

## Agenda Item 6 (Quasi-Judicial Hearing)

### Major Subdivision Preliminary Plat

DEV2017-082

Bellewood Commons PD-G

## STAFF REPORT

**DATE:** October 19, 2017

**TO:** Planning Board Members

**FROM:** Dennis Mrozek, AICP, Planning Manager

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### PROJECT REQUEST

A request by Shawn Jones, JB Realty Partners, LLC, on behalf of Southeastern District of the Christian & Missionary Alliance, to approve the Preliminary Plat for Bellewood Commons located at 1250 Beville Road to allow for a mixed use project.

### PROJECT LOCATION

The subject property is located at 1250 Beville Road, at the northeast corner of Beville Road and Cambridge Avenue. The building on the site is vacant and was most recently used as the Christian & Missionary Alliance Church. The property was rezoned to PD-G (Planned Development - General) in July 2016 and has the current future land use designations of Level 2 Residential and Retail. Adjacent land uses and zoning classifications are illustrated in the following table and are also shown in the accompanying maps.

**Table 1: Land Use and Zoning**

|              | <b>Existing Uses</b>              | <b>Existing Future Land Use Designation</b> | <b>Existing Zoning Classification</b>  |
|--------------|-----------------------------------|---|--|
| <b>Site</b>  | Vacant Church                     | Level 2 Residential & Retail                | Planned Development-General (PD-G)   |
| <b>North</b> | Multifamily                       | Level 2 Residential                         | Multifamily Residential - 20 (MFR-20)  |
| <b>South</b> | Single-Family Retail              | Level 1 Residential & Retail                | Business Shopping Center (BR-2), Multifamily Residential (MFR-12) & Planned Development-General (PD-G) |
| <b>East</b>  | Multifamily                       | Level 2 Residential                         | Multifamily Residential - 20 (MFR-20)  |
| <b>West</b>  | Wells Fargo Bank<br>Single Family | Level 1 Residential & Office Transition     | Single-Family Residential (SFR-5) & Residential/Professional (RP)                                      |

A development order approving a Major Subdivision Preliminary Plat authorizes the submittal of an application for approval of a Final Plat for the subdivision or an approved phase of the subdivision, in accordance with the Land Development Code (LDC). The proposed Major Subdivision Preliminary Plat (*Attachment A*) will allow the applicant to move forward with the development of the site for the Bellewood Commons Planned Development. The proposed Preliminary Plat is consistent with the Bellewood Commons PD-G zoning of the property, which was approved by the City Commission in July 2016.

The Preliminary Plat includes area containing 5± acres and 4 developable lots. Staff has reviewed the proposed plat and offers no objections. The applicant has submitted concurrent Final Plat applications that will require City Commission review and approval.

### **PROJECT ANALYSIS**

The purpose of a Subdivision Plat is to provide a uniform means for the approval of divisions of land and to ensure, in conjunction with Article 7 of the LDC (Subdivision and Infrastructure), that subdivisions promote the health, safety, convenience, order, prosperity, and welfare of the present and future inhabitants of the city by:

- a) Providing for the orderly growth and development of the city;
- b) Coordinating streets and roads within proposed subdivisions with the city's street system and transportation plans, and with other public facilities;
- c) Providing rights-of-way for streets and utility easements;
- d) Avoiding congestion and overcrowding, and encouraging the proper arrangement of streets in relation to existing or planned streets;
- e) Ensuring there is adequate open space and recreation facilities to serve development; and
- f) Ensuring there is proper recordation of landownership or property owner association records, where applicable.

### **Major Subdivision Preliminary Plat Review Standards**

An application for a Major Subdivision Preliminary Plat shall be approved only on a finding there is competent substantial evidence in the record that the proposed subdivision and associated development complies with:

- i. The standards in Article 7: Subdivision and Infrastructure;
- ii. Applicable standards in Article 6: Development Standards;
- iii. All other applicable standards in this Code;
- iv. All requirements or conditions of any prior applicable development orders; and
- v. All other applicable City regulations.

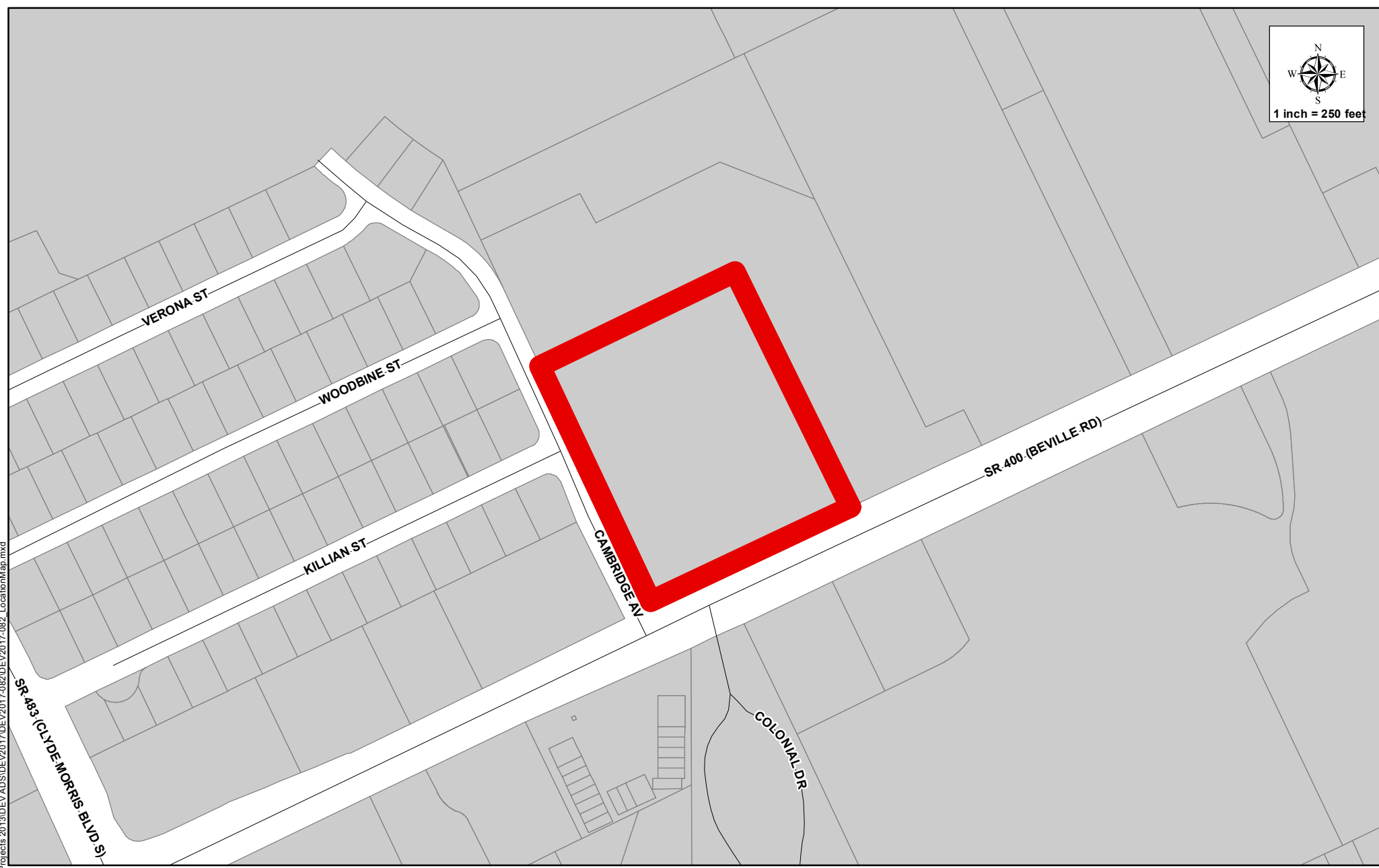
As determined by the City's Technical Review Team (TRT), the proposed Major Subdivision Preliminary Plat is in compliance with the subdivision requirements of the Land Development Code.

Major Subdivision Preliminary Plat plans must be approved by the Planning Board as well as the City Commission. A development order approving a Major Subdivision Preliminary Plat authorizes the submittal of an application for approval of a Final Plat for the subdivision or an approved phase of the subdivision. Final Plats require approval from the City Commission only. The Final Plat empowers the subdivision of land; however it does not act as a site plan approval.

A development order approving a Major Subdivision Preliminary Plat shall automatically expire if an application for approval of a Final Plat for the subdivision, or an approved phase of the subdivision, is not submitted within two years after the date of the development order, or an extension of this time period that is authorized in accordance with the LDC.

### **RECOMMENDATION**

Staff recommends approval of the Major Subdivision Preliminary Plat request. A majority vote of the Planning Board members present and voting are required to recommend approval to the City Commission.



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### DEV2017-082 PRELIMINARY PLAT - LOCATION MAP

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.



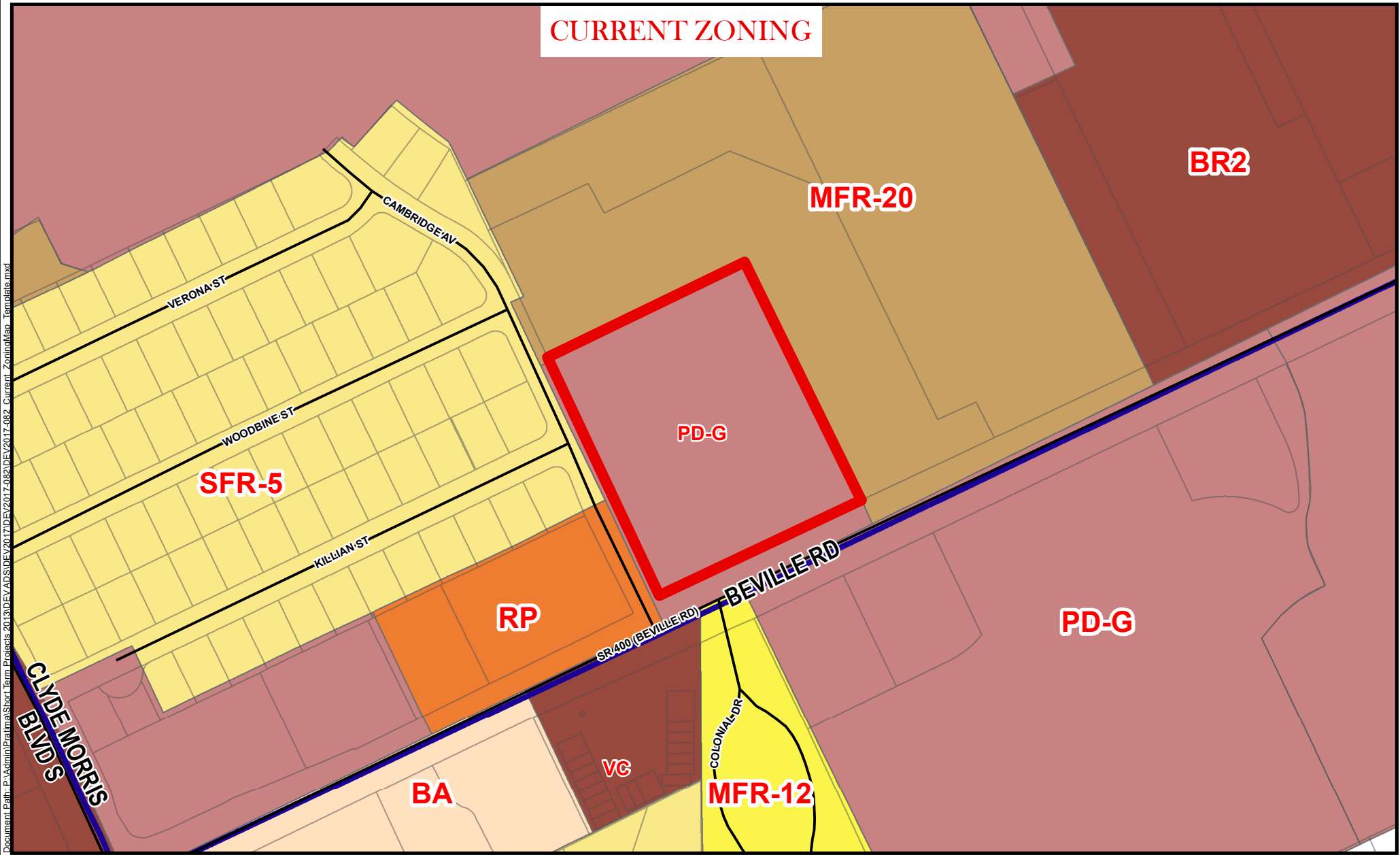
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## DEV2017-082 PRELIMINARY PLAT - AERIAL MAP

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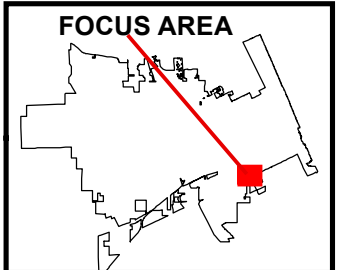
**CURRENT ZONING**



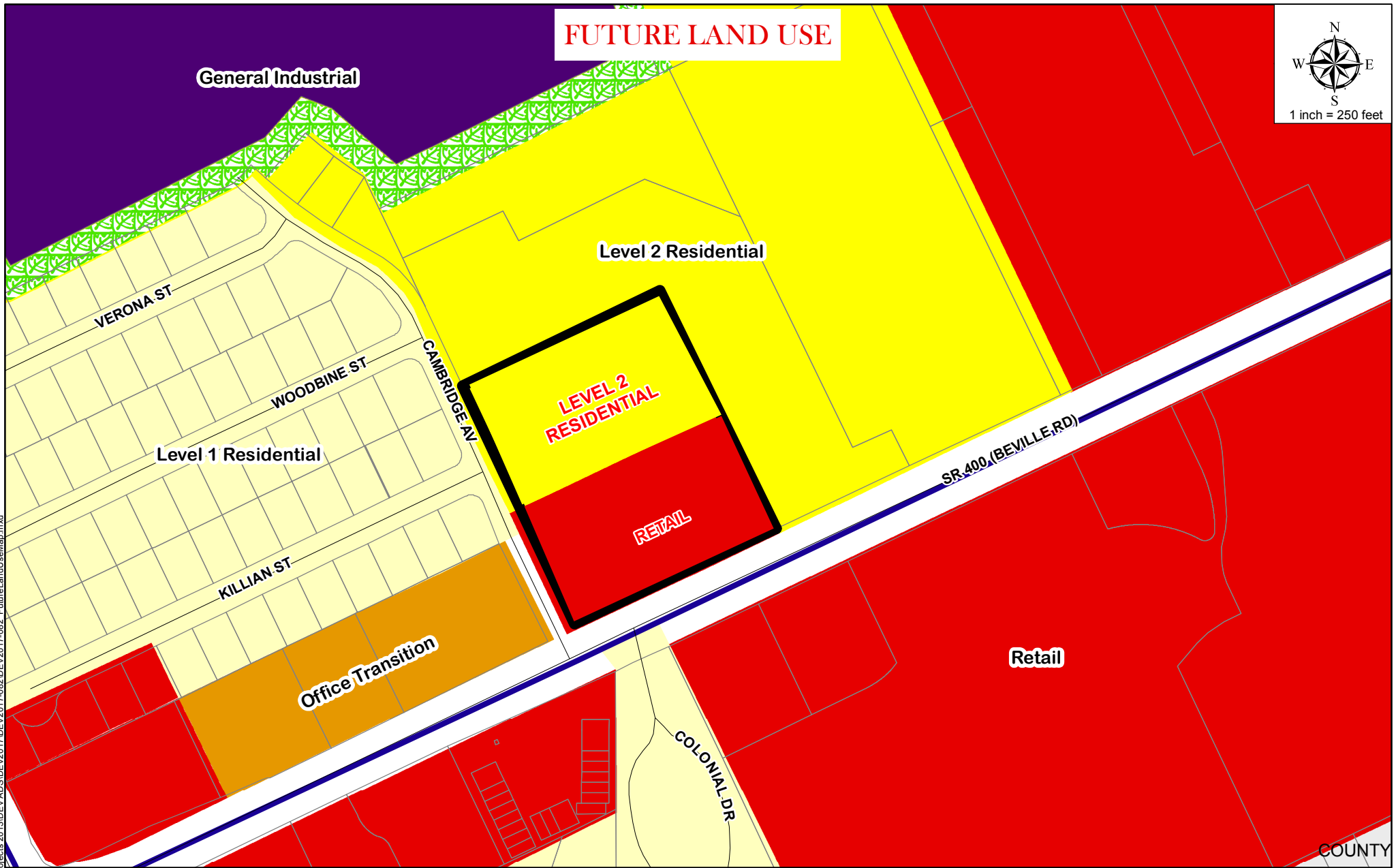
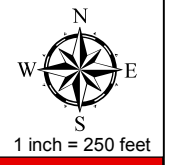
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**DEV2017-082**  
**PRELIMINARY PLAT - CURRENT ZONING MAP**



**FUTURE LAND USE**



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**DEV2017-082  
PRELIMINARY PLAT - FUTURE LAND USE MAP**

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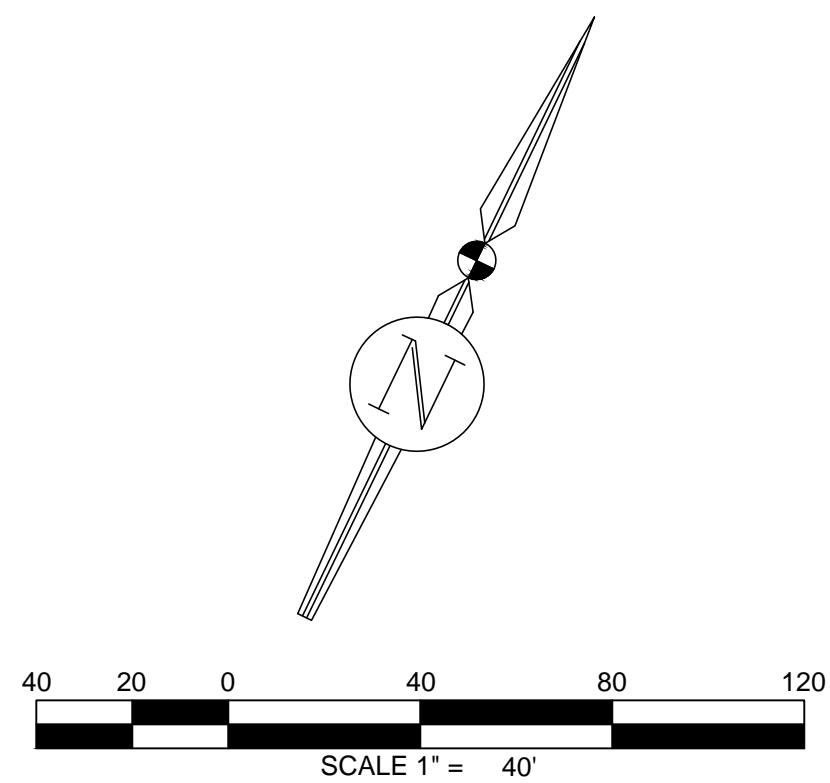
COUNTY

# BELLEWOOD COMMONS

IN SECTION 40, TOWNSHIP 15 SOUTH, RANGE 42 EAST, CITY OF DAYTONA BEACH, VOLUSIA COUNTY, FLORIDA

Plat Book \_\_\_\_\_, Page \_\_\_\_\_  
Sheet One of One

**NOTICE:**  
THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.



**ABBREVIATIONS**

- B.S. = BUILDING SETBACK
- CM = CONCRETE MONUMENT
- N&D = NAIL AND DISK
- O.R.B. = OFFICIAL RECORDS BOOK
- P.B. = PLAT BOOK
- PG. = PAGE
- P.U.E. = PUBLIC UTILITIES EASEMENT
- R/W = RIGHT-OF-WAY

Prepared By:

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**SYMBOL LEGEND**

- BOUNDARY LINE
- BUILDING SETBACK LINE
- - - EASEMENT LINE
- - - LOT LINE
- - - RIGHT-OF-WAY LINE
- 5/8" CAPPED IRON ROD SET "LB 8031"
- NAIL & DISK SET "PRM LB 8031"
- 4"x4" PERMANENT REFERENCE MONUMENT SET "PRM LB 8031"

**DESCRIPTION:**

The land referred to herein below is situated in the County of Volusia, State of Florida, and described as follows:

Being a portion of Lot 9, Block 22, Wilder's Subdivision of Bethune Grant in Section 40, Township 15 South, Range 33 East, as recorded in Map Book 1, Page 56 of the Public Records of Volusia County, Florida; being more particularly described as follows:

Commence at the Southwest corner of said Lot 9, Block 22, Wilder's Subdivision, said point being on the most Southerly right-of-way line of Beville Road (State Road 400); run thence North 25°17'19" West along the West line of said Lot 9, Block 22, a distance of 100.00 feet to the POINT OF BEGINNING; said point also being the Southeast corner of Ridgcrest Subdivision, Unit 2, as recorded in Map Book 27, Pages 214 and 215 of the Public Records of Volusia County, Florida, said point also lying on the most Northerly right-of-way line of said Beville Road; run thence North 64°13'21" East along said right-of-way line a distance of 433.03 feet; thence departing the Northerly right-of-way line of said Beville Road, run North 25°17'19" West, parallel to the Easterly line of said Ridgcrest Subdivision, Unit 2, a distance of 511.20 feet; thence South 64°13'21" West parallel, to the Northerly right-of-way line of said Beville Road a distance of 433.03 feet to a point on the Easterly line of said Ridgcrest Subdivision, Unit 2; run thence South 25°17'19" East along the Easterly line of said Ridgcrest Subdivision, Unit 2 a distance of 511.20 feet to the POINT OF BEGINNING.

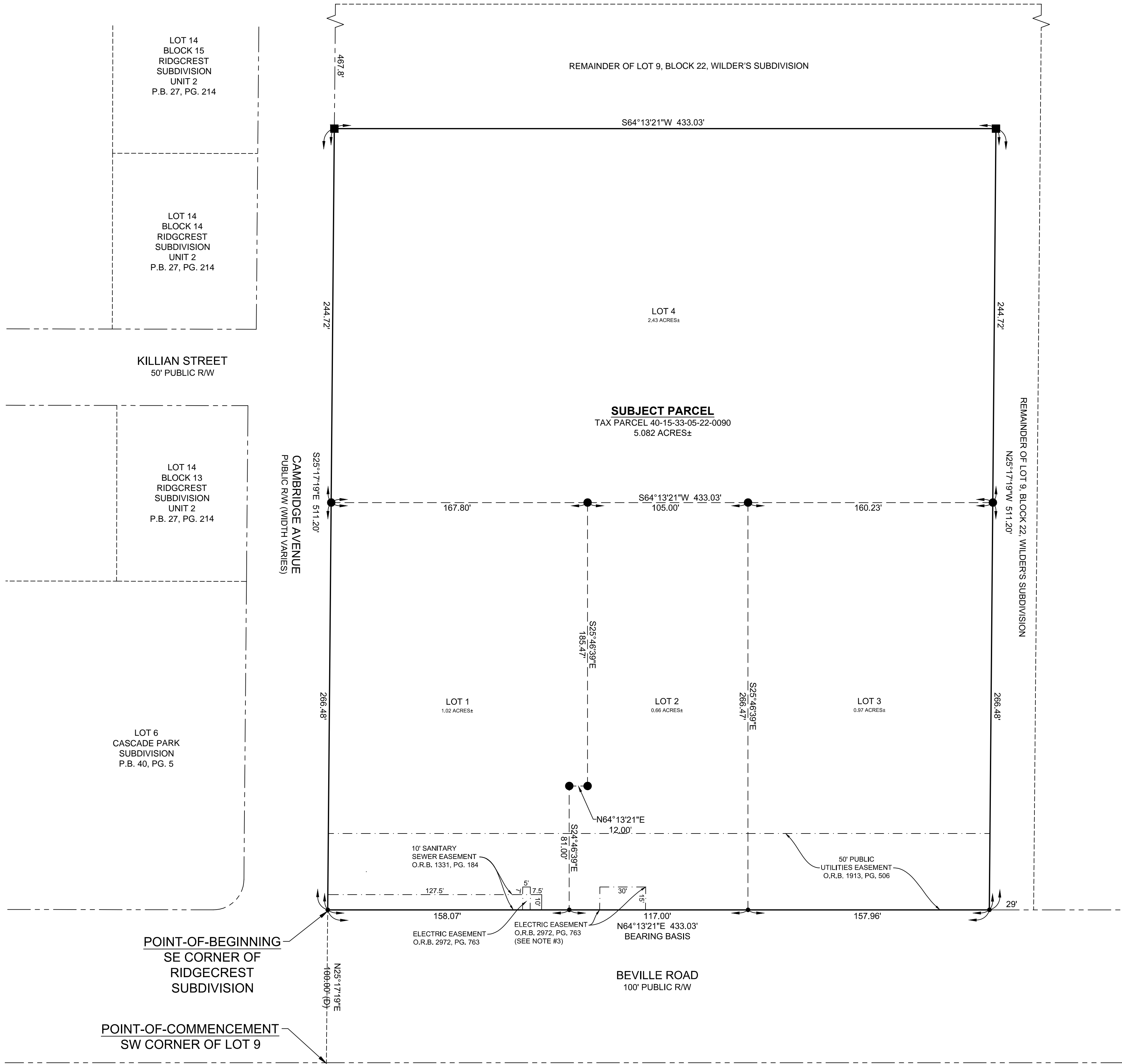
**GENERAL NOTES**

1. BEARINGS ARE BASED ON THE NORTH RIGHT-OF-WAY LINE OF BEVILLE ROAD, AS PER THE DEED RECORDED IN OFFICIAL RECORDS BOOK 7097, PAGE 4542.
2. THE ERROR OF CLOSURE FOR THE BOUNDARY OF THIS PLAT DOES NOT EXCEED 1:10,000.
3. REMAINDER OF EASEMENT AFTER PARTIAL RELEASE RECORDED IN O.R.B. \_\_\_\_\_, PAGE \_\_\_\_\_.
4. ALL PLATTED UTILITY EASEMENTS SHALL PROVIDE THAT SUCH EASEMENTS SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES; PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES. THIS SECTION SHALL NOT APPLY TO THOSE PRIVATE EASEMENTS GRANTED TO OR OBTAINED BY A PARTICULAR ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION SHALL COMPLY WITH THE NATIONAL ELECTRICAL SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION.

**FLOOD ZONE**

THE SUBJECT PARCELS ARE DEPICTED IN "ZONE X" ON THE NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP NUMBER 12127C0366H, DATED FEBRUARY 19, 2014

**LOCATION MAP**  
(NOT TO SCALE)



**DEDICATION**  
KNOW ALL MEN BY THESE PRESENTS THAT JB DAYTONA BEACH, LLC, A FLORIDA LIMITED LIABILITY COMPANY, BEING THE OWNER IN FEE SIMPLE OF THE LANDS DESCRIBED ON THIS PLAT, ENTITLED "BELLEWOOD COMMONS", LOCATED IN THE CITY OF DAYTONA BEACH, VOLUSIA COUNTY, FLORIDA, DOES HEREBY CAUSE THIS PLAT TO BE MADE AND DEDICATED AS SET FORTH IN THIS PLAT.  
JB DAYTONA BEACH, LLC  
A FLORIDA LIMITED LIABILITY COMPANY  
BY: JB REALTY PARTNERS, LLC  
A FLORIDA LIMITED LIABILITY COMPANY,  
ITS MANAGER  
WITNESS SIGN \_\_\_\_\_  
BY: \_\_\_\_\_  
WITNESS PRINT \_\_\_\_\_  
PRINT NAME: \_\_\_\_\_  
WITNESS SIGN \_\_\_\_\_  
TITLE: \_\_\_\_\_  
WITNESS PRINT \_\_\_\_\_

**Acknowledgment:**  
STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_  
I HEREBY CERTIFY THAT ON THIS DAY BEFORE ME PERSONALLY APPEARED, \_\_\_\_\_ AS \_\_\_\_\_ OF JB REALTY PARTNERS, LLC, A FLORIDA LIMITED LIABILITY COMPANY, THE \_\_\_\_\_ MANAGER OF JB DAYTONA BEACH, LLC, A FLORIDA LIMITED LIABILITY COMPANY, TO ME KNOWN TO BE THE PERSON WHO EXECUTED THE FOREGOING DEDICATION AS HIS FREE ACT AND DEED, WITH FULL AUTHORITY TO EXECUTE THE SAME.  
WITNESS MY HAND AND OFFICIAL SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.  
[ ] PERSONALLY KNOWN OR [ ] PRODUCED IDENTIFICATION: TYPE OF IDENTIFICATION PRODUCED: \_\_\_\_\_  
MY COMMISSION EXPIRES: \_\_\_\_\_ NOTARY PUBLIC  
SEAL

**MORTGAGEE'S APPROVAL**  
BANK OF CENTRAL FLORIDA, A FLORIDA BANKING CORPORATION, AS THE LENDER UNDER AND HOLDER OF THAT CERTAIN COMMERCIAL MORTGAGE AND SECURITY AGREEMENT AS RECORDED IN OFFICIAL RECORDS BOOK \_\_\_\_\_, PAGE \_\_\_\_\_ OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, DOES HEREBY CONSENT AND AGREE TO THE PLATTING OF THE LANDS ENCOMPASSED IN THIS PLAT AND TO THE DEDICATION SHOWN HEREON.  
WITNESS SIGN \_\_\_\_\_ BANK OF CENTRAL FLORIDA,  
A FLORIDA BANKING CORPORATION  
WITNESS PRINT \_\_\_\_\_ BY: \_\_\_\_\_  
WITNESS SIGN \_\_\_\_\_ PRINT NAME: \_\_\_\_\_  
WITNESS PRINT \_\_\_\_\_ TITLE: \_\_\_\_\_

**Acknowledgment:**  
STATE OF FLORIDA  
COUNTY OF POLK  
I HEREBY CERTIFY THAT ON THIS DAY BEFORE ME PERSONALLY APPEARED, \_\_\_\_\_ AS \_\_\_\_\_ OF BANK OF CENTRAL FLORIDA, A FLORIDA BANKING CORPORATION, TO ME KNOWN TO BE THE PERSON WHO EXECUTED THIS INSTRUMENT AS HIS FREE ACT AND DEED, WITH FULL AUTHORITY TO EXECUTE THE SAME.  
WITNESS MY HAND AND OFFICIAL SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.  
[ ] PERSONALLY KNOWN OR [ ] PRODUCED IDENTIFICATION: TYPE OF IDENTIFICATION PRODUCED: \_\_\_\_\_  
MY COMMISSION EXPIRES: \_\_\_\_\_ NOTARY PUBLIC  
SEAL

**CERTIFICATE OF SURVEYOR**  
I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT REPRESENTATION OF HOPEWELL ESTATES REPLAT AND THAT SAID PLAT HAS BEEN CREATED UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION, BASED ON A BOUNDARY SURVEY COMPLETED ON 24 OCTOBER 2016 AND THAT THE PLAT COMPLIES WITH ALL THE REQUIREMENTS OF CHAPTER 177 OF THE FLORIDA STATUTES.  
DATE: \_\_\_\_\_  
NICHOLAS DIGRITTOLO, P.S.M. JBROWN PROFESSIONAL GROUP, INC.  
PROFESSIONAL SURVEYOR & MAPPER 3530 N.W. 43rd STREET  
FLORIDA CERTIFICATE NO. 6708 GAINESVILLE, FLORIDA, 32606  
CERTIFICATE OF AUTHORIZATION NO. 8031

**CERTIFICATE OF APPROVAL BY THE CITY OF DAYTONA BEACH MANAGER**  
THIS IS TO CERTIFY, That on \_\_\_\_\_, 2017, this plat was approved by the City of Daytona Beach, Florida.  
City Manager \_\_\_\_\_

**CERTIFICATE OF APPROVAL BY THE CITY OF DAYTONA BEACH ENGINEER**  
THIS IS TO CERTIFY, That on \_\_\_\_\_, 2017, this plat was approved.  
City Engineer \_\_\_\_\_

**REVIEW OF SURVEYOR & MAPPER FOR THE CITY OF DAYTONA BEACH**  
This is to certify that this plat has been reviewed and found to comply with the requirements of Chapter 177, Part of the Florida Statutes.  
Certify This \_\_\_\_\_ Day of \_\_\_\_\_, 2017  
Jeff W. Barnes  
Professional Surveyor and Mapper  
State of Florida License Number LS5576

**CERTIFICATE OF CLERK**  
I HEREBY CERTIFY, That I have examined the foregoing plat and find it complies in form with all the requirements of Chapter 177, Florida Statutes, and was filed for record on \_\_\_\_\_, at \_\_\_\_\_  
Clerk of the Circuit Court \_\_\_\_\_ File Number \_\_\_\_\_  
in and for Volusia County, Florida