cycle open under the Hazard Mitigation Grant Program from which the City can request maximum funding assistance in the amount of \$9,420,900.00 (75% of Project cost), and

WHEREAS, the City Commission desires to submit a grant application to the Federal Emergency Management Agency under the Hazard Mitigation Grant Program (a copy of which is attached hereto and incorporated herein by reference) for the purpose of obtaining funding assistance in the amount of \$9,420,900.00 for the Project, and

WHEREAS, the City is required to make a matching contribution of at least \$3,140,300.00, now therefore

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

SECTION ONE. The City Manager or her designee is hereby authorized and directed to submit a grant application, including any and all documents that are necessary and

incidental thereto, to the Federal Emergency Management Agency under the Hazard Mitigation Grant Program in the amount of \$9,420,900.00 for funding assistance to construct a pump station on Fleming Avenue in Central Park.

SECTION TWO. The Mayor and City Manager are hereby further authorized and directed to execute any contract, including any and all documents that are necessary and incidental thereto, for the City to accept the grant award.

SECTION THREE. The City Manager hereby certifies that the City's matching funds in the amount of \$3,140,300.00 will be funded through a legislative appropriation.

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

APPROVED AND AUTHENTICATED this 1st day of August, 2023.

BILL PARTINGTON
Mayor

ATTEST:

SUSAN CARROLL DAUDERIS
City Clerk

THIS SECTION FOR STATE USE ONLY

FEMA-____-DR-FL

☐ Standard HMGP

☐ 5% Initiative Application

☐ Application Complete

☐ Initial Submission or

☐ Re- Submission

Support Documents

☐ Conforms w/ State 409 Plan

☐ In Declared Area

☐ Statewide

Eligible Applicant

☒ State or Local Government

☐ Private Non-Profit (Tax ID Received)

☐ Recognized Indian Tribe or Tribal Organization

Project Type(s)

☐ Wind

☐ Flood

☐ Other:

Community NFIP Status: (Check all that apply)

☐ Participating Community ID#: _____

☐ In Good Standing ☐ Non-Participating ☐ CRS

LMS Ranking:

County:

Volusia

State Application ID: _____

(TIME-DATE STAMP HERE)

This application is for all Federal Emergency Management Agency (FEMA Region IV) Hazard Mitigation Grant Program (HMGP) proposals. Complete ALL sections and provide the documents requested. If you require technical assistance, contact the Florida Division of Emergency Management at **DEM_HazardMitigationGrantProgram@em.myflorida.com**.

Section I – Applicant

A. Applicant Instruction: Complete all sections that correspond with the type of proposed project

Application Sections I-IV:

All Applicants must complete these sections

Environmental Review:

All Applicants must complete these sections

Maintenance Agreement:

Any Applications involving public property, public ownership, or management of property

Flood Control – Drainage Improvement Worksheet:

Acquisition, Elevation, Dry Flood Proofing, Drainage Improvements, Flood Control Measures, Floodplain and Stream Restoration, and Flood Diversion – **one worksheet per structure**

Generator Worksheet:

Permanent, portable generators, and permanent emergency standby pumps

Tornado Safe Room Worksheet:

New Safe Room, Retrofit of existing structure, Community Safe Room, Residential Safe Room

Hurricane Safe Room Worksheet:

New Safe Room, Retrofit of existing structure

Wind Retrofit Worksheet:

Wind Retrofit projects only – one worksheet per structure

Wildfire Worksheet:

Defensible Space, Hazardous Fuels Reduction, Ignition Resistant Construction, other

Drought Worksheet:

Aquifers, other

Utility Mitigation Worksheet

Upgrades to sewer systems, upgrading electrical components for a utility, undergrounding electrical systems, etc.

Request for Public Assistance Form:

FEMA Form 90-49 (Request for Public Assistance): All applicants must complete, if applicable.

Acquisition Forms:

If project type is Acquisition, these forms must be completed.

(Only one of the two Notice of Voluntary Interest forms is necessary.)

Model Statement of Assurances for Property Acquisition Projects

Declaration and Release

Notice of Voluntary Interest (Town Hall Version)

Notice of Voluntary Interest (Single Site Version)

Statement of Voluntary Participation

FEMA Model Deed Restriction Language

Application Completeness Guidance / Checklist :

All applicants are recommended to complete this checklist and utilize the guidance for completing the application.

B. Applicant Information:

FEMA-4673-DR-FL

DISASTER NAME: Hurricane Ian

Title of Project: Fleming Avenue Stormwater Pump Station

1. Applicant (Organization): City of Ormond Beach
2. Applicant Type: ☒ State or Local Government ☐ Native American Tribe ☐ Private Non-Profit ☐ Special District
3. County: Volusia
4. State Legislative Senate District(s): 7; State Legislative House District(s): 28 ;
Congressional House District(s): 6
5. Federal Tax I.D. Number: 59-6000398
6. Data Universal Numbering System (DUNS): 087320164
7. Federal Information Processing Standards (FIPS) Code*: 127 *(*if your FIPS code is not known, see guidance)*
8. National Flood Insurance Program (NFIP) Community Identification Number: 125136
(this number can be obtained from the FIRM map for your area)
9. **Point of Contact:** (Applicant staff serving as the coordinator of project)

☐ Ms. ☒ Mr. First Name: Alex Last Name: Schumann
Title: City Engineer
Address: 22 South Beach St
City: Ormond Beach State: FL Zip Code: 32174
Telephone: 386-676-3302 Email: alex.schumann@ormondbeach.org

10. Application Prepared by:

☐ Ms. ☒ Mr. First Name: Alex Last Name: Schumann
Title: City Engineer
Address: 22 South Beach Street
City: Ormond Beach State: FL Zip Code: 32174
Telephone: 386-676-3308 Email: alex.schumann@ormondbeach.org
Organization: City of Ormond Beach

11. Authorized Applicant Agent (proof of authorization authority required)

☒ Ms. ☐ Mr. First Name: Joyce Last Name: Shanahan
Title: City Manager
Address: 22 South Beach St
City: Ormond Beach State: FL Zip Code: 32174
Telephone: 386-676-3200 Email: Joyce.Shanahan@ormondbeach.org

Signature: _____

Date: _____

12. Local Mitigation Strategy (LMS) Compliance

- a. All proposed projects must be included in the county's Local Mitigation Strategy (LMS) Project List, and on file with FDEM's Mitigation Bureau Planning Unit. Does your jurisdiction have a current FEMA Approved Mitigation Plan and this project is listed? ☒ Yes ☐ No
- b. Attached is a letter of endorsement for this project from the county's LMS Coordinator. ☒ Yes ☐ No
Ensure the LMS endorsement letter contains both the Total Estimated Projects Cost (Section IV. D.), along with the Estimated Federal Share (Section IV. I.1.) allocated to this project.
- c. The LMS project list and endorsement letter both have an estimated cost column and Federal Share amount that is within \$500.00 between the two. ☒ Yes ☐ No

13. Has this project been submitted under a previous disaster event? ☐ No
☒ Yes, provide the disaster number and project number (as applicable): 4283-70-R

Section II – Project Description

A. Hazards to be Mitigated / Level of Protection

1. Select the type of hazards the proposed project will mitigate:
☒ Flood ☐ Wind ☐ Storm surge ☐ Wildfire ☐ Other (list): _____
2. Identify the type of proposed project:
☐ Elevation and retrofitting of residential or non-residential structure
☐ Acquisition and Relocation ☐ Acquisition and Demolition
☐ Wind retrofit ☒ Drainage project that reduces localized flooding
☐ Generator ☐ Other (explain) _____
3. List the total number of persons that will be protected by the proposed project (*include immediate population affected by the project only*):

783 residential properties will have reduced damage in the 100-year event (as well as smaller events). At an average of 2.45 persons per home for Ormond beach, approximately 1,918 residents will be protected by the proposed project.
4. List how many acres of "Total Impacted Area" is to be protected by the proposed project (*include immediate area affected by the project only*):

921
5. Fill in the level of protection and the magnitude of event the proposed project will mitigate. (e.g. 23 structures protected against the 100-year storm event (1% chance)

783 structure(s) protected against the **100** -year storm event (10, 25, 50, 100, or 500 year storm event)
_____ structure(s) protected against _____ mile per hour (mph) winds
6. Check **all** item(s) the project may impact:

☐ Wetlands	☐ Water Quality	☐ Previously Undisturbed Soil
☐ Floodplain	☐ Coastal Zone	☐ Toxic or Hazardous Substances
☐ Historic Resources	☐ Fisheries	☐ Threatened & Endangered Species
☐ Vegetation Removal	☐ Public Controversy	☐ Potential for Cumulative Impacts
☐ Health & Safety	☐ Other _____	
7. **Engineered projects:** If your project has been already designed and engineering information is available, attach to your application **ALL** calculations, H&H study and design plans (e.g. Drainage Improvement, Erosion Control, or other special project types). ☐ No ☒ Yes If so, see Attachment #(s) 1.

B. Project Description, Scope of Work, and Protection Provided (Must be Completed in Detail)

Describe, in detail, the existing problem, the proposed project, and the scope of work. Explain how the proposed project will **solve** the problem(s) and provide the level(s) of protection described in Part A. Also, if available, attach a vendor's estimate and/or a contractor's bid for the scope of work. **Ensure that each proposed project is mitigation and not maintenance.**

1. Describe the existing problems:

The Central Park area of the City of Ormond Beach has experienced chronic flooding and has a history of flooding complaints. There are two repetitive loss properties that will be benefited by this project. In May 2009, the area suffered significant flooding in which waterbodies of the Central Park lake system tended to overtop their banks and interconnect, and flood waters encroached upon subdivisions. Figure 1, provided in Attachment 1, shows the locations of homes with reported flooding as a result of these storms as well as areas with flooding complaints related to other storm events.
2. Describe the type(s) of protection that the proposed project will provide:

This project will provide regional flood control benefit to the Central Park area of Ormond Beach. The pump station will be used to draw down the Central Park lake system prior to large storm events to provide additional stormwater attenuation volume. The pump station will discharge this volume into the Halifax River.

3. Scope of Work (describe in detail what you are planning to do):

This project includes constructing a flood control pump station adjacent to the southernmost lake in the Central Park system, just off Fleming Avenue. The pump station would allow for pre-storm drawdown of the lake system and discharge to the Halifax River via a pipe located along the Fleming Avenue corridor. The pipe will be constructed within the City's existing right-of-way, requiring roadway replacement. The outfall of the pipe will be outfitted with a flap gate at the Halifax River discharge point. This scope of work will include: 1 - Perform additional stormwater modeling to facilitate permitting; 2 - Design pump station and discharge pipe, including an optimization of the piping layout to minimize costs and avoid environmental impacts such as damage to or removal of the existing canopy and larger trees; 3 - Develop and obtain permit applications for project, including a right-of-way permit from Florida East Coast Railway, and an Environmental Resource Permit with St. Johns River Water Management District; 4 - Construct project.

4. Describe any other on-going or proposed projects in the area that may impact, positively or negatively, the proposed HMGP Project:

This project will work in conjunction with project 4283-25-A to effectively discharge water from this basin to the Halifax River

Section III – Project Location *(Fully describe the location of the proposed project.)*

A. Site

1. Describe the physical location of this project, including street numbers (or neighborhoods) and project site zip code(s). Provide precise longitude and latitude coordinates for the site utilizing a hand-held global positioning system (GPS) unit or the equivalent:

Site Location: **The pump station would be located next to the southernmost Central Park lake (Estimated Lat/LONG:29.265, -81.064), the pipe would be installed along Fleming Avenue corridor to Ridgewood Avenue, commencing south along Ridgewood Avenue to Reynolds Avenue, and then east along Reynolds Avenue to the Halifax River. Figure 2 in Attachment 1 shows a Site Map with the proposed project layout.**

Address(es): **601 Fleming Avenue**

GPS coordinates (decimal degree format): **29.265, -81.064**

Project Zip Code(s): **32174**

2. Titleholder: **City of Ormond Beach**
3. Is the project site seaward of the Coastal Construction Control Line (CCCL)? ☐ Yes ☒ No
4. Provide the number of each structure type (listed below) in the project area that will be affected by the project. Include ***all*** structures in project area.

☒ Residential property: 758

☒ Public buildings: 7

☒ Businesses/commercial property: 19

☒ Schools/hospitals/houses of worship: 1

☐ Other: _____

B. Flood Insurance Rate Map (FIRM) Showing Project Site

1. ☒ Attach one (1) copy of the FIRM map, a copy of the panel information from the FIRM, and, if available, the Floodway Map. <i>FIRM maps are required for this application (if published for your area). Also, all attached maps must have the project site and structures clearly marked on the map.</i> FIRMs are typically available from your local floodplain administrator who may be located in a planning, zoning, or engineering office. Maps can also be ordered from the Map Service Center at 1-800-358-9616. For more information about FIRMs, contact your local agencies or visit the FIRM site on the FEMA Web-page at https://msc.fema.gov/portal .	
2. Using the FIRM, determine the flood zone(s) of the project site (Check all zones in the project area) (See FIRM legend for flood zone explanations) (A Zone must be identified)	
☐ VE or V 1-30	☒ AE or A 1-30
☐ AO or AH	☒ A (no base flood elevation given)
☒ B or X (shaded)	☒ C or X (unshaded)
☐ Floodway	☐
☐ Coastal Barrier Resource Act (CBRA) Zone (Federal regulations strictly limit Federal funding for projects in this Zone; coordinate with your state agency before submitting an application for a CBRA Zone project).	
3. ☐ If the FIRM Map for your area is not published , attach a copy of the Flood Hazard Boundary Map (FHBM) for your area, with the project site and structures clearly marked on the map.	
4. ☐ Attach a copy of a Model Acknowledgement of Conditions for Mitigation in Special Flood Hazard Area	

C. Maps with Project Site and Photographs

1. ☒ Attach a copy of a city or county scale map (large enough to show the entire project area) with the project site and structures marked on the map.
2. ☒ Attach a USGS 1:24,000 TOPO map with project site ***clearly*** marked on the map.
3. ☐ For **acquisition** or **elevation** projects, include copy of Parcel Map (Tax Map, Property Identification Map, etc.) showing each property to be acquired or elevated. Include the Tax ID numbers for each parcel, and Parcel information – including year built and foundation.
4. ☒ Attach photographs (at a minimum 4 photographs) for each project site per application. The photographs should be representative of the project area, including any relevant streams, creeks, rivers, etc. and drainage areas that affect the project site or will be affected by the project, and labeled. For each structure,

include the following angles: front, back and both sides.

Section IV – Budget/Costs

In order to assist applicants with filling out the following Budget section, we have provided the following instructions for your convenience. For this section, we ask that you provide details of all the estimated costs of the project, as it is used for the benefit-costs analysis as well as for the feasibility and effectiveness review.

For the cost sections relating to Materials, Labor, and Fees, it is important to note,

- Lump sums without supporting documentation showing a breakdown of those costs are not acceptable. For those items that will not fit in the spaces provided, attach the appropriate documentation to your application.
- Identify your match sources in sections B and I.
- Sub-Total cells will auto sum the costs in their respective columns.
- Do not factor management costs into parts A-C. If management costs are being requested, see part G.
- Contingency Costs need to be justified and reported as a separate line item in part E of this section. From left to right in that part, enter the desired percentage (maximum 5% of Material/Labor), the amount the percentage is to be applied to, and the resulting amount. **PLEASE NOTE-** These cells will not auto-calculate across the row, but the final cell will be calculated into the Final Project Cost below it. Take care that everything is calculated correctly.
- Pre-Award Costs: costs must be identified as a separate line item, AND a completed HMGP Pre-Award Cost Request Form MUST be submitted with this application, detailing the items/cost and requested start date.
- Mark all In-kind (donated) services with (**); In-house (employee) services with (***), per each line item.
- All funding sources (In-kind, In-house, Global Match, and Other Agencies) must be identified (below) AND identified on the Funding Sources - Section IV I.

For project management costs, in compliance with Disaster Relief and Recovery Act of 2018 (DRRA) and the subsequent FEMA Interim Policy #104-11-1, the Florida Division of Emergency Management has included a section for applicants to request, or refuse, project management funds that are available to them. Under this new policy, HMGP projects awarded under disasters declared on or after August 1, 2017, are eligible for project management costs up to 5 percent of their total project costs.

Applicants choosing to apply for this funding must detail the specific administrative costs in Part G of this section. These costs must be eligible administrative costs, conforming to the requirements set in 2 CFR Part 200 Subpart E. Applicants must ensure that their administrative costs are reasonable, allowable, allocable, and necessary for the performance of the federal award.

The State will allot these management costs on a project-by-project basis per the amount requested by the sub-recipient, up to 5 percent of the total project cost. A sub-recipient may request less than this, but no higher. These management costs will be considered a separate pool of funding, and **WILL NOT** affect a project's benefit-cost analysis.

Management costs will be reimbursed per reimbursement request, and no more than 5 percent of any given reimbursement request amount. All management costs reimbursements will be contingent upon adequate documentation from the sub-recipient.

Management costs will be reimbursed at 100 percent of the amount of management costs requested, so far as they are adequately documented and are no more than 5 percent of the request. Any unused management costs at closeout following the final payment will be de-obligated. If the final total project cost results in an under-run, management costs will be reduced accordingly.

Applicants must make the determination to request or refuse management costs at the time of formal application submittal. The State will accept the initial determination from the applicant. There will be no recourse from the State for applicants wishing to change their initial determination after the application has been formally submitted.

A. Materials

<u>Item</u>	<u>Unit</u>	<u>Quantity</u>	<u>Cost per Unit</u>	<u>Cost</u>
See attached Engineer's Opinion of Probable Cost				\$12,561,200.00
<u>Sub-Total</u>				\$12,561,200.00

B. Labor Include equipment costs. Indicate all "soft" or in-kind matches (**).

<u>Description</u>	<u>Hours</u>	<u>Rate</u>	<u>Cost</u>
<u>Sub-Total</u>			\$0.00

C. Fees Paid Include any other costs associated with the project.

<u>Description of Task</u>	<u>Hours</u>	<u>Rate</u>	<u>Cost</u>
*Pre-Award			
<u>Sub-Total</u>			\$0.00

D. **Total Estimated Project Cost** \$12,561,200.

E. Contingency Costs (maximum 5% of Material/Labor) 5.00%

F. **Final Project Cost** \$12,561,200.

Note: To be eligible for HMGP Pre-Award costs – the costs must be identified as a separate line item in the estimate above, AND a completed HMGP Pre-Award Cost Request Form MUST be submitted with this application, detailing the items/cost requesting.

Mark all In-kind (donated) services with (**); In-house (employee) services with (***), per each line item.

All funding sources (In-kind, In-house, Global Match, and Other Agencies) must be identified (above) AND identified on the Funding Sources - Section IV I.

G. Project Management Costs

Based on the amount of total project cost being requested in Part D (above), your project is eligible for up to an additional 5% of that amount for project management costs. Indicate below whether or not you would like to request these funds and follow the directions for your selected choice.

Total Estimated Management Costs Available (5% of Total Project Costs)

\$628,060.00

Note: This number will be generated automatically after Part I is completed

- ☒ **YES**, I would like to request these funds (Fill out the itemized table below, then continue to Part I)*
- ☐ **NO**, I do not wish to request these funds. (continue to Part I)*

[illegible]

H.	Total Estimated Management Costs Requested	\$166,320.00
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***Note:** By selecting either “yes” or “no” the applicant is acknowledging that they understand what is being offered to them as it is described in this application.

I. Funding Sources (round figures to the nearest dollar)

The maximum FEMA share for HMGP projects is 75%. The other 25% can be made up of State and Local funds as well as in-kind services. HMGP funds may be packaged with other Federal funds, but other Federal funds (except for Federal funds that lose their Federal identity at the State level, such as CDBG, and certain tribal funds) may not be used for the Non-Federal share of the costs.

1.	Estimated Federal Share	<u>\$9,420,900.00</u>	<u>75</u> % of Total	(Maximum 75%)
2.	Non-Federal Shares			
3.	Estimated Local Shares	<u>\$3,140,300.00</u>	<u>25</u> % of Total	(Cash)
4.		<u></u>	<u></u> % of Total	(In-Kind**)
5.		<u></u>	<u></u> % of Total	(In-House***)
6.		<u></u>	<u></u> % of Total	(Global Match****)
7.	Other Agency Share (Identify Non-Federal Agency and availability date)	<u></u>	<u></u> % of Total	
8.	Total Funding sources from above	<u>\$12,561,200.00</u>	<u>100.00%</u> Total	(Equals 100%)

- ☐ **Identify proposed eligible activities directly related to project to be considered for In-Kind services in Section IV.C. Fees
- ☐ ***Identify proposed eligible activities directly related to project to be considered for In-House services in Section IV.C. Fees
- ☐ ****Separate project applications must be submitted for each Global Match project.

Global Match Project Number and Title: _____

9.	Total Estimated Management Costs	Requested	<u>\$628,060.00</u>		
		Available	<u>\$628,060.00</u>	5% of Total	(Max Allowed)

J. Project Milestones/Schedule of Work

List the major milestones in this project by providing an estimated time-line for the critical activities not to exceed a period of 3 years (36-months) of performance. (e.g. **Contracting, Designing, Engineering, Permitting, Inspections, closeout, etc.**)

Milestone(s)	Number of Months to Complete
Permitting	6
Final Design and Bidding	3
Construction	18
Total	27 Months

Section V. Environmental Review and Historic Preservation Compliance

(NOTE: This application cannot be processed if this section is not completed.)

Because the HMGP is a federally funded program, all projects are required to undergo an environmental and historic preservation review as part of the grant application process. Moreover, all projects must comply with the National Environmental Policy Act (NEPA) and associated Federal, State, Tribal, and Local statutes to obtain funding. **NO WORK can be done prior to the NEPA review process. If work is done on your proposed project before the NEPA review is completed, it will NOT be eligible for Federal funding.**

A. The following information is required for the Environmental and Historic Preservation review:

All projects must have adequate documentation to determine if the proposed project complies with NEPA and associated statutes. The State Environmental Staff provide comprehensive NEPA technical assistance for Applicants, with their consent, to complete the NEPA review. The type and quantity of NEPA documents required to make this determination varies depending upon the project's size, location, and complexity. However, at a minimum, provide the applicable documentation from this section to facilitate the NEPA compliance process.

1. ☒ Detailed project description, scope of work, and budget/costs (Section II and Section IV of this application).
2. ☒ Project area maps (Section III, part B & C of this application).
3. ☒ Project area/structure photographs (Section III, part C of this application).
4. ☒ Preliminary project plans.
5. ☒ Project alternatives description and impacts (Section V of the application).
6. ☒ Complete the applicable project worksheets.
Documentation showing dates of construction are required for all structures.
7. ☒ Environmental Justice – Provide any applicable information or documentation regarding low income or minority populations in the project area. See Section V.B of this application for details.
8. ☒ Provide any applicable information or documentation referenced on the *Information and Documentation Requirements by Project Type* below.

B. Executive Order 12898; Environmental Justice for Low Income and Minority Population:

1. Are there low income or minority populations in the project area or adjacent to the project area?
☒ No ☐ Yes; describe any disproportionate and adverse effects to these populations:

2. ☐ To help evaluate the impact of the project, explain below or attach any other information that describes the population, or portion of the population, that would be either disproportionately or adversely affected. Include specific efforts to address the adverse impacts in your proposal narrative and budget.

C. Tribal Consultation (Information Required)

Section 106 of the National Historic Preservation Act (NHPA) requires federal agencies to take into account the effect of their undertakings on historic properties. The NHPA requires that agencies must complete this process prior to the expenditure of any Federal funds on the undertaking. A Tribal Consultation is required for any project disturbing ground or moving soil, including but not limited to: drainage projects; demolition; construction; elevation; communication towers; tree removal; utility improvements.

1. Describe the current and future use of the project location. A land use map may be provided in lieu of a written description.

The pump station will be constructed on an open-space portion of a park within a City-owned parcel. The pipe placement will occur within roadway and/or railway right-of-ways within the City, which currently have constructed roadways and railways within them.

2. Provide information on any known site work or historic uses for project location.

Roadway traffic.

- ☒ Attach a copy of a city or county scale map (large enough to show the entire project area) with the horizontal limits (feet) and vertical depths (square feet) of all anticipated ground disturbance of 3 inches or more.

D. Alternative Actions (Information Required)

The NEPA process requires that at least two alternative actions be considered that address the same problem/issue as the proposed project. In this section, list **two feasible** alternative projects to mitigate the hazards faced in the project area. One alternative is the "No Action Alternative".

1. No Action Alternative

Discuss the impacts on the project area if no action is taken.

Flooding of the entire 100-year flood plain, damage to approximately 783 structures, flooding of roads causing traffic delays, economic losses, and safety risks.

2. Other Feasible Alternative

Describe a feasible alternative project that would be the next best solution if the primary alternative is not accomplished. This could be an entirely different mitigation method or a significant modification to the design of the current proposed project. Include a Scope of Work, engineering details (if applicable), estimated budget and the impacts of this alternative. Complete *all* of parts **a-e** (below).

a. Project Description for the Alternative

Describe, in detail, the alternative project, and explain how the alternative project will solve the problem(s) and/or provide protection from the hazard(s). Also, provide pros and cons for this alternative and a reason for why it was not selected.

A feasible alternative to reduce flooding in the area would be construction of two stormwater detention ponds one to the west of Central Park Pond 2 and one to the west of Central Park Pond 5 system. The alternative project location sites are shown on Figure 7 in Attachment 1. The ponds would be connected to the Central Park system via two weirs, one adjacent to Laurel Creek and one adjacent to the wetland west of Pond 5. This would allow excess flood from the Central Park System to inflow into the ponds, thus increasing storage and reduce flooding in the area.

b. Project Location of the Alternative (describe briefly, if different from proposed project)

- ☐ Attach a map or diagram showing the alternative site in relation to the proposed project site (if different from proposed project)

c. Scope of Work for Alternative Project

1 - Acquire parcels; 2 - Design and permitting of project; 3 - Construction (clearing of site and excavation of stormwater pond and spillway)

d. Impacts of Alternative Project

Discuss the impact of this alternative on the project area. Include comments on these issues as appropriate: Environmental Justice, Endangered Species, Wetlands, Hydrology (Upstream and Downstream Surface Water Impacts), Floodplain/Floodway, Historic Preservation and Hazardous Materials.

The alternative project would be constructed in wetlands, as shown on Figure 10 and would require wetland excavation.

e. Estimated Budget/Costs for Alternative Project

In this section, provide details of all the estimated costs of the alternative project (round figures to the nearest dollar). A lump sum budget is acceptable.

Materials:	\$14,195,978.00
Labor:	
Fees:	
Total Estimated Project Cost:	\$14,195,978.00

HMGP ENVIRONMENTAL REVIEW
Information and Documentation Requirements by Project Type

<i>Retrofits to Existing Facilities/Structures</i> <i>Elevations</i> <i>Acquisitions with Demolition</i>
✓ Dates of Construction ✓ Ground disturbance map for projects with 3 inches or more of ground disturbance ✓ Structure photographs
<i>Drainage Improvements</i>
✓ Engineering plans/drawings ✓ Permit or Exemption letter to address any modifications to water bodies and wetlands - o Department of Environmental Protection - o Water Management District - o U.S. Army Corps of Engineers ✓ Ground disturbance map for projects with 3 inches or more of ground disturbance. ✓ Concurrence from U.S. Fish and Wildlife addressing any impacts to wildlife, particularly endangered and threatened species and their habitats. ✓ If the project is in a coastal area, attach a letter from the National Marine Fisheries Service addressing impacts to marine resources. ✓ Concurrence from Natural Resource Conservation Service if project is located outside city limits and may impact prime or unique farmland. ✓ Concurrence from your Local Floodplain Manager – if project is located in a floodplain.

Note: This is a general guideline for most projects. However, there will be exceptions. Consult with state environmental staff on project types not listed.

Section VI – Maintenance Agreement

All applicants whose proposed project involves the retrofit or modification of existing public property or whose proposed project would result in the public ownership or management of property, structures, or facilities, must first sign the following agreement prior to submitting the application to FEMA.

(NOTE: Not applicable to projects solely related to residential or private property.)

The _____ City _____ of _____ Ormond Beach _____, State of Florida, hereby agrees that if it receives any Federal aid as a result of the attached project application, it will accept responsibility, at its own expense if necessary, for the ***routine*** maintenance of any real property, structures, or facilities acquired or constructed as a result of such Federal aid. Routine maintenance shall include, but not be limited to, such responsibilities as keeping vacant land clear of debris, garbage, and vermin; keeping stream channels, culverts, and storm drains clear of obstructions and debris; and keeping detention ponds free of debris, trees, and woody growth.

The purpose of this agreement is to make clear the Sub-recipient's maintenance responsibilities following project award and to show the Sub-recipient's acceptance of these responsibilities. It does not replace, supersede, or add to any other maintenance responsibilities imposed by Federal law or regulation and which are in force on the date of project award.

Signed by _____ Joyce A Shanahan _____ the duly authorized representative
(printed or typed name of signing official)

City Manager
(title)

This _____ (day) of _____ (month), _____ (year).

Signature* _____

****Note: The above signature must be by an individual with legal signing authority for the respective local government or county (e.g., the Chairperson, Board of County Commissioners or the County Manager, etc.)***

Attachment Index

Use the following template to list any supporting documentation that is **included on the CD or flashdrive**. Clearly and concisely label each attachment on this form to correspond with the file name on the CD or flashdrive. In the first column list which section and item (from the HMGP application) the attachment refers to. *Example: Section 2, Item 1.* **If any required documentation is not included on the CD or flashdrive, the application will be considered incomplete and will not be considered for possible funding.**

Section # & Item		Attached Document Name
1	I-B-12b	LMS Letter of endorsement
2	II-A-7	Plans
3	II-A-7	Calculations' H&H study
4	III-B-1	Firm Map
5	III-C-1	City Scale Map
6	III-C-2	USGS Topographic Map
7	III-C-4	Site Pictures
8	IV-A	
9	V-D-d	Alternatives Map
10		
11		
12		
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April 12, 2023

Ms. Laura Dhuwe, State Hazard Mitigation Officer Florida
Division of Emergency Management
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

RE: Hazard Mitigation Grant Program (HGMP) applications for FEMA 4673-DR-FL,
Hurricane Ian

Dear Mrs. Dhuwe:

The Volusia County Local Mitigation Strategy (LMS) working group has approved by vote and prioritized the following projects for HMGP funding from this disaster. These projects align with our LMS goals and objectives as noted, and with the State's mitigation goals and objectives (in accordance with the Code of Federal Regulations 44% 201.6).

The Volusia County LMS group therefore presents the projects below (or in an attachment) in the order that they are to be considered for funding.

For further information or inquiry, please contact me at 386-254-1500 or alaustin@volusia.org.

Sincerely,

Aubrie Austin, LMS Chair Volusia County

cc:

Priority List for Volusia County FL HMGP FEMA--DR-FL Hurricane Ian FINAL 03/22/2023

LMS Priority	Jurisdiction & Priority	LMS #	Title	Description	Total Cost	HMGP (75%)	Match (25%)	Goal
1	Edgewater Environmental Services /Priority 1	VOL-0613	Wastewater Treatment Plant Flood-proofing		\$ 15,000,000.00	\$ 11,250,000.00	\$ 3,750,000.00	GOAL 5 Objective 3
2	Ormond Beach Public Works/Priority 1	VOL-0546	Fleming Avenue Pump Station		\$ 12,561,200.00	\$ 9,420,900.00	\$ 3,140,300.00	GOAL 9 Objective 6
3	Port Orange Public Works/Priority 1	VOL-0610	Elevate 20 Flood-Prone Homes and 10 Flood-Prone Mobile Homes		\$ 7,600,000.00	\$ 5,700,000.00	\$ 1,900,000.00	GOAL 7 Objective 1
4	Deltona City Manager's Office/Priority 1	VOL-0587	Elevate Elkcam Boulevard		\$ 6,000,000.00	\$ 4,500,000.00	\$ 1,500,000.00	GOAL 8 Objective 1
5	New Smyrna Beach Engineering/Priority 1	VOL-0601	Elevate Eighteen (18) Flood-Prone Homes		\$ 5,476,663.00	\$ 4,107,497.25	\$ 1,369,165.75	GOAL 7 Objective 3
6	Orange City Manager's Office/Priority 1	VOL-0594	Elevate East Graves Avenue		\$ 3,541,800.00	\$ 2,656,350.00	\$ 885,450.00	GOAL 5 Objective 7
7	Daytona Beach Shores Finance/Priority 1	VOL-0635	Multipurpose Safe Room		\$ 3,188,600.00	\$ 2,391,450.00	\$ 797,150.00	GOAL 4 Objective 1
8	South Daytona Public Works/Priority 1	VOL-0604	Lift station generators		\$ 1,350,000.00	\$ 1,012,500.00	\$ 337,500.00	GOAL 9 Objective 6
9	Holly Hill Public Works priority 1	VOL-0555	Lift Station #21 Refurbishment		\$ 516,000.00	\$ 387,000.00	\$ 129,000.00	GOAL 6 Objective 1
10	Volusia County Public Works/Utilities Priority 1	VOL-0639	Two (2) Bypass Pumps and Siphon 5,225 linear feet of Sanitary Sewer Pipes for Stone Island		\$ 426,950.00	\$ 320,212.50	\$ 106,737.50	GOAL 9 Objective 6
11	Daytona Beach Public Works/ Priority 1	VOL-0628	Generators for Lift Stations		\$ 1,550,000.00	\$ 1,162,500.00	\$ 387,500.00	GOAL 9 Objective 6
12	Volusia County Emergency Management/Priority 1	VOL-0625	Acquisition and Demolition at 241 Cherokee Drive		\$ 300,000.00	\$ 225,000.00	\$ 75,000.00	GOAL 5 Objective 5
13	Town of Pierson Clerk/Priority 1	VOL-0644	Two (2) Generators for New EOC Command Center (Administrative Offices & Cafeteria Building)		\$ 160,000.00	\$ 120,000.00	\$ 40,000.00	GOAL 9 Objective 6
14	Volusia County Fire Services/Priority 1	VOL-0611	Station 15 Generator		\$ 130,000.00	\$ 97,500.00	\$ 32,500.00	GOAL 3 Objective 4.
15	Ponce Inlet City Manager's Office/Priority 1	VOL-0621	Generators for Community Center, Fire Station, and Public Works Facility		\$ 180,000.00	\$ 135,000.00	\$ 45,000.00	GOAL 3 Objective 4
16	New Smyrna Beach Engineering/Priority 2	VOL-0602	Elevate Nine (9) Flood-Prone Homes		\$ 2,900,000.00	\$ 2,175,000.00	\$ 725,000.00	GOAL 5 Objective 5
17	Deltona City Manager's Office/Priority 2	VOL-0589	Elevate Catalina Boulevard		\$ 2,250,000.00	\$ 1,687,500.00	\$ 562,500.00	GOAL 9 Objective 3
18	South Daytona Public Works/Priority 2	VOL-0606	Stormwater Station upgrades		\$ 2,500,000.00	\$ 1,875,000.00	\$ 625,000.00	GOAL 9 Objective 6
19	Holly Hill Public Works Priority 2	VOL- 596	Lift station upgrades		\$ 450,000.00	\$ 337,500.00	\$ 112,500.00	GOAL 9 Objective 6
20	Orange City Manager's Office/Priority 2	VOL-0595	Mill Lake Stormwater Pump Station Improvements		\$ 800,000.00	\$ 600,000.00	\$ 200,000.00	GOAL 9 Objective 6
21	Volusia County Public Works/Utilities Priority 2	VOL-0641	Six (6) Permanent Sanitary Sewer Emergency Bypass Pumping Systems		\$ 495,000.00	\$ 371,250.00	\$ 123,750.00	GOAL 9 Objective 6
22	Ormond Beach Public Works/Priority 2	VOL-0626	Generator for Fire Stations 92 and 93		\$ 250,000.00	\$ 187,500.00	\$ 62,500.00	GOAL 9 Objective 3
2	Volusia County Emergency Management/Priority 2	VOL-0608	Elevate Coleman Residence		\$ 135,000.00	\$ 101,250.00	\$ 33,750.00	Goal 5 Objective 5

24	Daytona Beach Shores Finance/Priority 2	VOL-0636	Generator for Community Center		\$ 120,000.00	\$ 90,000.00	\$ 30,000.00	GOAL 9 Objective 3
25	Volusia County Fire Services/Priority 2	VOL-0612	Station 35 Generator		\$ 70,000.00	\$ 52,500.00	\$ 17,500.00	GOAL 9 Objective 3
26	Volusia County Emergency Mangement/Priority 3	VOL-0609	Elevate Blackburn residence		\$ 278,250.00	\$ 208,687.50	\$ 69,562.50	Goal 5 Objective 5
27	New Smryna Beach Engineering/Priority 3	VOL-0600	Demolition and Reconstruction Four (4) Flood-Prone Homes		\$ 1,400,000.00	\$ 1,050,000.00	\$ 350,000.00	Goal 5 Objective 6
28	Deltona City Manager's Office/Priority 3	VOL-0588	Acquisition and Demolition at 2560 West Tulsa Drive		\$ 450,000.00	\$ 337,500.00	\$ 112,500.00	Goal 5 Objective 6
29	Ormond Beach Public Works/Priority 3	VOL-0619	Elevate Flood-Prone Home at 520 West Street		\$ 280,000.00	\$ 210,000.00	\$ 70,000.00	Goal 5 Objective 6
30	Volusia County PublicWorks/Utilities/ Priority 3	VOL-0640	Slipline 20,800 linear feet of Sanitary Sewer Pipes within the Southwest Service Area (DeBary)		\$ 891,240.00	\$ 668,430.00	\$ 222,810.00	GOAL 9 Objective 6
31	Volusia County Emergency Management Priority 3	VOL-0642	140 Temple Street Elevation		\$ 288,650.00	\$ 216,487.50	\$ 72,162.50	Goal 5 Objective 6
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					\$ 71,539,353.00	\$ 53,654,514.75	\$ 17,884,838.25	



City of Ormond Beach AGENDA ITEM

August 1, 2023 - City Commission

Number:8.E

Section:	CONSENT AGENDA		
Item Category:	Consent - Resolution	Res./Ord. No:	2023-124
Strategic Goal:	Public Safety - Other		
Department:	Public Works - Engineering		
Subject:	Hazard Mitigation Grant Program Submittal - Generators Fire Stations 92 & 93		
Summary:	This is a request to authorize the submittal of an online grant application for Fire Stations 92 and 93 generators to the Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) under Federal Disaster declaration for Hurricane Ian (FEMA-4673-DR-FL). The HMGP provides grants to local governments to implement long-term hazard mitigation measures after major disaster declarations. The generator at Fire Station 93 has been in service since 2000, has experienced major failures in recent years, does not have the capacity to power the entire facility, and is in need of replacement. The generator at Fire Station 92 has been in service since 2006, and is critical to delivering emergency services as this station serves as the City's Emergency Operation Center. Reliable and consistent power preserves response capabilities, operable communications/dispatching, appropriate response times, logistical support, and city-wide command/control of large-scale events. Application criteria requires that state/local governments have an approved Local Mitigation Strategy (LMS) to be eligible to apply and require projects submitted are a part of the LMS. The City participates in the Volusia County LMS and these projects were submitted, approved, and included in the LMS project listing attached. Since Volusia County was directly affected by Hurricane Ian, projects within the County are eligible for Tier 1 funding. Deadline for application submittal to the Florida Department of Emergency Management is August 29, 2023.		
Financial Impact:	If approved, FEMA will pay up to 75% of the cost. Cost is estimated to be \$240,280 (HMGP share \$180,210; City share \$60,070). Funding is		

	available from project funding in the Capital Improvement Program budget submitted for Fiscal Year 2023-2024, in the estimated amount.
Citizen Impact:	This project will ensure and enhance the City's ability to provide continuity of emergency response operations before, during, and after disaster-type events. Strategically located for quick and efficient response to emergency incidents, these facilities are critical to public safety, and provide a tangible benefit to the residents.
Recommended Action (Staff, Advisory Board and/or Other):	Staff recommends approval of the submission of the grant application for Fire Stations 92 and 93 Generators to FEMA's HMGP grant program.
Staff Contact:	Alex Schumann, City Engineer, (386) 676-3302
Attachments:	1. 23-124 HMGP Generators FS92 93 (P23-0091G) 2. Generator - HMGP Application (1_2020) 070523 3. LMS Priority Letter & Priority List HMGP IAN 2023 4. FS Generators FS 92 & 93 5. Generator Worksheet 061623 6. Generator Quote - 100kwer5 7. Transfer Switches Quote - SS 400amp ATSr4 8. Product Sheet TP100_T3 9. 22 - #468 FSA ATS Binder 10-1-2022 10. 22 - #114 FSA - 125kw Land Base Generator Binder 10-1-2022 11. Enclosure Proposal FS 93 12. Electrical Connection estimate
Approval:	Kelly McGuire, Finance Director 7/17/2023 Claire Whitley, Assistant City Manager 7/21/2023 Joyce Shanahan, City Manager 7/25/2023

RESOLUTION NO. 2023-124

A RESOLUTION AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY UNDER THE HAZARD MITIGATION GRANT PROGRAM FOR FUNDING ASSISTANCE RELATIVE TO GENERATORS FOR FIRE STATIONS 92 AND 93; AUTHORIZING THE EXECUTION OF ALL DOCUMENTS INCIDENTAL THERETO, INCLUDING ANY CONTRACT NECESSARY FOR THE CITY TO ACCEPT THE GRANT AWARD; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, the City Commission desires to replace the generators at Fire Stations 92 and 93 at an estimated cost of \$240,280.00 (“the Project”), and

WHEREAS, the Federal Emergency Management Agency has a current grant cycle open under the Hazard Mitigation Grant Program from which the City can request maximum funding assistance in the amount of \$180,210.00 (75% of Project cost), and

WHEREAS, the City Commission desires to submit a grant application to the Federal Emergency Management Agency under the Hazard Mitigation Grant Program (a copy of which is attached hereto and incorporated herein by reference) for the purpose of obtaining funding assistance in the amount of \$180,210.00 for the Project, and

WHEREAS, the City is required to make a matching contribution of at least \$60,070.00, now therefore

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

SECTION ONE. The City Manager or her designee is hereby authorized and directed to submit a grant application, including any and all documents that are necessary and

incidental thereto, to the Federal Emergency Management Agency under the Hazard Mitigation Grant Program in the amount of \$180,210.00 for funding assistance to purchase generators for Fire Stations 92 and 93.

SECTION TWO. The Mayor and City Manager are hereby further authorized and directed to execute any contract, including any and all documents that are necessary and incidental thereto, for the City to accept the grant award.

SECTION THREE. The City Manager hereby certifies that the City's matching funds in the amount of \$60,070.00 will be derived from the Capital Improvement Program Fund.

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

APPROVED AND AUTHENTICATED this 1st day of August, 2023.

BILL PARTINGTON
Mayor

ATTEST:

SUSAN CARROLL DAUDERIS
City Clerk

THIS SECTION FOR STATE USE ONLY

FEMA-____-DR-FL

☐ Standard HMGP

☐ 5% Initiative Application

☐ Application Complete

☐ Initial Submission or

☐ Re- Submission

Support Documents

☐ Conforms w/ State 409 Plan

☐ In Declared Area

☐ Statewide

Eligible Applicant

☐ State or Local Government

☐ Private Non-Profit (Tax ID Received)

☐ Recognized Indian Tribe or Tribal Organization

Project Type(s)

☐ Wind

☐ Flood

☐ Other:

Community NFIP Status: (Check all that apply)

☐ Participating Community ID#: _____

☐ In Good Standing ☐ Non-Participating ☐ CRS

LMS Ranking: _____

County: _____

State Application ID: _____

(TIME-DATE STAMP HERE)

This application is for all Federal Emergency Management Agency (FEMA Region IV) Hazard Mitigation Grant Program (HMGP) proposals. Complete ALL sections and provide the documents requested. If you require technical assistance, contact the Florida Division of Emergency Management at **DEM_HazardMitigationGrantProgram@em.myflorida.com**.

Section I – Applicant

A. Applicant Instruction: Complete all sections that correspond with the type of proposed project

Application Sections I-IV:

All Applicants must complete these sections

Environmental Review:

All Applicants must complete these sections

Maintenance Agreement:

Any Applications involving public property, public ownership, or management of property

Flood Control – Drainage Improvement Worksheet:

Acquisition, Elevation, Dry Flood Proofing, Drainage Improvements, Flood Control Measures, Floodplain and Stream Restoration, and Flood Diversion – **one worksheet per structure**

Generator Worksheet:

Permanent, portable generators, and permanent emergency standby pumps

Tornado Safe Room Worksheet:

New Safe Room, Retrofit of existing structure, Community Safe Room, Residential Safe Room

Hurricane Safe Room Worksheet:

New Safe Room, Retrofit of existing structure

Wind Retrofit Worksheet:

Wind Retrofit projects only – one worksheet per structure

Wildfire Worksheet:

Defensible Space, Hazardous Fuels Reduction, Ignition Resistant Construction, other

Drought Worksheet:

Aquifers, other

Utility Mitigation Worksheet

Upgrades to sewer systems, upgrading electrical components for a utility, undergrounding electrical systems, etc.

Request for Public Assistance Form:

FEMA Form 90-49 (Request for Public Assistance): All applicants must complete, if applicable.

Acquisition Forms:

If project type is Acquisition, these forms must be completed.

(Only one of the two *Notice of Voluntary Interest* forms is necessary.)

Model Statement of Assurances for Property Acquisition Projects

Declaration and Release

Notice of Voluntary Interest (Town Hall Version)

Notice of Voluntary Interest (Single Site Version)

Statement of Voluntary Participation

FEMA Model Deed Restriction Language

Application Completeness Guidance / Checklist :

All applicants are recommended to complete this checklist and utilize the guidance for completing the application.

B. Applicant Information:

FEMA-4673-DR-FL

DISASTER NAME: Hurricane Ian

Title of Project: City of Ormond Beach, Generator Replacement at Fire Stations 92 and 93

1. Applicant (Organization): City of Ormond Beach
2. Applicant Type: ☒ State or Local Government ☐ Native American Tribe ☐ Private Non-Profit ☐ Special District
3. County: Volusia
4. State Legislative Senate District(s): 7; State Legislative House District(s): 28 ;
Congressional House District(s): 6
5. Federal Tax I.D. Number: 59-6000398
6. Data Universal Numbering System (DUNS): 087320164
7. Federal Information Processing Standards (FIPS) Code*: 12127 (*if your FIPS code is not known, see guidance)
8. National Flood Insurance Program (NFIP) Community Identification Number: 125136
(this number can be obtained from the FIRM map for your area)
9. **Point of Contact:** (Applicant staff serving as the coordinator of project)

☐ Ms. ☒ Mr. First Name: Alex Last Name: Schumann
Title: City Engineer
Address: 22 South Beach Street
City: Ormond Beach State: FL Zip Code: 32174
Telephone: 386-676-3302 Email: Alex.Schumann@ormondbeach.org

10. Application Prepared by:

☒ Ms. ☐ Mr. First Name: Loretta Last Name: Moisio
Title: Grants Coordinator
Address: 22 South Beach Street
City: Ormond Beach State: FL Zip Code: 32174
Telephone: 386-676-3315 Email: Loretta.Moisio@ormondbeach.org
Organization: City of Ormond Beach

11. Authorized Applicant Agent (proof of authorization authority required)

☒ Ms. ☐ Mr. First Name: Joyce Last Name: Shanahan
Title: City Manager
Address: 22 South Beach Street
City: Ormond Beach State: FL Zip Code: 32174
Telephone: 386-676-3200 Email: Joyce.Shanahan@ormondbeach.org

Signature: _____

Date: _____

12. Local Mitigation Strategy (LMS) Compliance

- a. All proposed projects must be included in the county's Local Mitigation Strategy (LMS) Project List, and on file with FDEM's Mitigation Bureau Planning Unit. Does your jurisdiction have a current FEMA Approved Mitigation Plan and this project is listed? ☒ Yes ☐ No
- b. Attached is a letter of endorsement for this project from the county's LMS Coordinator. ☒ Yes ☐ No
Ensure the LMS endorsement letter contains both the Total Estimated Projects Cost (Section IV. D.), along with the Estimated Federal Share (Section IV. I.1.) allocated to this project.
- c. The LMS project list and endorsement letter both have an estimated cost column and Federal Share amount that is within \$500.00 between the two. ☒ Yes ☐ No

13. Has this project been submitted under a previous disaster event? ☒ No
☐ Yes, provide the disaster number and project number (as applicable): _____

Section II – Project Description

A. Hazards to be Mitigated / Level of Protection

1. Select the type of hazards the proposed project will mitigate:
☐ Flood ☒ Wind ☐ Storm surge ☐ Wildfire ☐ Other (list): _____
2. Identify the type of proposed project:
☐ Elevation and retrofitting of residential or non-residential structure
☐ Acquisition and Relocation ☐ Acquisition and Demolition
☐ Wind retrofit ☐ Drainage project that reduces localized flooding
☒ Generator ☐ Other (explain) _____
3. List the total number of persons that will be protected by the proposed project (*include immediate population affected by the project only*):
43,355
4. List how many acres of "Total Impacted Area" is to be protected by the proposed project (*include immediate area affected by the project only*):

5. Fill in the level of protection and the magnitude of event the proposed project will mitigate. (e.g. 23 structures protected against the 100-year storm event (1% chance)
2 structure(s) protected against the 500 -year storm event (10, 25, 50, 100, or 500 year storm event)
_____ structure(s) protected against _____ mile per hour (mph) winds
6. Check **all** item(s) the project may impact:

☐ Wetlands	☐ Water Quality	☐ Previously Undisturbed Soil
☐ Floodplain	☐ Coastal Zone	☐ Toxic or Hazardous Substances
☐ Historic Resources	☐ Fisheries	☐ Threatened & Endangered Species
☐ Vegetation Removal	☐ Public Controversy	☐ Potential for Cumulative Impacts
☒ Health & Safety	☐ Other _____	
7. **Engineered projects:** If your project has been already designed and engineering information is available, attach to your application **ALL** calculations, H&H study and design plans (e.g. Drainage Improvement, Erosion Control, or other special project types). ☐ No ☐ Yes If so, see Attachment #(s) _____.

B. Project Description, Scope of Work, and Protection Provided (Must be Completed in Detail)

Describe, in detail, the existing problem, the proposed project, and the scope of work. Explain how the proposed project will **solve** the problem(s) and provide the level(s) of protection described in Part A. Also, if available, attach a vendor's estimate and/or a contractor's bid for the scope of work. **Ensure that each proposed project is mitigation and not maintenance.**

1. Describe the existing problems:

Generator replacement at Fire Stations 92 and 93 would ensure continuity of operations during disaster events and power surges. Without continuous power to these critical facilities, there is a significant risk to the safety of the community, and an inability to provide necessary emergency response services. The generator at Fire Station 93 has been in service since 2000 and has experienced failures in recent years, making it unreliable. Additionally, it does not have the capacity to power the entire facility, causing critical logistical/support issues when upstaffing the station during these events. It is also does not have a protective enclosure to protect it from airborne debris. The generator at Station 92 has been in service since 2006, and is nearing the end of its practical service lifespan. It is extremely important to have a reliable backup power source as Fire Station 92 serves as the City's Emergency Operations Center during major events/disasters. Without a reliable and redundant power system, the ability to coordinate safe, efficient, and effective response/recovery efforts city-wide would be significantly impacted.

2. Describe the type(s) of protection that the proposed project will provide:

This Fire Station Generators project will enhance the ability of the City to provide continuity of emergency response operations before, during, and after disaster-type events. Strategically located for quick and efficient response to emergency incidents, these facilities are critical to public safety, and provide a tangible benefit to the residents of Ormond Beach. Additionally, OBFD Stations 92 and 93 house additional personnel for the EOC, and as refuge for other internal and external public safety agencies (OBPD, VCEMS, and VCFR). Without reliable, consistent power, response capabilities will be

negatively impacted, including: inoperable communications/dispatching, increased response times due to unit relocation, lack of logistical support for personnel/upstaffing, and loss of city-wide command/control of large-scale events.

3. Scope of Work (describe in detail what you are planning to do):

The City of Ormond Beach is seeking replacement of fixed generators at OBFD Stations 92 and 93, in order to ensure the continuity of operations during disaster events and power outages. Without continuous power to these critical facilities, there is a significant risk to the safety of the community.

Specifically, this request is seeking replacement of the generators and transfer switching gear at both stations , and a protective wall/enclosure at Station 93. This project will include all necessary procurement and permitting, design, purchasing of equipment, installation/construction activities, and all project closeout activities. All construction and design implementation will be done in accordance with all applicable federal, state, and local agencies' laws, regulations, codes, and standards.

4. Describe any other on-going or proposed projects in the area that may impact, positively or negatively, the proposed HMGP Project:

There are currently no other ongoing or proposed projects in the area that may impact this proposed project.

Section III – Project Location (Fully describe the location of the proposed project.)

A. Site

1. Describe the physical location of this project, including street numbers (or neighborhoods) and project site zip code(s). Provide precise longitude and latitude coordinates for the site utilizing a hand-held global positioning system (GPS) unit or the equivalent:

Site Location: **Fire Station 92 and Fire Station 93**

Address(es): **189 S. Nova Rd. and 300 Wilmette Ave., Ormond Beach, FL**

GPS coordinates (decimal degree format): **N 29.2755 W81.0824 and N 29.207 W 81.0685**

Project Zip Code(s): **32174**

2. Titleholder: **City of Ormond Beach**
3. Is the project site seaward of the Coastal Construction Control Line (CCCL)? ☐ Yes ☐ No
4. Provide the number of each structure type (listed below) in the project area that will be affected by the project. Include ***all*** structures in project area.

☐ Residential property: _____	☒ Public buildings: <u>2</u>
☐ Businesses/commercial property: _____	☐ Schools/hospitals/houses of worship: _____
☐ Other: _____	

B. Flood Insurance Rate Map (FIRM) Showing Project Site

1. ☒ Attach one (1) copy of the FIRM map, a copy of the panel information from the FIRM, and, if available, the Floodway Map. <i>FIRM maps are required for this application (if published for your area). Also, all attached maps must have the project site and structures clearly marked on the map.</i> FIRMs are typically available from your local floodplain administrator who may be located in a planning, zoning, or engineering office. Maps can also be ordered from the Map Service Center at 1-800-358-9616. For more information about FIRMs, contact your local agencies or visit the FIRM site on the FEMA Web-page at https://msc.fema.gov/portal .	
2. Using the FIRM, determine the flood zone(s) of the project site (Check all zones in the project area) (See FIRM legend for flood zone explanations) (A Zone must be identified)	
☐ VE or V 1-30	☒ AE or A 1-30
☐ AO or AH	☐ A (no base flood elevation given)
☒ B or X (shaded)	☒ C or X (unshaded)
☐ Floodway	☐
☐ Coastal Barrier Resource Act (CBRA) Zone (Federal regulations strictly limit Federal funding for projects in this Zone; coordinate with your state agency before submitting an application for a CBRA Zone project).	
3. ☐ If the FIRM Map for your area is not published, attach a copy of the Flood Hazard Boundary Map (FHBM) for your area, with the project site and structures clearly marked on the map.	
4. ☐ Attach a copy of a Model Acknowledgement of Conditions for Mitigation in Special Flood Hazard Area	

C. Maps with Project Site and Photographs

1. ☒ Attach a copy of a city or county scale map (large enough to show the entire project area) with the project site and structures marked on the map.
2. ☒ Attach a USGS 1:24,000 TOPO map with project site ***clearly*** marked on the map.
3. ☐ For ***acquisition*** or ***elevation*** projects, include copy of Parcel Map (Tax Map, Property Identification Map, etc.) showing each property to be acquired or elevated. Include the Tax ID numbers for each parcel, and Parcel information – including year built and foundation.
4. ☒ Attach photographs (at a minimum 4 photographs) for each project site per application. The photographs should be representative of the project area, including any relevant streams, creeks, rivers, etc. and drainage areas that affect the project site or will be affected by the project, and labeled. For each structure, include the following angles: front, back and both sides.

Section IV – Budget/Costs

In order to assist applicants with filling out the following Budget section, we have provided the following instructions for your convenience. For this section, we ask that you provide details of all the estimated costs of the project, as it is used for the benefit-costs analysis as well as for the feasibility and effectiveness review.

For the cost sections relating to Materials, Labor, and Fees, it is important to note,

- Lump sums without supporting documentation showing a breakdown of those costs are not acceptable. For those items that will not fit in the spaces provided, attach the appropriate documentation to your application.
- Identify your match sources in sections B and I.
- Sub-Total cells will auto sum the costs in their respective columns.
- Do not factor management costs into parts A-C. If management costs are being requested, see part G.
- Contingency Costs need to be justified and reported as a separate line item in part E of this section. From left to right in that part, enter the desired percentage (maximum 5% of Material/Labor), the amount the percentage is to be applied to, and the resulting amount. **PLEASE NOTE-** These cells will not auto-calculate across the row, but the final cell will be calculated into the Final Project Cost below it. Take care that everything is calculated correctly.
- Pre-Award Costs: costs must be identified as a separate line item, AND a completed HMGP Pre-Award Cost Request Form **MUST** be submitted with this application, detailing the items/cost and requested start date.
- Mark all In-kind (donated) services with (**); In-house (employee) services with (***), per each line item.
- All funding sources (In-kind, In-house, Global Match, and Other Agencies) must be identified (below) AND identified on the Funding Sources - Section IV I.

For project management costs, in compliance with Disaster Relief and Recovery Act of 2018 (DRRA) and the subsequent FEMA Interim Policy #104-11-1, the Florida Division of Emergency Management has included a section for applicants to request, or refuse, project management funds that are available to them. Under this new policy, HMGP projects awarded under disasters declared on or after August 1, 2017, are eligible for project management costs up to 5 percent of their total project costs.

Applicants choosing to apply for this funding must detail the specific administrative costs in Part G of this section. These costs must be eligible administrative costs, conforming to the requirements set in 2 CFR Part 200 Subpart E. Applicants must ensure that their administrative costs are reasonable, allowable, allocable, and necessary for the performance of the federal award.

The State will allot these management costs on a project-by-project basis per the amount requested by the sub-recipient, up to 5 percent of the total project cost. A sub-recipient may request less than this, but no higher. These management costs will be considered a separate pool of funding, and **WILL NOT** affect a project's benefit-cost analysis.

Management costs will be reimbursed per reimbursement request, and no more than 5 percent of any given reimbursement request amount. All management costs reimbursements will be contingent upon adequate documentation from the sub-recipient.

Management costs will be reimbursed at 100 percent of the amount of management costs requested, so far as they are adequately documented and are no more than 5 percent of the request. Any unused management costs at closeout following the final payment will be de-obligated. If the final total project cost results in an under-run, management costs will be reduced accordingly.

Applicants must make the determination to request or refuse management costs at the time of formal application submittal. The State will accept the initial determination from the applicant. There will be no recourse from the State for applicants wishing to change their initial determination after the application has been formally submitted.

A. Materials

<u>Item</u>	<u>Unit</u>	<u>Quantity</u>	<u>Cost per Unit</u>	<u>Cost</u>
Model TP125 Base Awarded Tradewinds Generator Set		2	\$71,172.00	\$142,344.00
T-300tank-FS - Fuel Tank		2	\$10,375.00	\$20,750.00
Model TT600 Automatic Transfer Switch		2	\$6,070.00	\$12,140.00
Model TT600 Automatic Transfer Switch		2	\$7,053.00	\$14,106.00
6" x 12' x 12' slab, 12" x 12" footing, 9' high CMU wall, grout cells and lintel, stucco exterior, paint, chain link double gate and 12' x 12' chain link over CMU.		1	\$49,950.00	\$49,950.00
<u>Sub-Total</u>				\$239,290.00

B. Labor Include equipment costs. Indicate all "soft" or in-kind matches (**).

<u>Description</u>	<u>Hours</u>	<u>Rate</u>	<u>Cost</u>
Electrical Connections - Journeyman labor	12	\$65.00	\$780.00
Electrical Connections - Apprentice labor	6	\$35.00	\$210.00
Generator Startup and Load Test			
<u>Sub-Total</u>			\$990.00

C. Fees Paid Include any other costs associated with the project.

<u>Description of Task</u>	<u>Hours</u>	<u>Rate</u>	<u>Cost</u>
<i>*Pre-Award</i>			
<u>Sub-Total</u>			\$0.00

D. **Total Estimated Project Cost** \$240,280.00

E. Contingency Costs (maximum 5% of Material/Labor) %

F. **Final Project Cost** \$240,280.00

Note: To be eligible for HMGP Pre-Award costs – the costs must be identified as a separate line item in the estimate above, AND a

Mark all In-kind (donated) services with (**); In-house (employee) services with (***), per each line item.
All funding sources (In-kind, In-house, Global Match, and Other Agencies) must be identified (above) AND identified on the Funding Sources - Section IV I.

Based on the amount of total project cost being requested in Part D (above), your project is eligible for up to an additional 5% of that amount for project management costs. Indicate below whether or not you would like to request these funds and follow the directions for your selected choice.

\$12,014.00

- ☐ **YES**, I would like to request these funds (Fill out the itemized table below, then continue to Part I)*
- ☒ **NO**, I do not wish to request these funds. (continue to Part I)*

[illegible]

H.	Total Estimated Management Costs Requested	\$0.00
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I. Funding Sources (round figures to the nearest dollar)

The maximum FEMA share for HMGP projects is 75%. The other 25% can be made up of State and Local funds as well as in-kind services. HMGP funds may be packaged with other Federal funds, but other Federal funds (except for Federal funds that lose their Federal identity at the State level, such as CDBG, and certain tribal funds) may not be used for the Non-Federal share of the costs.

1.	Estimated Federal Share	<u>\$180,210.00</u>	<u>75</u> % of Total	(Maximum 75%)
2.	Non-Federal Shares			
3.	Estimated Local Shares	<u>\$60,070.00</u>	<u>25</u> % of Total	(Cash)
4.		<u></u>	<u></u> % of Total	(In-Kind**)
5.		<u></u>	<u></u> % of Total	(In-House***)
6.		<u></u>	<u></u> % of Total	(Global Match****)
7.	Other Agency Share (Identify Non-Federal Agency and availability date)	<u></u>	<u></u> % of Total	
8.	Total Funding sources from above	<u>\$240,280.00</u>	<u>100.00%</u> Total	(Equals 100%)

- ☐ **Identify proposed eligible activities directly related to project to be considered for In-Kind services in Section IV.C. Fees
- ☐ ***Identify proposed eligible activities directly related to project to be considered for In-House services in Section IV.C. Fees
- ☐ ****Separate project applications must be submitted for each Global Match project.

Global Match Project Number and Title: _____

9.	Total Estimated Management Costs	Requested	<u>\$0.00</u>		
		Available	<u>\$12,014.00</u>	5% of Total	(Max Allowed)

J. Project Milestones/Schedule of Work

List the major milestones in this project by providing an estimated time-line for the critical activities not to exceed a period of 3 years (36-months) of performance. (e.g. **Contracting, Designing, Engineering, Permitting, Inspections, closeout, etc.**)

Milestone(s)	Number of Months to Complete
Updated specifications/quotes	1 month
City Commission review/approval	2 months
Contracting/order placement	2 weeks
Permitting	2 weeks
Site work	1 month
Generator Delivery (lead time)	7 months
Installation of generators and transfer switches	1 week
Inspections	1 week
Closeout	2 weeks
Total	13 Months

Section V. Environmental Review and Historic Preservation Compliance

(NOTE: This application cannot be processed if this section is not completed.)

Because the HMGP is a federally funded program, all projects are required to undergo an environmental and historic preservation review as part of the grant application process. Moreover, all projects must comply with the National Environmental Policy Act (NEPA) and associated Federal, State, Tribal, and Local statutes to obtain funding. **NO WORK can be done prior to the NEPA review process. If work is done on your proposed project before the NEPA review is completed, it will NOT be eligible for Federal funding.**

A. The following information is required for the Environmental and Historic Preservation review:

All projects must have adequate documentation to determine if the proposed project complies with NEPA and associated statutes. The State Environmental Staff provide comprehensive NEPA technical assistance for Applicants, with their consent, to complete the NEPA review. The type and quantity of NEPA documents required to make this determination varies depending upon the project's size, location, and complexity. However, at a minimum, provide the applicable documentation from this section to facilitate the NEPA compliance process.

1. ☒ Detailed project description, scope of work, and budget/costs (Section II and Section IV of this application).
2. ☐ Project area maps (Section III, part B & C of this application).
3. ☒ Project area/structure photographs (Section III, part C of this application).
4. ☐ Preliminary project plans.
5. ☒ Project alternatives description and impacts (Section V of the application).
6. ☐ Complete the applicable project worksheets.
Documentation showing dates of construction are required for all structures.
7. ☐ Environmental Justice – Provide any applicable information or documentation regarding low income or minority populations in the project area. See Section V.B of this application for details.
8. ☐ Provide any applicable information or documentation referenced on the *Information and Documentation Requirements by Project Type* below.

B. Executive Order 12898; Environmental Justice for Low Income and Minority Population:

1. Are there low income or minority populations in the project area or adjacent to the project area?
☒ No ☐ Yes; describe any disproportionate and adverse effects to these populations:

2. ☒ To help evaluate the impact of the project, explain below or attach any other information that describes the population, or portion of the population, that would be either disproportionately or adversely affected. Include specific efforts to address the adverse impacts in your proposal narrative and budget.
No adverse impacts.

C. Tribal Consultation *(Information Required)*

Section 106 of the National Historic Preservation Act (NHPA) requires federal agencies to take into account the effect of their undertakings on historic properties. The NHPA requires that agencies must complete this process prior to the expenditure of any Federal funds on the undertaking. A Tribal Consultation is required for any project disturbing ground or moving soil, including but not limited to: drainage projects; demolition; construction; elevation; communication towers; tree removal; utility improvements.

1. Describe the current and future use of the project location. A land use map may be provided in lieu of a written description.

2. Provide information on any known site work or historic uses for project location.

- ☐ Attach a copy of a city or county scale map (large enough to show the entire project area) with the horizontal limits (feet) and vertical depths (square feet) of all anticipated ground disturbance of 3 inches or more.

D. Alternative Actions *(Information Required)*

The NEPA process requires that at least two alternative actions be considered that address the same problem/issue as the proposed project. In this section, list **two feasible** alternative projects to mitigate the hazards faced in the project area. One alternative is the "No Action Alternative".

1. No Action Alternative

Discuss the impacts on the project area if no action is taken.

If no action is taken, there is potential for these critical facilities to be without power during a response/recovery, endangering public safety if they are no longer able to be used for their intended purpose of providing emergency response services.

2. Other Feasible Alternative

Describe a feasible alternative project that would be the next best solution if the primary alternative is not accomplished. This could be an entirely different mitigation method or a significant modification to the design of the current proposed project. Include a Scope of Work, engineering details (if applicable), estimated budget and the impacts of this alternative. Complete *all* of parts **a-e** (below).

a. Project Description for the Alternative

Describe, in detail, the alternative project, and explain how the alternative project will solve the problem(s) and/or provide protection from the hazard(s). Also, provide pros and cons for this alternative and a reason for why it was not selected.

b. Project Location of the Alternative *(describe briefly, if different from proposed project)*

- ☐ Attach a map or diagram showing the alternative site in relation to the proposed project site *(if different from proposed project)*

c. Scope of Work for Alternative Project

d. Impacts of Alternative Project

Discuss the impact of this alternative on the project area. Include comments on these issues as appropriate: Environmental Justice, Endangered Species, Wetlands, Hydrology (Upstream and Downstream Surface Water Impacts), Floodplain/Floodway, Historic Preservation and Hazardous Materials.

e. Estimated Budget/Costs for Alternative Project

In this section, provide details of all the estimated costs of the alternative project (round figures to the nearest dollar). A lump sum budget is acceptable.

Materials:	
Labor:	
Fees:	
Total Estimated Project Cost:	\$ 0.00

HMGP ENVIRONMENTAL REVIEW
Information and Documentation Requirements by Project Type

<i>Retrofits to Existing Facilities/Structures</i> <i>Elevations</i> <i>Acquisitions with Demolition</i>
✓ Dates of Construction ✓ Ground disturbance map for projects with 3 inches or more of ground disturbance ✓ Structure photographs
<i>Drainage Improvements</i>
✓ Engineering plans/drawings ✓ Permit or Exemption letter to address any modifications to water bodies and wetlands - o Department of Environmental Protection - o Water Management District - o U.S. Army Corps of Engineers ✓ Ground disturbance map for projects with 3 inches or more of ground disturbance. ✓ Concurrence from U.S. Fish and Wildlife addressing any impacts to wildlife, particularly endangered and threatened species and their habitats. ✓ If the project is in a coastal area, attach a letter from the National Marine Fisheries Service addressing impacts to marine resources. ✓ Concurrence from Natural Resource Conservation Service if project is located outside city limits and may impact prime or unique farmland. ✓ Concurrence from your Local Floodplain Manager – if project is located in a floodplain.

Note: This is a general guideline for most projects. However, there will be exceptions. Consult with state environmental staff on project types not listed.

Section VI – Maintenance Agreement

All applicants whose proposed project involves the retrofit or modification of existing public property or whose proposed project would result in the public ownership or management of property, structures, or facilities, must first sign the following agreement prior to submitting the application to FEMA.

(NOTE: Not applicable to projects solely related to residential or private property.)

The _____ of _____, State of Florida, hereby agrees that if it receives any Federal aid as a result of the attached project application, it will accept responsibility, at its own expense if necessary, for the ***routine*** maintenance of any real property, structures, or facilities acquired or constructed as a result of such Federal aid. Routine maintenance shall include, but not be limited to, such responsibilities as keeping vacant land clear of debris, garbage, and vermin; keeping stream channels, culverts, and storm drains clear of obstructions and debris; and keeping detention ponds free of debris, trees, and woody growth.

The purpose of this agreement is to make clear the Sub-recipient's maintenance responsibilities following project award and to show the Sub-recipient's acceptance of these responsibilities. It does not replace, supersede, or add to any other maintenance responsibilities imposed by Federal law or regulation and which are in force on the date of project award.

Signed by _____ the duly authorized representative
(printed or typed name of signing official)

_____,
(title)

This _____ (day) of _____ (month), _____ (year).

Signature* _____

****Note: The above signature must be by an individual with legal signing authority for the respective local government or county (e.g., the Chairperson, Board of County Commissioners or the County Manager, etc.)***

HMGP Application Completeness Guidance/Checklist

This guidance/checklist contains an explanation, example and/or reference for information requested in the application. Use this list to assure your application is complete and includes the required information for HMGP projects. The appropriate documentation must also be attached. It is important to note that this list is similar to the form that will be used during the application sufficiency review by the HMGP staff.

Project Title: _____

Applicant: _____

Application Information	Explanation of Information Required	✓
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Section I

B. Applicant Information

FEMA__-DR-FL	Type in the four digit number FEMA assigned to the disaster that this application is being submitted under. (Example: 4337, 4283)	☐
DISASTER NAME	Type in the Disaster name. (Example: Hurricane Irma, Tropical Storm Fay)	☐
Title of Project	The project title should include: 1) Name of Applicant, 2) Name of Project, 3) Type of Project. (Example: City of Tallahassee, City Hall Building, Wind Retrofit)	☐
1. Applicant	Name of organization applying. Must be an eligible applicant.	☐
2. Applicant Type	State or local government, recognized Native American tribe, or private non-profit organization. If private non-profit, attach documentation showing legal status as a 501(C). (Example: IRS letter, Tax Exempt Certificate)	☐
3. County	Indicate county in which the project is located.	☐
4. State Legislative and Congressional District(s)	Specify the appropriate State Senate, House and Congressional District code for the project site . For multiple sites, list codes for each site. http://www.myfloridahouse.gov/sections/representatives/myrepresentative.aspx	☐
5. Federal Tax I.D. Number	List the Federal Employer's Identification Number (FEIN), also known as Federal Tax Identification number, 9-digit code. May be obtained from your finance/accounting department.	☐
6. DUNS Number	Include Data Universal Numbering System (DUNS) number in appropriate location on application. Typically, this number can be obtain through your finance department. If not, use the link below to look up your entity. If none, exists you can use the same link to request one. https://www.dnb.com/duns-number.html	☐
7. FIPS Code	List the Federal Information Processing Standards (FIPS) Code. May be obtained from your finance/accounting/grants department. If none, submit FEMA Form 90-49. See state website under the relevant disaster (https://floridadisaster.org/dem/mitigation/hazard-mitigation-grant-program/)	☐
8. NFIP ID Number	List the National Flood Insurance Program (NFIP) number. You must be a participating NFIP member to be eligible for HMGP funding. Make sure that the number is the same as the panel number on the FIRM provided with the application.	☐
9. Point of Contact	Provide all pertinent information for the point of contact. This person serves as the coordinator of the project. If this information changes once the application is submitted, please contact the HMGP staff immediately.	☐
10. Application Prepared By	Provide the preparer information. May be different from the point of contact (line 9) and/or the applicant's agent (line 11).	☐
11. Authorized Applicant Agent	An authorized agent must sign the application. <i>"An authorized agent is the chief elected official of a local government who has signature authority, so for a county it would be the Chairman of the Board of County Commissioners and for a municipality it would be the Mayor (the exact title sometimes varies). Any local government may delegate this authority to a subordinate official (like a City or County Manager) by resolution of the governing body (the Board of County Commissioners or Board of City Commissioners). If a local government delegates signature authority, a copy of the</i>	☐

	<u>resolution</u> by the governing body authorizing the signature authority for the individual signing must be provided.” For Private Non-Profit: A member of its Board of Directors or whoever has authority to authorize funding for such a project. If this task is delegated down, a copy of a resolution confirming this must be provided.	
12. LMS Compliance	a) LMS Project List: All proposed projects must be included in the county's Local Mitigation Strategy (LMS) Project List and must be on file with FDEM's Mitigation Bureau Planning Unit. b) LMS Endorsement Letter: All proposed projects must include an endorsement letter from the county's Local Mitigation Strategy Coordinator. You may use 1 letter as long as it includes every proposed project. c) Estimated Costs & Application Costs: The LMS Project List must include an Estimated Cost column and each HMGP project application must be within \$500.00 of that Project List's estimated cost. Also ensure that the Federal Cost Share indicated on the LMS Coordinator's Endorsement Letter exactly matches the Federal Cost Share indicated within the application. Ensure the LMS endorsement letter contains both the Total Estimated Projects Cost (Section IV. D.), along with the Estimated Federal Share (Section IV. I.1.) allocated to this project. A letter of endorsement for the project and its priority number from the Local Mitigation Strategy Project List must be included. Refer to Sample LMS Letter. Applications without a letter of endorsement will not be processed. (44 CFR 201.6 Local Mitigation Plans)	☐
13. Previous Submittal	If the project has been previously submitted under another disaster, provide the disaster number, the project number, and the title of the project.	☐

Section II - Project Description

A. Hazards to be Mitigated/Level of Protection

1. Type of Hazards	Type of Hazards the Proposed Project will Mitigate: Identify the hazard(s) that the proposed project will mitigate. More than one hazard may be selected.	☐
2. Identify the Type of Project	Identify the Type of Proposed Project: Describe the mitigation project being proposed. (Example: drainage, wind retrofit, generator etc.)	☐
3. Number of Persons Protected	Explain how many people will be protected by or benefit from the proposed project. (Example: A drainage project improving a residential area of 23 homes, with an average household of 2 people = 46 people)	☐
4. Total Impacted Area	Explain how many acres will be impacted from the proposed project: Drainage/Berm/Pond/Culverts/Flood hazard projects: combination of the area to be protected and ground disturbance must not exceed 25 acres.	
5. Level of Protection	Specify the level of protection and magnitude of the event the proposed project will mitigate. Attach support documentation that verifies the stated level of protection. (Example: In a wind retrofit project, it will be the design wind speed to comply with the Florida Building Code requirements. In a drainage project, it will be the implemented design level, e.g. a 25-year FDOT design standard for culvert.)	☐
6. Project Impact	Identify all the items the project may impact or are within the project area.	☐
7. Engineered Projects (e.g. Drainage)	Include available engineering calculations, studies, and designs for the proposed project showing results from applied Recurrence Interval scenarios before and after mitigation. (Number of structures, building replacement value, depth of the water, structural damages, content damages, displacement, road closures, etc.)	☐

B. Project Description, Scope of Work, and Protection Provided (Must be Completed in Detail)

1. Existing Problem	Describe the existing problem, location, source of the hazard, and the history and extent of the damage. Include newspaper articles, insurance documentation, photographs, etc. If this project is eligible for PA (406) mitigation activities, describe the 406 activities.	☐
2. Type of Protection	Determine how the funding will solve the existing problem and provide protection.	☐

3. Scope of Work:	What the Project Proposes to Do: Determine the work to be done. The scope of work must meet eligibility based on HMGP regulations and guidance. Explain how the proposed problem will be solved. (NOTE: The proposed project must be a mitigation action, not maintenance.) <i>Does the proposed project solve a problem independently or constitute a functional part of a solution where there is assurance that the project as a whole will be completed (44 CFR 206.434[c][4])? Does the proposed project address a problem that has been repetitive or that poses a significant risk to public health and safety if left unresolved (44 CFR 206.434[c][5][i])?</i> Projects that merely identify or analyze hazards or problems are not eligible.	☐
4. On-Going or Proposed Projects in the Area	Determine if other projects, zoning changes, etc. are planned (particularly in the same watershed if flooding is being addressed) that may negatively or positively impact the proposed project. If there is a drainage project or downstream issue elsewhere, it may eliminate the current flooding issue, erasing the need for the proposed project. Response applies to drainage and acquisition projects. N/A is appropriate in wind retrofit shutter projects only. If this project is also being considered under the Public Assistance Program (406), describe in detail the 406 mitigation activities and/or services. Do not include project costs associated with this HMGP application.	☐

Section III - Project Location

A. Site

1. Physical Location	List the physical location of the project site(s) including the street number(s), zip code(s) and GPS coordinates (latitude/longitude, in decimal degrees). The physical address must correspond with the address locations specified on maps submitted with the application.	☐
2. Titleholder	Provide the titleholder's name.	☐
3. Project Seaward of the CCCL?	Determine if the project site is located seaward of the Coastal Construction Control Line. https://floridadep.gov/water/coastal-construction-control-line	☐
4. Number and Types of Structures Affected	Specify the number and type of properties affected by the project. (Example: Drainage project that affects 100 homes, 15 businesses and 2 schools.) What does the project protect? Should have a number next to the box that is checked. (See Section II, Item A.5 – detail of these totals)	☐

B. Flood Insurance Rate Map (FIRM) Showing Project Site

1. Copies of FIRM	Attach a copy (or copies) of the FIRM and clearly identify the project site. The FIRM Panel number must be included. To obtain a FIRM map, go to https://msc.fema.gov/portal . See instructions on How to make a FIRMette.	☐
2. Flood Zone Determination	Specify the flood zone(s) of the project site(s). If project is located in a Special Flood Hazard Area. Amount of coverage must be equal to or greater than the amount of Federal mitigation funding obligated to the project.	☐
3. Flood Hazard Boundary Map (FHBM)	Not required if a copy of the FIRM is attached.	☐
4. Model Acknowledgement of Conditions form	The Model Acknowledgement of Conditions for Mitigation in Special Flood Hazard Area form is required for those structures receiving federal funds that will also remain in the special flood hazard area by the close of the project. This form is required at application. It can be found on FEMA's website at https://www.fema.gov/media-library/assets/documents/15677	☐

D. C. Maps with Project Site and Photographs

1. City/County Map with Project Site	The project site and staging location (if applicable) should be clearly marked on a legible City/County map. The map should be large enough to show the project site. More than one map may be required.	☐
2. USGS TOPO with Project Site	The project site should be clearly marked on a legible USGS 1:24,000 TOPO map. To obtain a TOPO map, go to https://ngmdb.usgs.gov/topoview/	☐
3. Parcel/Tax Map	A Parcel, Tax or Property Identification map is required <u>only</u> for acquisition and elevation projects. The location of the structure must be clearly identified.	☐
4. Site Photographs	At least four photographs are required that clearly identify the project site. The photos must be representative of the project area, including any relevant streams,	☐

	creeks, rivers, etc., and drainage areas that affect the project site or will be affected by the project. The front, back and both side angles are required for each structure. For acquisition and elevation projects, a photo taken away from the structure (in front toward the street, and in back toward backyard) to show the area along with photographs of specific elements of the structure affected by the project (windows for shutters or window replacements) should also be provided. Label photographs appropriately. In addition, CDs may be submitted.	
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Section IV - Budget/Costs

Make sure all calculations are correct. Provide a breakdown of materials, labor and fees for the proposed project. Support documentation must be attached, i.e. vendor's quote, professional estimate (from engineer, architect, local building official, etc.). The proposed budget line items should represent allowable costs associated with the scope of work. Contingency Cost should be included as a line item in the budget section, and justified – Maximum allowed is 5%, and is required to complete this section; it will be used for the Benefit-Cost Analysis (BCA). Costs should be accurate, complete and reasonable compared to industry standards. Make sure the total cost is correct on the entire application.

A. Materials	List materials and their associated costs. Provide breakdown.	☐
B. Labor	Provide a breakdown of description, hours, rate, and cost or lump sum labor cost. Can use in-kind contribution as part of the 25% match. (Attach support documentation for in-kind, in-house to detail wages and salaries charged for any contribution. No overtime wages can be used to satisfy match contributions).	☐
C. Fees Paid	Provide a breakdown of associated fees i.e., consultants, studies, engineering, permits, and project management. Maintenance is not an allowable cost under HMGP. <i>Pre-award costs may be requested (See Pre-award Costs guidance).</i>	☐
D. Total Estimated Project Cost	This number includes all project costs without contingency costs included. Make sure all calculations are correct.	☐
E. Contingency Cost	Per FEMA's HMA Guidance (Section VI Part D.3.4), a contingency cost is, "an allowance in the total cost estimate to cover situations that cannot be fully defined at the time the cost estimate is prepared but that will likely result in additional eligible costs. Allowances for major project scope changes, unforeseen risks, or extraordinary events may not be included as contingency costs." The applicant may request up to 5% of material/labor costs. As with other line items, the applicant must justify these contingency costs based on the nature of the project at application. If an applicant wants to include contingency costs, they will need to enter the percentage that they require as well as what amount they want that percentage to be applied to. Type the resulting calculation in the final cell on the right. These cells will NOT auto-calculate. Be sure that they are calculated correctly.	☐
F. Final Project Cost	This number includes any contingency costs that were requested. The final BCA will use this number in its final calculation.	☐
G. Project Management Costs	After reading the guidance provided on pg. 5, select either YES or NO to indicate your need for management costs for this project. If YES , provide a breakdown of description, hours, rate and costs for requested management costs. If NO , continue to Part I.	☐
H. Total Estimated Management Costs Requested	This will auto complete based on what is entered into the cost cells above. Your request must not exceed 5 percent of the total project cost available for this project.	☐

I. Funding Sources (round figures to the nearest dollar)

The proposed sources of non-federal matching funds must meet eligibility requirements. (Except as provided by Federal statute, a cost-sharing or matching requirement may not be met by costs borne by another Federal grant.) 2 CFR Part 200.306.

1. Estimated Federal Share	The estimated Federal share is generally 75%. If the Federal share is not 75%, assure actual amount is entered. It could be 50.1234% or 35.1234%, etc. of the total dollar amount of project depending on county LMS allocation and priority. This figure cannot exceed 75%.	☐
2. Non-Federal Share	May include all 3 sources, i.e. cash, in-kind and global match, as long as the total is a minimum of 25%. Match cannot be derived from a federal agency except Federal funds that lose their federal identity (e.g., CDBG funding and certain tribal funding).	☐

3. Cash	Cash- Local funding will be utilized for the non-federal share. Enter amount of cash and percentage of total that amount represents.	☐
4. Total In-Kind	May use materials, personnel, equipment, and supplies owned, controlled and operated from within governing jurisdiction as an in-kind match. <i>Third party in-kind contributions would be volunteer services, employee services from other organizations furnished free of charge, donated supplies, and loaned equipment or space. The value placed on these resources must be at a fair market value and must be documented. If in-kind is claimed from outside the applicant jurisdiction, it must be cash only. ** Identify proposed eligible activities in Section IV B. and C. as a separate line with In-kind written as a part of the description.</i>	☐
5. Total In-house	Sub-Recipient employees, equipment, etc. – internal services (must utilize the Personnel Activity Report or the Equipment Activity Report for the Request for Reimbursement)	☐
6. Total Project (Global) Match	Project (global) match must 1) meet all the eligibility requirements of HMGP; and 2) begin after FEMA's approval of the match project. A separate HMGP application must be submitted for global match projects. Indicate which project(s) will be matched. <i>The global match is not required to be an identical project. Projects submitted as global match for another project must meet the same period of performance time constraints as the HMGP.</i>	☐
7. Other Agency Share	Identify Non-Federal Agency and availability date; provide the documentation from the agency. (e.g., CDBG funding, and certain tribal funding)	☐
8. Total Funding	Total must represent (100%) of the total estimated project cost. Ensure that percentages match corresponding cost-shares and the total matches the Budget (in Section IV. F. - Total Estimated Project Cost).	☐
9.	Your requested amount must be equal to or less than 5 percent of the total project cost	☐

J. Project Milestones/Schedule of Work

1. Milestones (Schedule)	Identify the major milestones in the proposed project and provide an estimated time-line (e.g. <i>Designing, Engineering – 3 months, Permitting – 6 months, Procurement – 30 days, Installation – 6 months, Contracting – 1 month, Delays, Project Implementation, Inspections, Closeout, etc.</i>) for the critical activities not to exceed a period of 3 years (36-months) for performance. Milestones should not be grouped together but listed individually. Allot for the appropriate amount of time for final inspection and closeout (about 3 months).	☐
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Section V - Environmental Review & Historic Preservation Compliance

No work can begin prior to the completion of the environmental (NEPA) review. In order for the Environmental staff to conduct the NEPA review, all sections listed below must be completed.

1. Description, SOW & Budget	Detailed Project Description, Scope of Work & Budget/Costs. Complete Sections II & IV of the application.	☐
2. Area Maps	Project area Maps - Attach a copy of the maps and clearly mark the project site, and place the specific project structure(s) on map(s). Complete Section III, part B & C of the application.	☐
3. Project Area/Structure Photographs	Complete Section III part C of the application.	☐
4. Preliminary Project Plans	For shutters see the scope of work and for drainage & elevation see engineering drawings.	☐
5. Project Alternatives	Complete Section V part D. of this application.	☐
6. Project Worksheets	Dates of construction are required for all structures. See worksheets.	☐
7. Environmental Justice Documentation	See Section V.B for applicable information.	☐
8. Information/ Documentation	Provide any of the required documentation as listed at the end of Section V in the Information and Documentation Requirements by Project Type that may have already been obtained.	☐

Requirements by Project Type		
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B. Executive Order 12898, Environmental Justice for Low Income and Minority Population

1. Disproportionate Effects	Determine if there are populations in either the project zip code or city that are characterized as having a minority background or living below the poverty level. If yes, complete the rest of Section V, part B. Describe any disproportionate effects that these populations would experience if the project were completed.	☐
2. Population Affected	Describe the population affected by this project and the portion of the population adversely impacted. Attach any documentation and list the attachments here.	☐

C. Information required for Tribal Consultation

Documentation for Tribal Consultation	For all projects with any ground disturbing activities of 3 inches or more, complete Section V part C.	☐
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D. Alternative Actions

1. No Action Alternative	Discuss the impacts on the project area if no action is taken.	☐
2. Other Feasible Alternative Action	This is a FEMA and FDEM requirement for any Application Review. A narrative discussion of at least three project alternatives (from No Action to the most effective, practical solution) and their impacts, both beneficial and detrimental is required. It is expected that the jurisdiction has completed sufficient analysis to determine the proposed project can be constructed as submitted and it supports the goals and objectives of the FEMA approved hazard mitigation plan. Has the proposed project been determined to be the most practical, effective and environmentally sound alternative after consideration of a range of options? (44 CFR 206.434[c][5][iii])	☐
a. Project Description	It is very important and a requirement that an Alternative project is submitted. NEPA requires that at least three alternatives must be presented to mitigate the problem. In addition to the proposed action and no action, one other feasible alternative must be provided.	☐
b. Project Location of the Alternative	Describe the surrounding environment. Include information regarding both natural (i.e., fish, wildlife, streams, soils, plant life) and built (i.e., public services, utilities, land/shoreline use, population density) environments.	
c. Scope of Work – Alternative Project	Describe how the alternative project will solve the problem and provide protection from the hazard. Provide enough detail to describe the project for the evaluation panel to decide the best course of action for the state. Include any appropriate diagrams, sketch maps, amount of materials and equipment, dimensions of project, amount of time required to complete, etc.	
d. Impacts of the Alternative Project		
e. Estimated Budget/Costs for the Alternative Project	Total cost is required.	☐
Materials, Labor, and Fees Paid	Detailed line items are not required. Just enter a total amount.	☐
Total Estimated Project Costs	Total cost is required. Vendor quote is not required. A lump sum budget may be submitted as justification to why this alternative was not chosen.	☐

Section VI – Maintenance Agreement

Maintenance Agreement	Complete, sign and date the maintenance agreement. The maintenance agreement must be signed by an individual with signature authority, preferably the authorized agent.	☐
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Other Required Documentation

Go to www.floridadisaster.org/dem/mitigation/hazard-mitigation-grant-program/ for additional documents

1. Maps	All maps must be included with the application.	☐
2. FFATA Form	During contracting with the state, complete, sign and date the FFATA Project File Form. Instructions are provided for your convenience in the document provided. This is not required at the time of application submittal.	☐

3. SFHA Acknowledgement of Conditions	Required for all projects in the Special Flood Hazard Area. Read and sign the SFHA Acknowledgement of Conditions document. This form must be notarized, signed by the local jurisdiction and the property owner.	☐
4. Pre-award Cost Form	If pre-award costs are being requested with your project, be sure to identify all pre-award costs in the application budget per instructions. The pre-award cost form must be completed and submitted with your application.	☐
5. Request for Public Assistance Form	Applicable if no FIPS number is assigned to applicant/recipient.	☐
6. Model Statement of Assurances for Property Acquisition Projects	For Acquisition projects only.	☐
7. Declaration and Release	For Acquisition projects only. Must be signed by all persons whose names are on the property deed.	☐
8. Notice of Voluntary Interest	For Acquisition projects only. Two forms are available for your convenience. Use the form that is most appropriate to your situation. Must be signed by all persons whose names are on the property deed.	☐
9. Statement of Voluntary Participation for Acquisition of Property for Purpose of Open Space	For Acquisition projects only. Must be signed by all persons whose names are on the property deed.	☐
10. Worksheets	The appropriate worksheet(s) must be completed and submitted with the application. a. Flood Control – Drainage Improvement b. Generator c. Tornado Safe Room d. Hurricane Safe Room e. Wind Retrofit f. Wildfire g. Drought	☐

*Submit **1 original (signed) and 1 full copy** of the entire application and backup documentation. Include a full copy of the submittal and all documentation on CD or thumb drive.

Attachment Index

Use the following template to list any supporting documentation that is **included on the CD or flashdrive**. Clearly and concisely label each attachment on this form to correspond with the file name on the CD or flashdrive. In the first column list which section and item (from the HMGP application) the attachment refers to. *Example: Section 2, Item 1.* **If any required documentation is not included on the CD or flashdrive, the application will be considered incomplete and will not be considered for possible funding.**

Section # & Item		Attached Document Name
1		
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April 12, 2023

Ms. Laura Dhuwe, State Hazard Mitigation Officer Florida
Division of Emergency Management
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

RE: Hazard Mitigation Grant Program (HGMP) applications for FEMA 4673-DR-FL,
Hurricane Ian

Dear Mrs. Dhuwe:

The Volusia County Local Mitigation Strategy (LMS) working group has approved by vote and prioritized the following projects for HMGP funding from this disaster. These projects align with our LMS goals and objectives as noted, and with the State's mitigation goals and objectives (in accordance with the Code of Federal Regulations 44% 201.6).

The Volusia County LMS group therefore presents the projects below (or in an attachment) in the order that they are to be considered for funding.

For further information or inquiry, please contact me at 386-254-1500 or alaustin@volusia.org.

Sincerely,

Aubrie Austin, LMS Chair Volusia County

cc:

Priority List for Volusia County FL HMGP FEMA--DR-FL Hurricane Ian FINAL 03/22/2023

LMS Priority	Jurisdiction & Priority	LMS #	Title	Description	Total Cost	HMGP (75%)	Match (25%)	Goal
1	Edgewater Environmental Services /Priority 1	VOL-0613	Wastewater Treatment Plant Flood-proofing		\$ 15,000,000.00	\$ 11,250,000.00	\$ 3,750,000.00	GOAL 5 Objective 3
2	Ormond Beach Public Works/Priority 1	VOL-0546	Fleming Avenue Pump Station		\$ 12,561,200.00	\$ 9,420,900.00	\$ 3,140,300.00	GOAL 9 Objective 6
3	Port Orange Public Works/Priority 1	VOL-0610	Elevate 20 Flood-Prone Homes and 10 Flood-Prone Mobile Homes		\$ 7,600,000.00	\$ 5,700,000.00	\$ 1,900,000.00	GOAL 7 Objective 1
4	Deltona City Manager's Office/Priority 1	VOL-0587	Elevate Elkcam Boulevard		\$ 6,000,000.00	\$ 4,500,000.00	\$ 1,500,000.00	GOAL 8 Objective 1
5	New Smyrna Beach Engineering/Priority 1	VOL-0601	Elevate Eighteen (18) Flood-Prone Homes		\$ 5,476,663.00	\$ 4,107,497.25	\$ 1,369,165.75	GOAL 7 Objective 3
6	Orange City Manager's Office/Priority 1	VOL-0594	Elevate East Graves Avenue		\$ 3,541,800.00	\$ 2,656,350.00	\$ 885,450.00	GOAL 5 Objective 7
7	Daytona Beach Shores Finance/Priority 1	VOL-0635	Multipurpose Safe Room		\$ 3,188,600.00	\$ 2,391,450.00	\$ 797,150.00	GOAL 4 Objective 1
8	South Daytona Public Works/Priority 1	VOL-0604	Lift station generators		\$ 1,350,000.00	\$ 1,012,500.00	\$ 337,500.00	GOAL 9 Objective 6
9	Holly Hill Public Works priority 1	VOL-0555	Lift Station #21 Refurbishment		\$ 516,000.00	\$ 387,000.00	\$ 129,000.00	GOAL 6 Objective 1
10	Volusia County Public Works/Utilities Priority 1	VOL-0639	Two (2) By-Pass Pumps and Siphon 5,225 linear feet of Sanitary Sewer Pipes for Stone Island		\$ 426,950.00	\$ 320,212.50	\$ 106,737.50	GOAL 9 Objective 6
11	Daytona Beach Public Works/ Priority 1	VOL-0628	Generators for Lift Stations		\$ 1,550,000.00	\$ 1,162,500.00	\$ 387,500.00	GOAL 9 Objective 6
12	Volusia County Emergency Management/Priority 1	VOL-0625	Acquisition and Demolition at 241 Cherokee Drive		\$ 300,000.00	\$ 225,000.00	\$ 75,000.00	GOAL 5 Objective 5
13	Town of Pierson Clerk/Priority 1	VOL-0644	Two (2) Generators for New EOC Command Center (Administrative Offices & Cafeteria Building)		\$ 160,000.00	\$ 120,000.00	\$ 40,000.00	GOAL 9 Objective 6
14	Volusia County Fire Services/Priority 1	VOL-0611	Station 15 Generator		\$ 130,000.00	\$ 97,500.00	\$ 32,500.00	GOAL 3 Objective 4.
15	Ponce Inlet City Manager's Office/Priority 1	VOL-0621	Generators for Community Center, Fire Station, and Public Works Facility		\$ 180,000.00	\$ 135,000.00	\$ 45,000.00	GOAL 3 Objective 4
16	New Smyrna Beach Engineering/Priority 2	VOL-0602	Elevate Nine (9) Flood-Prone Homes		\$ 2,900,000.00	\$ 2,175,000.00	\$ 725,000.00	GOAL 5 Objective 5
17	Deltona City Manager's Office/Priority 2	VOL-0589	Elevate Catalina Boulevard		\$ 2,250,000.00	\$ 1,687,500.00	\$ 562,500.00	GOAL 9 Objective 3
18	South Daytona Public Works/Priority 2	VOL-0606	Stormwater Station upgrades		\$ 2,500,000.00	\$ 1,875,000.00	\$ 625,000.00	GOAL 9 Objective 6
19	Holly Hill Public Works Priority 2	VOL- 596	Lift station upgrades		\$ 450,000.00	\$ 337,500.00	\$ 112,500.00	GOAL 9 Objective 6
20	Orange City Manager's Office/Priority 2	VOL-0595	Mill Lake Stormwater Pump Station Improvements		\$ 800,000.00	\$ 600,000.00	\$ 200,000.00	GOAL 9 Objective 6
21	Volusia County Public Works/Utilities Priority 2	VOL-0641	Six (6) Permanent Sanitary Sewer Emergency Bypass Pumping Systems		\$ 495,000.00	\$ 371,250.00	\$ 123,750.00	GOAL 9 Objective 6
22	Ormond Beach Public Works/Priority 2	VOL-0626	Generator for Fire Stations 92 and 93		\$ 250,000.00	\$ 187,500.00	\$ 62,500.00	GOAL 9 Objective 3
2	Volusia County Emergency Management/Priority 2	VOL-0608	Elevate Coleman Residence		\$ 135,000.00	\$ 101,250.00	\$ 33,750.00	Goal 5 Objective 5

24	Daytona Beach Shores Finance/Priority 2	VOL-0636	Generator for Community Center		\$ 120,000.00	\$ 90,000.00	\$ 30,000.00	GOAL 9 Objective 3
25	Volusia County Fire Services/Priority 2	VOL-0612	Station 35 Generator		\$ 70,000.00	\$ 52,500.00	\$ 17,500.00	GOAL 9 Objective 3
26	Volusia County Emergency Mangement/Priority 3	VOL-0609	Elevate Blackburn residence		\$ 278,250.00	\$ 208,687.50	\$ 69,562.50	Goal 5 Objective 5
27	New Smyrna Beach Engineering/Priority 3	VOL-0600	Demolition and Reconstruction Four (4) Flood-Prone Homes		\$ 1,400,000.00	\$ 1,050,000.00	\$ 350,000.00	Goal 5 Objective 6
28	Deltona City Manager's Office/Priority 3	VOL-0588	Acquisition and Demolition at 2560 West Tulsa Drive		\$ 450,000.00	\$ 337,500.00	\$ 112,500.00	Goal 5 Objective 6
29	Ormond Beach Public Works/Priority 3	VOL-0619	Elevate Flood-Prone Home at 520 West Street		\$ 280,000.00	\$ 210,000.00	\$ 70,000.00	Goal 5 Objective 6
30	Volusia County PublicWorks/Utilities/ Priority 3	VOL-0640	Slipline 20,800 linear feet of Sanitary Sewer Pipes within the Southwest Service Area (DeBary)		\$ 891,240.00	\$ 668,430.00	\$ 222,810.00	GOAL 9 Objective 6
31	Volusia County Emergency Management Priority 3	VOL-0642	140 Temple Street Elevation		\$ 288,650.00	\$ 216,487.50	\$ 72,162.50	Goal 5 Objective 6
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					\$ 71,539,353.00	\$ 53,654,514.75	\$ 17,884,838.25	

VOLUSIA COUNTY LOCAL MITIGATION STRATEGY INITIATIVE PROPOSAL FORM

Date Submitted: 3/15/2023

Jurisdiction Name:	Ormond Beach	
Agency Submitting Initiative:	Ormond Beach Fire Department	
Contact Person:	Nate Quartier	
Email Address:	Nathan.Quartier@ormondbeach.org	
Phone Number:	386-676-3255	
Is this initiative new or a revision of an earlier initiative?		
	☒ New	☐ Revision
Request to remove an initiative from the Volusia County LMS?		
	☐ Yes	☒ No

Initiative Title:	Generator Replacement at Fire Stations 92 and 93
Description:	The City of Ormond Beach is seeking replacement of fixed generators at OBFD Stations 92 (189 South Nova Road) and 93 (300 Wilmette Avenue) in order to ensure continuity of operations during disaster events and power surges. Without continuous power to these critical facilities, there is a significant risk to the safety of the community. Specifically, this request is seeking replacement of the generators and transfer switching gear at both stations, and a protective wall/enclosure at Station 93. The current generator at Station 93 has been in service since May 2000 and has experienced several extended failures in recent years. Additionally, it does not have the capacity to power the entire facility. This creates major logistical issues as the station is used for safe housing of additional personnel/apparatus (both city and other agencies) during storm events. The generator is exposed to potential damage from airborne debris as it lacks a protective wall/ enclosure. The generator located at Station 92 has been in service since mid-2006. Having reliable backup power is paramount as this station also serves as the City's Emergency Operations Center during major events. Without a reliable and redundant power system, the City as a whole will be unable to coordinate safe, efficient, and effective response/recovery efforts. Currently, there is a protective enclosure in place so no additional construction is needed. This project will include all necessary procurement and permitting, design, purchasing of equipment, installation/construction activities, and all project closeout activities. All construction and design implementation will be done in accordance with all applicable federal, state, and local agencies' laws, regulations, codes, and standards.

Hazard and Category Identification	
Identify the hazards intended to be addressed by this initiative, as well as the mitigation category by checking all applicable boxes below.	
Hazard	Category
☒ All Hazard ☐ Fire ☐ Flood ☐ Surge ☐ Wind	☐ Prevention ☒ Property Protection ☐ Structural ☒ Non - Structural ☒ Emergency Services ☐ Public Education

Priority Ranking	
Review each of the prioritization criteria categories and scoring values below. Assign a value from the drop down box based upon the level to which the initiative meets the criteria.	
Criteria	Scoring Value
Population Benefitted	4 - Project will benefit a multi-jurisdictional area.
Health and Safety Considerations	4 - Project would benefit 75% or more of the population.
Environmental Impacts	0 - Risk to the environment is undetermined.
Consistency with other Plans and Programs	4 - Project is incorporated into the LMS, CEMP and Comprehensive Plan, and supports the National Flood Insurance Program (i.e., for flood related projects).
Reduces Risk of Future Property Damage	4 - Mitigates a hazard of high frequency or risk.
Supports Essential or Critical Services	5 - Project will ensure continuity of operations for essential infrastructure or services.
Probability of Receiving Funding for Implementation	4 - Limited funding potential exists.
Feasibility of Implementation	4 - Project would be relatively easy to implement in one year.
Community Rating System	4 - Project supports all four elements of CRS flood-related activities (public information, mapping and regulations, damage reduction and flood preparedness).
Repetitive Loss Mitigation	0 - Project does not protect a RL structure.
Benefit Cost Ratio	0 - The BCR can not be determined.
Total Score	33

Project Estimated Cost: **\$250,000.00**

Funding Category		
Select the most appropriate category of funding for the proposal from the list below.		
☐ Agricultural assistance ☐ Alternative power ☐ Codes/ordinances ☐ Communications ☐ Dune restoration – erosion control	☐ General funding sources ☐ Infrastructure systems ☐ New public buildings ☐ Parks/preservation ☐ Plans and procedures	☐ Retrofit public/historic structures ☐ Rivers/streams – restoration/preservation ☒ Stafford Act (HMGP) ☐ Stormwater/flood control structures ☐ Training – emergency services

This section to be completed by administrator

Has this plan been approved by the steering committee?

☐ Yes

☐ No

If yes, date accepted: [Click here to enter a date.](#)



Generator(s) Worksheet

For preliminary Benefit Cost Analysis conducted by the State Mitigation Technical Team

Applies for the following mitigation activities: **PERMANENT AND PORTABLE GENERATOR**. For assistance, contact the State of Florida Mitigation Technical Unit.

IMPORTANT: This worksheet is required as part of your application. The State of Florida Mitigation Technical Unit will conduct a Benefit Cost Analysis (BCA) for your project and the following information is needed to evaluate cost effectiveness. Once a preliminary BCA is completed, the reviewer will contact you with results and/or to collect support documentation.

NOTE: Having a complete worksheet will expedite the Technical Review

Requirements

To complete a successful project application, a minimum amount of technical information is required for review. Data collected in this worksheet will provide reviewers with preliminary information necessary to evaluate project eligibility, feasibility, and cost effectiveness. Carefully review and confirm that you are aware of the following information.

Permanent Generator(s): The generator(s) shall be protected against a 500-year flood event by implementing specific activities or by locating the generator(s) outside the Special Flood Hazard Area (SFHA), comply with applicable National Flood Insurance Program (NFIP) requirements and shall be protected against wind with a rated enclosure and appropriate anchoring based on its location requirements per ASCE 7 standards. The selected site shall provide sufficient space to maintain and fuel the generator(s) and shall comply with the National Electrical Code working clearance requirements. Activities shall be completed in strict compliance with Federal, State and Local applicable Rules and Regulations.

Portable Generator(s): The portable generator(s) shall be stored at a location protected against a 500-year flood event or located outside the Special Flood Hazard Area (SFHA), comply with applicable National Flood Insurance Program (NFIP) requirements, and shall be protected against wind with a rated enclosure based on their location requirements. Activities shall be completed in strict compliance with Federal, State and Local Rules and Regulations.

Automatic Transfer Switch (ATS): The automatic transfer switch(es) shall be protected against a 500-year flood event by implementing specific activities or by locating the automatic transfer switch(es) outside the Special Flood Hazard Area (SFHA), comply with applicable National Flood Insurance Program (NFIP) requirements and shall be protected against wind with a rated enclosure and appropriate anchoring based on its location requirements per ASCE 7 standards. Activities shall be completed in strict compliance with Federal, State and Local applicable Rules and Regulations

I confirm that I have reviewed the requirements listed above (signature):

Digitally signed by Nate Quartier
Date: 2023.05.30 10:06:59 -04'00'

FEMA has approved an approach to demonstrating cost-effectiveness for certain hospital generator projects based on pre-calculated benefits which requires minimal documentation if certain requirements are met.

BEFORE PROCEEDING TO THE NEXT SECTION PLEASE SELECT AN OPTION BELOW:

Does your project meet all the requirements from the below FEMA memorandum?

[Pre-Calculated Benefits for Certain Hospital Generators to Demonstrate Cost-Effectiveness](#)

☐ Yes (Only complete Section I of this worksheet)

☒ No (Complete all sections of this worksheet)

For additional resources, please refer to [FEMA Technical Review Job Aid](#) for Generator projects.



MITIGATION

Generator(s) Worksheet

Section I – Project General Information

Project Name: City of Ormond Beach, Fire Stations 92 & 93, Backup Generators	Worksheet completed by: Name: Nate Quartier Title: Deputy Fire Chief Phone: 386-676-3255 Email: Nathan.Quartier@ormondbeach.org
Sub-Applicant: City of Ormond Beach	

Section II – Project Cost Information

Mitigation Project Cost: \$300,000	Annual Maintenance Cost:
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Section III – Project Specific Information

The table below allows data entry for up to 4 locations. If your project has more than 4 locations, you can either submit a second Generator Worksheet or attach a separate list, providing the information requested below and in Sections IV, V and VI, as applicable.

ID	Project Location (address)	Type of proposed generator (Permanent or Portable)	Proposed Capacity (kW)
1.	300 Wilmette Ave., Ormond Beach, FL 32174	- Select -	100
2.	189 S. Nova Rd., Ormond Beach, FL 32174	Permanent	100
3.		- Select -	
4.		- Select -	

Provide the information requested in the table below by using the ID as the reference to the location listed in the table above.

ID	Type of Fuel (natural gas, diesel, propane, etc.)	Type of Fuel Tank (Sub-base, stand- alone, etc.)	Fuel Tank Storage Capacity & Duration (gallons/ hours)	Proposing to install a new ATS?	Constructing a new concrete Pad?	Is there an Existing generator?	Specify capacity of existing Generator (kW)
1.	Diesel	Sub-base	350 gallon/	Yes	Yes	Yes	
2.	Diesel	Sub-base	350 gallon/	Yes	Yes	Yes	
3.				- Select -	- Select -	- Select -	
4.				- Select -	- Select -	- Select -	

If you are not installing a new ATS, please explain why?

If you are not installing a new Concrete Pad, please explain why?



MITIGATION

Generator(s) Worksheet

Section IV - Loss of Service

For each project location identified in Section III, please select only **one** type of critical facility, as applicable, and provide responses for the selection made.

Structure ID 1.	Fire Station 92
☒ Fire Station	
? How many people are served by the Fire Station?	25,099
Does the fire station provide Emergency Medical Services (EMS)?	☒ Yes ☐ No
? Provide the address of the nearest fire station:	300 Wilmette Ave. Ormond Beach, FL 32174
Provide the address of the nearest fire station with EMS:	300 Wilmette Ave. Ormond Beach, FL 32174
☐ Police Station	
? How many people are served by this police station?	
How many police officers work or report to this police station?	
? How many police officers have a designated office space at this police station?	
☐ Hospital	
? How many people are being served by this hospital?	
Provide the address of the nearest hospital capable of providing the same type of service:	
? How many people are being served by the nearest hospital capable of providing the same type of service?	
☐ Utility	
? Select the type of utility:	- Select -
Number of customers directly served by the utility system:	
☐ Other Critical Facility Type	
Specify Facility Name	
? What is the Annual Operational Budget for this critical facility?	
Note: In Section VI below, provide a brief description of how this building is a critical facility and specify which functions are essential to the community.	

Structure ID 2.	Fire Station 92
☒ Fire Station	
? How many people are served by the Fire Station?	23,661
Does the fire station provide Emergency Medical Services (EMS)?	☒ Yes ☐ No
? Provide the address of the nearest fire station:	189 S. Nova Rd. Ormond Beach, FL 32174
Provide the address of the nearest fire station with EMS:	189 S. Nova Rd. Ormond Beach, FL 32174
☐ Police Station	
? How many people are served by this police station?	
How many police officers work or report to this police station?	
? How many police officers have a designated office space at this police station?	
☐ Hospital	
? How many people are being served by this hospital?	
Provide the address of the nearest hospital capable of providing the same type of service:	
? How many people are being served by the nearest hospital capable of providing the same type of service?	
☐ Utility	
? Select the type of utility:	- Select -
Number of customers directly served by the utility system:	
☐ Other Critical Facility Type	
Specify Facility Name	
? What is the Annual Operational Budget for this critical facility?	
Note: In Section VI below, provide a brief description of how this building is a critical facility and specify which functions are essential to the community.	

Page 3 of 6



MITIGATION

Generator(s) Worksheet

Section IV - Loss of Service (continued)

For each project location identified in Section III, please select only **one** type of critical facility, as applicable, and provide responses for the selection made.

Structure ID 3.

☐ **Fire Station**

? How many people are served by the Fire Station?

Does the fire station provide Emergency Medical Services (EMS)?

☒ Yes ☐ No

? Provide the address of the nearest fire station:

Provide the address of the nearest fire station with EMS:

☐ **Police Station**

? How many people are served by this police station?

How many police officers work or report to this police station?

? How many police officers have a designated office space at this police station?

☐ **Hospital**

? How many people are being served by this hospital?

Provide the address of the nearest hospital capable of providing the same type of service:

? How many people are being served by the nearest hospital capable of providing the same type of service?

☐ **Utility**

? Select the type of utility: - Select -

Number of customers directly served by the utility system:

☐ **Other Critical Facility Type**

Specify Facility Name

? What is the Annual Operational Budget for this critical facility?

Note: In Section VI below, provide a brief description of how this building is a critical facility and specify which functions are essential to the community.

Structure ID 4.

☐ **Fire Station**

? How many people are served by the Fire Station?

Does the fire station provide Emergency Medical Services (EMS)?

☐ Yes ☐ No

Provide the address of the nearest fire station:

Provide the address of the nearest fire station with EMS:

☐ **Police Station**

? How many people are served by this police station?

How many police officers work or report to this police station?

? How many police officers have a designated office space at this police station?

☐ **Hospital**

? How many people are being served by this hospital?

Provide the address of the nearest hospital capable of providing the same type of service:

? How many people are being served by the nearest hospital capable of providing the same type of service?

☐ **Utility**

? Select the type of utility: - Select -

Number of customers directly served by the utility system:

☐ **Other Critical Facility Type**

Specify Facility Name

? What is the Annual Operational Budget for this critical facility?

Note: In Section VI below, provide a brief description of how this building is a critical facility and specify which functions are essential to the community.

MITIGATION

Generator(s) Worksheet

Section V – Historical Damage Information

Provide a list of power outages suffered in the past due to high wind events (Historical data for 3 or more events is preferred); and include any expenses that the City/County incurred attending the emergency.

Page 5 of 6



MITIGATION

Generator(s) Worksheet

Section VI – Additional Information

Please use this page to expand on the information provided above or to include any additional information relevant to the proposed mitigation project.

The City of Ormond Beach is seeking replacement of fixed generators at OBFD Stations 92 and 93, in order to ensure the continuity of operations during disaster events and power outages. Without continuous power to these critical facilities, there is a significant risk to the safety of the community.

Specifically, this request is seeking replacement of the generators and transfer switching gear at both stations , and a protective wall/enclosure at Station 93.

The current generator at Station 93 has been in-service since May 2000, and has experienced several extended failures in recent years. Additionally, it does not have the capacity to power the entire facility. This creates major logistical issues, as the station is used for safe housing of additional personnel/apparatus (both city and surrounding agencies) during storm events. The generator is exposed to potential damage from airborne debris, as it lacks a protective wall/enclosure.

The generator located at Station 92 has been in-service since mid-2006. Having reliable backup power is paramount, as this station also serves as the City's Emergency Operations Center during major events. Without a reliable redundant power system, the City as a whole will be unable to coordinate safe, efficient, and effective response/recovery efforts. There is currently a protective enclosure in place, so no additional construction is needed.

This project will include all necessary procurement and permitting, design, purchasing of equipment, installation/construction activities, and all project closeout activities. All construction and design implementation will be done in accordance with all applicable federal, state, and local agencies' laws, regulations, codes, and standards.



MITIGATION

Generator(s) Worksheet

GENERATOR(S) WORKSHEET INSTRUCTIONS

Refer to the instructions below to complete the Generator(s) Worksheet using the best available data.

Section I – Project General Information

Project Name: Enter the name of the project title. The title should be short but descriptive (e.g., City of Orlando, Police Station, Backup Generator).

Sub-Applicant: Enter your organization's legal name.

Worksheet completed by: Enter name, title, phone number, and email of the person completing this Worksheet. This person must have the knowledge and/or the resources to accurately answer all questions and provide supporting documentation, as needed. Information may come from multiple credible sources.

Section II – Project Cost Information

Mitigation Project Cost: Enter the total cost of the project. A lump sum on this worksheet is acceptable for preliminary BCA, but a detailed breakdown attached to your application is required.

Annual Maintenance Cost: Enter the cost associated with maintaining the effectiveness of the components installed as part of the utility mitigation project.

Section III – Project Specific Information

Project Location: Provide the physical address(es) of the critical facility(es) that will be supported by the proposed generator(s). For multiple locations, please provide information on Section VI of this worksheet.

Type of proposed generator: From the dropdown menu option, select the proposed type of generator(s):

- **Permanent Generator:** A permanently installed generator that provides a secondary source of power by being hard-wired into the facility's main distribution panel and can be started manually or automatically in the event of a power outage.
- **Portable Generator:** A non-fixed generator that works with stand-alone applications and is meant to temporarily provide a secondary source of power to energize critical functions.

Proposed Capacity (kW): The generator's size and specifications should be reasonable, appropriate and necessary to continuing critical functions of the facility. The generator(s) should be sized appropriately such that the facility is able to provide uninterrupted critical functions in the event of future power outages.

Type of Fuel: Specify the type of fuel to power the proposed generator (e.g., diesel, propane, natural gas, gasoline, etc.)

Type of Fuel Tank: Specify the type of fuel tank, if applicable (e.g., Sub-base, stand-alone above ground, stand-alone underground, etc.)

Fuel Tank Storage Capacity (gallons) & Duration (hours): Specify the fuel tank storage capacity and duration, if applicable. The fuel tank storage capacity and duration must be sufficient to mitigate risk from the natural hazard.

Proposing to install a new ATS? Select "Yes" if you are proposing to install a new Automatic Transfer Switch (ATS) as part of the proposed mitigation project. Select "No" if a new ATS is not necessary and provide an explanation.

Constructing a new concrete Pad? Select "Yes" if you are proposing to construct a new concrete pad to install the new generator. Select "No" if a new concrete pad is not necessary and provide an explanation.

Is there an existing generator? Select "Yes" if there is an existing generator at the project site; Otherwise, select "No".

Specify capacity of the existing Generator (kW): If there is an existing generator at the project site, please specify its capacity.

Section IV – Loss of Service

FIRE STATION

How many people are served by the Fire Station? Enter the number of people served by the fire station. If only one fire station serves the entire population of a community, that number may be used. For larger communities with multiple fire stations, only the population directly served by the station being mitigated can be used. Documentation for the service population can come from the fire station, local planning office, or other credible source.

Does the fire station provide Emergency Medical Services (EMS)? Select "Yes" if the fire station provides EMS or has EMS trained personnel; Otherwise, select "No".

Provide the address of the nearest fire station: The nearest fire station would serve as an alternative station to provide fire protection due to loss of function of the fire station being mitigated.

Provide the address of the nearest fire station with EMS: The nearest fire station would serve as an alternative station to provide EMS and fire protection due to loss of function of the



MITIGATION

Generator(s) Worksheet

fire station being mitigated. (If the nearest fire station also provides EMS, please provide same address).

POLICE STATION

How many people are served by this police station? Enter the number of people served by the police station. If only one police station serves the entire population of a community, that number may be used. For larger communities with multiple police stations, only the population directly served by the station being mitigated can be used. Documentation for the service population can come from the police station, local planning office, or other creditable source.

How many police officers work or report to this police station? Enter the number of sworn officers that work or report at this location.

How many police officers have a designated office space at this police station? Enter the number of police officers that have a designated office space at this police station. It is assumed that police officers with a designated office space would be restricted to perform their regular duties if the police station were shut down due to a disaster. This information is necessary to estimate the loss of function due to the increased crime caused by a reduction of police officers in service.

HOSPITAL

How many people are being served by this hospital? Enter the number of people being served by this hospital. Only the population directly served by the hospital being mitigated can be used. Documentation for the service population can come from the hospital, local planning office, or other creditable source.

Provide the address of the nearest hospital capable of providing the same type of service: Identify the nearest hospital capable of providing similar services as the hospital being mitigated.

How many people are being served by the nearest hospital capable of providing the same type of service? Enter the number of people served by the nearest hospital capable of providing the same service. Only the population directly served by the alternative hospital can be used. Documentation for the service population can come from the alternative hospital, local planning office, or other creditable source.

UTILITY

Select the type of utility: From the dropdown menu, select the type of utility that will be powered by the proposed generator.

Number of customers directly served by the system: Enter the number of the customers (people) directly connected to the location(s) that will be mitigated. The number of customers affected by the loss of service can be obtained from the entity, agency, or company providing the utility service. The documentation should be in the form of a letter from the utility on their letterhead. For multiple locations, specify the number of customers connected to each specific location.

OTHER

Specify Facility Name: Enter the name of the critical facility that will be mitigated.

What is the Annual Operational Budget for this critical facility? Enter the annual budget for the critical facility that is being mitigated. Documentation should include the annual budget for the building that is being mitigated. If the building houses multiple local agencies, the cumulative budget should be used. Alternately, if the annual budget is for an entire school district and one of the buildings is being mitigated, documentation should include how the annual budget was calculated for the single school building.

Section V – Historical Damage Information

Date of Event: Enter the date of historical outage event.

Storm Name: Enter the name given to the natural hazard event when damage occurred.

Power Outage Duration (Days): Enter the number of days the critical facility was impacted by the loss of service due to a power outage. Documentation should be in the form of a letter from the utility on their letterhead or from the entity or agency reporting the outages.

Expense Description: Describe any additional expenses incurred by the City or County while attending the emergency during each historic damage event. Documented expenses may include but are not limited to renting portable generators, chillers, overtime paid to personnel to attend the emergency, etc.

Expense Cost (\$): Enter the total cost of the additional expenses incurred by the County or City.



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Automatic Engine Controls

TO: City of Ormond Beach
500 North Orchard St.
Ormond Beach, Fl. 32174
Tel: (386) 676-3255
Attn: Chief Nate Quartier
quartier@ormonbeach.org

PSRB06092022Q - GENr5
April 28, 2023

Fire Station # 92 & 93

We are pleased to offer this Quotation as detailed below

Amount	Description	Each	Extended
2	Model TP125 Base Awarded Tradewinds Generator Set under FSA contract No. FSA20-EQU18.0, Spec #114. Updated October 1, 2022.	71,172	142,344
	Cost deduct for Model TP100-UL-FS Tradewinds Generator Set;	-5,932	-11,864
	100 KW (125 KVA) Emergency Standby 120/240 Volts [reconnectable], 60 Hz, Single Phase, 0.8 Power Factor Amp Load Capacity: 417; Load Bank tested. Perkins Diesel engine, Model 1104D.E44TAG2 TIER 3 @ 1800 RPM complete with 12 Volt Electrics, Radiator & Guard Oversized Brushless Single Bearing Alternator with Adjustable Rheostat, Automatic Voltage Regulator & Vibration Isolation Mounts Tradewinds NFPA 110 Digital Instrument/Control Panel with Safety Shutdowns Complete with DC Voltmeter, Hourmeter, Oil and Temperature Gauges Frequency Meter, Ammeter & Voltmeter with Phase Selector Switch, Engine Cool Down Timer, Remote "E" Stop Contacts, Remote Auto Start Control, Low Fuel Level Alarm, Breakers for A/C and D/C, and a Emergency Stop Push Button. Optional Equipment included in above pricing: Battery Cables Battery Rack Battery Charger Critical Silencer Exhaust Flex Connection Heavy Duty Canister Type Air Cleaner Jacket Water Heater with brass service valves installed. Electronic Governor 400 Amp Circuit Breaker, UL Rated with 12vdc shunt trip 200 Gallon, UL Approved, Steel Subbase Fuel Tank with Rear Electrical Stub-up Area, 4 - 20ma for Fuel Level, Low Fuel Level Alarm, Rupture Basin Alarm, and High Fuel Level Alarm. Tank shall also be finished with a corrosive resistant finish to prolong tank erosion. Drop Over, Aluminum Sound Enclosure with Vertical Discharge Air, Stainless Steel Hardware, Keyed Alike Doors, Panel Cover, and Muffler Mounted In Front Turn Hood. A 1" Thick Sound Barrier will be Installed on Interior Walls For Additional Sound Absorption. Oil and Water Drain Lines with Brass Ball Valves and Bulk Head Fittings. Initial Fill of Oil and Antifreeze Full Load Factory Test with Safety Shutdown checks One Complete Operation and Maintenance Manual Shipped with Unit. TRMA-03-FS - Net cost adder - Engineer and supply NFPA 110 compliant generator remote annunciator panel. Surface mounted and shipped loose. T-300tank-FS - Net cost adder - Upgrade existing UL 142 subbase fuel tank to 350 gallons with FDEP package and exterior corrosion resistant paint applied.		
	Sub Total, FOB our warehouse, Miami, Florida		151,230
	Onsite Start-up and building load test. Fuel by others.	Inc.	Inc.
	Delivery to the City of Ormond Beach, Fl. Curbside. Off-Loading by others.	Inc.	Inc.
	Total		151,230
	State & Local Tax as Applicable		
	Estimated Shipping date from receipt of order: 26 - 28 Weeks		

Price Validity: 45 days; 15% Cancellation Charge for Restocking.
Wire-Transfer: Tradewinds Power Corp Division of Southeast Diesel Corp
F/B/O Wells Fargo Bank
Acct# 4945741023 ABA# 121000248



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500 North Orchard St.
Ormond Beach, Fl. 32174
Tel: (386) 676-3255
Attn: Chief Nate Quartier
quartier@ormonbeach.org

PSEC06092022Q - ATSr4
April 28, 2023

Fire Station # 92 & 93

We are pleased to offer this Quotation as detailed below

Amount	Description	Each	Extended
2	Model TT600 Automatic Transfer Switch was Awarded to Tradewinds under FSA Contract No. FSA20-EQU18.0, Spec #468. Updated October 1, 2022. TT-400-FS Credit - Downgrade to 400amp Thomson Automatic Transfer Switch 400amp, 120/240vac, 1ph, 60hz, Thomson Technology Automatic Transfer Switch mounted in a NEMA 1 enclosure (wall mount) with the following features: Model TT600 Automatic Transfer Switch was Awarded to Tradewinds under FSA contract No. FSA20-EQU18.0, Spec #468. TTSS-400-600-FS - Credit - downgrade to 400 - 600amp, Double Door Enclosure to NEMA 4X, 316 Stainless Steel by deducting from Bid Price. Enclosed Contact Power Switching Units: * Fully enclosed silver alloy contacts provide high withstand rating & 100% continuous current rating. * 3 cycle short circuit current withstand tested allows use of non-series rated upstream protection devices. * completely separate utility and generator side switching units provide superior reliability through redundancy (no common parts), as well as excellent serviceability * power switching units can incorporate over current protection. * not damaged if manually switched while in service since contacts have inherent spring over center design. Reliable Motor-Operated Transfer Mechanism: * heavy duty brushless gear motor and operating mechanism provide mechanical interlocking and extreme long life with minimal maintenance * safe manual operation permits easy operation even under adverse conditions. Superior Serviceability * all mechanical control devices are visible and read accessible * all control wires and power busses are front accessible Control Features * TSC-80 microprocessor base controller * Isolation plug permits disconnecting control circuits from all power sources for safety and convenience. Safety Standards * UL 1008 Automatic Transfer Switches for use in Emergency Systems * CSA C22.2 No. 178 Sub Total, FOB our warehouse, Miami, Florida Onsite Start-up, building load test, and Training performed during same day. Delivery to Maitland, Fl. Curbside. Off-Loading by others. Total State & Local Tax as Applicable Estimated Shipping date from receipt of order: 40 - 42 Weeks	9,324 -3,254 9,324 -2,271	12,140 14,106
		Inc. Inc.	26,246 26,246

Price Validity: 45 days; 15% Cancellation Charge for Restocking.

Wire-Transfer: Tradewinds Power Corp Division of Southeast Diesel Corp
F/B/O PNC Bank
Acct# 8025724597 ABA# 031207607

Robert Buckner

SPECIFICATION SHEET

Power Ratings		kW	kVA
Power	Standby	100.0	125.0
	Prime	90	112.5
Amps 0.8 Power Factor 3-phase 208V		347	
12-wire voltages: 1P = 120/240; 3P = 120/208, 120/240, 480/277			

Rating Definitions: Rated for 1800 rpm.

Standby ratings are applicable for the duration of any power outage. No overload is available at these ratings. Prime ratings are continuous per BS 5514, DIN 6271, ISO3046 & IEC 34-1. Overload capacity on prime-power ratings is 10% for one hour in each twelve hours of operation. All single phase ratings are based on a 1.0 power factor, three (3) phase ratings based on a 0.8 power factor. Ratings are established based on 85°F (29°C) and an elevation of 1,000 feet (305 meters).

STANDARD FEATURES:

Tradewinds Power Corp (TPC) PERKINS diesel powered generator sets are UL2200 approved self contained standby generator packages complete with mounted auto control panel, fuel connector, air cleaners, exhaust silencers, and other accessories mounted on a rigid base frame. All TPC systems and components are prototyped, assembled and tested within a purpose built packaging, manufacturing, and test facility.

Engine:

- PERKINS model 1104D-E44TAG2 4-cylinder diesel engines designed to provide economic and durable operation at prime and standby duties, hitting the key power nodes required by the power generation industry.
- Building upon Perkins proven reputation within the power generation industry, the 1100 Series range of ElectropaK engines fit closely to customers needs
- These ultra clean engines are assembled on a new high technology production line. Frequent computerised checks during the production process ensure high build quality is maintained throughout.
- Oil and filter changes are 500 hours, dependent on load factor
- Wet steel sump with filler and dipstick
- Spin-on full-flow lub oil filter

Alternator:

- Marathon 4-pole, 12-wire brushless generator, single bearing
- Superior voltage waveform achieved by a 2/3 pitch and skewed rotor.
- Vacuum-impregnated windings with fungus-resistant epoxy for dependability and long-life
- Sustained short-circuit capability enabling down-line circuit breakers to trip without collapsing the generator field

Starting System:

- 12-VDC Starter
- Engine mounted Battery Charging Alternator
- Battery Cables and Rack along with Grounding Strap

Enclosure and Arrangement of Complete Assembly:

- Engine and generator close coupled on rigid frame with vibration isolators
- Vertical radiator and exhaust discharge
- Oil & Coolant Drain Lines with Brass Ball Check Valves

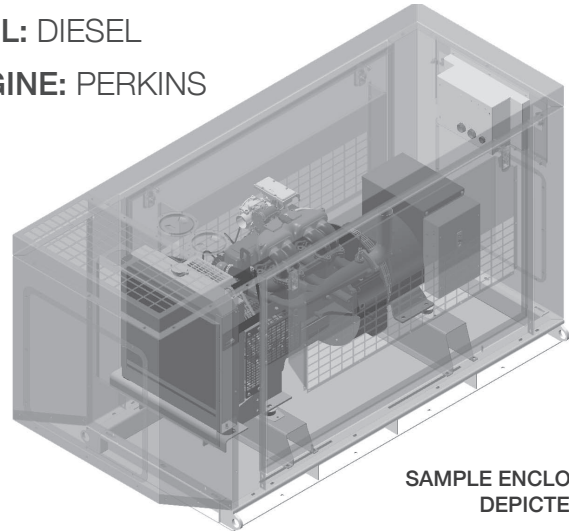
Generator Options:

- Weather Protective Enclosure constructed of Marine Grade Aluminum 0.125 thickness, SS Hardware, white powder coat paint finish on both sides, sound Insulation resistant to high temperatures, fuel and oil, hinged / removable / keyed alike doors
- UL double wall base mounted fuel tank
- Residential rated interior mounted exhaust silencer kit

STANDBY UL GENERATOR SET

FUEL: DIESEL

ENGINE: PERKINS



SAMPLE ENCLOSED SET
DEPICTED

AUTOMATIC ENGINE CONTROLLER DGC2020:

- Automatic engine controller with analog display of all functions
- Microprocessor Based, Navigation key with large LCD display
- SAE J1939 CANBUS Communication
- Event Recording
- Transfer Switch Control (main failures)
- Alternator Protection: under/over voltage, under/over frequency
- Engine Protection: Low oil pressure, High coolant temperature, Over speed & over crank, Sender Unit failure, Fuel Failure sensor, Battery Charger Failure
- All protections are programmable as Alarms or Pre-alarms
- Metering (ample range): Volts, Current, Hz, Watts, VA, Pf, Oil Pressure, Coolant Temperature, RPM, DC Volts, Fuel Level, Engine running time
- Engine Control with Timers
- External remote start input (on or off load)
- 16 programmable contact inputs - 7 Contact outputs

SCADA interface points:

- No fuel
- Low battery charging voltage
- Engine running
- Common engine alarm
- Switch in Emergency Position



DGC-2020 DIGITAL
CONTROLLER

OPTIONAL CONTROL EQUIPMENT:

- Low coolant level switch
- Water separator fuel filter
- Space heater
- Generator drip covers
- 17-light remote annunciator panel

WARRANTY:

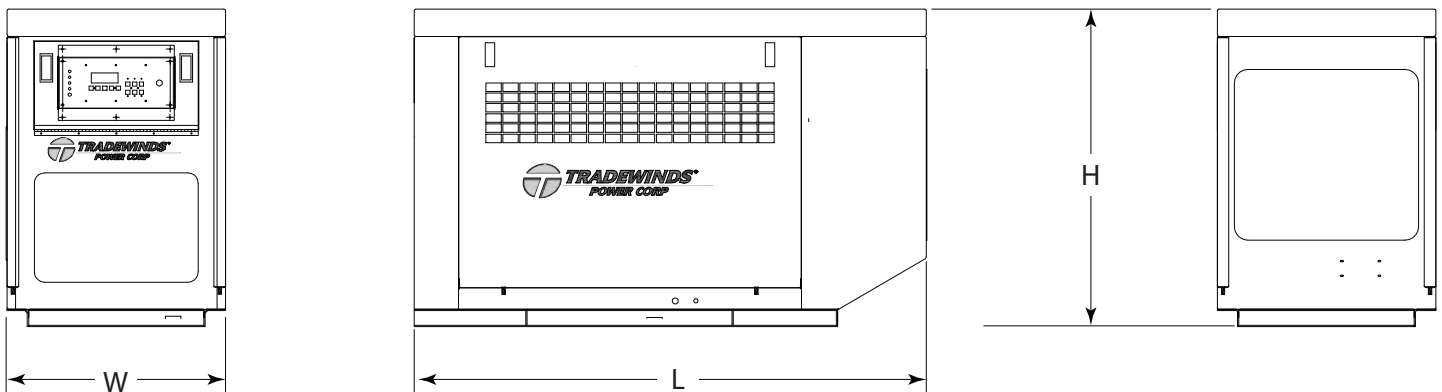
- Engine covered under the original equipment manufacturer's warranty - consult Tradewinds Power Corp for details
- Complete package supplied with 2-year limited warranty

The manufacture reserves the right to change the design or specifications without notice and without any obligation or liability whatsoever.

STANDBY UL2200 GENERATOR SET

ENGINE SPECIFICATION	
Manufacturer	Perkins
Model	1104D-E44TAG2
Emissions	EPA Tier 3
Engine speed (rpm)	1800
Nominal Engine hp 1800rpm	148.8
Cylinder arrangement	Vertical
Combustion system	Direct Injection
Aspiration	Turbo Charge air Cooled
Engine type	Diesel
Diesel Fuel Grade	ASTM D975 D2
Number of Cylinders	4
Displacement in³ (liters)	269.0 (4.4)
Bore and Stroke inches (mm)	4.13 x 5.0 (105 X 127)
Cooling	Water-cooled
Governor	Electronic
Starting aids	Glow Plugs
Compression ratio	16.2:1
Air cleaner type	Medium duty dry type
Exhaust Silencer dBA	80dBA
Oil Filtration	Engine mounted/water separator
COOLING SYSTEM FOR OPERATING AT 120° AMBIENT:	
Total coolant capacity gals (Liter)	4.5 (17.0)
Cooling System	Water-cooled
Radiator System	Engine Mounted
Maximum Allowable Oil Temperature F (C)	250 (121)
LUBRICATING SYSTEM:	
Total lubricating capacity quarts (Liter)	2.1 (8.0)
Oil consumption at full load	< 0.1% of fuel consumption
Recommended lubricating oil grade	SAE 15W40
Oil Filter	Full flow spin on, cartridge type

ENGINE ELECTRICAL SYSTEM:	
Starting motor voltage	12 volt
Charger	65 amp alternator with DC output
Wet Cell Battery	Lead Acid
ALTERNATOR:	
Configuration	Brushless, 12-wire, 4-pole
Frequency	60 Hz
Voltage regulation	+ / - 1%, V/Hz, Electronic, EMI filtered
No load to full load voltage regulation	+/- 2%.
Coupling	SAE Adapter, Flexible Disc, Direct
Bearing	Single
Manufacturer	Marathon
Model	362CSL1606
Load acceptance	One Step, 100% per NFPA 110
Compliance	NEMA, IEEE & ANSI for temp. rise
TIF Factor	Self ventilated drip-proof
FUEL CONSUMPTION: PER HOUR GALS (LITERS)	
100%	7.9 (30.0)
75%	5.8 (22.0)
50%	4.2 (16.0)
25%	N.A.
CONTROL PANEL SPECIFICATIONS:	
Manufacturer (Model)	Basler (DGC-2020ES)
MPC-10 Controller Inputs	16
MPC-10 Controller Outputs	12
Operating power/consumption	6-32 VDC; Average load 14.2W
Communications	UL 508 R & CSA C22.2 #14
GENERATOR OPTIONS:	
Aluminum Enclosure	Sound attenuated to 68 dBA
Base arrangement	Rigid steel base frame with AVMS
Spill containment	UL double wall base mounted

DIMENSIONS & ARRANGEMENT DRAWING UL2200 MODEL: TP100 T3


KEY DIMENSIONS (inches), WEIGHT (pounds) FUEL TANK (US gals)								
Description & Configuration	Height		Length		Width		Dry Weight lbs	Fuel Tank
Open set	H1	50.00	L1	84.13	W1	36.00	2046	165
Enclosed Set	H2	66.00	L2	103.00	W2	36.00	2682	TBA



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Generator Sets
Automatic Engine Controls*

Tradewinds Power Corp Bid No. FSA20-EQU18.0 Specification No. #468 600amp Automatic Transfer Switch Update October - 1, 2022



FSA Cooperative Purchasing Program



Contract: FSA20-VEH18.0 - Heavy Trucks

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

Contract: FSA20-EQU18.0 – Heavy Equipment
(formerly combined with Heavy Vehicles under “VEH” contracts)

Contract Terms and Conditions



CONTRACT ORDERING INSTRUCTIONS

The Florida Sheriffs Association Cooperative Purchasing Program welcomes you to utilize the Cooperative Purchasing Program at no cost to our purchasers. However, as a user of the program, we do request you to submit copies of all purchase orders when using the FSA CPP. Send your PO copies to COOP@flsheriffs.org

This document is designed to assist you through the purchasing process as outlined in Section 3.20 Order, of the Contract Terms and Conditions. Please familiarize yourself with the Contract Terms and Conditions sections that apply to “purchasers.” A link to this document is found on each contract page.

- 1) For a complete list of offerings, select the appropriate contract from the [Cooperative Purchasing Program](#) home page.

FSA CPP currently has 6 competitive contracts:

- | | |
|--|--|
| ✓ Pursuit, Administrative and other Vehicles | ✓ Fire Rescue Vehicles and Other Equipment |
| ✓ Heavy Trucks | ✓ Ambulances and Other Equipment |
| ✓ Heavy Equipment | ✓ Tires |

- 2) Under Products and Services Available, locate the product group for your purchase interest. Each group provides a drop-down list of all products by expanding the group bar by selecting the arrow to the left of the group name.
- 3) If options need to be added to the base product, locate the options that correspond with each awarded vendor for each product specification number. All options must be discounted, and proof of discounts can be requested from the vendor.
- 4) Once your product is located, contact the awarded vendor for your zone for a quote using the Vendor Directory located just under the CPP logo on each contract page. While it is recommended that an agency purchase from the zone which is closest to their location, it is not mandatory to do so. If the purchaser determines that a vendor in another zone can better serve the purchaser’s needs, the purchaser may order from a vendor in another zone. Vendors that provide vehicles or equipment outside of an awarded zone may upon mutual agreement between the vendor and the purchaser charge a delivery fee.
- 5) For vehicle purchases, be sure to include your manufacturer code on your purchase order and request that the vendor use your code to enable you to track your vehicles in production. Also, please include the FSA codes on your PO. The FIN/FAN/Certification Codes for the FSA are:

Manufacturer	Code Type	FSA Code	Contact
Ford	FIN	QE065	1-800-343-5338
Fiat Chrysler Automobiles	FAN	917872	1-800-999-3533
General Motors	FAN	49313	1-800-353-3867
Nissan	Certification	FSA	FleetDistribution@Nissan-usa.com
Toyota	FIN	GE159	1-800-732-2798

- 6) Delivery or due dates should be discussed with the vendor at the time the quote is provided to the purchaser, or if no quote is provided, prior to when the purchase order is delivered to the vendor. It is important to note that vendors do not have any control over production delays in schedules from the manufacturer.



CONTRACT ORDERING INSTRUCTIONS

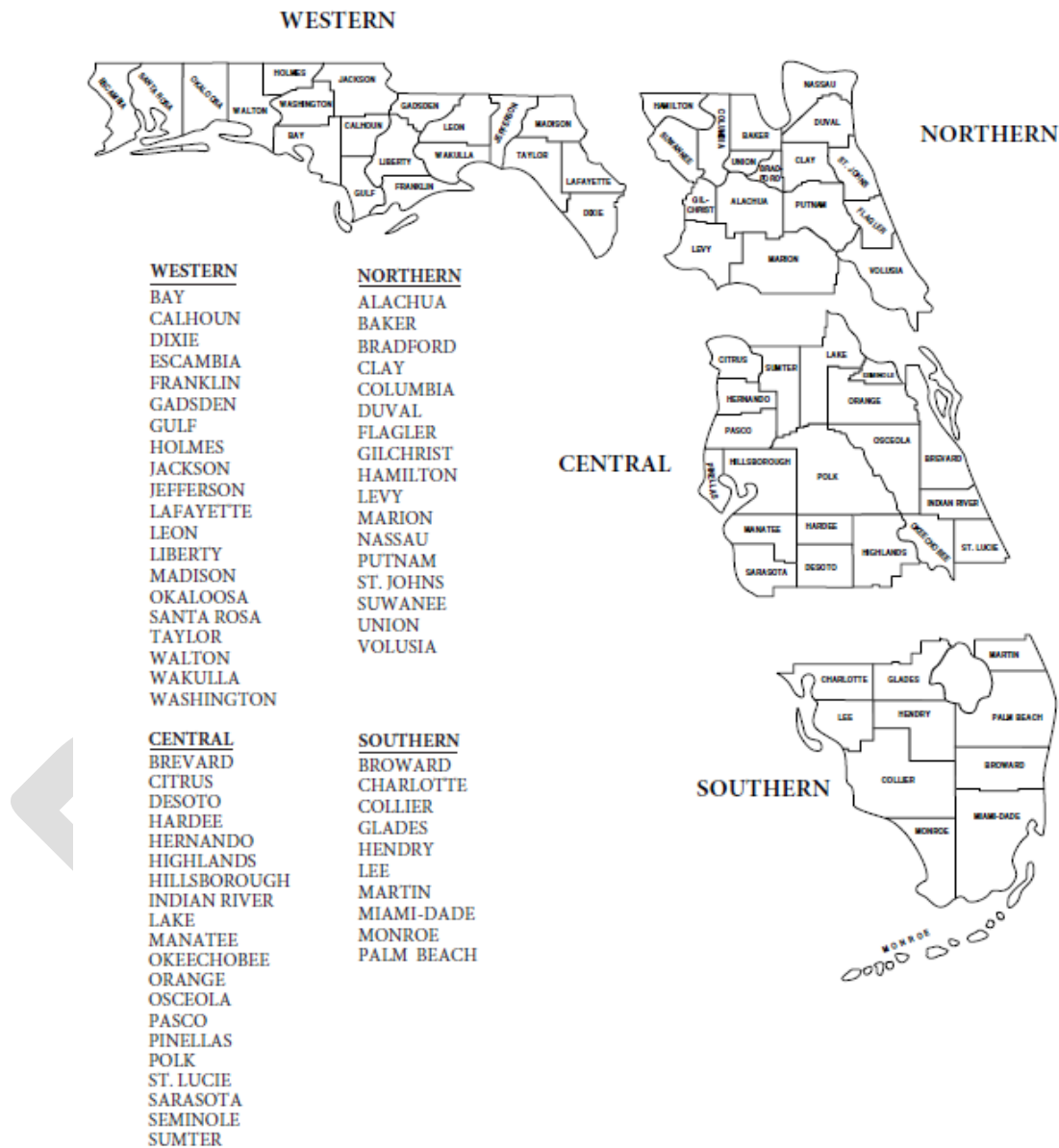
- 7) A purchaser issues a purchase order to the vendor, that should include:
- Awarded vendor name and address per contract
 - The contract number and title
 - Specification number and vehicle description
 - Purchaser's federal identification number
 - Name, phone number and email address for the point of contact at the purchasing agency
- 8) **The purchaser should forward an executed copy of the purchase order to the FSA at the same time the purchase order is sent to the vendor. Emails are acceptable. Emails can be sent to coop@flsheriffs.org.**

We hope you enjoy your purchasing experience with our Florida Sheriffs Association Cooperative Purchasing Program and don't forget to send us a copy of your purchase order. We are available should you have questions.

FLORIDA SHERIFFS ASSOCIATION
Cooperative Purchasing Program
Contract Terms and Conditions

Appendix B

FSA CONTRACT ZONE MAP



v.10_2015

Appendix C

FLORIDA SHERIFFS ASSOCIATION & FLORIDA ASSOCIATION OF COUNTIES

FSA20-EQU18.0 HEAVY EQUIPMENT CONTRACT

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

SPECIFICATION GROUP - TRANSFER SWITCH: 600 Amp Automatic Transfer Switch

Make: ABB-Zenith Model: ZTG600

Make: ASCO Model: Series 300

Make: Caterpillar Model: CTG Series

Make: Generac Model: GTS/PSTS600

Make: Thomson

Model: Auto Transfer Switch

FSA Item Specifications Description:

1. AUTOMATIC TRANSFER SWITCH: Maximum voltage rating of 600Vac, 60hz; 1ph or 3ph; Open transition (break-before-make) transfer logic; Transfer switch must meet the related industry standards: UL 1008 - Automatic transfer switches for use in emergency systems; CSA - Automatic transfer switches; NEMA - Industrial control and systems AC transfer switch equipment; IEC - Automatic transfer switching equipment.
2. RATING: 600-amp, 3 pole, 277/480vac, 60hz; Enclosure type: NEMA 3r.
3. FUNCTIONAL: The automatic transfer switch shall automatically transfer the load to the generator supply in the event of a utility supply failure and return the load to the utility supply upon restoration. The automatic transfer switch power switching devices shall be mechanically and electrically interlocked to prevent the utility and generator supplies from being interconnected. All timers should be field adjustable to ensure proper field site compatibility.
4. AUTOMATIC SEQUENCE OF OPERATION: When the voltage on any phase of the utility supply is below present levels of rated voltage for a preset time delay, a contact shall close to initiate start of the standby generator. The load shall transfer to the generator supply when the generator voltage and frequency have reached acceptable present levels and the warm up time delay has expired. When the utility supply is restored to the above present levels of rated voltage on all phases, load transfer from generator to utility supply shall be initiated following expiry of the utility return timer. Once the transfer mechanism operates and opens the

FLORIDA SHERIFFS ASSOCIATION & FLORIDA ASSOCIATION OF COUNTIES

FSA20-EQU18.0 HEAVY EQUIPMENT CONTRACT

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

SPECIFICATION GROUP - TRANSFER SWITCH: 600 Amp Automatic Transfer Switch (Continued from previous page)

generator power switching device, the transfer mechanism shall stop in the neutral position (i.e. with the both power switching devices open) for the duration of the neutral delay timer setting to allow load voltage to decay prior to reconnecting the utility supply. The load shall be re-connected to the utility supply once the neutral delay timer expires and the transfer mechanism continues operation and closes the utility power switching device. The load shall immediately retransfer to the utility supply (if within acceptable limits) should the generator supply fail prior to the expiry of the utility transfer delay. The generator set shall continue to operate following a load transfer for a cool down delay period, and then a contact shall open to stop the generator set. An "on load" test mode may be initiated which shall cause a simulated utility failure condition and transfer the load to the generator set. The transfer sequence shall be the same as for a utility power failure except a neutral delay sequence shall occur when transferring from utility to a generator source. The load shall immediately retransfer to the utility supply (if within acceptable limits) should the generator supply fail during an "on load" test mode.

5. FACTORY TESTING: A certified factory test report shall be shipped with each switch at time of shipment; The automatic transfer switch shall be factory tested prior to delivery to the purchaser; The following test shall be conducted by qualified factory personnel: Visual Inspection; Mechanical Tests; Electrical Tests; Final Inspection.
6. FIELD TESTING AND COMMISSIONING: The automatic transfer switch shall be field tested once installed at the project site to confirm proper operation of the system; Schedule and witness testing activities shall be coordinated with the project engineer, site contractor, and owner as required in advance of the testing date; A qualified local factory-trained field representative shall conduct the necessary test to ensure proper operation of the switch. Visual Inspection: Electrical and Mechanical inspection to verify the installation is correct as recommended by the transfer switch manufacturer and as per National Electric Code (NEC) requirements. Mechanical Tests: As a minimum, the following mechanical tests shall be performed on the transfer switch: Power conductor torque verification; Verification of mechanical interlock; Manual ATS

FLORIDA SHERIFFS ASSOCIATION & FLORIDA ASSOCIATION OF COUNTIES

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SPECIFICATION GROUP - TRANSFER SWITCH: 600 Amp Automatic Transfer Switch (Continued from previous page)

Mechanism Operation; All Mechanical Fasteners/Wire Connections Tight; Confirmations of correct transfer switch voltage, current and withstand ratings as is required for the application.

7. Meggar testing the power cabling to the transfer switch; Verification of correct power cabling phasing and phase rotation prior to energization; Confirmation of settings for all timers & voltages sensors. Full Function Test-normal operation - 3 complete cycles of failing the utility supply, and transfer load to/from the generator set; Verification of all test modes operates correctly.
8. CONDITIONS: In addition to equipment specified, each automatic transfer switch shall be equipped with all necessary equipment as specified by the manufacturer for this model and shall include but not be limited to the following necessary items: Shrink Wrap applied to the product to ensure a clean finish; One complete set of operation and maintenance manuals; A two (2) year or 1500 hour from date of standard standby warranty will apply from date of successful startup; Labor, materials, and travel for the warranty period repair will be paid by manufacturer during normal business hours.

Bid Award

Contract: FSA20-EQU18.0, Heavy Equipment

Group: TRANSFER SWITCH: 600 Amp Automatic Transfer Switch

Item: 468, Thomson, Auto Transfer Switch, TS 870

Zone	Rank	Vendor	Price	Percent:	Build File	Options File
Western	Primary	Tradewinds Power Corp.	\$9,324.00	0.00%	Build	Options
Northern	Primary	Tradewinds Power Corp.	\$9,324.00	0.00%	Build	Options
Central	Primary	Tradewinds Power Corp.	\$9,324.00	0.00%	Build	Options
Southern	Primary	Tradewinds Power Corp.	\$9,324.00	0.00%	Build	Options



**FLORIDA SHERIFFS
ASSOCIATION BID:
FSA20-EQU18.0 SPEC. NO. 468
600 AMP AUTOMATIC TRANSFER SWITCH**

Row	Specification Number	Code	Description	Price - All Zones
1	468	TT100-FS	Credit - Downgrade to 100A, 277/480VAC, 3PH, 60HZ, NEMA 3R enclosure.	(\$5,910)
2	468	TT150-FS	Credit - Downgrade to 150A, 277/480VAC, 3PH, 60HZ, NEMA 3R enclosure.	(\$5,570)
3	468	TT200-FS	Credit - Downgrade to 200A, 277/480VAC, 3PH, 60HZ, NEMA 3R enclosure.	(\$5,364)
4	468	TT250-FS	Credit - Downgrade to 250A, 277/480VAC, 3PH, 60HZ, NEMA 3R enclosure.	(\$4,363)
5	468	TT400-FS	Credit - Downgrade to 400A, 277/480VAC, 3PH, 60HZ, NEMA 3R enclosure.	(\$3,254)
6	468	TT800-FS	Upgrade - Upgrade to 800A, 277/480VAC, 3PH, 60HZ, NEMA 3R enclosure.	\$9,342
7	468	TT1000-FS	Upgrade - Upgrade to 1000A, 277/480VAC, 3PH, 60HZ, NEMA 3R enclosure.	\$1,051
8	468	TT1200-FS	Upgrade - Upgrade to 1200A, 277/480VAC, 3PH, 60HZ, NEMA 3R enclosure.	\$5,523
9	468	TT1600-FS	Upgrade - Upgrade to 1600A, 277/480VAC, 3PH, 60HZ, NEMA 3R enclosure.	\$7,971
10	468	TT2000-FS	Upgrade - Upgrade to 2000A, 277/480VAC, 3PH, 60HZ, NEMA 3R enclosure.	\$22,696
11	468	TT2500-FS	Upgrade - Upgrade to 2500A, 277/480VAC, 3PH, 60HZ, NEMA 3R enclosure.	\$26,670
12	468	TT3000-FS	Upgrade - Upgrade to 3000A, 277/480VAC, 3PH, 60HZ, NEMA 3R enclosure.	\$36,823
13	468	TT4000-FS	Upgrade - Upgrade to 4000A, 277/480VAC, 3PH, 60HZ, NEMA 3R enclosure.	\$45,594
14	468	TTSE-100-FS	Credit - Upgrade to 100A Service Entrance Rated, 2 or 3 pole, 208V or 240V or 480VAC, NEMA 3R enclosure.	(\$3,125)
15	468	TTSE-150-FS	Credit - Upgrade to 150A Service Entrance Rated, 2 or 3 pole, 208V or 240V or 480VAC, NEMA 3R enclosure.	(\$2,723)
16	468	TTSE-200-FS	Credit - Upgrade to 200A Service Entrance Rated, 2 or 3 pole, 208V or 240V or 480VAC, NEMA 3R enclosure.	(\$2,490)
17	468	TTSE-250-FS	Credit - Upgrade to 250A Service Entrance Rated, 2 or 3 pole, 208V or 240V or 480VAC, NEMA 3R enclosure.	(\$1,792)
18	468	TTSE-400-FS	Credit - Upgrade to 400A Service Entrance Rated, 2 or 3 pole, 208V or 240V or 480VAC, NEMA 3R enclosure.	(\$254)
19	468	TTSE-600-FS	Upgrade - Upgrade to 600A Service Entrance Rated, 2 or 3 pole, 208V or 240V or 480VAC, NEMA 3R enclosure.	\$3,533
20	468	TTSE-800-FS	Upgrade - Upgrade to 800A Service Entrance Rated, 2 or 3 pole, 208V or 240V or 480VAC, NEMA 3R enclosure.	\$5,778
21	468	TTSE-1000-FS	Upgrade - Upgrade to 1000A Service Entrance Rated, 2 or 3 pole, 208V or 240V or 480VAC, NEMA 3R enclosure.	\$15,821
22	468	TTSE-1200-FS	Upgrade - Upgrade to 1200A Service Entrance Rated, 2 or 3 pole, 208V or 240V or 480VAC, NEMA 3R enclosure.	\$17,194
23	468	TTSE-1600-FS	Upgrade - Upgrade to 1600A Service Entrance Rated, 2 or 3 pole, 208V or 240V or 480VAC, NEMA 3R enclosure.	\$35,007
24	468	TTSE-2000-FS	Upgrade - Upgrade to 2000A Service Entrance Rated, 2 or 3 pole, 208V or 240V or 480VAC, NEMA 3R enclosure.	\$37,923
25	468	TTSE-2500-FS	Upgrade - Upgrade to 2500A Service Entrance Rated, 2 or 3 pole, 208V or 240V or 480VAC, NEMA 3R enclosure.	\$53,946
26	468	TTSE-3000-FS	Upgrade - Upgrade to 3000A Service Entrance Rated, 2 or 3 pole, 208V or 240V or 480VAC, NEMA 3R enclosure.	\$62,749
27	468	TTSE-4000-FS	Upgrade - Upgrade to 4000A Service Entrance Rated, 2 or 3 pole, 208V or 240V or 480VAC, NEMA 3R enclosure.	\$97,496
28	468	TT913-100-FS	Credit - Downgrade to 100A, 120/240VAC, 3PH, 60HZ, NEMA 3R enclosure.	(\$7,592)
29	468	TT913-200-FS	Credit - Downgrade to 200A, 120/240VAC, 3PH, 60HZ, NEMA 3R enclosure.	(\$7,120)
30	468	TT913-400-FS	Credit - Downgrade to 400A, 120/240VAC, 3PH, 60HZ, NEMA 3R enclosure.	(\$5,425)



**FLORIDA SHERIFFS
ASSOCIATION BID:
FSA20-EQU18.0 SPEC. NO. 468
600 AMP AUTOMATIC TRANSFER SWITCH**

Row	Specification Number	Code	Description	Pvce - All Zones
31	468	TTSE-913-100-FS	Credit - Downgrade to 100A, 120/240VAC, 3PH, 60HZ, Service Entrance Rated, NEMA 3R Aluminum weather enclosure	(\$6,826)
32	468	TTSE-913-200-FS	Credit - Downgrade to 200A, 120/240VAC, 3PH, 60HZ, Service Entrance Rated, NEMA 3R Aluminum weather enclosure	(\$5,733)
33	468	TTSE-913-400-FS	Credit - Downgrade to 400A, 120/240VAC, 3PH, 60HZ, Service Entrance Rated, NEMA 3R Aluminum weather enclosure	(\$2,483)
34	468	TTSS-100-200-FS	Credit - Upgrade 100 - 200A Double Door Enclosure to NEMA 4x, 316 Stainless Steel by deducting from Bid price.	(\$5,387)
35	468	TTSS-250-FS	Credit - Upgrade 250A Double Door Enclosure to NEMA 4x, 316 Stainless Steel by deducting from Bid price.	(\$4,086)
36	468	TTSS-400-600-FS	Credit - Upgrade 400 - 600A Double Door Enclosure to NEMA 4x, 316 Stainless Steel by deducting from Bid price.	(\$2,271)
37	468	TTSS-800-FS	Credit - Upgrade to 800A Double Door Enclosure to NEMA 4x, 316 Stainless Steel by adding to Bid price.	(\$1,820)
38	468	TTSS-1000-1200-FS	Upgrade - Upgrade to 1000 - 1200A Double Door Enclosure to NEMA 4x, 316 Stainless Steel by adding to Bid price.	\$33
39	468	TTSS-1600-2000-FS	Upgrade - Upgrade to 1600 - 2000A Double Door Enclosure to NEMA 4x, 316 Stainless Steel by adding to Bid price.	\$6,941
40	468	TTSS-2500-3000-FS	Upgrade - Upgrade to 2500 - 3000A Double Door Enclosure to NEMA 4x, 316 Stainless Steel by adding to Bid price.	\$8,456
41	468	TTSS-4000-FS	Upgrade - Upgrade to 4000A Double Door Enclosure to NEMA 4x, 316 Stainless Steel by adding to Bid price.	\$11,861
42	468	TT4-6FM-FS	Upgrade - Upgrade 600 and 800A Double Door switch to floor mounted type.	\$1,779
43	468	TT16-30-ED-FS	Upgrade - Upgrade 1600 - 4000A switches with extended depth.	\$1,548
44	468	TT16-40-SA-FS	Upgrade - Upgrade Option 1600 - 4000A switches for side access.	\$1,333
45	468	TT16-40-RC-FS	Upgrade - Upgrade Option 1600 - 4000A remote communications.	\$667
46	468	TT6-1200-FM-FS	Upgrade - Upgrade Option 100 - 2000A switches for electrical surge suppression.	\$7,527
47	468	TT-CLOSEDTRANS-FS	Net Cost Adder - Upgrade to existing switch to make switch closed transition 8%	8%
48	468	TTSWITCH-FS	Net Cost Adder - Percentage to change from original proposal transfer switch to another manufacture to meet customer requirements 30%	30%
49	468	TT-SURGE-1PH-240-FS	Net Cost Adder - Surge Suppression for 1PH units rated up to 240VAC.	\$1,060
50	468	TT-SURGE-3PH-240-FS	Net Cost Adder - Surge Suppression for 3PH units rated up to 240VAC.	\$1,541
51	468	TT-SURGE-3PH-480-FS	Net Cost Adder - Surge Suppression for 3PH units rated for 480VAC.	\$2,405
52	468	TPC-ATS-MAIN1-FS	Net Cost Adder - Test, adjust, activate and provide general instructions on the operation of the automatic transfer switch. Note: this is a net cost adder per switch.	\$935
53	468	TPC-ATS-MAIN2-FS	Net Cost Adder - Tighten Line, Load, and Emergency leads for secure connection to transfer switch. Transfer generator and provide condition summary report of emergency system. Note: this is a net cost adder per switch.	\$1,408
54	468	TPC-WAR1-AT-FS	Net Cost Adder - 100 - 1000A 5yr factory extended warranty. Net cost of warranty will be 15% of total cost of switch.	15%
55	468	TPC-WAR2-AT-FS	Net Cost Adder - 1001 - 4000A 5yr factory extended warranty. Net cost of warranty will be 10% of total cost of switch.	10%



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600 AMP AUTOMATIC TRANSFER SWITCH**

Row	Specification Number	Code	Description	Pvice - All Zones
56	468	IT100-150-FS	Credit - Downgrade for 100 -150A, 1PH or 3PH, installation of transfer switch, mounted up to 15 feet away from main power source. Installation of generator power not to exceed 50 feet away. Obtain permit, pour pad, set and install generator, and transfer switch. Cost per amp.	(\$9,168)
57	468	IT151-200-FS	Credit - Downgrade for 151-200A, 1PH or 3PH, installation of transfer switch, mounted up to 15 feet away from main power source. Installation of generator power not to exceed 50 feet away. Obtain permit, pour pad, set and install generator, and transfer switch. Cost per amp.	(\$9,181)
58	468	IT201-400-FS	Credit - Downgrade for 201 - 400A, 1PH or 3PH, installation of transfer switch, mounted up to 15 feet away from main power source. Installation of generator power not to exceed 50 feet away. Obtain permit, pour pad, set and install generator, and transfer switch. Cost per amp.	(\$9,191)
59	468	IT401-600-FS	Credit - Downgrade for 401 - 600A, 1PH or 3PH, installation of transfer switch, mounted up to 15 feet away from main power source. Installation of generator power not to exceed 50 feet away. Obtain permit, pour pad, set and install generator, and transfer switch. Cost per amp.	(\$9,219)
60	468	IT601-800-FS	Credit - Downgrade for 601 - 800A, 1PH or 3PH, installation of transfer switch, mounted up to 15 feet away from main power source. Installation of generator power not to exceed 50 feet away. Obtain permit, pour pad, set and install generator, and transfer switch. Cost per amp.	(\$9,238)
61	468	IT801-1200-FS	Credit - Downgrade for 801 - 1200A, 1PH or 3PH, installation of transfer switch, mounted up to 15 feet away from main power source. Installation of generator power not to exceed 50 feet away. Obtain permit, pour pad, set and install generator, and transfer switch. Cost per amp.	(\$9,200)
62	468	IT1201-4000-FS	Credit - Downgrade for 1201 - 4000A, 1PH or 3PH, installation of transfer switch, mounted up to 15 feet away from main power source. Installation of generator power not to exceed 50 feet away. Obtain permit, pour pad, set and install generator, and transfer switch. Cost per amp.	(\$9,181)
63	468	TT-TCP-400-FS	Upgrade - Downgrade to existing switch to have 400amp rated generator connection plate installed.	\$3,263
64	468	TT-TCP-800-FS	Upgrade - Downgrade to existing switch to have 800amp rated generator connection plate installed.	\$5,218
65	468	TT-TCP-1200-FS	Upgrade - Downgrade to existing switch to have 1200amp rated generator connection plate installed.	\$7,574
66	468	TT-TCP-1600-FS	Upgrade - Upgrade to existing switch to have 1600amp rated generator connection plate installed.	\$30,134
67	468	TT-TCP-2000-FS	Upgrade - Upgrade to existing switch to have 2000amp rated generator connection plate installed.	\$35,375
68	468	T400 - DOC - FS	Credit - Downgrade 400amp, 1 or 3ph, Generator Docking station with required 120vac out power plug and auto-start contacts.	(\$2,541)
69	468	T800 - DOC - FS	Upgrade - Upgrade 800amp, 1 or 3ph, Generator Docking station with required 120vac out power plug and auto-start contacts.	\$4,625
70	468	T1200 - DOC - FS	Upgrade - Upgrade 1200amp, 1 or 3ph, Generator Docking station with required 120vac out power plug and auto-start contacts.	\$6,454



**FLORIDA SHERIFFS
ASSOCIATION BID:
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600 AMP AUTOMATIC TRANSFER SWITCH**

Row	Specification Number	Code	Description	Pvce - All Zones
71	468	TTQCPS-400-WALL-FS	Credit - Provide wall mounted quick disconnect panel in compliance with NEC code 700.3 rated for 400amps.	(\$3,064)
72	468	TTQCPS-800-WALL-FS	Credit - Provide wall mounted quick disconnect panel in compliance with NEC code 700.3 rated for 800amps.	(\$1,890)
73	468	TTQCPS-1200-WALL-FS	Upgrade - Provide wall mounted quick disconnect panel in compliance with NEC code 700.3 rated for 1200amps.	(\$255)
74	468	TTQCPS-1600-WALL-FS	Upgrade - Upgrade Provide wall mounted quick disconnect panel in compliance with NEC code 700.3 rated for 1600amps.	\$193
75	468	TTQCPS-2000-WALL-FS	Upgrade - Upgrade Provide wall mounted quick disconnect panel in compliance with NEC code 700.3 rated for 2000amps.	\$1,954
76	468	TTQCPS-800-PAD-FS	Upgrade - Upgrade Provide pad mounted quick disconnect panel in compliance with NEC code 700.3 rated for 800amps.	\$1,182
77	468	TTQCPS-1200-PAD-FS	Upgrade - Upgrade Provide pad mounted quick disconnect panel in compliance with NEC code 700.3 rated for 1200amps.	\$2,761
78	468	TTQCPS-1600-PAD-FS	Upgrade - Upgrade Provide pad mounted quick disconnect panel in compliance with NEC code 700.3 rated for 1600amps.	\$3,773
79	468	TTQCPS-2000-PAD-FS	Upgrade - Upgrade Provide pad mounted quick disconnect panel in compliance with NEC code 700.3 rated for 2000amps.	\$5,706
80	468	TTQCPSD-400-WALL-FS	Upgrade - Upgrade Provide wall mounted dual purpose quick disconnect panels for mobile and load bank connections in compliance with NEC code 700.3 rated for 400amps.	\$434
81	468	TTQCPSD-800-WALL-FS	Upgrade - Upgrade Provide wall mounted dual purpose quick disconnect panels for mobile and load bank connections in compliance with NEC code 700.3 rated for 800amps.	\$197
82	468	TTQCPSD-1200-WALL-FS	Upgrade - Upgrade Provide wall mounted dual purpose quick disconnect panels for mobile and load bank connections in compliance with NEC code 700.3 rated for 1200amps.	\$1,560
83	468	TTQCPSD-800-PAD-FS	Upgrade - Upgrade Provide pad mounted dual purpose quick disconnect panels for mobile and load bank connections in compliance with NEC code 700.3 rated for 800amps.	\$6,949
84	468	TTQCPSD-1200-PAD-FS	Upgrade - Upgrade Provide pad mounted dual purpose quick disconnect panels for mobile and load bank connections in compliance with NEC code 700.3 rated for 1200amps.	\$7,781
85	468	TTQCPSD-1600-PAD-FS	Upgrade - Upgrade Provide pad mounted dual purpose quick disconnect panels for mobile and load bank connections in compliance with NEC code 700.3 rated for 1600amps.	\$9,596
86	468	TTQCPSD-2000-PAD-FS	Upgrade - Upgrade Provide pad mounted dual purpose quick disconnect panels for mobile and load bank connections in compliance with NEC code 700.3 rated for 2000amps.	\$11,550
87	468	T-AE200T-FS	Net Cost Adder- Replacement aluminum enclosure and 200 gal UL142 FDEP fuel tank with anticorrosive paint.	\$25,084
88	468	T-BE350T-FS	Net Cost Adder- Replacement aluminum enclosure and 350 gal UL142 FDEP fuel tank with anticorrosive paint.	\$32,263
89	468	T-CE500T-FS	Net Cost Adder- Replacement aluminum enclosure and 500 gal UL142 FDEP fuel tank with anticorrosive paint.	\$41,827
90	468	T-DE660T-FS	Net Cost Adder- Replacement aluminum enclosure and 660 gal UL142 FDEP fuel tank with anticorrosive paint.	\$58,500
91	468	T-EE1050T-FS	Net Cost Adder- Replacement aluminum enclosure and 1050 gal UL142 FDEP fuel tank with anticorrosive paint.	\$83,634
92	468	T-FE1200T-FS	Net Cost Adder- Replacement aluminum enclosure and 1200 gal UL142 FDEP fuel tank with anticorrosive paint.	\$88,606

October 1, 2022

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**FLORIDA SHERIFFS
ASSOCIATION BID:
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600 AMP AUTOMATIC TRANSFER SWITCH**

Row	Specification Number	Code	Description	Pvce - All Zones
93	468	T-B1T4E175TT-FS	Net Cost Adder- Replacement aluminum enclosure and 175 gal trailer tank, with anticorrosive paint.	\$38,507
94	468	T-B2T4E200TT-FS	Net Cost Adder- Replacement aluminum enclosure and 200 gal trailer tank, with anticorrosive paint.	\$49,946
95	468	T-CT4E330TT-FS	Net Cost Adder- Replacement aluminum enclosure and 330 gal trailer tank, with anticorrosive paint.	\$76,013
96	468	T-D1T4E500TT-FS	Net Cost Adder- Replacement aluminum enclosure and 500 gal trailer tank, with anticorrosive paint.	\$113,334
97	468	T-E1T4E500TT-FS	Net Cost Adder- Replacement aluminum enclosure and 500 gal trailer tank, with anticorrosive paint.	\$80,681
98	468	T-ATTPE200T-FS	Net Cost Adder- Replacement Total Pac aluminum enclosure and 200 gal UL142 FDEP fuel tank with anticorrosive paint. SS Disconnect boxes and transfer switch.	\$66,232
99	468	T-BTTPE300T-FS	Net Cost Adder- Replacement Total Pac aluminum enclosure and 300 gal UL142 FDEP fuel tank with anticorrosive paint. SS Disconnect boxes and transfer switch.	\$60,527
100	468	T-CTTPE500T-FS	Net Cost Adder- Replacement Total Pac aluminum enclosure and 500 gal UL142 FDEP fuel tank with anticorrosive paint. SS Disconnect boxes and transfer switch.	\$94,764
101	468	T-ER400CL-FS	Net Cost Adder- 400 AMP rated emergency response rear connection box with lockable lifting gate with snap acting disconnect protection, and LED service light. 120/240V, 120/208V, or 277/480V, female Camlock connectors with N3R snap back covers; clear acrylic covered copper compression lugs mounted on a Bakelite phenolic plate, all wired to the mainline circuit breaker. Flush mounted single phase output receptacles with weatherproof lift covers. 2)20 Amp duplex GFI 120V, 2)20 Amp duplex NON GFI 120V, 3) 50 Amp 240V all with breaker protection. Remote start and alarm contacts. 20A 120V N3R inlet for battery charger and coolant block heater .	\$17,544
102	468	T-ER800CL-FS	Net Cost Adder- 800 AMP rated emergency response rear connection box with lockable lifting gate with snap acting disconnect protection, and LED service light. 120/240V, 120/208V, or 277/480V, female Camlock connectors with N3R snap back covers; clear acrylic covered copper compression lugs mounted on a Bakelite phenolic plate, all wired to the mainline circuit breaker. Flush mounted single phase output receptacles with weatherproof lift covers. 2)20 Amp duplex GFI 120V, 2)20 Amp duplex NON GFI 120V, 3) 50 Amp 240V all with breaker protection. Remote start and alarm contacts. 20A 120V N3R inlet for battery charger and coolant block heater .	\$21,023
103	468	T-ER1200CL-FS	Net Cost Adder- 1200 AMP rated emergency response rear connection box with lockable lifting gate with snap acting disconnect protection, and LED service light. 120/240V, 120/208V, or 277/480V, female Camlock connectors with N3R snap back covers; clear acrylic covered copper compression lugs mounted on a Bakelite phenolic plate, all wired to the mainline circuit breaker. Flush mounted single phase output receptacles with weatherproof lift covers. 2)20 Amp duplex GFI 120V, 2)20 Amp duplex NON GFI 120V, 3) 50 Amp 240V all with breaker protection. Remote start and alarm contacts. 20A 120V N3R inlet for battery charger and coolant block heater .	\$18,340



**FLORIDA SHERIFFS
ASSOCIATION BID:
FSA20-EQU18.0 SPEC. NO. 468
600 AMP AUTOMATIC TRANSFER SWITCH**

Row	Specification Number	Code	Description	Pvice - All Zones
104	468	T-ER1600CL-FS	Net Cost Adder- 1600 AMP rated emergency response rear connection box with lockable lifting gate with snap acting disconnect protection, and LED service light. 120/240V, 120/208V, or 277/480V, female Camlock connectors with N3R snap back covers; clear acrylic covered copper compression lugs mounted on a Bakelite phenolic plate, all wired to the mainline circuit breaker. Flush mounted single phase output receptacles with weatherproof lift covers. 2)20 Amp duplex GFI 120V, 2)20 Amp duplex NON GFI 120V, 3) 50 Amp 240V all with breaker protection. Remote start and alarm contacts. 20A 120V N3R inlet for battery charger and coolant block heater .	\$28,794
105	468	T-ER2000CL-FS	Net Cost Adder- 2000 AMP rated emergency response rear connection box with lockable lifting gate with snap acting disconnect protection, and LED service light. 120/240V, 120/208V, or 277/480V, female Camlock connectors with N3R snap back covers; clear acrylic covered copper compression lugs mounted on a Bakelite phenolic plate, all wired to the mainline circuit breaker. Flush mounted single phase output receptacles with weatherproof lift covers. 2)20 Amp duplex GFI 120V, 2)20 Amp duplex NON GFI 120V, 3) 50 Amp 240V all with breaker protection. Remote start and alarm contacts. 20A 120V N3R inlet for battery charger and coolant block heater .	\$33,001
106	468	T-VCS60-FS	Net Cost Adder- Voltage changeover switch 3 position, single output.	\$6,477
107	468	T-VCS100-FS	Net Cost Adder- Voltage changeover switch 3 position, single output.	\$7,166
108	468	T-VCS150-FS	Net Cost Adder- Voltage changeover switch 3 position, single output.	\$8,118
109	468	T-VCS200-FS	Net Cost Adder- Voltage changeover switch 3 position, single output.	\$9,241
110	468	T-VCS375-FS	Net Cost Adder- Voltage changeover switch 3 position, single output.	\$12,977
111	468	T-VCS400-FS	Net Cost Adder- Voltage changeover switch 3 position, single output.	\$14,759
112	468	T-VCS500-FS	Net Cost Adder- Voltage changeover switch 3 position, single output.	\$16,854
113	468	T-VCS-20-FS	Net cost Adder - Upgrade to supply 2 position dual output Voltage selector switch 208V and 480V	\$4,630
114	468	T-VCS-30-FS	Net cost Adder - Upgrade to supply 3 position 3 output Voltage selector switch 240V, 208V, 480V.	\$5,579
115	468	COMP-400-FS	Credit - Remove Compression lugs from Emergency Response connection box.	(\$4,352)
116	468	COMP-800-FS	Credit - Remove Compression lugs from Emergency Response connection box.	(\$5,808)
117	468	COMP-1200-FS	Credit - Remove Compression lugs from Emergency Response connection box.	(\$7,360)
118	468	CAM-400-20-FS	Credit - Remove Compression lugs from Emergency Response connection box, and install two 400 A outputs for 240V or 208V, and 480V Camlock type connectors with N3R snap back covers, mounted on Bakelite phenolic board, keyed latched lift gate with snap action shut off switch, LED light.	(\$1,318)
119	468	CAM-800-20-FS	Credit - Remove Compression lugs from Emergency Response connection box, and install two 800 A outputs for 240V or 208V, and 480V Camlock type connectors with N3R snap back covers, mounted on Bakelite phenolic board, keyed latched lift gate with snap action shut off switch, LED light.	(\$1,537)
120	468	CAM-1200-20-FS	Credit - Remove Compression lugs from Emergency Response connection box, and install two 1200 A outputs for 240V or 208V, and 480V Camlock type connectors with N3R snap back covers, mounted on Bakelite phenolic board, keyed latched lift gate with snap action shut off switch, LED light.	(\$1,713)



**FLORIDA SHERIFFS
ASSOCIATION BID:
FSA20-EQU18.0 SPEC. NO. 468
600 AMP AUTOMATIC TRANSFER SWITCH**

Row	Specification Number	Code	Description	Pvce - All Zones
121	468	CAM-400-3O-FS	Credit - Remove Compression lugs from Emergency Response connection box, and install three 400 A outputs, for 240V, 208V, 480V Camlock type connectors with N3R snap back covers, mounted on Bakelite phenolic board, keyed latched lift gate with snap action shut off switch, LED light.	(\$82)
122	468	CAM-800-3O-FS	Net Cost Adder - Remove Compression lugs from Emergency Response connection box, and install three 800 A outputs for 240V, 208V, 480V Camlock type connectors with N3R snap back covers, mounted on Bakelite phenolic board, keyed latched lift gate with snap action shut off switch, LED light.	\$6,279
123	468	CAM-1200-3O-FS	Net Cost Adder - Remove Compression lugs from Emergency Response connection box, and install three 1200 A outputs for 240V, 208V, 480V Camlock type connectors with N3R snap back covers, mounted on Bakelite phenolic board, keyed latched lift gate with snap action shut off switch, LED light.	\$9,580
118	468	T100PLUG-FS	Net Cost Adder - 100 amp, 600 VAC, 250 VDC, pin sleeve reverse service load breaking plug. With 100 amp circuit breaker, with shunt trip. Cable not included	\$9,152
119	468	T200PLUG-FS	Net Cost Adder - 200 amp, 600 VAC, 250 VDC, pin sleeve reverse service load breaking plug. With 200 amp circuit breaker, with shunt trip. Cable not included	\$16,225
120	468	T400PLUG-FS	Net Cost Adder - 400 amp, 600 VAC, 250 VDC, pin sleeve reverse service load breaking plug. With 200 amp circuit breaker, with shunt trip. Cable not included	\$25,143
121	468	T100-1-40L-FS	Net Cost Adder - 100amp, 40ft length, 2000v rated, flexible, S/O cord rated for 100amps and to contain a total of five (5) conductors. PLUG NOT INCLUDED	\$1,962
122	468	T100-1-60L-FS	Net Cost Adder - 100amp, 60ft length, 2000v rated, flexible, S/O cord rated for 100amps and to contain a total of five (5) conductors. PLUG NOT INCLUDED	\$2,823
123	468	T100-1-80L-FS	Net Cost Adder - 100amp, 80ft length, 2000v rated, flexible, S/O cord rated for 100amps and to contain a total of five (5) conductors. PLUG NOT INCLUDED	\$3,696
124	468	T150-1-40L-FS	Net Cost Adder - 150amp, 40ft length, 2000v rated, flexible, S/O cord rated for 100amps and to contain a total of five (5) conductors. PLUG NOT INCLUDED	\$3,225
125	468	T150-1-60L-FS	Net Cost Adder - 150amp, 60ft length, 2000v rated, flexible, S/O cord rated for 150amps and to contain a total of five (5) conductors. PLUG NOT INCLUDED	\$4,647
126	468	T150-1-80L-FS	Net Cost Adder - 150amp, 80ft length, 2000v rated, flexible, S/O cord rated for 150amps and to contain a total of five (5) conductors. PLUG NOT INCLUDED	\$7,493
127	468	T200-1-40L-FS	Net Cost Adder - 200amp, 40ft length, 2000v rated, flexible, S/O cord rated for 200amps and to contain a total of five (5) conductors. PLUG NOT INCLUDED	\$4,384
128	468	T200-1-60L-FS	Net Cost Adder - 200amp, 60ft length, 2000v rated, flexible, S/O cord rated for 200amps and to contain a total of five (5) conductors. PLUG NOT INCLUDED	\$6,321
129	468	T200-1-80L-FS	Net Cost Adder - 200amp, 80ft length, 2000v rated, flexible, S/O cord rated for 200amps and to contain a total of five (5) conductors. PLUG NOT INCLUDED	\$8,271
130	468	TW4001-5-6L-FS	Net Cost Adder- Five 400A rated, 6 ft lenght multistrand industrial grade cable, with pure soft-drawn electrolytic copper. Rope stranding for flexibility in varying temperatures, double insulation for greater durability and safety. Camlock connector and bare end.	\$1,823
131	468	TW4001-5-40L-FS	Net Cost Adder- Five 400A rated, 40 ft lenght multistrand industrial grade cable, with pure soft-drawn electrolytic copper. Rope stranding for flexibility in varying temperatures, double insulation for greater durability and safety. Male Camlock connector on both ends.	\$6,494
132	468	TW4001-5-60L-FS	Net Cost Adder- Five 400A rated, 60 ft lenght multistrand industrial grade cable, with pure soft-drawn electrolytic copper. Rope stranding for flexibility in varying temperatures, double insulation for greater durability and safety. Male Camlock connector on both ends.	\$6,494

October 1, 2022

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**FLORIDA SHERIFFS
ASSOCIATION BID:
FSA20-EQU18.0 SPEC. NO. 468
600 AMP AUTOMATIC TRANSFER SWITCH**

Row	Specification Number	Code	Description	Pvce - All Zones
133	468	TW4001-9-6L-FS	Net Cost Adder- Nine 800A rated, 6 ft lenght multistrand industrial grade cable, with pure soft-drawn electrolytic copper. Rope stranding for flexibility in varying temperatures, double insulation for greater durability and safety. Camlock connector and bare end.	\$3,524
134	468	TW4001-9-40L-FS	Net Cost Adder- Nine 800A rated, 40 ft lenght multistrand industrial grade cable, with pure soft-drawn electrolytic copper. Rope stranding for flexibility in varying temperatures, double insulation for greater durability and safety. Male Camlock connector on both ends.	\$11,287
135	468	TW4001-9-60L-FS	Net Cost Adder- Nine 800A rated,60 ft lenght multistrand industrial grade cable, with pure soft-drawn electrolytic copper. Rope stranding for flexibility in varying temperatures, double insulation for greater durability and safety. Male Camlock connector on both ends.	\$15,854
136	468	TW4001-13-6L-FS	Net Cost Adder- Thirteen 1200A rated, 6 ft lenght multistrand industrial grade cable, with pure soft-drawn electrolytic copper. Rope stranding for flexibility in varying temperatures, double insulation for greater durability and safety. Camlock connector and bare end.	\$4,891
137	468	TW4001-13-40L-FS	Net Cost Adder- Thirteen 1200A rated, 40 ft lenght multistrand industrial grade cable, with pure soft-drawn electrolytic copper. Rope stranding for flexibility in varying temperatures, double insulation for greater durability and safety. Male Camlock connector on both ends.	\$16,104
138	468	TW4001-13-60L-FS	Net Cost Adder- Thirteen 1200A rated,60 ft lenght multistrand industrial grade cable, with pure soft-drawn electrolytic copper. Rope stranding for flexibility in varying temperatures, double insulation for greater durability and safety. Male Camlock connector on both ends.	\$22,700
139	468	TW4001-17-6L-FS	Net Cost Adder- Seventeen 1600A rated, 6 ft lenght multistrand industrial grade cable, with pure soft-drawn electrolytic copper. Rope stranding for flexibility in varying temperatures, double insulation for greater durability and safety. Camlock connector and bare end.	\$6,138
140	468	TW4001-17-40L-FS	Net Cost Adder- Seventeen 1600A rated, 40 ft lenght multistrand industrial grade cable, with pure soft-drawn electrolytic copper. Rope stranding for flexibility in varying temperatures, double insulation for greater durability and safety. Male Camlock connector on both ends.	\$20,802
141	468	TW4001-17-60L-FS	Net Cost Adder- Seventeen 1600A rated,60 ft lenght multistrand industrial grade cable, with pure soft-drawn electrolytic copper. Rope stranding for flexibility in varying temperatures, double insulation for greater durability and safety. Male Camlock connector on both ends.	\$29,666
142	468	CLS40FB-OPP-FS	Net Cost Adder - Female in line Camlock connector, 2/0 to 4/0, 400A, 600V, UL. Price per unit.	\$100
143	468	CLS40MB-OPP-FS	Net Cost Adder - Male in line Camlock plug 2/0 to 4/0, 400A, 600V, UL. Price per unit.	\$100
144	468	T-W4001-FS	Net Cost Adder- 400A rated, multistrand industrial grade cable, with pure soft-drawn electrolytic copper. Rope stranding for flexibility in varying temperatures, double insulation for greater durability and safety. Price per ft.	\$49
145	468	TG0204-FS	Net Cost Adder - 100amp, 2000V rated, flexible, S/O cord rated for 100amps and to contain a total of five (5) conductors. Price per ft.	\$74
146	468	TG1004-FS	Net Cost Adder - 150amp, 2000V rated, flexible, S/O cord rated for 100amps and to contain a total of five (5) conductors. Price per ft.	\$114
147	468	TG3004-FS	Net Cost Adder - 200amp, 2000V rated, flexible, S/O cord rated for 100amps and to contain a total of five (5) conductors. Price per ft.	\$136
148	468	T-CCP-FS	Net Cost Adder - Payment made by Credit Card. Price is 4% of total purchase.	3.95%



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*Filters
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Generator Sets
Automatic Engine Controls*

Tradewinds Power Corp

Bid No. FSA20-EQU18.0
Specification No. #114

125KW GENERATOR PACKAGE Update - October 1, 2022



FSA Cooperative Purchasing Program



Contract: FSA20-VEH18.0 - Heavy Trucks

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

Contract: FSA20-EQU18.0 – Heavy Equipment
(formerly combined with Heavy Vehicles under “VEH” contracts)

Contract Terms and Conditions



CONTRACT ORDERING INSTRUCTIONS

The Florida Sheriffs Association Cooperative Purchasing Program welcomes you to utilize the Cooperative Purchasing Program at no cost to our purchasers. However, as a user of the program, we do request you to submit copies of all purchase orders when using the FSA CPP. Send your PO copies to COOP@flsheriffs.org

This document is designed to assist you through the purchasing process as outlined in Section 3.20 Order, of the Contract Terms and Conditions. Please familiarize yourself with the Contract Terms and Conditions sections that apply to “purchasers.” A link to this document is found on each contract page.

- 1) For a complete list of offerings, select the appropriate contract from the [Cooperative Purchasing Program](#) home page.

FSA CPP currently has 6 competitive contracts:

- | | |
|--|--|
| ✓ Pursuit, Administrative and other Vehicles | ✓ Fire Rescue Vehicles and Other Equipment |
| ✓ Heavy Trucks | ✓ Ambulances and Other Equipment |
| ✓ Heavy Equipment | ✓ Tires |

- 2) Under Products and Services Available, locate the product group for your purchase interest. Each group provides a drop-down list of all products by expanding the group bar by selecting the arrow to the left of the group name.
- 3) If options need to be added to the base product, locate the options that correspond with each awarded vendor for each product specification number. All options must be discounted, and proof of discounts can be requested from the vendor.
- 4) Once your product is located, contact the awarded vendor for your zone for a quote using the Vendor Directory located just under the CPP logo on each contract page. While it is recommended that an agency purchase from the zone which is closest to their location, it is not mandatory to do so. If the purchaser determines that a vendor in another zone can better serve the purchaser’s needs, the purchaser may order from a vendor in another zone. Vendors that provide vehicles or equipment outside of an awarded zone may upon mutual agreement between the vendor and the purchaser charge a delivery fee.
- 5) For vehicle purchases, be sure to include your manufacturer code on your purchase order and request that the vendor use your code to enable you to track your vehicles in production. Also, please include the FSA codes on your PO. The FIN/FAN/Certification Codes for the FSA are:

Manufacturer	Code Type	FSA Code	Contact
Ford	FIN	QE065	1-800-343-5338
Fiat Chrysler Automobiles	FAN	917872	1-800-999-3533
General Motors	FAN	49313	1-800-353-3867
Nissan	Certification	FSA	FleetDistribution@Nissan-usa.com
Toyota	FIN	GE159	1-800-732-2798

- 6) Delivery or due dates should be discussed with the vendor at the time the quote is provided to the purchaser, or if no quote is provided, prior to when the purchase order is delivered to the vendor. It is important to note that vendors do not have any control over production delays in schedules from the manufacturer.



CONTRACT ORDERING INSTRUCTIONS

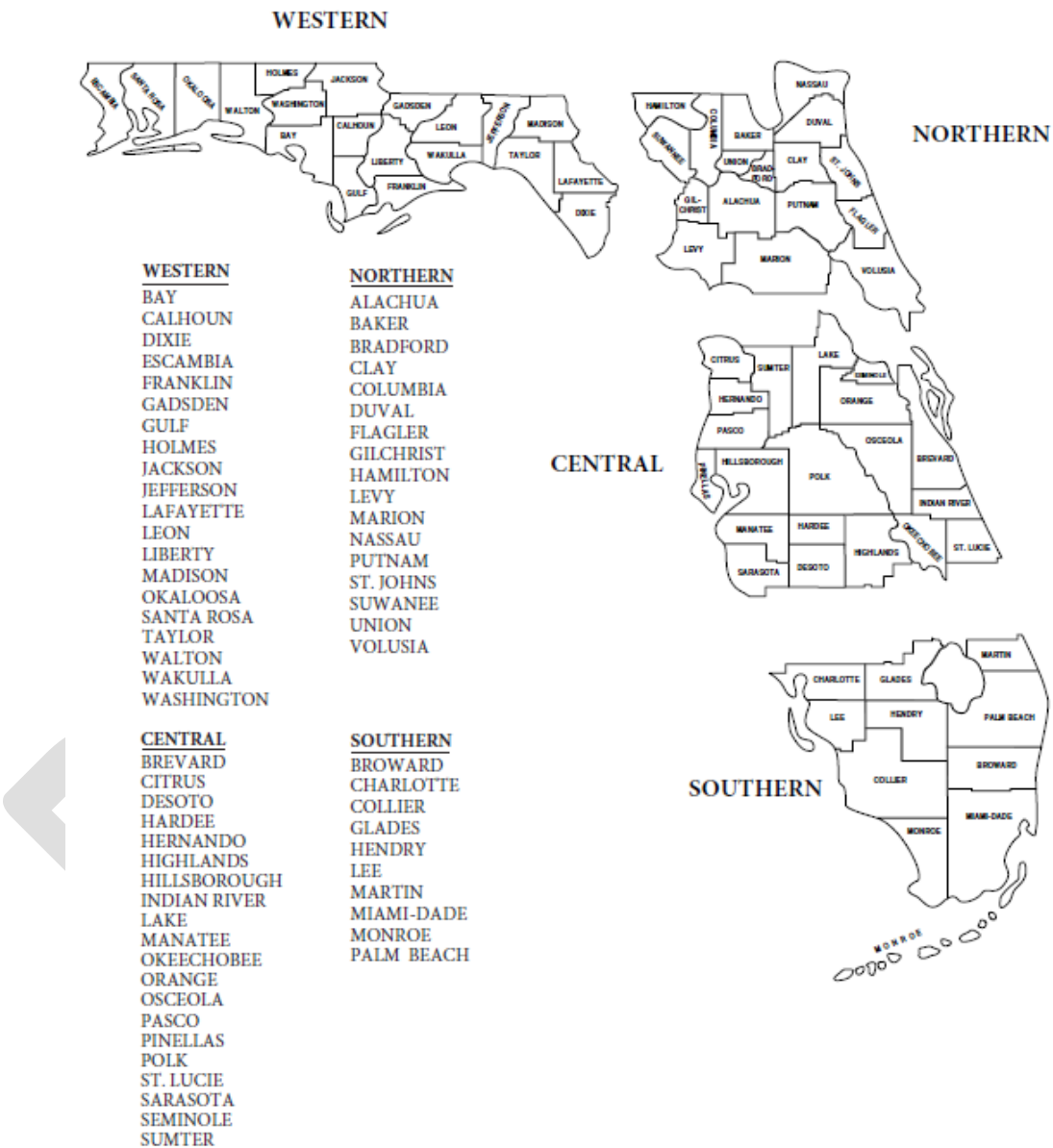
- 7) A purchaser issues a purchase order to the vendor, that should include:
- Awarded vendor name and address per contract
 - The contract number and title
 - Specification number and vehicle description
 - Purchaser's federal identification number
 - Name, phone number and email address for the point of contact at the purchasing agency
- 8) **The purchaser should forward an executed copy of the purchase order to the FSA at the same time the purchase order is sent to the vendor. Emails are acceptable. Emails can be sent to coop@flsheriffs.org.**

We hope you enjoy your purchasing experience with our Florida Sheriffs Association Cooperative Purchasing Program and don't forget to send us a copy of your purchase order. We are available should you have questions.

FLORIDA SHERIFFS ASSOCIATION
Cooperative Purchasing Program
Contract Terms and Conditions

Appendix B

FSA CONTRACT ZONE MAP



v.10_2015

Appendix C

FLORIDA SHERIFFS ASSOCIATION & FLORIDA ASSOCIATION OF COUNTIES

FSA20-EQU18.0 HEAVY EQUIPMENT CONTRACT

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

SPECIFICATION GROUP - GENERATOR: 125kW Generator Package

Make: AKSA Model: ULJ-125

Make: Blue Star Power Systems Model: JD125-02

Make: Caterpillar Model: D125-8

Make: Generac Model: SD130

Make: Gillette Generators Model: SPJD-1250

Make: LJP Model: ULJ125

Make: Tradewinds Model: T125

FSA Item Specifications Description:

1. GENERATOR REQUIREMENTS: Standby duty rated at 125.0 kW, 156.3 KVA, 8 power factor; 480 volts; 3 phase, 60 hertz, 1800 rpm; Directly connected to the engine flywheel housing with flex coupling; Generator shall meet performance class G3 of IEC; Unit shall be in compliance with and be UL 2200 labeled.
2. ENGINE: Water cooled diesel engine, sized for generator set; Emission compliant engine.
3. CONTROLS: Solid state, microprocessor-based generator controls; Controls shall provide all operating, monitoring and control functions for generator set.
4. ENCLOSURE/SILENCER: Complete diesel engine generator set including control panel, engine starting batteries and fuel oil tank shall be enclosed in a factory assembled water protective, sound attenuated enclosure; Critical grade silencer; Companion flanges; Flexible stainless-steel exhaust. FUEL TANK: Double wall sub-base tank integral to enclosure; 24-hour capacity at 100% at full load; Rupture basin with 110% capacity; Locking fuel caps; Mechanical fuel level gauge; Low fuel level alarm contact; Fuel tank rupture alarm contact; Must meet UL 142 and FDEP standards.
5. BATTERY CHARGER: Current limiting battery charger to automatically charge batteries; Charger shall be dual charge rate with automatic switching to boost rate when required; Charger shall be mounted on genset package.
6. STARTUP AND TESTING: Vendor must coordinate all startup and testing activities with the engineer and owner. After installation is completed by others and normal power is available, the vendor must perform a one (1) day startup including the use of building load; The startup technician will instruct all necessary personnel how to operate and maintain the equipment in accordance to the manufacturer's requirements.

FLORIDA SHERIFFS ASSOCIATION & FLORIDA ASSOCIATION OF COUNTIES

FSA20-EQU18.0 HEAVY EQUIPMENT CONTRACT

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

SPECIFICATION GROUP - GENERATOR: 125kW Generator Package (Continued from previous page)

7. **CONDITIONS:** In addition to equipment specified, each generator shall be equipped with all standard equipment as specified by the manufacture for this model and shall include but not be limited to the following necessary items: Initial filling of oil and antifreeze (fuel provided by others); Shrink wrap applied to the product to ensure a clean finish; During the startup, the technician shall record the following information and provide to the owner for his records: Record Operating Voltage, Hz, Ph, and connected load (Amperage); Package information consisting of make of generator (Cat, Wacker, or Tradewinds), model (TJ125 TP20, DP125, etc.), Serial number of complete package, and startup date; Record engine and generator serial numbers; One complete set of operation and maintenance manuals; Two (2) year or 1500-hour standard standby generator warranty; Labor, materials, and travel for the warranty period repair will be paid by manufacturer during normal business hours.

Bid Award

Contract: FSA20-EQU18.0, Heavy Equipment

Group: GENERATOR: 125kW Generator Package

Item: 114, Tradewinds, T125, T125

Zone	Rank	Vendor	Price	Percent:	Build File	Options File
Western	Primary	Tradewinds Power Corp.	\$71,172.00	0.00%	Build	Options
Northern	Primary	Tradewinds Power Corp.	\$71,172.00	0.00%	Build	Options
Central	Primary	Tradewinds Power Corp.	\$71,172.00	0.00%	Build	Options
Southern	Primary	Tradewinds Power Corp.	\$71,172.00	0.00%	Build	Options



**FLORIDA SHERIFFS
ASSOCIATION BID:
FSA20-EQU18.0 SPEC. NO. 114
125KW STATIONARY GENERATOR SET**

Row	Specification Number	Code	Description	Price - All Zones
1	114	T20-UL-FS	Credit - Downgrade to a 20kW UL 2200 listed generator package with EPA compliant 1800 rpm diesel engine; 1 or 3 ph; 80 A breaker; NFPA 110 control panel; marine grade aluminum enclosure, sound attenuated, 70 dB(A) @ 21 ft; 50 gal UL 142 subbase fuel tank. Non-proprietary unit.	(\$32,861)
2	114	T30-UL-FS	Credit - Downgrade to a 30kW UL 2200 listed generator package with EPA compliant 1800 rpm diesel engine; 1 or 3 ph; 150 A breaker; NFPA 110 control panel; marine grade aluminum enclosure, sound attenuated, 70 dB(A) @ 21 ft; 50 gal UL 142 subbase fuel tank. Non-proprietary unit.	(\$29,011)
3	114	T56-UL-FS	Credit - Downgrade to a 56kW UL 2200 listed generator package with EPA compliant 1800 rpm diesel engine; 1 or 3 ph; 300 A breaker; NFPA 110 control panel; marine grade aluminum enclosure, sound attenuated, 70 dB(A) @ 21 ft; 150 gal UL 142 subbase fuel tank. Non-proprietary unit.	(\$17,651)
4	114	T60-UL-FS	Credit - Downgrade to a 60kW UL 2200 listed generator package with EPA compliant 1800 rpm diesel engine; 1 or 3 ph; 300 A breaker; NFPA 110 control panel; marine grade aluminum enclosure, sound attenuated, 70 dB(A) @ 21 ft; 150 gal UL 142 subbase fuel tank. Non-proprietary unit.	(\$13,781)
5	114	T80-UL-FS	Credit - Downgrade to a 80kW UL 2200 listed generator package with EPA compliant 1800 rpm diesel engine; 1 or 3 ph; 400 A breaker; NFPA 110 control panel; marine grade aluminum enclosure, sound attenuated, 70 dB(A) @ 21 ft; 150 gal UL 142 subbase fuel tank. Non-proprietary unit.	(\$7,139)
6	114	T100-UL-FS	Credit - Downgrade to a 100kW UL 2200 listed generator package with EPA compliant 1800 rpm diesel engine; 1 or 3 ph; 500 A breaker; NFPA 110 control panel; marine grade aluminum enclosure, sound attenuated, 70 dB(A) @ 21 ft; 200 gal UL 142 subbase fuel tank. Non-proprietary unit.	(\$5,932)
7	114	T150-UL-FS	Upgrade - Upgrade to a 150 kW UL 2200 listed generator package with EPA compliant 1800 rpm diesel engine; 400 A breaker; NFPA 110 control panel; marine grade aluminum enclosure, sound attenuated, 70 dB(A) @ 21 ft; 300 gal UL 142 subbase fuel tank. Non-proprietary unit.	\$7,336
8	114	T175-UL-FS	Upgrade - Upgrade to a 175 kW UL 2200 listed generator package with EPA compliant 1800 rpm diesel engine; 400 A breaker; NFPA 110 control panel; marine grade aluminum enclosure, sound attenuated, 70 dB(A) @ 21 ft; 300 gal UL 142 subbase fuel tank. Non-proprietary unit.	\$7,121
9	114	T200-UL-FS	Upgrade - Upgrade to a 200 kW UL 2200 listed generator package with EPA compliant 1800 rpm diesel engine; 500 A breaker; NFPA 110 control panel; marine grade aluminum enclosure, sound attenuated, 70 dB(A) @ 21 ft; 300 gal UL 142 subbase fuel tank. Non-proprietary unit.	\$16,068
10	114	T250-UL-FS	Upgrade - Upgrade to a 250 kW UL 2200 listed generator package with EPA compliant 1800 rpm diesel engine; 500 A breaker; NFPA 110 control panel; marine grade aluminum enclosure, sound attenuated, 70 dB(A) @ 21 ft; 500 gal UL 142 subbase fuel tank. Non-proprietary unit.	\$28,141
11	114	T300-UL-FS	Upgrade - Upgrade to a 300 kW UL 2200 listed generator package with EPA compliant 1800 rpm diesel engine; 600 A breaker; NFPA 110 control panel; marine grade aluminum enclosure, sound attenuated, 70 dB(A) @ 21 ft; 500 gal UL 142 subbase fuel tank. Non-proprietary unit.	\$71,880



**FLORIDA SHERIFFS
ASSOCIATION BID:
FSA20-EQU18.0 SPEC. NO. 114
125KW STATIONARY GENERATOR SET**

Row	Specification Number	Code	Description	Price - All Zones
12	114	T20-TTP-UL-FS	Credit - Upgrade to a TOTAL PAC 20kW UL 2200 listed generator package with EPA compliant 1800 rpm diesel engine; 1 or 3 ph; mainline circuit breaker; incorporated transfer switch with stainless steel service disconnectors; marine grade aluminum enclosure, sound attenuated, 70 dB(A) @ 21 ft; 120 gal UL 142 subbase fuel tank. Non-proprietary unit.	(\$12,718)
13	114	T30-TTP-UL-FS	Credit - Upgrade to a TOTAL PAC 30kW UL 2200 listed generator package with EPA compliant 1800 rpm diesel engine; 1 or 3 ph; mainline circuit breaker; incorporated transfer switch with stainless steel service disconnectors; marine grade aluminum enclosure, sound attenuated, 70 dB(A) @ 21 ft; 120 gal UL 142 subbase fuel tank. Non-proprietary unit.	(\$8,539)
14	114	T56-TTP-UL-FS	Upgrade - Upgrade to a TOTAL PAC 56kW UL 2200 listed generator package with EPA compliant 1800 rpm diesel engine; 1 or 3 ph; mainline circuit breaker; incorporated transfer switch with stainless steel service disconnectors; marine grade aluminum enclosure, sound attenuated, 70 dB(A) @ 21 ft; 150 gal UL 142 subbase fuel tank. Non-proprietary unit.	\$7,317
15	114	T65-TTP-UL-FS	Upgrade - Upgrade to a TOTAL PAC 65kW UL 2200 listed generator package with EPA compliant 1800 rpm diesel engine; 1 or 3 ph; mainline circuit breaker; incorporated transfer switch with stainless steel service disconnectors; marine grade aluminum enclosure, sound attenuated, 70 dB(A) @ 21 ft; 150 gal UL 142 subbase fuel tank. Non-proprietary unit.	\$13,487
16	114	T80-TTP-UL-FS	Upgrade - Upgrade to a TOTAL PAC 80kW UL 2200 listed generator package with EPA compliant 1800 rpm diesel engine; 1 or 3 ph; mainline circuit breaker; incorporated transfer switch with stainless steel service disconnectors; marine grade aluminum enclosure, sound attenuated, 70 dB(A) @ 21 ft; 150 gal UL 142 subbase fuel tank. Non-proprietary unit.	\$22,001
17	114	T100-TTP-UL-FS	Upgrade - Upgrade to a TOTAL PAC 100kW UL 2200 listed generator package with EPA compliant 1800 rpm diesel engine; 1 or 3 ph; mainline circuit breaker; incorporated transfer switch with stainless steel service disconnectors; marine grade aluminum enclosure, sound attenuated, 70 dB(A) @ 21 ft; 150 gal UL 142 subbase fuel tank. Non-proprietary unit.	\$24,677
18	114	T125-TTP-UL-FS	Upgrade - Upgrade to a TOTAL PAC 125kW UL 2200 listed generator package with EPA compliant 1800 rpm diesel engine; 1 or 3 ph; mainline circuit breaker; incorporated transfer switch with stainless steel service disconnectors; marine grade aluminum enclosure, sound attenuated, 70 dB(A) @ 21 ft; 300 gal UL 142 subbase fuel tank. Non-proprietary unit.	\$49,223
19	114	T150-400TTP-UL-FS	Upgrade - Upgrade to a TOTAL PAC 150kW UL 2200 listed generator package with EPA compliant 1800 rpm diesel engine; 1 or 3 ph; mainline circuit breaker; incorporated transfer switch with stainless steel service disconnectors; marine grade aluminum enclosure, sound attenuated, 70 dB(A) @ 21 ft; 300 gal UL 142 subbase fuel tank. Non-proprietary unit.	\$49,257
20	114	T150-600TTP-UL-FS	Upgrade - Upgrade to a TOTAL PAC 150kW UL 2200 listed generator package with EPA compliant 1800 rpm diesel engine; 1 or 3 ph; mainline circuit breaker; incorporated transfer switch with stainless steel service disconnectors; marine grade aluminum enclosure, sound attenuated, 70 dB(A) @ 21 ft; 300 gal UL 142 subbase fuel tank. Non-proprietary unit.	\$63,861
21	114	T175-400TTP-UL-FS	Upgrade - Upgrade to a TOTAL PAC 200kW UL 2200 listed generator package with EPA compliant 1800 rpm diesel engine; 1 or 3 ph; mainline circuit breaker; incorporated transfer switch with stainless steel service disconnectors; marine grade aluminum enclosure, sound attenuated, 70 dB(A) @ 21 ft; 500 gal UL 142 subbase fuel tank. Non-proprietary unit.	\$48,800
22	114	T175-600TTP-UL-FS	Upgrade - Upgrade to a TOTAL PAC 200kW UL 2200 listed generator package with EPA compliant 1800 rpm diesel engine; 1 or 3 ph; mainline circuit breaker; incorporated transfer switch with stainless steel service disconnectors; marine grade aluminum enclosure, sound attenuated, 70 dB(A) @ 21 ft; 500 gal UL 142 subbase fuel tank. Non-proprietary unit.	\$63,404

October 1, 2022

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Tradewinds Contact Person: Paul Staples
pstaples@tradewindspower.com

Discount applied to match
current market MSRP based upon raw material increases.

Phone: 800.223.3289
www.tradewindspower.com



**FLORIDA SHERIFFS
ASSOCIATION BID:
FSA20-EQU18.0 SPEC. NO. 114
125KW STATIONARY GENERATOR SET**

Row	Specification Number	Code	Description	Price - All Zones
23	114	T200-400TTP-UL-FS	Upgrade - Upgrade to a TOTAL PAC 200kW UL 2200 listed generator package with EPA compliant 1800 rpm diesel engine; 1 or 3 ph; mainline circuit breaker; incorporated transfer switch with stainless steel service disconnectors; marine grade aluminum enclosure, sound attenuated, 70 dB(A) @ 21 ft; 500 gal UL 142 subbase fuel tank. Non-proprietary unit.	\$57,747
24	114	T200-600TTP-UL-FS	Upgrade - Upgrade to a TOTAL PAC 200kW UL 2200 listed generator package with EPA compliant 1800 rpm engine; 1 or 3 ph; mainline circuit breaker; incorporated transfer switch with stainless steel service disconnectors; marine grade aluminum enclosure, sound attenuated, 70 dB(A) @ 21 ft; 500 gal UL 142 subbase fuel tank. Non-proprietary unit.	\$72,351
25	114	T200-800TTP-UL-FS	Upgrade - Upgrade to a TOTAL PAC 200kW UL 2200 listed generator package with EPA compliant 1800 rpm engine; 1 or 3 ph; mainline circuit breaker; incorporated transfer switch with stainless steel service disconnectors; marine grade aluminum enclosure, sound attenuated, 70 dB(A) @ 21 ft; 500 gal UL 142 subbase fuel tank. Non-proprietary unit.	\$76,621
26	114	TG30-UL-FS	Credit - Upgrade to a Natural Gas or Liquid Vapor 30kW UL 2200 listed generator package with EPA compliant engine, 1800 rpm; 1 or 3 ph; 150 A breaker; NFPA 110 control panel; marine grade aluminum enclosure, sound attenuated, 65 db(A) @ 21 ft; aluminum subbase. Non-proprietary unit.	(\$32,886)
27	114	TG40-UL-FS	Credit - Upgrade to a Natural Gas or Liquid Vapor 40kW UL 2200 listed generator package with EPA compliant engine, 1800 rpm; 1 or 3 ph; 200 A breaker; NFPA 110 control panel; marine grade aluminum enclosure, sound attenuated, 65 db(A) @ 21 ft; aluminum subbase. Non-proprietary unit.	(\$23,654)
28	114	TG45-UL-FS	Credit - Upgrade to a Natural Gas or Liquid Vapor 45kW UL 2200 listed generator package with EPA compliant engine, 1800 rpm; 1 or 3 ph; 200 A breaker; NFPA 110 control panel; marine grade aluminum enclosure, sound attenuated, 65 db(A) @ 21 ft; aluminum subbase. Non-proprietary unit.	(\$23,301)
29	114	TG60-UL-FS	Credit - Upgrade to a Natural Gas or Liquid Vapor 60kW UL 2200 listed generator package with EPA compliant engine, 1800 rpm; 1 or 3 ph; 300 A breaker; NFPA 110 control panel; marine grade aluminum enclosure, sound attenuated, 65 db(A) @ 21 ft; aluminum subbase. Non-proprietary unit.	(\$16,093)
30	114	TG80-UL-FS	Credit - Upgrade to a Natural Gas or Liquid Vapor 80kW UL 2200 listed generator package with EPA compliant engine, 1800 rpm; 1 or 3 ph; 300 A breaker; NFPA 110 control panel; marine grade aluminum enclosure, sound attenuated, 65 db(A) @ 21 ft; aluminum subbase. Non-proprietary unit.	\$83
31	114	TGP100-UL-FS	Upgrade - Upgrade to a Natural Gas or Liquid Vapor 100kW UL 2200 listed generator package with EPA compliant engine, 1800 rpm; 1 or 3 ph; 300 A breaker; NFPA 110 control panel; marine grade aluminum enclosure, sound attenuated, 65 db(A) @ 21 ft; aluminum subbase. Non-proprietary unit.	\$11,935
32	114	TG125-UL-FS	Upgrade - Upgrade to a Natural Gas or Liquid Vapor 125kW UL 2200 listed generator package with EPA compliant engine, 1800 rpm; 1 or 3 ph; 300 A breaker; NFPA 110 control panel; marine grade aluminum enclosure, sound attenuated, 65 db(A) @ 21 ft; aluminum subbase. Non-proprietary unit.	\$11,036
33	114	TG150-UL-FS	Upgrade - Upgrade to a Natural Gas or Liquid Vapor 150kW UL 2200 listed generator package with EPA compliant engine, 1800 rpm; 1 or 3 ph; 300 A breaker; NFPA 110 control panel; marine grade aluminum enclosure, sound attenuated, 65 db(A) @ 21 ft; aluminum subbase. Non-proprietary unit.	\$19,380



**FLORIDA SHERIFFS
ASSOCIATION BID:
FSA20-EQU18.0 SPEC. NO. 114
125KW STATIONARY GENERATOR SET**

Row	Specification Number	Code	Description	Price - All Zones
34	114	TG200-UL-FS	Upgrade - Upgrade to a Natural Gas or Liquid Vapor 200kW UL 2200 listed generator package with EPA compliant engine, 1800 rpm; 1 or 3 ph; 300 A breaker; NFPA 110 control panel; marine grade aluminum enclosure, sound attenuated, 70 dB(A) @ 21 ft; aluminum subbase. Non-proprietary unit.	\$26,225
35	114	TG300-UL-FS	Upgrade - Upgrade to a Natural Gas or Liquid Vapor 300kW UL 2200 listed generator package with EPA compliant engine, 1800 rpm; 1 or 3 ph; 300 A breaker; NFPA 110 control panel; marine grade aluminum enclosure, sound attenuated, 70 dB(A) @ 21 ft; aluminum subbase. Non-proprietary unit.	\$84,670
36	114	TJ125-TTP engine	Net Cost Adder - Change bid model (125kW) 1800 rpm engine; to EPA compliant John Deere 1800 rpm diesel engine; with same specification and rating.	\$16,529
37	114	TENG-FS	Net Cost Adder - Change bid prime mover to alternate engine equal specifications, horsepower and emission certification. 3% of base price.	3%
38	114	TREG-01-FS	Net Cost Adder - Upgrade to supply and install BE2000 digital voltage regulator for 3 ph sensing with PMG.	\$1,412
39	114	TGSHEAT-FS	Net Cost Adder - Space heater, 240/120V, to prevent accumulation of moisture and condensation in the AC alternator insulation.	\$792
40	114	TVPI-FS	Net Cost Adder - Main stator winding vacuum pressure impregnation.	\$2,143
41	114	TSCD-02-FS	Net Cost Adder - Control Panel for Supervisory Controls and Data Acquisition (SCADA) with dry contacts interface on NEMA box	\$3,331
42	114	TSCD-01-FS	Net Cost Adder - Design, Engineer, and supply Supervisory Controls and Data Acquisition (SCADA) system to remotely monitor, control and provide analytical data of a pumping station. Price includes all material except, computer and monitors.	\$24,233
43	114	TRMA-03-FS	Net Cost Adder - Supply NFPA 110 compliant generator remote annunciation panel, Flush or Surface mount type. Shipped loose.	\$972
44	114	TBGPB-04-FS	Net Cost Adder - Supply Emergency break glass push button mounted in a NEMA 3R box. Shipped loose.	\$799
45	114	T100%BRK-FS	Net Cost Adder - Upgrade to a 100% rated mainline circuit breaker; up to 250 amps.	\$1,049
46	114	T100%BRK01-FS	Net Cost Adder - Upgrade to a 100% rated mainline circuit breaker 300 amps and above.	\$3,514
47	114	TAUXBRK-FS	Net Cost Adder - Mainline Circuit Breaker Auxiliary Switch and Alarm.	\$754
48	114	TBCHNFPA-FS	Net Cost Adder - Battery Charger MicroGenius 300 series; NFPA 110 regulatory compliance; 5 alarms; selectable 12/10 A, 12/24 VDC output, 90-265 VAC, 50/60Hz; up to 93 percent of efficiency. LCD display.	\$1,471
49	114	T1-Parallel-FS	Net Cost Adder - Paralleling system, and labor required for any two machines (20 - 200 kW) together at the factory. Perform onsite UL field certification, start-up and adjustment.	\$47,164
50	114	T2-Parallel-FS	Net Cost Adder - Paralleling system, and labor required for any two machines (201 - 600 kW) together at the factory. Perform onsite UL field certification, start-up and adjustment.	\$82,942
51	114	DELETE-A-FS	Credit - Remove aluminum weather enclosure and subbase fuel tank, from 20 - 30kW packages, and add steel subbase. Muffler, flex connector, rain cap ship loose.	(\$9,097)
52	114	DELETE-B-FS	Credit - Remove aluminum weather enclosure and subbase fuel tank, from 31 - 100kW packages, and add steel subbase. Muffler, flex connector, rain cap ship loose.	(\$9,917)
53	114	DELETE-C-FS	Credit - Remove aluminum weather enclosure and subbase fuel tank, from 101 - 200kW packages, and add steel subbase. Muffler, flex connector, rain cap ship loose.	(\$15,833)
54	114	DELETE-E-FS	Credit - Remove aluminum weather enclosure and subbase fuel tank, from 201 - 500kW packages, and add steel subbase. Muffler, flex connector, rain cap ship loose.	(\$34,659)



**FLORIDA SHERIFFS
ASSOCIATION BID:
FSA20-EQU18.0 SPEC. NO. 114
125KW STATIONARY GENERATOR SET**

Row	Specification Number	Code	Description	Price - All Zones
55	114	EX-SS-FS	Net Cost Adder - Upgrade of existing muffler system to install stainless steel exhaust which includes muffler, rain cap, piping and clamps, for 20 to 100kw units.	\$10,571
56	114	IG20-100-FS	Credit - Downgrade 20 - 100kW, 1 or 3 ph installation of generator set, not to exceed 50 ft away from building. Includes concrete pad, permits, setting and start up. Cost per amp.	(\$70,998)
57	114	IG101-200-FS	Credit - Downgrade 101 - 200kW, 1 or 3 ph installation of generator set, not to exceed 50 ft away from building. Includes concrete pad, permits, setting and start up. Cost per amp.	(\$71,011)
58	114	IT201-400-FS	Credit - Downgrade 201-400kW, 1 or 3 ph installation of generator set, not to exceed 50 ft away from building. Includes concrete pad, permits, setting and start up. Cost per amp.	(\$71,021)
59	114	IT100-150-FS	Credit - Downgrade 100-150 A, 2 or 3 pole Automatic Transfer Switch installation, up to 15 ft away from main power source.	(\$70,998)
60	114	IT151-200-FS	Credit - Downgrade 151-200 A, 2 or 3 pole Automatic Transfer Switch installation, up to 15 ft away from main power source.	(\$71,011)
61	114	IT201-400-FS	Credit - Downgrade 201-400 A, 2 or 3 pole Automatic Transfer Switch installation, up to 15 ft away from main power source.	(\$71,021)
62	114	IT401-600-FS	Credit - Downgrade 401-600 A, 2 or 3 pole Automatic Transfer Switch installation, up to 15 ft away from main power source.	(\$71,049)
63	114	IT601-800-FS	Credit - Downgrade 601-800 A, 2 or 3 pole Automatic Transfer Switch installation, up to 15 ft away from main power source.	(\$71,068)
64	114	IT801-1200-FS	Credit - Downgrade 801-1200 A, 2 or 3 pole Automatic Transfer Switch installation, up to 15 ft away from main power source.	(\$71,031)
65	114	IT1201-4000-FS	Credit - Downgrade 1201-4000 A, 2 or 3 pole Automatic Transfer Switch installation, up to 15 ft away from main power source.	(\$71,011)
66	114	T-100tank-FS	Net Cost Adder - Upgrade included subbase fuel tank to a 100 gal.	\$3,304
67	114	T-200tank-FS	Net Cost Adder - Upgrade included subbase fuel tank to a 200 gal with anti-spill containment package	\$4,821
68	114	T-300tank-FS	Net Cost Adder - Upgrade included subbase fuel tank to a 300 gal with anti-spill containment package	\$8,021
69	114	T-500tank-FS	Net Cost Adder - Upgrade included subbase fuel tank to a 500 gal with anti-spill containment package	\$12,377
70	114	T-1000tank-FS	Net Cost Adder - Upgrade included subbase fuel tank to a 1000 gal with anti-spill containment package	\$18,258
71	114	T-1500tank-FS	Net Cost Adder - Upgrade included subbase fuel tank to a 1500 gal with anti-spill containment package	\$26,996
72	114	T-DTNK50-FS	Net Cost Adder - 50 gal day tank, 1/3 hp motor, 115V, 1Ph, 60Hz, high/low alarm and remote signal, solenoid valve; high fuel level shutdown; leak detector; check valve; control panel, UL listed, NEMA 3R.	\$11,818
73	114	T-DTNK100-FS	Net Cost Adder - 100 gal day tank, 1/3 hp motor, 115V, 1Ph, 60Hz, high/low alarm and remote signal, solenoid valve; high fuel level shutdown; leak detector; check valve; control panel, UL listed, NEMA 3R.	\$13,187
74	114	TC-1000-UL-FS	Net Cost Adder - 1000 gal UL 2085, above ground concrete subbase fuel tank with all necessary fittings, ground level fill point, and alarms. Delivery and off loading by others.	\$49,060
75	114	TC-2000-UL-FS	Net Cost Adder - 2000 gal UL 2085, above ground concrete subbase fuel tank with all necessary fittings, ground level fill point, and alarms. Delivery and off loading by others.	\$76,475
76	114	TC-3000-UL-FS	Net Cost Adder - 3000 gal UL 2085, above ground concrete subbase fuel tank with all necessary fittings, ground level fill point, and alarms. Delivery and off loading by others.	\$89,801



FLORIDA SHERIFFS
ASSOCIATION BID:
FSA20-EQU18.0 SPEC. NO. 114
125KW STATIONARY GENERATOR SET

Row	Specification Number	Code	Description	Price - All Zones
77	114	TC-8000-UL-FS	Net Cost Adder - 8000 gal UL 2085, above ground concrete subbase fuel tank with all necessary fittings, ground level fill point, and alarms. Delivery and off loading by others.	\$163,970
78	114	TPOL-FS	Net Cost Adder - Supply loose diesel fuel polishing system 80 gpm	\$9,777
79	114	TPOL1-FS	Net Cost Adder - Supply loose diesel fuel polishing system 210 gpm	\$12,070
80	114	TMAIN-1-FS	Net Cost Adder - One (1) maintenance trip for 20 - 200kW packages to change oil, oil filter, and fuel filters. Inspect/check operation.	\$1,818
81	114	TMAIN-2-FS	Net Cost Adder - One (1) maintenance trip for 201 - 300kW packages to change oil, oil filter, and fuel filters. Inspect/check operation.	\$2,233
82	114	5yr - FS	Net Cost Adder - Add 5 year, 5000 hour standby power extended warranty to include 1800 rpm engine; alternator, breaker, control panel, Enclosure. subbase fuel tank excluded. Price is 5% of total purchase price.	5%
83	114	CCP - FS	Net Cost Adder - Payment made by Credit Card, 4% fee of total purchase.	3.95%



3939 Silver Star Road
ORLANDO, FL 32807
(407) 293-8217 (407)293-6481 fax CGC017011

PROPOSAL

PHONE

DATE

386/676-3580

6/5/2023

Fax

Attn: Bill Rose

Ref FS 93

Block Enclosure

TO: Bill Rose
Department of Leisure Services
City of Ormond Beach
501 N Orchard St
Ormond Beach

We hereby submit estimates for:

In the event of a dispute regarding this proposal venue is established in Orange County Florida.

> Ruby Builders, Inc. proposes to provide labor, material, equipment, and supervision as follows:

Description	Price
Remove and replace sidewalks, remove existing slab, new 6" x 12' x 12' slab, 12" x 12" footing, 9' high CMU wall, grout cells and lintel, stucco exterior, paint, chain link double gate and 12' x 12' chain link over CMU.	\$ 49,950.00

Notes:

- 1) Permit fees are not included in bid.
- 2) Not responsible for existing code violations.
- 3) Based on doing work Monday thru Friday during normal business hours.
- 4) The proposal is to be signed and returned before work begins.
- 5) To be paid in full upon completion.

"Warranty: We guarantee for (1) year against defects in material and workmanship. Failure due to misuse, vandalism, fire, damage, and/or natural causes are not covered by this warranty."

We Propose hereby to furnish material and labor-- complete in accordance with the above specifications, for the sum of:

fourty nine thousand nine hundred and fifty dollars \$ **\$49,950.00**

Payment to be made as follows:

Invoiced upon completion of work. Payment due ten (10) days upon receipt of invoice. Finance charge of 1 1/2 % per month (18% per annum)

will be charged on all invoices not paid within 30days.

All material is guaranteed to be as specified. All work to be completed in a professional manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by Worker's Compensation insurance.

Owner or agent agrees to liability for costs of collection, including attorney's fees.

This proposal is based on material pricing for the date listed above, uncertainties in commodity markets may require pricing adjustments at the time of installation/construction.

Acceptance of Proposal -- The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance: _____

Authorized
Signature

Jeff Suberman

Jeff Suberman

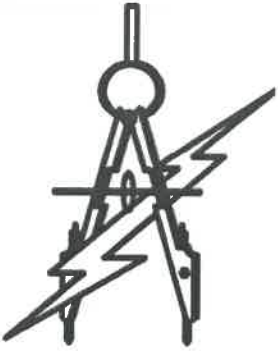
Ruby Builders, Inc

Ruby reserves the right to withdraw this proposal at any time for any reason.

Signature _____

(customer)

Print _____



Economy Electric Company

538 West Street
Daytona Beach,
FL 32114

Phone (386) 252-0573
Fax (386) 239-0721

Invoice

Invoice Number:
42203

Invoice Date:
3/27/23

Page:
1

Sold To:

CITY OF ORMOND BEACH
501 N. ORCHARD STREET
ORMOND BEACH, FL 32174

Code	00154103
	503420
PO #	
Signature #1	Signature #2
<i>John Foulk</i> 3071	

Date Worked	Payment Terms	Due Date
	Net 30 Days	4/26/23

Description	Amount
Requested by: Howard	
Location: Fire Station 91 generator	
Furnished the necessary labor to:	
2/21 - Connect new generator	
Labor - 1 Journeyman 1 hour regular @ \$65.00 per hr	65.00
2/27 - Connect new generator	
Labor - 1 Journeyman 2 hours regular @ \$65.00 per hr	130.00
Labor - 1 Journeyman 6 hours regular @ \$65.00 per hr	390.00
Labor - 1 Apprentice 6 hours regular @ \$35.00 per hr	210.00
3/1 - Provide power for battery tender	
Labor - 1 Journeyman 3 hours regular @ \$65.00 per hr	195.00
<i>El Compa</i> 2726	

	Subtotal	990.00
	Sales Tax	
	Total Invoice Amount	990.00
Check/Credit Memo No:	Payment/Credit Applied	
	TOTAL	990.00



City of Ormond Beach AGENDA ITEM

August 1, 2023 - City Commission

Number:8.F

Section:	CONSENT AGENDA		
Item Category:	Consent - Resolution	Res./Ord. No:	2023-125
Strategic Goal:	Water Quality & the Environment - Other		
Department:	Public Works - Utilities Management		
Subject:	Request to Authorize Expenditure for Rental Blower at WTP		
Summary:	This provides notification to the City Commission that DeLoach Industries, Inc. purchase order 20230002 for a temporary blower for the degasification tower will exceed the City's purchasing threshold of \$25,000. In September of 2022, the Water Treatment Plant (WTP) experienced an issue in one of the forced air blowers for the degasification tower. At that time, the City was preparing to go out to bid on WTP improvements and it was anticipated that the blower rental would be short-term. Circumstances dictated the blower be kept in operation longer than anticipated, which caused the rental fees to exceed \$25,000 and now require City Commission approval. Invoices of \$20,000 will be processed, bringing the total expenditure for this vendor to \$45,000. No additional invoices are anticipated.		
Financial Impact:	Adequate funds for the additional invoices are available from the Water and Wastewater Operating Fund (401).		
Citizen Impact:	Use of the blower allowed the WTP to continue to provide water of the highest quality.		
Recommended Action (Staff, Advisory Board and/or Other):	Staff recommends the City Commission approve the additional expenditures with DeLoach Industries, Inc.		
Staff Contact:	Bob Preis, Utilities Manager, (386) 676-3305		
Attachments:	1. 23-125 Rental Blower DeLoach add funding (P23-) 2. Purchase Order 3. Invoice		

	4. Invoice # 23-152
	5. WTP Invoice November 15 2022 (1)
Approval:	Kelly McGuire, Finance Director 7/19/2023 Claire Whitley, Assistant City Manager 7/21/2023 Joyce Shanahan, City Manager 7/25/2023

RESOLUTION NO. 2023-125

A RESOLUTION RATIFYING, AFFIRMING AND AUTHORIZING EXPENDITURES FOR THE RENTAL OF A TEMPORARY BLOWER FROM DeLOACH INDUSTRIES, INC.; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, in October 2022, the City solicited quotes for the rental of a temporary blower for use at the Water Treatment Plant in accordance with Section 2-300, *Code of Ordinances*, and accepted the quote of DeLoach Industries, Inc. and issued a Purchase Order for \$18,330.00 for said services, and

WHEREAS, the blower was needed longer than anticipated resulting in additional expenditures over \$25,000.00, and

WHEREAS, in accordance with Sec.2-300(f) *Code of Ordinances*, because the cumulative total for the procurement from one vendor exceeds the City Manager's threshold, City Commission approval is required, and

WHEREAS, the City Manager has certified that the money for the payment of the services is appropriated in the Water and Wastewater Operating Fund (401), now therefore,

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

SECTION ONE. The City Commission hereby ratifies and affirms the procurement of a blower rental from DeLoach Industries, Inc. in the not to exceed amount of \$45,000.00 and the expenditure from the Water and Wastewater Operating Fund.

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

APPROVED AND AUTHENTICATED this 1st day of August, 2023.

BILL PARTINGTON
Mayor

ATTEST:

SUSAN CARROLL DAUDERIS
City Clerk



Purchase Order

Fiscal Year 2023

Page: 1 of: 1

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City of Ormond Beach
PO Box 277
Ormond Beach, FL 32175-0277

THIS NUMBER MUST APPEAR ON ALL
INVOICES, PACKAGES AND SHIPPING PAPERS.

Purchase Order # **20230002**

Delivery must be made within doors of
specified destination.

V
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DELOACH INDUSTRIES, INC.
6389 TOWER LANE
SARASOTA, FL 34240
Email: PATTY@DELOACHINDUSTRIES.COM
Fax: 941-378-5218

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Water Plant
298 Tomoka Avenue
Ormond Beach, FL 32174

Vendor Phone Number		Vendor Fax Number	Requisition Number	Delivery Reference		
941-371-4995		941-378-5218	12			
Date Ordered	Vendor Number	Date Required	Freight Method/Terms	Department/Location		
10/03/2022	2956			TRANSPORTATION		
Item#	Description/PartNo		QTY	UOM	Unit Price	Extended Price
1	ddr/ Rental of blower for degas tower The Above Purchase Order Number Must Appear On All Correspondence - Packing Sheets And Bills Of Lading Per quote# 2022-1228 Rental of (1) temporary blower for LSP degasification tower at Water Plant Commodity Code: 97506 Rental or Lease		1.0	EACH	\$18,330.00	\$18,330.00

VENDOR COPY

Total Ext. Price \$18,330.00
PO Total **\$18,330.00**

TERMS AND CONDITIONS PLEASE 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 purchase order number. **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 are to 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, as they pertain to this order. This includes, but is not limited to, DOT, OSHA, EPA, DEP and the City's Registration and Insurance requirements, as 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 on the purchase order.

DeLoach Industries Inc6389 Tower Lane
Sarasota, FL 34240**INVOICE**

Invoice Number: 23-163

Invoice Date: Jun 26, 2023

Page: 1

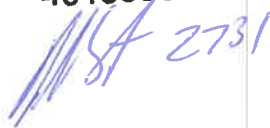
Duplicate

Voice: 941-371-4995

Fax: 941-377-2649

Bill To:CITY OF ORMOND BEACH
PO BOX 277
ORMOND BEACH, FL 32175-0277**Ship to:**CITY OF ORMOND BEACH
PO BOX 277
ORMOND BEACH, FL 32175-0277

Customer ID	Customer PO	Payment Terms	
ORMOND BEACH		Net 30 Days	
Sales Rep ID	Shipping Method	Ship Date	Due Date
	Airborne		7/26/23

Quantity	Item	Description	Unit Price	Amount
1.71		PER QUOTE 2022-1303-RENTAL OF (1) TEMPORARY BLOWER FOR LSP DEGASIFICATION TOWER - RENTAL DUE FOR THE PERIOD OF 5/9/2023 THRU 6/30/2023 (53 days)	4,150.00	7,096.50
Brad Bowman 40153301.50 		Dallas Seibert 40153301.50 		
Subtotal				7,096.50
Sales Tax				
Freight				
Total Invoice Amount				7,096.50
Payment/Credit Applied				
TOTAL				7,096.50

Check/Credit Memo No:

Overdue invoices are subject to finance charges.



6389 Tower Lane Sarasota, Florida 34240

INVOICE

Invoice Number: 23-152
 Invoice Date: May 1, 2023
 Page: 1

Attn:

Bill To:

CITY OF ORMOND BEACH
 PO BOX 277
 ORMOND BEACH, FL 32175-0277

Ship to:

CITY OF ORMOND BEACH
 PO BOX 277
 ORMOND BEACH, FL 32175-0277

Customer ID	Customer PO	Payment Terms	
ORMOND BEACH		Net 30 Days	
Sales Rep ID	Shipping Method	Ship Date	Due Date
	Airborne		5/31/23

Quantity	Item	Description	Unit Price	Amount
3.00		PER QUOTE 2022-1303-RENTAL OF (1) TEMPORARY BLOWER FOR LSP DEGASIFICATION TOWER - (3) MONTHS RENTAL DUE FOR THE PERIOD OF 2/8/2023 THRU 5/8/2023	4,150.00	12,450.00
Subtotal				12,450.00
Sales Tax				
Freight				
Total Invoice Amount				12,450.00
Payment/Credit Applied				
TOTAL				12,450.00

Overdue invoices are subject to finance charges.

Thank You for choosing DeLoach Industries, Inc.

Office - 941 371 7617 / Fax - 941 378 5218



DeLoach INDUSTRIES, INC.

6389 Tower Lane Sarasota, Florida 34240

INVOICE

Invoice Number: 22-222
Invoice Date: Nov 9, 2022
Page: 1

Attn:

Bill To:

CITY OF ORMOND BEACH
PO BOX 277
ORMOND BEACH, FL 32175-0277

Ship to:

CITY OF ORMOND BEACH
PO BOX 277
ORMOND BEACH, FL 32175-0277

Customer ID	Customer PO	Payment Terms	
ORMOND BEACH	20230002	Net 30 Days	
Sales Rep ID	Shipping Method	Ship Date	Due Date
	Airborne		12/9/22

Quantity	Item	Description	Unit Price	Amount
1.00		PER QUOTE 2022-1228-RENTAL OF (1) TEMPORARY BLOWER FOR LSP DEGASIFICATION TOWER	18,330.00	18,330.00
Subtotal				18,330.00
Sales Tax				
Freight				
Total Invoice Amount				18,330.00
Payment/Credit Applied				
TOTAL				18,330.00

Dallas Seibert
40153301.50

DS 2731

Brad Bowman
40153301.50

B Bowman 2704

Overdue invoices are subject to finance charges.

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City of Ormond Beach AGENDA ITEM

August 1, 2023 - City Commission

Number:8.G

Section:	CONSENT AGENDA		
Item Category:	Consent - Resolution	Res./Ord. No:	2023-126
Strategic Goal:	Transportation & Community Development - Update airport operations, including noise abatement		
Department:	Economic Development - Airport		
Subject:	FAA Grant Agreement - Aeronautical Survey and Obstruction Analysis Services		
Summary:	This item requests approval for the execution of a grant agreement with the Federal Aviation Administration (FAA) to fund the Aeronautical Survey and Obstacle Action Plan. The City, acting as the airport sponsor, is obligated to address obstruction mitigation at the airport in order to remain in compliance with federal grant assurances and FAA guidelines. The FAA considers obstruction analysis and mitigation a top priority and has advised the City to prioritize completion of the Aeronautical Survey and Obstacle Action Plan. Obstruction analysis and mitigation at the airport have been regularly accomplished in response to observations conducted annually during the Florida Department of Transportation (FDOT) airport licensing inspection, as a result of environmental and design studies for airport improvement projects, and input from Air Traffic Control Tower staff. Obstruction monitoring and mitigation is required to address conditions such as vertical penetration of the terminal airspace and to maintain minimum standards for Runway Safety Areas and appropriate Runway Approach Surfaces. Furthermore, completion of this survey will support the planned installation, monitoring and maintenance of a new perimeter wildlife/security fence. The new fence is anticipated for federal funding in Fiscal Year (FY) 2024-2025. All work on this project will be FAA compliant and will be completed through the FAA Airports Geographic Information Systems (AGIS) Survey Program.		
Financial Impact:	This project is included in the FY 2023-2024 budget. Cost sharing for this project is FAA 90%, FDOT 8%, Airport 2%. The budgetary impact on the Airport Fund is \$2,374. FAA and FDOT will provide for the remaining portion of the \$118,700 total project cost.		

Citizen Impact:	Approval of this FAA grant to fund an Aeronautical Survey and prepare an Obstacle Action Plan for the airport is key to maintaining a safe and efficient aircraft operating environment, and assuring compliance with the City's obligations as the airport sponsor.
Recommended Action (Staff, Advisory Board and/or Other):	Staff recommends approval of the execution of the grant agreement with the FAA to fund the Aeronautical Survey and Obstacle Action Plan.
Staff Contact:	Steven Lichliter, Airport Manager, (386) 615-7019
Attachments:	23-126 FAA Grant AGIS Survey and Plan (P23-0136G) - FAA Grant Agreement
Approval:	Kelly McGuire, Finance Director 6/30/2023 Claire Whitley, Assistant City Manager 7/24/2023 Joyce Shanahan, City Manager 7/25/2023

RESOLUTION NO. 2023-126

A RESOLUTION AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT BETWEEN THE CITY AND THE FEDERAL AVIATION ADMINISTRATION REGARDING FUNDING FOR AN AERONAUTICAL SURVEY AND OBSTACLE ACTION PLAN FOR THE ORMOND BEACH MUNICIPAL AIRPORT; AUTHORIZING THE EXECUTION OF ALL NECESSARY DOCUMENTS INCIDENTAL THERETO FOR THE CITY TO ACCEPT THE GRANT AWARD; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, the City submitted a Federal Aviation Administration (“FAA”) grant application to the FAA on May 8, 2023, for the purpose of obtaining federal funding assistance for the conduction of an Aeronautical Survey and preparation of an Obstacle Action Plan for the Ormond Beach Municipal Airport (the “Project”), and

WHEREAS, the total cost of the Project is \$118,700, and

WHEREAS, the FAA has issued an Airport Improvement Program (AIP) Grant offer to the City in the amount of \$106,830, representing ninety percent (90%) of the Project cost, and

WHEREAS, the Florida Department of Transportation (“FDOT”) is anticipated to provide grant funding in the amount of \$9,496, representing eight percent (8%) of the Project cost, and

WHEREAS, City Manager has certified that funds in the amount of \$2,374 to fund the City's two percent (2%) contribution of the Project cost are available in the Airport Fund (108) and are not 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 Mayor and the City Manager are hereby authorized and directed to execute a Grant Agreement between the City and the Federal Aviation Administration for the purpose of obtaining federal funding assistance for the conduction of an Aeronautical Survey and preparation of an Obstacle Action Plan for the Ormond Beach Municipal Airport. A copy of said Grant Agreement Number 3-12-0059-031-2023 is attached hereto and incorporated herein by reference.

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

APPROVED AND AUTHENTICATED, this 1st day of August, 2023.

BILL PARTINGTON
Mayor

ATTEST:

SUSAN CARROLL DAUDERIS
City Clerk



U.S. Department
of Transportation
Federal Aviation
Administration

Orlando Airports District
Office:
8427 SouthPark Circle, Suite
524
Orlando, FL 32819

June 27, 2023

Mr. Steven Lichliter
Airport Manager
Ormond Beach Municipal Airport
P.O. Box 277
Ormond Beach, FL 32175-0277

Dear Mr. Lichliter:

The Grant Offer for Airport Improvement Program (AIP) Project No. 3-12-0059-031-2023 at Ormond Beach Municipal Airport is attached for execution. This letter outlines the steps you must take to properly enter into this agreement and provides other useful information. Please read the conditions, special conditions, and assurances that comprise the grant offer carefully.

You may not make any modification to the text, terms or conditions of the grant offer.

Steps You Must Take to Enter Into Agreement.

To properly enter into this agreement, you must do the following:

1. The governing body must give authority to execute the grant to the individual(s) signing the grant, i.e., the person signing the document must be the sponsor's authorized representative(s) (hereinafter "authorized representative").
2. The authorized representative must execute the grant by adding their electronic signature to the appropriate certificate at the end of the agreement.
3. Once the authorized representative has electronically signed the grant, the sponsor's attorney(s) will automatically receive an email notification.
4. On the **same day or after** the authorized representative has signed the grant, the sponsor's attorney(s) will add their electronic signature to the appropriate certificate at the end of the agreement.
5. If there are co-sponsors, the authorized representative(s) and sponsor's attorney(s) must follow the above procedures to fully execute the grant and finalize the process. Signatures must be obtained and finalized no later than **August 15, 2023**.
6. The fully executed grant will then be automatically sent to all parties as an email attachment.

Payment. Subject to the requirements in 2 CFR § 200.305 (Federal Payment), each payment request for reimbursement under this grant must be made electronically via the Delphi eInvoicing System. Please see the attached Grant Agreement for more information regarding the use of this System.

Project Timing. The terms and conditions of this agreement require you to complete the project without undue delay and no later than the Period of Performance end date (1,460 days from the grant execution date). We will be monitoring your progress to ensure proper stewardship of these Federal funds. We expect you to submit payment requests for reimbursement of allowable incurred project expenses consistent with project progress. Your grant may be placed in “inactive” status if you do not make draws on a regular basis, which will affect your ability to receive future grant offers. Costs incurred after the Period of Performance ends are generally not allowable and will be rejected unless authorized by the FAA in advance.

Reporting. Until the grant is completed and closed, you are responsible for submitting formal reports as follows:

- For all grants, you must submit by December 31st of each year this grant is open:
 1. A signed/dated SF-270 (Request for Advance or Reimbursement for non-construction projects) or SF-271 or equivalent (Outlay Report and Request for Reimbursement for Construction Programs), and
 2. An SF-425 (Federal Financial Report).
- For non-construction projects, you must submit [FAA Form 5100-140, Performance Report](#) within 30 days of the end of the Federal fiscal year.
- For construction projects, you must submit [FAA Form 5370-1, Construction Progress and Inspection Report](#), within 30 days of the end of each Federal fiscal quarter.

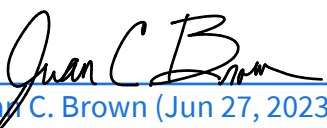
Audit Requirements. As a condition of receiving Federal assistance under this award, you must comply with audit requirements as established under 2 CFR Part 200. Subpart F requires non-Federal entities that expend \$750,000 or more in Federal awards to conduct a single or program specific audit for that year. Note that this includes Federal expenditures made under other Federal-assistance programs. Please take appropriate and necessary action to ensure your organization will comply with applicable audit requirements and standards.

Closeout. Once the project(s) is completed and all costs are determined, we ask that you work with your FAA contact indicated below to close the project without delay and submit the necessary final closeout documentation as required by your Region/Airports District Office.

FAA Contact Information. Scott W. Carraro, (407) 487-7222, scott.w.carraro@faa.gov is the assigned program manager for this grant and is readily available to assist you and your designated representative with the requirements stated herein.

We sincerely value your cooperation in these efforts and look forward to working with you to complete this important project.

Sincerely,


[Juan C. Brown \(Jun 27, 2023 16:31 EDT\)](#)

Juan C. Brown
Acting Manager



U.S. Department
of Transportation
Federal Aviation
Administration

FEDERAL AVIATION ADMINISTRATION AIRPORT IMPROVEMENT PROGRAM

FY 2023 Airport Improvement Program (AIP)

GRANT AGREEMENT

Part I - Offer

Federal Award Offer Date	June 27, 2023
Airport/Planning Area	Ormond Beach Municipal Airport
FY2023 AIP Grant Number	3-12-0059-031-2023
Unique Entity Identifier	P7N5EWNDK217
TO:	City of Ormond Beach
	(herein called the "Sponsor")

FROM: **The United States of America** (acting through the Federal Aviation Administration, herein called the "FAA")

WHEREAS, the Sponsor has submitted to the FAA a Project Application dated May 8, 2023, for a grant of Federal funds for a project at or associated with the Ormond Beach Municipal Airport, which is included as part of this Grant Agreement; and

WHEREAS, the FAA has approved a project for the Ormond Beach Municipal Airport (herein called the "Project") consisting of the following:

Conduct AGIS Survey and Prepare Obstacle Action Plan
which is more fully described in the Project Application.

NOW THEREFORE, Pursuant to and for the purpose of carrying out the Title 49, United States Code (U.S.C.), Chapters 471 and 475; 49 U.S.C. §§ 40101 et seq., and 48103; FAA Reauthorization Act of 2018 (Public Law Number 115-254); the Department of Transportation Appropriations Act, 2021 (Public Law 116-260, Division L); the Consolidated Appropriations Act, 2022 (Public Law 117-103); Consolidated Appropriations Act, 2023 (Public Law 117-328); and the representations contained in the Project

Application; and in consideration of: (a) the Sponsor's adoption and ratification of the Grant Assurances attached hereto; (b) the Sponsor's acceptance of this Offer; and (c) the benefits to accrue to the United States and the public from the accomplishment of the Project and compliance with the Grant Assurance and conditions as herein provided;

THE FEDERAL AVIATION ADMINISTRATION, FOR AND ON BEHALF OF THE UNITED STATES, HEREBY OFFERS AND AGREES to pay ninety (90) percent of the allowable costs incurred accomplishing the Project as the United States share of the Project.

Assistance Listings Number (Formerly CFDA Number): 20.106

This Offer is made on and SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

CONDITIONS

1. **Maximum Obligation.** The maximum obligation of the United States payable under this Offer is \$106,830.

The following amounts represent a breakdown of the maximum obligation for the purpose of establishing allowable amounts for any future grant amendment, which may increase the foregoing maximum obligation of the United States under the provisions of 49 U.S.C. § 47108(b):
 \$ 106,830 for planning;
 \$ 0 airport development or noise program implementation; and,
 \$ 0 for land acquisition.

2. **Grant Performance.** This Grant Agreement is subject to the following Federal award requirements:
 - a. Period of Performance:
 1. Shall start on the date the Sponsor formally accepts this Agreement and is the date signed by the last Sponsor signatory to the Agreement. The end date of the Period of Performance is 4 years (1,460 calendar days) from the date of acceptance. The Period of Performance end date shall not affect, relieve, or reduce Sponsor obligations and assurances that extend beyond the closeout of this Grant Agreement.
 2. Means the total estimated time interval between the start of an initial Federal award and the planned end date, which may include one or more funded portions or budget periods. (2 Code of Federal Regulations (CFR) § 200.1).
 - b. Budget Period:
 1. For this Grant is 4 years (1,460 calendar days) and follows the same start and end date as the Period of Performance provided in paragraph (2)(a)(1). Pursuant to 2 CFR § 200.403(h), the Sponsor may charge to the Grant only allowable costs incurred during the Budget Period.
 2. Means the time interval from the start date of a funded portion of an award to the end date of that funded portion during which the Sponsor is authorized to expend the funds awarded, including any funds carried forward or other revisions pursuant to 2 CFR § 200.308.
 - c. Close Out and Termination

1. Unless the FAA authorizes a written extension, the Sponsor must submit all Grant closeout documentation and liquidate (pay-off) all obligations incurred under this award no later than 120 calendar days after the end date of the period of performance. If the Sponsor does not submit all required closeout documentation within this time period, the FAA will proceed to close out the grant within one year of the Period of Performance end date with the information available at the end of 120 days. (2 CFR § 200.344).
2. The FAA may terminate this Grant, in whole or in part, in accordance with the conditions set forth in 2 CFR § 200.340, or other Federal regulatory or statutory authorities as applicable.
3. **Ineligible or Unallowable Costs.** The Sponsor must not include any costs in the project that the FAA has determined to be ineligible or unallowable.
4. **Indirect Costs - Sponsor.** The Sponsor may charge indirect costs under this award by applying the indirect cost rate identified in the project application as accepted by the FAA, to allowable costs for Sponsor direct salaries and wages.
5. **Determining the Final Federal Share of Costs.** The United States' share of allowable project costs will be made in accordance with 49 U.S.C. § 47109, the regulations, policies, and procedures of the Secretary of Transportation ("Secretary"), and any superseding legislation. Final determination of the United States' share will be based upon the final audit of the total amount of allowable project costs and settlement will be made for any upward or downward adjustments to the Federal share of costs.
6. **Completing the Project Without Delay and in Conformance with Requirements.** The Sponsor must carry out and complete the project without undue delays and in accordance with this Agreement, 49 U.S.C. Chapters 471 and 475, the regulations, and the Secretary's policies and procedures. Per 2 CFR § 200.308, the Sponsor agrees to report and request prior FAA approval for any disengagement from performing the project that exceeds three months or a 25 percent reduction in time devoted to the project. The report must include a reason for the project stoppage. The Sponsor also agrees to comply with the grant assurances, which are part of this Agreement.
7. **Amendments or Withdrawals before Grant Acceptance.** The FAA reserves the right to amend or withdraw this offer at any time prior to its acceptance by the Sponsor.
8. **Offer Expiration Date.** This offer will expire and the United States will not be obligated to pay any part of the costs of the project unless this offer has been accepted by the Sponsor on or before August 15, 2023, or such subsequent date as may be prescribed in writing by the FAA.
9. **Improper Use of Federal Funds.** The Sponsor must take all steps, including litigation if necessary, to recover Federal funds spent fraudulently, wastefully, or in violation of Federal antitrust statutes, or misused in any other manner for any project upon which Federal funds have been expended. For the purposes of this Grant Agreement, the term "Federal funds" means funds however used or dispersed by the Sponsor, that were originally paid pursuant to this or any other Federal grant agreement. The Sponsor must obtain the approval of the Secretary as to any determination of the amount of the Federal share of such funds. The Sponsor must return the recovered Federal share, including funds recovered by settlement, order, or judgment, to the Secretary. The Sponsor must furnish to the Secretary, upon request, all documents and records pertaining to the determination of the amount of the Federal share

or to any settlement, litigation, negotiation, or other efforts taken to recover such funds. All settlements or other final positions of the Sponsor, in court or otherwise, involving the recovery of such Federal share require advance approval by the Secretary.

10. **United States Not Liable for Damage or Injury.** The United States is not responsible or liable for damage to property or injury to persons which may arise from, or be incident to, compliance with this Grant Agreement.
11. **System for Award Management (SAM) Registration and Unique Entity Identifier (UEI).**
 - a. Requirement for System for Award Management (SAM): Unless the Sponsor is exempted from this requirement under 2 CFR § 25.110, the Sponsor must maintain the currency of its information in the SAM until the Sponsor submits the final financial report required under this Grant, or receives the final payment, whichever is later. This requires that the Sponsor review and update the information at least annually after the initial registration and more frequently if required by changes in information or another award term. Additional information about registration procedures may be found at the SAM website (currently at <http://www.sam.gov>).
 - b. Unique entity identifier (UEI) means a 12-character alpha-numeric value used to identify a specific commercial, nonprofit or governmental entity. A UEI may be obtained from SAM.gov at <https://sam.gov/content/entity-registration>.
12. **Electronic Grant Payment(s).** Unless otherwise directed by the FAA, the Sponsor must make each payment request under this Agreement electronically via the Delphi eInvoicing System for Department of Transportation (DOT) Financial Assistance Awardees.
13. **Informal Letter Amendment of AIP Projects.** If, during the life of the project, the FAA determines that the maximum grant obligation of the United States exceeds the expected needs of the Sponsor by \$25,000 or five percent (5%), whichever is greater, the FAA can issue a letter amendment to the Sponsor unilaterally reducing the maximum obligation.

The FAA can also issue a letter to the Sponsor increasing the maximum obligation if there is an overrun in the total actual eligible and allowable project costs to cover the amount of the overrun provided it will not exceed the statutory limitations for grant amendments. The FAA's authority to increase the maximum obligation does not apply to the "planning" component of Condition No. 1, Maximum Obligation.

The FAA can also issue an informal letter amendment that modifies the grant description to correct administrative errors or to delete work items if the FAA finds it advantageous and in the best interests of the United States.

An informal letter amendment has the same force and effect as a formal grant amendment.
14. **Air and Water Quality.** The Sponsor is required to comply with all applicable air and water quality standards for all projects in this grant. If the Sponsor fails to comply with this requirement, the FAA may suspend, cancel, or terminate this Grant Agreement.
15. **Financial Reporting and Payment Requirements.** The Sponsor will comply with all Federal financial reporting requirements and payment requirements, including submittal of timely and accurate reports.
16. **Buy American.** Unless otherwise approved in advance by the FAA, in accordance with 49 U.S.C. § 50101, the Sponsor will not acquire or permit any contractor or subcontractor to acquire any

steel or manufactured products produced outside the United States to be used for any project for which funds are provided under this Grant. The Sponsor will include a provision implementing Buy American in every contract and subcontract awarded under this Grant.

17. **Build America, Buy America.** The Sponsor must comply with the requirements under the Build America, Buy America Act (Public Law 117-58).
18. **Maximum Obligation Increase.** In accordance with 49 U.S.C. § 47108(b)(3), as amended, the maximum obligation of the United States, as stated in Condition No. 1, Maximum Obligation, of this Grant Offer:
 - a. May not be increased for a planning project;
 - b. May be increased by not more than 15 percent for development projects if funds are available;
 - c. May be increased by not more than the greater of the following for a land project, if funds are available:
 1. 15 percent; or
 2. 25 percent of the total increase in allowable project costs attributable to acquiring an interest in the land.

If the Sponsor requests an increase, any eligible increase in funding will be subject to the United States Government share as provided in 49 U.S.C. § 47110, or other superseding legislation if applicable, for the fiscal year appropriation with which the increase is funded. The FAA is not responsible for the same Federal share provided herein for any amount increased over the initial grant amount. The FAA may adjust the Federal share as applicable through an informal letter of amendment.

19. **Audits for Sponsors.**

PUBLIC SPONSORS. The Sponsor must provide for a Single Audit or program-specific audit in accordance with 2 CFR Part 200. The Sponsor must submit the audit reporting package to the Federal Audit Clearinghouse on the Federal Audit Clearinghouse's Internet Data Entry System at <http://harvester.census.gov/facweb/>. Upon request of the FAA, the Sponsor shall provide one copy of the completed audit to the FAA. Sponsors that expend less than \$750,000 in Federal awards and are exempt from Federal audit requirements must make records available for review or audit by the appropriate Federal agency officials, State, and Government Accountability Office. The FAA and other appropriate Federal agencies may request additional information to meet all Federal audit requirements.

20. **Suspension or Debarment.** When entering into a "covered transaction" as defined by 2 CFR § 180.200, the Sponsor must:
 - a. Verify the non-Federal entity is eligible to participate in this Federal program by:
 1. Checking the excluded parties list system (EPLS) as maintained within the System for Award Management (SAM) to determine if the non-Federal entity is excluded or disqualified; or
 2. Collecting a certification statement from the non-Federal entity attesting they are not excluded or disqualified from participating; or

3. Adding a clause or condition to covered transactions attesting the individual or firm are not excluded or disqualified from participating.
- b. Require prime contractors to comply with 2 CFR § 180.330 when entering into lower-tier transactions with their contractors and sub-contractors.
- c. Immediately disclose in writing to the FAA whenever (1) the Sponsor learns they have entered into a covered transaction with an ineligible entity or (2) the Public Sponsor suspends or debars a contractor, person, or entity.

21. Ban on Texting While Driving.

- a. In accordance with Executive Order 13513, Federal Leadership on Reducing Text Messaging While Driving, October 1, 2009, and DOT Order 3902.10, Text Messaging While Driving, December 30, 2009, the Sponsor is encouraged to:
 1. Adopt and enforce workplace safety policies to decrease crashes caused by distracted drivers including policies to ban text messaging while driving when performing any work for, or on behalf of, the Federal government, including work relating to a grant or subgrant.
 2. Conduct workplace safety initiatives in a manner commensurate with the size of the business, such as:
 - i. Establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving; and
 - ii. Education, awareness, and other outreach to employees about the safety risks associated with texting while driving.
- b. The Sponsor must insert the substance of this clause on banning texting while driving in all subgrants, contracts, and subcontracts funded with this Grant.

22. Trafficking in Persons.

- a. *Posting of contact information.*
 1. The Sponsor must post the contact information of the national human trafficking hotline (including options to reach out to the hotline such as through phone, text, or TTY) in all public airport restrooms.
- b. *Provisions applicable to a recipient that is a private entity.*
 1. You as the recipient, your employees, subrecipients under this Grant, and subrecipients' employees may not:
 - i. Engage in severe forms of trafficking in persons during the period of time that the Grant and applicable conditions are in effect;
 - ii. Procure a commercial sex act during the period of time that the Grant and applicable conditions are in effect; or
 - iii. Use forced labor in the performance of the Grant or any subgrants under this Grant.
 2. We as the Federal awarding agency, may unilaterally terminate this Grant, without penalty, if you or a subrecipient that is a private entity –

- i. Is determined to have violated a prohibition in paragraph (a) of this Grant Condition; or
 - ii. Has an employee who is determined by the agency official authorized to terminate the Grant to have violated a prohibition in paragraph (a) of this Grant Condition through conduct that is either –
 - a) Associated with performance under this Grant; or
 - b) Imputed to you or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR Part 180, “OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement),” as implemented by our agency at 2 CFR Part 1200.
- c. *Provision applicable to a recipient other than a private entity.* We as the Federal awarding agency may unilaterally terminate this Grant, without penalty, if a subrecipient that is a private entity –
 - 1. Is determined to have violated an applicable prohibition in paragraph (a) of this Grant Condition; or
 - 2. Has an employee who is determined by the agency official authorized to terminate the Grant to have violated an applicable prohibition in paragraph (a) of this Grant Condition through conduct that is either –
 - i. Associated with performance under this Grant; or
 - ii. Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR Part 180, “OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement),” as implemented by our agency at 2 CFR Part 1200.
- d. *Provisions applicable to any recipient.*
 - 1. You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in paragraph (a) of this Grant Condition.
 - 2. Our right to terminate unilaterally that is described in paragraph (a) or (b) of this Grant Condition:
 - i. Implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended [22 U.S.C. § 7104(g)], and
 - ii. Is in addition to all other remedies for noncompliance that are available to us under this Grant.
 - 3. You must include the requirements of paragraph (a) of this Grant Condition in any subgrant you make to a private entity.
- e. *Definitions.* For purposes of this Grant Condition:
 - 1. “Employee” means either:

- i. An individual employed by you or a subrecipient who is engaged in the performance of the project or program under this Grant; or
 - ii. Another person engaged in the performance of the project or program under this Grant and not compensated by you including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing or matching requirements.
 - 2. "Force labor" means labor obtained by any of the following methods: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.
 - 3. "Private entity":
 - i. Means any entity other than a State, local government, Indian tribe, or foreign public entity, as those terms are defined in 2 CFR § 175.25.
 - ii. Includes:
 - a) A nonprofit organization, including any nonprofit institute of higher education, hospital, or tribal organization other than one included in the definition of Indian tribe at 2 CFR § 175.25(b).
 - b) A for-profit organization.
 - 4. "Severe forms of trafficking in persons," "commercial sex act," and "coercion" have the meanings given at section 103 of the TVPA, as amended (22 U.S.C. § 7102).
23. **AIP Funded Work Included in a PFC Application.** Within 90 days of acceptance of this Grant Agreement, the Sponsor must submit to the FAA an amendment to any approved Passenger Facility Charge (PFC) application that contains an approved PFC project also covered under this Grant Agreement as described in the project application. The airport sponsor may not make any expenditure under this Grant Agreement until project work addressed under this Grant Agreement is removed from an approved PFC application by amendment.
24. **Exhibit "A" Property Map.** The Exhibit "A" Property Map dated September 9, 2016, is incorporated herein by reference or is submitted with the project application and made part of this Grant Agreement.
25. **Employee Protection from Reprisal.**
- a. Prohibition of Reprisals
 - 1. In accordance with 41 U.S.C. § 4712, an employee of a Sponsor, grantee, subgrantee, contractor, or subcontractor may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing to a person or body described in sub-paragraph (a)(2) below, information that the employee reasonably believes is evidence of:
 - i. Gross mismanagement of a Federal grant;
 - ii. Gross waste of Federal funds;
 - iii. An abuse of authority relating to implementation or use of Federal funds;
 - iv. A substantial and specific danger to public health or safety; or

- v. A violation of law, rule, or regulation related to a Federal grant.
- 2. Persons and bodies covered. The persons and bodies to which a disclosure by an employee is covered are as follows:
 - i. A member of Congress or a representative of a committee of Congress;
 - ii. An Inspector General;
 - iii. The Government Accountability Office;
 - iv. A Federal employee responsible for contract or grant oversight or management at the relevant agency;
 - v. A court or grand jury;
 - vi. A management official or other employee of the Sponsor, contractor, or subcontractor who has the responsibility to investigate, discover, or address misconduct; or
 - vii. An authorized official of the Department of Justice or other law enforcement agency.
- b. Investigation of Complaints.
 - 1. Submission of Complaint. A person who believes that they have been subjected to a reprisal prohibited by paragraph (a) of this Condition may submit a complaint regarding the reprisal to the Office of Inspector General (OIG) for the U.S. Department of Transportation.
 - 2. Time Limitation for Submittal of a Complaint. A complaint may not be brought under this subsection more than three years after the date on which the alleged reprisal took place.
 - 3. Required Actions of the Inspector General. Actions, limitations, and exceptions of the Inspector General's office are established under 41 U.S.C. § 4712(b).
- c. Remedy and Enforcement Authority.
 - 1. Assumption of Rights to Civil Remedy. Upon receipt of an explanation of a decision not to conduct or continue an investigation by the OIG, the person submitting a complaint assumes the right to a civil remedy under 41 U.S.C. § 4712(c)(2).
- 26. **Prohibited Telecommunications and Video Surveillance Services and Equipment.** The Sponsor agrees to comply with mandatory standards and policies relating to use and procurement of certain telecommunications and video surveillance services or equipment in compliance with the National Defense Authorization Act [Public Law 115-232 § 889(f)(1)] and 2 CFR § 200.216.
- 27. **Critical Infrastructure Security and Resilience.** The Sponsor acknowledges that it has considered and addressed physical and cybersecurity and resilience in their project planning, design, and oversight, as determined by the DOT and the Department of Homeland Security (DHS). For airports that do not have specific DOT or DHS cybersecurity requirements, the FAA encourages the voluntary adoption of the cybersecurity requirements from the Transportation Security Administration and Federal Security Director identified for security risk Category X airports.

SPECIAL CONDITIONS

- 28. **Airports Geographic Information System (GIS) Survey.** If the Airport's GIS survey is not reflected on an updated Airport Layout Plan (ALP) that meets FAA requirements within four (4) years from

the date of the Phase 1 grant (regardless of whether it is generated using the AGIS/eALP system or through some other computer-aided design platform), then the Sponsor may be required to repay that portion of this Grant that relates to the survey work.

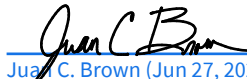
29. **Buy American Executive Orders.** The Sponsor agrees to abide by applicable Executive Orders in effect at the time this Grant Agreement is executed, including Executive Order 14005, Ensuring the Future Is Made in All of America by All of America's Workers.
30. **Obstruction Identification and Removal.** The Sponsor agrees to complete the AGIS Survey and Obstacle Action Plan, as well as to subsequently mitigate all identified obstructions, without delay. Protracted delays in obstruction mitigation may jeopardize the Sponsor's future federal funding requests.

The Sponsor's acceptance of this Offer and ratification and adoption of the Project Application incorporated herein shall be evidenced by execution of this instrument by the Sponsor, as hereinafter provided, and this Offer and Acceptance shall comprise a Grant Agreement, constituting the contractual obligations and rights of the United States and the Sponsor with respect to the accomplishment of the Project and compliance with the Grant Assurances, terms, and conditions as provided herein. Such Grant Agreement shall become effective upon the Sponsor's acceptance of this Offer.

Please read the following information: By signing this document, you are agreeing that you have reviewed the following consumer disclosure information and consent to transact business using electronic communications, to receive notices and disclosures electronically, and to utilize electronic signatures in lieu of using paper documents. You are not required to receive notices and disclosures or sign documents electronically. If you prefer not to do so, you may request to receive paper copies and withdraw your consent at any time.

I declare under penalty of perjury that the foregoing is true and correct.¹

**UNITED STATES OF AMERICA
FEDERAL AVIATION ADMINISTRATION**


Juan C. Brown (Jun 27, 2023 16:31 EDT)
 (Signature)

Juan C. Brown
 (Typed Name)

Acting Manager
 (Title of FAA Official)

¹ Knowingly and willfully providing false information to the Federal government is a violation of 18 U.S.C. § 1001 (False Statements) and could subject you to fines, imprisonment, or both.

Part II - Acceptance

The Sponsor does hereby ratify and adopt all assurances, statements, representations, warranties, covenants, and agreements contained in the Project Application and incorporated materials referred to in the foregoing Offer, and does hereby accept this Offer and by such acceptance agrees to comply with all of the Grant Assurances, terms, and conditions in this Offer and in the Project Application.

Please read the following information: By signing this document, you are agreeing that you have reviewed the following consumer disclosure information and consent to transact business using electronic communications, to receive notices and disclosures electronically, and to utilize electronic signatures in lieu of using paper documents. You are not required to receive notices and disclosures or sign documents electronically. If you prefer not to do so, you may request to receive paper copies and withdraw your consent at any time.

I declare under penalty of perjury that the foregoing is true and correct.²

Dated _____

City of Ormond Beach

(Name of Sponsor)

(Signature of Sponsor's Authorized Official)

By: _____

(Typed Name of Sponsor's Authorized Official)

Title: _____

(Title of Sponsor's Authorized Official)

² Knowingly and willfully providing false information to the Federal government is a violation of 18 U.S.C. § 1001 (False Statements) and could subject you to fines, imprisonment, or both.

CERTIFICATE OF SPONSOR'S ATTORNEY

I, _____, acting as Attorney for the Sponsor do hereby certify:

That in my opinion the Sponsor is empowered to enter into the foregoing Grant Agreement under the laws of the State of Florida. Further, I have examined the foregoing Grant Agreement and the actions taken by said Sponsor and Sponsor's official representative, who has been duly authorized to execute this Grant Agreement, which is in all respects due and proper and in accordance with the laws of the said State; and Title 49, United States Code (U.S.C.), Chapters 471 and 475; 49 U.S.C. §§ 40101 et seq., and 48103; FAA Reauthorization Act of 2018 (Public Law Number 115-254); the Department of Transportation Appropriations Act, 2021 (Public Law 116-260, Division L); the Consolidated Appropriations Act, 2022 (Public Law 117-103); Consolidated Appropriations Act, 2023 (Public Law 117-328); and the representations contained in the Project Application. In addition, for grants involving projects to be carried out on property not owned by the Sponsor, there are no legal impediments that will prevent full performance by the Sponsor. Further, it is my opinion that the said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Please read the following information: By signing this document, you are agreeing that you have reviewed the following consumer disclosure information and consent to transact business using electronic communications, to receive notices and disclosures electronically, and to utilize electronic signatures in lieu of using paper documents. You are not required to receive notices and disclosures or sign documents electronically. If you prefer not to do so, you may request to receive paper copies and withdraw your consent at any time.

I declare under penalty of perjury that the foregoing is true and correct.³

Dated at _____

By: _____

(Signature of Sponsor's Attorney)

³ Knowingly and willfully providing false information to the Federal government is a violation of 18 U.S.C. § 1001 (False Statements) and could subject you to fines, imprisonment, or both.

ASSURANCES

AIRPORT SPONSORS

A. General.

1. These assurances shall be complied with in the performance of grant agreements for airport development, airport planning, and noise compatibility program grants for airport sponsors.
2. These assurances are required to be submitted as part of the project application by sponsors requesting funds under the provisions of Title 49, U.S.C., subtitle VII, as amended. As used herein, the term "public agency sponsor" means a public agency with control of a public-use airport; the term "private sponsor" means a private owner of a public-use airport; and the term "sponsor" includes both public agency sponsors and private sponsors.
3. Upon acceptance of this grant offer by the sponsor, these assurances are incorporated in and become part of this Grant Agreement.

B. Duration and Applicability.

1. **Airport development or Noise Compatibility Program Projects Undertaken by a Public Agency Sponsor.**

The terms, conditions and assurances of this Grant Agreement shall remain in full force and effect throughout the useful life of the facilities developed or equipment acquired for an airport development or noise compatibility program project, or throughout the useful life of the project items installed within a facility under a noise compatibility program project, but in any event not to exceed twenty (20) years from the date of acceptance of a grant offer of Federal funds for the project. However, there shall be no limit on the duration of the assurances regarding Exclusive Rights and Airport Revenue so long as the airport is used as an airport. There shall be no limit on the duration of the terms, conditions, and assurances with respect to real property acquired with federal funds. Furthermore, the duration of the Civil Rights assurance shall be specified in the assurances.

2. **Airport Development or Noise Compatibility Projects Undertaken by a Private Sponsor.**

The preceding paragraph (1) also applies to a private sponsor except that the useful life of project items installed within a facility or the useful life of the facilities developed or equipment acquired under an airport development or noise compatibility program project shall be no less than ten (10) years from the date of acceptance of Federal aid for the project.

3. **Airport Planning Undertaken by a Sponsor.**

Unless otherwise specified in this Grant Agreement, only Assurances 1, 2, 3, 5, 6, 13, 18, 23, 25, 30, 32, 33, 34, and 37 in Section C apply to planning projects. The terms, conditions, and assurances of this Grant Agreement shall remain in full force and effect during the life of the project; there shall be no limit on the duration of the assurances regarding Exclusive Rights and Airport Revenue so long as the airport is used as an airport.

C. Sponsor Certification.

The sponsor hereby assures and certifies, with respect to this grant that:

1. General Federal Requirements

It will comply with all applicable Federal laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the application, acceptance, and use of Federal funds for this Grant including but not limited to the following:

FEDERAL LEGISLATION

- a. 49, U.S.C., subtitle VII, as amended.
- b. Davis-Bacon Act, as amended — 40 U.S.C. §§ 3141-3144, 3146, and 3147, et seq.¹
- c. Federal Fair Labor Standards Act - 29 U.S.C. § 201, et seq.
- d. Hatch Act – 5 U.S.C. § 1501, et seq.²
- e. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. § 4601, et seq.^{1, 2}
- f. National Historic Preservation Act of 1966 – Section 106 - 54 U.S.C. § 306108.1.¹
- g. Archeological and Historic Preservation Act of 1974 - 54 U.S.C. § 312501, et seq.¹
- h. Native Americans Grave Repatriation Act - 25 U.S.C. Section § 3001, et seq.
- i. Clean Air Act, P.L. 90-148, as amended - 42 U.S.C. § 7401, et seq.
- j. Coastal Zone Management Act, P.L. 92-583, as amended - 16 U.S.C. § 1451, et seq.
- k. Flood Disaster Protection Act of 1973 – Section 102(a) - 42 U.S.C. § 4012a.¹
- l. 49 U.S.C. § 303, (formerly known as Section 4(f)).
- m. Rehabilitation Act of 1973 - 29 U.S.C. § 794.
- n. Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252) (prohibits discrimination on the basis of race, color, national origin).
- o. Americans with Disabilities Act of 1990, as amended, (42 U.S.C. § 12101 et seq.) (prohibits discrimination on the basis of disability).
- p. Age Discrimination Act of 1975 - 42 U.S.C. § 6101, et seq.
- q. American Indian Religious Freedom Act, P.L. 95-341, as amended.
- r. Architectural Barriers Act of 1968, as amended - 42 U.S.C. § 4151, et seq.¹
- s. Powerplant and Industrial Fuel Use Act of 1978 – Section 403 - 42 U.S.C. § 8373.¹
- t. Contract Work Hours and Safety Standards Act - 40 U.S.C. § 3701, et seq.¹
- u. Copeland Anti-kickback Act - 18 U.S.C. § 874.¹
- v. National Environmental Policy Act of 1969 - 42 U.S.C. § 4321, et seq.¹
- w. Wild and Scenic Rivers Act, P.L. 90-542, as amended – 16 U.S.C. § 1271, et seq.
- x. Single Audit Act of 1984 - 31 U.S.C. § 7501, et seq.²
- y. Drug-Free Workplace Act of 1988 - 41 U.S.C. §§ 8101 through 8105.
- z. The Federal Funding Accountability and Transparency Act of 2006, as amended (P.L. 109-282, as amended by section 6202 of P.L. 110-252).

- aa. Civil Rights Restoration Act of 1987, P.L. 100-259.
- bb. Build America, Buy America Act, P.L. 117-58, Title IX.

EXECUTIVE ORDERS

- a. Executive Order 11246 – Equal Employment Opportunity¹
- b. Executive Order 11990 – Protection of Wetlands
- c. Executive Order 11998 – Flood Plain Management
- d. Executive Order 12372 – Intergovernmental Review of Federal Programs
- e. Executive Order 12699 – Seismic Safety of Federal and Federally Assisted New Building Construction¹
- f. Executive Order 12898 – Environmental Justice
- g. Executive Order 13166 – Improving Access to Services for Persons with Limited English Proficiency
- h. Executive Order 13985 – Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government
- i. Executive Order 13988 – Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation
- j. Executive Order 14005 – Ensuring the Future is Made in all of America by All of America’s Workers
- k. Executive Order 14008 – Tackling the Climate Crisis at Home and Abroad

FEDERAL REGULATIONS

- a. 2 CFR Part 180 – OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement).
- b. 2 CFR Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.^{4, 5}
- c. 2 CFR Part 1200 – Nonprocurement Suspension and Debarment.
- d. 14 CFR Part 13 – Investigative and Enforcement Procedures.
- e. 14 CFR Part 16 – Rules of Practice For Federally-Assisted Airport Enforcement Proceedings.
- f. 14 CFR Part 150 – Airport Noise Compatibility Planning.
- g. 28 CFR Part 35 – Nondiscrimination on the Basis of Disability in State and Local Government Services.
- h. 28 CFR § 50.3 – U.S. Department of Justice Guidelines for the Enforcement of Title VI of the Civil Rights Act of 1964.
- i. 29 CFR Part 1 – Procedures for Predetermination of Wage Rates.¹
- j. 29 CFR Part 3 – Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States.¹

- k. 29 CFR Part 5 – Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction (Also Labor Standards Provisions Applicable to Nonconstruction Contracts Subject to the Contract Work Hours and Safety Standards Act).¹
- l. 41 CFR Part 60 – Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor (Federal and Federally-assisted contracting requirements).¹
- m. 49 CFR Part 20 – New Restrictions on Lobbying.
- n. 49 CFR Part 21 – Nondiscrimination in Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964.
- o. 49 CFR Part 23 – Participation by Disadvantage Business Enterprise in Airport Concessions.
- p. 49 CFR Part 24 – Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs.^{1 2}
- q. 49 CFR Part 26 – Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs.
- r. 49 CFR Part 27 – Nondiscrimination on the Basis of Disability in Programs or Activities Receiving Federal Financial Assistance.¹
- s. 49 CFR Part 28 – Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities Conducted by the Department of Transportation.
- t. 49 CFR Part 30 – Denial of Public Works Contracts to Suppliers of Goods and Services of Countries That Deny Procurement Market Access to U.S. Contractors.
- u. 49 CFR Part 32 – Governmentwide Requirements for Drug-Free Workplace (Financial Assistance).
- v. 49 CFR Part 37 – Transportation Services for Individuals with Disabilities (ADA).
- w. 49 CFR Part 38 – Americans with Disabilities Act (ADA) Accessibility Specifications for Transportation Vehicles.
- x. 49 CFR Part 41 – Seismic Safety.

FOOTNOTES TO ASSURANCE (C)(1)

- ¹ These laws do not apply to airport planning sponsors.
- ² These laws do not apply to private sponsors.
- ³ 2 CFR Part 200 contains requirements for State and Local Governments receiving Federal assistance. Any requirement levied upon State and Local Governments by this regulation shall apply where applicable to private sponsors receiving Federal assistance under Title 49, United States Code.
- ⁴ Cost principles established in 2 CFR part 200 subpart E must be used as guidelines for determining the eligibility of specific types of expenses.
- ⁵ Audit requirements established in 2 CFR part 200 subpart F are the guidelines for audits.

SPECIFIC ASSURANCES

Specific assurances required to be included in grant agreements by any of the above laws, regulations or circulars are incorporated by reference in this grant agreement.

2. Responsibility and Authority of the Sponsor.**a. Public Agency Sponsor:**

It has legal authority to apply for this Grant, and to finance and carry out the proposed project; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

b. Private Sponsor:

It has legal authority to apply for this Grant and to finance and carry out the proposed project and comply with all terms, conditions, and assurances of this Grant Agreement. It shall designate an official representative and shall in writing direct and authorize that person to file this application, including all understandings and assurances contained therein; to act in connection with this application; and to provide such additional information as may be required.

3. Sponsor Fund Availability.

It has sufficient funds available for that portion of the project costs which are not to be paid by the United States. It has sufficient funds available to assure operation and maintenance of items funded under this Grant Agreement which it will own or control.

4. Good Title.

- a. It, a public agency or the Federal government, holds good title, satisfactory to the Secretary, to the landing area of the airport or site thereof, or will give assurance satisfactory to the Secretary that good title will be acquired.
- b. For noise compatibility program projects to be carried out on the property of the sponsor, it holds good title satisfactory to the Secretary to that portion of the property upon which Federal funds will be expended or will give assurance to the Secretary that good title will be obtained.

5. Preserving Rights and Powers.

- a. It will not take or permit any action which would operate to deprive it of any of the rights and powers necessary to perform any or all of the terms, conditions, and assurances in this Grant Agreement without the written approval of the Secretary, and will act promptly to acquire, extinguish or modify any outstanding rights or claims of right of others which would interfere with such performance by the sponsor. This shall be done in a manner acceptable to the Secretary.
- b. Subject to the FAA Act of 2018, Public Law 115-254, Section 163, it will not sell, lease, encumber, or otherwise transfer or dispose of any part of its title or other interests in the property shown on Exhibit A to this application or, for a noise compatibility program project, that portion of the property upon which Federal funds have been expended, for the duration of the terms, conditions, and assurances in this Grant Agreement without approval by the Secretary. If the transferee is found by the Secretary to be eligible under Title 49, United States Code, to assume the obligations of this Grant Agreement and to have the power, authority, and financial resources to carry out all such obligations, the sponsor shall insert in the contract or

document transferring or disposing of the sponsor's interest, and make binding upon the transferee all of the terms, conditions, and assurances contained in this Grant Agreement.

- c. For all noise compatibility program projects which are to be carried out by another unit of local government or are on property owned by a unit of local government other than the sponsor, it will enter into an agreement with that government. Except as otherwise specified by the Secretary, that agreement shall obligate that government to the same terms, conditions, and assurances that would be applicable to it if it applied directly to the FAA for a grant to undertake the noise compatibility program project. That agreement and changes thereto must be satisfactory to the Secretary. It will take steps to enforce this agreement against the local government if there is substantial non-compliance with the terms of the agreement.
- d. For noise compatibility program projects to be carried out on privately owned property, it will enter into an agreement with the owner of that property which includes provisions specified by the Secretary. It will take steps to enforce this agreement against the property owner whenever there is substantial non-compliance with the terms of the agreement.
- e. If the sponsor is a private sponsor, it will take steps satisfactory to the Secretary to ensure that the airport will continue to function as a public-use airport in accordance with these assurances for the duration of these assurances.
- f. If an arrangement is made for management and operation of the airport by any agency or person other than the sponsor or an employee of the sponsor, the sponsor will reserve sufficient rights and authority to ensure that the airport will be operated and maintained in accordance with Title 49, United States Code, the regulations and the terms, conditions and assurances in this Grant Agreement and shall ensure that such arrangement also requires compliance therewith.
- g. Sponsors of commercial service airports will not permit or enter into any arrangement that results in permission for the owner or tenant of a property used as a residence, or zoned for residential use, to taxi an aircraft between that property and any location on airport. Sponsors of general aviation airports entering into any arrangement that results in permission for the owner of residential real property adjacent to or near the airport must comply with the requirements of Sec. 136 of Public Law 112-95 and the sponsor assurances.

6. Consistency with Local Plans.

The project is reasonably consistent with plans (existing at the time of submission of this application) of public agencies that are authorized by the State in which the project is located to plan for the development of the area surrounding the airport.

7. Consideration of Local Interest.

It has given fair consideration to the interest of communities in or near where the project may be located.

8. Consultation with Users.

In making a decision to undertake any airport development project under Title 49, United States Code, it has undertaken reasonable consultations with affected parties using the airport at which project is proposed.

9. Public Hearings.

In projects involving the location of an airport, an airport runway, or a major runway extension, it has afforded the opportunity for public hearings for the purpose of considering the economic, social, and environmental effects of the airport or runway location and its consistency with goals and objectives of such planning as has been carried out by the community and it shall, when requested by the Secretary, submit a copy of the transcript of such hearings to the Secretary. Further, for such projects, it has on its management board either voting representation from the communities where the project is located or has advised the communities that they have the right to petition the Secretary concerning a proposed project.

10. Metropolitan Planning Organization.

In projects involving the location of an airport, an airport runway, or a major runway extension at a medium or large hub airport, the sponsor has made available to and has provided upon request to the metropolitan planning organization in the area in which the airport is located, if any, a copy of the proposed amendment to the airport layout plan to depict the project and a copy of any airport master plan in which the project is described or depicted.

11. Pavement Preventive Maintenance-Management.

With respect to a project approved after January 1, 1995, for the replacement or reconstruction of pavement at the airport, it assures or certifies that it has implemented an effective airport pavement maintenance-management program and it assures that it will use such program for the useful life of any pavement constructed, reconstructed or repaired with Federal financial assistance at the airport. It will provide such reports on pavement condition and pavement management programs as the Secretary determines may be useful.

12. Terminal Development Prerequisites.

For projects which include terminal development at a public use airport, as defined in Title 49, it has, on the date of submittal of the project grant application, all the safety equipment required for certification of such airport under 49 U.S.C. § 44706, and all the security equipment required by rule or regulation, and has provided for access to the passenger enplaning and deplaning area of such airport to passengers enplaning and deplaning from aircraft other than air carrier aircraft.

13. Accounting System, Audit, and Record Keeping Requirements.

- a. It shall keep all project accounts and records which fully disclose the amount and disposition by the recipient of the proceeds of this Grant, the total cost of the project in connection with which this Grant is given or used, and the amount or nature of that portion of the cost of the project supplied by other sources, and such other financial records pertinent to the project. The accounts and records shall be kept in accordance with an accounting system that will facilitate an effective audit in accordance with the Single Audit Act of 1984.
- b. It shall make available to the Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, for the purpose of audit and examination, any books, documents, papers, and records of the recipient that are pertinent to this Grant. The Secretary may require that an appropriate audit be conducted by a recipient. In any case in which an independent audit is made of the accounts of a sponsor relating to the disposition of the proceeds of a Grant or relating to the project in connection with which this Grant was given or used, it shall file a certified copy of such audit with the Comptroller General of the United

States not later than six (6) months following the close of the fiscal year for which the audit was made.

14. Minimum Wage Rates.

It shall include, in all contracts in excess of \$2,000 for work on any projects funded under this Grant Agreement which involve labor, provisions establishing minimum rates of wages, to be predetermined by the Secretary of Labor under 40 U.S.C. §§ 3141-3144, 3146, and 3147, Public Building, Property, and Works), which contractors shall pay to skilled and unskilled labor, and such minimum rates shall be stated in the invitation for bids and shall be included in proposals or bids for the work.

15. Veteran's Preference.

It shall include in all contracts for work on any project funded under this Grant Agreement which involve labor, such provisions as are necessary to insure that, in the employment of labor (except in executive, administrative, and supervisory positions), preference shall be given to Vietnam era veterans, Persian Gulf veterans, Afghanistan-Iraq war veterans, disabled veterans, and small business concerns owned and controlled by disabled veterans as defined in 49 U.S.C. § 47112. However, this preference shall apply only where the individuals are available and qualified to perform the work to which the employment relates.

16. Conformity to Plans and Specifications.

It will execute the project subject to plans, specifications, and schedules approved by the Secretary. Such plans, specifications, and schedules shall be submitted to the Secretary prior to commencement of site preparation, construction, or other performance under this Grant Agreement, and, upon approval of the Secretary, shall be incorporated into this Grant Agreement. Any modification to the approved plans, specifications, and schedules shall also be subject to approval of the Secretary, and incorporated into this Grant Agreement.

17. Construction Inspection and Approval.

It will provide and maintain competent technical supervision at the construction site throughout the project to assure that the work conforms to the plans, specifications, and schedules approved by the Secretary for the project. It shall subject the construction work on any project contained in an approved project application to inspection and approval by the Secretary and such work shall be in accordance with regulations and procedures prescribed by the Secretary. Such regulations and procedures shall require such cost and progress reporting by the sponsor or sponsors of such project as the Secretary shall deem necessary.

18. Planning Projects.

In carrying out planning projects:

- a. It will execute the project in accordance with the approved program narrative contained in the project application or with the modifications similarly approved.
- b. It will furnish the Secretary with such periodic reports as required pertaining to the planning project and planning work activities.
- c. It will include in all published material prepared in connection with the planning project a notice that the material was prepared under a grant provided by the United States.

- d. It will make such material available for examination by the public, and agrees that no material prepared with funds under this project shall be subject to copyright in the United States or any other country.
- e. It will give the Secretary unrestricted authority to publish, disclose, distribute, and otherwise use any of the material prepared in connection with this grant.
- f. It will grant the Secretary the right to disapprove the sponsor's employment of specific consultants and their subcontractors to do all or any part of this project as well as the right to disapprove the proposed scope and cost of professional services.
- g. It will grant the Secretary the right to disapprove the use of the sponsor's employees to do all or any part of the project.
- h. It understands and agrees that the Secretary's approval of this project grant or the Secretary's approval of any planning material developed as part of this grant does not constitute or imply any assurance or commitment on the part of the Secretary to approve any pending or future application for a Federal airport grant.

19. Operation and Maintenance.

- a. The airport and all facilities which are necessary to serve the aeronautical users of the airport, other than facilities owned or controlled by the United States, shall be operated at all times in a safe and serviceable condition and in accordance with the minimum standards as may be required or prescribed by applicable Federal, State and local agencies for maintenance and operation. It will not cause or permit any activity or action thereon which would interfere with its use for airport purposes. It will suitably operate and maintain the airport and all facilities thereon or connected therewith, with due regard to climatic and flood conditions. Any proposal to temporarily close the airport for non-aeronautical purposes must first be approved by the Secretary. In furtherance of this assurance, the sponsor will have in effect arrangements for:
 - 1. Operating the airport's aeronautical facilities whenever required;
 - 2. Promptly marking and lighting hazards resulting from airport conditions, including temporary conditions; and
 - 3. Promptly notifying pilots of any condition affecting aeronautical use of the airport. Nothing contained herein shall be construed to require that the airport be operated for aeronautical use during temporary periods when snow, flood, or other climatic conditions interfere with such operation and maintenance. Further, nothing herein shall be construed as requiring the maintenance, repair, restoration, or replacement of any structure or facility which is substantially damaged or destroyed due to an act of God or other condition or circumstance beyond the control of the sponsor.
- b. It will suitably operate and maintain noise compatibility program items that it owns or controls upon which Federal funds have been expended.

20. Hazard Removal and Mitigation.

It will take appropriate action to assure that such terminal airspace as is required to protect instrument and visual operations to the airport (including established minimum flight altitudes) will be adequately cleared and protected by removing, lowering, relocating, marking, or lighting or otherwise mitigating existing airport hazards and by preventing the establishment or creation of future airport hazards.

21. Compatible Land Use.

It will take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. In addition, if the project is for noise compatibility program implementation, it will not cause or permit any change in land use, within its jurisdiction, that will reduce its compatibility, with respect to the airport, of the noise compatibility program measures upon which Federal funds have been expended.

22. Economic Nondiscrimination.

- a. It will make the airport available as an airport for public use on reasonable terms and without unjust discrimination to all types, kinds and classes of aeronautical activities, including commercial aeronautical activities offering services to the public at the airport.
- b. In any agreement, contract, lease, or other arrangement under which a right or privilege at the airport is granted to any person, firm, or corporation to conduct or to engage in any aeronautical activity for furnishing services to the public at the airport, the sponsor will insert and enforce provisions requiring the contractor to:
 1. Furnish said services on a reasonable, and not unjustly discriminatory, basis to all users thereof, and
 2. Charge reasonable, and not unjustly discriminatory, prices for each unit or service, provided that the contractor may be allowed to make reasonable and nondiscriminatory discounts, rebates, or other similar types of price reductions to volume purchasers.
- c. Each fixed-based operator at the airport shall be subject to the same rates, fees, rentals, and other charges as are uniformly applicable to all other fixed-based operators making the same or similar uses of such airport and utilizing the same or similar facilities.
- d. Each air carrier using such airport shall have the right to service itself or to use any fixed-based operator that is authorized or permitted by the airport to serve any air carrier at such airport.
- e. Each air carrier using such airport (whether as a tenant, non-tenant, or subtenant of another air carrier tenant) shall be subject to such nondiscriminatory and substantially comparable rules, regulations, conditions, rates, fees, rentals, and other charges with respect to facilities directly and substantially related to providing air transportation as are applicable to all such air carriers which make similar use of such airport and utilize similar facilities, subject to reasonable classifications such as tenants or non-tenants and signatory carriers and non-signatory carriers. Classification or status as tenant or signatory shall not be unreasonably withheld by any airport provided an air carrier assumes obligations substantially similar to those already imposed on air carriers in such classification or status.
- f. It will not exercise or grant any right or privilege which operates to prevent any person, firm, or corporation operating aircraft on the airport from performing any services on its own aircraft with its own employees (including, but not limited to maintenance, repair, and fueling) that it may choose to perform.
- g. In the event the sponsor itself exercises any of the rights and privileges referred to in this assurance, the services involved will be provided on the same conditions as would apply to the furnishing of such services by commercial aeronautical service providers authorized by the sponsor under these provisions.

- h. The sponsor may establish such reasonable, and not unjustly discriminatory, conditions to be met by all users of the airport as may be necessary for the safe and efficient operation of the airport.
- i. The sponsor may prohibit or limit any given type, kind or class of aeronautical use of the airport if such action is necessary for the safe operation of the airport or necessary to serve the civil aviation needs of the public.

23. Exclusive Rights.

It will permit no exclusive right for the use of the airport by any person providing, or intending to provide, aeronautical services to the public. For purposes of this paragraph, the providing of the services at an airport by a single fixed-based operator shall not be construed as an exclusive right if both of the following apply:

- a. It would be unreasonably costly, burdensome, or impractical for more than one fixed-based operator to provide such services, and
- b. If allowing more than one fixed-based operator to provide such services would require the reduction of space leased pursuant to an existing agreement between such single fixed-based operator and such airport. It further agrees that it will not, either directly or indirectly, grant or permit any person, firm, or corporation, the exclusive right at the airport to conduct any aeronautical activities, including, but not limited to charter flights, pilot training, aircraft rental and sightseeing, aerial photography, crop dusting, aerial advertising and surveying, air carrier operations, aircraft sales and services, sale of aviation petroleum products whether or not conducted in conjunction with other aeronautical activity, repair and maintenance of aircraft, sale of aircraft parts, and any other activities which because of their direct relationship to the operation of aircraft can be regarded as an aeronautical activity, and that it will terminate any exclusive right to conduct an aeronautical activity now existing at such an airport before the grant of any assistance under Title 49, United States Code.

24. Fee and Rental Structure.

It will maintain a fee and rental structure for the facilities and services at the airport which will make the airport as self-sustaining as possible under the circumstances existing at the particular airport, taking into account such factors as the volume of traffic and economy of collection. No part of the Federal share of an airport development, airport planning or noise compatibility project for which a Grant is made under Title 49, United States Code, the Airport and Airway Improvement Act of 1982, the Federal Airport Act or the Airport and Airway Development Act of 1970 shall be included in the rate basis in establishing fees, rates, and charges for users of that airport.

25. Airport Revenues.

- a. All revenues generated by the airport and any local taxes on aviation fuel established after December 30, 1987, will be expended by it for the capital or operating costs of the airport; the local airport system; or other local facilities which are owned or operated by the owner or operator of the airport and which are directly and substantially related to the actual air transportation of passengers or property; or for noise mitigation purposes on or off the airport. The following exceptions apply to this paragraph:
 - 1. If covenants or assurances in debt obligations issued before September 3, 1982, by the owner or operator of the airport, or provisions enacted before September 3, 1982, in governing statutes controlling the owner or operator's financing, provide for the use of the

revenues from any of the airport owner or operator's facilities, including the airport, to support not only the airport but also the airport owner or operator's general debt obligations or other facilities, then this limitation on the use of all revenues generated by the airport (and, in the case of a public airport, local taxes on aviation fuel) shall not apply.

2. If the Secretary approves the sale of a privately owned airport to a public sponsor and provides funding for any portion of the public sponsor's acquisition of land, this limitation on the use of all revenues generated by the sale shall not apply to certain proceeds from the sale. This is conditioned on repayment to the Secretary by the private owner of an amount equal to the remaining unamortized portion (amortized over a 20-year period) of any airport improvement grant made to the private owner for any purpose other than land acquisition on or after October 1, 1996, plus an amount equal to the federal share of the current fair market value of any land acquired with an airport improvement grant made to that airport on or after October 1, 1996.
3. Certain revenue derived from or generated by mineral extraction, production, lease, or other means at a general aviation airport (as defined at 49 U.S.C. § 47102), if the FAA determines the airport sponsor meets the requirements set forth in Section 813 of Public Law 112-95
- b. As part of the annual audit required under the Single Audit Act of 1984, the sponsor will direct that the audit will review, and the resulting audit report will provide an opinion concerning, the use of airport revenue and taxes in paragraph (a), and indicating whether funds paid or transferred to the owner or operator are paid or transferred in a manner consistent with Title 49, United States Code and any other applicable provision of law, including any regulation promulgated by the Secretary or Administrator.
- c. Any civil penalties or other sanctions will be imposed for violation of this assurance in accordance with the provisions of 49 U.S.C. § 47107.

26. Reports and Inspections.

It will:

- a. submit to the Secretary such annual or special financial and operations reports as the Secretary may reasonably request and make such reports available to the public; make available to the public at reasonable times and places a report of the airport budget in a format prescribed by the Secretary;
- b. for airport development projects, make the airport and all airport records and documents affecting the airport, including deeds, leases, operation and use agreements, regulations and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request;
- c. for noise compatibility program projects, make records and documents relating to the project and continued compliance with the terms, conditions, and assurances of this Grant Agreement including deeds, leases, agreements, regulations, and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request; and
- d. in a format and time prescribed by the Secretary, provide to the Secretary and make available to the public following each of its fiscal years, an annual report listing in detail:
 1. all amounts paid by the airport to any other unit of government and the purposes for which each such payment was made; and

2. all services and property provided by the airport to other units of government and the amount of compensation received for provision of each such service and property.

27. Use by Government Aircraft.

It will make available all of the facilities of the airport developed with Federal financial assistance and all those usable for landing and takeoff of aircraft to the United States for use by Government aircraft in common with other aircraft at all times without charge, except, if the use by Government aircraft is substantial, charge may be made for a reasonable share, proportional to such use, for the cost of operating and maintaining the facilities used. Unless otherwise determined by the Secretary, or otherwise agreed to by the sponsor and the using agency, substantial use of an airport by Government aircraft will be considered to exist when operations of such aircraft are in excess of those which, in the opinion of the Secretary, would unduly interfere with use of the landing areas by other authorized aircraft, or during any calendar month that:

- a. Five (5) or more Government aircraft are regularly based at the airport or on land adjacent thereto; or
- b. The total number of movements (counting each landing as a movement) of Government aircraft is 300 or more, or the gross accumulative weight of Government aircraft using the airport (the total movement of Government aircraft multiplied by gross weights of such aircraft) is in excess of five million pounds.

28. Land for Federal Facilities.

It will furnish without cost to the Federal Government for use in connection with any air traffic control or air navigation activities, or weather-reporting and communication activities related to air traffic control, any areas of land or water, or estate therein as the Secretary considers necessary or desirable for construction, operation, and maintenance at Federal expense of space or facilities for such purposes. Such areas or any portion thereof will be made available as provided herein within four months after receipt of a written request from the Secretary.

29. Airport Layout Plan.

- a. Subject to the FAA Reauthorization Act of 2018, Public Law 115-254, Section 163, it will keep up to date at all times an airport layout plan of the airport showing:
 1. boundaries of the airport and all proposed additions thereto, together with the boundaries of all offsite areas owned or controlled by the sponsor for airport purposes and proposed additions thereto;
 2. the location and nature of all existing and proposed airport facilities and structures (such as runways, taxiways, aprons, terminal buildings, hangars and roads), including all proposed extensions and reductions of existing airport facilities;
 3. the location of all existing and proposed non-aviation areas and of all existing improvements thereon; and
 4. all proposed and existing access points used to taxi aircraft across the airport's property boundary.

Such airport layout plans and each amendment, revision, or modification thereof, shall be subject to the approval of the Secretary which approval shall be evidenced by the signature of a duly authorized representative of the Secretary on the face of the airport layout plan. The

sponsor will not make or permit any changes or alterations in the airport or any of its facilities which are not in conformity with the airport layout plan as approved by the Secretary and which might, in the opinion of the Secretary, adversely affect the safety, utility or efficiency of the airport.

- b. Subject to the FAA Reauthorization Act of 2018, Public Law 115-254, Section 163, if a change or alteration in the airport or the facilities is made which the Secretary determines adversely affects the safety, utility, or efficiency of any federally owned, leased, or funded property on or off the airport and which is not in conformity with the airport layout plan as approved by the Secretary, the owner or operator will, if requested, by the Secretary:
 - 1. eliminate such adverse effect in a manner approved by the Secretary; or
 - 2. bear all costs of relocating such property (or replacement thereof) to a site acceptable to the Secretary and all costs of restoring such property (or replacement thereof) to the level of safety, utility, efficiency, and cost of operation existing before the unapproved change in the airport or its facilities except in the case of a relocation or replacement of an existing airport facility due to a change in the Secretary's design standards beyond the control of the airport sponsor.

30. Civil Rights.

It will promptly take any measures necessary to ensure that no person in the United States shall, on the grounds of race, color, and national origin (including limited English proficiency) in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4); creed and sex (including sexual orientation and gender identity) per 49 U.S.C. § 47123 and related requirements; age per the Age Discrimination Act of 1975 and related requirements; or disability per the Americans with Disabilities Act of 1990 and related requirements, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in any program and activity conducted with, or benefiting from, funds received from this Grant.

- a. Using the definitions of activity, facility, and program as found and defined in 49 CFR §§ 21.23(b) and 21.23(e), the sponsor will facilitate all programs, operate all facilities, or conduct all programs in compliance with all non-discrimination requirements imposed by or pursuant to these assurances.
- b. Applicability
 - 1. Programs and Activities. If the sponsor has received a grant (or other federal assistance) for any of the sponsor's program or activities, these requirements extend to all of the sponsor's programs and activities.
 - 2. Facilities. Where it receives a grant or other federal financial assistance to construct, expand, renovate, remodel, alter, or acquire a facility, or part of a facility, the assurance extends to the entire facility and facilities operated in connection therewith.
 - 3. Real Property. Where the sponsor receives a grant or other Federal financial assistance in the form of, or for the acquisition of real property or an interest in real property, the assurance will extend to rights to space on, over, or under such property.
- c. Duration.

The sponsor agrees that it is obligated to this assurance for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is

to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the assurance obligates the sponsor, or any transferee for the longer of the following periods:

1. So long as the airport is used as an airport, or for another purpose involving the provision of similar services or benefits; or
 2. So long as the sponsor retains ownership or possession of the property.
- d. Required Solicitation Language. It will include the following notification in all solicitations for bids, Requests For Proposals for work, or material under this Grant Agreement and in all proposals for agreements, including airport concessions, regardless of funding source:
- “The City of Ormond Beach, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders or offerors that it will affirmatively ensure that for any contract entered into pursuant to this advertisement, [select businesses, or disadvantaged business enterprises or airport concession disadvantaged business enterprises] will be afforded full and fair opportunity to submit bids in response to this invitation and no businesses will be discriminated against on the grounds of race, color, national origin (including limited English proficiency), creed, sex (including sexual orientation and gender identity), age, or disability in consideration for an award.”
- e. Required Contract Provisions.
1. It will insert the non-discrimination contract clauses requiring compliance with the acts and regulations relative to non-discrimination in Federally-assisted programs of the Department of Transportation (DOT), and incorporating the acts and regulations into the contracts by reference in every contract or agreement subject to the non-discrimination in Federally-assisted programs of the DOT acts and regulations.
 2. It will include a list of the pertinent non-discrimination authorities in every contract that is subject to the non-discrimination acts and regulations.
 3. It will insert non-discrimination contract clauses as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a sponsor.
 4. It will insert non-discrimination contract clauses prohibiting discrimination on the basis of race, color, national origin (including limited English proficiency), creed, sex (including sexual orientation and gender identity), age, or disability as a covenant running with the land, in any future deeds, leases, license, permits, or similar instruments entered into by the sponsor with other parties:
 - a. For the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. For the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
- f. It will provide for such methods of administration for the program as are found by the Secretary to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other

participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the acts, the regulations, and this assurance.

- g. It agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the acts, the regulations, and this assurance.

31. Disposal of Land.

- a. For land purchased under a grant for airport noise compatibility purposes, including land serving as a noise buffer, it will dispose of the land, when the land is no longer needed for such purposes, at fair market value, at the earliest practicable time. That portion of the proceeds of such disposition which is proportionate to the United States' share of acquisition of such land will be, at the discretion of the Secretary, (1) reinvested in another project at the airport, or (2) transferred to another eligible airport as prescribed by the Secretary. The Secretary shall give preference to the following, in descending order:

1. Reinvestment in an approved noise compatibility project;
2. Reinvestment in an approved project that is eligible for grant funding under 49 U.S.C. § 47117(e);
3. Reinvestment in an approved airport development project that is eligible for grant funding under 49 U.S.C. §§ 47114, 47115, or 47117
4. Transfer to an eligible sponsor of another public airport to be reinvested in an approved noise compatibility project at that airport; or
5. Payment to the Secretary for deposit in the Airport and Airway Trust Fund.

If land acquired under a grant for noise compatibility purposes is leased at fair market value and consistent with noise buffering purposes, the lease will not be considered a disposal of the land. Revenues derived from such a lease may be used for an approved airport development project that would otherwise be eligible for grant funding or any permitted use of airport revenue.

- b. For land purchased under a grant for airport development purposes (other than noise compatibility), it will, when the land is no longer needed for airport purposes, dispose of such land at fair market value or make available to the Secretary an amount equal to the United States' proportionate share of the fair market value of the land. That portion of the proceeds of such disposition which is proportionate to the United States' share of the cost of acquisition of such land will, upon application to the Secretary, be reinvested or transferred to another eligible airport as prescribed by the Secretary. The Secretary shall give preference to the following, in descending order:

1. Reinvestment in an approved noise compatibility project;
2. Reinvestment in an approved project that is eligible for grant funding under 49 U.S.C. § 47117(e);
3. Reinvestment in an approved airport development project that is eligible for grant funding under 49 U.S.C. §§ 47114, 47115, or 47117
4. Transfer to an eligible sponsor of another public airport to be reinvested in an approved noise compatibility project at that airport; or
5. Payment to the Secretary for deposit in the Airport and Airway Trust Fund.

- c. Land shall be considered to be needed for airport purposes under this assurance if (1) it may be needed for aeronautical purposes (including runway protection zones) or serve as noise buffer land, and (2) the revenue from interim uses of such land contributes to the financial self-sufficiency of the airport. Further, land purchased with a grant received by an airport operator or owner before December 31, 1987, will be considered to be needed for airport purposes if the Secretary or Federal agency making such grant before December 31, 1987, was notified by the operator or owner of the uses of such land, did not object to such use, and the land continues to be used for that purpose, such use having commenced no later than December 15, 1989.
- d. Disposition of such land under (a), (b), or (c) will be subject to the retention or reservation of any interest or right therein necessary to ensure that such land will only be used for purposes which are compatible with noise levels associated with operation of the airport.

32. Engineering and Design Services.

If any phase of such project has received Federal funds under Chapter 471 subchapter 1 of Title 49 U.S.C., it will award each contract, or sub-contract for program management, construction management, planning studies, feasibility studies, architectural services, preliminary engineering, design, engineering, surveying, mapping or related services in the same manner as a contract for architectural and engineering services is negotiated under Chapter 11 of Title 40 U.S.C., or an equivalent qualifications-based requirement prescribed for or by the sponsor of the airport.

33. Foreign Market Restrictions.

It will not allow funds provided under this Grant to be used to fund any project which uses any product or service of a foreign country during the period in which such foreign country is listed by the United States Trade Representative as denying fair and equitable market opportunities for products and suppliers of the United States in procurement and construction.

34. Policies, Standards, and Specifications.

It will carry out any project funded under an Airport Improvement Program Grant in accordance with policies, standards, and specifications approved by the Secretary including, but not limited to, current FAA Advisory Circulars (<https://www.faa.gov/airports/aip/media/aip-pfc-checklist.pdf>) for AIP projects as of May 8, 2023.

35. Relocation and Real Property Acquisition.

- a. It will be guided in acquiring real property, to the greatest extent practicable under State law, by the land acquisition policies in Subpart B of 49 CFR Part 24 and will pay or reimburse property owners for necessary expenses as specified in Subpart B.
- b. It will provide a relocation assistance program offering the services described in Subpart C of 49 CFR Part 24 and fair and reasonable relocation payments and assistance to displaced persons as required in Subpart D and E of 49 CFR Part 24.
- c. It will make available within a reasonable period of time prior to displacement, comparable replacement dwellings to displaced persons in accordance with Subpart E of 49 CFR Part 24.

36. Access By Intercity Buses.

The airport owner or operator will permit, to the maximum extent practicable, intercity buses or other modes of transportation to have access to the airport; however, it has no obligation to fund special facilities for intercity buses or for other modes of transportation.

37. Disadvantaged Business Enterprises.

The sponsor shall not discriminate on the basis of race, color, national origin, or sex, in the award and performance of any DOT-assisted contract covered by 49 CFR Part 26, or in the award and performance of any concession activity contract covered by 49 CFR Part 23. In addition, the sponsor shall not discriminate on the basis of race, color, national origin or sex in the administration of its Disadvantaged Business Enterprise (DBE) and Airport Concessions Disadvantaged Business Enterprise (ACDBE) programs or the requirements of 49 CFR Parts 23 and 26. The sponsor shall take all necessary and reasonable steps under 49 CFR Parts 23 and 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts, and/or concession contracts. The sponsor's DBE and ACDBE programs, as required by 49 CFR Parts 26 and 23, and as approved by DOT, are incorporated by reference in this agreement. Implementation of these programs is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the sponsor of its failure to carry out its approved program, the Department may impose sanctions as provided for under Parts 26 and 23 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. § 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. §§ 3801-3809, 3812).

38. Hangar Construction.

If the airport owner or operator and a person who owns an aircraft agree that a hangar is to be constructed at the airport for the aircraft at the aircraft owner's expense, the airport owner or operator will grant to the aircraft owner for the hangar a long term lease that is subject to such terms and conditions on the hangar as the airport owner or operator may impose.

39. Competitive Access.

- a. If the airport owner or operator of a medium or large hub airport (as defined in 49 U.S.C. § 47102) has been unable to accommodate one or more requests by an air carrier for access to gates or other facilities at that airport in order to allow the air carrier to provide service to the airport or to expand service at the airport, the airport owner or operator shall transmit a report to the Secretary that:
 1. Describes the requests;
 2. Provides an explanation as to why the requests could not be accommodated; and
 3. Provides a time frame within which, if any, the airport will be able to accommodate the requests.
- b. Such report shall be due on either February 1 or August 1 of each year if the airport has been unable to accommodate the request(s) in the six month period prior to the applicable due date.



City of Ormond Beach AGENDA ITEM

August 1, 2023 - City Commission

Number:8.H

Section:	CONSENT AGENDA		
Item Category:	Consent - Disposition Item	Res./Ord. No:	
Strategic Goal:	Water Quality & the Environment - Other		
Department:	Public Works		
Subject:	C & D Franchise Renewal for Samsula Landfill, Inc.		
Summary:	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 Samsula Landfill, Inc. (Samsula Landfill). June 2, 2023, Samsula Landfill (363 S. State Rd. 415, New Smyrna Beach, FL 32168), 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. Samsula Landfill's current franchise agreement will expire on August 4, 2023. City staff previously conducted background checks and a financial ability analysis of Samsula Landfill to perform construction and demolition roll-off services within the City and reported the checks had provided no information to disallow the City Commission to grant a non-exclusive franchise agreement. Samsula Landfill has been in business in the Volusia County area since 2004 and offers multiple-sized 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.		
Financial Impact:	Revenues from this non-exclusive franchise 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 and will be applied to Fund 460 - Solid Waste Fund.		
Citizen Impact:	Having a variety of authorized haulers provides residents a varied selection from which to choose. The franchising of waste haulers		

	ensures that these businesses operate within the requirements of the City of Ormond Beach.
Recommended Action (Staff, Advisory Board and/or Other):	Staff is providing public notice of its intent to renew the non-exclusive franchise agreement for the collection and disposal of construction and demolition debris generated within the City to Samsula Landfill, Inc., effective August 4, 2023 to August 4, 2024, unless otherwise instructed by the City Commission.
Staff Contact:	Kevin Gray, Deputy Public Works Director, (386) 676-3325
Attachments:	1. Samsula Landfill renewal
Approval:	Kelly McGuire, Finance Director 6/30/2023 Claire Whitley, Assistant City Manager 7/21/2023 Joyce Shanahan, City Manager 7/25/2023

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

Check One

☐ New ☒ Renewal ☐ Transfer ☐ Modification

Application Information:

Name: Samsula Landfill, Inc.

Address: 363 S State Road 415

City/State/Zip Code: New Smyrna Beach

Phone Number: (386)423-6769

Contact Name: River Leissler

Contact Email: office@samsulalandfill.com

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. Names(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. 2021-144 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) copied of the application with the City Clerk, or his or her designee. Any transfer of more then twenty-five (25) percent 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 provision of the City of Ormond Beach, Florida, Code of Ordinances Chapter 10, Article IV, as may be amended.

River Leissler
Applicant name (print or Type)

River Leissler
Applicant signature

5/23/23
Application submission date

Demo Bay 6/2/2023
Application received by date

Demo Bay 6780 5/25/23
Application fee received by check number check date

Sharon King
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: 363 S State Road 415
City: New Smyrna Beach State: FL Zip: 32168
Telephone No.: (386)423-6769 Fax No.: (386)423-1436
Federal ID No.: 59-3546154

SIGNATURE OF APPLICANT:

If an Individual: _____, doing business
Signature

as _____

If a Partnership: _____ by: _____,
General Partner Signature

If a Corporation: Samsula Landfill, Inc.
Corporate Name

(a Florida _____ Corporation)

by: N. McDonald
Signature

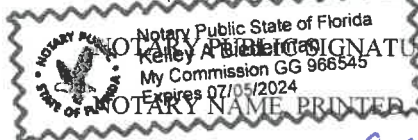
Title: Sec/VP

Attest: N. McDonald (SEAL)
Corporate Secretary

NOTARY PUBLIC: Kelley A. Biederman

STATE OF: Florida COUNTY OF: Volusia

The foregoing instrument was acknowledged before me this _____ day of the year _____, by N. McDonald who is (are) personally known to me or who has produced as identification and who did (did not) take an oath.



NOTARY SIGNATURE: Kelley A. Biederman

NOTARY NAME PRINTED, TYPED, OR STAMPED: Kelley A. Biederman

Commission Number: GG-966545 My Commission Expires: 7/5/2024

ARTICLE IV. - CONSTRUCTION AND DEMOLITION DEBRIS COLLECTION FRANCHISES

Sec. 10-67. - Purpose.

- (a) The purpose of this article is to establish the procedures and criteria for the granting and renewal of nonexclusive construction and demolition debris collection franchises. For the right and privilege of using city streets and roadways and to compensate the city for the burden of monitoring and regulating the nonexclusive franchisee's services, nonexclusive franchise fees are provided.
- (b) Such nonexclusive services shall be provided by the franchisee only to those customers specifically excluded by the terms of the city's solid waste contract or for those services designated as nonexclusive.
- (c) The city's solid waste contractor is granted all nonexclusive franchises authorized by this article.

(Code 1983, § 10-67; Ord. No. 2004-52, § 1, 12-21-2004)

Sec. 10-68. - Nonexclusive franchises.

It shall be unlawful for any person to collect construction and demolition debris in the city without the grant of a franchise. The issuance of a franchise shall allow the franchisee the nonexclusive privilege and authority to collect construction and demolition debris in the city.

(Code 1983, § 10-68; Ord. No. 2004-52, § 1, 12-21-2004)

Sec. 10-69. - Franchise requirements.

No grant of an initial franchise or transfer of a franchise shall be approved and no other material modification of any franchise shall be made, authorized, or approved until the following minimum conditions are met:

- (1) The applicant has submitted an application as required herein.
- (2) A duly advertised public hearing has been held by the city commission on the application as required herein.
- (3) The city commission has complied with all other provisions of this chapter.

(Code 1983, § 10-69; Ord. No. 2004-52, § 1, 12-21-2004)

Sec. 10-70. - Contents of application.

An application for an initial franchise or material modification of an existing franchise shall include all information required by this section; and, an application for a transfer of a franchise shall include the information required by subsections (1) through (3) of this section:

- (1) *Applicant.* Name, business address, e-mail address, business telephone number, and contact person of the applicant.
- (2) *Principals, officers, and related entities.* The names, addresses, e-mail addresses, business telephone numbers, and offices or employment positions of all principals and officers of the applicant; all persons having a controlling interest in or holding more than 15 percent of the outstanding ownership interest in the applicant; and the parent, subsidiary or affiliate of the applicant.
- (3) *Background experience of the applicant.* A description or listing of the applicant's and its related entity's experience in the collection of construction and demolition debris, all franchises

awarded to applicant, the status of those franchises, and all franchises applied for which were not granted during the previous five-year period.

- (4) *Written response to selection criteria.* Included with the application shall be a written response to the selection criteria set forth in section 10-72(c).

(Code 1983, § 10-70; Ord. No. 2004-52, § 1, 12-21-2004)

Sec. 10-71. - Filing of application.

- (a) *Providing copies of application.* 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 copies of the application with the city clerk, or his designee. Any transfer of more than 25 percent of the ownership of the franchisee shall be deemed to be a "transfer of a franchise."
- (b) *Filing fee.* 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 \$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 \$1,500.00. The term "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.
- (c) *Other franchises.* Within ten 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.

(Code 1983, § 10-71; Ord. No. 2004-52, § 1, 12-21-2004)

Sec. 10-72. - Public hearing.

The city commission shall hold a public hearing on the application prior to any action granting an initial franchise, or approving a material modification of an existing franchise, or a transfer of a franchise.

- (1) *Public notice.* Public notice of the hearing shall be duly advertised once by the city at least 15 days before the hearing, excluding Saturdays, Sundays, and legal holidays, in a newspaper of general circulation within the city.
- (2) *Required evidence.* At the public hearing, the applicant and any other persons that so desire shall present evidence to the city commission as to whether or not the application should be granted or denied.
- (3) *Selection criteria.* In evaluating an application for an initial franchise, or a material modification of an existing franchise, or a transfer of a franchise, the city commission shall consider all of the following criteria:
 - a. The public need for the proposed franchise or franchise transfer.
 - b. The financial ability of the applicant to perform.
 - c. Such other matters or information regarding the applicant or proposed franchise that the city commission may determine to be relevant in its legislative discretion.
- (4) *Existing franchises.* Any franchise that has an existing franchise in the city shall be afforded a reasonable opportunity at the public hearing to submit written and oral evidence, comments, objections, or support regarding the application.

- (5) *City commission determination.* Based on the evidence presented at the public hearing and any other evidence that the city commission deems relevant, the city commission shall make such legislative findings as it deems appropriate to grant or deny the application, and may prescribe such conditions or restrictions on the applicant or franchise that the city commission deems necessary to protect the interest of the general public.

(Code 1983, § 10-72; Ord. No. 2004-52, § 1, 12-21-2004)

Sec. 10-73. - Grant or denial of application.

- (a) At the public hearing, the city commission shall adopt a resolution either granting or denying the application. In order for the franchise to remain in effect, the applicant shall within 15 days of the date of approval of the franchise agreement by the city commission, and contemporaneously with the execution of the franchise agreement prepared by the city attorney's office, execute and file with the city clerk its unconditional acceptance of the rights, privileges, and restrictions conferred by this chapter, the resolution, and the franchise agreement.
- (b) The approval and grant of a franchise shall constitute the nonexclusive privilege and authorization for the franchisee to collect construction and demolition debris in the city.

(Code 1983, § 10-73; Ord. No. 2004-52, § 1, 12-21-2004)

Sec. 10-74. - Franchise renewal.

During the three-month period before the expiration of the term of a franchise, the franchisee may provide written notice to the city manager or his designee of its intent to seek renewal of the franchise. Unless otherwise prohibited by law or waived by the city, the construction and demolition debris collector shall pay a nonrefundable renewal fee in the amount of \$1,500.00 at the time such notice is provided to the city. If there are no material modifications to the franchise's prior application, the city manager or his designee shall either grant or deny the franchise renewal request. In order for the franchise to remain in effect, the applicant shall within 15 days of the date of approval of the renewal of the franchise agreement, and contemporaneously with the execution of the franchise agreement, execute and file with the city clerk its unconditional acceptance of the rights, privileges, and restrictions conferred by this chapter, the resolution, and the franchise agreement.

(Code 1983, § 10-74; Ord. No. 2004-52, § 1, 12-21-2004)

Sec. 10-75. - Term of franchise.

All initial franchises and subsequent renewals thereof, if granted, shall be for a one-year term.

(Code 1983, § 10-75; Ord. No. 2004-52, § 1, 12-21-2004)

Sec. 10-76. - Service and billing provisions.

- (a) *Nonexclusive franchise.* The franchisee shall offer nonexclusive construction and demolition debris roll-off collection, disposal and billing services within city limits.
- (b) *Customer billing.* The franchisee is solely responsible for billing the construction and demolition debris roll-off customer.
- (c) *Payment to city.* The franchisee shall pay the city \$48.95 for each construction and demolition debris roll-off pull. Payments shall be made to the city on the tenth day of each month regardless of the

effective date of the franchise agreement. Payment shall be accompanied by delivery disposal documentation.

- (d) *Documentation for construction and demolition debris roll-off pulls.* The franchisee shall maintain information adequate to determine the volume of construction and demolition debris collected, the volume of construction and demolition debris diverted through commercial recycling programs, revenues received from the sale of recyclable materials, recycling participation rates, and any other information required by the city, county, or state to meet the requirements of the Solid Waste Management Act and/or to enable the city to obtain grant funds from the solid waste management fund. Additionally, the franchisee shall provide to the city, upon request, an annual financial statement, prepared in accordance with GAAP, certified by an independent accountant, and detailing the franchise agreement with the city as a separate cost center.

(Code 1983, § 10-76; Ord. No. 2004-52, § 1, 12-21-2004)

Sec. 10-77. - Franchise fees.

- (a) Each franchisee shall pay to the city a franchise fee in an amount of \$5,000.00. The franchise fee shall be paid within 15 days of the city commission's approval and grant of a franchise pursuant to section 10-73 or within 15 days of the grant of the renewal request pursuant to section 10-74. The franchisee shall pay an annual interest rate of ten percent on any and all delinquent payments.
- (b) Acceptance by the city of any payment from a franchisee of the franchise fee, or any part thereof, shall not constitute a waiver, or release, or accord and satisfaction of any claim the city may have against the franchisee for the performance of any obligation of the franchisee, including payment of any and all franchise fees.
- (c) The franchise fee payments shall be in addition to any and all taxes of a general nature or other fees or charges which the franchisee may be required to pay to the city or to any state or federal agency or authority, as required by law, all of which shall be separate and distinct obligations of the franchisee.
- (d) Except as allowed by law, a franchisee shall not apply any taxes, fees, or charges as a deduction or credit from or against any of the franchisee's franchise fees.
- (e) Should the franchise agreement be terminated by either party before its term has expired, the franchisee shall not be refunded any portion of the franchise fee.

(Code 1983, § 10-77; Ord. No. 2004-52, § 1, 12-21-2004)

Sec. 10-78. - Indemnification and insurance requirements.

- (a) *Indemnification.* A franchisee shall at its sole expense fully protect, defend, hold harmless, and indemnify and pay on behalf of the city, and its appointed and elected officers, employees, agents, and representatives, from and against any and all actions, proceedings, claims, suits, liabilities, losses, and damages (including interest and penalties relative thereto), of any nature whatsoever, inclusive of all costs and expenses (including legal assistant fees and costs of investigations, whether prior to, during or after trial or in the event of any appeal) and attorneys' fees through and including all appeals, arising from, in connection with, or as a result of the franchisee's franchise agreement and/or the franchisee's ownership, operation or maintenance of the franchisee's business.
- (b) *Insurance.* During the term of any franchise (including any renewal, modification or transfer thereof) and for so long as a franchisee shall maintain, own or operate its business in the city, a franchisee shall maintain in effect the insurance coverages required by resolution.

(Code 1983, § 10-78; Ord. No. 2004-52, § 1, 12-21-2004)

Sec. 10-79. - Default, termination, and other remedies.

- (a) *Material breach of condition.* The city may either terminate a franchise or impose liquidated damages not to exceed \$1,000.00 a day, for cause as a result of any breach of a material condition of a franchise, including, but not limited to, the following:
- (1) Failure to substantially perform in accordance with the provisions of a franchise agreement.
 - (2) Violation of any material provisions of this chapter or any other applicable ordinances, laws, rules, or regulations governing such franchisee.
 - (3) Failure to comply with the franchise fee requirements prescribed herein.
 - (4) Failure to comply with the indemnity or insurance requirements prescribed herein.
 - (5) Failure to comply with the liquidated damages requirements prescribed herein.
 - (6) The filing of a voluntary or involuntary petition for bankruptcy relief, or failing to pay its debts.
 - (7) The commission or attempted commission of any fraud or deceit.
 - (8) Any material misrepresentation in an application for any franchise, renewal, modification, extension, or transfer thereof.
- (b) *Due process upon default.* The city shall notify the franchisee in writing of the exact nature of the alleged violation constituting grounds for termination or imposition of liquidated damages and giving the franchisee 30 days, or such greater amount of time as the city may specify, to correct such violation or to present facts and arguments to refute the alleged violation. If the city then concludes that there is a basis for termination or imposition of liquidated damages, it shall notify the franchisee. If within the designated time the franchisee does not remedy and/or put an end to the alleged violation, the city, after a public hearing where all interested parties may be heard, may suspend or revoke the franchise or impose liquidated damages if it determines that such action is warranted. The franchisee shall not be held in default nor suffer any penalties where noncompliance or default is caused by an event beyond the franchisee's control. The franchisee shall have the right to review by a court of competent jurisdiction upon any determination by the city of noncompliance.
- (c) *No remedies exclusive; waiver of default.* No remedy conferred or reserved herein to the city is intended to be exclusive of any other available remedy, but each and every such remedy shall be cumulative and shall be in addition to every other remedy given under this chapter or now or hereafter existing in law or equity. No delay or failure by the city to exercise any right or power accruing upon any event of material breach or default shall impair any such right or power or shall be construed to be a waiver thereof, but any such right and power may be exercised from time to time and as often as may be deemed appropriate by the city.
- (d) *Attorneys fees.* Unless otherwise prohibited by law, in the event the city is required to employ attorneys (whether in-house or outside counsel), or incur expenses for the purpose of enforcing a franchise agreement, or terminating a franchise, or seeking a declaration of the city's rights or duties under a franchise agreement, the franchisee shall pay the city's reasonable attorneys' fees and related costs through and including any and all appeals, but only in the event the city prevails on the merits of such action. The provisions of this subsection shall survive any termination of a franchise.

(Code 1983, § 10-79; Ord. No. 2004-52, § 1, 12-21-2004)

Sec. 10-80. - Other fees and taxes.

No franchisee shall be relieved from paying business tax fees to the city.

(Code 1983, § 10-80; Ord. No. 2004-52, § 1, 12-21-2004; Ord. No. 2007-27, § 23, 8-21-2007)

Sec. 10-81. - Assignment.

Construction and demolition debris collection franchises shall not be assigned.

(Code 1983, § 10-81; Ord. No. 2004-52, § 1, 12-21-2004)

Sec. 10-82. - Surety bond.

Within 15 days of the effective date of any grant, transfer, renewal or modification of a franchise, and at the time of acceptance of said franchise, a franchisee shall post and maintain with the city a cash bond, or surety bond, or some other comparable security instrument (i.e., such as an irrevocable standing by letter of credit), to be approved by the city attorney, in the amount of \$50,000.00. Any such surety bond shall bind a franchisee and the surety jointly and severally to the city as obligee. The bond or other security instrument shall be given as security for and shall be conditioned upon the faithful performance and discharge by a franchisee of all material obligations imposed upon it under this chapter, any applicable resolution, and the franchise agreement pertaining to a franchise. The bond or security instrument shall remain in effect during the term of the franchise agreement (and during any renewal, modification or transfer thereof), and the bond or security instrument may not be modified, canceled or terminated until 45 days after receipt by the city manager of two copies of such written notice of any intent to modify, cancel, terminate, or refuse to renew the bond or cancel the bond or withdraw the security. The original of the bond or security instrument shall be filed with and maintained by the city clerk. All rights reserved to the city with respect to the surety bond or security instrument shall be in addition to all other rights of the city, whether or not granted or reserved by the city, or otherwise authorized by law; and no action, proceeding or exercise of a right with respect to the bond or security instrument shall affect any other right which the city may have. The surety bond may be released by the city commission upon application by the franchisee and demonstration of a history of acceptable performance in the city.

(Code 1983, § 10-82; Ord. No. 2004-52, § 1, 12-21-2004)

Sec. 10-83. - Tipping and/or disposal fees.

The franchisee shall be solely responsible for any and all disposal and/or tipping fees which are incurred as a result of construction and demolition debris collection with the city.

(Code 1983, § 10-83; Ord. No. 2004-52, § 1, 12-21-2004)



Samsula Demolition

363 S SR 415

New Smyrna Bch, FL 32168

P: (386) 423-6769

F: (386) 423-1436

Date: May 25, 2021

RE: Letter of Transmittal

To whom it may concern,

Our Company, Samsula Waste, Inc. dba Samsula Demolition, is submitting Construction & Demolition Roll Off Services Franchise Application.

Our company has been in Business since April 2004, we own our own equipment, roll-off trucks and roll-off containers; our employees have worked in this business for years and have the knowledge it takes to complete the task at hand. Combined together with our sub-contractors, we will complete this job in the required time frame and in a professional manner.

The following persons are designated to represent our company for this project:

Charles Y McDonald, President
363 S SR 415
New Smyrna Bch, FL 32168

Office: (386) 423-6769
Cell: (386) 547-4575
Email: yancevs99@aol.com

Nikole McDonald, VP/ Sec
363 S SR 415
New Smyrna Bch, FL 32168

Office: (386) 423-6769
Cell: (386) 547-4223
Email: nikmcdonald99@yahoo.com

Please CC all Emails to our main office email at office@samsulademolition.com

Thank you for the opportunity to bid on this project and we look forward to hearing from you,

General Business Information

1. Samsula Waste, Inc dba Samsula Demolition
363 S SR 415
New Smyrna Bch, FL 32168
P: (386) 423-6769 F: (386) 423-1436

Charles Y. McDonald, President
Samsula Waste, Inc dba Samsula Demolition

1 ATTACHMENTS LIST WITH PHOTOS 2019

PRINT SIZE 48

EQ #	YEAR	MAKE	TYPE	S.N.	MODEL
ATC-10		235 GRAPPLE	GRAPPLE	423588	5CG-1019-44-85156
ATC-9		235 GRAPPLE	GRAPPLE	414006	BSC-1024-1016
ATC-11	2001	ALITEC POWER	TILLER	4200910301	TL52FNH
SG40		ALITEC POWER	STUMP GRINDER	81860300	SG-40
ATC-12		ALLIED KOB 235	JACKHAMMER		G3088
ATC-3		ALLIED KOM 450	JACKHAMMER		RSC750
ATC-13		ATLAS	JACKHAMMER	0122	
ATC-14		ATLAS COPCO	MATERIAL PROCESSOR		
ATC-6	2018	AUTO GUIDE POLE DRIVER	EXTRACTER	6182	39844
ATC-15		BOBCAT	TRENCHER		45401795
ATC-49		BOBCAT	ROLLER		
BH-1		BRUSH HOG	CUTTER		Y57-15
BH-2		BRUSH HOG	CUTTER		
BH-3		BRUSH HOG	CUTTER		
BH-4		BRUSH HOG	CUTTER		
ATC-16		BTI	MATERIAL PROCESSOR		BIM-CP-900
ATC-17		BTI	JACKHAMMER	BW-509130	TB30XC
ATC-18		CAT	BUCKET	125045	
ATC-19		CAT	BUCKET	125085	
GRA-3		CAT 310	GRAPPLE	M322D	1001-4-1210
ATC-20		CAT EXCAVATOR	SKELETON BUCKET		CAT320
ATC-21		CAT EXCAVATOR	SKELETON BUCKET		CAT336
ATC-22		CAT EXCAVATOR	SKELETON BUCKET		CAT320
ATC-23		CP	BUCKET	126-0-39777-1	PC200-5 KOMATSU
ATC-24		CP	BUCKET		SK140SR
ATC-25		EMAQ	BUCKET		
LIT-1	2000	FERMAC	BOX BLADE		H04484HXD001206
ATC-26		GEITH	BUCKET		235

ATC-27		GENSCO GRAPPLE	GRAPPLE		MGL/5G-60
ATC-28	2018	H&M H-65 DRIVER	EXTRACTER	209CUM85HP	B.33 PTCUM
ATC-29		HENSLEY	BUCKET	25438	
ATC-30		HENSLEY	BUCKET	32611	KOB2420PSK2004
PIM-15		JOHN DEERE RAKE	544 RAKE-2	LR4405-30206	
CUT-1		JOHN DEERE	DISKER		
GRA-4		JOHN DEERE 544	BUCKET	GPB4364-0206	
PIM-1		JOHN DEERE 544	RAKE-1	LR4392-3-0106	
PIM-6		JOHN DEERE 644H	BUCKET	AT211582-644H	
PIM-5		JOHN DEERE 644H GRAPPLE	RAKE	265640307B	
ATC-31		KABLECO 330 GRAPPLE	SK330		409779
ATC-32		KABLECO KX91-0	BUCKET		
PIM-2		KAWASAKI Z-70	BUCKET	3617-3.5-0502	
PIM-3		KAWASAKI Z-70	RAKE	3.N3928-4-1003L	
ATC-2		KENT	JACKHAMMER	3259	KHB5G
ATC-33		KOB 235	413588	SG-1019	
PIM-4		KOMATSU PC450	BUCKET	BKT34570HD	
KUB-6.2		KUBOTA MOWER DECK	KUBOTA ZD1211L	13735	RCK72P-1200Z
ATC-49		KUBOTA SVL	BUCKET	304978	56612
ATC-34		LABOUNTY	MATERIAL PROCESSOR		UP20SV
ATC-35		NPK	JACKHAMMER	36849	H3XA
PIM-10		PEMBERTON	CUTTER	04530113	0476KOB330/235
PIM-11		PEMBERTON	CLAM GRAPPLE	WT88640105	3845KOB SK23504EGP
PIM-12		PEMBERTON	400 MATERIAL PROCESSOR	CD0150190	IN8LEY1500
PIM-13		PEMBERTON	BUCKET	CPB423948150809	40799KOB SK235
PIM-14		PEMBERTON	BUCKET	3860400998	PC400L03NEX
PIM-7		PEMBERTON	SK235 GRAPPLE		KOB SK23530BG
PIM-8		PEMBERTON	SK115 GRAPPLE	5530903	KOB SK11520BG
PIM-9		PEMBERTON	BUCKET		
ATC-36		RAMMER	HAMMER	29AAA0021	

ATC-37		RAMMER	JACKHAMMER	2557A1205	2577
ATC-8	2016	RAMMER	HAMMER	999A0996	999
ATC-38		SEC	BUCKET		SK210
ATC-39		VOLVO 330	409779	1313 0908	CHUCK
10440		SKID STEER	72" ROCK BUCKET		
10445		SKID STEER	72" ROCK BUCKET		
ATC-1		STANLEY 235	JACKHAMMER	2442	50EX
ATC-40		STELLEO	MATERIAL PROCESSOR		SC34
ATC-41		SVL 90	BUCKET		
ATC-42		SVL 90	SKELETON BUCKET		
ATC-43		SVL 90	FORK		
SW-1	2012	SWEEPSTER	SKIDSTEER SWEEPER	1214006	20384M-0899
ATC-44	2009	TB830XC	HAMMER	509130	320B
ATC-45		THE MAJOR	FORKLIFT	179020	59199687
ATC-46		VOLVO 235	BUCKET	E130134	14646828/CBA-1700
ATC-47		VOLVO 235	BUCKET TEETH		30SEN
ATC-4		VOLVO L120	SPARE RAKE		06-04-08C
ATC-5		VOLVO L120	FORK		207.9005
ATC-48		WINKLE 235 LINKBELT	MAGNET		MG2020
		VOLVO L90H	BUCKET	86303	623342
		VOLVO L90H	FORK	F129111	
YANCEY FARM	2020	KUBOTA SVL 75-2	BUCKET	AP-HD74LC	

2022 / 2023

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 #: 199408170003

Expires: September 30, 2023

Business Location: 2455 TOMOKA FARMS RD

Business Name: YANCEYS LAND CLEARING INC

Owner Name: YANCEYS LAND CLEARING INC

Mailing Address: 363 S STATE RD 415
NEW SMYRNA BEACH, FL 32168

BUSINESS TYPE	REQ DOC #	CODE	COUNT	TAX
Business Service		471	20	\$112.00
Hazardous Waste Fee		HW	1	\$44.00

- 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: 07/06/2022
RECEIPT #: 470129
TOTAL TAX: \$156.00
PENALTY: \$0.00
TOTAL PAID: \$156.00



Business Name: YANCEYS LAND CLEARING INC
Owner Name: YANCEYS LAND CLEARING INC
Mailing Address: 363 S STATE RD 415
NEW SMYRNA BEACH, FL 32168

Account #: 199408170003

Expires: September 30, 2023

Business Location: 2455 TOMOKA FARMS RD

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



FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION RECOVERED MATERIALS DEALER CERTIFICATION

2023

CERTIFICATE NO: 203

ISSUED: 07/07/2022

EXPIRES: 06/30/2023

SAMSULA LANDFILL INC.

363 S STATE ROAD 415
NEW SMYRNA BEACH, FL 32168

The Florida Department of Environmental Protection verifies that the above named Company reports certain recycling information and is certified in accordance with Chapter 62.722, Florida Administrative Code.

REPORTING FACILITIES COVERED BY THIS CERTIFICATION

<u>WACS ID</u>	<u>FACILITY NAME</u>	<u>FACILITY ADDRESS</u>	<u>COUNTY</u>
83626	SAMSULA LANDFILL INC.	363 S STATE ROAD 415 NEW SMYRNA BEACH, FL 32168-9029	VOLUSIA



City of Ormond Beach AGENDA ITEM

August 1, 2023 - City Commission

Number:8.I

Section:	CONSENT AGENDA								
Item Category:	Consent - Disposition Item	Res./Ord. No:							
Strategic Goal:	Quality of Life - Other								
Department:	Finance - Grants								
Subject:	Notification of Possible Entitlement Status, CDBG Program FY 2024								
Summary:	Currently, the City participates in the urban county program through Volusia County where federal Community Development Block Grant (CDBG) funds are passed through Volusia County Community Assistance to the City of Ormond Beach as a subrecipient grantee. Under this arrangement, Volusia County is responsible for: • Preparing and submitting the Consolidated Plan. • Preparing the Consolidated Annual Performance and Evaluation Report (CAPER). • Handling all monitoring and reporting to the United States Department o Housing and Urban Development (HUD), to ensure compliance with all federal regulations. • Ensuring compliance with the Davis Bacon Act for capital projects. • Section 3 MBE/WBE, Minority Business Enterprise/Women Business Enterprise, reporting. • Providing environmental clearance for the City's CDBG projects. • Providing housing services activities to Ormond Beach residents on a first come, first served basis, provided criteria is met. Below is a history of the City's annual allocation under the County Cooperation Agreement since Fiscal Year (FY) 2016: <table border="1"> <thead> <tr> <th>Fiscal Year</th><th>Annual Allocation Dollar Amt.</th><th>Difference from Previous FY</th></tr> </thead> <tbody> <tr> <td>2015-2016</td><td>141,624</td><td>47,291</td></tr> </tbody> </table>			Fiscal Year	Annual Allocation Dollar Amt.	Difference from Previous FY	2015-2016	141,624	47,291
Fiscal Year	Annual Allocation Dollar Amt.	Difference from Previous FY							
2015-2016	141,624	47,291							

	2016-2017	145,508	3,884
	2017-2018	148,091	2,583
	2018-2019	151,299	3,208
	2019-2020	150,079	-1,220
	2020-2021	152,710	2,631
	2021-2022	173,665	20,955
	2022-2023	171,903	-1,762
	2023-2024	178,621	6,718
Mayor Partington received a letter dated July 20, 2023, from HUD notifying the city that it is eligible to become an entitlement community for FY 2024 as “a metropolitan entitlement city.” A response is requested by August 10, 2023. As the City currently participates in the Volusia County Urban Cooperation Agreement and is in the requalification process for FY 2023-2024, FY 2024-2025, and FY 2025-2026, the City can chose to remain a part of that agreement or opt out and accept entitlement status. If the City defers entitlement status, it would not be eligible again until FY 2026-2027, when the urban county requalification period opens for the FY 2027-2030 period.			
Financial Impact: Should the City decide to become an entitlement community, it will have to assume the responsibility of all the administrative functions currently being handled by Volusia County in addition to preparing the Five-Year Consolidated Plan and annual one-year action plans. In addition, while HUD provides an estimated allocation amount in its letter of \$191,481, this is only an approximation and HUD cannot guarantee a specific amount of grant funding for 2024 or subsequent years. Under entitlement, a maximum of 20% can be used for administrative costs which would be \$38,296 based on the projected allocation. If more administrative costs are necessary, they would be derived from the City's budget. A maximum of 15% can be used for public services (i.e., Halifax Urban Ministries, etc.) which would be \$28,722 based on the projected allocation. Considering administrative costs and public services, only \$124,463 would remain to do all housing activities as well as any other capital projects within the City's CDBG Priority Areas. Based on the City's current FY 2023-2024 allocation through Volusia County of \$178,621, there would be a difference of -\$54,158 available for FY 2024 under entitlement status. Under entitlement status, Volusia County <u>is prohibited from providing any housing services within the City of Ormond Beach</u> from its HOME and CDBG funds as it currently does. Housing funds			

	spent in Ormond Beach by Volusia County are in addition to what the City receives as an allocation for its annual CDBG activities and would be lost under entitlement status. Under entitlement, the City would be responsible for handling all housing activities with its CDBG funding and its staff. For all other projects, the City's staff would be responsible for administering all HUD and Davis Bacon Act compliance and Section 3 MBE/WBE reporting requirements as previously outlined. Additionally, the City would need to provide timeliness of expenditure for CDBG funds by July 30 each year or funds would be recaptured by HUD which could impact future allocations. While the initial funding amount estimate appears to increase the City's CDBG funding, the gain could be negatively impacted by the very real possibility that the City's budget may incur much greater expenses above the allocation in the administrative costs of implementing CDBG activities within CDBG Priority Areas as well as solely administering all housing services and programs within the City that Volusia County currently manages under the Volusia County Urban Cooperation Agreement.						
Citizen Impact:	Remaining in the Volusia County Cooperation Agreement will continue to provide CDBG funds for projects within the City as well as allow Ormond Beach residents to continue to participate in the HOME Investment Partnership Program (HOME) and Emergency Solutions Grant (ESG) through Volusia County. Should entitlement status be selected, the home assistance programs offered by Volusia County would no longer be available to Ormond Beach residents.						
Recommended Action (Staff, Advisory Board and/or Other):	Based on the loss of all housing funds from Volusia County and multiple administrative functions conducted by the County, accepting this entitlement could result in a significant funding loss to the City and may require additional City funding to meet HUD requirements. Staff recommends CDBG entitlement be deferred at this time, therefore no action is necessary.						
Staff Contact:	Loretta Moisio, Grants Coordinator, (386) 676-3315						
Attachments:	1. Notification of Entitlement Status FY24-Ormond Bch						
Approval:	<table> <tr> <td>Kelly McGuire, Finance Director</td> <td>7/24/2023</td> </tr> <tr> <td>Claire Whitley, Assistant City Manager</td> <td>7/24/2023</td> </tr> <tr> <td>Joyce Shanahan, City Manager</td> <td>7/25/2023</td> </tr> </table>	Kelly McGuire, Finance Director	7/24/2023	Claire Whitley, Assistant City Manager	7/24/2023	Joyce Shanahan, City Manager	7/25/2023
Kelly McGuire, Finance Director	7/24/2023						
Claire Whitley, Assistant City Manager	7/24/2023						
Joyce Shanahan, City Manager	7/25/2023						



U. S. Department of Housing and Urban Development
Jacksonville Field Office
Charles Bennett Federal Building
400 West Bay Street
Suite 1015
Jacksonville, Florida 32202-4439

July 20, 2023

Honorable Bill Partington
Mayor
City of Ormond Beach
City Hall
22 South Beach Street
Ormond Beach, FL 32174

Dear Mayor Partington:

SUBJECT: Notification of Possible Entitlement Status
Community Development Block Grant (CDBG) Program FY 2024

This letter is to inform the City of Ormond Beach that the City is eligible as a direct recipient of Community Development Grant (CDBG) funds for HUD's Fiscal Year 2024 allocation. Information received from the Office of Management and Budget (OMB) indicates the City qualifies for funding as a metropolitan entitlement city.

HUD has listed an estimated funding level for planning purposes for each potential new grantee. This planning estimate is based on what the jurisdiction's funding allocation would have been if it had been an entitlement program participant in FY 2023. Since the Census Bureau demographic data used for the formula is updated every year for every grantee, and since the number of participating grantees changes every year, HUD makes no guarantee that these estimates are an accurate prediction of actual FY 2024 allocation amounts for any jurisdiction that decides to accept entitlement community status. Potential grantees should also be aware that the President's FY 2024 budget proposes no funding for the CDBG program. It remains to be seen whether or not Congress will appropriate funding for the CDBG program for FY 2024. The planning estimate for Ormond Beach FY 2024 CDBG is **\$191,481.00**.

Further, the decision to accept or defer entitlement status is solely a local matter. The city has four options:

1. Accept status as an entitlement grantee.
2. Accept status as an entitlement grantee and enter into a joint agreement with the urban county in which it is located.
3. Defer status as an entitlement grantee and participate through the State CDBG program.
4. Defer status as an entitlement grantee and continue to participate as part of the urban county.

HUD's mission is to create strong, sustainable, inclusive communities and quality, affordable homes for all.

www.hud.gov

espanol.hud.gov

A unit of general local government (UGLG) may become a participant in an urban county's CDBG program during any year in the urban county's three-year qualification period. However, once an UGLG becomes a participant in the urban county's CDBG program, it must remain with the county for the entire period of qualification that remains when the cooperation agreement is executed. A city may enter into a joint agreement with an urban county only when the county is requalifying for the next three-year period.

Please notify us in writing regarding the City's determination regarding pursuing or deferring FY 2024 funding not later than **August 10, 2023**. If the City desires to respond to us earlier, we would appreciate it.

Should you agree to accept Entitlement status, you would need to establish a program year start date in which you will use the funds. A program year start date for FY 2024 must start no earlier than January 1, 2024, and no later than October 1, 2024. The City is required to prepare and submit its Consolidated Plan 45 days in advance of the selected program year start date. In developing a Consolidated Plan, it is important to note, you must allow sufficient time to develop a housing market analysis and meet the citizen participation requirements of 24 CFR 91. Under these circumstances, a later start date might prove more convenient to allow for completion of the Consolidated Plan process. The enclosed guidance for new entitlements identifies the requirements that must be followed if a potential new grantee elects to accept its entitlement status.

If you have any questions or concerns, please contact Deidra Hembree, Sr. Community Planning and Development Representative, at deidra.m.hembree@hud.gov or (904) 208-6155.

Sincerely,



Digitally signed by: LARRY HAYES
DN: CN = LARRY HAYES C = US
O = U.S. Government OU =
Department of Housing and Urban
Development, Office of Community
Planning and Development
Date: 2023.07.21 07:55:00 -04'00'

Larry T. Hayes, MBA
Director
Community Planning and Development

Enclosure: Guidance for Potential New Entitlement Grantees
Community Development Block Grant Program

GUIDANCE FOR POTENTIAL NEW ENTITLEMENT GRANTEES COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

Potential new CDBG entitlement grantees may be identified annually when the Census Bureau releases updated population data. In addition, the Office of Management and Budget periodically issues bulletins that update their designations of metropolitan areas, counties included in metropolitan areas, and principal cities of those metropolitan areas. This memorandum provides guidance to potential new entitlement communities on the process required to become entitlement communities.

Once they are notified that they may be eligible for CDBG funding, potential new entitlement grantees are required to provide a written response to their local HUD Field Offices stating that they accept or decline their entitlement status. This response may be sent via email with a PDF attachment, facsimile, or mailed to the Field Office.

Part 91 Requirements

Potential new entitlement grantees must select a program year start date between January 1 - October 1. New grantees are encouraged to select a program year start date from July 1 - October 1 because of the amount of time required to develop a citizen participation plan, Consolidated Plan/Action Plan, train and hire staff on CDBG program requirements, and perform other necessary administrative actions required for start-up. In addition, because the Congressional appropriation process is often not completed by the start of the federal fiscal year, grantees with a program year start date of April 1 or earlier often do not receive their CDBG grants until well after their program year start dates.

Grantees are required to prepare a citizen participation plan that gives their policies and procedures for citizen participation in accordance with 24 CFR 91.105(a)(1). According to 24 CFR 91.105(a)(2), the citizen participation plan must provide for and encourage citizens to participate in the development of the consolidated plan/action plan, substantial amendments to the consolidated plan, and the annual performance and evaluation report. Low and moderate persons should be encouraged to participate in this process, particularly those that reside in areas where CDBG assistance may be targeted. Grantees must also encourage the participation of minorities, non-English speaking persons, and persons with disabilities as well. Participation by nonprofits, community-based organizations, public housing agencies, businesses, developers, and faith-based organizations should also be encouraged.

A grantee is required to prepare a Consolidated Plan every three to five years and an annual Action Plan that details the activities it will carry out with CDBG funds. 24 CFR 91.5 defines a Consolidated Plan as the document submitted to HUD that serves as the comprehensive housing affordability strategy, community development plan, and submissions for funding under any of the Community Planning and Development formula programs (CDBG, HOME, ESG, and HOPWA) prepared in accordance with the process detailed in Subpart C of the Part 91 regulations.

Information required for a complete Consolidated Plan includes:

- A housing and a homeless needs assessment, which includes the jurisdiction's estimated housing needs, number and types of families in need of housing assistance for extremely low income, low income, moderate income, and middle-income families, renters or owners, elderly persons, single persons, large families, persons with HIV/AIDS and their families, and persons with disabilities.
- A homeless needs assessment which describes the nature and extent of homelessness; an estimate of the number of persons who are not homeless but require supportive housing; and the number of housing units occupied by low- and moderate-income families that contain lead paint hazards.
- A housing market analysis.
- A strategic plan which addresses non-housing community development needs and barriers to affordable housing.
- An anti-poverty strategy.

Grantees must address all of the requirements listed in the regulations.

HUD cannot provide an estimate of how many hours it would take to prepare a Consolidated Plan because the number would vary with each entitlement grantee. It is recommended that potential new entitlement grantees contact other comparable entitlement grantees or the HUD Field Office to ascertain this information.

The regulations at 24 CFR 91.15(a)(1) state that jurisdictions should submit their Consolidated Plans to HUD at least 45 days before the start of its program year. 24 CFR 91.15(a)(2) states that HUD will not accept a Consolidated Plan submission earlier than November 15 or later than August 16 of the federal fiscal year for which the grant funds are appropriated. It is important for grantees to understand that failure to submit their Consolidated Plan and Annual Action Plan by August 16 will result in the loss of funding for that fiscal year. Grantees should consult 24 CFR 91.220-230 for guidance concerning preparation of an annual Action Plan. Information on the Consolidated Plan may be accessed at <https://www.hudexchange.info/programs/consolidated-plan>. Grantees are required to submit their Consolidated Plan/Action Plan in the eCon Planning Suite: Consolidated Plan and IDIS. The eCon Planning Suite includes CPD Maps, a mapping tool to assist grantees in determining where to target CDBG assistance. Additional information on the eCon Planning Suite may be accessed at <https://www.hudexchange.info/programs/consolidated-plan/econ-planning-suite/>. Webcasts on use of the eCon Planning Suite may be accessed at <https://www.hudexchange.info/programs/consolidated-plan/econ-planning-suite-overview-webinars/>.

Grantees are also permitted to hire consultants to assist them in developing a Consolidated Plan. Consultants must be procured in accordance with the procurement requirements at 2 CFR 200.318-200.327, accessible at [https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200 main 02.tpl](https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200%20main%20.pl). Notice CPD 96-5 also provides guidance on the procurement of consulting services. It may be accessed at https://www.hud.gov/program_offices/administrative/hudclips/notice/cpd/99-95#1996

Once a grantee submits its Consolidated Plan/Action Plan to the HUD Field Office, HUD has 45 days to review and approve it. A Consolidated Plan/Action Plan is considered approved by HUD 45 days after HUD receives it unless HUD notifies the grantee before that date that its plan is disapproved. The Field Office may disapprove all or part of a grantee's Consolidated Plan/Action Plan. Reasons include but are not limited to the plan being substantially incomplete, developed without citizen participation and/or consultation, or HUD determined that one or more of the certifications submitted with the plan are inaccurate. A grantee has 45 days from the date of notification of disapproval by HUD to resubmit its Consolidated Plan/Action Plan, and HUD has 30 days to approve or disapprove the resubmitted Consolidated Plan/Action Plan.

Once HUD approves a grantee's Consolidated Plan/Action Plan, the HUD Field Office issues a grant agreement. After the grant agreement is executed by HUD and the grantee, an account is established in the grantee's name with the U.S. Treasury. This is the grantee's Line of Credit. Grantees must draw down funds by activity as they are needed rather than draw down the entire grant at once. Grantees are not permitted to draw down funds in advance of need and are required to minimize the time between the transfer of funds from the Treasury to disbursement by them or their subrecipients for eligible activities.

Preparation of Consolidated Plans/Action Plans

New CDBG grantees are permitted to incur costs for the preparation of their citizen participation plans, Consolidated Plans/Action Plan and other administrative costs before the date of their grant agreements. Under the authority of 24 CFR 570.200(h), reimbursement for pre-award costs, before the effective date of the grant agreement, a grantee may incur costs and then after the effective date of the grant agreement pay for those costs using its CDBG funds. Citizens must be advised of the extent that pre-award costs will affect future grants, and the costs must be in compliance with Subpart C of the Part 570 regulations and the environmental review procedures stated in 24 CFR Part 58. Pre-award authority is only permitted for preparation of the first year's Consolidated Plan/Action Plan.

CDBG Program Administration

CDBG grantees are permitted to spend no more than 20 percent of their CDBG grants plus 20 percent of program income earned that program year for planning and administration expenses. Planning and administration expenses include but are not limited to preparation of the Consolidated Plan/Action Plan, staff salaries for employees administering the CDBG program, and lease of office space. New grantees will require significant start-up costs associated with the development of their citizen participation and consolidated/action plans and capacity building.

New CDBG grantees are advised to carefully consider the options for administering their proposed CDBG-assisted activities. The option(s) selected may depend on the size of the CDBG grant, grantees' capacity for CDBG program administration, and the activities that they plan to carry out. In accordance with 24 CFR 570.200(f), a grantee may carry out CDBG activities:

- through its employees (the hiring of staff to administer the CDBG program is an eligible administrative cost).
- procuring with a consulting firm or for-profit grant administrator (the contract must be governed by the requirements of 2 CFR 200.318-200.327).
- through loans or grants made to subrecipients (see 24 CFR 570.500(c) for the definition of subrecipient) or
- the use of one or more public agencies (such as the county, a public housing authority or a redevelopment authority).

Grantees may use one or more of these options for carrying out CDBG-assisted activities. However, please note that 24 CFR 570.501(b) states that the grantee is responsible for ensuring that CDBG funds are used in accordance with all program requirements. The use of designated public agencies, subrecipients, or contractors does not relieve grantees of this responsibility. This means that grantees must ensure that designated public agencies, subrecipients, and contractors are carrying out CDBG-assisted activities in compliance with all CDBG program requirements. The grantee is responsible for monitoring such entities to ensure performance and compliance. The grantee remains responsible for any compliance problems and is financially responsible for any disallowed costs.

CDBG grantees are required to provide CDBG assistance only to areas within their jurisdictions' boundaries unless the requirements in 24 CFR 570.309 are met. This provision states that a grantee must determine that an activity funded outside of its jurisdiction is necessary to further the purposes of the Housing and Community Development Act of 1974 and its community development objectives, and that the grantee's residents are reasonably benefiting from the activity. It is important that grantees document the basis for this determination before CDBG funds are expended, and grantees must maintain that documentation. Urban counties are reminded that local governments which chose to opt out of the county's program or chose not to sign a cooperation agreement to participate in the county's program are not part of the CDBG Urban County. Even though these local governments may lie within the county's corporate boundaries, they are outside the jurisdiction of the county for CDBG program purposes.

Reporting Requirements

CDBG grantees are required to be proficient in the use of the Integrated Disbursement and Information System (IDIS). IDIS is the system through which grantees enter activity accomplishments and draw funds from the Line of Credit. Grantees are required to report on all CDBG-assisted activities in IDIS on a regular basis. Grantees are required to enter information on the proposed activity and national objective. As the activity progresses, grantees are required to

report on activity accomplishments and performance measures. For activities that will meet the low- and moderate-income jobs national objective, grantees are required to enter information on race and income of the beneficiaries and identify the number of jobs created or retained. For activities that will meet the low- and moderate-income limited clientele national objective, grantees are required to enter information on race and income of the beneficiaries. For activities that will meet the low- and moderate-income area benefit national objective, grantees are required to enter information on the Census block groups that comprise the service area of the activity. The IDIS training manual may be accessed at <https://www.hudexchange.info/resource/2685/idis-online-for-cdbg-entitlement-communities-training-manual/>. The IDIS home page, providing IDIS resources, news, and announcements may be accessed at <https://www.hudexchange.info/programs/idis/>.

To obtain an IDIS account, a grantee's chief executive officer (or their designee) must fill out the IDIS Online Access Request Form, have it notarized, and submit it to their local HUD Field Office. For security and separation of duties purposes, multiple staff members will require IDIS access. The form and additional information on the requirements for acquiring an IDIS account may be accessed at <https://www.hudexchange.info/programs/idis/idis-technical-assistance/>.



City of Ormond Beach AGENDA ITEM

August 1, 2023 - City Commission

Number:9.A

Section:	PUBLIC HEARINGS		
Item Category:	Public Hearing - Ordinances	Res./Ord. No:	2023-35
Strategic Goal:	Transportation & Community Development - Other		
Department:	Planning & Building		
Subject:	Ormond Enclave, Zoning Map Amendment to Planned Business Development (0.34 acres) (SECOND READING)		
Summary:	This is a request from CST Holdings, LLC for a zoning map amendment for a 0.34± acre portion of 145 North Yonge Street from B-4, Central Business to PBD, Planned Business Development. The purpose of this item is to include the 0.34± acre into the Planned Business Development zoning district area. A later agenda item, seeks to establish a development order for the Planned Business and Residential Development to allow 64 multi-family units. <u>This item is only for the zoning map amendment</u> to amend the zoning map from B-4, Central Business to PBD, Planned Business Development, to allow the framework for the development order item seeking 64 multi-family units. <u>Planning Board</u> The Planning Board reviewed the zoning map amendment at the June 8, 2023 meeting and recommended approval by a 6-0 vote. There were no specific references to the zoning map amendment and the Planning Board discussion focused on the site development and issuance of the development order. The issuance of the development order (DO 2021-079(C)) was approved with a 5-1 vote and five (5) conditions. There were three (3) individuals who addressed the Planning Board and key points included: 1. Traffic concerns on Dix and Highland Avenues. 2. Lack of sidewalks on Dix and Highland Avenues. 3. The speed tables added on Dix and Highland Avenue are ineffective. 4. Location of the dumpster.		

	5. There should be a security fence around the wet stormwater pond. Planning Board members discussed the following items: 1. Traffic along Dix and Highland Avenue. There was discussion of making Dix and Highland Avenue one-way streets. A Board member stated the traffic issues should be taken care of first before development is approved. 2. The addition of sidewalks on Dix and Highland Avenues. 3. Relocation of the dumpster. 4. Requirement of a wall along the project perimeter abutting existing residential properties. 5. Fencing around the wet stormwater pond. The applicant stated that the project specifically addressed traffic impacts by (1) removing the proposed commercial uses within the development, (2) allowing an in-bound access point along Highland Avenue, and (3) selecting a low traffic generating use for the property where commercial uses are allowed as permitted uses. The applicant agreed to five (5) conditions that were made part of the approving motion for the issuance of the development order (DO 2021-079(C)): 1. The dumpster location would be moved from its current location and relocated closer to the multi-family units. The dumpster location would have sidewalk access to the dumpster. 2. Additional security for the stormwater pond. 3. Masonry or post and panel wall along the project perimeter where it abuts existing residential uses. 4. The Highland entrance is entrance only with raised curbing to prevent vehicles from exiting this access point. 5. Provide downlighting. There was a discussion regarding the one-way concept for Dix and Highland Avenue that detailed the existing residential traffic calming program. In order to start reviewing this concept, there would need to be majority support from the residents along Dix and Highland Avenues. Planning staff noted that Dix and Highland Avenue have a right-of-way of 33' (typical is 50') which is not sufficient to add sidewalks and easements would be needed from property owners in order to add sidewalks. It was noted that the Ormond Enclave project is providing an easement on private property to allow the construction of the sidewalks along their property boundary. Planning Board meeting minutes are attached.
Financial Impact:	There is no budget impact as the result of this zoning map amendment.
Citizen Impact:	The zoning map amendment is not expected to have any negative citizen impact. The issuance of the development order citizen impact

	was discussed at the Planning Board. The primary focus of the project concerns were existing traffic issues and what impact the project would have on Dix and Highland Avenues.
Recommended Action (Staff, Advisory Board and/or Other):	Planning Board recommended (6-0) the City Commission approve the zoning map amendment for a 0.34+ acre portion of 145 North Yonge Street from B-4, Central Business to PBD, Planned Business Development.
Staff Contact:	Steven Spraker, Planning Director, (386) 676-3341
Attachments:	1. 23-35 145 N. Yonge St., ZMA to PBD (P23-0108G) 2. Exhibit A, Legal Description, ZMA to PBD 3. Exhibit B, 145NORTH_YONGE_ZONING 4. 06.08.2023, Ormond Enclave, ZMA to PBD, PB staff report 5. 06.08.2023, DRAFT PB Minutes - Ormond Enclave, 145 North Yonge Street, ZMA to PBD
Approval:	Kelly McGuire, Finance Director 7/20/2023 Claire Whitley, Assistant City Manager 7/21/2023 Joyce Shanahan, City Manager 7/25/2023

ORDINANCE NO. 2023-35

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 PORTION OF A CERTAIN PARCEL OF REAL PROPERTY TOTALING APPROXIMATELY 0.34 ACRES LOCATED AT 145 NORTH YONGE STREET (VOLUSIA COUNTY PARCEL NUMBER: 4215-04-01-0270), FROM B-4, CENTRAL BUSINESS, TO PLANNED BUSINESS DEVELOPMENT; AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, CST Holdings, LLC, a Florida Limited Liability Company (“Applicant/Property Owner”) is the fee simple owner of certain real property consisting of approximately 6.34 acres located at 145 North Yonge Street, (Volusia County parcel number: 4215-04-01-0270), which is legally described and depicted in Exhibit “A” (“Property”) attached hereto and incorporated herein, and

WHEREAS, the Applicant/Property Owner has submitted an application to the city for a zoning map amendment for a 0.34± portion of the Property from B-4, Central Business, to Planned Business Development (PBD), which is legally described and depicted in Exhibit “A” attached hereto and incorporated herein, and

WHEREAS, the Property to be re-zoned is less than ten (10) contiguous acres, consisting of approximately 0.34 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 a portion of one parcel of property located at 145 North Yonge Street (Volusia County parcel number: 4215-04-01-0270), as more particularly described and depicted in Exhibit “A” from B-4, Central Business, to Planned Business Development (PBD) as shown and depicted in Exhibit “B”.

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

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

PASSED UPON at the first reading of the City Commission, this 18th day of July, 2023.

PASSED UPON at the second and final reading of the City Commission, this 1st day of August, 2023.

BILL PARTINGTON
Mayor

ATTEST:

SUSAN CARROLL DAUDERIS
City Clerk

EXHIBIT "A"
Page 1 of 3

OVERALL LEGAL DESCRIPTION – 145 NORTH YONGE STREET
(from Sliger & Associates survey)

DESCRIPTION OF SURVEYED PROPERTY PER OFFICIAL RECORDS OF VOLUSIA COUNTY, FLORIDA:

E(O.R.B. 6450, PG. 4136):

¹PARCEL "A"

LOTS 25, 26 AND 27, EMMON'S SUBDIVISION, OF RECORD IN MAP BOOK 6, PAGE 100, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

PARCEL "B":

THE WESTERLY 840 FEET MORE OR LESS OF LOT D, SUBDIVISION OF RIVER LOT 9, AND THAT PART OF LOT D, RIVER LOT 9 1/2, LYING SOUTHERLY OF AND ADJOINING EMMON'S SUBDIVISION, ORMOND, ACCORDING TO THE PLAT RECORD THEREOF IN MAP BOOK 3, PAGE 124, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, SAID PART OF LOTS D HEREIN DESCRIBED IS INTENDED TO INCLUDE ALL THAT PART OF SAID LOTS D LYING WESTERLY OF THE WESTERLY LINE OF LOT 18, EMMON'S SUBDIVISION AS SHOWN IN MAP BOOK 6, AT PAGE 100, EXTENDED SOUTHERLY TO THE SOUTHERLY LINE OF LOT D, RIVER LOT 9 AFOREMENTIONED AND EXCEPTING ANY PART OF SAID LOTS D WITHIN THE RIGHT-OF-WAY OF U.S. HIGHWAY #1.

PARCEL "C":

ALL OF LOT E, AND LOT D, EXCEPT THE EAST 100 FEET THEREOF, ASSESSOR'S SUBDIVISION OF RIVER LOT 11 1/2, ORMOND, AS PER MAP IN MAP BOOK 3, PAGE 124, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA [LESS AND EXCEPT ANY PART OF SAID LOT E WITHIN THE RIGHT-OF-WAY OF NORTH YONGE STREET, (U.S. HIGHWAY NO. 1)].

PARCEL "D":

~~LOTS 1, 2, 3 AND 4, BLOCK 2, MAP OF MAYO SUBDIVISION OF RIVER LOT 6, ORMOND, OF RECORD IN MAP BOOK 2, PAGE 124, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, EXCEPTING FROM SAID LOT 1 THAT PORTION THEREOF WITHIN YONGE STREET (U.S. HIGHWAY #1).~~

LESS AND EXCEPT:

THAT PORTION OF THE WESTERLY 840 FEET OF LOT D OF RIVER LOT 9, AND THAT PORTION OF LOT D, RIVER LOT 9 1/2 LYING SOUTHERLY OF AND ADJOINING EMMON'S SUBDIVISION, ASSESSOR'S SUBDIVISION OF RIVER LOTS, ORMOND, OF RECORD IN MAP BOOK 3, PAGE 124, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, AND ALL OF LOT 27 AND A PORTION OF LOT 26, EMMON'S SUBDIVISION, OF RECORD IN MAP BOOK 6, PAGE 100, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN (POINT OF BEGINNING) AT THE NORTHWEST CORNER OF SAID LOT 27; THENCE THE FOLLOWING COURSES AND DISTANCES ALONG THE EASTERLY LINE OF YONGE STREET AND/OR U.S. HIGHWAY 1 AS NOW MONUMENTED AND ESTABLISHED 11-20-08; THENCE SOUTH 24°37'40" EAST, 81.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 27; THENCE NORTH 65°00'00" EAST ALONG THE SOUTHERLY LINE OF SAID LOT 27, 8.00 FEET TO A POINT THEREIN; THENCE SOUTH 24°37'40" EAST 108.72 FEET; THENCE DEPARTING SAID EASTERLY LINE NORTH 64°57'12" EAST THROUGH SAID LOT D, RIVER LOT 9, 270.66 FEET TO A POINT THEREIN; THENCE NORTH 24°37'38" WEST THROUGH SAID LOT D OF RIVER LOT 9, AND THROUGH A PORTION OF SAID LOT D, RIVER LOT 9 1/2, AND THROUGH SAID LOT 26, 189.50 FEET TO A POINT IN THE NORTHERLY LINE OF SAID LOT 26, SAID POINT BEING ALSO IN THE SOUTHERLY LINE OF DIX AVENUE, A PLATTED 36 FOOT RIGHT OF WAY; THENCE SOUTH 65°00'00" WEST ALONG SAID SOUTHERLY LINE, 278.66 FEET TO THE POINT OF BEGINNING.

PARCEL I.D. #4215-14-10-0080

(O.R.B. 6450, PG. 4134)

THAT PORTION OF THE WESTERLY 840 FEET OF LOT D OF RIVER LOT 9, AND THAT PORTION OF LOT D, RIVER LOT 9 1/2 LYING SOUTHERLY OF AND ADJOINING EMMON'S SUBDIVISION, ASSESSOR'S SUBDIVISION OF RIVER LOTS, ORMOND, OF RECORD IN MAP BOOK 3, PAGE 124, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, AND ALL OF LOT 27 AND A PORTION OF LOT 26, EMMON'S SUBDIVISION, OF RECORD IN MAP BOOK 6, PAGE 100, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN (POINT OF BEGINNING) AT THE NORTHWEST CORNER OF SAID LOT 27; THENCE THE FOLLOWING COURSES AND DISTANCES ALONG THE EASTERLY LINE OF YONGE STREET AND/OR U.S. HIGHWAY 1 AS NOW MONUMENTED AND ESTABLISHED 11-20-08; THENCE SOUTH 24°37'40" EAST, 81.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 27; THENCE NORTH 65°00'00" EAST ALONG THE SOUTHERLY LINE OF SAID LOT 27, 8.00 FEET TO A POINT THEREIN; THENCE SOUTH 24°37'40" EAST 108.72 FEET; THENCE DEPARTING SAID EASTERLY LINE NORTH 64°57'12" EAST THROUGH SAID LOT D, RIVER LOT 9, 270.66 FEET TO A POINT THEREIN; THENCE NORTH 24°37'38" WEST THROUGH SAID LOT D OF RIVER LOT 9, AND THROUGH A PORTION OF SAID LOT D, RIVER LOT 9 1/2, AND THROUGH SAID LOT 26, 189.50 FEET TO A POINT IN THE NORTHERLY LINE OF SAID LOT 26, SAID POINT BEING ALSO IN THE SOUTHERLY LINE OF DIX AVENUE, A PLATTED 36 FOOT RIGHT OF WAY; THENCE SOUTH 65°00'00" WEST ALONG SAID SOUTHERLY LINE, 278.66 FEET TO THE POINT OF BEGINNING.

PARCEL I.D. #4215-04-01-0270 AND 4215-04-01-02702009

PARCEL E (O.R.B. 7696, PG. 3818)

LOTS 5, 6, 7 AND 8, BLOCK 2, MAYO SUBDIVISION OF RIVER LOT NO. 6 ORMOND FLA., ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 124 AND RE-FILED IN PLAT BOOK 12, PAGE 51, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

PARCEL IDENTIFICATION NUMBER: 4215-06-02-0050

AND (O.R.B. 7151, PG. 3887)

LOTS 9, 10 & 11, BLOCK 2, MAYO SUBDIVISION OF RIVER LOT NO. 6 ORMOND FLA., ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 124 AND RE-FILED IN PLAT BOOK 12, PAGE 51, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

PARCEL IDENTIFICATION NUMBER: 4215-06-02-0090

AND (O.R.B. 7714, PG. 1251)

E 100 FT OF LOT D SUB RIVER LOT 11 1/2 ORMOND

LEGAL DESCRIPTION

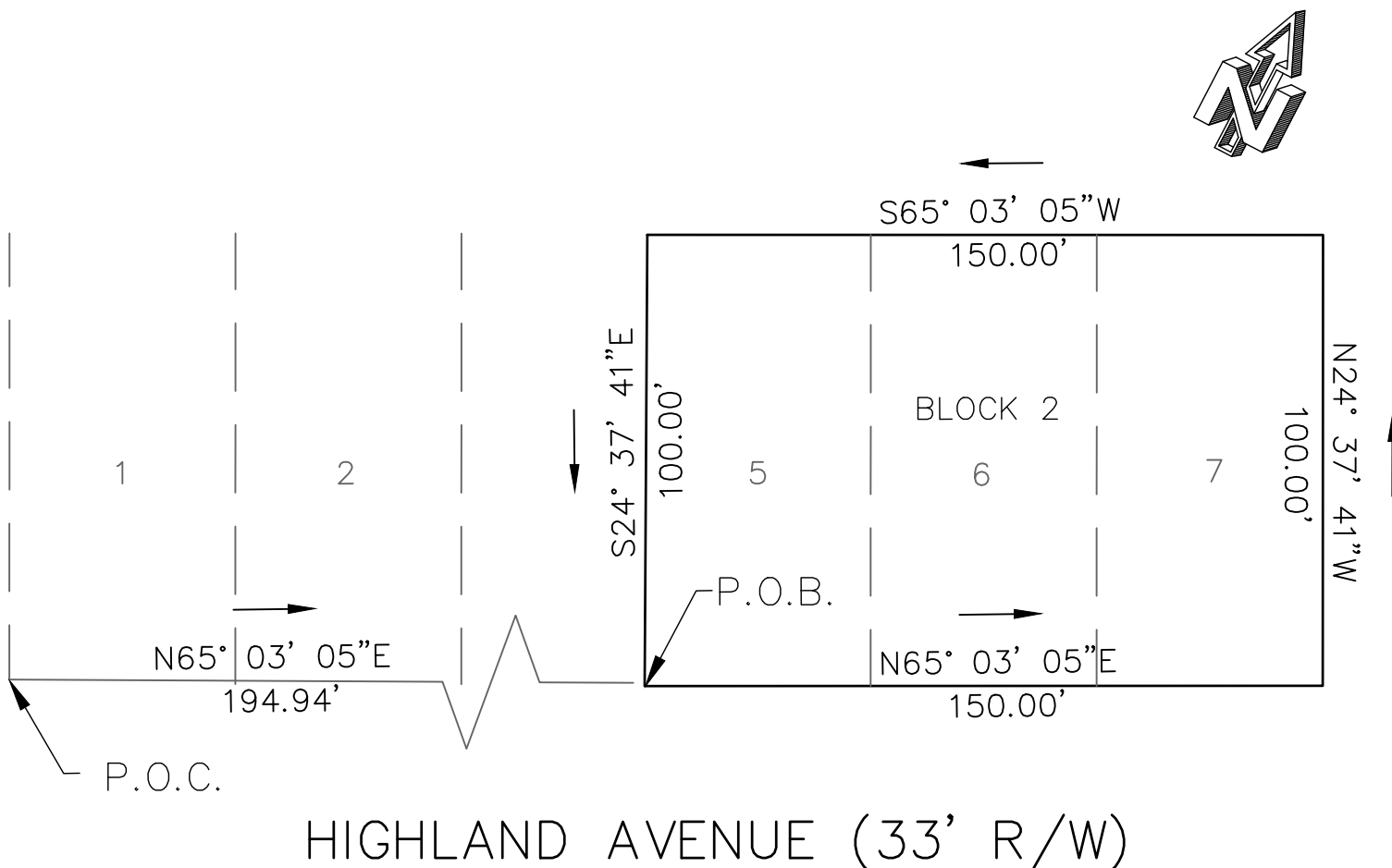
Land area to be re-zoned from B-4 to PBD

B-4

LOTS 5, 6, 7, BLOCK 2, MAYO SUBDIVISION OF RIVER LOT NO. 6 ORMOND FLA, AS RECORDED IN PLAT BOOK 12, PAGE 51, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM A POINT OF INTERSECTION WITH THE NORTHERLY LINE OF HIGHLAND AVE (A 33 FOOT RIGHT-OF-WAY AS PLATTED) AND THE WESTERLY LINE OF LOT 1 OF THE AFORESAID MAYO SUBDIVISION, RUN THENCE N65°03'05"E ALONG SAID NORTHEASTERLY LINE A DISTANCE OF 194.94 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY LINE OF SAID LOT 5, SAID POINT ALSO KNOW AS THE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE CONTINUING N65°03'05"E ALONG SAID NORTHERLY LINE DISTANCE OF 150.00 FEET TO A POINT OF INTERSECTION WITH THE EASTERLY LINE OF SAID LOT 7; THENCE DEPARTING SAID NORTHERLY LINE, RUN N24°37'41"W ALONG SAID EASTERLY LINE A DISTANCE OF 100.00 FEET TO A POINT OF INTERSECTION WITH THE NORTHERLY LINE OF SAID MAYO SUBDIVISION; THENCE DEPARTING SAID EASTERLY LINE, RUN S65°03'05"W ALONG SAID NORTHERLY LINE A DISTANCE OF 150.00 FEET TO A POINT OF INTERSECTION WITH THE SAID WESTERLY LINE OF LOT 5; THENCE DEPARTING SAID NORTHERLY LINE RUN S24°37'41"E ALONG SAID WESTERLY LINE A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING

SAID PARCEL CONTAINS 15,000 SQ.FT OR 0.34 ACRES MORE OR LESS



LOCATION MAP



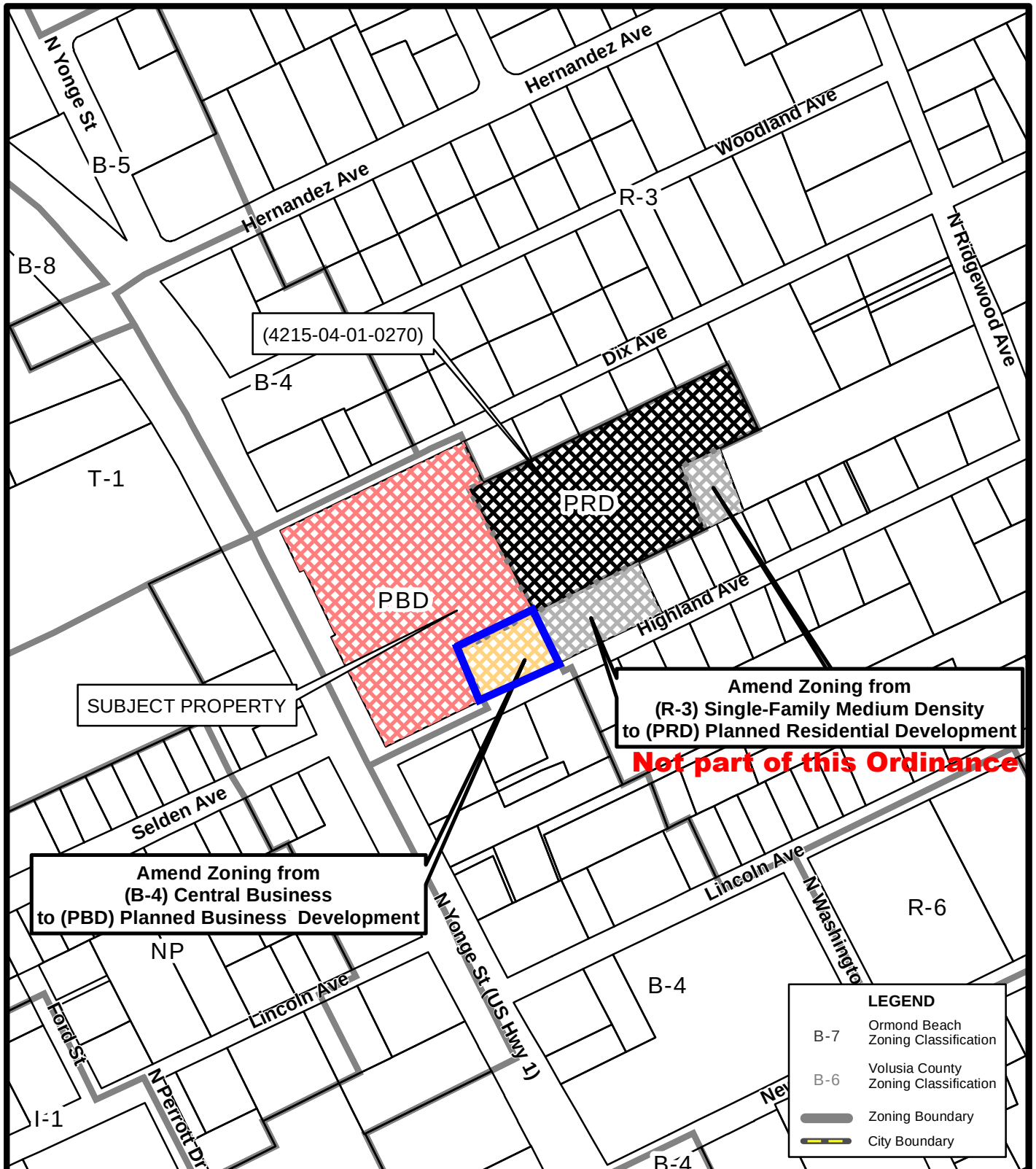
PARCEL ID: 4215-04-01-0270

OWNER: CST HOLDINGS, LLC, A FLORIDA LIMITED LIABILITY COMPANY

APPLICANT: CST HOLDINGS, LLC, A FLORIDA LIMITED LIABILITY COMPANY

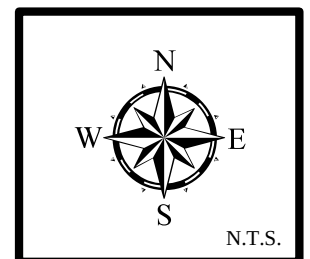
ZONING MAP AMENDMENT ADDRESS: 145 NORTH YONGE STREET, ORMOND BEACH, FL 32174

EXHIBIT "B"



ZONING MAP
145 NORTH YONGE STREET
(4215-04-01-0270)

Prepared By: The City of Ormond Beach
 G.I.S. Department - May 4, 2023



STAFF REPORT

City of Ormond Beach Department of Planning

MEETING DATE: June 8, 2023

SUBJECT: Ormond Enclave (fka "Courtyards at Ormond") , Zoning Map Amendment to PBD

APPLICANT: CST Holdings, LLC

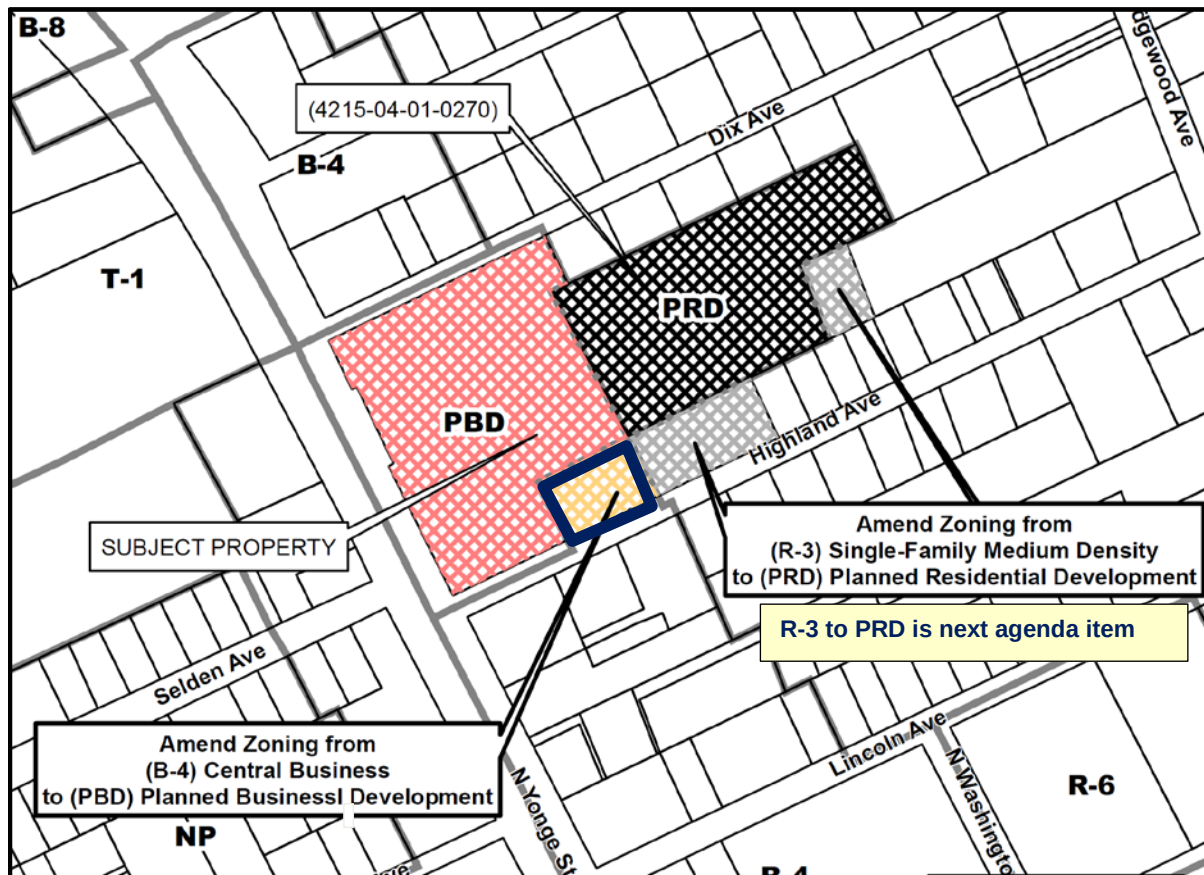
NUMBER: ZMA 2021-079(A)

PROJECT PLANNER: Steven Spraker, AICP, Planning Director

SECTION 1, INTRODUCTION:

This is a request from CST Holdings, LLC for a zoning map amendment for a 0.34± acre portion of 145 North Yonge Street from B-4, Central Business to PBD, Planned Business Development. The purpose of this item is to include the 0.34± acre into the Planned Business Development zoning district area. Agenda item DO 2021-079(C), later on the agenda, seeks to establish a development order for the Planned Business and Residential Development to allow 64 multi-family units. The area of the zoning map amendment is shown in Exhibit 1 below:

EXHIBIT 1: Zoning map amendment area



SECTION 2, BACKGROUND:

A portion of the subject property was approved for a rezoning with Ordinance 2005-32 that authorized a Planned Business Development and a Planned Residential Development approving 82,369 square feet of commercial uses and 10 residential townhomes. Ordinance 2005-32 expired on October 5, 2007. Since the 2005 Ordinance approval, additional land area has been added to the project area.

On June 2, 2009, the City Commission authorized Ordinance 2009-17 for an amended development order for the Planned Business Development and Planned Residential Development. The Ordinance authorized a multi-phase project of a Dollar General retail store of 9,014 square feet (phase 1), a retail center of 12,000 square feet (phase 2), and 16 residential two-story townhomes (phase 3). The phase 1 retail store of 9,014 square feet was constructed and the other two phases have expired. Based upon (1) the expiration of the planned developments and (2) additional land areas being added to the planned development, a planned development amendment shall be required for any site development.

On October 1, 2019, the City Commission authorized Ordinance 2019-23 that approved the following Comprehensive Plan amendments for the property:

1. Amended the designation of the 2.52± acres from "Low Density Residential" to "Medium Density Residential", increasing the maximum allowed residential density from 4.3 units per acre to 12 units per acre;
2. Limited the allowed Floor Area Ratio (FAR) to 0.20 for the 2.52± acres proposed to be designated "Medium Density Residential"; and
3. Reduced the residential density within the 3.48± acres currently designated "General Commercial" from the existing 32 units per acre to 22 units per acre.

The Ormond Enclave project was formerly known as the "Courtyards at Ormond". Below within Exhibit 2 is the abutting land use and zoning of the area sought to be added to the Planned Business Development zoning designation.

EXHIBIT 2: Abutting land use and zoning designations

	Current Land Uses	Future Land Use Designation	Zoning
North	Ormond Enclave parcel	"General Commercial"	B-4 (Central Business)
South	Retail (Sherman Williams)	"General Commercial"	B-4 (Central Business)
East	Ormond Enclave parcel	"Medium Density Residential"	R-3 (Medium Density Single-Family)
West	Commercial uses across US 1	"Heavy Commercial"	B-5 (Service Commercial)

Since the 2009 Planned Development, there has been property that has been purchased by the applicant that now needs to be incorporated into the development plan.

SECTION 3, PROJECT PROCESS:

Applications:

There are three distinct zoning actions associated with the Ormond Enclave project that include:

- A. Zoning map amendment for a 0.34+ acre portion of 145 North Yonge Street from B-4, Central Business to PBD, Planned Business Development. **This is the subject of this agenda item.** This zoning action is need to incorporate the property into the Planned Business Development. The zoning map amendment does not provide any specific developmental approval but instead provides a framework for the issuance of the development order.
- B. Zoning map amendment for a 0.99+ acres portion of 145 North Yonge Street from R-3, Single-Family Medium Density, to Planned Residential Development. This zoning action is needed to incorporate the property into the Planned Residential Development. The zoning map amendment does not provide any specific developmental approval but instead provides a framework for the issuance of the development order.
- C. Issuance of a development order for 64 multi-family residential units and associated site improvements on 6.34+ acres located at 145 North Yonge Street. The development has an existing retail use of 9,014 square feet. The development order approves a specific site plan for the development of the entire 6.34 acres. The 2009 development order had phase 1, a 9,014 square foot building constructed and the other phases have expired. The purpose of this development order is to incorporate the land areas acquired by the applicant and to allow the construction of 64 multi-family residential units and associated site improvements.

Project review process:

The Planned Residential and Business Development is reviewed and acted upon as two separate actions: (1) zoning map amendments and (2) issuance of a development order. The two actions will be discussed together at the public hearing and require separate votes. The project (both the zoning map amendment and issuance of the development order) has the following approval process:

1. **Site Plan Review Committee (SPRC).** The Site Plan Review Committee is comprised of city departments who review site plan applications for consistency with the Land Development Code and Comprehensive Plan. This committee provides a technical review of development submittals.
2. **Neighborhood meeting.** The Land Development Code requires a neighborhood meeting where a project abuts a residential zoning district for the issuance of the development order item. The neighborhood meeting was conducted on January 17, 2023 and is summarized in the analysis section of this report.
3. **Planning Board.** The Planning Board conducts one public hearing for a zoning map amendment and issuance of a development order. The Planning Board

provides a recommendation to the City Commission. Applications, whether recommended for approval or denial, are forwarded to the City Commission for action. The Planning Board is appointed by the City Commission. The Planning Board in its recommendation is required to consider the following:

- a. Application submitted by the applicant;
- b. Staff report;
- c. Written correspondence provided;
- d. Testimony presented at the public hearing; and
- e. Criteria for rezonings and issuance of a Development Order.

4. **City Commission.** The City Commission is an elected body that provides the final action on zoning map amendments and issuance of development orders. The tentative City Commission dates for this project are July 18, 2023 and August 1, 2023. Section 1-18(e) of the Land Development Code requires the City Commission to consider:

- a. Report and recommendation of the Site Plan Review Committee and the Planning Board.
- b. Report and recommendation of other city departments and advisory boards, as appropriate.
- c. Comments of governmental agencies, utility corporations and individuals, as received.

Section 1-18 of the Land Development Code also provides the review criteria for development orders listed in the analysis section of this report.

SPRC Review and advertising process

Exhibit 3 shows the Site Plan Review Committee (SPRC) review process and the notice requirements for public meetings for both the zoning map amendments and issuance of a development order.

EXHIBIT 3: SPRC review and advertising process

PZ-21-079		
Action	Date	Notes
1 st SPRC submittal	June 17, 2021	SPRC review: July 9, 2021
Neighborhood meeting	August 25, 2021	600' mail radius; newspaper ad
2 nd SPRC submittal	September 28, 2021	SPRC review: October 20, 2022
Neighborhood meeting	January 17, 2023	600' mail radius; newspaper ad
3 rd SPRC submittal	April 25, 2023	SPRC review: May 12, 2023
Planning Board	June 8, 2023	300' mail radius; newspaper ad; site posting
City Commission, 1 st	July 18, 2023 (tentatively)	300' mail radius; newspaper ad
City Commission, 2 nd	August 1, 2023 (tentatively)	newspaper ad
SPRC final review	To be determined	

The August 25, 2021 neighborhood meeting reviewed a site plan for a 10,889 square foot retail building and a 48 unit multi-family development. The second neighborhood meeting on January 23, 2023 reviewed a site plan of 64 multi-family units. The neighborhood meeting is focused more on the issue of the development order, but it is provided with the zoning map amendment for informational purposes. A summary of the neighborhood meeting is as follows:

Presentation:

1. Newly proposed plans have removed the commercial property to address concerns from the previous neighborhood meeting. The commercial has been replaced with additional multi-family dwelling units. There will be eight 2-story buildings with 8 units in each building making a total of 64 multi-family dwelling units. The buildings will be approximately 29.5 feet tall and there will be two different layouts. Based on allowed density, the plans could have up to 99 units, but the owner wants to preserve as much vegetation as possible, make luxury apartments, and blend the multi-family between the commercial to the west and residential to the east.
2. Newly proposed plans have modified the ingress/egress to have an entrance only along Highland Avenue in an effort to address concerns from the previous neighborhood meeting.

Meeting comments:

3. Wanted to know price point of apartments and if it was affordable housing. Applicant stated price would be based on the market and it is not intended to be an affordable housing complex.
4. Some residents were not opposed to the idea of commercial. Wanted to know if they could limit the type of commercial uses.
5. Concerns regarding lighting impacts to existing neighborhood.
6. Wanted to know materials of building and if the project would be phased. Had concerns that this project could not be completed similar to the Ormond Renaissance project. Applicant clarified it will be one phase and the buildings will be constructed out of concrete masonry blocks.
7. Privacy concerns with 2-story buildings adjacent to shorter homes in neighborhood. Applicant stated the buildings will be similar to an average house height at approximately 29.5 feet tall. The buildings will be at least 50 feet from an abutting residential home, will have a 6-foot tall vinyl fence, and oaks and shrubs will be replanted along the eastern boundary line that abuts residential.
8. Wanted to see if the community will be gated. Applicant responded that a gated community is not an option due to car-stacking issues.
9. Will there be security, an office on-site, and will a maintenance person be on-site or on an on-call basis? Applicant stated the managing office will be off-site and there will be a maintenance person called on an as-needed basis. There will be no security.

10. Ability to reduce the number of units and increase monthly prices to have a unique and high-quality apartment complex different from other cities.
11. Concerns for traffic were expressed.
12. Suggest to limit exit for Dollar General along Highland Avenue to be a left turn only to reduce traffic leaving store.
13. Commented that Dix and Highland are narrow enough and having 64 new homes with multiple cars will devastate the area further.
14. Newly installed speed tables have done nothing to slow traffic or making narrow roads safer for residents and their children.
15. Concern for drainage was expressed.
16. After heavy rains, flooding is already a concern and naturally flows to subject property. Concerns that new buildings and land clearing will cause more flooding to abutting homes.
17. Applicant clarified the existing pond will remain and there will be additional dry retention ponds added to account for nutrient loading. This is required in order to retain all stormwater on site and not impact surrounding neighborhoods.
18. Applicant clarified they desired to preserve as many trees as possible. Southern sidewalk meanders to avoid impacts to existing trees on-site.
19. Applicant stated no plans for a pool or playground.
20. Biggest concerns regarding width of residential streets and are already unsafe for driving, especially large trucks.
21. Don't want any projects that will bring larger volumes of traffic.
22. Major concerns regarding flooding, and what the city is doing to resolve the current issue, and what the developer will do to prevent further flooding off-site.

The project has also been posted on the city website under the Planning Department at: (1) Development Reports, <https://www.ormondbeach.org/1029/Ormond-Enclave> and (2) Public Hearing Advertisements and Notices, <https://www.ormondbeach.org/1000/Public-Hearing-Advertisements-and-Notice>.

SECTION 4, ANALYSIS/ CRITERIA FOR APPROVAL:

The 0.34± acre parcel is proposed to have a zoning map amendment from B-4, Central Business to PBD, Planned Business Development. The B-4, Central Business zoning district allows a variety of uses including retail, office, restaurants, personal services and multi-family uses. The zoning map amendment does not provide for any specific uses or development approval. The specific development plan is within the issuance of the development order agenda item.

There are certain criteria that must be evaluated before a Planned Business Development zoning map amendment can be acted upon. **It is important to note that this item is solely for the zoning map amendment and not the detailed site plan development order.** 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-4, Central Business to PBD, 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.

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

The Future Land Use Element directive text within the Comprehensive Plan is as follows:

A. 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.

The Comprehensive Plan contains the following Goals, Objectives and Policies related to the zoning map amendment:

Future 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 FOR A CONTINUED HIGH LEVEL OF OPEN SPACE. FUTURE GROWTH SHALL BE TIMED AND LOCATED TO MAXIMIZE EXISTING PUBLIC INFRASTRUCTURE.

OBJECTIVE 1.1. RESIDENTIAL LAND USE

Ensure the availability of adequate lands to meet the residential land use needs of the community.

POLICY 1.1.3.

Preserve the character of existing neighborhoods by not allowing intrusion of land uses that would threaten to alter the neighborhood character and by encouraging voluntary rehabilitation and sound maintenance programs in viable neighborhoods which are capable of self-renewal and establishing code enforcement or public redevelopment activities in areas not capable of self-renewal.

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.

POLICY 1.1.9.

Medium and high density multi-family residential development shall be encouraged near employment centers with convenient access to public recreational facilities, the thoroughfare system and mass transit routes.

POLICY 1.1.10.

Provide opportunities for housing geared to lower income families and the elderly in close proximity to shopping areas, mass transit facilities, convenient shopping, hospitals and recreational opportunities by designating these "opportunity" areas as Medium Density Residential on the Future Land Use Map.

POLICY 2.1.14.

The City shall maintain citywide architectural standards for the new development and redevelopment of existing buildings.

Housing Element

GOAL 1. HOUSING SUPPLY

ENSURE THE AVAILABILITY OF SAFE AND ADEQUATE HOUSING UNITS OF DIFFERENT TYPES, SIZES, AND PRICE RANGES TO MEET THE NEEDS OF ALL CURRENT AND FUTURE RESIDENTS.

OBJECTIVE 1.1. HOUSING SUPPLY

The City shall continue to facilitate the private production of a housing supply, including adequate sites for mobile homes or manufactured housing and low and moderate income housing, which will meet future community needs and offset housing deficiencies as noted in this Element.

OBJECTIVE 1.2. PROVISION OF ADEQUATE SERVICES AND FACILITIES

Each existing housing development and residential neighborhood along with all new housing development shall meet existing adopted level of service standards.

POLICY 1.2.1.

The general residential development pattern in the city should be in accord with the community's growth strategy for residential densities, as stipulated within the Future Land Use Element.

Transportation Element

GOAL 1. LAND USE

PROMOTE A BALANCED, AFFORDABLE, RELIABLE, CONVENIENT AND EFFICIENT MULTI-MODAL TRANSPORTATION SYSTEM THAT SUPPORTS THE LAND USE VISION OF THE ORMOND BEACH COMPREHENSIVE PLAN.

POLICY 1.5.2

Development and redevelopment within designated TCEAs is exempt from traditional state-mandated transportation concurrency requirements but shall comply with Objective 1.6 of the Transportation Element and associated policies as well as transit design principles.

The zoning map amendment is consistent with the Comprehensive Plan.

- 3. The proposed development will not adversely impact environmentally sensitive lands or natural resources, including but not limited to 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 uses consistent with the land use designation.

- 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.

- 6. Ingress and egress to the property and traffic patterns are designed to protect and promote motorized vehicle and pedestrian/bicycle safety and convenience, allow for desirable traffic flow and control, and provide adequate access in case**

of fire or catastrophe. This finding shall be based on a traffic report where available, prepared by a qualified traffic consultant, engineer or planner which details the anticipated or projected effect of the project on adjacent roads and the impact on public safety.

The zoning map amendment establishes the framework for the development order (next agenda item) that details the specific development approval. Detailed traffic studies are provided with the issuance of the development order item.

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 increase as a result of the requested zoning amendment B-4, Central Business 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".

SECTION 5, RECOMMENDATION:

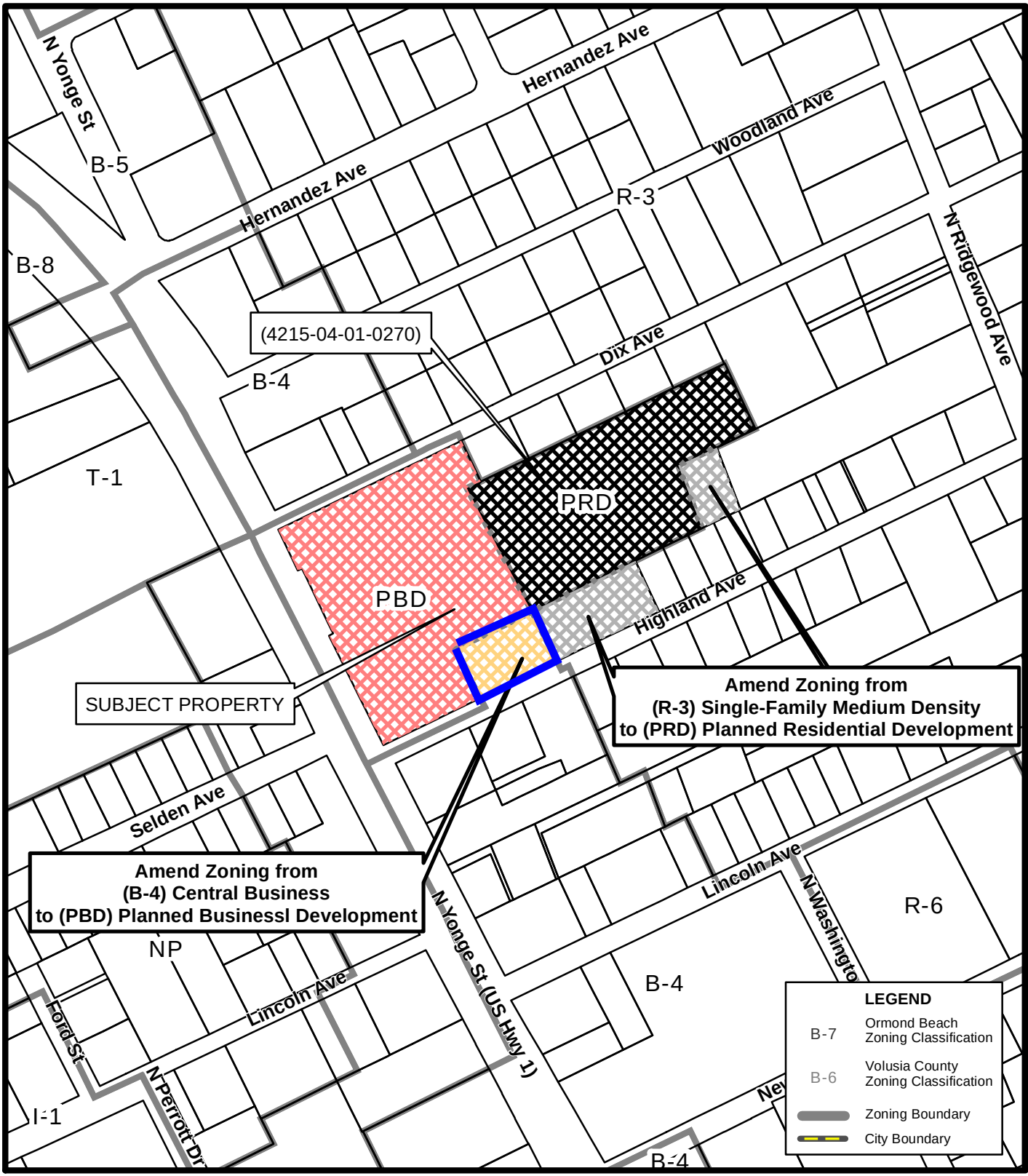
Staff recommends that the Planning Board recommend **APPROVAL** to the City Commission for a zoning map amendment from B-4, Central Business to PBD, Planned Business Development for a 0.34 $\pm$ acre parcel within the Ormond Enclave project at 145 North Yonge Street. The agenda item DO 2021-079(C) would review and act upon the development of the property for multi-family residential uses.

Attachments:

- 1: Zoning Map Amendment
- 2: Location, Aerial, and Land Use Maps
- 3: Correspondence received

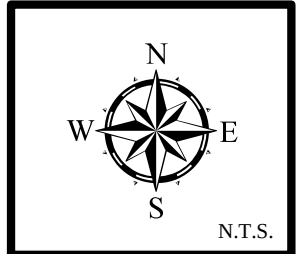
ATTACHMENT 1

Zoning Map for Amendment



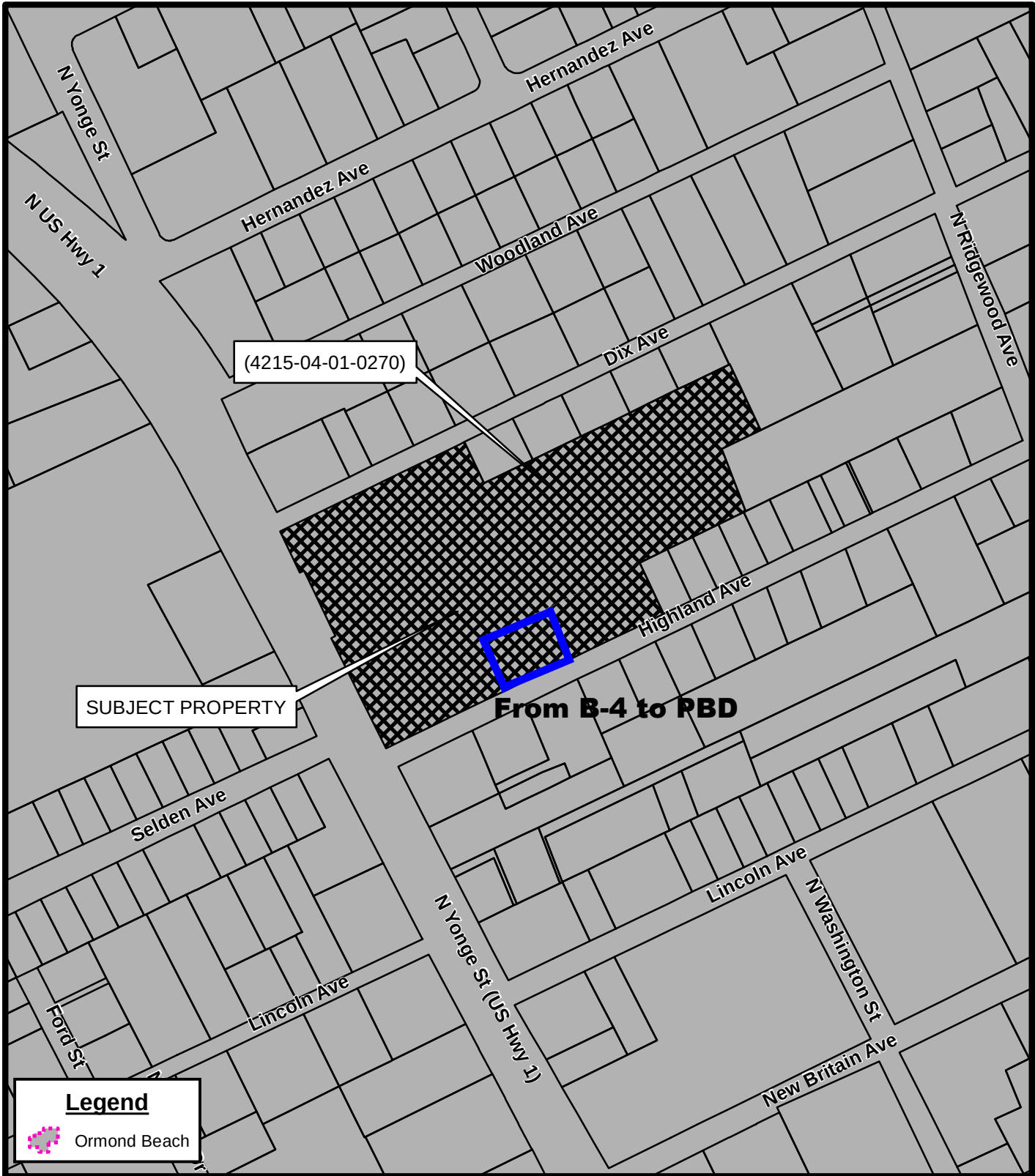
ZONING MAP
145 NORTH YONGE STREET
(4215-04-01-0270)

Prepared By: The City of Ormond Beach
G.I.S. Department - May 4, 2023



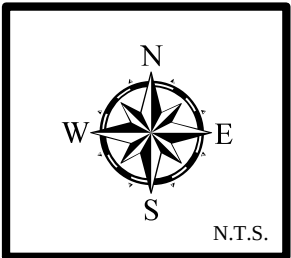
ATTACHMENT 2

Location, aerial, land use
maps



LOCATION MAP
145 NORTH YONGE STREET
(4215-04-01-0270)

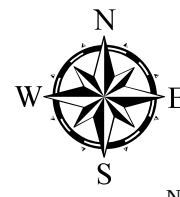
Prepared By: The City of Ormond Beach
G.I.S. Department - May 4, 2023

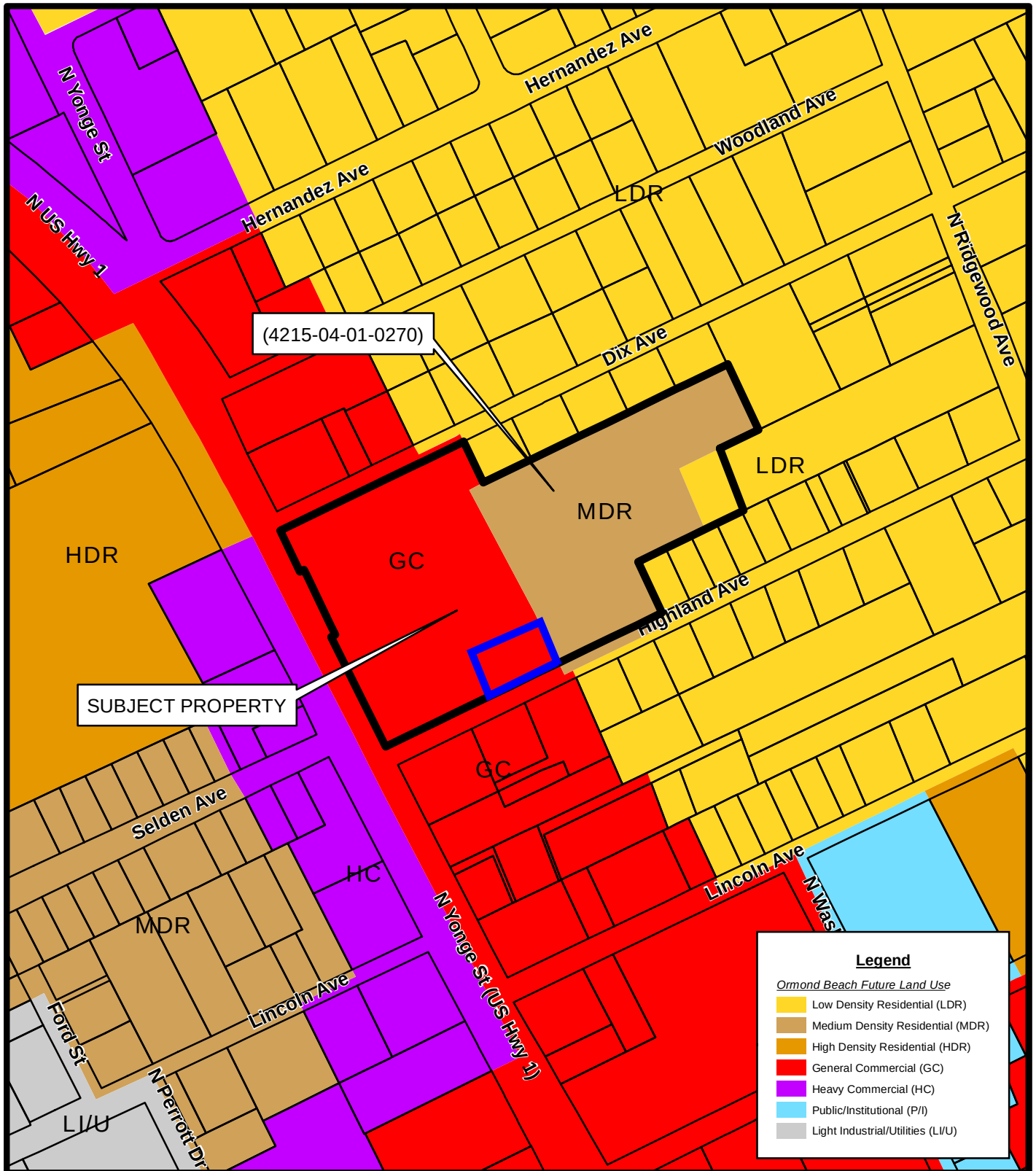




AERIAL MAP
145 NORTH YONGE STREET
(4215-04-01-0270)

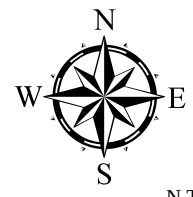
Prepared By: The City of Ormond Beach
G.I.S. Department - May 4, 2023





**FUTURE LAND USE MAP
145 NORTH YONGE STREET
(4215-04-01-0270)**

Prepared By: The City of Ormond Beach
G.I.S. Department - May 4, 2023



ATTACHMENT 3

Correspondence Received

Spraker, Steven

From: jennifer cone wells <jwells@cfl.rr.com>
Sent: Monday, April 24, 2023 1:27 PM
To: Spraker, Steven
Subject: Re: Ormond Enclave (formerly known as the Courtyards at Ormond) distribution list (04.24.2023)

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

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

For Planning Board-

Just in case you haven't noticed.....there is no more room for growth in Ormond Beach! Especially in the heart of our community. Traffic is terrible! And gets worse every month! (I can't even get out of my driveway on a daily basis) We've maxed out land for growth in our community at large....and the only remaining space for growth is westward. We love Ormond Beach....and loved living here until little Ormond Beach outgrew it's self. The community needs to focus growth on activities and events instead of eating up every little wee bit of green land that remains! Those of us who chose to live here yeas ago would like to keep the community as it was when we moved here. Stop focusing on land grabs & dollar development when there is so much more to better this community than traffic jams; water shortages; major traffic jams; and Dollar Stores! Please wake up! WE HAVE NO MORE ROOM OR NEED FOR GROWTH IN THE FORM OF BUILDINGS!! The community can no longer manage that kind of growth. None of us want it. The only people that want this type of growth are builders. Why should they dictate how we live while they make tons of money?

Jennifer Cone-Wells

On Apr 24, 2023, at 12:19 PM, Spraker, Steven <Steven.Spraker@ormondbeach.org> wrote:

Good afternoon,

The Ormond Enclave project has re-submitted to the city's Site Plan Review Committee (SPRC). The submittal is available at <https://www.ormondbeach.org/1029/Ormond-Enclave>. The project is seeking to be on the June 8, 2023 Planning Board agenda. The SPRC review is due on May 4th and will determine if the project is ready for the Planning Board agenda or needs an additional site plan submittal. Additional notification regarding a Planning Board hearing date would be provided on this distribution group, on the city's website, abutter letters, newspaper advertisements, and site posting. Written correspondence received on the project will be provided in the public hearing packets. Any correspondence for the public meetings can be e-mailed to me at Steven.Spraker@ormondbeach.org or comdev@ormondbeach.org and should include the text "For Planning Board" in the subject line. Please contact me with any questions.

Thank you

Steven

Steven Spraker, AICP
Planning Director
<image001.jpg>
Planning Department
22 South Beach Street, Room 104
Ormond Beach, FL 32174
Direct Line: 386.676.3341
Department: 386.676.3238
Cell: 386.366.1590
Fax: 386.676.3361
E-mail: Steven.Spraker@ormondbeach.org

From: Spraker, Steven
Sent: Thursday, December 29, 2022 3:12 PM
To: Spraker, Steven <Steven.Spraker@ormondbeach.org>
Subject: FW: Ormond Enclave (formerly known as the Courtyards at Ormond) distribution list (12.29.2022)

Good afternoon,

The Storch Law Firm is conducting a neighborhood meeting for the Ormond Enclave, formerly the Courtyards project on **Tuesday, January 17, 2023, at 6:00PM at Trails Clubhouse, 201 Main Trail, Ormond Beach, FL 32174.** This project is located along the east side of US 1, between Dix Avenue and Highland Avenue. The site plan submitted shows a residential development of 64 low-rise apartments. The attached notice provides a contact of The Storch Law Firm who may be contacted by phone at (386) 238-8383 or by email at corey@storchlawfirm.com.

The project requires a neighborhood meeting, Planning Board review, and City Commission action. The site plan submittals are available at: <https://www.ormondbeach.org/1029/Ormond-Enclave>.

Thank you

Steven

Steven Spraker, AICP
Planning Director
<image001.jpg>
Planning Department
22 South Beach Street, Room 104
Ormond Beach, FL 32174
Direct Line: 386.676.3341
Department: 386.676.3238
Cell: 386.366.1590

Fax: 386.676.3361
E-mail: Steven.Spraker@ormondbeach.org

From: Spraker, Steven
Sent: Thursday, October 6, 2022 1:06 PM
To: Spraker, Steven <Steven.Spraker@ormondbeach.org>
Subject: Ormond Enclave (formerly known as the Courtyards at Ormond) distribution list (10.06.2022)

Good afternoon,

This is a distribution list for the Ormond Enclave (formerly known as the Courtyards at Ormond) project at 135 North Yonge Street. If you do not wish to receive additional e-mails on this project, please reply **STOP** and staff will remove your e-mail from this distribution list.

The Ormond Enclave project has re-submitted a site plan for a 6.34-acre parcel that proposes 64 multi-family residential units and removal of the previously proposed retail uses. The site plan submittal is available at: <https://www.ormondbeach.org/1029/Ormond-Enclave>. The project would require a neighborhood meeting, Planning Board review/recommendation and City Commission action. The date of the neighborhood meeting has not been set. Please contact me with any questions. Thank you

Steven

Steven Spraker, AICP
Planning Director
< >
Planning Department
22 South Beach Street, Room 104
Ormond Beach, FL 32174
Direct Line: 386.676.3341
Department: 386.676.3238
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E-mail: Steven.Spraker@ormondbeach.org

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From: [Spraker, Steven](#)
To: ["cswan129@gmail.com"](mailto:cswan129@gmail.com)
Subject: RE: Project: Apartment Building at US 1 and Highland Avenue and Dix
Date: Thursday, September 2, 2021 7:32:50 AM
Attachments: [image001.jpg](#)

Good morning,

Thank you for your e-mail. I can included this e-mail when the project moves forward to a public hearing. The project has not been scheduled for a public hearing and city staff are awaiting a resubmittal to the city Site Plan Review Committee. I will add your e-mail to the project distribution list to provide information on future project submittals and public hearings.

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: cswan129@gmail.com <cswan129@gmail.com>
Sent: Wednesday, September 1, 2021 7:31 PM
To: Spraker, Steven <Steven.Spraker@ormondbeach.org>
Subject: Project: Apartment Building at US 1 and Highland Avenue and Dix

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

Hello Mr. Spraker,

I am Christine Swanson and have owned my home at 44 Highland Avenue, Ormond Beach, FL 32174 for 34 years. One of the many reasons I moved to Ormond Beach was that Ormond was known to save trees, control development and was a family oriented location! I love where I live and take advantage of the walking distance to various shops and restaurants and I walk the bridge.

I attended the meeting on August 25th at the Performing Arts Center regarding the proposed 48 apartments and 3 retail shops to be built at U.S. 1 between Highland Avenue and Dix. I am glad that you were present and as you can attest the people who live on these streets along with people that live in the vicinity **DO NOT WANT THIS DEVELOPMENT BUILT!** Most of the speakers had done their research and asked questions that could not be answered by the gentleman from Parker Mychenberg. It goes without saying that our small streets with no sidewalks will not be able to withstand the additional vehicular traffic once the complex is built! And what kind of retail businesses will be added to the mix? We already have a ton of traffic coming and going on Highland and Dix at all hours of the day trying to bypass

Granada Blvd. and the majority of the traffic does NOT adhere to the posted 25 mph speed limit! We have children that walk and ride their bikes to Ormond Elementary and Ormond Middle schools! As was mentioned in the meeting, children play and ride their bikes along these roads, people walk their dogs, people ride their bikes, families walk down to the pier and people walk the bridge. All this is done while navigating the traffic speeding up and down the streets. It is not safe and eventually someone is going to be hit or God forbid killed by a careless driver that is not paying attention. I take my life in my hands when I am mowing and weeding my front yard!! Everyone is always in a hurry and paying attention to a cell phone instead of the road!

I remember years ago when the City of Ormond Beach wanted to move the little white church that is next to the west side of the bridge on Beach Street and build a bunch of offices and restaurants and had plans for some sort of a floating pier. The people were up in arms over that and I attended the meeting. Before the meeting was started city officials announced that they had heard from an overwhelming amount of the citizens of Ormond Beach that they did not want what was being proposed and they had already scrapped the project, but they would allow people to speak and give their comments. I found it amazing that the City actually listened to the people! We need the City to listen to the people again for this horrific project!

What has happened to the Granada Blvd. corridor has been horrendous with stripping the land to build a WAWA gas station and car wash!! And also stripping the land across the street which is still vacant. I can't image what will eventually be built there. Vacant land with trees and animal habitat is always in danger of being torn apart to build what?? Mostly something that is not even needed! You take away all the trees, kill the environment, animals lose their homes and people lose their rights to their neighborhood tranquility. And for what - the almighty dollar??!! I won't even get into what Parker Mychenberg is building in the Loop area, but you get my drift.

We need the City to listen to the people regarding this development that will do such harm to our neighborhoods in creating horrific issues with traffic, flooding, harm to our wildlife and our citizens' safety! I thank you for your time and anything you can do to help us in this fight for our rights as homeowners.

As I mentioned, I have lived here 34 years and have never received any correspondence via email regarding upcoming issues and would appreciate it if you would add my email address to the list so that I receive information regarding changes to my surroundings.

Thank you very much.

Christine Swanson
44 Highland Avenue
Ormond Beach, FL 32174
cswan129@gmail.com

From: [Beth Putnam](#)
To: [Spraker, Steven](#)
Subject: Re: Courtyards at Ormond
Date: Friday, August 27, 2021 4:00:07 PM

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

Thank you for the meeting information. I was not able to attend on Wednesday, as I was working. I am totally against the courtyards project, as it is to population dense, not family friendly, and he's only going to exacerbate the traffic and speeding problem that we have in this neighborhood.

Sent from my iPhone

On Aug 19, 2021, at 2:53 PM, Spraker, Steven
<Steven.Spraker@ormondbeach.org> wrote:

Good afternoon,

Planning staff has been informed that the Ormond Beach Senior Center is closed until further notice. The Courtyards at Ormond neighborhood meeting scheduled for August 25th will be held in the **Ormond Beach Performing Arts Center Auditorium**. The Performing Arts Center is located at 399 North US Highway 1. There will be individuals to direct traffic and signage to direct people to the meeting location. The neighborhood meeting is scheduled for August 25, 2021 starting at 6pm. Please contact me if there are any questions.

Thank you

Steven

Steven Spraker, AICP
Planning Director
<[image001.jpg](#)>

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: Spraker, Steven

Sent: Tuesday, August 3, 2021 1:15 PM
To: Spraker, Steven <Steven.Spraker@ormondbeach.org>
Subject: RE: Courtyards at Ormond

Good afternoon,

Please find attached for your information a notice regarding a neighborhood meeting for the Courtyard at Ormond project. The neighborhood meeting will be held in the Ormond Beach Senior Center Art Room located at 351 Andrews Street, Ormond Beach, Florida, 32174 on August 25, 2021 from 6:00 PM to 7:00 PM. The Courtyard at Ormond project proposes to construct a 10,889 square foot retail building (3 units) and a 48-unit multifamily apartment complex located at the north east corner of the intersection of North Yonge Street and Highland Avenue. The project shall require a zoning map amendment with review by the Planning Board and action by the City Commission.

Thank you

Steven

-

Steven Spraker, AICP
Planning Director
<image001.jpg>

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: Spraker, Steven
Sent: Thursday, June 24, 2021 7:46 AM
To: Spraker, Steven <Steven.Spraker@ormondbeach.org>
Subject: Courtyards at Ormond

Good morning,

This is a distribution list for the Courtyards at Ormond project at 135 North Yonge Street. If you do not wish to receive additional e-mails on this project, please reply **STOP** and staff will remove your e-mail from this distribution list.

The Courtyards at Ormond at 135 North Yonge Street has re-submitted a site plan for a 6.34-acre parcel that proposes 48 multi-family residential units and 10,889

square feet of retail. The site plan submittal is available at: <https://www.ormondbeach.org/247/Development-Projects>. The previous site plan submittal expired. The project would require a neighborhood meeting, Planning Board review/recommendation and City Commission action. The date of the neighborhood meeting has not been set. Attached to the e-mail is the process for the project review and the site plan.

Please contact me with any questions.

Thank you

Steven

Steven Spraker, AICP
Planning Director
<image001.jpg>

Planning Department
22 South Beach Street, Room 104
Ormond Beach, FL 32175
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DRAFT

**Planning Board minutes
from**

June 8, 2023

ITEM:

ZMA 2021-079(A)

Ormond Enclave, 145 North Yonge
Street, Zoning Map Amendment to PBD

V. APPROVAL OF MINUTES

May 11, 2023

Mr. Jorczak moved to approve the May 11, 2023 Minutes. Ms. Shull seconded the motion. Vote was called, and the motion was approved (6-0).

VI. PLANNING DIRECTOR'S REPORT

No report.

VII. PUBLIC HEARINGS

- A. ZMA 2021-079(A), Ormond Enclave, 145 North Yonge Street, Zoning Map Amendment to PBD
- B. ZMA 2021-79(B), Ormond Enclave, 145 North Yonge Street, Zoning Map Amendment to PRD
- C. PRD/PBD 2021-079(C), Ormond Enclave, 145 North Yonge Street, Issuance of a Development Order

Mr. Steven Spraker, Planning Director, stated that items (A), (B), and (C), are interrelated and will be discussed together but must be voted on by the Planning Board individually. Mr. Spraker detailed the history of the project including a 2005 approval, 2009 approval and a 2019 Comprehensive Plan amendment. Mr. Spraker continued that the subject property has three (3) land uses of "General Commercial", "Medium Density Residential", and "Low Density Residential." The land uses allow a maximum of 193,014 of building area or 107 residential units.

Mr. Spraker stated that agenda item (A) was for a zoning map amendment for 0.34 acres that has a B-4, Central Business zoning designation that has been purchased by the project team and needs incorporation into the PBD, Planned Business Development zoning designation. Mr. Spraker continued that agenda item (B) was for a zoning map amendment for 0.72 acres that has a R-3, Single-Family Medium Density zoning designation and needs incorporation into the PRD, Planned Residential Development zoning designation. Mr. Spraker noted that the staff report called the area a total of 0.99 acres, but it was discovered that an additional lot was added to this total that is already Planned Residential Development.

Mr. Spraker stated that agenda item (C) was the issuance of the development order and reviewed the proposed site plan. Mr. Spraker noted:

- The gross density is 10.09 units per acre.
- There is an existing use – Dollar General – 9,014 square feet that would remain.
- A total of 131 parking spaces required and 164 parking spaces provided.
- The proposed building height is 25' 2", a total of two stories.
- There are eight buildings.
- The minimum setbacks to existing residential lots is 50'.

Mr. Spraker displayed a PowerPoint slide detailing the areas of fencing and stated that areas not fenced have heavy natural vegetation. The Land Development Code (LDC) allows the Site Plan Review Committee (SPRC) to determine the appropriate fencing, but because this is a Planned Development, the Planning Board can provide its recommendation.

Mr. Spraker reviewed the project traffic and building elevations. He elaborated that there were four correspondence items received for this project. Mr. Spraker stated that the Planning Board's options for the project are (1) approve as submitted, (2) approve with conditions, or (3) deny as submitted. Mr. Spraker concluded that the Site Plan Review Committee (SPRC) is recommending approval of agenda items (A), (B), and (C).

Chairman Thomas opened it up to the Board for questions.

Board Discussion and Questions

Ms. Shull asked what the date of the traffic study was. Mr. Spraker replied that the project is in a transportation concurrency exception area, therefore a study is not required. Additionally, the projects do not trigger enough trips, as 1,000 trips a day, requires a traffic study.

Ms. Shull asked for clarification on the number of stories and units proposed for the project. It was confirmed that the buildings would be two-story with 64 units.

Mr. Galloway asked for the location of the dumpster to be pointed out. Mr. Spraker displayed the location of the dumpster on the PowerPoint presentation and explained that another location can be proposed.

Mr. Railsback asked if Dollar General has a dumpster. Mr. Spraker replied that they may have a dumpster but that he would let the applicant speak on the matter as they are more familiar with that site.

Mr. Jorczak inquired about the project's main exit, asking if it is in the Dollar General parking lot. Mr. Spraker explained that the main entrance and exit is off of U.S. Highway 1. He continued that the entry-only access is off of Highland Avenue, and Dix Avenue is full-access.

Chairman Thomas inquired if there is access headed south for Highland Avenue. Mr. Spraker explained that there is a turn-lane off of U.S. Highway 1 that allows drivers to go into Highland Avenue. The state roadway allows a left-turn onto Highland Avenue. Highland Avenue will be a one-way access point in.

Chairman Thomas commented that he would like to hear from the residents how they go south off of Highland Avenue.

Mr. du Moulin asked if an Environmental Impact Study was done. Mr. Spraker replied that there are no wetlands onsite and added that the property is not in the floodplain therefore, there are no requirements for the study..

Applicant's Presentation

Mr. Glenn Storch, P.A., Storch Law Firm, 420 S. Nova Road, Daytona Beach, Representative, stated that infill development is encouraged, in which is what they are proposing with the project. He reviewed a presentation outlining the proposal and stated that at this time it is an undeveloped site surrounded by residential and commercial development off of U.S. Highway 1. Mr. Storch explained how infill is efficient, allowing walkability, driving less, with the opportunity to live downtown and support local businesses. He added that this is the first downtown multi-development in the area in 40+ years. Mr. Storch referenced the traffic concerns, noting that staff has been working on addressing the concerns with traffic-slowng devices. He explained how the project proposes that traffic go through the site as opposed to going around it. The owner purchased additional lots for a better design, expounding property boundaries. Mr. Storch remarked that instead of the 107 units allowed, only 64 units would be going in. He explained the access points and traffic flow, noting that rather than access off of U.S. Highway 1, it would be blocked off with landscaping. There will only be one access via Highland Avenue. Dollar General delivery trucks will be able to go through the project site as opposed to going around.

Mr. Storch displayed the viewshed overhead of what the vacant property has looked like on U.S. Highway 1 with vagrants using it, the trash that has been thrown on it, brazilian peppertrees and other invasive species overgrowth. He explained the typical appearance of a vacant property in any downtown area. The proposed project will allow a two-story building viewshed of extensive landscaping along U.S. Highway 1, a shared access with Dollar General, and the aforementioned access along Highland Avenue. He added that a section of Highland Avenue will be preserved for a tree preservation area and dog park. Mr. Storch remarked that the zoning allows a five-story building on the site or a three- to- four-story residential project.

Mr. Storch stated that the parking changes to the plans, moved parking internal to the site. There is 50' between the apartments and the adjoining perimeters and have provided for vegetation and structures to ensure there is no impact. Mr. Storch explained that if the area were to have single-family in its place, they would be much closer to the existing single-family.

Mr. Storch reiterated the earlier comment that there are no environmental issues on the site. There are no wetlands or flood plain impacts. 33 percent of the site is maintained in open space. Mr. Storch stated 33,000+ square feet is part of the tree and natural vegetation preservation area and is not being touched. Mr. Storch explained the stormwater for the site, explaining that it will be improved from what it currently is and that once the stormwater system is in, there will be 72 percent less stormwater runoff from the property. He added that there is a large wet-retention system in the rear of the property that is surrounded by vegetation, as well as another system designed to reduce the amount of nutrients in stormwater. The quality of the stormwater will be far less with the nutrients removed.

Board Discussion and Questions

Mr. du Moulin asked for additional explanation of the wet-retention system. Mr. Storch pointed to the area next to the lake system in his presentation overhead,

explaining that the water goes into it and filters out the nutrients before it goes offsite, providing additional stormwater protection.

Mr. Storch advised the Board that once the project goes in, it will be a 12 million dollar investment into the Downtown District.

Mr. Railsback commented that he appreciates the effort in reducing the density concurrency and stormwater impacts. He expressed concern about access between properties as an adjacent property owner, and inquired about fencing or walls planned for the project. Mr. Railsback stated that he would feel more comfortable with limited or eliminating access. Mr. Storch replied that there are a few homes on the Dix Avenue side, and approximately two homes adjacent to the site on the Highland Avenue side. There is a 6' white vinyl fence planned on the Dix side of the site as well as the setback and additional stormwater. Mr. Storch agreed to work with the citizens if they are interested in landscaping on the other side. He continued that the applicants would be willing to put a fence up if requested. There was no plan for a fence there initially due to the preserved natural preservation. Mr. Storch confirmed that the proposed project plan was not to encompass the site by a fence but that it can be added into the plan.

Chairman Thomas stated that he would like a masonry fence in place of a vinyl or chain-linked fence.

Mr. Railsback concurred with Mr. Thomas.

Mr. Storch suggested adding a stipulation for a masonry wall for every area adjacent to a neighbor.

Mr. Railsback commented that a neighbor to the property, Mr. Bill Navarra installed a fence all the way around his property, and suggested that being an incentive for supporting the project for the majority.

Mr. Jorczak referenced the aforementioned walkability comment and remarked that he noticed an easement on the Dix Avenue side for a sidewalk on the plans, but did not notice a sidewalk on Highland Avenue. Mr. Storch replied that Dix Avenue is already developed and it was determined that there is already a sidewalk there.

Mr. du Moulin asked for details on the retention pond, irrigation and its maintenance. Mr. Storch replied that there is an irrigation well and the applicants are open to, if recommended, harvesting from the stormwater pond. With stormwater, it allows the water to flow into the aquifer as opposed to being taken offsite. Mr. Storch added that the wet-retention pond has water all of the time. The dry-retention area next to it does not have water at all times, and is raised up to be a retention area in case of something.

Mr. Steve Buswell, Engineer, Parker Mynchenberg & Associates, stated that there is an existing control structure and a positive outfall from the pond out to FDOT. The design has been permitted by the St. John's Water Management District. He continued that the pre-treatment ponds purpose is to attenuate and provide additional treatment and for nitrogen and phosphorus removal from downstream waterbodies so that there are no algae blooms. Mr. Buswell added that there is not an opportunity to do the stormwater harvesting system in a standard and small wet-detention system.

He remarked that sometimes the nutrients will build up into the irrigation system and clog the heads over time.

Mr. Galloway inquired why the dumpster is so far away from the building and not more towards the south corner of the Dollar General lot. He added that it would be a straighter shot for Waste Management to drive in and would keep it closer to the applicant versus the residents houses. Mr. Storch answered that it is in the location that it is in due to the large buffer area between the proposed dumpster area and the residents, but advised it can be changed when going through the process.

Mr. Buswell explained the reasoning for the dumpster placement, stating that there is an existing access point there that is not being changed. Residents are able to dispose of trash in the proposed location which keeps the garbage truck from circling internally. The turning radius is on the wide point of access, allowing for delivery and garbage trucks.

Mr. Galloway commented that the closer a dumpster is to the public road, others will use it.

Audience Comments/Input

Mr. Robert Ezell, 132 Highland Avenue, expressed his Highland Avenue area traffic concerns with the proposed project. He stated that he will not let his grandchild play in his front yard. He added that his light pole has been taken out twice by cars. Mr. Ezell commented that the speeds on the roads are crazy. A right-of-way (ROW) tree was taken out by the city and the city employees were astonished by the speeders going down the road. Mr. Ezell remarked that they have speed bumps at each end of the road, but that drivers drive 25 mph up to the speed bump, stop and cross it, and then go 35 mph and is not safe. He added concerns about having a sidewalk only halfway down the road for aesthetic purposes for residents to go downtown. Mr. Ezell asked about the rest of the road and sidewalks, commenting that the roads are already narrow. He asked if the city will be taking more right-of-way (ROW) or easements from the residents to extend a sidewalk or if it will put people out in the roads. He stated something be done about the traffic, explaining that you cannot get a truck and a car down the road at the same time without a vehicle being scratched from all of the trees that are extending over the road. Mr. Ezell concluded that he does not really want the project in the neighborhood but understands that it is a revenue generator for the city, and suggests protecting the citizens and residents that are already there.

Chairman Thomas concurred and added that he is concerned as well about the entrance off of Highland Avenue.

Mr. Rick Sandora, 36 Highland Avenue, stated that there are 82 homes on Dix Avenue and Highland Avenue and the proposal will double the amount of people in the area. He added that there is a dog park but no provisions for children. Mr. Sandora commented that it is difficult to get around landscapers on Highland Avenue. The road is narrow and there is no way of putting a sidewalk all the way down Highland Avenue. Kids will be attracted to the river down the street, which will be an attractive hazard to the people living on the river, according to Mr. Sandora. He added that the speedbumps are ineffective. Mr. Sandora expressed that he feels once the project is done, it is done, and there will not be an opportunity to rectify it after it is allowed

He stated that he is against it. He expressed further concerns about traffic, commenting that drivers going out onto U.S. Highway 1 have to go south from Highland Avenue. Numerous drivers use Dix Avenue and Highland Avenue as a cut-thru to Beach Street, which is backed up past Highland Avenue and Dix Avenue in the morning rush hours.

Ms. Beth Putnam, 83 Dix Avenue, commented that she sees no sidewalk access for the proposed family-friendly apartment complex. There is no sidewalk to go to the dumpster. She remarked that the Dollar General dumpster backs up to Dollar General and is not in the location that the project is proposing. Where it is proposed will be borderline with one of the residential properties and when the winds come from the west, the dumpster smell will go up Dix Avenue. Ms. Putnam referenced the earlier comment on sidewalks, and stated that the subject needs to be addressed with 100 cars that will be coming and going at all times and that the children will be unable to walk to school safely with the sidewalk on Highland Avenue ending, therefore will be in the middle of the narrow street. She continued that an alternative is to walk down U.S. Highway 1 to cross Granada Boulevard. Ms. Putnam commented on the lighting, and suggested down-lighting or dark sky-lighting and not flared out security lighting. She suggested solar would have been best. Ms. Putnam addressed the ponds and suggested there be a security fence around the water with the children. She added that the schools are crowded and that there was no discussion on the impact the project would bring to the school. Ms. Putnam added her water and traffic-use concerns, remarking that she cannot be enthusiastic about the project right now.

Applicant Response

Mr. Storch addressed concerns, stating that the project has been reviewed with the Volusia County School Board and they indicated that there is sufficient capacity for the additional children that may come from the proposed development. He reiterated that it is already in the comp plan for medium density residential units. Mr. Storch added that with ponds and lakes, a slope is put in and there will be a wall around the area, preventing children to access them. He referenced the down-lighting comment, confirming that it can be done and to add as a stipulation. Mr. Storch added that a sidewalk can be provided to the dumpster. The applicants will work with staff on the best location for the dumpster. Regarding the sidewalk concerns, the applicants will support any additional sidewalks for the project working alongside the city. Mr. Storch referenced the Highland Avenue access inquiry and stated that it is an engineering issue and has to be done where people cannot easily make the connection and turn to the left, suggesting that it can be done with higher curbing and signage to discourage and prevent people from making the left-hand turn onto Highland Avenue. Mr. Storch reiterated that the impact will be less on Highland Avenue with access going through Dollar General into the project. Mr. Storch concluded that stipulations can be added to accommodate for this.

Chairman Thomas referenced the Sterthaus Avenue onto Nova Road access area, and stated that even with the no left-turn signage, drivers still do. Mr. Storch stated that the entrance only off Highland Avenue can be engineered to discourage any illegal turning movements. Chairman Thomas asked if the city would allow that design. Mr. Spraker stated that design could be accomplished.

Chairman Thomas asked about traffic coming off of U.S. Highway 1 turning onto Highland Avenue. Mr. Storch confirmed that the only left turn into the neighborhood in this area of U.S. Highway 1 is located at Highland Avenue. Mr. Storch stated that access only into their site is needed to prevent traffic coming off U.S. Highway 1 from going to the site through the existing neighborhood to access their development. This access point on Highland Avenue would encourage traffic to go the easy way and not through Highland Avenue, Ridgewood Avenue and Dix Avenue. Mr. Storch stated the whole design of the project is to prevent their project traffic from using Dix or Highland Avenues. Mr. Storch stated project trips now are going around Highland Avenue to North Ridgewood Avenue and west on Dix Avenue. This entrance only would prevent that movement in the existing neighborhood. Mr. Storch concluded that he believed that the project design would reduce traffic on Highland and Dix Avenues.

Board Discussion and Questions

Mr. Galloway stated that this property was originally bought for a large furniture store and residential in the rear portion of the site. The property is zoned to allow the type of use proposed. Mr. Galloway stated that the residents should demand sidewalks. He stated that his utility bill has information on sidewalk improvements and commented that if sidewalks are desired in this area that there is money in the city budget.

Mr. Galloway expressed concern for the dumpster location. Mr. Storch stated that the project could stipulate for the movement of the dumpster.

Mr. Galloway stated that he heard that kids were going to be in the apartment complex. He stated that this is an assumption and it is underdetermined who will be within this development.

Mr. Galloway stated that there are issues with urban sprawl and remarked that here is a project that is developing in the core of the city. Mr. Galloway indicated that he would be supporting this project.

Mr. Jorczak stated that he is aware of the narrowness of the roadways and that he has contacted the city to trim the vegetation in the right-of-way (ROW). Mr. Jorczak concurred with Mr. Galloway regarding the need for the city to install sidewalks in this area. Mr. Jorczak continued that he supports the walls along the project perimeter and agreed that the pond should have additional security to protect children's safety. Mr. Jorczak also stated that he concurred that the dumpster should be moved. He added that he thought the population density was reasonable and the architectural style looks attractive. Mr. Jorczak stated the secondary issues need to be addressed. Mr. Storch replied that the applicant is willing to provide stipulations that could be part of the recommendation on the project. He stated that dumpster would be stipulated to be moved to the project interior with sidewalk access. Mr. Storch added that the project can stipulate for additional security around the stormwater pond. Mr. Thomas inquired about a stipulation on the wall requirement. Mr. Storch confirmed that the project would stipulate to a wall around the project abutting existing residential uses. He continued that the project would also stipulate to ensure in-bound access from Highland Avenue to the project with raised curbing.

Mr. du Moulin stated that he agreed with the comments provided and had no additional comments.

Mr. Railsback commented that he supports infill development and added that it is a good use of that parcel. He stated he concurred with the stipulations stated. Mr. Railsback continued that he went through a multi-family development proposal next to his subdivision and believes that the masonry wall is necessary to protect the existing residential uses. He stated that he supported mitigating the traffic impacts of the project and the downlighting mentioned earlier. Mr. Railsback concluded that he would support the project with the stipulations referenced if they are included in the recommendation.

Ms. Shull stated that she likes the project but has concerns with the depth of the residential uses. She added that she likes that the buildings are two-story with concrete block construction. Ms. Shull commented that she is supportive of the perimeter wall, movement of the dumpster, and downlighting. Ms. Shull stated the main issue is the traffic. She remarked that what we do not seem to understand is that there are residents that have lived in the neighborhood for a long time and there is turnover to new residents. Ms. Shull stated she is a realtor and people love this area and the neighborhood. She stated that she does not think that the existing residents are being taken into consideration as projects are being developed. Ms. Shull stated that if we do not stand up here and say something about traffic, the city is not going to hear us. We need to have the city hear us. The speed tables are doing nothing. Ms. Shull stated that the state of Florida has an issue with speeders. She stated that the city needs to protect the existing residents. Ms. Shull concluded that she liked the project, but is going to vote no, based on the traffic impacts to make the city aware of the issue. She stated she wanted the city to do something about Dix and Highland Avenues so that the people who live there and pay taxes can be heard. Mr. Storch stated he agrees that traffic is so important, but the fact is that this project and the units proposed are allowed to be here. Ms. Shull stated that she understood that but if she did not speak up, the issue would not be addressed. The traffic issues should be taken care of first before development is approved. Ms. Shull stated an approval would allow development that would further add to the traffic problem. She stated that she knows that the project has done everything they can do from a design perspective.

Chairman Thomas reviewed the traffic issues of the city and project. He questioned the possibility of making Dix and Highland Avenues one-way streets. Chairman Thomas stated that one-way streets may reduce traffic. He was unclear if the residents would be supportive of the concept and understood that there may be inconveniences. Mr. Thomas stated that Dix and Highland Avenues were city streets and the city could make changes if desired. Chairman Thomas encouraged residents to talk to the City Manager and City Commission about the one-way roadway concept.

Chairman Thomas discussed infill development and the goal of the Board to make the project possible. Chairman Thomas understood the concern of the residents of Dix and Highland Avenues. He stated that he was supportive of the project with the stipulations previously discussed.

Board Recommendation

Chairman Thomas opened it up to the Board for a motion.

ZMA 2021-079(A)

Mr. Railsback motioned to approve ZMA 2021-079(A), Ormond Enclave, 145 North Yonge Street, Zoning Map Amendment to PBD. Mr. Jorczak seconded it. Vote was called, and the motion was approved (6-0).

ZMA 2021-079(B)

Chairman Thomas opened it up to the Board for a motion.

Mr. Jorczak motioned to approve ZMA 2021-79(B), Ormond Enclave, 145 North Yonge Street, Zoning Map Amendment to PRD. Mr. Railsback seconded it. Vote was called, and the motion was approved (6-0).

DO 2021-079(C)

Mr. Spraker stated that he desired to confirm the stipulations that were agreed to through the public hearing process and they are:

1. The dumpster location would be moved from its current location and relocated closer to the mutli-family units. The dumpster location would have sidewalk access to the dumpster.
2. Additional security for the stormwater pond.
3. Masonry or post and panel wall along the project perimeter where it abuts existing residential uses.
4. The Highland entrance is entrance only with raised curbing to prevent vehicles from exiting this access point.
5. Provide downlighting (Mr. Spraker noted that this is already required, but could be reinforced in the stipulations).

Mr. Railsback asked if there was a wall behind the existing Dollar General property. Mr. Spraker stated that he believed that there was a wall existing. If there is not, this section would be included in the wall requirement.

Chairman Thomas opened it up to the Board for a motion.

Mr. Railsback motioned to approve DO 2021-079(C), Ormond Enclave, 145 North Yonge Street, Issuance of a Development Order, with the following five stipulations stated by Mr. Spraker. Mr. Jorczak seconded it. Vote was called, and the motion was approved (5-1). Ms. Shull stated that her no vote was based upon traffic impacts.

Chairman Thomas thanked the residents for their attendance and input and asked residents to remember that the Planning Board only makes recommendations and that the City Commission provides the final action for the project.

Mr. Jorczak stated that he concurred with the concept of one-way roadways and questioned if the Planning Board should make this a recommendation.

Mr. Galloway offered to meet and discuss with city staff. Mr. Galloway stated that it is on his water bill that they are supposed to be building sidewalks. Now is the time to put sidewalks along these roadways.

Mr. Spraker recalled with the land use amendment that there was a meeting regarding traffic along Dix and Highland Avenues. This meeting led to the residential traffic calming program. The concept of one-way streets was discussed at the meeting for traffic calming. The route is to go is through the traffic calming program, including working with the Engineering Department. Mr. Spraker stated that there would need to be resident support of the one-way concept. There is an existing mechanism to pursue the concept of one-way streets discussed tonight.

Chairman Thomas stated that the concept needs to start with the citizens and expressed that he is unsure if there would be support. Mr. Spraker concurred and stated that it would be a similar process of obtaining the speed tables. He stated that staff is available to meet with residents.

Mr. Galloway asked if the residents would rather have one-way streets or sidewalks. Mr. Spraker stated that the issue with the sidewalks is that there is only 33' of right-of-way (ROW) versus a typical width of 50'. There is insufficient right-of-way (ROW) to construct sidewalks. This area was likely platted in the early 1900's and the street layout was not designed for the traffic patterns that exist today. The project tonight provided easements on private property to allow the installation of sidewalks. Mr. Spraker stated that it is unclear if property owners along these streets are willing to provide easements to construct sidewalks.

Chairman Thomas questioned if a sidewalk has to be five (5') feet. Mr. Spraker responded that there are minimum widths based on handicapped access requirements. Mr. Spraker stated that there is a process to consider the one-way process. If there was an easy way to construct sidewalks along these roadways, they would already be in place. Mr. Spraker concluded that staff hears the concerns presented tonight and the issue would be presented to the City Commission.

Mr. Galloway asked if property owner's taxes would be decreased if they provided an area for the sidewalk. Mr. Spraker stated that the sidewalk would be in an easement and the property owner still owns the land area.

Chairman Thomas asked how many people attended the first traffic meeting. Mr. Spraker responded with approximately 50 individuals. Chairman Thomas asked the results of the meeting. Mr. Spraker stated that the meeting led to the residential traffic calming program that led to speed tables, radar feedback, signs and signage. Mr. Spraker stated that the one-way concept could be an evolution of the residential traffic calming program. Chairman Thomas appreciated that there is a path and stated that it is important to discuss the issue with the residents in attendance.

Ms. Shull asked about the width of Dix and Highland Avenues. Mr. Spraker stated he had not measured the width and speculated 17' to 20'. Ms. Shull asked if there was a one-way roadway, would this reduce the needed paved width. Mr. Spraker

stated that it does and there needs to be verification of the fire access requirements. Mr. Spraker restated that the first step is that there be a majority of residents that desire a one-way traffic pattern. The second step, if residents are interested, is the actual design that could be developed and then voted on by the residents of the roadways.

D. ZMA 2022-098(A) 121 East, 121 East Granada Boulevard, Planned Business Development

E. DO 2022-098(B), 121 East, 121 East Granada Boulevard, Planned Business Development, Issuance of a Development Order

Mr. Steven Spraker, Planning Director, stated that items (D) and (E), are interrelated and will be discussed together but must be voted on by the Planning Board individually. Mr. Spraker displayed the land use and zoning for the property at 121 East Granada Boulevard. Mr. Spraker stated that the land use allowed a total of 24 residential units and the zoning allowed 20 residential units. He showed pictures of the existing site and a Florida Power and Light (FPL) structure. Mr. Spraker stated that agenda item (A) was for a zoning map amendment for 0.76 acres that has a B-4, Central Business zoning designation that is seeking a PBD, Planned Business Development zoning designation. The zoning map amendment provides a framework for the next agenda item of the issuance of a development order.

Mr. Spraker summarized the development order process that included SPRC review, a neighborhood meeting, Ormond Beach MainStreet review, Planning Board review, and future City Commission dates. Mr. Spraker stated that the project was in the Downtown Overlay District and noted that the master plan encouraged residential development.

Mr. Spraker detailed the project site plans. He stated that the building was five (5) stories over the ground floor of parking. The second floor has a pool/amenity area to the north of the property and a dog walk area to the east of the building. Mr. Spraker displayed a first floor site plan and the project building elevations.

Mr. Spraker stated that there were two correspondence items received for this project, an e-mail from a resident who was not in favor of the project and desired another use, and the other correspondence, a letter of support from Ormond Beach MainStreet. Mr. Spraker concluded that the Planning Board's options for the project are (1) approve as submitted, (2) approve with conditions, or (3) deny as submitted. Mr. Spraker stated that the SPRC is recommending approval of agenda items (D) and (E).

Applicant's Presentation

Mr. Robert A. Merrell, Esquire, Cobb Cole, 149 South Ridgewood Avenue, stated there has been months of work put into the project and there is a project team to answer any questions. The property owner and contractor, Mr. Bryan Collyer, is available for any questions. Mr. Merrell remarked that the staff report reviewed in detail the Comprehensive Plan, Downtown Master Plan, and Land Development Code (LDC) requirements and he did not intend to repeat this analysis. He expressed a few key points, the desire to create a sense of place, compact pedestrian



City of Ormond Beach

AGENDA ITEM

August 1, 2023 - City Commission

Number:9.B

Section:	PUBLIC HEARINGS		
Item Category:	Public Hearing - Ordinances	Res./Ord. No:	2023-36
Strategic Goal:	Transportation & Community Development - Other		
Department:	Planning & Building		
Subject:	Ormond Enclave, Zoning Map Amendment to Planned Residential Development (0.72 acres) (SECOND READING)		
Summary:	This is a request from CST Holdings, LLC for a zoning map amendment for a 0.72± acre portion of 145 North Yonge Street from R-3, Single-Family Medium Density, to PRD, Planned Residential Development. The purpose of this item is to include the 0.72± acre into the Planned Residential Development zoning district area. A later agenda item, seeks to establish a development order for the Planned Business and Residential Development to allow 64 multi-family units. The purpose of this agenda item is to <u>amend the zoning map</u> from R-3, Single-Family Medium Density, to Planned Residential Development to allow the framework for the development order item seeking 64 multi-family units. <u>Planning Board</u> The Planning Board reviewed the zoning map amendment at the June 8, 2023 meeting and recommended approval by a 6-0 vote. There were no specific references to the zoning map amendment and the Planning Board discussion focused on the site development and issuance of the development order. The issuance of the development order (DO 2021-079(C)) was approved with a 5-1 vote and five (5) conditions. There were three (3) individuals who addressed the Planning Board and key points included: 1. Traffic concerns on Dix and Highland Avenues. 2. Lack of sidewalks on Dix and Highland Avenues. 3. The speed tables added on Dix and Highland Avenue are ineffective. 4. Location of the dumpster.		

	5. There should be a security fence around the wet stormwater pond. Planning Board members discussed the following items: 1. Traffic along Dix and Highland Avenue. There was discussion about making Dix and Highland Avenue one-way streets. A Board member stated the traffic issues should be taken care of first before development is approved. 2. The addition of sidewalks on Dix and Highland Avenues. 3. Relocation of the dumpster. 4. Requirement of a wall along the project perimeter abutting existing residential properties. 5. Fencing around the wet stormwater pond. The applicant stated that the project specifically addressed traffic impacts by (1) removing the proposed commercial uses within the development, (2) allowing an in-bound access point along Highland Avenue, and (3) selecting a low traffic generating use for the property where commercial uses are allowed as permitted uses. The applicant agreed to five (5) conditions that were made part of the approving motion for the issuance of the development order (DO 2021-079(C)): 1. The dumpster location would be moved from its current location and relocated closer to the multi-family units. The dumpster location would have sidewalk access to the dumpster. 2. Additional security for the stormwater pond. 3. Masonry or post and panel wall along the project perimeter where it abuts existing residential uses. 4. The Highland entrance is entrance only with raised curbing to prevent vehicles from exiting this access point. 5. Provide downlighting. There was a discussion regarding the one-way concept for Dix and Highland Avenue that detailed the existing residential traffic calming program. In order to start reviewing this concept, there would need to be majority support from the residents along Dix and Highland Avenues. Planning staff noted that Dix and Highland Avenue have a right-of-way of 33' (typical is 50') which is not sufficient to add sidewalks and easements would be needed from property owners in order to add sidewalks. It was noted that the Ormond Enclave project is providing an easement on private property to allow the construction of the sidewalks along their property boundary. The Planning Board meeting minutes are attached.
Financial Impact:	There is no budget impact as the result of this zoning map amendment.
Citizen Impact:	The zoning map amendment is not expected to have any negative citizen impact. The issuance of the development order citizen impact

	was discussed at the Planning Board. The primary focus of the project concerns were existing traffic issues and what impact the project would have on Dix and Highland Avenues.
Recommended Action (Staff, Advisory Board and/or Other):	The Planning Board recommended the City Commission approve the zoning map amendment (6-0) for a 0.72± acre portion of 145 North Yonge Street from R-3, Single-Family Medium Density, to PRD.
Staff Contact:	Steven Spraker, Planning Director, (386) 676-3341
Attachments:	1. 23-36 145 N. Yonge St., ZMA To PRD (P23-0109G) 2. Exhibit A, Legal Description, ZMA to PRD 3. EXHIBIT B, 145NORTH_YONGE_ZONING to PRD 4. 06.08.2023, Ormond Enclave, ZMA to PRD, PB staff report 5. 06.08.2023, DRAFT PB Minutes - Ormond Enclave, 145 North Yonge Street, ZMA to PRD
Approval:	Kelly McGuire, Finance Director 7/19/2023 Claire Whitley, Assistant City Manager 7/21/2023 Joyce Shanahan, City Manager 7/25/2023

ORDINANCE NO. 2023-36

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 PORTION OF A CERTAIN PARCEL OF REAL PROPERTY TOTALING APPROXIMATELY 0.72 ACRES LOCATED AT 145 NORTH YONGE STREET (VOLUSIA COUNTY PARCEL NUMBER: 4215-04-01-0270), FROM R-3, SINGLE-FAMILY MEDIUM DENSITY, TO PLANNED RESIDENTIAL DEVELOPMENT; AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, CST Holdings, LLC, a Florida Limited Liability Company (“Applicant/Property Owner”) is the fee simple owner of certain real property consisting of approximately 6.34 acres located at 145 North Yonge Street (Volusia County parcel number: 4215-04-01-0270), which is legally described and depicted in Exhibit “A” (“Property”) attached hereto and incorporated herein, and

WHEREAS, the Applicant/Property Owner has submitted an application to the city for a zoning map amendment for a 0.72± portion of the Property from R-3, Single-Family Medium Density, to Planned Residential Development (PRD), which is legally described and depicted in Exhibit “A” attached hereto and incorporated herein, and

WHEREAS, the Property to be re-zoned is less than then ten (10) contiguous acres, consisting of approximately 0.72 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 a portion of one parcel of property located at 145 North Yonge Street (Volusia County parcel number: 4215-04-01-0270), as more particularly described and depicted in Exhibit “A” from R-3, Single-Family Medium Density, to Planned Residential Development (PRD) as shown and depicted in Exhibit “B”.

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

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

PASSED UPON at the first reading of the City Commission, this 18th day of July, 2023.

PASSED UPON at the second and final reading of the City Commission, this 1st day of August, 2023.

BILL PARTINGTON
Mayor

ATTEST:

SUSAN CARROLL DAUDERIS
City Clerk

EXHIBIT "A"
Page 1 of 4

OVERALL LEGAL DESCRIPTION – 145 NORTH YONGE STREET
(from Sliger & Associates survey)

DESCRIPTION OF SURVEYED PROPERTY PER OFFICIAL RECORDS OF VOLUSIA COUNTY, FLORIDA:

E(O.R.B. 6450, PG. 4136):

¹PARCEL "A"

LOTS 25, 26 AND 27, EMMON'S SUBDIVISION, OF RECORD IN MAP BOOK 6, PAGE 100, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

PARCEL "B":

THE WESTERLY 840 FEET MORE OR LESS OF LOT D, SUBDIVISION OF RIVER LOT 9, AND THAT PART OF LOT D, RIVER LOT 9 1/2, LYING SOUTHERLY OF AND ADJOINING EMMON'S SUBDIVISION, ORMOND, ACCORDING TO THE PLAT RECORD THEREOF IN MAP BOOK 3, PAGE 124, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, SAID PART OF LOTS D HEREIN DESCRIBED IS INTENDED TO INCLUDE ALL THAT PART OF SAID LOTS D LYING WESTERLY OF THE WESTERLY LINE OF LOT 18, EMMON'S SUBDIVISION AS SHOWN IN MAP BOOK 6, AT PAGE 100, EXTENDED SOUTHERLY TO THE SOUTHERLY LINE OF LOT D, RIVER LOT 9 AFOREMENTIONED AND EXCEPTING ANY PART OF SAID LOTS D WITHIN THE RIGHT-OF-WAY OF U.S. HIGHWAY #1.

PARCEL "C":

ALL OF LOT E, AND LOT D, EXCEPT THE EAST 100 FEET THEREOF, ASSESSOR'S SUBDIVISION OF RIVER LOT 11 1/2, ORMOND, AS PER MAP IN MAP BOOK 3, PAGE 124, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA [LESS AND EXCEPT ANY PART OF SAID LOT E WITHIN THE RIGHT-OF-WAY OF NORTH YONGE STREET, (U.S. HIGHWAY NO. 1)].

PARCEL "D":

~~LOTS 1, 2, 3 AND 4, BLOCK 2, MAP OF MAYO SUBDIVISION OF RIVER LOT 6, ORMOND, OF RECORD IN MAP BOOK 2, PAGE 124, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, EXCEPTING FROM SAID LOT 1 THAT PORTION THEREOF WITHIN YONGE STREET (U.S. HIGHWAY #1).~~

LESS AND EXCEPT:

THAT PORTION OF THE WESTERLY 840 FEET OF LOT D OF RIVER LOT 9, AND THAT PORTION OF LOT D, RIVER LOT 9 1/2 LYING SOUTHERLY OF AND ADJOINING EMMON'S SUBDIVISION, ASSESSOR'S SUBDIVISION OF RIVER LOTS, ORMOND, OF RECORD IN MAP BOOK 3, PAGE 124, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, AND ALL OF LOT 27 AND A PORTION OF LOT 26, EMMON'S SUBDIVISION, OF RECORD IN MAP BOOK 6, PAGE 100, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN (POINT OF BEGINNING) AT THE NORTHWEST CORNER OF SAID LOT 27; THENCE THE FOLLOWING COURSES AND DISTANCES ALONG THE EASTERLY LINE OF YONGE STREET AND/OR U.S. HIGHWAY 1 AS NOW MONUMENTED AND ESTABLISHED 11-20-08; THENCE SOUTH 24°37'40" EAST, 81.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 27; THENCE NORTH 65°00'00" EAST ALONG THE SOUTHERLY LINE OF SAID LOT 27, 8.00 FEET TO A POINT THEREIN; THENCE SOUTH 24°37'40" EAST 108.72 FEET; THENCE DEPARTING SAID EASTERLY LINE NORTH 64°57'12" EAST THROUGH SAID LOT D, RIVER LOT 9, 270.66 FEET TO A POINT THEREIN; THENCE NORTH 24°37'38" WEST THROUGH SAID LOT D OF RIVER LOT 9, AND THROUGH A PORTION OF SAID LOT D, RIVER LOT 9 1/2, AND THROUGH SAID LOT 26, 189.50 FEET TO A POINT IN THE NORTHERLY LINE OF SAID LOT 26, SAID POINT BEING ALSO IN THE SOUTHERLY LINE OF DIX AVENUE, A PLATTED 36 FOOT RIGHT OF WAY; THENCE SOUTH 65°00'00" WEST ALONG SAID SOUTHERLY LINE, 278.66 FEET TO THE POINT OF BEGINNING.

PARCEL I.D. #4215-14-10-0080

(O.R.B. 6450, PG. 4134)

THAT PORTION OF THE WESTERLY 840 FEET OF LOT D OF RIVER LOT 9, AND THAT PORTION OF LOT D, RIVER LOT 9 1/2 LYING SOUTHERLY OF AND ADJOINING EMMON'S SUBDIVISION, ASSESSOR'S SUBDIVISION OF RIVER LOTS, ORMOND, OF RECORD IN MAP BOOK 3, PAGE 124, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, AND ALL OF LOT 27 AND A PORTION OF LOT 26, EMMON'S SUBDIVISION, OF RECORD IN MAP BOOK 6, PAGE 100, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN (POINT OF BEGINNING) AT THE NORTHWEST CORNER OF SAID LOT 27; THENCE THE FOLLOWING COURSES AND DISTANCES ALONG THE EASTERLY LINE OF YONGE STREET AND/OR U.S. HIGHWAY 1 AS NOW MONUMENTED AND ESTABLISHED 11-20-08; THENCE SOUTH 24°37'40" EAST, 81.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 27; THENCE NORTH 65°00'00" EAST ALONG THE SOUTHERLY LINE OF SAID LOT 27, 8.00 FEET TO A POINT THEREIN; THENCE SOUTH 24°37'40" EAST 108.72 FEET; THENCE DEPARTING SAID EASTERLY LINE NORTH 64°57'12" EAST THROUGH SAID LOT D, RIVER LOT 9, 270.66 FEET TO A POINT THEREIN; THENCE NORTH 24°37'38" WEST THROUGH SAID LOT D OF RIVER LOT 9, AND THROUGH A PORTION OF SAID LOT D, RIVER LOT 9 1/2, AND THROUGH SAID LOT 26, 189.50 FEET TO A POINT IN THE NORTHERLY LINE OF SAID LOT 26, SAID POINT BEING ALSO IN THE SOUTHERLY LINE OF DIX AVENUE, A PLATTED 36 FOOT RIGHT OF WAY; THENCE SOUTH 65°00'00" WEST ALONG SAID SOUTHERLY LINE, 278.66 FEET TO THE POINT OF BEGINNING.

PARCEL I.D. #4215-04-01-0270 AND 4215-04-01-02702009

PARCEL E (O.R.B. 7696, PG. 3818)

LOTS 5, 6, 7 AND 8, BLOCK 2, MAYO SUBDIVISION OF RIVER LOT NO. 6 ORMOND FLA., ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 124 AND RE-FILED IN PLAT BOOK 12, PAGE 51, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

PARCEL IDENTIFICATION NUMBER: 4215-06-02-0050

AND (O.R.B. 7151, PG. 3887)

LOTS 9, 10 & 11, BLOCK 2, MAYO SUBDIVISION OF RIVER LOT NO. 6 ORMOND FLA., ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 124 AND RE-FILED IN PLAT BOOK 12, PAGE 51, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

PARCEL IDENTIFICATION NUMBER: 4215-06-02-0090

AND (O.R.B. 7714, PG. 1251)

E 100 FT OF LOT D SUB RIVER LOT 11 1/2 ORMOND

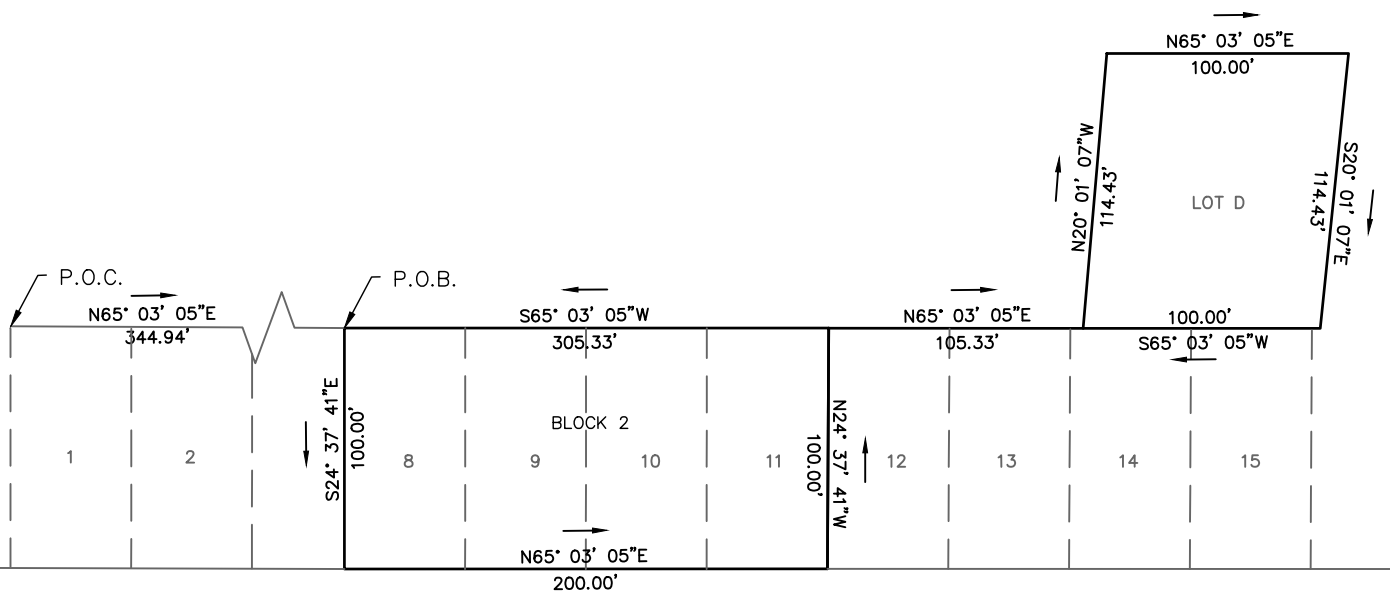
SKETCH OF DESCRIPTION

EXHIBIT "A"

Page 2 of 4

R-3

Land area to be re-zoned from R-3 to PRD



HIGHLAND AVENUE (33' R/W)

R-3

SHEET 2

SEE SHEET 1 FOR DESCRIPTION

City of Ormond Beach
Engineering Division

DATE: 6/6/23	PROJECT NO.:
SCALE: N.T.S.	FILE 145 N YONGE
SHEET: 2 OF 2	DRAWN BY: CO

LEGAL DESCRIPTION

EXHIBIT "A"
Page 3 of 4

R-3

Land area to be re-zoned from R-3 to PRD

LOTS 8, 9, 10, AND 11, BLOCK 2, MAYO SUBDIVISION OF RIVER LOT NO. 6 ORMOND FLA, AS RECORDED IN PLAT BOOK 12, PAGE 51, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, AND THE EASTERLY 100 FEET OF LOT D, SUBDIVISION OF RIVER LOT 11-1/2, AS RECORDED IN MAP BOOK 3, PAGE 124, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM A POINT OF COMMENCEMENT, SAID POINT BEING THE INTERSECTION OF THE WESTERLY LINE OF LOT 1, BLOCK 2, AND THE NORTHERLY LINE OF THE AFORESAID MAYO SUBDIVISION, RUN N65°03'05"E ALONG SAID NORTHEASTERLY LINE A DISTANCE OF 344.94 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY LINE OF SAID LOT 8, SAID POINT ALSO KNOWN AS THE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE DEPARTING SAID NORTHERLY LINE, RUN S24°37'41"E ALONG SAID WESTERLY LINE A DISTANCE OF 100.00 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY LINE OF SAID MAYO SUBDIVISION ALSO KNOWN AS THE NORTHERLY LINE OF HIGHLAND AVENUE (A 33 FOOT RIGHT-OF-WAY AS PLATTED); THENCE DEPARTING SAID WESTERLY LINE, RUN N65°03'05"E ALONG SAID NORTHERLY LINE A DISTANCE OF 200.00 FEET TO A POINT OF INTERSECTION WITH THE EASTERLY LINE OF SAID LOT 11; THENCE DEPARTING SAID NORTHERLY LINE, RUN N24°37'41"W ALONG SAID EASTERLY LINE A DISTANCE OF 100.00 FEET TO A POINT OF INTERSECTION WITH THE NORTHERLY LINE OF SAID MAYO SUBDIVISION; THENCE DEPARTING SAID EASTERLY LINE RUN N65°03'05"E ALONG SAID NORTHERLY LINE A DISTANCE OF 105.33 FEET TO A POINT OF INTERSECTION OF THE WESTERLY LINE OF THE SAID EASTERLY 100 FEET OF LOT D; THENCE DEPARTING SAID NORTHERLY LINE, RUN N20°01'07"W ALONG SAID WESTERLY LINE A DISTANCE OF 114.43 FEET TO A POINT OF INTERSECTION WITH THE NORTHERLY LINE OF SAID LOT D; THENCE DEPARTING SAID WESTERLY LINE, RUN N65°03'05"E ALONG SAID NORTHERLY LINE A DISTANCE OF 100.00 FEET; THENCE DEPARTING SAID NORTHERLY LINE, RUN S20°01'07"E A DISTANCE OF 114.43 FEET TO A POINT OF INTERSECTION WITH THE SAID NORTHERLY LINE OF MAYO SUBDIVISION; THENCE S65°03'05"W ALONG SAID NORTHERLY LINE A DISTANCE OF 100.00 FEET TO A POINT OF INTERSECTION WITH THE SAID WESTERLY LINE OF THE EASTERLY 100 FEET OF LOT D; THENCE CONTINUE S65°03'05"W A DISTANCE OF 305.33 FEET TO THE POINT OF BEGINNING

SAID PARCELS CONTAIN 20,000 SQ.FT OR 0.46 ACRES AND 11,443 S.F. OR 0.26 ACRES RESPECTIVELY MORE OR LESS

SHEET 1

SEE SHEET 2 FOR SKETCH OF DESCRIPTION

City of Ormond Beach
Engineering Division

DATE: 6/6/23	PROJECT NO.:
SCALE: N.T.S.	FILE 145 N YONGE
SHEET: 1 OF 2	DRAWN BY: CO

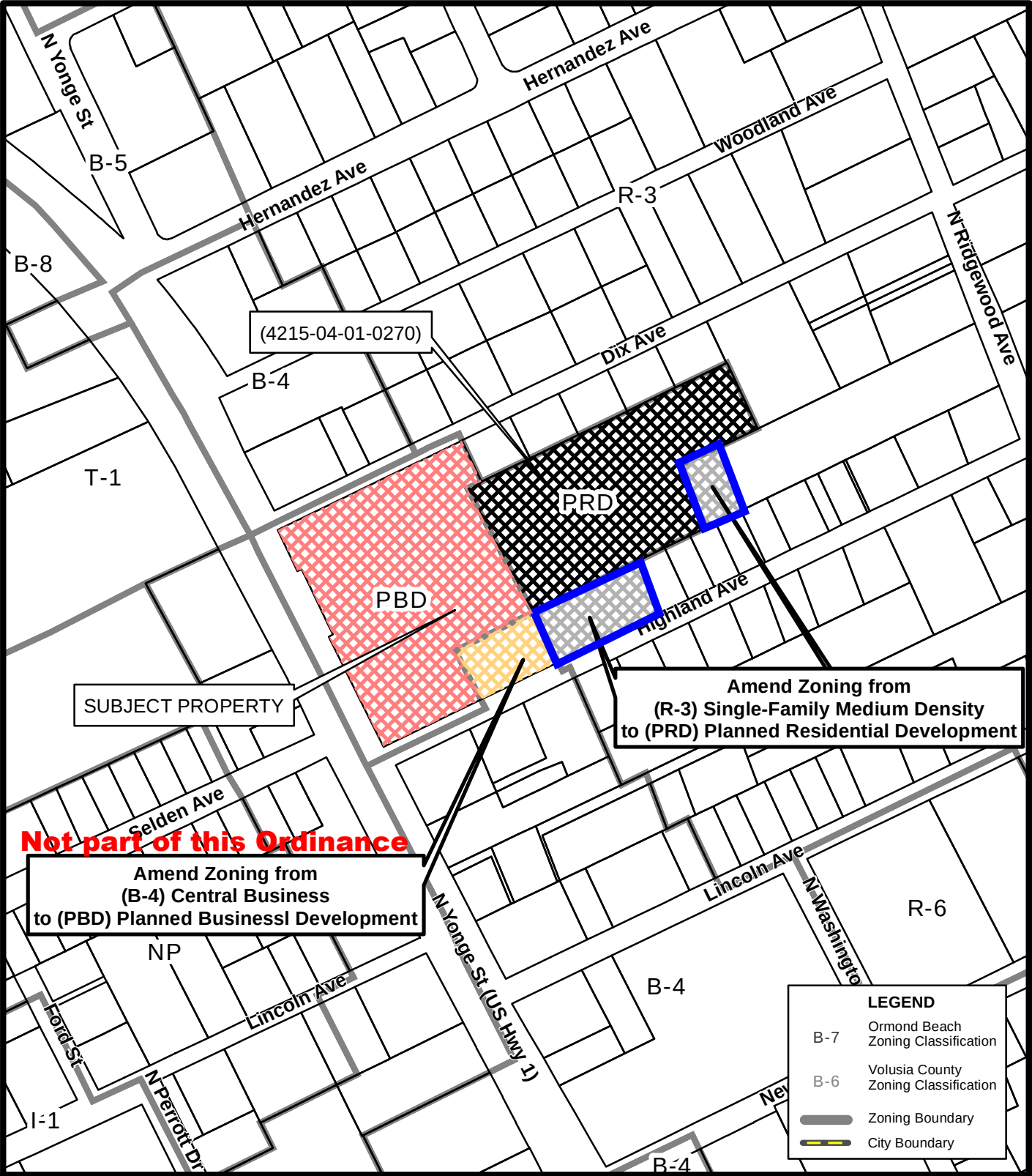
LOCATION MAP

**PARCEL ID:** 4215-04-01-0270

OWNER: CST HOLDINGS, LLC, A FLORIDA LIMITED LIABILITY COMPANY

APPLICANT: CST HOLDINGS, LLC, A FLORIDA LIMITED LIABILITY COMPANY

ZONING MAP AMENDMENT ADDRESS: 145 NORTH YONGE STREET, ORMOND BEACH, FL 32174



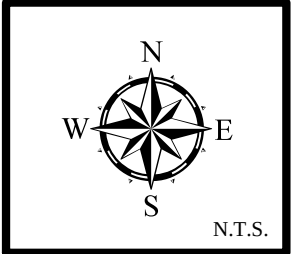
ZONING MAP

145 NORTH YONGE STREET

(4215-04-01-0270)

Prepared By: The City of Ormond Beach

G.I.S. Department - May 4, 2023



STAFF REPORT

City of Ormond Beach Department of Planning

MEETING DATE: June 8, 2023

SUBJECT: Ormond Enclave (fka "Courtyards at Ormond"), Zoning Map Amendment to PRD

APPLICANT: CST Holdings, LLC

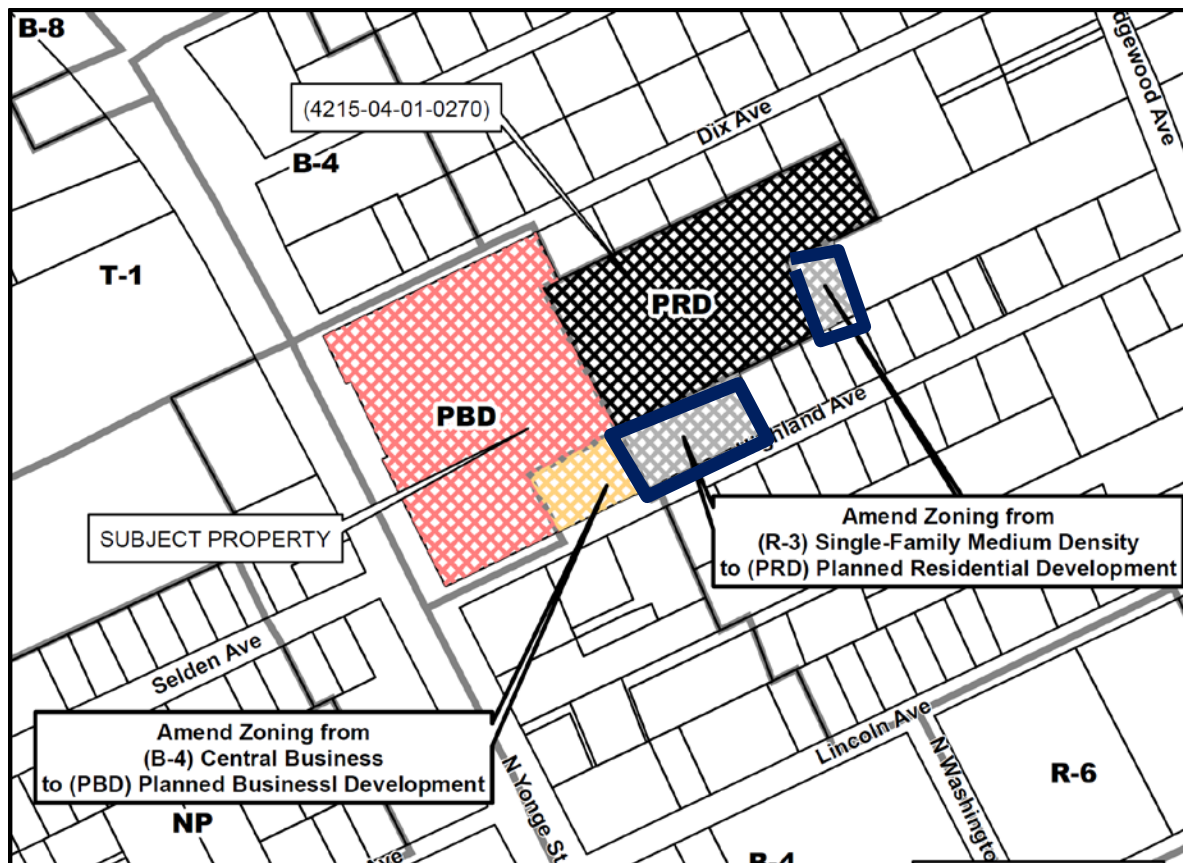
NUMBER: ZMA 2021-079(B)

PROJECT PLANNER: Steven Spraker, AICP, Planning Director

SECTION 1, INTRODUCTION:

This is a request from CST Holdings, LLC for a zoning map amendment for a 0.99± acre portion of 145 North Yonge Street from R-3, Single-Family Medium Density, to PRD, Planned Residential Development. The purpose of this item is to include the 0.99± acre into the Planned Residential Development zoning district area. Agenda item DO 2021-079(C), later on the agenda, seeks to establish a development order for the Planned Business and Residential Development to allow 64 multi-family units. The area of the zoning map amendment is shown in Exhibit 1 below:

EXHIBIT 1: Zoning map amendment area



SECTION 2, BACKGROUND:

A portion of the subject property was approved for a rezoning with Ordinance 2005-32 that authorized a Planned Business Development and a Planned Residential Development approving 82,369 square feet of commercial uses and 10 residential townhomes. Ordinance 2005-32 expired on October 5, 2007. Since the 2005 Ordinance approval, additional land area has been added to the project area.

On June 2, 2009, the City Commission authorized Ordinance 2009-17 for an amended development order for the Planned Business Development and Planned Residential Development. The Ordinance authorized a multi-phase project of a Dollar General retail store of 9,014 square feet (phase 1), a retail center of 12,000 square feet (phase 2), and 16 residential two-story townhomes (phase 3). The phase 1 retail store of 9,014 square feet was constructed and the other two phases have expired. Based upon (1) the expiration of the planned developments and (2) additional land areas being added to the planned development, a planned development amendment shall be required for any site development.

On October 1, 2019, the City Commission authorized Ordinance 2019-23 that approved the following Comprehensive Plan amendments for the property:

1. Amended the designation of the 2.52± acres from "Low Density Residential" to "Medium Density Residential", increasing the maximum allowed residential density from 4.3 units per acre to 12 units per acre;
2. Limited the allowed Floor Area Ratio (FAR) to 0.20 for the 2.52± acres proposed to be designated "Medium Density Residential"; and
3. Reduced the residential density within the 3.48± acres currently designated "General Commercial" from the existing 32 units per acre to 22 units per acre.

The Ormond Enclave project was formerly known as the "Courtyards at Ormond". Below within Exhibit 2 is the abutting land use and zoning of the area sought to be added to the Planned Residential Development zoning designation.

EXHIBIT 2: Abutting land use and zoning designations

	Current Land Uses	Future Land Use Designation	Zoning
North	Ormond Enclave parcel	"General Commercial"	B-4 (Central Business)
South	Single-family residential	"Low Density Residential"	R-3 (Medium Density Single-Family)
East	Single-family residential	"Low Density Residential"	R-3 (Medium Density Single-Family)
West	Ormond Enclave parcel	"General Commercial"	B-4 (Central Business)

Since the 2009 Planned Development, there has been property that has been purchased by the applicant that now needs to be incorporated into the development plan.

SECTION 3, PROJECT PROCESS:

Applications:

There are three distinct zoning actions associated with the Ormond Enclave project that include:

- A. Zoning map amendment for a 0.34± acres portion of 145 North Yonge Street from B-4, Central Business to PBD, Planned Business Development. This zoning action is needed to incorporate the property into the Planned Business Development. The zoning map amendment does not provide any specific developmental approval but instead provides a framework for the issuance of the development order.
- B. Zoning map amendment for a 0.99± acres portion of 145 North Yonge Street from R-3, Single-Family Medium Density, to Planned Residential Development. **This is the subject of this agenda item.** This zoning action is needed to incorporate the property into the Planned Residential Development. The zoning map amendment does not provide any specific developmental approval but instead provides a framework for the issuance of the development order.
- C. Issuance of a development order for 64 multi-family residential units and associated site improvements on 6.34± acres located at 145 North Yonge Street. The development has an existing retail use of 9,014 square feet. The development order approves a specific site plan for the development of the entire 6.34 acres. The 2009 development order had phase 1, a 9,014 square foot building constructed and the other phases have expired. The purpose of this development order is to incorporate the land areas acquired by the applicant and to allow the construction of 64 multi-family residential units and associated site improvements.

Project review process:

The Planned Residential and Business Development is reviewed and acted upon as two separate actions: (1) zoning map amendments and (2) issuance of a development order. The two actions will be discussed together at the public hearing and require separate votes. The project (both the zoning map amendment and issuance of the development order) has the following approval process:

1. **Site Plan Review Committee (SPRC).** The Site Plan Review Committee is comprised of city departments who review site plan applications for consistency with the Land Development Code and Comprehensive Plan. This committee provides a technical review of development submittals.
2. **Neighborhood meeting.** The Land Development Code requires a neighborhood meeting where a project abuts a residential zoning district for the issuance of the development order item. The neighborhood meeting was conducted on January 17, 2023 and is summarized in the analysis section of this report.
3. **Planning Board.** The Planning Board conducts one public hearing for a zoning map amendment and issuance of a development order. The Planning Board provides a recommendation to the City Commission. Applications, whether

recommended for approval or denial, are forwarded to the City Commission for action. The Planning Board is appointed by the City Commission. The Planning Board in its recommendation is required to consider the following:

- a. Application submitted by the applicant;
 - b. Staff report;
 - c. Written correspondence provided;
 - d. Testimony presented at the public hearing; and
 - e. Criteria for rezonings and issuance of a Development Order.
4. **City Commission.** The City Commission is an elected body that provides the final action on zoning map amendments and issuance of development orders. The tentative City Commission dates for this project are July 18, 2023 and August 1, 2023. Section 1-18(e) of the Land Development Code requires the City Commission to consider:
- a. Report and recommendation of the site plan review committee and the planning board.
 - b. Report and recommendation of other city departments and advisory boards, as appropriate.
 - c. Comments of governmental agencies, utility corporations and individuals, as received.

Section 1-18 of the Land Development Code also provides the review criteria for development orders listed in the analysis section of this report.

SPRC Review and advertising process

Exhibit 4 shows the Site Plan Review Committee (SPRC) review process and the notice requirements for public meetings for both the zoning map amendments and issuance of a development order.

EXHIBIT 4: SPRC review and advertising process

PZ-21-079		
Action	Date	Notes
1 st SPRC submittal	June 17, 2021	SPRC review: July 9, 2021
Neighborhood meeting	August 25, 2021	600' mail radius; newspaper ad
2 nd SPRC submittal	September 28, 2021	SPRC review: October 20, 2022
Neighborhood meeting	January 17, 2023	600' mail radius; newspaper ad
3 rd SPRC submittal	April 25, 2023	SPRC review: May 12, 2023
Planning Board	June 8, 2023	300' mail radius; newspaper ad; site posting
City Commission, 1 st	July 18, 2023 (tentatively)	300' mail radius; newspaper ad
City Commission, 2 nd	August 1, 2023 (tentatively)	newspaper ad
SPRC final review	To be determined	

The August 25, 2021 neighborhood meeting reviewed a site plan for a 10,889 square foot retail building and a 48-unit multi-family development. The second neighborhood meeting on January 23, 2023 reviewed a site plan of 64 multi-family units. The neighborhood meeting is focused more on the issue of the development order, but it is provided with the zoning map amendment for informational purposes. A summary of the neighborhood meeting is as follows:

Presentation:

1. Newly proposed plans have removed the commercial property to address concerns from the previous neighborhood meeting. The commercial has been replaced with additional multi-family dwelling units. There will be eight 2-story building with 8 units in each building making a total of 64 multi-family dwelling units. The buildings will be approximately 29.5 feet tall and there will be two different layouts. Based on allowed density the plans could have up to 99 units, but the owner wants to preserve as much vegetation as possible, make luxury apartments, and blend the multi-family between the commercial to the west and residential to the east.
2. Newly proposed plans have modified the ingress/egress to have an entrance only along Highland in an effort to address concerns from the previous neighborhood meeting.

Meeting comments:

3. Wanted to know price point of apartments and if it was affordable housing. Applicant stated price would be based on the market and it is not intended to be an affordable housing complex.
4. Some residents were not opposed to the idea of commercial. Wanted to know if they could limit the type of commercial uses.
5. Concerns regarding lighting impacts to the existing neighborhood.
6. Wanted to know materials of building and if the project would be phased. Had concerns that this project could not be completed similar to the Ormond Renaissance project. Applicant clarified it will be one phase and the buildings will be constructed out of concrete masonry blocks.
7. Privacy concerns with 2-story buildings adjacent to shorter homes in neighborhood. Applicant stated the buildings will be similar to an average house height at approximately 29.5 feet tall. The buildings will be at least 50 feet from an abutting residential home, will have a 6-foot tall vinyl fence, and oaks and shrubs will be replanted along the eastern boundary line that abuts residential.
8. Wanted to see if the community will be gated. Applicant responded that a gated community is not an option due to car-stacking issues.
9. Will there be security, an office on-site, and will a maintenance person be on-site or on an on-call basis? Applicant stated the managing office will be off-site and there will be a maintenance person called on an as-needed basis. There will be no security.

10. Ability to reduce the number of units and increase monthly prices to have a unique and high-quality apartment complex different from other cities.
11. Concerns for traffic were expressed.
12. Suggest to limit exit for Dollar General along Highland Avenue to be a left turn only to reduce traffic leaving the store.
13. Commented that Dix Avenue and Highland Avenue are narrow enough and having 64 new homes with multiple cars will devastate the area further.
14. Newly installed speed tables have done nothing to slow traffic or make narrow roads safer for residents and their children.
15. Concern for drainage was expressed.
16. After heavy rains, flooding is already a concern and naturally flows to the subject property. Concerns that new buildings and land clearing will cause more flooding to abutting homes.
17. Applicant clarified the existing pond will remain and there will be additional dry retention ponds added to account for nutrient loading. This is required in order to retain all stormwater onsite and not impact surrounding neighborhood.
18. Applicant clarified they desired to preserve as many trees as possible. Southern sidewalk meanders to avoid impacts to existing trees on-site.
19. Applicant stated no plans for a pool or playground.
20. Biggest concerns are regarding the width of residential streets and that they are already unsafe for driving, especially large trucks.
21. Don't want any projects that will bring larger volumes of traffic.
22. Major concerns regarding flooding, and what the city is doing to resolve the current issue, and what the developer will do to prevent further flooding off-site.

The project has also been posted on the city website under the Planning Department at: (1) Development Reports, <https://www.ormondbeach.org/1029/Ormond-Enclave> and (2) Public Hearing Advertisements and Notices, <https://www.ormondbeach.org/1000/Public-Hearing-Advertisements-and-Notice>.

SECTION 4, ANALYSIS/ CRITERIA FOR APPROVAL:

The 0.99± acre parcel is proposed to have a zoning map amendment from R-3, Single-Family Medium Density, to PRD, Planned Residential Development. The R-3, Single-Family Medium Density zoning district allows single-family residential uses. The property along Highland Avenue had the land use changed in 2021. The portion that still has the "Low Density Residential" land use was purchased for additional natural area and stormwater. The zoning map amendment does not provide for any specific uses or development approval. The specific development plan is within the issuance of the development order agenda item.

There are certain criteria that must be evaluated before a Planned Residential Development zoning map amendment can be acted upon. **It is important to note that this item is solely for the zoning map amendment and not the detailed site plan**

development order. 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 R-3, Single-Family Medium Density, to PRD, Planned Residential 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.

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

The Future Land Use Element directive text within the Comprehensive Plan is as follows:

D. Low Density Residential (LDR)

Purpose: To protect and encourage the continued development of typical single-family residential areas and stabilize and protect the character of such neighborhoods. Institutional uses may be permitted in accordance with the maximum floor area ratio.

Density: up to 4.3 units per acre

Maximum FAR: 0.2

E. Medium Density Residential (MDR)

Purpose: To allow a variety of highly aesthetic dwelling units, encouraging the establishment of recreation areas and open space and discouraging look-alike 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.

Maximum FAR: 0.3

The Comprehensive Plan contains the following Goals, Objectives and Policies related to the zoning map amendment:

Future 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 FOR A CONTINUED HIGH LEVEL OF OPEN SPACE. FUTURE GROWTH SHALL BE TIMED AND LOCATED TO MAXIMIZE EXISTING PUBLIC INFRASTRUCTURE.

OBJECTIVE 1.1. RESIDENTIAL LAND USE

Ensure the availability of adequate lands to meet the residential land use needs of the community.

POLICY 1.1.3.

Preserve the character of existing neighborhoods by not allowing intrusion of land uses that would threaten to alter the neighborhood character and by encouraging voluntary rehabilitation and sound maintenance programs in viable neighborhoods which are capable of self-renewal and establishing code enforcement or public redevelopment activities in areas not capable of self-renewal.

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.

POLICY 1.1.9.

Medium and high density multi-family residential development shall be encouraged near employment centers with convenient access to public recreational facilities, the thoroughfare system and mass transit routes.

POLICY 1.1.10.

Provide opportunities for housing geared to lower income families and the elderly in close proximity to shopping areas, mass transit facilities, convenient shopping, hospitals and recreational opportunities by designating these "opportunity" areas as Medium Density Residential on the Future Land Use Map.

POLICY 2.1.14.

The City shall maintain citywide architectural standards for the new development and redevelopment of existing buildings.

Housing Element

GOAL 1. HOUSING SUPPLY

ENSURE THE AVAILABILITY OF SAFE AND ADEQUATE HOUSING UNITS OF DIFFERENT TYPES, SIZES, AND PRICE RANGES TO MEET THE NEEDS OF ALL CURRENT AND FUTURE RESIDENTS.

OBJECTIVE 1.1. HOUSING SUPPLY

The City shall continue to facilitate the private production of a housing supply, including adequate sites for mobile homes or manufactured housing and low and moderate income housing, which will meet future community needs and offset housing deficiencies as noted in this Element.

OBJECTIVE 1.2. PROVISION OF ADEQUATE SERVICES AND FACILITIES

Each existing housing development and residential neighborhood along with all new housing development shall meet existing adopted level of service standards.

POLICY 1.2.1.

The general residential development pattern in the city should be in accord with the community's growth strategy for residential densities, as stipulated within the Future Land Use Element.

Transportation Element

GOAL 1. LAND USE

PROMOTE A BALANCED, AFFORDABLE, RELIABLE, CONVENIENT AND EFFICIENT MULTI-MODAL TRANSPORTATION SYSTEM THAT SUPPORTS THE LAND USE VISION OF THE ORMOND BEACH COMPREHENSIVE PLAN.

POLICY 1.5.2

Development and redevelopment within designated TCEAs is exempt from traditional state-mandated transportation concurrency requirements but shall comply with Objective 1.6 of the Transportation Element and associated policies as well as transit design principles.

The zoning map amendment is consistent with the Comprehensive Plan.

- 3. The proposed development will not adversely impact environmentally sensitive lands or natural resources, including but not limited to 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 uses consistent with the land use designation.

- 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.

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

The zoning map amendment establishes the framework for the development order (next agenda item) that details the specific development approval. Detailed traffic studies are provided with the issuance of the development order item.

- 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 increase as a result of the requested zoning amendment R-3, Single-Family Medium Density, to PRD, Planned Residential 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".

SECTION 5, RECOMMENDATION:

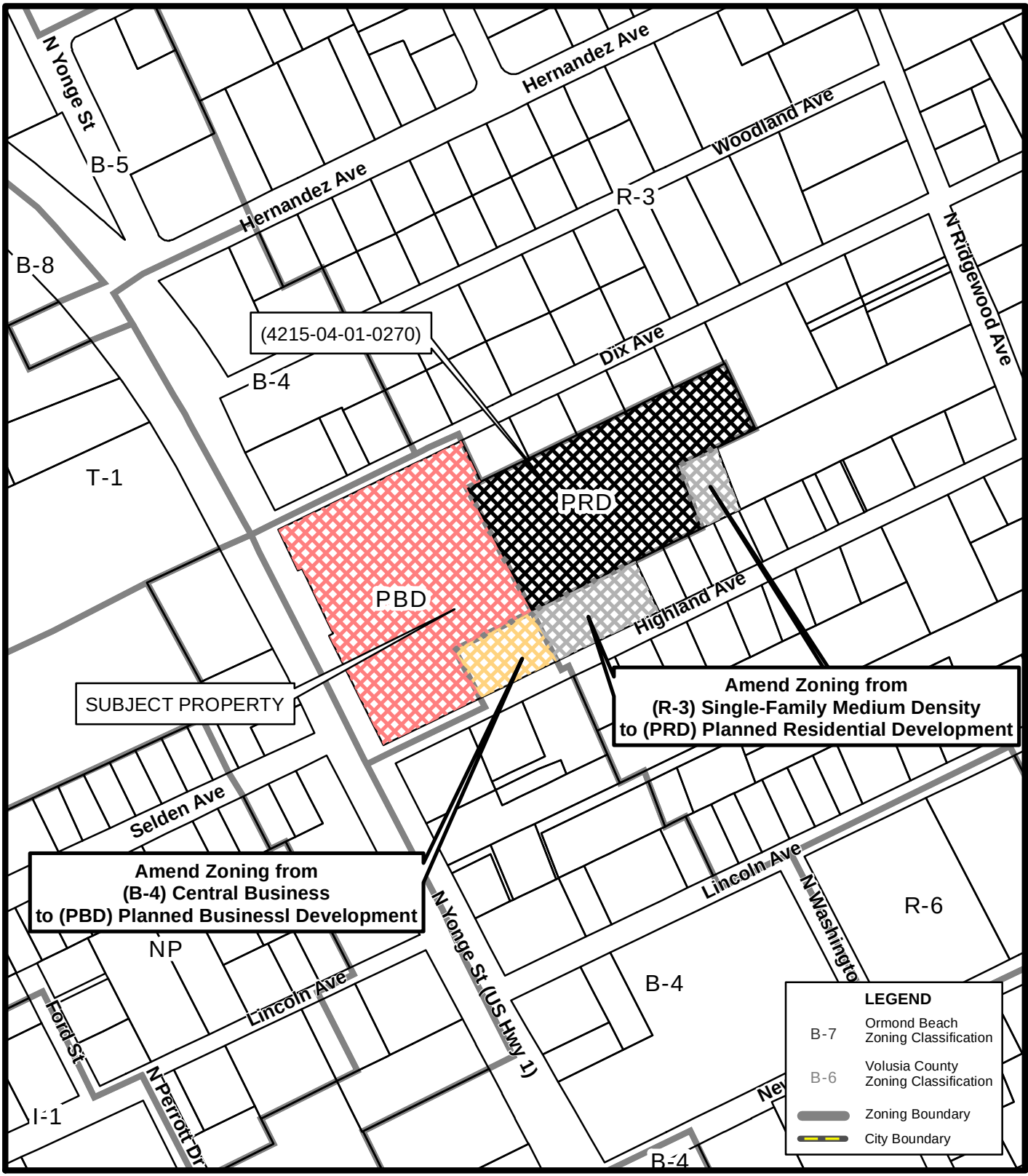
Staff recommends that the Planning Board recommend **APPROVAL** to the City Commission for a zoning map amendment from R-3, Single-Family Medium Density, to PRD, Planned Residential Development for a 0.99± acre parcel within the Ormond Enclave project at 145 North Yonge Street. The agenda item DO 2021-079(C) would review and act upon the development of the property for multi-family residential uses.

Attachments:

- 1: Zoning map amendment
- 2: Location, Aerial, and Land Use Maps
- 3: Correspondence received

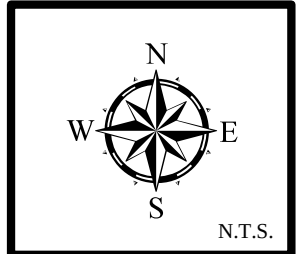
ATTACHMENT 1

Zoning Map for Amendment



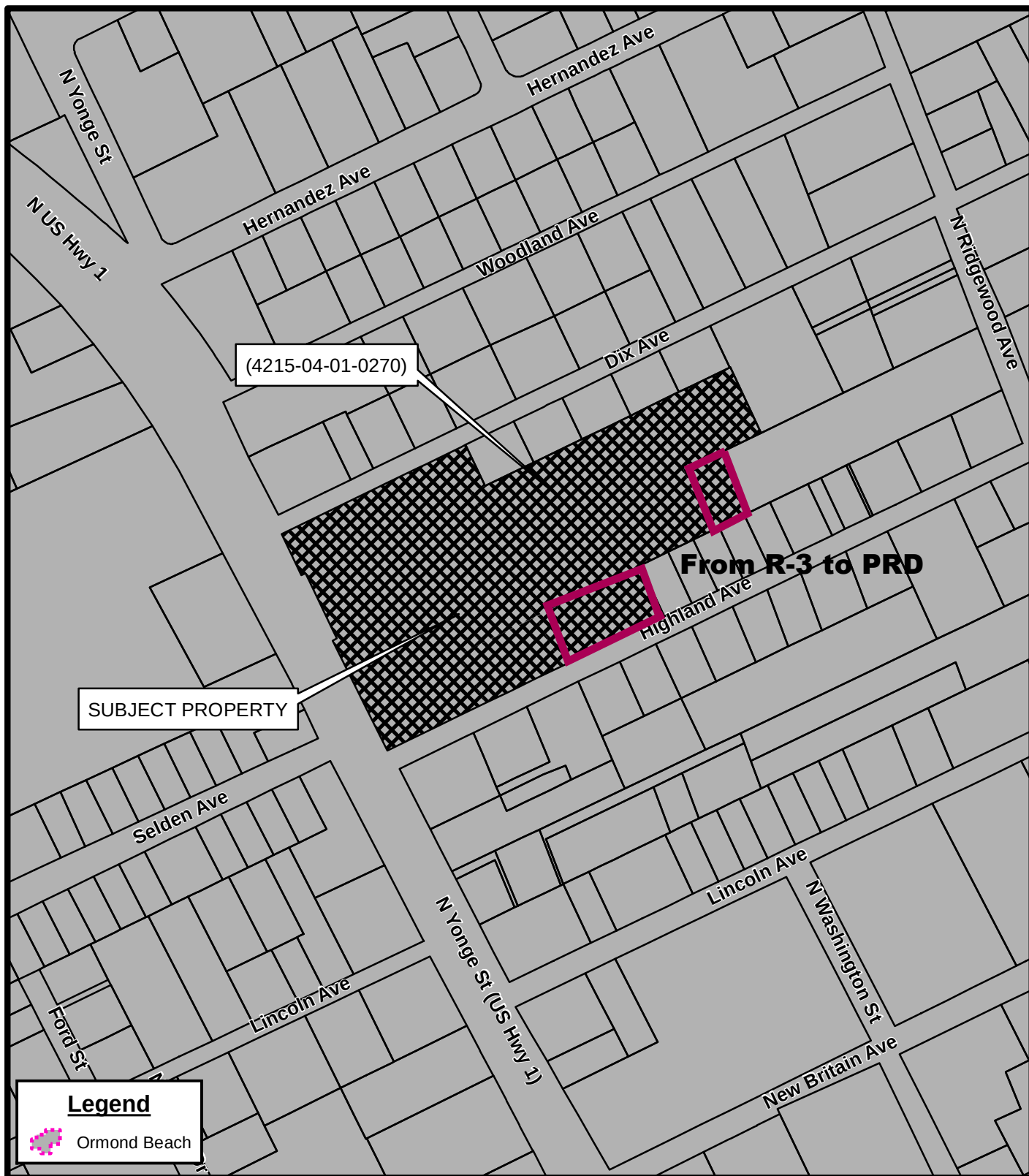
ZONING MAP
145 NORTH YONGE STREET
(4215-04-01-0270)

Prepared By: The City of Ormond Beach
G.I.S. Department - May 4, 2023



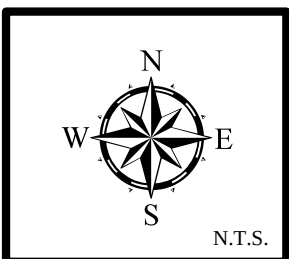
ATTACHMENT 2

Location, aerial, land use
maps



LOCATION MAP
145 NORTH YONGE STREET
(4215-04-01-0270)

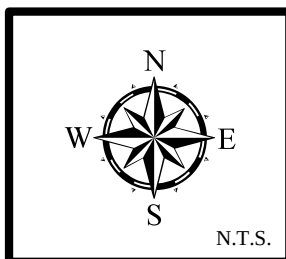
Prepared By: The City of Ormond Beach
G.I.S. Department - May 4, 2023

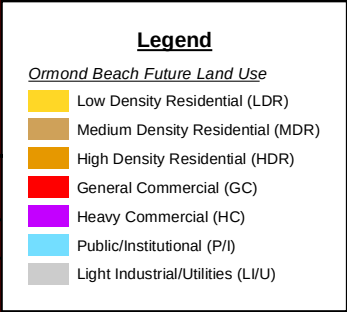
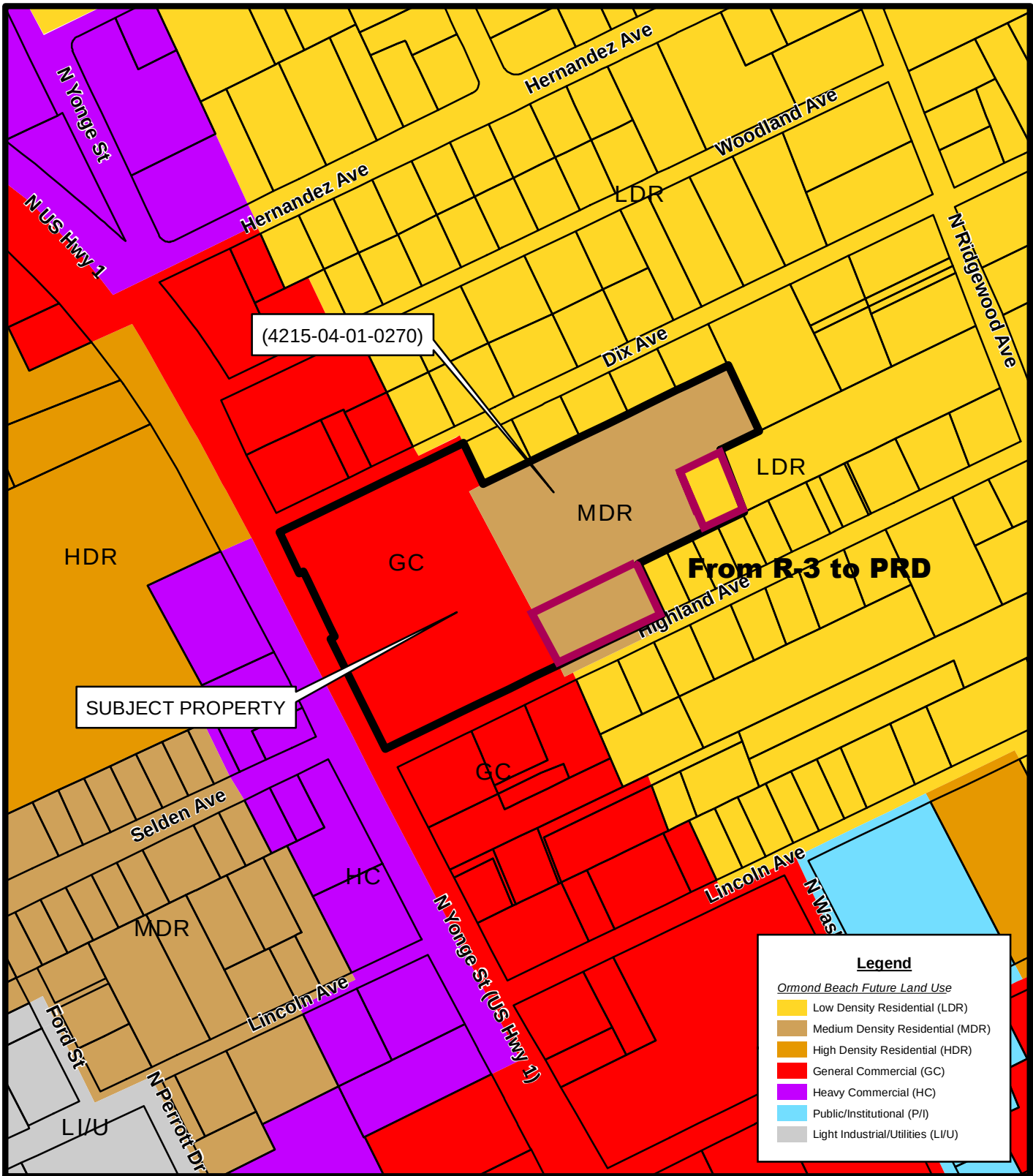




AERIAL MAP
145 NORTH YONGE STREET
(4215-04-01-0270)

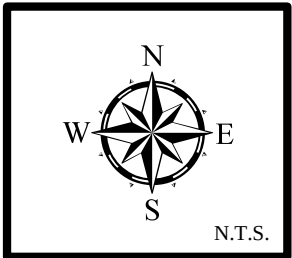
Prepared By: The City of Ormond Beach
 G.I.S. Department - May 4, 2023





FUTURE LAND USE MAP
145 NORTH YONGE STREET
(4215-04-01-0270)

Prepared By: The City of Ormond Beach
 G.I.S. Department - May 4, 2023



ATTACHMENT 3

Correspondence Received

Spraker, Steven

From: jennifer cone wells <jwells@cfl.rr.com>
Sent: Monday, April 24, 2023 1:27 PM
To: Spraker, Steven
Subject: Re: Ormond Enclave (formerly known as the Courtyards at Ormond) distribution list (04.24.2023)

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

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

For Planning Board-

Just in case you haven't noticed.....there is no more room for growth in Ormond Beach! Especially in the heart of our community. Traffic is terrible! And gets worse every month! (I can't even get out of my driveway on a daily basis) We've maxed out land for growth in our community at large....and the only remaining space for growth is westward. We love Ormond Beach....and loved living here until little Ormond Beach outgrew it's self. The community needs to focus growth on activities and events instead of eating up every little wee bit of green land that remains! Those of us who chose to live here yeas ago would like to keep the community as it was when we moved here. Stop focusing on land grabs & dollar development when there is so much more to better this community than traffic jams; water shortages; major traffic jams; and Dollar Stores! Please wake up! WE HAVE NO MORE ROOM OR NEED FOR GROWTH IN THE FORM OF BUILDINGS!! The community can no longer manage that kind of growth. None of us want it. The only people that want this type of growth are builders. Why should they dictate how we live while they make tons of money?

Jennifer Cone-Wells

On Apr 24, 2023, at 12:19 PM, Spraker, Steven <Steven.Spraker@ormondbeach.org> wrote:

Good afternoon,

The Ormond Enclave project has re-submitted to the city's Site Plan Review Committee (SPRC). The submittal is available at <https://www.ormondbeach.org/1029/Ormond-Enclave>. The project is seeking to be on the June 8, 2023 Planning Board agenda. The SPRC review is due on May 4th and will determine if the project is ready for the Planning Board agenda or needs an additional site plan submittal. Additional notification regarding a Planning Board hearing date would be provided on this distribution group, on the city's website, abutter letters, newspaper advertisements, and site posting. Written correspondence received on the project will be provided in the public hearing packets. Any correspondence for the public meetings can be e-mailed to me at Steven.Spraker@ormondbeach.org or comdev@ormondbeach.org and should include the text "For Planning Board" in the subject line. Please contact me with any questions.

Thank you

Steven

Steven Spraker, AICP
Planning Director
<image001.jpg>
Planning Department
22 South Beach Street, Room 104
Ormond Beach, FL 32174
Direct Line: 386.676.3341
Department: 386.676.3238
Cell: 386.366.1590
Fax: 386.676.3361
E-mail: Steven.Spraker@ormondbeach.org

From: Spraker, Steven
Sent: Thursday, December 29, 2022 3:12 PM
To: Spraker, Steven <Steven.Spraker@ormondbeach.org>
Subject: FW: Ormond Enclave (formerly known as the Courtyards at Ormond) distribution list (12.29.2022)

Good afternoon,

The Storch Law Firm is conducting a neighborhood meeting for the Ormond Enclave, formerly the Courtyards project on **Tuesday, January 17, 2023, at 6:00PM at Trails Clubhouse, 201 Main Trail, Ormond Beach, FL 32174.** This project is located along the east side of US 1, between Dix Avenue and Highland Avenue. The site plan submitted shows a residential development of 64 low-rise apartments. The attached notice provides a contact of The Storch Law Firm who may be contacted by phone at (386) 238-8383 or by email at corey@storchlawfirm.com.

The project requires a neighborhood meeting, Planning Board review, and City Commission action. The site plan submittals are available at: <https://www.ormondbeach.org/1029/Ormond-Enclave>.

Thank you

Steven

Steven Spraker, AICP
Planning Director
<image001.jpg>
Planning Department
22 South Beach Street, Room 104
Ormond Beach, FL 32174
Direct Line: 386.676.3341
Department: 386.676.3238
Cell: 386.366.1590

Fax: 386.676.3361
E-mail: Steven.Spraker@ormondbeach.org

From: Spraker, Steven
Sent: Thursday, October 6, 2022 1:06 PM
To: Spraker, Steven <Steven.Spraker@ormondbeach.org>
Subject: Ormond Enclave (formerly known as the Courtyards at Ormond) distribution list (10.06.2022)

Good afternoon,

This is a distribution list for the Ormond Enclave (formerly known as the Courtyards at Ormond) project at 135 North Yonge Street. If you do not wish to receive additional e-mails on this project, please reply **STOP** and staff will remove your e-mail from this distribution list.

The Ormond Enclave project has re-submitted a site plan for a 6.34-acre parcel that proposes 64 multi-family residential units and removal of the previously proposed retail uses. The site plan submittal is available at: <https://www.ormondbeach.org/1029/Ormond-Enclave>. The project would require a neighborhood meeting, Planning Board review/recommendation and City Commission action. The date of the neighborhood meeting has not been set. Please contact me with any questions. Thank you

Steven

Steven Spraker, AICP
Planning Director
< >
Planning Department
22 South Beach Street, Room 104
Ormond Beach, FL 32174
Direct Line: 386.676.3341
Department: 386.676.3238
Cell: 386.366.1590
Fax: 386.676.3361
E-mail: Steven.Spraker@ormondbeach.org

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From: [Spraker, Steven](#)
To: ["cswan129@gmail.com"](mailto:cswan129@gmail.com)
Subject: RE: Project: Apartment Building at US 1 and Highland Avenue and Dix
Date: Thursday, September 2, 2021 7:32:50 AM
Attachments: [image001.jpg](#)

Good morning,

Thank you for your e-mail. I can included this e-mail when the project moves forward to a public hearing. The project has not been scheduled for a public hearing and city staff are awaiting a resubmittal to the city Site Plan Review Committee. I will add your e-mail to the project distribution list to provide information on future project submittals and public hearings.

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: cswan129@gmail.com <cswan129@gmail.com>
Sent: Wednesday, September 1, 2021 7:31 PM
To: Spraker, Steven <Steven.Spraker@ormondbeach.org>
Subject: Project: Apartment Building at US 1 and Highland Avenue and Dix

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

Hello Mr. Spraker,

I am Christine Swanson and have owned my home at 44 Highland Avenue, Ormond Beach, FL 32174 for 34 years. One of the many reasons I moved to Ormond Beach was that Ormond was known to save trees, control development and was a family oriented location! I love where I live and take advantage of the walking distance to various shops and restaurants and I walk the bridge.

I attended the meeting on August 25th at the Performing Arts Center regarding the proposed 48 apartments and 3 retail shops to be built at U.S. 1 between Highland Avenue and Dix. I am glad that you were present and as you can attest the people who live on these streets along with people that live in the vicinity **DO NOT WANT THIS DEVELOPMENT BUILT!** Most of the speakers had done their research and asked questions that could not be answered by the gentleman from Parker Mychenberg. It goes without saying that our small streets with no sidewalks will not be able to withstand the additional vehicular traffic once the complex is built! And what kind of retail businesses will be added to the mix? We already have a ton of traffic coming and going on Highland and Dix at all hours of the day trying to bypass

Granada Blvd. and the majority of the traffic does NOT adhere to the posted 25 mph speed limit! We have children that walk and ride their bikes to Ormond Elementary and Ormond Middle schools! As was mentioned in the meeting, children play and ride their bikes along these roads, people walk their dogs, people ride their bikes, families walk down to the pier and people walk the bridge. All this is done while navigating the traffic speeding up and down the streets. It is not safe and eventually someone is going to be hit or God forbid killed by a careless driver that is not paying attention. I take my life in my hands when I am mowing and weeding my front yard!! Everyone is always in a hurry and paying attention to a cell phone instead of the road!

I remember years ago when the City of Ormond Beach wanted to move the little white church that is next to the west side of the bridge on Beach Street and build a bunch of offices and restaurants and had plans for some sort of a floating pier. The people were up in arms over that and I attended the meeting. Before the meeting was started city officials announced that they had heard from an overwhelming amount of the citizens of Ormond Beach that they did not want what was being proposed and they had already scrapped the project, but they would allow people to speak and give their comments. I found it amazing that the City actually listened to the people! We need the City to listen to the people again for this horrific project!

What has happened to the Granada Blvd. corridor has been horrendous with stripping the land to build a WAWA gas station and car wash!! And also stripping the land across the street which is still vacant. I can't image what will eventually be built there. Vacant land with trees and animal habitat is always in danger of being torn apart to build what?? Mostly something that is not even needed! You take away all the trees, kill the environment, animals lose their homes and people lose their rights to their neighborhood tranquility. And for what - the almighty dollar??? I won't even get into what Parker Mychenberg is building in the Loop area, but you get my drift.

We need the City to listen to the people regarding this development that will do such harm to our neighborhoods in creating horrific issues with traffic, flooding, harm to our wildlife and our citizens' safety! I thank you for your time and anything you can do to help us in this fight for our rights as homeowners.

As I mentioned, I have lived here 34 years and have never received any correspondence via email regarding upcoming issues and would appreciate it if you would add my email address to the list so that I receive information regarding changes to my surroundings.

Thank you very much.

Christine Swanson
44 Highland Avenue
Ormond Beach, FL 32174
cswan129@gmail.com

From: [Beth Putnam](#)
To: [Spraker, Steven](#)
Subject: Re: Courtyards at Ormond
Date: Friday, August 27, 2021 4:00:07 PM

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

Thank you for the meeting information. I was not able to attend on Wednesday, as I was working. I am totally against the courtyards project, as it is to population dense, not family friendly, and he's only going to exacerbate the traffic and speeding problem that we have in this neighborhood.

Sent from my iPhone

On Aug 19, 2021, at 2:53 PM, Spraker, Steven
<Steven.Spraker@ormondbeach.org> wrote:

Good afternoon,

Planning staff has been informed that the Ormond Beach Senior Center is closed until further notice. The Courtyards at Ormond neighborhood meeting scheduled for August 25th will be held in the **Ormond Beach Performing Arts Center Auditorium**. The Performing Arts Center is located at 399 North US Highway 1. There will be individuals to direct traffic and signage to direct people to the meeting location. The neighborhood meeting is scheduled for August 25, 2021 starting at 6pm. Please contact me if there are any questions.

Thank you

Steven

Steven Spraker, AICP
Planning Director
<[image001.jpg](#)>

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: Spraker, Steven

Sent: Tuesday, August 3, 2021 1:15 PM
To: Spraker, Steven <Steven.Spraker@ormondbeach.org>
Subject: RE: Courtyards at Ormond

Good afternoon,

Please find attached for your information a notice regarding a neighborhood meeting for the Courtyard at Ormond project. The neighborhood meeting will be held in the Ormond Beach Senior Center Art Room located at 351 Andrews Street, Ormond Beach, Florida, 32174 on August 25, 2021 from 6:00 PM to 7:00 PM. The Courtyard at Ormond project proposes to construct a 10,889 square foot retail building (3 units) and a 48-unit multifamily apartment complex located at the north east corner of the intersection of North Yonge Street and Highland Avenue. The project shall require a zoning map amendment with review by the Planning Board and action by the City Commission.

Thank you

Steven

-

Steven Spraker, AICP
Planning Director
<image001.jpg>

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: Spraker, Steven
Sent: Thursday, June 24, 2021 7:46 AM
To: Spraker, Steven <Steven.Spraker@ormondbeach.org>
Subject: Courtyards at Ormond

Good morning,

This is a distribution list for the Courtyards at Ormond project at 135 North Yonge Street. If you do not wish to receive additional e-mails on this project, please reply **STOP** and staff will remove your e-mail from this distribution list.

The Courtyards at Ormond at 135 North Yonge Street has re-submitted a site plan for a 6.34-acre parcel that proposes 48 multi-family residential units and 10,889

square feet of retail. The site plan submittal is available at: <https://www.ormondbeach.org/247/Development-Projects>. The previous site plan submittal expired. The project would require a neighborhood meeting, Planning Board review/recommendation and City Commission action. The date of the neighborhood meeting has not been set. Attached to the e-mail is the process for the project review and the site plan.

Please contact me with any questions.

Thank you

Steven

Steven Spraker, AICP
Planning Director
<image001.jpg>

Planning Department
22 South Beach Street, Room 104
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DRAFT

**Planning Board minutes
from**

June 8, 2023

ITEM:

ZMA 2021-079(B)

Ormond Enclave, 145 North Yonge
Street, Zoning Map Amendment to PRD

V. APPROVAL OF MINUTES

May 11, 2023

Mr. Jorczak moved to approve the May 11, 2023 Minutes. Ms. Shull seconded the motion. Vote was called, and the motion was approved (6-0).

VI. PLANNING DIRECTOR'S REPORT

No report.

VII. PUBLIC HEARINGS

A. **ZMA 2021-079(A), Ormond Enclave, 145 North Yonge Street, Zoning Map Amendment to PBD**

B. **ZMA 2021-79(B), Ormond Enclave, 145 North Yonge Street, Zoning Map Amendment to PRD**

C. **PRD/PBD 2021-079(C), Ormond Enclave, 145 North Yonge Street, Issuance of a Development Order**

Mr. Steven Spraker, Planning Director, stated that items (A), (B), and (C), are interrelated and will be discussed together but must be voted on by the Planning Board individually. Mr. Spraker detailed the history of the project including a 2005 approval, 2009 approval and a 2019 Comprehensive Plan amendment. Mr. Spraker continued that the subject property has three (3) land uses of "General Commercial", "Medium Density Residential", and "Low Density Residential." The land uses allow a maximum of 193,014 of building area or 107 residential units.

Mr. Spraker stated that agenda item (A) was for a zoning map amendment for 0.34 acres that has a B-4, Central Business zoning designation that has been purchased by the project team and needs incorporation into the PBD, Planned Business Development zoning designation. Mr. Spraker continued that agenda item (B) was for a zoning map amendment for 0.72 acres that has a R-3, Single-Family Medium Density zoning designation and needs incorporation into the PRD, Planned Residential Development zoning designation. Mr. Spraker noted that the staff report called the area a total of 0.99 acres, but it was discovered that an additional lot was added to this total that is already Planned Residential Development.

Mr. Spraker stated that agenda item (C) was the issuance of the development order and reviewed the proposed site plan. Mr. Spraker noted:

- The gross density is 10.09 units per acre.
- There is an existing use – Dollar General – 9,014 square feet that would remain.
- A total of 131 parking spaces required and 164 parking spaces provided.
- The proposed building height is 25' 2", a total of two stories.
- There are eight buildings.
- The minimum setbacks to existing residential lots is 50'.

Mr. Spraker displayed a PowerPoint slide detailing the areas of fencing and stated that areas not fenced have heavy natural vegetation. The Land Development Code (LDC) allows the Site Plan Review Committee (SPRC) to determine the appropriate fencing, but because this is a Planned Development, the Planning Board can provide its recommendation.

Mr. Spraker reviewed the project traffic and building elevations. He elaborated that there were four correspondence items received for this project. Mr. Spraker stated that the Planning Board's options for the project are (1) approve as submitted, (2) approve with conditions, or (3) deny as submitted. Mr. Spraker concluded that the Site Plan Review Committee (SPRC) is recommending approval of agenda items (A), (B), and (C).

Chairman Thomas opened it up to the Board for questions.

Board Discussion and Questions

Ms. Shull asked what the date of the traffic study was. Mr. Spraker replied that the project is in a transportation concurrency exception area, therefore a study is not required. Additionally, the projects do not trigger enough trips, as 1,000 trips a day, requires a traffic study.

Ms. Shull asked for clarification on the number of stories and units proposed for the project. It was confirmed that the buildings would be two-story with 64 units.

Mr. Galloway asked for the location of the dumpster to be pointed out. Mr. Spraker displayed the location of the dumpster on the PowerPoint presentation and explained that another location can be proposed.

Mr. Railsback asked if Dollar General has a dumpster. Mr. Spraker replied that they may have a dumpster but that he would let the applicant speak on the matter as they are more familiar with that site.

Mr. Jorczak inquired about the project's main exit, asking if it is in the Dollar General parking lot. Mr. Spraker explained that the main entrance and exit is off of U.S. Highway 1. He continued that the entry-only access is off of Highland Avenue, and Dix Avenue is full-access.

Chairman Thomas inquired if there is access headed south for Highland Avenue. Mr. Spraker explained that there is a turn-lane off of U.S. Highway 1 that allows drivers to go into Highland Avenue. The state roadway allows a left-turn onto Highland Avenue. Highland Avenue will be a one-way access point in.

Chairman Thomas commented that he would like to hear from the residents how they go south off of Highland Avenue.

Mr. du Moulin asked if an Environmental Impact Study was done. Mr. Spraker replied that there are no wetlands onsite and added that the property is not in the floodplain therefore, there are no requirements for the study..

Applicant's Presentation

Mr. Glenn Storch, P.A., Storch Law Firm, 420 S. Nova Road, Daytona Beach, Representative, stated that infill development is encouraged, in which is what they are proposing with the project. He reviewed a presentation outlining the proposal and stated that at this time it is an undeveloped site surrounded by residential and commercial development off of U.S. Highway 1. Mr. Storch explained how infill is efficient, allowing walkability, driving less, with the opportunity to live downtown and support local businesses. He added that this is the first downtown multi-development in the area in 40+ years. Mr. Storch referenced the traffic concerns, noting that staff has been working on addressing the concerns with traffic-slowng devices. He explained how the project proposes that traffic go through the site as opposed to going around it. The owner purchased additional lots for a better design, expounding property boundaries. Mr. Storch remarked that instead of the 107 units allowed, only 64 units would be going in. He explained the access points and traffic flow, noting that rather than access off of U.S. Highway 1, it would be blocked off with landscaping. There will only be one access via Highland Avenue. Dollar General delivery trucks will be able to go through the project site as opposed to going around.

Mr. Storch displayed the viewshed overhead of what the vacant property has looked like on U.S. Highway 1 with vagrants using it, the trash that has been thrown on it, brazilian peppertrees and other invasive species overgrowth. He explained the typical appearance of a vacant property in any downtown area. The proposed project will allow a two-story building viewshed of extensive landscaping along U.S. Highway 1, a shared access with Dollar General, and the aforementioned access along Highland Avenue. He added that a section of Highland Avenue will be preserved for a tree preservation area and dog park. Mr. Storch remarked that the zoning allows a five-story building on the site or a three- to- four-story residential project.

Mr. Storch stated that the parking changes to the plans, moved parking internal to the site. There is 50' between the apartments and the adjoining perimeters and have provided for vegetation and structures to ensure there is no impact. Mr. Storch explained that if the area were to have single-family in its place, they would be much closer to the existing single-family.

Mr. Storch reiterated the earlier comment that there are no environmental issues on the site. There are no wetlands or flood plain impacts. 33 percent of the site is maintained in open space. Mr. Storch stated 33,000+ square feet is part of the tree and natural vegetation preservation area and is not being touched. Mr. Storch explained the stormwater for the site, explaining that it will be improved from what it currently is and that once the stormwater system is in, there will be 72 percent less stormwater runoff from the property. He added that there is a large wet-retention system in the rear of the property that is surrounded by vegetation, as well as another system designed to reduce the amount of nutrients in stormwater. The quality of the stormwater will be far less with the nutrients removed.

Board Discussion and Questions

Mr. du Moulin asked for additional explanation of the wet-retention system. Mr. Storch pointed to the area next to the lake system in his presentation overhead,

explaining that the water goes into it and filters out the nutrients before it goes offsite, providing additional stormwater protection.

Mr. Storch advised the Board that once the project goes in, it will be a 12 million dollar investment into the Downtown District.

Mr. Railsback commented that he appreciates the effort in reducing the density concurrency and stormwater impacts. He expressed concern about access between properties as an adjacent property owner, and inquired about fencing or walls planned for the project. Mr. Railsback stated that he would feel more comfortable with limited or eliminating access. Mr. Storch replied that there are a few homes on the Dix Avenue side, and approximately two homes adjacent to the site on the Highland Avenue side. There is a 6' white vinyl fence planned on the Dix side of the site as well as the setback and additional stormwater. Mr. Storch agreed to work with the citizens if they are interested in landscaping on the other side. He continued that the applicants would be willing to put a fence up if requested. There was no plan for a fence there initially due to the preserved natural preservation. Mr. Storch confirmed that the proposed project plan was not to encompass the site by a fence but that it can be added into the plan.

Chairman Thomas stated that he would like a masonry fence in place of a vinyl or chain-linked fence.

Mr. Railsback concurred with Mr. Thomas.

Mr. Storch suggested adding a stipulation for a masonry wall for every area adjacent to a neighbor.

Mr. Railsback commented that a neighbor to the property, Mr. Bill Navarra installed a fence all the way around his property, and suggested that being an incentive for supporting the project for the majority.

Mr. Jorczak referenced the aforementioned walkability comment and remarked that he noticed an easement on the Dix Avenue side for a sidewalk on the plans, but did not notice a sidewalk on Highland Avenue. Mr. Storch replied that Dix Avenue is already developed and it was determined that there is already a sidewalk there.

Mr. du Moulin asked for details on the retention pond, irrigation and its maintenance. Mr. Storch replied that there is an irrigation well and the applicants are open to, if recommended, harvesting from the stormwater pond. With stormwater, it allows the water to flow into the aquifer as opposed to being taken offsite. Mr. Storch added that the wet-retention pond has water all of the time. The dry-retention area next to it does not have water at all times, and is raised up to be a retention area in case of something.

Mr. Steve Buswell, Engineer, Parker Mynchenberg & Associates, stated that there is an existing control structure and a positive outfall from the pond out to FDOT. The design has been permitted by the St. John's Water Management District. He continued that the pre-treatment ponds purpose is to attenuate and provide additional treatment and for nitrogen and phosphorus removal from downstream waterbodies so that there are no algae blooms. Mr. Buswell added that there is not an opportunity to do the stormwater harvesting system in a standard and small wet-detention system.

He remarked that sometimes the nutrients will build up into the irrigation system and clog the heads over time.

Mr. Galloway inquired why the dumpster is so far away from the building and not more towards the south corner of the Dollar General lot. He added that it would be a straighter shot for Waste Management to drive in and would keep it closer to the applicant versus the residents houses. Mr. Storch answered that it is in the location that it is in due to the large buffer area between the proposed dumpster area and the residents, but advised it can be changed when going through the process.

Mr. Buswell explained the reasoning for the dumpster placement, stating that there is an existing access point there that is not being changed. Residents are able to dispose of trash in the proposed location which keeps the garbage truck from circling internally. The turning radius is on the wide point of access, allowing for delivery and garbage trucks.

Mr. Galloway commented that the closer a dumpster is to the public road, others will use it.

Audience Comments/Input

Mr. Robert Ezell, 132 Highland Avenue, expressed his Highland Avenue area traffic concerns with the proposed project. He stated that he will not let his grandchild play in his front yard. He added that his light pole has been taken out twice by cars. Mr. Ezell commented that the speeds on the roads are crazy. A right-of-way (ROW) tree was taken out by the city and the city employees were astonished by the speeders going down the road. Mr. Ezell remarked that they have speed bumps at each end of the road, but that drivers drive 25 mph up to the speed bump, stop and cross it, and then go 35 mph and is not safe. He added concerns about having a sidewalk only halfway down the road for aesthetic purposes for residents to go downtown. Mr. Ezell asked about the rest of the road and sidewalks, commenting that the roads are already narrow. He asked if the city will be taking more right-of-way (ROW) or easements from the residents to extend a sidewalk or if it will put people out in the roads. He stated something be done about the traffic, explaining that you cannot get a truck and a car down the road at the same time without a vehicle being scratched from all of the trees that are extending over the road. Mr. Ezell concluded that he does not really want the project in the neighborhood but understands that it is a revenue generator for the city, and suggests protecting the citizens and residents that are already there.

Chairman Thomas concurred and added that he is concerned as well about the entrance off of Highland Avenue.

Mr. Rick Sandora, 36 Highland Avenue, stated that there are 82 homes on Dix Avenue and Highland Avenue and the proposal will double the amount of people in the area. He added that there is a dog park but no provisions for children. Mr. Sandora commented that it is difficult to get around landscapers on Highland Avenue. The road is narrow and there is no way of putting a sidewalk all the way down Highland Avenue. Kids will be attracted to the river down the street, which will be an attractive hazard to the people living on the river, according to Mr. Sandora. He added that the speedbumps are ineffective. Mr. Sandora expressed that he feels once the project is done, it is done, and there will not be an opportunity to rectify it after it is allowed

He stated that he is against it. He expressed further concerns about traffic, commenting that drivers going out onto U.S. Highway 1 have to go south from Highland Avenue. Numerous drivers use Dix Avenue and Highland Avenue as a cut-thru to Beach Street, which is backed up past Highland Avenue and Dix Avenue in the morning rush hours.

Ms. Beth Putnam, 83 Dix Avenue, commented that she sees no sidewalk access for the proposed family-friendly apartment complex. There is no sidewalk to go to the dumpster. She remarked that the Dollar General dumpster backs up to Dollar General and is not in the location that the project is proposing. Where it is proposed will be borderline with one of the residential properties and when the winds come from the west, the dumpster smell will go up Dix Avenue. Ms. Putnam referenced the earlier comment on sidewalks, and stated that the subject needs to be addressed with 100 cars that will be coming and going at all times and that the children will be unable to walk to school safely with the sidewalk on Highland Avenue ending, therefore will be in the middle of the narrow street. She continued that an alternative is to walk down U.S. Highway 1 to cross Granada Boulevard. Ms. Putnam commented on the lighting, and suggested down-lighting or dark sky-lighting and not flared out security lighting. She suggested solar would have been best. Ms. Putnam addressed the ponds and suggested there be a security fence around the water with the children. She added that the schools are crowded and that there was no discussion on the impact the project would bring to the school. Ms. Putnam added her water and traffic-use concerns, remarking that she cannot be enthusiastic about the project right now.

Applicant Response

Mr. Storch addressed concerns, stating that the project has been reviewed with the Volusia County School Board and they indicated that there is sufficient capacity for the additional children that may come from the proposed development. He reiterated that it is already in the comp plan for medium density residential units. Mr. Storch added that with ponds and lakes, a slope is put in and there will be a wall around the area, preventing children to access them. He referenced the down-lighting comment, confirming that it can be done and to add as a stipulation. Mr. Storch added that a sidewalk can be provided to the dumpster. The applicants will work with staff on the best location for the dumpster. Regarding the sidewalk concerns, the applicants will support any additional sidewalks for the project working alongside the city. Mr. Storch referenced the Highland Avenue access inquiry and stated that it is an engineering issue and has to be done where people cannot easily make the connection and turn to the left, suggesting that it can be done with higher curbing and signage to discourage and prevent people from making the left-hand turn onto Highland Avenue. Mr. Storch reiterated that the impact will be less on Highland Avenue with access going through Dollar General into the project. Mr. Storch concluded that stipulations can be added to accommodate for this.

Chairman Thomas referenced the Sterthaus Avenue onto Nova Road access area, and stated that even with the no left-turn signage, drivers still do. Mr. Storch stated that the entrance only off Highland Avenue can be engineered to discourage any illegal turning movements. Chairman Thomas asked if the city would allow that design. Mr. Spraker stated that design could be accomplished.

Chairman Thomas asked about traffic coming off of U.S. Highway 1 turning onto Highland Avenue. Mr. Storch confirmed that the only left turn into the neighborhood in this area of U.S. Highway 1 is located at Highland Avenue. Mr. Storch stated that access only into their site is needed to prevent traffic coming off U.S. Highway 1 from going to the site through the existing neighborhood to access their development. This access point on Highland Avenue would encourage traffic to go the easy way and not through Highland Avenue, Ridgewood Avenue and Dix Avenue. Mr. Storch stated the whole design of the project is to prevent their project traffic from using Dix or Highland Avenues. Mr. Storch stated project trips now are going around Highland Avenue to North Ridgewood Avenue and west on Dix Avenue. This entrance only would prevent that movement in the existing neighborhood. Mr. Storch concluded that he believed that the project design would reduce traffic on Highland and Dix Avenues.

Board Discussion and Questions

Mr. Galloway stated that this property was originally bought for a large furniture store and residential in the rear portion of the site. The property is zoned to allow the type of use proposed. Mr. Galloway stated that the residents should demand sidewalks. He stated that his utility bill has information on sidewalk improvements and commented that if sidewalks are desired in this area that there is money in the city budget.

Mr. Galloway expressed concern for the dumpster location. Mr. Storch stated that the project could stipulate for the movement of the dumpster.

Mr. Galloway stated that he heard that kids were going to be in the apartment complex. He stated that this is an assumption and it is underdetermined who will be within this development.

Mr. Galloway stated that there are issues with urban sprawl and remarked that here is a project that is developing in the core of the city. Mr. Galloway indicated that he would be supporting this project.

Mr. Jorczak stated that he is aware of the narrowness of the roadways and that he has contacted the city to trim the vegetation in the right-of-way (ROW). Mr. Jorczak concurred with Mr. Galloway regarding the need for the city to install sidewalks in this area. Mr. Jorczak continued that he supports the walls along the project perimeter and agreed that the pond should have additional security to protect children's safety. Mr. Jorczak also stated that he concurred that the dumpster should be moved. He added that he thought the population density was reasonable and the architectural style looks attractive. Mr. Jorczak stated the secondary issues need to be addressed. Mr. Storch replied that the applicant is willing to provide stipulations that could be part of the recommendation on the project. He stated that dumpster would be stipulated to be moved to the project interior with sidewalk access. Mr. Storch added that the project can stipulate for additional security around the stormwater pond. Mr. Thomas inquired about a stipulation on the wall requirement. Mr. Storch confirmed that the project would stipulate to a wall around the project abutting existing residential uses. He continued that the project would also stipulate to ensure in-bound access from Highland Avenue to the project with raised curbing.

Mr. du Moulin stated that he agreed with the comments provided and had no additional comments.

Mr. Railsback commented that he supports infill development and added that it is a good use of that parcel. He stated he concurred with the stipulations stated. Mr. Railsback continued that he went through a multi-family development proposal next to his subdivision and believes that the masonry wall is necessary to protect the existing residential uses. He stated that he supported mitigating the traffic impacts of the project and the downlighting mentioned earlier. Mr. Railsback concluded that he would support the project with the stipulations referenced if they are included in the recommendation.

Ms. Shull stated that she likes the project but has concerns with the depth of the residential uses. She added that she likes that the buildings are two-story with concrete block construction. Ms. Shull commented that she is supportive of the perimeter wall, movement of the dumpster, and downlighting. Ms. Shull stated the main issue is the traffic. She remarked that what we do not seem to understand is that there are residents that have lived in the neighborhood for a long time and there is turnover to new residents. Ms. Shull stated she is a realtor and people love this area and the neighborhood. She stated that she does not think that the existing residents are being taken into consideration as projects are being developed. Ms. Shull stated that if we do not stand up here and say something about traffic, the city is not going to hear us. We need to have the city hear us. The speed tables are doing nothing. Ms. Shull stated that the state of Florida has an issue with speeders. She stated that the city needs to protect the existing residents. Ms. Shull concluded that she liked the project, but is going to vote no, based on the traffic impacts to make the city aware of the issue. She stated she wanted the city to do something about Dix and Highland Avenues so that the people who live there and pay taxes can be heard. Mr. Storch stated he agrees that traffic is so important, but the fact is that this project and the units proposed are allowed to be here. Ms. Shull stated that she understood that but if she did not speak up, the issue would not be addressed. The traffic issues should be taken care of first before development is approved. Ms. Shull stated an approval would allow development that would further add to the traffic problem. She stated that she knows that the project has done everything they can do from a design perspective.

Chairman Thomas reviewed the traffic issues of the city and project. He questioned the possibility of making Dix and Highland Avenues one-way streets. Chairman Thomas stated that one-way streets may reduce traffic. He was unclear if the residents would be supportive of the concept and understood that there may be inconveniences. Mr. Thomas stated that Dix and Highland Avenues were city streets and the city could make changes if desired. Chairman Thomas encouraged residents to talk to the City Manager and City Commission about the one-way roadway concept.

Chairman Thomas discussed infill development and the goal of the Board to make the project possible. Chairman Thomas understood the concern of the residents of Dix and Highland Avenues. He stated that he was supportive of the project with the stipulations previously discussed.

Board Recommendation

Chairman Thomas opened it up to the Board for a motion.

ZMA 2021-079(A)

Mr. Railsback motioned to approve ZMA 2021-079(A), Ormond Enclave, 145 North Yonge Street, Zoning Map Amendment to PBD. Mr. Jorczak seconded it. Vote was called, and the motion was approved (6-0).

ZMA 2021-079(B)

Chairman Thomas opened it up to the Board for a motion.

Mr. Jorczak motioned to approve ZMA 2021-79(B), Ormond Enclave, 145 North Yonge Street, Zoning Map Amendment to PRD. Mr. Railsback seconded it. Vote was called, and the motion was approved (6-0).

DO 2021-079(C)

Mr. Spraker stated that he desired to confirm the stipulations that were agreed to through the public hearing process and they are:

1. The dumpster location would be moved from its current location and relocated closer to the mutli-family units. The dumpster location would have sidewalk access to the dumpster.
2. Additional security for the stormwater pond.
3. Masonry or post and panel wall along the project perimeter where it abuts existing residential uses.
4. The Highland entrance is entrance only with raised curbing to prevent vehicles from exiting this access point.
5. Provide downlighting (Mr. Spraker noted that this is already required, but could be reinforced in the stipulations).

Mr. Railsback asked if there was a wall behind the existing Dollar General property. Mr. Spraker stated that he believed that there was a wall existing. If there is not, this section would be included in the wall requirement.

Chairman Thomas opened it up to the Board for a motion.

Mr. Railsback motioned to approve DO 2021-079(C), Ormond Enclave, 145 North Yonge Street, Issuance of a Development Order, with the following five stipulations stated by Mr. Spraker. Mr. Jorczak seconded it. Vote was called, and the motion was approved (5-1). Ms. Shull stated that her no vote was based upon traffic impacts.

Chairman Thomas thanked the residents for their attendance and input and asked residents to remember that the Planning Board only makes recommendations and that the City Commission provides the final action for the project.

Mr. Jorczak stated that he concurred with the concept of one-way roadways and questioned if the Planning Board should make this a recommendation.

Mr. Galloway offered to meet and discuss with city staff. Mr. Galloway stated that it is on his water bill that they are supposed to be building sidewalks. Now is the time to put sidewalks along these roadways.

Mr. Spraker recalled with the land use amendment that there was a meeting regarding traffic along Dix and Highland Avenues. This meeting led to the residential traffic calming program. The concept of one-way streets was discussed at the meeting for traffic calming. The route is to go is through the traffic calming program, including working with the Engineering Department. Mr. Spraker stated that there would need to be resident support of the one-way concept. There is an existing mechanism to pursue the concept of one-way streets discussed tonight.

Chairman Thomas stated that the concept needs to start with the citizens and expressed that he is unsure if there would be support. Mr. Spraker concurred and stated that it would be a similar process of obtaining the speed tables. He stated that staff is available to meet with residents.

Mr. Galloway asked if the residents would rather have one-way streets or sidewalks. Mr. Spraker stated that the issue with the sidewalks is that there is only 33' of right-of-way (ROW) versus a typical width of 50'. There is insufficient right-of-way (ROW) to construct sidewalks. This area was likely platted in the early 1900's and the street layout was not designed for the traffic patterns that exist today. The project tonight provided easements on private property to allow the installation of sidewalks. Mr. Spraker stated that it is unclear if property owners along these streets are willing to provide easements to construct sidewalks.

Chairman Thomas questioned if a sidewalk has to be five (5') feet. Mr. Spraker responded that there are minimum widths based on handicapped access requirements. Mr. Spraker stated that there is a process to consider the one-way process. If there was an easy way to construct sidewalks along these roadways, they would already be in place. Mr. Spraker concluded that staff hears the concerns presented tonight and the issue would be presented to the City Commission.

Mr. Galloway asked if property owner's taxes would be decreased if they provided an area for the sidewalk. Mr. Spraker stated that the sidewalk would be in an easement and the property owner still owns the land area.

Chairman Thomas asked how many people attended the first traffic meeting. Mr. Spraker responded with approximately 50 individuals. Chairman Thomas asked the results of the meeting. Mr. Spraker stated that the meeting led to the residential traffic calming program that led to speed tables, radar feedback, signs and signage. Mr. Spraker stated that the one-way concept could be an evolution of the residential traffic calming program. Chairman Thomas appreciated that there is a path and stated that it is important to discuss the issue with the residents in attendance.

Ms. Shull asked about the width of Dix and Highland Avenues. Mr. Spraker stated he had not measured the width and speculated 17' to 20'. Ms. Shull asked if there was a one-way roadway, would this reduce the needed paved width. Mr. Spraker

stated that it does and there needs to be verification of the fire access requirements. Mr. Spraker restated that the first step is that there be a majority of residents that desire a one-way traffic pattern. The second step, if residents are interested, is the actual design that could be developed and then voted on by the residents of the roadways.

D. ZMA 2022-098(A) 121 East, 121 East Granada Boulevard, Planned Business Development

E. DO 2022-098(B), 121 East, 121 East Granada Boulevard, Planned Business Development, Issuance of a Development Order

Mr. Steven Spraker, Planning Director, stated that items (D) and (E), are interrelated and will be discussed together but must be voted on by the Planning Board individually. Mr. Spraker displayed the land use and zoning for the property at 121 East Granada Boulevard. Mr. Spraker stated that the land use allowed a total of 24 residential units and the zoning allowed 20 residential units. He showed pictures of the existing site and a Florida Power and Light (FPL) structure. Mr. Spraker stated that agenda item (A) was for a zoning map amendment for 0.76 acres that has a B-4, Central Business zoning designation that is seeking a PBD, Planned Business Development zoning designation. The zoning map amendment provides a framework for the next agenda item of the issuance of a development order.

Mr. Spraker summarized the development order process that included SPRC review, a neighborhood meeting, Ormond Beach MainStreet review, Planning Board review, and future City Commission dates. Mr. Spraker stated that the project was in the Downtown Overlay District and noted that the master plan encouraged residential development.

Mr. Spraker detailed the project site plans. He stated that the building was five (5) stories over the ground floor of parking. The second floor has a pool/amenity area to the north of the property and a dog walk area to the east of the building. Mr. Spraker displayed a first floor site plan and the project building elevations.

Mr. Spraker stated that there were two correspondence items received for this project, an e-mail from a resident who was not in favor of the project and desired another use, and the other correspondence, a letter of support from Ormond Beach MainStreet. Mr. Spraker concluded that the Planning Board's options for the project are (1) approve as submitted, (2) approve with conditions, or (3) deny as submitted. Mr. Spraker stated that the SPRC is recommending approval of agenda items (D) and (E).

Applicant's Presentation

Mr. Robert A. Merrell, Esquire, Cobb Cole, 149 South Ridgewood Avenue, stated there has been months of work put into the project and there is a project team to answer any questions. The property owner and contractor, Mr. Bryan Collyer, is available for any questions. Mr. Merrell remarked that the staff report reviewed in detail the Comprehensive Plan, Downtown Master Plan, and Land Development Code (LDC) requirements and he did not intend to repeat this analysis. He expressed a few key points, the desire to create a sense of place, compact pedestrian



City of Ormond Beach

AGENDA ITEM

August 1, 2023 - City Commission

Number:9.C

Section:	PUBLIC HEARINGS		
Item Category:	Public Hearing - Ordinances	Res./Ord. No:	2023-37
Strategic Goal:	Transportation & Community Development - Other		
Department:	Planning & Building		
Subject:	Ormond Enclave, 145 North Yonge St., Issuance of a Development Order (SECOND READING)		
Summary:	This is a request from CST Holdings, LLC for the <u>issuance of a development order</u> for 64 multi-family residential units and associated site improvements on 6.34+ acres located at 145 North Yonge Street. The development has an existing retail use of 9,014 square feet that will remain. The project would have zoning designations of PBD, Planned Business Development and PRD, Planned Residential Development. The project proposes 64 multi-family apartment units. The project has multiple land uses of "General Commercial" (3.56+ acres), "Medium Density Residential" (2.52+ acres) and "Low Density Residential" (0.26+ acres) and totals 6.34 acres. There is an existing retail use, Dollar General, of 9,014 square feet that will remain as it exists today. The majority of the property has an existing zoning of PBD, Planned Business Development and Planned Residential Development. The applicant has added land areas that need to be incorporated into the Planned Development zoning designation which are presented as ZMA 2021-079(A) and ZMA 2021-079(B) agenda items. The two zoning designations are needed based on the commercial and residential land uses. The project is located within the city's Transportation Concurrency Exception Area (TCEA). The proposed multi-family buildings are two stories with a building height of 25'2". The architectural style is neo-eclectic. Architectural features include a standing seam metal roof, covered balconies and porches, overhangs, variations in roof height, projections and recessed sections, stucco base with board and batten cement siding and horizontal lap siding, and earth tone colors.		

Planning Board

The Planning Board reviewed the zoning map amendment at the June 8, 2023 meeting and recommended approval with a 6-0 vote. There were no specific references to the zoning map amendment and the Planning Board discussion focused on the site development and issuance of the development order. The issuance of the development order (DO 2021-079(C)) was approved with a 5-1 vote and five (5) conditions. There were three (3) individuals who addressed the Planning Board and key points included:

1. Traffic concerns on Dix and Highland Avenues.
2. Lack of sidewalks on Dix and Highland Avenues.
3. The speed tables added on Dix and Highland Avenue are ineffective.
4. Location of the dumpster.
5. There should be a security fence around the wet stormwater pond.

Planning Board members discussed the following items:

1. Traffic along Dix and Highland Avenue. There was discussion about making Dix and Highland Avenue one-way streets. A Board member stated the traffic issues should be taken care of first before development is approved.
2. The addition of sidewalks on Dix and Highland Avenues.
3. Relocation of the dumpster.
4. Requirement of a wall along the project perimeter abutting existing residential properties.
5. Fencing around the wet stormwater pond.

The applicant stated that the project specifically addressed traffic impacts by (1) removing the proposed commercial uses within the development, (2) allowing an in-bound access point along Highland Avenue, and (3) selecting a low traffic generating use for the property where commercial uses are allowed as permitted uses. The applicant agreed to five (5) conditions that were made part of the approving motion for the issuance of the development order (DO 2021-079(C)):

1. The dumpster location would be moved from its current location shown on the site plan and relocated closer to the multi-family units. The dumpster location would have sidewalk access to the dumpster.
2. Additional security for the stormwater pond shall be required.
3. A masonry or post and panel wall shall be required along the project perimeter where it abuts existing residential uses.
4. The Highland Avenue entrance is entrance only and shall include raised curbs to prevent vehicles from exiting this access point.
5. The project shall provide downlighting.

	There was a discussion regarding the one-way concept for Dix and Highland Avenue that detailed the existing residential traffic calming program. In order to start reviewing this concept, there would need to be majority support from the residents along Dix and Highland Avenues. Planning staff noted that Dix and Highland Avenue have a right-of-way of 33' (typical is 50') which is not sufficient to add sidewalks and easements would be needed from property owners in order to add sidewalks. It was noted that the Ormond Enclave project is providing an easement on private property to allow the construction of the sidewalks along their property boundary. The Planning Board meeting minutes are attached. The ordinance exhibits have been updated for the Planning Board recommendations and to include a bamboo planting as requested by an abutting property owner along the north property line.
Financial Impact:	No budget impact as the result of this issuance of a development order.
Citizen Impact:	Since the Comprehensive Plan amendment application in 2019, key issues throughout the process have been (1) traffic impacts, (2) compatibility, and (3) stormwater. From the land use amendment application process, the city started a residential traffic calming program. Specific to this area of the city, speed tables have been added to Dix and Highland Avenues. The site design of the project was changed since the first neighborhood meeting to eliminate retail uses and to restrict access on Highland Avenue to enter only. The three residents who spoke at the Planning Board stated that the traffic calming techniques to date have been ineffective. The traffic issues presented are existing issues. The Ormond Enclave project consisting of commercial and residential land uses and zoning has sought to reduce traffic impacts through use and site design. The project team agreed to five (5) conditions at the Planning Board meeting to further improve the project. If the property owners along Dix and Highland desire one-way streets and potential sidewalks, the residential traffic program provides a mechanism for these changes.
Recommended Action (Staff, Advisory Board and/or Other):	The Planning Board recommended (5-1) that the City Commission approve the issuance of a development order under certain conditions for 64 multi-family residential units and associated site improvements on 6.34± acres located at 145 North Yonge Street.
Staff Contact:	Steven Spraker, Planning Director, (386) 676-3341
Attachments:	1. 23-37 145 N. Yonge St. DO, Ormond Enclave (P23-0110G) 2. Ormond Enclave, Development Order 3. Exhibit A, Legal Description - DO 4. Exhibit B, SPRC comments 5. Exhibit C, PRD & PBD conditions - Ormond Enclave, LLC (2)

	6. Exhibit D, site plans, updated after 1st read 7. 06.08.2023, Ormond Enclave, Issuance of a Development Order (8.5X11) 8. 06.08.2023, DRAFT PB Minutes - Ormond Enclave, 145 North Yonge Street, DO
Approval:	Kelly McGuire, Finance Director 7/19/2023 Claire Whitley, Assistant City Manager 7/21/2023 Joyce Shanahan, City Manager 7/25/2023

ORDINANCE NO. 2023-37

AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A PLANNED BUSINESS DEVELOPMENT AND PLANNED RESIDENTIAL DEVELOPMENT TO BE LOCATED AT 145 NORTH YONGE STREET (VOLUSIA COUNTY PARCEL NUMBER: 4215-04-01-0270), TO BE KNOWN AS THE “ORMOND ENCLAVE”; AUTHORIZING THE DEVELOPMENT OF 64 MULTI-FAMILY RESIDENTIAL UNITS AND ASSOCIATED SITE IMPROVEMENTS UNDER CERTAIN CONDITIONS; ESTABLISHING CONDITIONS AND EXPIRATIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, CST Holdings, LLC, a Florida Limited Liability Company (“Applicant/Property Owner”) is the fee simple owner of certain real property consisting of approximately 6.34 acres located at 145 North Yonge Street (Volusia County parcel number: 4215-04-01-0270), which is legally described and depicted in Exhibit “A” (the “Property”) attached hereto and incorporated herein, and

WHEREAS, the Applicant/Property Owner has initiated this Ordinance for the issuance of a Development Order for a Planned Business Development (PBD) and Planned Residential Development (PRD) to allow 64 multi-family residential units and associated site improvements under certain conditions on the Property, consisting of approximately 6.34 acres, to be known as “Ormond Enclave” as described and depicted in the PBD and PRD Development Order attached hereto and incorporated herein, and

WHEREAS, the Property: (1) has existing zoning of Planned Business Development for a portion of the Property, (2) has existing zoning of Planned Residential Development for a portion of the property, (3) has completed a zoning map amendment to include additional land from B-4, Central Business, to Planned Business Development, and (4) has completed a zoning map amendment to include additional land from R-3, Single-Family Medium Density, to Planned Residential Development, and

WHEREAS, by Ordinance 2005-32 the City Commission approved a development plan for a Planned Business Development and Planned Residential Development to be known as “The Courtyards at Ormond” to allow 82,369 square feet of commercial uses and ten townhomes on the Property on the east side of North Yonge Street, between Highland and Dix Avenues, and authorized the execution of a Development Order therefore, which Ordinance and Development Order are recorded in Official Records Book 5675, at Pages 4713 through 4735 inclusive, of the Public Records of Volusia County, Florida, and

WHEREAS, by Ordinance 2009-17 the City Commission approved a development plan for a Planned Business Development and Planned Residential Development to be known as “The Courtyards at Ormond” to allow 21,014 square feet of commercial uses and sixteen townhomes on the Property on the east side of North Yonge Street, between Highland and Dix Avenues, and authorized the execution of a Development Order therefore, which Ordinance and Development Order are recorded in Official Records Book 6361, at Pages 4240 through 4266 inclusive, of the Public Records of Volusia County, Florida, and

WHEREAS, the Development Orders approved by Ordinance 2005-32 and Ordinance 2009-17 have expired, and

WHEREAS, by Ordinance 2019-23 the City Commission approved a Comprehensive Plan amendment that: (1) amended the designation of 2.52± acres from “Low Density Residential” to “Medium Density Residential”, increasing the maximum allowed residential density from 4.3 units per acre to 12 units per acre, (2) limited the allowed Floor Area Ratio (FAR) to 0.20 for the 2.52± acres proposed to be designated “Medium Density Residential”, and (3) reduced the residential density within 3.48± acres currently designated “General Commercial” from the existing 32 units per acre to 22 units per acre, and

WHEREAS, a portion of the Property has been developed for a 9,014 square-foot retail use, which shall remain through the development plan of the 64 multi-family residential units, and

WHEREAS, the existing developed retail portion of the Property shall maintain the uses and dimensional standards of the B-4, Central Business zoning district. The remainder of the property, which is vacant, shall only allow a maximum of 64 multi-family residential units. Any uses, other than the 64 multi-family residential units, for the vacant land subject to this PBD and PRD Development Order shall require an amendment to the Development Order, and

WHEREAS, the Planning Board held a public hearing in accordance with Section 1-15(d)(2) of the *Land Development Code*, and has recommended approval with certain conditions of the PBD and PRD Development Order for the project, and

WHEREAS, five stipulations made by the applicant at the Planning Board meeting on June 8, 2023 and included into the Planning Board recommendation shall be incorporated into the final site plan and verified by the Site Plan Review Committee. The stipulations include: (1) the dumpster location will be moved from its current location and relocated closer to the multi-family units. The dumpster location will have sidewalk access to the dumpster, (2) additional security shall be provided for the stormwater pond, (3) a masonry or post and panel wall shall be required along the project perimeter where it abuts existing residential uses, (4) the Highland Avenue entrance shall be entrance-only and shall include raised curbing to prevent vehicles from exiting this access point, and (5) the project shall provide downlighting, 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 Planned Business Development (PBD) and Planned Residential Development (PRD) zoning districts, 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; and
- (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 Property Owner for the issuance of a Planned Business Development and Planned Residential Development Order for the “Ormond Enclave” project is hereby approved. The Mayor and the City Manager are authorized and directed to execute and issue the attached Development Order for the “Ormond Enclave” Planned Business Development and Planned Residential Development to allow the construction of 64 multi-family residential units and associated site improvements under certain conditions on the Property, consisting of approximately 6.34 acres. The existing 9,014 square-foot retail use shall remain through the development plan of the 64 multi-family residential units.

SECTION THREE. The Applicant, including the Applicant's successors and assigns, shall at all times fully comply with the terms and conditions of the Planned Business Development and Planned Residential Development Development Order.

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 take effect immediately upon its adoption.

PASSED UPON at the first reading of the City Commission this 18th day of July, 2023.

PASSED UPON at the second and final reading of the City Commission this 1st day of August, 2023.

BILL PARTINGTON
Mayor

ATTEST:

SUSAN CARROLL DAUDERIS
City Clerk

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

IN RE: **Application of:** CST Holdings, LLC, a Florida Limited Liability Company
 Application No. 2021-079
 Project Name: Ormond Enclave
 Property Address: 145 North Yonge Street
 Parcel ID No.: 4215-04-01-0270

**PLANNED BUSINESS
DEVELOPMENT AND
PLANNED RESIDENTIAL
DEVELOPMENT
DEVELOPMENT ORDER**

This matter having come on for public hearing before the City Commission of the City of Ormond Beach, Florida, on July 18, 2023 and August 1, 2023, 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 the *Land Development Code* and will not create undue crowding beyond the conditions normally permitted in the Planned Business Development and Planned Residential Development zoning districts, 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;
and

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 CST Holdings, LLC, a Florida Limited Liability Company (“Property Owner”) for property located at 145 North Yonge Street (Volusia County parcel number: 4215-04-01-0270) as more particularly described and depicted in Exhibit “A” attached hereto and incorporated herein (“Property”), for a Development Order for a Planned Business Development (PBD) and Planned Residential Development (PRD) to be known as “Ormond Enclave”, to allow the construction of 64 multi-family residential units and associated site improvements on that Property more particularly described and depicted 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, PRD, Planned Residential Development District, of the City of Ormond Beach *Land Development Code*, except as otherwise specifically modified hereby, shall at all times be strictly complied with;

2. All applicable provisions of Chapter 2, District and General Regulations, Article II, District Regulations, Section 2-36, PBD, Planned Business Development District, of the City of Ormond Beach *Land Development Code*, except as otherwise specifically modified hereby, shall at all times be strictly complied with;

3. The outstanding comments from the Site Plan Review Committee list in Exhibit “B” shall be satisfied;

4. Full and complete compliance with the Planned Business Development and Planned Residential Development Conditions described in Exhibit “C”;

5. Full and complete compliance with the Applicant’s Site Plan attached as Exhibit “D”;

B. The final plans for the development project shall be consistent with all the conditions listed in this PBD and PRD Development Order and as depicted in the plans that are attached hereto and incorporated herein by reference as Exhibit “D”.

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 PBD and PRD Development Order approved for this development project, and of the *Land Development Code*.

E. If the final plan approval lapses under the provisions of Chapter 1, Article II, Section 1-14(3)(b) of the *Land Development Code* before the planned development permit can be established, a new application for a PBD and PRD 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 PBD and PRD Development Order is abandoned for a period of two (2) years any permit issued hereunder and this PBD and PRD Development Order shall automatically become void and a Notice of Final Plan Revocation shall be filed under the provisions of Chapter 1, Article II, Section 1-14(3)(b) of the *Land Development Code*, and a new application for a PBD and 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 Chapter 1, Article II, Section 1-14, or with the conditions provided in the PBD and PRD 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 August 1, 2026, then this PBD and PRD Development Order shall automatically become void and shall have no further legal effect per Chapter 1, Article II, Section

1-14(3)(a), of the *Land Development Code*. If a building or site engineering permit is issued on or before August 1, 2026, the project shall be vested.

I. This Planned Business Development and Planned Residential Development Development Order shall be recorded in the public records of Volusia County, Florida, at the expense of the Property Owner, and shall be binding on the Property Owner, and its successors and assigns, and shall run with the real property described in Exhibit “A” attached hereto.

ORDERED this 1st day of August, 2023.

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 6

OVERALL LEGAL DESCRIPTION – 145 NORTH YONGE STREET
(from Sliger & Associates survey)

DESCRIPTION OF SURVEYED PROPERTY PER OFFICIAL RECORDS OF VOLUSIA COUNTY, FLORIDA:

E(O.R.B. 6450, PG. 4136):

¹ PARCEL "A"

LOTS 25, 26 AND 27, EMMON'S SUBDIVISION, OF RECORD IN MAP BOOK 6, PAGE 100, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

PARCEL "B":

THE WESTERLY 840 FEET MORE OR LESS OF LOT D, SUBDIVISION OF RIVER LOT 9, AND THAT PART OF LOT D, RIVER LOT 9 1/2, LYING SOUTHERLY OF AND ADJOINING EMMON'S SUBDIVISION, ORMOND, ACCORDING TO THE PLAT RECORD THEREOF IN MAP BOOK 3, PAGE 124, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, SAID PART OF LOTS D HEREIN DESCRIBED IS INTENDED TO INCLUDE ALL THAT PART OF SAID LOTS D LYING WESTERLY OF THE WESTERLY LINE OF LOT 18, EMMON'S SUBDIVISION AS SHOWN IN MAP BOOK 6, AT PAGE 100, EXTENDED SOUTHERLY TO THE SOUTHERLY LINE OF LOT D, RIVER LOT 9 AFOREMENTIONED AND EXCEPTING ANY PART OF SAID LOTS D WITHIN THE RIGHT-OF-WAY OF U.S. HIGHWAY #1.

PARCEL "C":

ALL OF LOT E, AND LOT D, EXCEPT THE EAST 100 FEET THEREOF, ASSESSOR'S SUBDIVISION OF RIVER LOT 11 1/2, ORMOND, AS PER MAP IN MAP BOOK 3, PAGE 124, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA [LESS AND EXCEPT ANY PART OF SAID LOT E WITHIN THE RIGHT-OF-WAY OF NORTH YONGE STREET, (U.S. HIGHWAY NO. 1)].

PARCEL "D":

~~LOTS 1, 2, 3 AND 4, BLOCK 2, MAP OF MAYO SUBDIVISION OF RIVER LOT 6, ORMOND, OF RECORD IN MAP BOOK 2, PAGE 124, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, EXCEPTING FROM SAID LOT 1 THAT PORTION THEREOF WITHIN YONGE STREET (U.S. HIGHWAY #1).~~

LESS AND EXCEPT:

THAT PORTION OF THE WESTERLY 840 FEET OF LOT D OF RIVER LOT 9, AND THAT PORTION OF LOT D, RIVER LOT 9 1/2 LYING SOUTHERLY OF AND ADJOINING EMMON'S SUBDIVISION, ASSESSOR'S SUBDIVISION OF RIVER LOTS, ORMOND, OF RECORD IN MAP BOOK 3, PAGE 124, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, AND ALL OF LOT 27 AND A PORTION OF LOT 26, EMMON'S SUBDIVISION, OF RECORD IN MAP BOOK 6, PAGE 100, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN (POINT OF BEGINNING) AT THE NORTHWEST CORNER OF SAID LOT 27; THENCE THE FOLLOWING COURSES AND DISTANCES ALONG THE EASTERLY LINE OF YONGE STREET AND/OR U.S. HIGHWAY 1 AS NOW MONUMENTED AND ESTABLISHED 11-20-08; THENCE SOUTH 24°37'40" EAST, 81.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 27; THENCE NORTH 65°00'00" EAST ALONG THE SOUTHERLY LINE OF SAID LOT 27, 8.00 FEET TO A POINT THEREIN; THENCE SOUTH 24°37'40" EAST 108.72 FEET; THENCE DEPARTING SAID EASTERLY LINE NORTH 64°57'12" EAST THROUGH SAID LOT D, RIVER LOT 9, 270.66 FEET TO A POINT THEREIN; THENCE NORTH 24°37'38" WEST THROUGH SAID LOT D OF RIVER LOT 9, AND THROUGH A PORTION OF SAID LOT D, RIVER LOT 9 1/2, AND THROUGH SAID LOT 26, 189.50 FEET TO A POINT IN THE NORTHERLY LINE OF SAID LOT 26, SAID POINT BEING ALSO IN THE SOUTHERLY LINE OF DIX AVENUE, A PLATTED 36 FOOT RIGHT OF WAY; THENCE SOUTH 65°00'00" WEST ALONG SAID SOUTHERLY LINE, 278.66 FEET TO THE POINT OF BEGINNING.

PARCEL I.D. #4215-14-10-0080

(O.R.B. 6450, PG. 4134)

THAT PORTION OF THE WESTERLY 840 FEET OF LOT D OF RIVER LOT 9, AND THAT PORTION OF LOT D, RIVER LOT 9 1/2 LYING SOUTHERLY OF AND ADJOINING EMMON'S SUBDIVISION, ASSESSOR'S SUBDIVISION OF RIVER LOTS, ORMOND, OF RECORD IN MAP BOOK 3, PAGE 124, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, AND ALL OF LOT 27 AND A PORTION OF LOT 26, EMMON'S SUBDIVISION, OF RECORD IN MAP BOOK 6, PAGE 100, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN (POINT OF BEGINNING) AT THE NORTHWEST CORNER OF SAID LOT 27; THENCE THE FOLLOWING COURSES AND DISTANCES ALONG THE EASTERLY LINE OF YONGE STREET AND/OR U.S. HIGHWAY 1 AS NOW MONUMENTED AND ESTABLISHED 11-20-08; THENCE SOUTH 24°37'40" EAST, 81.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 27; THENCE NORTH 65°00'00" EAST ALONG THE SOUTHERLY LINE OF SAID LOT 27, 8.00 FEET TO A POINT THEREIN; THENCE SOUTH 24°37'40" EAST 108.72 FEET; THENCE DEPARTING SAID EASTERLY LINE NORTH 64°57'12" EAST THROUGH SAID LOT D, RIVER LOT 9, 270.66 FEET TO A POINT THEREIN; THENCE NORTH 24°37'38" WEST THROUGH SAID LOT D OF RIVER LOT 9, AND THROUGH A PORTION OF SAID LOT D, RIVER LOT 9 1/2, AND THROUGH SAID LOT 26, 189.50 FEET TO A POINT IN THE NORTHERLY LINE OF SAID LOT 26, SAID POINT BEING ALSO IN THE SOUTHERLY LINE OF DIX AVENUE, A PLATTED 36 FOOT RIGHT OF WAY; THENCE SOUTH 65°00'00" WEST ALONG SAID SOUTHERLY LINE, 278.66 FEET TO THE POINT OF BEGINNING.

PARCEL I.D. #4215-04-01-0270 AND 4215-04-01-02702009

PARCEL E (O.R.B. 7696, PG. 3818)

LOTS 5, 6, 7 AND 8, BLOCK 2, MAYO SUBDIVISION OF RIVER LOT NO. 6 ORMOND FLA., ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 124 AND RE-FILED IN PLAT BOOK 12, PAGE 51, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

PARCEL IDENTIFICATION NUMBER: 4215-06-02-0050

AND (O.R.B. 7151, PG. 3887)

LOTS 9, 10 & 11, BLOCK 2, MAYO SUBDIVISION OF RIVER LOT NO. 6 ORMOND FLA., ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 124 AND RE-FILED IN PLAT BOOK 12, PAGE 51, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

PARCEL IDENTIFICATION NUMBER: 4215-06-02-0090

AND (O.R.B. 7714, PG. 1251)

E 100 FT OF LOT D SUB RIVER LOT 11 1/2 ORMOND

SKETCH OF DESCRIPTION

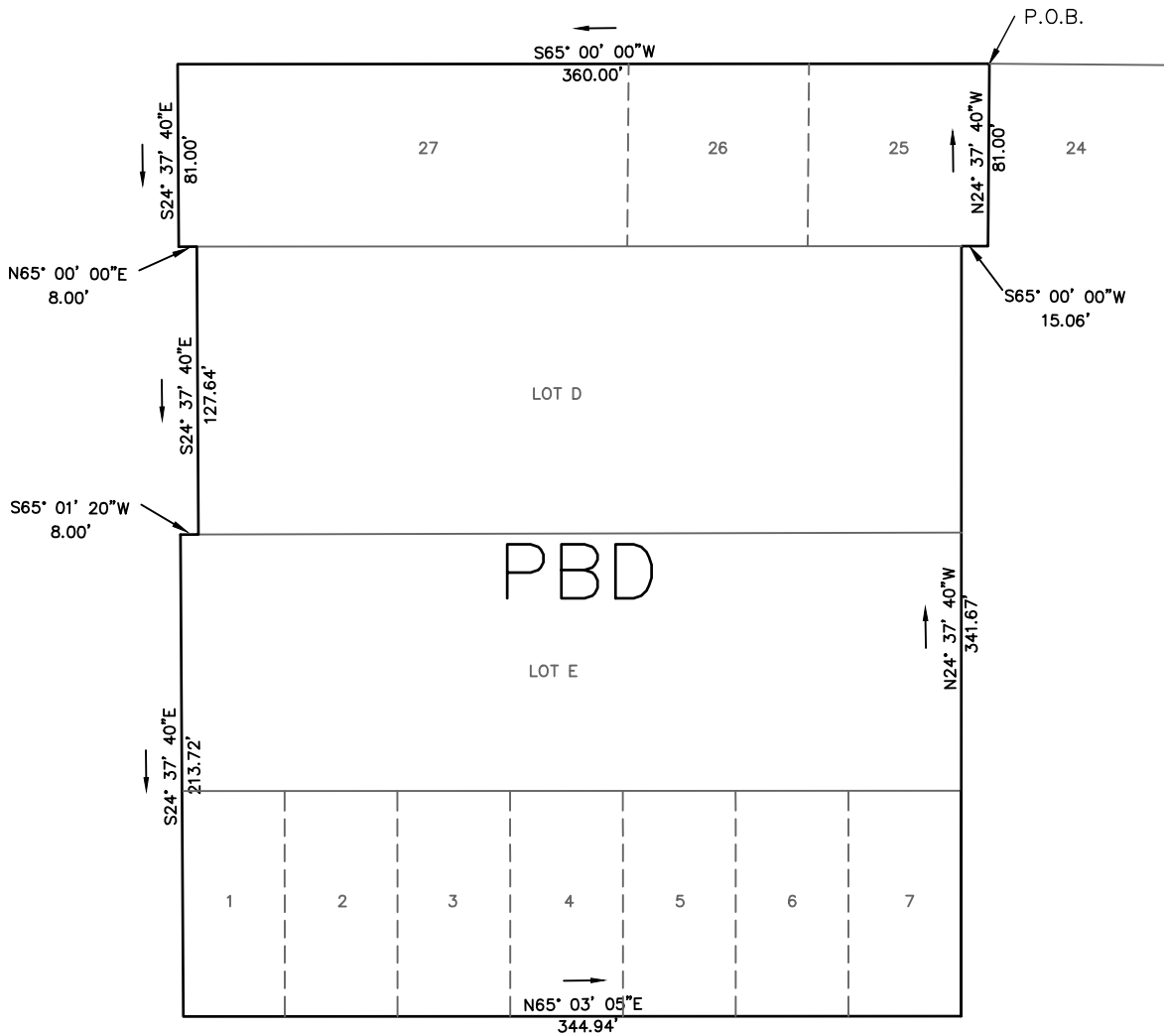
EXHIBIT "A"

Page 2 of 6

PBD

DIX AVENUE (36' R/W)

NORTH YONGE STREET (US HIGHWAY #1)



SHEET 2

SEE SHEET 1 FOR DESCRIPTION

City of Ormond Beach
Engineering Division

DATE: 6/6/23	PROJECT NO.:
SCALE: N.T.S.	FILE 145 N YONGE
SHEET: 2 OF 2	DRAWN BY: CO

LEGAL DESCRIPTION

EXHIBIT "A"

Page 3 of 6

PBD

LOTS 25, 26, 27, EMMONS SUBDIVISION PER PLAT BOOK 6, PAGE 100, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, THE WESTERLY 340'± OF LOT D, SUBDIVISION OF RIVER LOT 9, LYING SOUTHERLY AND ADJOINING EMMONS SUBDIVISION, THE WESTERLY 345'± OF LOT E, ASSESSORS SUBDIVISION OF LOT 11 1/2, ORMOND, PER PLAT BOOK 3, PAGE 124, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, AND LOTS 1-7, MAYO SUBDIVISION OF RIVER LOT 6, PER PLAT BOOK 2, PAGE 124, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, LESS AND EXCEPT ANY PART OF SAID LOTS LOT D AND E WITHIN THE RIGHT-OF-WAY OF NORTH YONGE STREET (U.S. HIGHWAY NO. 1), BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM A POINT OF BEGINNING SAID POINT BEING THE INTERSECTION OF THE SOUTHERLY LINE OF DIX AVENUE (A 36 FOOT RIGHT-OF-WAY AS PLATTED) AND THE EASTERLY LINE OF LOT 25 OF SAID EMMONS SUBDIVISION, RUN THENCE S65°00'00"W ALONG SAID SOUTHERLY LINE A DISTANCE OF 360.00 FEET; THENCE DEPARTING SAID SOUTHERLY LINE, RUN S24°37'40"E A DISTANCE OF 81.00 FEET; THENCE N65°00'00"E A DISTANCE OF 8.00 FEET; THENCE S24°37'40"E A DISTANCE OF 127.64 FEET; THENCE S65°01'20"W A DISTANCE OF 8.00 FEET; THENCE S24°37'40"E A DISTANCE OF 213.72 FEET TO A POINT OF INTERSECTION WITH THE NORTHERLY LINE OF HIGHLAND AVENUE (A 33.00 FOOT RIGHT-OF-WAY AS PLATTED) ALSO KNOW AS THE SOUTH LINE OF SAID MAYO SUBDIVISION; THENCE N65°03'05"E ALONG SAID SOUTH LINE A DISTANCE OF 344.94 FEET; THENCE DEPARTING SAID SOUTH LINE, RUN N24°37'40"W A DISTANCE OF 341.67 FEET; THENCE N65°00'00"E A DISTANCE OF 15.06 FEET; THENCE N24°37'40"W DISTANCE OF 81.00 FEET TO THE POINT OF BEGINNING

SAID PARCEL CONTAINS 145,937 SQ.FT OR 3.35 ACRES MORE OR LESS

SHEET 1

SEE SHEET 2 FOR SKETCH OF DESCRIPTION

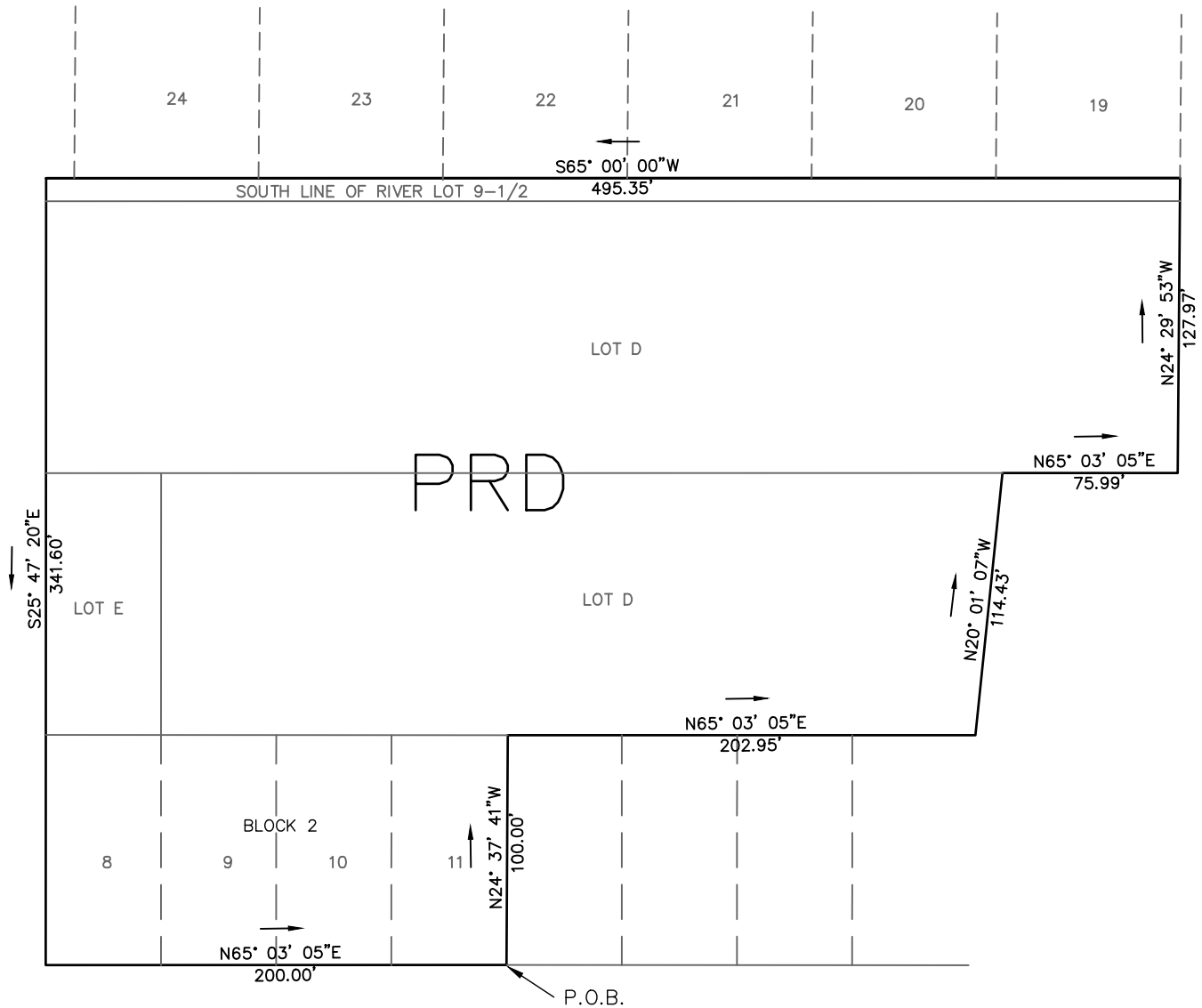
City of Ormond Beach
Engineering Division

DATE: 6/6/23	PROJECT NO.:
SCALE: N.T.S.	FILE 145 N YONGE
SHEET: 1 OF 2	DRAWN BY: CO

SKETCH OF DESCRIPTION

EXHIBIT "A"
Page 4 of 6

PRD



HIGHLAND AVENUE (33' R/W)

SHEET 2

SEE SHEET 1 FOR DESCRIPTION

City of Ormond Beach
Engineering Division

DATE: 6/6/123	PROJECT NO.:
SCALE: N.T.S.	FILE 145 N YONGE
SHEET: 2 OF 2	DRAWN BY: CO

LEGAL DESCRIPTION

EXHIBIT "A"

Page 5 of 6

PRD

THE WESTERLY 491 FEET± OF LOT D, SUBDIVISION OF RIVER LOT 9, AND THAT PART OF LOT D RIVER LOT 9-1/2, LYING SOUTHERLY AND ADJOINING EMMONS SUBDIVISION, PER PLAT BOOK 3, PAGE 124, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, SAID PART OF LOTS D HERIN DESCRIBED IS INTENDED TO INCLUDE ALL THAT PART OF SAID LOTS D LYING WESTERLY OF THE WESTERLY LINE OF LOT 18, EMMONS SUBDIVISION, PER PLAT BOOK 6, PAGE 100, EXTENDED SOUTHERLY TO THE SOUTHERLY LINE OF LOT D, RIVER LOT 9, THE WESTERLY 50 FEET OF LOT E AND ALL OF LOT D, ASSESSORS SUBDIVISION OF RIVER LOT 11-1/2 PER PLAT BOOK 3, PAGE 124 PUBLIC RECORD OF VOLUSIA COUNTY, AND LOTS 8-11, MAYO SUBDIVISION OF RIVER LOT 6, PER PLAT BOOK 2, PAGE 124, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, LESS AND EXCEPT ANY PART OF SAID LOT E WITHIN THE RIGHT-OF-WAY OF NORTH YONGE STREET (U.S. HIGHWAY NO. 1), BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM A POINT OF BEGINNING SAID POINT BEING THE INTERSECTION OF EASTERLY LINE OF LOT 11 AND THE SOUTHERLY LINE OF SAID MAYO SUBDIVISION, SAID SOUTHERLY LINE ALSO KNOW AS THE NORTHERLY LINE OF HIGHLAND AVENUE (A 33 FOOT RIGHT-OF-WAY AS PLATTED), RUN THENCE N24°37'41"W ALONG SAID EASTERLY LINE A DISTANCE OF 100.00 FEET TO A POINT OF INTERSECTION WITH THE NORTHERLY LINE OF SAID MAYO SUBDIVISION; THENCE DEPARTING SAID EASTERLY LINE, RUN N65°03'05"E A DISTANCE OF 202.95 FEET; THENCE DEPARTING SAID NORTHERLY LINE, RUN N20°01'07"W A DISTANCE OF 114.43 FEET; THENCE N65°03'05"E A DISTANCE OF 75.99 FEET; THENCE N24°29'53"W A DISTANCE OF 127.97 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY LINE OF SAID EMMONS SUBDIVISION; THENCE S65°00'00"W ALONG SAID SOUTHERLY LINE A DISTANCE OF 495.35 FEET TO POINT OF INTERSECTION WITH THE WESTERLY LINE OF LOT 8 OF SAID MAYO SUBDIVISION EXTENDED NORTHERLY; THENCE DEPARTING SAID SOUTHERLY LINE RUN S25°47'20"E A DISTANCE OF 341.60 FEET TO A POINT OF INTERSECTION WITH THE NORTHERLY LINE OF SAID HIGHLAND AVENUE; THENCE DEPARTING SAID WESTERLY LINE EXTENDED, RUN N65°03'05"E A DISTANCE OF 200.00 FEET TO THE POINT OF BEGINNING

SAID PARCEL CONTAINS 130,039 SQ.FT OR 2.98 ACRES MORE OR LESS

SHEET 1

SEE SHEET 2 FOR SKETCH OF DESCRIPTION

City of Ormond Beach
Engineering Division

DATE: 6/6/123	PROJECT NO.:
SCALE: N.T.S.	FILE 145 N YONGE
SHEET: 1 OF 2	DRAWN BY: CO

LOCATION MAP



PARCEL ID: 4215-04-01-0270

OWNER: CST HOLDINGS, LLC, A FLORIDA LIMITED LIABILITY COMPANY

APPLICANT: CST HOLDINGS, LLC, A FLORIDA LIMITED LIABILITY COMPANY

PLANNED BUSINESS DEVELOPMENT AND PLANNED RESIDENTIAL ADDRESS: 145 NORTH YONGE STREET, ORMOND BEACH, FL 32174



EXHIBIT "B"
Page 1 of 6

Current Project - Project Markups Listing
PZ-21-079

File Name	Markup Name	Markup Text	Markup Date	Created by
C007A-LANDSCP .pdf	CSC	EP = 17, LI = 43 2.5" Caliper Trees = 41	05/24/2023	Cara Culliver
C007A-LANDSCP .pdf	CSC	- Please remove the provided specimen tree, none is required and your using those trees in the minimum tree requirements, see red line.	05/24/2023	Cara Culliver
C007A-LANDSCP .pdf	CSC	10	05/24/2023	Cara Culliver
C007A-LANDSCP .pdf	CSC	16	05/24/2023	Cara Culliver
C007A-LANDSCP .pdf	CSC	13.09	05/24/2023	Cara Culliver
C007A-LANDSCP .pdf	CSC	83/6.34 = 13.09	05/24/2023	Cara Culliver
C007A-LANDSCP .pdf	CSC	10	05/24/2023	Cara Culliver
C007A-LANDSCP .pdf	CSC	5	05/24/2023	Cara Culliver
C007A-LANDSCP .pdf	CSC	16	05/24/2023	Cara Culliver
C007A-LANDSCP .pdf	CSC	21	05/24/2023	Cara Culliver
C007A-LANDSCP .pdf	CSC	N/A	05/24/2023	Cara Culliver
C007A-LANDSCP .pdf	CSC	- Please see chart mark-up's and city protected tree mitigation chart in the reviewer folder.	05/24/2023	Cara Culliver
		- How are you mitigating for the (21) 2.5" caliper trees, please provide a chart showing requirements and how your meeting this requirement.		
C007A-LANDSCP .pdf	CSC	7	05/24/2023	Cara Culliver
C007A-LANDSCP .pdf	CSC	38	05/24/2023	Cara Culliver
C007A-LANDSCP .pdf	CSC	84	05/24/2023	Cara Culliver

**Current Project - Project Markups Listing**

CO07A-LANDSCP .pdf	CSC	- See plan mark-up's.	05/24/2023	Cara Culliver
		- The proposed tree calculations will change when the TD landscape island trees change to 3.5" caliper.		
CO07A-LANDSCP .pdf	CSC	- The minimum tree height is 10' foot, the LL are not meeting this specification. Multi-stem trees require 6" combined caliper.	05/24/2023	Cara Culliver
CO07A-LANDSCP .pdf	CSC	- Please add (44) 6" combined caliper (2 tree credits) = 66 Trees	05/24/2023	Cara Culliver
CO07A-LANDSCP .pdf	CSC	- Please add a note that all trees will have their deadwood and vines removed within visible areas. Pruning of deadwood shall meet the current arboricultural standards.	05/24/2023	Cara Culliver
		- Please add a note that all existing palms will have their seed heads, dead fronds and boots removed prior to C.O.		
CO07-LANDSCP .pdf	CSC	- These islands require a 3.5" caliper tree, the TD are not meeting this code requirement.	05/24/2023	Cara Culliver
CO12-GRADING .pdf	Civil-Details C-11 to C-17	Please recheck the details on these sheets. The most recent revisions are from 2020.	05/08/2023	David Allen
CO04-SITE .pdf	SSS	Please detail what fencing is provided. If needed, please detail where fencing is sought for a waiver.	05/05/2023	Steven Spraker
CO04-SITE .pdf	SSS	A sidewalk easement is required before final certificate of completion of the site improvements.	05/05/2023	Steven Spraker
CO01-COVER .pdf	SSS	These parcel numbers on the cover sheet have been combined and no longer exist.	05/05/2023	Steven Spraker
CO07A-LANDSCP .pdf	CSC	- This is a 10' buffer and not a 6' foot, revise written information.	05/02/2023	Cara Culliver
CO07A-LANDSCP .pdf	CSC	- There are only (5) 13" trees removed (2 Oaks & 3 Magnolias). Elm's are specimen at 18" inches.	05/02/2023	Cara Culliver
		- There are only (5) 15" Oaks removed and not 6.		
		- Please removed the 28 & 29" trees from the chart.		
CO07A-LANDSCP .pdf	CSC		05/02/2023	Cara Culliver

**Current Project - Project Markups Listing**

C007A-LANDSCP .pdf	CSC	5		05/02/2023	Cara Culliver
C007A-LANDSCP .pdf	CSC	2		05/02/2023	Cara Culliver
C007A-LANDSCP .pdf	CSC	3		05/02/2023	Cara Culliver
C007A-LANDSCP .pdf	CSC	2		05/02/2023	Cara Culliver
C007A-LANDSCP .pdf	CSC	4		05/02/2023	Cara Culliver
C007A-LANDSCP .pdf	CSC	8		05/02/2023	Cara Culliver
C007A-LANDSCP .pdf	CSC	-45		05/02/2023	Cara Culliver
C007A-LANDSCP .pdf	CSC	-45		05/02/2023	Cara Culliver
C007A-LANDSCP .pdf	CSC	10		05/02/2023	Cara Culliver
C007A-LANDSCP .pdf	CSC	-	- Please see the mark-ups, numerous errors.	05/02/2023	Cara Culliver
			- Please use the dollar value as stated on Mitigation Chart A, there are numerous errors, see LA chart in the reviewer folder.		
			- Please show the Specimen Tree mitigation and plant (10) 4.5" caliper trees on this site.		
C007A-LANDSCP .pdf	CSC		- Please show this chart on the 7A sheet.	05/02/2023	Cara Culliver
C007A-LANDSCP .pdf	CSC		- The LL shall be 10' height and 6" combined caliper, 5 stems minimum & f.g.	05/02/2023	Cara Culliver
			- The IC shall be 10' height.		
			- The OV1 shall be 4.5" caliper at 12" inches.		

**Current Project - Project Markups Listing**

CO07A-LANDSCP.pdf	CSC	Please configure & add information below: Existing Trees = 36 Trees Existing Palms (8/3) = 3 Trees Proposed 2.5" & 3" (1 Tree Credit) = 66 Trees (44) Proposed 6" Combined Caliper (2 Tree Credits) = 88 Trees (16) Proposed 3.5" Caliper (2 Tree Credits) = 32 Trees TOTAL PROVIDED TREES = 225 Trees	05/02/2023	Cara Culliver
CO07A-LANDSCP.pdf	CSC	Specimen Tree Mitigation = 10 Trees at 4.5" Caliper Provided Specimen Tree Mitigation = 11 Trees at 4.5" Caliper (QV1).	05/02/2023	Cara Culliver
CO07A-LANDSCP.pdf	CSC	- Please add a note that all trees will have their deadwood and vines removed within visible areas. Pruning of deadwood shall meet the current arboricultural standards.	05/02/2023	Cara Culliver
		- Please add a note that all existing palms will have their seed heads, dead fronds and boots removed prior to C.O.		
CO09-IRRIG.pdf	CSC	- The proposed hedges in this center island shall be irrigated & the 2 Bald Cypress, see landscape plan.	05/02/2023	Cara Culliver
		- Would suggest showing the entire landscape design, grayed out on the irrigation plan so you know where the planting is and can plan out the irrigation design accordingly.		
CO09-IRRIG.pdf	CSC	- Proposed hedge areas shall be irrigated with center and end strips, as currently shows half heads within the proposed hedge?	05/02/2023	Cara Culliver
CO09-IRRIG.pdf	CSC	- Please provide a note that the Dollar General irrigation system shall be operable with c.o. of this project (repeat comment).	05/02/2023	Cara Culliver
CO09-IRRIG.pdf	CSC	- Please irrigate the Bald Cypress trees around the pond with bubblers.	05/02/2023	Cara Culliver
CO09-IRRIG.pdf	CSC	- Please provide an existing tree legend on this drawing.	05/02/2023	Cara Culliver

**Current Project - Project Markups Listing**

C003-EC.pdf	CSC	- Area 2 = 8,390 SF, please correct	05/02/2023	Cara Culliver
		- Area 5 = 774 SF, please correct		
C003-EC.pdf	CSC	Total = 34,580 SF, please correct - Previous comment, please save the Bald Cypress & Podocarpus hedge as these plantings are part of the Dollar General Requirements. Not understanding why these can't be saved as the 2 Bald Cypress along this line are being preserved?	05/02/2023	Cara Culliver
C003-EC.pdf	CSC	Comments 2, 3 & 4 were missed, please make these corrections to this plan.	05/02/2023	Cara Culliver
C007-LANDSCP.pdf	CSC	- Please correct the demolition plan and show the 2 existing Bald Cypress trees to remain. Please coordinate sheets.	05/02/2023	Cara Culliver
C007-LANDSCP.pdf	CSC	- Please move the IC, LL & LI trees further within the space instead along the edge of the pavement, see purple clouded areas.	05/02/2023	Cara Culliver
C007-LANDSCP.pdf	CSC	- Please continue hedge along the back of sidewalk within this buffer, see green line.	05/02/2023	Cara Culliver
C007-LANDSCP.pdf	CSC	- There are 64 total specimen trees, please make corrections.	05/02/2023	Cara Culliver
C007-LANDSCP.pdf	CSC	- These islands need to have 3.5" caliper trees (Oaks & TD) minimum. Last submittal had these trees at 4" caliper, please revise.	05/02/2023	Cara Culliver
C007-LANDSCP.pdf	CSC	5	05/02/2023	Cara Culliver
C007-LANDSCP.pdf	CSC	7	05/02/2023	Cara Culliver
C007-LANDSCP.pdf	CSC	- Two of the planting keys show the wrong quantities, see green clouded keys.	05/02/2023	Cara Culliver
C006-UTILITY.pdf	Utility Eng	Please confirm 3-inch water meter is desired. Seems odd reducing from 6-inch to 3-inch and then upsizing to 4-inch versus having a 4-inch meter.	05/01/2023	Mike Stephenson
C006-UTILITY.pdf	Utility Eng	Please update City Standard details to latest versions. Transmittal letter implies updating, but they do not appear to have been changed.	05/01/2023	Mike Stephenson
C006-UTILITY.pdf	Utility Eng	Please reach out to Utilities to discuss proposed sewer and downstream lift station implications.	05/01/2023	Mike Stephenson



Current Project - Project Markups Listing

CO05-CIVIL.pdf	bw	Looks like the crown of road on US 1 is 11.58 feet and 12.5 on Highland. Per Section 3-18(f)(7) of the City Land Development Code, to prevent increased flood damage outside of special flood hazard areas the lowest floor of new principal buildings must be elevated at least 18 inches above the crown of road, unless the city engineer approves a lower height based on site-specific conditions. Since the elevation of the lowest floor of structure is not 18 inches or above, you will need to provide justification and a request to the City Engineer to allow a lower elevation.	04/25/2023	Becky Weedo
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**ORMOND ENCLAVE
PLANNED BUSINESS DEVELOPMENT
PLANNED RESIDENTIAL DEVELOPMENT
SPECIAL CONDITIONS**

1. The project proposes 64 multi-family apartment units on the vacant portion of 145 North Yonge Street.
2. The project has multiple land uses of “General Commercial” (3.56± acres), “Medium Density Residential” (2.52± acres) and “Low Density Residential” (0.26± acres) and totals 6.34 acres.
3. The density calculations are as follows:
 - A. Gross density: 64 units divided by 6.34 acres, is 10.09 units per acre.
 - B. “General Commercial” land use: 34 units divided by 3.56 acres, is 9.55 units per acre. Deducting an acre of land area for the Dollar General building improvements, the land area would be 2.56 acres and the density would be 13.3 units per acre.
 - C. “Medium Density Residential” land use: 30 units divided by 2.52 acres, is 11.90 units per acre.
 - D. “Low Density Residential” land use, 0 units over 0.26 acres. No development is proposed on the “Low Density Residential” and it is used for additional natural areas and stormwater.
4. The five (5) stipulations offered by the applicant at the June 8, 2023 Planning Board and included the recommendation are hereby incorporated into the project approval. The stipulations include:
 - A. The dumpster location would be moved from its current location and relocated closer to the multi-family units. The dumpster location would have sidewalk access to the dumpster.
 - B. Additional security shall be provided for the stormwater pond.
 - C. A masonry or post and panel wall along shall be required along the project perimeter where it abuts existing residential uses.
 - D. The Highland Avenue entrance is entrance only and shall include raised curbing to prevent vehicles from exiting this access point.
 - E. The project shall provide downlighting.

These stipulations shall be incorporated into the final site plans submitted the Site Plan Review Committee.

EXHIBIT “C”

Page 2 of 3

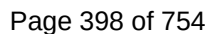
5. The masonry or post and panel wall required along the project perimeter shall be allowed to “jog” or move around existing trees and vegetation to preserve the existing vegetation.
6. There is an existing retail use, Dollar General, of 9,014 square feet that shall remain as it exists today. The existing developed portion of the Property shall maintain the uses and dimensional standards of the B-4, Central Business zoning district for the developed retail portion of the property.
7. The remainder of the property, which is vacant, shall only allow a maximum of 64 multi-family residential units. Any uses, other than the 64 multi-family residential units, for the vacant land subject to this Development Order shall require a major amendment with review by the Planning Board and action by the City Commission.
8. The project is located within the city’s Transportation Concurrency Exception Area (TCEA).
9. There are eight (8) buildings proposed with eight (8) units per building. Architectural plans are included in the site plan submittal. There are two building types, A and B. The architectural plans show two (2) and three (3) bedroom units.
10. The building length of building A is approximately 106 linear feet and the building length of building B is approximately 102 linear feet.
11. The proposed multi-family buildings are two stories with a building height of 25’2”.
12. Sheet A-A.11 in Exhibit “D” provides the architectural style of neo-eclectic. Architectural features include a standing seam metal roof, covered balconies and porches, overhangs, variations in roof height, projections and recessed sections, stucco base with board and batten cement siding and horizontal lap siding, and earth tone colors.
13. There are no wetlands on site.
14. The project is located within Flood Zone X, outside the 500-year floodplain.
15. The project includes a dog park area with a four (4’)-foot black ornamental fence is proposed.
16. The primary access is designed to be from North Yonge Street. Access from Highland Avenue is an entry only and vehicles would be prohibited from exiting the site onto Highland Avenue. There is a full access point on Dix Avenue that would remain unchanged.
17. The site plan shows a six (6’)-foot PVC vinyl fence abutting the north property line, abutting the Dix Avenue properties, and the east property line. Based upon significant trees and vegetation along the other property lines no additional fencing shall be required.

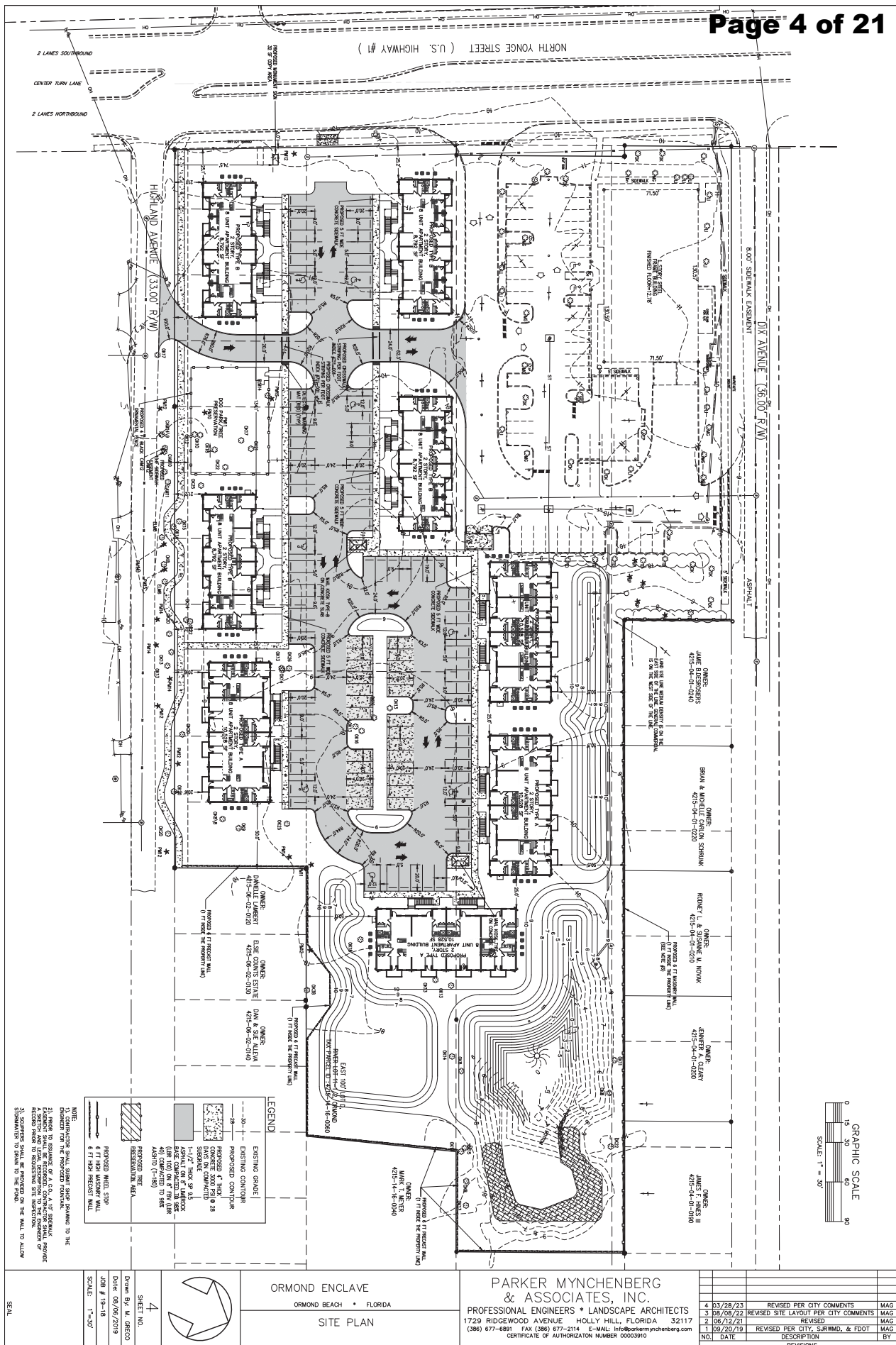
EXHIBIT “C”

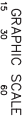
Page 3 of 3

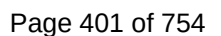
18. Hours of outside construction activities shall be from 7:00 a.m. to 7:00 p.m. Monday through Saturday, with no outside construction activities on Sundays. Required concrete pours outside the construction hour restrictions may be scheduled with the Planning Director with at least five (5) days prior to the activity.
19. The SPRC may permit individual Certificate of Occupancies if the necessary site work is completed for each building.
20. A sidewalk is proposed along Highland Avenue. Portions of the sidewalk would be on private property with easements based on limited right-of-way and tree protection. A sidewalk easement shall be prepared and accepted by the City Commission prior to the first Certificate of Occupancy.
21. A 32 square-foot monument sign is shown to be along North Yonge Street.
22. A lighting plan is included in Exhibit “D” shows no spillover lighting to abutting properties.
23. The applicant has agreed to, at the request of an abutting property owner, and shall add clumping bamboo along the north property, as depicted in Exhibit “D”.



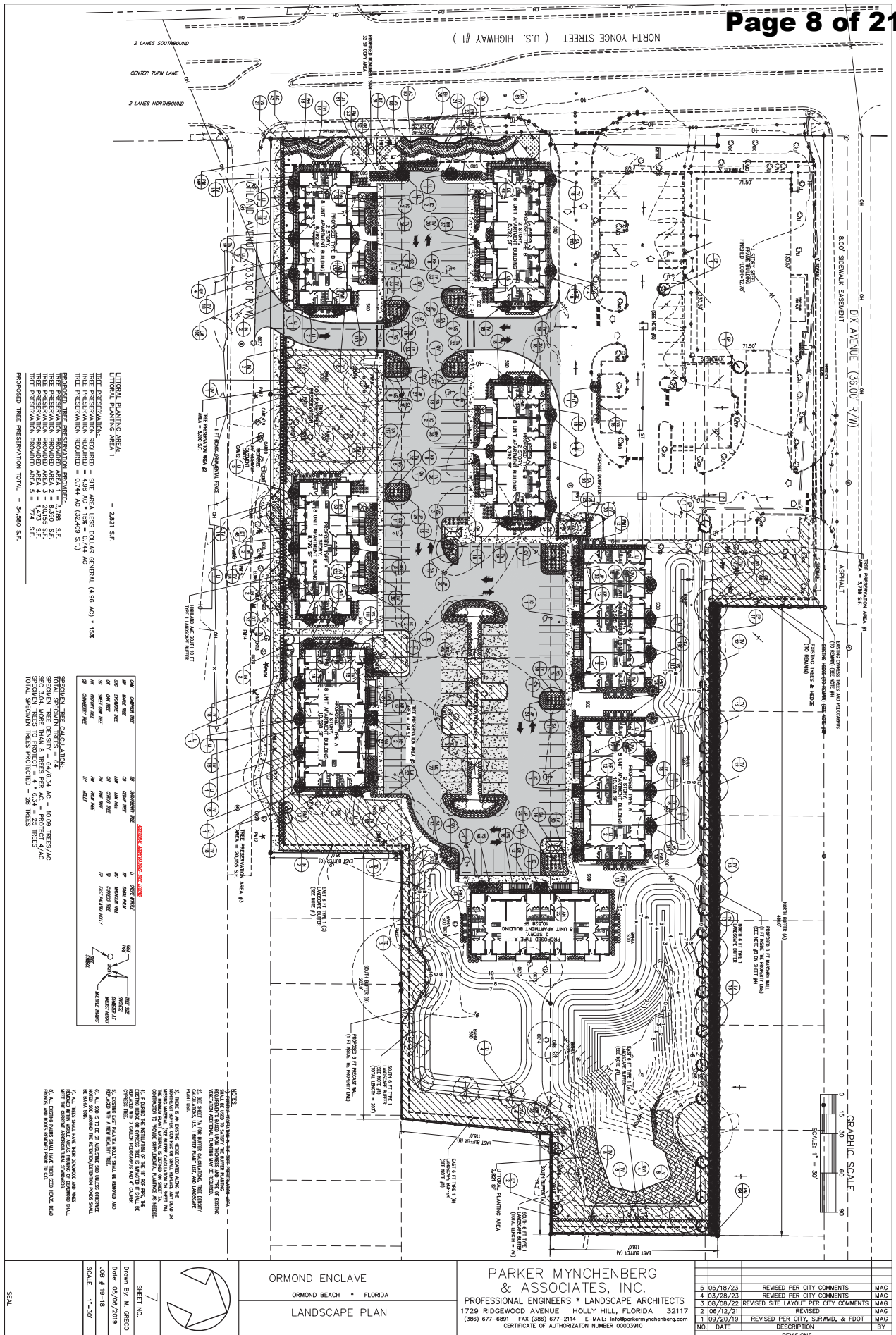








LANDSCAPE NOTES
CITY OF ORMOND BEACH
TREE INITIATION FORM
PLANT LIST
PARKER MYNCHENBERG & ASSOCIATES, INC.
PROFESSIONAL ENGINEERS • LANDSCAPE ARCHITECTS



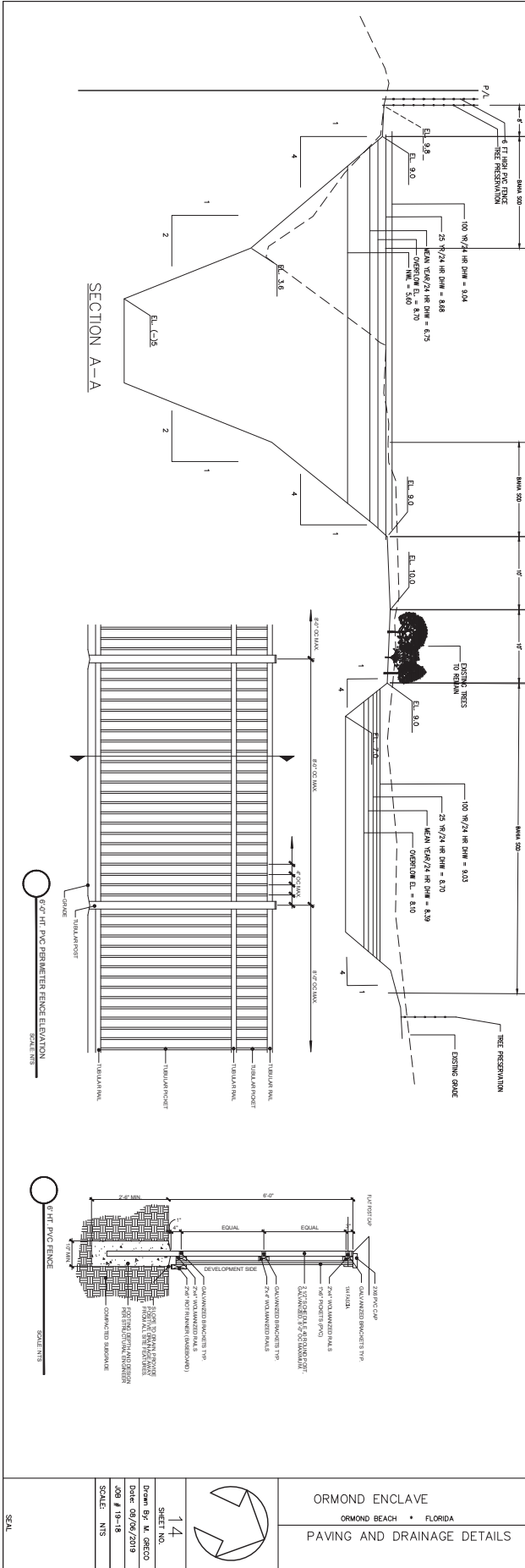
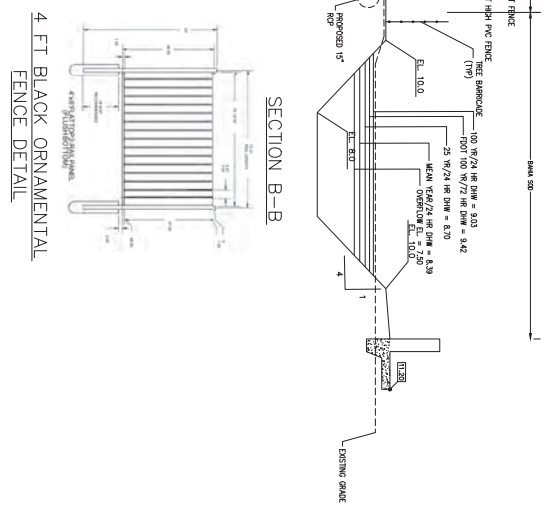
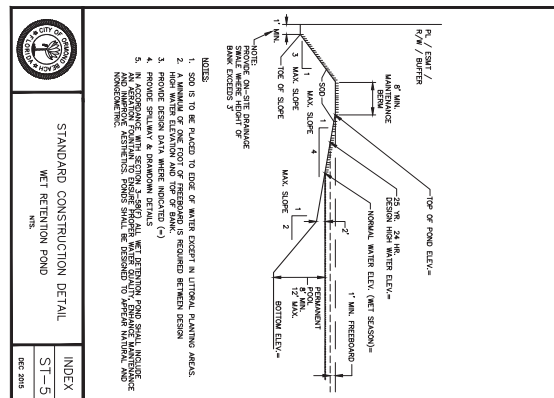
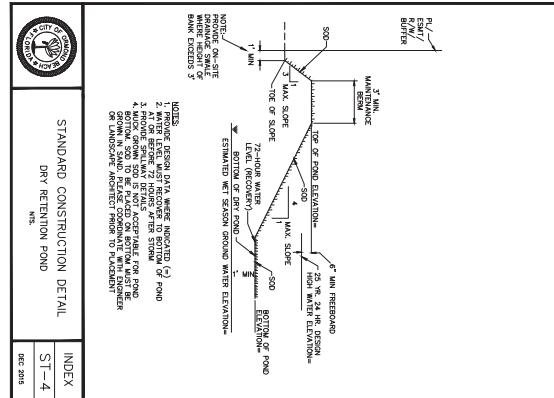
GRAPHIC SCALE
0 15 30 60 90
SCALE: 1" = 30'

NO.	DATE	DESCRIPTION	BY
5	05/18/23	REVISED PER CITY COMMENTS	MAG
4	03/28/23	REVISED PER CITY COMMENTS	MAG
3	08/08/22	REVISED SITE LAYOUT PER CITY COMMENTS	MAG
2	06/12/21	REVISED	MAG
1	09/20/19	REVISED PER CITY, S.R.W.M.D., & FDOT	MAG

PARKER MYNCHENBERG
& ASSOCIATES, INC.
PROFESSIONAL ENGINEERS * LANDSCAPE ARCHITECTS
1729 RIDGEWOOD AVENUE HOLLY HILL, FLORIDA 32117
(386) 677-6881 FAX (386) 677-2114 E-MAIL: info@parkermynchenberg.com
CERTIFICATE OF AUTHORIZATION NUMBER 00003910

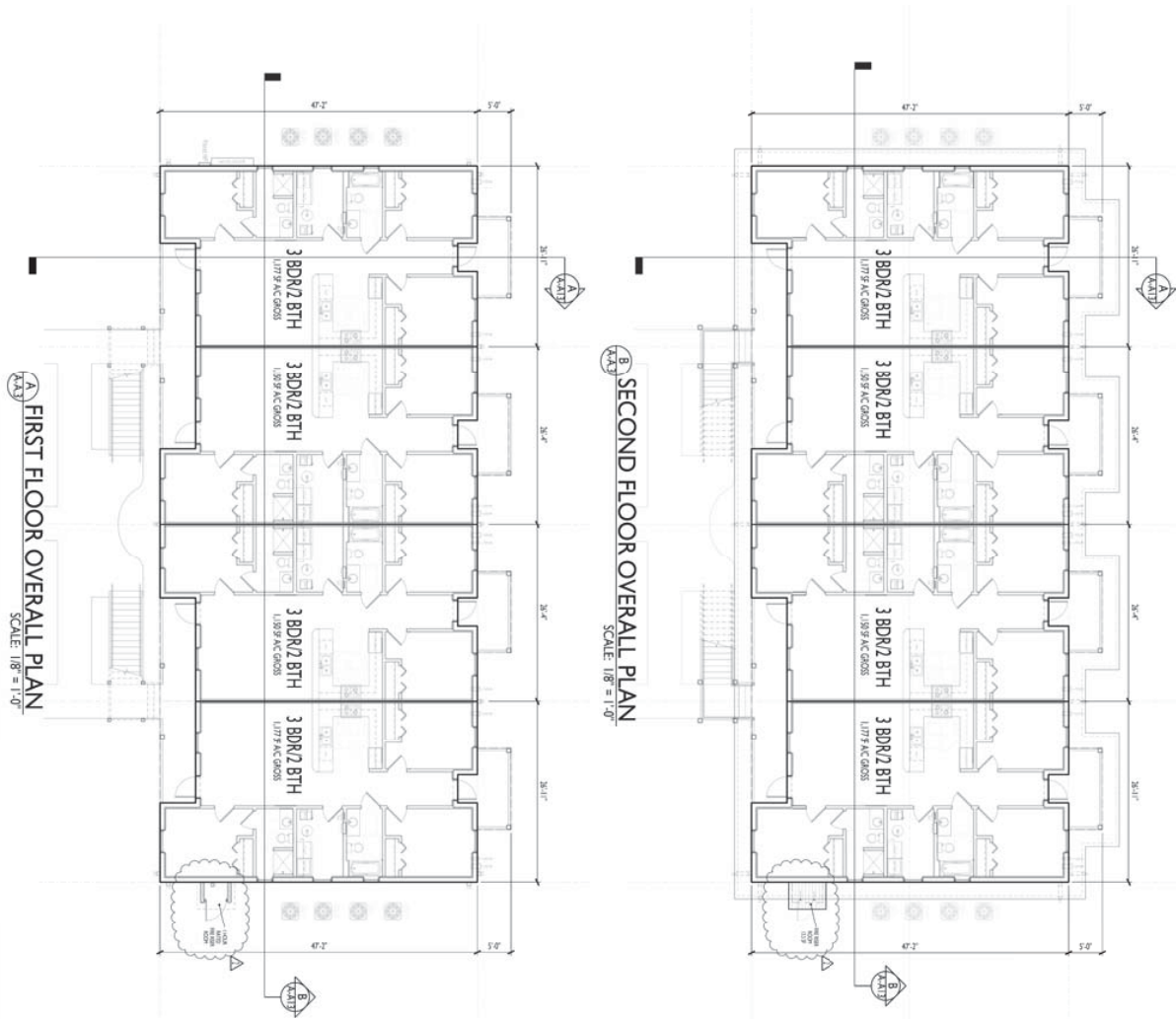
ORMOND ENCLAVE
ORMOND BEACH • FLORIDA
LANDSCAPE PLAN

SHEET NO. 7
Drawn By: M. GREGO
Date: 08/04/2019
JOB # 19-10-18
SCALE: 1"=30'



		ORMOND ENCLAVE		PARKER MYNCHENBERG & ASSOCIATES, INC.		4																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																							
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Page 405 of 754



BLDG A UNIT TABLE	
FLOOR	3RD OR 2 BTH
LEVEL 1	4
LEVEL 2	4
TOTALS	8
8 UNITS PER BUILDING	

GROSS SF TABLE				
LEVEL 1				
	# OF LEVEL FLOOR	GROSS SF LEVEL FLOOR	GROSS SF LEVEL ROOF	TOTAL SF
1. LEVEL 1 FLOOR	3	1,005 SF	723 SF	2,465 SF
2. ROOF	1	1,077 SF	723 SF	2,699 SF
3. NO. 1ST FLOOR	3	N/A	183 SF	225 SF
TOTAL SF AC LEVEL 1 = 4,655 SF				
TOTAL SF NON-AC LEVEL 1 = 610 SF				
TOTAL GROSS SF LEVEL 1 = 5,264 SF				

GROSS SF. TABLE				
LEVEL 2				
	1	2	3	4
3,600 SF	1,600 SF	1,600 SF	1,600 SF	1,600 SF
1,600 SF	1,600 SF	1,600 SF	1,600 SF	1,600 SF
1,600 SF	1,600 SF	1,600 SF	1,600 SF	1,600 SF
1,600 SF	1,600 SF	1,600 SF	1,600 SF	1,600 SF
TOTAL GROSS SF. LEVEL 2 =	4,640 SF	4,640 SF	4,640 SF	4,640 SF
TOTAL GROSS SF. LEVEL 1 =	4,010 SF	4,010 SF	4,010 SF	4,010 SF
TOTAL GROSS SF. LEVEL 2 =	5,340 SF	5,340 SF	5,340 SF	5,340 SF

[illegible]PROJECT No. PZ-21-179 - SITE PLAN
CITY APPROVAL STAMP

REVISIONS	
Δ	OWNER REVISION # 1_1110 2021
Δ	CITY COMMENTS_7.22.2012

ORMOND ENCLAVE - BUILDING A

BID'.
DESIGN INCORPORATED
ARCHITECTS, DESIGN, PLANNING, SERVICES
444 SOUTH
BRINK AVE. SUITE 100, INDEPENDENCE
DULLES, VA 20133
DUKE & PACECO, AN ARCHITECT
10000 WOODBURN AVE. SUITE 100
SUNSHINE BEACH, FLORIDA 33418
IN 760.520.7071 FAX 760.520.7070
EMAIL: info@dukeandpaceco.com

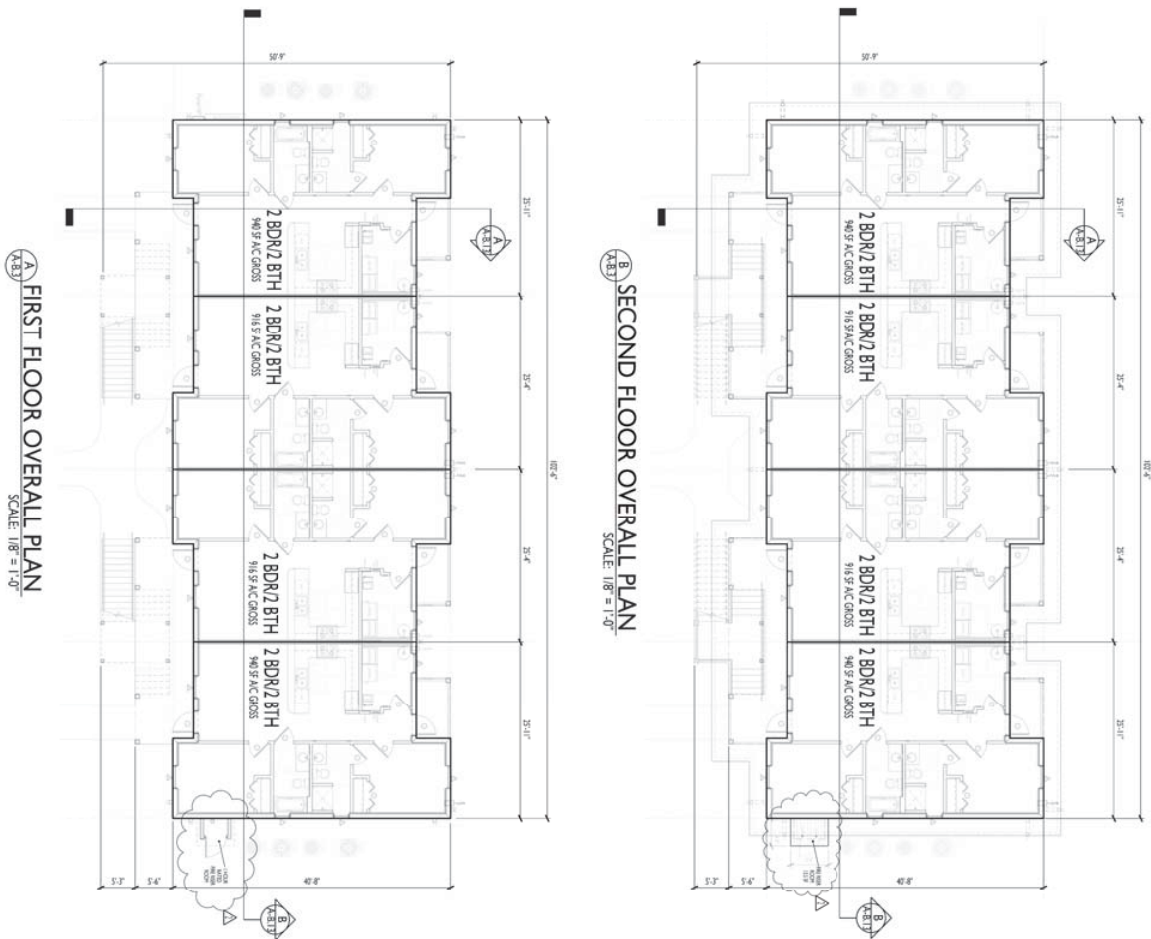
OVERALL UNIT PLAN (BSC-A)

DATE: NOVEMBER 2010
SCALE: 1/8"=1'-0"

SHEET NO. AAA

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

ARCHITECT'S ENGINEER'S SEAL



BLDG B. UNIT TABLE	
FLOOR	2800 SQ FT
LEVEL 1	4
LEVEL 2	4
TOTALS	8

8 UNITS PER BUILDING

GROSS SFTABLE

LEVEL				
STANDARD	# OF STUDENTS TAKING LOOK	GRADE 8 UNIT END	GRADE 8 UNIT NOT TAKING	TOTAL # TAKING LOOK
2.80A.1.8TH INT. UNITS (8.01 + 8.03)	2	916 SF	45 SF	1,971 SF
2.80A.2.8TH END UNITS (8.01 + 8.04)	2	940 SF	45 SF	1,970 SF
SHARED ROOM	2	N/A	251 SF	504 SF

TOTAL SF A/C LEVEL 1 =	3,712 SF
TOTAL SF NON- A/C LEVEL 1 =	684 SF
TOTAL GROSS SF LEVEL 1 =	<u>4,396 SF</u>

LEVEL 2				
	# OF UNIT ROOM	GROSS SF UNIT	GROSS SF UNIT (NON-ADJ.)	TOTAL SF ROOM
2 BDR 2 BTH	2	916 SF	45 SF	1,021 SF
1 BDR 2 BTH	1	916 SF	45 SF	1,021 SF
2 BDR 2 BTH	2	940 SF	45 SF	1,970 SF
1 BDR 1 BTH	1	N/A	221 SF	221 SF
SHARED ROOM	2	N/A		504 SF
TOTAL SF AC LEVEL 2 =				3,712 SF
TOTAL SF NON-AC LEVEL 2 =				684 SF
TOTAL GROSS SF LEVEL 2 =				4,396 SF

GROSS SF TABLE	
TOTAL GROSS SF LEVEL 1 =	4,396 SF
TOTAL GROSS SF LEVEL 2 =	4,396 SF
TOTAL BUILDING GROSS SF =	8,792 SF

CONCLUSIONS
ALL GENERAL & SUB CONTRACTORS TO FIELD VISIT ALL DEPOSITIONS, ELECTRIC, WATER, SEWER AND GAS SERVICE LOCATIONS.
ALL WORK MUST COMPLY WITH THE 2008 IFC EDITION (AMERICAN C) OF THE BUILDING RELATING CODE BOOK (AS PER NEW YORK STATE AND LOCAL CODES).
ALL ROOM & WINDOW OPENINGS TO BE FILL OR EXISTING DESIGN MATERIALS AND ALL OPENINGS MUST BEAT THE
THE BUILDING DEPT. CATEGORY IS "F"
THE BUILDING DEPT. CATEGORY IS "F"
THE BUILDING DEPT. CATEGORY IS "F"
ALL GLASSING IS TO BE NON IMPACT RESISTANT
ALL GLASSING IS TO BE NON IMPACT RESISTANT

PROJECT No. PZ-21-079 - SITE PLAN
CITY APPROVAL STAMP

REVISIONS
OWNER REVISION # 1, 1110 2012
CITY COMMENTS, 7/22/2012

ORMOND ENCLAVE - BUILDING B

OWNER/DEVELOPER: STEVE SEVINGY, MANAGING MEMBER, CST HOLDINGS, LLC, 1325 OAK FOREST DRIVE, ORMOND BEACH, FL 32174, PH: 386-795-2008
PROJECT LOCATION: 135 NORTH YONGE STREET, ORMOND BEACH, FL, 32174
GENERAL CONTRACTOR: TO BE DETERMINED

BPF
DESIGN INCORPORATED
ARCHITECTURE DESIGN & PLANNING SERVICES
AA 1000110
BRUNNEN RESEARCH ASSOCIATES ARCHITECTS
DANIEL FREEDMAN, AIA, ARCHITECT
JAN OOSTERHOUT, AIA, CONSULTANT
200 WEST AVENUE
SUITE 200
ANN ARBOR, MI 48106-1000
TEL: 734.769.1000
WWW.BPFDESIGN.COM

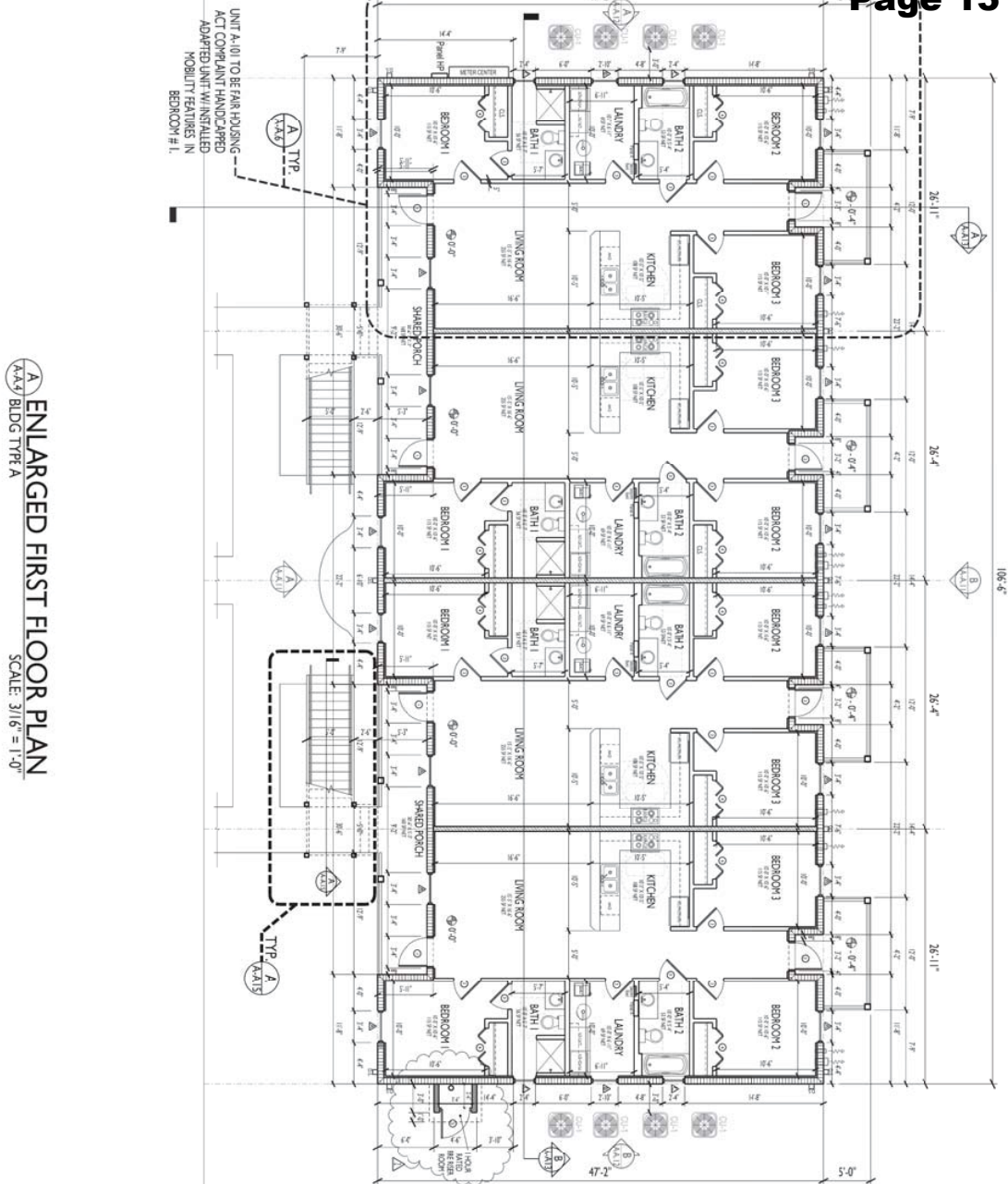
OVERALL UNIT PLAN (EDG B)

DATE: NOVEMBER 2020

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

SIT NO. AB

ARCHITECTS / ENGINEER'S SEAL



A
AA-4
BLDG TYPE A

ENLARGED FIRST FLOOR PLAN

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

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

[illegible]

GROSS SF. TABLE	
LEVEL 1	
	1,000 SF. LEVEL 1 TOTAL GROSS SF. LEVEL 1 =
1,000 SF. LEVEL 1	1,000 SF.
1,000 SF. LEVEL 1	1,000 SF.
2	2
2	2
TOTAL GROSS SF. LEVEL 1 =	4,000 SF.
TOTAL GROSS SF. LEVEL 1 =	4,000 SF.
TOTAL GROSS SF. LEVEL 1 =	4,000 SF.

1. ALL PORCH FLOORS TO BE NON-SLIP SEALED CONCRETE
2. ALL INTERIOR WALLS TO BE DOUBLE TOP PLATED.
REFER TO SHEET UL-2 FOR DETAILS.
3. ALL INTERIOR DIMENSIONS ARE TO FINISHED FACE, UNLESS
NOTED OTHERWISE.

NOTES:

- [illegible]

WALL LEGEND:

H.C. ADAPTABILITY NOTES:

1. ALL GROUND LEVEL UNITS ARE HC ADAPTABLE = 4 UNITS
2. UNIT A101 TO BE FAR HOUSING ACT COMPLAINT HANDICAPPED ADAPTED UNIT W/ INSTALLED MOBILITY FEATURES IN BEDROOM # 1.

PROJECT No. PZ-21-079 - SITE PLAN
CITY APPROVAL STAMP

REVISIONS
OWNER REVISION # 1, 1110, 2012
CITY COMMENTS, 7/22/2012

REVISIONS

ORMOND ENCLAVE - BUILDING A

OWNER/DEVELOPER: STEVE SEVINGY, MANAGING MEMBER, CST HOLDINGS, LLC, 1325 OAK FOREST DRIVE, ORMOND BEACH, FL 32174, PH: 386-795-2008
PROJECT LOCATION: 135 NORTH YONGE STREET, ORMOND BEACH, FL, 32174
GENERAL CONTRACTOR: TO BE DETERMINED

GENERAL CONTRACTOR: TO BE DETERMINED

BPF

DESIGN INCORPORATED
ARCHITECTS INC. DESIGN, PLANNING, SERVICES
444 MILL BLVD
SUITE 200
BOSTON, MA 02116
TEL: 617.452.2200
FAX: 617.452.2201
WWW.BPFDESIGN.COM

BUDGET: \$1.5M

DATE: NOVEMBER 2002

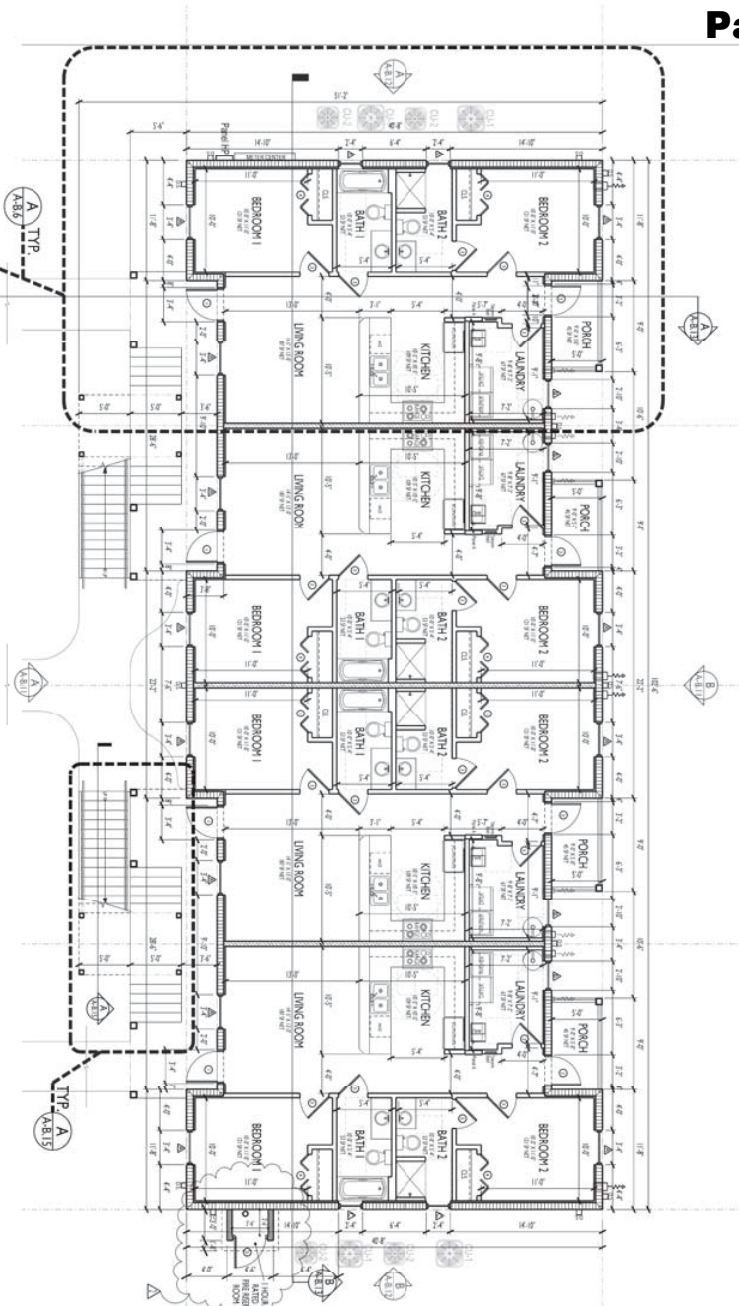
SCALE: 3/8"=1'-0"

SHEET NO. AA-1

ARCHITECTS / ENGINEER'S SEAL

ENLARGED FIRST FLOOR PLAN
SCALE: 3/16" = 1'-0"

UNIT B-101 TO BE FAR HOUSING
ACT COMPLIANT HANDICAPPED
ADAPTED UNIT W/ INSTALLED
MOBILITY FEATURES IN
BEDROOM #2



H.C. ADAPTABILITY NOTES:

1. ALL GROUND LEVEL UNITS ARE H.C. ADAPTABLE = 4 UNITS
2. UNIT B101 TO BE FAR HOUSING ACT COMPLIANT HANDICAPPED ADAPTED UNIT W/ INSTALLED MOBILITY FEATURES IN BEDROOM #2

WALL LEGEND:

1. 1/2" (60) MIN. RATED EXTERIOR 8" CMU WALL
2. 1/2" (60) MIN. UL V-40 ASSEMBLY EXT. BEARING WALL
3. 1/2" (60) MIN. UL V-40 ASSEMBLY INT. BEARING WALL
4. 1/2" (60) MIN. UL V-40 ASSEMBLY INT. BEARING WALL
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96. 1/2" (60) MIN. UL V-40 ASSEMBLY INT. BEARING WALL
97. 1/2" (60) MIN. UL V-40 ASSEMBLY INT. BEARING WALL
98. 1/2" (60) MIN. UL V-40 ASSEMBLY INT. BEARING WALL
99. 1/2" (60) MIN. UL V-40 ASSEMBLY INT. BEARING WALL
100. 1/2" (60) MIN. UL V-40 ASSEMBLY INT. BEARING WALL

NOTES:

1. ALL PORCH FLOORS TO BE NON-SLIP SEALED CONCRETE
2. ALL INTERIOR WALLS TO BE EQUAL TOP RATED.
3. ALL INTERIOR DIMENSIONS ARE TO FINISHED FACE UNLESS NOTED OTHERWISE

GROSS SF TABLE

LEVEL	AREA	PERCENT	TOTAL
LEVEL 1	1,000	100%	1,000
LEVEL 2	1,000	100%	1,000
LEVEL 3	1,000	100%	1,000
LEVEL 4	1,000	100%	1,000
LEVEL 5	1,000	100%	1,000
LEVEL 6	1,000	100%	1,000
LEVEL 7	1,000	100%	1,000
LEVEL 8	1,000	100%	1,000
LEVEL 9	1,000	100%	1,000
LEVEL 10	1,000	100%	1,000
LEVEL 11	1,000	100%	1,000
LEVEL 12	1,000	100%	1,000
LEVEL 13	1,000	100%	1,000
LEVEL 14	1,000	100%	1,000
LEVEL 15	1,000	100%	1,000
LEVEL 16	1,000	100%	1,000
LEVEL 17	1,000	100%	1,000
LEVEL 18	1,000	100%	1,000
LEVEL 19	1,000	100%	1,000
LEVEL 20	1,000	100%	1,000
LEVEL 21	1,000	100%	1,000
LEVEL 22	1,000	100%	1,000
LEVEL 23	1,000	100%	1,000
LEVEL 24	1,000	100%	1,000
LEVEL 25	1,000	100%	1,000
LEVEL 26	1,000	100%	1,000
LEVEL 27	1,000	100%	1,000
LEVEL 28	1,000	100%	1,000
LEVEL 29	1,000	100%	1,000
LEVEL 30	1,000	100%	1,000
LEVEL 31	1,000	100%	1,000
LEVEL 32	1,000	100%	1,000
LEVEL 33	1,000	100%	1,000
LEVEL 34	1,000	100%	1,000
LEVEL 35	1,000	100%	1,000
LEVEL 36	1,000	100%	1,000
LEVEL 37	1,000	100%	1,000
LEVEL 38	1,000	100%	1,000
LEVEL 39	1,000	100%	1,000
LEVEL 40	1,000	100%	1,000
LEVEL 41	1,000	100%	1,000
LEVEL 42	1,000	100%	1,000
LEVEL 43	1,000	100%	1,000
LEVEL 44	1,000	100%	1,000
LEVEL 45	1,000	100%	1,000
LEVEL 46	1,000	100%	1,000
LEVEL 47	1,000	100%	1,000
LEVEL 48	1,000	100%	1,000
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LEVEL 50	1,000	100%	1,000
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LEVEL 52	1,000	100%	1,000
LEVEL 53	1,000	100%	1,000
LEVEL 54	1,000	100%	1,000
LEVEL 55	1,000	100%	1,000
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LEVEL 61	1,000	100%	1,000
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LEVEL 91	1,000	100%	1,000
LEVEL 92	1,000	100%	1,000
LEVEL 93	1,000	100%	1,000
LEVEL 94	1,000	100%	1,000
LEVEL 95	1,000	100%	1,000
LEVEL 96	1,000	100%	1,000
LEVEL 97	1,000	100%	1,000
LEVEL 98	1,000	100%	1,000
LEVEL 99	1,000	100%	1,000
LEVEL 100	1,000	100%	1,000

GENERAL NOTES:
1. ALL CONSTRUCTION TO BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE INTERNATIONAL RESIDENTIAL CODE (IRC).
2. ALL CONSTRUCTION TO BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL MECHANICAL CODE (IMC) AND THE INTERNATIONAL PLUMBING CODE (IPC).
3. ALL CONSTRUCTION TO BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL ELECTRICAL CODE (IEC) AND THE INTERNATIONAL FIRE CODE (IFC).
4. ALL CONSTRUCTION TO BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL SWEET'S CATALOG AND THE INTERNATIONAL SWEET'S INDEX.

ORMOND ENCLAVE - BUILDING B

OWNER/DEVELOPER: STEVE SEVING, MANAGING MEMBER, CST HOLDINGS, LLC, 1325 OAK FOREST DRIVE, ORMOND BEACH, FL 32174, PH: 386-795-2008
PROJECT LOCATION: 135 NORTH YONGE STREET, ORMOND BEACH, FL 32174
GENERAL CONTRACTOR: TO BE DETERMINED

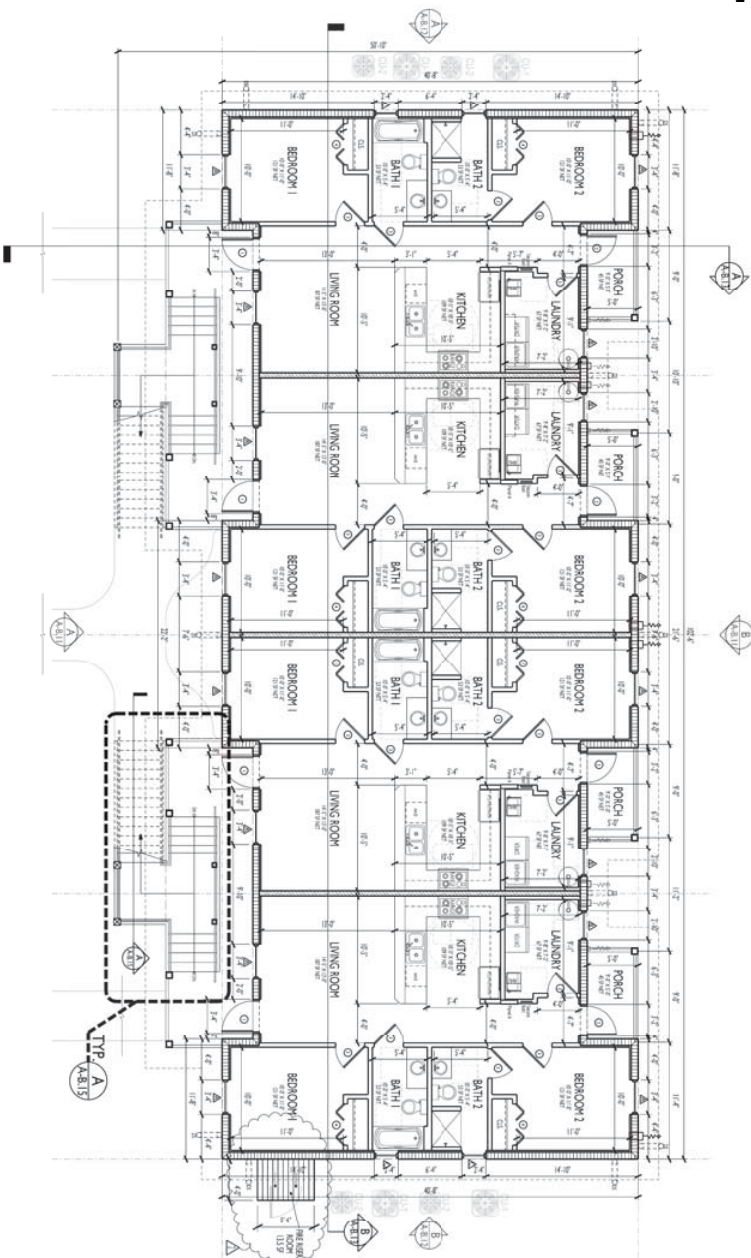
BDP
DESIGN INCORPORATED
ARCHITECTURAL
135 NORTH YONGE STREET
ORMOND BEACH, FL 32174
TEL: 386-795-2008
FAX: 386-795-2009
WWW.BDPARCHITECT.COM

BDP
DESIGN INCORPORATED
ARCHITECTURAL
135 NORTH YONGE STREET
ORMOND BEACH, FL 32174
TEL: 386-795-2008
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BDP
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135 NORTH YONGE STREET
ORMOND BEACH, FL 32174
TEL: 386-795-2008
FAX: 386-795-2009
WWW.BDPARCHITECT.COM



REVISIONS
OWNER REVISION # 1



ENLARGED SECOND FLOOR PLAN
SCALE: 3/16" = 1'-0"

BLDG TYPE B

WALL LEGEND

- 1. 1/2" (60 MIN.) RATED EXTERIOR 8" CMU WALL
- 2. 1/2" (60 MIN.) RATED EXTERIOR 8" CMU WALL
- 3. 1/2" (60 MIN.) RATED EXTERIOR 8" CMU WALL

NOTES:

- 1. ALL PORCH FLOORS TO BE NON-SLIP SEALED CONCRETE
- 2. ALL INTERIOR WALLS TO BE EQUAL TOP RATED.
- 3. ALL INTERIOR DIMENSIONS ARE TO FINISHED FACE, UNLESS NOTED OTHERWISE.

GROSS SF TABLE

AREA	AREA	AREA	AREA
1. 1/2" (60 MIN.) RATED EXTERIOR 8" CMU WALL	2. 1/2" (60 MIN.) RATED EXTERIOR 8" CMU WALL	3. 1/2" (60 MIN.) RATED EXTERIOR 8" CMU WALL	4. 1/2" (60 MIN.) RATED EXTERIOR 8" CMU WALL
5. 1/2" (60 MIN.) RATED EXTERIOR 8" CMU WALL	6. 1/2" (60 MIN.) RATED EXTERIOR 8" CMU WALL	7. 1/2" (60 MIN.) RATED EXTERIOR 8" CMU WALL	8. 1/2" (60 MIN.) RATED EXTERIOR 8" CMU WALL

GROSS SF TABLE

TOTAL GROSS SF BLDG 1 =	4,385 SF
TOTAL GROSS SF BLDG 2 =	4,385 SF
TOTAL BUILDING GROSS SF =	8,770 SF

GENERAL NOTES:
1. ALL CONSTRUCTION TO BE IN ACCORDANCE WITH ALL APPLICABLE CODES AND ORDINANCES.
2. ALL MATERIALS AND METHODS OF CONSTRUCTION TO BE APPROVED BY THE CITY ENGINEER.
3. ALL DIMENSIONS ARE TO FINISHED FACE, UNLESS NOTED OTHERWISE.
4. ALL INTERIOR WALLS TO BE EQUAL TOP RATED.
5. ALL INTERIOR DIMENSIONS ARE TO FINISHED FACE, UNLESS NOTED OTHERWISE.



ORMOND ENCLAVE - BUILDING B

OWNER/DEVELOPER: STEVE SEVING, MANAGING MEMBER, CST HOLDINGS, LLC, 1325 OAK FOREST DRIVE, ORMOND BEACH, FL 32174, PH: 386-795-2008
PROJECT LOCATION: 135 NORTH YONGE STREET, ORMOND BEACH, FL 32174
GENERAL CONTRACTOR: TO BE DETERMINED

BPH
DESIGN INCORPORATED
ARCHITECTURAL & ENGINEERING
135 NORTH YONGE STREET, SUITE 100
ORMOND BEACH, FL 32174
TEL: 386-795-2008
WWW.BPHDESIGN.COM

BLDG TYPE B - FIRST FLOOR

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

DATE: 11/11/2021

BY: [Signature]

CHECKED: [Signature]

APPROVED: [Signature]

PROJECT No. 221495 - STEVE SEVING
CITY APPROVAL STAMP

REVISIONS
OWNER/DEVELOPER: STEVE SEVING, MANAGING MEMBER, CST HOLDINGS, LLC, 1325 OAK FOREST DRIVE, ORMOND BEACH, FL 32174, PH: 386-795-2008
PROJECT LOCATION: 135 NORTH YONGE STREET, ORMOND BEACH, FL 32174
GENERAL CONTRACTOR: TO BE DETERMINED

[illegible]

ARCHITECTURAL STYLE: NEO-ECLECTIC



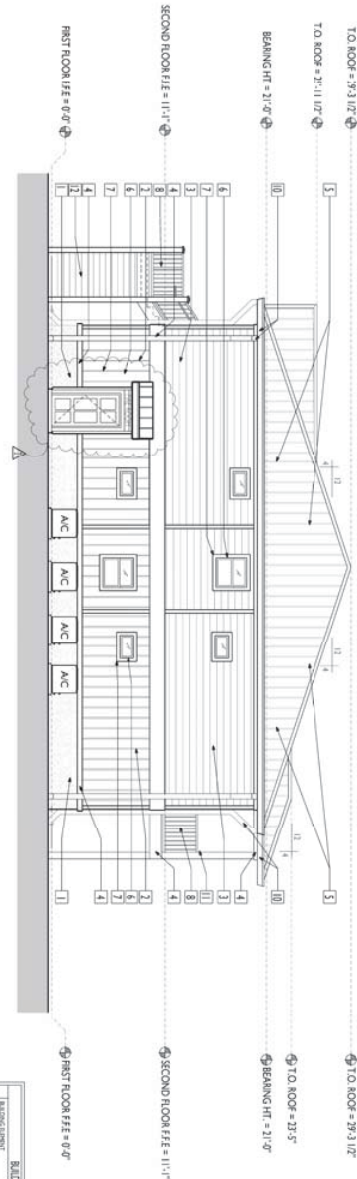
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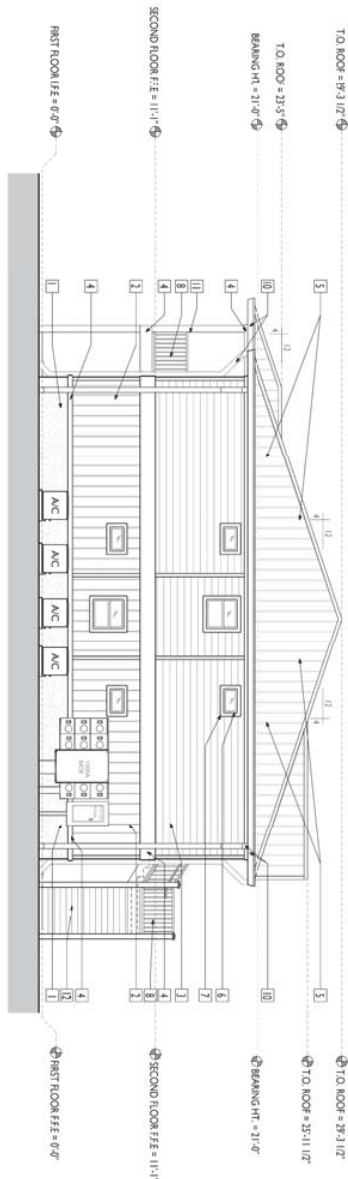
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OWNER/DEVELOPER: STEVE SEVINGY, MANAGING MEMBER, CST HOLDINGS, LLC, 1325 OAK FOREST DRIVE, ORMOND BEACH, FL 32174, PH: 386-795-2008
PROJECT LOCATION: 135 NORTH YONGE STREET, ORMOND BEACH, FL, 32174
GENERAL CONTRACTOR: TO BE DETERMINED

DESIGN INCORPORATED	
ARCHITECT, ENGINEER, PLANNING SERVICES	
1440 20TH ST.	
BUNN + HENDERSON ASSOC. INC. PROJECT MANAGER	
1001 E. HANCOCK AVE. #100-107	
TAMU 00785	
200 KENNEDY AVENUE, DALLAS TEXAS 75201-4344	
TEL: 214.768.2222 FAX: 214.768.2223	
E-MAIL: bhring@bhring.com OR bhring@comcast.net	



SIDE ELEVATION
B
A-112 TYPE A BLDG. SCALE: 3/16" = 1'-0"



SIDE ELEVATION
A
A-12 TYPE A BLDG.
SCALE: 3/16" = 1'-0"

[illegible]

SIGNAGE NOTES

[illegible][illegible][illegible]PROJECT No. 92-21-079 - SITE PLAN
CITY APPROVAL STAMP

REVISIONS	
△	OWNER REVISION # 1, 1110 2012
△	CITY COMMENTS, 7/22/2012

ORMOND ENCLAVE - BUILDING A

OWNER/DEVELOPER: STEVE SEVINGY, MANAGING MEMBER, CST HOLDINGS, LLC, 1325 OAK FOREST DRIVE, ORMOND BEACH, FL 32174; PH: 386-795-2008
PROJECT LOCATION: 135 NORTH YONGE STREET, ORMOND BEACH, FL, 32174
GENERAL CONTRACTOR: TO BE DETERMINED

[illegible]



REAR ELEVATION
BLDG TYPE B SCALE: 3/16" = 1'-0"



FRONT ELEVATION
A
A-B.11 BLDG TYPE B SCALE: 3/16" = 1'-0"

SOLING: MATERIAL, COLOR, AND SIZE, 8 BY 12		
	MATERIAL ELEMENT	FINISHED ELEMENT
1	WOOD	STAINLESS STEEL
2	WOOD	STAINLESS STEEL
3	WOOD	STAINLESS STEEL
4	WOOD	STAINLESS STEEL
5	WOOD	STAINLESS STEEL
6	WOOD	STAINLESS STEEL
7	WOOD	STAINLESS STEEL
8	WOOD	STAINLESS STEEL
9	WOOD	STAINLESS STEEL
10	WOOD	STAINLESS STEEL
11	WOOD	STAINLESS STEEL
12	WOOD	STAINLESS STEEL

N60 ELECTRIC TEST ACTIVITIES	
1	ATTRIBUTION 1: SMALL 4-STEP LOGIC
2	ATTRIBUTION 2: COMPLEX MATCHING PROBLEM
3	ATTRIBUTION 3: ORDERING
4	VALIDATION: GOOD REPORT
5	ATTRIBUTION 4: 1-STEP LOGIC AND ORDERING
6	ATTRIBUTION 5: 1-STEP LOGIC AND ORDERING GOOD PARTS WITH SMALL LOGIC CHAINS AND ORDERING
7	ATTRIBUTION 6: 2-STEP LOGIC AND ORDERING
8	ATTRIBUTION 7: 3-STEP LOGIC AND ORDERING
9	ATTRIBUTION 8: 4-STEP LOGIC AND ORDERING
10	ATTRIBUTION 9: 5-STEP LOGIC AND ORDERING
11	ATTRIBUTION 10: 6-STEP LOGIC AND ORDERING
12	ATTRIBUTION 11: 7-STEP LOGIC AND ORDERING
13	ATTRIBUTION 12: 8-STEP LOGIC AND ORDERING
14	ATTRIBUTION 13: 9-STEP LOGIC AND ORDERING
15	ATTRIBUTION 14: 10-STEP LOGIC AND ORDERING
16	ATTRIBUTION 15: 11-STEP LOGIC AND ORDERING
17	ATTRIBUTION 16: 12-STEP LOGIC AND ORDERING
18	ATTRIBUTION 17: 13-STEP LOGIC AND ORDERING
19	ATTRIBUTION 18: 14-STEP LOGIC AND ORDERING
20	ATTRIBUTION 19: 15-STEP LOGIC AND ORDERING
21	ATTRIBUTION 20: 16-STEP LOGIC AND ORDERING
22	ATTRIBUTION 21: 17-STEP LOGIC AND ORDERING
23	ATTRIBUTION 22: 18-STEP LOGIC AND ORDERING
24	ATTRIBUTION 23: 19-STEP LOGIC AND ORDERING
25	ATTRIBUTION 24: 20-STEP LOGIC AND ORDERING
26	ATTRIBUTION 25: 21-STEP LOGIC AND ORDERING
27	ATTRIBUTION 26: 22-STEP LOGIC AND ORDERING
28	ATTRIBUTION 27: 23-STEP LOGIC AND ORDERING
29	ATTRIBUTION 28: 24-STEP LOGIC AND ORDERING
30	ATTRIBUTION 29: 25-STEP LOGIC AND ORDERING
31	ATTRIBUTION 30: 26-STEP LOGIC AND ORDERING
32	ATTRIBUTION 31: 27-STEP LOGIC AND ORDERING
33	ATTRIBUTION 32: 28-STEP LOGIC AND ORDERING
34	ATTRIBUTION 33: 29-STEP LOGIC AND ORDERING
35	ATTRIBUTION 34: 30-STEP LOGIC AND ORDERING
36	ATTRIBUTION 35: 31-STEP LOGIC AND ORDERING
37	ATTRIBUTION 36: 32-STEP LOGIC AND ORDERING
38	ATTRIBUTION 37: 33-STEP LOGIC AND ORDERING
39	ATTRIBUTION 38: 34-STEP LOGIC AND ORDERING
40	ATTRIBUTION 39: 35-STEP LOGIC AND ORDERING
41	ATTRIBUTION 40: 36-STEP LOGIC AND ORDERING
42	ATTRIBUTION 41: 37-STEP LOGIC AND ORDERING
43	ATTRIBUTION 42: 38-STEP LOGIC AND ORDERING
44	ATTRIBUTION 43: 39-STEP LOGIC AND ORDERING
45	ATTRIBUTION 44: 40-STEP LOGIC AND ORDERING
46	ATTRIBUTION 45: 41-STEP LOGIC AND ORDERING
47	ATTRIBUTION 46: 42-STEP LOGIC AND ORDERING
48	ATTRIBUTION 47: 43-STEP LOGIC AND ORDERING
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105	ATTRIBUTION 104: 100-STEP LOGIC AND ORDERING
106	ATTRIBUTION 105: 101-STEP LOGIC AND ORDERING
107	ATTRIBUTION 106: 102-STEP LOGIC AND ORDERING
108	

ALL GENERAL SUB-CONTRACTORS TO FIELD VERIFY ALL DIMENSIONS, ELECTRICAL, WATER, SEWER AND GAS SERVICE LOCATIONS. ALL WORK MUST COMPLY WITH THE 2001 FPM, EDITION APPROVED "C" AND THE 2003 INTERNATIONAL RESIDENTIAL CODE. ALL ELECTRICAL, PLUMBING AND THE JOINTS, ACCESSIBLE ROOM FOR BURNING CONNECTION, ALL DOORS, WINDOW OPENINGS TO MEET OR EXCEED DESIGN PRESSURE RATED AS INDICATED ON SHEET "B".

THE BUILDING RISK CATEGORY IS "C" IN ACCORDANCE WITH ASCE 7-10. RETRANSMISSIONS OF THE PROJECT ARE:

ALL CLADDING IS TO BE NON-IMPACT RESISTANT.

11. **CONCLUSIONS**

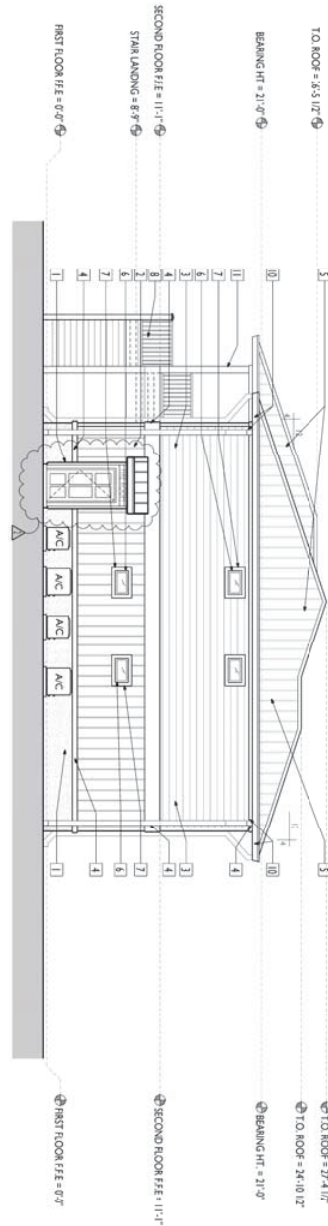
PROJECT No. PZ-21-079 - SITE PLAN
CITY APPROVAL STAMP

REVISIONS
OWNER REVISION # 1, 1110, 202
CITY COMMENTS, 7.22.2012

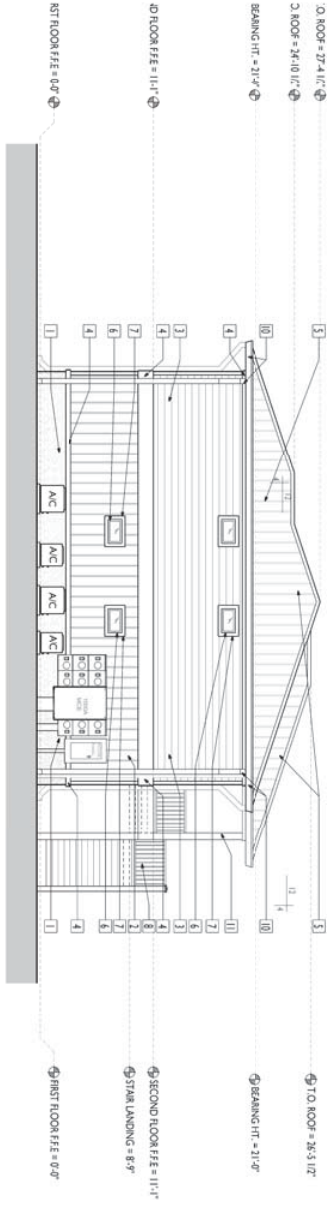
ORMOND ENCLAVE - BUILDING B

OWNER/DEVELOPER: STEVE SEVINGY, MANAGING MEMBER, CST HOLDINGS, LLC, 1325 OAK FOREST DRIVE, ORMOND BEACH, FL 32174, PH: 386-795-2008
PROJECT LOCATION: 135 NORTH YONGE STREET, ORMOND BEACH, FL, 32174
GENERAL CONTRACTOR: TO BE DETERMINED

PROPOSED ELEVATIONS	
DATE: NOVEMBER 1, 2001	SHEET NO. A-011
SCALE: 1/8" = 1'-0"	
ARCHITECT'S / ENGINEER'S SEAL	



B SIDE ELEVATION
SCALE: 3/16" = 1'-0"



A SIDE ELEVATION
SCALE: 3/16" = 1'-0"

BUILDING MATERIAL COLOR SCHEDULE - BLDG. B TYPE	
ITEM	DESCRIPTION
1	BUILDING MATERIAL
2	BUILDING MATERIAL
3	BUILDING MATERIAL
4	BUILDING MATERIAL
5	BUILDING MATERIAL
6	BUILDING MATERIAL
7	BUILDING MATERIAL
8	BUILDING MATERIAL
9	BUILDING MATERIAL
10	BUILDING MATERIAL
11	BUILDING MATERIAL
12	BUILDING MATERIAL

SIGNAGE NOTES
1. SIGNAGE SHALL BE AS SHOWN ON THE ARCHITECT'S SIGNAGE SCHEDULE.
2. SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE ARCHITECT'S SIGNAGE SCHEDULE.
3. SIGNAGE SHALL BE MAINTAINED IN GOOD CONDITION AT ALL TIMES.

ARCHITECTURAL STYLE: NEO-ECLECTIC	
ITEM	DESCRIPTION
1	ATTRIBUTES NO. 1 (SHELL & CHIMNEY ROOF)
2	ATTRIBUTES NO. 2 (CORNER BALCONY PORCHES)
3	ATTRIBUTES NO. 3 (CORNER)
4	ATTRIBUTES NO. 4 (CORNER)
5	ATTRIBUTES NO. 5 (CORNER)
6	ATTRIBUTES NO. 6 (CORNER)
7	ATTRIBUTES NO. 7 (CORNER)
8	ATTRIBUTES NO. 8 (CORNER)
9	ATTRIBUTES NO. 9 (CORNER)
10	ATTRIBUTES NO. 10 (CORNER)
11	ATTRIBUTES NO. 11 (CORNER)

GENERAL NOTES
1. THE ARCHITECT'S DESIGN IS BASED ON THE ASSUMPTION THAT THE BUILDING WILL BE CONSTRUCTED IN ACCORDANCE WITH THE ARCHITECT'S DESIGN.
2. THE ARCHITECT'S DESIGN IS BASED ON THE ASSUMPTION THAT THE BUILDING WILL BE CONSTRUCTED IN ACCORDANCE WITH THE ARCHITECT'S DESIGN.
3. THE ARCHITECT'S DESIGN IS BASED ON THE ASSUMPTION THAT THE BUILDING WILL BE CONSTRUCTED IN ACCORDANCE WITH THE ARCHITECT'S DESIGN.

ORMOND ENCLAVE - BUILDING B

OWNER/DEVELOPER: STEVE SEVING, MANAGING MEMBER, CST HOLDINGS, LLC, 1325 OAK FOREST DRIVE, ORMOND BEACH, FL 32174, PH: 386-795-2008

PROJECT LOCATION: 135 NORTH YONGE STREET, ORMOND BEACH, FL 32174

GENERAL CONTRACTOR: TO BE DETERMINED

DESIGN INFORMATION

ARCHITECT: BDPH

DESIGNER: BDPH

DATE: 10/1/2020

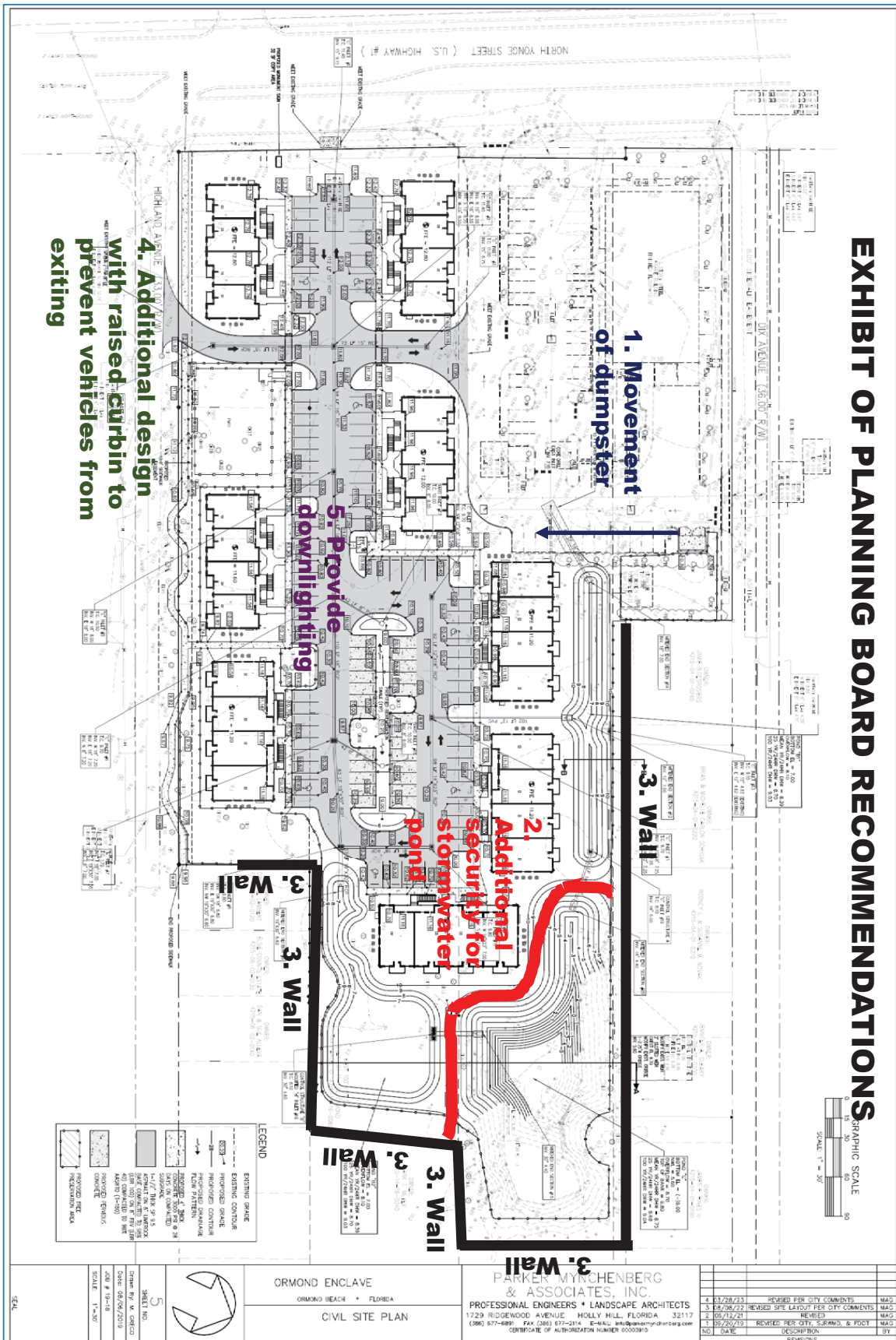
SCALE: 3/16" = 1'-0"

PROJECT INFORMATION

PROJECT NO: 135 NORTH YONGE STREET, ORMOND BEACH, FL 32174

DATE: 10/1/2020

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



STAFF REPORT

**City of Ormond Beach
Department of Planning**

MEETING DATE: June 8, 2023

SUBJECT: Ormond Enclave (fka “Courtyards at Ormond”), Issuance of a Development Order

APPLICANT: CST Holdings, LLC

NUMBER: DO 2021-079(C)

PROJECT PLANNER: Steven Spraker, AICP, Planning Director

SECTION 1, INTRODUCTION:

This is a request from CST Holdings, LLC for the issuance of a development order for 64 multi-family residential units and associated site improvements on 6.34+ acres located at 145 North Yonge Street. The development has an existing retail use of 9,014 square feet that shall remain. The project would have zoning designations of PBD, Planned Business Development and PRD, Planned Residential Development. The subject property is shown in Exhibit 1 below:

EXHIBIT 1: 145 North Yonge Street, overall project area



SECTION 2, BACKGROUND:

A portion of the subject property was approved for a rezoning with Ordinance 2005-32 that authorized a Planned Business Development and a Planned Residential Development approving 82,369 square feet of commercial uses and 10 residential townhomes. Ordinance 2005-32 expired on October 5, 2007. Since the 2005 Ordinance approval, additional land area has been added to the project area.

On June 2, 2009, the City Commission authorized Ordinance 2009-17 for an amended development order for the Planned Business Development and Planned Residential Development. The Ordinance authorized a multi-phase project of a Dollar General retail store of 9,014 square feet (phase 1), a retail center of 12,000 square feet (phase 2), and 16 residential two-story townhomes (phase 3). The phase 1 retail store of 9,014 square feet was constructed and the other two phases have expired. Based upon (1) the expiration of the planned developments and (2) additional land areas being added to the planned development, a new development order shall be required for any site development.

On October 1, 2019, the City Commission authorized Ordinance 2019-23 that approved the following Comprehensive Plan amendments for the property:

1. Amended the designation of the 2.52± acres from "Low Density Residential" to "Medium Density Residential", increasing the maximum allowed residential density from 4.3 units per acre to 12 units per acre;
2. Limited the allowed Floor Area Ratio (FAR) to 0.20 for the 2.52± acres proposed to be designated "Medium Density Residential"; and
3. Reduced the residential density within the 3.48± acres currently designated "General Commercial" from the existing 32 units per acre to 22 units per acre.

The Ormond Enclave project was formerly known as the "Courtyards at Ormond". Below within Exhibit 2 are the abutting land use and zoning designations of the area abutting the subject property.

EXHIBIT 2: Abutting land use and zoning designations

	Current Land Uses	Future Land Use Designation	Zoning
North	Commercial and single-family residential	"General Commercial" and "Low Density Residential"	B-4 (Central Business) and R-3 (Medium Density Single-Family)
South	Retail and single-family residential	"General Commercial" and "Low Density Residential"	B-4 (Central Business) and R-3 (Medium Density Single-Family)
East	Single-family residential	"Low Density Residential"	R-3 (Medium Density Single-Family)
West	Commercial uses across US 1	"Heavy Commercial"	B-5 (Service Commercial)

SECTION 3, PROJECT PROCESS:

Applications:

There are three distinct zoning actions associated with the Ormond Enclave project that include:

- A. Zoning map amendment for 0.34+ acres portion of 145 North Yonge Street from B-4, Central Business to PBD, Planned Business Development. This zoning action is needed to incorporate the property into the Planned Business Development. The zoning map amendment does not provide any specific developmental approval but instead provides a framework for the issuance of the development order.
- B. Zoning map amendment for a 0.99+ acres portion of 145 North Yonge Street from R-3, Single-Family Medium Density, to Planned Residential Development. This zoning action is needed to incorporate the property into the Planned Residential Development. The zoning map amendment does not provide any specific developmental approval but instead provides a framework for the issuance of the development order.
- C. **Issuance of a development order** for 64 multi-family residential units and associated site improvements on 6.34+ acres located at 145 North Yonge Street. The development has an existing retail use of 9,014 square feet. **This is the subject of this agenda item.** The development order approves a specific site plan for the development of the entire 6.34 acres. The 2009 development order had phase 1, a 9,014 square foot building constructed and the other phases have expired. The purpose of this development order is to incorporate the land areas acquired by the applicant and to allow the construction of 64 multi-family residential units and associated site improvements.

Project review process:

The Planned Residential and Business Development is reviewed and acted upon as two separate actions: (1) zoning map amendments and (2) issuance of a development order. The two actions will be discussed together at the public hearing and require separate votes. The project (both the zoning map amendment and issuance of the development order) has the following approval process:

1. **Site Plan Review Committee (SPRC).** The Site Plan Review Committee is comprised of city departments who review site plan applications for consistency with the Land Development Code and Comprehensive Plan. This committee provides a technical review of development submittals.
2. **Neighborhood meeting.** The Land Development Code requires a neighborhood meeting where a project abuts a residential zoning district for the issuance of the development order item. The neighborhood meeting was conducted on January 17, 2023 and is summarized in the analysis section of this report.
3. **Planning Board.** The Planning Board conducts one public hearing for a zoning map amendment and issuance of a development order. The Planning Board provides a recommendation to the City Commission. Applications, whether recommended for approval or denial, are forwarded to the City Commission for

action. The Planning Board is appointed by the City Commission. The Planning Board in its recommendation is required to consider the following:

- a. Application submitted by the applicant;
- b. Staff report;
- c. Written correspondence provided;
- d. Testimony presented at the public hearing; and
- e. Criteria for rezonings and issuance of a Development Order.

4. City Commission. The City Commission is an elected body that provides the final action on zoning map amendments and issuance of development orders. The tentative City Commission dates for this project are July 18, 2023 and August 1, 2023. Section 1-18(e) of the Land Development Code requires the City Commission to consider:

- a. The report and recommendation of the Site Plan Review Committee and the Planning Board.
- b. The report and recommendation of other city departments and advisory boards, as appropriate.
- c. Comments of governmental agencies, utility corporations and individuals, as received.

Section 1-18 of the Land Development Code also provides the review criteria for development orders listed in the analysis section of this report.

SPRC Review and advertising process

Exhibit 3 shows the Site Plan Review Committee (SPRC) review process and the notice requirements for public meetings for both the zoning map amendments and issuance of a development order.

EXHIBIT 3: SPRC review and advertising process

PZ-21-079		
Action	Date	Notes
1 st SPRC submittal	June 17, 2021	SPRC review: July 9, 2021
Neighborhood meeting	August 25, 2021	600' mail radius; newspaper ad
2 nd SPRC submittal	September 28, 2021	SPRC review: October 20, 2022
Neighborhood meeting	January 17, 2023	600' mail radius; newspaper ad
3 rd SPRC submittal	April 25, 2023	SPRC review: May 12, 2023
Planning Board	June 8, 2023	300' mail radius; newspaper ad; site posting
City Commission, 1 st	July 18, 2023 (tentatively)	300' mail radius; newspaper ad
City Commission, 2 nd	August 1, 2023 (tentatively)	newspaper ad
SPRC final review	To be determined	

The August 25, 2021 neighborhood meeting reviewed a site plan for a 10,889 square foot retail building and a 48 unit multi-family development. The second neighborhood meeting on January 23, 2023 reviewed a site plan of 64 multi-family units. A summary of the neighborhood meeting is as follows:

Presentation:

1. Newly proposed plans have removed the commercial property to address concerns from the previous neighborhood meeting. The commercial property has been replaced with additional multi-family dwelling units. There will be eight 2-story buildings with 8 units in each building making a total of 64 multi-family dwelling units. The buildings will be approximately 29.5 feet tall and there will be two different layouts. Based on allowed density the plans could have up to 99 units, but the owner wants to preserve as much vegetation as possible, make luxury apartments, and blend the multi-family between the commercial to the west and residential to the east.
2. Newly proposed plans have modified the ingress/egress to have an entrance only along Highland Avenue in an effort to address concerns from previous neighborhood meeting.

Meeting comments:

3. Wanted to know price point of apartments and if it was affordable housing. Applicant stated price would be based on the market and it is not intended to be an affordable housing complex.
4. Some residents were not opposed to the idea of commercial. Wanted to know if they could limit the type of commercial uses.
5. Concerns regarding lighting impacts to existing neighborhood.
6. Wanted to know materials of building and if the project would be phased. Had concerns that this project could not be completed similar to the Ormond Renaissance project. Applicant clarified it will be one phase and the buildings will be constructed out of concrete masonry blocks.
7. Privacy concerns with 2-story buildings adjacent to shorter homes in neighborhood. Applicant stated the buildings will be similar to an average house height at approximately 29.5 feet tall. The buildings will be at least 50 feet from an abutting residential home, will have a 6-foot tall vinyl fence, and oaks and shrubs will be replanted along the eastern boundary line that abuts residential.
8. Wanted to see if the community will be gated. Applicant responded that a gated community is not an option due to car-stacking issues.
9. Will there be security, an office on-site, and will a maintenance person be on-site or on an on-call basis? Applicant stated the managing office will be off-site and there will be a maintenance person called on an as-needed basis. There will be no security.
10. Ability to reduce the number of units and increase monthly prices to have a unique and high-quality apartment complex different from other cities.

11. Concerns for traffic were expressed.
12. Suggest to limit exit for Dollar General along Highland Avenue to be a left turn only to reduce traffic leaving store.
13. Commented that Dix Avenue and Highland Avenue are narrow enough and having 64 new homes with multiple cars will devastate the area further.
14. Newly installed speed tables have done nothing to slow traffic or make narrow roads safer for residents and their children.
15. Concern for drainage was expressed.
16. After heavy rains, flooding is already a concern and naturally flows to subject property. Concerns that new buildings and land clearing will cause more flooding to abutting homes.
17. Applicant clarified the existing pond will remain and there will be additional dry retention ponds added to account for nutrient loading. This is required in order to retain all stormwater onsite and not impact surrounding neighborhood.
18. Applicant clarified they desired to preserve as many trees as possible. Southern sidewalk meanders to avoid impacts to existing trees onsite.
19. Applicant stated there are no plans for a pool or playground.
20. Biggest concerns regarding the width of residential streets as they are already unsafe for driving, especially large trucks.
21. Don't want any projects that will bring larger volumes of traffic.
22. Major concerns regarding flooding and what the city is doing to resolve the current issue, and what developer will do to prevent further flooding off-site.

The project has also been posted on the City website under the Planning Department at: (1) Development Reports, <https://www.ormondbeach.org/1029/Ormond-Enclave> and (2) Public Hearing Advertisements and Notices, <https://www.ormondbeach.org/1000/Public-Hearing-Advertisements-and-Notice>.

SECTION 4, PROJECT DESCRIPTION:

Key aspects of the project include:

1. The project proposes 64 multi-family apartment units.
2. The project has multiple land uses of "General Commercial" (3.56± acres), "Medium Density Residential" (2.52± acres) and "Low Density Residential" (0.26± acres) and totals 6.34 acres.
3. The density calculations are as follows:
 - A. Gross density: 64 units divided by 6.34 acres, is 10.09 units per acre.
 - B. "General Commercial" land use: 34 units divided by 3.56 acres, is 9.55 units per acre. Deducting an acre of land area for the Dollar General building improvements, the land area would be 2.56 acres and the density would be 13.3 units per acre.

- C. "Medium Density Residential" land use: 30 units divided by 2.52 acres, is 11.90 units per acre.
 - D. "Low Density Residential" land use, 0 units over 0.26 acres. No development is proposed on the "Low Density Residential" and it is used for additional natural areas and stormwater.
4. There is an existing retail use, Dollar General, of 9,014 square feet that shall remain as it exists today.
 5. A majority of the property has an existing zoning of PBD, Planned Business Development and Planned Residential Development. The applicant has added land areas that need to be incorporated into the Planned Development zoning designation which are presented as ZMA 2021-079(A) and ZMA 2021-079(B) agenda items. The two zoning designations are needed based on the commercial and residential land uses.
 6. The multi-family residential use requires 128 parking spaces and the retail use requires 36 parking spaces for a total of 164 parking spaces. The site plan provides for 164 parking spaces. Note that there are Comprehensive Plan and Land Development Code regulations that allow a parking reduction of 20% based on the project being within a Multi-Modal Corridor. The total required parking would be 131 parking spaces.
 7. The project is located within the city's Transportation Concurrency Exception Area (TCEA).
 8. There are eight (8) buildings proposed with eight (8) units per building. Architectural plans are included in the site plan submittal. There are two building types, A and B. The architectural plans show two (2) and three (3) bedroom units.
 9. The building length of building A is approximately 106 linear feet and the building length of building B is approximately 102 linear feet.
 10. The proposed multi-family buildings are two stories with a building height of 25'2".
 11. Sheet A-A.11 in ATTACHMENT 5 provides the architectural style of neo-eclectic. Architectural features include a standing seam metal roof, covered balconies and porches, overhangs, variations in roof height, projections and recessed sections, stucco base with board and batten cement siding and horizontal lap siding, and earth tone colors.
 12. There are no wetlands on site.
 13. The project is located within Flood Zone X, outside the 500-year floodplain.
 14. The site design features the multi-family buildings on the outside of the project perimeter with parking internal to the site. The setback along Highland Avenue is 20' and 25' along North Yonge Street. The setback to existing single-family residential properties is at least 50'.
 15. A dog park area with a four (4')-foot black ornamental fence is proposed.
 16. The primary access is designed to be from North Yonge Street. Access from Highland Avenue is an entry only and vehicles would be prohibited from exiting the

site onto Highland Avenue. There is a full access point on Dix Avenue that would remain unchanged.

17. The project proposes a six (6')-foot PVC vinyl fence abutting the north property line, abutting the Dix Avenue properties, and the east property line. There has been discussion within the Site Plan Review Committee meetings regarding the other property boundaries. There are significant trees and vegetation along the other property lines. Installation of a fence would require removal of the existing buffer and it is recommended that the fence not be required in these areas. The applicant has stated that they are willing to install a fence if required and remove the necessary vegetation to install the fence.
18. The project has provided the required 15% natural preservation areas.
19. Sheet 7A in ATTACHMENT 5 shows the buffer and tree calculations. The calculations show 85 trees to remain and 180 trees to be planted, totaling 265 trees.
20. Construction hours for outside activity would be from 7:00 am to 7:00 pm, Monday thru Saturday with no construction on Sundays. Necessary concrete pours can be coordinated with the SPRC to establish allowed times.
21. The SPRC may permit individual Certificate of Occupancies if the necessary site work is completed for each building.
22. A sidewalk is proposed along Highland Avenue. Portions of the sidewalk would be on private property with easements based on limited right-of-way and tree protection.
23. The project has been issued a St. Johns River Water Management District permit for stormwater management.
24. A 32 square-foot monument sign is shown to be along North Yonge Street.
25. A lighting plan is included in ATTACHMENT 5 shows no spillover lighting to abutting properties.
26. School concurrency has been obtained and is in ATTACHMENT 3.

SECTION 5, EXISTING MULTI-FAMILY INVENTORY:

Below, is a list of the existing multi-family units within the City of Ormond Beach:

EXHIBIT 4: Existing multi-family units (10 units and over)

Address	Name	Year Built	Number
84 S. Beach Street	Rio Robles Apartments	1971	26
450 Tomoka Avenue	Tomoka Garden	1973	16
500 Shadow Lakes	Shadow Lakes Apartments	1973	184
125 South Orchard Street	Orchard Garden	1974	30
1 Tomoka Meadows Boulevard	Ormond Beach Apartments	1975	10
140 Lincoln Avenue	Ormond Shores Apt.	1981	26
420 Lakebridge Drive	Oaks of Lakebridge	1984	170
1088 W. Granada Boulevard	Fisherman's Landing	1985	154

Address	Name	Year Built	Number
875 Wilmette Avenue (450 & 469 Lakebridge)	Willow Pond	1988	162
664 South Nova Road	Prince of Peace	1996	70
1500 San Marco Drive	San Marco (<i>annexed</i>)	2002	260
600 Crowne Commerce Court	Reserve at Ormond Beach (<i>annexed</i>)	2002	272
100 Hamilton Circle	Bermuda Estates	2004	344
765 West Granada Boulevard	Olive Grove	2010	88
570 Sterthaus Drive	Madison Glenn	2010	96

TOTAL UNITS 1,908

Below, is a list of the existing multi-family condominiums within the City of Ormond Beach:

EXHIBIT 5: Existing condominiums

Address	Name	Year Built	Units
815 Ocean Shore Boulevard	Ormond Holiday Club	1969	40
915 Ocean Shore Boulevard	Shoreham	1970	56
89 South Atlantic Avenue	89 Oceanfront	1971	95
855 Ocean Shore Boulevard	Ocean Club North	1971	46
65 Seton Trail	Seton Court Condo	1971	26
935 Ocean Shore Boulevard	Bent Palm Club	1972	41
111 South Atlantic Avenue	Atlantis	1972	51
640 North Nova Road	Tomoka Oaks North Condo	1973	90
60 Vining Court	Sixty Vining CT Condo	1979	16
55 Vining Court	Fountain Square Condo	1980	40
1 Tomoka Oaks Boulevard	Escondido	1981	40
395 South Atlantic Avenue	Tidesfall	1981	55
901 South Atlantic Avenue	Aliki Atrium	1981	27
60 North Halifax Drive	Club View Villas	1984	16
203 Orchard Street	Thousand Oaks Condo	1984	54
20 Tomoka Avenue	River Bridge	1985	22
596 North Nova Road	Baymeadows	1985	12
671-689 Wellington Station	Wellington Station (<i>annexed</i>)	1986	72
1 John Anderson Drive	Ormond Heritage	1994	156
875 Sterthaus Drive	Ormond Renaissance Condo	2017	28

TOTAL UNITS 983

The most recent multi-family developments were constructed in 2010 with Olive Grove (tax credit housing), Madison Glen (senior housing) and Ormond Renaissance Condo (one building). The Ormond Renaissance Condominium is an approved multi-family project with nine (9) buildings (252 units) that have not yet been constructed. There has also been townhome developments that has been less than 10 units per acre that include the Gardens of Addison (56 units), Ormond Grande (60 units) and the Cupola (12 units).

Staff is aware of the multi-family development that has occurred within neighboring jurisdictions and Volusia County. Within the last year within the city, there have been three (3) applications for multi-family development as follows:

1. Regal multi-family: approved for 310 multi-family units at 215 Williamson Boulevard, the site of the former Regal Cinema.
2. Tymber Creek Apartments: 2011 West Granada Boulevard and 36 North Tymber Creek was approved for 270 multi-family units at first reading at the May 16, 2023 City Commission meeting. The second reading is scheduled for June 6, 2023.
3. 121 East: in review for 24 multi-family condominiums at 121 East Granada Boulevard.

SECTION 6, ANALYSIS/ CRITERIA FOR APPROVAL:

The subject property is unique with the commercial and residential land uses. Previous applications have envisioned a mixture of commercial and residential uses. The 2019 Comprehensive Plan amendment sought to balance the allowance of residential uses. The amendment increased the residential land use allowance from 4.3 units per acre to 12 units per acre and reduced the commercial land use allowance from 32 units per acre to 22 units per acre. During the site plan review process, there was a change in the site design from a 10,889 square foot retail building and a 48-unit multi-family development to a 64-unit multi-family development.

Prior zoning actions have determined that the Planned Business Development and Planned Residential Development zoning is appropriate for the subject property. Both Planned Developments allow multi-family residential as an allowed use. The 2019 land use amendment allowed higher residential density in the Planned Residential Development land area and reduced the allowed density in the Planned Business Development land area. One issue for the Planning Board review is the proposed fencing. The project proposes a six (6')-foot PVC vinyl fence abutting the north property line, abutting the Dix Avenue properties, and the east property line. There has been discussion within the Site Plan Review Committee meetings regarding the other property boundaries. There are significant trees and vegetation along the other property lines. Installation of a fence would require removal of the existing buffer and it is recommended that the fence not be required in these areas. The applicant has stated that they are willing to install a fence if required and remove the necessary vegetation to install the fence.

Planned developments are discretionary reviews that allow the Planning Board and City Commission to review project impacts and determine if they are appropriate. There are certain criteria that must be evaluated before a Planned Business Development amendment can be approved. The Planning Board may (1) approve the project as submitted, (2) deny the project as submitted, or (3) provide conditions/restrictions for approval. 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.

Sections 2-35 (Planned Residential Development) and 2-36 (Planned Business Development) of the Land Development Code allow for the site plan submitted in regards to the use, density, setbacks, and height requested. Section 2-35, subsection (I) of the Land Development Code contains provisions that are designed for smaller infill lots that does not require recreational standards, reduces parking, and uses the underlying zoning district setbacks. A recent example is the Cupola at Oceanside that is located at 100 North Halifax Drive. Ormond Enclave provides combination of fencing and natural landscape buffers to provide buffering between the multi-family structures and the single-family lots. The project complies with the landscaping and stormwater requirements of the Land Development Code.

This project started in 2019 with the land use amendment. Key issues throughout the process have been (1) traffic impacts, (2) compatibility, and (3) stormwater. From the land use amendment application process, the City started a residential traffic calming program. Specific to this area of the City, speed tables have been added to Dix and Highland Avenues. The site design of the project was changed since the first neighborhood meeting to eliminate retail uses and to restrict access on Highland Avenue to enter only.

It is the determination of the Site Plan Review Committee that the project 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.

The Future Land Use Element directive text within the Comprehensive Plan is as follows:

A. 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.

D. Low Density Residential (LDR)

Purpose: To protect and encourage the continued development of typical single-family residential areas and stabilize and protect the character of such neighborhoods. Institutional uses may be permitted in accordance with the maximum floor area ratio.

Density: up to 4.3 units per acre.

Maximum FAR: 0.2

E. Medium Density Residential (MDR)

Purpose: To allow a variety of highly aesthetic dwelling units, encouraging the establishment of recreation areas and open space and discouraging look-alike 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.

Maximum FAR: 0.3

Ordinance 2019-23 reduced the residential density within the 3.48± acres designated "General Commercial" from the existing 32 units per acre to 22 units per acre. The Comprehensive Plan contains the following Goals, Objectives and Policies related to the issuance of a development order:

Future 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.

OBJECTIVE 1.1. RESIDENTIAL LAND USE

Ensure the availability of adequate lands to meet the residential land use needs of the community.

POLICY 1.1.3.

Preserve the character of existing neighborhoods by not allowing intrusion of land uses that would threaten to alter the neighborhood character and by encouraging voluntary rehabilitation and sound maintenance programs in viable neighborhoods which are capable of self-renewal and establishing code enforcement or public redevelopment activities in areas not capable of self-renewal.

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.

POLICY 1.2.6.

New commercial development shall be required to provide appropriate buffers and landscaping to minimize negative impacts on surrounding uses.

Housing Element

GOAL 1. HOUSING SUPPLY

ENSURE THE AVAILABILITY OF SAFE AND ADEQUATE HOUSING UNITS OF DIFFERENT TYPES, SIZES, AND PRICE RANGES TO MEET THE NEEDS OF ALL CURRENT AND FUTURE RESIDENTS.

OBJECTIVE 1.1. HOUSING SUPPLY

The City shall continue to facilitate the private production of a housing supply, including adequate sites for mobile homes or manufactured housing and low and moderate income housing, which will meet future community needs and offset housing deficiencies as noted in this Element.

OBJECTIVE 1.2. PROVISION OF ADEQUATE SERVICES AND FACILITIES

Each existing housing development and residential neighborhood along with all new housing development shall meet existing adopted level of service standards.

POLICY 1.2.1.

The general residential development pattern in the city should be in accord with the community's growth strategy for residential densities, as stipulated within the Future Land Use Element.

Transportation Element

OBJECTIVE 1.5. TRANSPORTATION CONCURRENCY EXCEPTION AREAS

Establish Transportation Concurrency Exception Areas along Votran core transit corridors to support intensified mix use development and redevelopment as measured by floor area, impervious surface, and density along commercial corridors and in the downtown redevelopment area.

POLICY 1.5.1.

As depicted on Figures 6 through 9 of the Future Land Use Element, the following corridors and parcels fronting and having access within ¼ mile of said corridors shall be designated Transportation Concurrency Exception Areas (TCEAs):

- a) A1A from SR 40 south to the city line;

- b) SR 40 from A1A to Williamson Boulevard; and
- c) US 1 from Wilmette Avenue south to the city line.

POLICY 1.5.2.

Development and redevelopment within designated TCEAs are exempt from traditional state-mandated transportation concurrency requirements but shall comply with Objective 1.6 of the Transportation Element and associated policies as well as transit design principles.

POLICY 1.6.4.

Where development proposals that are consistent with the City's Future Land Use Map (FLUM) in terms of both land use type and density or intensity and located along the Multi-Modal Corridors where current and projected 2017 level-of-service standards are currently met, the following strategies will be implemented:

- a) Access management;
- b) Bike facilities; and
- c) Sidewalk connectivity.

It is the determination of the Planning staff that the project is consistent with the Comprehensive Plan.

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

The project site is partially developed and there are no wetlands or floodplain onsite. 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 multi-family use is allowed within the land uses. More intensive uses commercial are allowed within the project area abutting North Yonge Street. It is the determination of the Site Plan Review Committee that the project would 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.

Comments at past neighborhood meetings have expressed concerns that the project would create negative traffic impacts and decrease the quality of life along Dix and Highland Avenues. There is an e-mail from a resident included in ATTACHMENT 4. ATTACHMENT. If there is a belief that the project is not compatible, then the project should be denied or altered to gain compatibility.

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.

Section 1-32(6)(l) of the Land Development Code states, "For development within a TCEA, no traffic study shall be required, concurrency shall not apply, and mitigation other than payment of the fee shall not be required. The mobility fee is a "pay and go" fee. Volusia County's Road Impact Fee shall apply."

Past meetings have stressed the importance of traffic and its impacts to the surrounding residential streets. From the initial neighborhood meeting regarding the land use, traffic impacts have been a key focus. The following actions have sought to address the traffic impacts:

- a. Residential traffic calming program was created. Speed tables and signage have been installed on both Dix and Highland Avenues;
- b. Site plan was amended to allow only entry into the site from Highland Avenue; and
- c. Site plan was amended to reduce the project trips. The site plan with 10,889 square foot retail building and a 48 unit multi-family development would generate 694 average daily trips per the Institute of Traffic Engineers (ITE) Trip Generation Manual, 11th edition. The 64 unit multi-family development is expected to generate 431 average daily trips.

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

The project is designed with the neo-eclectic buildings on the frontages of North Yonge Street and Highland Avenue, with the parking located in the interior of the site. Fences and landscaping have been added to provide screening between the single family and multi-family uses. 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.

The proposed development provides for the safety of its occupants and visitors. Pedestrian access has been provided. Fire safety staff have determined that the project is acceptable.

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

The site plan submittal demonstrates that the materials and building architectural design will not adversely impact the neighborhood and aesthetics of the area.

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 7, RECOMMENDATION:

Staff recommends that the Planning Board recommend **APPROVAL** to the City Commission for the issuance of a development order for 64 multi-family residential units and associated site improvements on 6.34± acres located at 145 North Yonge Street, subject to the outstanding comments of the Site Plan Review Committee.

If there is a belief that the project does not meet the criteria listed above, the recommendation should be for denial or amendment to allow the project to meet the criteria listed above.

Attachments:

- Attachment 1: Site Plan Review Committee outstanding comments
- Attachment 2: Site Maps
- Attachment 3: School Concurrency
- Attachment 4: Correspondence received
- Attachment 5: Applicant information and site plans

ATTACHMENT 1

Site Plan Review Committee outstanding comments



Current Project - Project Markups Listing

PZ-21-079

File Name	Markup Name	Markup Text	Markup Date	Created by
C007A-LANDSCP.pdf	CSC	EP = 17, LI = 43 2.5" Caliper Trees = 41	05/24/2023	Cara Culliver
C007A-LANDSCP.pdf	CSC	- Please remove the provided specimen tree, none is required and your using those trees in the minimum tree requirements, see red line.	05/24/2023	Cara Culliver
C007A-LANDSCP.pdf	CSC	10	05/24/2023	Cara Culliver
C007A-LANDSCP.pdf	CSC	16	05/24/2023	Cara Culliver
C007A-LANDSCP.pdf	CSC	13.09	05/24/2023	Cara Culliver
C007A-LANDSCP.pdf	CSC	83/6.34 = 13.09	05/24/2023	Cara Culliver
C007A-LANDSCP.pdf	CSC	10	05/24/2023	Cara Culliver
C007A-LANDSCP.pdf	CSC	5	05/24/2023	Cara Culliver
C007A-LANDSCP.pdf	CSC	16	05/24/2023	Cara Culliver
C007A-LANDSCP.pdf	CSC	21	05/24/2023	Cara Culliver
C007A-LANDSCP.pdf	CSC	N/A	05/24/2023	Cara Culliver
C007A-LANDSCP.pdf	CSC	- Please see chart mark-up's and city protected tree mitigation chart in the reviewer folder. - How are you mitigating for the (21) 2.5" caliper trees, please provide a chart showing requirements and how your meeting this requirement.	05/24/2023	Cara Culliver
C007A-LANDSCP.pdf	CSC	7	05/24/2023	Cara Culliver
C007A-LANDSCP.pdf	CSC	38	05/24/2023	Cara Culliver
C007A-LANDSCP.pdf	CSC	84	05/24/2023	Cara Culliver



Current Project - Project Markups Listing

C007A-LANDSCP.pdf	CSC	- See plan mark-up's. - The proposed tree calculations will change when the TD landscape island trees change to 3.5" caliper.	05/24/2023	Cara Culliver
C007A-LANDSCP.pdf	CSC	- The minimum tree height is 10' foot, the LL are not meeting this specification. Multi-stem trees require 6" combined caliper.	05/24/2023	Cara Culliver
C007A-LANDSCP.pdf	CSC	- Please add (44) 6" combined caliper (2 tree credits) = 66 Trees	05/24/2023	Cara Culliver
C007A-LANDSCP.pdf	CSC	- Please add a note that all trees will have their deadwood and vines removed within visible areas. Pruning of deadwood shall meet the current arboricultural standards. - Please add a note that all existing palms will have their seed heads, dead fronds and boots removed prior to C.O.	05/24/2023	Cara Culliver
C007-LANDSCP.pdf	CSC	- These islands require a 3.5" caliper tree, the TD are not meeting this code requirement.	05/24/2023	Cara Culliver
C012-GRADING.pdf	Civil-Details C-11 to C-17	Please recheck the details on these sheets. The most recent revisions are from 2020.	05/08/2023	David Allen
C004-SITE.pdf	SSS	Please detail what fencing is provided. If needed, please detail where fencing is sought for a waiver.	05/05/2023	Steven Spraker
C004-SITE.pdf	SSS	A sidewalk easement is required before final certificate of completion of the site improvements.	05/05/2023	Steven Spraker
C001-COVER.pdf	SSS	These parcel numbers on the cover sheet have been combined and no longer exist.	05/05/2023	Steven Spraker
C007A-LANDSCP.pdf	CSC	- This is a 10' buffer and not a 6' foot, revise written information.	05/02/2023	Cara Culliver
C007A-LANDSCP.pdf	CSC	- There are only (5) 13" trees removed (2 Oaks & 3 Magnolias). Elm's are specimen at 18" inches. - There are only (5) 15" Oaks removed and not 6. - Please removed the 28 & 29" trees from the chart.	05/02/2023	Cara Culliver
C007A-LANDSCP.pdf	CSC	38	05/02/2023	Cara Culliver



Current Project - Project Markups Listing

C007A-LANDSCP.pdf	CSC	5	05/02/2023	Cara Culliver
C007A-LANDSCP.pdf	CSC	2	05/02/2023	Cara Culliver
C007A-LANDSCP.pdf	CSC	3	05/02/2023	Cara Culliver
C007A-LANDSCP.pdf	CSC	2	05/02/2023	Cara Culliver
C007A-LANDSCP.pdf	CSC	4	05/02/2023	Cara Culliver
C007A-LANDSCP.pdf	CSC	8	05/02/2023	Cara Culliver
C007A-LANDSCP.pdf	CSC	-45	05/02/2023	Cara Culliver
C007A-LANDSCP.pdf	CSC	-45	05/02/2023	Cara Culliver
C007A-LANDSCP.pdf	CSC	10	05/02/2023	Cara Culliver
C007A-LANDSCP.pdf	CSC	- Please see the mark-ups, numerous errors. - Please use the dollar value as stated on Mitigation Chart A, there are numerous errors, see LA chart in the reviewer folder. - Please show the Specimen Tree mitigation and plant (10) 4.5" caliper trees on this site.	05/02/2023	Cara Culliver
C007A-LANDSCP.pdf	CSC	- Please show this chart on the 7A sheet.	05/02/2023	Cara Culliver
C007A-LANDSCP.pdf	CSC	- The LL shall be 10' height and 6" combined caliper, 5 stems minimum & f.g. - The IC shall be 10' height. - The OV1 shall be 4.5" caliper at 12" inches.	05/02/2023	Cara Culliver



Current Project - Project Markups Listing

C007A-LANDSCP.pdf	CSC	Please configure & add information below: Existing Trees = 36 Trees Existing Palms (8/3) = 3 Trees Proposed 2.5" & 3" (1 Tree Credit) = 66 Trees (44) Proposed 6" Combined Caliper (2 Tree Credits) = 88 Trees (16) Proposed 3.5" Caliper (2 Tree Credits) = 32 Trees TOTAL PROVIDED TREES = 225 Trees	05/02/2023	Cara Culliver
C007A-LANDSCP.pdf	CSC	Specimen Tree Mitigation = 10 Trees at 4.5" Caliper Provided Specimen Tree Mitigation = 11 Trees at 4.5" Caliper (QV1).	05/02/2023	Cara Culliver
C007A-LANDSCP.pdf	CSC	- Please add a note that all trees will have their deadwood and vines removed within visible areas. Pruning of deadwood shall meet the current arboricultural standards. - Please add a note that all existing palms will have their seed heads, dead fronds and boots removed prior to C.O.	05/02/2023	Cara Culliver
C009-IRRIG.pdf	CSC	- The proposed hedges in this center island shall be irrigated & the 2 Bald Cypress, see landscape plan. - Would suggest showing the entire landscape design, grayed out on the irrigation plan so you know where the planting is and can plan out the irrigation design accordingly.	05/02/2023	Cara Culliver
C009-IRRIG.pdf	CSC	- Proposed hedge areas shall be irrigated with center and end strips, as currently shows half heads within the proposed hedge?	05/02/2023	Cara Culliver
C009-IRRIG.pdf	CSC	- Please provide a note that the Dollar General irrigation system shall be operable with c.o. of this project (repeat comment).	05/02/2023	Cara Culliver
C009-IRRIG.pdf	CSC	- Please irrigate the Bald Cypress trees around the pond with bubblers.	05/02/2023	Cara Culliver
C009-IRRIG.pdf	CSC	- Please provide an existing tree legend on this drawing.	05/02/2023	Cara Culliver



Current Project - Project Markups Listing

C003-EC.pdf	CSC	- Area 2 = 8,390 SF, please correct - Area 5 = 774 SF, please correct Total = 34,580 SF, please correct	05/02/2023	Cara Culliver
C003-EC.pdf	CSC	- Previous comment, please save the Bald Cypress & Podocarpus hedge as these plantings are part of the Dollar General Requirements. Not understanding why these can't be saved as the 2 Bald Cypress along this line are being preserved?	05/02/2023	Cara Culliver
C003-EC.pdf	CSC	Comments 2, 3 & 4 were missed, please make these corrections to this plan.	05/02/2023	Cara Culliver
C007-LANDSCP.pdf	CSC	- Please correct the demolition plan and show the 2 existing Bald Cypress trees to remain. Please coordinate sheets.	05/02/2023	Cara Culliver
C007-LANDSCP.pdf	CSC	- Please move the IC, LL & LI trees further within the space instead along the edge of the pavement, see purple clouded areas.	05/02/2023	Cara Culliver
C007-LANDSCP.pdf	CSC	- Please continue hedge along the back of sidewalk within this buffer, see green line.	05/02/2023	Cara Culliver
C007-LANDSCP.pdf	CSC	- There are 64 total specimen trees, please make corrections.	05/02/2023	Cara Culliver
C007-LANDSCP.pdf	CSC	- These islands need to have 3.5" caliper trees (Oaks & TD) minimum. Last submittal had these trees at 4" caliper, please revise.	05/02/2023	Cara Culliver
C007-LANDSCP.pdf	CSC	5	05/02/2023	Cara Culliver
C007-LANDSCP.pdf	CSC	7	05/02/2023	Cara Culliver
C007-LANDSCP.pdf	CSC	- Two of the planting keys show the wrong quantities, see green clouded keys.	05/02/2023	Cara Culliver
C006-UTILITY.pdf	Utility Eng	Please confirm 3-inch water meter is desired. Seems odd reducing from 6-inch to 3-inch and then upsizing to 4-inch versus having a 4-inch meter.	05/01/2023	Mike Stephenson
C006-UTILITY.pdf	Utility Eng	Please update City Standard details to latest versions. Transmittal letter implies updating, but they do not appear to have been changed.	05/01/2023	Mike Stephenson
C006-UTILITY.pdf	Utility Eng	Please reach out to Utilities to discuss proposed sewer and downstream lift station implications.	05/01/2023	Mike Stephenson

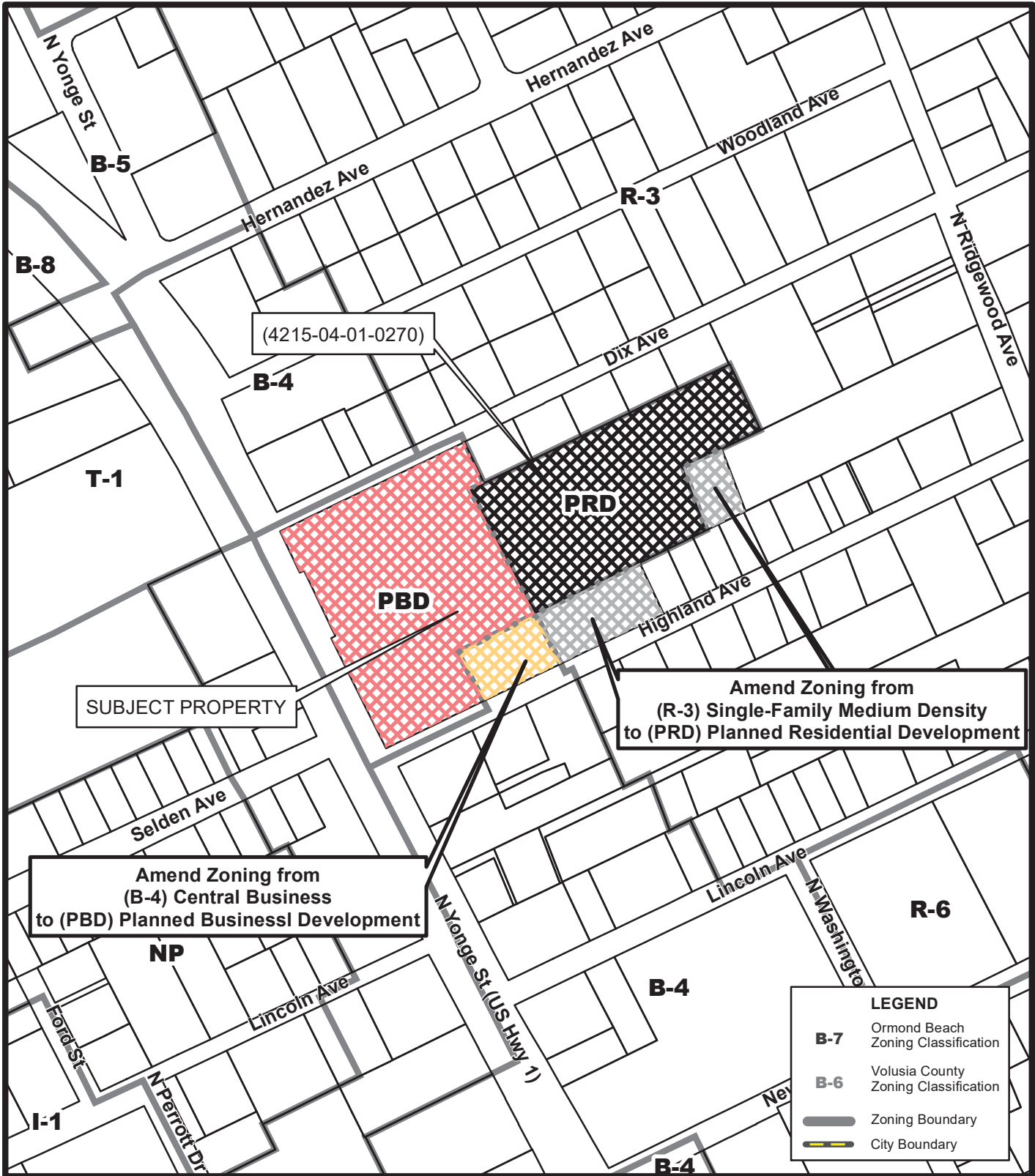


Current Project - Project Markups Listing

C005-CIVIL.pdf	bw	Looks like the crown of road on US 1 is 11.58 feet and 12.5 on Highland. Per Section 3-18(f)(7) of the City Land Development Code, to prevent increased flood damage outside of special flood hazard areas the lowest floor of new principal buildings must be elevated at least 18 inches above the crown of road, unless the city engineer approves a lower height based on site-specific conditions. Since the elevation of the lowest floor of structure is not 18 inches or above, you will need to provide justification and a request to the City Engineer to allow a lower elevation	04/25/2023	Becky Weedo
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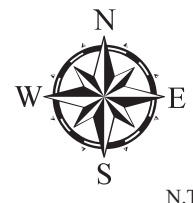
ATTACHMENT 2

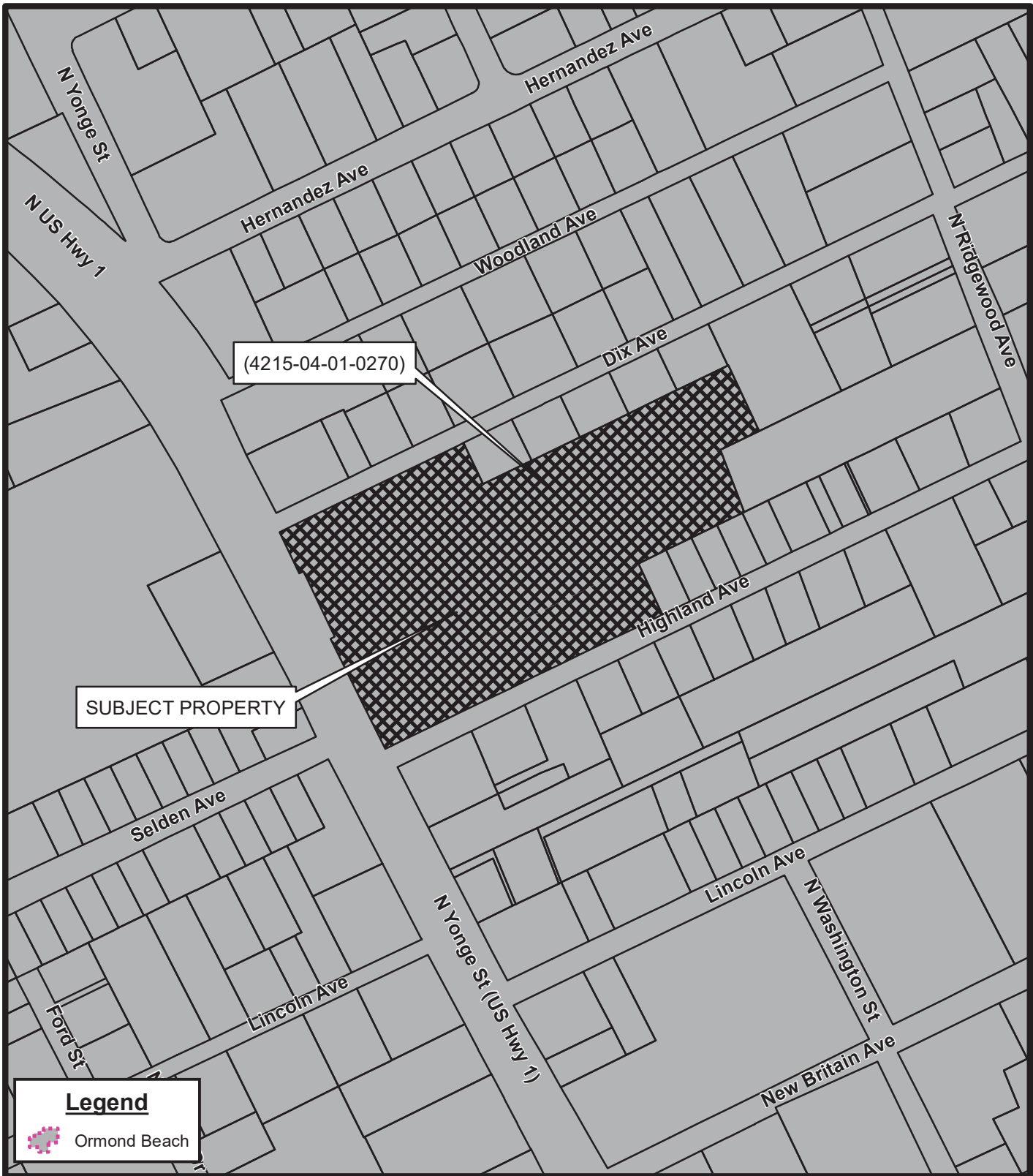
Site Maps



ZONING MAP
145 NORTH YONGE STREET
(4215-04-01-0270)

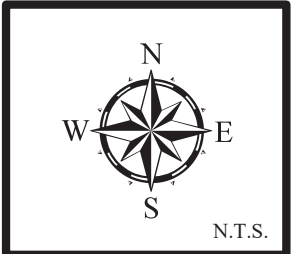
Prepared By: The City of Ormond Beach
 G.I.S. Department - May 4, 2023





LOCATION MAP
145 NORTH YONGE STREET
(4215-04-01-0270)

Prepared By: The City of Ormond Beach
G.I.S. Department - May 4, 2023

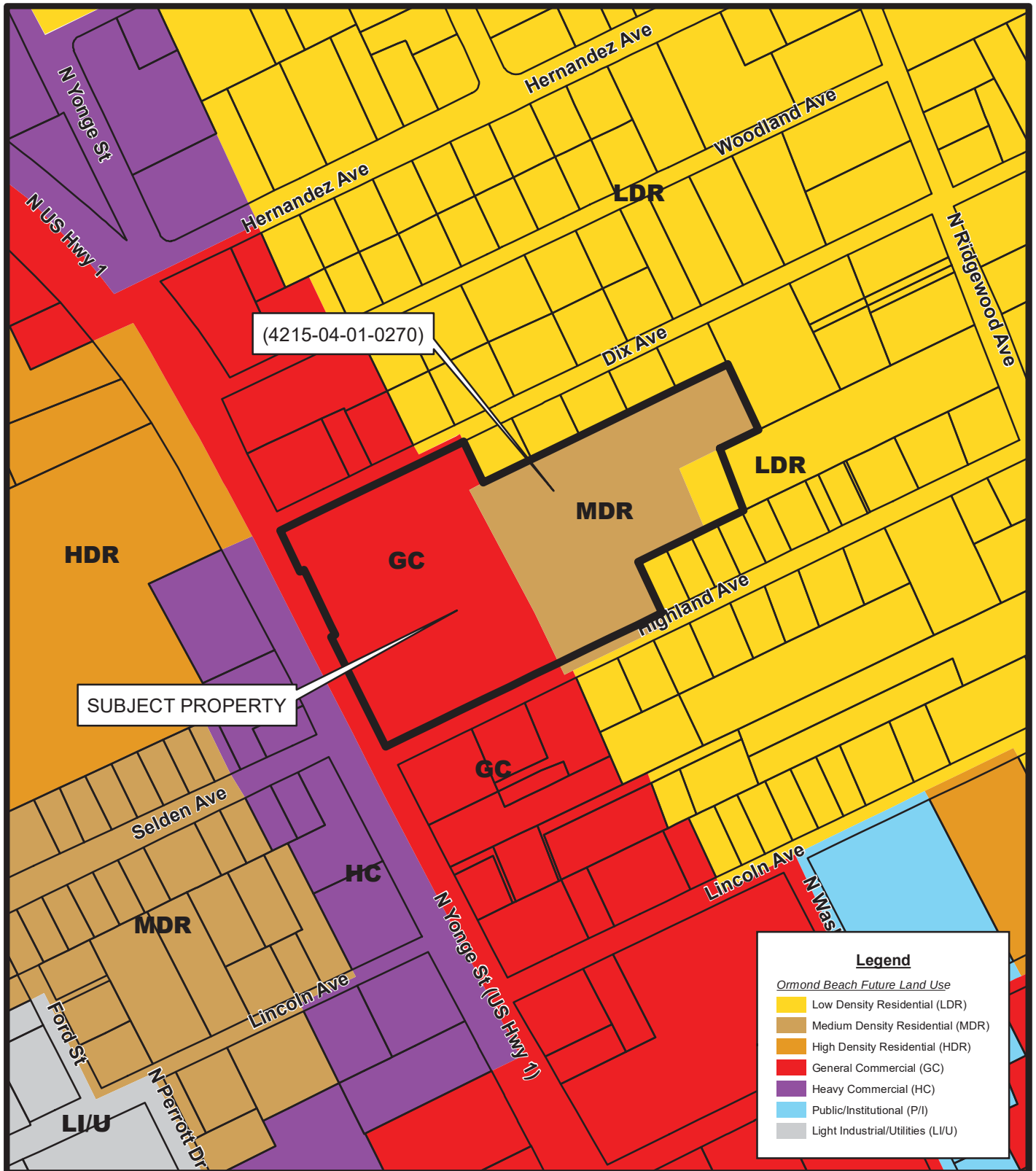




AERIAL MAP
145 NORTH YONGE STREET
(4215-04-01-0270)

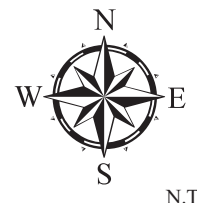
Prepared By: The City of Ormond Beach
G.I.S. Department - May 4, 2023





FUTURE LAND USE MAP
145 NORTH YONGE STREET
(4215-04-01-0270)

Prepared By: The City of Ormond Beach
 G.I.S. Department - May 4, 2023



ATTACHMENT 3

School Concurrency



Carmen J. Balgobin, Ed.D
Superintendent of Schools

School Board of Volusia County

Ms. Jamie M. Haynes, Chairman
Mrs. Anita Burnette, Vice Chairman
Mr. Ruben Colón
Mr. Carl Persis
Mrs. Jessie Thompson

School Concurrency Determination Concurrency Letter

May 19, 2023

Steven R. Buswell, PE RLA
Parker Mynchenberg & Associates, Inc.
1729 Ridgewood Ave.
Daytona Beach, Florida 32117

RE : Ormond Enclave – City of Ormond Beach
School Concurrency Case #23-05-01-001-R

Dear Mr. Buswell:

District staff reviewed the information regarding the residential project known as Ormond Enclave associated with 6.34+/- acres of property. The property is located at or near the intersection of US Hwy 1 and Granada Blvd within Ormond Beach city limits. Information provided in the school concurrency application indicates the development activity will consist of sixty-four (64) multi-Family apartment units.

The district uses a county wide Student Generation Rate (SGR) of (0.137) per multi-Family dwelling unit to calculate projected students. By applying the SGR to the use types in Table 1 below, the project could generate nine (9) full time students.

Table 1

UNIT TYPE	SGR	UNIT COUNT	STUDENTS GENERATED
Single Family Dwelling Unit	0.273	0	0
Multi Family Dwelling Unit	0.137	64	9
Mobile/ Manufactured Home Dwelling Unit	0.047	0	0
	Total	64	9

The Concurrency Analysis (Table 2, next page) adjusts for impacts to the Concurrency Service Areas (CSAs) by accounting for current school year enrollments, existing reservations at the impacted schools, and the projected students generated by the applicant. These factors give an associated utilization or Level of Service (LOS) percentage for each CSA.

The schools impacted by this development are Ormond Beach Elementary School, Ormond Beach Middle School, and Seabreeze High School.

FACILITIES SERVICES
3750 OLSON DRIVE • DAYTONA BEACH, FL 32124
PHONE: (386) 947-8786 • FAX (386) 506-5056

Concurrency Analysis

Table 2

Schools	Adopted LOS	SY 2022/23 Enrollment	Active Reservations	Existing LOS w/ Res	Students Generated by Request	Result LOS
Ormond Beach Elementary	115%	320	7	110%	4	111%
Ormond Beach Middle	115%	989	81	84%	2	84%
Halifax CSA (Seabreeze High)	120%	1,679	110	107%	3	107%
Other					0	

The adopted LOS standard for elementary and middle school is (115%) of permanent student stations, and (120%) for high school CSAs. This projected increase in students **will not** exceed the adopted LOS at any school level; therefore, the school district does not have an objection to the proposed site plan. Minimum planning considerations should include pedestrian and vehicular access, safety, connectivity, and buffering.

Please note that the School Board has the right to adjust the attendance boundaries to balance the student enrollment populations at these area schools. Therefore, students generated from this project may not attend the current assigned schools.

Should you need additional information, please contact me at (386) 947-8786, ext. 50709.

Sincerely,



Leineriza V. Divina
Coordinator, Planning

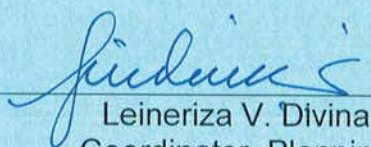
CC: Carmen J. Balgobin, Ed.D, Superintendent of Schools
Ron Young, Director, Planning and Construction
Steven Spraker, Planning Director, City of Ormond Beach
Volusia County School Board Project File

Project Information	
Project Name	Ormond Enclave
VCSB Project #	23-05-01-001-R
Jurisdiction Project #	
Parcel ID Numbers	4215-04-01-0270
Project Location	US Hwy 1 and Granada Blvd
# of Residential Units	64
Residential Unit Type	Multi-Family Apartments
Property Owners	CST Holdings, LLC
Applicant/Agent Name	Parker Mynchenberg & Associates Inc.

This School Concurrency Certificate shall reserve student stations for the above referenced project and shall confirm that said project meets the School Concurrency requirements of the adopted Interlocal Agreement for Public School Facility Planning.

School Concurrency Analysis					
School Levels	Elementary	Middle	High	Other	Total Student Stations Reserved
Students Generated	4	2	3	0	9
<u>Comments:</u> This certificate is required to be included with the building permit submittal(s) as proof of school concurrency.					

This concurrency reservation shall expire two (2) years from the date of issuance of this certificate.



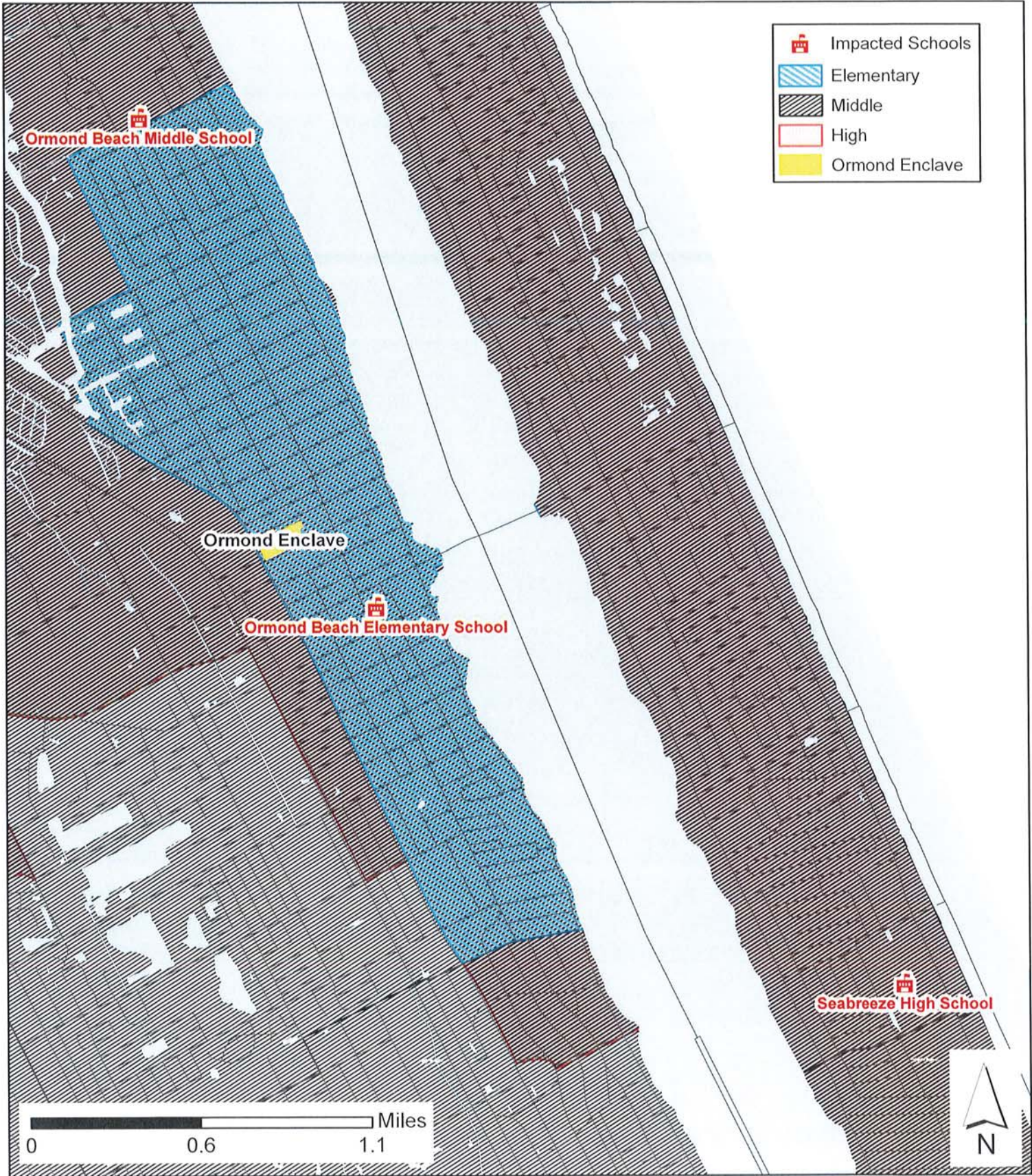
 Leineriza V. Divina
 Coordinator, Planning

May 19, 2023

 Issue Date

VCSB Schools Impacted by Development

School Concurrency Review - Ormond Enclave



ATTACHMENT 4

Correspondence received

Spraker, Steven

From: jennifer cone wells <jwells@cfl.rr.com>
Sent: Monday, April 24, 2023 1:27 PM
To: Spraker, Steven
Subject: Re: Ormond Enclave (formerly known as the Courtyards at Ormond) distribution list (04.24.2023)

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

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

For Planning Board-

Just in case you haven't noticed.....there is no more room for growth in Ormond Beach! Especially in the heart of our community. Traffic is terrible! And gets worse every month! (I can't even get out of my driveway on a daily basis) We've maxed out land for growth in our community at large....and the only remaining space for growth is westward. We love Ormond Beach....and loved living here until little Ormond Beach outgrew it's self. The community needs to focus growth on activities and events instead of eating up every little wee bit of green land that remains! Those of us who chose to live here yeas ago would like to keep the community as it was when we moved here. Stop focusing on land grabs & dollar development when there is so much more to better this community than traffic jams; water shortages; major traffic jams; and Dollar Stores! Please wake up! WE HAVE NO MORE ROOM OR NEED FOR GROWTH IN THE FORM OF BUILDINGS!! The community can no longer manage that kind of growth. None of us want it. The only people that want this type of growth are builders. Why should they dictate how we live while they make tons of money?

Jennifer Cone-Wells

On Apr 24, 2023, at 12:19 PM, Spraker, Steven <Steven.Spraker@ormondbeach.org> wrote:

Good afternoon,

The Ormond Enclave project has re-submitted to the city's Site Plan Review Committee (SPRC). The submittal is available at <https://www.ormondbeach.org/1029/Ormond-Enclave>. The project is seeking to be on the June 8, 2023 Planning Board agenda. The SPRC review is due on May 4th and will determine if the project is ready for the Planning Board agenda or needs an additional site plan submittal. Additional notification regarding a Planning Board hearing date would be provided on this distribution group, on the city's website, abutter letters, newspaper advertisements, and site posting. Written correspondence received on the project will be provided in the public hearing packets. Any correspondence for the public meetings can be e-mailed to me at Steven.Spraker@ormondbeach.org or comdev@ormondbeach.org and should include the text "For Planning Board" in the subject line. Please contact me with any questions.

Thank you

Steven

Steven Spraker, AICP
Planning Director
<image001.jpg>
Planning Department
22 South Beach Street, Room 104
Ormond Beach, FL 32174
Direct Line: 386.676.3341
Department: 386.676.3238
Cell: 386.366.1590
Fax: 386.676.3361
E-mail: Steven.Spraker@ormondbeach.org

From: Spraker, Steven
Sent: Thursday, December 29, 2022 3:12 PM
To: Spraker, Steven <Steven.Spraker@ormondbeach.org>
Subject: FW: Ormond Enclave (formerly known as the Courtyards at Ormond) distribution list (12.29.2022)

Good afternoon,

The Storch Law Firm is conducting a neighborhood meeting for the Ormond Enclave, formerly the Courtyards project on **Tuesday, January 17, 2023, at 6:00PM at Trails Clubhouse, 201 Main Trail, Ormond Beach, FL 32174.** This project is located along the east side of US 1, between Dix Avenue and Highland Avenue. The site plan submitted shows a residential development of 64 low-rise apartments. The attached notice provides a contact of The Storch Law Firm who may be contacted by phone at (386) 238-8383 or by email at corey@storchlawfirm.com.

The project requires a neighborhood meeting, Planning Board review, and City Commission action. The site plan submittals are available at: <https://www.ormondbeach.org/1029/Ormond-Enclave>.

Thank you

Steven

Steven Spraker, AICP
Planning Director
<image001.jpg>
Planning Department
22 South Beach Street, Room 104
Ormond Beach, FL 32174
Direct Line: 386.676.3341
Department: 386.676.3238
Cell: 386.366.1590

Fax: 386.676.3361
E-mail: Steven.Spraker@ormondbeach.org

From: Spraker, Steven
Sent: Thursday, October 6, 2022 1:06 PM
To: Spraker, Steven <Steven.Spraker@ormondbeach.org>
Subject: Ormond Enclave (formerly known as the Courtyards at Ormond) distribution list (10.06.2022)

Good afternoon,

This is a distribution list for the Ormond Enclave (formerly known as the Courtyards at Ormond) project at 135 North Yonge Street. If you do not wish to receive additional e-mails on this project, please reply **STOP** and staff will remove your e-mail from this distribution list.

The Ormond Enclave project has re-submitted a site plan for a 6.34-acre parcel that proposes 64 multi-family residential units and removal of the previously proposed retail uses. The site plan submittal is available at: <https://www.ormondbeach.org/1029/Ormond-Enclave>. The project would require a neighborhood meeting, Planning Board review/recommendation and City Commission action. The date of the neighborhood meeting has not been set. Please contact me with any questions. Thank you

Steven

Steven Spraker, AICP
Planning Director
< >
Planning Department
22 South Beach Street, Room 104
Ormond Beach, FL 32174
Direct Line: 386.676.3341
Department: 386.676.3238
Cell: 386.366.1590
Fax: 386.676.3361
E-mail: Steven.Spraker@ormondbeach.org

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.

From: [Spraker, Steven](#)
To: ["cswan129@gmail.com"](mailto:cswan129@gmail.com)
Subject: RE: Project: Apartment Building at US 1 and Highland Avenue and Dix
Date: Thursday, September 2, 2021 7:32:50 AM
Attachments: [image001.jpg](#)

Good morning,

Thank you for your e-mail. I can included this e-mail when the project moves forward to a public hearing. The project has not been scheduled for a public hearing and city staff are awaiting a resubmittal to the city Site Plan Review Committee. I will add your e-mail to the project distribution list to provide information on future project submittals and public hearings.

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: cswan129@gmail.com <cswan129@gmail.com>
Sent: Wednesday, September 1, 2021 7:31 PM
To: Spraker, Steven <Steven.Spraker@ormondbeach.org>
Subject: Project: Apartment Building at US 1 and Highland Avenue and Dix

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

Hello Mr. Spraker,

I am Christine Swanson and have owned my home at 44 Highland Avenue, Ormond Beach, FL 32174 for 34 years. One of the many reasons I moved to Ormond Beach was that Ormond was known to save trees, control development and was a family oriented location! I love where I live and take advantage of the walking distance to various shops and restaurants and I walk the bridge.

I attended the meeting on August 25th at the Performing Arts Center regarding the proposed 48 apartments and 3 retail shops to be built at U.S. 1 between Highland Avenue and Dix. I am glad that you were present and as you can attest the people who live on these streets along with people that live in the vicinity **DO NOT WANT THIS DEVELOPMENT BUILT!** Most of the speakers had done their research and asked questions that could not be answered by the gentleman from Parker Mychenberg. It goes without saying that our small streets with no sidewalks will not be able to withstand the additional vehicular traffic once the complex is built! And what kind of retail businesses will be added to the mix? We already have a ton of traffic coming and going on Highland and Dix at all hours of the day trying to bypass

Granada Blvd. and the majority of the traffic does NOT adhere to the posted 25 mph speed limit! We have children that walk and ride their bikes to Ormond Elementary and Ormond Middle schools! As was mentioned in the meeting, children play and ride their bikes along these roads, people walk their dogs, people ride their bikes, families walk down to the pier and people walk the bridge. All this is done while navigating the traffic speeding up and down the streets. It is not safe and eventually someone is going to be hit or God forbid killed by a careless driver that is not paying attention. I take my life in my hands when I am mowing and weeding my front yard!! Everyone is always in a hurry and paying attention to a cell phone instead of the road!

I remember years ago when the City of Ormond Beach wanted to move the little white church that is next to the west side of the bridge on Beach Street and build a bunch of offices and restaurants and had plans for some sort of a floating pier. The people were up in arms over that and I attended the meeting. Before the meeting was started city officials announced that they had heard from an overwhelming amount of the citizens of Ormond Beach that they did not want what was being proposed and they had already scrapped the project, but they would allow people to speak and give their comments. I found it amazing that the City actually listened to the people! We need the City to listen to the people again for this horrific project!

What has happened to the Granada Blvd. corridor has been horrendous with stripping the land to build a WAWA gas station and car wash!! And also stripping the land across the street which is still vacant. I can't image what will eventually be built there. Vacant land with trees and animal habitat is always in danger of being torn apart to build what?? Mostly something that is not even needed! You take away all the trees, kill the environment, animals lose their homes and people lose their rights to their neighborhood tranquility. And for what - the almighty dollar??? I won't even get into what Parker Mychenberg is building in the Loop area, but you get my drift.

We need the City to listen to the people regarding this development that will do such harm to our neighborhoods in creating horrific issues with traffic, flooding, harm to our wildlife and our citizens' safety! I thank you for your time and anything you can do to help us in this fight for our rights as homeowners.

As I mentioned, I have lived here 34 years and have never received any correspondence via email regarding upcoming issues and would appreciate it if you would add my email address to the list so that I receive information regarding changes to my surroundings.

Thank you very much.

Christine Swanson
44 Highland Avenue
Ormond Beach, FL 32174
cswan129@gmail.com

From: [Beth Putnam](#)
To: [Spraker, Steven](#)
Subject: Re: Courtyards at Ormond
Date: Friday, August 27, 2021 4:00:07 PM

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

Thank you for the meeting information. I was not able to attend on Wednesday, as I was working. I am totally against the courtyards project, as it is to population dense, not family friendly, and he's only going to exacerbate the traffic and speeding problem that we have in this neighborhood.

Sent from my iPhone

On Aug 19, 2021, at 2:53 PM, Spraker, Steven
<Steven.Spraker@ormondbeach.org> wrote:

Good afternoon,

Planning staff has been informed that the Ormond Beach Senior Center is closed until further notice. The Courtyards at Ormond neighborhood meeting scheduled for August 25th will be held in the **Ormond Beach Performing Arts Center Auditorium**. The Performing Arts Center is located at 399 North US Highway 1. There will be individuals to direct traffic and signage to direct people to the meeting location. The neighborhood meeting is scheduled for August 25, 2021 starting at 6pm. Please contact me if there are any questions.

Thank you

Steven

Steven Spraker, AICP
Planning Director
<[image001.jpg](#)>

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: Spraker, Steven

Sent: Tuesday, August 3, 2021 1:15 PM
To: Spraker, Steven <Steven.Spraker@ormondbeach.org>
Subject: RE: Courtyards at Ormond

Good afternoon,

Please find attached for your information a notice regarding a neighborhood meeting for the Courtyard at Ormond project. The neighborhood meeting will be held in the Ormond Beach Senior Center Art Room located at 351 Andrews Street, Ormond Beach, Florida, 32174 on August 25, 2021 from 6:00 PM to 7:00 PM. The Courtyard at Ormond project proposes to construct a 10,889 square foot retail building (3 units) and a 48-unit multifamily apartment complex located at the north east corner of the intersection of North Yonge Street and Highland Avenue. The project shall require a zoning map amendment with review by the Planning Board and action by the City Commission.

Thank you

Steven

-

Steven Spraker, AICP
Planning Director
<image001.jpg>

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: Spraker, Steven
Sent: Thursday, June 24, 2021 7:46 AM
To: Spraker, Steven <Steven.Spraker@ormondbeach.org>
Subject: Courtyards at Ormond

Good morning,

This is a distribution list for the Courtyards at Ormond project at 135 North Yonge Street. If you do not wish to receive additional e-mails on this project, please reply **STOP** and staff will remove your e-mail from this distribution list.

The Courtyards at Ormond at 135 North Yonge Street has re-submitted a site plan for a 6.34-acre parcel that proposes 48 multi-family residential units and 10,889

square feet of retail. The site plan submittal is available at:
<https://www.ormondbeach.org/247/Development-Projects>. The previous site plan submittal expired. The project would require a neighborhood meeting, Planning Board review/recommendation and City Commission action. The date of the neighborhood meeting has not been set. Attached to the e-mail is the process for the project review and the site plan.

Please contact me with any questions.

Thank you

Steven

Steven Spraker, AICP
Planning Director
<image001.jpg>

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

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.

ATTACHMENT 5

Applicant Information and
site plans

April 18, 2023

Mr. Steven Spraker, AICP
Planning Director
City of Ormond Beach Planning Department
22 South Beach Street, Room 104
Ormond Beach, FL 32175

**Re: Project Letter for Ormond Enclave - (fka Courtyards at Ormond)
Site Plan - Project No. PZ-21-079**

Dear Steven:

I am writing to respond to Comment 21 from your review comments dated July 9, 2021 regarding the Courtyards at Ormond Site Plan, as follows:

Section 2-35(j)(4)

In considering an application for a PRD, the planning board may recommend approval, approval with conditions, or disapproval and the city commission may base its conditions of approval or denial of the issuance of a development order 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.

This design has been required to be innovative because it is an in-fill project. There are different existing uses surrounding the project. The older single-family community toward the rear of the project was concerned about existing cut through traffic, impact of commercial uses and to neighboring homes and existing stormwater problems. The existing commercial use needed a means to phase into and buffer the single-family neighborhood. As a result, the project has been designed to mitigate these issues and provide a multifamily community that fits with both the single-family neighbor and the commercial neighbor.

TRAFFIC: This starts with helping to resolve traffic issues. The original plan and zoning had commercial along the entire frontage of Yonge Street. This seemed to contribute to the neighborhood traffic issue. The new, more innovative plan has created traffic patterns that will encourage all commercial traffic on Highland Avenue or traffic that was utilizing Highland to then go to Dix Avenue, to instead go through the property to get to the existing commercial. This traffic plan also prevents access from Ormond Enclave to Highland. It has also significantly reduced traffic generated by the site by replacing the unbuilt commercial area with an expansion of the multifamily area.

IMPACT TO SINGLE FAMILY NEIGHBORHOOD: The new, more innovative site design created a number of ways to reduce impacts to the single-family neighborhood. The project

acquired more property and converted the commercial area to be part of the project. This gave the room for buffer between the uses and maintaining tree preservation and stormwater as additional buffer. There is also extensive landscaping along the perimeters that will be seen by the neighbors on their way home.

STORMWATER: The project has provided for innovative and extensive stormwater management. Although the older adjoining neighborhood did not have stormwater management as part of its design, Ormond Enclave has been designed with state-of-the-art stormwater management. Less stormwater will go offsite after development than prior to development.

LOW IMPACT DEVELOPMENT DESIGN: The site utilizes several of the low impact development design criteria. First and foremost is the treatment of stormwater. The system has been designed to exceed the FDEP nutrient removal criteria for nitrogen and phosphorus reduction. A dry pre-treatment system has been incorporated into the site to capture the "first-flush" to limit nutrients from making it into the downstream water body. In addition to the dry pre-treatment component, other low impact development designs include the use of pervious concrete as well as a bio-remediation swale. A littoral planting shelf has been added around the wet detention pond for increased wetland type species and to provide a natural look around the pond.

b. Coordinated architectural design.

The proposed buildings are limited to 2 stories with a peak height less than 30 feet. The buildings include porches and balconies and other architectural features. In combination with landscaping, the designs are done in a manner to prevent line of sight between the single family and multifamily units. The proposed colors of the building are typical of light brown and beige, which blends in with the natural vegetation which is being preserved on site.

c. Open space, recreation, common areas.

The site exceeds the City's tree preservation requirements. A large area has been set aside for tree preservation along the eastern side of the property where there is existing single-family residences. A dog park is also provided that utilizes some of the larger oak trees on site for shade and as a recreation area.

Section 2-36(h)(3)

Public benefit minimums. Applications for a PBD rezoning shall provide a minimum of two (2) of the listed public benefits listed below or propose alternative public benefits which are acceptable to the city commission.

The site includes at least two of the public benefits described in Section 2-36(h)(3), and no variances are requested. One benefit is that parking is placed behind the new buildings and away from the site perimeter, including the Highland Ave. right-of-way and adjacent commercial and residential properties. Another benefit is the use of Low Impact

Development practices for stormwater, including exceeding nutrient removal requirements via dry pre-treatment and the use of pervious concrete, bioremediation swales and littoral plantings. An additional benefit not listed in Section 2-36(h)(3) is the traffic flow design that should alleviate existing traffic issues, including previous problems with u-turns on U.S. 1 and customers utilizing Highland and Dix Avenues to drive around the site to reach the commercial outparcel at the corner of U.S. 1 and Dix Avenue. Potential customers can use the driveway connection through the site from Highland Avenue to reach the business.

Section 2-36(h)(4)

- (1) The proposed development conforms to the standards and requirements of this Land Development 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 complies with the previously approved PUD and does not have a density that will adversely affect the public.

- (2) The proposed development is consistent with the comprehensive plan.**

The site's residential density is consistent with the underlying Future Land Use designation.

- (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 site features more than the required amount of tree preservation and several Low Impact Development techniques to reduce nutrient pollution.

- (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 is designed with a parking area in the center so that it is not adjacent to neighboring residential properties, reducing potential negative impacts of automobiles. As a residential use, the site will not be incompatible with adjacent residential uses, create nuisance conditions, etc.

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

Adequate public facilities exist for the proposed residential use on-site.

- (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 flow design that is a part of the site should alleviate existing traffic issues including previous problems with u-turns on U.S. 1 and customers utilizing Highland and Dix Avenue to drive around the site to reach the commercial outparcel at the corner of U.S. 1 and Dix Avenue.

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

The use of space and aesthetics of the site are compatible with the surrounding development.

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

Sidewalks with crosswalks are located throughout the site for pedestrian safety.

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

The architectural design, features, and materials are consistent with or an upgrade on those of the surrounding neighborhoods.

Section 1-15(e)

In considering an application for a PBD, the planning board may recommend approval, approval with conditions, or disapproval and the city commission may base its conditions of approval or denial of the issuance of a development order 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. Building form, architecture and appropriateness of materials with regard to long-term maintenance, relation to the surrounding neighborhood and aesthetics. Architectural drawings shall be approved as part of the development order and adhered to in all development phases.**

The proposed buildings are limited to 2-stories with a peak height less than 30 feet. The buildings include porches and balconies and other architectural features. The proposed colors of the building are typical of light brown and beige, which blends in with the natural vegetation which is being preserved on site.

b. Landscaping and related site amenities including fountains, plazas, decks, benches and the like.

The proposed landscaping meets or exceeds the City's minimum criteria. A fountain is proposed in the lake near the northeast portion of the property. A fenced dog park is provided near the south ingress only drive aisle.

c. Mitigation of off-site impacts.

There are no off-site impacts that require mitigation.

d. Overall lighting plan, particularly in relation to aesthetics and glare reduction.

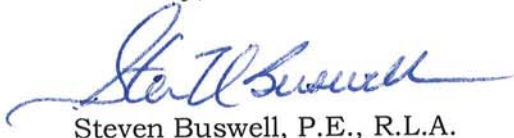
A lighting plan meeting the photometrics as required by the City will be part of the Site Plan.

e. Overall signage plans, particularly in relation to aesthetics and readability.

One monument sign consistent with the City's Land Development Code is provided along U.S. 1.

Should you have any questions or need additional information, please contact me at (386) 677-6891.

Sincerely,

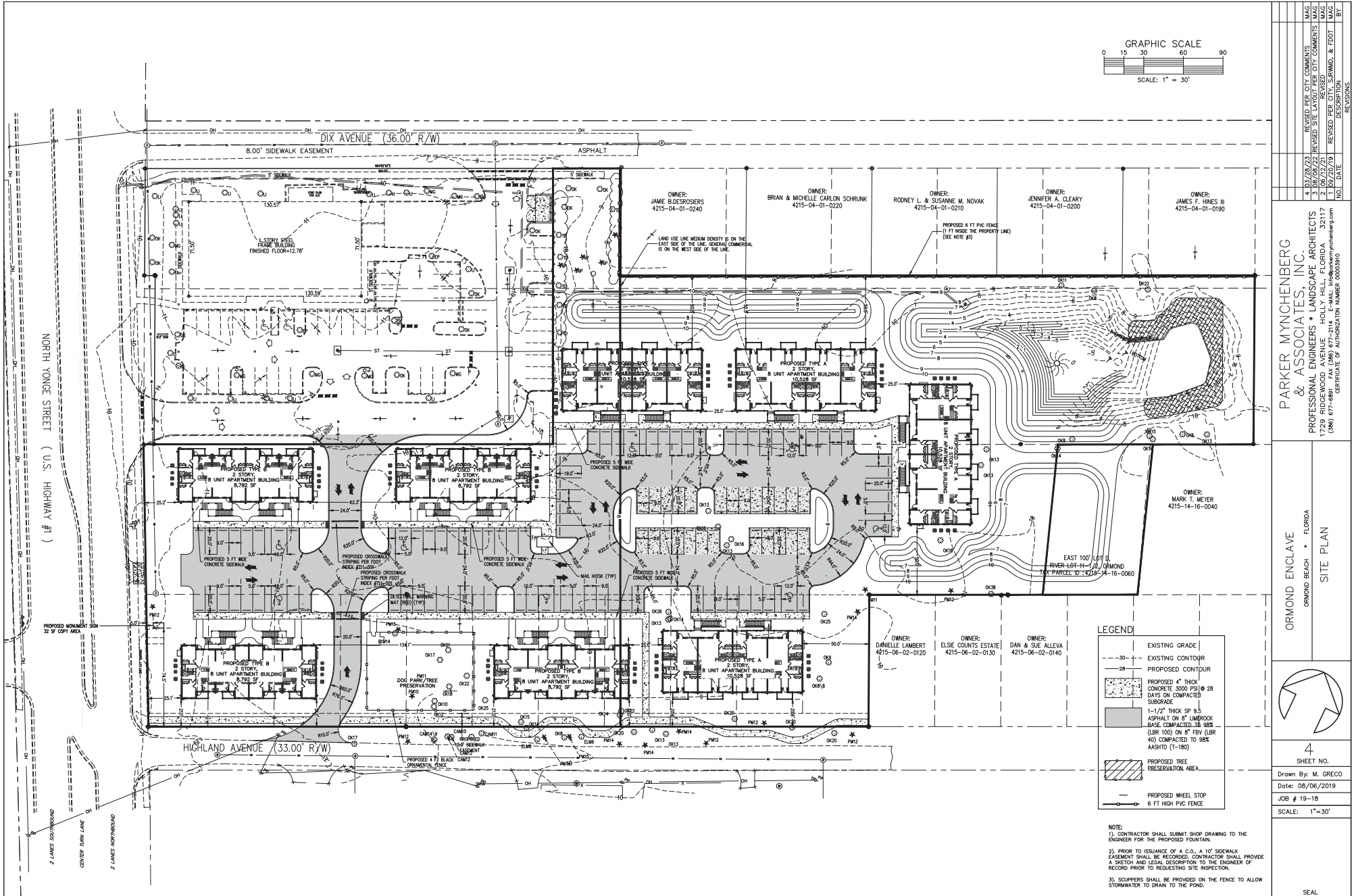


Steven Buswell, P.E., R.L.A.

SRB/kh

Page 465 of 754





NO.	DATE	DESCRIPTION
1	03/25/23	REVISED PER CITY COMMENTS
2	04/18/23	REVISED PER CITY COMMENTS
3	06/12/23	REVISED PER CITY COMMENTS
4	07/20/23	REVISED PER CITY, SPM, & FOOT

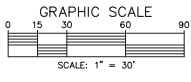
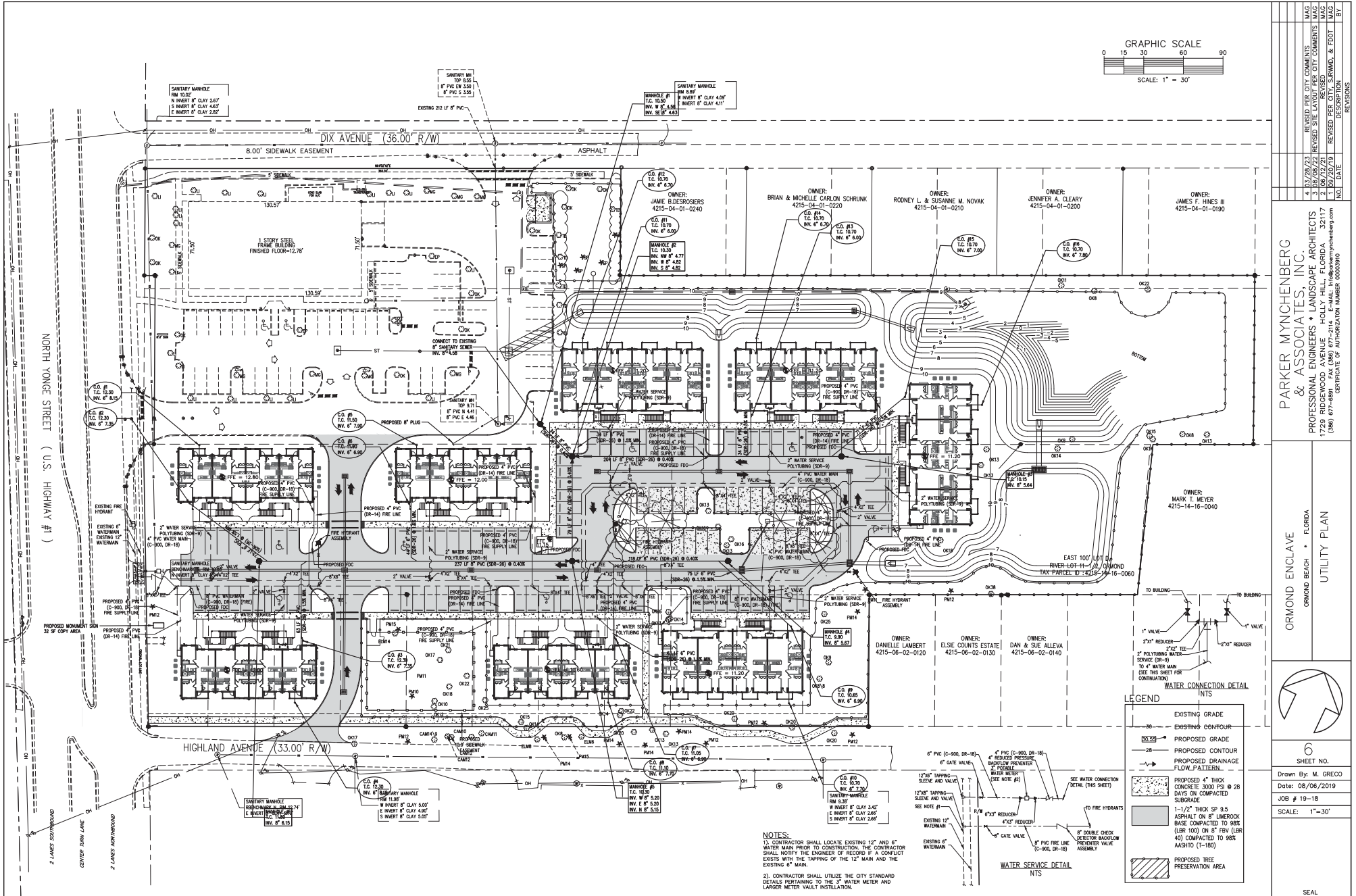
DATE: 07/20/23
BY: [Signature]

PARKER MYNCHENBERG & ASSOCIATES, INC.
PROFESSIONAL ENGINEERS & LANDSCAPE ARCHITECTS
1729 RIDGEWOOD AVENUE HOLLY HILL, FLORIDA 32117
(386) 677-6881 FAX (386) 677-2114 E-MAIL: info@parkermyynchenberg.com
CERTIFICATE OF AUTHORIZATION NUMBER: 00003970

ORMOND ENCLAVE
ORMOND BEACH • FLORIDA
SITE PLAN

4
SHEET NO.
Drawn By: M. GRECO
Date: 08/06/2019
JOB # 19-18
SCALE: 1"=30'

SEAL



LEGEND	
EXISTING GRADE	30
EXISTING GROUND	50.58
PROPOSED GRADE	28
PROPOSED CONTOUR	28
PROPOSED DRAINAGE FLOW PATTERN	28
PROPOSED 4" THICK CONCRETE 3000 PSI @ 28 DAYS ON COMPACTED SUBGRADE	1-1/2" THICK SP 9.5 ASPHALT ON 8" LIMEPOCK BASE COMPACTED TO 98% (LBR 100) ON 8" FV (LBR 40) COMPACTED TO 98% (ASH10 (1-180))
PROPOSED TREE PRESERVATION AREA	

NOTES:
1) CONTRACTOR SHALL LOCATE EXISTING 12" AND 6" WATER MAIN PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF RECORD IF A CONFLICT EXISTS WITH THE TAPPING OF THE 12" MAIN AND THE EXISTING 6" MAIN.
2) CONTRACTOR SHALL UTILIZE THE CITY STANDARD DETAILS PERTAINING TO THE 12" WATER METER AND LARGER METER VAULT INSTALLATION.

ORMOND ENCLAVE
ORMOND BEACH • FLORIDA

UTILITY PLAN

6

SHEET NO.

Drawn By: M. GRECO

Date: 08/06/2019

JOB # 19-18

SCALE: 1"=30'

PARKER MYNCHENBERG & ASSOCIATES, INC.

PROFESSIONAL ENGINEERS • LANDSCAPE ARCHITECTS

1729 RIDGEWOOD AVENUE HOLLY HILL, FLORIDA 32117

(386) 677-6881 FAX (386) 677-2114 E-MAIL: info@parkermychenberg.com

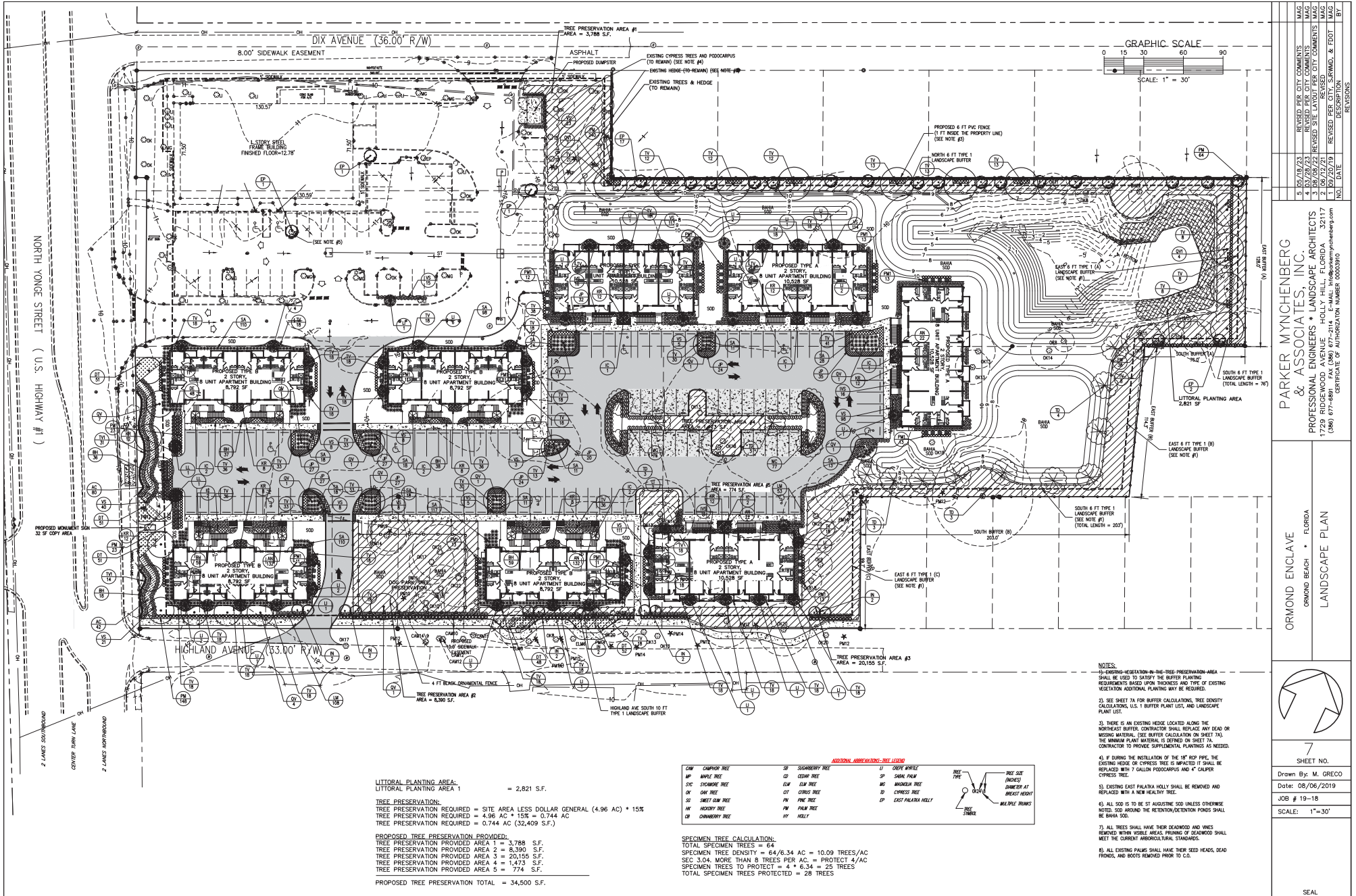
CERTIFICATE OF AUTHORIZATION NUMBER: 00003970

REVISIONS

NO.	DATE	BY	REVISIONS
1	03/29/23	REVISED PER CITY COMMENTS	MAG
2	04/08/23	REVISED PER CITY COMMENTS	MAG
3	06/12/21	REVISED PER CITY COMMENTS	MAG
1	07/22/19	REVISED PER CITY, S.F.M.M.C. & FOOT	MAG

Page 470 of 754

Page 471 of 754



REVISIONS

NO.	DATE	DESCRIPTION
1	07/20/19	REVISED PER CITY COMMENTS
2	08/13/21	REVISED PER CITY COMMENTS
3	09/08/22	REVISED PER CITY COMMENTS
4	09/08/22	REVISED PER CITY COMMENTS
5	05/19/23	REVISED PER CITY COMMENTS

GRAPHIC SCALE

0 15 30 60 90

SCALE: 1" = 30'

ORMOND ENCLAVE

ORMOND BEACH • FLORIDA

LANDSCAPE PLAN

7

SHEET NO.

Drawn By: M. GRECO

Date: 08/06/2019

JOB # 19-18

SCALE: 1"=30'

PARKER MYNCHENBERG & ASSOCIATES, INC.

PROFESSIONAL ENGINEERS • LANDSCAPE ARCHITECTS

1729 RIDGEWOOD AVENUE HOLLY HILL, FLORIDA 32117

(386) 677-6891 FAX (386) 677-2114 E-MAIL: info@parkermynchenberg.com

CERTIFICATE OF AUTHORIZATION NUMBER: 00003970

LITTORAL PLANTING AREA:
LITTORAL PLANTING AREA 1 = 2,821 S.F.

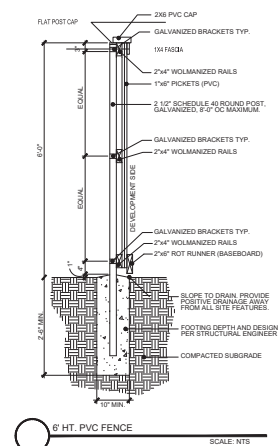
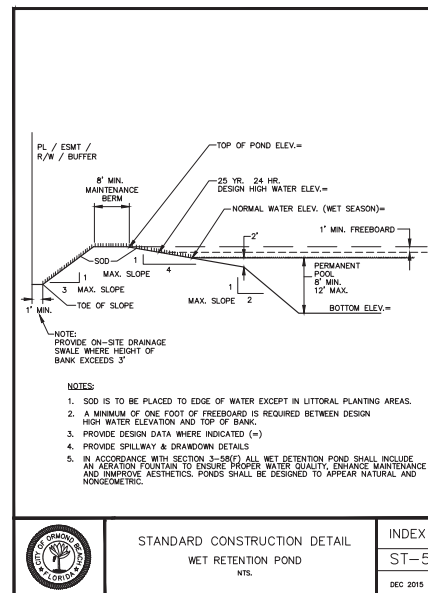
TREE PRESERVATION:
TREE PRESERVATION REQUIRED = SITE AREA LESS DOLLAR GENERAL (4.96 AC) * 15%
TREE PRESERVATION REQUIRED = 4.96 AC * 15% = 0.744 AC
TREE PRESERVATION REQUIRED = 0.744 AC (32,409 S.F.)

PROPOSED TREE PRESERVATION PROVIDED:
TREE PRESERVATION PROVIDED AREA 1 = 3,788 S.F.
TREE PRESERVATION PROVIDED AREA 2 = 8,990 S.F.
TREE PRESERVATION PROVIDED AREA 3 = 20,155 S.F.
TREE PRESERVATION PROVIDED AREA 4 = 1,473 S.F.
TREE PRESERVATION PROVIDED AREA 5 = 774 S.F.
PROPOSED TREE PRESERVATION TOTAL = 34,500 S.F.

ADDITIONAL ABBREVIATIONS-TREE LEGEND									
CM	CAMPION TREE	SD	SUGARBERRY TREE	LI	LOUPE WHORL				
MP	MAYO TREE	CD	CEMEX TREE	LI	LOUPE WHORL				
JTC	JACKMAN TREE	LW	LAW TREE	ME	MORONGA TREE				
OK	OK TREE	CT	CINCH TREE	SD	SEED TREE				
SO	SWEET GUM TREE	PM	PALE TREE	EP	EAST PALM TREE				
HW	HICKORY TREE	PM	PALE TREE	EP	EAST PALM TREE				
CD	CONDOREY TREE	HY	HOLLY						

SPECIMEN TREE CALCULATION:
TOTAL SPECIMEN TREES = 64
SPECIMEN TREE DENSITY = 64/6.34 AC = 10.09 TREES/AC
SEC 3.04, MORE THAN 8 TREES PER AC = PROTECT 4/AC
SPECIMEN TREES TO PROTECT = 4 * 6.34 = 25 TREES
TOTAL SPECIMEN TREES PROTECTED = 28 TREES

- NOTES:
- EXISTING VEGETATION IN THE TREE PRESERVATION AREA SHALL BE USED TO VERIFY THE BUFFER PLANTING REQUIREMENTS BASED UPON THICKNESS AND TYPE OF EXISTING VEGETATION. ADDITIONAL PLANTING MAY BE REQUIRED.
 - SEE SHEET 7A FOR BUFFER CALCULATIONS. TREE DENSITY CALCULATIONS, U.S. 1" BUFFER PLANT LIST, AND LANDSCAPE PLANT LIST.
 - THERE IS AN EXISTING HEDGE LOCATED ALONG THE NORTHEAST BUFFER. CONTRACTOR SHALL REPLACE AND DEAD OR MISSING MATERIAL (SEE BUFFER CALCULATION ON SHEET 7A). THE MINIMUM PLANT MATERIAL IS DERIVED ON SHEET 7A. CONTRACTOR TO PROVIDE SUPPLEMENTAL PLANTINGS AS NEEDED.
 - IF DURING THE INSTALLATION OF THE 18" RCP PIPE, THE EXISTING HEDGE OR CYPRESS TREE IS IMPACTED IT SHALL BE REPLACED WITH 7 GALLON PODOCARPUS AND 4" CALIPER CYPRESS TREE.
 - EXISTING EAST PALMARA HOLLY SHALL BE REMOVED AND REPLACED WITH A NEW HEALTHY TREE.
 - ALL SOD IS TO BE ST AUGUSTINE SOD UNLESS OTHERWISE NOTED. SOD AROUND THE RETENTION/DETENTION POND SHALL BE BANIA SOD.
 - ALL TREES SHALL HAVE THEIR DEADWOOD AND BRANCHES REMOVED WITHIN VISIBLE AREAS. PRUNING OF DEADWOOD SHALL MEET THE CURRENT ARBORICULTURAL STANDARDS.
 - ALL EXISTING PALMS SHALL HAVE THEIR SEED HEADS, DEAD FRONDS, AND BOOTS REMOVED PRIOR TO C.O.

[illegible]

**PARKER MYNCHENBERG
& ASSOCIATES, INC.**
PROFESSIONAL ENGINEERS * LANDSCAPE ARCHITECTS
729 RIDGEWAY AVE. HOLLY HILL, FLORIDA 32117
(386) 677-6881 FAX (386) 677-2114 E-MAIL: info@parkermycnberg.com
CERTIFICATE OF AUTHORIZATION NUMBER 00003910

ORMOND ENCLAVE
ORMOND BEACH • FLORIDA
PAVING AND DRAINAGE DETAILS



14
SHEET NO.
Drawn By: M. GRECO
Date: 08/06/2019
JOB # 19-18
SCALE: NTS

SEAL

VIPER Area/Site

FEATURES

- 1500W LED Floodlight with 150° beam angle
- 1500W LED Floodlight with 150° beam angle
- 1500W LED Floodlight with 150° beam angle

CONTROL TECHNOLOGY

NO DIMMER W/SCAPE

RECOMMENDATIONS

• 1500W LED Floodlight with 150° beam angle

PA7R

FEATURES

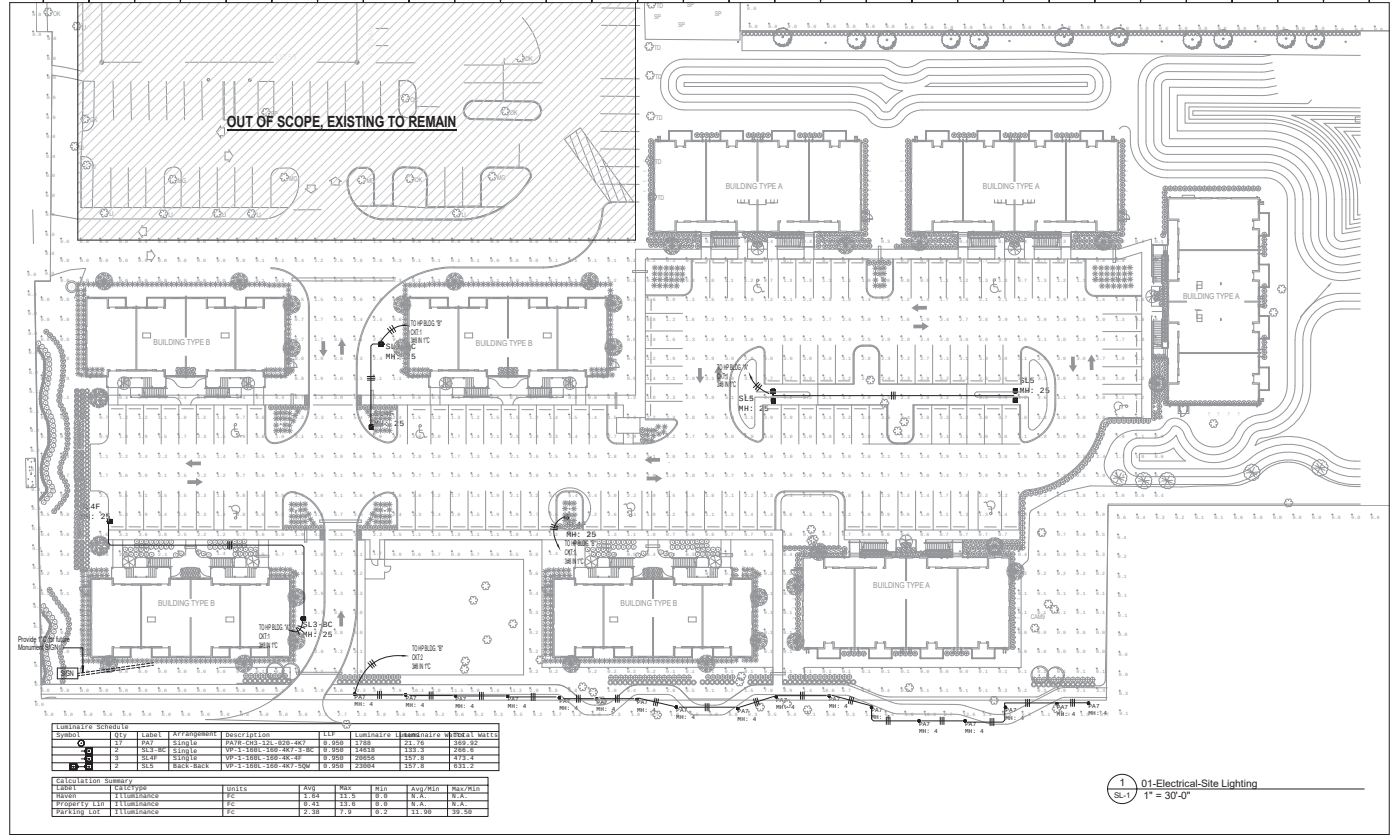
- 1500W LED Floodlight with 150° beam angle
- 1500W LED Floodlight with 150° beam angle
- 1500W LED Floodlight with 150° beam angle

CONTROL TECHNOLOGY

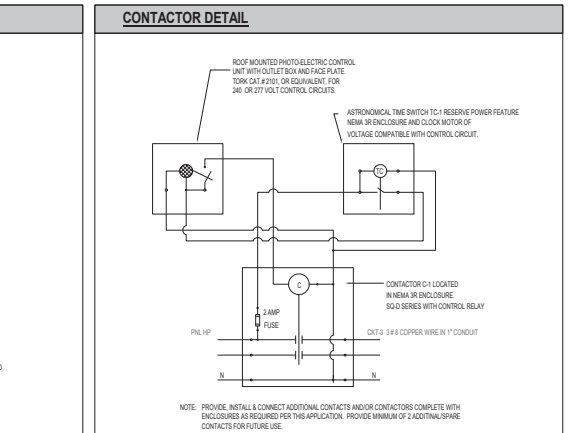
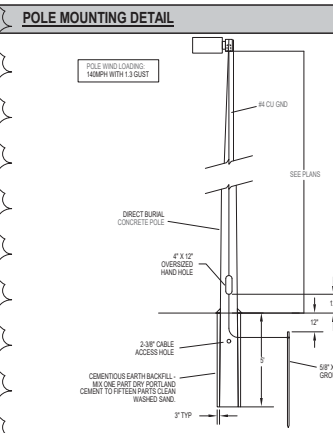
NO DIMMER W/SCAPE

RECOMMENDATIONS

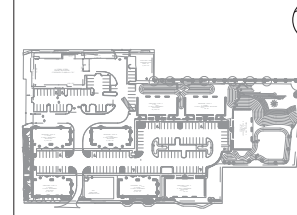
• 1500W LED Floodlight with 150° beam angle



SYMBOL	LEV	LABEL	APPROPRIATE	DESCRIPTION	TYPE	COORDINATE	COORDINATE	COORDINATE
1	1	1	1	1	1	1	1	1
2	2	2	2	2	2	2	2	2
3	3	3	3	3	3	3	3	3
4	4	4	4	4	4	4	4	4
5	5	5	5	5	5	5	5	5
6	6	6	6	6	6	6	6	6
7	7	7	7	7	7	7	7	7
8	8	8	8	8	8	8	8	8
9	9	9	9	9	9	9	9	9
10	10	10	10	10	10	10	10	10



- ### SITE LIGHTING NOTES
- REFER TO ELECTRICAL DRAWINGS FOR POWER RUNS/CIRCUITS & SLEEVE LOCATIONS.
 - STUB OUT SERVICE TO LANDSCAPE LIGHTS IN BROOKS BOX IN APPROX. TREE/PALM LOCATIONS PER PLAN. EXACT LANDSCAPE LIGHT FIXTURE LOCATION WILL BE LARGED IN FIELD BY LANDSCAPE ARCHITECT. WIRE/ELECTRICAL CONTRACTOR AFTER TREE/PALMS ARE INSTALLED & BEFORE BRUSH/GRASS COVER ARE INSTALLED.
 - LAYOUT/STAGE IN FIELD FOR APPROVAL BY OWNER. FIELD ADJUST STREET LIGHT FIXTURE IF UNDER TREE/LANDSCAPE.
 - LIGHT PULSES OR BULBARS TO BE A MIN. 6" FROM EDGE OF CURB (ON ROADWAYS, TYP.)
 - PROVIDE LIGHTING TIME CLOCK WITH CONTACTORS, BATTERY BACKUP & ASTRONOMICAL SETTINGS FOR NEW LIGHTING CIRCUITS.
 - ALL MATERIALS SHALL BE NEW, FREE FROM DEFECTS AND SHALL BE EITHER U.L. LABELED, U.L. LISTED OR THE SIGN OF A NATIONALLY RECOGNIZED ELECTRICAL TESTING LABORATORY.
 - ALL MATERIALS AND INSTALLATION SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE NATIONAL ELECTRICAL CODE AND ALL APPLICABLE LOCAL AND STATE CODES.
 - CONTRACTOR TO PRICE TO INCLUDE THE FOREGOING AS WELL AS ALL FEES REQUIRED FOR PERMITS, INSPECTIONS AND ENGINEERS' STAMPS (IF REQUIRED).
 - COORDINATE WITH OWNERS REPRESENTATIVE REGARDING ELECTRICAL SERVICE WITH POWER COMPANY.
 - PROVIDE SHOP DRAWINGS OF FIXTURES TO OWNER & ARCHITECT FOR APPROVAL.
 - THE 65 PHOTOMETRIC COMPUTER FILES USED FOR THE ANALYSIS WERE PROVIDED BY THE MANUFACTURER(S) OF THE LIGHT FIXTURES USED ON THIS PROJECT. THE ACCURACY OF THESE FILES ARE THE RESPONSIBILITY OF THE MANUFACTURER(S).
 - CONFORMANCE TO ANY AND ALL FACILITY, LOCAL, STATE, OR NATIONAL CODES AND REQUIREMENTS IS THE RESPONSIBILITY OF THE OWNER AND/OR THE OWNERS REPRESENTATIVE.
 - CAMERA PLACEMENT AND ORIENTATION OF THE LIGHT FIXTURES UNITS IS REQUIRED FOR THIS COMPUTER SIMULATION TO BE ACCURATE.
 - MINIMAL TOLERANCES IN VOLTAGE, TEMPERATURE, LAMP OUTPUT, AND BALLAST AND LUMINAIRE MANUFACTURER WILL AFFECT RESULTS.
 - THE PARKING SURFACE IS ASSUMED TO BE ASPHALT.



REVISIONS

2 08/02/22 BLDG DPT. COMMENTS

1325 S. BUNNY AVE. ORLANDO, FLORIDA 32806
PH: (407) 896 7411 FX: (407) 896 7412
EMAIL: mofaraji@gmail.com
CADD/3D
MOHSEN FARAJI, P.E. 43599
PROJECT NUMBER
MTF19078

ORMOND ENCLAVE - BUILDING A

OWNER: DEVELOPER SITE: 10000 W. ORMOND BEACH BLVD. 33406-1000
PROJECT LOCATION: 10000 W. ORMOND BEACH BLVD. 33406-1000
GENERAL CONTRACTOR TO BE DETERMINED

BDF

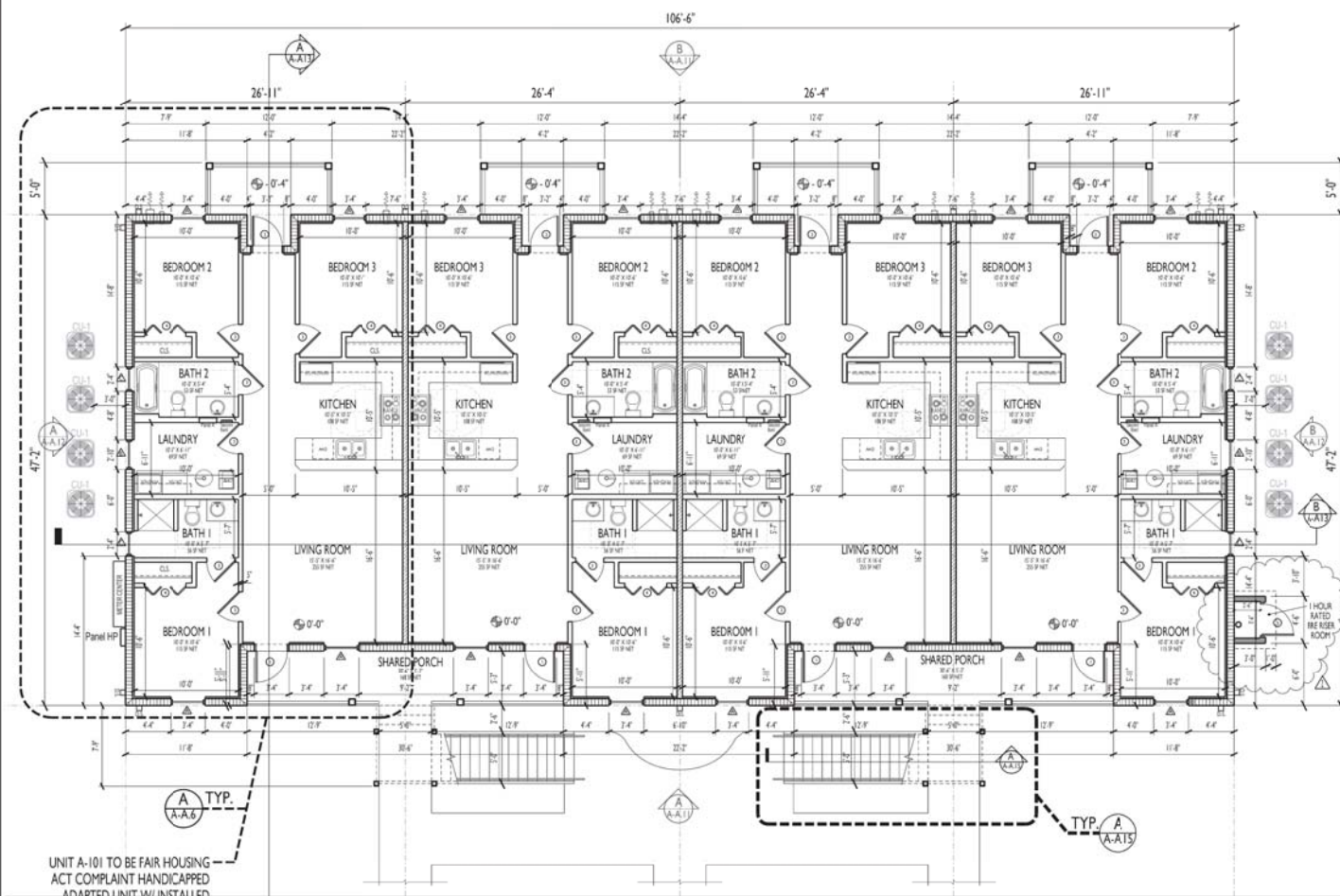
DESIGN INCORPORATED
ARCHITECTURE, DESIGN & DRAWING SERVICES
#A-2007108
BRIAN P. FREEDY, ASSOC. AIA, PROJECT MANAGER
DALLAS & PEACOCK, AIA, ARCHITECT
#A-0000000
207 PARKVIEW AVENUE, DAYTONA BEACH, FL 32114
PH: (386) 252-5555 FAX: (386) 252-1555
E-MAIL: bpfdesign@aol.com WEBSITE: bpfdesign.com

SITE LIGHTING

DATE: 07/10/2019
SCALE: AS SHOWN
SHT NO. SL-1
ARCHITECT'S / ENGINEER'S SEAL

PROJECT No. PZ-21-079 - SITE PLAN
CITY APPROVAL STAMP

REVISIONS	
OWNER REVISION # 1	11/10/2021
CITY COMMENTS	7/22/2022



UNIT A-101 TO BE FAIR HOUSING
ACT COMPLAINT HANDICAPPED
ADAPTED UNIT W/ INSTALLED
MOBILITY FEATURES IN
BEDROOM # 1.

H.C. ADAPTABILITY NOTES:

1. ALL GROUND LEVEL UNITS ARE HC ADAPTABLE = 4 UNITS
2. UNIT A101 TO BE FAIR HOUSING ACT COMPLAINT HANDICAPPED ADAPTED UNIT W/ INSTALLED MOBILITY FEATURES IN BEDROOM # 1.

WALL LEGEND:

- 1 1 HR (60 MIN) RATED EXTERIOR 8" CMU WALL
UL U90S - LOAD BEARING WALL (FIRST & SECOND FLOOR)
- 1A 1 HR (60 MIN) UL V340 ASSEMBLY - EXT. BEARING WALL
WOOD FRAME WALL - FIRE RISER ROOM
- 2 1-HOUR RATED INTERIOR BEARING WALL UL U34;
R-19 INSULATION
DRAFTSTOP ABOVE AND INLINE INSIDE FLOOR/CEILING SPACE
- 3 NON RATED INTERIOR NON-BEARING WALL; R-19 INSULATION

NOTES:

1. ALL PORCH FLOORS TO BE NON-SLIP SEALED CONCRETE
2. ALL INTERIOR WALLS TO BE DOUBLE TOP PLATED.
REFER TO SHEET UL-2 FOR DETAILS.
3. ALL INTERIOR DIMENSIONS ARE TO FINISHED FACE, UNLESS NOTED OTHERWISE.

GROSS SF TABLE

LEVEL 1				
# OF UNITS	ROOM	GROSS SF UNIT AREA	GROSS SF UNIT PORCHES	TOTAL SF FLOOR
3 BDR	3 BDR UNIT	1,110 SF	72.5 SF	2,465 SF
3 BDR	3 BDR UNIT	1,177 SF	72.5 SF	2,499 SF
2	SHARED PORCH	N/A	160 SF	320 SF
TOTAL SF A/C LEVEL 1 =		4,654 SF		
TOTAL SF NON- A/C LEVEL 1 =		610 SF		
TOTAL GROSS SF LEVEL 1 =		5,264 SF		

GROSS SF TABLE

TOTAL GROSS SF LEVEL 1 =	5,264 SF
TOTAL GROSS SF LEVEL 2 =	5,264 SF
TOTAL BUILDING GROSS SF =	10,528 SF

GENERAL NOTES:
ALL ORIGINAL & SUB CONTRACTORS TO FIELD VERIFY ALL DIMENSIONS.
ELECTRICAL, PLUMBING, MECHANICAL & GAS SERVICE LOCATIONS
ALL WORK MUST COMPLY WITH THE 2017 FBC (WITH SUPPLEMENTARY 17)
OF THE FLORIDA BUILDING CODE (SECTION 1609 - 1/8" MIN VIND LOAD)
AND THE FLORIDA ACCIDENTAL DAMAGE CODE FOR BUILDING CONSTRUCTION
ALL DOOR & WINDOW OPENINGS TO MEET OR EXCEED DESIGN PRESSURE RANGE
AS SPECIFIED ON SHEET T-10.
THE BUILDING RISK CATEGORY IS "1"
INTERNAL PRESSURE COEFFICIENT IS -0.18 IN ACCORDANCE WITH ASCE 7-16
ALL GLAZING IS TO BE NON IMPACT RESISTANT

ENLARGED FIRST FLOOR PLAN
BLDG TYPE A SCALE: 3/16" = 1'-0"

ORMOND ENCLAVE - BUILDING A

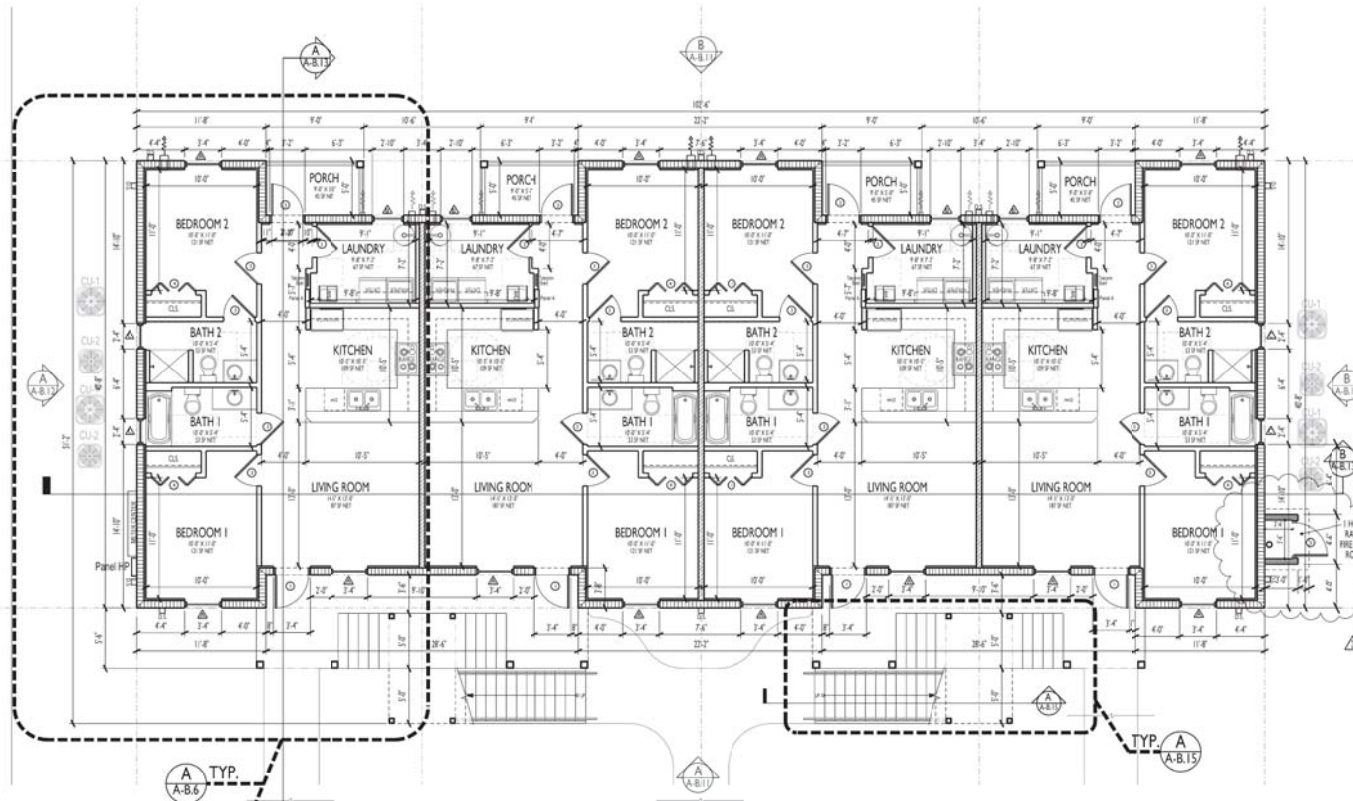
OWNER/DEVELOPER: STEVE SWING, MANAGING MEMBER, CST HOLDINGS, LLC, 1325 OAK FOREST DRIVE, ORMOND BEACH, FL 32174, PH: 386-795-2008
PROJECT LOCATION: 135 NORTH YONGE STREET, ORMOND BEACH, FL 32174
GENERAL CONTRACTOR: TO BE DETERMINED

BPE
DESIGN INCORPORATED
ARCHITECTURE DESIGN & DRAWING SERVICES
AA 2003-08
BRYAN P. PRELDER, ASSOC. AIA, PROJECT MANAGER
DALLAS & PEACOCK, AIA, ARCHITECT
AA 000709
337 HARKNESS AVENUE, DAYTONA BEACH, FL 32114
PH: (386) 257-0326, TX: (386) 537-602
E-MAIL: bpreldey@bpegroup.com, ppreldey@bpegroup.com

BLDG TYPE A- FIRST FLOOR
DATE: NOVEMBER 9, 2021
SCALE: 3/16" = 1'-0" SHEET NO. A-1
ARCHITECT'S / ENGINEER'S SEAL

PROJECT No. PZ-21-079 - SITE PLAN
CITY APPROVAL STAMP

REVISIONS	
OWNER REVISION # 1	11/10/2021
CITY COMMENTS	7/22/2022



UNIT B-101 TO BE FAIR HOUSING
ACT COMPLAINT HANDICAPPED
ADAPTED UNIT W/ INSTALLED
MOBILITY FEATURES IN
BEDROOM #2.

ENLARGED FIRST FLOOR PLAN
SCALE: 3/16" = 1'-0"

H.C. ADAPTABILITY NOTES:

1. ALL GROUND LEVEL UNITS ARE HC ADAPTABLE = 4 UNITS
2. UNIT B101 TO BE FAIR HOUSING ACT COMPLAINT HANDICAPPED ADAPTED UNIT W/ INSTALLED MOBILITY FEATURES IN BEDROOM # 2.

WALL LEGEND:

- 1 1 HR (60 MIN) RATED EXTERIOR 8" CMU WALL
UL U905 - LOAD BEARING WALL (FIRST & SECOND FLOOR)
- 1A 1 HR (60 MIN) UL V340 ASSEMBLY - EXT. BEARING WALL
WOOD FRAME WALL - FIRE RISER ROOM
- 2 1-HOUR RATED INTERIOR BEARING WALL UL U34;
R-19 INSULATION
DRAFTSTOP ABOVE AND INLINE INSIDE FLOOR/CEILING SPACE
- 3 NON RATED INTERIOR NON-BEARING WALL; R-19 INSULATION

NOTES:

1. ALL PORCH FLOORS TO BE NON-SLIP SEALED CONCRETE
2. ALL INTERIOR WALLS TO BE DOUBLE TOP PLATED.
REFER TO SHEET UL-2 FOR DETAILS.
3. ALL INTERIOR DIMENSIONS ARE TO FINISHED FACE, UNLESS NOTED OTHERWISE.

GROSS SF TABLE

LEVEL 1				
# OF UNITS	GROSS SF UNIT AREA	GROSS SF SHARED PORCH	GROSS SF TOTAL	TOTAL SF
2 BDR 2 BATH END UNITS (B-102 & B-103)	2	918 SF	45 SF	1,952 SF
2 BDR 2 BATH END UNITS (B-101 & B-104)	2	940 SF	45 SF	1,950 SF
SHARED PORCH	2	N/A	253 SF	506 SF
TOTAL SF A/C LEVEL 1 =				3,712 SF
TOTAL SF NON-A/C LEVEL 1 =				684 SF
TOTAL GROSS SF LEVEL 1 =				4,396 SF

GROSS SF TABLE

TOTAL GROSS SF LEVEL 1 =	4,396 SF
TOTAL GROSS SF LEVEL 2 =	4,396 SF
TOTAL BUILDING GROSS SF =	8,792 SF

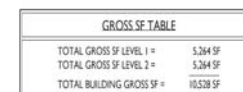
GENERAL NOTES:
ALL ORIGINAL & SUB CONTRACTORS TO FIELD VERIFY ALL DIMENSIONS.
ELECTRICAL, MECHANICAL, WATER AND GAS SERVICE LOCATIONS
ALL WORK MUST COMPLY WITH THE 2021 FLA. BUILDING CONSTRUCTION (BC) OF THE FLORIDA BUILDING CODE (FBC) - 2018 - 1/31/19 MIN VIND. LOADS
AND THE FLORIDA ACCESSIBILITY CODE FOR BUILDING CONSTRUCTION
ALL DOOR & WINDOW OPENINGS TO MEET OR EXCEED DESIGN PRESSURE RANGE AS SPECIFIED ON SHEET T-10
THE BUILDING RISK CATEGORY IS "1"
INTERNAL PRESSURE COEFFICIENT IS -0.5 IS IN ACCORDANCE WITH ASCE 7-16
ALL GLAZING IS TO BE NON IMPACT RESISTANT

ORMOND ENCLAVE - BUILDING B

OWNER/DEVELOPER: STEVE SAWYER, MANAGING MEMBER, CST HOLDINGS, LLC, 1325 OAK FOREST DRIVE, ORMOND BEACH, FL 32174, PH: 386-795-2008
PROJECT LOCATION: 135 NORTH YONGE STREET, ORMOND BEACH, FL 32174
GENERAL CONTRACTOR: TO BE DETERMINED

BPE
DESIGN INCORPORATED
ARCHITECTURE DESIGN & DRAWING SERVICES
AIA 2000-08
BRYAN P. PRELUE, ASSOC. AIA, PROJECT MANAGER
DALIA K. PRACCOLO, AIA, ARCHITECT
AIA 000709
337 HARKEN AVENUE, DAYTONA BEACH, FL 32114
PH: (386) 257-0500, TX: (386) 257-6000
E-MAIL: bprelue@bpeinc.com, dpracol@bpeinc.com

BLDG TYPE B - FIRST FLOOR
DATE: NOVEMBER 9, 2021
SCALE: 3/16" = 1'-0"
SHEET NO. A-B.4
ARCHITECT'S / ENGINEER'S SEAL



GENERAL NOTES

ALL GENERAL & SUB-CONTRACTORS TO FIELD VERIFY ALL DIMENSIONS, ELECTRICAL, WATER, SEWER AND GAS SERVICE LOCATIONS.

ALL WORK MUST COMPLY WITH THE 2020 (FIVE) EDITION (EXPOSURE OF THE FLORIDA BUILDING CODE SECT. 1609 (28 MPH WIND LOAD) AND THE FLORIDA ACCESSIBILITY CODE FOR BUILDING CONSTRUCTION.

ALL DOOR & WINDOW OPENINGS TO MEET OR EXCEED DESIGN PRESS. AS SPEC'D ON SHEET 18.

THE BUILDING RISK CATEGORY IS "I"

INTERNA/PRESSURE COEFFICIENT IS "+ 0.18 IN ACCORDANCE WITH A.S.I. 6.2.4.2.5.5 TO REDUCE WIND BRACE ANCHORAGE.

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OWNER/DEVELOPER/STEAK SEVING: MANAGING MEMBER, CST HOLDINGS, LLC, 135 OAK FOREST DRIVE, ORMOND BEACH, FL 32174, PH: 386-795-2008
PROJECT LOCATION: 13 NORTH YONGE STREET, ORMOND BEACH, FL 32174
GENERAL CONTRACTOR: TO BE DETERMINED

BLDG TYPE B- FIRST FLOOR

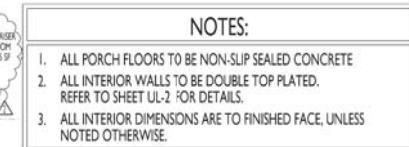
DATE: NOVEMBER 19, 2023

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

SHT NO. A-B5

1 2 3 4 5 6 7 8 9 10 11 12

ARCHITECT'S / ENGINEER'S SEAL



GROSS SF TABLE				
LEVEL 2				
	# OF PLANT FLOOR	GROSS SF UNIT (A)	GROSS SF UNIT (B) (A) X (B)	TOTAL GROSS
2' BOK 1' HIGH INT. UNITS	2	916 SF	45 SF	1,832 SF
2' BOK 1' HIGH END-UNITS	2	940 SF	45 SF	1,870 SF
SHARED PORCH	2	N/A	222 SF	504 SF
TOTAL SF A/C LEVEL 2 =				3,717 SF
TOTAL SF GRASS A/C LEVEL 2 =				684 SF
TOTAL GROSS SF LEVEL 2 =				4,396 SF

GROSS SF TABLE	
TOTAL GROSS SF LEVEL 1 =	4,396 SF
TOTAL GROSS SF LEVEL 2 =	4,396 SF
TOTAL BUILDING GROSS SF =	8,792 SF

GENERAL NOTES

ALL GENERAL & SUB-CONTRACTORS TO FIELD VERIFY ALL DIMENSIONS, ELECTRICAL, PLUMB, SEWER AND GAS SERVICE LOCATIONS.

ALL WORK MUST COMPLY WITH THE 2020 (FTH. EDITION) EXPOSURE "C" OF THE 2018 INTERNATIONAL BUILDING CODE SECTION 1609 (MIN. WIND LOAD) AND THE FLORIDA ACCESSIBILITY CODE FOR BUILDING CONSTRUCTION.

DO NOT DO WINDOW OPENINGS TO MEET OR EXCEED DESIGN PRESSURE RANGES AS SPECIFIED ON SHEET 15.

THE BUILDING RISK CATEGORY IS "B".

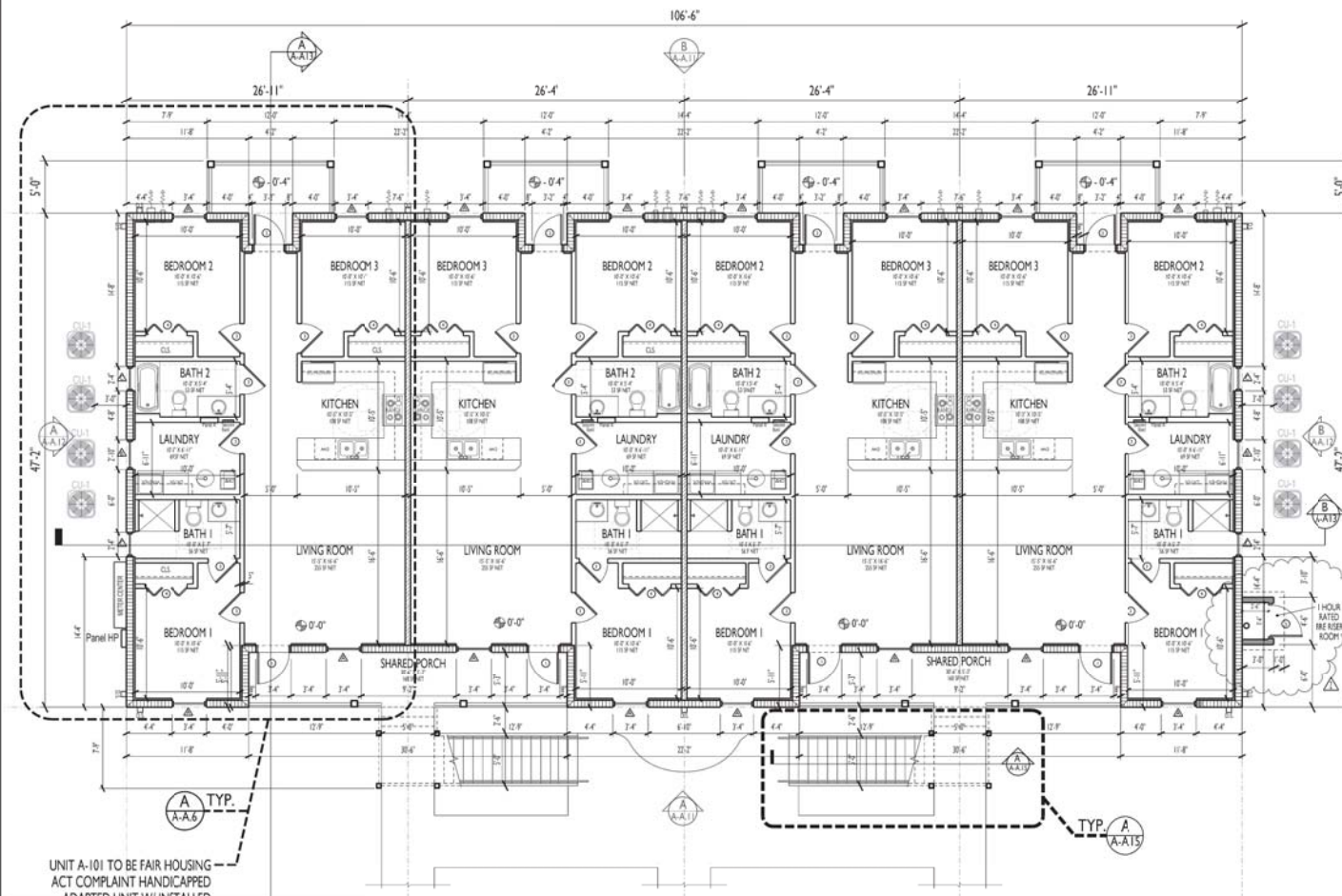
INTERPENETRATION COEFFICIENT IS ≤ 0.10 (IN ACCORDANCE WITH ASCE 7-16).

ALL GLAZING IS TO BE NON IMPACT RESISTANT.

ENLARGED SECOND FLOOR PLAN
BLDG TYPE B SCALE: 3/16" = 1'-0"

PROJECT No. PZ-21-079 - SITE PLAN
CITY APPROVAL STAMP

REVISIONS
OWNER REVISION # 1, 11/10/2021
CITY COMMENTS, 7/22/2022



UNIT A-101 TO BE FAIR HOUSING
ACT COMPLAINT HANDICAPPED
ADAPTED UNIT W/ INSTALLED
MOBILITY FEATURES IN
BEDROOM # 1.

H.C. ADAPTABILITY NOTES:

1. ALL GROUND LEVEL UNITS ARE HC ADAPTABLE = 4 UNITS
2. UNIT A101 TO BE FAIR HOUSING ACT COMPLAINT HANDICAPPED ADAPTED UNIT W/ INSTALLED MOBILITY FEATURES IN BEDROOM # 1.

WALL LEGEND:

- 1 1 HR (60 MIN) RATED EXTERIOR 8" CMU WALL
UL U90S - LOAD BEARING WALL (FIRST & SECOND FLOOR)
- 1A 1 HR (60 MIN) UL V340 ASSEMBLY - EXT. BEARING WALL
WOOD FRAME WALL - FIRE RISER ROOM
- 2 1-HOUR RATED INTERIOR BEARING WALL UL U34;
R-19 INSULATION,
DRAFTSTOP ABOVE AND INLINE INSIDE FLOOR/CEILING SPACE
- 3 NON RATED INTERIOR NON-BEARING WALL; R-19 INSULATION

NOTES:

1. ALL PORCH FLOORS TO BE NON-SLIP SEALED CONCRETE
2. ALL INTERIOR WALLS TO BE DOUBLE TOP PLATED.
REFER TO SHEET UL-2 FOR DETAILS.
3. ALL INTERIOR DIMENSIONS ARE TO FINISHED FACE, UNLESS
NOTED OTHERWISE.

GROSS SF TABLE

LEVEL 1				
# OF UNITS	ROOM	GROSS SF UNIT AREA	GROSS SF UNIT PORCHES	TOTAL SF FLOOR
3 BDR, 2 BTH	UNIT	1,110 SF	72.5 SF	2,445 SF
3 BDR, 2 BTH	END UNIT	1,177 SF	72.5 SF	2,499 SF
2	SHARED PORCH	N/A	160 SF	320 SF
TOTAL SF A/C LEVEL 1 =				4,654 SF
TOTAL SF NON- A/C LEVEL 1 =				610 SF
TOTAL GROSS SF LEVEL 1 =				5,264 SF

GROSS SF TABLE

TOTAL GROSS SF LEVEL 1 =	5,264 SF
TOTAL GROSS SF LEVEL 2 =	5,264 SF
TOTAL BUILDING GROSS SF =	10,528 SF

GENERAL NOTES

ALL ORIGINAL & SUB CONTRACTORS TO FIELD VERIFY ALL DIMENSIONS.
ELECTRICAL, PLUMBING, MECHANICAL & GAS SERVICE LOCATIONS
ALL WORK SHALL COMPLY WITH THE 2017 FBC (WITH SUPPLEMENTARY 17)
OF THE FLORIDA BUILDING CODE (SECTION 1609 - 1/8" PER INCH LOAD)
AND THE FLORIDA ACCESSIBILITY CODE FOR BUILDING CONSTRUCTION
ALL DOOR & WINDOW OPENINGS TO MEET OR EXCEED DESIGN PRESSURE RANGE
AS SPECIFIED ON SHEET 101.
THE BUILDING RISK CATEGORY IS "1" AS PER ACCORDANCE WITH ASCE 7-16
INTERNAL PRESSURE COEFFICIENT IS -0.5 PER ACCORDANCE WITH ASCE 7-16
ALL GLAZING IS TO BE NON IMPACT RESISTANT

1" = 1'-0" (NOT TO SCALE)

ENLARGED FIRST FLOOR PLAN

BLDG TYPE A

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

ORMOND ENCLAVE - BUILDING A

OWNER/DEVELOPER: STEVE SWING, MANAGING MEMBER, CST HOLDINGS, LLC, 1325 OAK FOREST DRIVE, ORMOND BEACH, FL 32174, PH: 386-795-2008
PROJECT LOCATION: 135 NORTH YONGE STREET, ORMOND BEACH, FL 32174
GENERAL CONTRACTOR: TO BE DETERMINED

BPF
DESIGN INCORPORATED
ARCHITECTURE DESIGN & DRAWING SERVICES
AA 2003-08
BRYAN P. FREZZO, ASSOC. AIA, PROJECT MANAGER
DALLAS R. PACCIOLO, AIA, ARCHITECT
AA 000704
337 HARKNESS AVENUE, DAYTONA BEACH, FL 32114
PH: (386) 527-0525, TX: (386) 527-602
E-MAIL: bpfdesign@bpfdesign.com, PACCIOLO@bpfdesign.com

BLDG TYPE A - FIRST FLOOR

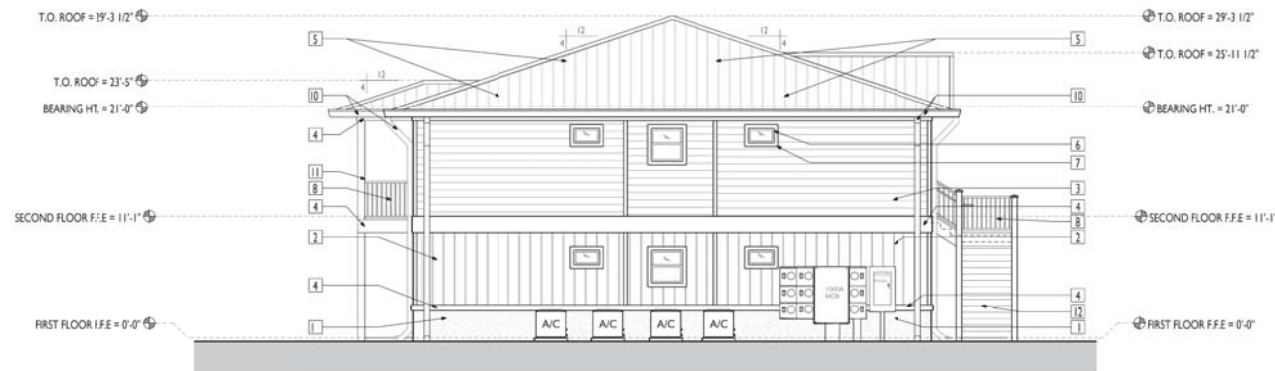
DATE: NOVEMBER 9, 2021
SCALE: 3/16" = 1'-0" SHEET NO. A-1.1

ARCHITECT'S / ENGINEER'S SEAL





B
A-A12 SIDE ELEVATION
TYPE A BLDG. SCALE: 3/16" = 1'-0"



A
A-A12 SIDE ELEVATION
TYPE A BLDG. SCALE: 3/16" = 1'-0"

SIGNAGE NOTES
* MONUMENTAL SIGNAGE & SIZE TO BE DETERMINED UNDER SEPARATE PERMITS AND TO MEET LDC REQUIREMENTS.

BUILDING ELEMENT	MATERIAL	COLOR SCHEDULE - BLDG. A TYP.
1. BUILDING BASE	STUCCO FINISH	SW 901 - MESA TAN
2. BUILDING WALLS 1	BOARD & BATTEN CEMENT SIDING	SW 905 - MESA TAN
3. BUILDING WALLS 2	CEMENT LAP SIDING	SW 905 - MESA TAN
4. TERRAZZO/BRICKS	CEMENT, POLAR OR WOOD PRODUCTS	SW 702 - WHITE TAIL
5. ROOF	STANDING SEAM METAL ROOF	WALF SILVER
6. DOOR/WINDOW FRAME	VINYL ALUMINUM IMPACT	FACTORY WHITE
7. DOOR/WINDOW TERRAZZO	CEMENT PRODUCTS	SW 702 - WHITE TAIL
8. RAILING	STEEL - PRIMED AND PAINTED	PATCH TO BUILDING COLOR
9. PLUMBING, PHONE BOX AND ALL WALL MOUNTED EQUIP.	FACTORY FINISH	FACTORY WHITE
10. GUTTERS & DOWNSPUTS	STEEL - PRIMED AND PAINTED	SW 702 - WHITE TAIL
11. COLUMNS	STEEL - PRIMED AND PAINTED	PATCH TO BUILDING COLOR
12. STAIRS	STEEL - PRIMED AND PAINTED	PATCH TO BUILDING COLOR

- ARCHITECTURAL STYLE: NEO-ECLECTIC**
- NEO-ECLECTIC STYLE ATTRIBUTES:**
- 1. ATTRIBUTE NO. 1: GABLE & 1/2 HIPPED ROOFS
 - 2. ATTRIBUTE NO. 2: COVERED BALCONIES & PORCHES
 - 3. ATTRIBUTE NO. 3: OVERHANGS
 - 4. VARIATIONS IN ROOF HEIGHT
 - 5. ATTRIBUTE NO. 5: PROJECTIONS AND RECESSED SECTIONS
 - 6. ATTRIBUTE NO. 6: EXTERIOR MATERIALS: STUCCO BASE, BOARD & BATTEN CEMENT SIDING & HORIZONTAL CEMENT LAP SIDING
 - 7. ATTRIBUTE NO. 7: STANDING SEAM METAL ROOF
 - 8. ATTRIBUTE NO. 8: WINDOWS ON ALL EXTERIOR FACES WITH TRIM AND BANDING FRAMING FINISH
 - 9. ATTRIBUTE NO. 9: RAILING AND STAIRS
 - 10. ATTRIBUTE NO. 10: PREDOMINANT EXTERIOR COLOR SHALL BE EARTH TONES AND PALETTE. OTHER COLORS, INCLUDING WHITE, SHALL BE USED AS ACCENT COLOR AND TO NOT EXCEED 20% ON ANY ONE ELEVATION.
 - 11. ATTRIBUTE NO. 11: ALL BUILDING FACADES HAVE COLOR CHANGE, TEXTURE CHANGE, MATERIAL CHANGE & BANDING

GENERAL NOTES
ALL ORIGINAL & SUB CONTRACTORS TO FIELD VERIFY ALL DIMENSIONS. ELECTRICAL, WATER, SEWER AND GAS SERVICE LOCATIONS. ALL WORK MUST COMPLY WITH THE 2017 FPLS DESIGN SPECIFICATIONS (73) OF THE FLORIDA BUILDING CODE (SCT 609 - 1/8 IN MIN VAND. LOAD) AND THE FLORIDA ACCESSIBILITY CODE FOR BUILDING CONSTRUCTION. ALL DOOR & WINDOW OPENINGS TO MEET OR EXCEED DESIGN PRESSURE RANGE AS SPECIFIED ON SHEET T-10. THE BUILDING RISK CATEGORY IS "1". INTERNAL PRESSURE COEFFICIENT IS -0.55 IN ACCORDANCE WITH ASCE 7-16. ALL GLAZING IS TO BE NON IMPACT RESISTANT.

PROJECT No: PZ-21-079 - SITE PLAN
CITY APPROVAL STAMP

REVISIONS
OWNER REVISION # 1, 1/10/2021
CITY COMMENTS, 7/22/2021

ORMOND ENCLAVE - BUILDING A

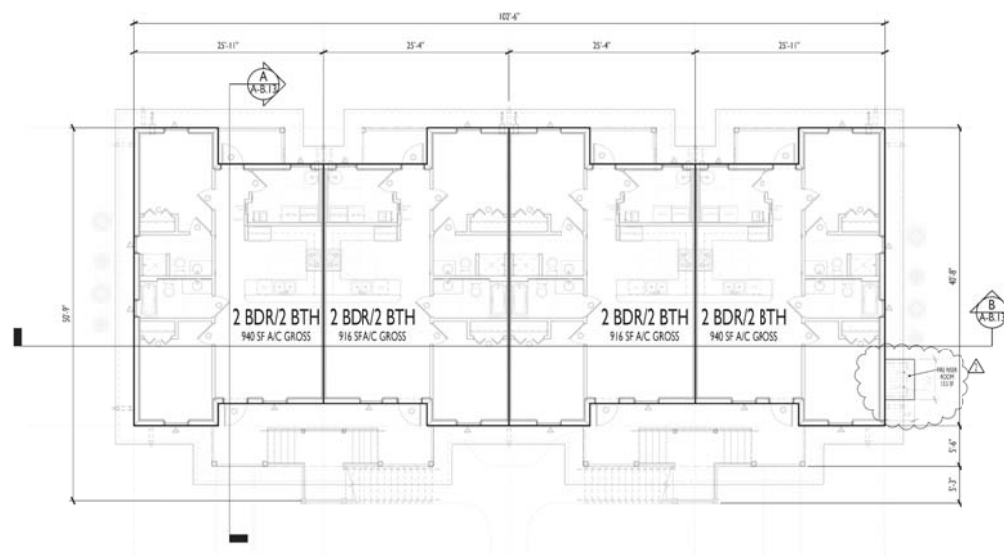
OWNER/DEVELOPER: STEVE SEWING, MANAGING MEMBER, CST HOLDINGS, LLC, 1325 OAK FOREST DRIVE, ORMOND BEACH, FL 32174, PH: 386-795-2008
PROJECT LOCATION: 135 NORTH YONGE STREET, ORMOND BEACH, FL 32174
GENERAL CONTRACTOR: TO BE DETERMINED

BPF
DESIGN INCORPORATED
ARCHITECTURE DESIGN & DRAWING SERVICES
#AA 200108
BRYAN P. FREZZER, ASSOC. AIA, PROJECT MANAGER
DALLAS & FRACCOLA, AIA, ARCHITECT
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337 HARKER AVENUE, DAYTONA BEACH, FL 32114
PH: (386) 257-0421, TX: (386) 257-802
E-MAIL: bpfdesign@bpfdesign.com, PMS@bpfdesign.com

PROPOSED ELEVATIONS
DATE: NOVEMBER 9, 2021
SCALE: 3/16" = 1'-0"
SHEET NO. A-A12
ARCHITECT'S & ENGINEER'S SEAL

PROJECT No. PZ-21-079 - SITE PLAN
CITY APPROVAL STAMP

REVISIONS	
OWNER REVISION # 1	11/10/2021
CITY COMMENTS	7/22/2022



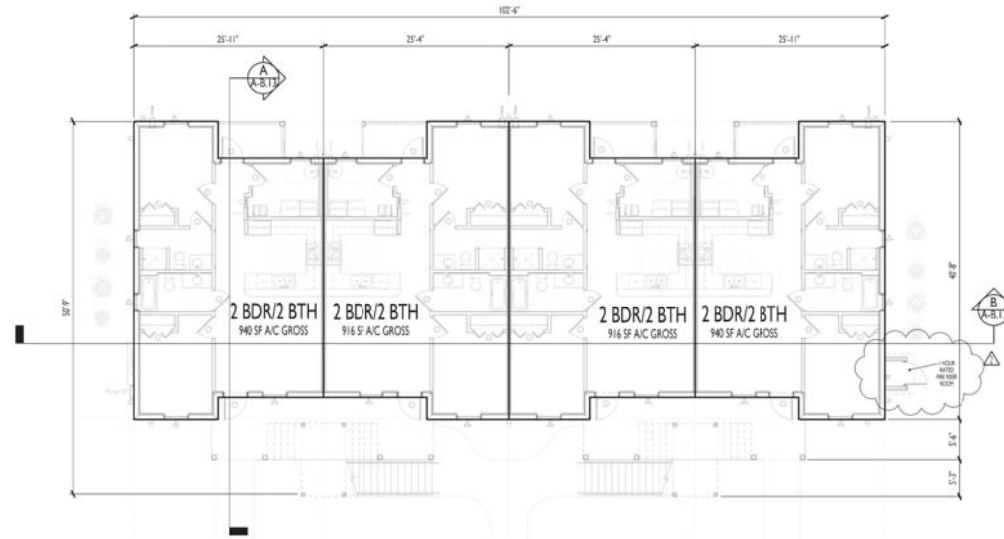
SECOND FLOOR OVERALL PLAN
SCALE: 1/8" = 1'-0"

BLDG. B. UNIT TABLE	
FLOOR	2BDR/2 BTH
LEVEL 1	4
LEVEL 2	4
TOTALS	8
8 UNITS PER BUILDING	

GROSS SF TABLE				
LEVEL 1				
# OF UNITS/FLOOR	GROSS SF UNIT (A/C)	GROSS SF UNIT (NON-A/C)	TOTAL SF FLOOR	
2 BDR/2 BTH INT. UNITS (B102 + B103)	2	916 SF	45 SF	1,922 SF
2 BDR/2 BTH END UNITS (B101 + B104)	2	940 SF	45 SF	1,970 SF
SHARED PORCH	2	N/A	252 SF	504 SF
TOTAL SF A/C LEVEL 1 =			3,712 SF	
TOTAL SF NON-A/C LEVEL 1 =			684 SF	
TOTAL GROSS SF LEVEL 1 =			4,396 SF	

LEVEL 2				
# OF UNITS/FLOOR	GROSS SF UNIT (A/C)	GROSS SF UNIT (NON-A/C)	TOTAL SF FLOOR	
2 BDR/2 BTH INT. UNITS (B102 + B103)	2	916 SF	45 SF	1,922 SF
2 BDR/2 BTH END UNITS (B101 + B104)	2	940 SF	45 SF	1,970 SF
SHARED PORCH	2	N/A	252 SF	504 SF
TOTAL SF A/C LEVEL 2 =			3,712 SF	
TOTAL SF NON-A/C LEVEL 2 =			684 SF	
TOTAL GROSS SF LEVEL 2 =			4,396 SF	

GROSS SF TABLE	
TOTAL GROSS SF LEVEL 1 =	4,396 SF
TOTAL GROSS SF LEVEL 2 =	4,396 SF
TOTAL BUILDING GROSS SF =	8,792 SF



FIRST FLOOR OVERALL PLAN
SCALE: 1/8" = 1'-0"

GENERAL NOTES:
ALL ORIGINAL & SUB CONTRACTORS TO FIELD VERIFY ALL DIMENSIONS.
ELECTRICAL, WATER, SEWER AND GAS SERVICE LOCATIONS.
ALL ROOM FLOOR COVERS WITHIN THE BIDDING SYSTEM DESIGN EXCEPT FOR THE FLOORING CONTRACTOR TO MEET OR EXCEED DESIGN PRESSURE RATING AS SPECIFIED ON SHEET TBL.
THE BUILDING RISK CATEGORY IS "B" INTERIOR PRESSURE COEFFICIENT IS -0.18 IN ACCORDANCE WITH ASCE 7-16.
ALL GLAZING IS TO BE NON IMPACT RESISTANT.

ORMOND ENCLAVE - BUILDING B

OWNER/DEVELOPER: STEVE SEWING/ MANAGING MEMBER, CST HOLDINGS, LLC, 1225 OAK FOREST DRIVE, ORMOND BEACH, FL 32174, PH: 386-795-2008
PROJECT LOCATION: 125 NORTH YONGE STREET, ORMOND BEACH, FL 32174
GENERAL CONTRACTOR: TO BE DETERMINED

BPF
ARCHITECTURE DESIGN & DRAWING SERVICES
AA 2007-08
BRYAN P. FREZZER, ASSOC. AIA, PROJECT MANAGER
DALIA S. PEACOCK, AIA, ARCHITECT
AA 000709
327 HARBORVIEW AVENUE, DAYTONA BEACH, FL 32114
PH: (386) 257-0262, TX: (386) 257-8022
E-MAIL: bpfdesign@bpfdesign.com, PMS@bpfdesign.com

OVERALL UNIT PLAN (BLDG. B)
DATE: NOVEMBER 8, 2021
SCALE: 1/8" = 1'-0"
SHEET NO. A-B.3
ARCHITECT'S / ENGINEER'S SEAL



B
A-A11 REAR ELEVATION
TYPE A BLDG. SCALE: 3/16" = 1'-0"



A
A-A11 FRONT ELEVATION
TYPE A BLDG. SCALE: 3/16" = 1'-0"

SIGNAGE NOTES

* MONUMENTAL SIGNAGE & SIZE TO BE DETERMINED UNDER SEPARATE PERMITS AND TO MEET LDC REQUIREMENTS.

BUILDING / MATERIAL COLOR SCHEDULE - BLDG. A TYP.		
BUILDING ELEMENT	MATERIAL	SPECIFIED COLOR
1. BUILDING BASE	STUCCO FINISH	SW 701 - PEA TAN
2. BUILDING WALLS 1	BOARDS / BATTEN CEMENT SIDING	SW 701 - PEA TAN
3. BUILDING WALLS 2	CEMENT LAP SIDING	SW 701 - ROW HOUSE TAN
4. TREMBLES/BRACKETS	CEMENT / FOAM OR WOOD PRODUCTS	SW 712 - WHITE TALL
5. ROOF	STANDING SEAM MET. ROOF	PRIMER / SILVER
6. DOOR/WINDOW FRAME	WIND ALUMINUM IMPACT	FACTORY WHITE
7. DOOR/WINDOW TREMBLING	CEMENT PRODUCTS	SW 712 - WHITE TALL
8. RAILING	STEEL - RIMED AND PAINTED	PATCH TO BUILDING COLOR
9. PA. VETTEL RIMED BOX AND ALL WALL MOUNTED EQUIP.	STANDARD	PATCH TO BUILDING COLOR
10. GUTTERS & DOWNPOUTS	FACTORY PVC	FACTORY WHITE
11. COLUMNS	STEEL - RIMED AND PAINTED	SW 712 - WHITE TALL
12. STAIRS	STEEL - RIMED AND PAINTED	PATCH TO BUILDING COLOR

ARCHITECTURAL STYLE: NEO-ECLECTIC

NEO-ECLECTIC STYLE ATTRIBUTES	
1	ATTRIBUTE 10.1: GABLE & 1/2-HIPPED ROOFS
2	ATTRIBUTE 10.2: CORNER BALCONIES & PORCHES
3	ATTRIBUTE 10.3: OVERHANGS
4	VARIATION IN ROOF HEIGHT
5	ATTRIBUTE 10.5: PROJECTIONS AND RECESSED SECTIONS
6	ATTRIBUTE 10.6: EXTERIOR MATERIALS (STUCCO, BRICK, BOARDS & BATTEN CEMENT SIDING, & HARD CEMENT LAP SIDING)
7	ATTRIBUTE 10.7: STANDING SEAM MET. ROOF
8	ATTRIBUTE 10.8: WINDOWS ON ALL EXTERIOR FACADES WITH TOP AND SIDING FRAMING FINISH
9	ATTRIBUTE 10.9: RAILING AND STAIRS
10	ATTRIBUTE 10.10: PREDOMINANT EXTERIOR COLOR SHALL BE (BATH TONES AND PASTELS). OTHER COLORS INCLUDING WHITE SHALL BE USED AS ACCENT COLOR AND TO NOT EXCEED 20% ON ONE ELEVATION.
11	ATTRIBUTE 10.11: ALL BUILDING FACADES HAVE COLOR CHANGE, TEXTURE CHANGE, MATERIAL CHANGE & SHADING

GENERAL NOTES

ALL ORIGINAL & SUB-CONTRACTORS TO FIELD VERIFY ALL DIMENSIONS, ELECTRICAL, WATER, SEWER AND GAS SERVICE LOCATIONS. ALL WORK MUST COMPLY WITH THE 2018 FPLS (SECTION 1000-100000) OF THE FLORIDA BUILDING CODE (SECTION 1000 - 100000) AND THE FLORIDA ACCESSIBILITY CODE FOR BUILDING CONSTRUCTION. ALL DOOR & WINDOW OPENINGS TO MEET OR EXCEED DESIGN PRESSURE RANGE AS SPECIFIED ON SHEET 100. THE BUILDING RISK CATEGORY IS "1". INTERNAL PRESSURE COEFFICIENT IS -0.5. IS IN ACCORDANCE WITH ASCE 7-16. ALL GLAZING IS TO BE NON IMPACT RESISTANT.

11/27/2018 10:00 AM

PROJECT No. PZ-21-079 - SITE PLAN
CITY APPROVAL STAMP

REVISIONS
OWNER REVISION # 1, 11/10/2021
CITY COMMENTS, 7/22/2022

ORMOND ENCLAVE - BUILDING A

OWNER/DEVELOPER: STEVE SAWING, MANAGING MEMBER, CST HOLDINGS, LLC, 1325 OAK FOREST DRIVE, ORMOND BEACH, FL 32174, PH: 386-795-2008
PROJECT LOCATION: 135 NORTH YONGE STREET, ORMOND BEACH, FL 32174
GENERAL CONTRACTOR: TO BE DETERMINED

BPE
DESIGN INCORPORATED
ARCHITECTURE DESIGN & DRAWING SERVICES
AIA 2000-108
BRYAN P. FREEDER, ASSOC. AIA, PROJECT MANAGER
DALLAS & PRACCOLO, AIA, ARCHITECT
AIA 0007014
337 HARBORVIEW AVENUE, CAFTON BEACH, FL 32114
PH: (386) 527-0342, TX: (360) 527-802
E-MAIL: bfreeder@bpeinc.com, ppraccolo@bpeinc.com

PROPOSED ELEVATIONS
DATE: NOVEMBER 1, 2022
SCALE: 3/16" = 1'-0"
SHEET NO. A-A11
ARCHITECT'S / ENGINEER'S SEAL



B
A-B.1.1 **REAR ELEVATION**
BLDG TYPE B SCALE: 3/16" = 1'-0"



A
A-B.1.1 **FRONT ELEVATION**
BLDG TYPE B SCALE: 3/16" = 1'-0"

BUILDING / MATERIAL COLOR SCHEDULE - BLDG. B TYP.		
BUILDING ELEMENT	MATERIAL	SPECIFIED COLOR
1. BUILDING BASE	STUCCO FINISH	SW 705 - MESA TAN
2. BUILDING WALLS 1	BOARD & BATTEN CEMENT SIDING	SW 705 - MESA TAN
3. BUILDING WALLS 2	CEMENT LAP SIDING	SW 705 - ROW HOUSE TAN
4. TRIM/BANDS/BRACKETS	CEMENT FOAM OR WOOD PRODUCTS	SW 7103 - WHITETAL
5. ROOF	STANDING SEAM MET. ROOF	MANAS SILVER
6. DOOR/WINDOW FRAME	VINYL ALUMINUM IMPACT	FACTORY WHITE
7. DOOR/WINDOW TRIM/BANDING	CEMENT PRODUCTS	SW 7103 - WHITETAL
8. RAILING	STEEL - PRIMED AND PAINTED	PATCH TO BUILDING COLOR
9. P/N, PETER, INCH BOX AND ALL WALL MOUNTED EQUIP.	STANDARD	PATCH TO BUILDING COLOR
10. GUTTERS & DOWNPOUTS	FACTORY PVC	FACTORY WHITE
11. COLUMNS	STEEL - PRIMED AND PAINTED	SW 7103 - WHITETAL
12. STAIRS	STEEL - PRIMED AND PAINTED	PATCH TO BUILDING COLOR

ARCHITECTURAL STYLE-NEO-ECLECTIC

NEO-ECLECTIC STYLE ATTRIBUTES

- 1- ATTRIBUTES TO 1. GABLE & 4:0 HYPED ROOFS
- 2- ATTRIBUTES TO 2. COVERED BALCONIES & PORCHES
- 3- ATTRIBUTES TO 3. CHIMNEYS
- 4- VARIATION ROOF HEIGHT
- 5- ATTRIBUTES TO 5. PROJECTIONS AND RECESSED SECTIONS
- 6- ATTRIBUTES TO 6. EXTERIOR MATERIALS STUCCO BASE, BOARD & BATTEN CEMENT SIDING & VINYL CEMENT LAP SIDING
- 7- ATTRIBUTES TO 7. STANDING SEAM MET. ROOF
- 8- ATTRIBUTES TO 8. WINDOWS ON ALL EXTERIOR FACADES W/ TOP AND BANDING TRIMMING
- 9- ATTRIBUTES TO 9. WALLS, C&G, AND STAIRS
- 10- ATTRIBUTES TO 10. MID-CONCRETE EXTERIOR COLOR SHALL BE (BATH TONE AND MATCHES)
- 11- OTHER COLORS INCLUDING WHITE SHALL BE USED AS ACCENT COLOR AND NOT EXCEED 25% ON ANY ONE ELEVATION
- 12- ATTRIBUTES TO 11. ALL BUILDING FACADES HAVE COLOR CHANGE, TEXTURE CHANGE, MATERIAL CHANGE & BANDING

GENERAL NOTES:
ALL ORIGINAL & SUB CONTRACTORS TO FIELD VERIFY ALL DIMENSIONS, ELECTRICAL, WATER, SEWER AND GAS SERVICE LOCATIONS, ALL WORK SHALL COMPLY WITH THE 2018 FLA. BUILDING CODE (FC) OF THE FLORIDA BUILDING CODE SECT. 1609 - (1) 1/8" MIN VIBRATION LOAD AND THE FLORIDA ACCESSIBILITY CODE FOR BUILDING CONSTRUCTION. ALL DOOR & WINDOW OPENINGS TO MEET OR EXCEED DESIGN PRESSURE RANGE AS SPECIFIED ON SHEET T-10.
THE BUILDING RISK CATEGORY IS "1"
INTERNAL PRESSURE COEFFICIENT IS -0.5 IS IN ACCORDANCE WITH ASCE 7-16.
ALL GLAZING IS TO BE NON IMPACT RESISTANT.

SIGNAGE NOTES
**MONUMENTAL SIGNAGE & SIZE TO BE DETERMINED UNDER SEPARATE PERMITS AND TO MEET LDC REQUIREMENTS.

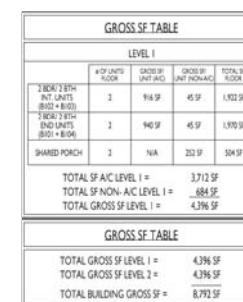
REVISIONS	
OWNER REVISION # 1	11/10/2021
CITY COMMENTS	7/22/2022

ORMOND ENCLAVE - BUILDING B

OWNER/DEVELOPER: STEVE SAWYER, MANAGING MEMBER, CST HOLDINGS, LLC, 1325 OAK FOREST DRIVE, ORMOND BEACH, FL 32174, PH: 386-795-2008
PROJECT LOCATION: 135 NORTH YONGE STREET, ORMOND BEACH, FL 32174
GENERAL CONTRACTOR: TO BE DETERMINED

BPE
DESIGN INCORPORATED
ARCHITECTURE DESIGN & DRAWING SERVICES
#AIA 2002-08
BRYAN P. FREZZER, ASSOC. AIA, PROJECT MANAGER
DALLAS & PRACCOLO, AIA, ARCHITECT
#AIA 000709
327 HARVEY MOORE, DAYTONA BEACH, FL 32114
PH: (386) 527-0502, TX: (386) 527-8002
E-MAIL: bfrezz@bpegroup.com, ppracco@bpegroup.com

PROPOSED ELEVATIONS	
DATE: NOVEMBER 1, 2022	SHEET NO. A-B.1.1
SCALE: 3/16" = 1'-0"	
ARCHITECT'S / ENGINEER'S SEAL	



ENLARGED FIRST FLOOR PLAN
BLDG TYPE B SCALE: 3/16" = 1'-0"

GENERAL NOTES

ALL GENERAL & SUB-CONTRACTORS TO FIELD VERIFY ALL DIMENSIONS ELECTRICAL, WATER, SEWER AND GAS SERVICE LOCATIONS.

ALL WORK MUST COMPLY WITH THE 2020 (7TH) EDITION EXPOSURE OF THE FLORIDA BUILDING CODE (B.C.) - HAV. 178 MPH WIND LOAD, AND THE FLORIDA ACCESSIBILITY CODE FOR BUILDING CONSTRUCTION.

ALL DOOR & WINDOW OPENINGS TO MEET OR EXCEED DESIGN PRESS. AS SPEC'D ON SHEET TBL.

THE BUILDING RISK CATEGORY IS "I".

INTERNA/PRESSURE COEFFICIENT IS "+.0.18 IN ACCORDANCE WITH ASHRAE 90.1-2010.

ALL GLAZING IS TO BE NON IMPACT ASSISTANT.

OWNER/DEVELOPER: STEVE SEVING; MANAGING MEMBER, CST HOLDINGS, LLC, 1325 OAK FOREST DRIVE, ORMOND BEACH, FL 32174. PH: 386-795-2088
PROJECT LOCATION: 135 NORTH YONGE STREET, ORMOND BEACH, FL 32174
GENERAL CONTRACTOR: TO BE DETERMINED

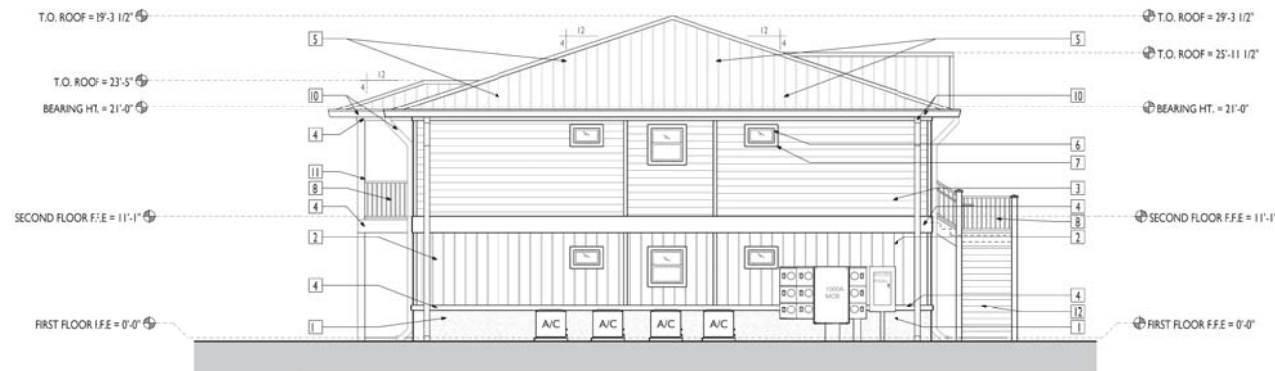
BPF
DESIGN INCORPORATED
ARCHITECTURE, DESIGN & DRAINING SERVICES
AA 26501128
BRIAN P. FREDLEY, ASSOC. AIA, PROJECT MANAGER
DALLAS B. PEACOCK, AIA, ARCHITECT
AR 0029706
307 FAIRVIEW AVENUE, DAYTONA BEACH, FL 32114
PH (386) 257-0352, FX (386) 257-0352
E-MAIL: brp@bpfdesign.com, wbf@bpfdesign.com

BILDG TYPE B- FIRST FLOOR

DATE: NOVEMBER 19, 2020
SCALE: 3/16"=1'-0"
SHEET NO. A-B-1
ARCHITECT'S / ENGINEER'S SEAL



B
A-A12
SIDE ELEVATION
TYPE A BLDG.
SCALE: 3/16" = 1'-0"



A
A-A12
SIDE ELEVATION
TYPE A BLDG.
SCALE: 3/16" = 1'-0"

SIGNAGE NOTES
* MONUMENTAL SIGNAGE & SIZE TO BE DETERMINED UNDER SEPARATE PERMITS AND TO MEET LDC REQUIREMENTS.

BUILDING ELEMENT	MATERIAL	COLOR SCHEDULE - BLDG. A TYP.
1. BUILDING BASE	STUCCO FINISH	SW 901 - MESA TAN
2. BUILDING WALLS 1	BOARD & BATTEN CEILING SIDING	SW 901 - MESA TAN
3. BUILDING WALLS 2	CEMENT LAP SIDING	SW 901 - MESA TAN
4. TRIM/BRACKETS	CEMENT FISH OR WOOD PRODUCTS	SW 701 - WHITE
5. ROOF	STANDING SEAM METAL ROOF	WALF SILVER
6. DOOR/WINDOW FRAME	VINYL ALUMINUM IMPACT	FACTORY WHITE
7. DOOR/WINDOW TRIM/BRACKETS	CEMENT PRODUCTS	SW 701 - WHITE
8. RAILING	STEEL - PRIMED AND PAINTED	PATCH TO BUILDING COLOR
9. PLUMBING, PHONE BOX, AND ALL WALL MOUNTED EQUIP.	FACTORY FINISH	FACTORY WHITE
10. GUTTERS & DOWNSPUTS	STEEL - PRIMED AND PAINTED	SW 701 - WHITE
11. COLUMNS	STEEL - PRIMED AND PAINTED	PATCH TO BUILDING COLOR
12. STAIRS	STEEL - PRIMED AND PAINTED	PATCH TO BUILDING COLOR

ARCHITECTURAL STYLE: NEO-ECLECTIC	
NEO-ECLECTIC STYLE ATTRIBUTES:	
1	ATTRIBUTE NO. 1: GABLE & 1/2 HIPPED ROOFS
2	ATTRIBUTE NO. 2: COVERED BALCONIES & PORCHES
3	ATTRIBUTE NO. 3: OVERHANGS
4	VARIATIONS IN ROOF HEIGHT
5	ATTRIBUTE NO. 5: PROJECTIONS AND RECESSED SECTIONS
6	ATTRIBUTE NO. 6: EXTERIOR MATERIALS: STUCCO BASE, BOARD & BATTEN CEILING SIDING & HORIZONTAL CEILING SIDING
7	ATTRIBUTE NO. 7: STANDING SEAM METAL ROOF
8	ATTRIBUTE NO. 8: WINDOWS ON ALL EXTERIOR FACIES WITH TRIM AND BANDING FRAMING FINISH
9	ATTRIBUTE NO. 9: RAILING AND STAIRS
10	ATTRIBUTE NO. 10: PREDOMINANT EXTERIOR COLOR SHALL BE EARTH TONES AND PAFFELS. OTHER COLORS, INCLUDING WHITE, SHALL BE USED AS ACCENT COLOR AND TO NOT EXCEED 20% ON ANY ONE ELEVATION.
11	ATTRIBUTE NO. 11: ALL BUILDING FACIES HAVE COLOR CHANGE, TEXTURE CHANGE, MATERIAL CHANGE & BANDING

GENERAL NOTES
ALL ORIGINAL & SUB CONTRACTORS TO FIELD VERIFY ALL DIMENSIONS.
ELECTRICAL, MECHANICAL, PLUMBING AND GAS SERVICES LOCATIONS.
ALL WORK SHALL COMPLY WITH THE 2017 FPLS DESIGN SPECIFICATIONS (73) OF THE FLORIDA BUILDING CODE (FBC) 2017 (1) 1/2 IN. MIN. WIND LOAD AND THE FLORIDA ACCESSIBILITY CODE FOR BUILDING CONSTRUCTION. ALL DOOR & WINDOW OPENINGS TO MEET OR EXCEED DESIGN PRESSURE RANGE AS SPECIFIED ON SHEET T-10.
THE BUILDING RISK CATEGORY IS "1".
INTERNAL PRESSURE COEFFICIENT IS -0.5 IS IN ACCORDANCE WITH ASCE 7-16.
ALL GLAZING IS TO BE NON IMPACT RESISTANT.

PROJECT No. PZ-21-079 - SITE PLAN
CITY APPROVAL STAMP

REVISIONS
OWNER REVISION # 1, 1/10/2021
CITY COMMENTS, 7/22/2021

ORMOND ENCLAVE - BUILDING A

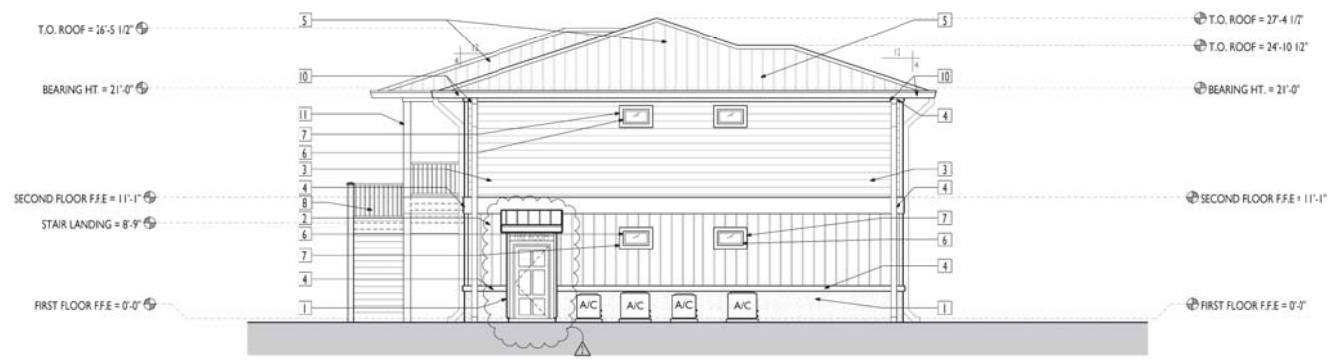
OWNER/DEVELOPER: STEVE SEWING, MANAGING MEMBER, CST HOLDINGS, LLC, 1325 OAK FOREST DRIVE, ORMOND BEACH, FL 32174, PH: 386-795-2008
PROJECT LOCATION: 135 NORTH YONGE STREET, ORMOND BEACH, FL 32174
GENERAL CONTRACTOR: TO BE DETERMINED

BPF
DESIGN INCORPORATED
ARCHITECTURE DESIGN & DRAWING SERVICES
AA 2001/08
BRYAN P. FREZZER, ASSOC. AIA, PROJECT MANAGER
DALLAS & FRACCOLA, AIA, ARCHITECT
AA 000704
337 HARKEN WARE, CAYTON BEACH, FL 32114
PH: (386) 572-0421, TX: (386) 572-802
E-MAIL: bpfdesign@bpfdesign.com, PMS@bpfdesign.com

PROPOSED ELEVATIONS
DATE: NOVEMBER 9, 2021
SCALE: 3/16" = 1'-0"
SHEET NO. A-A12
ARCHITECT'S & ENGINEER'S SEAL

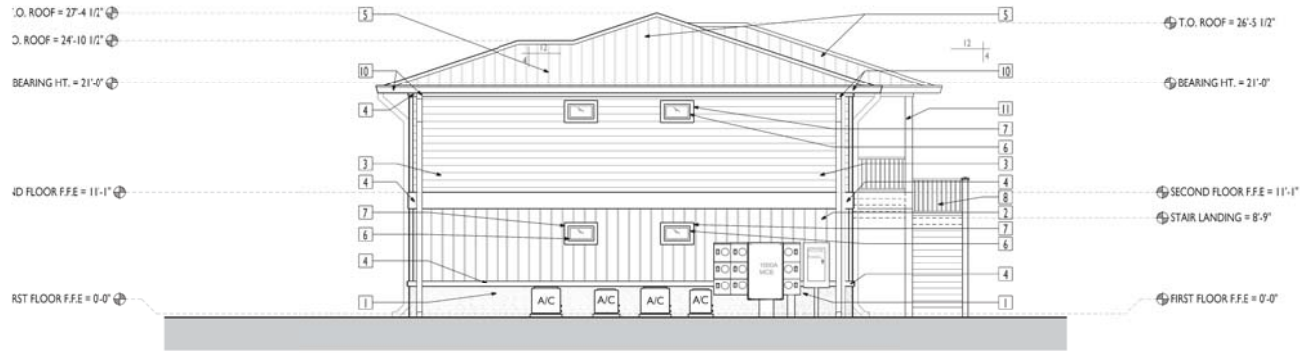
PROJECT No. PZ-21-079 - SITE PLAN
CITY APPROVAL STAMP

REVISIONS	
OWNER REVISION # 1, 11/10/2021	
CITY COMMENTS, 7/22/2022	



B SIDE ELEVATION
A-B.12 BLDG TYPE B SCALE: 3/16" = 1'-0"

BUILDING / MATERIAL COLOR SCHEDULE - BLDG. B TYP.		
BUILDING ELEMENT	MATERIAL	SPECIFIED COLOR
1. BUILDING BASE	STUCCO FINISH	SW 703 - PISA TAN
2. BUILDING WALLS 1	BOARD & BATTEN CEMENT SIDING	SW 703 - PISA TAN
3. BUILDING WALLS 2	CEMENT LAP SIDING	SW 703 - PISA TAN
4. TRIM/BRACKETS	CEMENT, POIN OR WOOD PRODUCTS	SW 703 - WHITE TAIL
5. ROOF	STANDING SEAM METAL ROOF	MANE - SILVER
6. DOOR/WINDOW FRAME	VINYL ALUMINUM IMPACT	FACTORY WHITE
7. DOOR/WINDOW TRIM/BANDING	CEMENT PRODUCTS	SW 703 - WHITE TAIL
8. RAILING	STEEL - PRIMED AND PAINTED	MATCH TO BUILDING COLOR
9. METER/PHONE BOX AND ALL WALL MOUNTED EQUIP.	FACTORY FINC	FACTORY WHITE
10. CLUTTER & DOWNPOUTS	STEEL - PRIMED AND PAINTED	MATCH TO BUILDING COLOR
11. COLLARING	STEEL - PRIMED AND PAINTED	FACTORY WHITE
12. STAIRS	STEEL - PRIMED AND PAINTED	MATCH TO BUILDING COLOR



A SIDE ELEVATION
A-B.12 BLDG TYPE B SCALE: 3/16" = 1'-0"

SIGNAGE NOTES
* FOUNDATIONAL SIGNAGE & SIZE TO BE DETERMINED UNDER SEPARATE PERMITS AND TO MEET LOC REQUIREMENTS.

ARCHITECTURAL STYLE: NEO-ECLECTIC

NEO-ECLECTIC STYLE ATTRIBUTES:

- 1. ATTRIBUTE NO. 1: GABLE & 4/12 HIPPED ROOFS
- 2. ATTRIBUTE NO. 2: COVERED BALCONIES & PORCHES
- 3. ATTRIBUTE NO. 3: OVERHANGS
- 4. VARIATIONS IN ROOF HEIGHT
- 5. ATTRIBUTE NO. 5: PROJECTIONS AND RECESSED SECTIONS
- 6. ATTRIBUTE NO. 6: EXTERIOR MATERIALS STUCCO BASE, BOARD & BATTEN CEMENT SIDING & HORIZ. CEMENT LAP SIDING
- 7. ATTRIBUTE NO. 7: STANDING SEAM METAL ROOF
- 8. ATTRIBUTE NO. 8: WINDOWS ON ALL EXTERIOR FACADES WITH TRIM AND BANDING FRAMING FINISH
- 9. ATTRIBUTE NO. 9: RAILING AND STAIRS
- 10. ATTRIBUTE NO. 10: PREDOMINANT EXTERIOR COLOR SHALL BE EARTH TONES AND PASTELS
- 11. ATTRIBUTE NO. 11: ALL BUILDING FACADES HAVE COLOR CHANGE, TEXTURE CHANGE, MATERIAL CHANGE & BANDING

GENERAL NOTES

ALL GENERAL & SUB CONTRACTORS TO VERIFY ALL DIMENSIONS, ELECTRICAL, WATER, SEWER AND GAS SERVICE LOCATIONS, AND THE BUILDING CODE SECTION 1609 - 1/8" PER INCH LOAD, AND THE FLORIDA ACCESSIBILITY CODE FOR BUILDING CONSTRUCTION, ALL DOOR & WINDOW OPENINGS TO MEET OR EXCEED DESIGN PRESSURE RANGE AS SPECIFIED ON SHEET T-10.

THE BUILDING RISK CATEGORY IS "1" INTERNAL PRESSURE COEFFICIENT IS -0.5 IS IN ACCORDANCE WITH ASCE 7-16. ALL GLAZING IS TO BE NON IMPACT RESISTANT.

ORMOND ENCLAVE - BUILDING B

OWNER/DEVELOPER: STEVE SAWYER, MANAGING MEMBER, CST HOLDINGS, LLC, 1325 OAK FOREST DRIVE, ORMOND BEACH, FL 32174, PH: 386-795-2008

PROJECT LOCATION: 135 NORTH YONGE STREET, ORMOND BEACH, FL 32174

GENERAL CONTRACTOR: TO BE DETERMINED

BPF
DESIGN INCORPORATED
ARCHITECTURE DESIGN & DRAWING SERVICES
#A-2001-08
BRYAN P. FREEDER, ASSOC. AIA, PROJECT MANAGER
DALLAS & PEARSON, AIA, ARCHITECT
#A-000704
337 HARKEN AVENUE, DAYTONA BEACH, FL 32114
PH: (386) 257-0521, TX: (386) 257-802
E-MAIL: bpfdesign@bpfdesign.com, PMS@bpfdesign.com

PROPOSED ELEVATIONS

DATE: NOVEMBER 1, 2022
SCALE: 3/16" = 1'-0"
SHEET NO. A-B.12
ARCHITECT'S / ENGINEER'S SEAL

OWNER/DEVELOPER: STEVE SPINNEY, MANAGING MEMBER, CST HOLDINGS, LLC, 1335 OAK FOREST DRIVE, ORMOND BEACH, FL 32174, PH: 386-755-2088
PROJECT LOCATION: 15 NORTH YONGE STREET, ORMOND BEACH, FL 32174
GENERAL CONTRACTOR: TO BE DETERMINED

BPF
DESIGN INCORPORATED
ARCHITECTURE, DESIGN & DRAWING SERVICES
AA 28001108
BRIAN P. FRIEDLEY, ASSOC. AIA, PROJECT MANAGER
DALLAS B. PEACOCK, AIA, ARCHITECT
AB 000776
327 FAIRVIEW AVENUE, DAYTONA BEACH, FL 32114
PH (386) 257-0302, FX (386) 257-0302
E-MAIL: bpfdesign@aol.com WEBPAGE: bpfdesign.com

BLDG TYPE-B- FIRST FLOOR

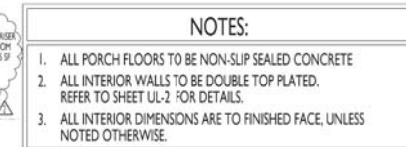
DATE: NOVEMBER 19, 2023

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

SHT NO. A-B.5

1 2 3 4 5 6 7 8 9 10 11 12

ARCHITECT'S / ENGINEER'S SEAL



GROSS SF TABLE				
	LEVEL 1		LEVEL 2	
	W/STP FLOOR	GRACE UNIT (N/A)	GRACE UNIT (N/A)	TOTAL GROSS
2'8"X12'8" INT. LINITS	2	914 SF	43 SF	1,832 SF
2'8"X12'8" END LINITS	2	940 SF	43 SF	1,870 SF
2'8"X12'8" END LINITS	2	940 SF	43 SF	1,870 SF
SHARED PORCH	2	N/A	252 SF	504 SF
TOTAL SF AC LEVEL 1 =				3,712 SF
TOTAL SF NON-AC LEVEL 2 =				684 SF
TOTAL GROSS LEVEL 2 =				4,396 SF

GROSS SF TABLE	
TOTAL GROSS SF LEVEL 1 =	4,396 SF
TOTAL GROSS SF LEVEL 2 =	4,396 SF
TOTAL BUILDING GROSS SF =	8,792 SF

GENERAL NOTES

ALL GENERAL & SUB-CONTRACTORS TO VERIFY ALL DIMENSIONS, ELECTRICAL, WATER, SEWER AND GAS SERVICE LOCATIONS.

ALL WORK MUST COMPLY WITH THE 2006 (THIRD EDITION) EDITION "C" OF THE FLORIDA BUILDING CODE SECT. 904.13 MIN WIND LOAD AND THE FLORIDA ACCESSIBILITY CODE FOR BUILDING CONSTRUCTION.

ALL DOOR & WINDOW OPENINGS TO MEET OR EXCEED DESIGN PRESSURE RANGE AS SPEC'D ON SHEET 516.

THE BUILDING RISK CATEGORY IS "I".

INTERNA/PRESSURE COEFFICIENT IS $+0.18$ IN ACCORDANCE WITH ASCE 7-16.

ALL GLAZING IS TO BE NON IMPACT RESISTANT.



B
A-B.1.1 **REAR ELEVATION**
BLDG TYPE B SCALE: 3/16" = 1'-0"



A
A-B.1.1 **FRONT ELEVATION**
BLDG TYPE B SCALE: 3/16" = 1'-0"

BUILDING / MATERIAL COLOR SCHEDULE - BLDG. B TYP.		
BUILDING ELEMENT	MATERIAL	SPECIFIED COLOR
1. BUILDING BASE	STUCCO FINISH	SW 705 - MESA TAN
2. BUILDING WALLS 1	BOARD & BATTEN CEMENT SIDING	SW 705 - MESA TAN
3. BUILDING WALLS 2	CEMENT LAP SIDING	SW 705 - ROW HOUSE TAN
4. TRIM/BANDS/BRACKETS	CEMENT FOAM OR WOOD PRODUCTS	SW 7103 - WHITETAL
5. ROOF	STANDING SEAM MET. ROOF	MANAS SILVER
6. DOOR/WINDOW FRAME	VINYL ALUMINUM IMPACT	FACTORY WHITE
7. DOOR/WINDOW TRIM/BANDING	CEMENT PRODUCTS	SW 7103 - WHITETAL
8. RAILING	STEEL - PRIMED AND PAINTED	PATCH TO BUILDING COLOR
9. P/N, PETER, INCH BOX AND ALL WALL MOUNTED EQUIP.	STANDARD	PATCH TO BUILDING COLOR
10. GUTTERS & DOWNPOUTS	FACTORY PVC	FACTORY WHITE
11. COLUMNS	STEEL - PRIMED AND PAINTED	SW 7103 - WHITETAL
12. STAIRS	STEEL - PRIMED AND PAINTED	PATCH TO BUILDING COLOR

ARCHITECTURAL STYLE-NEO-ECLECTIC

NEO-ECLECTIC STYLE ATTRIBUTES:

- 1- ATTRIBUTES TO 1. GABLE & 4:10 HYPOD ROOFS
- 2- ATTRIBUTES TO 2. COVERED BALCONIES & PORCHES
- 3- ATTRIBUTES TO 3. OVERHANGS
- 4- VARIATION ROOF HEIGHT
- 5- ATTRIBUTES TO 5. PROJECTIONS AND RECESSED SECTIONS
- 6- ATTRIBUTES TO 6. EXTERIOR MATERIALS STUCCO BASE, BOARD & BATTEN CEMENT SIDING & VINYL CEMENT LAP SIDING
- 7- ATTRIBUTES TO 7. STANDING SEAM MET. ROOF
- 8- ATTRIBUTES TO 8. WINDOWS ON ALL EXTERIOR FACADES W/ TOP AND BANDING TRIMMING FINISH
- 9- ATTRIBUTES TO 9. RAILING & STAIRS
- 10- ATTRIBUTES TO 10. MID-CONCRETE EXTERIOR COLOR SHALL BE (BATH TONE AND MATCHES)
- 11- OTHER COLORS INCLUDING WHITE SHALL BE USED AS ACCENT COLOR AND NOT EXCEED 25% ON ANY ONE ELEVATION
- 12- ATTRIBUTES TO 11. ALL BUILDING FACADES HAVE COLOR CHANGE, TEXTURE CHANGE, MATERIAL CHANGE & BANDING

GENERAL NOTES

ALL GENERAL & SUB CONTRACTORS TO VERIFY ALL DIMENSIONS, ELECTRICAL, WATER, SEWER AND GAS SERVICE LOCATIONS, ALL WORK SHALL COMPLY WITH THE 2018 FLORIDA BUILDING CODE (FBC) OF THE FLORIDA BUILDING CODE SECT. 1609 - (1) MIN WIND LOAD AND THE FLORIDA ACCESSIBILITY CODE FOR BUILDING CONSTRUCTION. ALL DOOR & WINDOW OPENINGS TO MEET OR EXCEED DESIGN PRESSURE RANGE AS SPECIFIED ON SHEET T-10. THE BUILDING RISK CATEGORY IS "1". INTERNAL PRESSURE COEFFICIENT IS "+0.5" IS IN ACCORDANCE WITH ASCE 7-16. ALL GLAZING IS TO BE NON IMPACT RESISTANT.

SIGNAGE NOTES
**MONUMENTAL SIGNAGE & SIZE TO BE DETERMINED UNDER SEPARATE PERMITS AND TO MEET LDC REQUIREMENTS.

REVISIONS	
OWNER REVISION # 1	11/10/2021
CITY COMMENTS	7/22/2022

ORMOND ENCLAVE - BUILDING B

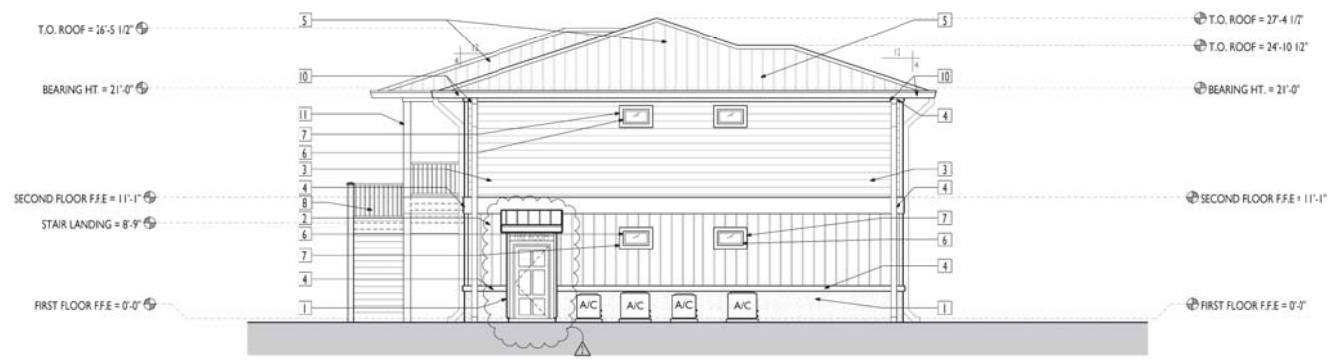
OWNER/DEVELOPER: STEVE SAWYER, MANAGING MEMBER, CST HOLDINGS, LLC, 1325 OAK FOREST DRIVE, ORMOND BEACH, FL 32174, PH: 386-795-2008
PROJECT LOCATION: 135 NORTH YONGE STREET, ORMOND BEACH, FL 32174
GENERAL CONTRACTOR: TO BE DETERMINED

BPE
DESIGN INCORPORATED
ARCHITECTURE DESIGN & DRAWING SERVICES
#AIA 2002-08
BRYAN P. FREZZER, ASSOC. AIA, PROJECT MANAGER
DALLAS & PRACCOLO, AIA, ARCHITECT
#AIA 000709
327 HARBOR WALK, DAYTONA BEACH, FL 32114
PH: (386) 527-0500, TX: (386) 527-8002
E-MAIL: bfrezz@bpegroup.com, ppracco@bpegroup.com

PROPOSED ELEVATIONS	
DATE: NOVEMBER 1, 2022	SHEET NO. A-B.1.1
SCALE: 3/16" = 1'-0"	
ARCHITECT'S / ENGINEER'S SEAL	

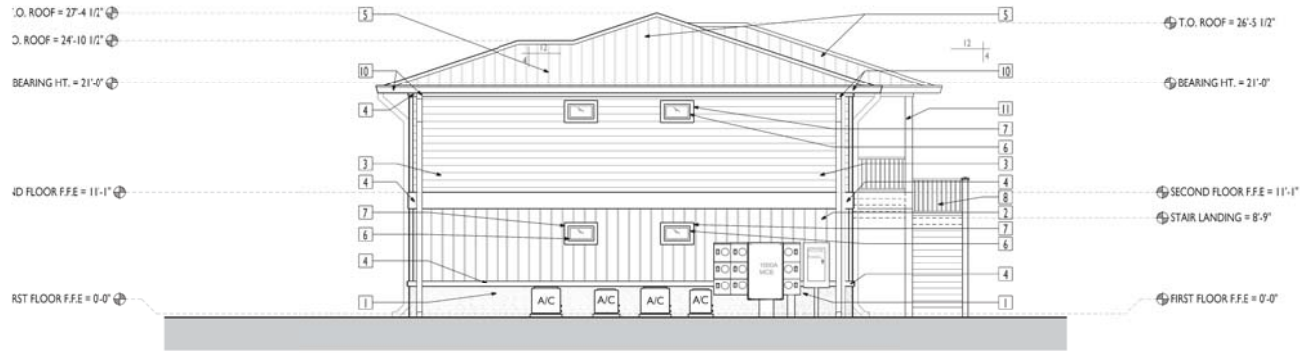
PROJECT No. PZ-21-079 - SITE PLAN
CITY APPROVAL STAMP

REVISIONS	
OWNER REVISION # 1, 11/10/2021	
CITY COMMENTS, 7/22/2022	



B
A-B.12 SIDE ELEVATION
BLDG TYPE B SCALE: 3/16" = 1'-0"

BUILDING / MATERIAL COLOR SCHEDULE - BLDG. B TYP.		
BUILDING ELEMENT	MATERIAL	SPECIFIED COLOR
1. BUILDING BASE	STUCCO FINISH	SW 705 - PISA TAN
2. BUILDING WALLS 1	BOARD & BATTEN CEMENT SIDING	SW 705 - PISA TAN
3. BUILDING WALLS 2	CEMENT LAP SIDING	SW 705 - PISA TAN
4. TRIM/BRACKETS	CEMENT, POIN OR WOOD PRODUCTS	SW 705 - PISA TAN
5. ROOF	STANDING SEAM METAL ROOF	MANE - SILVER
6. DOOR/WINDOW FRAME	VINYL ALUMINUM IMPACT	FACTORY WHITE
7. DOOR/WINDOW TRIM/BANDING	CEMENT PRODUCTS	SW 705 - PISA TAN
8. RAILING	STEEL - PRIMED AND PAINTED	MATCH TO BUILDING COLOR
9. HALLWAY PHONE BOX AND ALL WALL MOUNTED EQUIP.	FACTORY FINISH	FACTORY WHITE
10. CLUTTER & DOWNPOUTS	STEEL - PRIMED AND PAINTED	MATCH TO BUILDING COLOR
11. COLLING	STEEL - PRIMED AND PAINTED	FACTORY WHITE
12. STAIRS	STEEL - PRIMED AND PAINTED	MATCH TO BUILDING COLOR



A
A-B.12 SIDE ELEVATION
BLDG TYPE B SCALE: 3/16" = 1'-0"

SIGNAGE NOTES
* FOUNDATIONAL SIGNAGE & SIZE TO BE DETERMINED UNDER SEPARATE PERMITS AND TO MEET LOC REQUIREMENTS.

ARCHITECTURAL STYLE: NEO-ECLECTIC

NEO-ECLECTIC STYLE ATTRIBUTES:

- 1. ATTRIBUTES NO. 1: GABLE & 4/12 HIPPED ROOFS
- 2. ATTRIBUTES NO. 2: COVERED BALCONIES & PORCHES
- 3. ATTRIBUTES NO. 3: OVERHANGS
- 4. VARIATIONS IN ROOF HEIGHT
- 5. ATTRIBUTES NO. 5: PORCHES AND RECESSED SECTIONS
- 6. ATTRIBUTES NO. 6: EXTERIOR MATERIALS STUCCO BASE, BOARD & BATTEN CEMENT SIDING & HORIZ. CEMENT LAP SIDING
- 7. ATTRIBUTES NO. 7: STANDING SEAM METAL ROOF
- 8. ATTRIBUTES NO. 8: WINDOWS ON ALL EXTERIOR FACADES WITH TRIM AND BANDING FRAMING FINISH
- 9. ATTRIBUTES NO. 9: RAILING AND STAIRS
- 10. ATTRIBUTES NO. 10: PREDOMINANT EXTERIOR COLOR SHALL BE EARTH TONES AND PASTELS
- 11. ATTRIBUTES NO. 11: ALL BUILDING FACADES HAVE COLOR CHANGE, TEXTURE CHANGE, MATERIAL CHANGE & BANDING

GENERAL NOTES

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THE BUILDING RISK CATEGORY IS "1" INTERNAL PRESSURE COEFFICIENT IS -0.5 IS IN ACCORDANCE WITH ASCE 7-16. ALL GLAZING IS TO BE NON IMPACT RESISTANT.

ORMOND ENCLAVE - BUILDING B

OWNER/DEVELOPER: STEVE SAWYER, MANAGING MEMBER, CST HOLDINGS, LLC, 1325 OAK FOREST DRIVE, ORMOND BEACH, FL 32174, PH: 386-795-2008

PROJECT LOCATION: 1325 NORTH YOUNG STREET, ORMOND BEACH, FL 32174

GENERAL CONTRACTOR: TO BE DETERMINED

BPF
DESIGN INCORPORATED
ARCHITECTURE DESIGN & DRAWING SERVICES
#A-2001-08
BRYAN P. FREEDER, ASSOC. AIA, PROJECT MANAGER
DALLAS & PEARSON, AIA, ARCHITECT
#A-000704
337 HARKEN AVENUE, DAYTONA BEACH, FL 32114
PH: (386) 257-0521, FX: (386) 257-802
E-MAIL: bpfdesign@bpfdesign.com, PMS@bpfdesign.com

PROPOSED ELEVATIONS

DATE: 10/05/2022
SCALE: 3/16" = 1'-0"
SHEET NO. A-B.12
ARCHITECT'S / ENGINEER'S SEAL

DRAFT

**Planning Board minutes
from**

June 8, 2023

ITEM:

DO 2021-079(C)

Ormond Enclave, 145 North Yonge
Street, Issuance of Development Order

V. APPROVAL OF MINUTES

May 11, 2023

Mr. Jorczak moved to approve the May 11, 2023 Minutes. Ms. Shull seconded the motion. Vote was called, and the motion was approved (6-0).

VI. PLANNING DIRECTOR'S REPORT

No report.

VII. PUBLIC HEARINGS

A. **ZMA 2021-079(A), Ormond Enclave, 145 North Yonge Street, Zoning Map Amendment to PBD**

B. **ZMA 2021-79(B), Ormond Enclave, 145 North Yonge Street, Zoning Map Amendment to PRD**

C. **PRD/PBD 2021-079(C), Ormond Enclave, 145 North Yonge Street, Issuance of a Development Order**

Mr. Steven Spraker, Planning Director, stated that items (A), (B), and (C), are interrelated and will be discussed together but must be voted on by the Planning Board individually. Mr. Spraker detailed the history of the project including a 2005 approval, 2009 approval and a 2019 Comprehensive Plan amendment. Mr. Spraker continued that the subject property has three (3) land uses of "General Commercial", "Medium Density Residential", and "Low Density Residential." The land uses allow a maximum of 193,014 of building area or 107 residential units.

Mr. Spraker stated that agenda item (A) was for a zoning map amendment for 0.34 acres that has a B-4, Central Business zoning designation that has been purchased by the project team and needs incorporation into the PBD, Planned Business Development zoning designation. Mr. Spraker continued that agenda item (B) was for a zoning map amendment for 0.72 acres that has a R-3, Single-Family Medium Density zoning designation and needs incorporation into the PRD, Planned Residential Development zoning designation. Mr. Spraker noted that the staff report called the area a total of 0.99 acres, but it was discovered that an additional lot was added to this total that is already Planned Residential Development.

Mr. Spraker stated that agenda item (C) was the issuance of the development order and reviewed the proposed site plan. Mr. Spraker noted:

- The gross density is 10.09 units per acre.
- There is an existing use – Dollar General – 9,014 square feet that would remain.
- A total of 131 parking spaces required and 164 parking spaces provided.
- The proposed building height is 25' 2", a total of two stories.
- There are eight buildings.
- The minimum setbacks to existing residential lots is 50'.

Mr. Spraker displayed a PowerPoint slide detailing the areas of fencing and stated that areas not fenced have heavy natural vegetation. The Land Development Code (LDC) allows the Site Plan Review Committee (SPRC) to determine the appropriate fencing, but because this is a Planned Development, the Planning Board can provide its recommendation.

Mr. Spraker reviewed the project traffic and building elevations. He elaborated that there were four correspondence items received for this project. Mr. Spraker stated that the Planning Board's options for the project are (1) approve as submitted, (2) approve with conditions, or (3) deny as submitted. Mr. Spraker concluded that the Site Plan Review Committee (SPRC) is recommending approval of agenda items (A), (B), and (C).

Chairman Thomas opened it up to the Board for questions.

Board Discussion and Questions

Ms. Shull asked what the date of the traffic study was. Mr. Spraker replied that the project is in a transportation concurrency exception area, therefore a study is not required. Additionally, the projects do not trigger enough trips, as 1,000 trips a day, requires a traffic study.

Ms. Shull asked for clarification on the number of stories and units proposed for the project. It was confirmed that the buildings would be two-story with 64 units.

Mr. Galloway asked for the location of the dumpster to be pointed out. Mr. Spraker displayed the location of the dumpster on the PowerPoint presentation and explained that another location can be proposed.

Mr. Railsback asked if Dollar General has a dumpster. Mr. Spraker replied that they may have a dumpster but that he would let the applicant speak on the matter as they are more familiar with that site.

Mr. Jorczak inquired about the project's main exit, asking if it is in the Dollar General parking lot. Mr. Spraker explained that the main entrance and exit is off of U.S. Highway 1. He continued that the entry-only access is off of Highland Avenue, and Dix Avenue is full-access.

Chairman Thomas inquired if there is access headed south for Highland Avenue. Mr. Spraker explained that there is a turn-lane off of U.S. Highway 1 that allows drivers to go into Highland Avenue. The state roadway allows a left-turn onto Highland Avenue. Highland Avenue will be a one-way access point in.

Chairman Thomas commented that he would like to hear from the residents how they go south off of Highland Avenue.

Mr. du Moulin asked if an Environmental Impact Study was done. Mr. Spraker replied that there are no wetlands onsite and added that the property is not in the floodplain therefore, there are no requirements for the study..

Applicant's Presentation

Mr. Glenn Storch, P.A., Storch Law Firm, 420 S. Nova Road, Daytona Beach, Representative, stated that infill development is encouraged, in which is what they are proposing with the project. He reviewed a presentation outlining the proposal and stated that at this time it is an undeveloped site surrounded by residential and commercial development off of U.S. Highway 1. Mr. Storch explained how infill is efficient, allowing walkability, driving less, with the opportunity to live downtown and support local businesses. He added that this is the first downtown multi-development in the area in 40+ years. Mr. Storch referenced the traffic concerns, noting that staff has been working on addressing the concerns with traffic-slowng devices. He explained how the project proposes that traffic go through the site as opposed to going around it. The owner purchased additional lots for a better design, expounding property boundaries. Mr. Storch remarked that instead of the 107 units allowed, only 64 units would be going in. He explained the access points and traffic flow, noting that rather than access off of U.S. Highway 1, it would be blocked off with landscaping. There will only be one access via Highland Avenue. Dollar General delivery trucks will be able to go through the project site as opposed to going around.

Mr. Storch displayed the viewshed overhead of what the vacant property has looked like on U.S. Highway 1 with vagrants using it, the trash that has been thrown on it, brazilian peppertrees and other invasive species overgrowth. He explained the typical appearance of a vacant property in any downtown area. The proposed project will allow a two-story building viewshed of extensive landscaping along U.S. Highway 1, a shared access with Dollar General, and the aforementioned access along Highland Avenue. He added that a section of Highland Avenue will be preserved for a tree preservation area and dog park. Mr. Storch remarked that the zoning allows a five-story building on the site or a three- to- four-story residential project.

Mr. Storch stated that the parking changes to the plans, moved parking internal to the site. There is 50' between the apartments and the adjoining perimeters and have provided for vegetation and structures to ensure there is no impact. Mr. Storch explained that if the area were to have single-family in its place, they would be much closer to the existing single-family.

Mr. Storch reiterated the earlier comment that there are no environmental issues on the site. There are no wetlands or flood plain impacts. 33 percent of the site is maintained in open space. Mr. Storch stated 33,000+ square feet is part of the tree and natural vegetation preservation area and is not being touched. Mr. Storch explained the stormwater for the site, explaining that it will be improved from what it currently is and that once the stormwater system is in, there will be 72 percent less stormwater runoff from the property. He added that there is a large wet-retention system in the rear of the property that is surrounded by vegetation, as well as another system designed to reduce the amount of nutrients in stormwater. The quality of the stormwater will be far less with the nutrients removed.

Board Discussion and Questions

Mr. du Moulin asked for additional explanation of the wet-retention system. Mr. Storch pointed to the area next to the lake system in his presentation overhead,

explaining that the water goes into it and filters out the nutrients before it goes offsite, providing additional stormwater protection.

Mr. Storch advised the Board that once the project goes in, it will be a 12 million dollar investment into the Downtown District.

Mr. Railsback commented that he appreciates the effort in reducing the density concurrency and stormwater impacts. He expressed concern about access between properties as an adjacent property owner, and inquired about fencing or walls planned for the project. Mr. Railsback stated that he would feel more comfortable with limited or eliminating access. Mr. Storch replied that there are a few homes on the Dix Avenue side, and approximately two homes adjacent to the site on the Highland Avenue side. There is a 6' white vinyl fence planned on the Dix side of the site as well as the setback and additional stormwater. Mr. Storch agreed to work with the citizens if they are interested in landscaping on the other side. He continued that the applicants would be willing to put a fence up if requested. There was no plan for a fence there initially due to the preserved natural preservation. Mr. Storch confirmed that the proposed project plan was not to encompass the site by a fence but that it can be added into the plan.

Chairman Thomas stated that he would like a masonry fence in place of a vinyl or chain-linked fence.

Mr. Railsback concurred with Mr. Thomas.

Mr. Storch suggested adding a stipulation for a masonry wall for every area adjacent to a neighbor.

Mr. Railsback commented that a neighbor to the property, Mr. Bill Navarra installed a fence all the way around his property, and suggested that being an incentive for supporting the project for the majority.

Mr. Jorczak referenced the aforementioned walkability comment and remarked that he noticed an easement on the Dix Avenue side for a sidewalk on the plans, but did not notice a sidewalk on Highland Avenue. Mr. Storch replied that Dix Avenue is already developed and it was determined that there is already a sidewalk there.

Mr. du Moulin asked for details on the retention pond, irrigation and its maintenance. Mr. Storch replied that there is an irrigation well and the applicants are open to, if recommended, harvesting from the stormwater pond. With stormwater, it allows the water to flow into the aquifer as opposed to being taken offsite. Mr. Storch added that the wet-retention pond has water all of the time. The dry-retention area next to it does not have water at all times, and is raised up to be a retention area in case of something.

Mr. Steve Buswell, Engineer, Parker Mynchenberg & Associates, stated that there is an existing control structure and a positive outfall from the pond out to FDOT. The design has been permitted by the St. John's Water Management District. He continued that the pre-treatment ponds purpose is to attenuate and provide additional treatment and for nitrogen and phosphorus removal from downstream waterbodies so that there are no algae blooms. Mr. Buswell added that there is not an opportunity to do the stormwater harvesting system in a standard and small wet-detention system.

He remarked that sometimes the nutrients will build up into the irrigation system and clog the heads over time.

Mr. Galloway inquired why the dumpster is so far away from the building and not more towards the south corner of the Dollar General lot. He added that it would be a straighter shot for Waste Management to drive in and would keep it closer to the applicant versus the residents houses. Mr. Storch answered that it is in the location that it is in due to the large buffer area between the proposed dumpster area and the residents, but advised it can be changed when going through the process.

Mr. Buswell explained the reasoning for the dumpster placement, stating that there is an existing access point there that is not being changed. Residents are able to dispose of trash in the proposed location which keeps the garbage truck from circling internally. The turning radius is on the wide point of access, allowing for delivery and garbage trucks.

Mr. Galloway commented that the closer a dumpster is to the public road, others will use it.

Audience Comments/Input

Mr. Robert Ezell, 132 Highland Avenue, expressed his Highland Avenue area traffic concerns with the proposed project. He stated that he will not let his grandchild play in his front yard. He added that his light pole has been taken out twice by cars. Mr. Ezell commented that the speeds on the roads are crazy. A right-of-way (ROW) tree was taken out by the city and the city employees were astonished by the speeders going down the road. Mr. Ezell remarked that they have speed bumps at each end of the road, but that drivers drive 25 mph up to the speed bump, stop and cross it, and then go 35 mph and is not safe. He added concerns about having a sidewalk only halfway down the road for aesthetic purposes for residents to go downtown. Mr. Ezell asked about the rest of the road and sidewalks, commenting that the roads are already narrow. He asked if the city will be taking more right-of-way (ROW) or easements from the residents to extend a sidewalk or if it will put people out in the roads. He stated something be done about the traffic, explaining that you cannot get a truck and a car down the road at the same time without a vehicle being scratched from all of the trees that are extending over the road. Mr. Ezell concluded that he does not really want the project in the neighborhood but understands that it is a revenue generator for the city, and suggests protecting the citizens and residents that are already there.

Chairman Thomas concurred and added that he is concerned as well about the entrance off of Highland Avenue.

Mr. Rick Sandora, 36 Highland Avenue, stated that there are 82 homes on Dix Avenue and Highland Avenue and the proposal will double the amount of people in the area. He added that there is a dog park but no provisions for children. Mr. Sandora commented that it is difficult to get around landscapers on Highland Avenue. The road is narrow and there is no way of putting a sidewalk all the way down Highland Avenue. Kids will be attracted to the river down the street, which will be an attractive hazard to the people living on the river, according to Mr. Sandora. He added that the speedbumps are ineffective. Mr. Sandora expressed that he feels once the project is done, it is done, and there will not be an opportunity to rectify it after it is allowed

He stated that he is against it. He expressed further concerns about traffic, commenting that drivers going out onto U.S. Highway 1 have to go south from Highland Avenue. Numerous drivers use Dix Avenue and Highland Avenue as a cut-thru to Beach Street, which is backed up past Highland Avenue and Dix Avenue in the morning rush hours.

Ms. Beth Putnam, 83 Dix Avenue, commented that she sees no sidewalk access for the proposed family-friendly apartment complex. There is no sidewalk to go to the dumpster. She remarked that the Dollar General dumpster backs up to Dollar General and is not in the location that the project is proposing. Where it is proposed will be borderline with one of the residential properties and when the winds come from the west, the dumpster smell will go up Dix Avenue. Ms. Putnam referenced the earlier comment on sidewalks, and stated that the subject needs to be addressed with 100 cars that will be coming and going at all times and that the children will be unable to walk to school safely with the sidewalk on Highland Avenue ending, therefore will be in the middle of the narrow street. She continued that an alternative is to walk down U.S. Highway 1 to cross Granada Boulevard. Ms. Putnam commented on the lighting, and suggested down-lighting or dark sky-lighting and not flared out security lighting. She suggested solar would have been best. Ms. Putnam addressed the ponds and suggested there be a security fence around the water with the children. She added that the schools are crowded and that there was no discussion on the impact the project would bring to the school. Ms. Putnam added her water and traffic-use concerns, remarking that she cannot be enthusiastic about the project right now.

Applicant Response

Mr. Storch addressed concerns, stating that the project has been reviewed with the Volusia County School Board and they indicated that there is sufficient capacity for the additional children that may come from the proposed development. He reiterated that it is already in the comp plan for medium density residential units. Mr. Storch added that with ponds and lakes, a slope is put in and there will be a wall around the area, preventing children to access them. He referenced the down-lighting comment, confirming that it can be done and to add as a stipulation. Mr. Storch added that a sidewalk can be provided to the dumpster. The applicants will work with staff on the best location for the dumpster. Regarding the sidewalk concerns, the applicants will support any additional sidewalks for the project working alongside the city. Mr. Storch referenced the Highland Avenue access inquiry and stated that it is an engineering issue and has to be done where people cannot easily make the connection and turn to the left, suggesting that it can be done with higher curbing and signage to discourage and prevent people from making the left-hand turn onto Highland Avenue. Mr. Storch reiterated that the impact will be less on Highland Avenue with access going through Dollar General into the project. Mr. Storch concluded that stipulations can be added to accommodate for this.

Chairman Thomas referenced the Sterthaus Avenue onto Nova Road access area, and stated that even with the no left-turn signage, drivers still do. Mr. Storch stated that the entrance only off Highland Avenue can be engineered to discourage any illegal turning movements. Chairman Thomas asked if the city would allow that design. Mr. Spraker stated that design could be accomplished.

Chairman Thomas asked about traffic coming off of U.S. Highway 1 turning onto Highland Avenue. Mr. Storch confirmed that the only left turn into the neighborhood in this area of U.S. Highway 1 is located at Highland Avenue. Mr. Storch stated that access only into their site is needed to prevent traffic coming off U.S. Highway 1 from going to the site through the existing neighborhood to access their development. This access point on Highland Avenue would encourage traffic to go the easy way and not through Highland Avenue, Ridgewood Avenue and Dix Avenue. Mr. Storch stated the whole design of the project is to prevent their project traffic from using Dix or Highland Avenues. Mr. Storch stated project trips now are going around Highland Avenue to North Ridgewood Avenue and west on Dix Avenue. This entrance only would prevent that movement in the existing neighborhood. Mr. Storch concluded that he believed that the project design would reduce traffic on Highland and Dix Avenues.

Board Discussion and Questions

Mr. Galloway stated that this property was originally bought for a large furniture store and residential in the rear portion of the site. The property is zoned to allow the type of use proposed. Mr. Galloway stated that the residents should demand sidewalks. He stated that his utility bill has information on sidewalk improvements and commented that if sidewalks are desired in this area that there is money in the city budget.

Mr. Galloway expressed concern for the dumpster location. Mr. Storch stated that the project could stipulate for the movement of the dumpster.

Mr. Galloway stated that he heard that kids were going to be in the apartment complex. He stated that this is an assumption and it is underdetermined who will be within this development.

Mr. Galloway stated that there are issues with urban sprawl and remarked that here is a project that is developing in the core of the city. Mr. Galloway indicated that he would be supporting this project.

Mr. Jorczak stated that he is aware of the narrowness of the roadways and that he has contacted the city to trim the vegetation in the right-of-way (ROW). Mr. Jorczak concurred with Mr. Galloway regarding the need for the city to install sidewalks in this area. Mr. Jorczak continued that he supports the walls along the project perimeter and agreed that the pond should have additional security to protect children's safety. Mr. Jorczak also stated that he concurred that the dumpster should be moved. He added that he thought the population density was reasonable and the architectural style looks attractive. Mr. Jorczak stated the secondary issues need to be addressed. Mr. Storch replied that the applicant is willing to provide stipulations that could be part of the recommendation on the project. He stated that dumpster would be stipulated to be moved to the project interior with sidewalk access. Mr. Storch added that the project can stipulate for additional security around the stormwater pond. Mr. Thomas inquired about a stipulation on the wall requirement. Mr. Storch confirmed that the project would stipulate to a wall around the project abutting existing residential uses. He continued that the project would also stipulate to ensure in-bound access from Highland Avenue to the project with raised curbing.

Mr. du Moulin stated that he agreed with the comments provided and had no additional comments.

Mr. Railsback commented that he supports infill development and added that it is a good use of that parcel. He stated he concurred with the stipulations stated. Mr. Railsback continued that he went through a multi-family development proposal next to his subdivision and believes that the masonry wall is necessary to protect the existing residential uses. He stated that he supported mitigating the traffic impacts of the project and the downlighting mentioned earlier. Mr. Railsback concluded that he would support the project with the stipulations referenced if they are included in the recommendation.

Ms. Shull stated that she likes the project but has concerns with the depth of the residential uses. She added that she likes that the buildings are two-story with concrete block construction. Ms. Shull commented that she is supportive of the perimeter wall, movement of the dumpster, and downlighting. Ms. Shull stated the main issue is the traffic. She remarked that what we do not seem to understand is that there are residents that have lived in the neighborhood for a long time and there is turnover to new residents. Ms. Shull stated she is a realtor and people love this area and the neighborhood. She stated that she does not think that the existing residents are being taken into consideration as projects are being developed. Ms. Shull stated that if we do not stand up here and say something about traffic, the city is not going to hear us. We need to have the city hear us. The speed tables are doing nothing. Ms. Shull stated that the state of Florida has an issue with speeders. She stated that the city needs to protect the existing residents. Ms. Shull concluded that she liked the project, but is going to vote no, based on the traffic impacts to make the city aware of the issue. She stated she wanted the city to do something about Dix and Highland Avenues so that the people who live there and pay taxes can be heard. Mr. Storch stated he agrees that traffic is so important, but the fact is that this project and the units proposed are allowed to be here. Ms. Shull stated that she understood that but if she did not speak up, the issue would not be addressed. The traffic issues should be taken care of first before development is approved. Ms. Shull stated an approval would allow development that would further add to the traffic problem. She stated that she knows that the project has done everything they can do from a design perspective.

Chairman Thomas reviewed the traffic issues of the city and project. He questioned the possibility of making Dix and Highland Avenues one-way streets. Chairman Thomas stated that one-way streets may reduce traffic. He was unclear if the residents would be supportive of the concept and understood that there may be inconveniences. Mr. Thomas stated that Dix and Highland Avenues were city streets and the city could make changes if desired. Chairman Thomas encouraged residents to talk to the City Manager and City Commission about the one-way roadway concept.

Chairman Thomas discussed infill development and the goal of the Board to make the project possible. Chairman Thomas understood the concern of the residents of Dix and Highland Avenues. He stated that he was supportive of the project with the stipulations previously discussed.

Board Recommendation

Chairman Thomas opened it up to the Board for a motion.

ZMA 2021-079(A)

Mr. Railsback motioned to approve ZMA 2021-079(A), Ormond Enclave, 145 North Yonge Street, Zoning Map Amendment to PBD. Mr. Jorczak seconded it. Vote was called, and the motion was approved (6-0).

ZMA 2021-079(B)

Chairman Thomas opened it up to the Board for a motion.

Mr. Jorczak motioned to approve ZMA 2021-79(B), Ormond Enclave, 145 North Yonge Street, Zoning Map Amendment to PRD. Mr. Railsback seconded it. Vote was called, and the motion was approved (6-0).

DO 2021-079(C)

Mr. Spraker stated that he desired to confirm the stipulations that were agreed to through the public hearing process and they are:

1. The dumpster location would be moved from its current location and relocated closer to the mutli-family units. The dumpster location would have sidewalk access to the dumpster.
2. Additional security for the stormwater pond.
3. Masonry or post and panel wall along the project perimeter where it abuts existing residential uses.
4. The Highland entrance is entrance only with raised curbing to prevent vehicles from exiting this access point.
5. Provide downlighting (Mr. Spraker noted that this is already required, but could be reinforced in the stipulations).

Mr. Railsback asked if there was a wall behind the existing Dollar General property. Mr. Spraker stated that he believed that there was a wall existing. If there is not, this section would be included in the wall requirement.

Chairman Thomas opened it up to the Board for a motion.

Mr. Railsback motioned to approve DO 2021-079(C), Ormond Enclave, 145 North Yonge Street, Issuance of a Development Order, with the following five stipulations stated by Mr. Spraker. Mr. Jorczak seconded it. Vote was called, and the motion was approved (5-1). Ms. Shull stated that her no vote was based upon traffic impacts.

Chairman Thomas thanked the residents for their attendance and input and asked residents to remember that the Planning Board only makes recommendations and that the City Commission provides the final action for the project.

Mr. Jorczak stated that he concurred with the concept of one-way roadways and questioned if the Planning Board should make this a recommendation.

Mr. Galloway offered to meet and discuss with city staff. Mr. Galloway stated that it is on his water bill that they are supposed to be building sidewalks. Now is the time to put sidewalks along these roadways.

Mr. Spraker recalled with the land use amendment that there was a meeting regarding traffic along Dix and Highland Avenues. This meeting led to the residential traffic calming program. The concept of one-way streets was discussed at the meeting for traffic calming. The route is to go is through the traffic calming program, including working with the Engineering Department. Mr. Spraker stated that there would need to be resident support of the one-way concept. There is an existing mechanism to pursue the concept of one-way streets discussed tonight.

Chairman Thomas stated that the concept needs to start with the citizens and expressed that he is unsure if there would be support. Mr. Spraker concurred and stated that it would be a similar process of obtaining the speed tables. He stated that staff is available to meet with residents.

Mr. Galloway asked if the residents would rather have one-way streets or sidewalks. Mr. Spraker stated that the issue with the sidewalks is that there is only 33' of right-of-way (ROW) versus a typical width of 50'. There is insufficient right-of-way (ROW) to construct sidewalks. This area was likely platted in the early 1900's and the street layout was not designed for the traffic patterns that exist today. The project tonight provided easements on private property to allow the installation of sidewalks. Mr. Spraker stated that it is unclear if property owners along these streets are willing to provide easements to construct sidewalks.

Chairman Thomas questioned if a sidewalk has to be five (5') feet. Mr. Spraker responded that there are minimum widths based on handicapped access requirements. Mr. Spraker stated that there is a process to consider the one-way process. If there was an easy way to construct sidewalks along these roadways, they would already be in place. Mr. Spraker concluded that staff hears the concerns presented tonight and the issue would be presented to the City Commission.

Mr. Galloway asked if property owner's taxes would be decreased if they provided an area for the sidewalk. Mr. Spraker stated that the sidewalk would be in an easement and the property owner still owns the land area.

Chairman Thomas asked how many people attended the first traffic meeting. Mr. Spraker responded with approximately 50 individuals. Chairman Thomas asked the results of the meeting. Mr. Spraker stated that the meeting led to the residential traffic calming program that led to speed tables, radar feedback, signs and signage. Mr. Spraker stated that the one-way concept could be an evolution of the residential traffic calming program. Chairman Thomas appreciated that there is a path and stated that it is important to discuss the issue with the residents in attendance.

Ms. Shull asked about the width of Dix and Highland Avenues. Mr. Spraker stated he had not measured the width and speculated 17' to 20'. Ms. Shull asked if there was a one-way roadway, would this reduce the needed paved width. Mr. Spraker

stated that it does and there needs to be verification of the fire access requirements. Mr. Spraker restated that the first step is that there be a majority of residents that desire a one-way traffic pattern. The second step, if residents are interested, is the actual design that could be developed and then voted on by the residents of the roadways.

D. ZMA 2022-098(A) 121 East, 121 East Granada Boulevard, Planned Business Development

E. DO 2022-098(B), 121 East, 121 East Granada Boulevard, Planned Business Development, Issuance of a Development Order

Mr. Steven Spraker, Planning Director, stated that items (D) and (E), are interrelated and will be discussed together but must be voted on by the Planning Board individually. Mr. Spraker displayed the land use and zoning for the property at 121 East Granada Boulevard. Mr. Spraker stated that the land use allowed a total of 24 residential units and the zoning allowed 20 residential units. He showed pictures of the existing site and a Florida Power and Light (FPL) structure. Mr. Spraker stated that agenda item (A) was for a zoning map amendment for 0.76 acres that has a B-4, Central Business zoning designation that is seeking a PBD, Planned Business Development zoning designation. The zoning map amendment provides a framework for the next agenda item of the issuance of a development order.

Mr. Spraker summarized the development order process that included SPRC review, a neighborhood meeting, Ormond Beach MainStreet review, Planning Board review, and future City Commission dates. Mr. Spraker stated that the project was in the Downtown Overlay District and noted that the master plan encouraged residential development.

Mr. Spraker detailed the project site plans. He stated that the building was five (5) stories over the ground floor of parking. The second floor has a pool/amenity area to the north of the property and a dog walk area to the east of the building. Mr. Spraker displayed a first floor site plan and the project building elevations.

Mr. Spraker stated that there were two correspondence items received for this project, an e-mail from a resident who was not in favor of the project and desired another use, and the other correspondence, a letter of support from Ormond Beach MainStreet. Mr. Spraker concluded that the Planning Board's options for the project are (1) approve as submitted, (2) approve with conditions, or (3) deny as submitted. Mr. Spraker stated that the SPRC is recommending approval of agenda items (D) and (E).

Applicant's Presentation

Mr. Robert A. Merrell, Esquire, Cobb Cole, 149 South Ridgewood Avenue, stated there has been months of work put into the project and there is a project team to answer any questions. The property owner and contractor, Mr. Bryan Collyer, is available for any questions. Mr. Merrell remarked that the staff report reviewed in detail the Comprehensive Plan, Downtown Master Plan, and Land Development Code (LDC) requirements and he did not intend to repeat this analysis. He expressed a few key points, the desire to create a sense of place, compact pedestrian



City of Ormond Beach

AGENDA ITEM

August 1, 2023 - City Commission

Number:9.D

Section:	PUBLIC HEARINGS		
Item Category:	Public Hearing - Ordinances	Res./Ord. No:	2023-38
Strategic Goal:	Transportation & Community Development - Other		
Department:	Planning & Building		
Subject:	121 East, 121 East Granada Boulevard, Zoning Map Amendment (SECOND READING)		
Summary:	This is an application submitted by Robert A. Merrell, Esquire, Cobb Cole, on behalf of the property owner, Dime Rock Properties, LLC, for a (1) zoning map amendment from B-4, Central Business to PBD, Planned Business Development and (2) the issuance of a development order. The 121 East Planned Business Development seeks to allow the construction of 24 multi-family residential units and associated site improvements on 0.76± acres. The subject property is located at 121 East Granada Boulevard and located within the Downtown Community Redevelopment Agency area. <u>The zoning map amendment is the action sought for this staff agenda item.</u> The zoning map amendment does not approve any specific development, but instead is the framework for the issuance of the development order. <u>Planning Board</u> The Planning Board reviewed the zoning map amendment at the June 8, 2023 meeting and recommended approval by a 6-0 vote. There were no specific references to the zoning map amendment and the Planning Board discussion focused on the site development and issuance of the development order. There were two (2) residents who spoke on this agenda item. Key points included: 1. A six-story building crammed into that tiny lot will change the entire aesthetics of this beautiful beach town. 2. Expressed concern about traffic and parking. 3. Negatively impact the small-town beach vibe. 4. The project needs to conform to what has already been built in the area.		

	5. The project needs to be downsized. Key portions of the Planning Board discussions included: (Planning Board meeting minutes are attached.) 1. The property has failed three times as a restaurant. 2. A Board member stated that they supported infill and responsible development. 3. Aesthetics are appropriate and this is a high-quality development that would help the downtown area. 4. The project is re-developing a blighted piece of property.						
Financial Impact:	There is no budget impact as the result of this zoning map amendment.						
Citizen Impact:	The zoning map amendment is not expected to have any negative citizen impact. The issuance of the development order citizen impact was discussed at the Planning Board. There is no single-family residential abutting the property. The key item discussed at the Planning Board was the appropriateness of the scale of the building.						
Recommended Action (Staff, Advisory Board and/or Other):	The Planning Board recommended (6-0) the City Commission approve the zoning map amendment from B-4, Central Business to PBD for a 0.76± acre property at 121 East Granada Boulevard.						
Staff Contact:	Steven Spraker, Planning Director, (386) 676-3341						
Attachments:	1. 23-38 121 East Granada ZMA (P23-0111G) 2. Exhibit A, 121 EGB, Legal Description, V2 3. Exhibit B, 121_East_Granada_AMEND_ZONING 4. 06.08.2023, Zoning Map Amendment - 121 East, PB Staff Report 5. 06.08.2023, DRAFT PB Minutes - 121 EAST, ZMA						
Approval:	<table> <tr> <td>Kelly McGuire, Finance Director</td> <td>7/19/2023</td> </tr> <tr> <td>Claire Whitley, Assistant City Manager</td> <td>7/21/2023</td> </tr> <tr> <td>Joyce Shanahan, City Manager</td> <td>7/25/2023</td> </tr> </table>	Kelly McGuire, Finance Director	7/19/2023	Claire Whitley, Assistant City Manager	7/21/2023	Joyce Shanahan, City Manager	7/25/2023
Kelly McGuire, Finance Director	7/19/2023						
Claire Whitley, Assistant City Manager	7/21/2023						
Joyce Shanahan, City Manager	7/25/2023						

ORDINANCE NO. 2023-38

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 0.76 ACRES LOCATED AT 121 EAST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER: 4214-05-04-0051), FROM B-4, CENTRAL BUSINESS, TO PLANNED BUSINESS DEVELOPMENT; AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, Dime Rock Properties, LLC, a Florida Limited Liability Company (“Property Owner”) is the fee simple owner of certain real property consisting of approximately 0.76 acres located at 121 East Granada Boulevard (Volusia County parcel number: 4214-05-04-0051), which is legally described and depicted in Exhibit “A” (“Property”) attached hereto and incorporated herein, and

WHEREAS, the Property Owner has submitted an application to the city to re-zone the Property from B-4, Central Business, to Planned Business Development (PBD), and

WHEREAS, the Property to be re-zoned is less than ten (10) contiguous acres, consisting of approximately 0.76 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 one parcel of property located at 121 East Granada Boulevard (Volusia County parcel number: 4214-05-04-0051), as more particularly described and depicted in Exhibit "A" from

B-4, Central Business, to Planned Business Development (PBD) as shown and depicted in Exhibit “B”.

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

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

PASSED UPON at the first reading of the City Commission, this 18th day of July, 2023.

PASSED UPON at the second and final reading of the City Commission, this 1st day of August, 2023.

BILL PARTINGTON
Mayor

ATTEST:

SUSAN CARROLL DAUDERIS
City Clerk

EXHIBIT "A"

LEGAL DESCRIPTION (from J.B. Fries & Associates, Inc. survey)

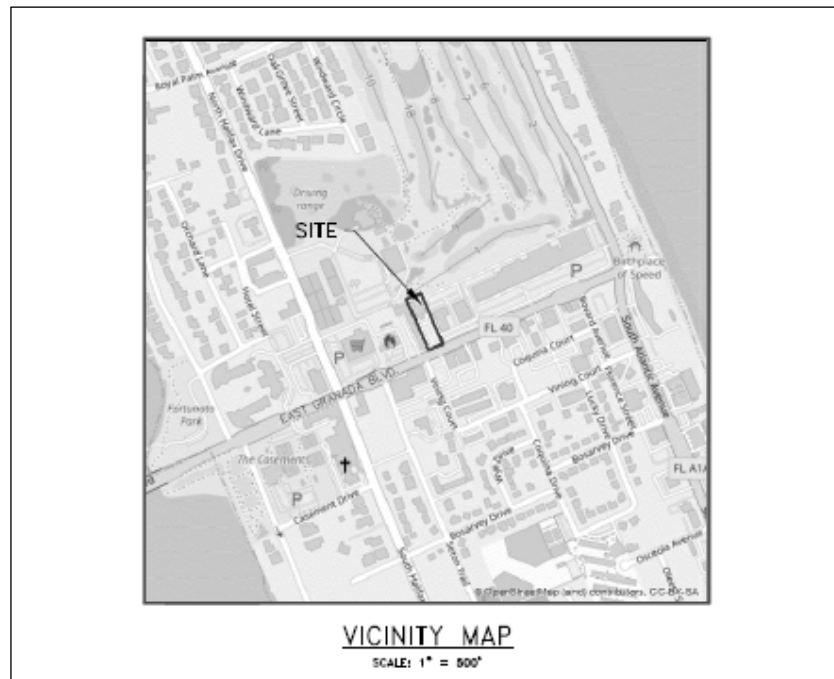
PLAT OF BOUNDARY SURVEY OF :

THE EASTERLY 100 FEET OF THAT PART OF GOVERNMENT LOT 2, SECTION 14, TOWNSHIP 14 SOUTH, RANGE 32 EAST, VOLUSIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: BEGIN AT A POINT IN THE NORTHERLY LINE OF GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, A 60 FOOT STREET AS FORMERLY LAID OUT, SAID POINT BEING A DISTANCE OF 1250 FEET WESTERLY OF THE INTERSECTION OF SAID LINE WITH THE WESTERLY LINE OF OCEAN SHORE BOULEVARD, A 30 FOOT STREET AS FORMERLY LAID OUT; THENCE NORTHERLY AND AT RIGHT ANGLES TO GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, A DISTANCE OF 350 FEET TO A POINT; THENCE WESTERLY AND PARALLEL TO GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, A DISTANCE OF 200 FEET TO A POINT; THENCE SOUTHERLY AND AT RIGHT ANGLES TO GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, A DISTANCE OF 350 FEET TO THE NORTHERLY LINE OF GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE; THENCE EASTERLY ALONG SAID NORTHERLY LINE OF GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, A DISTANCE OF 200 FEET TO THE POINT OF BEGINNING; EXCEPTING THEREFROM THAT PORTION THEREOF TAKEN FOR GRANADA RIGHT OF WAY PURPOSES.

SAID PROPERTY IS ALSO DESCRIBED AS:

THAT PART OF GOVERNMENT LOT 2, SECTION 14, TOWNSHIP 14 SOUTH, RANGE 32 EAST, VOLUSIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: BEGIN AT A POINT IN THE NORTHERLY LINE OF GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, A 60 FOOT STREET AS FORMERLY LAID OUT, SAID POINT BEING A DISTANCE OF 1250 FEET WESTERLY OF THE INTERSECTION OF SAID LINE WITH THE WESTERLY LINE OF OCEAN SHORE BOULEVARD, A 30 FOOT STREET AS FORMERLY LAID OUT; THENCE WESTERLY ALONG THE SAID NORTHERLY LINE OF GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, A DISTANCE OF 100 FEET TO A POINT; THENCE NORTHERLY AND AT RIGHT ANGLES TO SAID NORTH LINE OF GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, A DISTANCE OF 350 FEET TO A POINT; THENCE EASTERLY AND PARALLEL TO GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, A DISTANCE OF 100 FEET TO A POINT; THENCE SOUTHERLY AND AT RIGHT ANGLES TO GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, A DISTANCE OF 350 FEET TO THE POINT OF BEGINNING; EXCEPTING THEREFROM THAT PORTION THEREOF TAKEN FOR GRANADA RIGHT OF WAY PURPOSES.

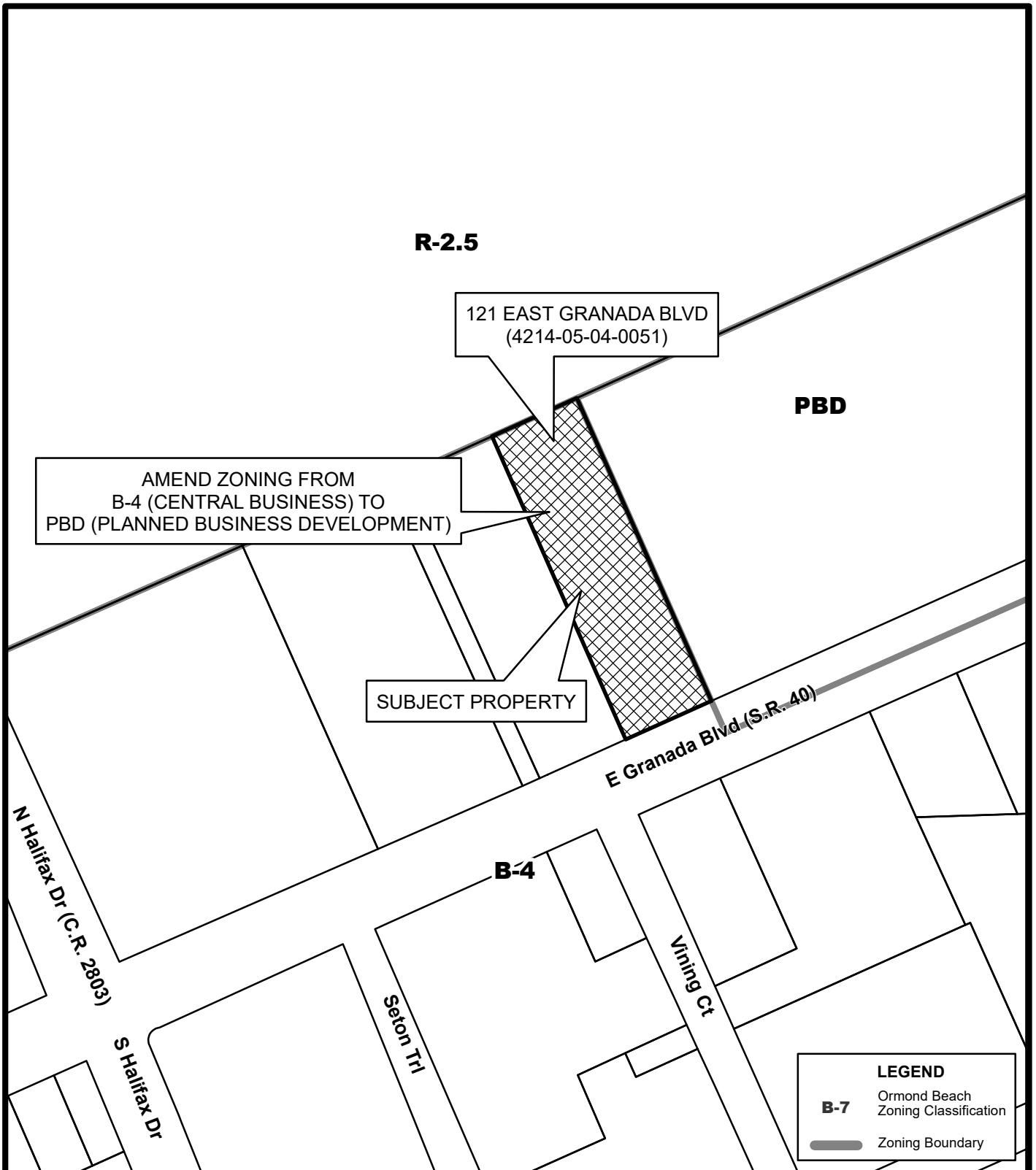
LOCATION MAP



PARCEL ID: 4214-05-04-0051
OWNER: DIME ROCK PROPERTIES, LLC, A FLORIDA LIMITED LIABILITY COMPANY
APPLICANT: ROBERT A. MERRELL, ESQUIRE, COBB COLE, ON BEHALF OF THE PROPERTY OWNER, DIME ROCK PROPERTIES, LLC, A FLORIDA LIMITED LIABILITY COMPANY

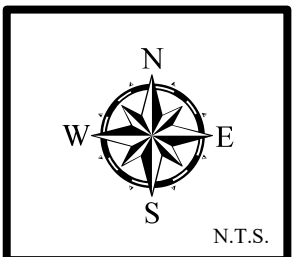
APPLICATION ADDRESS: 121 EAST GRANADA BLVD., ORMOND BEACH, FL 32174

EXHIBIT "B"



ZONING MAP
121 EAST GRANADA BLVD
(4214-05-04-0051)

Prepared By: The City of Ormond Beach
G.I.S. Department - May 3, 2023



STAFF REPORT

City of Ormond Beach Department of Planning

MEETING DATE: June 8, 2023

SUBJECT: 121 East, **Zoning Map Amendment to Planned Business Development**

APPLICANT: Robert A. Merrell, Esquire, Cobb Cole, on behalf of the property owner, Dime Rock Properties, LLC

NUMBER: PBD 2022-098(A)

PROJECT PLANNER: Steven Spraker, AICP, Planning Director

SECTION 1, INTRODUCTION:

This is an application submitted by Robert A. Merrell, Esquire, Cobb Cole, on behalf of the property owner, Dime Rock Properties, LLC, for a (1) zoning map amendment from B-4, Central Business to PBD, Planned Business Development and (2) the issuance of a development order. The 121 East Planned Business Development seeks to allow the construction of 24 multi-family residential units and associated site improvements on 0.76± acres. The subject property is located at 121 East Granada Boulevard and located within the Downtown Community Redevelopment Agency area. 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 on the aerial below.

EXHIBIT 1: Project location, 121 East Granada Boulevard



[06.08.2023, Zoning Map Amendment - 121 East, PB Staff Report.docx]

SECTION 2, BACKGROUND:

The property has land use designation of “General Commercial” and a zoning classification of B-4 (Central Business). The property is located within the Community Redevelopment Area and Downtown Overlay District as defined by Section 2-70 of the Land Development Code. Section 2-70 of the Land Development Code states the purpose of the Downtown Overlay District is as follows:

“The purposes of the DOD, Downtown Overlay District are to promote development of a compact, pedestrian-oriented downtown consisting of a high-intensity employment, vibrant and dynamic mixed use areas, and residential living environments that provide a broad range of housing types and tenures; promote a diverse mix of entertainment activities for workers, visitors, and residents; encourage pedestrian-oriented development that is within walking distance of and supports transit opportunities at densities and intensities that will help to support transit usage and town center businesses; create a sense of place that is unique, attractive, and is a memorable destination for visitors and residents; enhance the community's character through the promotion of high quality urban design; and implement the vision expressed in the adopted 2019 Downtown Redevelopment Master Plan update. The land area to which this section applies is the downtown community redevelopment area boundaries.”

The Beachside district of the Downtown Overlay District, Section 2-70(b)(3) of the Land Development Code states,

“Beachside District. This area is uniquely situated to take advantage of both the Halifax River and the Atlantic Ocean. More intensive infill housing south of Granada Boulevard as well as mixed use development along Granada Boulevard and the side street system incorporating a housing component is needed. This district encompasses many of the historic assets in Ormond holding the potential to act as "Museum Row".

The Downtown Overlay District implements a form-based code that is different than the remainder of the city. The Downtown Overlay District seeks buildings that are pulled to the street, reduced or no building setbacks, larger sidewalks, increased allowable impervious area, allowance of building height, and reduced parking requirements.

Resolution 2019-178 adopted an updated Downtown Master Plan for the Community Redevelopment Area. The master plan was created with the review of a 17-person steering committee representing a broad spectrum of downtown perspectives. The master plan update emphasized themes within the district, including Economic Development, Sense of Place & Appearance, Transportation and Circulation, Recreation and Open Space, Arts & Culture, Residential Neighborhoods, Environmental Sustainability, Standards and Regulations, and Ensuring the Vision. The proposed project is consistent with the 2019 Downtown Master Plan in the construction of mid-scale residential multi-family development.

The subject property has been vacant since the building demolition in 2014 and was a restaurant use prior to the demolition. The site is 100' in width and 330' in depth. The site has an existing Florida Power and Light electrical vault that cannot

be moved and must be incorporated into any site design. 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			
Direction	Current Land Uses	Future Land Use Designation	Zoning Classification
North	Oceanside Country Club	"Low Density Residential"	R-2.5, Single-Family Low-Medium Density
South	Retail & Commercial	"General Commercial"	B-4, General Commercial
East	Retail & Commercial	"General Commercial"	B-4, General Commercial
West	Retail & Commercial	"General Commercial"	B-4, General Commercial

SECTION 3, ANALYSIS:

Application process:

The application seeks to allow 24 multi-family residential units as a Planned Business Development. The Planned Business Development is reviewed and acted upon as two (2) separate actions:

- A. Zoning map amendment from B-4, Commercial to PBD, Planned Business Development. The zoning map amendment is the action sought for this staff report.**
- B. Issuance of a development order to construct 24 multi-family residential units and associated site improvements on 0.76 acres.

The two (2) actions will be discussed together at the public hearing and will require separate votes. The zoning map amendment is the application under consideration in this report. The zoning map amendment does not approve any specific development, but instead is the framework for the issuance of the development order. The issuance of a development order contains site plans and project reports that detail the specific development. The items are intertwined and if there is a desire to approve or approve with conditions the issuance of the development order, then the zoning map amendment needs approval first. If there is a desire to deny the issuance of the development order, then this zoning map amendment should also be denied.

Project process: The Planned Business Development is reviewed and acted upon as two separate actions: (1) zoning map amendment and (2) issuance of a development order. The two actions will be discussed together at the public hearing and require separate votes. The project has the following approval process:

- 1. Site Plan Review Committee (SPRC).** The Site Plan Review Committee is comprised of city departments who review site plan applications for consistency

with the Land Development Code and Comprehensive Plan. This committee provides a technical review of development submittals.

2. **Neighborhood meeting.** The Land Development Code requires a neighborhood meeting where a project abuts a residential zoning district. The neighborhood meeting was conducted on March 14, 2023 and is summarized in the analysis section of this report.
3. **Ormond MainStreet.** The project has sought input from Ormond MainStreet since the formulation of a conceptual plan. The project was reviewed by the Ormond MainStreet Design Committee on May 8, 2023 and the Ormond MainStreet Board of Directors on May 15, 2023. Within ATTACHMENT 3 is a letter of support from Ormond MainStreet. The letter states, "The Design Committee concluded that this condominium project lends itself to our greater mission towards placemaking in the Ormond Beach CRA, and creating a more vibrant, economically sustainable district in which to live, work, and play."
4. **Planning Board.** The Planning Board conducts one public hearing for a zoning map amendment and issuance of a development order. The Planning Board provides a recommendation to the City Commission. Applications, whether recommended for approval or denial, are forwarded to the City Commission for action. The Planning Board is appointed by the City Commission. The Planning Board in its recommendation is required to consider the following:
 - a. Application submitted by the applicant;
 - b. Staff report;
 - c. Written correspondence provided;
 - d. Testimony presented at the public hearing; and
 - e. Criteria for rezonings and issuance of a Development Order.
5. **City Commission.** The City Commission is an elected body that provides the final action on zoning map amendments and issuance of development orders. The tentative City Commission dates for this project are July 18, 2023 and August 1, 2023. Section 1-18(e) of the Land Development Code requires the City Commission to consider:
 - a. Report and recommendation of the site plan review committee and the planning board;
 - b. Report and recommendation of other city departments and advisory boards, as appropriate; and
 - c. Comments of governmental agencies, utility corporations and individuals, as received.

Section 1-18 of the Land Development Code also provides the review criteria for development orders listed in the analysis section of this report.

EXHIBIT 3: Application process

PZ-22-098		
Action	Date	Notes
1 st SPRC submittal	August 12, 2022	SPRC review: September 1, 2023
Neighborhood meeting	March 14, 2023	600' mail radius; newspaper ad
2 nd SPRC submittal	May 2, 2023	SPRC review: May 17, 2023
MainStreet Design	May 8, 2023	None
MainStreet Board	May 13, 2023	None
Planning Board	June 8, 2023	300' mail radius; newspaper ad; site posting
City Commission, 1 st	July 18, 2023	300' mail radius; newspaper ad
City Commission, 2 nd	August 1, 2023	newspaper ad
SPRC final review	To be determined	

Neighborhood meeting:

The project conducted a required neighborhood meeting on March 14, 2023 at the Ormond Beach Library. The project attorney and architect described the project at the neighborhood meeting. Key items discussed were as follows:

1. Presented a computer fly-by of the project, detailing the building attributes.
2. A resident of the Ormond Heritage Condominiums expressed objection to the project. It was stated that very few people walk to restaurants and shops. The resident stated that it is a terrible concept and she was totally opposed to it.
3. A member of Ormond MainStreet stated that the project fits in with MainStreet's Master Plan.
4. Discussion occurred about the interface with the golf course and that a buffer wall is required.
5. Discussion of the project amenities including the pool area and dog walk.
6. Discussion of the project price for units. The project team stated that no price had been established.
7. The property owner of the commercial building immediately to the west of the project site expressed support of the project.

The project has also been posted on the city website under the Planning Department at: (1) Development Reports, <https://www.ormondbeach.org/1027/121-East> and (2) Public Hearing Advertisements and Notices, <https://www.ormondbeach.org/1000/Public-Hearing-Advertisements-and-Notice>.

Planned Business Development:

The project application seeks to obtain a Planned Business Development zoning designation. According to Chapter 2, Article II, Section 2-36 of the Land Development Code the purpose of the Planned Business Development zoning district:

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

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

The issuance of the development order has public input including the neighborhood meeting and correspondence received. While the information is oriented towards the actual site development, the information and input are useful for the zoning map amendment. It is important to note that the zoning map amendment does not include the detailed site plans, but instead provides the framework for the issuance of the development order.

SECTION 4, EXISTING MULTI-FAMILY INVENTORY:

Below, is a list of the existing multi-family rental units within the City of Ormond Beach:

EXHIBIT 4: Existing multi-family units (10 units and over)

Address	Name	Year Built	Number
84 S. Beach Street	Rio Robles Apartments	1971	26
450 Tomoka Avenue	Tomoka Garden	1973	16
500 Shadow Lakes	Shadow Lakes Apartments	1973	184
125 South Orchard Street	Orchard Garden	1974	30
1 Tomoka Meadows Boulevard	Ormond Beach Apartments	1975	10
140 Lincoln Avenue	Ormond Shores Apartments	1981	26
420 Lakebridge Drive	Oaks of Lakebridge	1984	170
1088 W. Granada Boulevard	Fisherman's Landing	1985	154
875 Wilmette Avenue (450 & 469 Lakebridge)	Willow Pond	1988	162
664 South Nova Road	Prince of Peace	1996	70
1500 San Marco Drive	San Marco (<i>annexed</i>)	2002	260
600 Crowne Commerce Court	Reserve at Ormond Beach (<i>annexed</i>)	2002	272
100 Hamilton Circle	Bermuda Estates	2004	344
765 West Granada Boulevard	Olive Grove	2010	88
570 Sterthaus Drive	Madison Glenn	2010	96
TOTAL UNITS			1,908

Below, is a list of the existing multi-family condominiums within the City of Ormond Beach:

EXHIBIT 5: Existing condominiums

Address	Name	Year Built	Units
815 Ocean Shore Boulevard	Ormond Holiday Club	1969	40
915 Ocean Shore Boulevard	Shoreham	1970	56
89 South Atlantic Avenue	89 Oceanfront	1971	95
855 Ocean Shore Boulevard	Ocean Club North	1971	46
65 Seton Trail	Seton Court Condo	1971	26
935 Ocean Shore Boulevard	Bent Palm Club	1972	41
111 South Atlantic Avenue	Atlantis	1972	51
640 North Nova Road	Tomoka Oaks North Condo	1973	90
60 Vining Court	Sixty Vining CT Condo	1979	16
55 Vining Court	Fountain Square Condo	1980	40
1 Tomoka Oaks Boulevard	Escondido	1981	40
395 South Atlantic Avenue	Tidesfall	1981	55
901 South Atlantic Avenue	Aliki Atrium	1981	27
60 North Halifax Drive	Club View Villas	1984	16
203 Orchard Street	Thousand Oaks Condo	1984	54
20 Tomoka Avenue	River Bridge	1985	22
596 North Nova Road	Baymeadows	1985	12
671-689 Wellington Station	Wellington Station (<i>annexed</i>)	1986	72
1 John Anderson Drive	Ormond Heritage	1994	156
875 Sterthaus Drive	Ormond Renaissance Condo	2017	28

TOTAL UNITS 983

The most recent multi-family developments were constructed in 2010 with Olive Grove (tax credit housing), Madison Glen (senior housing) and Ormond Renaissance Condo (one building). There has been no multi-family development within the Downtown Overlay District (more than 10 units per acre) since the Ormond Heritage Condominiums in 1994. The Ormond Renaissance Condominium is an approved multi-family project with nine (9) buildings (252 units) that have not yet been constructed. There have also been townhome developments that has been less than 10 units per acre that include the Gardens of Addison (56 units), Ormond Grande (60 units) and the Cupola (12 units).

The following projects are within the development review process:

EXHIBIT 6: Proposed projects

Address	Name	Status	Units
215 Williamson Boulevard	Regal Multi-family	Approved	310
2011 West Granada Boulevard & 36 North Tymber Creek Road	Tymber Creek Apartments	Second reading on 6/6/2023	270
145 North Yonge Street	Ormond Enclave	In Review	64
TOTAL UNITS			644

SECTION 5, CRITERIA FOR APPROVAL:

There are certain criteria that must be evaluated before a Planned Business Development amendment can be approved. **It is important to note that this item is solely for the zoning map amendment and not the detailed site plan development order.** According to Chapter 1, Article II, Section 1-15(e) 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-4, Commercial to PBD, Planned Business Development. The B-4 zoning district, Section 2-25(A) of the Land Development Code states,

“The purpose of the B-4, Central Business Zoning District is to provide for a wide range of uses and facilities in a manner offering optimum design flexibility. Where dimensional or landscape standards cannot be met due to the prevalence of nonconforming lots in this zoning district or at an applicant's option, these requirements may be waived through a city commission monitored process aimed at producing development having design compatibility, meeting required parking to the maximum extent feasible, and achieving a high level of aesthetic appeal through a combination of innovative architecture, landscaping and hardscape materials.”

This item does not approve a specific development plan which is reviewed with the development order item. It is the conclusion of the Site Plan Review Committee that the zoning map amendment will not adversely affect public health, safety, welfare or the quality of life.

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

The subject property has a land use designation of “General Commercial”. The directive text of the Future Land Use Element of the Comprehensive Plan states,

“A. 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 Comprehensive Plan contains the following Goals, Objectives and Policies related to the zoning map amendment:

Future 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.

OBJECTIVE 1.1. RESIDENTIAL LAND USE

Ensure the availability of adequate lands to meet the residential land use needs of the community.

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.

POLICY 1.2.6.

New commercial development shall be required to provide appropriate buffers and landscaping to minimize negative impacts on surrounding uses.

OBJECTIVE 7.1. DEVELOPMENT AND REDEVELOPMENT REGULATIONS

Acknowledging that development and redevelopment in the Downtown Community Redevelopment Area is unique based on its location, history, and existing development pattern, the City shall continue developing regulations that promote development consistent with the recommendations of the adopted Master Plan.

POLICY 7.1.1.

The City shall utilize a Form Based Code to implement the vision stated in the adopted 2007 Downtown Redevelopment Master Plan.

POLICY 7.1.3.

In the Downtown Redevelopment Area only, building orientation for vacant sites shall be close to the street with “build to” lines at the front setback line. Main entrances should face the street or the street corner when located along two streets and parking shall be located to the rear of the building.

POLICY 7.1.5.

New developments which build residential medium or high-density infill housing, either as stand-alone or incorporated into mixed use projects are encouraged and shall take priority in financial assistance from the City.

Housing Element

GOAL 1. HOUSING SUPPLY

ENSURE THE AVAILABILITY OF SAFE AND ADEQUATE HOUSING UNITS OF DIFFERENT TYPES, SIZES, AND PRICE RANGES TO MEET THE NEEDS OF ALL CURRENT AND FUTURE RESIDENTS.

OBJECTIVE 1.1. HOUSING SUPPLY

The City shall continue to facilitate the private production of a housing supply, including adequate sites for mobile homes or manufactured housing and low and moderate income housing, which will meet future community needs and offset housing deficiencies as noted in this Element.

OBJECTIVE 1.2. PROVISION OF ADEQUATE SERVICES AND FACILITIES

Each existing housing development and residential neighborhood along with all new housing development shall meet existing adopted level of service standards.

POLICY 1.2.1.

The general residential development pattern in the city should be in accord with the community’s growth strategy for residential densities, as stipulated within the Future Land Use Element.

Transportation Element

OBJECTIVE 1.5. TRANSPORTATION CONCURRENCY EXCEPTION AREAS

Establish Transportation Concurrency Exception Areas along Votran core transit corridors to support intensified mix use development and redevelopment as measured by floor area, impervious surface, and density along commercial corridors and in the downtown redevelopment area.

POLICY 1.5.1.

As depicted on Figures 6 through 9 of the Future Land Use Element, the following corridors and parcels fronting and having access within ¼ mile of said corridors shall be designated Transportation Concurrency Exception Areas (TCEAs):

- a) A1A from SR 40 south to the city line;
- b) SR 40 from A1A to Williamson Boulevard; and
- c) US 1 from Wilmette Avenue south to the city line.

POLICY 1.5.2.

Development and redevelopment within designated TCEAs are exempt from traditional state-mandated transportation concurrency requirements but shall comply with Objective 1.6 of the Transportation Element and associated policies as well as transit design principles.

The zoning map amendment is consistent with the Comprehensive Plan.

- 3. The proposed development will not adversely impact environmentally sensitive lands or natural resources, including but not limited to 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 uses consistent with the land use designation.

- 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.

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

The zoning map amendment establishes the framework for the development order (next agenda item) that details the specific development approval. Detailed traffic studies are provided with the issuance of the development order item.

- 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 increase as a result of the requested zoning amendment from B-4, 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".

SECTION 6, RECOMMENDATION:

This agenda item seeks to allow a zoning map amendment to Planned Business Development. The agenda item does not approve any specific development approval, but instead a framework for these zoning actions. It is recommended that the Planning Board recommend **APPROVAL** of the zoning map amendment from B-4, Central Business to PBD, Planned Business Development for a 0.76± acre property at 121 East Granada Boulevard.

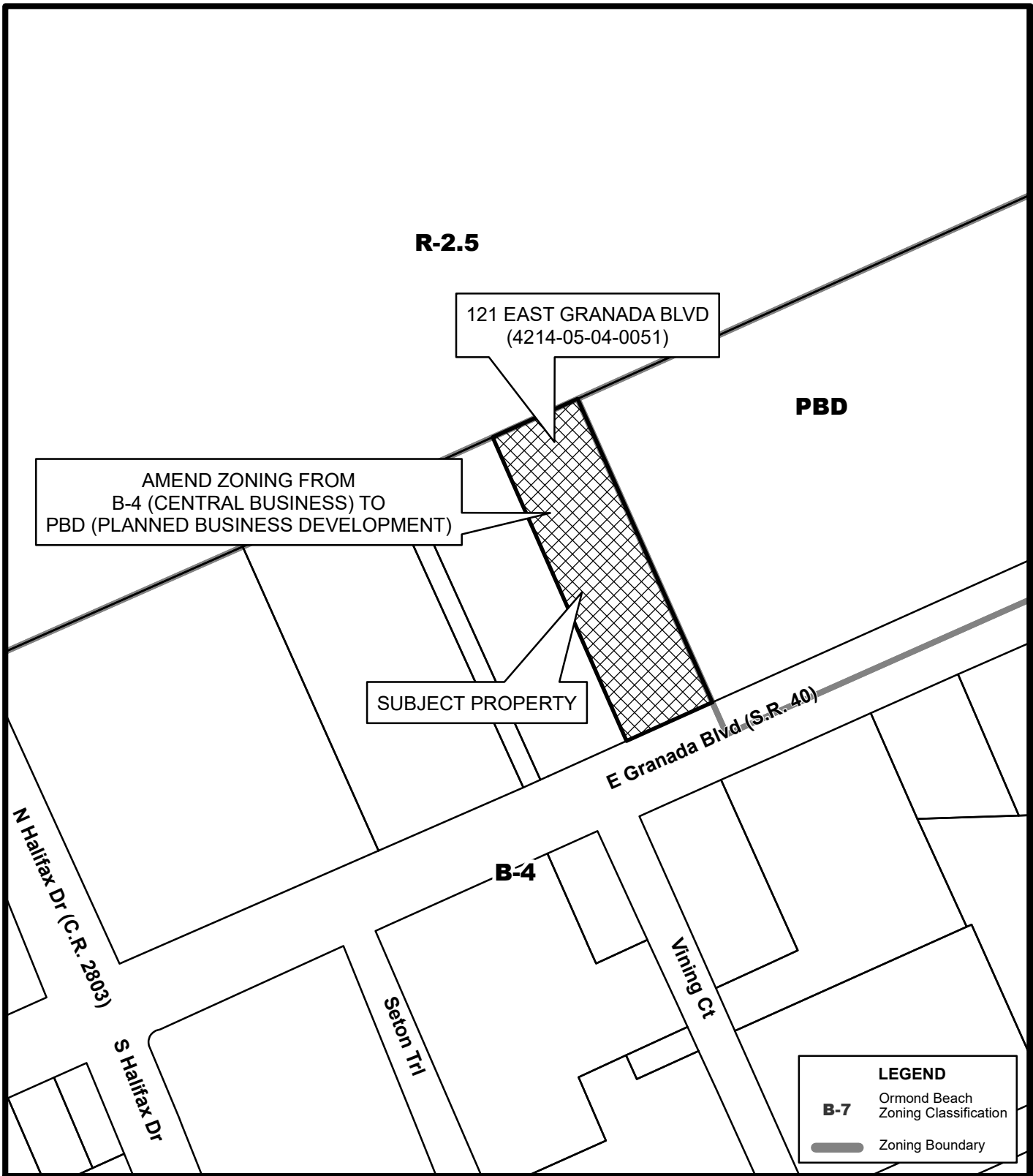
This agenda item is related to the issuance of a development order (next agenda item). If there is a desire to approve or approve with conditions the issuance of a development order, then the zoning map amendment should be approved. If there is a desire to deny the issuance of a development order, then this zoning map amendment should be denied.

Attachments:

- Attachment 1: Zoning map
Attachment 2: Location, aerial, land use maps
Attachment 3: Correspondence received

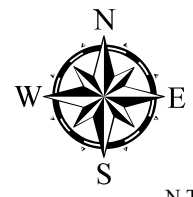
ATTACHMENT 1

Zoning Map for Amendment



ZONING MAP
121 EAST GRANADA BLVD
(4214-05-04-0051)

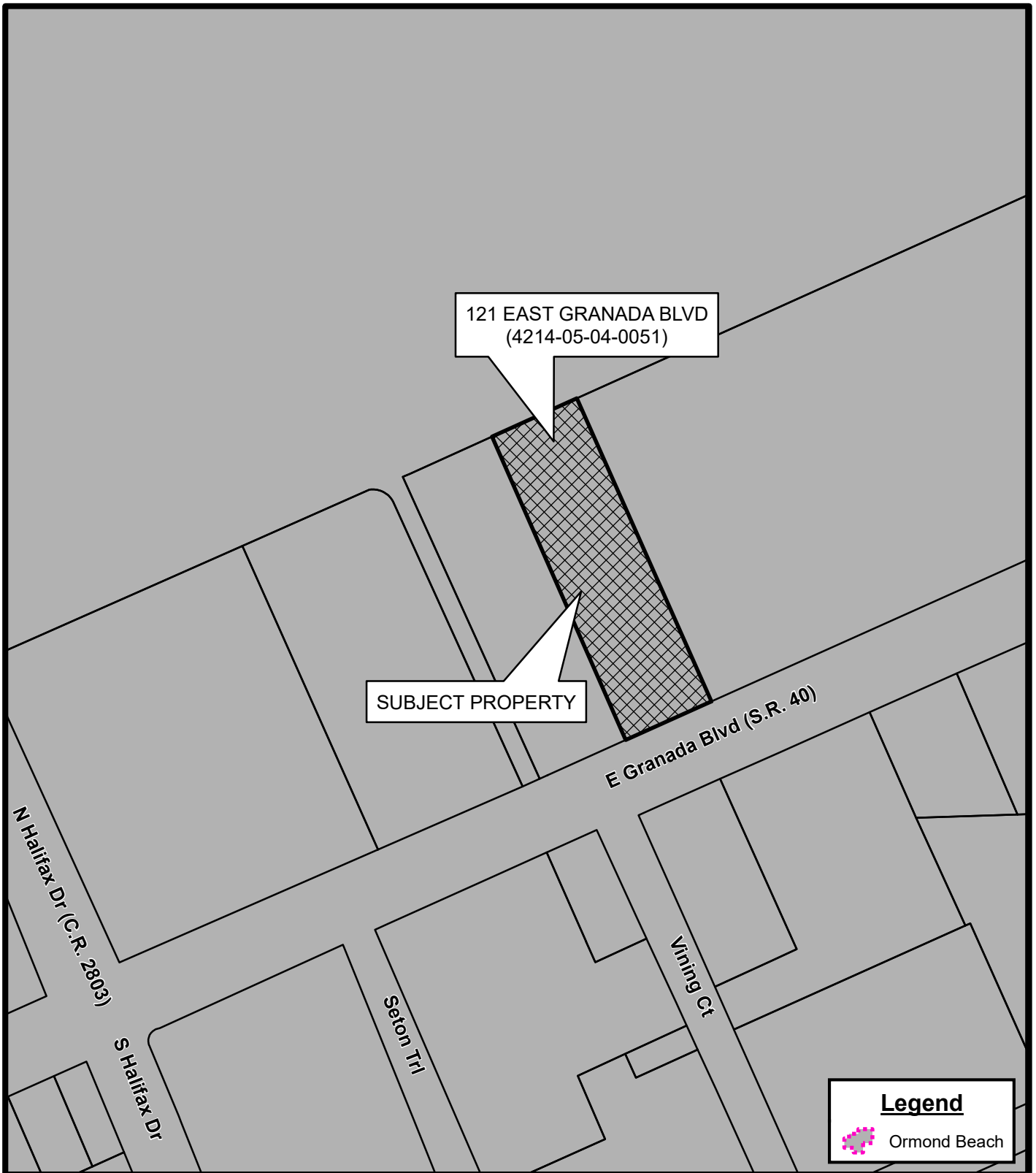
Prepared By: The City of Ormond Beach
G.I.S. Department - May 3, 2023



N.T.S.

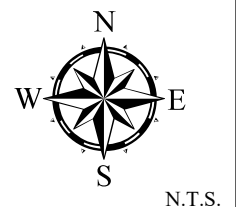
ATTACHMENT 2

Location, aerial, land use
maps



LOCATION MAP
121 EAST GRANADA BLVD
(4214-05-04-0051)

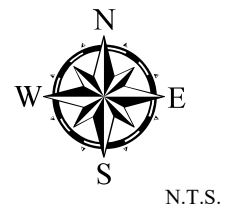
Prepared By: The City of Ormond Beach
G.I.S. Department - May 3, 2023

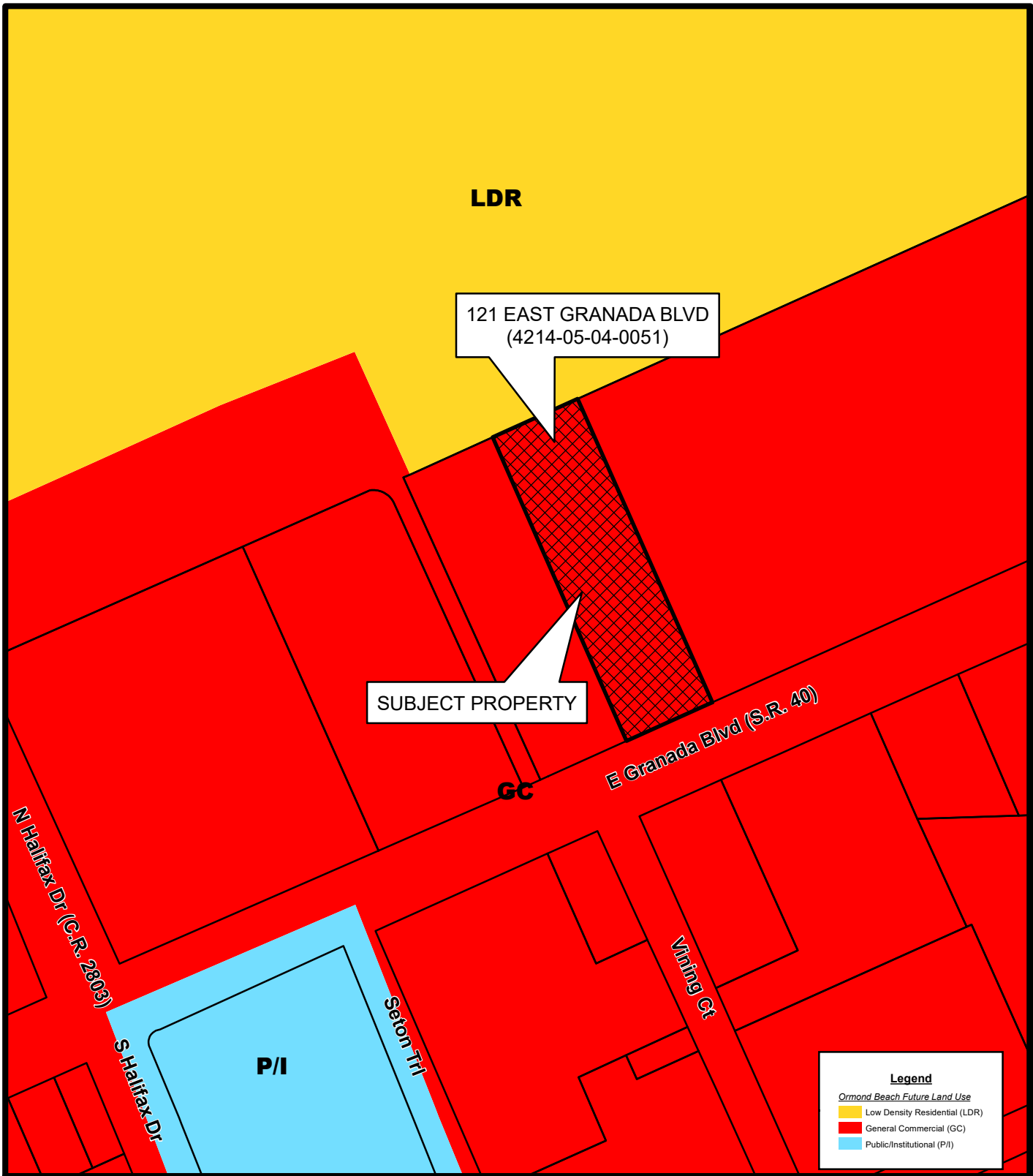




**AERIAL MAP
121 EAST GRANADA BLVD
(4214-05-04-0051)**

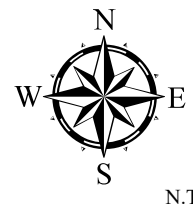
Prepared By: The City of Ormond Beach
G.I.S. Department - May 3, 2023





FUTURE LAND USE MAP
121 EAST GRANADA BLVD
(4214-05-04-0051)

Prepared By: The City of Ormond Beach
G.I.S. Department - May 3, 2023



ATTACHMENT 3

Correspondence received

Spraker, Steven

From: Partington, Bill
Sent: Friday, March 17, 2023 9:06 PM
To: Pamela Gatfield
Cc: Spraker, Steven; Shanahan, Joyce
Subject: Re: Proposed condos 121 E. Granada

Thanks for your email Pam. I would expect this to go to the planning board for review at some point in the future and then possibly come to the Commission with a recommendation for or against.

I'll ask our Planning Director to add you to the notice list so you can get any details on the project and meetings etc.

Sincerely,

Bill

Sent from my iPad

On Mar 16, 2023, at 8:55 PM, Pamela Gatfield <oceanblue2me@gmail.com> wrote:

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

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Mr. Partington,

I just read about the proposed condos on Granada. I moved here in 2019 for the beautiful home town feel of Ormond. From the beautiful street lanterns and Casements, to the palm trees and parks surrounding the best bridge in Volusia County.

Why would you ruin it by planting a SIX STORY condo building on Main St??

Do you see that literally all the buildings are 1-2 story, with the exception of the Ronald McDonald house and Rose Villa? ... Which are 3 and cottage style. A 6 story building crammed into that tiny lot will change the entire aesthetics of this beautiful beach town. We do not need 24 units, roughly 50 people to save our shops.

I ride my bike into town daily. I shop, go to sunrise service, go to the beach all on my bike.

The reason the builder says it is such a challenge is because a 6 story building on .75 acres is ridiculous.

The new condos on Halifax are bad enough and do not fit in with the surrounding houses.

May I suggest another restaurant with outdoor seating? Something beautiful and unique with partial ocean view and parking in the back? Maybe something we can brag about?

Please tell me when the next meeting is and how I can stop this.

I appreciate your time and consideration.

Pamela Gatfield

Ormond Beach MainStreet

P.O. Box 2917
Ormond Beach, FL 32175
Phone: (386) 492-2938

**Executive Committee
2022-2023**

Nancy Cortez, President
Thomas Caffrey, Vice President
Robin Faber, Secretary
Eric DeVriese, Treasurer
Robert Coleman, Design Committee Chair
John Adams, Economic Vitality Chair

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Dorian Burt
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Thomas MacDonald
Paul Osterndorf
Bill Partington, II
Lisa Rademacher
Ashlee Selman
Chuck Spano
Judith Stein
Sam Walter
Whitney Williams

Ex Officio Members

Lori Tolland, Ormond Beach
City Commissioner
Steven Spraker, Planning Director
City of Ormond Beach
Debbie Cotton, President & CEO
Ormond Beach Chamber of Commerce

Community Partners

The City of Ormond Beach
Ormond Memorial Art Museum
The Casements Cultural Center
Ormond Beach Historical Society
Ormond Beach Chamber of Commerce
Ormond Beach Arts District

Executive Director

Rebecca Parker

Annual Sponsors

Adams, Cameron & Co. Realtors
Advent Health
Daytona Beach News-Journal
Foundation Risk Partners
Highlander Corporation
Money Pages
Ormond Observer
Ritchey Cadillac
Ritchey Buick GMC
Robbins Camper Sales
S.R. Perrott
WSBB

May 24, 2023

Commissioners, City of Ormond Beach
22 S. Beach St.
Ormond Beach, FL 32174

Re: Letter of Support for 121 E. Granada Project

Dear Commissioners:

I want to thank you for your attention and consideration as next steps are taken towards the planned residential condominium project at 121 E. Granada Boulevard. Ormond Beach Mainstreet dedicates itself, along with its Design Committee, to assisting in the enhancement of physical and visual assets within our City's Community Redevelopment Area. It meets monthly to discuss important initiatives and developments like these.

The Design Committee first learned of this project over one year ago and has been included in important discussions with key contributors Zev Cohen, Crunch Construction, Cobb Cole, Realty Pros Assured, the lead architect and the Planning Department. Most recently, the groups met during our May Design Committee meeting (5/8/23) to carefully examine design options, neighborhood impact, landscaping improvements and more.

The Design Committee concluded that this condominium project lends itself to our greater mission towards placemaking in the Ormond Beach CRA, and creating a more vibrant, economically sustainable district in which to live, work and play. We also referred to the City's 2019 Downtown Master Plan, which lists as a top priority a "strong desire for more residential in the downtown CRA area," specifically mid-scale development that fosters downtown living.

Ormond Beach Mainstreet voted in its general board meeting on Monday, 5/13 in support of the condominium project at 121 E. Granada Boulevard as it is currently being proposed. Please let me know if you have any further questions or would like additional input from us. We look forward to working together in service of the beautiful community we all call home.

Sincerely,



Rebecca Parker

Executive Director

Ormond Beach MainStreet, Inc.

Becky@ormondmainstreet.com

Office: (386) 492-2938

Mobile: (563) 676-6338

DRAFT

**Planning Board minutes
from**

June 8, 2023

ITEM:

ZMA 2022-098(A)

121 East, 121 East Granada Boulevard,
Zoning Map Amendment

stated that it does and there needs to be verification of the fire access requirements. Mr. Spraker restated that the first step is that there be a majority of residents that desire a one-way traffic pattern. The second step, if residents are interested, is the actual design that could be developed and then voted on by the residents of the roadways.

D. ZMA 2022-098(A) 121 East, 121 East Granada Boulevard, Planned Business Development

E. DO 2022-098(B), 121 East, 121 East Granada Boulevard, Planned Business Development, Issuance of a Development Order

Mr. Steven Spraker, Planning Director, stated that items (D) and (E), are interrelated and will be discussed together but must be voted on by the Planning Board individually. Mr. Spraker displayed the land use and zoning for the property at 121 East Granada Boulevard. Mr. Spraker stated that the land use allowed a total of 24 residential units and the zoning allowed 20 residential units. He showed pictures of the existing site and a Florida Power and Light (FPL) structure. Mr. Spraker stated that agenda item (A) was for a zoning map amendment for 0.76 acres that has a B-4, Central Business zoning designation that is seeking a PBD, Planned Business Development zoning designation. The zoning map amendment provides a framework for the next agenda item of the issuance of a development order.

Mr. Spraker summarized the development order process that included SPRC review, a neighborhood meeting, Ormond Beach MainStreet review, Planning Board review, and future City Commission dates. Mr. Spraker stated that the project was in the Downtown Overlay District and noted that the master plan encouraged residential development.

Mr. Spraker detailed the project site plans. He stated that the building was five (5) stories over the ground floor of parking. The second floor has a pool/amenity area to the north of the property and a dog walk area to the east of the building. Mr. Spraker displayed a first floor site plan and the project building elevations.

Mr. Spraker stated that there were two correspondence items received for this project, an e-mail from a resident who was not in favor of the project and desired another use, and the other correspondence, a letter of support from Ormond Beach MainStreet. Mr. Spraker concluded that the Planning Board's options for the project are (1) approve as submitted, (2) approve with conditions, or (3) deny as submitted. Mr. Spraker stated that the SPRC is recommending approval of agenda items (D) and (E).

Applicant's Presentation

Mr. Robert A. Merrell, Esquire, Cobb Cole, 149 South Ridgewood Avenue, stated there has been months of work put into the project and there is a project team to answer any questions. The property owner and contractor, Mr. Bryan Collyer, is available for any questions. Mr. Merrell remarked that the staff report reviewed in detail the Comprehensive Plan, Downtown Master Plan, and Land Development Code (LDC) requirements and he did not intend to repeat this analysis. He expressed a few key points, the desire to create a sense of place, compact pedestrian

development, and high-quality urban design. Mr. Merrell mentioned that Ormond MainStreet reviewed the project and provided an endorsement.

Mr. Luke Kilic, Project Engineer, Zev Cohen and Associates, 300 Interchange Boulevard, reviewed the project architecture and displayed a fly-around of the proposed building. He stated that the building is broken into a north and south wing. There is a service corridor link between the wings. Mr. Kilic detailed the amenities, including a pool, deck, amenities area, and dog walk. He stated that parking is on the ground floor and the project includes exfiltration chambers for underground stormwater. Mr. Kilic detailed the building including balconies and oversized wings. The elevators would open straight into individual residential units. Mr. Kilic reviewed the front hardscape areas, signage, and heavy landscaping. He stated that the project would generate 68 daily trips.

Mr. Merrell stated that the project is luxury condominiums and is designed to be an iconic structure, and added that the project would provide a large increment of taxes to the Community Redevelopment Area (CRA).

Board Discussion and Questions

Chairman Thomas opened it up to the Board for any questions.

Mr. Railsback asked what the intent was from a leasing perspective and short-term rental. Mr. Merrell stated that they would be allowed to do whatever the Land Development Code (LDC) allowed. Ms. Shull inquired if condominiums set their own rental allowances. Mr. Merrell answered that they can. Mr. Railsback added that the condominium cannot be less restrictive than the municipality and/or state allows. Mr. Merrell responded that these are going to be very expensive units and are not expected to be rentals.

Ms. Shull asked where the air conditioning units would be. Mr. Kilic responded that they will be on the ground floor under the building and are not rooftop units.

Ms. Shull stated that when she first reviewed the packet, the building architecture looked like all of the 1970 condominiums on the beach. She stated that the fly around provided a great perspective and the building is cool looking.

Mr. Galloway remarked on the age of the FPL structure.

Audience Comments/Input

Ms. Pamela Gatfield, 127 Putting Green, read a letter she wrote to the mayor:

“I moved here in 2019 for the beautiful home town feel of Ormond. From the beautiful street lanterns and the Casements, to the palm trees and parks surrounding the best bridge in Volusia County. Why would you ruin it by planting a six-story condo building on our main street? A six-story building crammed into that tiny lot will change the entire aesthetics of this beautiful beach town. We do not need 24 units, roughly 50 people to save our shops. I ride my bike into town daily. I shop, go to sunrise service at the beach, all on my bike. The reason the builder says it is such a challenge is because a six-story building on .76 acres is ridiculous. May I suggest another restaurant with outdoor seating? Something beautiful and unique with

partial ocean view and parking in the back? Maybe something we can brag about?”

Ms. Gatfield stated that was the letter she sent to the mayor. She commented that her other concerns are the aesthetics. Ms. Gatfield remarked that it is a beautiful building and video, but you do not see the rest of the town that is already there. Ms. Gatfield stated that it looks like Daytona and not like Ormond. She stated that one of the things she loves about Ormond are the houses north of Granada Boulevard on Ocean Shore Boulevard, with no big high-rises. Ms. Gatfield expressed concern about the traffic and the lack of parking. She stated that urban is a term that is thrown around a lot in the CRA documentation. Ms. Gatfield stated urban has a definition of dense with compactness and lots of buildings. She questioned if the desire is to have the small-town beach vibe or an urban vibe. Ms. Gatfield referenced other places that she has lived and stated that this project does not line up for a small-town beach vibe on Main Street. She expressed that when she thinks of walkability, and where people want to go out to eat or shop, she thinks of New Smyrna Beach or Flagler. Ms. Gatfield concluded that she and her friends love the quietness of Ormond, but go elsewhere or by where the Grind is because it has cool restaurants.

Mr. Merrell stated he appreciated the comments and reminded the Board that a lot of thought went into the guiding documents for this area. The question of beach town or urban was raised, and Mr. Merrell stated that they wanted to be both. Mr. Merrell stated this is the definition of infill and concluded that it is a pioneering development with the property owner taking a large risk.

Ms. Rosa Morey, 158 Tomoka Avenue, stated that she has lived in Ormond and went to school in the area and moved to Miami, attended the University of Miami, and purchased a home in the Village of Palmetto Bay. She commented that she witnessed this same scenario in Miami. Ms. Morey added that they fought against this type of development and explained that they started with four (4)-stories and now they are at twelve (12)-stories. Ms. Morey remarked that she is here because it is like she is re-living something all over again. She stated that she came back to Ormond, opened a business, working with the community, and loves what she does. Ms. Morey expressed that she loved the idea of what they are doing and stated that the city needs to grow. She stated that the project needs to conform to what the city already has and commented that we have a beautiful community and hates that the Ormond Hotel was lost. She expressed that she believes that the project needs to be downsized and thinks that it will look like a sore thumb. Ms. Morey stated that the project needs to be looked at from another angle, and remarked that the new development should not be rushed into, and that the residents should be listened to. Ms. Morey thanked the Planning Board members for their efforts and time invested into the community.

Ms. Gatfield added that she placed the photos of the project and her letter on the Nextdoor app and she got over 3,000 responses. She stated that 95% of the responses were not favorable and encouraged individuals to come to the meeting. Ms. Gatfield commented that respondents felt like nothing was going to happen if they attended the meeting.

Board Discussion and Questions

Mr. Railsback stated that he supports infill and responsible development. He added that from a zoning perspective there are two minor triggers, unit count and building length. Mr. Railsback remarked that he believes that the building height is conforming and is less than the Ormond Heritage. Mr. Railsback indicated that he would support the project.

Mr. Galloway recalled the development history of Ormond Beach and when the Granada Plaza did not exist. It is understood that people hate change, but we are in the next renaissance of Florida. Florida is growing. Mr. Galloway stated he would rather have controlled growth and local developers that build their project. He stated that the developer is taking a risk. Mr. Galloway pointed out that as far as a restaurant, that the property has failed three times as a restaurant. Mr. Galloway stated he would be supporting the project and remarked that housing is needed.

Mr. Jorczak stated that he attended the neighborhood meeting. He recalled that the form based code has been worked on for a number of years and that the aesthetics are appropriate. Mr. Jorczak added that he believes that this is a first-class, high-quality development that will be beneficial to the city and the downtown. Mr. Jorczak concluded that he supports this project and its infill development.

Mr. du Moulin recalled his experiences living in two condominiums which were not positive. He stated that he attended the neighborhood meeting and thought that this was a well thought out project. Mr. du Moulin indicated that he would support the project. He stated that it is inevitable that something will occupy this spot.

Ms. Shull stated that she likes the project and how it has the Ormond Heritage on one end, which are also condos. She commented the project is redeveloping a blighted piece of property. She added that she appreciates that the air conditioners were not roof-mounted. Ms. Shull indicated that she would be supporting the project.

Chairman Thomas stated that in his work he visits a lot of condominiums and that this would be the first project where the elevators open into the individual units. He remarked that he believes that this would be a first-class condominium. Chairman Thomas agreed that there is a need for infill condominiums. He recalled that the site has been a seafood restaurant, then a barbeque restaurant. He agreed with Mr. Galloway that there were concerns if a restaurant would be viable at this location. Chairman Thomas concluded that he thought the project would be a great addition to the city.

ZMA 2022-098(A)

Chairman Thomas opened it up to the Board for a motion.

Mr. Galloway motioned to approve ZMA 2022-098(A) 121 East Granada Boulevard, Planned Business Development. Ms. Shull seconded it. Vote was called, and the motion was approved (6-0).

DO 2022-098(B)

Chairman Thomas opened it up to the Board for a motion.

Ms. Shull motioned to approve DO 2022-098(B), 121 East, 121 East Granada Boulevard, Planned Business Development, Issuance of a Development Order. Mr. Jorczak seconded it. Vote was called, and the motion was approved (6-0).

F. SE 2023-045, Mister Car Wash, 49 South Yonge Street, Special Exception

Mr. Spraker, Planning Director, explained this is a request for a Special Exception to allow the addition of vacuum stalls, remove an access point, and install site landscaping at 49 South Yonge Street operating as Mister Car Wash. Mr. Spraker showed a picture from 2019 that showed a canopy with vacuums and hand detailing of vehicles. He also showed a current picture that the canopy and hand detailing service no longer exists.

Mr. Spraker reviewed the Special Exception request that includes removing an access point to U.S. Highway 1, adding of vacuum cleaning stations, and addition of landscaping to screen the vacuum cleaning stations. He displayed renderings of the landscaping and the vacuum cleaning stations. Mr. Spraker concluded that the Site Plan Review Committee (SPRC) recommended approval of the Special Exception application.

Board Discussion and Questions

Mr. Jorczak asked about the height of the proposed plantings and if they would screen the cars. Mr. Spraker replied that the goal is to screen the vacuum equipment and cars. He continued that the city Landscape Architect has specified the planting material and height to provide the screening.

Ms. Shull inquired if a knee-wall was proposed if it will only be landscaped. Mr. Spraker responded that the proposal is just for the landscaping and if the Planning Board believes a wall is needed, that it could be added.

Mr. Railsback asked what required the need for the Special Exception. Mr. Spraker confirmed that the vacuums are within the front yard requiring the Special Exception. Mr. Spraker added the proposed level of intensity is greatly reduced compared with the Sparkle-N-Shine use. Mr. Spraker stated that the height of the landscape material is specified on the landscape plan.

Mr. Railsback asked for confirmation that individuals are not parking any closer to U.S. Highway 1 than today. Mr. Spraker confirmed that the project is not seeking any parking location exceptions and the design would remove an access point and make the property safer.

Mr. Galloway inquired about the lot behind 49 South Yonge Street is a city lot. Mr. Spraker answered that their parking lot was a shared lot with the car wash owning a portion (203 Tomoka Avenue) and the city owning a portion of the parking lot area (179 Tomoka Avenue). Mr. Galloway asked for the intent of the portion of the lot at 203 Tomoka Avenue for the vacuum areas. Mr. Spraker replied that his understanding was that they are to be left as they exist today and that the applicant may be able to provide additional information. Mr. Jeff Burr, Mister Car Wash, explained that the rear vacuums are free vacuums to individuals. Mr. Burr added that they anticipate a lot less traffic on the rear lot once the proposed improvements are



City of Ormond Beach AGENDA ITEM

August 1, 2023 - City Commission

Number:9.E

Section:	PUBLIC HEARINGS		
Item Category:	Public Hearing - Ordinances	Res./Ord. No:	2023-39
Strategic Goal:	Transportation & Community Development - Other		
Department:	Planning & Building		
Subject:	121 East, 121 East Granada Boulevard, Issuance of a Development Order (SECOND READING)		
Summary:	This is an application submitted by Robert A. Merrell, Esquire, Cobb Cole, on behalf of the property owner, Dime Rock Properties, LLC, for a (1) zoning map amendment from B-4, Central Business to PBD, Planned Business Development and (2) the issuance of a development order. The 121 East PBD seeks to allow the construction of 24 multi-family residential units and associated site improvements on 0.76± acres. <u>This item is the issuance of the development order.</u> The subject property is located at 121 East Granada Boulevard and located within the Downtown Community Redevelopment Agency (CRA) area. The property has a land use designation of “General Commercial” and a zoning classification of B-4 (Central Business). The property is located within the CRA and Downtown Overlay District as defined by Section 2-70 of the Land Development Code which implements a form-based code that is different than the remainder of the city. The Downtown Overlay District seeks buildings that are pulled to the street, reduced or no building setbacks, larger sidewalks, increased allowable impervious area, allowance of building height, and reduced parking requirements. Resolution 2019-178 adopted an updated Downtown Master Plan for the CRA. The master plan was created with the review of a 17-person steering committee representing a broad spectrum of downtown perspectives. The master plan update emphasized themes within the district, including Economic Development, Sense of Place & Appearance, Transportation and Circulation, Recreation and Open Space, Arts & Culture, Residential Neighborhoods, Environmental Sustainability, Standards and Regulations, and Ensuring the Vision. The proposed project is consistent with the 2019 Downtown Master Plan in the construction of mid-scale residential multi-family development. The subject property has been vacant since the		

building's demolition in 2014 and was a restaurant use prior to the demolition. The site is 100' in width and 330' in depth. The site has an existing Florida Power and Light electrical vault that cannot be moved and must be incorporated into any site design.

The project is seeking a density of 32 units per acre, or 24 units, and to exceed a building length of 180. Both of these items require the PBD.

Below is a summary of the project. The items listed in bold are items that require the issuance of a development order for the PBD. The project proposes a ground level parking area (see Sheet C3) and the building over the ground level parking areas, totaling five (5) floors. Sheet EX 1 in Exhibit "D" shows the building area. The building contains four (4) components:

1. Building south wing – residential – five (5) floors;
2. Building north wing – residential – five (5) floors;
3. Pool/amenity area – second floor only; and
4. Dog walk/amenity area – second floor only.

Planning Board

The Planning Board reviewed the zoning map amendment at the June 8, 2023 meeting and recommended approval by a 6-0 vote. There were no specific references to the zoning map amendment and the Planning Board discussion focused on the site development and issuance of the development order. There were two (2) residents who spoke on this agenda item. Key points included:

1. A six-story building crammed into that tiny lot will change the entire aesthetics of this beautiful beach town.
2. Expressed concern about traffic and parking.
3. Negatively impact the small-town beach vibe.
4. The project needs to conform to what has already been built in the area.
5. The project needs to be downsized.

Key portions of the Planning Board discussions included: (Planning Board meeting minutes are attached.)

1. The property has failed three times as a restaurant.
2. A Board member stated that they supported infill and responsible development.
3. Aesthetics are appropriate and this is a high-quality development that would help the downtown area.
4. The project is re-developing a blighted piece of property.

Financial Impact:	There is no budget impact as the result of the issuance of the development order. The project would provide an increase in tax increment within the CRA as the result of the proposed improvements.
Citizen Impact:	The key item discussed at the Planning Board was the appropriateness of the scale of the building. There were two residents who questioned if the building was appropriate based on scale and height. The residents also questioned if the building was consistent with the other buildings in the area. The project was discussed at Ormond MainStreet and a letter of support was included in the agenda packet.
Recommended Action (Staff, Advisory Board and/or Other):	The Planning Board recommended (6-0) the City Commission APPROVE the Planned Business Development application to allow the construction of 24 multi-family units on 0.76± acres at 121 East Granada Boulevard.
Staff Contact:	Steven Spraker, Planning Director, (386) 676-3341
Attachments:	1. 23-39 121 East Granada DO (P23-0112G) 2. 121 East Granada Blvd DO 3. Exhibit A, 121 EGB, Legal Description, V2 4. Exhibit B, SPRC comments - 121 East 5. Exhibit C, PBD conditions-121 East V2 6. Exhibit D, site plans, 121 East 7. 06.08.2023, 121 East, Issuance of Development Order PB Report(8.5X11) 8. 06.08.2023, DRAFT PB Minutes - 121 EAST, DO
Approval:	Kelly McGuire, Finance Director 7/19/2023 Claire Whitley, Assistant City Manager 7/21/2023 Joyce Shanahan, City Manager 7/25/2023

ORDINANCE NO. 2023-39

AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A PLANNED BUSINESS DEVELOPMENT TO BE LOCATED AT 121 EAST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER: 4214-05-04-0051), TO BE KNOWN AS “121 EAST”; AUTHORIZING THE DEVELOPMENT OF 24 MULTI-FAMILY RESIDENTIAL UNITS AND ASSOCIATED SITE IMPROVEMENTS UNDER CERTAIN CONDITIONS; ESTABLISHING CONDITIONS AND EXPIRATIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, Dime Rock Properties, LLC, a Florida Limited Liability Company (“Property Owner”) is the fee simple owner of certain real property consisting of approximately 0.76 acres located at 121 East Granada Boulevard (Volusia County parcel number: 4214-05-04-0051), as more particularly described and depicted in Exhibit “A” to the Planned Business Development (PBD) Development Order attached hereto and incorporated herein (“Property”), and

WHEREAS, the Property Owner has initiated this Ordinance for the issuance of a Development Order for a Planned Business Development to allow 24 multi-family residential units and associated site improvements under certain conditions on the Property, consisting of approximately 0.76 acres, to be known as “121 East” as described and depicted in the PBD Development Order attached hereto and incorporated herein, and

WHEREAS, the Property has been rezoned from B-4, Central Business, to Planned Business Development (PBD), and

WHEREAS, the proposed Project shall maintain the uses and dimensional standards of the B-4, Central Business 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(d)(2) 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;
- (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 of the Property Owner for the issuance of a Planned Business Development Development Order for the “121 East” project is hereby approved. The Mayor and the City Manager are authorized and directed to execute and issue the attached Development Order for the “121 East” Planned Business Development to allow the construction 24 multi-family residential units and associated site improvements under certain conditions on the Property, consisting of approximately 0.76 acres.

SECTION THREE. Section 2-25(B)(2) of the *Land Development Code* allows a multi-family density of 26 units per acre. The land use of “General Commercial” of the city’s *Comprehensive Plan* allows a maximum of 32 units per acre. The request for 24 multi-family units, or 32 units per acre, for the Planned Business Development as shown, described, and depicted in Exhibit “D” to the PBD Development Order is hereby granted.

SECTION FOUR. Section 2-57(22)(f) of the Land Development Code states “No structure shall exceed one hundred eighty feet (180') in length, unless a planned

development is obtained.” The request for a building length of 242.5 feet excluding the pool/amenities center, and 276.50 feet including the pool/amenities center, as shown, described, and depicted in Exhibit “D” to the PBD Development Order is hereby approved.

SECTION FIVE. The Applicant, including the Applicant’s successors and assigns, shall at all times fully comply with the terms and conditions of the PBD Development Order.

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

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

PASSED UPON at the first reading of the City Commission this 18th day of July, 2023.

PASSED UPON at the second and final reading of the City Commission this 1st day of August, 2023.

BILL PARTINGTON
Mayor

ATTEST:

SUSAN CARROLL DAUDERIS
City Clerk

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

IN RE: **Application of:** Dime Rock Properties, LLC, a Florida Limited Liability Company
 Application No. 2022-098
 Project Name: 121 East
 Property Address: 121 East Granada Boulevard
 Parcel ID No.: 4214-05-04-0051

**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 July 18, 2023, and August 1, 2023, 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 the *Land Development Code* and will not create undue crowding beyond the conditions normally permitted in the PBD, Planned Business Development 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; and

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 Dime Rock Properties, LLC, a Florida Limited Liability Company (“Property Owner”) for property located at 121 East Granada Boulevard (Volusia County parcel number: 4214-05-04-0051) as more particularly described and depicted in Exhibit “A” attached hereto and incorporated herein (“Property”), for a Development Order for a Planned Business Development to be known as “121 East”, to allow the construction of 24 multi-family residential units and associated site improvements under certain conditions on .76 acres, on that Property more particularly described and depicted 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 2-36, PBD, Planned Business Development District, 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 Planned Business Development Conditions described in Exhibit “C”;

4. Full and complete compliance with the Applicant's Site Plan attached as Exhibit "D";

B. The final plans for the development project shall be consistent with all the conditions listed in this Planned Business Development Development Order and as depicted in the plans that are attached hereto and incorporated herein by reference as Exhibit "D".

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 Planned Business Development Development Order approved for this development project, and of the *Land Development Code*.

E. If the final plan approval lapses under the provisions of Chapter 1, Article II, Section 1-14(3)(b) of the *Land Development Code* before the planned development permit can be established, a new application for a Planned Business Development 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 Development Order is abandoned for a period of two (2) years any permit issued hereunder and this Planned Business Development Development Order shall automatically become void and a Notice of Final Plan Revocation shall be filed under the provisions of Chapter 1, Article II, Section 1-14(3)(b) of the *Land Development Code*, and a new application for a Planned Business Development 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 Chapter 1, Article II, Section 1-14, or with the conditions provided in the Planned Business Development 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 August 1, 2026, then this Planned Business Development Development Order shall automatically become void and shall have no further legal effect per Chapter 1, Article II, Section 1-14(3)(a), of the *Land Development Code*. If a building or site engineering permit is issued on or before August 1, 2026, the project shall be vested.

I. This Planned Business Development Development Order shall be recorded in the public records of Volusia County, Florida, at the expense of the Property Owner, and shall be binding on the Property Owner, and its successors and assigns, and shall run with the real property described in Exhibit “A” attached hereto.

ORDERED this 1st day of August, 2023.

CITY COMMISSION
CITY OF ORMOND BEACH, a Florida
municipal corporation

By: _____
BILL PARTINGTON
Mayor

(CITY SEAL)

Attest: _____
JOYCE A. SHANAHAN
City Manager

EXHIBIT "A"

LEGAL DESCRIPTION
(from J.B. Fries & Associates, Inc. survey)

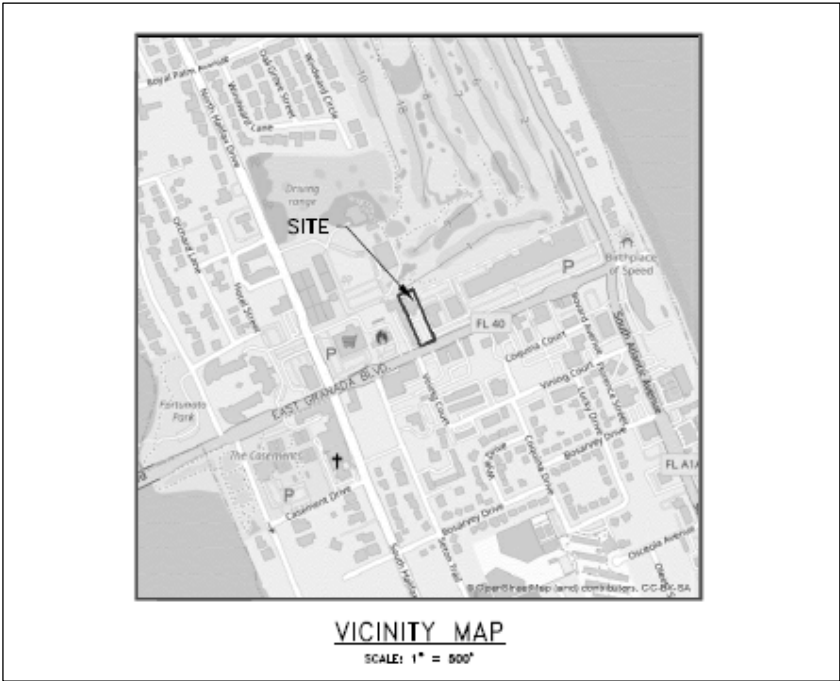
PLAT OF BOUNDARY SURVEY OF :

THE EASTERLY 100 FEET OF THAT PART OF GOVERNMENT LOT 2, SECTION 14, TOWNSHIP 14 SOUTH, RANGE 32 EAST, VOLUSIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: BEGIN AT A POINT IN THE NORTHERLY LINE OF GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, A 60 FOOT STREET AS FORMERLY LAID OUT, SAID POINT BEING A DISTANCE OF 1250 FEET WESTERLY OF THE INTERSECTION OF SAID LINE WITH THE WESTERLY LINE OF OCEAN SHORE BOULEVARD, A 30 FOOT STREET AS FORMERLY LAID OUT; THENCE NORTHERLY AND AT RIGHT ANGLES TO GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, A DISTANCE OF 350 FEET TO A POINT; THENCE WESTERLY AND PARALLEL TO GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA ACVENUE, A DISTANCE OF 200 FEET TO A POINT; THENCE SOUTHERLY AND AT RIGHT ANGLES TO GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, A DISTANCE OF 350 FEET TO THE NORTHERLY LINE OF GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE; THENCE EASTERLY ALONG SAID NORTHERLY LINE OF GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, A DISTANCE OF 200 FEET TO THE POINT OF BEGINNING; EXCEPTING THEREFROM THAT PORTION THEREOF TAKEN FOR GRANADA RIGHT OF WAY PURPOSES.

SAID PROPERTY IS ALSO DESCRIBED AS:

THAT PART OF GOVERNMENT LOT 2, SECTION 14, TOWNSHIP 14 SOUTH, RANGE 32 EAST, VOLUSIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: BEGIN AT A POINT IN THE NORTHERLY LINE OF GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, A 60 FOOT STREET AS FORMERLY LAID OUT, SAID POINT BEING A DISTANCE OF 1250 FEET WESTERLY OF THE INTERSECTION OF SAID LINE WITH THE WESTERLY LINE OF OCEAN SHORE BOULEVARD, A 30 FOOT STREET AS FORMERLY LAID OUT; THENCE WESTERLY ALONG THE SAID NORTHERLY LINE OF GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, A DISTANCE OF 100 FEET TO A POINT; THENCE NORTHERLY AND AT RIGHT ANGLES TO SAID NORTH LINE OF GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, A DISTANCE OF 350 FEET TO A POINT; THENCE EASTERLY AND PARALLEL TO GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, A DISTANCE OF 100 FEET TO A POINT; THENCE SOUTHERLY AND AT RIGHT ANGLES TO GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, A DISTANCE OF 350 FEET TO THE POINT OF BEGINNING; EXCEPTING THEREFROM THAT PORTION THEREOF TAKEN FOR GRANADA RIGHT OF WAY PURPOSES.

LOCATION MAP



PARCEL ID: 4214-05-04-0051
OWNER: DIME ROCK PROPERTIES, LLC, A FLORIDA LIMITED LIABILITY COMPANY
ROBERT A. MERRELL, ESQUIRE, COBB COLE, ON BEHALF OF THE PROPERTY OWNER, DIME ROCK PROPERTIES, LLC, A FLORIDA LIMITED LIABILITY COMPANY
APPLICANT:

APPLICATION ADDRESS: 121 EAST GRANADA BLVD., ORMOND BEACH, FL 32174

EXHIBIT “B”

Page 1 of 4

SITE PLAN REVIEW COMMITTEE OUTSTANDING COMMENTS

Project Name: PZ-22-098

Project Description: 121 East Granada Boulevard, 121 East

Review Comments List Date: 5/30/2023

Ref. # 53, Civil Engineer, David Allen, 8/29/22 11:53 AM, Cycle 1, Unresolved

Markup: Civil-Stormwater Design, PD Plan Stormwater & Environmental Plan Page 5.pdf

Provide the criteria for design for this stormwater facility?

Ref. # 69, Civil Engineer, David Allen, 5/15/23 3:12 PM, Cycle 2, Unresolved

Markup: Civil-Elevations Stormwater, PD Plan Stormwater & Environmental Plan Page 5.pdf

Provide a detail that shows the elevations that will be reflected in the Stormwater Calculations for the volume of the retained surface water.

Ref. # 70, Civil Engineer, David Allen, 5/15/23 3:14 PM, Cycle 2, Unresolved

Markup: Civil-Chamber Detail/Volume, 21173 Stormwater Calculations.pdf

Provide a detail that shows the bottom of the storm, bottom of the chamber, top of the chamber, top of stone, base material and asphalt or concrete pavement.

These elevations should match the calculations of the aggregate volume as the volume of water increases.

Ref. # 74, Civil Engineer, David Allen, 5/16/23 9:30 AM, Cycle 2, Unresolved

Markup: Civil-Hydraulic Gradeline, PD Plan Stormwater & Environmental Plan Page 5.pdf

While the parking surface is under roof, there will be some surface water entering into the system. Provide assurance that the pipe and inlet system does not create a ponding situation on the parking surface. The LDC uses the peak stage of the design storm, in this case 13.68 as the tailwater for a hydraulic gradeline calculation.

Ref. # 75, Civil Engineer, David Allen, 5/16/23 9:38 AM, Cycle 2, Unresolved

Markup: Civil-Dumpster, VT1 VEHICLE TRACKING PLAN EXHIBIT.pdf

Is this a normal dumpster operation? Will the dumpster vehicle lift overhead to empty? Will this affect the second story?

If this is not a normal dumpster operation, provide information on the process that will be followed. Include the number and sizes of the proposed roll-off containers. Will the process of unloading the containers be done on private property and not in the right of way? Will the unloading process block the access to the parking area?

Ref. # 3, Fire Plans Examiner, MLG Municipal Services, 8/24/22 12:54 PM, Cycle 1, Unresolved

Markup: Changemark note #01, PD Plan Overall Development Plan Page 4.pdf

Please show a emergency vehicle ingress/egress route to the building. This information shall include as a minimum: Overhead clearance dimensions, access route clear width dimensions, grade and slope, turning radius, and vehicle turn around areas. Additionally, please show architectural elevation and floor plan details related to the location of exit stairwells, building entrances/exit lobbies, elevators and fire protection system connections.

EXHIBIT "B"

Page 2 of 4

Ref. # 55, Landscape Architect, Cara Culliver, 5/4/23 3:54 PM, Cycle 2, Unresolved

Markup: 10% Pervious Exhibit, LA1 CONCEPTUAL LANDSCAPE PLAN.pdf

- Please provide an exhibit that demonstrates the 10% pervious area requirement. Please show the areas and provide the square footages for each area.

Ref. # 56, Landscape Architect, Cara Culliver, 5/4/23 3:54 PM, Cycle 2, Unresolved

Markup: Second Floor Plan - Lady Palms, LA1 CONCEPTUAL LANDSCAPE PLAN.pdf

- These palms & annuals will not withstand the salt exposure, please change this plant material that can withstand the salt spray & wind.

Ref. # 57, Landscape Architect, Cara Culliver, 5/4/23 3:58 PM, Cycle 2, Unresolved

Markup: Building Outline Second Floor - Cabbage Palms, LA1 CONCEPTUAL LANDSCAPE PLAN.pdf

- The building outline for the second floor needs to match the civil set. This will determine where the proposed Cabbage palms can be placed. There are other areas where palms could be placed.

- Please look at and analyze the shadows that the building will be casting and proposed plant materials. Interior type palms might be better for these areas?

Ref. # 58, Landscape Architect, Cara Culliver, 5/4/23 4:06 PM, Cycle 2, Unresolved

Markup: Conceptual Landscape Plan, LA1 CONCEPTUAL LANDSCAPE PLAN.pdf

- Please provide a biddable landscape plan and key out the plant material areas with quantities.

Ref. # 59, Landscape Architect, Cara Culliver, 5/4/23 4:15 PM, Cycle 2, Unresolved

Markup: Retaining Wall - Eastside, LA1 CONCEPTUAL LANDSCAPE PLAN.pdf

- How tall is the retaining wall on the eastside, looks like from the renderings this wall is higher than the second floor? Is this correct?

- Are the second story planters shielded by this wall?

Ref. # 60, Landscape Architect, Cara Culliver, 5/4/23 4:20 PM, Cycle 2, Unresolved

Markup: Landscape Areas, A-3 renderings.pdf

- Please update these renderings to reflect the plantable area as shown on the landscape plan.

Ref. # 61, Landscape Architect, Cara Culliver, 5/4/23 4:23 PM, Cycle 2, Unresolved

Markup: Vertical Plantings, LA1 CONCEPTUAL LANDSCAPE PLAN.pdf

- Might want some vertical planting to frame the entrance signs and soften/break the blank walls.

Ref. # 62, Landscape Architect, Cara Culliver, 5/4/23 4:29 PM, Cycle 2, Unresolved

Markup: Elevation Drawings, LA1 CONCEPTUAL LANDSCAPE PLAN.pdf

- Please update the elevations to show the second floor planters. I need a better understanding if they are going to be exposed to east salt and winds?

Ref. # 63, Landscape Architect, Cara Culliver, 5/5/23 9:08 AM, Cycle 2, Unresolved

Markup: Second Story Pool Planters, LA1 CONCEPTUAL LANDSCAPE PLAN.pdf

- Please provide planter details and key out plant materials.

EXHIBIT "B"
Page 3 of 4

Ref. # 10, Planner 2, Sarah Cushing, 8/24/22 3:28 PM, Cycle 1, Unresolved

Markup: Planning - building facade , 121 pitch 2.pdf

Section 2-70(e)(3)(f) states the facade shall be vertically divided into segments no larger than thirty feet (30'); and (g) states street walls shall be made of brick, block or stucco to match facade of principal building.

Ref. # 81, Planner 2, Sarah Cushing, 5/16/23 4:01 PM, Cycle 2, Unresolved

Ref. # 82, Planner 2, Sarah Cushing, 5/16/23 4:03 PM, Cycle 2, Unresolved

Markup: Planning - dumpster pad detail, PD Plan Overall Developmetn Plan Page 4.pdf

Provide a detail of the dumpster pad and enclosure to meet the requirements outlined in Section 2-50(l)

Ref. # 83, Planner 2, Sarah Cushing, 5/16/23 4:04 PM, Cycle 2, Unresolved

Markup: Planning - screening wall detail, PD Plan Overall Developmetn Plan Page 4.pdf

Provide a wall detail which includes the height and material.

Ref. # 88, Planner 2, Sarah Cushing, 5/16/23 4:16 PM, Cycle 2, Unresolved

Markup: Planning - Building colors, A-3 renderings.pdf

Color swatches for all of the building colors will be needed at time of permitting for construction.

Ref. # 89, Planner 2, Sarah Cushing, 5/16/23 4:19 PM, Cycle 2, Unresolved

Ref. # 92, Planner 2, Sarah Cushing, 5/17/23 11:42 AM, Cycle 2, Unresolved

Markup: Planning - signage size, A-3 renderings.pdf

Please provide a square-footage calculation of the proposed signage and include a detail as available.

Ref. # 64, Planner 3, Becky Weed, 5/10/23 2:17 PM, Cycle 2, Unresolved

Markup: Crown of Road, PD Plan Stormwater & Environmental Plan Page 5.pdf

Staff has determined that the crown of the road is 14.83 feet. The FFE then needs to be 16.33 feet. Please adjust the FFE or provide other justification for a different crown of road or obtain a letter from the City Engineer allowing a lower FFE.

Ref. # 25, Planning Director, Steven Spraker, 8/25/22 7:50 PM, Cycle 1, Unresolved

Comment:

Ref. # 35, Planning Director, Steven Spraker, 8/25/22 8:16 PM, Cycle 1, Unresolved

Comment:

Planning, Sheet C3

Per Section 4-06(4)(d)(8) of the LDC, please provide:

Lighting plan indicating the location for lighting for streets, access drives, parking lot, building access points and additional security lighting.

EXHIBIT "B"
Page 4 of 4

Ref. # 38, Planning Director, Steven Spraker, 8/25/22 8:29 PM, Cycle 1, Unresolved

Markup: Planning, architectural elevations, 121 pitch 2.pdf

1. What is the height of the ground parking area to the building?
2. What is the overall height of the building. Please show on the plan sheet.
3. Please add a note to the architectural elevations that the maximum height for any structure is 75 feet. The project shall be required to provide an as-built height survey detailing the constructed height.

Ref. # 43, Planning Director, Steven Spraker, 8/25/22 8:40 PM, Cycle 1, Unresolved

Markup: Planning, Sheet C4, PD Plan Overall Development Plan Page 4.pdf

Section 2-70(g) of the LDC - Provide sidewalk easements to expand the existing width of the current sidewalk on Granada Boulevard to eleven feet (11'), thus providing pedestrian safety as well as landscaping opportunities.

Ref. # 68, Planning Director, Steven Spraker, 5/12/23 1:20 PM, Cycle 2, Unresolved

Markup: Planning, Proposed Screen Wall, PD Plan Overall Development Plan Page 4.pdf

Please provide detail of the proposed screen wall and height - all property lines with screen wall.

Ref. # 71, Utility 1, Mike Stephenson, 5/15/23 3:36 PM, Cycle 2, Unresolved

Markup: Utility Conflict, PD Plan Stormwater & Environmental Plan Page 5.pdf

Existing utilities present between proposed structures DSC-1 and ST-9 include 8-inch gravity sewer, fiber optic cabling, and a 10-inch water main. Please advise how the contractor should handle these utility conflicts.

Ref. # 72, Utility 1, Mike Stephenson, 5/15/23 3:36 PM, Cycle 2, Unresolved

Markup: Asphalt and Sidewalk Details, PD Plan Stormwater & Environmental Plan Page 5.pdf

Please add FDOT details regarding the asphalt and sidewalk open cut and repair sections

Ref. # 73, Utility 1, Mike Stephenson, 5/15/23 3:36 PM, Cycle 2, Unresolved

Markup: FDOT Permit, PD Plan Stormwater & Environmental Plan Page 5.pdf

Please advise when FDOT permit is obtained.

**121 EAST
PLANNED BUSINESS DEVELOPMENT
SPECIAL CONDITIONS**

1. The site is approximately 0.76 acres.
2. Land use density allowed = 24 residential units (32 units per acre).
3. Zoning density allowed = 20 units (26 units per acre).
4. Section 2-25(B)(2) of the Land Development Code allows a multi-family density of twenty-six (26) units per acre. The land use of “General Commercial” of the city’s Comprehensive Plan allows a maximum of 32 units per acre. The request for 24 multi-family units, or 32 units per acre, for the Planned Business Development as shown, described, and depicted in Exhibit “D” to the PBD Development Order is hereby granted.
5. The difference between the zoning “by right” zoning density and the requested Planned Business Development is four (4) units.
6. Total site impervious area = 89.45%. Allowed impervious area = 90%.
7. Total pervious area = 10.55%.
8. Project proposes a ground level parking area (see Sheet C3 of Exhibit “D”) and the building over the ground level parking areas, totaling five (5) floors (see Sheet EX1 of Exhibit “D”).
9. Sheet EX 1 in Exhibit “D” shows the building area. The building contains four (4) components:
 - A. Building south wing – residential – five (5) floors;
 - B. Building north wing – residential – five (5) floors;
 - C. Pool/amenity area – second floor only; and
 - D. Dog walk/amenity area – second floor only.
10. Sheet SF1 in Exhibit “D” shows the building setbacks. Note that the Downtown Overlay District does not require front, rear, or side setbacks.
11. The front building setback is 37’5 feet. The building is setback to allow turning movement for the project dumpster area, project utilities, and is screened with a wall.
12. Section 2-57(22)(f) of the Land Development Code states “No structure shall exceed one hundred eighty feet (180’) in length, unless a planned development is obtained.” The request for a building length of 242.5 feet excluding the pool/amenities center and 276.50 feet including the pool/amenities center as shown, described, and depicted in Exhibit “D” to the PBD Development Order is hereby approved.
13. The building is designed in compliance with the neo-eclectic architectural style, see sheets A-2.1 and S1 of Exhibit “D” for specific compliance details.

EXHIBIT “C”

Page 2 of 2

14. The building height is proposed at 74’11”. The project would be required to perform a vertical survey once the building is constructed to ensure it does not exceed 75’ in height.
15. The project parking requirement is 36 spaces and 40 parking spaces are provided.
16. The existing FPL vault is proposed to remain and the project team has coordinated and obtained approved of the site plan with FPL.
17. Sheet C5, of Exhibit “D” shows StormTech underground chambers for stormwater.
18. Sheet C6, of Exhibit “D”, shows connections to existing water and sewer lines along East Granada Boulevard.
19. Per the Downtown Overlay District, the project shall provide a sidewalk easement to allow the sidewalk along Granada Boulevard to be a total of eleven feet in width prior to the Certificate of Occupancy of the building.
20. The project is within the Transportation Concurrency Exception Area (TCEA).
21. School concurrency is required prior to final SPRC approval.
22. Hours of outside construction activities shall be from 7:00 a.m. to 7:00 p.m. Monday through Saturday, with no outside construction activities on Sundays. Required concrete pours outside the construction hour restrictions may be scheduled with the Planning Director with at least five (5) days prior to the activity.
23. The project is granted the ability to construct the project name signage, see Exhibit “D” on each side of the walls in the entrance area abutting East Granada Boulevard.
24. The Planned Business Development would incorporate the uses of the B-4, Central Business zoning district.

121 EAST

CITY OF ORMOND BEACH - VOLUSIA COUNTY, FL PLANNED DEVELOPMENT (PD) PLANS

OWNER:
DIME ROCK PROPERTIES, LLC.
375 FENTRESS BLVD
DAYTONA BEACH, FL 32114
PHONE NUMBER: (386) 274-1234
FAX NUMBER: (386) 274-5678
CONTACT PERSON: COLLYER, BRYAN R
e-mail: bryan@crconstruction.net

CIVIL ENGINEER:
ZEY COHEN & ASSOCIATES, INC.
300 INTERCHANGE BLVD, SUITE C
ORMOND BEACH, FL 32174
PHONE NUMBER: (386) 677-2482
FAX NUMBER: (386) 677-2505
CONTACT: KILIC, P.E.
e-mail: khilic@zeycohen.com

SURVEYOR:
J. B. FRIES & ASSOCIATES, INC.
#3435 WEST STATE ROAD #40
ORMOND BEACH, FLORIDA 32174
PHONE NUMBER: (386) 671-1700
FAX NUMBER
CONTACT PERSON: BRYAN E. FRIES P.S.M.
e-mail: jbfries@ymail.com

LANDSCAPE ARCHITECT:
ZEY COHEN & ASSOCIATES, INC.
300 INTERCHANGE BLVD, SUITE C
ORMOND BEACH, FL 32174
PHONE NUMBER: (386) 677-2482
FAX NUMBER: (386) 677-2505
CONTACT PERSON: JAKE STEHR, RLA
e-mail: jstehr@zeycohen.com

ATTORNEY:
COBB COLE
149 S. RIDGEWOOD AVE.
DAYTONA BEACH, FL 32114
PHONE NUMBER (386) 323-9265
FAX NUMBER (386) 944-7955
CONTACT PERSON: ROB MERRELL
e-mail: rob.merrell@cobbcole.com

PROJECT DESCRIPTION:

PLANNED RESIDENTIAL DEVELOPMENT INCLUDING FOR 24 UNIT CONDOMINIUM DEVELOPMENT.

TAX PARCEL ID: 421405040051

ADJACENT PROPERTY OWNERS:

- 421405040052
GRANADA PLAZA GROUP, LLC
444 SEABRETZE BLVD. STE 1000
DAYTONA BEACH, FLORIDA 32114

SITE ADDRESS:
125 E. GRANADA BLVD., ORMOND BEACH, FLORIDA 32176

- 421405040060
OCEANSIDE GOLF & COUNTRY CLUB
75 HALAFAX DRIVE
ORMOND BEACH, FLORIDA 32176

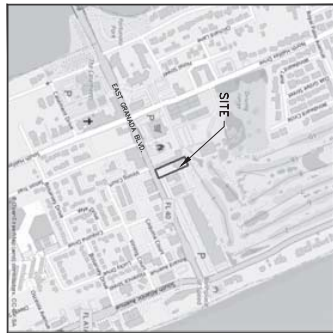
SITE ADDRESS:
75 HALAFAX DRIVE, ORMOND BEACH, FLORIDA 32176

- 421405040053
DIME ROCK PROPERTIES, LLC.
39 MOUNT AVENUE
ORMOND BEACH, FLORIDA 32174

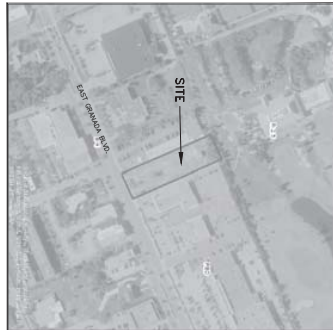
SITE ADDRESS:
115 E. GRANADA BLVD., ORMOND BEACH, FLORIDA 32176

- GRANADA BOULEVARD/STATE ROUTE 40

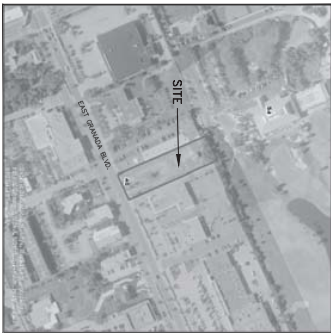
NOTE: THE SCALE OF THESE PLANS MAY HAVE CHANGED DUE TO REPRODUCTION.



VICINITY MAP
SCALE: 1" = 200'



ZONING MAP
SCALE: 1" = 200'



SOILS MAP
SCALE: 1" = 200'



FLOOD ZONE MAP
SCALE: 1" = 200'

THE SITE LIES WITHIN THE FOLLOWING VOLUSIA COUNTY SOIL CLASSIFICATIONS:
SCALE: 1" = 200' - QUANTIFICATION OF SOILS

FLOOD ZONE 7 - PER FEMA MAPS 12170201AK
SCALE: 1" = 200'

SHEET INDEX:

C1	COVER SHEET
C2	EXISTING CONDITIONS PLAN
C3	PROPOSED LAND USE PLAN
C4	GROUND FLOOR PLAN
C5	STORMWATER & ENVIRONMENTAL PLAN
C6	UTILITY PLAN
LA1-LA2	CONCEPTUAL LANDSCAPE PLAN
VT1	VEHICLE TRACKING PLAN EXHIBIT
SF1	SECOND FLOOR PLAN EXHIBIT

LEGAL DESCRIPTION:

THE EASTERN 100 FEET OF PLAT PART OF SUBDIVISION LOT 7, SECTION 14, TOWNSHIP 14 NORTH, RANGE 32 EAST, VOLUSIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: BEGIN AT A POINT IN THE NORTHERLY LINE OF GRANADA BOULEVARD, FORMERLY A STREET OF THE INTERSECTION OF SAID LINE WITH THE WESTERLY LINE OF OCEAN SHORE BOULEVARD, A 20 FOOT STREET AS FORMERLY Laid OUT, THENCE SOUTHERLY AND AT RIGHT ANGLES TO GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA BOULEVARD, A DISTANCE OF 200 FEET TO A POINT, THENCE SOUTHERLY AND AT RIGHT ANGLES TO GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, A DISTANCE OF 200 FEET TO A POINT, THENCE SOUTHERLY AND AT RIGHT ANGLES TO GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, THENCE EASTERLY ALONG SAID SOUTHERLY LINE OF GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, A DISTANCE OF 200 FEET TO THE POINT OF BEGINNING, EXCEPTING THE PROPERTY DESCRIBED HEREIN IS IN "UNIMPAVED ZONE 1" PER THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 12170201AK, MAP NUMBER 12170201AK, DATED 29 SEPTEMBER, 2017.

SAID PROPERTY IS ALSO DESCRIBED AS:

PLAT PART OF SUBDIVISION LOT 7, SECTION 14, TOWNSHIP 14 NORTH, RANGE 32 EAST, VOLUSIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: BEGIN AT A POINT IN THE NORTHERLY LINE OF GRANADA BOULEVARD, FORMERLY A STREET OF THE INTERSECTION OF SAID LINE WITH THE WESTERLY LINE OF OCEAN SHORE BOULEVARD, A 20 FOOT STREET AS FORMERLY Laid OUT, THENCE SOUTHERLY AND AT RIGHT ANGLES TO GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA BOULEVARD, A DISTANCE OF 200 FEET TO A POINT, THENCE SOUTHERLY AND AT RIGHT ANGLES TO GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, A DISTANCE OF 200 FEET TO A POINT, THENCE SOUTHERLY AND AT RIGHT ANGLES TO GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, THENCE EASTERLY ALONG SAID SOUTHERLY LINE OF GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, A DISTANCE OF 200 FEET TO THE POINT OF BEGINNING, EXCEPTING THE PROPERTY DESCRIBED HEREIN IS IN "UNIMPAVED ZONE 1" PER THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 12170201AK, MAP NUMBER 12170201AK, DATED 29 SEPTEMBER, 2017.

121 EAST

PLANNED DEVELOPMENT (PD) PLANS COVER SHEET

CITY OF ORMOND BEACH

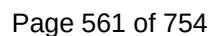
VOLUSIA COUNTY, FLORIDA

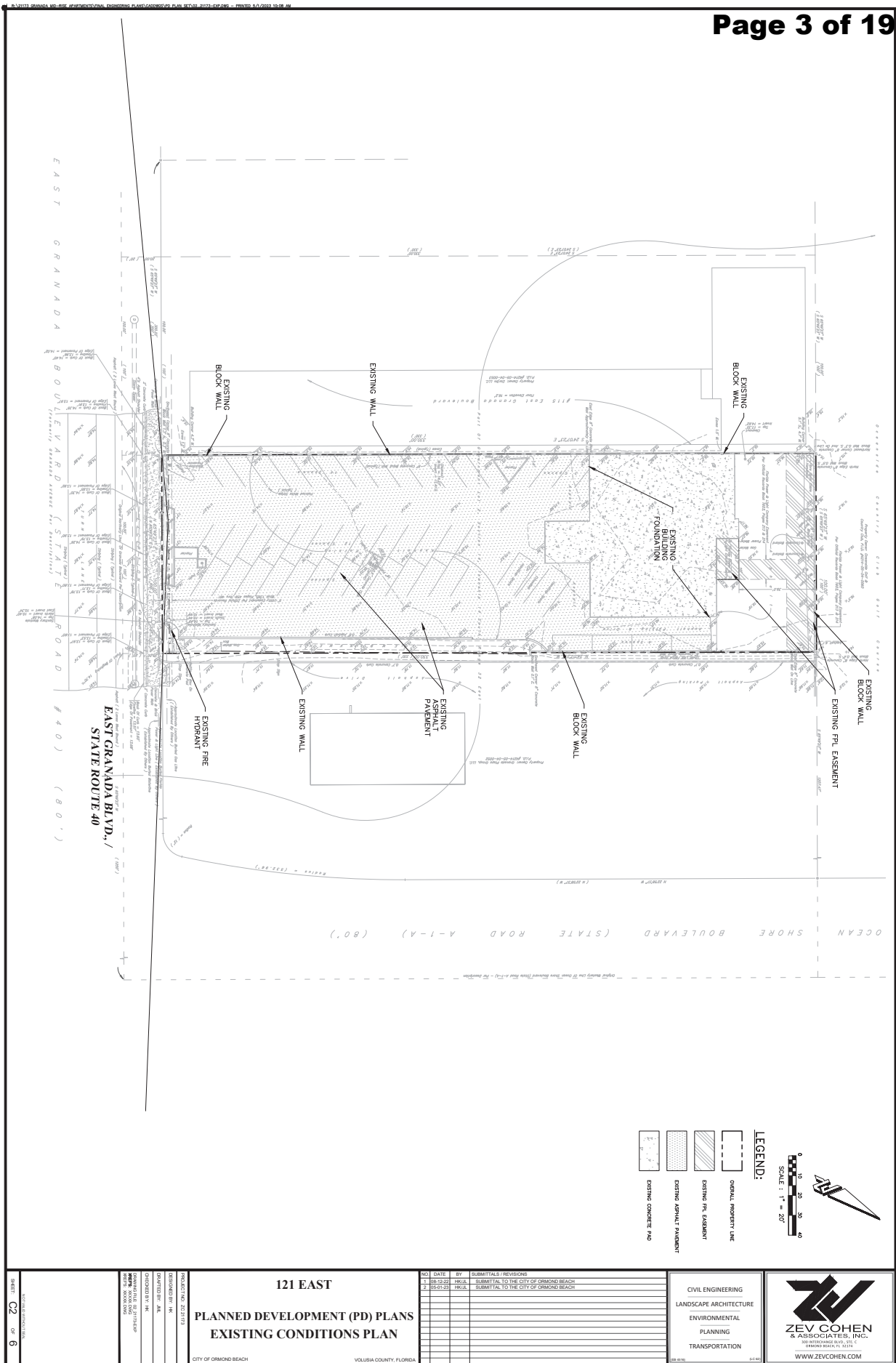
NO.	DATE	BY	SUBMITTALS / REVISIONS
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2	07-12-22	RA	SUBMITTAL TO THE CITY OF ORMOND BEACH
3	07-12-22	RA	SUBMITTAL TO THE CITY OF ORMOND BEACH
4	07-12-22	RA	SUBMITTAL TO THE CITY OF ORMOND BEACH
5	07-12-22	RA	SUBMITTAL TO THE CITY OF ORMOND BEACH
6	07-12-22	RA	SUBMITTAL TO THE CITY OF ORMOND BEACH
7	07-12-22	RA	SUBMITTAL TO THE CITY OF ORMOND BEACH
8	07-12-22	RA	SUBMITTAL TO THE CITY OF ORMOND BEACH
9	07-12-22	RA	SUBMITTAL TO THE CITY OF ORMOND BEACH
10	07-12-22	RA	SUBMITTAL TO THE CITY OF ORMOND BEACH

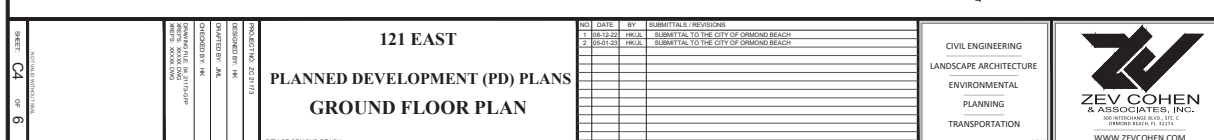
CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE
ENVIRONMENTAL
PLANNING
TRANSPORTATION

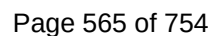


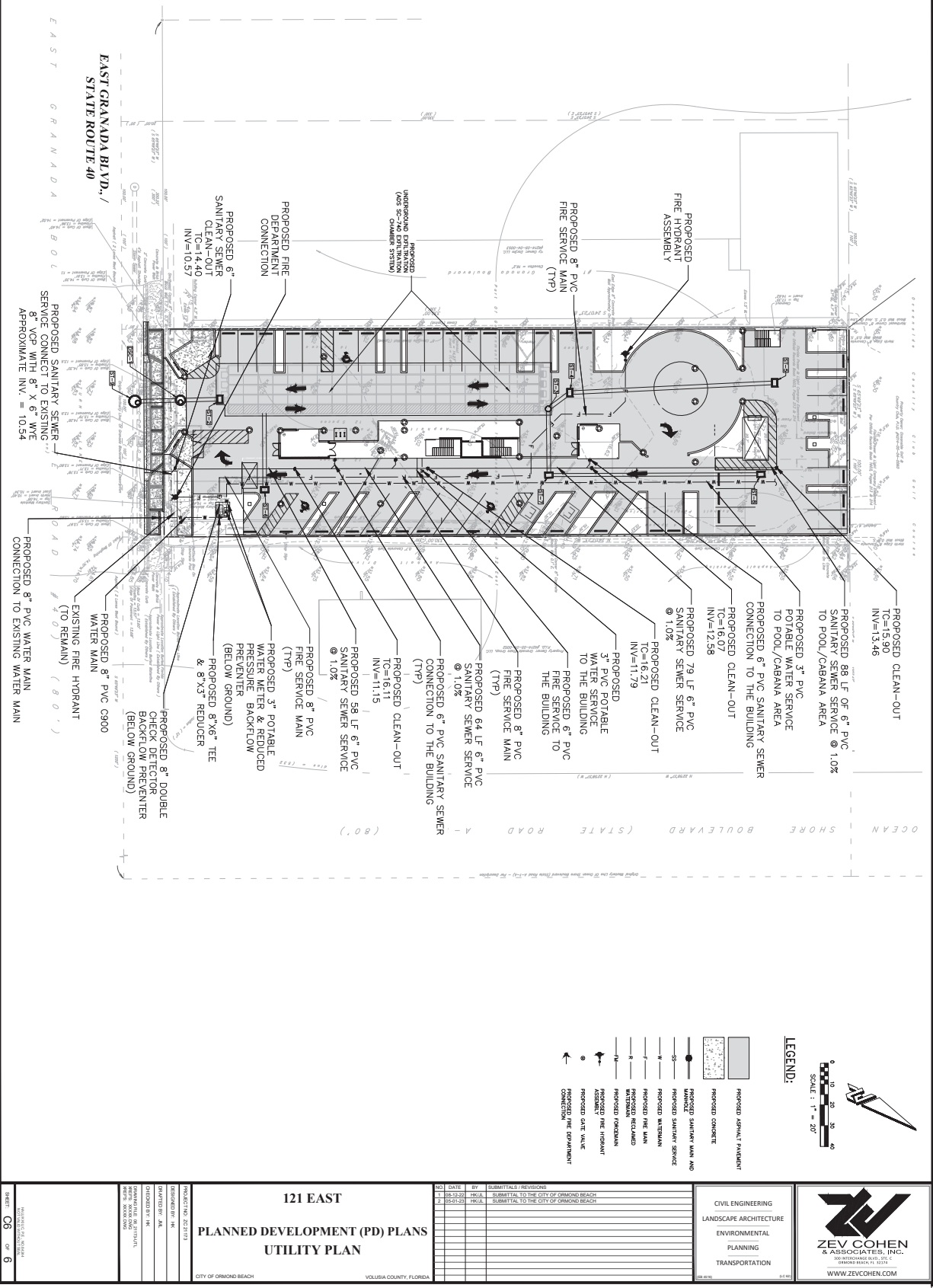
SHEET C1 OF 6

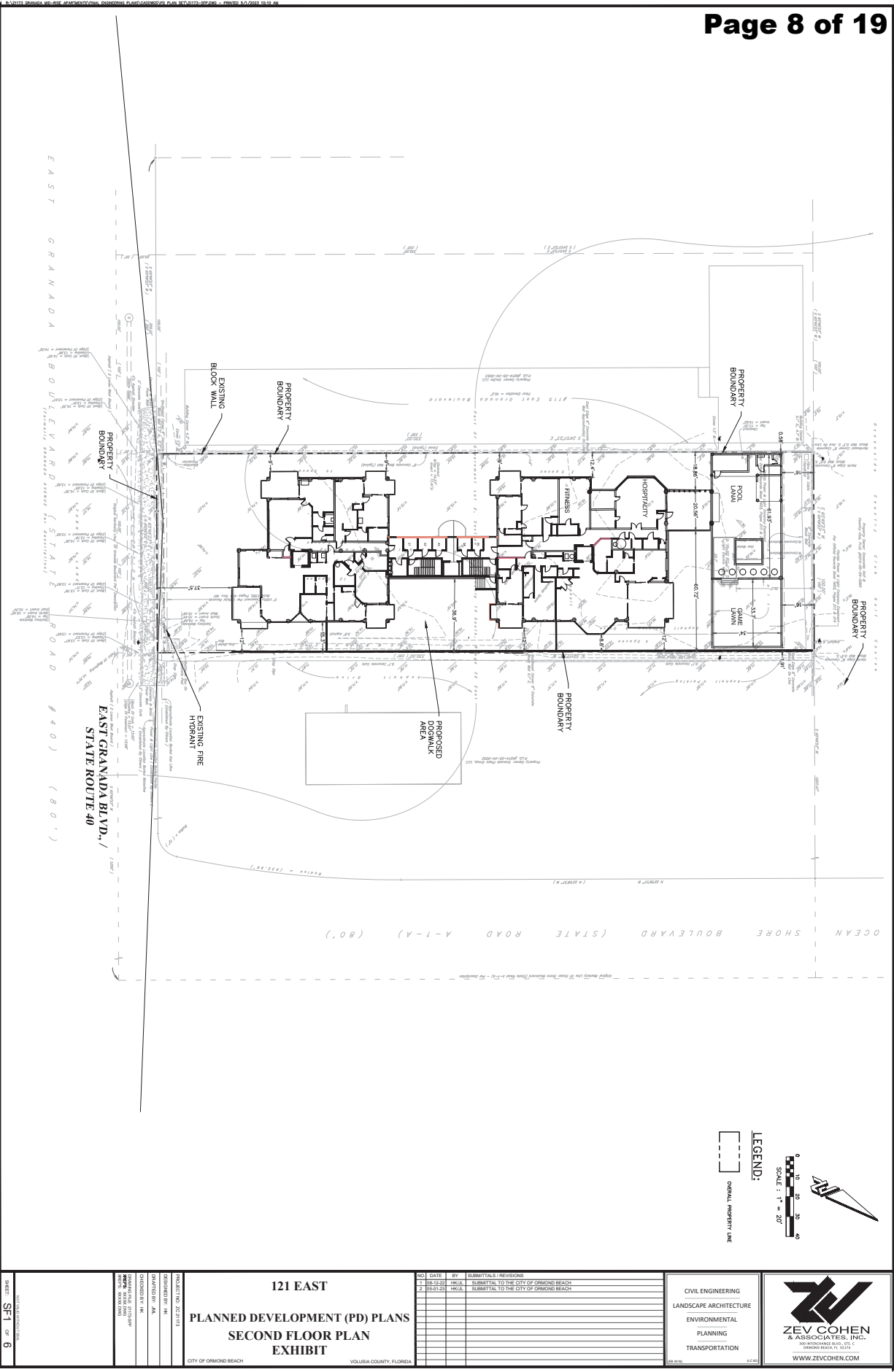


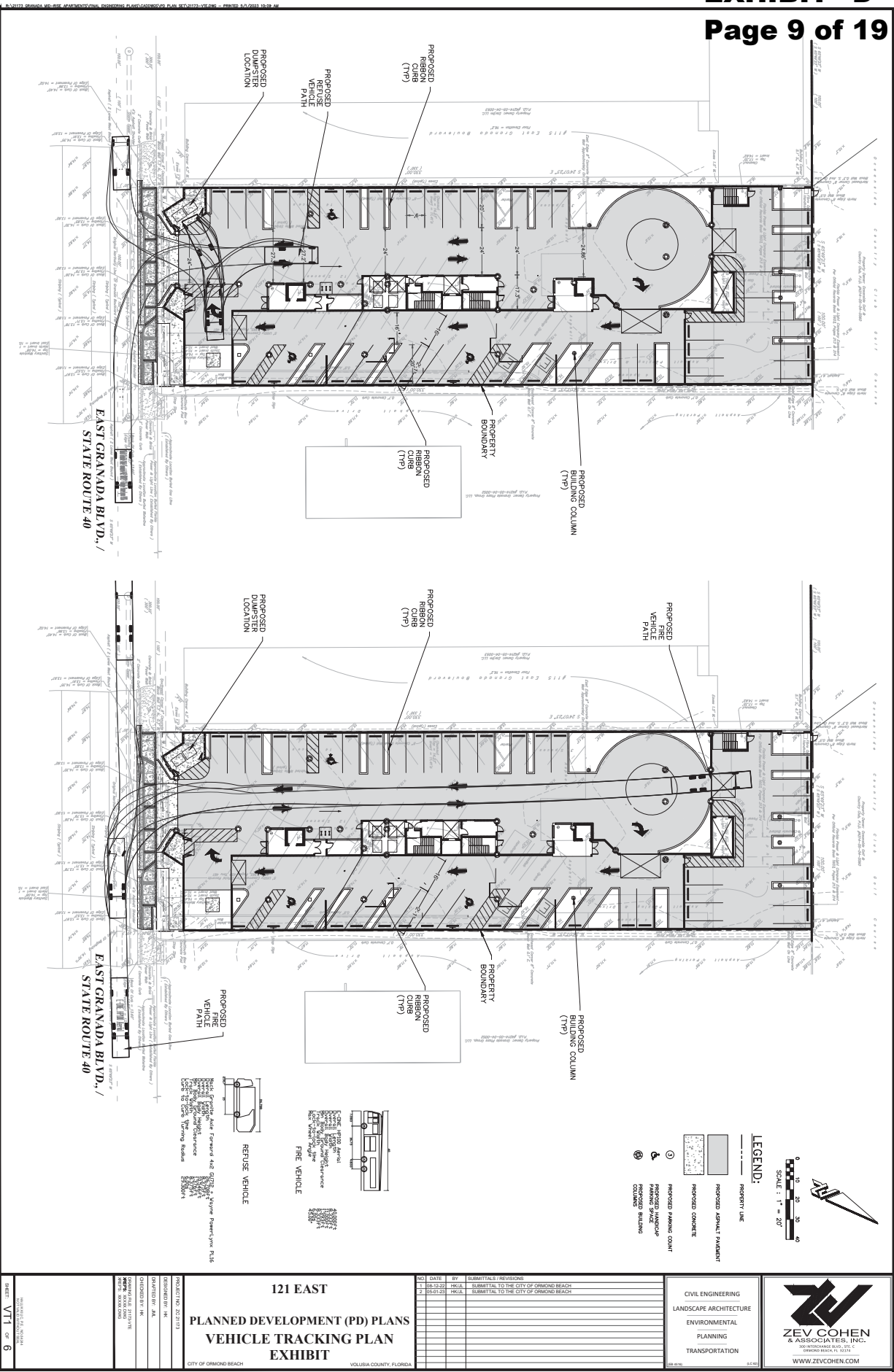


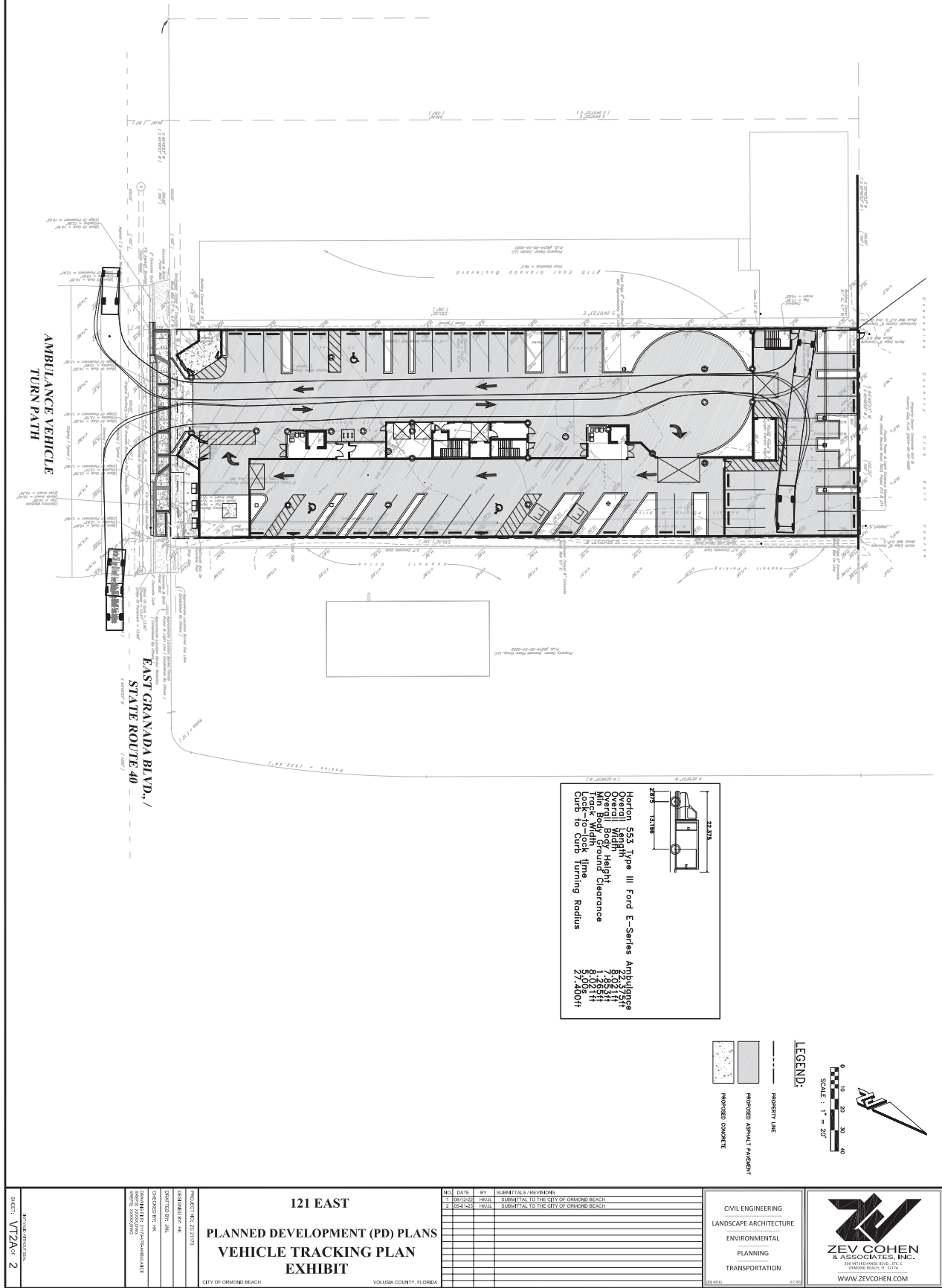




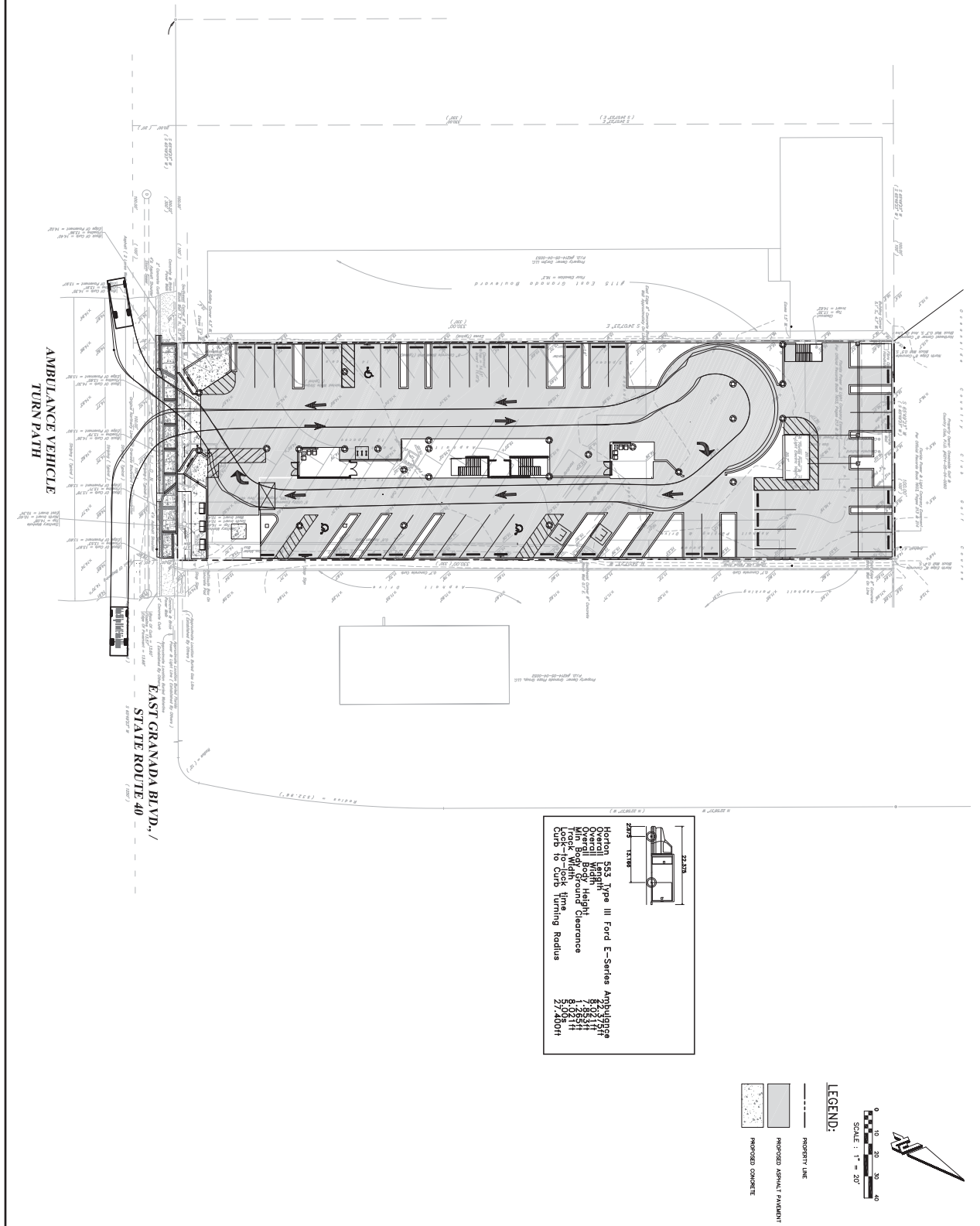








PLAN 11173 ORANGE MALL-RE DEVELOPMENT, ENGINEERING PLAN 11173-VEHICLE TRACKING PLAN, 11173-VEHICLE TRACKING PLAN - PRINTED 5/23/2023 8:40 AM



PROJECT NO. 22-1173

DESIGNED BY: AK

DRAWN BY: AK

CHECKED BY: AK

DATE: 05-23-2023

121 EAST

PLANNED DEVELOPMENT (PD) PLANS

VEHICLE TRACKING PLAN

EXHIBIT

CITY OF ORANGE BEACH

VOLUSIA COUNTY, FLORIDA

NO.	DATE	BY	SUBMITTALS / REVISIONS
1	05-23-2023	AK	SUBMITTAL TO THE CITY OF ORANGE BEACH
2	05-23-2023	AK	SUBMITTAL TO THE CITY OF ORANGE BEACH

CIVIL ENGINEERING

LANDSCAPE ARCHITECTURE

ENVIRONMENTAL

PLANNING

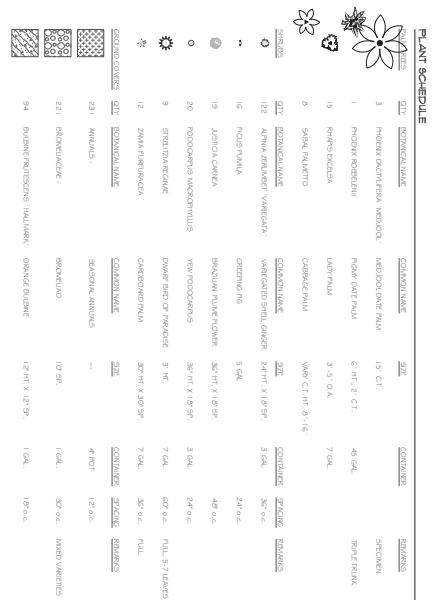
TRANSPORTATION

ZEV COHEN & ASSOCIATES, INC.

1000 INTERNATIONAL BLVD., SUITE 100

ORANGE BEACH, FL 32174

WWW.ZEVCOHEN.COM



121
EAST
121 GRANADA BOULEVARD EAST
ORMOND BEACH,
FL 32176

PROJECT DESCRIPTION
A 24 unit condominium building located on a 100'x 350' property on the north side of Granada running north/south on the long edge

OWNER
Dimes Beach Properties LLC
375 Fantress
Daytona Beach, FL - 32114

ARCHITECT
L. William Chapin, II, F.A.A.
FL reg # 0010783
444 S. Seabreeze Blvd - suite 200
Daytona Beach, FL 32118
Contact: 386-239-8585

CONTRACTOR
Church Construction
375 Fantress
Daytona beach, FL - 32114

PROJECT MANAGER
Bryan Collier
Church Construction
375 Fantress
Daytona beach, FL - 32114

ELECTRICIAN

PLUMBER

INDEX OF DRAWINGS

- C-1 Project description, contact info, location map
- S-1 Site Schematic
- A-1 Floor plans
- A-2 Elevations/sections
- A-3 Perspectives



C-1

121
EAST
121 GRANADA BLVD.
ORMOND BEACH, FL 32176

W/m
CHAPIN
F.A.A. - ARCHITECT

L. WILLIAM CHAPIN II, F.A.A.
444 S. SEABREEZE BLVD.
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386-239-8585
williamchapin@mac.com
williamchapin.com
FL REG. ARCHITECT
LICENSE #00000000

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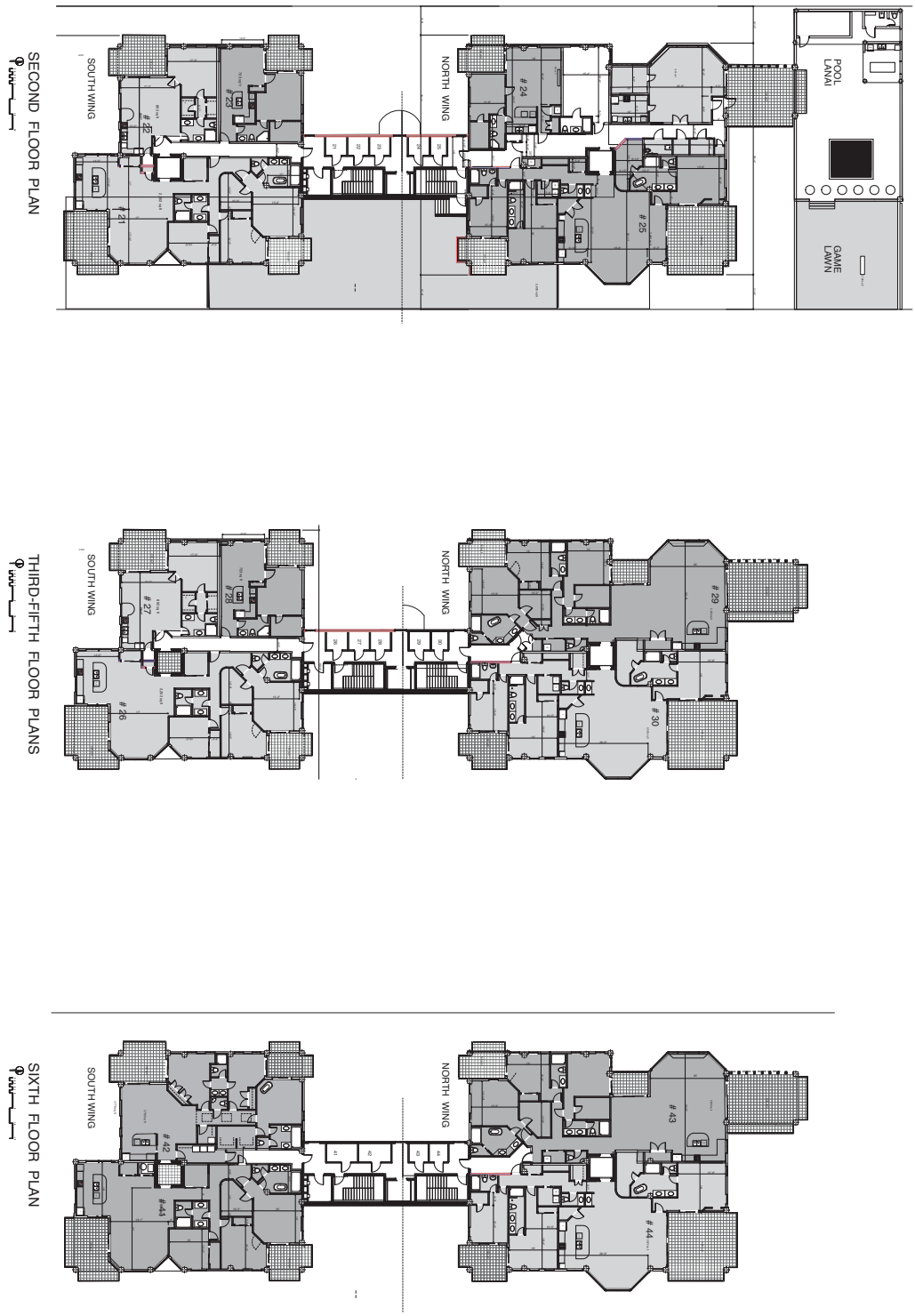
LWC

DATE:

1 MAY 2023

DRAWINGS:

COVER SHEET



A-1

121
EAST
121 EAST GRANADA BLVD.
OHMONG BEACH, FL 32718

Wm
CHAPIN
F.A.I.A. - ARCHITECT

L. WILLIAM CHAPIN II, F.A.I.A.
444 S. SHERBEE BLVD.
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williamchapin@mac.com
williamchapin.com
FL REG. ARCHITECT
FL REG. ARCHITECT

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COMM. NO.
DRAWN BY
LWC
DATE:
1 MAY 2023
DRAWINGS:

FLOOR PLANS
1/16" = 1'-0"

A-2.1

**121
EAST**

W^m
CHAPIN
F.A.L.A. • ARCHITECT

L. WILLIAM CHAPIN II, FALA
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SUITE 200
DAYTONA BEACH, FL 32118
386 - 299 - 8363

williamchapin@mac.com
williamchapin.com

FL REG. #A00010783
NCARB REGISTERED

THE DRAWING AND REBIDDING OF CONTRACTS FOR
INSTALLATION OF SERVICE AND ALL DESIGN
AND CONSTRUCTION OF THE PROJECT SHALL BE
RECORDING AND REMAINING IN THE OFFICE OF
THE ENGINEER.

L. MULLACHARI, P. MAHADEWETTI
OR
L. MULLACHARI, P. MAHADEWETTI

QUALITY AND ALTERNATIVE ON CONTRACT TO
THIS DRAWING IS A VOUCHER FOR THE
PRACTICE OF THE ENGINEER. THE ENGINEER
HAS NOT REVIEWED THE DRAWING FOR THE
CONSTRUCTION OF THE PROJECT. THE ENGINEER
IS NOT RESPONSIBLE FOR THE CONSTRUCTION
OF THE PROJECT.

DATE: 01/01/2013

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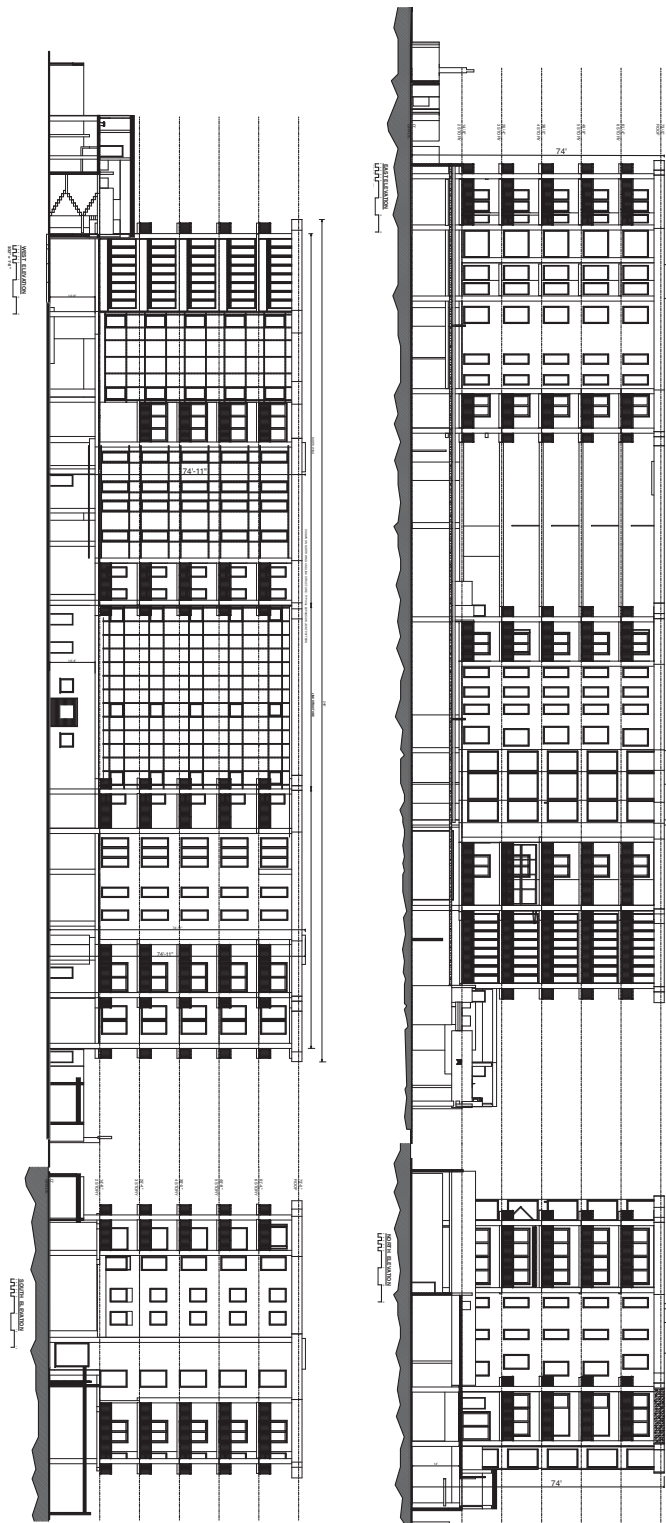
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DATE: 1 MAY 2023

DRAWINGS:

Overall elevations

NOTE:
all drawings are at
1/16" = 1'-0"

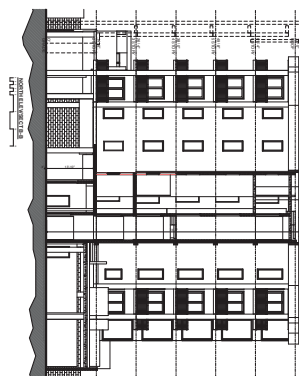
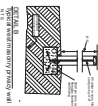
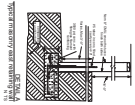


LOCAL 121 EAST NOTES

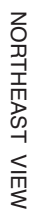
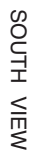
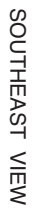
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GENERAL NOTES

1. Profile all control joints in accordance with mfg.'s specs.
2. Grout control joints shall be integral to material as opposed to grouted on.
3. All mechanical equipment will not be visible from street level.
4. All visible beams shall be painted color of adjacent surfaces.
5. Refer to Florida Building Product Booklet for additional product information.
6. All downspouts and gutters shall be finished the color of adjacent surfaces.



Page 16 of 19



BUILDING STATISTICS

The building is a 24-unit multi-family residence with fifteen 3 bedroom² beds units, and nine 1 bedroom¹ beds units. Each of two wings are served with its own separate elevator and both wings share a service elevator. The building has a large common area for the residents to use. The building also has a service porch and stairs that the fireman can use to reach the roof. The use of the elevator is free to all the residents. The two wings also have abundant visual appeal to the project's west and east elevations, and eliminates the project looking awkwardly long.

ARCHITECTURAL ATTRIBUTES

- The interferences behind it each come from bird wings and an interesting faecal element.
- The three orders of the fence appear with the same order of the roof: providing a rhythmic and surprising contrast.
- Although we go to the end of the generation, which represents the blue-bird theme of the architecture.
- The roof is a horizontal line, with two glass-bridges over an interesting staircase.
- The main and first room are placed between the North Tower and Outside Country Café to allow the visitor to see the tower and the bridge.
- In order to appear convincingly solid, the design was configured as wet back all of the faecal elements.
- The previous trace of the residence, along with their nearly 90° sitting angle, is at some of luxury.
- The design is not meant to be a house, but a house with its luxurious angular interior with that as a background for active planning, with widening 15° and 3° possible swinging are topology.

**121
EAST**

W/m
CHAPIN
F.A.I.A. • ARCHITECT

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SUITE 200
DAYTONA BEACH, FL 32118
306 - 299 - 8363

williamchapin@mac.com
williamchapin.com

FL REG. # A R0010783
NCARB REGISTERED

THE CHAIRMAN AND I REFINED OUR POLICY, THE REASONING BEING THAT THE REVENUE FROM THE REPERCUSSION SHOULD REMAIN IN THE COUNTRY IN WHICH THE LAND ORIGINALLY WAS OWNED.

L. BELLAMY, JR., LMA, AFFECTED THE USE OF THE CASE FOR ANY OTHER PURPOSE, OR THAT THAT THE SPEECH IN PRODUCT INVENTION WAS NOT THE SAME AS THAT OF THE DEVELOPMENT OF THE INVENTION.

L. BELLAMY, JR., LMA AFFECTED THE USE OF THE CASE FOR ANY OTHER PURPOSE, OR THAT THAT THE SPEECH IN PRODUCT INVENTION WAS NOT THE SAME AS THAT OF THE DEVELOPMENT OF THE INVENTION.

L. BELLAMY, JR., LMA AFFECTED THE USE OF THE CASE FOR ANY OTHER PURPOSE, OR THAT THAT THE SPEECH IN PRODUCT INVENTION WAS NOT THE SAME AS THAT OF THE DEVELOPMENT OF THE INVENTION.

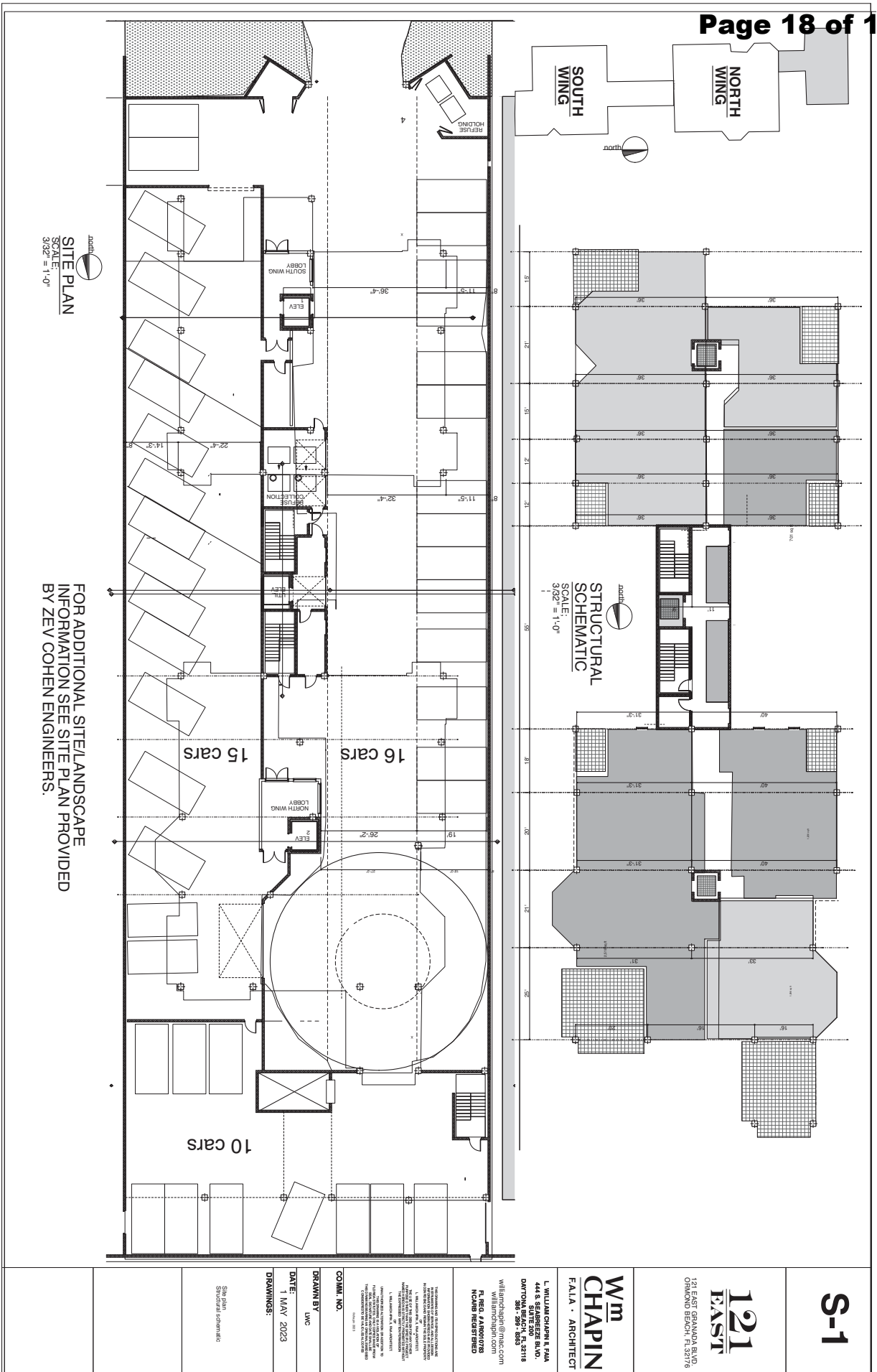
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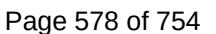
DRAWN BY
LW/C

DATE: 1 May 2023

DRAWINGS







STAFF REPORT

City of Ormond Beach Department of Planning

MEETING DATE: June 8, 2023

SUBJECT: 121 East, **Issuance of a Development Order**

APPLICANT: Robert A. Merrell, Esquire, Cobb Cole, on behalf of the property owner, Dime Rock Properties, LLC

NUMBER: PBD 2022-098(B)

PROJECT PLANNER: Steven Spraker, AICP, Planning Director

SECTION 1, INTRODUCTION:

This is an application submitted by Robert A. Merrell, Esquire, Cobb Cole, on behalf of the property owner, Dime Rock Properties, LLC, for a (1) zoning map amendment from B-4, Central Business to PBD, Planned Business Development and (2) the issuance of a development order. The 121 East Planned Business Development seeks to allow the construction 24 multi-family residential units and associated site improvements on 0.76± acres. The subject property is located at 121 East Granada Boulevard and located within the Downtown Community Redevelopment Agency area. This staff report, item B, is for the issuance of the development order. The subject property is shown on the aerial below.

EXHIBIT 1: Project location, 121 East Granada Boulevard



SECTION 2, BACKGROUND:

The property has land use designation of “General Commercial” and a zoning classification of B-4 (Central Business). The property is located within the Community Redevelopment Area and Downtown Overlay District as defined by Section 2-70 of the Land Development Code. Section 2-70 of the Land Development Code states the purpose of the Downtown Overlay District is as follows:

“The purposes of the DOD, Downtown Overlay District are to promote development of a compact, pedestrian-oriented downtown consisting of a high-intensity employment, vibrant and dynamic mixed use areas, and residential living environments that provide a broad range of housing types and tenures; promote a diverse mix of entertainment activities for workers, visitors, and residents; encourage pedestrian-oriented development that is within walking distance of and supports transit opportunities at densities and intensities that will help to support transit usage and town center businesses; create a sense of place that is unique, attractive, and is a memorable destination for visitors and residents; enhance the community's character through the promotion of high quality urban design; and implement the vision expressed in the adopted 2019 Downtown Redevelopment Master Plan update. The land area to which this section applies is the downtown community redevelopment area boundaries.”

The Beachside district of the Downtown Overlay District, Section 2-70(b)(3) of the Land Development Code states,

“Beachside District. This area is uniquely situated to take advantage of both the Halifax River and the Atlantic Ocean. More intensive infill housing south of Granada Boulevard as well as mixed use development along Granada Boulevard and the side street system incorporating a housing component is needed. This district encompasses many of the historic assets in Ormond holding the potential to act as "Museum Row".

The Downtown Overlay District implements a form-based code that is different than the remainder of the city. The Downtown Overlay District seeks buildings that are pulled to the street, reduced or no building setbacks, larger sidewalks, increased allowable impervious area, allowance of building height, and reduced parking requirements.

Resolution 2019-178 adopted an updated Downtown Master Plan for the Community Redevelopment Area. The master plan was created with the review of a 17-person steering committee representing a broad spectrum of downtown perspectives. The master plan update emphasized themes within the district, including Economic Development, Sense of Place & Appearance, Transportation and Circulation, Recreation and Open Space, Arts & Culture, Residential Neighborhoods, Environmental Sustainability, Standards and Regulations, and Ensuring the Vision. The proposed project is consistent with the 2019 Downtown Master Plan in the construction of mid-scale residential multi-family development.

The subject property has been vacant since the building demolition in 2014 and was a restaurant use prior to the demolition. The site is 100' in width and 330' in depth. The site has an existing Florida Power and Light (FPL) electrical vault that

cannot be moved and must be incorporated into any site design. 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			
Direction	Current Land Uses	Future Land Use Designation	Zoning Classification
North	Oceanside Country Club	"Low Density Residential"	R-2.5, Single-Family Low-Medium Density
South	Retail & Commercial	"General Commercial"	B-4, General Commercial
East	Retail & Commercial	"General Commercial"	B-4, General Commercial
West	Retail & Commercial	"General Commercial"	B-4, General Commercial

SECTION 3, PROJECT DESCRIPTION:

Project description: The project seeks to allow 24 multi-family residential units and associated site improvements. The applicant has provided site plans (ATTACHMENT 4) for the project and a summary (ATTACHMENT 4) of the project. Below is a summary of the project. The items listed in **bold** are items that require the issuance of a development order for the Planned Business Development.

1. The site is approximately 0.76 acres. Site maps are included in ATTACHMENT 2.
2. Land use density allowed = 24 residential units (32 units per acre).
3. Zoning density allowed = 20 units (26 units per acre).
4. **121 East density requested = 24 residential units (32 units per acre)**. The Planned Business Development is required to obtain the density allowed by the land use which is over the zoning density standard of 26 units per acre.
5. The difference between the zoning "by right" zoning density and the requested Planned Business Development is four (4) units.
6. Total site impervious area = 89.45%. Allowed impervious area = 90%.
7. Total pervious area = 10.55%.
8. Project proposes a ground level parking area (see Sheet C3) and the building over the ground level parking areas, totaling five (5) floors (see Sheet EX1).
9. Sheet EX 1 in ATTACHMENT 4 shows the building area. The building contains four (4) components:
 - A. Building south wing – residential – five (5) floors;
 - B. Building north wing – residential – five (5) floors;
 - C. Pool/amenity area – second floor only; and
 - D. Dog walk/amenity area – second floor only.

10. Sheet SF1 in ATTACHMENT 4 shows the building setbacks. Note that the Downtown Overlay District does not require front, rear, or side setbacks.
11. The front building setback is 37'5 feet. The building is setback to allow turning movement for the project dumpster area, project utilities, and is screened with a wall.
12. **Section 2-57(22)(f) of the Land Development Code requires a Planned Development for any building length exceeding 180 linear feet.** The proposed building is 242.5 feet excluding the pool/amenities center and 276.50 feet including the pool/amenities center.
13. The building is designed in compliance with the neo-eclectic architectural style, see sheets A-2.1 and S1 for specific compliance details.
14. The building height is proposed at 74'11". The project would be required to perform a vertical survey once the building is constructed to ensure it does not exceed 75' in height.
15. The project parking requirement is 36 spaces and 40 parking spaces are provided.
16. The existing FPL vault is proposed to remain and the project team has coordinated with FPL.
17. Sheet C5, ATTACHMENT 4 shows StormTech underground chambers for stormwater.
18. Sheet C6, ATTACHMENT 4, shows connections to existing water and sewer lines along East Granada Boulevard.
19. Per the Downtown Overlay District, the project shall provide a sidewalk easement to allow the sidewalk along Granada Boulevard to be a total of eleven feet in width.
20. The project is within the Transportation Concurrency Exception Area (TCEA).
21. School concurrency is required prior to final SPRC approval. The difference of the additional four (4) units with the Planned Business Development request and allowed zoning is lower than the threshold of ten (10) required for a determination of adequate capacity school letter for the zoning map amendment.
22. The development order would contain hours of allowable outdoor construction of 7:00 a.m. to 7:00 p.m., Monday through Saturday. No work permitted on Sundays.
23. The project is seeking the project name signage on each side of the walls in the entrance area abutting East Granada Boulevard.
24. The Planned Business Development would incorporate the uses and dimensional standards of the B-4, Central Business zoning district.

SECTION 4, ANALYSIS:

Application process:

The application seeks to allow 24 multi-family residential units as a Planned Business Development. The Planned Business Development is reviewed and acted upon as two (2) separate actions:

- A. Zoning map amendment from B-4, Central Business to PBD, Planned Business Development.

B. Issuance of a development order to construct 24 multi-family residential units and associated site improvements on 0.76 acres. The issue of the development order is the action sought for this staff report.

The two (2) actions will be discussed together at the public hearing and will require separate votes.

Project process: The Planned Business Development is reviewed and acted upon as two separate actions: (1) zoning map amendment and (2) issuance of a development order. The two actions will be discussed together at the public hearing and require separate votes. The project has the following approval process:

1. **Site Plan Review Committee (SPRC).** The Site Plan Review Committee is comprised of city departments who review site plan applications for consistency with the Land Development Code and Comprehensive Plan. This committee provides a technical review of development submittals.
2. **Neighborhood meeting.** The Land Development Code requires a neighborhood meeting where a project abuts a residential zoning district. The neighborhood meeting was conducted on March 14, 2023 and is summarized in the analysis section of this report.
3. **Ormond MainStreet.** The project has sought input from Ormond MainStreet since the formulation of a conceptual plan. The project was reviewed by the Ormond MainStreet Design Committee on May 8, 2023 and the Ormond MainStreet Board of Directors on May 15, 2023. Within ATTACHMENT 3 is a letter of support from Ormond MainStreet. The letter states, "The Design Committee concluded that this condominium project lends itself to our greater mission towards placemaking in the Ormond Beach CRA, and creating a more vibrant, economically sustainable district in which to live, work, and play."
4. **Planning Board.** The Planning Board conducts one public hearing for a zoning map amendment and issuance of a development order. The Planning Board provides a recommendation to the City Commission. Applications, whether recommended for approval or denial, are forwarded to the City Commission for action. The Planning Board is appointed by the City Commission. The Planning Board in its recommendation is required to consider the following:
 - a. Application submitted by the applicant;
 - b. Staff report;
 - c. Written correspondence provided;
 - d. Testimony presented at the public hearing; and
 - e. Criteria for rezonings and issuance of a Development Order.
5. **City Commission.** The City Commission is an elected body that provides the final action on zoning map amendments and issuance of development orders. The tentative City Commission dates for this project are July 18, 2023 and August 1, 2023. Section 1-18(e) of the Land Development Code requires the City Commission to consider:

- a. Report and recommendation of the site plan review committee and the planning board;
- b. Report and recommendation of other city departments and advisory boards, as appropriate; and
- c. Comments of governmental agencies, utility corporations and individuals, as received.

Section 1-18 of the Land Development Code also provides the review criteria for development orders listed in the analysis section of this report.

The following exhibit displays the project's history to date:

EXHIBIT 3: Application process

PZ-22-098		
Action	Date	Notes
1 st SPRC submittal	August 12, 2022	SPRC review: September 1, 2023
Neighborhood meeting	March 14, 2023	600' mail radius; newspaper ad
2 nd SPRC submittal	May 2, 2023	SPRC review: May 17, 2023
MainStreet Design	May 8, 2023	None
MainStreet Board	May 13, 2023	None
Planning Board:	June 8, 2023	300' mail radius; newspaper ad; site posting
City Commission, 1 st	July 18, 2023	300' mail radius; newspaper ad
City Commission, 2 nd	August 1, 2023	newspaper ad
SPRC final review	To be determined	

Neighborhood meeting:

The project conducted a required neighborhood meeting on March 14, 2023 at the Ormond Beach Library. The project attorney and architect described the project at the neighborhood meeting. Key items discussed were as follows:

1. Presented a computer fly-by of the project, detailing the building attributes.
2. A resident of the Ormond Heritage Condominiums expressed objection to the project. It was stated that very few people walk to restaurants and shops. The resident stated that it is a terrible concept and she was totally opposed to it.
3. A member of Ormond MainStreet stated that the project fits in with MainStreet's Master Plan.
4. Discussion occurred about the interface with the golf course and that a buffer wall is required.
5. Discussion of the project amenities including the pool area and dog walk.
6. Discussion of the project price for units. The project team stated that no price had been established.

7. The property owner of the commercial building immediately to the west of the project site expressed support of the project.

The project has also been posted on the city website under the Planning Department at: (1) Development Reports, <https://www.ormondbeach.org/1027/121-East> and (2) Public Hearing Advertisements and Notices, <https://www.ormondbeach.org/1000/Public-Hearing-Advertisements-and-Notice>.

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 amendment:

Within the Land Development Code there are threshold trigger points that require projects to obtain approval through a public hearing. The philosophy of the Land Development Code is to allow the Site Plan Review Committee, a technical committee of city staff, to review and approve permitted uses. Projects that trigger thresholds are required to be reviewed by the Site Plan Review Committee, Planning Board and City Commission. There are many trigger thresholds within the Land Development Code. The 121 East Granada project has two (2) trigger thresholds within the project submittal as follows:

1. Density. The project density is a key component of the application. The zoning designations would allow 26 units per acre or 20 residential units. The last major revision to the city’s zoning districts occurred in 2009. The amendments allowed the Site Plan Review Committee (SPRC) to approve development that was at a density of 26 units per acre or less. Any development that sought a density higher than 26 units per acre would need to obtain a Planned Development designation. The Planned Development is a public hearing that allows public notice and an opportunity for a Planning Board recommendation and City Commission action. The request for the additional density is not a waiver/variance, but does require a public review and an analysis of the development order criteria.
2. Building Length. Section 2-57(22)(f) of the Land Development Code requires a Planned Development for any building length exceeding 180 linear feet. The proposed building is 242.5 feet excluding the pool/amenities center and 276.50 feet including the pool/amenities center. The Land Development Code does not

contain any criteria/conditions for buildings over 180 linear feet, except that a Planned Development is required.

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 provides more than the minimum standards required. The applicant provided a list of public benefits that would apply to the multi-family project (see ATTACHMENT 4):

1. Promotes pedestrian activity by clustering residential uses in close proximity to existing services.
2. Provide additional tax increment for projects within the Community Redevelopment Area.
3. Benefits of the addition of proposed stormwater treatment features.
4. Increased architectural attributes.
5. Enhanced pedestrian features such as arcades, overhangs, awnings, benches, additional area for sidewalk expansion.
6. No monument sign proposed – signage would be on project entry walls.

Correspondence received:

ATTACHMENT 3 includes correspondence received on this application. Staff was provided the following to date:

- Resident e-mail expressing concern about “A 6 story building crammed into that tiny lot will change the entire aesthetics of this beautiful beach town.”
- Ormond MainStreet letter expressing support of the project.

SECTION 5, PBD CRITERIA:

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.

The project seeks 24 multi-family units. The architectural elevations are included in ATTACHMENT 4 and comply with the neo-eclectic architectural style. Design attributes includes building massing including non-symmetrical elements, windows that are vertically configured and uniformly framed in white with slightly blue-tinted glass, flat roof with horizontal soffit that are painted the color of the building trim, stucco with banding elements, and earthtone building colors.

b) Landscaping and related site amenities.

The project is providing the required landscaping and seeking to add landscaping elements wherever possible. The project includes a pool, dog walk, and amenities area.

c) Mitigation of off-site impacts.

The project proposes buffer walls and is not expected to have off-site impacts.

d) Overall lighting plan, particularly in relation to aesthetics and glare.

The project lighting would be from the building and will not extend beyond the project boundary.

e) Overall signage plan, particularly related to aesthetics and readability.

The project signage will be designed in accordance with the city Land Development Code. The project is seeking the project name signage on each side of the walls in the entrance area abutting East Granada Boulevard.

SECTION 6. 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 II, Section 1-15(e) of the Land Development Code, the Planning Board shall consider the following when making its decision. The Planning Board may (1) approve the project as submitted, (2) deny the project as submitted, or (3) provide conditions/restrictions for approval.

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

The subject property has land use classification and existing zoning designations that allow multifamily uses. The Land Development Code's framework requires a public hearing for any density above 26 units per acre in the B-4 zoning district and exceeds 180 linear feet in width. The trigger thresholds of density and building length have been granted in other applications. Items such as compatibility, consistency with the Comprehensive Plan and traffic are addressed with other criteria.

Staff's analysis focuses on what the Land Development Code allows. The project can gain administrative Site Plan Review Committee approval for 20 units, 75 in height, at 180 linear feet in length. The Site Plan Review Committee concludes that the proposed project is consistent with the property's land use designation and the Planned Business Development classification and will not depreciate the value of surrounding property. The project's site plan will not create excessive noise, odor, glare, or visual impacts on the neighborhood and adjoining properties.

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

The subject property has a land use designation of "General Commercial". The directive text of the Future Land Use Element of the Comprehensive Plan states,

"A. 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 Comprehensive Plan contains the following Goals, Objectives and Policies related to the zoning map amendment:

Future 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.

OBJECTIVE 1.1. RESIDENTIAL LAND USE

Ensure the availability of adequate lands to meet the residential land use needs of the community.

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.

POLICY 1.2.6.

New commercial development shall be required to provide appropriate buffers and landscaping to minimize negative impacts on surrounding uses.

OBJECTIVE 7.1. DEVELOPMENT AND REDEVELOPMENT REGULATIONS

Acknowledging that development and redevelopment in the Downtown Community Redevelopment Area is unique based on its location, history, and existing development pattern, the City shall continue developing regulations that promote development consistent with the recommendations of the adopted Master Plan.

POLICY 7.1.1.

The City shall utilize a Form Based Code to implement the vision stated in the adopted 2007 Downtown Redevelopment Master Plan.

POLICY 7.1.3.

In the Downtown Redevelopment Area only, building orientation for vacant sites shall be close to the street with “build to” lines at the front setback line. Main entrances should face the street or the street corner when located along two streets and parking shall be located to the rear of the building.

POLICY 7.1.5.

New developments which build residential medium or high-density infill housing, either as stand-alone or incorporated into mixed use projects are encouraged and shall take priority in financial assistance from the City.

Housing Element

GOAL 1. HOUSING SUPPLY

ENSURE THE AVAILABILITY OF SAFE AND ADEQUATE HOUSING UNITS OF DIFFERENT TYPES, SIZES, AND PRICE RANGES TO MEET THE NEEDS OF ALL CURRENT AND FUTURE RESIDENTS.

OBJECTIVE 1.1. HOUSING SUPPLY

The City shall continue to facilitate the private production of a housing supply, including adequate sites for mobile homes or manufactured housing and low and moderate income housing, which will meet future community needs and offset housing deficiencies as noted in this Element.

OBJECTIVE 1.2. PROVISION OF ADEQUATE SERVICES AND FACILITIES

Each existing housing development and residential neighborhood along with all new housing development shall meet existing adopted level of service standards.

POLICY 1.2.1.

The general residential development pattern in the city should be in accord with the community’s growth strategy for residential densities, as stipulated within the Future Land Use Element.

Transportation Element

OBJECTIVE 1.5. TRANSPORTATION CONCURRENCY EXCEPTION AREAS

Establish Transportation Concurrency Exception Areas along Votran core transit corridors to support intensified mix use development and redevelopment as measured by floor area, impervious surface, and density along commercial corridors and in the downtown redevelopment area.

POLICY 1.5.1.

As depicted on Figures 6 through 9 of the Future Land Use Element, the following corridors and parcels fronting and having access within ¼ mile of said corridors shall be designated Transportation Concurrency Exception Areas (TCEAs):

- a) A1A from SR 40 south to the city line;
- b) SR 40 from A1A to Williamson Boulevard; and
- c) US 1 from Wilmette Avenue south to the city line.

POLICY 1.5.2.

Development and redevelopment within designated TCEAs are exempt from traditional state-mandated transportation concurrency requirements but shall comply with Objective 1.6 of the Transportation Element and associated policies as well as transit design principles.

The zoning map amendment and issuance of a development order is consistent with the Comprehensive Plan.

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

There are no wetlands on site and the property is not within a special flood hazard area. There are no wellfields or individual wells on-site. The Site Plan Review Committee concludes that 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 within the Planned Business Development. Additionally, the proposed use is consistent with the 2019 Downtown Master Plan update. Staff concludes that the proposed project is consistent with the property's land use designation and the Planned Business Development classification and will not depreciate the value of surrounding property. The project's site plan 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.**

Section 1-32(6)(l) of the Land Development Code states, "For development within a TCEA, no traffic study shall be required, concurrency shall not apply, and mitigation other than payment of the fee shall not be required. The mobility fee is a "pay and go" fee. Volusia County's Road Impact Fee shall apply." Per the per the Institute of Traffic Engineers (ITE) Trip Generation Manual, 11th edition, 24 units is expected to generate 109 average daily trips.

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

The subject property is a unique parcel and the site plan is functional in the use of space and aesthetically acceptable. With the creation of the first level as parking, the project can provide the required parking and turning movements for vehicles accessing the site. The building elevation exceeds the requirements of the city's Land Development Code.

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

The proposed development provides for the safety of its occupants and visitors. Pedestrian access has been provided. Fire safety SPRC reviewers have determined that the project is acceptable.

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

The proposed material and architectural features are compliant with the Land Development Code regulations. The Community Redevelopment Area and in particular the Beachside area has had limited construction and few opportunities to implement the form-based code. Staff acknowledges that this a "first of the kind" project beyond the Ormond Heritage Condominiums. The master plan envisioned buildings with height, residential uses, and structures to the property lines. The use of materials and architectural features will not adversely impact the neighborhood and aesthetics of the area.

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

This application has not been heard and no public testimony has been provided.

SECTION 7, RECOMMENDATION:

The Planning Board has three (3) options in the review of this application:

1. Approve as submitted.
2. Deny as submitted.
3. Approve the project with conditions.

It is recommended that the Planning Board recommend **APPROVAL** of PBD 2022-098 that approves a Planned Business Development construction of 24 multi-family units on 0.76± acres at 121 East Granada Boulevard, subject to the outstanding Site Plan Review Committee comments. The project is tentatively scheduled for the City Commission on July 18, 2023 (first reading) and if approved on first reading, the second reading on August 1, 2023 (final reading).

Attachments:

Attachment 1: Site Plan Review Committee comments

Attachment 2: Maps of the project area

Attachment 3: Project correspondence

Attachment 4: Applicant provided information and site plans

ATTACHMENT 1

Site Plan Review Committee comments

Project Name: PZ-22-098

Project Description: 121 East Granada Boulevard, 121 East

Review Comments List Date: 5/30/2023

Ref. # 53, Civil Engineer, David Allen, 8/29/22 11:53 AM, Cycle 1, Unresolved

Markup: Civil-Stormwater Design, PD Plan Stormwater & Environmental Plan Page 5.pdf

Provide the criteria for design for this stormwater facility?

Ref. # 69, Civil Engineer, David Allen, 5/15/23 3:12 PM, Cycle 2, Unresolved

Markup: Civil-Elevations Stormwater, PD Plan Stormwater & Environmental Plan Page 5.pdf

Provide a detail that shows the elevations that will be reflected in the Stormwater Calculations for the volume of the retained surface water.

Ref. # 70, Civil Engineer, David Allen, 5/15/23 3:14 PM, Cycle 2, Unresolved

Markup: Civil-Chamber Detail/Volume, 21173 Stormwater Calculations.pdf

Provide a detail that shows the bottom of the storm, bottom of the chamber, top of the chamber, top of stone, base material and asphalt or concrete pavement.

These elevations should match the calculations of the aggregate volume as the volume of water increases.

Ref. # 74, Civil Engineer, David Allen, 5/16/23 9:30 AM, Cycle 2, Unresolved

Markup: Civil-Hydraulic Gradeline, PD Plan Stormwater & Environmental Plan Page 5.pdf

While the parking surface is under roof, there will be some surface water entering into the system. Provide assurance that the pipe and inlet system does not create a ponding situation on the parking surface. The LDC uses the peak stage of the design storm, in this case 13.68 as the tailwater for a hydraulic gradeline calculation.

Ref. # 75, Civil Engineer, David Allen, 5/16/23 9:38 AM, Cycle 2, Unresolved

Markup: Civil-Dumpster, VT1 VEHICLE TRACKING PLAN EXHIBIT.pdf

Is this a normal dumpster operation? Will the dumpster vehicle lift overhead to empty? Will this affect the second story?

If this is not a normal dumpster operation, provide information on the process that will be followed. Include the number and sizes of the proposed roll-off containers. Will the process of unloading the containers be done on private property and not in the right of way? Will the unloading process block the access to the parking area?

Ref. # 3, Fire Plans Examiner, MLG Municipal Services, 8/24/22 12:54 PM, Cycle 1, Unresolved

Markup: Changemark note #01, PD Plan Overall Development Plan Page 4.pdf

Please show a emergency vehicle ingress/egress route to the building. This information shall include as a minimum: Overhead clearance dimensions, access route clear width dimensions, grade and slope, turning radius, and vehicle turn around areas. Additionally, please show architectural elevation and floor plan details related to the location of exit stairwells, building entrances/exit lobbies, elevators and fire protection system connections.

Ref. # 55, Landscape Architect, Cara Culliver, 5/4/23 3:54 PM, Cycle 2, Unresolved

Markup: 10% Pervious Exhibit, LA1 CONCEPTUAL LANDSCAPE PLAN.pdf

- Please provide an exhibit that demonstrates the 10% pervious area requirement. Please show the areas and provide the square footages for each area.

Ref. # 56, Landscape Architect, Cara Culliver, 5/4/23 3:54 PM, Cycle 2, Unresolved

Markup: Second Floor Plan - Lady Palms, LA1 CONCEPTUAL LANDSCAPE PLAN.pdf

- These palms & annuals will not withstand the salt exposure, please change this plant material that can withstand the salt spray & wind.

Ref. # 57, Landscape Architect, Cara Culliver, 5/4/23 3:58 PM, Cycle 2, Unresolved

Markup: Building Outline Second Floor - Cabbage Palms, LA1 CONCEPTUAL LANDSCAPE PLAN.pdf

- The building outline for the second floor needs to match the civil set. This will determine where the proposed Cabbage palms can be placed. There are other areas where palms could be placed.

- Please look at and analyze the shadows that the building will be casting and proposed plant materials. Interior type palms might be better for these areas?

Ref. # 58, Landscape Architect, Cara Culliver, 5/4/23 4:06 PM, Cycle 2, Unresolved

Markup: Conceptual Landscape Plan, LA1 CONCEPTUAL LANDSCAPE PLAN.pdf

- Please provide a biddable landscape plan and key out the plant material areas with quantities.

Ref. # 59, Landscape Architect, Cara Culliver, 5/4/23 4:15 PM, Cycle 2, Unresolved

Markup: Retaining Wall - Eastside, LA1 CONCEPTUAL LANDSCAPE PLAN.pdf

- How tall is the retaining wall on the eastside, looks like from the renderings this wall is higher than the second floor? Is this correct?

- Are the second story planters shielded by this wall?

Ref. # 60, Landscape Architect, Cara Culliver, 5/4/23 4:20 PM, Cycle 2, Unresolved

Markup: Landscape Areas, A-3 renderings.pdf

- Please update these renderings to reflect the plantable area as shown on the landscape plan.

Ref. # 61, Landscape Architect, Cara Culliver, 5/4/23 4:23 PM, Cycle 2, Unresolved

Markup: Vertical Plantings, LA1 CONCEPTUAL LANDSCAPE PLAN.pdf

- Might want some vertical planting to frame the entrance signs and soften/break the blank walls.

Ref. # 62, Landscape Architect, Cara Culliver, 5/4/23 4:29 PM, Cycle 2, Unresolved

Markup: Elevation Drawings, LA1 CONCEPTUAL LANDSCAPE PLAN.pdf

- Please update the elevations to show the second floor planters. I need a better understanding if they are going to be exposed to east salt and winds?

Ref. # 63, Landscape Architect, Cara Culliver, 5/5/23 9:08 AM, Cycle 2, Unresolved

Markup: Second Story Pool Planters, LA1 CONCEPTUAL LANDSCAPE PLAN.pdf

- Please provide planter details and key out plant materials.

Ref. # 10, Planner 2, Sarah Cushing, 8/24/22 3:28 PM, Cycle 1, Unresolved

Markup: Planning - building facade , 121 pitch 2.pdf

Section 2-70(e)(3)(f) states the facade shall be vertically divided into segments no larger than thirty feet (30'); and (g) states street walls shall be made of brick, block or stucco to match facade of principal building.

Ref. # 81, Planner 2, Sarah Cushing, 5/16/23 4:01 PM, Cycle 2, Unresolved

Ref. # 82, Planner 2, Sarah Cushing, 5/16/23 4:03 PM, Cycle 2, Unresolved

Markup: Planning - dumpster pad detail, PD Plan Overall Developmetn Plan Page 4.pdf

Provide a detail of the dumpster pad and enclosure to meet the requirements outlined in Section 2-50(l)

Ref. # 83, Planner 2, Sarah Cushing, 5/16/23 4:04 PM, Cycle 2, Unresolved

Markup: Planning - screening wall detail, PD Plan Overall Developmetn Plan Page 4.pdf

Provide a wall detail which includes the height and material.

Ref. # 88, Planner 2, Sarah Cushing, 5/16/23 4:16 PM, Cycle 2, Unresolved

Markup: Planning - Building colors, A-3 renderings.pdf

Color swatches for all of the building colors will be needed at time of permitting for construction.

Ref. # 89, Planner 2, Sarah Cushing, 5/16/23 4:19 PM, Cycle 2, Unresolved

Ref. # 92, Planner 2, Sarah Cushing, 5/17/23 11:42 AM, Cycle 2, Unresolved

Markup: Planning - signage size, A-3 renderings.pdf

Please provide a square-footage calculation of the proposed signage and include a detail as available.

Ref. # 64, Planner 3, Becky Weed, 5/10/23 2:17 PM, Cycle 2, Unresolved

Markup: Crown of Road, PD Plan Stormwater & Environmental Plan Page 5.pdf

Staff has determined that the crown of the road is 14.83 feet. The FFE then needs to be 16.33 feet. Please adjust the FFE or provide other justification for a different crown of road or obtain a letter from the City Engineer allowing a lower FFE.

Ref. # 25, Planning Director, Steven Spraker, 8/25/22 7:50 PM, Cycle 1, Unresolved

Comment:

Ref. # 35, Planning Director, Steven Spraker, 8/25/22 8:16 PM, Cycle 1, Unresolved

Comment:

Planning, Sheet C3

Per Section 4-06(4)(d)(8) of the LDC, please provide:

Lighting plan indicating the location for lighting for streets, access drives, parking lot, building access points and additional security lighting.

Ref. # 38, Planning Director, Steven Spraker, 8/25/22 8:29 PM, Cycle 1, Unresolved

Markup: Planning, architectural elevations, 121 pitch 2.pdf

1. What is the height of the ground parking area to the building?
2. What is the overall height of the building. Please show on the plan sheet.

3. Please add a note to the architectural elevations that the maximum height for any structure is 75 feet. The project shall be required to provide an as-built height survey detailing the constructed height.

Ref. # 43, Planning Director, Steven Spraker, 8/25/22 8:40 PM, Cycle 1, Unresolved

Markup: Planning, Sheet C4, PD Plan Overall Development Plan Page 4.pdf

Section 2-70(g) of the LDC - Provide sidewalk easements to expand the existing width of the current sidewalk on Granada Boulevard to eleven feet (11'), thus providing pedestrian safety as well as landscaping opportunities.

Ref. # 68, Planning Director, Steven Spraker, 5/12/23 1:20 PM, Cycle 2, Unresolved

Markup: Planning, Proposed Screen Wall, PD Plan Overall Development Plan Page 4.pdf

Please provide detail of the proposed screen wall and height - all property lines with screen wall.

Ref. # 71, Utility 1, Mike Stephenson, 5/15/23 3:36 PM, Cycle 2, Unresolved

Markup: Utility Conflict, PD Plan Stormwater & Environmental Plan Page 5.pdf

Existing utilities present between proposed structures DSC-1 and ST-9 include 8-inch gravity sewer, fiber optic cabling, and a 10-inch water main. Please advise how the contractor should handle these utility conflicts.

Ref. # 72, Utility 1, Mike Stephenson, 5/15/23 3:36 PM, Cycle 2, Unresolved

Markup: Asphalt and Sidewalk Details, PD Plan Stormwater & Environmental Plan Page 5.pdf

Please add FDOT details regarding the asphalt and sidewalk open cut and repair sections

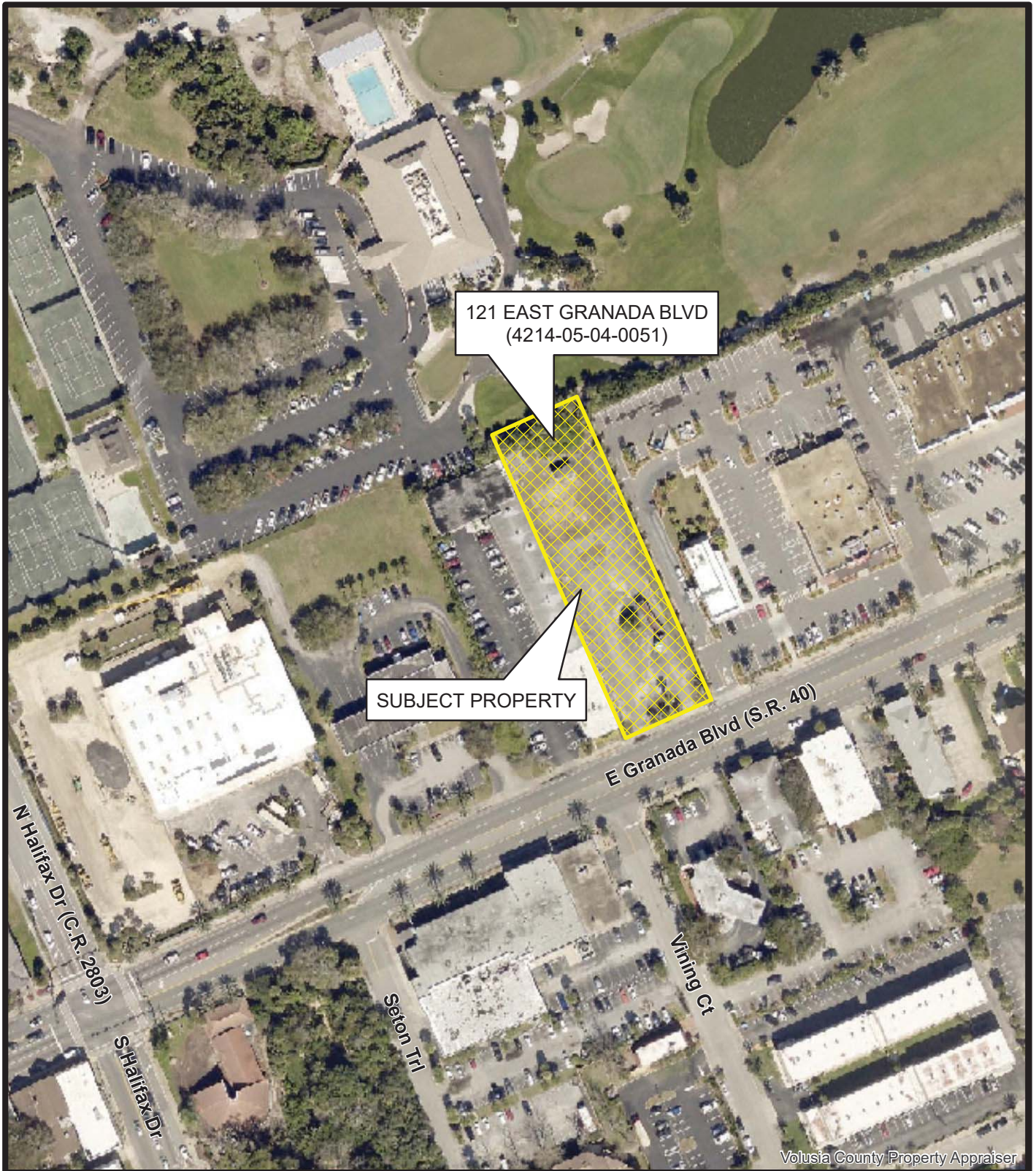
Ref. # 73, Utility 1, Mike Stephenson, 5/15/23 3:36 PM, Cycle 2, Unresolved

Markup: FDOT Permit, PD Plan Stormwater & Environmental Plan Page 5.pdf

Please advise when FDOT permit is obtained.

ATTACHMENT 2

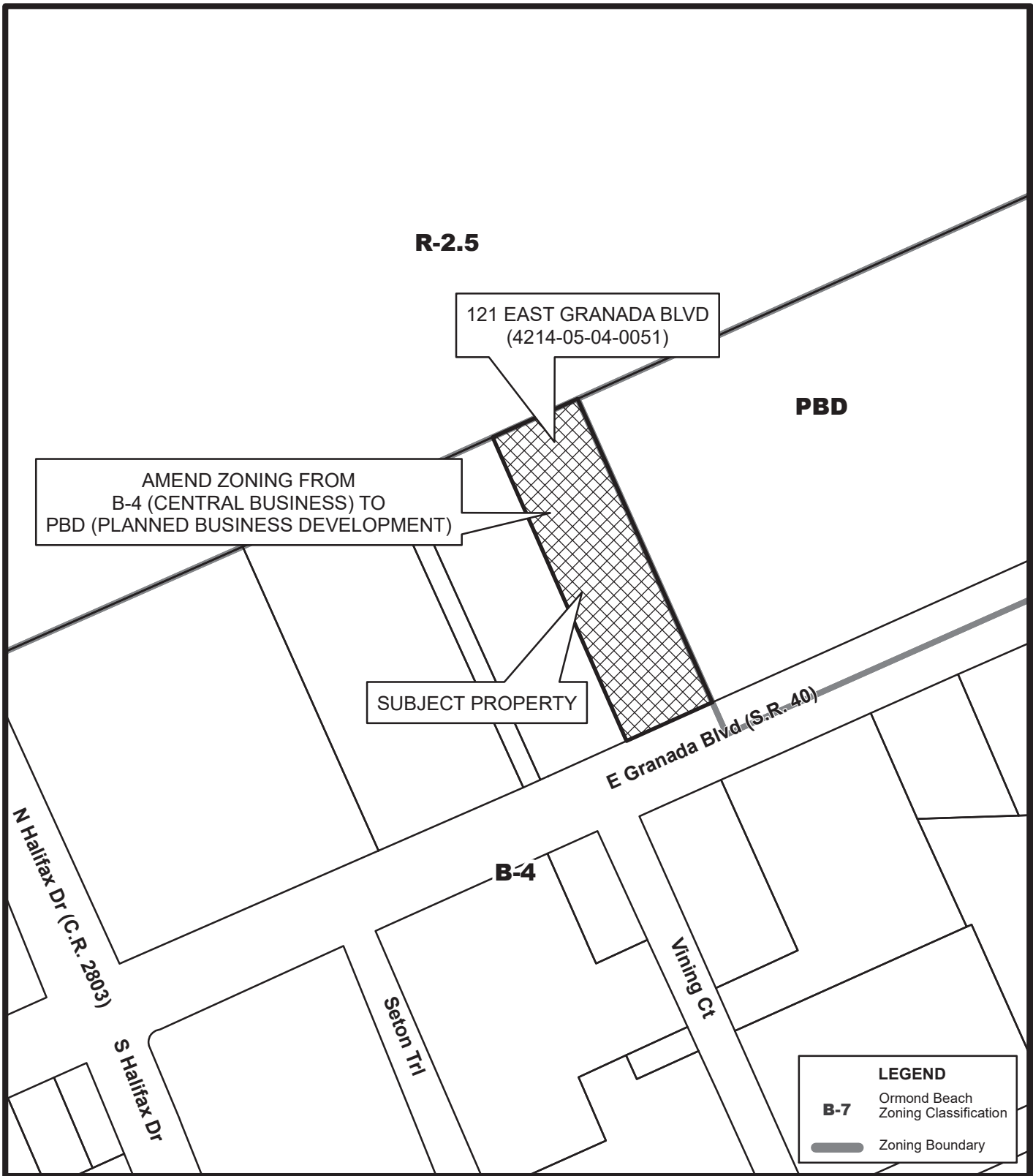
Maps of the project area



AERIAL MAP
121 EAST GRANADA BLVD
(4214-05-04-0051)

Prepared By: The City of Ormond Beach
 G.I.S. Department - May 3, 2023



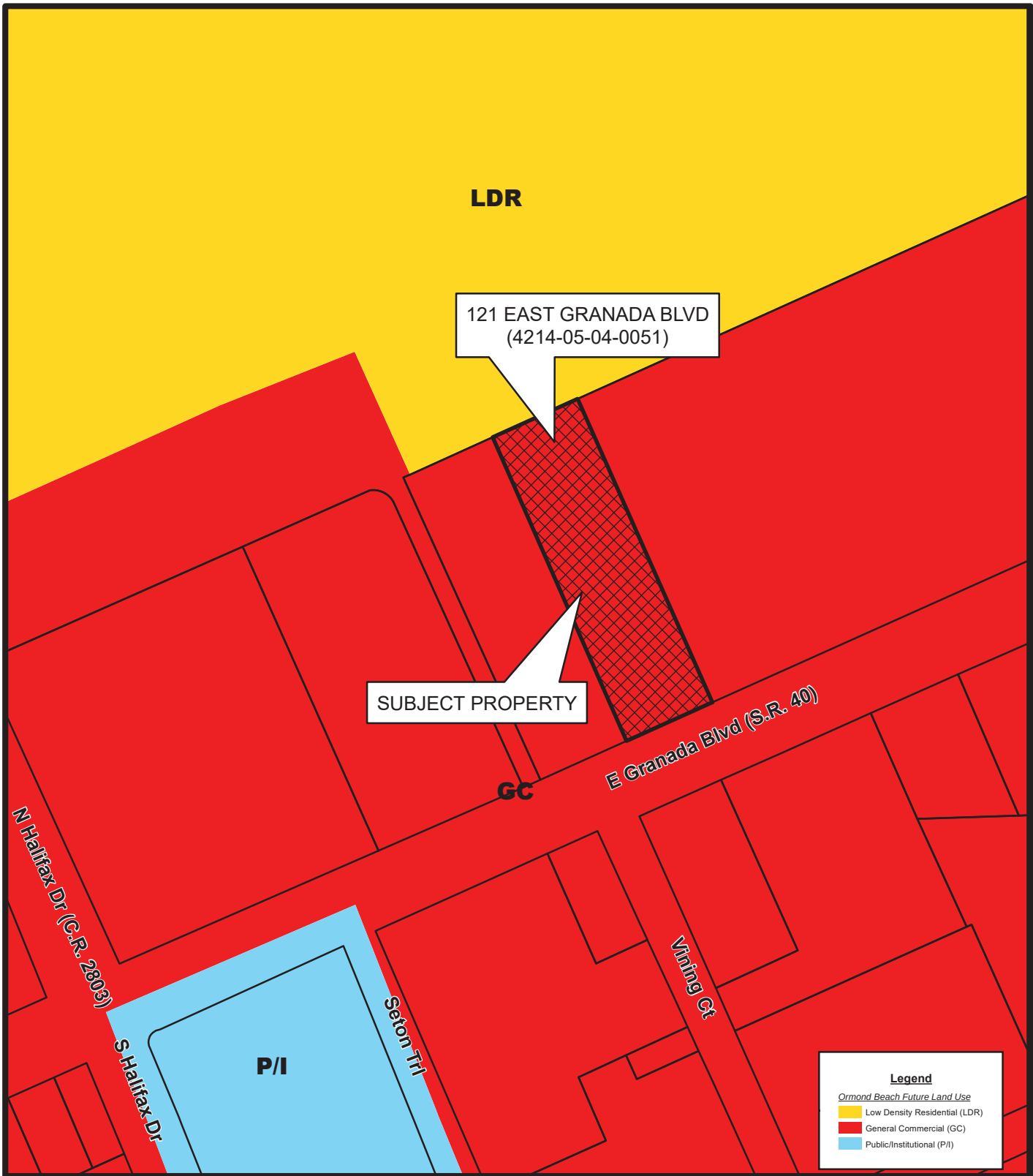


ZONING MAP
121 EAST GRANADA BLVD
(4214-05-04-0051)

Prepared By: The City of Ormond Beach
G.I.S. Department - May 3, 2023



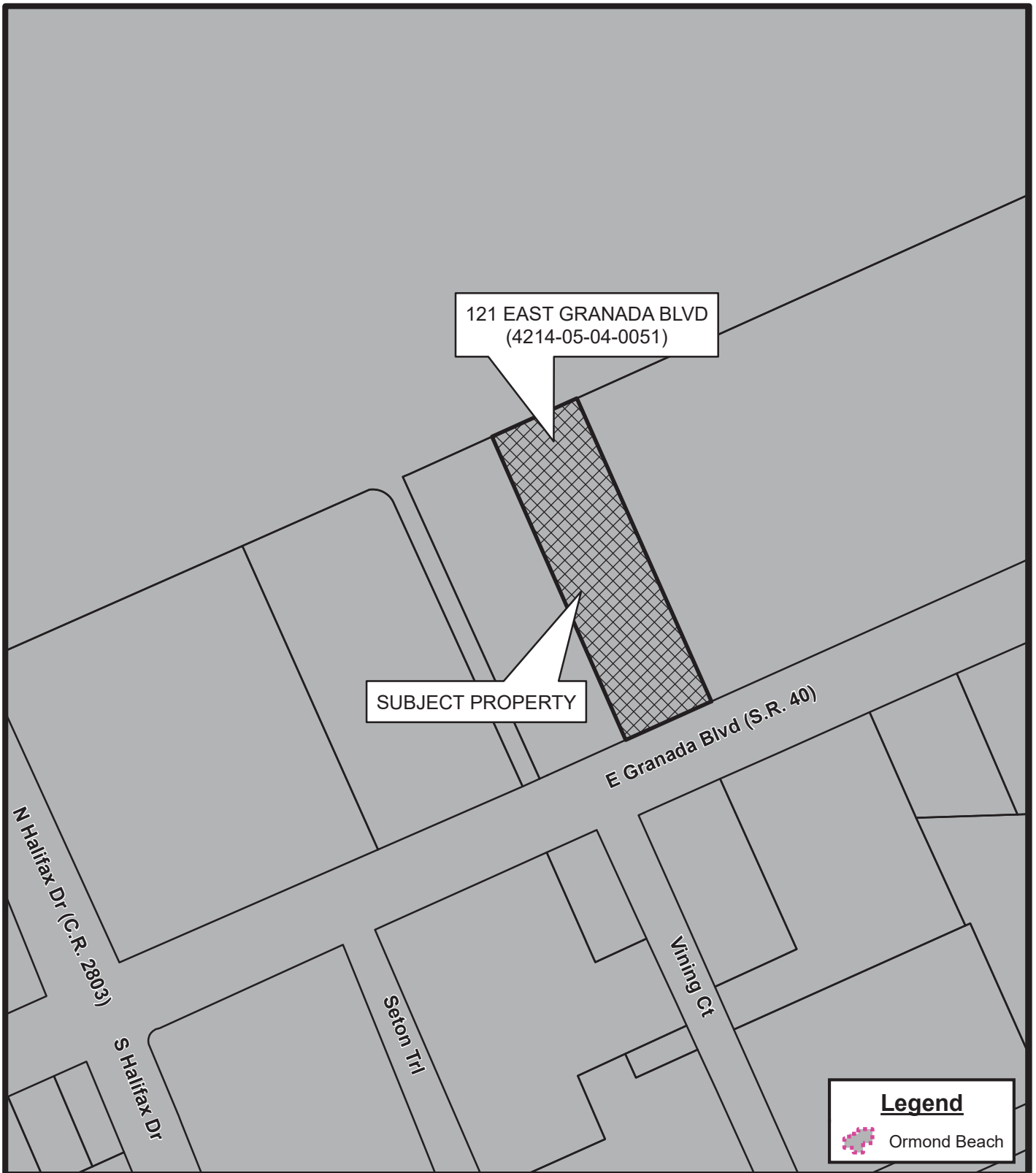
N.T.S.



**FUTURE LAND USE MAP
121 EAST GRANADA BLVD
(4214-05-04-0051)**

Prepared By: The City of Ormond Beach
G.I.S. Department - May 3, 2023





LOCATION MAP
121 EAST GRANADA BLVD
(4214-05-04-0051)

Prepared By: The City of Ormond Beach
G.I.S. Department - May 3, 2023



ATTACHMENT 3

Correspondence received

Spraker, Steven

From: Partington, Bill
Sent: Friday, March 17, 2023 9:06 PM
To: Pamela Gatfield
Cc: Spraker, Steven; Shanahan, Joyce
Subject: Re: Proposed condos 121 E. Granada

Thanks for your email Pam. I would expect this to go to the planning board for review at some point in the future and then possibly come to the Commission with a recommendation for or against.

I'll ask our Planning Director to add you to the notice list so you can get any details on the project and meetings etc.

Sincerely,

Bill

Sent from my iPad

On Mar 16, 2023, at 8:55 PM, Pamela Gatfield <oceanblue2me@gmail.com> wrote:

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

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Mr. Partington,

I just read about the proposed condos on Granada. I moved here in 2019 for the beautiful home town feel of Ormond. From the beautiful street lanterns and Casements, to the palm trees and parks surrounding the best bridge in Volusia County.

Why would you ruin it by planting a SIX STORY condo building on Main St??

Do you see that literally all the buildings are 1-2 story, with the exception of the Ronald McDonald house and Rose Villa? ... Which are 3 and cottage style. A 6 story building crammed into that tiny lot will change the entire aesthetics of this beautiful beach town. We do not need 24 units, roughly 50 people to save our shops.

I ride my bike into town daily. I shop, go to sunrise service, go to the beach all on my bike.

The reason the builder says it is such a challenge is because a 6 story building on .75 acres is ridiculous.

The new condos on Halifax are bad enough and do not fit in with the surrounding houses.

May I suggest another restaurant with outdoor seating? Something beautiful and unique with partial ocean view and parking in the back? Maybe something we can brag about?

Please tell me when the next meeting is and how I can stop this.

I appreciate your time and consideration.

Pamela Gatfield



Ormond Beach MainStreet

P.O. Box 2917
Ormond Beach, FL 32175
Phone: (386) 492-2938

Executive Committee 2022-2023

Nancy Cortez, President
Thomas Caffrey, Vice President
Robin Faber, Secretary
Eric DeVriese, Treasurer
Robert Coleman, Design Committee Chair
John Adams, Economic Vitality Chair

Board of Directors 2022-2023

Dorian Burt
Frank Ganz
Jennifer King
Thomas MacDonald
Paul Osterndorf
Bill Partington, II
Lisa Rademacher
Ashlee Selman
Chuck Spano
Judith Stein
Sam Walter
Whitney Williams

Ex Officio Members

Lori Tolland, Ormond Beach
City Commissioner
Steven Spraker, Planning Director
City of Ormond Beach
Debbie Cotton, President & CEO
Ormond Beach Chamber of Commerce

Community Partners

The City of Ormond Beach
Ormond Memorial Art Museum
The Casements Cultural Center
Ormond Beach Historical Society
Ormond Beach Chamber of Commerce
Ormond Beach Arts District

Executive Director
Rebecca Parker

Annual Sponsors

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Daytona Beach News-Journal
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Highlander Corporation
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Ormond Observer
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Ritchey Buick GMC
Robbins Camper Sales
S.R. Perrott
WSBB

May 24, 2023

Commissioners, City of Ormond Beach
22 S. Beach St.
Ormond Beach, FL 32174

Re: Letter of Support for 121 E. Granada Project

Dear Commissioners:

I want to thank you for your attention and consideration as next steps are taken towards the planned residential condominium project at 121 E. Granada Boulevard. Ormond Beach Mainstreet dedicates itself, along with its Design Committee, to assisting in the enhancement of physical and visual assets within our City's Community Redevelopment Area. It meets monthly to discuss important initiatives and developments like these.

The Design Committee first learned of this project over one year ago and has been included in important discussions with key contributors Zev Cohen, Crunch Construction, Cobb Cole, Realty Pros Assured, the lead architect and the Planning Department. Most recently, the groups met during our May Design Committee meeting (5/8/23) to carefully examine design options, neighborhood impact, landscaping improvements and more.

The Design Committee concluded that this condominium project lends itself to our greater mission towards placemaking in the Ormond Beach CRA, and creating a more vibrant, economically sustainable district in which to live, work and play. We also referred to the City's 2019 Downtown Master Plan, which lists as a top priority a "strong desire for more residential in the downtown CRA area," specifically mid-scale development that fosters downtown living.

Ormond Beach Mainstreet voted in its general board meeting on Monday, 5/13 in support of the condominium project at 121 E. Granada Boulevard as it is currently being proposed. Please let me know if you have any further questions or would like additional input from us. We look forward to working together in service of the beautiful community we all call home.

Sincerely,

Rebecca Parker
Executive Director
Ormond Beach MainStreet, Inc.
Becky@ormondmainstreet.com
Office: (386) 492-2938
Mobile: (563) 676-6338

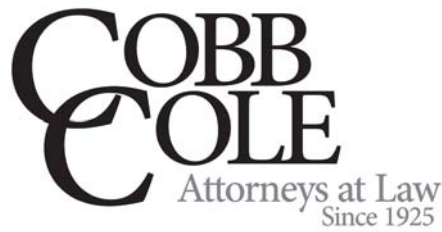


www.ormondbeachmainstreet.com

ATTACHMENT 4

Applicant provided
information and site plans

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
Brandon T. Byers
Baylee D. Bunyard
Anne M. Kehrli
James P. Love III



Daytona Beach • DeLand

149 South Ridgewood Avenue, Suite 700
Daytona Beach, Florida 32114
(386) 255-8171
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)

May 23, 2023

VIA ELECTRONIC DELIVERY

Steven Spraker, AICP
Planning Director
City of Ormond Beach
22 South Beach Street, Room 104
Ormond Beach, FL 32174

Re: 121 East Redevelopment - Rezoning/Planned Development – Project Narrative

Dear Steven:

As you know, it is the Firm's pleasure to represent Dime Rock Properties, LLC (the "Applicant") with respect to the redevelopment and rezoning to a Planned Development of the property located along Granada Boulevard, northeast of the intersection of E. Granada Boulevard and Vining Court. The proposed redevelopment of the site will develop the vacant site for residential uses that will promote a walkable downtown core and provide additional housing opportunities to residents.

This project aims to develop the underutilized property by providing a residential development that will promote growth and economic investment within the area. In designing the proposed redevelopment plan, the Applicant took great measures to ensure that project would complement the surrounding area and integrate with the surrounding commercial and retail businesses. The proposed development plan is comprised of a maximum of 24 residential units contained within the approximately .75 acres of land. The proposed density is consistent with the existing Future Land Use Designation of General Commercial for the property, and promotes a dense residential core that will provide support for surrounding uses while building on the goal of creating a pedestrian friendly beachside core.

The proposed development, located centrally to existing businesses, restaurants, and recreational facilities, is intended to promote pedestrian activity in the beachside areas by clustering residential uses in close proximity to existing services. Located within the Community Redevelopment Area, the project will also provide for a larger tax base for the City to apply towards necessary community improvements and further investment. Further, the surrounding area

City of Ormond Beach
121 East Project

will be benefitted through the addition of stormwater treatment features. Development of the property includes the design and use of modern stormwater treatment systems, which will facilitate the removal of phosphorus and nitrogen travelling into nearby waterways.

In addition to these benefits, the proposed project also promotes the following goals and objectives of the City's Comprehensive Plan:

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.

Response: The proposed development is an infill project designed to create additional housing opportunities for residents in an area where urban services are readily available. The location of the development is intended to create a residential core that will provide support to existing retail and commercial uses within close proximity to the site.

POLICY 1.1.7. Continuously review and modify development and building regulations to provide for sound residential communities and quality housing.

Response: The proposed development will be designed and constructed in accordance with the latest development and building regulations at the local and state level, to ensure that the development is comprised of residential homes of a quality and character that will promote a long-lasting, aesthetically pleasing residential community in one of the City's core areas.

POLICY 1.1.14. Enhance community livability in the central core and older sections of the City by encouraging infill as appropriate, transit oriented development and walkable residential areas.

Response: The proposed residential development is a residential infill project that repurposes a vacant downtown property into a walkable, compatible residential neighborhood that complements surrounding commercial/retail uses. The development property will promote walkability and cluster residential uses in near proximity to existing urban services.

POLICY 2.2.1. The City shall limit urban sprawl by directing urban growth to those areas where public facilities and services are available.

Response: As noted herein, the proposed project is located in an area where existing services are in place to support the development.

POLICY 2.2.5. In order to protect natural resources, new development and redevelopment shall be encouraged to infill existing developed areas

Response: The proposed residential development is a residential infill project that repurposes a vacant downtown property into a walkable, compatible residential neighborhood that complements surrounding commercial/retail uses. The development property will promote walkability and cluster residential uses in near proximity to existing urban services.

City of Ormond Beach
121 East Project

POLICY 2.4.7. Encourage cluster development which promotes the efficient use of open space and reduces development costs, in areas where services and facilities exist or are planned.

Response: The conceptual development plan includes the provision of a mix of both residential units and potential storage/office space to centralize residential units in the downtown core while also providing support spaces for residents. The clustered residential use builds on the principals of a walkable downtown and helps provide support for a growing residential population without environmental impacts.

POLICY 2.4.10. Direct development towards existing residential communities and planned growth areas already served by infrastructure, to utilize resources that existing neighborhoods offer, thereby conserving open space and natural resources on the urban fringe.

Response: The proposed residential development is a residential infill project that redevelops a vacant lot into a walkable, compatible residential neighborhood that complements surrounding businesses. The project clusters residential uses in near proximity to existing urban services.

POLICY 7.1.5. New developments which build residential medium or high-density infill housing, either as standalone or incorporated into mixed use projects are encouraged and shall take priority in financial assistance from the City.

Response: The proposed project is an infill development that places residential density in a location that is appropriate for growth and is served by urban services. The medium density project will promote resident activity in the downtown core and provide support for existing nonresidential uses.

Downtown Master Plan –

Economic and Business Development. Foster a successful, attractive, pedestrian oriented downtown retailing place with interesting places to shop and work, quality civic assets, proximate parking and nearby supportive residential (including mixed use) development.

Response: The planned residential condominiums will provide support retail along the City's main thoroughfare and will assist in transforming the beachside into a walkable downtown core. The residential homes will activate existing retail and promote multimodal transportation options.

Transportation and Circulation. Reclaim Granada Boulevard and other streets as part of the shared public realm as a quality centerpiece for development accommodating and supporting ALL modes of transportation.

Response: As residents live, work, and enjoy the existing downtown amenities, different multimodal transit opportunities, such as walking and biking, will be used.

City of Ormond Beach
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Standards, Regulations and Infrastructure. Create a regulatory and governmental structure that enables positive reinvestment with flexible understanding of “traditional” design standards and urban mixed use without proscriptive “Mediterranean Revival” limitations.

Response: The proposed redevelopment of the site will allow for an aesthetically pleasing residential development that will act as a focal point for the downtown and bring forward design aspirations for adjacent properties.

The improvements to the physical environment in the Ocean District are keyed to the introduction of more intensive infill housing (especially to the south of Granada Blvd.) supported by mixed use development along Granada Boulevard and its side streets that includes housing as a component of the mixed use program.

Response: The project will provide for the housing element along Granada Boulevard that has been absent, and will create a larger resident base in the downtown core to assist in supporting a mixed use vision.

As properties along Granada redevelop, design guidelines should require that building mass move closer to the street to create a more urban context.

Response: The proposed structure is oriented so that the mass of the building, along with the front fencing proposed, creates a sense of an urban edge up to the pedestrian sidewalk.

Support increased housing at medium and high density as infill development and as mixed use projects on Granada Boulevard.

Response: The planned residential condominiums will provide support retail along the City’s main thoroughfare and will assist in transforming the beachside into a walkable downtown core. The residential homes will activate existing retail and promote multimodal transportation options.

We recognize the importance of the standards contained in the City's Land Development Code (“LDC”) and have made every commercial reasonable effort to bring forward a project consistent with the LDC. However, in this case, the project requires certain minor LDC waivers which are balanced against many significant public benefits. An outline of the requested waivers are outlined below:

Public Benefits under Section 2-36(h)(3) –

The project provides the following public benefits requested within Planned Business Developments under the City’s LDC:

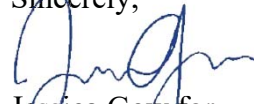
- Increase the number of optional architectural attributes (two (2) or more over and above the required minimum of three (3) optional attributes). *Please see elevations included with these materials that illustrate compliance with this benefit.*
- Provide elements which enhance the pedestrian walking zones such as arcades, overhangs, awnings, landscape and pedestrian amenities such as outdoor art, benches, tables and

City of Ormond Beach
121 East Project

umbrellas. For restaurants, provide outdoor dining areas, particularly cafe style. *The pedestrian experience is improved along Granada by utilizing the common street tree design iconic to the district. Working our way down from the canopy to the ground plane plant selection has been chosen to add color and interest to the front façade. Vegetation will be grown up the angled wall faces to soften their appearance from the right-of-way.*

- Provide parking to the side or rear of the building with the building facing the public right-of-way. *This has been provided.*
- Provide a combination of walls, berms and landscaping to define perimeter of the site. *This has been provided.*
- In lieu of a monument sign, provide only wall signage. *This has been provided.*

Sincerely,



Jessica Gow for

Robert A. Merrell III

Direct Dial (386) 323-9263

Email Rob.Merrell@CobbCole.com

Fax (386) 323-9207

RAM:JLG/ddl
Enclosures

121 EAST

CITY OF ORMOND BEACH - VOLUSIA COUNTY, FL

PLANNED DEVELOPMENT (PD) PLANS

OWNER:
DIME ROCK PROPERTIES, LLC.
375 FENTRESS BLVD
DAYTONA BEACH, FL 32114
PHONE NUMBER: (386) 274-1234
FAX NUMBER: (386) 274-5678
CONTACT PERSON: COLLYER, BRYAN R
e-mail: bryan@crunconstruction.net

CIVIL ENGINEER:
ZEV COHEN & ASSOCIATES, INC.
300 INTERCHANGE BLVD, SUITE C
ORMOND BEACH, FL 32174
PHONE NUMBER: (386) 677-2482
FAX NUMBER: (386) 677-2505
CONTACT: HALUK KILIC, P.E.
e-mail: hkilic@zevcohen.com

SURVEYOR:
J. B. FRIES & ASSOCIATES, INC.
#3435 WEST STATE ROAD #40
ORMOND BEACH, FLORIDA 32174
PHONE NUMBER: (386) 671-1700
FAX NUMBER
CONTACT PERSON: BRYAN E. FRIES P.S.M.
e-mail: jbfsurveyor@gmail.com

LANDSCAPE ARCHITECT:
ZEV COHEN & ASSOCIATES, INC.
300 INTERCHANGE BLVD, SUITE C
ORMOND BEACH, FL 32174
PHONE NUMBER: (386) 677-2482
FAX NUMBER: (386) 677-2505
CONTACT PERSON: JAKE STEHR, RLA
e-mail: jstehr@zevcohen.com

ATTORNEY:
COBB COLE
149 S. RIDGEWOOD AVE.
DAYTONA BEACH, FL 32114
PHONE NUMBER (386) 323-9263
FAX NUMBER (386) 944-7955
CONTACT PERSON: ROB MERRELL
e-mail: rob.merrell@cobbcole.com

PROJECT DESCRIPTION:

PLANNED RESIDENTIAL DEVELOPMENT REZONING FOR 24 UNIT CONDOMINIUM DEVELOPMENT.

TAX PARCEL ID: 421405040051

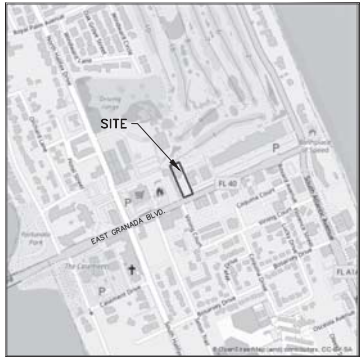
ADJACENT PROPERTY OWNERS:

- 421405040052
GRANADA PLAZA GROUP, LLC
444 SEABREEZE BLVD. STE 1000
DAYTONA BEACH, FLORIDA 32114

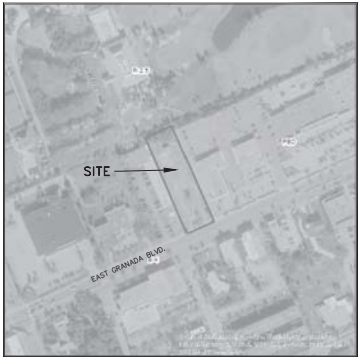
SITE ADDRESS:
125 E. GRANADA BLVD., ORMOND BEACH, FLORIDA 32176
- 421405040060
OCEANSIDE GOLF & COUNTRY CLUB
75 HALAFAX DRIVE
ORMOND BEACH, FLORIDA 32176

SITE ADDRESS:
75 HALAFAX DRIVE, ORMOND BEACH, FLORIDA 32176
- 421405040053
DORJIM, LLC
39 MOUNT AVENUE
ORMOND BEACH, FLORIDA 32174

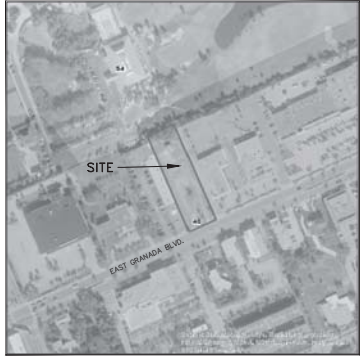
SITE ADDRESS:
115 E. GRANADA BLVD., ORMOND BEACH, FLORIDA 32176
- GRANADA BOULEVARD/STATE ROUTE 40



VICINITY MAP
SCALE: 1" = 500'



ZONING MAP
SCALE: 1" = 200'
CURRENT ZONING FOR THIS SITE IS: B-4
PROPOSED ZONING FOR THIS SITE IS: PD



SOILS MAP
SCALE: 1" = 200'

THE SITE LIES WITHIN THE FOLLOWING VOLUSIA COUNTY SOIL CLASSIFICATIONS:
SOILS: S4 - QUARTZPSAMMENTS, GENTLY SLOPED



FLOOD_ZONE MAP
SCALE: 1" = 200'

THE PROPERTY LIES IN:
FLOOD_ZONE X PER FEMA MAPS 12127C0216K

SHEET INDEX:

- | | |
|----|---------------------------------|
| C1 | COVER SHEET |
| C2 | EXISTING CONDITIONS PLAN |
| C3 | PROPOSED LAND USE PLAN |
| C4 | GROUND FLOOR PLAN |
| C5 | STORMWATER & ENVIRONMENTAL PLAN |
| C6 | UTILITY PLAN |

LA1-LA2 CONCEPTUAL LANDSCAPE PLAN

VT1 VEHICLE TRACKING PLAN EXHIBIT

SF1 SECOND FLOOR PLAN EXHIBIT

LEGAL DESCRIPTION:

THE EASTERLY 100 FEET OF THAT PART OF GOVERNMENT LOT 2, SECTION 14, TOWNSHIP 14 SOUTH, RANGE 32 EAST, VOLUSIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: BEGIN AT A POINT IN THE NORTHERLY LINE OF GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, A 60 FOOT STREET AS FORMERLY LAID OUT, SAID POINT BEING A DISTANCE OF 1250 FEET WESTERLY OF THE INTERSECTION OF SAID LINE WITH THE WESTERLY LINE OF OCEAN SHORE BOULEVARD, A 30 FOOT STREET AS FORMERLY LAID OUT; THENCE NORTHERLY AND AT RIGHT ANGLES TO GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, A DISTANCE OF 350 FEET TO A POINT; THENCE WESTERLY AND PARALLEL TO GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, A DISTANCE OF 200 FEET TO A POINT; THENCE SOUTHERLY AND AT RIGHT ANGLES TO GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, A DISTANCE OF 350 FEET TO THE NORTHERLY LINE OF GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, THENCE EASTERLY ALONG SAID NORTHERLY LINE OF GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, A DISTANCE OF 200 FEET TO THE POINT OF BEGINNING; EXCEPTING THEREFROM THAT PORTION THEREOF TAKEN FOR GRANADA RIGHT OF WAY PURPOSES.

SAID PROPERTY IS ALSO DESCRIBED AS:

THAT PART OF GOVERNMENT LOT 2, SECTION 14, TOWNSHIP 14 SOUTH, RANGE 32 EAST, VOLUSIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: BEGIN AT A POINT IN THE NORTHERLY LINE OF GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, A 60 FOOT STREET AS FORMERLY LAID OUT, SAID POINT BEING A DISTANCE OF 1250 FEET WESTERLY OF THE INTERSECTION OF SAID LINE WITH THE WESTERLY LINE OF OCEAN SHORE BOULEVARD, A 30 FOOT STREET AS FORMERLY LAID OUT; THENCE WESTERLY ALONG THE SAID NORTHERLY LINE OF GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, A DISTANCE OF 100 FEET TO A POINT; THENCE NORTHERLY AND AT RIGHT ANGLES TO SAID NORTH LINE OF GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, A DISTANCE OF 350 FEET TO A POINT; THENCE EASTERLY AND PARALLEL TO GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, A DISTANCE OF 100 FEET TO A POINT; THENCE SOUTHERLY AND AT RIGHT ANGLES TO GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, A DISTANCE OF 350 FEET TO THE POINT OF BEGINNING; EXCEPTING THEREFROM THAT PORTION THEREOF TAKEN FOR GRANADA RIGHT OF WAY PURPOSES.

THE PROPERTY DESCRIBED HEREON IS IN "UNSHADED ZONE X" PER THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 125136 0216 K, MAP NUMBER 12127C0216K, DATED 29 SEPTEMBER, 2017.

NOTE: THE SCALE OF THESE PLANS MAY HAVE CHANGED DUE TO REPRODUCTION.

ZEV COHEN & ASSOCIATES, INC.
Professional Engineers, Surveyors, and Landscape Architects
121 EAST
PLANNED DEVELOPMENT (PD) PLANS
COVER SHEET

NO.	DATE	BY	DESCRIPTION
1	12-15-2017	JKL	PRELIMINARY PLANS
2	12-15-2017	JKL	FINAL PLANS

PROJECT NO: 20-21173

DESIGNED BY: HK

DRAWN BY: JML

CHECKED BY: HK

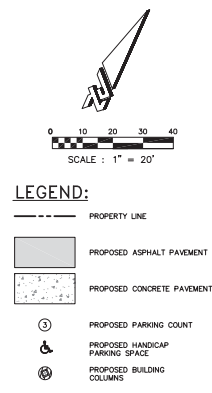
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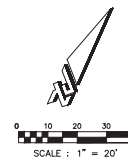
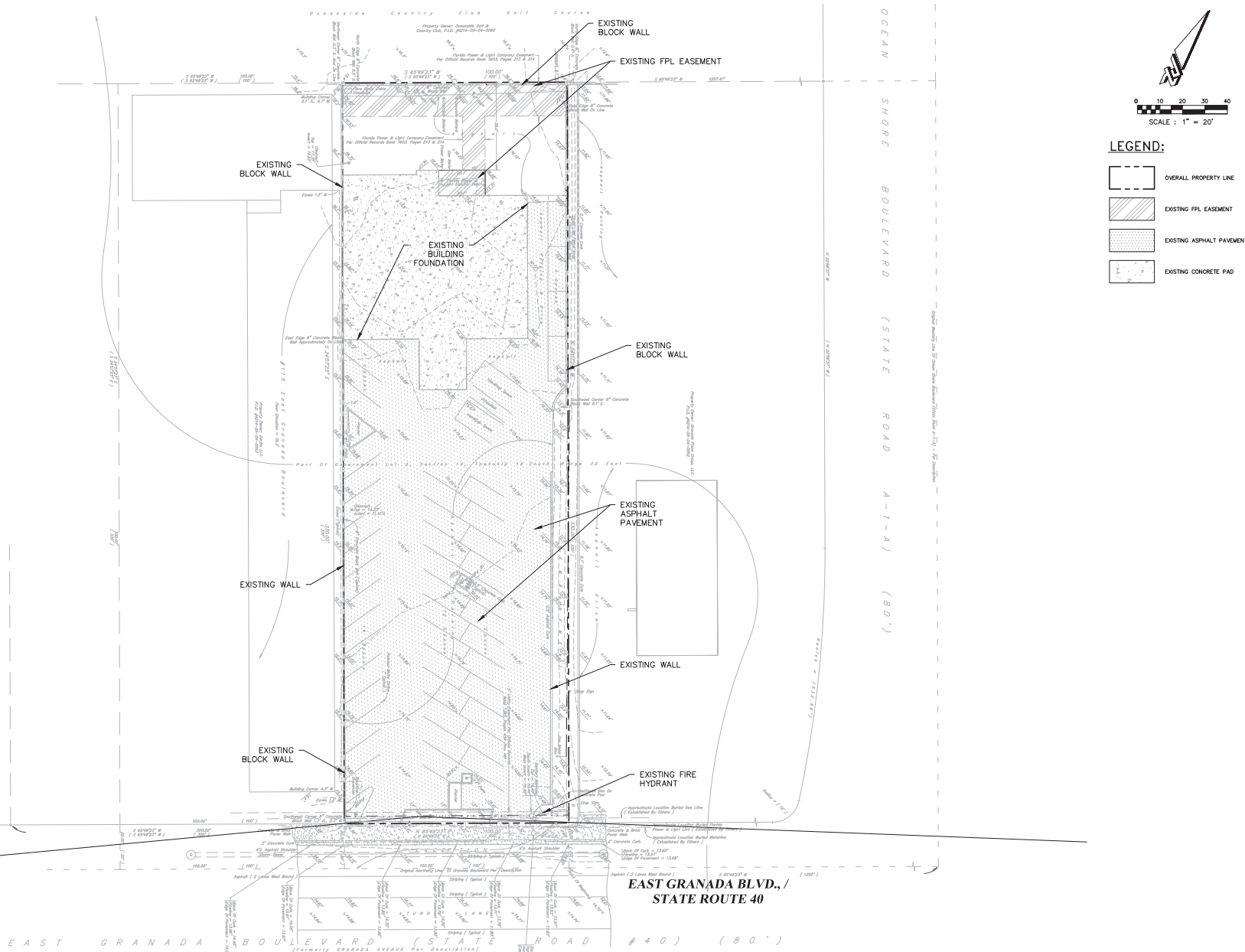
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SHEET C1 OF 6

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LEGEND:

- | | |
|---|---------------------------|
|  | OVERALL PROPERTY LINE |
|  | EXISTING FPL EASEMENT |
|  | EXISTING ASPHALT PAVEMENT |
|  | EXISTING CONCRETE PAD |



**ZEV COHEN
& ASSOCIATES, INC.**
300 INTERCHANGE BLVD., 5TH. F.
GARDEN CITY, NY 11530
WWW.ZEVCOHEN.COM

CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE
ENVIRONMENTAL
PLANNING
TRANSPORTATION

O	DATE	BY	SUBMITTALS / REVISIONS
I	08-12-22	HK/JL	SUBMITTAL TO THE CITY OF ORMOND BEACH
	06-09-23		01 PERMITS
	06-09-23		02 PERMITS
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	06-09-23		100 PERMITS

**121 EAST
PLANNED DEVELOPMENT (PD) PLANS
EXISTING CONDITIONS PLAN**

100

PROJECT NO: ZC 21173

DESIGNED BY: HK

DRAFTED BY: JML

CHECKED BY: HK

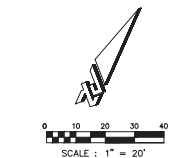
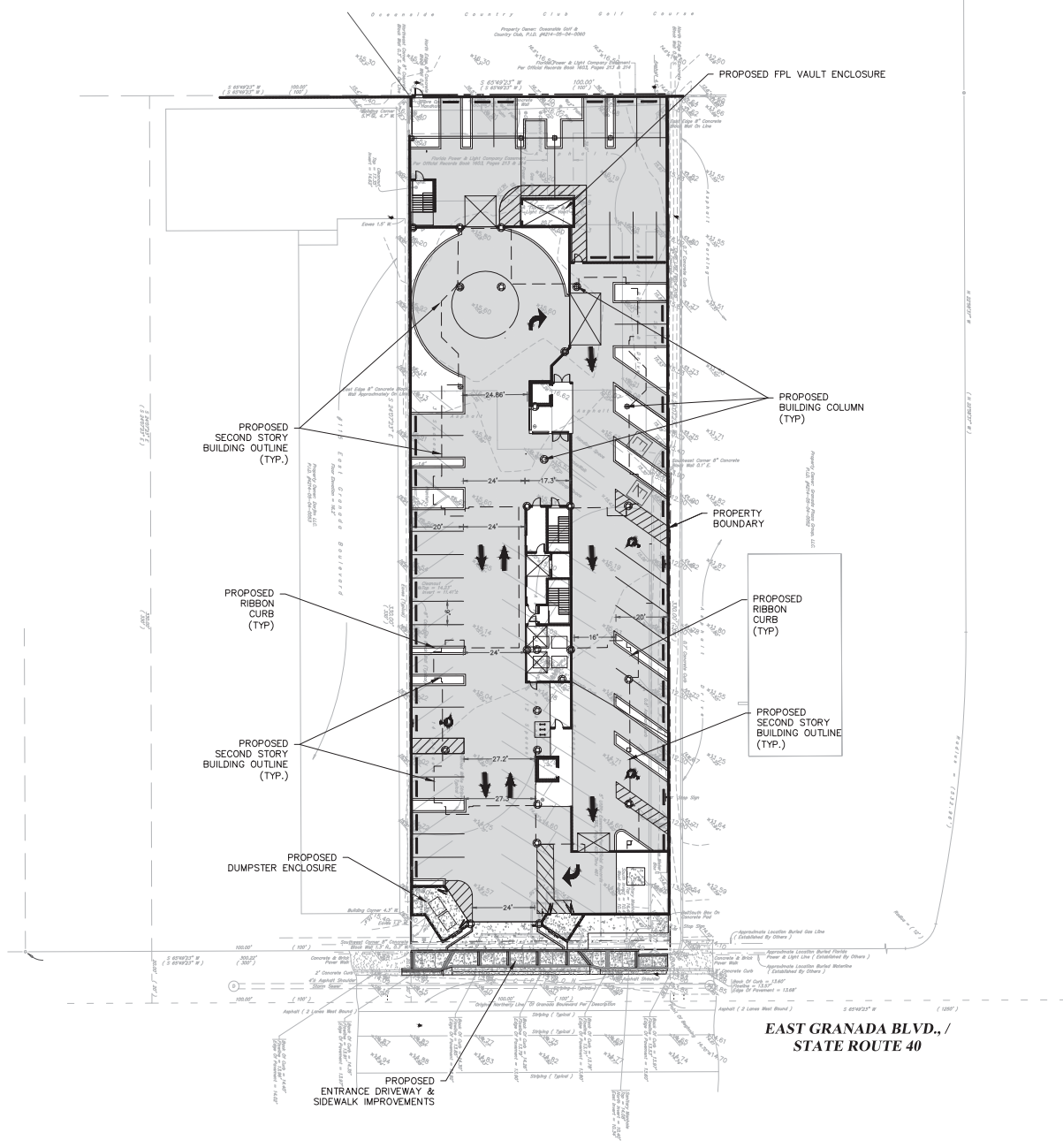
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SHEET: C2 OF 6



LEGEND:

- PROPERTY LINE
- PROPOSED ASPHALT PAVEMENT
- PROPOSED CONCRETE PAVEMENT
- PROPOSED PARKING COUNT
- PROPOSED HANDICAP PARKING SPACE
- PROPOSED BUILDING COLUMNS

SITE INFORMATION:

SITE ADDRESS:	121 EAST GRANADA BLVD., ORMOND BEACH, FL 32174
PROJECT AREA:	0.758 AC
TAX PARCEL ID. #:	421405040051
EXISTING ZONING:	B-4, CENTRAL BUSINESS
PROPOSED ZONING:	PRD, PLANNED RESIDENTIAL DEVELOPMENT
EXISTING LAND USE:	VACANT
PROPOSED LAND USE:	MULTI FAMILY RESIDENTIAL
FUTURE LAND USE:	GENERAL COMMERCIAL
EXISTING IMPERVIOUS AREA:	0.020 AC
PROPOSED IMPERVIOUS AREA:	0.678 AC 89.40%
PROPOSED PERVIOUS/OPEN SPACE AREA:	0.080 AC 10.55%
PROPOSED LANDSCAPE AREA:	0.080 AC 10.55%
SETBACKS:	
FRONT:	0 FT
SIDE:	0 FT
REAR:	0 FT
REQUIRED LANDSCAPE BUFFERS:	
MAXIMUM BUILDING LOT COVERAGE:	±16,681 SF ~0.383 AC, (SECOND FLOOR) ±50.5%
TOTAL BUILDING SQUARE FEET:	±57,326 SF (FIVE STORIES & GROUND ENTRANCE AREAS)
MAXIMUM BUILDING HEIGHT ALLOWED:	75 FEET
PROPOSED BUILDING HEIGHT:	74 FEET

SITE DATA

TOTAL PD AREA	0.758 AC.
CURRENTLY PROPOSED DEVELOPMENT AREA	0.758 AC.
NUMBER OF UNITS	24
DENSITY	32 DU/AC
PARKING REQUIRED	36 SPACES
HANDICAP PARKING REQUIRED	2
HANDICAP PARKING PROVIDED (INCLUDED IN TOTAL PARKING COUNT)	3
TOTAL PARKING PROVIDED	40
MIN. LOT AREA	20,000 SF
MIN. LOT WIDTH	100'
MIN. FLOOR AREA	600 SF

LAND USE TABLE

PROPOSED USES	SQ. FT.	ACREAGE	PERCENT
GROUND FLOOR PARKING & ACCESS	25,178	± 0.578AC	± 76.25
GROUND FLOOR TRASH & BUILDING ACCESS	2,178	± 0.05AC	± 6.00
LANDSCAPE / OPEN SPACE AREA	3,485	± 0.080AC	± 10.55
SECOND FLOOR RESIDENTIAL & ACCESS	11,230		
SECOND FLOOR POOL LANAI / GAME LAWN	3,337		
SECOND FLOOR HOSPITALITY / FITNESS	1,514		
SECOND FLOOR DOG WALK AREA	2,653		
THIRD-SIXTH RESIDENTIAL/ACCESS/ STORAGE AREA	51,096		
TOTAL FLOOR AREA (RESIDENTIAL LIVING ONLY)	44,775		
FLOOR AREA RATIO (FAR)	1.03		

EXISTING ENCROACHMENTS

FPL EASEMENT & SWITCH STATION	± 0.05AC	± 06.60
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TOTAL PROPERTY AREA	± 0.758AC	± 100.0
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* REFER TO AGREEMENT FOR DETAILED LIST OF PERMITTED USES



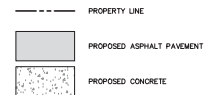
CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE
ENVIRONMENTAL
PLANNING
TRANSPORTATION

NO.	DATE	BY	DESCRIPTION
1	10/15/2013	JAM	PRELIMINARY SITE PLAN
2	10/22/2013	JAM	REVISIONS TO PRELIMINARY SITE PLAN
3	11/01/2013	JAM	FINAL SITE PLAN

121 EAST
PLANNED DEVELOPMENT (PD) PLANS
PROPOSED LAND USE PLAN

PROJECT NO: 20-21173
DESIGNED BY: HK
DRAWN BY: JAM
CHECKED BY: HK
DRAWING FILE: 121173-PLU
SHEET: 00000.DWG
DATE: 10/22/2013

SHEET C3 OF 6



PROJECT NO: ZC 21173

DESIGNED BY: HK

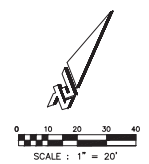
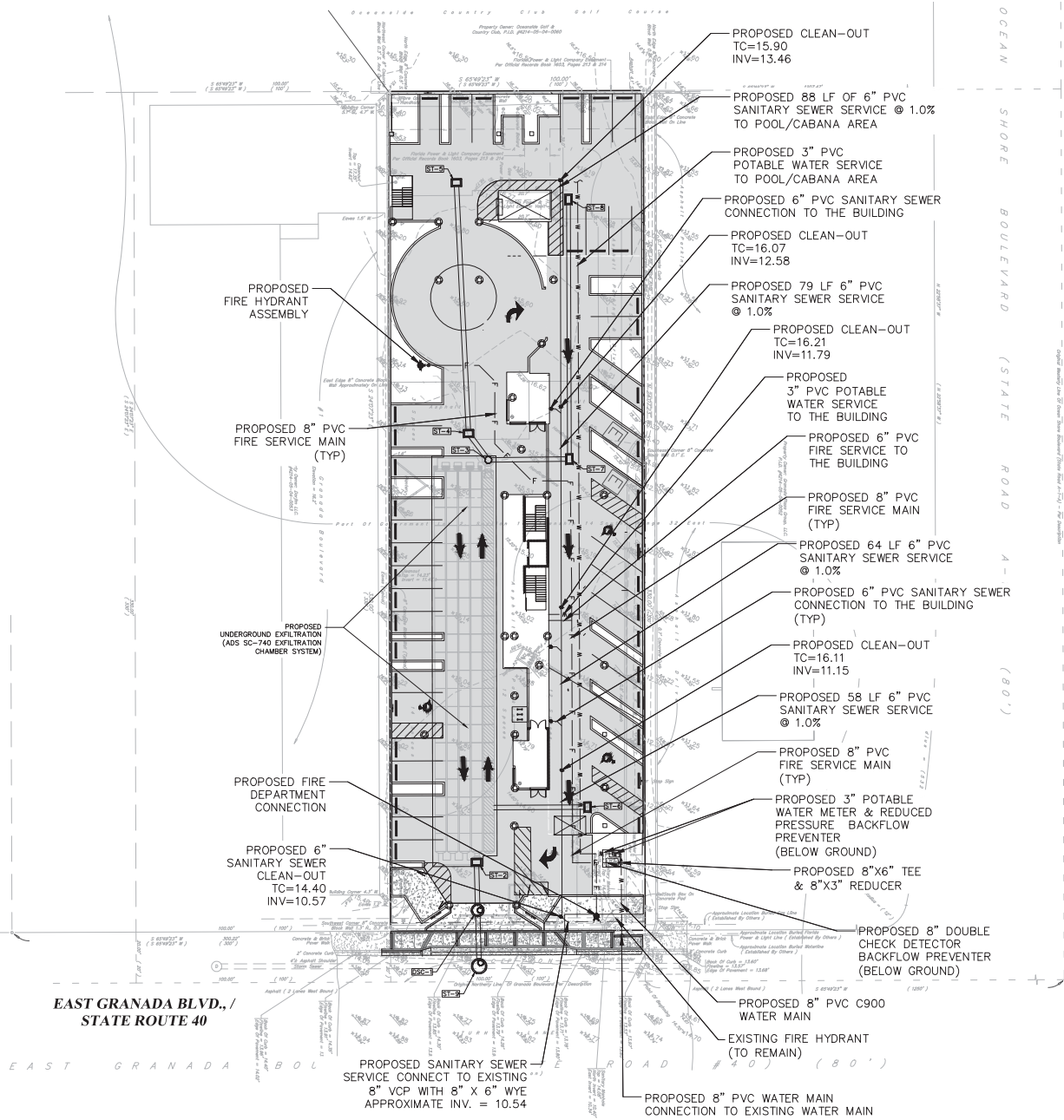
DRAFTED BY: JML

CHECKED BY: HK

DRAWING FILE: 04_21173-GFP

REFS: XXXXX.DWG

REFS: XXXXX.DWG



LEGEND:

- PROPOSED ASPHALT PAVEMENT
- PROPOSED CONCRETE
- PROPOSED SANITARY MAIN AND MANHOLE
- PROPOSED SANITARY SERVICE
- PROPOSED WATERMAIN
- PROPOSED FIRE MAIN
- PROPOSED RECLAIMED WATERMAIN
- PROPOSED FORCEMAIN
- PROPOSED FIRE HYDRANT ASSEMBLY
- PROPOSED GATE VALVE
- PROPOSED FIRE DEPARTMENT CONNECTION

ZEV COHEN & ASSOCIATES, P.C.
CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE
ENVIRONMENTAL
PLANNING
TRANSPORTATION

NO.	DATE	BY	CHKD.	DESCRIPTION
1	10-15-2013	JAM		DESIGNED
2	10-22-2013	JAM		DRAWN
3	11-05-2013	JAM		CHECKED
4	11-12-2013	JAM		APPROVED

121 EAST GRANADA BLVD., / STATE ROUTE 40

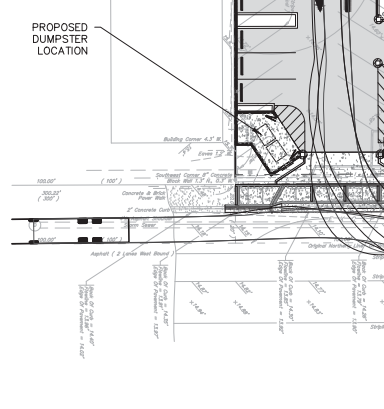
PLANNED DEVELOPMENT (PD) PLANS

UTILITY PLAN

PROJECT NO.	20-21173
DESIGNED BY	JAM
DRAWN BY	JAM
CHECKED BY	JAM
APPROVED BY	JAM
DRAWING FILE NO.	20-21173-UTL
DATE	10/15/2013
SCALE	AS SHOWN

STATE OF FLORIDA
SOUTH FLORIDA DISTRICT

SHEET **C6** OF **6**



	PROPERTY LINE
	PROPOSED ASPHALT PAVEMENT
	PROPOSED CONCRETE
	PROPOSED PARKING COUNT
	PROPOSED HANDICAP PARKING SPACE
	PROPOSED BUILDING COLUMNS

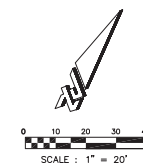
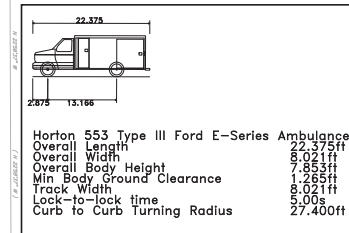
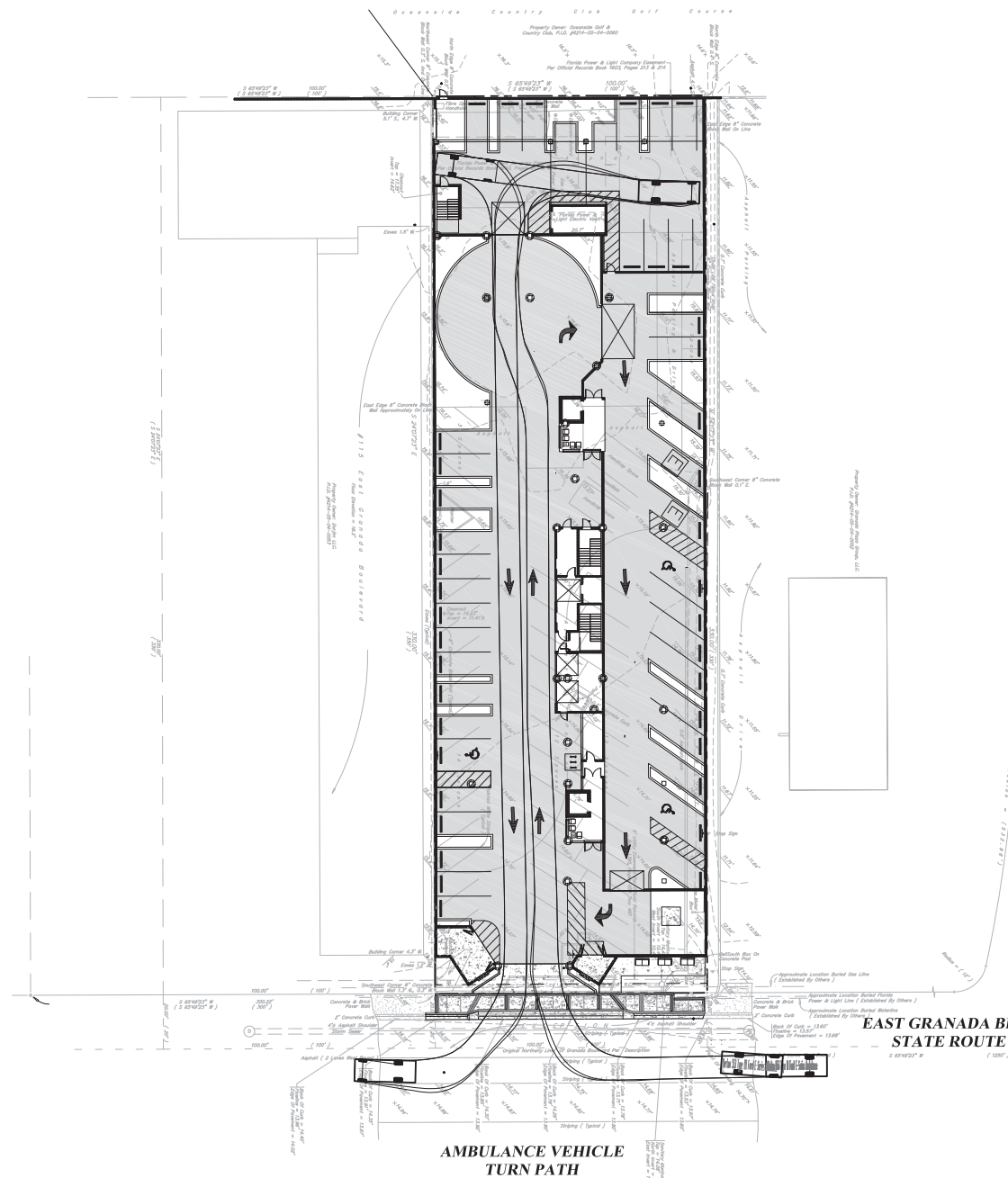


REFUSE VEHICLE



HALUK KILIC, P.E., NO.54044
NOT VALID WITHOUT SEAL

SHEET: **VT1** OF **6**



LEGEND:

 PROPERTY LINE
 PROPOSED ASPHALT PAVEMENT
 PROPOSED CONCRETE



CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE
ENVIRONMENTAL
PLANNING
TRANSPORTATION

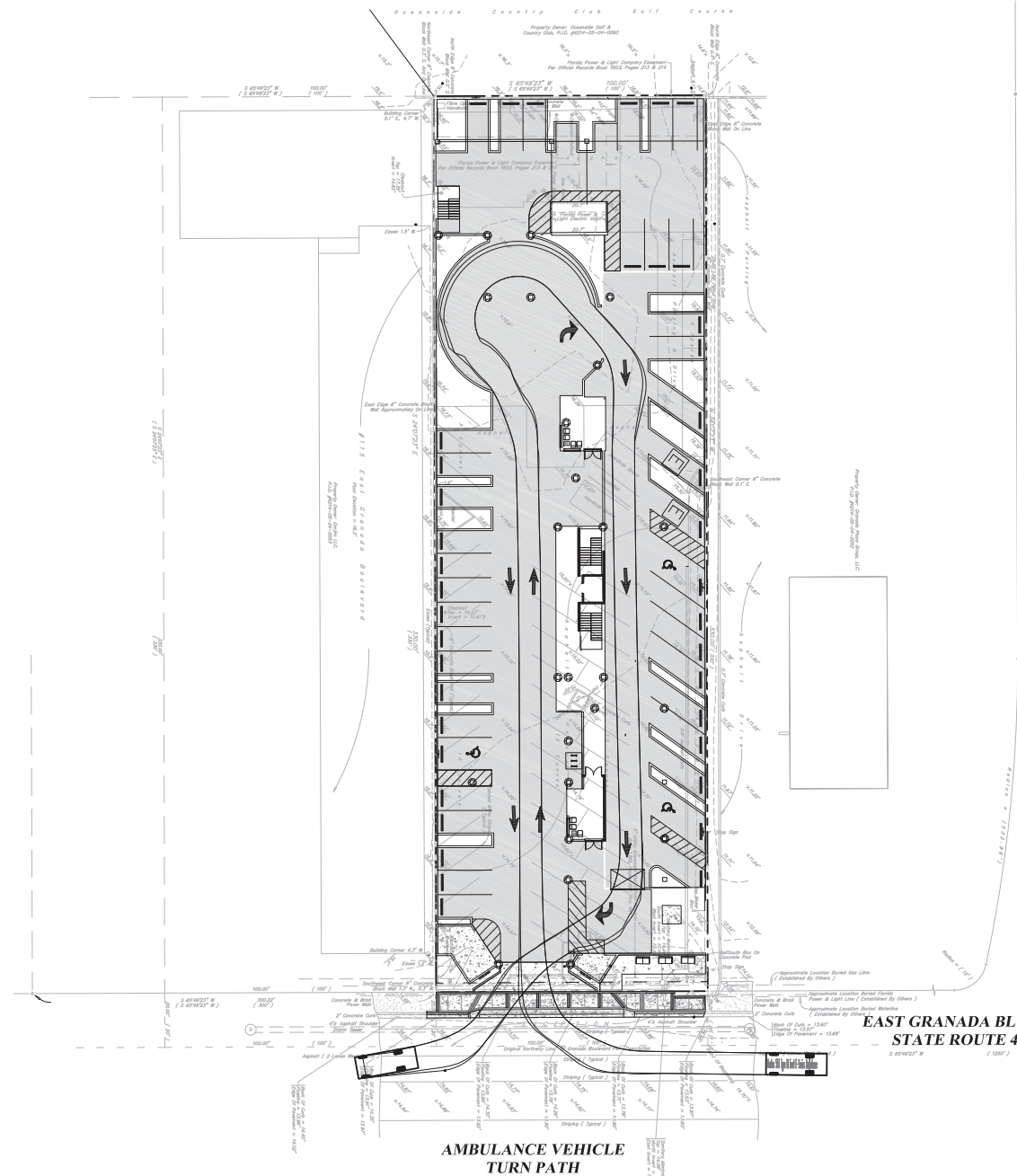
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**121 EAST
PLANNED DEVELOPMENT (PD) PLANS
VEHICLE TRACKING PLAN
EXHIBIT**

PROJECT NO: ZC 21173
DESIGNED BY: HK
DRAFTED BY: JML
CHECKED BY: HK
DRAWING FILE: 211734/TE-AMBULANCE XREF'S: XXXXX.DWG XREF'S: XXXXX.DWG

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SHEET: VT2A OF 2



121 EAST

121 GRANADA BOULEVARD EAST ORMOND BEACH, FL 32176

PROJECT DESCRIPTION

A 24 unit condominium building located on a 100' x 350' property on the north side of Granada running north/south on the long edge

OWNER

Dime Rock Properties LLC
375 Fentress
Daytona Beach, FL - 32114

ARCHITECT

L. William Chapin, II, FAIA
FL reg # 0010783
444 Seabreeze Blvd - suite 200
Daytona Beach, FL 32118
Contact: 386-299-8363

CONTRACTOR

Crunch Construction
375 Fentress
Daytona beach, FL - 32114

PROJECT MANAGER

Bryan Collyer
Crunch Construction
375 Fentress
Daytona beach, FL - 32114

ELECTRICIAN

PLUMBER

INDEX OF DRAWINGS

C-1 Project description, contact info, location map
S-1 Site Schematic
A-1 Floor plans
A-2 Elevations/sections
A-3 Perspectives



C-1

121
EAST

121 EAST GRANADA BLVD.
ORMOND BEACH, FL 32176

Wm
CHAPIN
F.A.I.A. • ARCHITECT

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SUITE 200
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williamchapin@mac.com
williamchapin.com

FL REG. # AR0010783
NCARB REGISTERED

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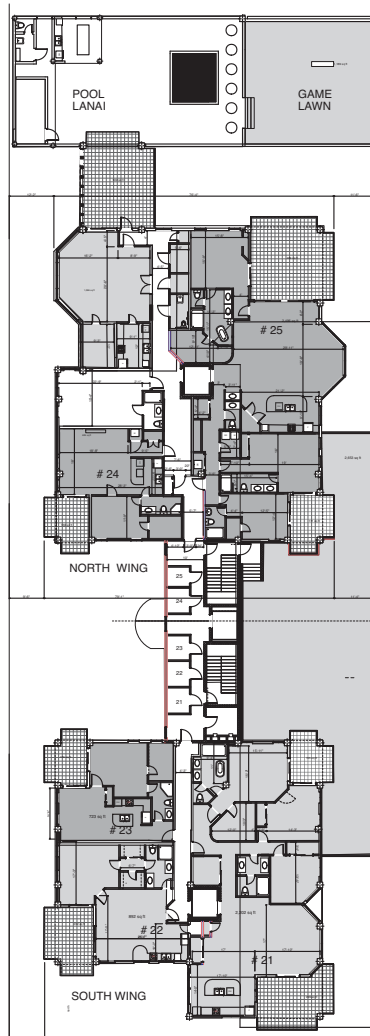
COMM. NO.

DRAWN BY
LWC

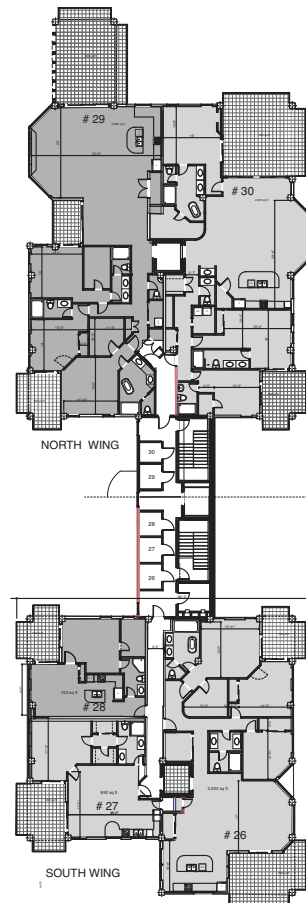
DATE:
1 MAY 2023

DRAWINGS:

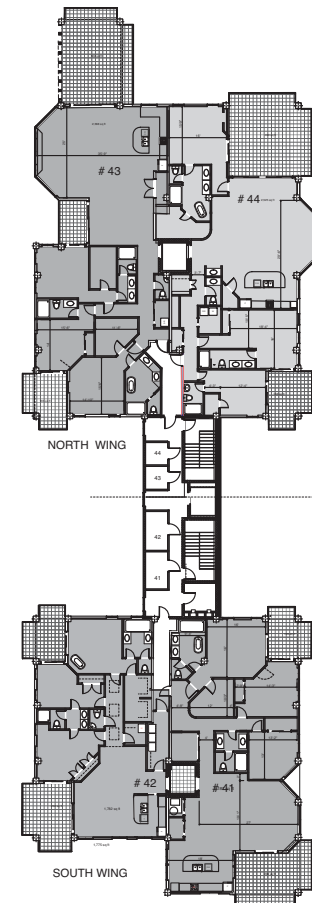
COVER SHEET



SECOND FLOOR PLAN



THIRD-FIFTH FLOOR PLANS



SIXTH FLOOR PLAN

A-1

**121
EAST**

121 EAST GRANADA BLVD.
 ORMOND BEACH, FL 32176

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 BOARD OF ARCHITECTS, ENGINEERS
 AND SURVEYORS OF THE STATE OF FLORIDA.
 (Stamp: 8/2/23)

COMM. NO.

DRAWN BY
 LWC

DATE:
 1 MAY 2023

DRAWINGS:

FLOOR PLANS
 1/16" = 1'-0"

A-2.1

121
EAST

121 EAST GRANADA BLVD.
ORMOND BEACH, FL 32176

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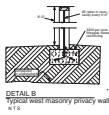
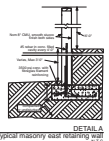
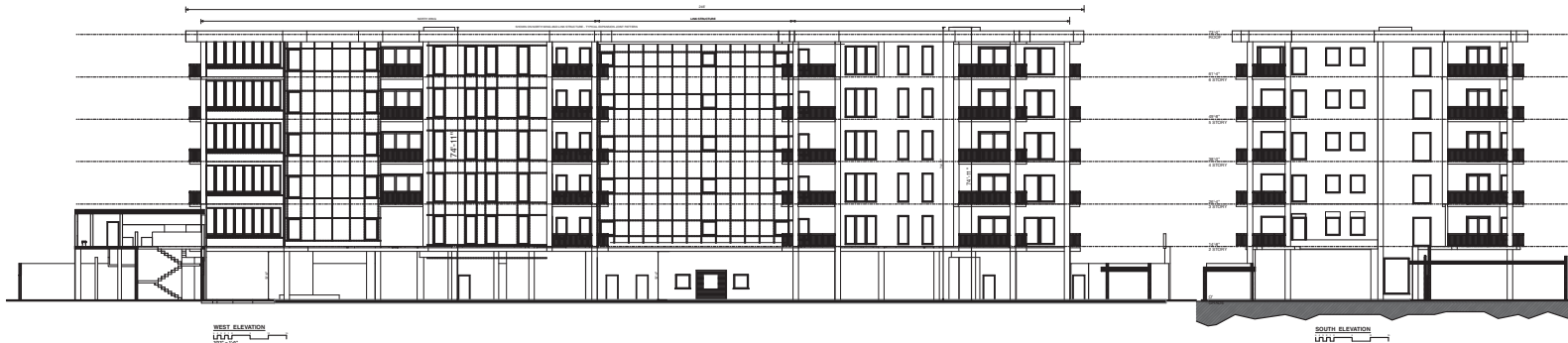
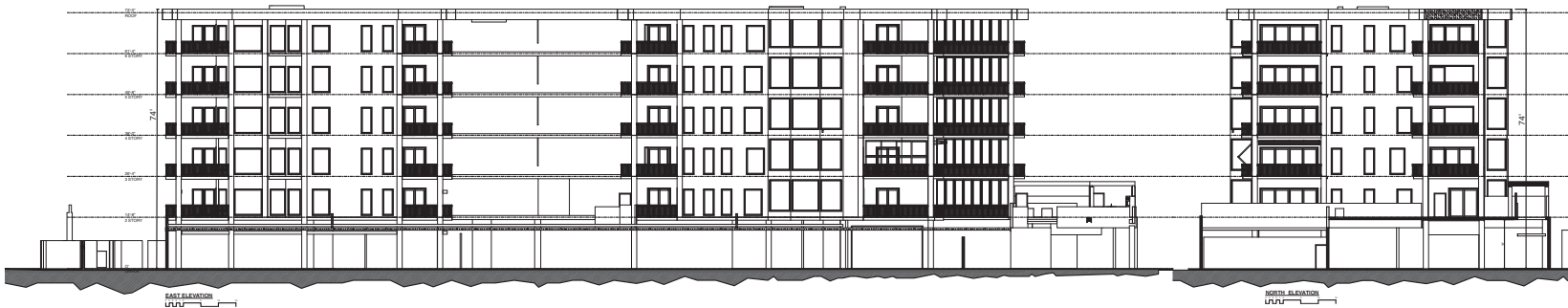
DRAWN BY
LWC

DATE:
1 MAY 2023

DRAWINGS:

Overall elevations

NOTE:
all drawings are at
1/16" = 1'-0"



LOCAL 121 EAST NOTES

1. PER CITY OF ORMOND BEACH ZONING ORDINANCE, THIS PROJECT HAS BEEN DESIGNED IN THE NEO-ECLECTIC STYLE.
2. PER CITY OF ORMOND BEACH ZONING ORDINANCE, WHERE THE MAXIMUM ALLOWABLE BUILDING HEIGHT IS 70', THIS BUILDING STANDS 71'-11" AT ITS HIGHEST ELEVATION.
3. PER CITY OF ORMOND BEACH ZONING ORDINANCE, THE FOLLOWING IS A LIST OF ARCHITECTURAL DESIGN ELEMENTS THAT FALL UNDER THE DEFINITION OF NEO-ECLECTIC DESIGN AND WILL BE USED FOR THIS PROJECT:

- A. MASSING IS A COMPOSITION OF NON-SYMMETRICAL ELEMENTS.
- B. WINDOWS ARE ALL VERTICALLY CONFIGURED AND UNIFORMLY FRAMED IN WHITE WITH ELEGANT BLUE-TINTED GLASS.
- C. ENTRANCES, EACH WING FEATURES A GLASS-ENCLOSED ELEVATOR ENTRANCE VESTIBULE WITH UNIFORM DETAILING FOR EACH.
- D. ROOFS: THE ROOFS ARE NORMALLY FLAT BUT BLENDED WITH A HORIZONTAL ROOF THAT IS PAINTED THE COLOR OF THE REST OF THE TRIM ON THE PROJECT.
- E. EXTERIOR MATERIALS: THE MATERIALS ARE PRIMARILY STUCCO WITH PROMINENT EXPANSION JOINTS USED TO DEFINE THE FLOORS AND WINDOWS. THE FACADES WITHOUT WINDOWS WILL HAVE DECORATIVE BANDING AT EACH FLOOR TO GIVE A MAXIMUM HORIZONTAL VISUAL BREAK EVERY 10'-0".
- F. COLORS: THE DOMINANT COLOR WILL BE A SLIGHTLY OFF WHITE WITH BLUE ACCENTS AT BALCONY EDGES AND ROOF BANDS.

GENERAL NOTES:

- 1. Provide all control joints in accordance with mfg.'s spec's.
- 2. Stucco panel color shall be integral to material as approved to painted on.
- 3. All mechanical equipment will not be visible from street level.
- 4. All visible surfaces shall be painted color of adjacent surfaces.
- 5. Refer to Florida Building Product Booklet for additional product information.
- 6. All downspouts and gutters shall be finished the color of adjacent surfaces.





SOUTHWEST VIEW



NORTHWEST VIEW



NORTH WING SECTION



SOUTHEAST VIEW



LINK SECTION



SOUTH VIEW



NORTHEAST VIEW

BUILDING STATISTICS

1. The building is a 24 unit multi family residence with fifteen 3 bedroom/3 bath units, and nine 1 bedroom/1 bath units. Each of two wings are served with an occupant elevator and both wings share a service elevator. The structure linking the two wings consists of a common corridor giving access of each resident to a private storage closet, the fire stairs, and the common service elevator. The use of the slender "link" to join the two wings adds substantial visual appeal to the project's west and east elevations, and eliminates the project looking awkwardly long.

ARCHITECTURAL COMMENTS
RE: 121 E. Granada Condos
ZC 21173

ARCHITECTURAL ATTRIBUTES

1. The generous terraces located at each corner of both wings add an interesting facade element contributing to the richness of the elevations.
2. The blue edges of the terraces along with the same color fascia at the roof provide a unifying and interesting element to the floors and roof edge.
3. Blue tinted glass will be used in all the fenestration, which supplements the subtle blue theme of the above details.
4. The handsome long arrival entry court, with its two glass-clad gives an interesting streetscape to passerbys, residents and guests.
5. The lawn and lawn area were placed between the North Tower and Oceanside Country Club to allow the building to be respectfully set back from the golf course.
6. In order to appear comfortably sited, the design was configured to set well back of all of the setback allowances.
7. The generous sizes of the residences, along with their nearly 10' ceiling heights, set a tone of luxury that future projects coming to Granada will choose to follow.
8. Rather than a plain flat street facade, the street front wall has handsome angled stucco walls that act as a backdrop for native plantings, wall-adorned ivy and a possible changing art display.

A-3

121
EAST

121 EAST GRANADA BLVD.
ORMOND BEACH, FL 32176

Wm
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F.A.I.A. • ARCHITECT

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386 - 299 - 8363

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COMM. NO.

DRAWN BY
LWC

DATE:
1 May 2023

DRAWINGS:



SOUTHWEST VIEW



SOUTH VIEW



NORTHWEST VIEW



SOUTHEAST VIEW



NORTHEAST VIEW



NORTH WING SECTION



LINK SECTION

ARCHITECTURAL DESIGN COMMENTS

The long slender site prompted the design to be stretched north and south, with two wings to be connected by a service link that provides area for fire stairs, a service elevator, and spacious lockers for each resident. Additionally, the slender link provides the opportunity to introduce enhanced surrounding daylight to nearly every bedroom.

Each wing has an elevator that conveys travelers directly to the gathering room of each residence. Each gathering room enjoys connection with a terrace spacious enough to accommodate lounge seating, dining furniture, and even extensive container landscaping. Optional glass drop-down doors can effectively add the terraces to the indoor gathering rooms.

The architectural parti employs extensive elevation variety to the façades. The basic elevation detailing consists of a grid panel that uses the window heads, sills, and sides to locate the horizontal and vertical alignments. The detail is purposely understated in order to let the dramatic terraces, with their extended decking, give richness to each wing. The link elevations are also clad in a simple horizontal/vertical cladding for the same reason.

The arrival drive sits 13'-6" above the entry lane at the west side of the vestibules to the two wings. The combination of abundant natural light under the building along with sensitive landscaping provides a most inviting arrival to 121 EAST.

S-1

121
EAST

121 EAST GRANADA BLVD.
ORMOND BEACH, FL 32176

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IS NOT RESPONSIBLE FOR THE DESIGN OF THE
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03/20/2023

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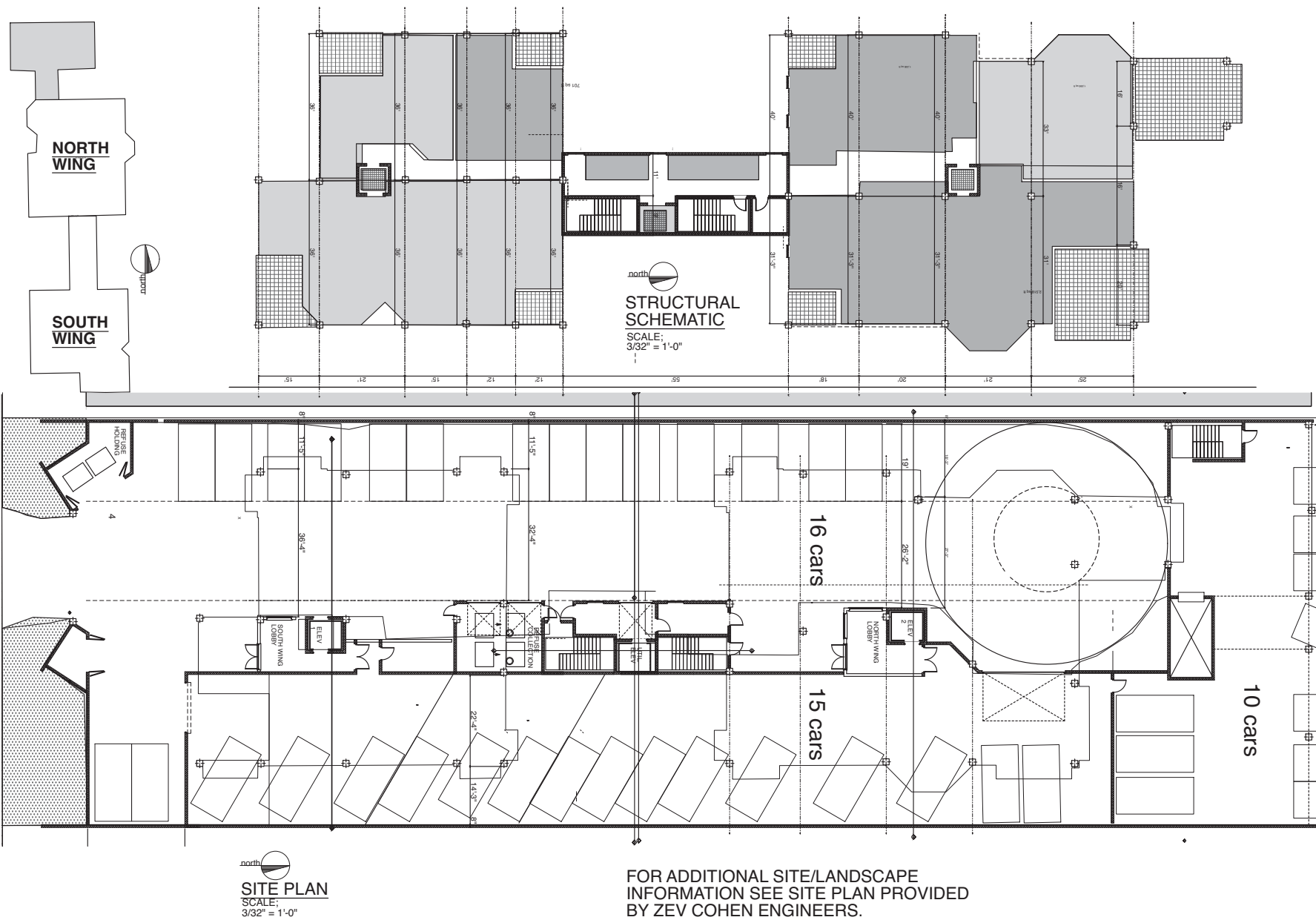
DRAWN BY

LWC

DATE:

3 April 2023

DRAWINGS:



S-1

121
EAST

121 EAST GRANADA BLVD.
ORMOND BEACH, FL 32176

Wm
CHAPIN
F.A.I.A. • ARCHITECT

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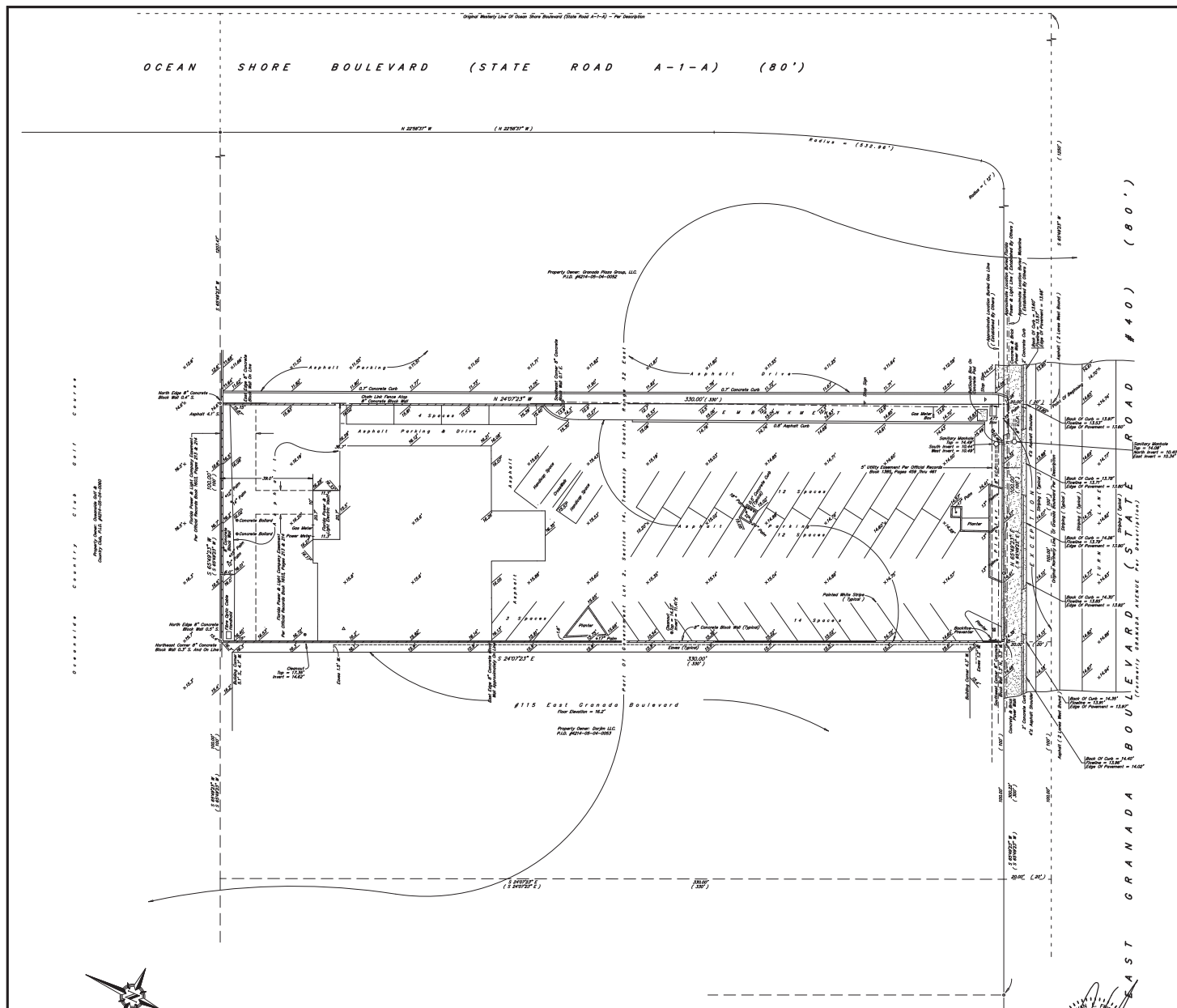
DRAWN BY
LWC

DATE:
1 MAY 2023

DRAWINGS:

Site plan
Structural schematic

FOR ADDITIONAL SITE/LANDSCAPE
INFORMATION SEE SITE PLAN PROVIDED
BY ZEV COHEN ENGINEERS.



- LEGEND :**
- 5/8" Iron Rod & Cap #3019 Found
 - Nail & Disk #2860 Found "In Concrete Block Wall" 1.62' N. (Witness Corner)
 - 1/2" Iron Pipe Found
 - 5/8" Iron Rod Found
 - 5/8" Iron Rod #3019 Found
 - Cut And 1 1/4" Iron Pipe Found
 - Fire Hydrant
 - Water Meter
 - Electric Service
 - Belts/Gas Box
 - Cleanout
 - Fiberglass Light Pole
 - WVCP - Worried City Pipe
 - P.I.D. = Parcel Identification Number
 - Metal Light Pole

GENERAL NOTES :

No overhead or underground features shown except as noted.

Record dimensions are shown in parenthesis - field measurements are not.

This survey and plat not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper.

There may be additional restrictions and/or other matters not shown hereon that may be found in the Public Records of Volusia County, Florida.

Bearings are assumed, based on the Northern Line of East Granada Boulevard (State Road #40) shown hereon, bearing N 65°42'23" E. Said bearing taken from the State Of Florida, State Road Department Right-Of-Way Map for State Road #40.

Elevations are on North American Vertical Datum, based on Coast & Geodetic Survey Diak 79 78 A64, published elevation = 11.05'.

The expected land use, as classified in the Minimum Technical Standards (5J-17, Florida Administrative Code) is "Commercial/High Risk. The minimum relative distance accuracy obtained by measurement and calculation of a closed geometric figure was found to exceed this requirement.

Field Survey Date: 10 September, 2021.

Tree location shown hereon incorporates all trees on subject property.

Parcel Area = 32,999.95824 Square Feet; 0.7586 Acres.

PLAT OF BOUNDARY SURVEY OF :

THE EASTERLY 100 FEET OF THAT PART OF GOVERNMENT LOT 2, SECTION 14, TOWNSHIP 14 SOUTH, RANGE 32 EAST, VOLUSIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: BEGIN AT A POINT IN THE NORTHERLY LINE OF GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, A 60 FOOT STREET AS FORMERLY LAID OUT, SAID POINT BEING A DISTANCE OF 1250 FEET WESTERLY OF THE INTERSECTION OF SAID LINE WITH THE WESTERLY LINE OF OCEAN SHORE BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, A 30 FOOT STREET AS FORMERLY LAID OUT, THENCE NORTHERLY AND AT RIGHT ANGLES TO GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, A DISTANCE OF 350 FEET TO A POINT, THENCE WESTERLY AND PARALLEL TO GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, A DISTANCE OF 200 FEET TO A POINT, THENCE SOUTHERLY AND AT RIGHT ANGLES TO GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, A DISTANCE OF 350 FEET TO THE NORTHERLY LINE OF GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, A DISTANCE OF 200 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THAT PORTION THEREOF TAKEN FOR GRANADA RIGHT OF WAY PURPOSES.

SAID PROPERTY IS ALSO DESCRIBED AS:

THAT PART OF GOVERNMENT LOT 2, SECTION 14, TOWNSHIP 14 SOUTH, RANGE 32 EAST, VOLUSIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: BEGIN AT A POINT IN THE NORTHERLY LINE OF GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, A 60 FOOT STREET AS FORMERLY LAID OUT, SAID POINT BEING A DISTANCE OF 1250 FEET WESTERLY OF THE INTERSECTION OF SAID LINE WITH THE WESTERLY LINE OF OCEAN SHORE BOULEVARD, A 30 FOOT STREET AS FORMERLY LAID OUT, THENCE WESTERLY ALONG THE SAID NORTHERLY LINE OF GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, A DISTANCE OF 100 FEET TO A POINT, THENCE NORTHERLY AND AT RIGHT ANGLES TO SAID NORTH LINE OF GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, A DISTANCE OF 350 FEET TO A POINT, THENCE EASTERLY AND PARALLEL TO GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, A DISTANCE OF 100 FEET TO A POINT, THENCE SOUTHERLY AND AT RIGHT ANGLES TO GRANADA BOULEVARD, FORMERLY KNOWN AS GRANADA AVENUE, A DISTANCE OF 350 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THAT PORTION THEREOF TAKEN FOR GRANADA RIGHT OF WAY PURPOSES.

The property described hereon is in "Unshaded Zone X" per the Flood Insurance Rate Map, Community Panel Number 125136 0216 K, Map Number 12127C0216K, dated 29 September, 2017.

CERTIFIED TO:
Dime Rock Properties, LLC., and Reddy Pro Title

CERTIFICATE:
This is to certify that the plat delineated hereon is a true and correct copy of the original survey and map as filed in the public records of Volusia County, Florida, pursuant to section 472.027 of the Florida Statutes.

14 September, 2021
(Signature Date)

PREPARED FOR:
DIME ROCK PROPERTIES, LLC.
#121 EAST GRANADA BOULEVARD
GRAND BEACH, FLORIDA

PREPARED BY:
BRYAN E. FRIES
JULY 2021

J. B. FRIES & ASSOCIATES, INC.
Professional Surveyor & Mapper
#1435 West State Road #40
Grand Beach, Florida 32744
Office Phone (386) 677-1750
Cell Phone (386) 647-1761
Email: jbfries@gmail.com

DRAFT

**Planning Board minutes
from**

June 8, 2023

ITEM:

ZMA 2022-098(B)

121 East, 121 East Granada Boulevard,
Issuance of Development Order

stated that it does and there needs to be verification of the fire access requirements. Mr. Spraker restated that the first step is that there be a majority of residents that desire a one-way traffic pattern. The second step, if residents are interested, is the actual design that could be developed and then voted on by the residents of the roadways.

D. ZMA 2022-098(A) 121 East, 121 East Granada Boulevard, Planned Business Development

E. DO 2022-098(B), 121 East, 121 East Granada Boulevard, Planned Business Development, Issuance of a Development Order

Mr. Steven Spraker, Planning Director, stated that items (D) and (E), are interrelated and will be discussed together but must be voted on by the Planning Board individually. Mr. Spraker displayed the land use and zoning for the property at 121 East Granada Boulevard. Mr. Spraker stated that the land use allowed a total of 24 residential units and the zoning allowed 20 residential units. He showed pictures of the existing site and a Florida Power and Light (FPL) structure. Mr. Spraker stated that agenda item (A) was for a zoning map amendment for 0.76 acres that has a B-4, Central Business zoning designation that is seeking a PBD, Planned Business Development zoning designation. The zoning map amendment provides a framework for the next agenda item of the issuance of a development order.

Mr. Spraker summarized the development order process that included SPRC review, a neighborhood meeting, Ormond Beach MainStreet review, Planning Board review, and future City Commission dates. Mr. Spraker stated that the project was in the Downtown Overlay District and noted that the master plan encouraged residential development.

Mr. Spraker detailed the project site plans. He stated that the building was five (5) stories over the ground floor of parking. The second floor has a pool/amenity area to the north of the property and a dog walk area to the east of the building. Mr. Spraker displayed a first floor site plan and the project building elevations.

Mr. Spraker stated that there were two correspondence items received for this project, an e-mail from a resident who was not in favor of the project and desired another use, and the other correspondence, a letter of support from Ormond Beach MainStreet. Mr. Spraker concluded that the Planning Board's options for the project are (1) approve as submitted, (2) approve with conditions, or (3) deny as submitted. Mr. Spraker stated that the SPRC is recommending approval of agenda items (D) and (E).

Applicant's Presentation

Mr. Robert A. Merrell, Esquire, Cobb Cole, 149 South Ridgewood Avenue, stated there has been months of work put into the project and there is a project team to answer any questions. The property owner and contractor, Mr. Bryan Collyer, is available for any questions. Mr. Merrell remarked that the staff report reviewed in detail the Comprehensive Plan, Downtown Master Plan, and Land Development Code (LDC) requirements and he did not intend to repeat this analysis. He expressed a few key points, the desire to create a sense of place, compact pedestrian

development, and high-quality urban design. Mr. Merrell mentioned that Ormond MainStreet reviewed the project and provided an endorsement.

Mr. Luke Kilic, Project Engineer, Zev Cohen and Associates, 300 Interchange Boulevard, reviewed the project architecture and displayed a fly-around of the proposed building. He stated that the building is broken into a north and south wing. There is a service corridor link between the wings. Mr. Kilic detailed the amenities, including a pool, deck, amenities area, and dog walk. He stated that parking is on the ground floor and the project includes exfiltration chambers for underground stormwater. Mr. Kilic detailed the building including balconies and oversized wings. The elevators would open straight into individual residential units. Mr. Kilic reviewed the front hardscape areas, signage, and heavy landscaping. He stated that the project would generate 68 daily trips.

Mr. Merrell stated that the project is luxury condominiums and is designed to be an iconic structure, and added that the project would provide a large increment of taxes to the Community Redevelopment Area (CRA).

Board Discussion and Questions

Chairman Thomas opened it up to the Board for any questions.

Mr. Railsback asked what the intent was from a leasing perspective and short-term rental. Mr. Merrell stated that they would be allowed to do whatever the Land Development Code (LDC) allowed. Ms. Shull inquired if condominiums set their own rental allowances. Mr. Merrell answered that they can. Mr. Railsback added that the condominium cannot be less restrictive than the municipality and/or state allows. Mr. Merrell responded that these are going to be very expensive units and are not expected to be rentals.

Ms. Shull asked where the air conditioning units would be. Mr. Kilic responded that they will be on the ground floor under the building and are not rooftop units.

Ms. Shull stated that when she first reviewed the packet, the building architecture looked like all of the 1970 condominiums on the beach. She stated that the fly around provided a great perspective and the building is cool looking.

Mr. Galloway remarked on the age of the FPL structure.

Audience Comments/Input

Ms. Pamela Gatfield, 127 Putting Green, read a letter she wrote to the mayor:

“I moved here in 2019 for the beautiful home town feel of Ormond. From the beautiful street lanterns and the Casements, to the palm trees and parks surrounding the best bridge in Volusia County. Why would you ruin it by planting a six-story condo building on our main street? A six-story building crammed into that tiny lot will change the entire aesthetics of this beautiful beach town. We do not need 24 units, roughly 50 people to save our shops. I ride my bike into town daily. I shop, go to sunrise service at the beach, all on my bike. The reason the builder says it is such a challenge is because a six-story building on .76 acres is ridiculous. May I suggest another restaurant with outdoor seating? Something beautiful and unique with

partial ocean view and parking in the back? Maybe something we can brag about?”

Ms. Gatfield stated that was the letter she sent to the mayor. She commented that her other concerns are the aesthetics. Ms. Gatfield remarked that it is a beautiful building and video, but you do not see the rest of the town that is already there. Ms. Gatfield stated that it looks like Daytona and not like Ormond. She stated that one of the things she loves about Ormond are the houses north of Granada Boulevard on Ocean Shore Boulevard, with no big high-rises. Ms. Gatfield expressed concern about the traffic and the lack of parking. She stated that urban is a term that is thrown around a lot in the CRA documentation. Ms. Gatfield stated urban has a definition of dense with compactness and lots of buildings. She questioned if the desire is to have the small-town beach vibe or an urban vibe. Ms. Gatfield referenced other places that she has lived and stated that this project does not line up for a small-town beach vibe on Main Street. She expressed that when she thinks of walkability, and where people want to go out to eat or shop, she thinks of New Smyrna Beach or Flagler. Ms. Gatfield concluded that she and her friends love the quietness of Ormond, but go elsewhere or by where the Grind is because it has cool restaurants.

Mr. Merrell stated he appreciated the comments and reminded the Board that a lot of thought went into the guiding documents for this area. The question of beach town or urban was raised, and Mr. Merrell stated that they wanted to be both. Mr. Merrell stated this is the definition of infill and concluded that it is a pioneering development with the property owner taking a large risk.

Ms. Rosa Morey, 158 Tomoka Avenue, stated that she has lived in Ormond and went to school in the area and moved to Miami, attended the University of Miami, and purchased a home in the Village of Palmetto Bay. She commented that she witnessed this same scenario in Miami. Ms. Morey added that they fought against this type of development and explained that they started with four (4)-stories and now they are at twelve (12)-stories. Ms. Morey remarked that she is here because it is like she is re-living something all over again. She stated that she came back to Ormond, opened a business, working with the community, and loves what she does. Ms. Morey expressed that she loved the idea of what they are doing and stated that the city needs to grow. She stated that the project needs to conform to what the city already has and commented that we have a beautiful community and hates that the Ormond Hotel was lost. She expressed that she believes that the project needs to be downsized and thinks that it will look like a sore thumb. Ms. Morey stated that the project needs to be looked at from another angle, and remarked that the new development should not be rushed into, and that the residents should be listened to. Ms. Morey thanked the Planning Board members for their efforts and time invested into the community.

Ms. Gatfield added that she placed the photos of the project and her letter on the Nextdoor app and she got over 3,000 responses. She stated that 95% of the responses were not favorable and encouraged individuals to come to the meeting. Ms. Gatfield commented that respondents felt like nothing was going to happen if they attended the meeting.

Board Discussion and Questions

Mr. Railsback stated that he supports infill and responsible development. He added that from a zoning perspective there are two minor triggers, unit count and building length. Mr. Railsback remarked that he believes that the building height is conforming and is less than the Ormond Heritage. Mr. Railsback indicated that he would support the project.

Mr. Galloway recalled the development history of Ormond Beach and when the Granada Plaza did not exist. It is understood that people hate change, but we are in the next renaissance of Florida. Florida is growing. Mr. Galloway stated he would rather have controlled growth and local developers that build their project. He stated that the developer is taking a risk. Mr. Galloway pointed out that as far as a restaurant, that the property has failed three times as a restaurant. Mr. Galloway stated he would be supporting the project and remarked that housing is needed.

Mr. Jorczak stated that he attended the neighborhood meeting. He recalled that the form based code has been worked on for a number of years and that the aesthetics are appropriate. Mr. Jorczak added that he believes that this is a first-class, high-quality development that will be beneficial to the city and the downtown. Mr. Jorczak concluded that he supports this project and its infill development.

Mr. du Moulin recalled his experiences living in two condominiums which were not positive. He stated that he attended the neighborhood meeting and thought that this was a well thought out project. Mr. du Moulin indicated that he would support the project. He stated that it is inevitable that something will occupy this spot.

Ms. Shull stated that she likes the project and how it has the Ormond Heritage on one end, which are also condos. She commented the project is redeveloping a blighted piece of property. She added that she appreciates that the air conditioners were not roof-mounted. Ms. Shull indicated that she would be supporting the project.

Chairman Thomas stated that in his work he visits a lot of condominiums and that this would be the first project where the elevators open into the individual units. He remarked that he believes that this would be a first-class condominium. Chairman Thomas agreed that there is a need for infill condominiums. He recalled that the site has been a seafood restaurant, then a barbeque restaurant. He agreed with Mr. Galloway that there were concerns if a restaurant would be viable at this location. Chairman Thomas concluded that he thought the project would be a great addition to the city.

ZMA 2022-098(A)

Chairman Thomas opened it up to the Board for a motion.

Mr. Galloway motioned to approve ZMA 2022-098(A) 121 East Granada Boulevard, Planned Business Development. Ms. Shull seconded it. Vote was called, and the motion was approved (6-0).

DO 2022-098(B)

Chairman Thomas opened it up to the Board for a motion.

Ms. Shull motioned to approve DO 2022-098(B), 121 East, 121 East Granada Boulevard, Planned Business Development, Issuance of a Development Order. Mr. Jorczak seconded it. Vote was called, and the motion was approved (6-0).

F. SE 2023-045, Mister Car Wash, 49 South Yonge Street, Special Exception

Mr. Spraker, Planning Director, explained this is a request for a Special Exception to allow the addition of vacuum stalls, remove an access point, and install site landscaping at 49 South Yonge Street operating as Mister Car Wash. Mr. Spraker showed a picture from 2019 that showed a canopy with vacuums and hand detailing of vehicles. He also showed a current picture that the canopy and hand detailing service no longer exists.

Mr. Spraker reviewed the Special Exception request that includes removing an access point to U.S. Highway 1, adding of vacuum cleaning stations, and addition of landscaping to screen the vacuum cleaning stations. He displayed renderings of the landscaping and the vacuum cleaning stations. Mr. Spraker concluded that the Site Plan Review Committee (SPRC) recommended approval of the Special Exception application.

Board Discussion and Questions

Mr. Jorczak asked about the height of the proposed plantings and if they would screen the cars. Mr. Spraker replied that the goal is to screen the vacuum equipment and cars. He continued that the city Landscape Architect has specified the planting material and height to provide the screening.

Ms. Shull inquired if a knee-wall was proposed if it will only be landscaped. Mr. Spraker responded that the proposal is just for the landscaping and if the Planning Board believes a wall is needed, that it could be added.

Mr. Railsback asked what required the need for the Special Exception. Mr. Spraker confirmed that the vacuums are within the front yard requiring the Special Exception. Mr. Spraker added the proposed level of intensity is greatly reduced compared with the Sparkle-N-Shine use. Mr. Spraker stated that the height of the landscape material is specified on the landscape plan.

Mr. Railsback asked for confirmation that individuals are not parking any closer to U.S. Highway 1 than today. Mr. Spraker confirmed that the project is not seeking any parking location exceptions and the design would remove an access point and make the property safer.

Mr. Galloway inquired about the lot behind 49 South Yonge Street is a city lot. Mr. Spraker answered that their parking lot was a shared lot with the car wash owning a portion (203 Tomoka Avenue) and the city owning a portion of the parking lot area (179 Tomoka Avenue). Mr. Galloway asked for the intent of the portion of the lot at 203 Tomoka Avenue for the vacuum areas. Mr. Spraker replied that his understanding was that they are to be left as they exist today and that the applicant may be able to provide additional information. Mr. Jeff Burr, Mister Car Wash, explained that the rear vacuums are free vacuums to individuals. Mr. Burr added that they anticipate a lot less traffic on the rear lot once the proposed improvements are



City of Ormond Beach

AGENDA ITEM

August 1, 2023 - City Commission

Number:9.F

Section:	PUBLIC HEARINGS		
Item Category:	Public Hearing - Ordinances	Res./Ord. No:	2023-41
Strategic Goal:	Transportation & Community Development - Other		
Department:	Planning & Building		
Subject:	LDC Amendment, Creation of the I-2, Heavy Industrial Zoning District (SECOND READING)		
Summary:	This is an administrative request for the creation of the I-2, Heavy Industrial, zoning district, providing use definitions, and creating conditions for conditional and special exception uses. The creation of the I-2 zoning district proposes the following Land Development Code (LDC) amendments: 1. Chapter 1, General Administration, Article III, Definitions and Acronyms, Section 1-22, Definitions of terms and words; 2. Chapter 2, District and General Regulations, Article I, Establishment of Zoning Districts and Official Zoning Map, Section 2-02, Future land use map designations and zoning districts; 3. Chapter 2, District and General Regulations, Article II, District Regulations, Section 2-07, Zoning district designations; 4. Chapter 2, District and General Regulations, Article II, District Regulations, Section 2-33, I-2, Heavy Industrial zoning district; and 5. Chapter 2, District and General Regulations, Article IV, Conditional and Special Exception Regulations, Section 2-57, Criteria for review of specific conditional and special exception. The creation of the I-2 zoning district has been planned for a number of years with the addition of the "Heavy Industrial" land use within the Comprehensive Plan and reserved sections of the I-2 zoning district within the LDC. The need to create the zoning district arose with the annexation of the Halifax Paving property. Other properties in the area will be appropriate for the I-2 zoning district once they connect to City utilities and require annexation. There are no plans to amend existing		

	land areas within the City to the I-2 zoning district. <u>Planning Board</u> The Planning Board reviewed the proposed LDC amendment at the June 8, 2023 meeting and recommended approval with a 6-0 vote with an amendment as requested by Planning staff for asphalt batching and cement plants. There were no individuals who spoke for or against the application. Planning Board minutes are attached.						
Financial Impact:	No budget impact as the result of the proposed LDC amendment.						
Citizen Impact:	It is not anticipated that the proposed LDC amendment will have a negative citizen impact. The zoning district provides a framework for annexing properties from Volusia County into Ormond Beach.						
Recommended Action (Staff, Advisory Board and/or Other):	The Planning Board recommended (6-0) the City Commission approve the LDC amendments to create the I-2, Heavy Commercial zoning district with the following amendments: 1. Chapter 1, General Administration, Article III, Definitions and Acronyms, Section 1-22, Definitions of terms and words; 2. Chapter 2, District and General Regulations, Article I, Establishment of Zoning Districts and Official Zoning Map, Section 2-02, Future land use map designations and zoning districts; 3. Chapter 2, District and General Regulations, Article II, District Regulations, Section 2-07, Zoning district designations; 4. Chapter 2, District and General Regulations, Article II, District Regulations, Section 2-33, I-2, Heavy Industrial zoning district; and 5. Chapter 2, District and General Regulations, Article IV, Conditional and Special Exception Regulations, Section 2-57, Criteria for review of specific conditional and special exception.						
Staff Contact:	Steven Spraker, Planning Director, (386) 676-3341						
Attachments:	1. 23-41 I-2 zoning district (P23-0114G) 2. 06.08.2023, Creation of the I-2 zoning district, LDC Amendment PB Report(8.5X11) 3. 06.08.2023, DRAFT PB Minutes - LDC - I-2						
Approval:	<table> <tr> <td>Kelly McGuire, Finance Director</td> <td>7/19/2023</td> </tr> <tr> <td>Claire Whitley, Assistant City Manager</td> <td>7/21/2023</td> </tr> <tr> <td>Joyce Shanahan, City Manager</td> <td>7/25/2023</td> </tr> </table>	Kelly McGuire, Finance Director	7/19/2023	Claire Whitley, Assistant City Manager	7/21/2023	Joyce Shanahan, City Manager	7/25/2023
Kelly McGuire, Finance Director	7/19/2023						
Claire Whitley, Assistant City Manager	7/21/2023						
Joyce Shanahan, City Manager	7/25/2023						

ORDINANCE NO. 2023-41

AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE III, DEFINITIONS AND ACRONYMS, SECTION 1-22, DEFINITIONS OF TERMS AND WORDS; CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE I, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, SECTION 2-02, FUTURE LAND USE MAP DESIGNATIONS AND ZONING DISTRICTS; CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE II, DISTRICT REGULATIONS, SECTION 2-07, ZONING DISTRICT DESIGNATIONS; CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE II, DISTRICT REGULATIONS, SECTION 2-33, I-2, RESERVED; CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE IV, CONDITIONAL AND SPECIAL EXCEPTION REGULATIONS, SECTION 2-57, CRITERIA FOR REVIEW OF SPECIFIC CONDITIONAL AND SPECIAL EXCEPTION; OF THE CITY OF ORMOND BEACH *LAND DEVELOPMENT CODE*, BY CREATING THE I-2, HEAVY INDUSTRIAL ZONING DISTRICT, PROVIDING USE DEFINITIONS, AND CREATING CONDITIONS FOR CONDITIONAL AND SPECIAL EXCEPTION USES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, this is a request to amend Chapter 1, General Administration, Article III, Definitions and Acronyms, Section 1-22, Definitions of terms and words; Chapter 2, District and General Regulations, Article I, Establishment of Zoning Districts and Official Zoning Map, Section 2-02, Future land use map designations and zoning districts; Chapter 2, District and General Regulations, Article II, District Regulations, Section 2-07, Zoning district designations; Chapter 2, District and General Regulations, Article II, District Regulations, Section 2-33, I-2, Reserved; and Chapter 2, District and General Regulations, Article IV, Conditional and Special

Exception Regulations, Section 2-57, Criteria for review of specific conditional and special exception, of the City of Ormond Beach *Land Development Code* to create the I-2, Heavy Industrial zoning district, by providing use definitions, and creating conditions for conditional and special exception uses, and

WHEREAS, the local planning agency, being the Planning Board of the City of Ormond Beach, has conducted a public hearing on June 8, 2023 on the requested amendments and has made recommendations thereon to the City Commission, and

WHEREAS, all applicable notice requirements of Section 166.041(3)(a), *Florida Statutes*, have been complied with, and

WHEREAS, the City Commission finds the amendments to be consistent with the provisions of the *Comprehensive Plan* of the City of Ormond Beach, and in the overall best interest of the public health, safety and welfare, now therefore,

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

SECTION ONE. Section 1-22, Definitions of terms and words, of Article III, Definitions and Acronyms, of Chapter 1, General Administration, of the City of Ormond Beach *Land Development Code* is hereby amended by adding the following definitions in the appropriate alphabetical order:

Asphalt Batching and Cement Plants means a manufacturing facility where equipment is used to combine various ingredients to form concrete or asphalt before it is sold, distributed and/or transported to a construction site ready to be poured. A concrete or asphalt batching plant can have a variety of manufacturing equipment, parts and accessories, including: mixers (either tilt

drum or horizontal or in some cases both), crushers, cement batchers, aggregate batchers, conveyors, radial stackers, aggregate bins, cement bins, heaters, chillers, cement silos, batch plant controls, and dust collectors.

Bulk oil storage and fuel distribution facility means petroleum products and propane gas bulk storage and distribution, including wholesale and retail sales and services of such products and equipment.

Industrial uses, heavy, means a use engaged in the basic processing and manufacture of materials or products predominately from extracted or raw materials, or a use engaged in storage of, or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions. Storage and manufacturing activities may be permissible outdoor activities subject to requirements of this Land Development Code

~~*Industry, heavy*, means a use engaged in the basic processing and manufacture of materials or products predominately from extracted or raw materials, or a use engaged in storage of, or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions. Storage and manufacturing activities may be permissible outdoor activities subject to requirements of this Land Development Code.~~

Recreational vehicle or boat storage means a facility or land where the long-term parking of recreational vehicles and/or boats is accommodated.

Recycling collection center means a facility which is solely devoted to the collection and temporary storage of aluminum products, glass, plastic, newspapers and similar recyclable materials.

Recycling transfer station means a facility where materials from a recycling collection center are placed into larger vehicles/containers and temporarily stored prior to being transferred to a recycling manufacturer. This definition also includes a recovered materials facility.

Solid waste transfer station means a facility where solid waste from several vehicles is placed into a larger vehicle before being transferred to a solid waste processing or disposal facility.

SECTION TWO. Section 2-02, Future land use map designations and zoning districts, of Article I, Establishment of Zoning Districts and Official Zoning Map, of Chapter 2,

District and General Regulations, of the City of Ormond Beach *Land Development Code* is hereby amended by adding the I-2, Heavy Industrial Zoning District to Table 2-2, as follows:

Sec. 2-02. - Future land use map designations and zoning districts.

This section references adopted Future Land Use Map (FLUM) designations (see table 2-2) contained in the city's Future Land Use Element of the Comprehensive Plan and identifies zoning districts which are hereby established in order to implement the FLUM designations, respectively.

Table 2-2. Future Land Use Map Designations and Compatible Zoning Districts

Comprehensive Plan Future Land Use Map Designation	Corresponding Compatible Zoning District
Activity Center	<i>(No change to existing text)</i>
Recreation Open Space And Conservation	<i>(No change to existing text)</i>
REA, Rural Estate/Agriculture	<i>(No change to existing text)</i>
RR, Rural Residential	<i>(No change to existing text)</i>
SLDR, Suburban Low Density Residential	<i>(No change to existing text)</i>
LDR, Low Density Residential	<i>(No change to existing text)</i>
MDR, Medium Density Residential	<i>(No change to existing text)</i>
HDR, High Density Residential	<i>(No change to existing text)</i>
ROR, Residential, Office, Retail	<i>(No change to existing text)</i>
General Commercial	<i>(No change to existing text)</i>
Tourist Commercial	<i>(No change to existing text)</i>
Low Intensity Commercial	<i>(No change to existing text)</i>
Heavy Intensity Commercial	<i>(No change to existing text)</i>
Industrial/Utilities	I-1, Light Industrial
	I-2, Reserved <u>Heavy Industrial</u>
	PID, Planned Industrial Development

SECTION THREE. Section 2-07, Zoning district designations, of Article II, District Regulations, of Chapter 2, District and General Regulations, of the City of Ormond Beach *Land Development Code* is hereby amended as follows:

Sec. 2-07. - Zoning district designations.

These district regulations shall apply uniformly to all premises in the following manner:

- (1) *Zoning affects all premises. (No change to existing text)*
- (2) *Interpretation of uses and structures permitted. (No change to existing text)*
- (3) *Lot area, density, yard requirements, building coverage and building height. (No change to existing text)*
- (4) *Multiple use of required yard, buffers and open space prohibited. (No change to existing text)*
- (5) *Reduction of lot area and width prohibited. (No change to existing text)*
- (6) *Zoning district classifications.* Pursuant to article I of this chapter, the following zoning districts have been created and are designated by the following names and acronyms:

<i>Open Space/Conservation District (No change to existing text)</i>	
<i>Residential districts (No change to existing text)</i>	
<i>Business districts (No change to existing text)</i>	
<i>Industrial districts</i>	
	I-1, Light Industrial
	I-2, Reserved <u>Heavy Industrial</u>
<i>Planned development districts (No change to existing text)</i>	

SECTION FOUR. Article II, District Regulations, of Chapter 2, District and General Regulations, of the City of Ormond Beach *Land Development Code* is hereby amended by establishing a new section to be titled Section 2-33, I-2, Heavy Industrial Zoning District, as follows:

SECTION 2-33: I-2, Reserved Heavy Industrial Zoning District

The purpose of the I-2, Heavy Industrial Zoning District is to provide locations for intensive industrial uses, including heavy manufacturing (asphalt plants, concrete plants, paving operations, heavy equipment repair and servicing), outdoor storage, and fabrication, provided they meet the minimum performance standards in the Land Development Code.

B. DIMENSIONAL STANDARDS

<u>1.</u> Type	<u>2.</u> Density	<u>3.</u> Maximum Building Height	<u>4.</u> Maximum Building Coverage	<u>5.</u> Maximum Impervious Lot Coverage	<u>6.</u> Minimum Lot Size	<u>7.</u> Minimum Lot Width	<u>8.</u> Minimum Lot Depth	<u>9.</u> Setbacks				
								<u>a.</u> Front	<u>b.</u> Rear	<u>c.</u> Side	<u>d.</u> Street Side/ Corner	<u>e.</u> Waterbody
Nonresidential Uses	None	75'	80%	80%	One Acre	150	None	25'	20'; 50' if abutting residential district	10'; 30' if abutting residential district	15'	30'

C. PERMITTED USES

D. CONDITIONAL USES

E. SPECIAL EXCEPTION
USES

F. OTHER STANDARDS

- 1. Business/Professional Offices
- 2. Business Services
- 3. Construction and Home Improvement
- 4. Industrial Uses, Light
- 5. Recycling Collection Center
- 6. Recycling Transfer Station
- 7. Vehicle Repair, Type A
- 8. Warehouse, Business
- 9. Warehouse, Storage

- 1. Asphalt Batching and Cement Plants
- 2. Bulk Oil Storage and Distribution Facility
- 3. Dry Cleaning Plant and Systems
- 4. Industrial Uses, Heavy
- 5. Outdoor Storage
- 6. Parks and Recreations Facilities, Public
- 7. Public Facilities
- 8. Public Utilities
- 9. Retail Sales and Service, Showroom
- 10. RV or Boat Storage
- 11. Solid Waste Transfer Station
- 12. Telecommunication Towers, Camouflaged
- 13. Terminal, Truck
- 14. Vehicle Repair, Type B
- 15. Warehouse, Indoor Mini-Rental
- 16. Warehouse, Mini-Rental
- 17. Wind Energy System

- 1. Telecommunication Tower
- 2. Outdoor Activity

- All development must comply with the following requirements:
- 1. Wetlands (Chapter 3, article II).
 - 2. Landscaping and buffering standards of chapter 3 article I shall apply.
 - 3. See conditional and special exception regulations (chapter 2, article IV).
 - 4. Any other special requirements pursuant to this Code.

G. PERMITTED ACCESSORY USES: Accessory uses customarily associated with, dependent on and incidental to their permitted principle uses, provided that such uses conform to the regulations set forth in chapter 2, article III.

SECTION FIVE. Section 2-57, Criteria for review of specific conditional and special exception, of Article IV, Conditional and Special Exception Regulations, of Chapter 2, District and General Regulations of the City of Ormond Beach *Land Development Code* is hereby amended as follows:

Sec. 2-57. - Criteria for review of specific conditional and special exception.

In addition to demonstrating compliance with all general criteria included in chapter 2, article II of this Land Development Code, any applicant for a proposed conditional or special exception must submit plans that demonstrate compliance with the following specific criteria which shall apply within all districts. In considering whether to approve a conditional or special exception the city shall consider whether the respective application demonstrates such compliance.

- (1) *Adult day care centers. (No change to existing text)*
- (2) *Adult family care home. (No change to existing text)*
- (3) *Agricultural use, major. (No change to existing text)*
- (4) *Agricultural use, minor. (No change to existing text)*
- (5) *Asphalt Batching and Cement Plants. A landscape buffer design type 3 shall be provided within the required roadway buffer.*
- ~~(56)~~ *Assisted living facility (ALF). (No change to existing text)*
- ~~(67)~~ *Auction business. (No change to existing text)*
- ~~(78)~~ *Automatic amusement centers/game rooms. (No change to existing text)*
- ~~(89)~~ *Bars. (No change to existing text)*
- ~~(910)~~ *Bed and breakfast. (No change to existing text)*
- ~~(1011)~~ *Bingo parlors. (No change to existing text)*
- ~~(1112)~~ *Bowling centers. (No change to existing text)*
- (13) *Bulk oil storage and fuel distribution facility.*
 - a. *A landscape buffer design type 3 shall be provided within the required roadway buffer.*
 - b. *Provide screening and buffering from abutting residential areas. All outdoor uses and storage shall comply with the*

landscape buffer and wall/fencing requirements contained in chapter 3, article I of this Land Development Code.

c. Bulk fuel storage shall not be closer than fifty feet (50') to any property line.

- (~~12~~14) Campground. (No change to existing text)
- (~~13~~15) Cemetery. (No change to existing text)
- (~~14~~16) Child care facility. (No change to existing text)
- (~~15~~17) Clubs and fraternal organizations. (No change to existing text)
- (~~16~~18) Cluster subdivisions, single-family. (No change to existing text)
- (~~17~~19) Community residential home. (No change to existing text)
- (~~18~~20) Convenience food store, type A. (No change to existing text)
- (~~19~~21) Convenience food store, type B. (No change to existing text)
- (~~20~~22) Convenience food store, type C. (No change to existing text)
- (~~21~~23) Dry cleaning plants and systems. (No change to existing text)
- (~~22~~24) Dwelling, multifamily. (No change to existing text)
- (~~23~~25) Dwelling, quadraplex. (No change to existing text)
- (~~24~~)—Reserved.
- (~~25~~26) Farmer's markets. (No change to existing text)
- (~~26~~27) Flea markets. (No change to existing text)
- (~~27~~28) Foster home. (No change to existing text)
- (~~28~~29) Funeral homes. (No change to existing text)
- (~~29~~30) Garden center/nursery. (No change to existing text)
- (~~30~~31) Golf courses/country clubs. (No change to existing text)
- (~~31~~32) Golf courses, contoured. (No change to existing text)
- (~~32~~33) Greenhouses. (No change to existing text)
- (~~33~~34) Group home. (No change to existing text)
- (~~34~~35) Historic preservation mixed use. (No change to existing text)
- (~~35~~36) Hobby breeder. (No change to existing text)
- (~~36~~37) Hospital. (No change to existing text)
- (~~37~~38) Houses of worship. (No change to existing text)

~~(3839)~~ *Hunting dog. (No change to existing text)*

~~(3940)~~ *Hunting lodge. (No change to existing text)*

~~(4041)~~ *Industrial uses, light. (No change to existing text)*

~~(42)~~ *Industrial uses, heavy.*

- a. The applicant shall submit a detailed written report outlining the activities of the heavy industrial use. The report should include hours of operation, a scaled map of outdoor activity and outdoor storage, any potential health and safety concerns, ingress and egress to the property, and any other applicable items the Site Plan Review Committee feels are needed to describe the use.
- b. The Site Plan Review Committee may limit the time of day during which the heavy industrial use may be operated and may make such further conditions as would protect the public health, safety, and welfare.
- c. Screening and buffering in excess of that required under chapter 3, Article I of this Land Development Code may be required in order to minimize impact on nearby residential uses to the maximum extent feasible.
- d. A landscape buffer design type 3 shall be provided within the required roadway buffer.

~~(4143)~~ *Instructional artistic activity. (No change to existing text)*

~~(4244)~~ *Kennels. (No change to existing text)*

~~(4345)~~ *Malted beverage producer. (No change to existing text)*

~~(4446)~~ *Manufactured home community (MAHC). (No change to existing text)*

~~(4547)~~ *Marinas and multislip docking facilities. (No change to existing text)*

~~(4648)~~ *Massage parlors. (No change to existing text)*

~~(4749)~~ *Mausoleums. (No change to existing text)*

~~(4850)~~ *Mining and excavation. (No change to existing text)*

~~(4951)~~ *Mobile home community (MOHC). (No change to existing text)*

~~(5052)~~ *Nightclubs. (No change to existing text)*

~~(5153)~~ *Nonemergency medical transport services. (No change to existing text)*

~~(5254)~~ Nursing homes. (No change to existing text)
~~(5355)~~ Outdoor activity. (No change to existing text)
~~(5456)~~ Outdoor storage. (No change to existing text)
~~(5557)~~ Parking lots. (No change to existing text)
~~(5658)~~ Parking garage. (No change to existing text)
~~(5759)~~ Parks and recreation facilities, private. (No change to existing text)
~~(5860)~~ Parks and recreation facilities, public. (No change to existing text)
~~(5961)~~ Patio home subdivisions, single-family. (No change to existing text)
~~(6062)~~ Personal services. (No change to existing text)
~~(6163)~~ Pawnshop. (No change to existing text)
~~(6264)~~ Petroleum products storage. (No change to existing text)
~~(6365)~~ Pool halls/billiards. (No change to existing text)
~~(6466)~~ Public facilities/utilities. (No change to existing text)
~~(6567)~~ Recreation facilities, indoor. (No change to existing text)
~~(6668)~~ Recreation facilities, outdoor. (No change to existing text)
~~(6769)~~ Recreational vehicles/boat storage. (No change to existing text)
~~(6870)~~ Riding stables, horse. (No change to existing text)
~~(6971)~~ Restaurant types. (No change to existing text)
~~(70) —Reserved.~~
~~(7172)~~ Retail sales and service. (No change to existing text)
~~(7273)~~ Retail sales and service, daily needs. (No change to existing text)
~~(7374)~~ Retail sales and service, showroom. (No change to existing text)
~~(7475)~~ Schools, private. (No change to existing text)
~~(7576)~~ Silviculture. (No change to existing text)
~~(7677)~~ Shopping center. (No change to existing text)
~~(7778)~~ Skating centers. (No change to existing text)
(79) Solid waste transfer station.

- a. A landscape buffer design type 3 shall be provided within the required roadway buffer.
 - b. The facility shall not be constructed or operated without being permitted by the Florida Department of Environmental Regulation and other applicable agencies.
 - c. A fence or other effective barrier designed to prevent unauthorized entry and dumping into the transfer station shall be erected.
 - d. Screening and buffering in excess of that required under Chapter 3, Article I of this Land Development Code may be required in order to minimize impact on nearby residential uses to the maximum extent feasible.
- (~~7880~~) *Tattoo establishment. (No change to existing text)*
- (~~7981~~) *Taxi barn. (No change to existing text)*
- (~~8082~~) *Telecommunications towers and antennas. (No change to existing text)*
- (~~8183~~) *Terminal, bus passenger. (No change to existing text)*
- (~~8284~~) *Terminals, truck. (No change to existing text)*
- (~~8385~~) *Theater. (No change to existing text)*
- (~~8486~~) *Townhouses. (No change to existing text)*
- (~~8587~~) *Vehicle rental. (No change to existing text)*
- (~~8688~~) *Vehicle repair, types A and B. (No change to existing text)*
- (~~8789~~) *Vehicle sales, including heavy. (No change to existing text)*
- (~~8890~~) *Vehicle washing or detailing. (No change to existing text)*
- (~~8991~~) *Veterinarian. (No change to existing text)*
- (~~9092~~) *Virtual golf centers. (No change to existing text)*
- (~~9193~~) *Warehouse, indoor mini-rental. (No change to existing text)*
- (~~9294~~) *Warehouses, mini. (No change to existing text)*
- (~~9395~~) *Water survival instruction. (No change to existing text)*
- (~~9496~~) *Wind energy systems. (No change to existing text)*
- (~~9597~~) *Wine, beer or liquor store in freestanding structure. (No change to existing text)*

(~~96~~98) *Zero lot line development. (No change to existing text)*

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 word, phrase, clause, sentence, paragraph, term, or provision of this Ordinance shall be held to be invalid by a court of competent jurisdiction, such judicial determination shall not affect any other word, clause, phrase, sentence, paragraph, term or provision, of this Ordinance, and the remainder of this Ordinance shall remain in full force and effect.

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

PASSED UPON at the first reading of the City Commission, this 18th day of July, 2023.

PASSED UPON at the second and final reading of the City Commission, this 1st day of August, 2023.

BILL PARTINGTON
Mayor

ATTEST:

SUSAN CARROLL DAUDERIS
City Clerk

STAFF REPORT

City of Ormond Beach Department of Planning

MEETING DATE: June 8, 2023

SUBJECT: Land Development Code (LDC) Amendment – Creation of the I-2, Heavy Industrial zoning district

APPLICANT: Administrative

NUMBER: LDC 2023-057

PROJECT PLANNER: Steven Spraker, AICP, Planning Director

SECTION 1, INTRODUCTION:

This is an administrative request for the creation of the I-2, Heavy Industrial, zoning district, providing use definitions, and creating conditions for conditional and special exception uses. The creation of the I-2, Heavy Industrial, zoning district proposes the following Land Development Code amendments:

1. Chapter 1, General Administration, Article III, Definitions and Acronyms, Section 1-22, Definitions of terms and words;
2. Chapter 2, District and General Regulations, Article I, Establishment of Zoning Districts and Official Zoning Map, Section 2-02, Future land use map designations and zoning districts;
3. Chapter 2, District and General Regulations, Article II, District Regulations, Section 2-07, Zoning district designations;
4. Chapter 2, District and General Regulations, Article II, District Regulations, Section 2-33, I-2, Heavy Industrial zoning district; and
5. Chapter 2, District and General Regulations, Article IV, Conditional and Special Exception Regulations, Section 2-57, Criteria for review of specific conditional and special exception.

SECTION 2, BACKGROUND: With the 2010 Comprehensive Plan Evaluation and Appraisal Report there was a recognition that Ormond Beach would eventually need to create a Heavy Industrial land use and zoning. The Future Land Use of the Comprehensive Plan was amended to include the directive text for the Heavy Industrial land use category:

Purpose: To depict those areas of the City that are now developed, or appropriate to be developed, in a general industrial manner and location consistent with surrounding use, transportation facilities, and natural resource characteristics. Heavier industrial land uses are generally appropriate to locations with sufficient size to encourage either an industrial park type arrangement with provision for internal service access or as a

stand-alone industrial location, both of which incorporate adequate buffering of adverse noise, odor, or emissions; with minimal adverse impact on adjoining uses; and served directly by an arterial road network as well as by transit.

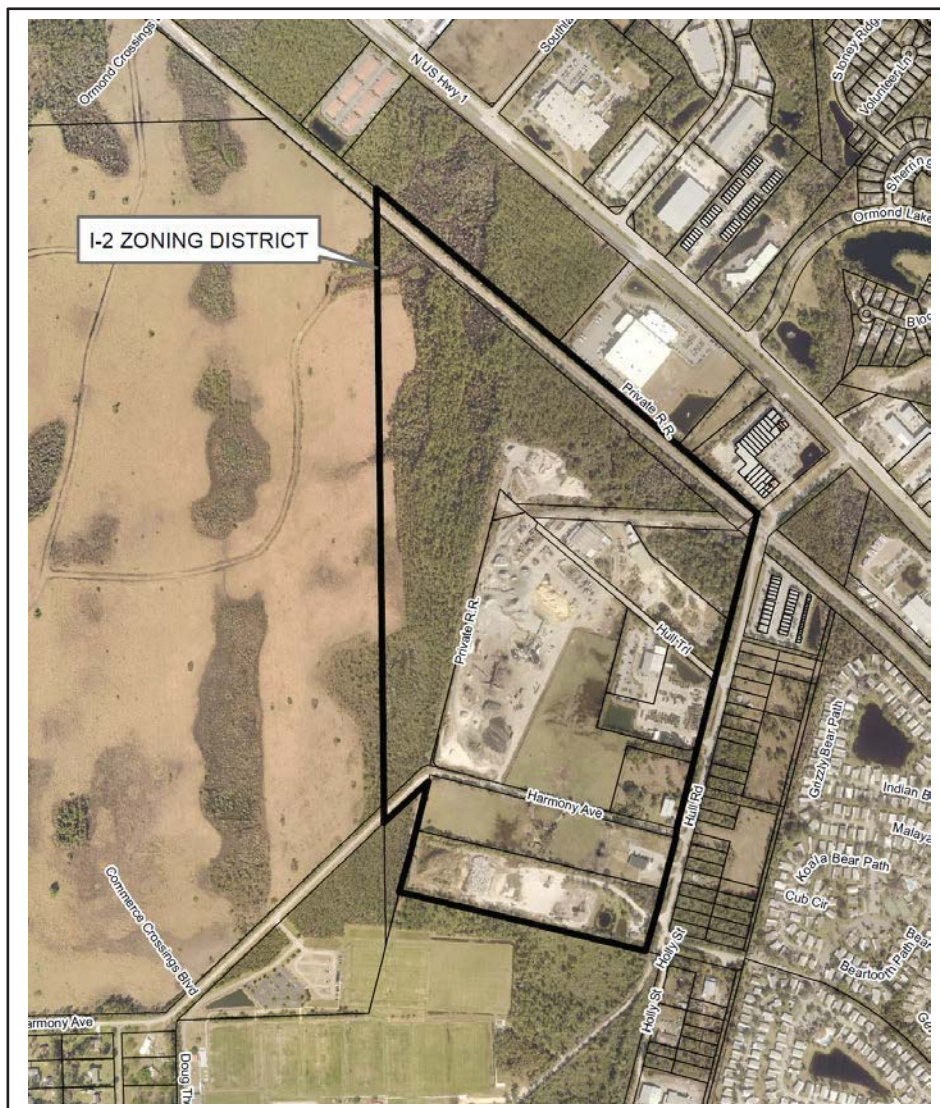
Density: Not permitted.

Maximum FAR: 0.75

The Land Development Code created an I-2 zoning district as a reserved section with no text included.

With the annexation of the Halifax Paving site at 860 Hull Road and 1399 Hull Trail, it is necessary to create the I-2 zoning district. The zoning district would contain uses that exceed the uses allowed in the I-1 zoning district including asphalt batching and cement plants, bulk oil storage, recycling centers, or outdoor storage. The intent of the I-2 zoning district is to limit the land areas this zoning would be applied to. Exhibit 1 shows the areas where the I-2 zoning district would be utilized.

EXHIBIT 1: Potential area for the I-2 zoning district.



SECTION 3, LAND DEVELOPMENT CODE AMENDMENTS:

Itemized below (and also described in Attachment 1) are the proposed amendments:

Chapter 1 – General Administration, Article III. – Definitions and Acronyms, Sec. 1-22. – Definition of terms and words:

The proposed amendments seek to add the following definitions:

1. Asphalt Batching and Cement Plants.
2. Bulk oil storage and fuel distribution facility.
3. Industrial uses, heavy (modified title from existing definition of Industry, heavy).
4. Recreational vehicle or boat storage.
5. Recycling collection center.
6. Recycling transfer station.
7. Solid waste transfer station.

Chapter 2 – District and General Regulations, Article I. – Establishment of Zoning Districts and Official Zoning Map, Sec. 2-02. – Future land use map designations and zoning districts

This amendment updates Table 2-2 of the Land Development Code that provides a consistency matrix of the Future Land Use Map designation and compatible zoning district. Within the Industrial/Utilities Comprehensive Plan Future Land Use Map designation, the I-2 is amended from “Reserved” to “Heavy Industrial”.

Chapter 2 – District and General Regulations, Article II. – District Regulations, Sec. 2-07. – Zoning district designations

Within the list of Industrial districts zoning classifications, the I-2 is amended from “Reserved” to “Heavy Industrial”.

Chapter 2 – District and General Regulations, Article II. – District Regulations, Section 2-33. – I-2, Heavy Industrial zoning district

Key amendments include:

1. Amended from reserved.
2. Created dimensional standards.
3. Created permitted, conditional, and special exception uses.

The uses allowed are more intense industrial uses. The area where the I-2 zoning district is planned to be applied is bounded by the I-1 zoning district, FEC railroad, Ormond Beach Sports Complex, and Ormond Crossings.

Chapter 2 – District and General Regulations, Article IV. – Conditional and Special Exception Regulations, Section 2-57. – Criteria for review of specific conditional and special exception.

The proposed amendments seek to provide conditions for the following uses:

1. Asphalt Batching and Cement Plants

2. Bulk oil storage and fuel distribution facility
3. Industrial uses, heavy
4. Solid waste transfer station

The existing conditions for conditional and special exceptions were re-numbered based on the addition of the new uses.

SECTION 4, ANALYSIS:

The creation of the I-2 zoning district has been planned for a number of years with the of the “Heavy Industrial” land use within the Comprehensive Plan and the reserved sections of the I-2 zoning district within the Land Development Code. The need to create the zoning district has arisen with the annexation of the Halifax Paving property. Other properties in the immediate area of Halifax Paving will also be appropriate for the I-2 zoning district once they connect to city utilities and require annexation. There are no plans to amend existing land areas within the city to the proposed I-2 zoning district.

The proposed I-2 zoning district does not include any restaurant type of uses or retail activities. The proposed I-2 zoning district did include the retail showroom allowance to display items that a warehouse user would produce. General retail users are also not allowed in the I-1 zoning district. The purpose of this zoning district is more intensive industrial uses. For informational purposes, the existing Volusia County I-2 zoning district is included in ATTACHMENT 2.

SECTION 5, CONCLUSION:

There are certain criteria that must be evaluated before adoption of an amendment according to the LDC, the Planning Board must consider the following criteria when making their 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.**

No specific development is proposed. The intent of the proposed amendment is to create the I-2 zoning district, including permitted, conditional, and special exception uses, create definitions, and create conditions for the conditional and special exception uses. The I-2 zoning district is intended to provide a compatible zoning district to the properties as they currently exist in unincorporated Volusia County. The proposed amendment will not adversely affect public health, safety, welfare or quality of life and will provide a needed service to Ormond Beach residents.

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

The proposed Land Development Code amendment is consistent with the Comprehensive Plan, specifically the “Heavy Industrial” land use category.

- 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 proposed creation of the I-2, Heavy Commercial zoning district does not approve any specific development and this criterion is not applicable. Any development activities within this zoning district would be reviewed by the Site Plan Review Committee.

- 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 creation of the I-2, Heavy Commercial zoning district does not approve any specific development and this criterion is not applicable. The zoning map amendment requires a separate zoning action. This amendment seeks to provide a comparable zoning of these properties (or area) as they currently exists in Volusia County and provide a framework of dimensional standards and uses.

- 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 proposed creation of the I-2, Heavy Commercial zoning district does not approve any specific development and this criterion is not applicable.

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

The proposed creation of the I-2, Heavy Commercial zoning district does not approve any specific development and this criterion is not applicable.

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

The proposed creation of the I-2, Heavy Commercial zoning district does not approve any specific development and this criterion is not applicable.

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

The proposed creation of the I-2, Heavy Commercial zoning district does not approve any specific development and this criterion is not applicable.

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

The proposed creation of the I-2, Heavy Commercial zoning district does not approve any specific development and this criterion is not applicable.

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

The proposed creation of the I-2, Heavy Commercial zoning district does not approve any specific development and this criterion is not applicable.

11. 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 6, RECOMMENDATION:

It is expected that the amendment will be reviewed by the City Commission on July 18, 2023 (1st reading) and August 1, 2023 (2nd reading). It is recommended that the Planning Board **APPROVE** the Land Development Code amendments shown in Attachment 1 to create the I-2, Heavy Commercial zoning district with the following amendments:

1. Chapter 1, General Administration, Article III, Definitions and Acronyms, Section 1-22, Definitions of terms and words;
2. Chapter 2, District and General Regulations, Article I, Establishment of Zoning Districts and Official Zoning Map, Section 2-02, Future land use map designations and zoning districts;
3. Chapter 2, District and General Regulations, Article II, District Regulations, Section 2-07, Zoning district designations;
4. Chapter 2, District and General Regulations, Article II, District Regulations, Section 2-33, I-2, Heavy Industrial zoning district; and
5. Chapter 2, District and General Regulations, Article IV, Conditional and Special Exception Regulations, Section 2-57, Criteria for review of specific conditional and special exception.

Attachment:

1. Proposed Land Development Code Amendments
2. Volusia County I-2 zoning district

ATTACHMENT 1

Proposed Land Development Code Amendments

1. Chapter 1, General Administration, Article III, Definitions and Acronyms, Section 1-22, Definitions of terms and words;
2. Chapter 2, District and General Regulations, Article I, Establishment of Zoning Districts and Official Zoning Map, Section 2-02, Future land use map designations and zoning districts;
3. Chapter 2, District and General Regulations, Article II, District Regulations, Section 2-07, Zoning district designations;
4. Chapter 2, District and General Regulations, Article II, District Regulations, Section 2-33, I-2, Heavy Industrial zoning district; and
5. Chapter 2, District and General Regulations, Article IV, Conditional and Special Exception Regulations, Section 2-57, Criteria for review of specific conditional and special exception.

Chapter 1 – General Administration, Article III. – Definitions and Acronyms, Sec. 1-22. – Definition of terms and words.

ASCE 24 ***No change to existing text***

Asphalt Batching and Cement Plants means a manufacturing facility where equipment is used to combine various ingredients to form concrete or asphalt before it is transported to a construction site ready to be poured. A concrete or asphalt batching plant can have a variety of parts and accessories, including: mixers (either tilt drum or horizontal or in some cases both), cement batchers, aggregate batchers, conveyors, radial stackers, aggregate bins, cement bins, heaters, chillers, cement silos, batch plant controls, and dust collectors.

Assisted living facility ***No change to existing text***

Building setback line ***No change to existing text***

Bulk oil storage and fuel distribution facility means petroleum products and propane gas bulk storage and distribution, including wholesale and retail sales and services of such products and equipment.

Bulkhead line ***No change to existing text***

Industrial uses, light, ***No change to existing text***

Industrial uses, heavy, means a use engaged in the basic processing and manufacture of materials or products predominately from extracted or raw materials, or a use engaged in storage of, or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions. Storage and manufacturing activities may be permissible outdoor activities subject to requirements of this Land Development Code

Industrial wastes ***No change to existing text***

Industry ***No change to existing text***

~~Industry, heavy, means a use engaged in the basic processing and manufacture of materials or products predominately from extracted or raw materials, or a use engaged in storage of, or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions. Storage and manufacturing activities may be permissible outdoor activities subject to requirements of this Land Development Code.~~

Recreational vehicle (RV) park ***No change to existing text***

Recreational vehicle or boat storage means a facility or land where the long-term parking of recreational vehicles and/or boats is accommodated.

Recycling collection center means a facility which is solely devoted to the collection and temporary storage of aluminum products, glass, plastic, newspapers and similar recyclable materials.

Recycling transfer station means a facility where materials from a recycling collection center are placed into larger vehicles/containers and temporarily stored prior to being transferred to a recycling manufacturer. This definition also includes a recovered materials facility.

*Remove or removal ***No change to existing text****

*Spray head ***No change to existing text****

Solid waste transfer station means a facility where solid waste from several vehicles is placed into a larger vehicle before being transferred to a solid waste processing or disposal facility.

*Stadium***No change to existing text****

Chapter 2 – District and General Regulations Article I. – Establishment of Zoning Districts and Official Zoning Map, Sec. 2-02. – Future land use map designations and zoning districts

Sec. 2-02. - Future land use map designations and zoning districts.

This section references adopted Future Land Use Map (FLUM) designations (see table 2-2) contained in the city's Future Land Use Element of the Comprehensive Plan and identifies zoning districts which are hereby established in order to implement the FLUM designations, respectively.

Table 2-2. Future Land Use Map Designations and Compatible Zoning Districts

Comprehensive Plan Future Land Use Map Designation	Corresponding Compatible Zoning District
Activity Center	PMUD, Planned Mixed Use Development
Recreation Open Space And Conservation	SE, Special Environmental
REA, Rural Estate/Agriculture	REA, Rural Estate Agriculture
RR, Rural Residential	RR, Rural Residential
SLDR, Suburban Low Density Residential	SR, Suburban Residential
	PRD, Planned Residential Development
LDR, Low Density Residential	R-1, Residential Estate
	R-2, Single-Family Low Density
	R-2.5, Single-Family Low-Medium Density
	R-3, Single-Family Medium Density
	PRD, Planned Residential Development
MDR, Medium Density Residential	R-3, Single-Family Medium Density
	NP, Neighborhood Preservation
	R-4, Single-Family Cluster and Townhouse
	R-5, Multifamily Medium Density
	R-6, Multifamily Medium-High Density
	T-1, Manufactured/Mobile Home
	T-2, Manufactured Home
	PRD, Planned Residential Development
HDR, High Density Residential	T-1, Manufactured/Mobile Home
	R-6, Multifamily Medium-High Density
	PRD, Planned Residential Development
ROR, Residential, Office, Retail	B-1, Professional Office/Hospital
	B-9, Boulevard
	B-10, Suburban Boulevard
	PBD, Planned Business Development
General Commercial	B-2, Neighborhood Commercial
	B-3, Reserved
	B-4, Central Business
	B-8, Commercial
	PBD, Planned Business Development

Tourist Commercial	B-6, Oceanfront Tourist Commercial
	B-7, Highway Tourist Commercial
	PRD, Planned Residential Development
	PBD, Planned Business Development
Low Intensity Commercial	B-1, Professional Office—Hospital
	B-4, Central Business
	B-5, Service Commercial
	B-6, Oceanfront Tourist Commercial
	B-7, Highway Tourist Commercial
	B-8, Commercial
	B-9, Boulevard
	B-10, Suburban Boulevard
	PBD, Planned Business Development
Heavy Intensity Commercial	B-5, Service Commercial
	PBD, Planned Business Development
Industrial/Utilities	I-1, Light Industrial
	I-2, Reserved <u>Heavy Industrial</u>
	PID, Planned Industrial Development

**Chapter 2 – District and General Regulations, Article II. – District Regulations,
Sec. 2-07. – Zoning District designations.**

Sec. 2-07. - Zoning district designations.

These district regulations shall apply uniformly to all premises in the following manner:

- (1) *Zoning affects all premises.* ***No change to existing text***
- (2) *Interpretation of uses and structures permitted.* ***No change to existing text***
- (3) *Lot area, density, yard requirements, building coverage and building height.* ***No change to existing text***
- (4) *Multiple use of required yard, buffers and open space prohibited.* ***No change to existing text***
- (5) *Reduction of lot area and width prohibited.* ***No change to existing text***
- (6) *Zoning district classifications.* Pursuant to article I of this chapter, the following zoning districts have been created and are designated by the following names and acronyms:

<i>Open Space/Conservation District</i> ***No change to existing text***	
<i>Residential districts</i> ***No change to existing text***	
<i>Business districts</i> ***No change to existing text***	
<i>Industrial districts</i>	
	I-1, Light Industrial
	I-2, Reserved <u>Heavy Industrial</u>
<i>Planned development districts</i> ***No change to existing text***	

SECTION 2-33: I-2, ~~Reserved~~ Heavy Industrial Zoning District

The purpose of the I-2, Heavy Industrial Zoning District is to provide locations for intensive industrial uses, including heavy manufacturing (asphalt plants, concrete plants, paving operations, heavy equipment repair and servicing), outdoor storage, and fabrication, provided they meet the minimum performance standards in the Land Development Code.

B. DIMENSIONAL STANDARDS

<u>1.</u> <u>Type</u>	<u>2.</u> <u>Density</u>	<u>3.</u> <u>Maximum Building Height</u>	<u>4.</u> <u>Maximum Building Coverage</u>	<u>5.</u> <u>Maximum Impervious Lot Coverage</u>	<u>6.</u> <u>Minimum Lot Size</u>	<u>7.</u> <u>Minimum Lot Width</u>	<u>8.</u> <u>Minimum Lot Depth</u>	<u>9.</u> <u>Setbacks</u>				
								<u>a.</u> <u>Front</u>	<u>b.</u> <u>Rear</u>	<u>c.</u> <u>Side</u>	<u>d.</u> <u>Street Side/ Corner</u>	<u>e.</u> <u>Waterbody</u>
<u>Nonresidential Uses</u>	<u>None</u>	<u>75'</u>	<u>80%</u>	<u>80%</u>	<u>One Acre</u>	<u>150</u>	<u>None</u>	<u>25'</u>	<u>20'; 50' if abutting residential district</u>	<u>10'; 30' if abutting residential district</u>	<u>15'</u>	<u>30'</u>

C. PERMITTED USES**D. CONDITIONAL USES****E. SPECIAL EXCEPTION
USES****F. OTHER STANDARDS**

1. Business/Professional Offices
2. Business Services
3. Construction and Home Improvement
4. Industrial Uses, Light
5. Recycling Collection Center
6. Recycling Transfer Station
7. Vehicle Repair, Type A
8. Warehouse, Business
9. Warehouse, Storage

1. Asphalt Batching and Cement Plants
2. Bulk Oil Storage and Distribution Facility
3. Dry Cleaning Plant and Systems
4. Industrial Uses, Heavy
5. Outdoor Storage
6. Parks and Recreations Facilities, Public
7. Public Facilities
8. Public Utilities
9. Retail Sales and Service, Showroom
10. RV or Boat Storage
11. Solid Waste Transfer Station
12. Telecommunication Towers, Camouflaged
13. Terminal, Truck
14. Vehicle Repair, Type B
15. Warehouse, Indoor Mini-Rental
16. Warehouse, Mini-Rental
17. Wind Energy System

1. Telecommunication Tower
2. Outdoor Activity

All development must comply with the following requirements:

1. Wetlands (Chapter 3, article II).
2. Landscaping and buffering standards of chapter 3 article 1 shall apply.
3. See conditional and special exception regulations (chapter 2, article IV).
4. Any other special requirements pursuant to this Code.

G. PERMITTED ACCESSORY USES: Accessory uses customarily associated with, dependent on and incidental to their permitted principle uses, provided that such uses conform to the regulations set forth in chapter 2, article III.

Chapter 2 – District and General Regulations, Article IV. – Conditional and Special Exception Regulations, Sec. 2-57. – Criteria for review of specific conditional and special exception.

Sec. 2-57. - Criteria for review of specific conditional and special exception.

In addition to demonstrating compliance with all general criteria included in chapter 2, article II of this Land Development Code, any applicant for a proposed conditional or special exception must submit plans that demonstrate compliance with the following specific criteria which shall apply within all districts. In considering whether to approve a conditional or special exception the city shall consider whether the respective application demonstrates such compliance.

- (1) *Adult day care centers.* ***No change to existing text***
- (2) *Adult family care home.* ***No change to existing text***
- (3) *Agricultural use, major.* ***No change to existing text***
- (4) *Agricultural use, minor.* ***No change to existing text***
- (5) *Asphalt Batching and Cement Plants.*

a. A landscape buffer design type 3 shall be provided within the required roadway buffer.

- ~~(56)~~ *Assisted living facility (ALF).* ***No change to existing text***
- ~~(67)~~ *Auction business.* ***No change to existing text***
- ~~(78)~~ *Automatic amusement centers/game rooms.* ***No change to existing text***
- ~~(89)~~ *Bars.* ***No change to existing text***
- ~~(910)~~ *Bed and breakfast.* ***No change to existing text***
- ~~(1011)~~ *Bingo parlors.* ***No change to existing text***
- ~~(1112)~~ *Bowling centers.* ***No change to existing text***
- (13) *Bulk oil storage and fuel distribution facility.*

a. A landscape buffer design type 3 shall be provided within the required roadway buffer.

b. Provide screening and buffering from abutting residential areas. All outdoor uses and storage shall comply with the landscape buffer and wall/fencing requirements contained in chapter 3, article I of this Land Development Code.

c. Bulk fuel storage shall not be closer than fifty feet (50') to any property line.

- ~~(1214)~~ *Campground.* ***No change to existing text***
- ~~(1315)~~ *Cemetery.* ***No change to existing text***
- ~~(1416)~~ *Child care facility.* ***No change to existing text***
- ~~(1517)~~ *Clubs and fraternal organizations.* ***No change to existing text***
- ~~(1618)~~ *Cluster subdivisions, single-family.* ***No change to existing text***
- ~~(1719)~~ *Community residential home.* ***No change to existing text***

- (1820) Convenience food store, type A. ***No change to existing text***
(1921) Convenience food store, type B. ***No change to existing text***
(2022) Convenience food store, type C. ***No change to existing text***
(2123) Dry cleaning plants and systems. ***No change to existing text***
(2224) Dwelling, multifamily. ***No change to existing text***
(2325) Dwelling, quadraplex. ***No change to existing text***
(24) ~~Reserved.~~
(2526) Farmer's markets. ***No change to existing text***
(2627) Flea markets. ***No change to existing text***
(2728) Foster home. ***No change to existing text***
(2829) Funeral homes. ***No change to existing text***
(2930) Garden center/nursery. ***No change to existing text***
(3031) Golf courses/country clubs. ***No change to existing text***
(3132) Golf courses, contoured. ***No change to existing text***
(3233) Greenhouses. ***No change to existing text***
(3334) Group home. ***No change to existing text***
(3435) Historic preservation mixed use. ***No change to existing text***
(3536) Hobby breeder. ***No change to existing text***
(3637) Hospital. ***No change to existing text***
(3738) Houses of worship. ***No change to existing text***
(3839) Hunting dog. ***No change to existing text***
(3940) Hunting lodge. ***No change to existing text***
(4041) Industrial uses, light. ***No change to existing text***
(42) Industrial uses, heavy.

- a. The applicant shall submit a detailed written report outlining the activities of the heavy industrial use. The report should include hours of operation, a scaled map of outdoor activity and outdoor storage, any potential health and safety concerns, ingress and egress to the property, and any other applicable items the Site Plan Review Committee feels are needed to describe the use.
- b. The Site Plan Review Committee may limit the time of day during which the heavy industrial use may be operated and may make such further conditions as would protect the public health, safety, and welfare.
- c. Screening and buffering in excess of that required under chapter 3, article I of this Land Development Code may be required in order to minimize impact on nearby residential uses to the maximum extent feasible.

d. A landscape buffer design type 3 shall be provided within the required roadway buffer.

- (4143) Instructional artistic activity. ***No change to existing text***
- (4244) Kennels. ***No change to existing text***
- (4345) Malted beverage producer. ***No change to existing text***
- (4446) Manufactured home community (MAHC). ***No change to existing text***
- (4547) Marinas and multislip docking facilities. ***No change to existing text***
- (4648) Massage parlors. ***No change to existing text***
- (4749) Mausoleums. ***No change to existing text***
- (4850) Mining and excavation. ***No change to existing text***
- (4951) Mobile home community (MOHC). ***No change to existing text***
- (5052) Nightclubs. ***No change to existing text***
- (5153) Nonemergency medical transport services. ***No change to existing text***
- (5254) Nursing homes. ***No change to existing text***
- (5355) Outdoor activity. ***No change to existing text***
- (5456) Outdoor storage. ***No change to existing text***
- (5557) Parking lots. ***No change to existing text***
- (5658) Parking garage. ***No change to existing text***
- (5759) Parks and recreation facilities, private. ***No change to existing text***
- (5860) Parks and recreation facilities, public. ***No change to existing text***
- (5961) Patio home subdivisions, single-family. ***No change to existing text***
- (6062) Personal services. ***No change to existing text***
- (6163) Pawnshop. ***No change to existing text***
- (6264) Petroleum products storage. ***No change to existing text***
- (6365) Pool halls/billiards. ***No change to existing text***
- (6466) Public facilities/utilities. ***No change to existing text***
- (6567) Recreation facilities, indoor. ***No change to existing text***
- (6668) Recreation facilities, outdoor. ***No change to existing text***
- (6769) Recreational vehicles/boat storage. ***No change to existing text***
- (6870) Riding stables, horse. ***No change to existing text***
- (6971) Restaurant types. ***No change to existing text***
- (70) ~~Reserved.~~
- (7172) Retail sales and service. ***No change to existing text***

- (~~72~~73) Retail sales and service, daily needs. ***No change to existing text***
- (~~73~~74) Retail sales and service, showroom. ***No change to existing text***
- (~~74~~75) Schools, private. ***No change to existing text***
- (~~75~~76) Silviculture. ***No change to existing text***
- (~~76~~77) Shopping center. ***No change to existing text***
- (~~77~~78) Skating centers. ***No change to existing text***
- (79) Solid waste transfer station.
- a. A landscape buffer design type 3 shall be provided within the required roadway buffer.
- b. The facility shall not be constructed or operated without being permitted by the Florida Department of Environmental Regulation and other applicable agencies.
- c. A fence or other effective barrier designed to prevent unauthorized entry and dumping into the transfer station shall be erected.
- d. Screening and buffering in excess of that required under chapter 3, article I of this Land Development Code may be required in order to minimize impact on nearby residential uses to the maximum extent feasible.
- (~~78~~80) Tattoo establishment. ***No change to existing text***
- (~~79~~81) Taxi barn. ***No change to existing text***
- (~~80~~82) Telecommunications towers and antennas. ***No change to existing text***
- (~~81~~83) Terminal, bus passenger. ***No change to existing text***
- (~~82~~84) Terminals, truck. ***No change to existing text***
- (~~83~~85) Theater. ***No change to existing text***
- (~~84~~86) Townhouses. ***No change to existing text***
- (~~85~~87) Vehicle rental. ***No change to existing text***
- (~~86~~88) Vehicle repair, types A and B. ***No change to existing text***
- (~~87~~89) Vehicle sales, including heavy. ***No change to existing text***
- (~~88~~90) Vehicle washing or detailing. ***No change to existing text***
- (~~89~~91) Veterinarian. ***No change to existing text***
- (~~90~~92) Virtual golf centers. ***No change to existing text***
- (~~91~~93) Warehouse, indoor mini-rental. ***No change to existing text***
- (~~92~~94) Warehouses, mini. ***No change to existing text***
- (~~93~~95) Water survival instruction. ***No change to existing text***
- (~~94~~96) Wind energy systems. ***No change to existing text***
- (~~95~~97) Wine, beer or liquor store in freestanding structure. ***No change to existing text***

(~~96~~98) Zero lot line development. ***No change to existing text***

ATTACHMENT 2

Existing Volusia County I-2
zoning district

Final site plan requirements: Final site plan approval meeting the requirements of division 3 of the Land Development Code [article III] is required. (Ord. No. 88-2, § IV, 1-19-88)

(Ord. No. 2004-20, § V, 12-16-04; Ord. No. 2021-34, § I(Exh. A), 12-14-21)

I-2 HEAVY INDUSTRIAL CLASSIFICATION ^[29]

Purpose and intent: The purpose and intent of the I-2 Heavy Industrial Classification is to provide for industrial operations of all types, provided they meet the minimum performance standards in this article.

Permitted principal uses and structures: In the I-2 Heavy Industrial Classification, no premises shall be used except for the following industrial uses and their customary accessory uses and structures:

Any industrial use or structure provided it meets the minimum environmental standards in section 72-288, and is not a permitted special exception in this classification.

Communication towers not exceeding 70 feet in height above ground level. (Ord. No. 97-19, § II, 8-7-97)

Display and sale (retail or wholesale) of products or parts manufactured, assembled, or otherwise used by the manufacturer, on the premises. (Ord. No. 81-39, § XXVIII, 11-19-81; Ord. No. 90-34, § 40, 9-27-90)

Essential utility services. (Ord. No. 84-1, § III, 3-8-84)

Exempt excavations (refer to subsection 72-293(15)) and/or those which comply with division 8 of the Land Development Code of Volusia County [article III] and/or final site plan review procedures of this article. (Ord. No. 84-1, § III, 3-8-84; Ord. No. 89-20, § VI, 6-20-89; Ord. No. 90-34, § 40, 9-27-90)

Exempt landfills (refer to subsection 72-293(16)). (Ord. No. 89-20, § VI, 6-20-89; Ord. No. 90-34, § 40, 9-27-90)

Fire stations. (Ord. No. 92-6, § XLIII, 6-4-92)

Helipads. (Ord. No. 98-25, § VII, 12-17-98)

Outdoor entertainment event (refer to section 10-31 et seq., article II, Code of Ordinances of the County of Volusia). (Ord. No. 2002-22, § XV, 11-7-02)

Plastics manufacturers (primary production). (Ord. No. 90-34, § 40, 9-27-90)

Publicly owned parks and recreational areas. (Ord. No. 92-6, § XLIII, 6-4-92)

Publicly owned or regulated water supply wells. (Ord. No. 92-6, § XLIII, 6-4-92)

Recycling collection center. (Ord. No. 90-34, § 40, 9-27-90)

Recycling transfer station. (Ord. No. 92-6, § XLIII, 6-4-92)

Solid waste transfer station. (Ord. No. 92-6, § XLIII, 6-4-92)

Tire retreading, recapping and vulcanizing shoes [shops]. (Ord. No. 90-34, § 40, 9-27-90)

Truck and freight terminals. (Ord. No. 90-34, § 40, 9-27-90)

Permitted special exceptions: Additional regulations/requirements governing permitted special exceptions are located in sections 72-293 and 72-415 of this article. (Ord. No. 90-34, § 40, 9-27-90)

Air curtain incinerators (refer to subsection 72-293(19)). (Ord. No. 90-34, § 40, 9-27-90)

Animal hospitals, veterinary clinics.

Communication towers exceeding 70 feet in height above ground level. (Ord. No. 97-19, § II, 8-7-97)

Construction and demolition debris disposal facility as regulated under Rule 62-701.730, F.A.C., (minimum parcel size of 20 acres). Refer to subsection 72-293(16). (Ord. No. 00-30, § 4, 10-5-00)

Fixed-wing aircraft landing fields. (Ord. No. 98-25, § VII, 12-17-98)

Flea markets (refer to subsection 72-293(7)).

Gas and oil wells. (Ord. No. 84-1, § XXXVII, 3-8-84)

Hazardous waste transporter facility. (Ord. No. 90-34, § 40, 9-27-90)

Junkyards (refer to subsection 72-293(10)). (Ord. No. 90-34, § 40, 9-27-90)

Landfill, class III as regulated under Rule 62-701.340, F.A.C., (minimum parcel size of 20 acres). Refer to subsection 72-293(16). (Ord. No. 00-30, § 4, 10-5-00)

Materials recovery facility as regulated under Rule 62-701.700, F.A.C., (minimum parcel size of 20 acres). Refer to subsection 72-293(16). (Ord. No. 00-30, § 4, 10-5-00)

Nonexempt excavations (refer to subsection 72-293(15)). (Ord. No. 84-1, § VII, 3-8-84; Ord. No. 89-20, § VIII, 6-20-89; Ord. No. 90-34, § 40, 9-27-90)

Off-site disposal of land clearing debris as regulated under Rule 62-701.803, F.A.C., (minimum parcel size of 20 acres). Refer to subsection 72-293(16). (Ord. No. 00-30, § 4, 10-5-00)

Professional or trade schools related to permitted uses (refer to subsection 72-293(2)).

Public uses not listed as a permitted principal use. (Ord. No. 92-6, § XLIII, 6-4-92)

Public utility uses and structures (refer to subsection 72-293(1)). (Ord. No. 84-1, § III, 3-8-84)

Pulp or paper manufacturers.

Recovered materials facility as regulated under Rule 62-701.220(2)(c), F.A.C., (minimum parcel size of 20 acres). Refer to subsection 72-293(16). (Ord. No. 00-30, § 4, 10-5-00)

Rock crusher. (Ord. No. 00-21, § III, 5-18-00)

Schools, parochial or private (refer to subsection 72-293(4)).

Only one single-family dwelling for the owner or manager of an existing permitted principal use. (Ord. No. 84-1, §§ XXX, XXXVII, 3-8-84)

Tanneries, rendering plants, glue factories, slaughterhouses, foundries.

Temporary and permanent asphalt batching and cement plants (refer to subsection 72-293(9)).

(Ord. No. 89-20, § XIII, 6-20-89; Ord. No. 90-34, § 40, 9-27-90; Ord. No. 98-25, § VII, 12-17-98; Ord. No. 2004-20, § V, 12-16-04)

Dimensional requirements:

Minimum lot size:

Area: One acre. (Ord. No. 2004-20, § V, 12-16-04)

Width: 150 feet. (Ord. No. 2004-20, § V, 12-16-04)

Minimum yard size:

Front yard: 30 feet.

Side yard: Ten feet, unless abutting an agricultural, conservation, residential or mobile home zoned property, then 35 feet. (Ord. No. 81-39, § XXVIII, 11-19-81; Ord. No. 98-25, § VII, 12-17-98; Ord. No. 2004-20, § V, 12-16-04; Ord. No. 2022-1, § I(Exh. A), 1-18-22)

Rear yard: 20 feet, unless abutting an agricultural, conservation, residential or mobile home zoned property, then 35 feet. (Ord. No. 2004-20, § V, 12-16-04; Ord. No. 2022-1, § I(Exh. A), 1-18-22)

Waterfront yard: 25 feet. (Ord. No. 81-39, § XXVIII, 11-19-81; Ord. No. 90-34, § 40, 9-27-90; Ord. No. 94-4, § XLV, 5-5-94)

(For buildings over 35 feet in height, the side and rear yards shall be increased by one foot of yard for each foot of building height over 35 feet.) (Ord. No. 81-39, § XXVIII, 11-19-81)

For buildings abutting any residential or mobile home zoned property: 35 feet. (Ord. No. 81-39, § XXVIII, 11-19-81; Ord. No. 98-25, § VII, 12-17-98)

Maximum building height: 75 feet. Abutting any residentially zoned property: 35 feet. (Ord. No. 81-39, § XXVIII, 11-19-81)

Maximum lot coverage: No maximum limit.

(Ord. No. 2004-20, § V, 12-16-04)

Off-street parking and loading requirements: Off-street parking and loading areas meeting the requirements of section 72-286 shall be constructed. (Ord. No. 90-34, § 40, 9-27-90)

Landscape buffer requirements: Landscaped buffer areas meeting the requirements of section 72-284 shall be constructed.

Final site plan requirements: Final site plan approval meeting the requirements of division 3 of the Land Development Code [article III] is required. (Ord. No. 82-20, § X, 12-9-82; Ord. No. 88-2, § IV, 1-19-88)

(Ord. No. 2004-20, § V, 12-16-04; Ord. No. 2021-34, § I(Exh. A), 12-14-21)

I-3 WATERFRONT INDUSTRIAL CLASSIFICATION

Purpose and intent: The purpose and intent of the I-3 Waterfront Industrial Classification is to provide for and preserve land in appropriate locations for industrial uses which require or are particularly suited to a water location.

Permitted principal uses and structures: In the I-3 Waterfront Industrial Classification, no premises shall be used except for the following industrial uses and their customary accessory uses and structures:

Aquaculture operations in which there are no associated excavations. (Ord. No. 98-25, § VII, 12-17-98)

Boat and ship building, sales, service, rental and storage. (Ord. No. 87-14, § IX, 6-18-87)

Boat docks, wharves and piers.

Boat fuel sales.

Boat parts, accessories and equipment (not involving drop-forging, stamping or foundries).

Commercial fish processing plants (except airing or smoking).

Communication towers not exceeding 70 feet in height above ground level. (Ord. No. 97-19, § II, 8-7-97)

DRAFT

**Planning Board minutes
from
June 8, 2023**

ITEM:

LDC 2023-056

Creation of the I-2, Heavy Industrial
Zoning District

Board Recommendation

Chairman Thomas opened it up to the Board for a motion.

Mr. Railsback motioned to approve PP 2032-052, Archer's Mill, Phase 3, Preliminary Plat. Ms. Shull seconded it. Vote was called, and the motion was approved (6-0).

I. FLUM 2023-055, 860 Hull Road and 1399 Hull Trail, Large Scale Comprehensive Plan Amendment

Mr. Spraker, Planning Director, explained that this is an administrative Comprehensive Plan Land Use Map amendment for the property at 860 Hull Road and 1399 Hull Trail, totaling approximately 52 acres, from Volusia County "Industrial" to Ormond Beach "Heavy Industrial" based upon annexation. The amendment would contain a map annotation limiting the Floor Area Ratio to 0.60, the same as the Volusia County land use. Mr. Spraker stated that the amendment was reviewed based on Policy 2.5.2. of the Future Land Use Element and it was determined that the amendment was an appropriate use of land, consistent with the Volusia County land use, and does not have negative infrastructure impact. Mr. Spraker concluded that staff recommends approval of the Comprehensive Plan Land Use Map amendment for the property at 860 Hull Road and 1399 Hull Trail.

Board Discussion and Questions

Mr. Railsback asked about the type of uses and if anything was included or excluded. Mr. Spraker stated this was the land use item and the next item detailed the allowed uses for the I-2 zoning district.

Audience Comments/Input

There were no individuals who spoke on this item.

Board Recommendation

Chairman Thomas opened it up to the Board for a motion.

Mr. Railsback motioned to approve FLUM 2023-055, 860 Hull Road and 1399 Hull Trail, Large Scale Comprehensive Plan. Mr. Galloway seconded it. Vote was called, and the motion was approved (6-0).

J. LDC 2023-056, Creation of the I-2, Heavy Industrial Zoning District

Mr. Steven Spraker, Planning Director, explained that this is a Land Development Code (LDC) amendment for the creation of the I-2, Heavy Industrial Zoning District, providing use definitions, and creating conditions for conditional and special exception and zoning uses. Mr. Spraker detailed the Land Development Code (LDC) sections proposed for amendments.

Mr. Spraker stated that staff met with representatives of Halifax Paving who provided suggestions for the definition of asphalt batching and cement plants as follows: "Asphalt Batching and Cement Plants means a manufacturing facility where

equipment is used to combine various ingredients to form concrete or asphalt before it is sold, distributed and/or transported to a construction site ready to be poured. A concrete or asphalt batching plant can have a variety of manufacturing equipment, parts and accessories, including: mixers (either tilt drum or horizontal or in some cases both), crushers, cement batchers, aggregate batchers, conveyors, radial stackers, aggregate bins, cement bins, heaters, chillers, cement silos, batch plant controls, and dust collectors.” Mr. Spraker stated that staff had no objections to the revision and asked that the Planning Board accept the revision to the definition as part of their approval.

Mr. Spraker stated the Land Development Code (LDC) amendment provides a zoning framework of heavy industrial uses. He continued that the zoning district is designed for annexed lands, not existing land areas in the city. Mr. Spraker stated that no land areas are being assigned the I-2 zoning district with this zoning action and zoning map amendments require a separate public hearing. Mr. Spraker concluded that staff is recommending approval of the Land Development Code (LDC) amendments.

Board Discussion and Questions

Mr. Jorczak asked if there was any adjacent land that could be incorporated into this zoning district. Mr. Spraker replied that there are a few parcels in Volusia County with a zoning of Volusia County I-2 that could be utilized in this zoning in the future. He continued that those properties would likely not annex until there is a utility connection. The Board reviewed parcels in and around Hull Road that may utilize the proposed I-2 zoning district in the future.

Mr. Galloway asked if all the Ormond Crossings property is within the city. Mr. Spraker confirmed that all of the Ormond Crossings property is within the city and that the property has its own zoning and development order.

Mr. Jorczak stated that he has a concern regarding the proposed zoning and its impact on the airport that he discussed with city staff. His concern focused on ensuring that the airport runway would not be impacted. Mr. Jorczak stated that Mr. Rademacher, city Economic Development Director, and Steven Lichliter, Airport Manager, reviewed his concerns and that the zoning district would not impede airport operations. Mr. Jorczak concluded that city staff answered his concerns.

Audience Comments/Input

There were no individuals who spoke on this item.

Board Recommendation

Chairman Thomas opened it up to the Board for a motion.

Mr. Galloway motioned to approve LDC 2023-056, Creation of the I-2, Heavy Industrial Zoning District with the amended definition for Asphalt Batching and Cement Plants. Mr. Jorczak seconded it. Vote was called, and the motion was approved (6-0).

VIII. PUBLIC COMMENTS



City of Ormond Beach

AGENDA ITEM

August 1, 2023 - City Commission

Number:9.G

Section:	PUBLIC HEARINGS		
Item Category:	Public Hearing - Ordinances	Res./Ord. No:	2023-42
Strategic Goal:	Transportation & Community Development - Other		
Department:	Planning & Building		
Subject:	204 Magnolia Drive, Comprehensive Plan Land Use Map Amendment (Small-Scale) (SECOND READING)		
Summary:	This is an administrative request for a Small-Scale Comprehensive Plan Land Use Map amendment for a ±0.24 acre property located at 204 Magnolia Drive, Volusia County Parcel ID 4214-20-02-0011, from “Public/Institutional” (P/I) to “Low Density Residential” (LDR). The request is to correct an inconsistency with the adopted R-3, Single-Family Medium Density. In accordance with Future Land Use Policy 5.1.1 of the Ormond Beach Comprehensive Plan, the purpose of this land use amendment is to assign a compatible land use to the property based on the zoning designation of R-3 (Single-Family Medium Density). There is no zoning map amendment being proposed for the subject parcel because of the existing residential, R-3 (Single-Family Medium Density) zoning designation. <u>Planning Board</u> The Planning Board reviewed the land use map amendment at the May 11, 2023 meeting and recommended approval with a 6-0 vote. There were no individuals who spoke for or against the amendment. Planning Board minutes are attached.		
Financial Impact:	There is no budget impact as the result of this land use amendment.		
Citizen Impact:	There is no citizen impact anticipated with this land use amendment. The application seeks to correct the land use and zoning inconsistency and no development is proposed. The existing property is developed as a single-family home so there is no impact expected by the proposed Future Land Use amendment.		

Recommended Action (Staff, Advisory Board and/or Other):	The Planning Board recommended (6-0) that the City Commission approve the Future Land Use map amendment for ±0.241-acre property from the existing land use designation of Public/Institutional to City Low Density Residential for the subject property located 204 Magnolia Drive. If approved, Planning staff will transmit the land use amendment to the Volusia County Growth Management Commission and state Department of Economic Opportunity.		
Staff Contact:	Steven Spraker, Planning Director, (386) 676-3341		
Attachments:	1. 23-42 204 Magnolia Drive land use amendment (P23-0115G) 2. Exhibit A, 204 Magnolia Dr legal description 3. Exhibit B, 204_MAGNOLIA_FLU_AMEND Map 4. #23-036, 204 Magnolia Dr, land use, PB Staff Report pkg 5. 204 Magnolia Drive, Future Land Use Map Amendment PB Minutes		
Approval:	Kelly McGuire, Finance Director	7/19/2023	
	Claire Whitley, Assistant City Manager	7/21/2023	
	Joyce Shanahan, City Manager	7/25/2023	

ORDINANCE NO. 2023-42

AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF ORMOND BEACH BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF ONE PARCEL OF REAL PROPERTY TOTALING 0.24± ACRES LOCATED AT 204 MAGNOLIA DRIVE (VOLUSIA COUNTY PARCEL NUMBER: 4214-20-02-0011) FROM “PUBLIC/ INSTITUTIONAL” TO “LOW DENSITY RESIDENTIAL”; PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, the City Commission has approved Ordinance No. 90-36, as subsequently amended, adopting a *Comprehensive Plan* in compliance with Part II, Chapter 163, *Florida Statutes*, and

WHEREAS, the City’s planning staff has requested an administrative amendment to the city’s Comprehensive Land Use Plan (“*Comprehensive Plan*”) by changing the Future Land Use Map designation of one parcel of real property totaling 0.24± acres located at 204 Magnolia Drive (Volusia County parcel number: 4214-20-02-0011), said parcel being legally described and depicted in Exhibit “A” attached hereto and incorporated herein by reference, from “Public/Institutional” (P/I) to “Low Density Residential” (LDR) as depicted on Exhibit “B” attached hereto and incorporated herein by reference, and

WHEREAS, the proposed *Comprehensive Plan* amendment involves a use of fifty (50) acres or less, and

WHEREAS, the proposed *Comprehensive Plan* amendment does not involve a text change to the goals, policies, and objectives of the City's *Comprehensive Plan*, but only proposes a land use change to the Future Land Use Map for small scale development activity, and

WHEREAS, the proposed *Comprehensive Plan* amendment is not located within an area of critical state concern, and

WHEREAS, the Planning Board, as the City's local planning agency, duly held a public hearing, with due public notice, and recommends approval of the proposed *Comprehensive Plan* amendment, and

WHEREAS, the City Commission has conducted public hearings on the proposed *Comprehensive Plan* amendment, as described in §163.3187, *Florida Statutes*, and

WHEREAS, the City Commission finds that approval of the proposed *Comprehensive Plan* amendment will preserve the internal consistency of the City's *Comprehensive Plan* pursuant to §163.3177, *Florida Statutes*, and

WHEREAS, the proposed *Comprehensive Plan* amendment shall be submitted to the Volusia Growth Management Commission for a determination of consistency in accordance with Section 202.3 of the Charter of Volusia County, Florida, 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 future land use designation of one parcel of real property located at 204 Magnolia Drive, Ormond Beach, Florida (Volusia County parcel number: 4214-20-02-0011), as legally described and depicted in Exhibit “A” and the Future Land Use Map of the City of Ormond Beach *Comprehensive Plan* attached hereto, is changed from “Public/Institutional” to “Low Density Residential” for approximately 0.24± acres, as described and depicted in Exhibit “B”.

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 copies of this Ordinance, and the public hearing notice within ten (10) business days of the date of approval hereof, to the Volusia County Growth Management Commission in accordance with Section 202.3 of the Charter of Volusia County, Florida; and to the Florida Department of Economic Opportunity, and any other person or entity requesting a copy.

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

SECTION SIX. Pursuant to §163.3187(5)(c), *Florida Statutes*, the effective date of this *Comprehensive Plan* amendment shall be 31 days after the adoption of this ordinance (September 1, 2023); provided, however, that if challenged within 30 days after adoption (August

31, 2023), this *Comprehensive Plan* amendment shall not become effective until the Department of Economic Opportunity or the Administration Commission, if applicable, issues a final order determining that the adopted small scale development amendment is in compliance with the Local Government Comprehensive Planning and Land Development Regulation Act; and pursuant to Section 202.3 of the Charter of Volusia County, Florida, will become final upon a certification of consistency from the Volusia Growth Management Commission.

PASSED UPON at the first reading of the City Commission, this 18th day of July, 2023.

PASSED UPON at the second and final reading of the City Commission, this 1st day of August, 2023.

BILL PARTINGTON
Mayor

ATTEST:

SUSAN CARROLL DAUDERIS
City Clerk

EXHIBIT “A”

Legal Description

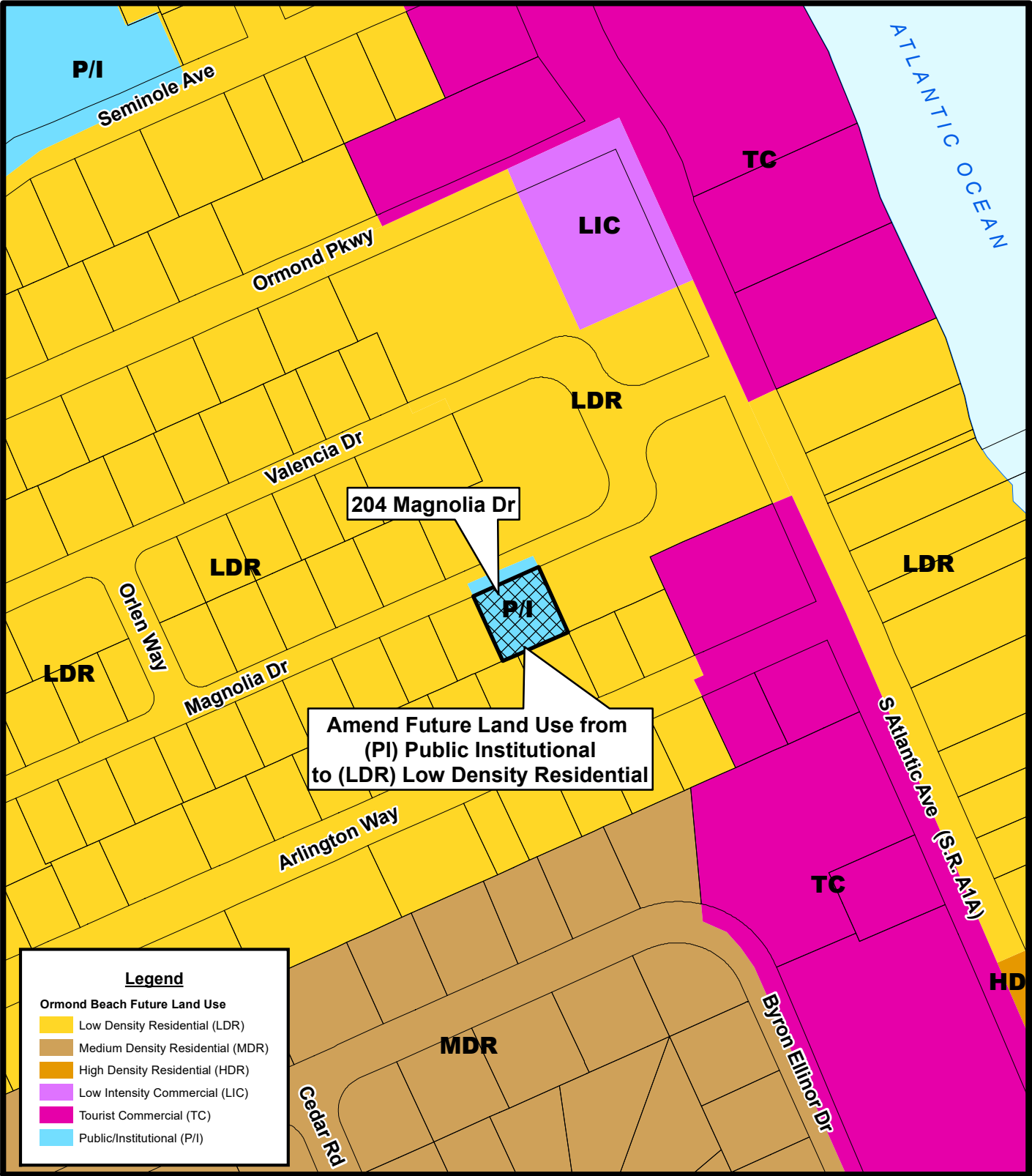
(From Warranty Deed at Book 7357, Page 4265)

Lots 9 and 10, Block B, Rockefeller Heights, according to the Plat thereof, recorded in Plat Book 6, Page 210, True Copy of Map recorded in Map Book 21, Pages 40 through 42, inclusive, of the Public Records of Volusia County, Florida.

Location Map

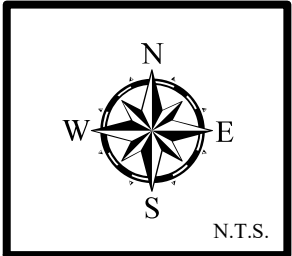


PARCEL ID:	4214-20-02-0011
OWNER:	NANCY TRON
SITE ADDRESS:	204 MAGNOLIA DR, ORMOND BEACH, FL 32174



PROPOSED FUTURE LAND USE MAP
204 MAGNOLIA DR (4214-20-02-0011)

Prepared By: The City of Ormond Beach
G.I.S. Department - February 10, 2023



STAFF REPORT

City of Ormond Beach
Department of Planning

MEETING DATE: May 11, 2023

SUBJECT: 204 Magnolia Drive, Parcel ID 4214-20-02-0011 – Small-Scale Land Use Map Amendment

APPLICANT: Administrative

NUMBER: FLUM 23-036

PROJECT PLANNER: Becky Weedo, AICP, CFM, Senior Planner

INTRODUCTION: This is an administrative request for a Small-Scale Comprehensive Plan Land Use Map amendment for a ±0.241-acre property located at 204 Magnolia Drive, Volusia County Parcel ID 4214-20-02-0011 from City “Public/Institutional” (P/I) to City “Low Density Residential” (LDR). The request is to correct an inconsistency with the adopted Zoning District of R-3 (Single-Family Medium Density). There is a single-family home on the site built in 1953 per the Volusia County Property Appraiser’s records. The “Public/Institutional” Future Land Use designation does not allow dwelling units. For this reason, the amendment is requested. The subject property is shown below in Exhibit 1:

Exhibit 1: 204 Magnolia Drive Aerial of parcel ID 4214-20-02-0011:



BACKGROUND: The property located at 204 Magnolia Drive currently has a City Future Land Use Map designation of “Public/Institutional” (P/I) and has an adopted Zoning District of R-3 (Single-Family Medium Density). The subject property abuts residential land use and zoning on all sides. The property is currently developed as a single-family home and per the Volusia County Property Appraiser’s records, the structure was built in 1953.

The former Peninsula Medical Center was located at 264 South Atlantic Avenue. In 2004, a lot split was approved creating two separate properties. The second lot, 204 Magnolia Drive, was created specifically to continue the use of a single-family residence and allow the legal sale of the proposed lot containing the single-family home to an individual owner.

Because the lot had been part of the hospital property prior to 2004, the Future Land Use was designated “Public/Institutional” and was never amended. On January 24, 2023, the City Commission adopted amendments to the Future Land Use Map for the former hospital properties including 264 South Atlantic Avenue, 300 South Atlantic Avenue, and 225 Magnolia Drive. It was during the review process that the inconsistent future land use and zoning map designations for 204 Magnolia Drive was noticed. For this reason, staff is requesting the administrative amendment from “Public/Institutional” to “Low Density Residential” as a housekeeping matter to correct the inconsistency.

In accordance with Future Land Use Policy 5.1.1 of the Ormond Beach Comprehensive Plan, the purpose of this land use amendment is to assign a compatible land use to the property based on the zoning designation of R-3 (Single-Family Medium Density). If approved by the City Commission, the amendment will be submitted to the Volusia County Growth Management Commission for review and any comments. There is no zoning map amendment being proposed for the subject parcel because of the existing residential, R-3 (Single-Family Medium Density) zoning designation.

The proposed land use map amendment schedule of the subject property is as follows:

EXHIBIT 2: Future Land Use amendment schedule:

Action/Board	Date
Planning Board	May 11, 2023
City Commission 1 st Reading (Tentative)	July 18, 2023
City Commission 2 nd Reading (Tentative)	August 1, 2023
Transmit to Volusia County Growth Management Commission and adjoining jurisdictions	August 7, 2023
Transmit Courtesy Copy to Florida Department of Economic Opportunity (DEO)	August 7, 2023

The Future Land Use Element of the Comprehensive Plan provides the following purpose, density and maximum floor area ratio for the existing “Public Institutional” land use category:

The existing City land use of “Public Institutional” states the following:

Purpose: This category includes governmental and public uses, such as City Hall, post offices, fire and police stations, and libraries; educational facilities, such as elementary, middle, and high schools, whether public, parochial or private; cemeteries; religious facilities; airports, hospitals, and other facilities, such as civic associations and service clubs, child care centers, and facilities for the care of the aged and infirm. Public uses are provided for in all zoning districts either as permitted or special exception uses.

The City does not have a special zoning district for this land use category. Therefore, the underlying zoning district may be any district, provided that it is compatible with the surrounding zoning districts and the use of the parcel is consistent with the uses allowed in the district. In districts where such uses may be questionable, a public hearing may be required.

Due to the scale and impracticability of showing all public/institutional uses, such uses are not always shown on the Land Use Map, even when permitted.

Density: Not permitted.

Maximum FAR: 0.8

The Future Land Use Element of the Comprehensive Plan provides the following purpose, density and maximum floor area ratio for the proposed “Low Density Residential” land use category:

Purpose: To protect and encourage the continued development of typical single-family residential areas and stabilize and protect the character of such neighborhoods. Institutional uses may be permitted in accordance with the maximum floor area ratio.

Density: up to 4.3 units per acre.

Maximum FAR: 0.2

ANALYSIS:

The proposed land use amendment is an administrative change that seeks to change the land use designation of the subject property from City of Ormond Beach “Public Institutional” to the City of Ormond Beach “Low Density Residential” on the future land use map, see Attachment 1.

Policy 2.5.2. of the Future Land Use Element of the Comprehensive Plan provides the criteria listed below to review land use amendments:

1. Whether the future land use amendment is consistent with the Comprehensive Plan Goals, Objectives and Policies.

The proposed FLU amendment is consistent with the Goals, Objectives, and Policies of the Comprehensive Plan, including but not limited to:

GOAL 1. LAND USE DISTRIBUTION Future Land Use Element	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 SR A1A, AND PROVIDING FOR A CONTINUED HIGH LEVEL OF OPEN SPACE. FUTURE GROWTH SHALL BE TIMED AND LOCATED TO MAXIMIZE EXISTING PUBLIC INFRASTRUCTURE.
Objective 1.1 RESIDENTIAL LAND USE Future Land Use Element	Ensure the availability of adequate lands to meet the residential land use needs of the community.
POLICY 1.1.3. Future Land Use Element	Preserve the character of existing neighborhoods by not allowing intrusion of land uses that would threaten to alter the neighborhood character and by encouraging voluntary rehabilitation and sound maintenance programs in viable neighborhoods which are capable of self-renewal and establishing code enforcement or public redevelopment activities in areas not capable of self-renewal.

The subject property is developed as a single-family home on approximately 0.241 acres. The existing use is consistent with the proposed Future Land Use designation of Low Density Residential and will not change what exists on the site today. It is important to note that this land use amendment does not approve a change to what is already existing. Any future land development application would need to be reviewed by the City Site Plan Review Committee (SPRC). Planning staff concludes that the amendment is consistent with the Goals, Objectives, and Policies of the Comprehensive Plan.

2. Whether the proposed plan amendment meets the criteria established in the Florida Statutes.

In accordance with Chapter 163.3187(1), Florida Statutes, any local government Comprehensive Plan amendments directly related to proposed small-scale development activities may be approved without regard to statutory limits on the

frequency of consideration of amendments to the local Comprehensive Plan. A small-scale development amendment may be adopted only under the following conditions:

a. The proposed amendment involves a use of 50 acres or fewer.

The subject property is 0.241± acres (less than 50 acres).

b. The proposed amendment does not involve a text change to the goals, policies, and objectives of the local government's Comprehensive Plan, but only proposes a land use change to the future land use map for a site-specific small-scale development activity. However, text changes that relate directly to, and are adopted simultaneously with, the small-scale future land use map amendment shall be permissible under this section.

The proposed amendment is solely to the Future Land Use Map and does not propose any text amendments to the City's Comprehensive Plan.

c. The property that is the subject of the proposed amendment is not located within an area of critical state concern, unless the project subject to the proposed amendment involves the construction of affordable housing units meeting the criteria of s. 420.0004(3), and is located within an area of critical state concern designated by s. 380.0552 or by the Administration Commission pursuant to s. 380.05(1).

This criterion is not applicable as the site location is not located within an area of state critical concern.

3. Whether the land use is an appropriate use of the land.

The adjacent land use designations and zoning classifications are shown in Exhibit 3 below:

EXHIBIT 3: Land use and zoning designations:

Land Use and Zoning Designations of Adjacent Property			
	Current Land Uses	Future Land Use Designation	Zoning Classifications
North	Residential Home and Vacant Lot	LDR "Low Density Residential"	R-3 (Single-Family Medium Density)
South	Residential Home	LDR "Low Density Residential"	R-3 (Single-Family Medium Density)
East	Parking Lot	LDR "Low Density Residential"	R-3 (Single-Family Medium Density)
West	Residential Home	LDR "Low Density Residential"	R-3 (Single-Family Medium Density)

The subject property is the only residential property currently designated "Public Institutional" in that neighborhood. The goal is to provide a land use consistent with the assigned R-3 (Single-Family Medium Density) zoning and the land use pattern in the neighborhood. Table 2-2, Future Land Use Map Designations and Compatible Zoning Districts, of the Land Development Code provides a compatibility matrix and

the “Low Density Residential” land use is compatible with the R-3 (Single-Family Medium Density) zoning designation.

4. Whether there is adequate infrastructure to serve the proposed land use.

The analysis of infrastructure needs for a comprehensive plan amendment is different from a concurrency review for a site plan. Impact analysis examines the maximum expected impacts of the current designation versus the requested designation based on a preliminary development scenario. This analysis is not meant to replace or contradict the findings of a Concurrency Management Review. However, the relative differences between designations can provide useful information in the long-range planning process. This analysis is based on a total area of 0.241 acres.

EXHIBIT 4: Impact analysis:

Parcel size:	0.241acres
---------------------	-------------------

Allowed entitlements	Existing P/I land use	Proposed LDR land use
Maximum density (residential) per acre	0	4.3
Maximum floor area ratio (commercial or institutional)	0.8	0.2

Existing Land Use	Acreage	Maximum Theoretical Density	Maximum Theoretical Square Footage
Existing “P/I”	10,500 square feet or 0.241 acres	0	8,400 square feet
Proposed Land Use	Acreage	Maximum Theoretical Density	Maximum Theoretical Square Footage
Proposed “LDR”	10,500 square feet or 0.241 acres	1	2,100 square feet
Changes in maximum density:		+1	
Changes in FAR:		-6,300 square feet	

Water and Sewer: The City operates a single water treatment plant having a permitted and rated capacity remaining at 12 Million Gallons per Day (MGD). The existing wastewater treatment plant is currently permitted for a rated capacity of 8 MGD for wastewater influent flow from the sanitary sewer collection system. The proposed water and sewer impact of a maximum development scenario would be as follows:

EXHIBIT 5: Water and sewer impacts analysis:

Future Land Use	Maximum Water Usage ⁽¹⁾	Maximum Sewer Usage ⁽²⁾
Existing “P/I” (1) and (2)	12,600	10,710
Proposed “LDR” (3) and (4)	256	281
Totals:	-12,344	-10,429
Notes: (1) Commercial flow estimates per 150 gallons per day per 1,000 square feet (2) Commercial/Industrial sewer = Water gallons per day X 85% (3) Residential, water = 256 average annual daily volume (2.33 household size X 110 gallons) (4) Residential, sewer = 281 average annual daily volume		

The theoretical impact would be a decrease of 12,344 gallons of water and 10,429 gallons of sewer per day. The existing property is developed as a single-family home so there is no impact expected with the proposed Future Land Use amendment.

Traffic: Below is a summary of the theoretical maximum impacts of the current and proposed land uses:

EXHIBIT 6: Traffic impact analysis:

Existing		
Land Use	ITE land use category	Average Daily Trip Generation
“Public/Institutional”	#565 Daycare ⁽¹⁾	6221
Proposed		
Land Use	ITE land use category	Trip Generation
“Low Density Residential”	#210 Single-Family Home ⁽²⁾	9.52
NET REDUCTION		-6211.48
⁽¹⁾ Maximum trip generation of 74.06 per 1,000 SF (Daycare, ITE rate, 9 th Edition) ⁽²⁾ Maximum trip generation of 9.52 per dwelling unit (Single-Family Homes, ITE rate, 9 th Edition)		

The theoretical impact would be a decrease of 6211.48 average daily trips. As stated previously, the existing property is developed as a single-family home so there is no impact expected with the proposed Future Land Use amendment.

Stormwater Management: Any site redevelopment would require a stormwater management system.

Solid Waste: Solid waste is currently provided to the developed single-family home.

Schools: School concurrency is required for subdivisions greater than 10 units. The net residential increase is 0 residential units since the property is already developed

as a single-family home. No school concurrency is required based on the maximum development potential of one dwelling unit.

Recreation: The property is already developed as a single-family home and will not impact the recreation level-of-service with the proposed land use classification.

Other Services: City police and fire protection services serve this area. Since the property is already developed as a single-family home there is no impact expected as a result of this amendment to the “Low Density Residential” land use.

5. Whether the proposed map amendment impacts surrounding jurisdictions.

As stated previously, the property is already developed as a single-family home. Therefore, there will be no impact to surrounding jurisdictions.

Conclusion:

Staff supports the land use amendment from City of Ormond Beach “Public/Institutional” to city land use of “Low Density Residential”. The small-scale land use map amendment is an administrative amendment required to assign a compatible City Future Land Use Map designation to the subject parcel which is developed as a single-family home. Staff believes that the Ormond Beach “Low Density Residential” land use category is appropriate for the following reasons:

1. The amendment meets the Goals, Objectives, and Policies of the City’s Comprehensive Plan;
2. The amendment meets the requirements established in the Florida Statutes;
3. The proposed land use is an appropriate use of land;
4. There is adequate infrastructure to serve the proposed land use; and
5. The proposed land use will not impact surrounding jurisdictions.

RECOMMENDATION:

Staff recommends that the Planning Board recommend **APPROVAL** of a Future Land Use map amendment for ±0.241 acres from the existing land use designation of “Public/Institutional” to “Low Density Residential” for the subject property located at 204 Magnolia Drive, Volusia County Parcel ID 4214-20-02-0011.

Attachments:

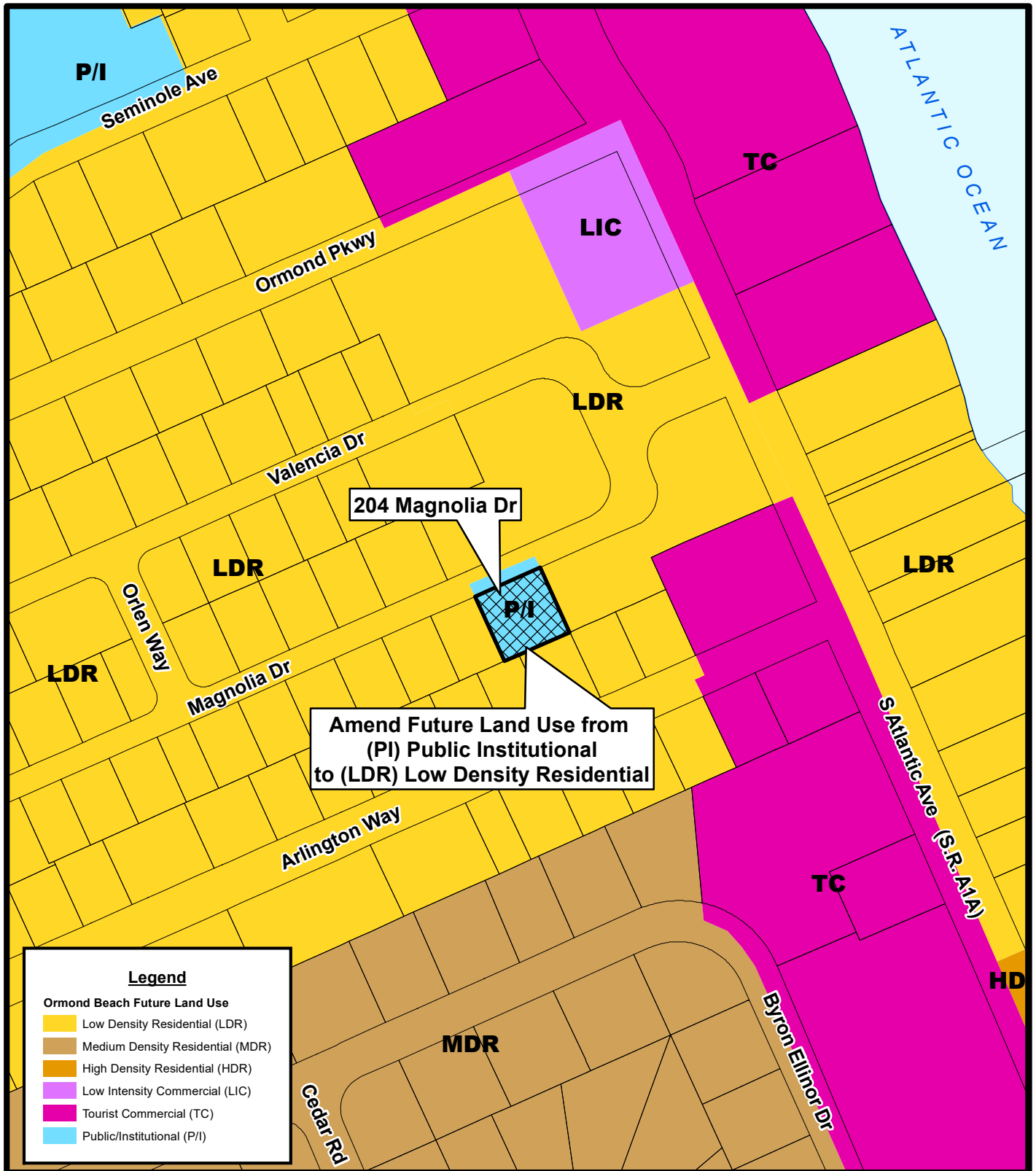
Attachment 1: Proposed land use map

Attachment 2: Location and aerial maps

Attachment 3: Section 2-02 and Section 2-15 of the Land Development Code

ATTACHMENT 1

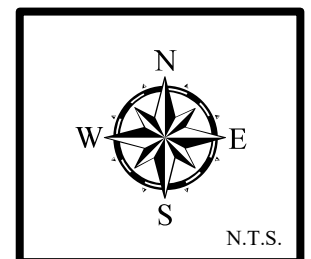
Proposed Future Land Use Map



PROPOSED FUTURE LAND USE MAP

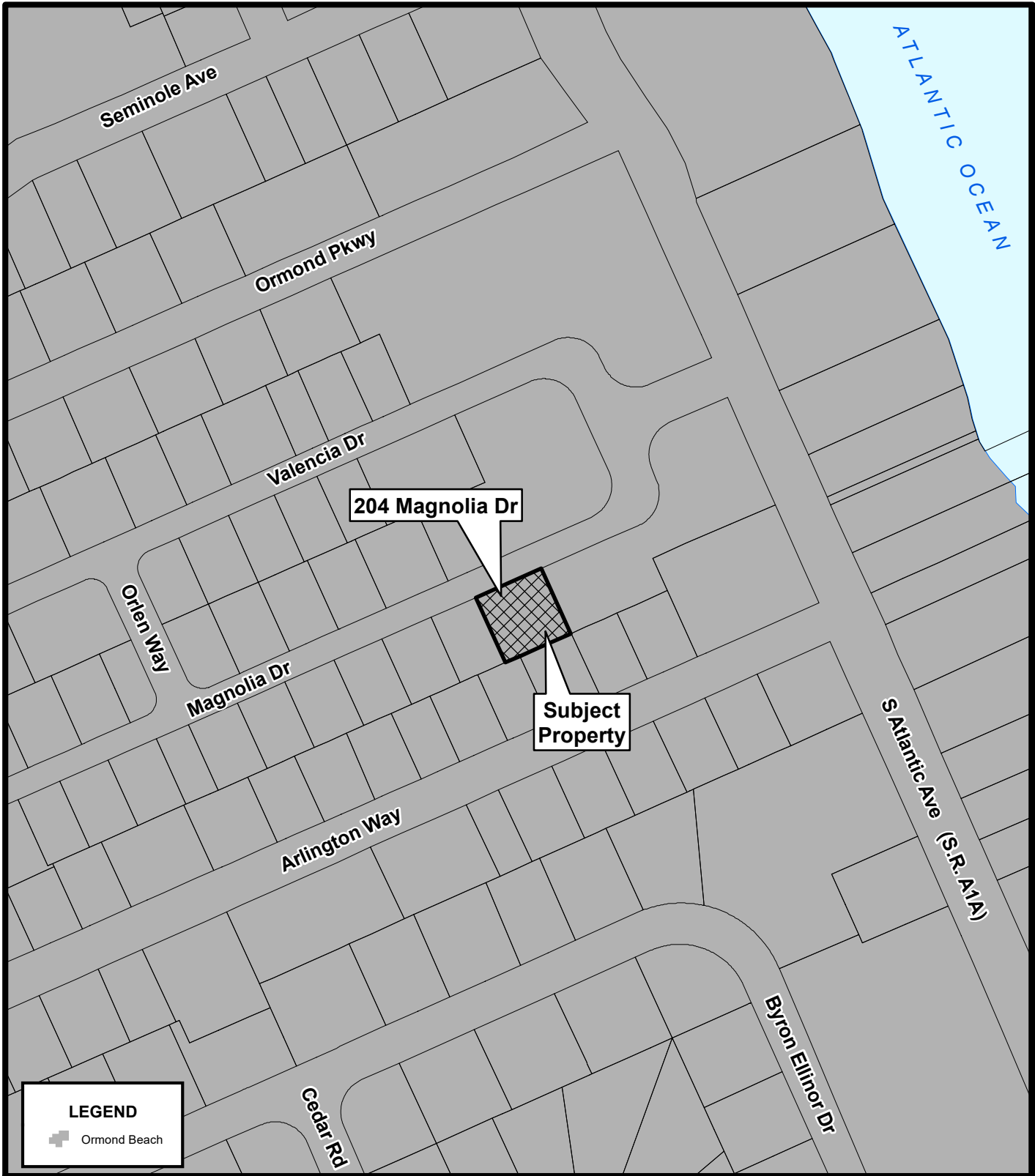
204 MAGNOLIA DR (4214-20-02-0011)

Prepared By: The City of Ormond Beach
G.I.S. Department - February 10, 2023



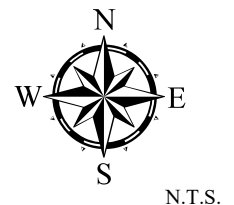
ATTACHMENT 2

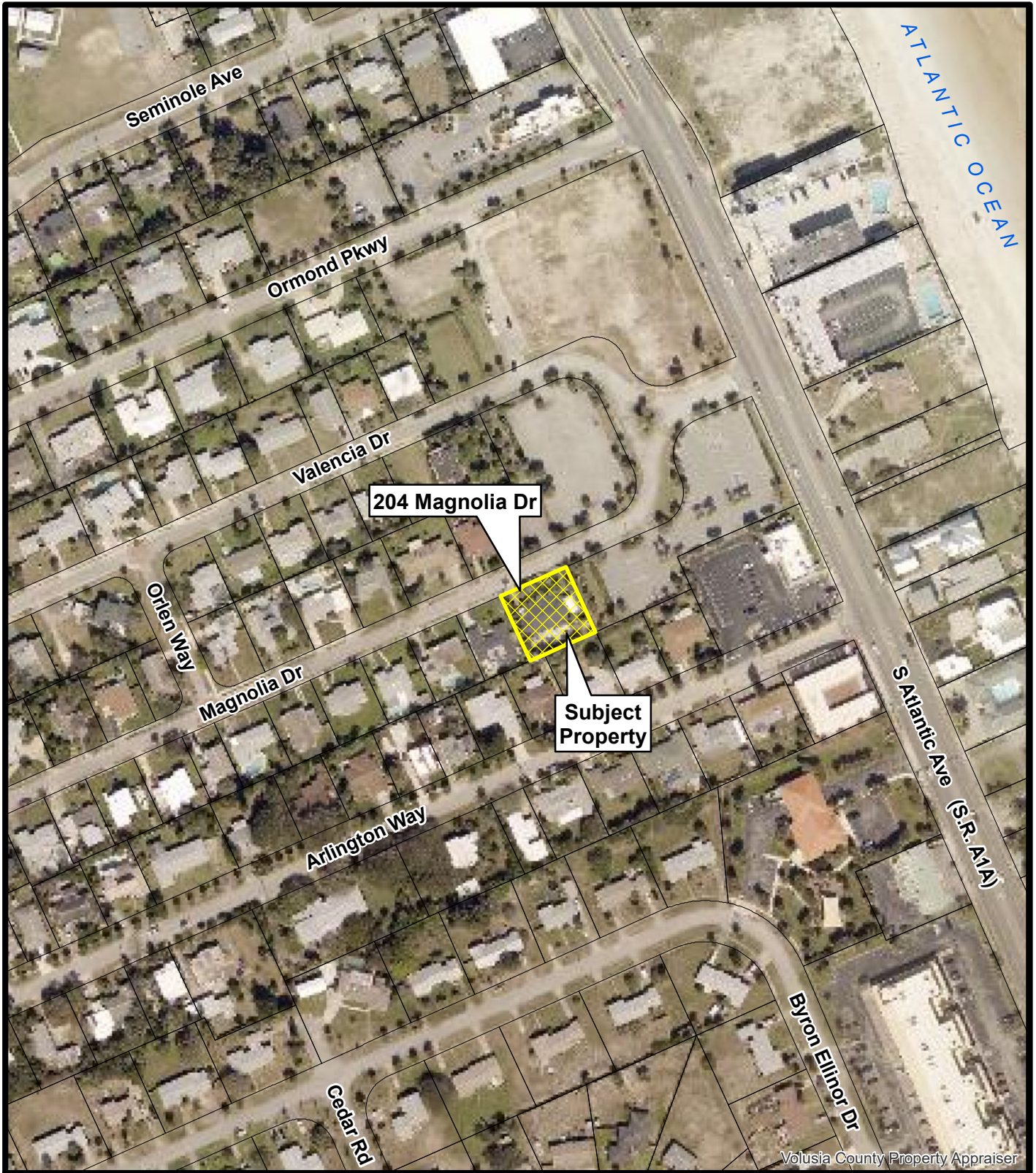
Location and Aerial Maps



LOCATION MAP
204 MAGNOLIA DR (4214-20-02-0011)

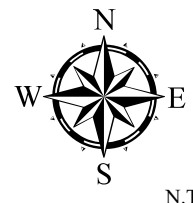
Prepared By: The City of Ormond Beach
G.I.S. Department - February 10, 2023





AERIAL MAP
204 MAGNOLIA DR (4214-20-02-0011)

Prepared By: The City of Ormond Beach
G.I.S. Department - February 10, 2023



ATTACHMENT 3

Sections 2-02 and 2-15 of
the City of Ormond Beach
Land Development Code

Sec. 2-02. - Future land use map designations and zoning districts.

This section references adopted Future Land Use Map (FLUM) designations (see table 2-2) contained in the city's Future Land Use Element of the Comprehensive Plan and identifies zoning districts which are hereby established in order to implement the FLUM designations, respectively.

Table 2-2. Future Land Use Map Designations and Compatible Zoning Districts

Comprehensive Plan Future Land Use Map Designation	Corresponding Compatible Zoning District
Activity Center	PMUD, Planned Mixed Use Development
Recreation Open Space And Conservation	SE, Special Environmental
REA, Rural Estate/Agriculture	REA, Rural Estate Agriculture
RR, Rural Residential	RR, Rural Residential
SLDR, Suburban Low Density Residential	SR, Suburban Residential
	PRD, Planned Residential Development
LDR, Low Density Residential	R-1, Residential Estate
	R-2, Single-Family Low Density
	R-2.5, Single-Family Low-Medium Density
	R-3, Single-Family Medium Density
	PRD, Planned Residential Development

MDR, Medium Density Residential	R-3, Single-Family Medium Density
	NP, Neighborhood Preservation
	R-4, Single-Family Cluster and Townhouse
	R-5, Multifamily Medium Density
	R-6, Multifamily Medium-High Density
	T-1, Manufactured/Mobile Home
	T-2, Manufactured Home
PRD, Planned Residential Development	
HDR, High Density Residential	T-1, Manufactured/Mobile Home
	R-6, Multifamily Medium-High Density
	PRD, Planned Residential Development
ROR, Residential, Office, Retail	B-1, Professional Office/Hospital
	B-9, Boulevard
	B-10, Suburban Boulevard
	PBD, Planned Business Development

General Commercial	B-2, Neighborhood Commercial
	B-3, Reserved
	B-4, Central Business
	B-8, Commercial
	PBD, Planned Business Development
Tourist Commercial	B-6, Oceanfront Tourist Commercial
	B-7, Highway Tourist Commercial
	PRD, Planned Residential Development
	PBD, Planned Business Development
Low Intensity Commercial	B-1, Professional Office—Hospital
	B-4, Central Business
	B-5, Service Commercial
	B-6, Oceanfront Tourist Commercial
	B-7, Highway Tourist Commercial
	B-8, Commercial
	B-9, Boulevard
	B-10, Suburban Boulevard
	PBD, Planned Business Development

Heavy Intensity Commercial	B-5, Service Commercial
	PBD, Planned Business Development
Industrial/Utilities	I-1, Light Industrial
	I-2, Reserved
	PID, Planned Industrial Development

(Ord. No. 2011-17, § 1, 7-5-2011; Ord. No. 2015-11, § 1, 4-7-2015; Ord. No. 2015-16, § 2, 4-21-2015)

Sec. 2-15. R-3, Single-Family Medium Density Zoning District.

A. PURPOSE:		The purpose of the Single-Family Medium Density (R-3) Zoning District is to stabilize and protect the residential characteristics of existing medium density, single-family neighborhoods and to promote and encourage a suitable environment for family life.																										
B. DIMENSIONAL STANDARDS																												
1. Density	2. Maximum Building Height	3. Maximum Building Coverage	4. Maximum Impervious Lot Coverage	5. Minimum Lot Size	6. Minimum Lot Width	7. Minimum Lot Depth	8. Minimum Perimeter	9. Setbacks																				
								a. Front	b. Rear	c. Side	d. Street Side/Corner	e. Waterbody																
5.05 units per acre	30'	35%	75%	8,625 SF	75'	115'	None	25'	20'	8' total 20'	20'	30'																
C. PERMITTED USES			D. CONDITIONAL USES			E. SPECIAL EXCEPTION USES			F. OTHER STANDARDS																			
1. Community Residential Home 2. Dwelling, Singe-Family—Detached 3. School, Public			1. Adult Family Care Home 2. Assisted Living 3. Cemetery 4. Family Day Care Home 5. Foster Home 6. Group Home 7. Parks and Recreation Facilities, Private 8. Parks and Recreation Facilities, Public 9. Public Facilities 10. Public Utilities 11. Telecommunication Tower or Antenna, Camouflaged 12. Water Survival Instruction 13. Wind Energy System			1. Adult Day Care 2. Bed and Breakfast Inn 3. Child Care Facilities 4. Historic Preservation Mixed Use 5. House of Worship 6. Nursing Home 7. School, Private			All development must comply with setback requirements: 1. Wetlands (chapter 3, article II). 2. Special corridors and buffer requirements (chapter 3, article I). 3. See conditional and special exception regulations (chapter 2, article IV). 4. Use of dwelling units for transient lodging is prohibited in order to protect and maintain the residential character of the zoning district. 5. Single-family residential buildings shall have the following minimum floor area: <table><tr><th>Type</th><th>1-Story</th><th>Split Level</th><th>2-Story</th></tr><tr><td>A</td><td>1,500 SF</td><td>1,800 SF</td><td>2,100 SF</td></tr><tr><td>B</td><td>1,350 SF</td><td>1,650 SF</td><td>2,000 SF</td></tr><tr><td>C</td><td>1,150 SF</td><td>1,400 SF</td><td>1,750 SF</td></tr></table> The required minimum building square footage for residential structures with a "C" zoning suffix (as shown on the official zoning map), may be reduced by 15% where the chief building official finds that the proposed building is to be occupied by residents which qualify for assistance as low- to medium-income as defined by the United States Department of Housing and Urban Development.				Type	1-Story	Split Level	2-Story	A	1,500 SF	1,800 SF	2,100 SF	B	1,350 SF	1,650 SF	2,000 SF	C	1,150 SF	1,400 SF	1,750 SF
Type	1-Story	Split Level	2-Story																									
A	1,500 SF	1,800 SF	2,100 SF																									
B	1,350 SF	1,650 SF	2,000 SF																									
C	1,150 SF	1,400 SF	1,750 SF																									
G. PERMITTED ACCESSORY USES: Accessory uses customarily associated with, dependent on and incidental to their permitted principal uses, provided that such uses conform to the regulations set forth in chapter 2, article III.																												
H. SPECIAL STANDARDS:																												
Nonconformance: Single-family residential lots located within this district and having a minimum lot area of 7,500 square feet, a minimum width of 75', and are located in areas of the city where established street patterns and lot configurations are generally consistent with the 75'/7,500 square foot standard, shall be deemed to be conforming lots, subject to the setback and buffer requirements of Ordinance No. 78-35, as existed on December 31, 1991. Parcels within such districts may be divided into lots having minimum lot areas of 7,500 square feet and minimum widths of 75', provided the structure on each lot meets the setback and buffer requirements of Ordinance No. 78-35. However, where the recorded plat or covenants indicate front yards in excess of current city standards for principal buildings, said plat or covenants shall first be properly amended prior to the issuance of a building permit.																												
Approved Plats: Setbacks that are less restrictive than the standards listed above are acceptable, provided that they are either shown on the approved plat or a less restrictive standard was in place at the time of recording the original plat.																												

(Ord. No. 2013-11, § 2, 2-5-2013; Ord. No. 2013-13, § 8, 2-5-2013)

DRAFT

**Planning Board minutes
from**

May 11, 2023

ITEM:

FLUM-2023-036

204 Magnolia Drive, Future Land Use
Map Amendment

V. APPROVAL OF MINUTES

April 13, 2023

Chairman Thomas asked if there were any corrections to the April 13, 2023 minutes. Mr. Jorczak moved to approve the April 13, 2023 Minutes.

Hearing none, vote was called, and the minutes were unanimously approved (6-0).

VI. PLANNING DIRECTOR'S REPORT

Mr. Spraker stated that the aforementioned possibility of a second Planning Board meeting in June to discuss Tomoka Reserve will likely be discussed at the July 13, 2023 Planning Board meeting. They will be resubmitting their application for review. He continued that Planning Board items that are now being funneled through the City Commission next Tuesday are Tymber Creek Apartments after their continuance, RidgeHaven and 1755 N. U.S. Highway 1 - Impact Fees.

VII. PUBLIC HEARINGS

A. FLUM 2023-036, 204 Magnolia Drive, Future Land Use Map Amendment

Ms. Becky Weedo, Senior Planner, explained that FLUM 2023-036, is an administrative request for a Small-Scale Comprehensive Plan Land Use Map amendment for a ±0.241-acre property located at 204 Magnolia Drive, from City "Public/Institutional" (P/I) to City "Low Density Residential" (LDR). The request is to correct an inconsistency with the adopted zoning district of R-3 (Single-Family Medium Density). There is a single-family home on the site built in 1953 per the Volusia County Property Appraiser's records. The "Public/Institutional" Future Land Use designation does not allow dwelling units.

Ms. Weedo delivered background on the amendment and elaborated on the former Peninsula Medical Center which was originally located where now 264 and 300 South Atlantic Avenue and 225 and 204 Magnolia Drive is. In 2004, a lot split was approved creating two separate properties. The second lot, 204 Magnolia Drive, was created specifically to continue the use of a single-family residence and allow the legal sale of the proposed lot containing the single-family home to an individual owner. Ms. Weedo explained that because the lot had been part of the hospital property prior to 2004, the Future Land Use was designated "Public/Institutional" and was never amended. Staff requests the amendment as a housekeeping matter to correct the inconsistency.

Ms. Weedo concluded that 204 Magnolia Drive is the only property on the street with a Public Institutional Future Land Use designation and is abutted by Low Density Residential, therefore staff recommends approval. Tentative City Commission dates are July 18, 2023 and August 1, 2023.

Chairman Thomas opened it up to the Board and entertained a motion.

Board Questions

Ms. Shull asked if it will affect the tax bill, in which Ms. Weedo answered that it would not and that everything will remain the same.

Ms. Shull motioned to approve FLUM 2023-036, 204 Magnolia Drive, Future Land Use Map Amendment. Mr. Galloway seconded it. Vote was called, and the motion was approved (6-0).

B. FLUM 2023-037, 901 Airport Road, Future Land Use Map Amendment

Ms. Becky Weedo, Senior Planner, explained that FLUM 2023-037, is a joint request from the City of Ormond Beach and the County of Volusia for an administrative Small-Scale Comprehensive Plan Land Use Map amendment for a ±5.2-acre portion of property located at 901 Airport Road from Ormond Beach “Light Industrial/Utilities” to Ormond Beach “Open Space/Conservation”.

Ms. Weedo added that the property was identified as a candidate for the Volusia Forever program and was purchased by St. Johns River Water Management District (SJRWMD), County of Volusia and the City of Ormond Beach. The partnership for purchase of the property included: 1) St. John’s River Water Management District to ensure the ecological values of the property remains protected with a conservation easement over the land; 2) City of Ormond Beach to manage the park area; and 3) County of Volusia to retain joint ownership with the city. Ms. Weedo continued that since the property was purchased with Volusia Forever and St. John’s River Water Management District (SJRWMD) funds for the purpose of preserving the land as conservation and passive park purposes, the future land use of “Light Industrial/Utilities” is required to be changed to “Open Space/Conservation”. Ms. Weedo concluded that staff recommends approval, noting the tentative City Commission dates of July 18, 2023 and August 1, 2023.

Chairman Thomas opened it up to the Board and entertained a motion.

Board Questions

Ms. Shull inquired about if the zoning lasts forever. Ms. Weedo replied that it does and added that the land is environmentally sensitive and that there is an easement over the entire land so that it cannot be changed.

Mr. Jorczak asked what can be done with the property and if it could be used for biking and walking trails or if the City can develop further. Ms. Weedo replied that the land can be used for trails and any passive park features such as nature kiosks and benches. She confirmed that pavilions, building or structures are not allowed.

Mr. Galloway motioned to approve FLUM 2023-037, 901 Airport Road, Future Land Use Map Amendment. Mr. Jorczak seconded it. Vote was called, and the motion was approved (6-0).

C. ZMA 2023-038, 901 Airport Road, Zoning Map Amendment

Ms. Becky Weedo, Senior Planner, explained the joint request from the City of Ormond Beach and the County of Volusia is for an administrative Zoning Map amendment for a ±18.6-acre property located at 901 Airport Road, from Ormond



City of Ormond Beach

AGENDA ITEM

August 1, 2023 - City Commission

Number:9.H

Section:	PUBLIC HEARINGS		
Item Category:	Public Hearing - Ordinances	Res./Ord. No:	2023-43
Strategic Goal:	Transportation & Community Development - Other		
Department:	Planning & Building		
Subject:	901 Airport Road, Comprehensive Plan Land Use Map Amendment (Small-Scale) (SECOND READING)		
Summary:	This is a joint request from the City of Ormond Beach and the County of Volusia, as property owners, for a Small-Scale Comprehensive Plan Land Use Map amendment for 5.2± acres of the overall property of 18.6± acres from “Light Industrial/Utilities” to “Open Space/Conservation” at 901 Airport Road. This property was recently purchased by the City of Ormond Beach, Volusia County and St. Johns River Water Management District (SJRWMD). The subject property is jointly owned by the City of Ormond Beach and the County of Volusia. The property is 18.6± acres with two different existing Future Land Use designations: (1) Light Industrial/Utilities (5.2± acres) and (2) Open Space/Conservation (13.4± acres). The partnership for the purchase of the property included: (1) SJRWMD to ensure the ecological values of the property remains protected with a conservation easement over the land, (2) City of Ormond Beach to retain joint ownership and manage the park area, and (3) County of Volusia to retain joint ownership with the City. <u>Planning Board</u> The Planning Board reviewed the land use map amendment at the May 11, 2023 meeting and recommended approval with a 6-0 vote. There were no individuals who spoke for or against the amendment. Planning Board minutes are attached.		
Financial Impact:	There is no budget impact as the result of this land use amendment.		
Citizen Impact:	There is no negative citizen impact anticipated with this land use map amendment. The amendment aligns the property’s land use with the		

	intention for the preservation of the parcel and allowance of passive park activities.						
Recommended Action (Staff, Advisory Board and/or Other):	The Planning Board recommended (6-0) that the City Commission APPROVE the Future Land Use map amendment for 5.2± acre of the overall property of 18.6± acres, located at 901 Airport Road, from Ormond Beach Light Industrial/Utilities to Ormond Beach Open Space/Conservation. If approved, staff will transmit the land use amendment to the Volusia County Growth Management Commission and state Department of Economic Opportunity.						
Staff Contact:	Steven Spraker, Planning Director, (386) 676-3341						
Attachments:	1. 23-43 901 Airport Road, land use amendment (P23-0116G) 2. Exhibit A, 901 Airport legal description 3. Exhibit B, 901_Airport_Rd_AMEND_FLU_ACRES 4. #23-037, 901 Airport Rd, land use, PB Staff Report Pkg						
Approval:	<table> <tr> <td>Kelly McGuire, Finance Director</td> <td>7/19/2023</td> </tr> <tr> <td>Claire Whitley, Assistant City Manager</td> <td>7/21/2023</td> </tr> <tr> <td>Joyce Shanahan, City Manager</td> <td>7/25/2023</td> </tr> </table>	Kelly McGuire, Finance Director	7/19/2023	Claire Whitley, Assistant City Manager	7/21/2023	Joyce Shanahan, City Manager	7/25/2023
Kelly McGuire, Finance Director	7/19/2023						
Claire Whitley, Assistant City Manager	7/21/2023						
Joyce Shanahan, City Manager	7/25/2023						

ORDINANCE NO. 2023-43

AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF ORMOND BEACH BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF A PORTION OF ONE PARCEL OF REAL PROPERTY TOTALING 5.2± ACRES LOCATED AT 901 AIRPORT ROAD (VOLUSIA COUNTY PARCEL NUMBER: 4238-01-40-0010) FROM “LIGHT INDUSTRIAL/UTILITIES” TO “OPEN SPACE/ CONSERVATION”; PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, the County of Volusia and the City of Ormond Beach (“Property Owners”) are the fee simple owners of certain real property consisting of approximately 18.6 acres located at 901 Airport Road (Volusia County parcel number: 4238-01-40-0010), which is legally described and depicted in Exhibit “A” (“Property”) attached hereto and incorporated herein, and

WHEREAS, a portion of the Property, totaling 5.2± acres, has a Future Land Use Map designation of “Light Industrial/Utilities”, which the Property Owners desire to amend to “Open Space/Conservation” based on a joint purchase to preserve the Property, and

WHEREAS, the remaining portion of the Property, totaling 13.4± acres, has an existing Future Land Use Map designation of “Open Space/Conservation”, and

WHEREAS, the County of Volusia has submitted an application to amend the City’s Comprehensive Land Use Plan (“*Comprehensive Plan*”) by changing the Future Land Use Map designation for a portion of the Property, totaling 5.2± acres, located at 901 Airport Road (Volusia County parcel number: 4238-01-40-0010), said parcel being legally described and depicted in Exhibit “A” attached hereto and incorporated herein by reference, from “Light

Industrial/Utilities” (LI/U) to “Open Space/Conservation” (OS/C) as depicted on Exhibit “B” attached hereto and incorporated herein by reference, and

WHEREAS, the City Commission has approved Ordinance No. 90-36, as subsequently amended, adopting a *Comprehensive Plan* in accordance with Part II, Chapter 163, *Florida Statutes*, and

WHEREAS, the proposed *Comprehensive Plan* amendment involves a use of fifty (50) acres or less, and

WHEREAS, the proposed *Comprehensive Plan* amendment does not involve a text change to the goals, policies, and objectives of the City's *Comprehensive Plan*, but only proposes a land use change to the Future Land Use Map for small scale development activity, and

WHEREAS, the proposed *Comprehensive Plan* amendment is not located within an area of critical state concern, and

WHEREAS, the Planning Board, as the City’s local planning agency, duly held a public hearing, with due public notice, and recommends approval of the proposed *Comprehensive Plan* amendment, and

WHEREAS, the City Commission has conducted public hearings on the proposed *Comprehensive Plan* amendment, as described in §163.3187, *Florida Statutes*, and

WHEREAS, the City Commission finds that approval of the proposed *Comprehensive Plan* amendment will preserve the internal consistency of the City's *Comprehensive Plan* pursuant to §163.3177, *Florida Statutes*, and

WHEREAS, the proposed *Comprehensive Plan* amendment shall be submitted to the Volusia Growth Management Commission for a determination of consistency in accordance with Section 202.3 of the Charter of Volusia County, Florida, 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 future land use designation of a portion of one parcel of real property located at 901 Airport Road, Ormond Beach, Florida (Volusia County parcel number: 4238-01-40-0010), as legally described and depicted in Exhibit “A” and the Future Land Use Map of the City of Ormond Beach *Comprehensive Plan* attached hereto, is changed from “Light Industrial/Utilities” to “Open Space/Conservation”, for approximately 5.2± acres, as described and depicted in Exhibit “B”.

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 copies of this Ordinance, and the public hearing notice within ten (10) business days of

the date of approval hereof, to the Volusia County Growth Management Commission in accordance with Section 202.3 of the Charter of Volusia County, Florida; and to the Florida Department of Economic Opportunity, and any other person or entity requesting a copy.

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

SECTION SIX. Pursuant to §163.3187(5)(c), *Florida Statutes*, the effective date of this *Comprehensive Plan* amendment shall be 31 days after the adoption of this ordinance (September 1, 2023); provided, however, that if challenged within 30 days after adoption (August 31, 2023), this *Comprehensive Plan* amendment shall not become effective until the Department of Economic Opportunity or the Administration Commission, if applicable, issues a final order determining that the adopted small scale development amendment is in compliance with the Local Government Comprehensive Planning and Land Development Regulation Act; and pursuant to Section 202.3 of the Charter of Volusia County, Florida, will become final upon a certification of consistency from the Volusia Growth Management Commission.

PASSED UPON at the first reading of the City Commission, this 18th day of July, 2023.

PASSED UPON at the second and final reading of the City Commission, this 1st day of August, 2023.

BILL PARTINGTON

Mayor

ATTEST:

SUSAN CARROLL DAUDERIS

City Clerk

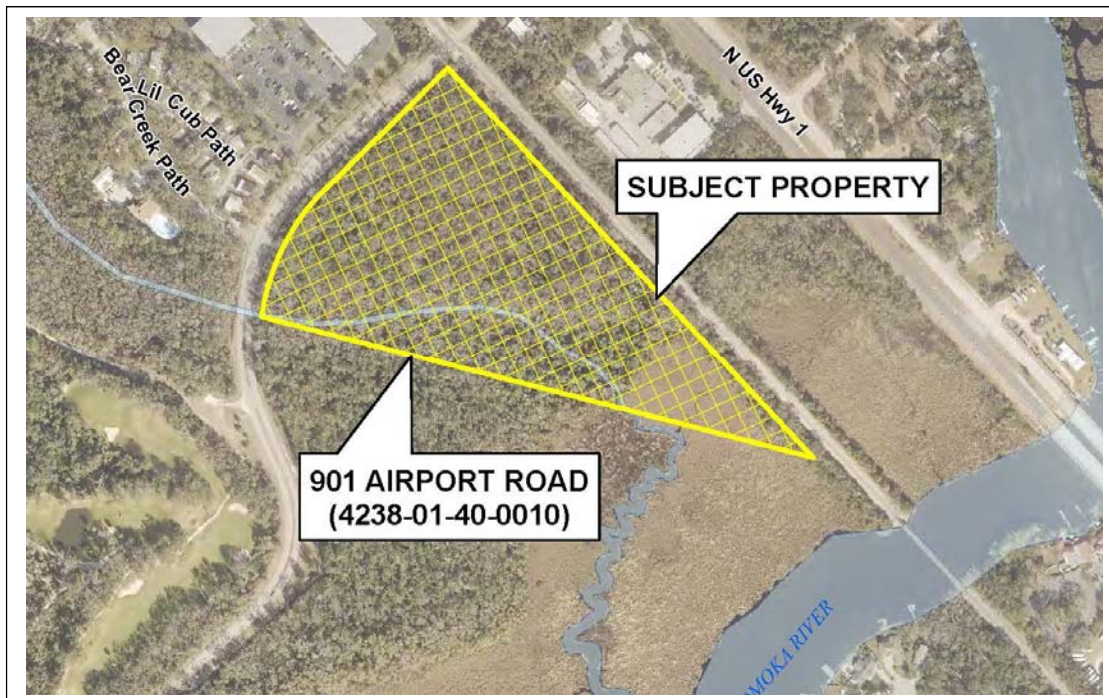
EXHIBIT “A”

Legal Description

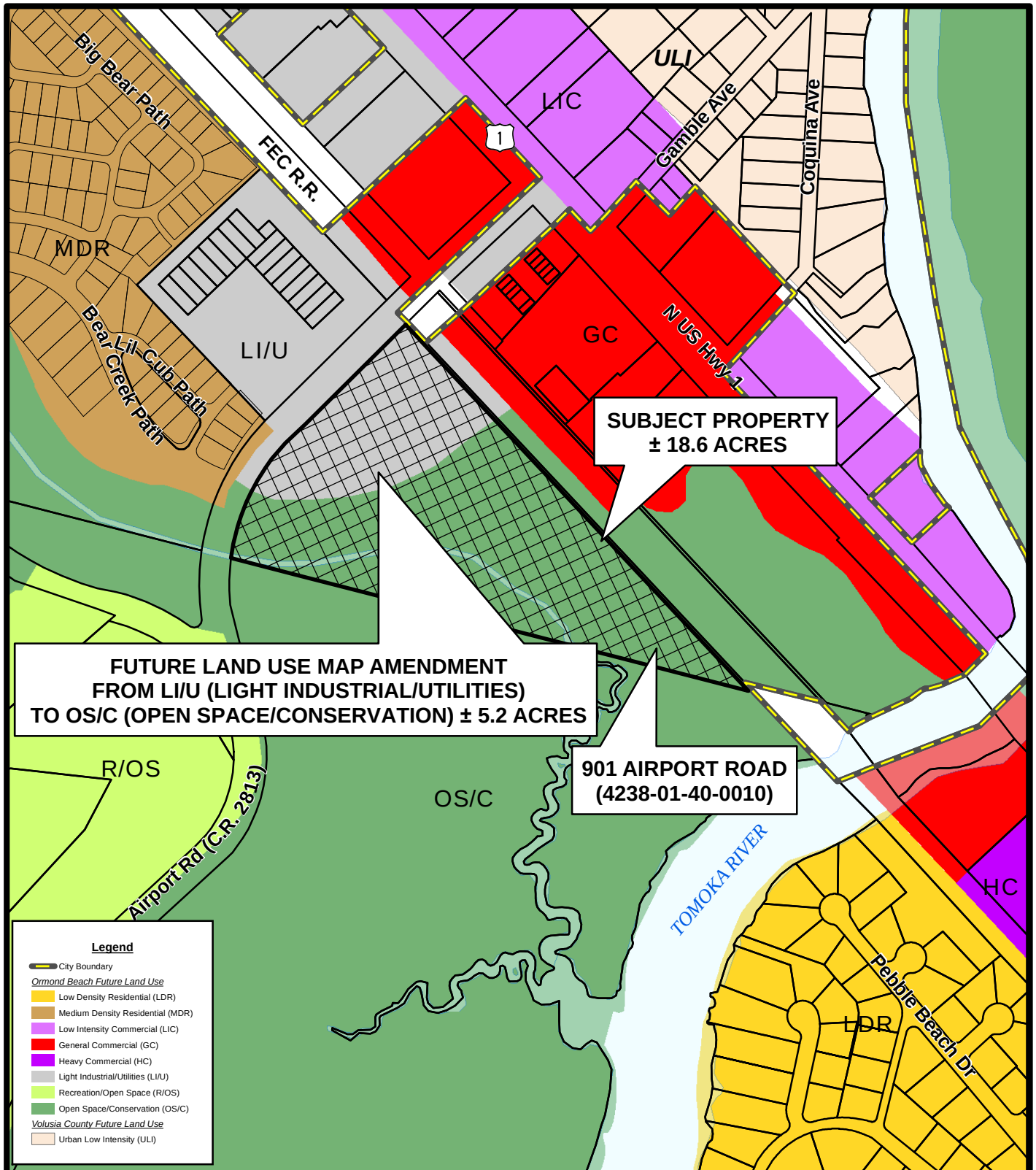
(From Warranty Deed at Book 8356, Page 2114)

A portion of The George Anderson Grant, Section 38, Township 14 South, Range 32 East, Volusia County, Florida; being more particularly described as follows: From the Southwest corner of said Section 38, as a point of reference, run S 75°43'17" E along the Southerly line of said Section 38, a distance of 4449.69 feet to a found iron rod; thence departing said Southerly line N 46°55'33" E a Distance of 930.39 feet, thence continuing N 46°55'33" E, a distance of 565.00' to the Southwesterly right of way of the Florida East Coast Railway, a 120' right of way, thence along said railroad right of way S 43°01'53" E, a distance of 597.75' to the right of way of Airport Road, a 100' right of way as now laid out, thence continue S 43°01'53" E, a distance of 100' across said road right of way to the point of beginning. Thence continue S 43°01'53" E along said railroad right of way a distance of 1633.56' to an intersection with the Southerly line of the said Section 38, thence N 75°43'17" W, a distance of 1754.56' to the apparent East right of way of Airport Road a 100' right of way as now laid out, thence run Easterly along the South right of way of Airport Road to the point of beginning. 18.6 acres more or less.

Location Map

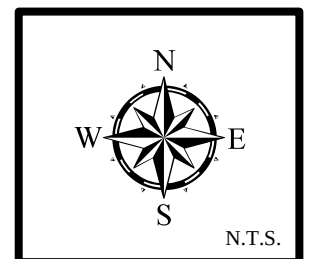


PARCEL ID:	4238-01-40-0010
OWNER:	COUNTY OF VOLUSIA & CITY OF ORMOND BEACH
SITE ADDRESS:	901 AIRPORT ROAD, ORMOND BEACH, FL 32174



PROPOSED FUTURE LAND USE MAP
901 AIRPORT ROAD
(4238-01-40-0010)

Prepared By: The City of Ormond Beach
G.I.S. Department - March 9, 2023



STAFF REPORT

City of Ormond Beach Department of Planning

MEETING DATE: May 11, 2023

SUBJECT: 901 Airport Road – Volusia County Parcel ID: 4238-01-40-0010 - Small-Scale Future Land Use Map Amendment

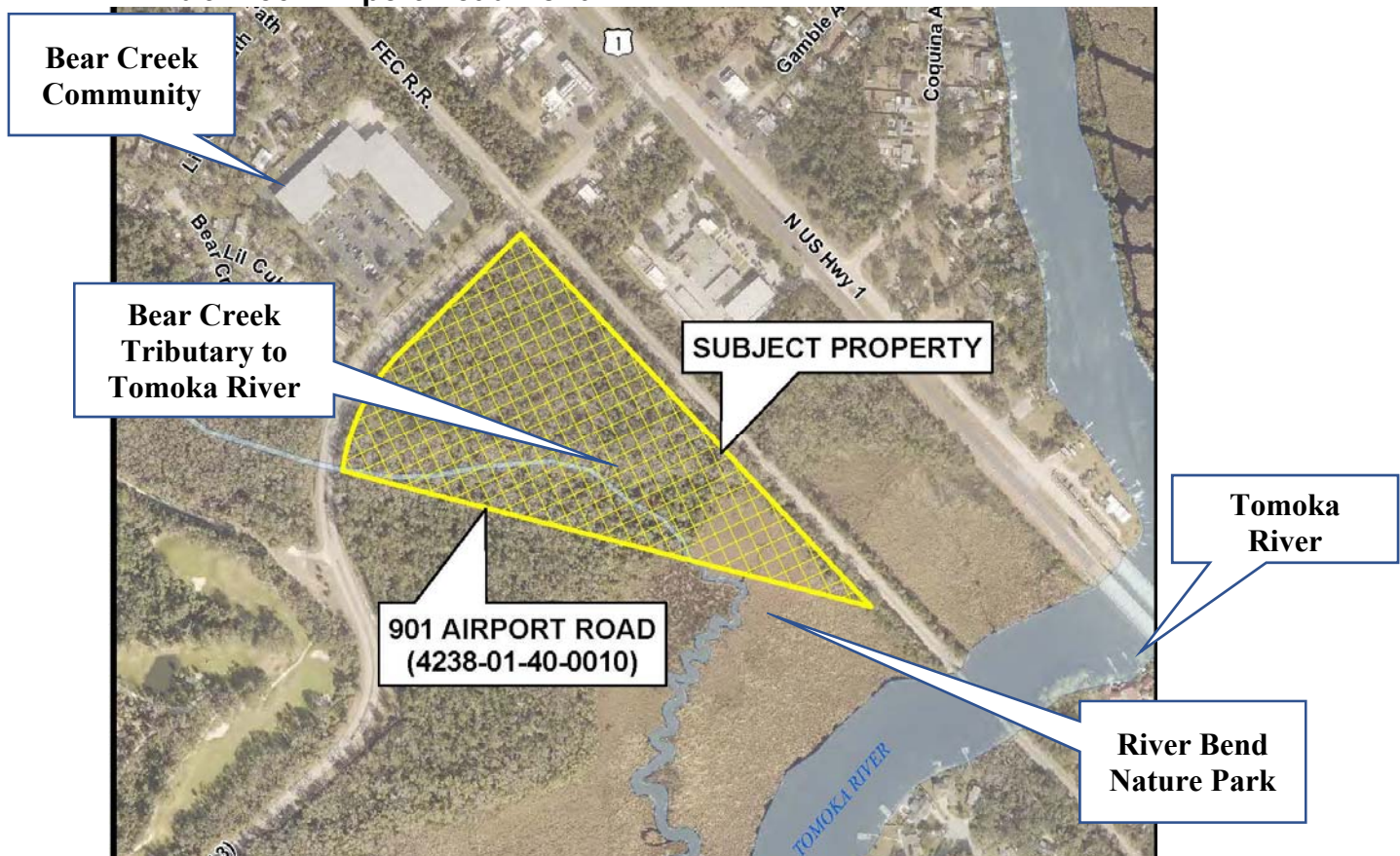
APPLICANT: City of Ormond Beach and County of Volusia

NUMBER: FLUM 2023-037

PROJECT PLANNER: Becky Weedo, AICP, CFM, Senior Planner

INTRODUCTION: This is a joint request from the City of Ormond Beach and the County of Volusia for an administrative Small-Scale Comprehensive Plan Land Use Map amendment for a ±5.2-acre portion of property located at 901 Airport Road (Volusia County parcel 4238-01-40-0010) from Ormond Beach “Light Industrial/Utilities” to Ormond Beach “Open Space/Conservation”. The subject property is shown in Exhibit 1:

Exhibit 1: 901 Airport Road Aerial:



BACKGROUND: The subject property located at 901 Airport Road, is jointly owned by the City of Ormond Beach and the County of Volusia. The property is ± 18.6 acres with two different existing Future Land Use designations:

- 1) Light Industrial/Utilities, (5.2 $\pm$ acres) and
- 2) Open Space/Conservation (13.4 $\pm$ acres).

In November 2021, Volusia County mailed letters to local jurisdictions seeking interest in participating in the Volusia Forever Program. Volusia Forever is a voter-approved and taxpayer-funded program created in 2000 and extended in 2020. The mission of the Volusia Forever Program is to: Finance the acquisition and improvement of environmentally sensitive, water resource protection, and outdoor recreation lands, and to manage these lands as conservation stewards in perpetuity.

The property at 901 Airport Road was purchased by the Volusia Forever Program, St. Johns River Water Management District (SJRWMD), and the City of Ormond Beach. The partnership for purchase of the property included: 1) St. Johns River Water Management District to ensure the ecological values of the property remains protected with a conservation easement over the land; 2) City of Ormond Beach to manage the park area; and 3) County of Volusia to retain joint ownership with the city.

The property at 901 Airport Road is connected to the Riverbend Nature Park off of Airport Road. The property creates and expands upon the area's passive, conservation-compatible recreational activities available for the public to enjoy. Since the property was purchased with Volusia Forever and SJRWMD funds for the purpose of preserving the land as conservation and passive park purposes, the future land use of "Light Industrial/Utilities" is required to be changed to "Open Space/Conservation".

The proposed land use amendment schedule of the subject property is as follows:

Exhibit 2: Tentative land use amendment schedule:

Action	Date
Planning Board	May 11, 2023
City Commission 1 st Reading	July 18, 2023
City Commission 2 nd Reading	August 1, 2023
Transmit to Volusia County Growth Management Commission and adjoining jurisdictions	August 7, 2023
Transmit Courtesy Copy to Florida Department of Economic Opportunity (DEO)	August 7, 2023

The Future Land Use Element of the Comprehensive Plan provides the following purpose, density and maximum floor area ratio for the existing "Light Industrial/Utilities" (LI/U) land use category for ± 5.2 acres:

Purpose: To provide for the location of light industrial operations and similar uses and would generally include the I-1 (Light Industrial) type of development as stipulated in the zoning district regulations. This land use category also includes areas of the City which will be used for public utilities such as water and wastewater treatment plants, water tanks, and power stations and transit.

Density: Not permitted.

Maximum FAR: 0.8

The Future Land Use Element of the Comprehensive Plan provides the following purpose, density and maximum floor area ratio for the proposed "Open Space/Conservation" land use category:

Purpose: This category includes two (2) subcategories: Parks, which includes public areas used for passive recreation, and Conservation which consists of areas within the City that have significant limitations to development, related to elevations, soils, probability of flooding, relationship to a major water body, wetland characteristics, or similar factors. This category of land use is applicable to all zoning districts

Density: Not permitted.

Maximum FAR: 0.5

ANALYSIS:

The requested land use amendment seeks to change approximately 5.2 acres of the land use designation of the subject property from Ormond Beach "Light Industrial/Utilities" to Ormond Beach "Open Space/Conservation" on the future land use map, see Attachment 1. The intended use of the property is for land preservation and passive park use. This land area now has a St. Johns River Water Management District conservation easement to ensure the ecological values of the property remains protected.

Policy 2.5.2. of the Future Land Use Element of the Comprehensive Plan provides the criteria listed below to review land use amendments:

1. Whether the future land use amendment is consistent with the Comprehensive Plan Goals, Objectives and Policies.

The proposed future land use amendment is consistent with the intended use of the property and the Goals, Objectives, and Policies of the Comprehensive Plan, including but not limited to:

GOAL 1. WATERSHEDS, LAKES AND RIVERS	THE CITY SHALL MAINTAIN AND, TO THE MAXIMUM EXTENT FEASIBLE, PROMOTE PROGRAMS TO ENHANCE THE FUNCTIONAL, AESTHETIC AND QUALITATIVE VALUE OF THE HALIFAX RIVER, THE TOMOKA RIVER, THEIR MAJOR TRIBUTARIES, AND ARTIFICIALLY CONSTRUCTED LAKES.
Conservation Element	

Objective 1.3 INTERGOVERNMENTAL COORDINATION Conservation Element	The City shall continue to promote intergovernmental coordination to maintain or improve the water quality, water quantity, recreational, fish, and wildlife resource values of the Halifax River, the Tomoka River, and their tributaries.
POLICY 1.6.1. Conservation Element	All rezoning shall be compatible with the objective of protecting wildlife and the environment consistent with the Comprehensive Plan.
GOAL 1. RECREATION AREAS AND FACILITIES Recreation and Open Space Element	PROVIDE AN ACCEPTABLE QUALITY, QUANTITY, AND VARIETY OF ACTIVE AND PASSIVE RECREATION AREAS AND FACILITIES NECESSARY TO MEET THE EXISTING AND FUTURE RECREATIONAL NEEDS OF ALL THE CITY'S RESIDENTS AND OF ITS VISITORS
POLICY 1.1.2 Recreation and Open Space Element	Parks and recreational facilities shall be located throughout the City to allow access opportunities to all segments of the population.
POLICY 1.1.4. Recreation and Open Space Element	The City shall continue to acquire the appropriate acreage for neighborhood and community park and recreation sites to meet its level-of-service standards when necessary.
OBJECTIVE 1.3. LAND USE COMPATIBILITY Recreation and Open Space Element	Balance the functioning value of the natural environment so there is an optimum combination of aesthetic, ecological, and recreation values.

2. Whether the proposed plan amendment meets the criteria established in the Florida Statutes.

In accordance with Chapter 163.3187(1), Florida Statutes, any local government Comprehensive Plan amendments directly related to proposed small-scale development activities may be approved without regard to statutory limits on the frequency of consideration of amendments to the local Comprehensive Plan. A small-scale development amendment may be adopted only under the following conditions:

a. The proposed amendment involves a use of 50 acres or fewer.

The proposed amendment is 5.2± acres (less than 50 acres).

b. The proposed amendment does not involve a text change to the goals, policies, and objectives of the local government's Comprehensive Plan, but only proposes a land use change to the future land use map for a site-specific small-scale development activity. However, text changes that relate

directly to, and are adopted simultaneously with, the small-scale future land use map amendment shall be permissible under this section.

The proposed amendment is solely to the Future Land Use Map and does not propose any text amendments to the City's Comprehensive Plan.

- c. The property that is the subject of the proposed amendment is not located within an area of critical state concern, unless the project subject to the proposed amendment involves the construction of affordable housing units meeting the criteria of s. 420.0004(3), and is located within an area of critical state concern designated by s. 380.0552 or by the Administration Commission pursuant to s. 380.05(1).**

This criterion is not applicable as the site location is not located within an area of state critical concern.

3: Whether the land use is an appropriate use of the land.

The adjacent land use designations and zoning classifications are shown in Exhibit 3 below:

Exhibit 3: Land use and zoning designations:

Land Use and Zoning Designations of Adjacent Property			
	Current Land Uses	Future Land Use Designation	Zoning Classifications
North	Bear Creek Mobile Home Community Park and Business Park	City "Medium Density Residential" and "Light Industrial/Utilities"	City T-1 (Manufactured Home Community) and I-1 (Light Industrial)
South	Tomoka River and River Bend Nature Park	City "Open Space/Conservation"	City SE (Special Environmental)
East	FEC RR	City "Open Space/Conservation" and "Light Industrial/Utilities"	City I-1 (Light Industrial)
West	Riverbend Nature Park	City "Open Space/Conservation"	City SE (Special Environmental)

The passive park and the preservation of land are appropriate uses and are compatible with the surrounding uses.

4. Whether there is adequate infrastructure to serve the proposed land use.

The analysis of infrastructure needs for a comprehensive plan amendment is different from a concurrency review for a site plan. Impact analysis examines the maximum expected impacts of the current designation versus the requested designation based on a preliminary development scenario. It should be noted that since the property has a conservation easement over the land, no active recreation or structures are allowed.

The property was purchased specifically for land preservation and a passive park in perpetuity.

Exhibit 4: Impact analysis:

Size of parcel to be amended:	5.2± acres	
Allowed entitlements	Existing LI/U land use	Proposed OS/C
Maximum density (residential) per acre	0 (Not Permitted)	0 Not Permitted)
Maximum floor area ratio	0.8	0.2 ⁽¹⁾
Note: Due to the conservation easement over the entire property, no buildings or development will be allowed. This is an analysis of the theoretical scenarios for comparison purposes only.		

Existing Land Use	Acreage	Maximum Theoretical Density	Maximum Theoretical Square Footage
Existing "LI/U"	226,512 square feet or 5.2 acres	0	181,209.6 square feet
Proposed Land Use	Acreage	Maximum Theoretical Density	Maximum Theoretical Square Footage
Proposed "OS/C"	226,512 square feet or 5.2 acres	0	45,302.4 square feet
Changes in maximum density:		0	
Changes in FAR:		-135,907.2 square feet	

The existing and proposed land use allows a theoretical maximum of 0 residential units. There is a reduction of approximately 135,907 square feet going from the existing "Light Industrial/Utilities" land use to the proposed "Open Space/Conservation" land use.

Water and Sewer: The City operates a single water treatment plant having a permitted and rated capacity remaining at 12 Million Gallons per Day (MGD). The existing wastewater treatment plant is currently permitted for a rated capacity of 8 MGD for wastewater influent flow from the sanitary sewer collection system.

The proposed water and sewer impact of a maximum development scenario is shown in Exhibit 5 as follows:

EXHIBIT 5: Water and sewer impact analysis:

Future Land Use	Maximum Water Usage ⁽¹⁾	Maximum Sewer Usage ⁽²⁾
Existing "Light Industrial/Utilities"	27,180	23,103
Proposed "Open Space/Conservation"	6,795	5,776
Totals:	-20,385	-17,327
Notes: (1) Commercial flow estimates per 150 gallons per day per 1,000 square feet (2) Commercial/Industrial sewer = Water gallons per day X 85%		

The theoretical impact would be a decrease of 20,385 gallons of water and 17,327 gallons of sewer per day. The existing property has a conservation easement so there is no impact expected with the proposed Future Land Use amendment.

Traffic: Below is a summary of the theoretical maximum impacts of the current and proposed land uses:

EXHIBIT 6: Traffic impact analysis:

Existing		
Land Use	ITE land use category	Average Daily Trip Generation
"Light Industrial/Utilities"	#150 Warehousing ⁽¹⁾	645
Proposed		
Land Use	ITE land use category	Trip Generation
"Open Space/Conservation"	#411 City Park ⁽²⁾	10
NET REDUCTION		-635
⁽¹⁾ Maximum trip generation of 3.56 per 1,000 SF (Warehousing, ITE rate, 9 th Edition) ⁽²⁾ Maximum trip generation of 1.89 per acre (City Park, ITE rate, 9 th Edition).		

Stormwater Management: There is a management plan to be applied to this property and will include any stormwater management requirements. No impact is expected.

Solid Waste: There will be no impact to solid waste as a result of the proposed Future Land Use Map change.

Schools: There are no dwelling units allowed with the existing and proposed land uses. Therefore, there are no school impacts as the result of the proposed land use amendment.

Recreation: Ormond Beach has approximately 602 acres of park land and facilities and the proposed amendment would have no impact on the city recreation level of service. The project provides additional passive park and land preservation which was a high priority in the Park & Recreation Master Plan update.

Other Services: City police and fire protection services serve this area. The parcel is located within an approximate 4-5-minute response time from emergency facilities. There is no expected impact to other city services.

5. Whether the proposed map amendment impacts surrounding jurisdictions.

The proposed land use amendment is for land owned by the City of Ormond Beach and Volusia County with a SJRWMD conservation easement. This Future Land Use amendment is a good example of inter-governmental coordination. No impacts to surrounding jurisdictions are expected.

RECOMMENDATION:

Staff recommends that the Planning Board recommend **APPROVAL** of a Future Land Use map amendment for a ±5.2-acre property located at 901 Airport Road, Volusia County parcel ID 4238-01-40-0010, from Ormond Beach “**Light Industrial/Utilities**” to Ormond Beach “**Open Space/Conservation**”.

Attachments:

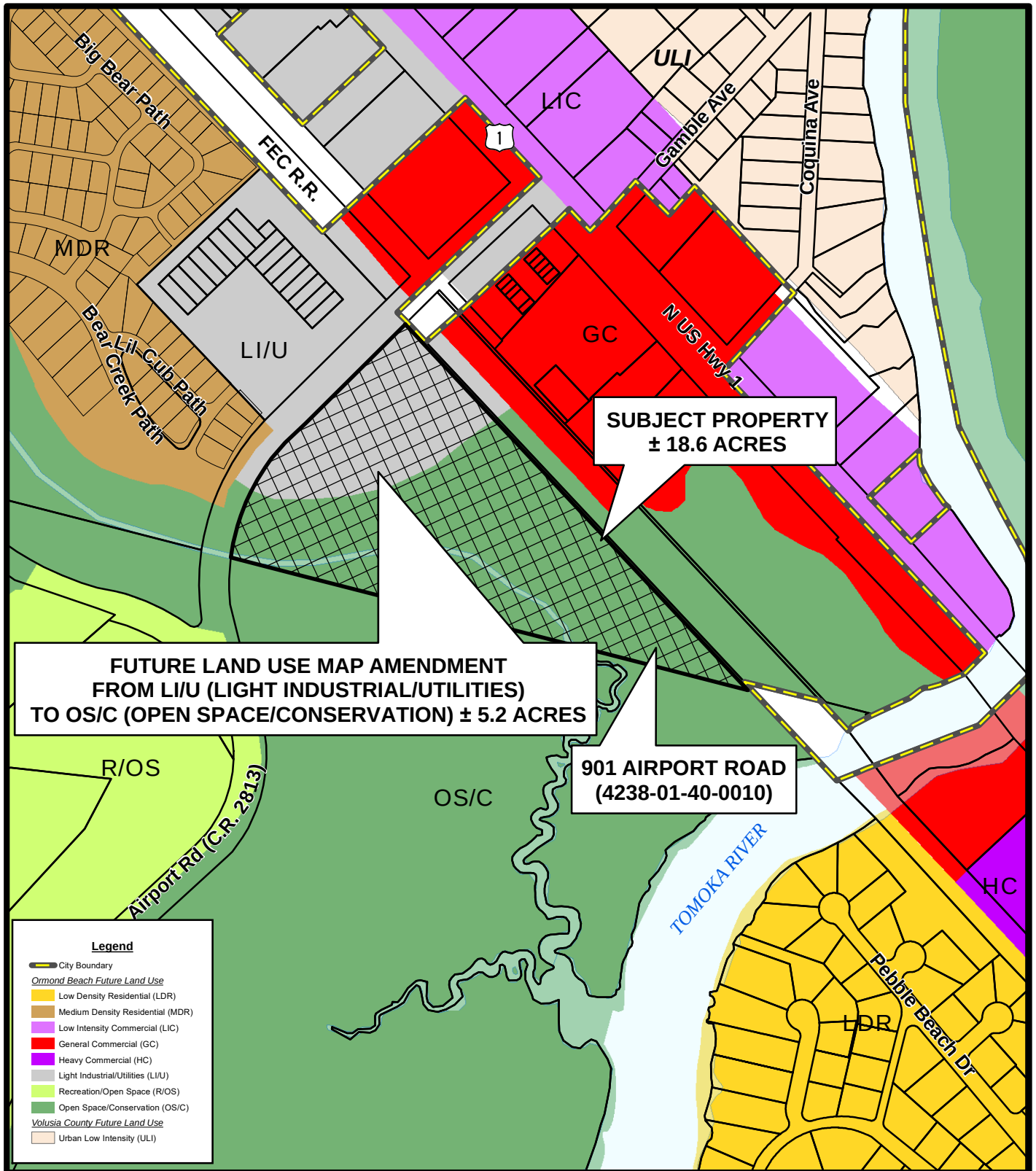
Attachment 1: Proposed Future Land Use map

Attachment 2: Location and Aerial Maps

Attachment 3: County of Volusia Application as co-owner of property

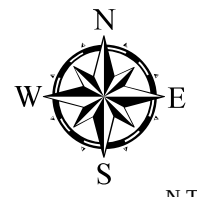
ATTACHMENT 1

Proposed Future Land Use Map



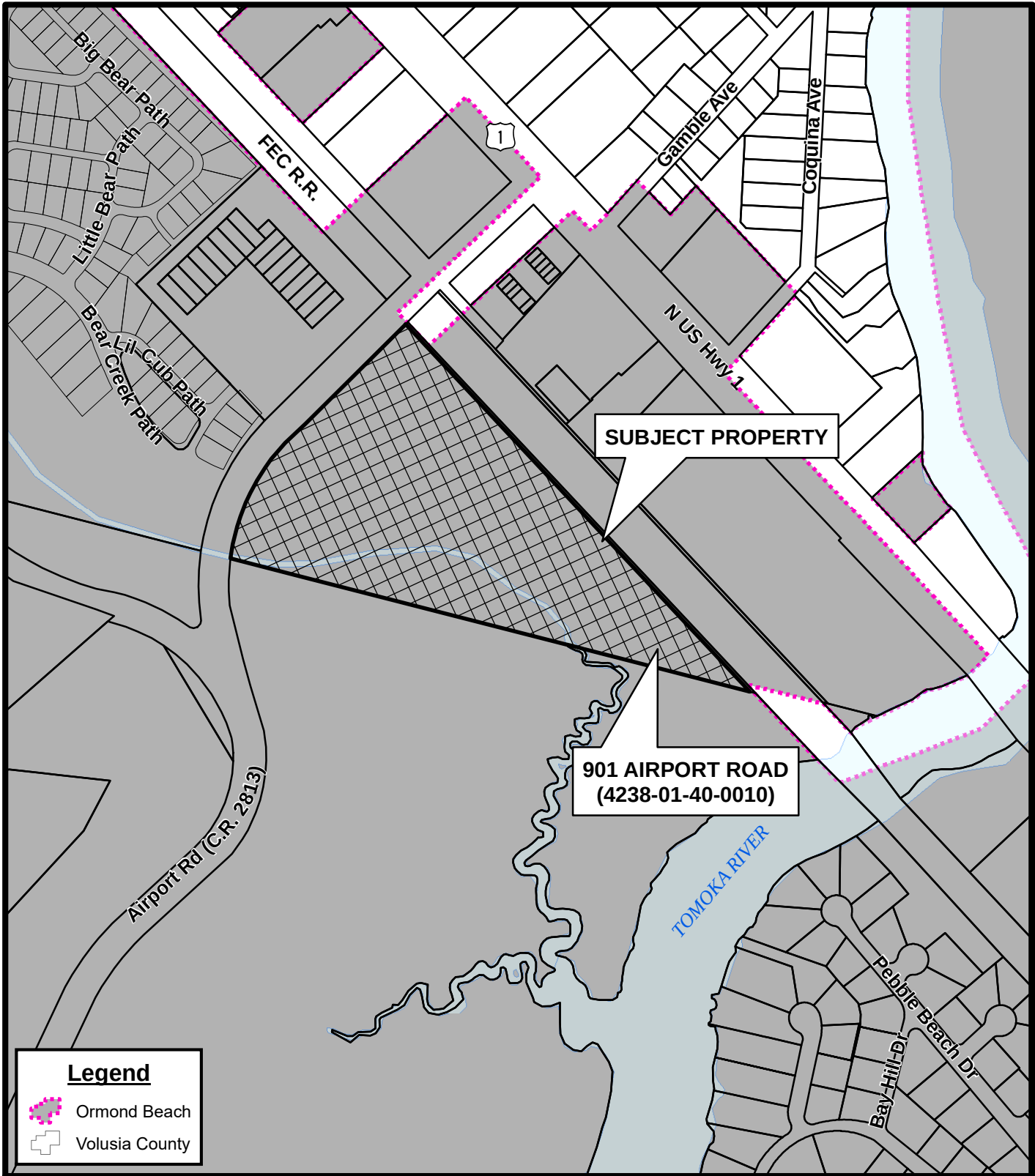
PROPOSED FUTURE LAND USE MAP 901 AIRPORT ROAD (4238-01-40-0010)

Prepared By: The City of Ormond Beach
G.I.S. Department - March 9, 2023



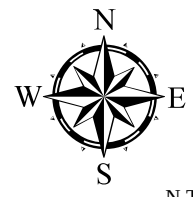
ATTACHMENT 2

Location and Aerial Maps

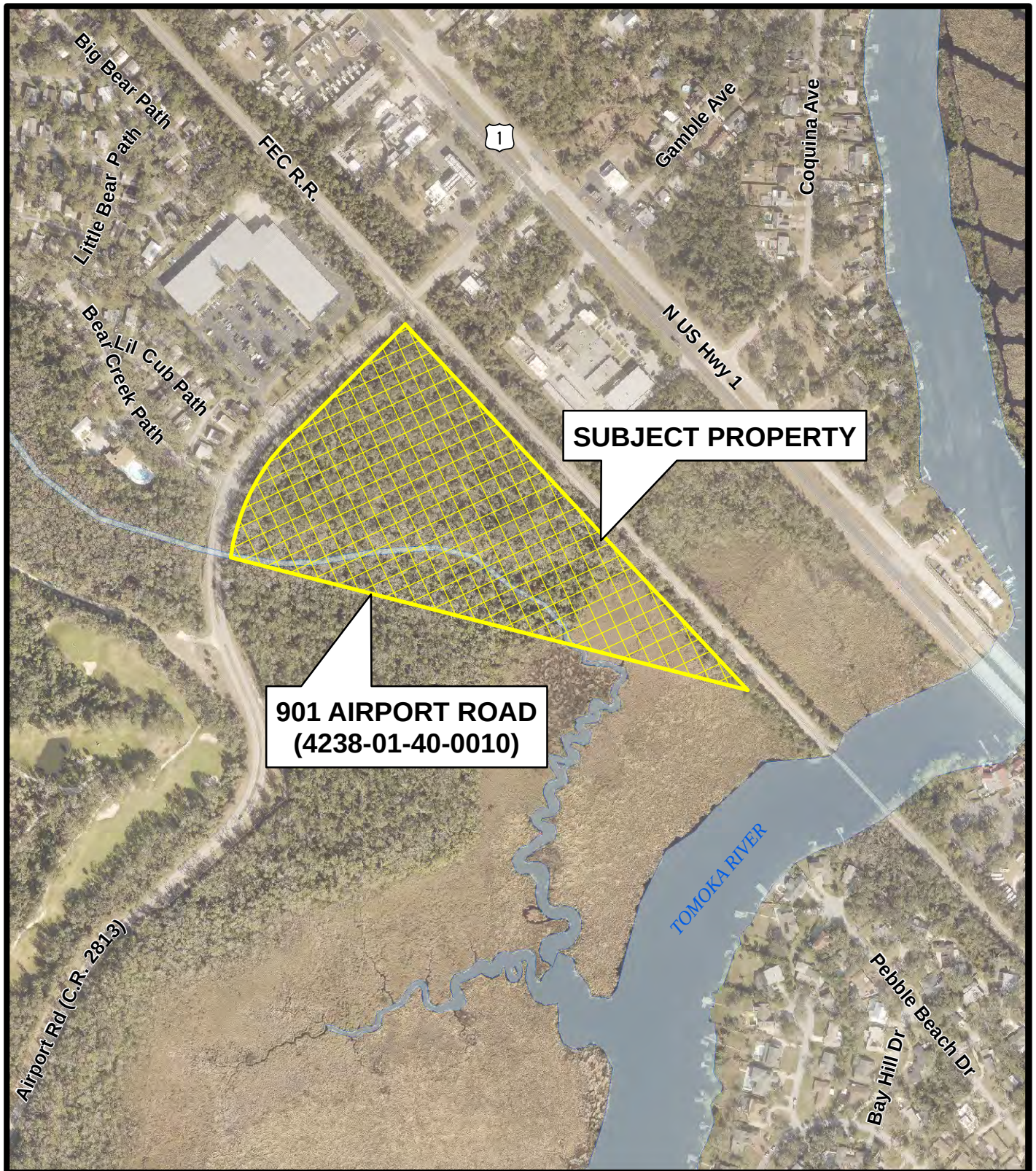


**LOCATION MAP
901 AIRPORT ROAD
(4238-01-40-0010)**

Prepared By: The City of Ormond Beach
G.I.S. Department - March 8, 2023

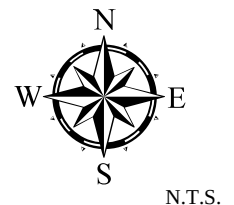


N.T.S.



**AERIAL MAP
901 AIRPORT ROAD
(4238-01-40-0010)**

Prepared By: The City of Ormond Beach
G.I.S. Department - March 8, 2023



ATTACHMENT 3

County of Volusia Application



Updated October 1, 2021

City of Ormond Beach Public Hearing Application Fees

Planning Department

22 South Beach Street, Room 104, Ormond Beach, FL 32174

(386) 676-3238

www.ormondbeach.org

comdev@ormondbeach.org

INSTRUCTIONS

Site plan submittals require the submittal of applications per Ordinance 2021-30, codified in Section 8-10, Application processing fees, of the Code of Ordinances. All applications shall calculate the fees which shall be verified by city staff. **Assistance is available by e-mailing comdev@ormondbeach.org or calling (386) 676-3238.**

PUBLIC HEARING FEES (Ordinance 2021-30 - Section 8-10 of Code of Ordinances)

Check all that apply	SPRC reviews	Fee	Advertising	Total fee
☐	Annexation	No fee	No fee	No fee
☐	Annexation Agreement	No fee	No fee	No fee
☒	Comprehensive Plan, small area amendment <i>Fee waived</i>	\$2,000	\$1,025	\$3,025
☐	Comprehensive Plan, large-scale amendment	\$2,000	\$2,250	\$4,250
☐	Concurrency, traffic impact analysis	\$3,000 (deposit)	NA	\$3,000
☐	Development of Regional Impact amendment	\$600	\$2,250	\$2,850
☐	Planned Development	\$2,500	\$2,400	\$4,900
☐	Planned Development, major amendment	\$1,000	\$2,400	\$3,400
☐	Regulatory amendment, zoning map, under 10 acres	\$1,500	\$850	\$2,350
☒	Regulatory amendment, zoning map, over 10 acres <i>Fee waived</i>	\$1,500	\$1,650	\$3,150
☐	Regulatory amendment, LDC amendment	\$1,000	\$700	\$1,700
☐	Regulatory amendment, LDC amendment (zoning districts)	\$1,000	\$1,500	\$2,500
☐	Special Exception	\$850	\$850	\$1,700
☐	Special Exception, CRA	\$400	\$850	\$1,250
☐	Street vacation	\$500	\$1,925	\$2,425
☐	Subdivision, Preliminary plat	\$1,500 plus \$25 per lot	NA	\$1,500 plus \$25 per lot
☐	Subdivision, Final plat	\$1,000 plus \$25 per lot	\$350	\$1,350 plus \$25 per lot
☐	Subdivision, city surveyor review	Actual costs	NA	Actual costs
☐	Subdivision, Recording of plat	Actual costs	NA	Actual costs
☐	Other:			
TOTALS:				



Updated October 1, 2021

City of Ormond Beach Public Hearing Application

Planning Department

22 South Beach Street, Room 104, Ormond Beach, FL 32174

(386) 676-3238

www.ormondbeach.org

comdev@ormondbeach.org

INSTRUCTIONS

Public hearing applications require City Commission action with many types being reviewed by the Planning Board to provide a recommendation. Some public hearing items require site plan review. Please complete the application and fee worksheet. Assistance is available by e-mailing comdev@ormondbeach.org or calling (386) 676-3238.

PROJECT INFORMATION

Project Type:*	CRA AND REZONING	*Complete fee sheet (page 3)
Project Name:	AIRPORT ROAD PASSIVE PARK	
Project Address:	901 AIRPORT ROAD	
Volusia County parcel number(s):	4238-01-40-0010	
Description:	1) FUTURE LAND USE AMENDMENT FROM LIGHT INDUSTRIAL / UTILITIES TO OPEN SPACE / CONSERVATION 5.2 ACRES 2) REZONING FROM LIGHT INDUSTRIAL TO SPECIAL ENVIRONMENTAL (18.6 ACRES)	
Pre-application date:		Pre-application waiver granted:

PROJECT COORDINATOR

Name:	TRISH SMITH, AICP PLANNING + DEVELOPMENT SERVICES
Address:	123 W. INDIANA AV. ROOM 202
City, State, Zip code:	DELAND, FL 32720-4604
Telephone:	386-736-5959, x12943
E-mail:	pssmith@volusia.org

APPLICANT INFORMATION

Same as project coordinator	☐	Same as property owner	☒
Name:	GEORGE RECKENWALD, COUNTY MANAGER, VOLUSIA CO.		
Address:	123 W. INDIANA AV.		
City, State, Zip code:	DELAND, FL 32720		
Telephone:	386-736-5920		
E-mail:	greckenwald@volusia.org		

PROPERTY OWNER

Same as project coordinator	☐	Same as property owner	☒
Name:			
Address:			
City, State, Zip code:			
Telephone:			
E-mail:			

VIEW ONLY ACCESS TO PROJECT DOX (Provides viewing access to project)

Name:		E-mail:	
Name:		E-mail:	
Name:		E-mail:	
Name:		E-mail:	

CERTIFICATION

By submitting this application, I hereby certify that the information provided is true and correct to the best of my knowledge and that I am aware of the application submittal requirements and the review process for this application. I authorize Ormond Beach staff to access the subject property during typical business hours to review the public hearing application.

Signature: _____

STATE OF FLORIDA

COUNTY OF Volusia

The forgoing instrument was acknowledged before me this 10 day of March, 2023, by George Recktenwald as County Manager (title*) for County of Volusia (name of corporation*), who () provided _____ as identification, or (X) who is personally known to me.



KRISTEN RAY
Notary Public
State of Florida
Comm# HH289688
Expires 7/19/2026

Kristen Ray
Notary Public, State of Florida
My Commission Expires:

* If you are executing this document on behalf of a corporation please complete the spaces with your title and the name of your company as indicated.



City of Ormond Beach

AGENDA ITEM

August 1, 2023 - City Commission

Number:9.I

Section:	PUBLIC HEARINGS		
Item Category:	Public Hearing - Ordinances	Res./Ord. No:	2023-44
Strategic Goal:	Transportation & Community Development - Other		
Department:	Planning & Building		
Subject:	Bradford Park, Annexation		
Summary:	This is a voluntary request for an annexation submitted by the property owners, RCM Properties, LLC and Ridge Land Holdings, LLC, for approximately 22.55 acres, to be known as Bradford Park, located south of Pennsylvania Avenue, west of Plantation Oaks Boulevard and east Interstate 95 (Volusia County parcel numbers: 3136-01-09-0001, 3136-01-08-0010, 3136-01-07-0010, 3136-01-01-0021, 3136-01-21-0050, and 3136-01-01-001a). As part of the annexation, portions of three rights-of-way, Indiana Avenue (0.38 acres), Benton Street (1.83 acres), and Rosemary Street (0.88 acres) are proposed to be annexed. The property is located within the original North U.S. Highway 1 Interlocal Service Boundary Agreement (ISBA). The property has an existing city land use of "Medium Density Residential" and a city zoning designation of R-4, Single-Family Cluster & Townhome. The subject property is within the North U.S. Highway 1 ISBA. The property owner has presented a concept plan to the Site Plan Review Committee for a townhouse subdivision. The City Commission adopted the original North US 1 ISBA on August 19, 2014, per Ordinance No. 2014-27. Volusia County Council adopted the ISBA on August 21, 2014 by Volusia County Ordinance No. 2014-12. Ordinance 2015-05 established the land use amendments for the ISBA and was adopted on January 20, 2015. As part of the land use map amendment adoption, a map annotation that limits density to eight (8) units per acre and a maximum floor area ration of 0.50 for retail uses and 0.55 for all other non-residential uses. Ordinance 2015-13 established the city zoning designations for properties within the ISBA and was approved on April 7, 2015. The proposed Bradford Park land area is contiguous to the city on the northern and western property boundaries. In addition, the property is		

	within the ISBA which allows annexation whether or not the property was contiguous to the city boundaries. There is an existing force main and water line along Plantation Oaks Boulevard to serve the property.						
Financial Impact:	There is no budget impact associated with the requested annexation.						
Citizen Impact:	There is no citizen impact anticipated with this annexation because the property is already within the ISBA with city land use and zoning. Future development would undergo a site plan process with review by the Site Plan Review Committee.						
Recommended Action (Staff, Advisory Board and/or Other):	Staff recommends approval of the annexation of approximately 22.55 acres located south of Pennsylvania Avenue, west of Plantation Oaks Boulevard and east Interstate 95, and three rights-of-ways, Indiana Avenue, Benton Street, and Rosemary Street, based on the following: 1. The property is within the ISBA area; 2. The subject property is located in unincorporated Volusia County and is not being served by utilities from another jurisdiction, is compact, and City of Ormond Beach is the utility provider for this area; 3. There is adequate city infrastructure to serve the subject property; 4. Annexation of the property is a voluntary annexation under the authority of Section 171.044, Florida Statutes; and 5. The subject property is contiguous to the city limits along the north, east, and west property boundaries.						
Staff Contact:	Steven Spraker, Planning Director, (386) 676-3341						
Attachments:	1. 23-44 Annexation, Bradford Park (P23-0134G) 2. Exhibit A, Bradford Park sketch and legal description 3. Exhibit B, Signed Application Form - Bradford Park Annexation 4. Bradford Park Annexation maps						
Approval:	<table> <tr> <td>Kelly McGuire, Finance Director</td> <td>7/10/2023</td> </tr> <tr> <td>Claire Whitley, Assistant City Manager</td> <td>7/21/2023</td> </tr> <tr> <td>Joyce Shanahan, City Manager</td> <td>7/25/2023</td> </tr> </table>	Kelly McGuire, Finance Director	7/10/2023	Claire Whitley, Assistant City Manager	7/21/2023	Joyce Shanahan, City Manager	7/25/2023
Kelly McGuire, Finance Director	7/10/2023						
Claire Whitley, Assistant City Manager	7/21/2023						
Joyce Shanahan, City Manager	7/25/2023						

ORDINANCE NO. 2023-44

AN ORDINANCE ANNEXING SIX PARCELS OF REAL PROPERTY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY LOCATED SOUTH OF PENNSYLVANIA AVENUE, WEST OF PLANTATION OAKS BOULEVARD AND EAST OF INTERSTATE I-95 (VOLUSIA COUNTY PARCEL NUMBERS: 3136-01-09-0001, 3136-01-08-0010, 3136-01-07-0010, 3136-01-01-0021, 3136-01-21-0050, AND 3136-01-01-001A); AND ANNEXING PORTIONS OF THE INDIANA AVENUE RIGHT-OF-WAY, BENTON STREET RIGHT-OF-WAY, AND ROSEMARY STREET RIGHT-OF-WAY; SETTING FORTH ZONING PRIVILEGES AND OBLIGATIONS REGARDING THE PROPERTY; REDEFINING THE TERRITORIAL BOUNDARIES OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; REDESIGNATING THE BOUNDARIES OF ZONE 1 OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; PROVIDING FOR TRANSMISSION; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, RCM Properties, LLC, a Florida Limited Liability Company, and Ridge Land Holdings, LLC a Florida Limited Liability Company (“Property Owners”) are the owners of six parcels of real property in unincorporated Volusia County, Florida, described and depicted on Exhibit “A”, attached hereto and incorporated herein by reference, (the “Property”); and

WHEREAS, there are portions of right-of-ways on Indiana Avenue, Benton Street, and Rosemary Street that require annexation, which are located in unincorporated Volusia County, Florida, and are described and depicted on Exhibit “A”, attached hereto and incorporated herein by reference, (the “Right-of-Ways”); and

WHEREAS, the Property to be annexed consists of approximately 22.55 acres (Parcel ID Nos. 3136-01-09-0001, 3136-01-08-0010, 3136-01-07-0010, 3136-01-01-0021, 3136-01-21-0050, and 3136-01-01-001A) and is located south of Pennsylvania Avenue, west of Plantation Oaks Boulevard, and east of Interstate 95, in Ormond Beach, Florida; and

WHEREAS, the Right-of-Ways to be annexed consist of an approximate 0.38-acre portion of the Indiana Avenue right-of-way; 1.83-acre portion of the Benton Street right-of-way; and 0.88-acre portion of the Rosemary Street right-of-way; and

WHEREAS, the Property Owners have voluntarily petitioned or requested the City of Ormond Beach to annex the Property into the City of Ormond Beach, a copy of said petition or request attached hereto as Exhibit “B” and incorporated herein by reference; and

WHEREAS, the City of Ormond Beach adopted an Interlocal Service Boundary Agreement (“ISBA”) with the County of Volusia on August 19, 2014, effective August 28, 2014, (Recorded at Book 7026, Pages 878 through 895, of the Public Records of Volusia County, Florida); and

WHEREAS, the City of Ormond Beach adopted an amended Interlocal Service Boundary Agreement (“ISBA”) with the County of Volusia on August 20, 2019, effective October 11, 2019, (recorded at Book 7758, Pages 4680 through 4683, of the Public Records of Volusia County, Florida); and

WHEREAS, the City of Ormond Beach adopted a second amended Interlocal Service Boundary Agreement (“ISBA”) with the County of Volusia on December 7, 2021,

effective March 30, 2022, (recorded at Book 8228, Pages 1974 through 1978, of the Public Records of Volusia County, Florida); and

WHEREAS, the annexation of the Property is a voluntary annexation under the authority of Section 171.044, *Florida Statutes* and the ISBA, as evidenced by a true copy of the annexation petition attached hereto and incorporated herein by reference as Exhibit “B”; and

WHEREAS, annexation as a condition of municipal utility connection is authorized by Section 180.02(3), *Florida Statutes*, and the home rule constitutional and proprietary powers of the City; and

WHEREAS, Goal 5, Policy 5.1.4 of the Future Land Use Element of the City’s *Comprehensive Land Use Plan* provides that the provision of utility service to property in the unincorporated County shall be conditioned upon the annexation of the property when it becomes contiguous to the City’s boundaries; and

WHEREAS, consent to annexation by a connecting property owner is required for connections to City utilities by Chapter 3, Article V, Section 3-61(f) of the City’s *Land Development Code* (formerly Ordinance 91-33 of the City of Ormond Beach, which was initially adopted and made effective on August 20, 1991; and

WHEREAS, the requirements of Section 171.044, *Florida Statutes*, and the ISBA have been satisfactorily met; and

WHEREAS, the City Commission of the City of Ormond Beach desires to exercise its statutory power to annex the Property and Right-of-Ways; now therefore,

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

SECTION ONE. The City Commission of the City of Ormond Beach makes the following findings:

- (a) The annexation petition attached hereto as Exhibit “B” bears the signature of the owners of the Property to be annexed at the time the petition was submitted to the City;
- (b) RCM Properties, LLC, a Florida Limited Liability Company, and Ridge Land Holdings, LLC a Florida Limited Liability Company, are the owners of the Property listed in Exhibit “A” attached hereto;
- (c) The annexation petition was submitted in accordance with the requirements of the City for utility extension pursuant to section 180.02(3), Florida Statutes, and Chapter 3, Article V, Section 3-61(f) of the City’s *Land Development Code* (formerly Ordinance 91-33 of the City of Ormond Beach, initially adopted and made effective August 20, 1991);
- (d) Connection of a property to City utilities constitutes implied consent by the property owner to the annexation of the Property;
- (e) The annexation contains Right-of-Ways that are required to be annexed as a part of the annexation of the Property;
- (f) The annexation of the Property and Right-of-Ways complies with the requirements of the City for utility extension and connection pursuant to section 180.02(3), *Florida Statutes*; Goal 5, Policy 5.1.4 of the Future land Use Element of the City’s Comprehensive Land Use Plan; and Chapter 3, Article V, Section 3-61(f) of the City’s *Land Development Code* (formerly Ordinance 91-33 of the City of Ormond Beach, initially adopted and made effective August 20, 1991); and
- (g) The Property and Right-of-Ways are reasonably compact and do not create any enclaves of unincorporated territory in Volusia County.

SECTION TWO. The Property and Right-of-Ways described and depicted in Exhibit "A" are hereby annexed into the City of Ormond Beach, Florida (the "City"), and the municipal boundary lines of the City are hereby changed to include the Property and Right-of-Ways.

SECTION THREE. Upon the effective date of the annexation of the Property and Right-of-Ways, and except as may be otherwise provided by law, the Property and Right-of-Ways shall be subject to all laws, ordinances and regulations of the City of Ormond Beach; shall be entitled to the same privileges and benefits as other lands in the City; and shall be subject to the taxes and debts of the City, including municipal ad valorem taxes as provided by Section 171.061(1), *Florida Statutes*.

SECTION FOUR. The boundary of City Commission Zone 1 is hereby redefined to include the Property.

SECTION FIVE. The City Clerk is hereby authorized and directed to provide a certified copy of this Ordinance to the County Manager of Volusia County, the Clerk of Circuit Court in and for Volusia County, and the Department of State for the State of Florida, within seven (7) days of the adoption of this Ordinance as required by Section 171.044(3), *Florida Statutes*.

SECTION SIX. In the event any section or provision of this Ordinance is declared by a 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 hereof.

SECTION SEVEN. This Ordinance shall take effect immediately upon adoption.

PASSED UPON at the first reading of the City Commission, this 1st day of August, 2023.

PASSED UPON at the second and final reading of the City Commission, this 15th day of August, 2023.

BILL PARTINGTON
Mayor

ATTEST:

SUSAN CARROLL DAUDERIS
City Clerk

**Property to be annexed
from sketch and description prepared by Sliger & Associates, Inc.**

ALL OF BLOCKS 8, 9, AND 10, TOGETHER WITH A PORTION OF BLOCKS 7 AND 21; AND ALL OF LOTS 1 THROUGH 7, BLOCK 34; AND A PORTION OF THE FOLLOWING: ROSEMARY STREET, BENTON STREET, AND INDIANA AVENUE. ACCORDING TO THE REVISED PLAT OF NATIONAL GARDENS, RECORDED IN MAP BOOK 10, PAGES 250 THROUGH 253, RECORDED IN THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

LEGAL DESCRIPTION (BLOCK 7 AND 21)

COMMENCE AT THE NORTHEAST CORNER OF SAID REVISED PLAT OF NATIONAL GARDENS, RECORDED IN MAP BOOK 10 PAGES 250 THROUGH 253, VOLUSIA COUNTY FLORIDA, ALSO BEING THE NORTHEAST CORNER OF SECTION 36, TOWNSHIP 13 SOUTH, RANGE 31 EAST; THENCE S88°20'29"W ALONG THE NORTHERLY LINE OF SAID REVISED PLAT OF NATIONAL GARDENS AND THE NORTHERLY LINE OF SAID SECTION 36, A DISTANCE OF 2026.95 FEET; THENCE DEPARTING SAID NORTH LINE S02°08'46"E, A DISTANCE OF 40.00 FEET TO THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY OF PENNSYLVANIA AVENUE, AN 80 FOOT RIGHT OF WAY, AND THE EASTERLY RIGHT OF WAY LINE OF HAMMOND STREET, A 60 FOOT RIGHT OF WAY LINE; THENCE S88°20'29"W, 60.00 FEET TO THE POINT OF BEGINNING; THENCE S02°08'46"E, 486.90 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 1196.00 FEET, A CENTRAL ANGLE OF 14°51'36", AND A CHORD BEARING OF S05°17'02"W; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE 310.19 FEET; THENCE S02°08'46"E, 469.28 FEET; THENCE S87°46'41"W, 275.23 FEET; THENCE N02°08'46"W, 1265.95 FEET; THENCE N88°20'29"E, 315.32 FEET TO THE POINT OF BEGINNING.

HAVING AN AREA OF 371676.92 SQUARE FEET, 8.533 ACRES

EXHIBIT "A"

Page 3 of 5

AND

LEGAL DESCRIPTION (LOTS 1 THROUGH 7, BLOCK 34)

COMMENCE AT THE NORTHEAST CORNER OF SAID REVISED PLAT OF NATIONAL GARDENS, RECORDED IN MAP BOOK 10 PAGES 250 THROUGH 253, VOLUSIA COUNTY FLORIDA, ALSO BEING THE NORTHEAST CORNER OF SECTION 36, TOWNSHIP 13 SOUTH, RANGE 31 EAST; THENCE S88°20'29"W ALONG THE NORTHERLY LINE OF SAID REVISED PLAT OF NATIONAL GARDENS AND THE NORTHERLY LINE OF SAID SECTION 36, A DISTANCE OF 2026.95 FEET; THENCE DEPARTING SAID NORTH LINE S02°08'46"E, A DISTANCE OF 40.00 FEET TO THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY OF PENNSYLVANIA AVENUE, AN 80 FOOT RIGHT OF WAY, AND THE EASTERLY RIGHT OF WAY OF HAMMOND STREET, A 60 FOOT RIGHT OF WAY; THENCE S88°20'29"W, 60.00 FEET; THENCE S02°08'46"E, 486.90 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 1196.00 FEET, A CENTRAL ANGLE OF 14°51'36", AND A CHORD BEARING OF S05°17'02"W; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE 310.19 FEET; THENCE S02°08'46"E, 529.28 FEET TO THE POINT OF BEGINNING; THENCE S02°08'46"E, 350.00 FEET; THENCE S87°55'12"W, 110.00 FEET; THENCE N02°08'46"W, 349.73 FEET; THENCE N87°46'41"E, 110.00 FEET TO THE POINT OF BEGINNING.

HAVING AN AREA OF 38485.04 SQUARE FEET, 0.883 ACRES

AND

LEGAL DESCRIPTION (BLOCK 8)

COMMENCE AT THE NORTHEAST CORNER OF SAID REVISED PLAT OF NATIONAL GARDENS, RECORDED IN MAP BOOK 10 PAGES 250 THROUGH 253, VOLUSIA COUNTY FLORIDA, ALSO BEING THE NORTHEAST CORNER OF SECTION 36, TOWNSHIP 13 SOUTH, RANGE 31 EAST; THENCE S88°20'29"W ALONG THE NORTHERLY LINE OF SAID REVISED PLAT OF NATIONAL GARDENS AND THE NORTHERLY LINE OF SAID SECTION 36, A DISTANCE OF 2026.95 FEET; THENCE DEPARTING SAID NORTH LINE S02°08'46"E, A DISTANCE OF 40.00 FEET TO THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY OF PENNSYLVANIA AVENUE, AN 80 FOOT RIGHT OF WAY, AND THE EASTERLY RIGHT OF WAY OF HAMMOND STREET, A 60 FOOT RIGHT OF WAY; THENCE S88°20'29"W, 435.32 FEET TO THE POINT OF BEGINNING; THENCE S02°08'46"E, 636.44 FEET; THENCE S87°55'58"W, 315.02 FEET; THENCE N02°07'18"W, 638.69 FEET; THENCE N88°20'29"E, 314.76 FEET TO THE POINT OF BEGINNING.

HAVING AN AREA OF 200759.59 SQUARE FEET, 4.609 ACRES

EXHIBIT "A"**Page 4 of 5**

AND

LEGAL DESCRIPTION (BLOCK 9 & 10)

COMMENCE AT THE NORTHEAST CORNER OF SAID REVISED PLAT OF NATIONAL GARDENS, RECORDED IN MAP BOOK 10 PAGES 250 THROUGH 253, VOLUSIA COUNTY FLORIDA, ALSO BEING THE NORTHEAST CORNER OF SECTION 36, TOWNSHIP 13 SOUTH, RANGE 31 EAST; THENCE S88°20'29"W ALONG THE NORTHERLY LINE OF SAID REVISED PLAT OF NATIONAL GARDENS AND THE NORTHERLY LINE OF SAID SECTION 36, A DISTANCE OF 2026.95 FEET; THENCE DEPARTING SAID NORTH LINE S02°08'46"E, A DISTANCE OF 40.00 FEET TO THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY OF PENNSYLVANIA AVENUE, AN 80 FOOT RIGHT OF WAY, AND THE EASTERLY RIGHT OF WAY OF HAMMOND STREET, A 60 FOOT RIGHT OF WAY; THENCE S88°20'29"W, 810.08 FEET TO THE POINT OF BEGINNING; THENCE S02°07'18"E, 639.23 FEET; THENCE S87°49'17"W, 404.91 FEET; THENCE N31°15'13"W, 547.85 FEET; THENCE N17°17'26"W, 172.91 FEET; THENCE N88°20'29"E, 716.88 FEET TO THE POINT OF BEGINNING.

HAVING AN AREA OF 371278.36 SQUARE FEET, 8.523 ACRES

And Right-of-Way

LEGAL DESCRIPTION (INDIANA AVE.)

COMMENCE AT THE NORTHEAST CORNER OF SAID REVISED PLAT OF NATIONAL GARDENS, RECORDED IN MAP BOOK 10 PAGES 250 THROUGH 253, VOLUSIA COUNTY FLORIDA, ALSO BEING THE NORTHEAST CORNER OF SECTION 36, TOWNSHIP 13 SOUTH, RANGE 31 EAST; THENCE S88°20'29"W ALONG THE NORTHERLY LINE OF SAID REVISED PLAT OF NATIONAL GARDENS AND THE NORTHERLY LINE OF SAID SECTION 36, A DISTANCE OF 2026.95 FEET; THENCE DEPARTING SAID NORTH LINE S02°08'46"E, A DISTANCE OF 40.00 FEET TO THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY OF PENNSYLVANIA AVENUE, AN 80 FOOT RIGHT OF WAY, AND THE EASTERLY RIGHT OF WAY OF HAMMOND STREET, A 60 FOOT RIGHT OF WAY; THENCE S88°20'29"W, 60.00 FEET; THENCE S02°08'46"E, 486.90 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 1196.00 FEET, A CENTRAL ANGLE OF 14°51'36", AND A CHORD BEARING OF S05°17'02"W; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE 310.19 FEET; THENCE S02°08'46"E, 469.28 FEET TO THE POINT OF BEGINNING; THENCE S02°08'46"E, 60.00 FEET; THENCE S87°46'41"W, 275.17 FEET; THENCE N02°08'46"W, 60.00 FEET; THENCE N87°46'41"E, 275.23 FEET TO THE POINT OF BEGINNING.

HAVING AN AREA OF 16,512 SQUARE FEET, 0.3791 ACRES

EXHIBIT "A"**Page 5 of 5**

LEGAL DESCRIPTION (BENTON ST.)

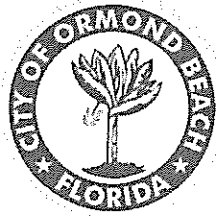
COMMENCE AT THE NORTHEAST CORNER OF SAID REVISED PLAT OF NATIONAL GARDENS, RECORDED IN MAP BOOK 10 PAGES 250 THROUGH 253, VOLUSIA COUNTY FLORIDA, ALSO BEING THE NORTHEAST CORNER OF SECTION 36, TOWNSHIP 13 SOUTH, RANGE 31 EAST; THENCE S88°20'29"W ALONG THE NORTHERLY LINE OF SAID REVISED PLAT OF NATIONAL GARDENS AND THE NORTHERLY LINE OF SAID SECTION 36, A DISTANCE OF 2026.95 FEET; THENCE DEPARTING SAID NORTH LINE S02°08'46"E, A DISTANCE OF 40.00 FEET TO THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY OF PENNSYLVANIA AVENUE, AN 80 FOOT RIGHT OF WAY, AND THE EASTERLY RIGHT OF WAY OF HAMMOND STREET, A 60 FOOT RIGHT OF WAY; THENCE S88°20'29"W, 375.32 FEET TO THE POINT OF BEGINNING; THENCE S02°08'46"E, 1,325.95 FEET; THENCE S87°46'41"W, 60.00 FEET; THENCE N02°08'46"W, 1326.03 FEET; THENCE N88°20'29"E, 60.00 FEET; TO THE POINT OF BEGINNING.

HAVING AN AREA OF 79,650 SQUARE FEET, 1.8285 ACRES

LEGAL DESCRIPTION (ROSEMARY ST.)

COMMENCE AT THE NORTHEAST CORNER OF SAID REVISED PLAT OF NATIONAL GARDENS, RECORDED IN MAP BOOK 10 PAGES 250 THROUGH 253, VOLUSIA COUNTY FLORIDA, ALSO BEING THE NORTHEAST CORNER OF SECTION 36, TOWNSHIP 13 SOUTH, RANGE 31 EAST; THENCE S88°20'29"W ALONG THE NORTHERLY LINE OF SAID REVISED PLAT OF NATIONAL GARDENS AND THE NORTHERLY LINE OF SAID SECTION 36, A DISTANCE OF 2026.95 FEET; THENCE DEPARTING SAID NORTH LINE S02°08'46"E, A DISTANCE OF 40.00 FEET TO THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY OF PENNSYLVANIA AVENUE, AN 80 FOOT RIGHT OF WAY, AND THE EASTERLY RIGHT OF WAY OF HAMMOND STREET, A 60 FOOT RIGHT OF WAY; THENCE S88°20'29"W, 750.08 FEET TO THE POINT OF BEGINNING; THENCE S02°07'18"E, 638.69 FEET; THENCE S87°49'17"W, 60.00 FEET; THENCE N02°07'18"W, 639.23 FEET; THENCE N88°20'29"E, 60.00 FEET; TO THE POINT OF BEGINNING.

HAVING AN AREA OF 38337.64 SQUARE FEET, 0.880 ACRES



Updated October 1, 2021

City of Ormond Beach Public Hearing Application

Planning Department

22 South Beach Street, Room 104, Ormond Beach, FL 32174

(386) 676-3238 www.ormondbeach.org comdev@ormondbeach.org**INSTRUCTIONS**

Public hearing applications require City Commission action with many types being reviewed by the Planning Board to provide a recommendation. Some public hearing items require site plan review. Please complete the application and fee worksheet. Assistance is available by e-mailing comdev@ormondbeach.org or calling (386) 676-3238.

PROJECT INFORMATION

Project Type:*	Annexation			*Complete fee sheet (page 3)
Project Name:	Bradford Park			
Project Address:	Plantation Oaks Blvd Ormond Beach			
Volusia County parcel number(s):	31360101001A, 313601210050, 313601010021, 313601070010, 313601080010, 313601090001			
Description:	Annexation of property for Bradford Park.			
Pre-application date:	5/10/23	Pre-application waiver granted:		

PROJECT COORDINATOR

Name:	Corey D. Brown / Storch Law Firm		
Address:	420 South Nova Road		
City, State, Zip code:	Daytona Beach, FL 32114		
Telephone:	386-238-8383		
E-mail:	corey@storchlawfirm.com		

APPLICANT INFORMATION

Same as project coordinator	☐	Same as property owner	☒
Name:			
Address:			
City, State, Zip code:			
Telephone:			
E-mail:			

PROPERTY OWNER	
Same as project coordinator	☐
Same as property owner	☐
Name:	RCM Properties, LLC / Ridge Land Holdings, LLC
Address:	123 Magnolia Avenue
City, State, Zip code:	Daytona Beach, FL 32114
Telephone:	386-547-6176
E-mail:	Rickm@ridge-development.com

VIEW ONLY ACCESS TO PROJECT DOX (Provides viewing access to project)

Name:		E-mail:	
Name:		E-mail:	
Name:		E-mail:	
Name:		E-mail:	

CERTIFICATION

By submitting this application, I hereby certify that the information provided is true and correct to the best of my knowledge and that I am aware of the application submittal requirements and the review process for this application. I authorize Ormond Beach staff to access the subject property during typical business hours to review the public hearing application.

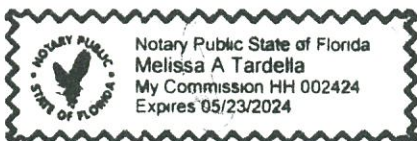
Signature: _____

RCM

STATE OF FLORIDA

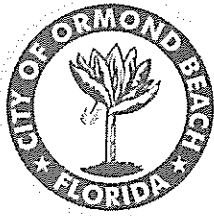
COUNTY OF Volusia

The forgoing instrument was acknowledged before me this 6th day of June, 2023, by Richard C. Maugeri as Manager (title*) for RCM Properties / Ridge Land Holdings LLC (name of corporation*), who () provided _____ as identification, or (X) who is personally known to me.



Melissa A. Tardella
 Notary Public, State of Florida
 My Commission Expires:

* If you are executing this document on behalf of a corporation please complete the spaces with your title and the name of your company as indicated.



Updated October 1, 2021

City of Ormond Beach **Public Hearing Application Fees**

Planning Department

22 South Beach Street, Room 104, Ormond Beach, FL 32174

(386) 676-3238

www.ormondbeach.org

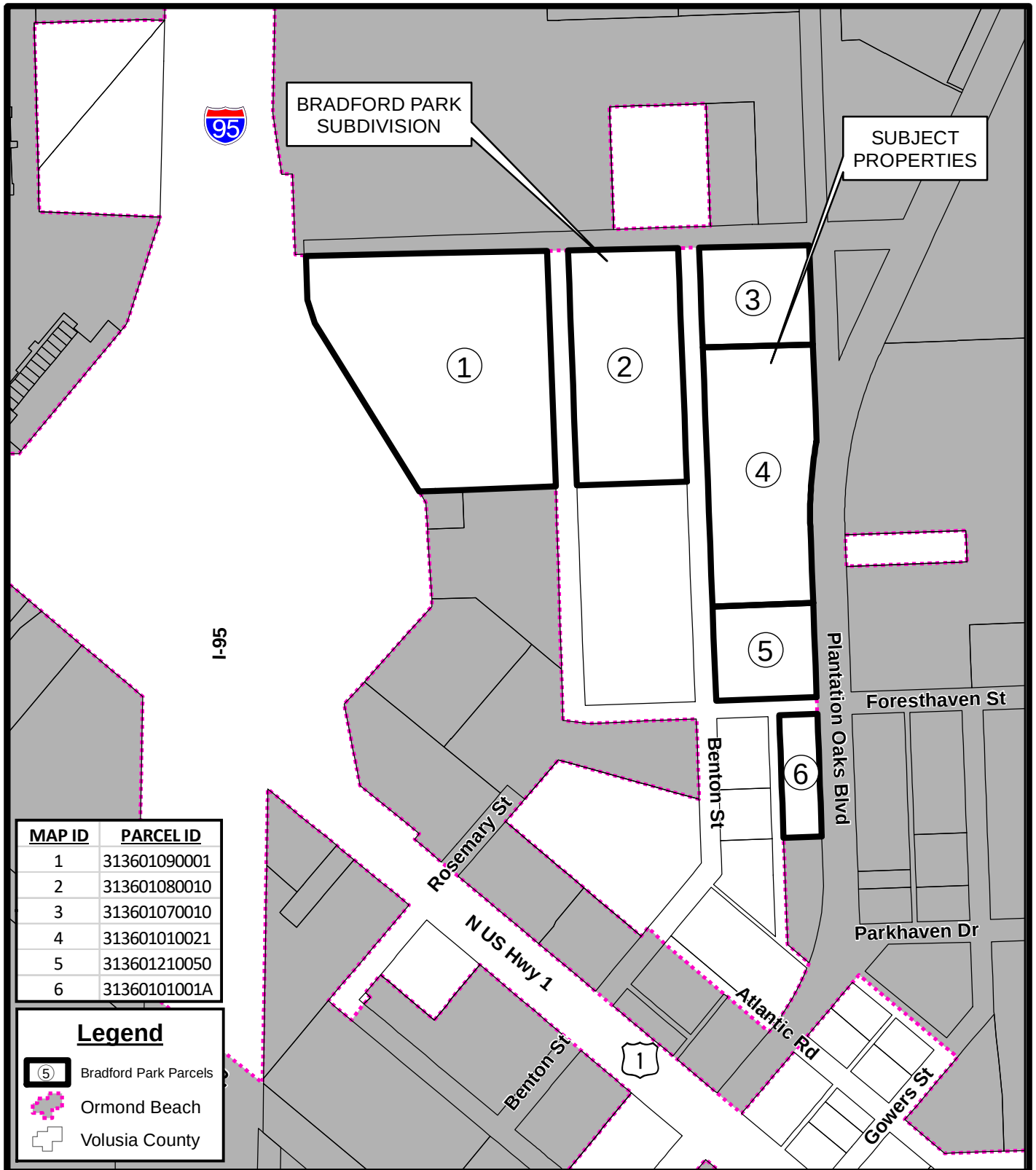
comdev@ormondbeach.org

INSTRUCTIONS

Site plan submittals require the submittal of applications per Ordinance 2021-30, codified in Section 8-10, Application processing fees, of the Code of Ordinances. All applications shall calculate the fees which shall be verified by city staff. Assistance is available by e-mailing comdev@ormondbeach.org or calling (386) 676-3238.

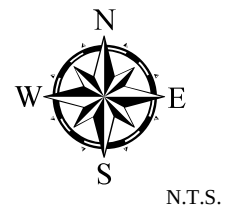
PUBLIC HEARING FEES (Ordinance 2021-30 - Section 8-10 of Code of Ordinances)

Check all that apply	SPRC reviews	Fee	Advertising	Total fee
☒	Annexation	No fee	No fee	No fee
☐	Annexation Agreement	No fee	No fee	No fee
☐	Comprehensive Plan, small area amendment	\$2,000	\$1,025	\$3,025
☐	Comprehensive Plan, large-scale amendment	\$2,000	\$2,250	\$4,250
☐	Concurrency, traffic impact analysis	\$3,000 (deposit)	NA	\$3,000
☐	Development of Regional Impact amendment	\$600	\$2,250	\$2,850
☐	Planned Development	\$2,500	\$2,400	\$4,900
☐	Planned Development, major amendment	\$1,000	\$2,400	\$3,400
☐	Regulatory amendment, zoning map, under 10 acres	\$1,500	\$850	\$2,350
☐	Regulatory amendment, zoning map, over 10 acres	\$1,500	\$1,650	\$3,150
☐	Regulatory amendment, LDC amendment	\$1,000	\$700	\$1,700
☐	Regulatory amendment, LDC amendment (zoning districts)	\$1,000	\$1,500	\$2,500
☐	Special Exception	\$850	\$850	\$1,700
☐	Special Exception, CRA	\$400	\$850	\$1,250
☐	Street vacation	\$500	\$1,925	\$2,425
☐	Subdivision, Preliminary plat	\$1,500 plus \$25 per lot	NA	\$1,500 plus \$25 per lot
☐	Subdivision, Final plat	\$1,000 plus \$25 per lot	\$350	\$1,350 plus \$25 per lot
☐	Subdivision, city surveyor review	Actual costs	NA	Actual costs
☐	Subdivision, Recording of plat	Actual costs	NA	Actual costs
☐	Other:			
TOTALS:				



PARCEL MAP BRADFORD PARK

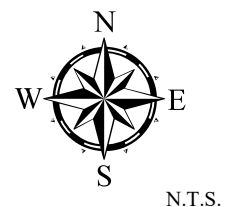
Prepared By: The City of Ormond Beach
G.I.S. Department - June 26, 2023

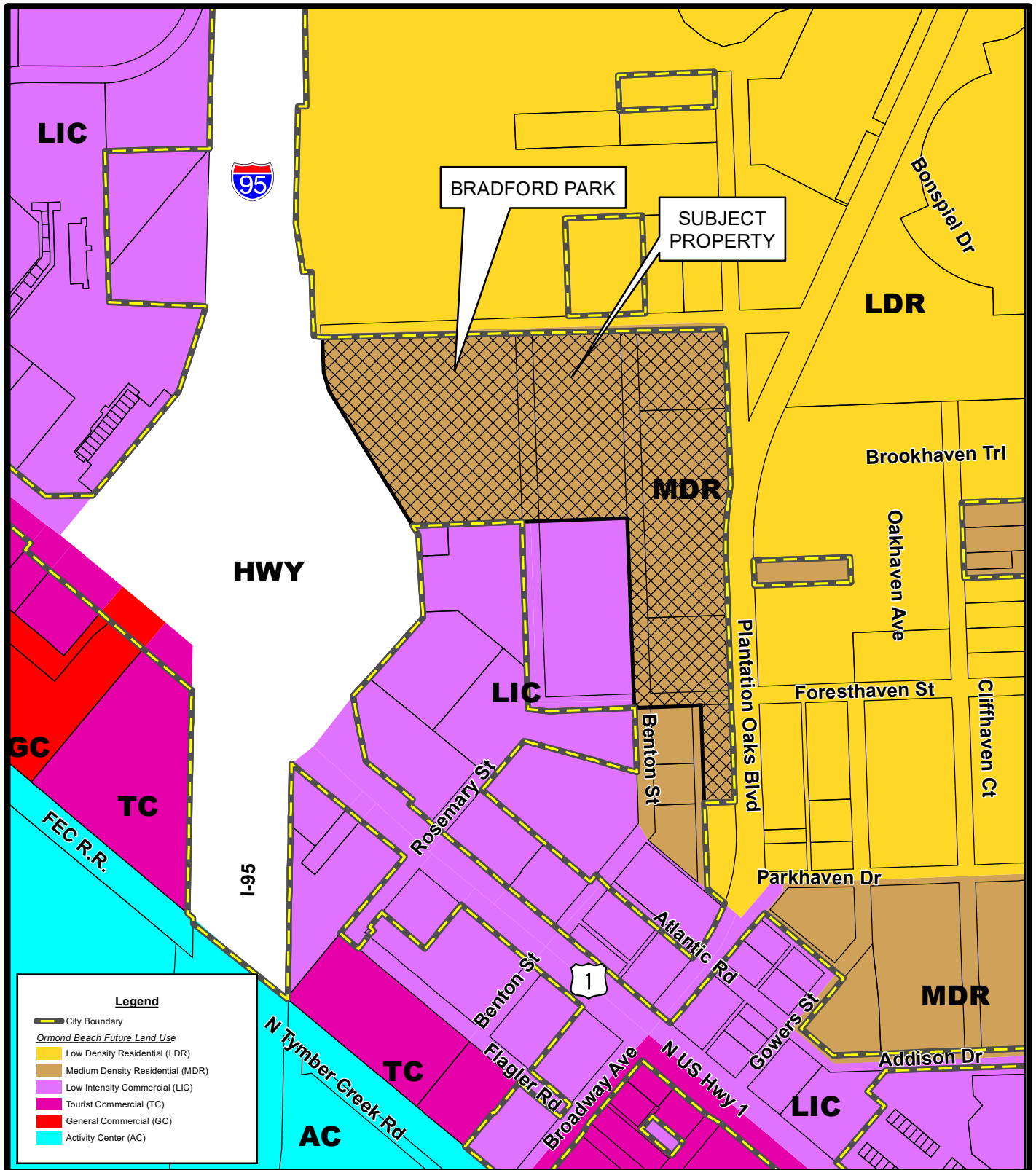




AERIAL MAP BRADFORD PARK

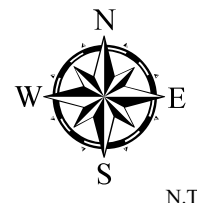
Prepared By: The City of Ormond Beach
G.I.S. Department - June 27, 2023

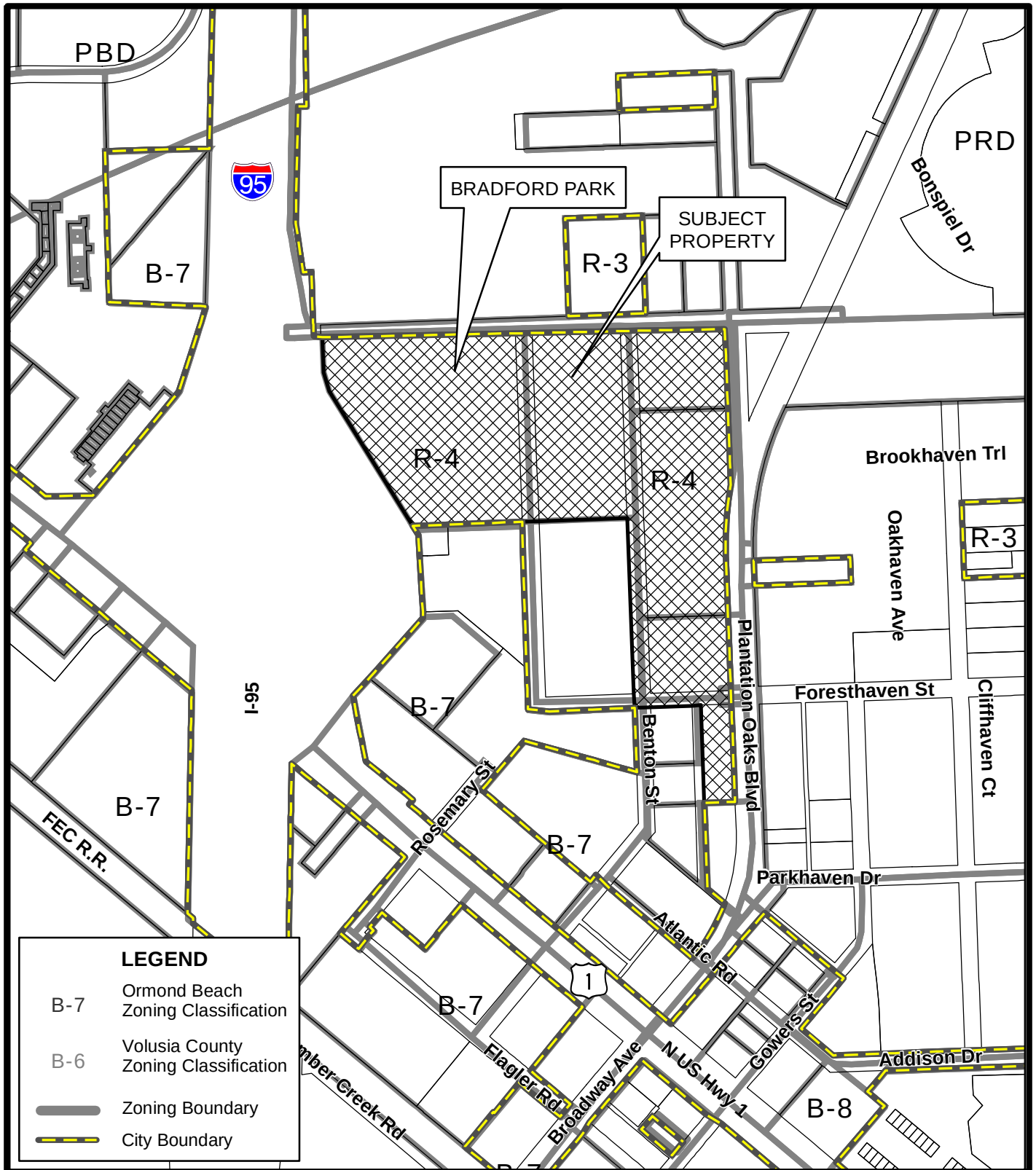




FUTURE LAND USE MAP BRADFORD PARK

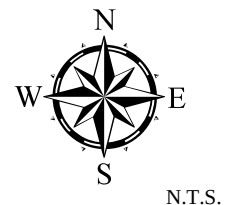
Prepared By: The City of Ormond Beach
G.I.S. Department - June 27, 2023

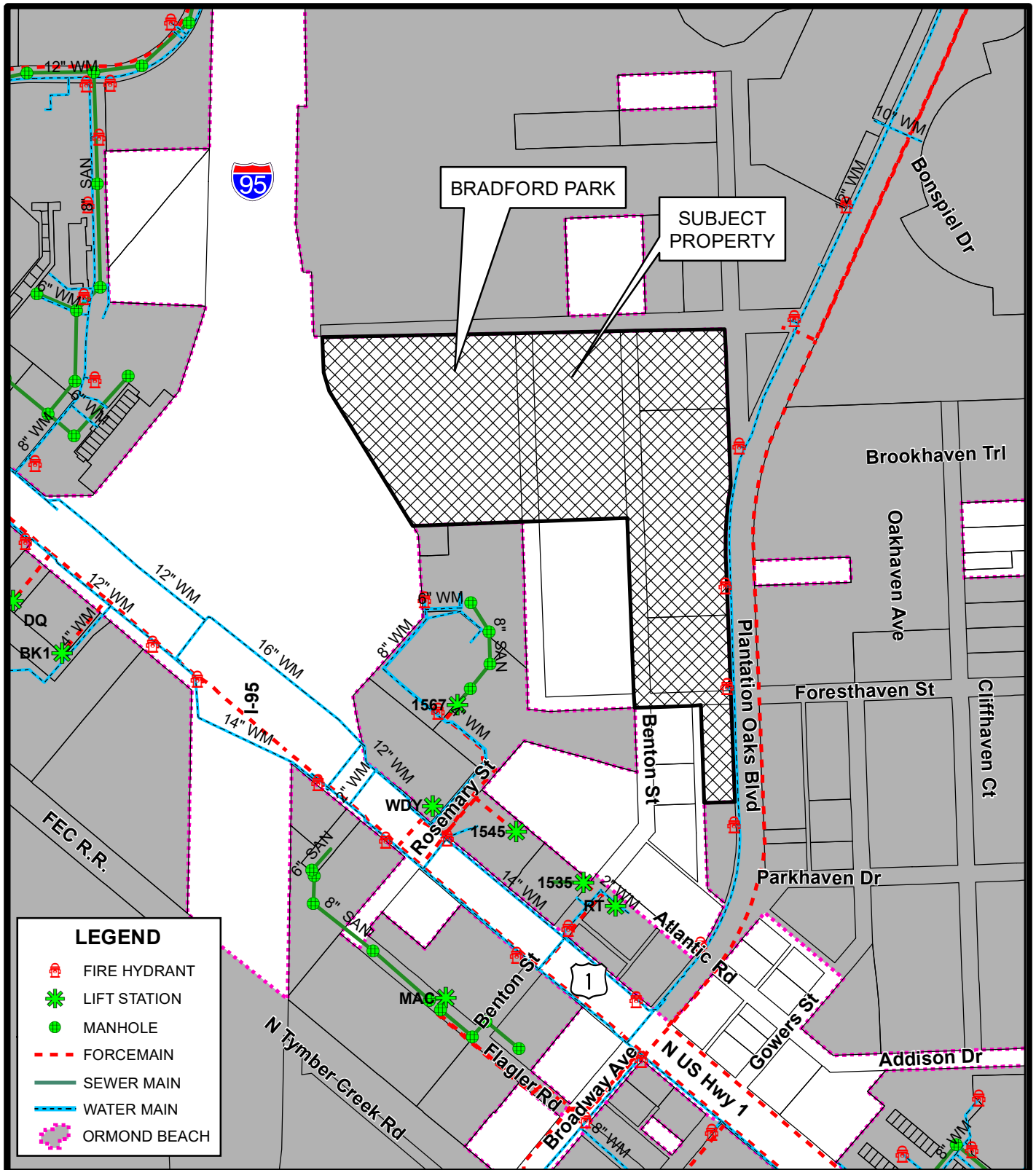




ZONING MAP BRADFORD PARK

Prepared By: The City of Ormond Beach
G.I.S. Department - June 27, 2023





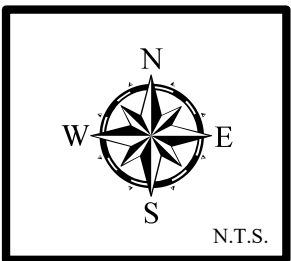
LEGEND

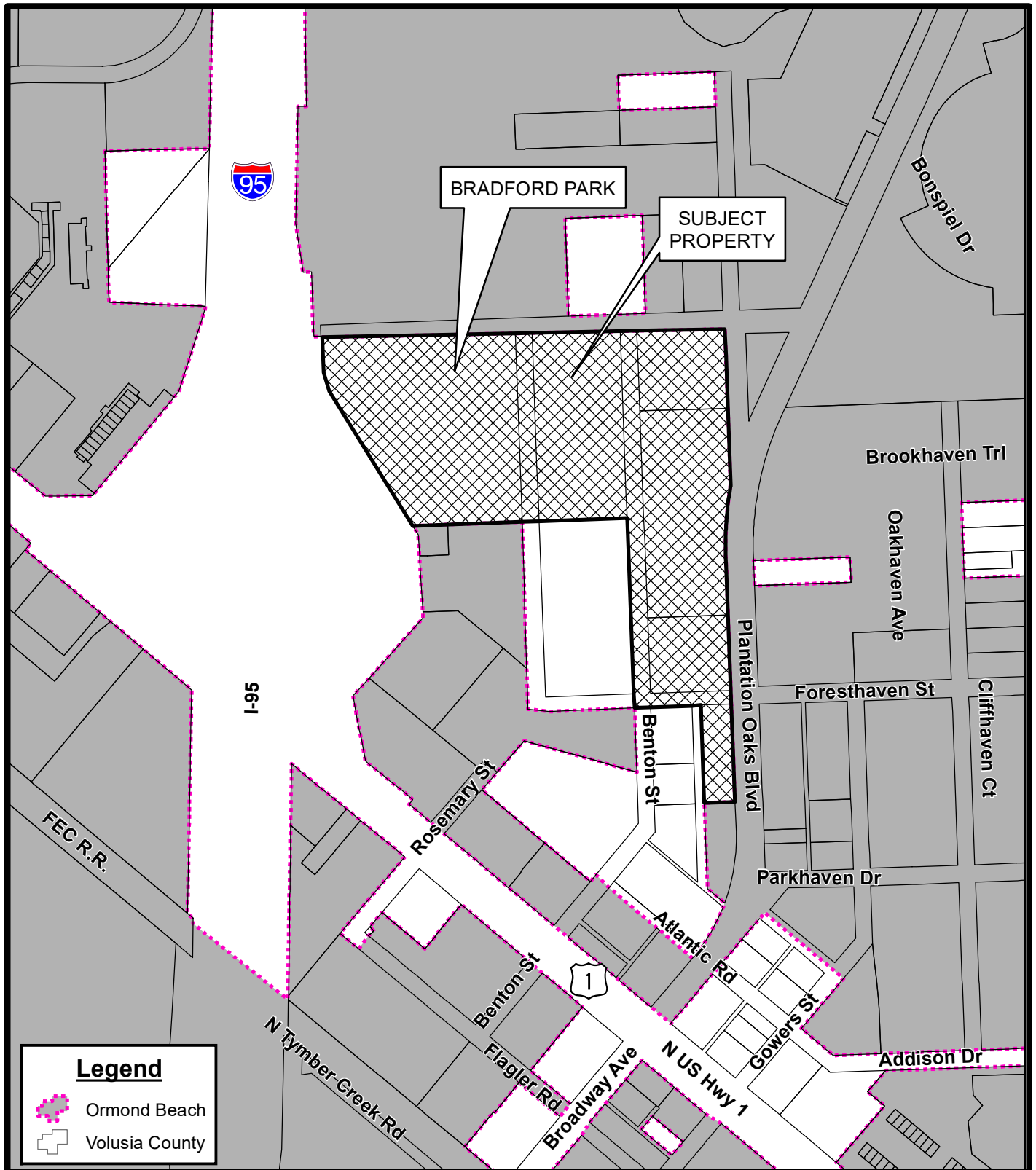
- FIRE HYDRANT
- LIFT STATION
- MANHOLE
- FORCEMAIN
- SEWER MAIN
- WATER MAIN
- ORMOND BEACH



**UTILITIES MAP
BRADFORD PARK**

Prepared By: The City of Ormond Beach
G.I.S. Department - June 27, 2023





BRADFORD PARK LOCATION MAP

Prepared By: The City of Ormond Beach
G.I.S. Department - June 27, 2023

