

Large Scale Comprehensive Plan Amendment

DEV2017-062 (Legislative Hearing)

Low Intensity Urban Future Land Use Map Amendment

Staff Report

DATE: July 27, 2017

TO: Planning Board Members

FROM: Doug Gutierrez, AICP, Senior Planner

INTRODUCTION:

A request by Planning Division staff for approval of a Large Scale Comprehensive Plan Map Amendment changing the Future Land Use Map designation from (Volusia County) Conservation (C) to Low Intensity Urban (LIU) for 626± acres of land located northwest of Interstate 4 and south of International Speedway Boulevard (ISB).

PROJECT INFORMATION

Size of Property: The property is 626 Acres +/-, See Exhibit A.

Legal Description: See copies of Property Appraiser Card and Deed attached as Exhibit B.

Parcel Identification Number: 01-16-31-00-00-0020 .

General Location: The property is generally located south of International Speedway Blvd. and northwest of Interstate 4. see Location Map Exhibit C.

Frontage: The property has approximately 2,835 feet of frontage along International Speedway Blvd. (ISB).

Access: Street and vehicular access will be provided via public and/or private rights-of-way (ROW). The property has frontage on ISB.

Aerial Photography - see Exhibit D.

Existing Development: The property is currently vacant.

Future Land Use Designation: The current FLU designation is Volusia County Conservation (C) and the proposed FLU designation is City Low Intensity Urban (LIU) See Exhibit E.

Current Zoning: Volusia County Conservation, See Exhibit E.

PROJECT DESCRIPTION

Proposed Amendment to the Future Land Use Map. The entire parcel is owned by the City of Daytona Beach and consists of 626± acres, which the City proposes changing the Land Use Element Future Land Use Map designation of County Conservation to City Low Intensity Urban. The subject property is located south of ISB and northwest of Interstate 4. This property is being annexed into the City concurrently with this amendment application.

PROJECT ANALYSIS:

The following table shows existing land use, future land use, and zoning for the site and adjacent properties.

Table 1: Land Use and Zoning Table

	Existing Land Uses	Future Land Use Designation	Zoning Classification
Site	Undeveloped	Volusia County Conservation (C)	Volusia County C Conservation
North	Stewart Marchman Center County Regional Juvenile Detention Center	Volusia County Public/Semi-Public (PSP)	Volusia County P
South	Undeveloped	Volusia County Conservation (C)	Volusia County C Conservation
East	Undeveloped Single Family residential	Volusia County Environmental Systems Corridor (ESC) Volusia County Low Intensity Urban (LIU)	Volusia County RC Volusia County B-1 Volusia County RPUD
West	Undeveloped	Volusia County Conservation (C)	Volusia County C Conservation

The property currently has the County land use designation of Conservation (C). The Conservation designation is intended to preserve and protect Volusia County’s natural resources. It has been an accepted practice for the City to allow for annexed property to retain County land use until the time of development or until such time as the applicant requests the land use change. The City as the applicant is requesting a land use change to Low Intensity Urban (LIU)

Conformance with the Comprehensive Plan:

The following italicized excerpt from the Volusia County Comprehensive Plan describes the intent of the current County Future Land Use Map categories.

- a. Conservation (C) - Includes public and private land areas that have been acquired or reserved by mutual agreement with the owner for the preservation and protection of Volusia County's natural resources. Said areas are identified on the Future Land Use Map and include portions of stream and river banks, drainage-ways, beaches, shorelines, wetlands, uplands, groundwater recharge areas, and flood plains. This land use may also apply to land designated Conservation or Conservation easement that was set aside for park or opens space use as a part of, or as a basis for approving the density of a residential development. If privately owned land is designated unintentionally as Conservation, the landowner may request a Comprehensive Plan amendment which would be processed administratively. The appropriate land use designation shall be consistent with the underlying zoning district.*
- (1) Conservation uses shall not exceed a maximum Floor Area Ratio of ten percent (0.10 FAR).*
- (2) Improvements should be limited to functions that are related to protection, management, public access, security and conservation of the land.*

The City’s Future Land Use Element of the Comprehensive Plan defines the proposed Low Impact Urban (LIU) categories as follows.

Low Intensity Urban: *This designation provides a mechanism to protect environmental site features. Any land use considered to be urban may be permitted within this category and shall be developed in accordance with the Future Land Use Element. Up to 25% of the gross acreage may consist of non-residential land uses including, but not limited to, commercial,*

office, warehouse, distribution, recreation, and amusements located in planned zoning districts. Non-residential uses including public schools shall be located in such a manner that will provide compatibility with residential uses. In addition, high traffic generating non-residential uses shall be concentrated on major roadway corridors.

Land uses considered to be urban will be serviced by central utilities and designed to protect sensitive wetlands. The gross density is 1 dwelling unit per gross acre on all affected lands. Density transfers from the PES overlay areas to the LIU areas will permit net densities exceeding 1 unit per acre on uplands. However, the average net densities will not exceed 4 units per acre. Eighteen percent (18%) of this area shall be green area of which at least fifty percent (50%) shall be preservation of uplands sited in an ecologically strategic manner. Building coverage on commercial and residential lots shall not exceed 50% of the total site. Any exceptions to the foregoing limitations on density require either an amendment to this category or specific authority under an applicable neighborhood policy in the Future Land Use Element.

Policy 1.1.1 of the Future Land Use Element (FLUE) provides the following criteria to determine conformance to the Future Land Use Map:

1. the extent of departure from the appropriate land use area.
2. conditions in the area that would support the use in the proposed area.
3. consistency with the goals, objectives and policies in this comprehensive plan.
4. impact on other jurisdictions.

The following analysis addresses these four criteria.

1. The extent of departure from the appropriate land use area.

As the following table notes, the land use change would increase residential entitlement. Although the propose land use FAR is greater than the current land use, there is a decrease in square footage due to the limitation of 25% of gross acreage for non-residential use.

Table 2: Current and Proposed Future Land Use Category Comparison *

FLUM	Volusia County Conservation	City Low Intensity Urban
Nonresidential Limitation	.10 FAR commercial	25% gross acreage .3 FAR commercial
Max. Commercial	2,726,856 square feet	2,045,142 square feet
Gross Density Limit	N/A	1 unit per acre
Max. Residential	N/A	626 units (1 UPA gross density)
Open Space Preservation	Wetland encroachment avoided	Greater of: Wetland encroachment avoided or 18% of site

It should be noted that while entitlements are increased by this amendment, the wetlands will be preserved and an additional 56+/- acres of uplands will be preserved under the City land use. A case can be made that the uptick in development rights is justified by the incorporation of this property into the City, as central services are available and a more urbanized environment is expected.

2. Conditions in the area that would support the use in the proposed area.

While the area is relatively remote, the property has 2,835 feet of frontage on International Speedway Blvd to the North.

3. Consistency with the goals, objectives and policies in this comprehensive plan.

Objectives and Policies of the Comprehensive Plan that are relevant to this application are listed below:

Future Land Use Element

Goal 1: To achieve a future land use pattern that provides for sufficient supply of land to meet growth demands, ensures that land uses are located in a rational and efficient manner, and promotes economic development.

Goal 1 of the Future Land Use Element is to locate land use activities in a rational and efficient manner. This parcel is located along the south side of International Speedway Blvd. This is a major transportation node and an appropriate location for uses including the opportunity for commercial, residential and recreational uses.

Policy 1.2.1 Traffic: The Land Development Code shall be maintained in a manner that will cause future major traffic generators to be located in close proximity with thoroughfares, which have the capacity to carry the additional traffic generated by such developments. All future rezoning shall be consistent with this policy.

The property has 2,835 feet of frontage along International Speedway Blvd. The amendment will locate the development south of International Speedway Blvd, providing adequate capacity to carry traffic generated by the proposed land use of Urban Low Intensity.

Objective 1.5 Residential: The City shall maintain an adequate supply of residential land which will provide a wide range of housing opportunities.

The amendment is consistent with Objective 1.5 by providing potential development with the opportunity for residential uses. The property is currently a vacant and underutilized area with no development. The residential single family housing contributes to the diversity of housing in the City by offering a variety of housing options.

Policy 2.2.7: Urban development west of I-95 shall be primarily Planned Unit Developments, which achieve the following benefits:

- *Efficient use of land*
- *Greater protection of natural resources*
- *Reduced infrastructure costs and corresponding savings to the consumer*
- *Attractive and compatible design*

Policy 2.2.7 seeks to minimize urban sprawl by limiting the creation of new remote areas of urban development or uses, which fail to maximize the use of existing facilities. The proposed amendment conforms to this policy statement and would promote its implementation by locating a mixture of uses in an area that is well suited to support these uses. The proposed amendment ensures the efficient use of land and greater protection of natural resources by promoting clustering to preserve wetlands.

Transportation Element (Traffic Section)

Objective 1.7 Future Land Use Controls: Maintain a land use pattern that supports and is compatible with the function of the roadway system that is designed to serve it. Higher

trip generators are to be located adjacent to and at the intersections of arterial roadways with lower trip generators located adjacent to collector and local streets.

The amendment is consistent with this objective, as more particularly described in the impact analysis below.

Housing Element

Objective 1.1 New Construction: Assist the private sector in providing the necessary additional housing units to support the planning horizon population projection.

This objective seeks to ensure adequate housing exists to accommodate the projected increase in the Daytona Beach population. The amendment conforms to this objective by potentially allowing the construction of a development with a variety of uses.

Policy 1.1.1 Utilize the Future Land Use Map and zoning map to assure a continued supply of vacant, underutilized or re-developable land designated for a diversity of housing types including single-family, multi-family and manufactured housing.

This amendment is consistent with this policy by providing a potential development with the opportunity for numerous uses. The property is currently vacant and underutilized are with no development. The residential housing contributes to the diversity of housing in Daytona Beach.

Public Schools Facilities Element

Policy 1.4.2 Amendments to the future land use map shall be coordinated with the School Board and the Public School Facilities Planning Maps.

Any residential development which may occur on this site that generates students, will be coordinated with the School Board and Public Schools Facilities.

Impact Analysis:

In addition to the above criteria established in the Comprehensive Plan, the amendment has been analyzed in terms of the infrastructure impacts. For considering a change of land use, an analysis of the maximum development potential is required.

Table 2: Project Traffic Impacts

Existing Land Use	Units SF	ITE Code	Daily trip rate equation	Total Daily Trips
County C (Residential)	0	N/A	N/A	0
County C (Commercial)	2,726,856 SF*	417 (Regional Park)	4.57/AC	2,862
Total	<i>*FAR 0.10</i>			2,861

Proposed Land Use	Units SF	ITE Code	Daily trip rate equation	Total Daily Trips
ULI (Residential)	626	210 (Single Family)	9.52/unit	5,960
ULI (Commercial)	2,045,142 SF**	820 (Shopping Center)	23.62/1000 SF	48,293
Total	<i>**FAR 0.30 (25% GA)</i>			54,253

Net Impact				+51,392
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Table 3: Project Water and Sewer Impacts

Existing Land Use				
Existing Land Use	Units/ Commercial SF	Population	Water (gpd)	Sewer (gpd)
County C (Residential)	0	0	0	0
County C (Commercial)	2,726,856		272,686	272,686
Total			272,686	272,686
Proposed Land Use				
Existing Land Use	Units/ Commercial SF	Population	Water (gpd)	Sewer (gpd)
City ULI (Residential)	626	1,615	242,262	242,262
City ULI (Commercial)	2,045,142		204,514	204,514
Total			446,776	446,776
Net Impact			+174,090	+174,090
(gpd) = gallons per day				

Persons per household based on latest U.S. Census rate of 2.58 (Year 2016). Sewer and water use level of service standard in the Comprehensive Plan is 150 gpd per person, and for commercial, is 0.1 per square foot.

Urban services necessary to serve this site and the concurrency process requires that adequate capacity be available for new development prior to the approval of final development orders. The current Future Land Use designation of Conservation allows floor to area ratio not to exceed 0.10 and no residential density. The proposed Future Land Use of Urban Low Intensity allows a FAR of 0.30 for 25% of the gross acreage and 1 dwelling unit per acre residential density.

Water: The City’s potable water treatment plant has sufficient capacity (24.0 MGD) to accommodate the proposed Future Land Use designation. The current maximum daily flow is 14.151 MGD and the proposed amendment results in a net increase in demand of 174,091 GPD.

Sewer: The City’s waste water treatment plant servicing this site has sufficient capacity (15.0 MGD) to accommodate the proposed Future Land Use designation. The current maximum monthly annual daily flow is 8.3 MGD and the proposed amendment results in a net increase in demand of 174,091 GPD.

Wellfield Protection Zones: Parcel is not within a wellfield Protection Zone

Reclaimed Water: Is not currently available at this site.

Transportation: The proposed Future Land Use Map amendment will also result in a net increase of 51,392 daily trips from the maximum allowed by the current land use.

Stormwater Management: The project shall provide a stormwater retention area in accordance with the Land Development Code requirements. The proposed amendments will have no impact on the provision of stormwater management.

Urban Sprawl: In general terms and as directed by Florida Statutes and rules of the Florida Administrative Code, key urban sprawl indicators are leapfrog development, premature development, and development that does not make efficient use of urban services. Local governments are responsible for ensuring that their actions do not further urban sprawl.

This amendment does not represent leapfrog development. While it is located in an area that does not have existing development or urban services, it is also adjacent to major thoroughfares

like Interstate 4 and International Speedway Boulevard (US 92). The location is a logical extension of the growth that has been occurring in the western part of the City.

This amendment generally promotes efficiency in the use of urban services. Central water and sewer services are nearby with available capacity and can be provided to the site.

Environmental Analysis:

Surface water and Wetlands: Please see Exhibit F

Soils: Please see Exhibit G

Flood Zone: Portions of this site are located within FEMA flood zone A, a 100 year flood zone with the base flood elevation not determined and FEMA flood zone inside and outside of the 500 year flood zone. Development will incorporate local and state regulations regarding filling within flood plains. Two FIRM maps cover this site FIRM map 12127C0350H and 12127C0500H both effective 02-19-2014 (Zone A and X) Please see Exhibit I

Listed Animal and Plant Species: Please see Exhibit J

Conclusion:

The proposed amendment is supported by Comprehensive Plan as detailed in the report. The amendment will permit the efficient integration of planning and management of the property.

RECOMMENDATION:

Staff recommends finding the amendment consistent with the comprehensive plan and forward to the City Commission for transmittal to the State Department of Economic Opportunity (DEO) for review and to the Volusia Growth Management Commission (VGMC) for certification.

EXHIBIT A

Survey and Legal Description

PARENT PARCEL LEGAL DESCRIPTION

COMMENCE AT THE NORTHEAST CORNER OF SECTION 12, TOWNSHIP 16 SOUTH, RANGE 21 EAST FOR THE POINT OF BEGINNING; THENCE, ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 12. RUN SOUTH 00°04'36" EAST, 1318.77 FEET TO THE SOUTHEAST CORNER OF THE NORTH ONE-HALF OF THE NORTHEAST QUARTER OF SAID SECTION 12; THENCE, ALONG THE SOUTH LINE OF SAID NORTH ONE-HALF OF THE NORTHEAST QUARTER, RUN SOUTH 84°46'16" WEST, 1325.05 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 12; THENCE, ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12, RUN SOUTH 00°30'57" EAST, 1319.74 FEET TO THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12; THENCE, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 12, RUN NORTH 84°41'27" EAST, 1315.06 FEET TO THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 12; THENCE, ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER OF SECTION 12. RUN SOUTH 00°04'36" EAST 2637.53 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 12, SAID CORNER ALSO BEING THE NORTHWEST CORNER OF SECTION 18, TOWNSHIP 16 SOUTH, RANGE 32 EAST; THENCE, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 18, RUN NORTH 88°36'48" EAST, 2555.13 FEET TO A POINT LYING ON THE NORTHWESTERLY LIMITED ACCESS RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY NO. 4 (STATE ROAD 400) AS MONUMENTED AND LOCATED IN THE FIELD; THENCE, ALONG SAID NORTHWESTERLY LIMITED ACCESS RIGHT-OF-WAY LINE, RUN SOUTH 39°51'26" WEST, 3979.53 FEET TO A POINT LYING ON THE WEST LINE OF SAID SECTION 18, SAID LINE ALSO BEING THE EAST LINE OF SECTION 13, TOWNSHIP 16 SOUTH, RANGE 31 EAST; THENCE, ALONG SAID NORTHWESTERLY LIMITED ACCESS RIGHT-OF-WAY LINE, CONTINUE SOUTH 39°51'26" WEST, 3008.04 FEET TO A POINT ON THE SOUTH LINE OF THE EAST ONE-HALF OF SAID SECTION 13, SAID LINE ALSO BEING THE NORTH LINE OF THE EAST ONE-HALF OF SECTION 24, TOWNSHIP 16 SOUTH, RANGE 31 EAST; THENCE, ALONG SAID NORTHWESTERLY LIMITED ACCESS RIGHT-OF-WAY LINE, CONTINUE SOUTH 39°51'26" WEST, 1102.53 FEET TO A POINT ON THE WEST LINE OF THE EAST ONE-HALF OF SAID SECTION 24; THENCE, ALONG SAID WEST LINE, RUN NORTH 00°54'21" WEST, 836.36 FEET TO THE NORTHWEST CORNER OF THE EAST ONE-HALF OF SAID SECTION 24; THENCE, ALONG THE WEST LINE OF THE EAST ONE-HALF OF THE AFORESAID SECTION 13, RUN NORTH 00°49'02" EAST, 4838.52 FEET TO THE SOUTHWEST CORNER OF THE AFORESAID SOUTHEAST QUARTER OF SECTION 12; THENCE, ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, RUN NORTH 00°57'16" WEST, 2868.75 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 12, THENCE, ALONG THE WEST LINE OF SAID NORTHEAST QUARTER, CONTINUE NORTH 00°57'16" WEST, 2270.69 FEET TO A POINT LYING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 92 (STATE ROAD 600) AS MONUMENTED AND LOCATED IN THE FIELD, SAID POINT ALSO LYING ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY; THENCE RUN NORTHEASTERLY, ALONG SAID RIGHT-OF-WAY LINE AND SAID CURVE, HAVING A RADIUS LENGTH OF 5629.58 FEET, A CENTRAL ANGLE OF 00°26'33", AN ARC LENGTH OF 43.49 FEET, A CHORD LENGTH OF 43.49 FEET AND A CHORD BEARING OF NORTH 70°23'04" EAST TO THE POINT OF TANGENCY; THENCE, ALONG SAID RIGHT-OF-WAY LINE. RUN NORTH 70°36'21" EAST, 2767.96 FEET TO A POINT ON THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 16 SOUTH, RANGE 31 EAST; THENCE, ALONG SAID EAST LINE, RUN SOUTH 00°13'36" EAST, 323.22 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 626.24 ACRES, MORE OR LESS.

EXHIBIT B

Parcel Information & Deed



Volusia County Property Appraiser

Larry Bartlett, J.D.

- Home
- Search**
- Downloads
- Exemptions
- Agriculture
- Maps
- Tangible
- Links
- Contact

Home > Search Choices > Search By Parcel Number > Property Information

Parcel Information: 6101-00-00-0020 **2017 Working Tax Roll** Last Updated: 07-09-2017

Owner Name and Address

Alternate Key	2463890	Parcel Status	Active Parcel (Real Estate)
Short Parcel ID	6101-00-00-0020	Mill Group	100 Unincorporated
Full Parcel ID	01-16-31-00-00-0020	2016 Final Mill Rate	22.13190
Created Date	18 DEC 1981		
Property Class	80 Vacant Governmental for Municipal, County, State, Federal & Water Mgmt Districts		
Ownership Type	Municipal	Ownership Percent	100
Owner Name	CITY OF DAYTONA BEACH		
Owner Name/Address 1	% CITY MANAGER		
Owner Address 2	PO BOX 2451		
Owner Address 3	DAYTONA BEACH FL		
Owner Zip/Postal Code	32115-2451		
Situs Address	W INTL SPEEDWAY BLVD DAYTONA BEACH 32124		

Legal Description

1 12 & 13 16 31 & 18 16 32 & 24 16 31 SE 1/4 OF SE 1/4 S OF US 92 EXC 200 FT STRIP FOR STATE ROAD IN 1 16 31 & INC NE 1/4 OF NE 1/4 & SW 1/4 OF NE 1/4 & NW 1/4 OF NE 1/4 S OF RD & SE 1/4 IN 12 16 31 & INC ALL NW OF ST RD 400 (I-4) MEAS 2556.13 FT ON N/L OF SECTION & MEAS 3979.53 FT ON NWLY LTD ACCESS ROW LINE I-4 IN 18 16 32 & INC E 1/2 OF NW N OF I-4 (SR 400 IN 13 16 31 EXC 50 PC SUBSURFACE RIGHTS & INC E 1/2 W OF I-4 IN 24 16 31 PER OR 3285 PG 1763 PER OR 6291 PG 3409

Sales History

Book Page	Sale Date	Sale Instrument	Qualified Unqualified	Improved	Sale Price
6291 3409	05/2008	Quit Claim Deed	Multi parcel sale	No	100
3311 0157	05/1989	Warranty Deed	Multi parcel sale	No	100
3285 1763	04/1989	Warranty Deed	Multi parcel sale	No	1,200,000
3086 1603	12/1987	Warranty Deed	Multi parcel sale	No	11,368,500
2863 0956	09/1986	Warranty Deed	Multi parcel sale	No	5,000
2742 0412	10/1985	Unknown	Multi parcel sale	No	100

History of Values

Year	Land	Bldg(s)	Misc. Impr.	Just Value	School Assessed	Non-School Assessed	School Exemption	School Taxable	Non-School Exemption	Non-School Taxable
2016	315,120	0	0	315,120	315,120	6,735	315,120	0	0	0
2015	315,120	0	0	315,120	315,120	6,123	315,120	0	0	0

[Display Value History](#)

Land Data

Code	Land Use Type	Frontage	Depth	No. Units	Unit Type	Rate	Depth	Loc	Shp	Phy	Just Value
8089	VAC GOV - MUNICIPAL	0.0	0.0	1.50	ACREAGE	500.00	100	100	100	100	750
8093	VAC GOV - LESS S/S RTS	0.0	0.0	628.74	ACREAGE	500.00	100	100	100	100	314,370
Neighborhood 2303 CITY OF REMADOS HWY 92 FRONTG											
Total Land Classified											0
Total Land Just											315,120

Parcel Notes (Click button below to display Parcel Notes)

[Display Notes](#)

Planning and Building

Permit Number	Permit Amount	Date Issued	Date Complete	Construction Description	Occupancy Number	Occupancy Bldg
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[Display Permits](#)

Total Values

Land Value	315,120	New Construction Value	0
Building Value	0	City Econ Dev/Historic	0
Miscellaneous	0		
Just Value	315,120	Previous Just Value	315,120
School Assessed	315,120	Previous School Assessed	315,120
Non-School Assessed	7,408	Previous Non-School Assessed	6,735
Exemption Value	315,120	Previous Exemption Value	315,120
Additional Exemption Value	0	Previous Additional Exemption Value	0
School Taxable	0	Previous School Taxable	0
Non-School Taxable	0	Previous Non-School Taxable	0

[MapIT](#) | [PALMS](#) | [Map Kiosk](#)

MapIT: Your basic parcel record search including lot dimensions.

PALMS: Basic parcel record searches with enhanced features.

Map Kiosk: More advanced tools for custom searches on several layers including parcels.



PS.
61.00
.70 Doc

10/31/2008 10:21 AM
Doc stamps .70
(Transfer Amt \$ 10)
Instrument# 2008-214382 # 1
Book : 6291
Page : 3409

Prepared by
Margaret T. Roberts, City Attorney
City of Port Orange
1000 City Center Circle, Port Orange, FL 32129

RETURN TO:
Daytona Beach City Clerk
Post Office Box 2451
Daytona Beach, FL 32115-2451



A portion of Parcel Nos.
6112-00-00-0010, 6113-00-00-0010, 6101-00-00-0020, 6217-00-00-0010, 6218-00-00-0010.

(Space Above This Line For Recording Data)

Quit-Claim Deed

This Indenture, made this 12th day of May, 2008, between CITY OF PORT ORANGE, FLORIDA, a Florida municipal corporation, located in Volusia County, Florida, mailing address: 1000 City Center Circle, Port Orange FL 32129, "Grantor;" and CITY OF DAYTONA BEACH, FLORIDA, a Florida municipal corporation, mailing address: c/o City Manager, Post Office Box 2451, Daytona Beach, FL 32115-2451, "Grantee."

Witnesseth: That the said Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said Grantor, in hand paid by the said Grantee, the receipt whereof is hereby acknowledged, does hereby remise, release, and quit claim unto the said Grantee, its successor and assigns forever, all the right, title, interest, claim and demand which Grantor has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of Volusia, State of Florida, more particularly described and depicted on the attached Exhibits "A" and "B," consisting of four (4) pages, combined.

The conveyances effected hereby are granted pursuant to that certain Agreement for Voluntary Partition of Real Property According to Survey entered into by and between the Grantor and Grantee, SUBJECT TO: (a) Outstanding Fifty percent (50%) reservation in all oil, gas, and mineral rights; (b) Easements and restrictions of record, the mention of which herein shall not serve to reimpose the same; and (c) Access to the property more particularly described on the attached Exhibits "A" and "B," and mutual rights of first refusal shall both be governed by the terms of the Agreement for Voluntary Partition of Real Property According to Survey filed of record in Official Records Book 6229, Page 592, Public Records of Volusia County, Florida.

To Have and to Hold the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and

claim whatsoever of Grantor, either in law or in equity to the only proper use, benefit and behoof of Grantee forever.

In Witness Whereof, Grantor has hereunto has caused this Quit-Claim Deed to be executed under seal and on its behalf the day and year first above written.

Signed, sealed and delivered in our presence:

Tracy H. London
Printed Witness Name:
Tracy H. London
Rebecca L. Groom
Printed Witness Name:
Rebecca L. Groom
(Witnesses as to Grantor/City)

City of Port Orange, Florida
a chartered municipal corporation

By: Allen Green
Allen Green, Mayor

Attest: Kenneth W. Parker
Kenneth L. Parker, City Manager
(Corporate Seal)

STATE OF FLORIDA
COUNTY OF VOLUSIA

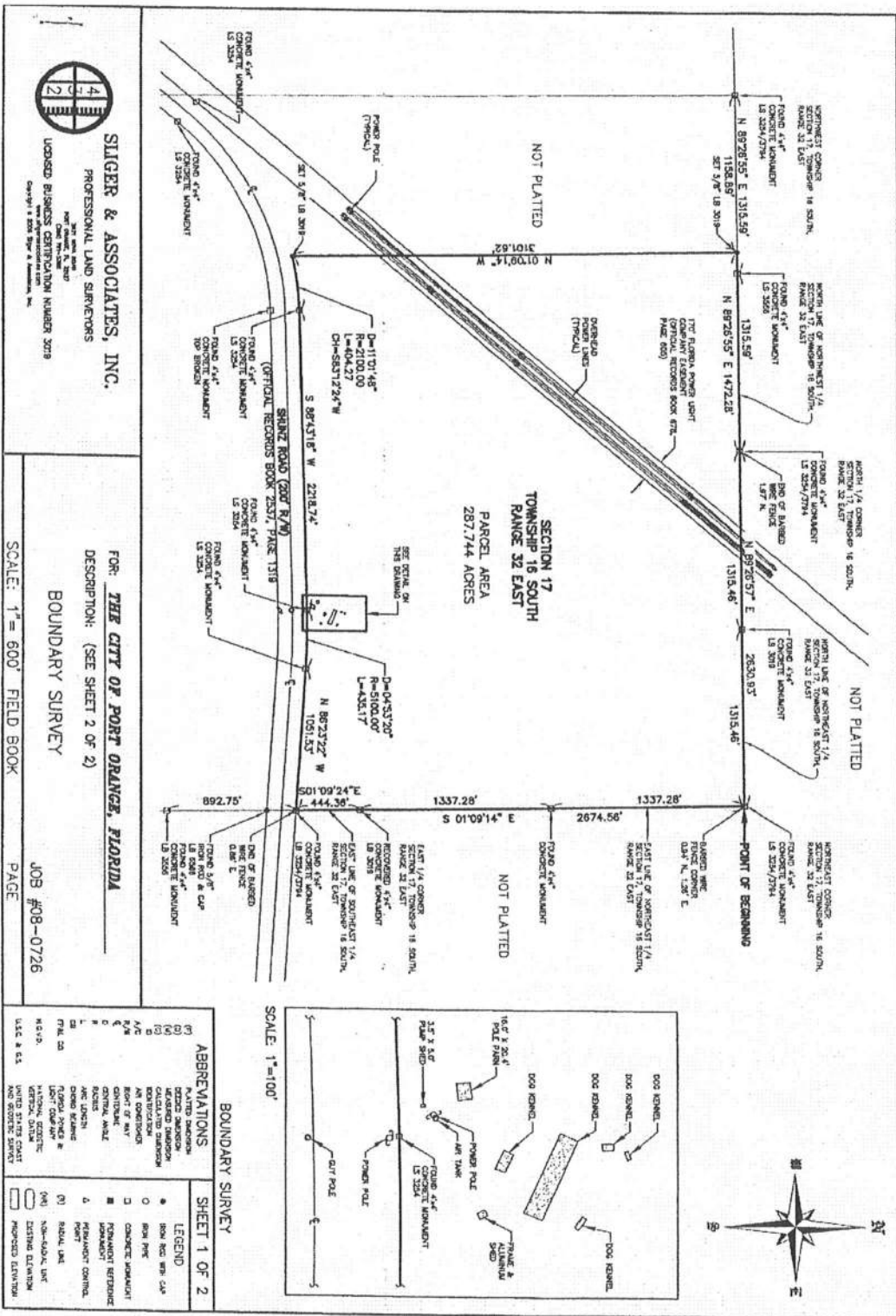
The foregoing Quit-Claim Deed was acknowledged before me this 12th day of May, 2008, by Allen Green and Kenneth L. Parker, the Mayor and City Manager, respectively, who executed the foregoing instrument on behalf of Grantor, **City of Port Orange, Florida**, a chartered municipal corporation, and they are:

personally known to me, or provided identification _____.

Rebecca L. Groom
Notary Public, State of Florida
Printed Name, Commission and Term Expiration Date:

Rebecca L. Groom
Commission # DD313968
Expires August 6, 2008
Notary Public - State of Florida
Bonded Tray # 111 - [REDACTED] 800-385-7019

Exhibit A
Daytona Parcel-1
Sheet 1 of 2



SLIGER & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
10000 W. STATE ROAD 100
SUITE 200
DAYTONA BEACH, FLORIDA 32117
LOANED BUSINESS CERTIFICATION NUMBER 2078
Copyright © 2008 Sliger & Associates, Inc.

FOR: **THE CITY OF PORT ORANGE, FLORIDA**
DESCRIPTION: (SEE SHEET 2 OF 2)
BOUNDARY SURVEY
SCALE: 1" = 600' FIELD BOOK
PAGE JOB #08-0726

BOUNDARY SURVEY
SHEET 1 OF 2

ABBREVIATIONS	LEGEND
(1) 1/4	1/4 SECTION
(2) 1/2	1/2 SECTION
(3) 3/4	3/4 SECTION
(4) 1/4	1/4 SECTION
(5) 1/2	1/2 SECTION
(6) 3/4	3/4 SECTION
(7) 1/4	1/4 SECTION
(8) 1/2	1/2 SECTION
(9) 3/4	3/4 SECTION
(10) 1/4	1/4 SECTION
(11) 1/2	1/2 SECTION
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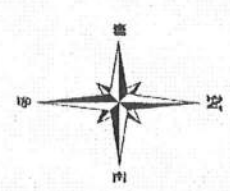
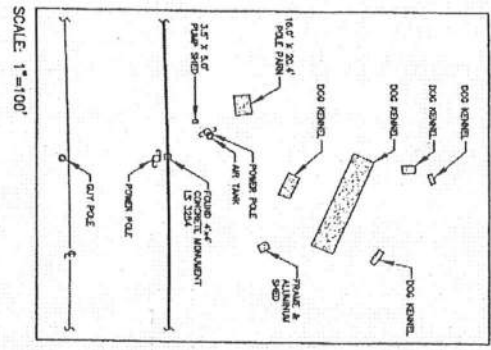


Exhibit B
Daytona Parcel -2
Sheet 1 of 2

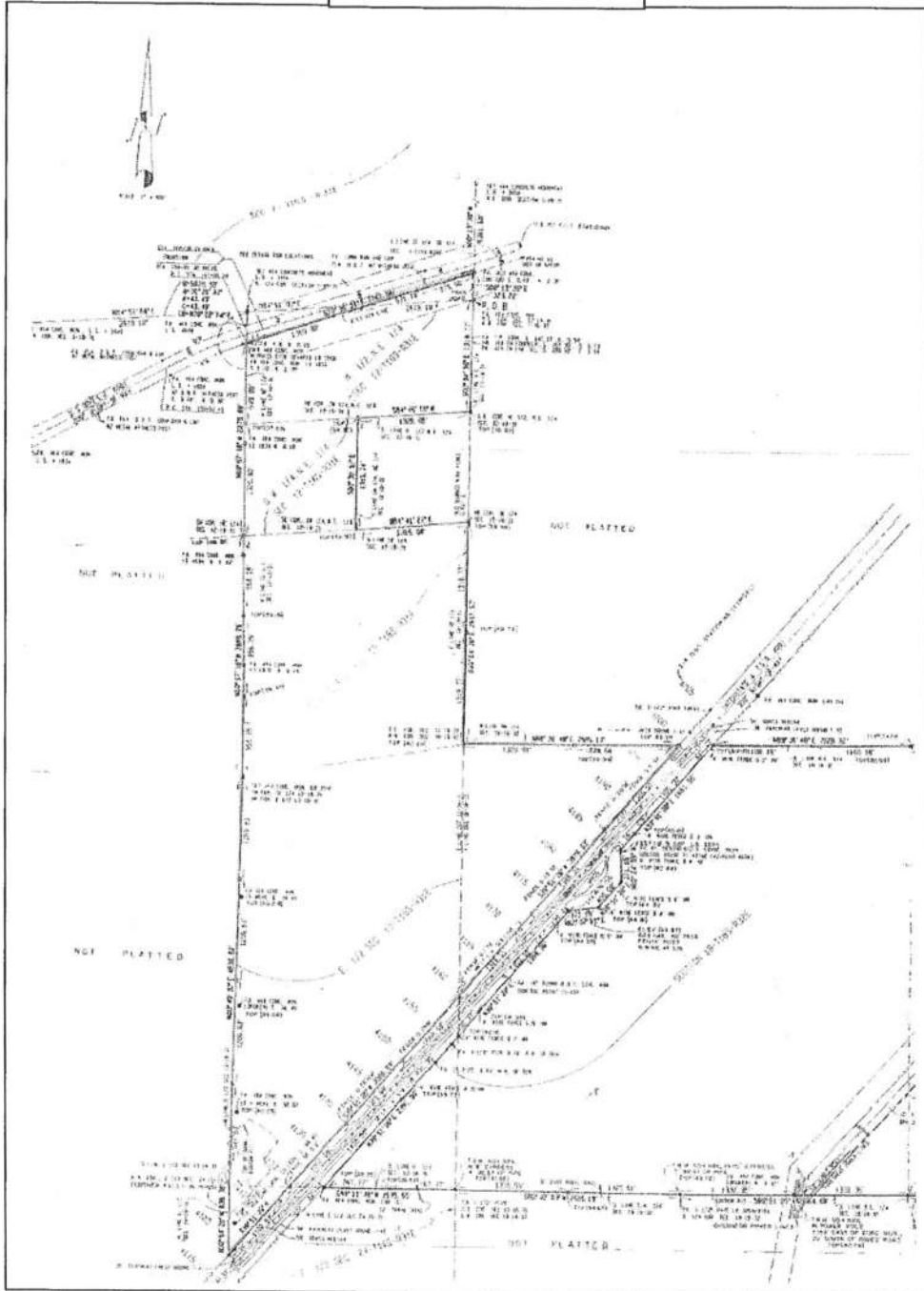


Exhibit B
Daytona Parcel -2
Sheet 2 of 2

Parcel of Land lying westerly of the right-of-way of Interstate Highway No. 4 (SR 400), being further described as follows:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 12, TOWNSHIP 16 SOUTH, RANGE 31 EAST FOR THE POINT OF BEGINNING; THENCE, ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 12, RUN SOUTH 00°04'36" EAST, 1318.77 FEET TO THE SOUTHEAST CORNER OF THE NORTH ONE-HALF OF THE NORTHEAST QUARTER OF SAID SECTION 12; THENCE, ALONG THE SOUTH LINE OF SAID NORTH ONE-HALF OF THE NORTHEAST QUARTER, RUN SOUTH 84°46'16" WEST, 1325.05 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 12; THENCE, ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12, RUN SOUTH 00°30'57" EAST, 1319.74 FEET TO THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12; THENCE, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 12, RUN NORTH 84°41'27" EAST, 1315.06 FEET TO THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 12; THENCE ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER OF SECTION 12, RUN SOUTH 00°04'36" EAST, 2637.53 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 12. SAID CORNER ALSO BEING THE NORTHWEST CORNER OF SECTION 18, TOWNSHIP 16 SOUTH, RANGE 32 EAST; THENCE, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 18, RUN NORTH 88°36'48" EAST, 2555.13 FEET TO A POINT LYING ON THE NORTHWESTERLY LIMITED ACCESS RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY NO. 4 (STATE ROAD 400) AS MONUMENTED AND LOCATED IN THE FIELD; THENCE, ALONG SAID NORTHWESTERLY LIMITED ACCESS RIGHT-OF-WAY LINE, RUN SOUTH 39°51'26" WEST, 3979.53 FEET TO A POINT LYING ON THE WEST LINE OF SAID SECTION 18, SAID LINE ALSO BEING THE EAST LINE OF SECTION 13, TOWNSHIP 16 SOUTH, RANGE 31 EAST; THENCE, ALONG SAID NORTHWESTERLY LIMITED ACCESS RIGHT-OF-WAY LINE, CONTINUE SOUTH 39°51'26" WEST, 3008.04 FEET TO A POINT ON THE SOUTH LINE OF THE EAST ONE-HALF OF SAID SECTION 13, SAID LINE ALSO BEING THE NORTH LINE OF THE EAST ONE-HALF OF SECTION 24, TOWNSHIP 16 SOUTH, RANGE 31 EAST; THENCE, ALONG SAID NORTHWESTERLY LIMITED ACCESS RIGHT-OF-WAY LINE, CONTINUE SOUTH 39°51'26" WEST, 1102.53 FEET TO A POINT ON THE WEST LINE OF THE EAST ONE-HALF OF SAID SECTION 24; THENCE, ALONG SAID WEST LINE, RUN NORTH 00°54'21" WEST, 836.36 FEET TO THE NORTHWEST CORNER OF THE EAST ONE-HALF OF SAID SECTION 24; THENCE, ALONG THE WEST LINE OF THE EAST ONE-HALF OF THE AFORESAID SECTION 13, RUN NORTH 00°49'02" EAST, 4838.52 FEET TO THE SOUTHWEST CORNER OF THE AFORESAID SOUTHEAST QUARTER OF SECTION 12; THENCE, ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, RUN NORTH 00°57'16" WEST, 2868.75 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 12; THENCE, ALONG THE WEST LINE OF SAID NORTHEAST QUARTER, CONTINUE NORTH 00°57'16" WEST, 2270.69 FEET TO A POINT LYING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 92 (STATE ROAD 600) AS MONUMENTED AND LOCATED IN THE FIELD, SAID POINT ALSO LYING ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY; THENCE RUN NORTHEASTERLY, ALONG SAID RIGHT-OF-WAY LINE AND SAID CURVE, HAVING A RADIUS LENGTH OF 5629.58 FEET, A CENTRAL ANGLE OF 00°26'33", AN ARC LENGTH OF 43.49 FEET, A CHORD LENGTH OF 43.49 FEET AND A CHORD BEARING OF NORTH 70°23'04" EAST TO THE POINT OF TANGENCY; THENCE, ALONG SAID RIGHT-OF-WAY LINE, RUN NORTH 70°36'21" EAST, 2767.96 FEET TO A POINT ON THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 16 SOUTH, RANGE 31 EAST; THENCE, ALONG SAID EAST LINE, RUN SOUTH 00°13'36" EAST, 323.22 FEET TO THE POINT OF BEGINNING.

CLOSING STATEMENT

Voluntary Partition of Real Property According to Survey

PARTIES:

- CITY OF PORT ORANGE, FLORIDA, a chartered municipal corporation
 Mailing Address: c/o City Manager, 1000 City Center Circle, Port Orange, FL 32129-4144
- CITY OF DAYTONA BEACH, FLORIDA, a chartered municipal corporation
 Mailing Address: c/o City Manager, Post Office Box 2451, Daytona Beach, FL 32115-2451

PROPERTY: Approximately 1,894 +/- acres located in Volusia County, Florida
 Parcel ID No's: 6112-00-00-0010, 6113-00-00-0010, 6101-00-00-0020,
 6217-00-00-0010, and 6218-00-00-0010

Basis of Transaction: Agreement for Voluntary Partition of Real Property According to Survey, dated April 16, 2008, filed of record at OR Book 6229, Pages 592 - 606, inclusive, Public Records of Volusia County, Florida (the "Agreement").

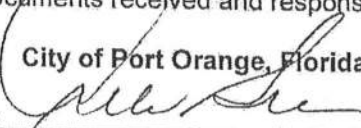
Item	Port Orange Expense	Daytona Beach Expenses
Agreement to Partition OR 6229 Pg 592 PRVCF Recording Costs (15 pages):	N/C	N/C
Quit-Claim Deed as to Partitioned Parcels: Recording Costs:		
• Port Orange to Daytona (6 pgs)		\$ 52.50
• Daytona to Port Orange (4 pgs)	\$ 35.50	
Shunz Road Access West of Daytona Beach Parcel 1:		
• Daytona Beach Partial Release of Easement Rights (4 pages)	35.50	
TOTALS	\$ 71.00	\$ 52.50

In accordance with Paragraph 10, Costs and Expenses, of the Agreement to Partition, both parties agree to bear their respective costs of the survey, document preparation, review, execution and court costs for recording of deeds.

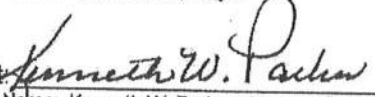
Documents received and responsibility of costs and expenses acknowledged.

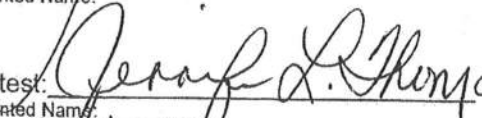
City of Port Orange, Florida

City of Daytona Beach, Florida

By: 
 Printed Name: Allen Green, Mayor

By: 
 Printed Name:

Attest: 
 Printed Name: Kenneth W. Parker, City Manager

Attest: 
 Printed Name:

Date: ~~May~~ October 29, 2008

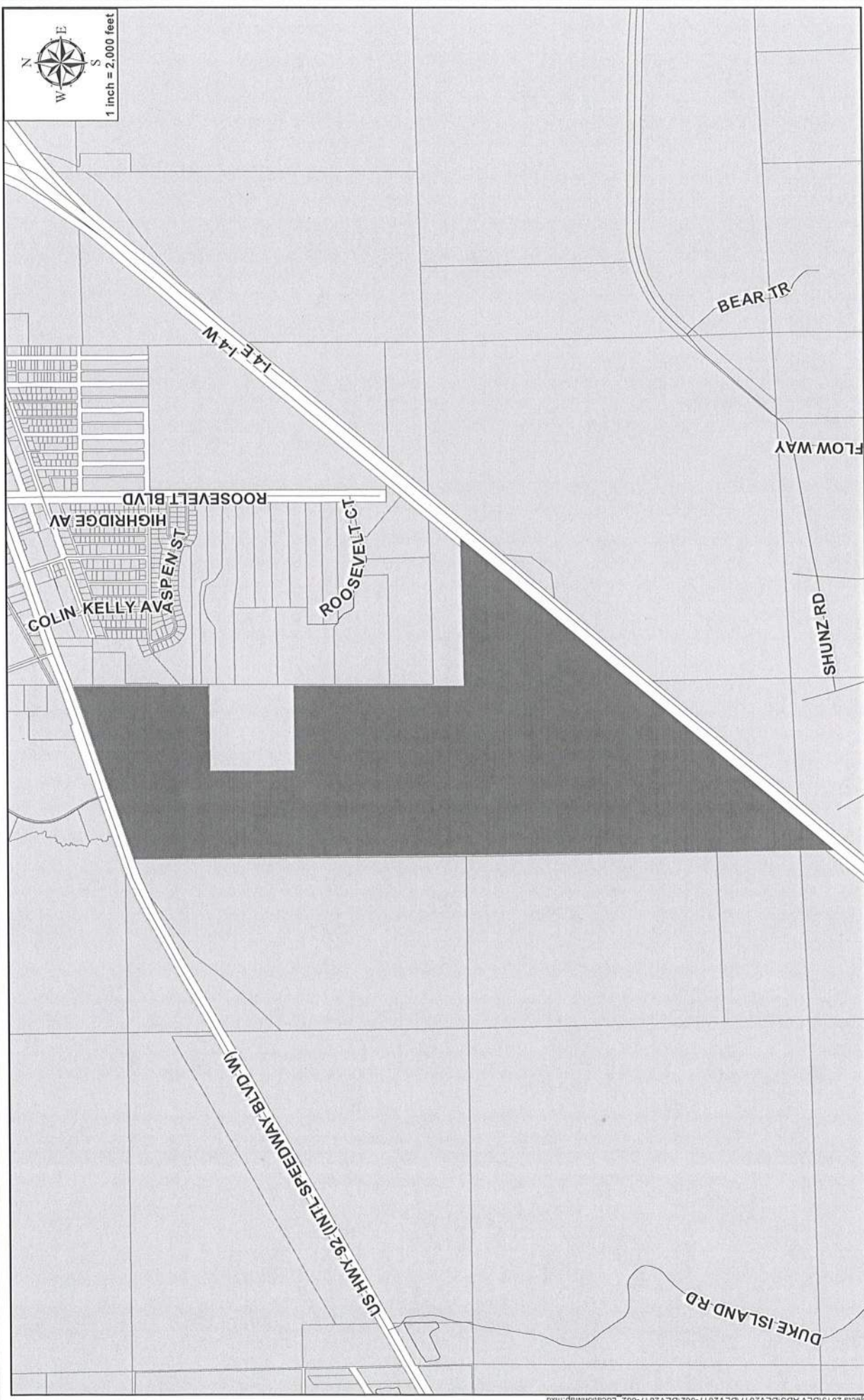
Date: ~~May~~ October 29, 2008

EXHIBIT C

Location Map



1 inch = 2,000 feet



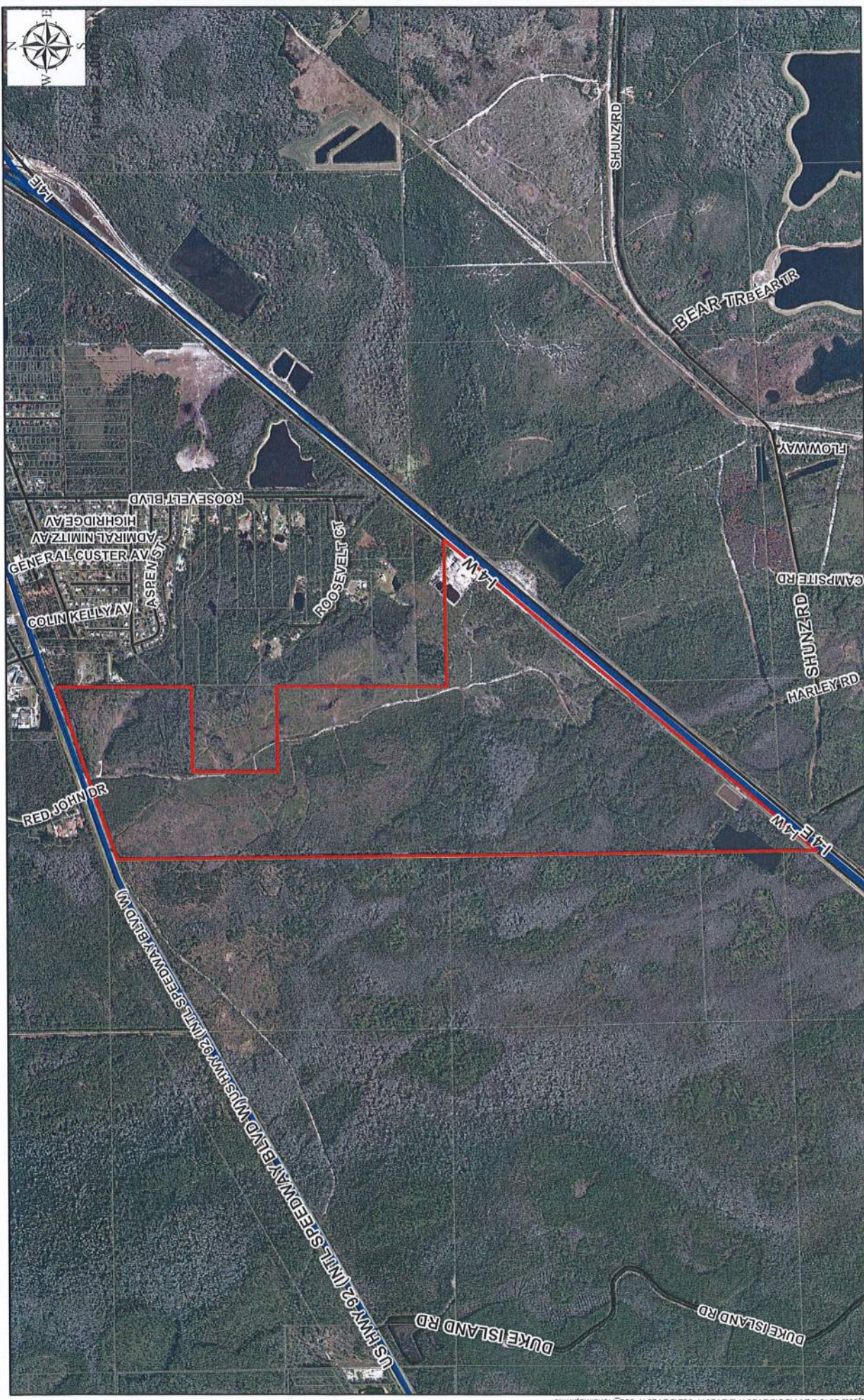
City of Daytona Beach Map disclaimer:
These maps were developed and produced by the City of Daytona Beach GIS. They are provided for reference only and are not intended to show map scale accuracy or all inclusive map features. As indicated, the accuracy of the map has not been verified and it should be used for informational purposes only. Any possible discrepancies should be brought to the attention of City Engineering and or Development Services.

DEV2017-062 LARGE SCALE COMPREHENSIVE PLAN AMENDMENT LOCATION MAP



EXHIBIT D

Aerial Map



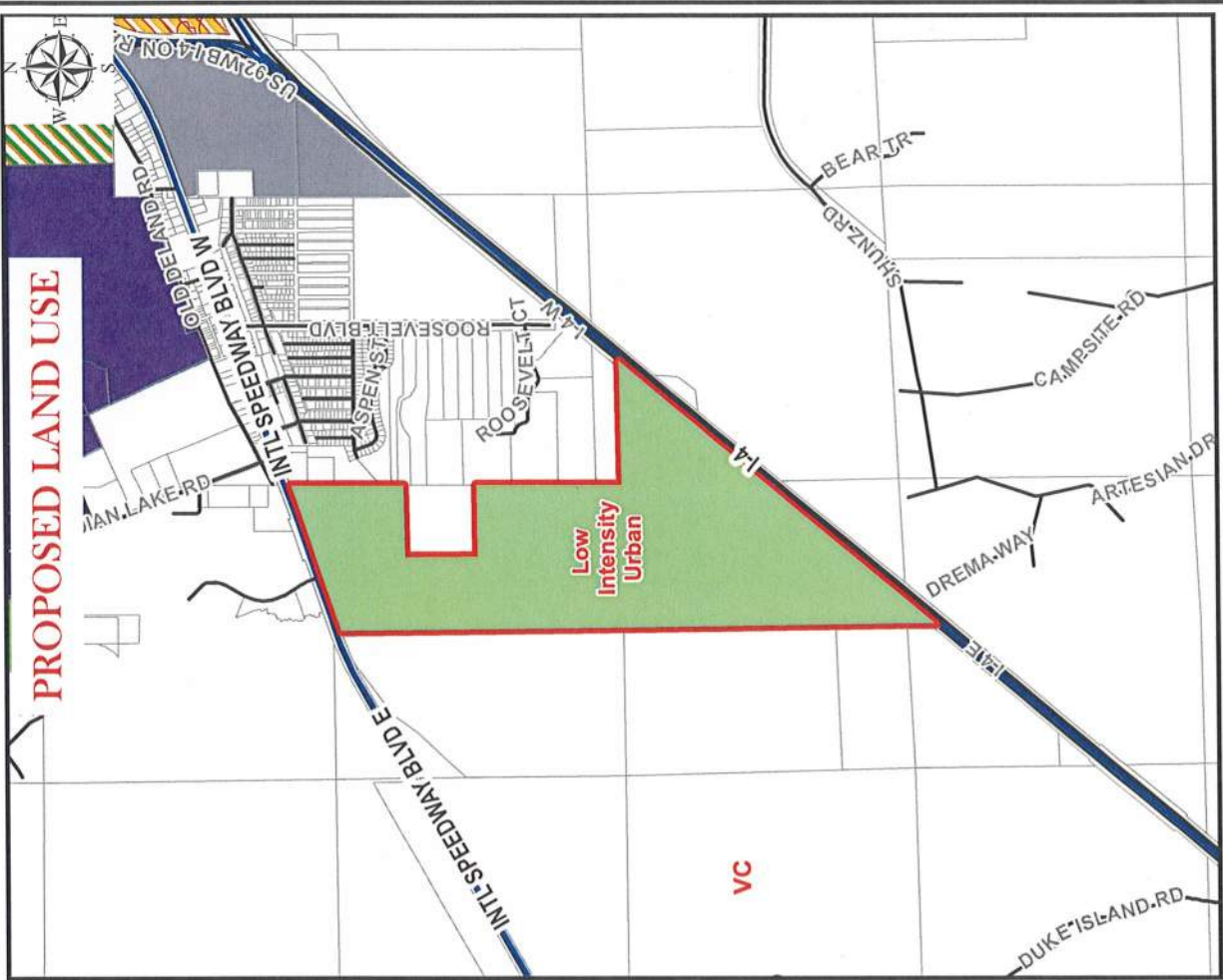
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**DEV2017-062
 LARGE SCALE COMPREHENSIVE PLAN AMENDMENT
 AERIAL MAP**

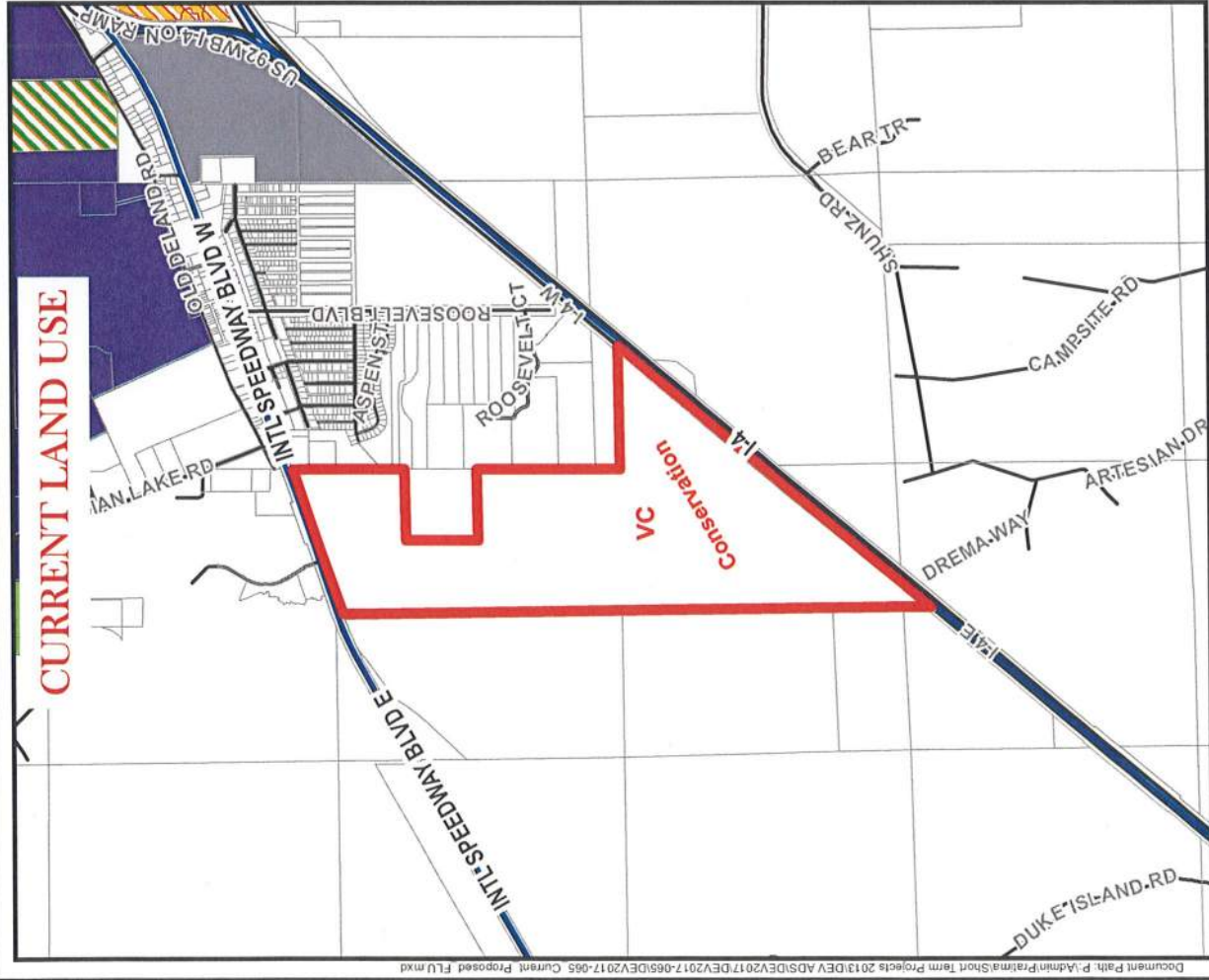


EXHIBIT E

Current and Proposed Future Land Use



1 inch = 3,333 feet



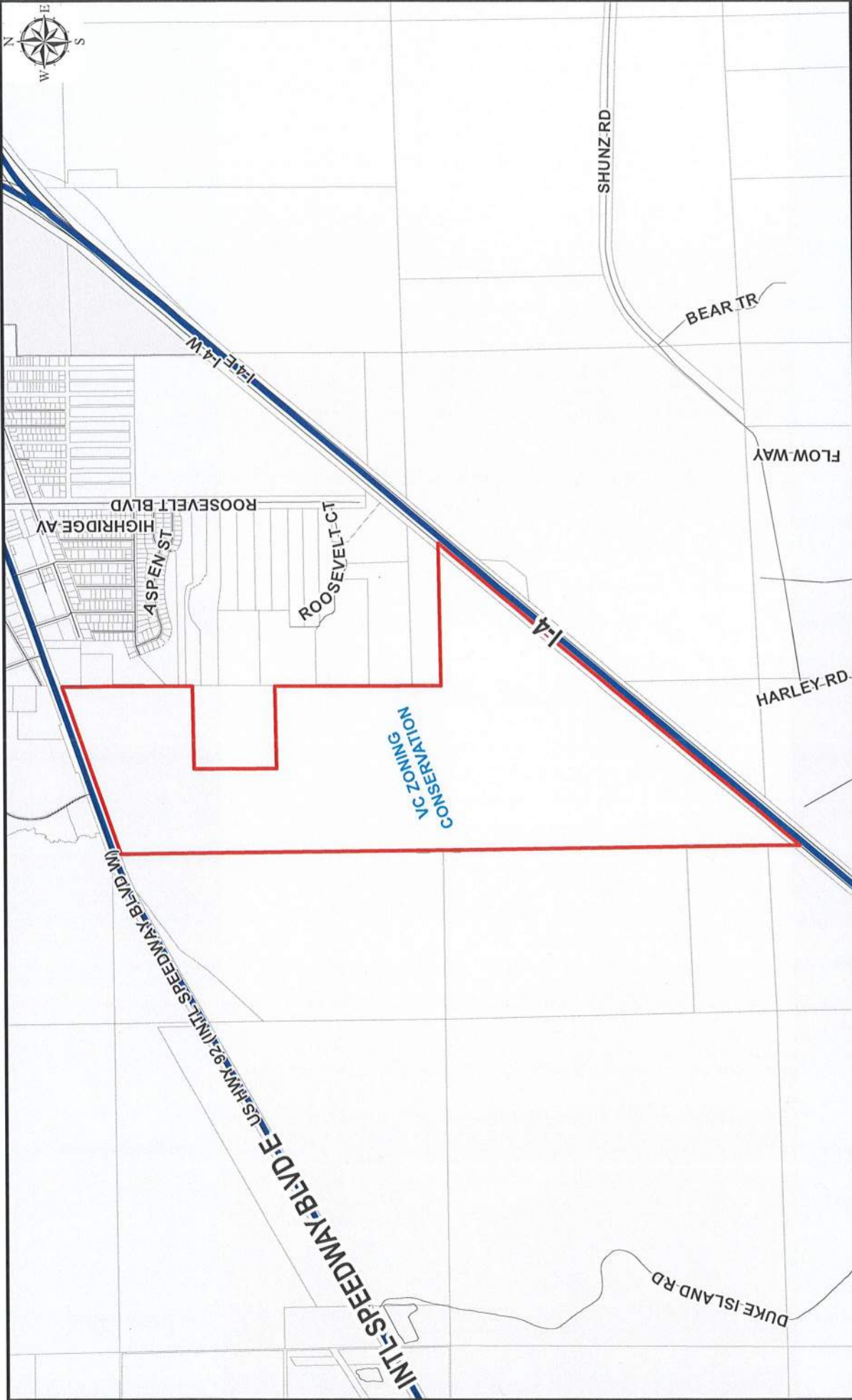
1 inch = 3,333 feet

**DEV2017-065
LARGE SCALE COMPREHENSIVE PLAN TEXT AMENDMENT
CURRENT AND PROPOSED FUTURE LAND USE**

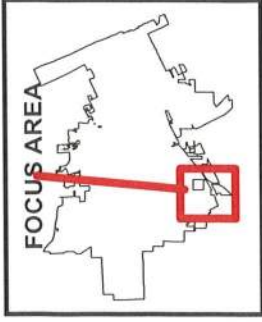


EXHIBIT F

Current Zoning



1 inch = 2,083 feet



DEV2017-062 LARGE SCALE COMPREHENSIVE PLAN AMENDMENT ZONING MAP



EXHIBIT G

Surface Water and Wetlands Map

EXHIBIT H

FEMA Flood Insurance Rate Maps (FIRM)

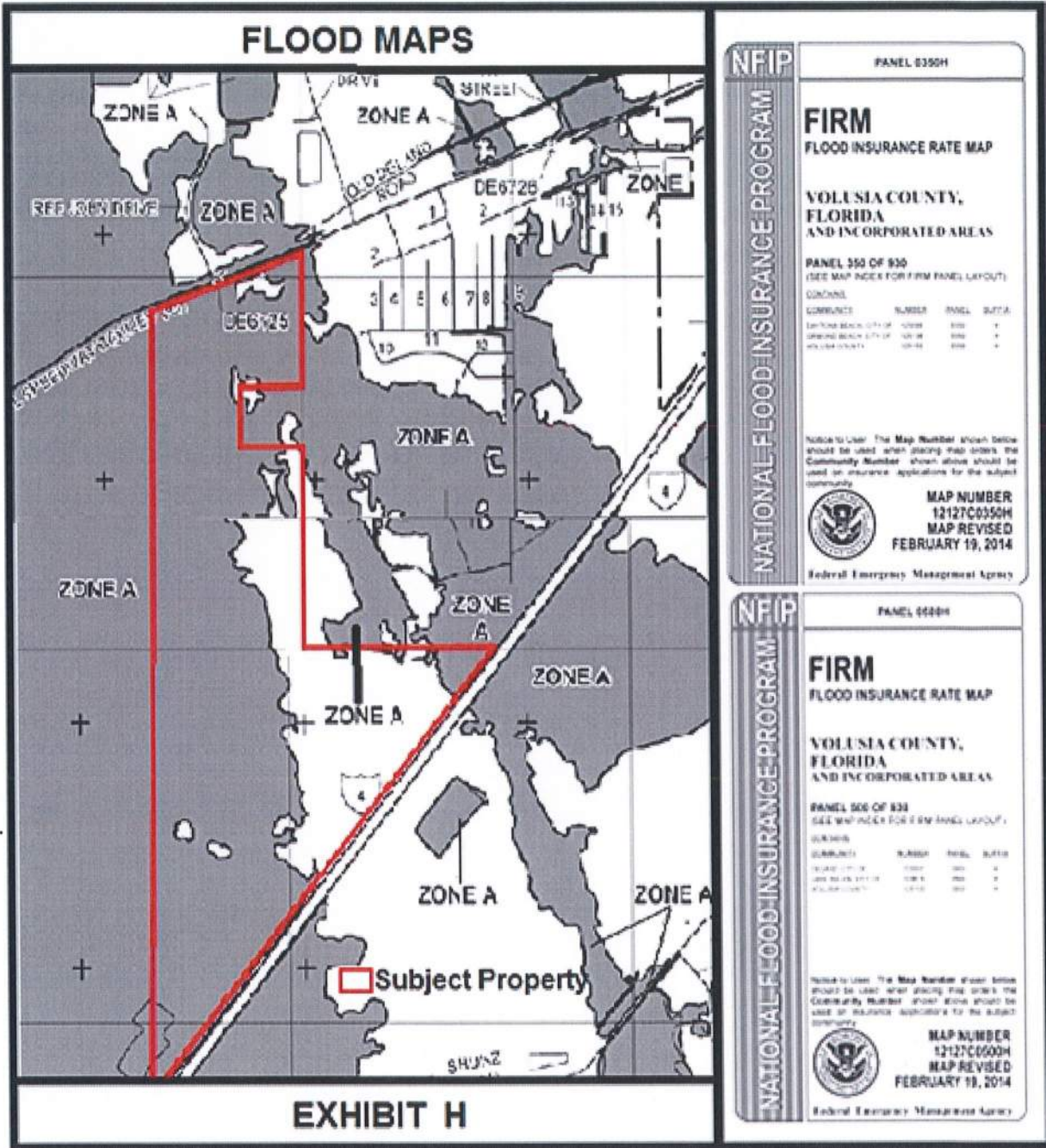


EXHIBIT I

Soils Map

SOILS MAP

