

## Agenda Item 5 (Legislative Hearing)

### Small Scale Comprehensive Plan Amendment

DEV2018-086

Beville Commercial

#### Staff Report

**DATE:** September 11, 2018

**TO:** Planning Board Members

**FROM:** Doug Gutierrez, AICP, Principal Planner

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#### PROJECT REQUEST

A request by Jonathan A. Martin, P.E., Kimley-Horn & Associates, on behalf of Ryan Stahl, Beville Investors, LLC, for approval of a Small Scale Comprehensive Plan Amendment (SSCPA) located at 1401 Beville Road.

#### PROJECT DESCRIPTION

**Proposed Amendment to the Future Land Use Map.** The parcel consists of 3.7± acres which the applicant proposes changing the Future Land Use Map designation from Office Transitional and Level 2 Residential to Low Intensity Commercial. The applicant requests to amend the Future Land Use Map designation for the property in order to create a commercial development for a broad range of commercial uses through the Planned Development rezoning.

#### PROJECT ANALYSIS

The adjacent land uses and zoning classifications for the parcels are illustrated in the following table. This parcel is outlined on the attached location and aerial maps (Attachment A).

**Table 1: Land Use and Zoning**

	Existing Uses	Existing Future Land Use Designation	Existing Zoning Classification
<b>Site</b>	Office Vacant Undeveloped	Office Transitional Level 2 Residential	Residential/Professional (RP) (PD Proposed)
<b>North</b>	Retail	Retail	Business Shopping Ctr. (BR-2)
<b>South</b>	Undeveloped	Office Transitional & Level 2 Residential	Multi-Family (MFR 20)
<b>East</b>	Retail Single-Family	Retail Level 1 Res.	Business Automotive (BA) Single-Family Res. (SFR 5)
<b>West</b>	Multi-Family	Level 2 Res.	Planned Development Gen. (PD-G)

#### Conformance with Comprehensive Plan

The applicant has requested that the Future Land Use Element future land use designation for this property be amended from Office Transitional and Level 2 Residential to Low Intensity Commercial. Policy 1.1.2 describes the designations below.

**Policy 1.1.2 – Future Land Use Categories:***Current*

**Level 2:** A residential area with densities not exceeding 20 dwelling units per acre. Such areas can be used as transitional areas between more intensive urban uses and less intensive uses and shall permit public schools.

**Office Transitional:** An area primarily for office, public schools and multi-family uses. The floor area ratio shall not exceed 3 or the residential density shall not exceed 40 dwelling units per acre.

*Proposed*

**Low Intensity Commercial:** An area primarily of retail, personal services, office, and restaurants. The floor area ratio shall not exceed 1 or the residential density shall not exceed 10 dwelling units per acre.

**Neighborhood Input**

The neighborhood meeting was held at 1347 Beville Road (Louie's Pizza House) on July 31, 2018, the applicant summary stated that the meeting was attended by four persons was generally well received. (Neighborhood meeting summary Attachment B).

**Impact Analysis**

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 Office Transitional allows floor to area ratio (FAR) not to exceed 3.0 and a residential density of 40 dwelling units per acre. The Level 2 Residential permits a maximum residential density not exceed 20 dwelling unit per acre. The proposed Future Land Use of Low Intensity Commercial allows a FAR of 1.0 and 10 units per acre residential density.

The following are results for water, waste water and traffic impacts that could be generated by the property by the most intense land use allowed under the current land use map designation and the proposed land use change. The detailed data and analysis are in the attached project analysis provided by the applicant (Attachment C).

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 15.15 MGD and the proposed amendment results in a net decrease in demand of 0.061 MGD.

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 8.8 MGD and the proposed amendment results in a net decrease in demand of 0.061 MGD.

The proposed Future Land Use Map amendment will result in net decrease of 253 daily trips from the maximum allowed by the current land use.

**Urban Sprawl**

In general terms and as directed by Florida Statutes and rules of the Florida Administrative Code, key urban sprawl indicators include 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. It is located in an area of retail and residential uses with existing urban services that may be suitable for development. This amendment does not

represent premature development. Central water and sewer services have the capacity to serve the subject property and the property is accessible through the existing road network. The traffic generation calculations presented in this staff report indicates average daily trips will decrease by 253 trips if the proposed amendment is approved.

### **Consistency with the Comprehensive Plan Goals, Objectives and Policies**

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.

**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.

**Policy 1.2.2 Traffic:** Maintain the Land Development Code in a manner that ensures adequate off-street parking and on-site traffic flow.

**Objective 1.3 Commercial Land:** The City's supply of commercial land shall be sufficient to accommodate both local demand and the demand for regional facilities, since the City of Daytona Beach is the central city in Halifax metropolitan area.

**Policy 1.3.2** Through site plan and plat reviews, traffic generated from future commercial and industrial development shall be directed away from residential areas.

**Objective 1.4 Economic Base:** Achieve a diversification of the City's economic base so that light industrial and business employment and other clear basic economic activities will have increased 10% by the year 2015.

**Policy 2.2.2** Through the rezoning and plan review process, the City shall protect residential neighborhoods from the encroachment of incompatible land uses. The type of protection may include land use transition areas, urban design standards and preventing the location of a particular land use near a residential area depending upon the intensity of the non-residential use.

**Objective 2.3 Infrastructure:** Adequate public water, sewer and drainage shall be provided for 100 percent of new developments; existing infrastructure deficiencies will be corrected to the extent that is financially feasible.

**Objective 2.5 Landscaping and Scenic Beautification:** Beautify major thoroughfares and entranceways to the City through a variety of aesthetic treatments including landscaping of medians, rights-of-way, parkages, gateways and other areas along the street.

#### **Transportation Element**

**Goal 1** To promote safe and efficient traffic circulation serving existing and future land uses.

**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.

**Objective 1.8 Residential Impacts:** No street improvements shall adversely impact single-family areas.

**Policy 1.8.2** New commercial and industrial districts shall be located in accordance with the Future Land Use Map and be in such a manner that traffic which serves these districts is not forced through adjacent or nearby residential neighborhoods.

**Economic Element**

**Goal 2 Business and Employment:** Retain, expand and attract industries, companies and businesses that provide high paying jobs with benefits for residents and that would create opportunities for business spin-offs and expansions, particularly those that would establish the City of Daytona Beach as a center for high technology design.

**Objective 1.1** Retain, expand and attract industries, businesses and jobs, particularly in the City's targeted industries, such that the area average annual wage increases from the previous year.

Targeted Industries include: telecommunications, environmentally clean manufacturing, information technology, medical products, treatment and technology, boating, marine production and supplies, automotive and speed related sports industry i.e. motor sports, golf, tennis, aviation and related events.

**Policy 1.1.9** Facilitate and support opportunities for business spin-offs, expansions and/or recruitment particularly in Targeted Industries.

**Policy 1.1.10** Encourage Volusia County and the Chamber to pursue opportunities to add targeted industries and high paying jobs in the City.

**RECOMMENDATION**

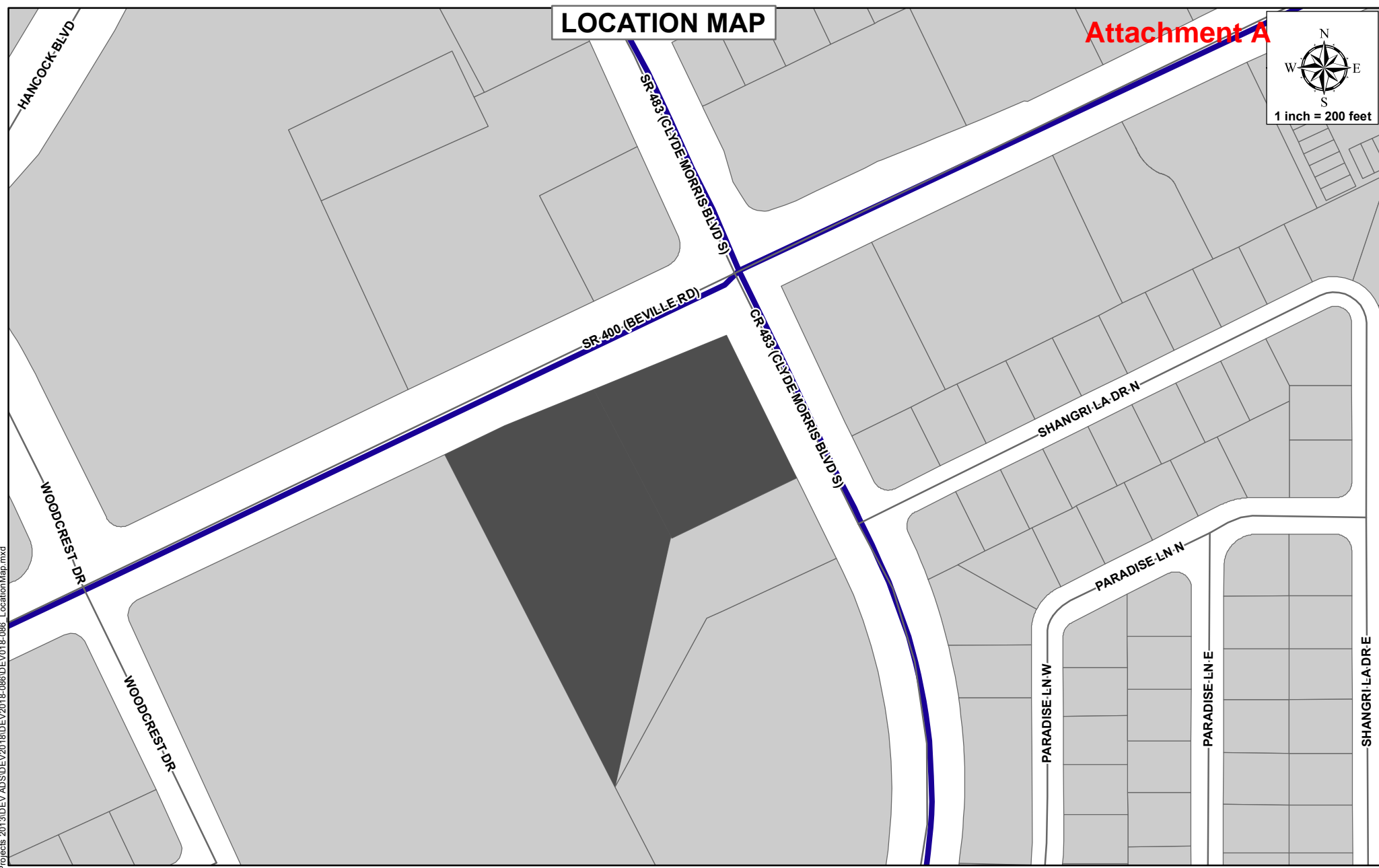
Staff finds that the small scale amendment is consistent with the Comprehensive Plan, does not represent urban sprawl and the City has available capacity to serve the demand on available water and sewer.

Based on staff analysis and review, the proposed Future Land Use Map amendment from Office Transitional and Level 2 Residential to Low Intensity Commercial appears to meet the criteria for the proposed amendment.

A majority vote of the Planning Board members present and voting is required to recommend approval, approval with conditions or denial of this policy matter to the City Commission.

# LOCATION MAP

Attachment A



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## DEV2018-086 SMALL SCALE COMPREHENSIVE PLAN AMENDMENT 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.

AERIAL

Attachment A



1 inch = 200 feet



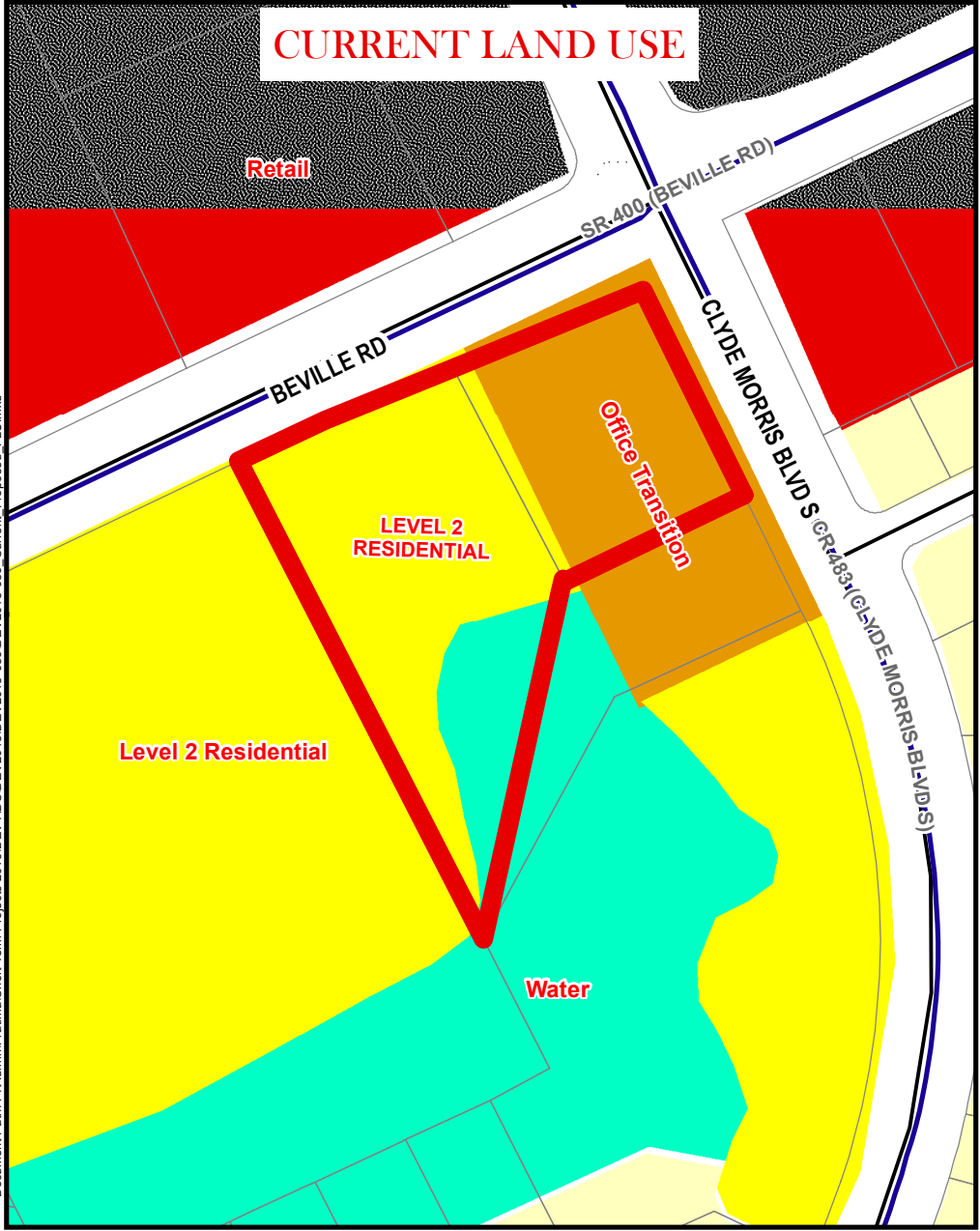
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**DEV2018-086  
SMALL SCALE COMPREHENSIVE PLAN AMENDMENT  
AERIAL MAP**

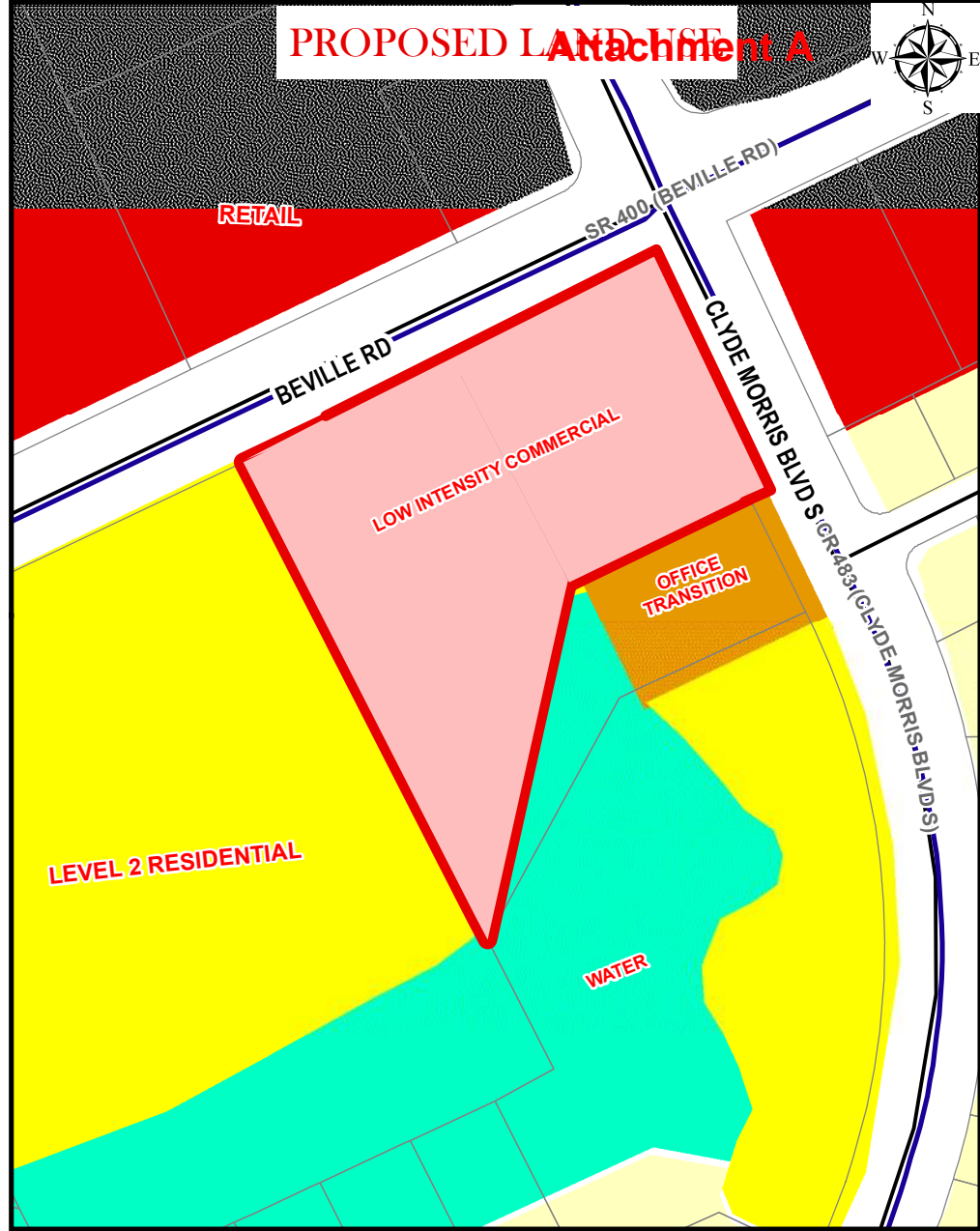
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**CURRENT LAND USE**



1 inch = 200 feet

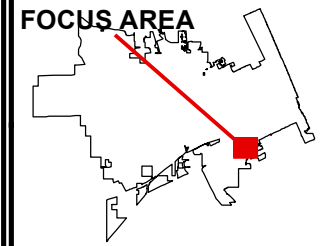
**PROPOSED LAND USE Attachment A**



1 inch = 200 feet

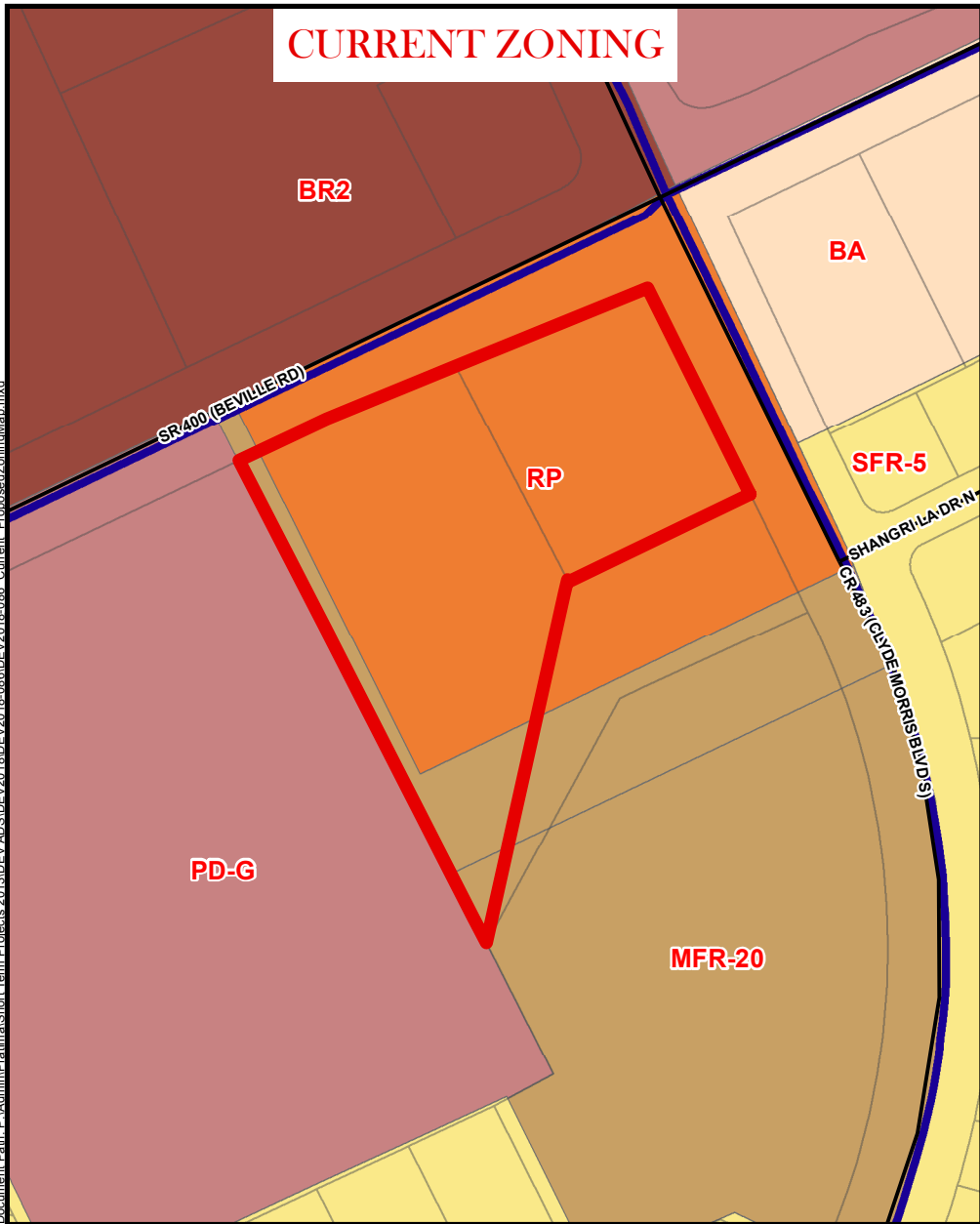


**DEV2018-086  
SMALL SCALE COMPREHENSIVE PLAN AMENDMENT  
CURRENT AND PROPOSED FUTURE LAND USE**



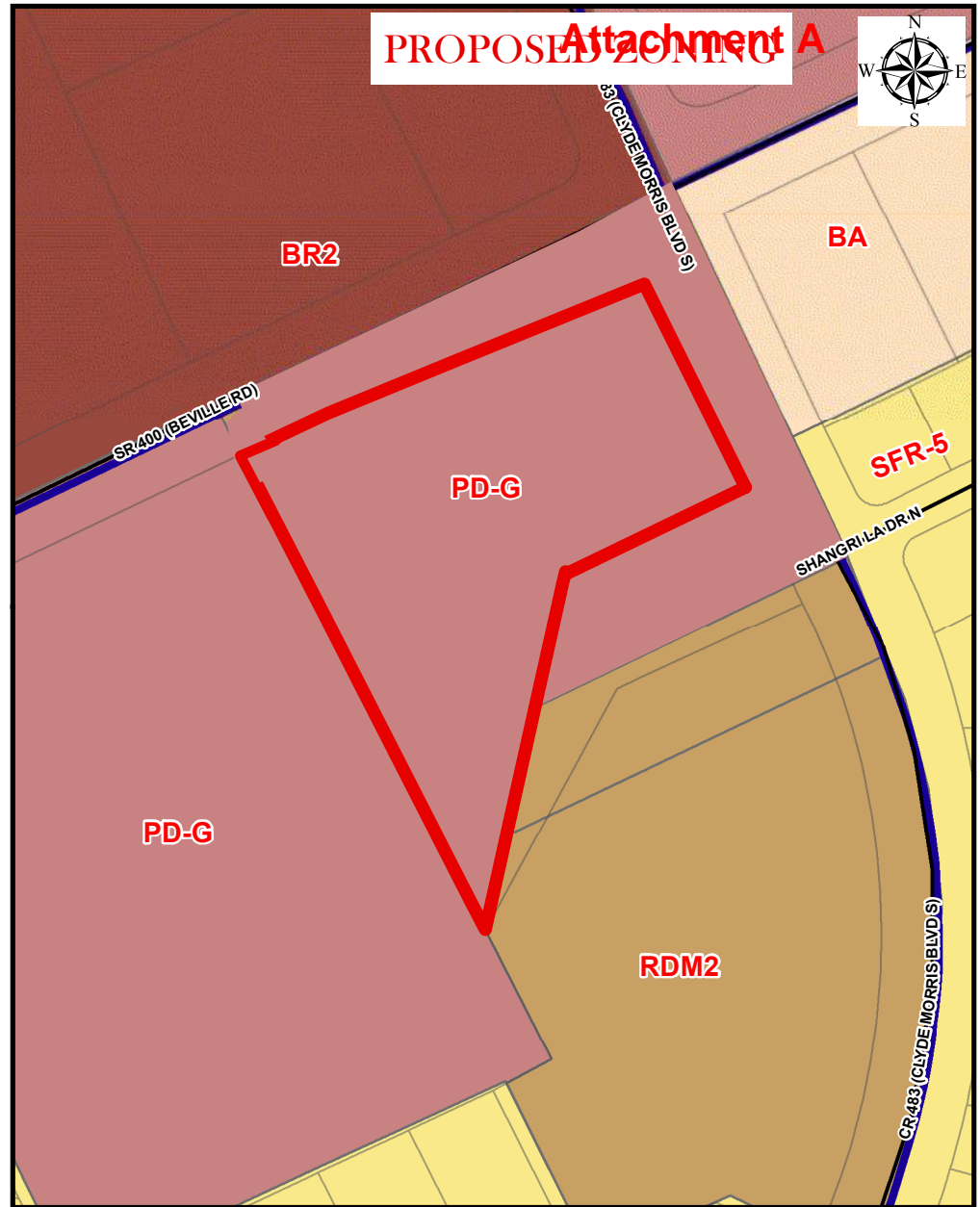
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**CURRENT ZONING**



1 inch = 200 feet

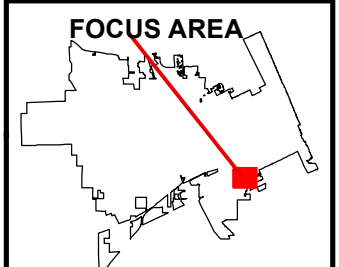
**PROPOSED ZONING** Attachment A



1 inch = 200 feet



**DEV2018-086**  
**SMALL SCALE COMPREHENSIVE PLAN AMENDMENT**  
**CURRENT & PROPOSED ZONING MAP**



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September 11, 2018

Via US Mail & Email

Mr. Dennis Mrozek  
Principal Planner  
City of Daytona Beach  
301 S. Ridgewood Avenue  
Daytona Beach, FL 32115

**Re: 1401 Beville Road  
Beville Investors, LLC**

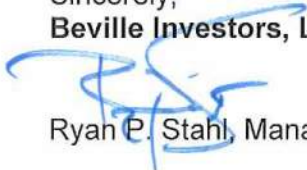
Dear Dennis:

Enclosed herewith please find:

1. Neighborhood Meeting Recap
2. Affidavit regarding the Neighborhood Meeting Requirement
3. A copy of the Neighborhood Meeting Notice
4. A copy of the Summary passed out at the Neighborhood Meeting
5. Sign-in sheet of Neighborhood Meeting Attendees
6. The original, certified list of property owners within a 300' radius
7. Photos of posted notices.

Please let me know if anything further is needed.

Sincerely,  
**Beville Investors, LLC**

  
Ryan P. Stahl, Manager

Enclosure(s)

cc: Dennis Mrozek (via email MrozekDennis@CODB.US)

DEV2018-087, Beville Commercial  
*Neighborhood Meeting Summary*

The neighborhood meeting regarding the above referenced project was held at 6:15pm, July 31, 2018 at Louie's Pizza House, 1347 Beville Rd, Daytona Beach, FL 32119. Developer representatives present at 5:30pm were Ryan Stahl, Amy McCook & Kirsten Davis.

The meeting was attended by three neighbors and a candidate for a commission seat in District 1. The sign-in sheet is attached. The neighbors & adjacent property owner confirmed that they received the meeting notice mailed by the applicant.

At 6:20pm Amy McCook presented an overview of the project including the details of the proposed rezoning and comp plan amendment. The attached summary was provided to all in attendance. A site plan and proposed use were also shared.

The residents voiced their concern that the property had recently become a destination for homeless and criminal activity. It was discussed that the new development would likely resolve this issue, but in the interim a no trespassing affidavit would be filed with the City of Daytona Beach Police Department so that they were authorized to trespass people from the property, if necessary. Kim Flaherty was contacted to put this in place for the property located at 1401 Beville Road.

Next, the topic of traffic was discussed. The traffic analysis memo was presented. The residents suggested that an additional curb cut - for a driveway directly into the corner lot (1401 Beville Road) from Clyde Morris Boulevard - be added to the site plan. It was explained that the separation from the intersection, separation between driveways and grade changes would factor into whether that would be permitted. The applicant is in favor of additional access but does not believe it is feasible based on advice from consultants involved in the project. Nevertheless, the additional curb cut will be discussed with City staff as part of the site permit process.

At approximately 6:53pm, with no other persons appearing, the meeting was concluded.

We received no other contact in response to the mailed and posted meeting notice.

Sincerely,  
**Beville Investors, LLC**

  
Ryan P. Stahl, Manager

NEIGHBORHOOD MEETING REQUIREMENT  
CITY OF DAYTONA BEACH

I, the undersigned, hereby certify that I have mailed by U.S. First Class Mail, to the following named property owners whose property is within 300 feet of the property which is the subject of an application for a public hearing pursuant to the Land Development Code of the City of Daytona Beach, Florida, a notice containing the time, date, location and purpose of the neighborhood meeting and address of the subject property.

The notices were sent 10 days prior to the meeting date and a copy of that letter an the Volusia County property Appraiser's address list are attached. This letter was approved by the City prior to it being sent.

The placard was posted on the affected property, visible from each adjoining right of way, 10 days before the scheduled neighborhood meeting.

Case Number: DEV2018-087 Meeting Date: July 31, 2018

Typed/Printed Name: Kirsten Davis

Signature: Kirsten J Davis

Address: 630 S. Mainland Ave Suite 100, Mainland, FL 32751

STATE OF FLORIDA  
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 11 day of September, 2018 by Kirsten Davis who is personally known to me.

Notary Seal

Laura Lopez  
Print: Laura Lopez



**NOTICE OF NEIGHBORHOOD MEETING**

July 20, 2018  
DEV2018-087, Beville Commercial  
1401 Beville Road, Daytona Beach, FL 32119

Dear Area Property Owner,

This letter is being sent to notify you of a proposed Site-Specific Zoning District Map Amendment and Comprehensive Plan Amendment that have been filed with the City of Daytona Beach for the property located at the southwest corner of Beville Road and Clyde Morris Boulevard. The Zoning Amendment looks to change the zoning from its current RP (Residential/Professional) to PD (Planned Development), while the Comprehensive Plan Amendment looks to change the future land use designation to Low Intensity Commercial.

This amendment would allow the site to be redeveloped as a commercial use including: a quick service restaurant, convenience store, travel agency, bank or other various uses allowed in the Planned Development zoning. We are currently working with the City to ensure the property meets current overlay districts and conforms to the aesthetics of neighboring properties.

The meeting will be held as follows:

DATE: July 31, 2018

TIME: 6:15PM

LOCATION: Louie's Pizza House, 1347 Beville Road, Daytona Beach, FL 32119

If you have questions, comments, or are unable to attend the meeting, please feel free to contact Amy McCook at (407) 628-0077 / amy@equinox-development.com.

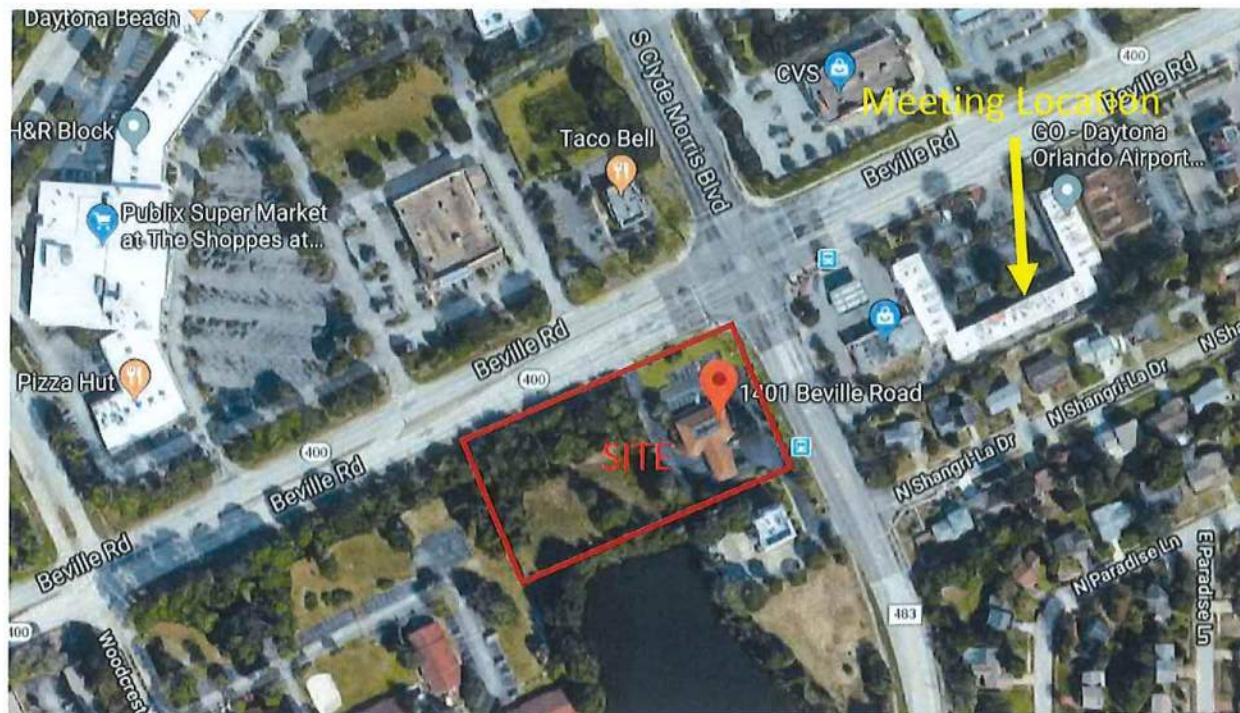
Sincerely,



Ryan P. Stahl

**MEETING LOCATION MAP**

Address: Louie's Pizza House, 1347 Beville Road, Daytona Beach, FL 32119  
(Foxborro Plaza)



**SUMMARY OF PROPOSED REZONING AND COMP PLAN AMENDMENT  
DEV2018-087, Beville Commercial**

**July 31, 2018**

**LOCATION:** The 3.7-acre site is located at the southwest quadrant of the intersection of Beville Road and Clyde Morris Boulevard. The property consists of two parcels. The address for the corner parcel is 1401 Beville Road, but the site also includes the vacant land to the west.

**COMP PLAN AMENDMENT:** The eastern parcel is currently within the "Office Transition" Future Land Use (FLU) classification. The western parcel is currently within the "Level 2 Residential" FLU classification. The applicant seeks to amend the FLU for both parcels from their current classification to the "Low Intensity Commercial" FLU designation.

**PLANNED DEVELOPMENT REZONING:** Most of the site is currently zoned Residential/Professional (RP) with a small portion being zoned Multifamily Residential-20 (MFR-20). The applicant seeks to rezone the property to Planned Development (PD) which would allow the uses outlined in the attached Exhibit A.

**TRAFFIC:** An analysis has been prepared to assess the traffic impacts of changing the current land use designation. It was determined that the proposed land use (Low Intensity Commercial) will result in a lower maximum development potential and therefore less potential trips than the existing designations.

**MEETING SUMMARY:** A meeting summary shall be included with the application materials and will be made available to the public for inspection. Residents can also provide their own summary of this neighborhood meeting directly to the City, which will be included in the record of the application.

**CONTACT:** Additional comments or questions regarding this project should be directed to Amy McCook at (407) 628-0077 / [amy@equinox-development.com](mailto:amy@equinox-development.com).

## **Exhibit A**

### **PERMITTED USES**

The following uses (as defined in the New Land Development Code) are permitted within the Property, subject to compliance with the Use Specific Standards set forth in Article 5, LDC.:

- Adult Day Care Center
- Antique Store
- Art Gallery
- Art, Crafts, Music, Dance, Photography, Or Martial Arts Studio/School
- Bank or Financial Institution with Drive-Through Service
- Bank or Financial Institution without Drive-Through Service
- Book or Media Shop
- Business Services Offices
- Car Wash or Auto Detailing
- Check Cashing Service
- Child Care Facility
- College or University
- Contractor's Office
- Convenience Store (24HR, With or Without Fueling Stations)
- Drug Store or Pharmacy with Drive Through Service
- Drug Store or Pharmacy without Drive Through Service
- Dry Cleaning or Laundry Drop Off Establishment
- Florist Shop
- Gas Station
- Gift Shop or Stationery Store
- Grocery Store
- Home and Building Supply Center
- Jewelry Store
- Large Retail Sales Establishment
- Liquor or Package Store

### **PERMITTED USES (continued)**

- Medical or Dental Clinic/Office
- Medical or Dental Lab
- Indoor Recreation/Entertainment Use
- Other Office Facility
- Other Retail Sales establishments
- Personal Services Establishment
- Place of Worship
- Private School with 20 or More Students
- Private School with Fewer Than 20 Students
- Professional Services Offices
- Public School
- Restaurant with Drive-In Service
- Restaurant with Drive-Through Service
- Restaurant Without Drive-In or Drive-Through Service
- Specialty Eating or Drinking Establishment
- Telecommunications facility, collocated on existing structure other than telecommunications tower
- Travel Agency
- Vocational or Trade School

### **PROHIBITED USES**

A use not similar to a listed use is prohibited. Prohibited uses specifically include the following:

- Body Piercing Establishments
- Crematories
- Farmers Markets
- Flea Markets
- Funeral Homes or Mortuaries
- Laundromat
- Night Club/Cabaret/Adult Entertainment
- Tattoo Establishments





1111 - 5 2018



Property Appraiser  
Larry Bartlett

DISCLAIMER: Surrounding Owners Request Prepared by Volusia County Property Appraisers Office

S18079

The Volusia County Property Appraiser and staff are constantly working to provide and publish the most current and accurate information possible. No warranties, expressed or implied are provided for the data herein, its use, or its interpretation.

Additionally, the Appraiser's data is not as current as the Clerk of the Court data causing mismatches - which are beyond our control

Again, one must remember that the primary use of the assessment data contained is for the preparation of the current year tax roll.

No responsibility or liability is assumed for inaccuracies or errors.

Please govern yourself accordingly.

STATE OF FLORIDA, VOLUSIA COUNTY  
I HEREBY CERTIFY the following is a true  
copy of the records of this office. This  
is day of July A.D. 2018  
Larry Bartlett, Property Appraiser

By: *[Signature]*  
Chief Deputy Property Appraiser

Parcel Number of Subject Property: 5330-00-04-0023 - Equinox Development Properties - 300' Radius - 06/29/2018	PID	OWNER1	ADDR1	MAILCITY	MAILSTATE	MAILZIP
	533000030020	OWNER1	P O BOX 2411	DAYTONA BEACH	FL	32115
	533000030022	EMBRY RIDDL E AERONAUTICAL UNIV	1766 FAIRVIEW SHORES DR	ORLANDO	FL	32804
	533000030025	SUN BEACH INVESTMENT CO	1766 FAIRVIEW SHORES DR	ORLANDO	FL	32804
	533000040020	CIRCLE K STORES INC	1130 W WARNER RD BLDG B DC17	TEMPE	AZ	85284
	533000040021	JOHNSON RICHARD N	4244 JACKSON ST	PORT ORANGE	FL	32129
	533000040023	OLDE PROPERTY CORPORATION	719 GRISWOLD ST STE 1700	DETROIT	MI	48226
	533000040024	1620 CLYDE MORRIS LLC	157 GREENWING TEAL CT	DAYTONA BEACH	FL	32119
	533002010010	WILLIAMS RUBY BIRK	1340 SHANGRI-LA DR	DAYTONA BEACH	FL	32119
	533002010020	FRANKLIN ELLIE	1336 SHANGRI LA DR	DAYTONA BEACH	FL	32119
	533002010030	BARTON RONALD & ANN MARIE	1332 SHANGRI LA DR	DAYTONA BEACH	FL	32119
	533002010440	SOMARAJAN JAYARAJ	1639 PARADISE LN W	DAYTONA BEACH	FL	32119
	533002010450	KELLY ANNIE LOUISE & EARL E	1336 PARADISE LANE	DAYTONA BEACH	FL	32119
	533002010600	GAITO JANET LEE BROWN	1337 N SHANGRI LA DR	DAYTONA BEACH	FL	32119
	533002010610	HOGG LISCO JR	1341 N SHANGRI LA DRIVE	DAYTONA BEACH	FL	32119
	533005000010	WAL GREEN CO	PO BOX 1159	DEERFIELD	IL	60015
	533005000011	CENTRAL FLORIDA KFC INC	2501 HOLLYWOOD BLVD STE 220	HOLLYWOOD	FL	33020
	533005000020	J-3 LAND PARTNERS LTD	300 N NOVA RD	ORMOND BEACH	FL	32174
	533008000010	AMBA ESTATES DAYTONA BEACH	30 COMPASS ISLE	FORT LAUDERDALE	FL	33308

Attachment B



# Beville Investors, LLC Comprehensive Plan Amendment Data and Analysis

## **1. APPLICANT INFORMATION**

### 1.1 Applicant Name and Address

Beville Investors, LLC  
630 South Maitland Avenue, Suite 100  
Maitland, FL 32751

### 1.2 Primary Contact for Applicant

Ryan Stahl  
Beville Investors, LLC  
630 South Maitland Avenue, Suite 100  
Maitland, FL 32751  
407-628-0077  
rstahl@equinox-development.com

### 1.3 Applicant's Authorized Representatives

Jonathan A. Martin, P.E.  
Kimley-Horn & Associates  
189 South Orange Avenue, Suite 1000  
Orlando, FL 32801  
407-427-1686  
Jonathan.Martin@kimley-horn.com

## **2. PROPERTY INFORMATION**

### 2.1 Nature of Applicant's Interest

The property described in Section 2.3 (the "Property") consists of two parcels. The eastern parcel is currently within the "Office Transition" Future Land Use (FLU) classification. The western parcel is currently within the "Level 2 Residential" Future Land Use (FLU) classification. The Applicant seeks to amend the FLU for both parcels from their current Future Land use classification to the "Low Intensity Commercial" FLU classification. The change will allow the owner to create a commercial development for a broad range of commercial uses through the

Planned Development (PD) rezoning process. A planned district agreement to allow commercial use is being processed concurrently with this application.

2.2 Size of Property and Survey

The size of the property is 3.7 +/- acres. See copy of Survey attached as Exhibit "A".

2.3 Legal Description

See Legal Description and copies of Volusia County Property Appraiser Information Cards and Warranty Deed attached as Exhibit "B".

2.4 Parcel Identification Number

30-15-33-00-03-0022 & 30-15-33-00-04-0023

2.5 General Location

The Property is generally located in the City of Daytona Beach, at 1401 Beville Road, which is south of the Walgreens building and west of the Kangaroo Express. See site location map attached as Exhibit "C".

2.6 Frontage

The Property has approximately 460 feet frontage along Beville Road (S.R. 400).

2.7 Access

Street access and vehicular circulation will be provided via public and/or private rights of way within the Property. The Property has frontage on Beville Road (S.R. 400) and Clyde Morris Boulevard. Pursuant to a City approved site plan and all required local and state driveway permits, future driveway connections will be made to Beville Road.

2.8 Street Address

1401 Beville Road,  
Daytona Beach, FL 32119

**3. LAND USE INFORMATION**

3.1 Aerial Photography

See Exhibit "D", attached.

3.2 Existing Development

The Property is located in Comprehensive Plan Neighborhood O. The property is currently developed with an aging structure that has completed its useful life. The structure has been used as an office building which is currently vacant. The Property is classified as Office Transition by the Comprehensive Plan and zoned Residential Professional (RP). The northern boundary of the Property is defined by the southern boundary of the Beville Road (S.R. 400) right of way. The Property is across Beville Road (S.R. 400) from the Taco Bell building. The southern boundary of the Property is defined as the northern property line of an existing multi-tenant office building which abuts the areas master stormwater pond. The western boundary of the property abuts an existing student housing development located on Beville Road (S.R. 400). The eastern is defined as the southern boundary of the Clyde Morris Boulevard right of way.

3.3 Future Land Use Map Designation

The eastern parcel is currently within the “Office Transition” Future Land Use (FLU) classification. The western parcel is currently within the “Level 2 Residential” Future Land Use (FLU) classification. The proposed FLU designation is “Low Intensity Commercial” for both parcels. See Existing Land Use Map attached as Exhibit “E”.

3.4 Current Zoning

The current zoning designation is RP (Residential Professional). See Existing Zoning Map attached as Exhibit “F”.

3.5 Proposed Future Land Use Map Designation

The proposed FLU designation is “Low Intensity Commercial”. See Proposed Land Use Map attached as Exhibit “G”.

3.6 Proposed Zoning. The proposed zoning designation is PD. The PD document is entitled, “Beville Commercial Planned District Agreement”

3.7 Current Versus Proposed Future Land Use Map Designation

The proposed amendment will allow use of the Property for a variety of land uses, including uses consistent with the Property’s current “Office Transition” FLU designation. The “Low Intensity Commercial” FLU designation will allow the Applicant to develop the property for office and commercial uses in a manner consistent with the Comprehensive Plan as outlined herein.

3.8 Future Land Use Element Amendment

The existing FLU designation of the eastern parcel (Office Transition) permits offices with a floor area ratio not to exceed 3, and multi-family uses that do not exceed 40 dwelling units per acre. The existing FLU designation of the western parcel (Level 2 Residential) permits multi-family uses that do not exceed 20 dwelling units per acre. The proposed amendment promotes the

efficient integration of planning through infill development. Additionally, the Low Intensity Commercial FLU will provide the opportunity to develop the property with commercial establishments in an area of the City conveniently located near residential and educational development.

#### **4 CONSISTENCY AND COMPATIBILITY**

##### **4.1 Consistency with Plan Goals, Policies and Objectives of the Daytona Beach Comprehensive Plan**

The proposed amendment is consistent with several of the Goals, Policies and Objectives of the Comprehensive Plan, as outlined below. This amendment will allow development with uses that are consistent and compatible with the surrounding area and will allow for uniform planning, development and management of the Property. In addition to these factors, the amendment is also consistent with the following provisions of the Daytona Beach Comprehensive Plan:

##### 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 on Beville Road. This is a highly accessible location and as such is an appropriate location for commercial uses including the opportunity for restaurants with or without drive-through services, banks, and financial institutions with or without drive-through service, travel agencies, office uses, retail sales and services, specialty eating or drinking establishments, health/exercise clubs and business and personal services. This Amendment will ensure an efficient land use pattern through the location of these various uses in close proximity to this area of the City where substantial investments have been made to the transportation infrastructure. Allowance of Low Intensity Commercial fills a void that encompasses at least the area between Woodcrest Drive and Nova Road.*

Policy 1.2.2 Maintain the Land Development Code in a manner that ensures adequate off-street parking and on-site traffic flow.

*The proposed development will be designed to ensure that adequate off-street parking and on site traffic flow meets or exceeds standards outlined in the Land Development Code.*

Objective 1.3 Commercial Land: The City's supply of commercial land shall be sufficient to accommodate both local demand and the demand for regional facilities, since the City of Daytona Beach is the central city in the Halifax metropolitan area.

*The proposed Amendment will conform to this goal. The proposed uses will provide an opportunity for allowing the development of an office and commercial center with opportunities for a variety of commercial uses and office uses to the local community and service to Beville Road traffic.*

Policy 1.3.2 Through site plan and plat reviews, traffic generated from future commercial and industrial development shall be directed away from residential areas.

*The area to be developed fronts on Beville Road. The existing parking area on the corner of Beville Road and Clyde Morris Blvd. connects to both Beville Road and Clyde Morris Blvd. The proposed site configuration would shift the connection to Beville Road west, this will benefit the maneuverability into and out of the site and would reduce the congestion at the east-bound bound intersection of Beville Road and Clyde Morris Blvd. The connection to Clyde Morris Blvd. will remain with the same configuration. With these connections to Beville Road and Clyde Morris Blvd. the traffic pattern will not provide any access to any residential neighborhood. The Amendment will allow a development on Beville Road where the traffic generated by said development will be directed away from the residential areas south of the Property.*

Objective 2.3 Infrastructure: Adequate public water, sewer and drainage shall be provided for 100 percent of new developments; existing infrastructure deficiencies will be corrected to the extent that is financially feasible.

*Information from public works indicates there is adequate utility capacity to meet the needs of the proposed land use. The proposed development will be in accordance with this objective.*

### Transportation Element (Traffic Section)

Objective 1.7 Future Land Use Control: 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 Objective 1.7. as more particularly described in Section 5 below.*

Policy 1.8.2 New commercial and industrial districts shall be located in accordance with the Future Land Use Map and be in such a manner that traffic which serves these districts is not forced through adjacent or nearby residential neighborhoods.

*With frontage and access on Beville Road and Clyde Morris Blvd. traffic will not have any way to enter a nearby residential area while visiting the proposed property.*

Economic Element

Goal 1 BUSINESS AND EMPLOYMENT

Retain, expand and attract industries, companies and businesses that provide high paying jobs with benefits for residents and that would create opportunities for business spin-offs and expansions, particularly those that would establish the City of Daytona Beach as a center for high technology design.

*The development proposed by the Amendment will provide Daytona Beach with a project in which new businesses may develop and flourish. The Applicant intends to develop a project with a premium location which will attract desirable businesses.*

4.2 Consistency with the Urban Sprawl Rule

Section 163.3177(6)(a)(9)(b), Florida Statutes, provides that plan amendments shall be determined to discourage the proliferation of urban sprawl if they incorporate a development pattern or urban form that achieves four or more of the following:

- (I) Directs or locates economic growth and associated land development to geographic area of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.

*The proposed amendment will allow redevelopment of an already developed but out dated structure so no natural resource impact is expected. The development will direct economic growth and the associated land development to an area that will complement the existing uses in the vicinity of the Property, thereby minimizing adverse impacts to natural resources and ecosystems.*

- (II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

*The Property is located in an area where public infrastructure and services are already available, thereby promoting the efficient and cost-effective provisions of such infrastructure and services.*

- (III) Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.

*The proposed amendment will allow a development on the Property with opportunities for commercial uses. The development will build upon and complement the existing area by providing a convenient project containing jobs and services with direct access to Beville Road for automobile and public transit traffic, walking and bicycling from the neighboring area.*



- (IV) Promotes conservation of water and energy.

*The proximity of the Property to existing development will provide for an efficient integration of infrastructure and services to the new mixed use development that will require less water and energy than development in wholly undeveloped areas.*

- (V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

N/A

- (VI) Preserves open space and natural lands and provides for public open space and recreation needs.

N/A

- (VII) Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

*The development of the Property will direct economic growth to an area that will complement the existing commercial facilities and residential areas in the vicinity of the Property, thereby promoting a comprehensive array of uses for existing facilities and future residential and nonresidential development. This will further lead to additional job growth in the area.*

- (VIII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.

N/A

*The proposed amendment promotes a development pattern and urban form that achieves a majority of the preceding general policies. Because the proposed amendment achieves more than four of the preceding policies, the proposed amendment conforms the avoidance urban sprawl standards set forth in Section 163.3177(6)(a)(9)(b), Florida Statutes.*

#### 4.3 Land Use Compatibility Analysis

The proposed amendment seeks to amend a 3.7 +/- acre portion of the Daytona Beach FLU Map currently designated Office Transition to the Low Intensity Commercial FLU. The proposed amendment will not negatively alter the character that exists in the area at the present time. The amendment is intended to allow for improved planning and coordination of the Property. The primary uses of the Property will be consistent with the existing uses in the surrounding area, including but not limited to, restaurants, retail facilities, exercise clubs and other compatible uses.

The uses contemplated by this amendment and permitted through the rezoning of the Property to PD are consistent with the existing mix of development along Beville Road in the vicinity of the property. As noted in Section 3.6 above and further detailed in Section 5 below, the proposed amendment allows the development of the Property in a manner consistent with the Comprehensive Plan. For an overview of the FLU consistency, please refer to the existing and proposed FLU maps attached as Exhibits “E” and “G”, respectively.

## **5. CONCURRENCY ANALYSIS**

### **5.1 Traffic Data and Analysis**

The data and analysis is based on the trip generation results of the existing versus the proposed FLUM and the provisions in the Florida Department of Transportation’s procedures that state that no analysis is required of the impacts of the proposed FLUM if its traffic generation is less than that of the existing FLUM. The attached table included in Exhibit “H” indicates that the proposed FAR and densities for the proposed FLUM result in land uses that generate traffic volumes that are less than the existing FLUM. The trip generation equations and rates are based on the *Institute of Transportation Engineers (ITE) Trip Generation report, 10<sup>th</sup> Edition*.

#### **5.1.1 Trip Generation for the Current FLUM Designation**

The trip generation for the Current FLUM land uses are provided in the attached table included in Exhibit “H”. Using the adopted FARs and densities, the gross existing external trip generation is 2,003 daily, 204 A.M. Peak hour trips and 209 P.M. Peak hour trips.

#### **5.1.2 Trip Generation for the Proposed FLUM Designation**

The trip generation for the Proposed FLUM land uses are provided in the attached Table 1 included in Exhibit “H”. Using the adopted FARs and densities, the net new external trip generation is 1,750 daily trips, 110 A.M. Peak hour trips and 147 P.M. Peak hour trips.

#### **5.1.3 Change in Trip Generation**

As indicated in the attached Exhibit “H”, the trip generation of the proposed FLUM is 253 daily trips, 94 A.M. Peak hour trips and 62 P.M. Peak hour trips less than the trip generation of the existing FLUM.

#### **5.1.4 Trip Distribution**

This work product is not required as the trip generation of the proposed FLUM is less than the trip Generation of the existing FLUM.

## 5.1.5 Impact on the 5 Year Level of Services (LOS)

This work product is not required as the trip generation of the proposed FLUM is less than the trip Generation of the existing FLUM.

## 5.1.6 Impacts on 2025 Level of Service (LOS)

This work product is not required as the trip generation of the proposed FLUM is less than the trip Generation of the existing FLUM.

## 5.2 Sanitary Sewer Data and Analysis

### 5.2.1 Sewer Facilities

The City of Daytona Beach Waste Water Treatment Plant will accommodate the waste from this project is located at 3651 LPGA Boulevard. This plant has a capacity of 15 MGD. The current maximum monthly average annual daily flow over 12 months is 7.2 MGD.

### 5.2.2 Sanitary Sewer Demand from the Current FLUM Designation

The current sanitary sewer demand is calculated as follows using the State of Florida Department of Health and Rehabilitative Service Chapter 10D-6 of the Florida Administrative Code and the City of Daytona Beach recommended standards:

Table 5.2.2 – Current FLUM Sanitary Sewer Demand

Land Use	AREA (AC)	Max Density (DU/AC)	Development Potential (Units)	Max FAR	Development Potential (SF)	ESTIMATED FLOW		GPD		GPM	
								ADF	PDF	ADF	PDF
Office Transition	1.285	-	-	3	167,924	0.15	per Unit	<b>25,189</b>	<b>75,566</b>	<b>17.5</b>	<b>52.5</b>
		40	51			400	per Unit	20,560	61,680	14.3	42.8
Level 2 Residential	2.415	20	48			400	per Unit	<b>19,320</b>	<b>57,960</b>	<b>13.4</b>	<b>40.3</b>
<b>Total</b>								<b>44,509</b>	<b>133,526</b>	<b>30.9</b>	<b>92.7</b>

1. Flow estimates per Florida Administrative Code 64E-6.008
2. Based on maximum allowable FAR & maximum allowable density per FLUM.

Table 5.2.3 – Theoretical Proposed Worst – Case FLUM Sanitary Demand

Land Use	AREA (AC)	Max Density (DU/AC)	Development Potential (Units)	Max FAR	Development Potential (SF)	ESTIMATED FLOW		GPD		GPM	
								ADF	PDF	ADF	PDF
Low Intensity Commercial	3.7	-	-	1	161,172	0.15	per Unit	<b>24,176</b>	<b>72,527</b>	<b>16.8</b>	<b>50.4</b>
		10	37			400	per Unit	14,800	44,400	10.3	30.8
<b>Total</b>								<b>24,176</b>	<b>72,527</b>	<b>16.8</b>	<b>50.4</b>

1. Flow estimates per Florida Administrative Code 64E-6.008
2. Based on maximum allowable FAR & maximum allowable density per FLUM.

5.2.3 Sanitary Sewer Demand from the Current FLUM Designation

The theoretical worst-case proposed FLUM would decrease the possible sewer requirements of the site by approximately 60,999 GPD.

5.2.4 Impacts on LOS

With the current flow of the plant at 7.2 MGD with the proposed reduction of maximum peak rate of 0.061 MGD results in a total of 7.139 MGD of flow to the plant. Thus, benefiting the plant and improving the current level of service.

5.3 Potable Water Data and Analysis

5.3.1 Potable Water Facilities

The City of Daytona Beach’s Water Treatment Plant is located at 3651 LPGA Boulevard. The capacity of the plant is 24 MGD. The current maximum monthly average daily flow is 16.4 MGD.

5.3.2 Potable Water Demand from the Current FLUM Designation

The current potable water demand is calculated as follows using the State of Florida Department of Health and Rehabilitative Service Chapter 10D-6 of the Florida Administrative Code and the City of Daytona Beach recommended standards:

Table 5.3.2 – Current FLUM Potable Water Demand

Land Use	AREA (AC)	Max Density (DU/AC)	Development Potential (Units)	Max FAR	Development Potential (SF)	ESTIMATED FLOW		GPD		GPM	
								ADF	PDF	ADF	PDF
Office Transition	1.285	-	-	3	167,924	0.15	per Unit	<u>25,189</u>	<u>75,566</u>	<u>17.5</u>	<u>52.5</u>
		40	51			400	per Unit	20,560	61,680	14.3	42.8
Level 2 Residential	2.415	20	48			400	per Unit	<u>19,320</u>	<u>57,960</u>	<u>13.4</u>	<u>40.3</u>
<b>Total</b>								<b>44,509</b>	<b>133,526</b>	<b>30.9</b>	<b>92.7</b>

1. Flow estimates per Florida Administrative Code 64E-6.008
2. Based on maximum allowable FAR & maximum allowable density per FLUM.

Table 5.3.3 – Theoretical Proposed Worst – Case FLUM Potable Water Demand

Land Use	AREA (AC)	Max Density (DU/AC)	Development Potential (Units)	Max FAR	Development Potential (SF)	ESTIMATED FLOW		GPD		GPM	
								ADF	PDF	ADF	PDF
Low Intensity Commercial	3.7	-	-	1	161,172	0.15	per Unit	<u>24,176</u>	<u>72,527</u>	<u>16.8</u>	<u>50.4</u>
		10	37			400	per Unit	14,800	44,400	10.3	30.8
<b>Total</b>								<b>24,176</b>	<b>72,527</b>	<b>16.8</b>	<b>50.4</b>

1. Flow estimates per Florida Administrative Code 64E-6.008
2. Based on maximum allowable FAR & maximum allowable density per FLUM.

### 5.3.3 Potable Water Demand from the Current FLUM Designation

The theoretical worst-case proposed FLUM would decrease the possible potable water requirements of the site by approximately 60,999 GPD.

### 5.3.4 Impacts on LOS

With the current flow of the plant at 16.4 MGD with the proposed reduction of maximum peak rate of 0.061 MGD results in a total of 16.339 MGD of flow to the plant. Thus, benefiting the plant and improving the current level of service.

5.4 Stormwater Data and Analysis

The subject Property consists of two parcels. The northern parcel is already developed with 54% coverage by impermeable surface. The current proposed site plan will increase that percentage to 64%. The southern parcel is currently vacant and when implementing our current site plan the impermeable surface are increases from 0% to 8%. Stormwater treatment and attenuation will be designed for the proposed development in accordance with the standards of the city and local water management district.

5.5 Solid Waste Data and Analysis

Solid Waste Disposal within the City of Daytona Beach is provided by Waste Management with a collection contract with Waste Pro. Waste Management has sufficient capacity to accommodate the proposed FLUM designation.

5.6 Wellfield Protection Zones

The site does not lie within any wellfield protection zones.

5.7 Reclaimed Water

Reclaimed water is not available at the subject site.

**6. ENVIRONMENTAL ANALYSIS**

6.1 Surface Water and Wetlands

The subject property is a long developed site that does not contain wetlands or surface water features which are jurisdictional to the local and state regulatory agencies.

6.2 Vegetative Cover

The eastern subject property is a developed site covered with buildings, paving and sod. The western property is vacant and currently covered in trees and vegetation.

6.3 Flood Zone

The site is located within FEMA flood zone X, area determined to be outside off the 500-year flood plain per FIRM Map Number 12127C0366H, Revised February 19, 2014.

6.4 Listed Animal and plant Species

Discussed in this section are those species listed by the Florida Fish and Wildlife Conservation Commission (FWC) and/or the United States Fish and Wildlife Service (FWS) as endangered, threatened or species of special concern. Plants listed as Commercially Exploited are

not discussed, as regulations regarding these species relate to illegal harvest and not to possible population reductions by development pressures.

**6.4.1 Wildlife and Plants**

There are no known listed animal or plant species located on site and due to the site's urban location and developed state, none are anticipated.

**7. CONCLUSION**

The proposed amendment is consistent with the City of Daytona Beach Comprehensive Plan. The amendment will permit the efficient integration of planning and management of the Property. The proposed amendment will ensure that the subsequent rezoning of the Property will not include any inconsistent uses with those currently anticipated throughout this area.

**EXHIBIT A  
Survey**

**Exhibit B  
Legal Description, Property Appraiser Info and Recorded Deed**

**Exhibit C  
Site Location Map**

**Exhibit D  
Aerial**

**Exhibit E  
Existing Land Use Map**

**Exhibit F  
Existing Zoning Map**

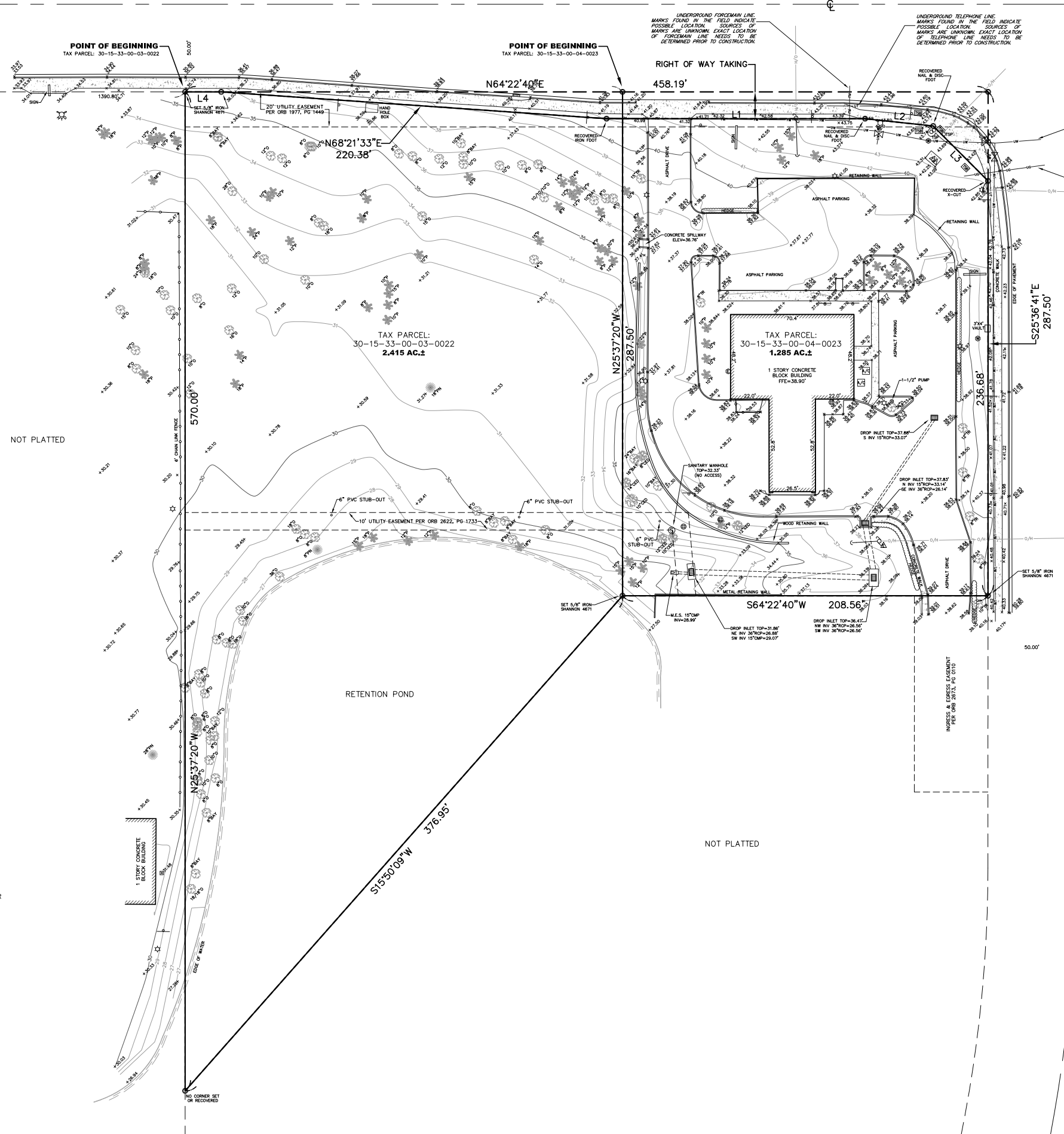
**Exhibit G  
Proposed Land Use Map**

**Exhibit H  
Trip Generation Report**



BEVILLE ROAD (S.R. 400)

CLYDE MORRIS BOULEVARD



POINT OF COMMENCEMENT  
SW CORNER OF SECTION 30-15-33

POINT OF BEGINNING  
TAX PARCEL: 30-15-33-00-03-0022

POINT OF BEGINNING  
TAX PARCEL: 30-15-33-00-04-0023

RIGHT OF WAY TAKING  
458.19'

TAX PARCEL:  
30-15-33-00-03-0022  
2.415 AC.±

TAX PARCEL:  
30-15-33-00-04-0023  
1.285 AC.±

RETENTION POND

NOT PLATTED

NOT PLATTED

UNDERGROUND WATERLINE  
MARKS FOUND IN THE FIELD INDICATE POSSIBLE LOCATION. SOURCES OF MARKS ARE UNKNOWN. EXACT LOCATION OF WATERLINE NEEDS TO BE DETERMINED PRIOR TO CONSTRUCTION.

UNDERGROUND GAS LINE  
MARKS FOUND IN THE FIELD INDICATE POSSIBLE LOCATION. SOURCES OF MARKS ARE UNKNOWN. EXACT LOCATION OF GAS LINE NEEDS TO BE DETERMINED PRIOR TO CONSTRUCTION.

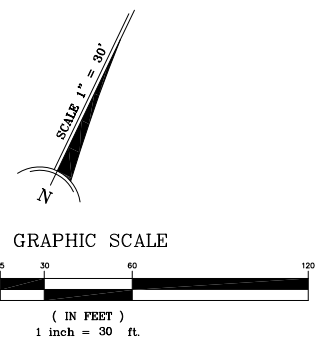
UNDERGROUND FORCE MAIN LINE  
MARKS FOUND IN THE FIELD INDICATE POSSIBLE LOCATION. SOURCES OF MARKS ARE UNKNOWN. EXACT LOCATION OF FORCE MAIN LINE NEEDS TO BE DETERMINED PRIOR TO CONSTRUCTION.

UNDERGROUND TELEPHONE LINE  
MARKS FOUND IN THE FIELD INDICATE POSSIBLE LOCATION. SOURCES OF MARKS ARE UNKNOWN. EXACT LOCATION OF TELEPHONE LINE NEEDS TO BE DETERMINED PRIOR TO CONSTRUCTION.

- LEGEND
- CLEAN OUT
  - DROP INLET
  - ⊗ FIRE HYDRANT
  - ⊕ ELECTRICAL METER
  - ⊕ ELECTRICAL RISER
  - ▲ FIBER OPTIC CABLE RISER
  - ⌵ GUY ANCHOR
  - ☆ LIGHT POLE
  - SIGN
  - ⊕ SANITARY MANHOLE
  - ⊕ TRAFFIC SIGNAL BOX
  - ⊕ TSP
  - ⊕ TRAFFIC SIGNAL POLE
  - ⊕ WOOD UTILITY POLE
  - ⊕ WATER METER
  - ⊕ WATER VALVE
  - (XX)O (SIZE) OAK TREE
  - (XX)P (SIZE) PALM TREE
  - (XX)BAY (SIZE) BAY TREE
  - (XX)CED (SIZE) CEDAR TREE
  - (XX)P (SIZE) PALM TREE
  - (XX)TR (SIZE) TREE

LINE TABLE

LINE	BEARING	LENGTH
L1	N64°22'40"E	147.56'
L2	N70°31'48"E	39.08'
L3	S70°36'47"E	44.30'
L4	N64°22'40"E	20.59'



BOUNDARY & TOPOGRAPHIC SURVEY

DESCRIPTION:

(Tax Parcel: 30-15-33-00-03-0022)

Being a portion of Section 30, Township 15 South, Range 33 East, Volusia County, Florida; being more particularly described as follows:

From the Southwest corner of said Section 30, run North 00°33'28" East along the West line of said Section 30, a distance of 1416.04 feet to the Southerly right-of-way of Beville Road (State Road 400), a 100 foot wide right-of-way, thence North 64°22'40" East along the southerly right-of-way of said Beville Road a distance of 1390.80 feet to the Point of Beginning; thence continue North 64°22'40" East along the southerly right-of-way line of said Beville Road a distance of 249.57 feet; thence departing said right-of-way line, run South 25°37'20" West a distance of 287.50 feet; thence South 15°50'09" West, a distance of 376.95 feet; thence North 25°37'20" West, a distance of 570 feet to the Point of Beginning.

DESCRIPTION:

(Tax Parcel: 30-15-33-00-04-0023)

Being a portion of Section 30, Township 15 South, Range 33 East, Volusia County, Florida; being more particularly described as follows:

From the Southwest corner of said Section 30, run North 00°33'28" East along the West line of said Section 30, a distance of 1416.04 feet to the Southerly right-of-way of Beville Road (State Road 400), a 100 foot wide right-of-way, thence North 64°22'40" East along the southerly right-of-way of said Beville Road a distance of 1640.37 feet to the Point of Beginning; thence continue along said right-of-way North 64°22'40" East a distance of 208.70 to an intersection of the westerly right-of-way of Clyde Morris Boulevard, a 100 foot wide right-of-way; thence run South 25°36'03" East along said westerly right-of-way a distance of 287.50 feet; thence departing said right-of-way, run South 64°22'40" West a distance of 208.59 feet; thence North 25°37'20" West a distance of 287.50 feet to the Point of Beginning.

NOTES:

- BEARINGS BASED ON THE SOUTH RIGHT OF WAY LINE OF BEVILLE ROAD AS BEING N64°22'40"E.
- NO UNDERGROUND UTILITIES, UNDERGROUND CONCRETE FOUNDATIONS OR UNDERGROUND SIGN BASES WERE LOCATED.
- SURVEY PREPARED WITHOUT THE BENEFIT OF TITLE WORK.
- ELEVATIONS BASED ON VOLUSIA COUNTY BENCHMARK NAVD 1988 DATUM.
- ACCORDING TO F.I.R.M. PANEL NUMBER 1212700366H, DATED FEBRUARY 19, 2014, THE DESCRIBED PARCEL LIES IN ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

THE RETENTION POND IS NOT IN A FLOOD ZONE.

SHANNON SURVEYING, INC.  
499 NORTH S.R. 434 - SUITE 2045  
ALTAMONTE SPRINGS, FLORIDA, 32714  
(407) 774-8372 LB # 6898

DATE OF SURVEY: 11/09/2017  
FIELD BY: ME SCALE: 1" = 30'  
FILE NUMBER: 30-15-33 CLYDE MORRISZ

JAMES R. SHANNON JR., P.L.S. #4671  
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

## PROPERTY DESCRIPTION

(Tax Parcel: 30-15-33-00-03-0022)

Being a portion of Section 30, Township 15 South, Range 33 East, Volusia County, Florida: being more particularly described as follows:

From the Southwest corner of said Section 30, run North  $00^{\circ}33'28''$  East along the West line of said Section 30, a distance of 1416.04 feet to the Southerly right-of-way of Beville Road (State Road 400), a 100 foot wide right-of-way, thence North  $64^{\circ}22'40''$  East along the southerly right-of-way of said Beville Road a distance of 1390.80 feet to the Point of Beginning: thence continue North  $64^{\circ}22'40''$  East along the southerly right-of-way line of said Beville Road a distance of 249.57 feet; thence departing said right-of-way line, run South  $25^{\circ}37'20''$  West a distance of 287.50 feet; thence South  $15^{\circ}50'09''$  West, a distance of 376.95 feet; thence North  $25^{\circ}37'20''$  West, a distance of 570 feet to the Point of Beginning.

**2.415 Acres total.**

(Tax Parcel: 30-15-33-00-04-0023)

Being a portion of Section 30, Township 15 South, Range 33 East, Volusia County, Florida: being more particularly described as follows:

From the Southwest corner of said Section 30, run North  $00^{\circ}33'28''$  East along the West line of said Section 30, a distance of 1416.04 feet to the Southerly right-of-way of Beville Road (State Road 400), a 100 foot wide right-of-way, thence North  $64^{\circ}22'40''$  East along the southerly right-of-way of said Beville Road a distance of 1640.37 feet to the Point of Beginning: thence continue along said right-of-way North  $64^{\circ}22'40''$  East a distance of 208.70 to an intersection of the westerly right-of-way of Clyde Morris Boulevard, a 100 foot wide right-of-way; thence run South  $25^{\circ}36'03''$  East along said westerly right-of-way a distance of 287.50 feet; thence departing said right-of-way, run South  $64^{\circ}22'40''$  West a distance of 208.59 feet; thence North  $25^{\circ}37'20''$  West a distance of 287.50 feet to the Point of Beginning.

**1.285 Acres total.**



# Volusia County Property Appraiser

Larry Bartlett, J.D.

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

Parcel Information: 5330-00-03-0022 **2018 Working Tax Roll** Last Updated: 01-30-2018

### Owner Name and Address

<b>Alternate Key</b>	3445627	<b>Parcel Status</b>	Active Parcel (Real Estate)
<b>Short Parcel ID</b>	5330-00-03-0022	<b>Mill Group</b>	204 Daytona Beach
<b>Full Parcel ID</b>	30-15-33-00-03-0022	<b>2017 Final Mill Rate</b>	21.20760
<b>Created Date</b>	29 DEC 1981		
<b>Property Class</b>	10 Vacant Commercial		
<b>Ownership Type</b>		<b>Ownership Percent</b>	100
<b>Owner Name</b>	SUN BEACH INVESTMENT CO		
<b>Owner Name/Address 1</b>			
<b>Owner Address 2</b>	1766 FAIRVIEW SHORES DR		
<b>Owner Address 3</b>	ORLANDO FL		
<b>Owner Zip/Postal Code</b>	32804		
<b>Situs Address</b>	BEVILLE RD DAYTONA BEACH 32119		

### Legal Description

30 15 33 IRREG PARCEL IN GOVT LOTS 3 & 4 MEAS 249.57 FT ALONG S/L BEVILLE RD & 570 FT ON W/L PER OR 4015 PG 0622

### Sales History

Book Page	Sale Date	Sale Instrument	Qualified Unqualified	Improved	Sale Price
4015 0622	06/1995	Warranty Deed	Institutional / bank	No	90,000
3946 4646	08/1994	Certificate of Title	Unqualified Sale	No	100
3411 1855	01/1990	Warranty Deed	Qualified Sale	No	400,000
3411 1853	12/1989	Warranty Deed	Qualified Sale	No	250,000
3411 0892	11/1989	Warranty Deed	Qualified Sale	No	156,500

### 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
2017	79,034	0	0	79,034	79,034	79,034	0	79,034	0	79,034
2016	79,034	0	0	79,034	79,034	79,034	0	79,034	0	79,034

[Display Value History](#)

### Land Data

Code	Land Use Type	Frontage	Depth	No. Units	Unit Type	Rate	Depth	Loc	Shp	Phy	Just Value
1000	VACANT COMMERCIAL	0.0	0.0	107158.00	SQUARE_FEET	3.25	100	100	90	25	78,359
9500	SUBMERGED	0.0	0.0	0.90	ACREAGE	750.00	100	100	100	100	675
<b>Neighborhood</b> C5544 DAYTONA BEACH- BEVILLE RD											
											<b>Total Land Classified</b>
											<b>Total Land Just</b> 79,034

### 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
---------------	---------------	-------------	---------------	--------------------------	------------------	----------------

[Display Permits](#)

### Total Values

<b>Land Value</b>	79,034	<b>New Construction Value</b>	0
<b>Building Value</b>	0	<b>City Econ Dev/Historic</b>	0
<b>Miscellaneous</b>	0		
<b>Just Value</b>	79,034	<b>Previous Just Value</b>	79,034
<b>School Assessed</b>	79,034	<b>Previous School Assessed</b>	79,034
<b>Non-School Assessed</b>	79,034	<b>Previous Non-School Assessed</b>	79,034

<b>Exemption Value</b>	0	<b>Previous Exemption Value</b>	0
<b>Additional Exemption Value</b>	0	<b>Previous Additional Exemption Value</b>	0
<b>School Taxable</b>	79,034	<b>Previous School Taxable</b>	79,034
<b>Non-School Taxable</b>	79,034	<b>Previous Non-School Taxable</b>	79,034

**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.



Property Appraiser's Parcel Identification Number: 15-33-30-00-03-0022  
Grantee(s) S.S. #(s): [REDACTED]

**SPECIAL WARRANTY DEED**

10.50  
630

THIS INDENTURE MADE the 13 day of June, 1995, by and between Fleet Finance & Mortgage, Inc. a Florida corporation, hereinafter called the Grantor, and Sun-Beach Investment Co., a Florida corporation, whose post office address is 2200 North Atlantic Ave., Unit 802, Daytona Beach, FL 32118. hereinafter called the Grantee:

(Whenever used herein the terms "Grantor" and "Grantee" include all the parties in this instrument and their heirs, legal representatives and assigns of individuals, and the successors and assigns of corporation).

WITNESSETH: That the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, conveys, remises, releases and transfers unto the Grantee the following described land situate in Volusia County, Florida, to wit:

See Exhibit "A" attached hereto and by this reference made a part hereof.

SUBJECT TO zoning and other governmental regulations; taxes for the year 1995 and subsequent years; and valid easements, restrictions, reservations and covenants of record.

TO HAVE AND TO HOLD the same in fee simple forever.

And said Grantor does hereby covenant with Grantee that at the time of the delivery of this deed, the premises were free and clear from all encumbrances made by Grantor except the above noted, and that Grantor will warrant and defend the same against all lawful claims and demands of all persons claiming by, through or under Grantor, but against none other.

IN WITNESS WHEREOF, the said Grantor has hereunto executed this deed on the day and year first above written.

Signed, sealed and delivered in our presence:

Fleet Finance & Mortgage, Inc., a Florida corporation  
By: Fleet Management and Recovery Corporation, a Rhode Island corporation, its Attorney in Fact

*[Handwritten signature]*  
1st witness - signature

By: *Anthony Guiffrida, VP*  
Print Name: A. J. GUIFFRIDA  
Its: VICE PRESIDENT

1st witness - printed name

245 Summer St. 12th Floor  
Boston, MA 02209-9173

Jana Carlson  
2nd witness - signature

JANA CARLSON  
2nd witness - printed name

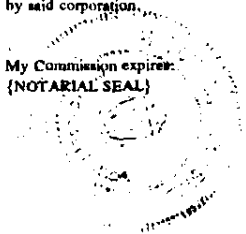
STATE OF MASSACHUSETTS  
COUNTY OF Suffolk

The foregoing instrument was subscribed and sworn to before me this 13<sup>th</sup> day of June, 1995 by Anthony Guiffrida, Vice President of Fleet Management and Recovery Corporation, a Rhode Island corporation, as Attorney in Fact for Fleet Finance & Mortgage, Inc. a Florida corporation,

- who is personally known to me
- who has produced \_\_\_\_\_ as identification, (type of identification)

and who acknowledged to and before me that he/she executed the same freely and voluntarily for the purposes therein expressed under authority duly vested in him/her by said corporation.

My Commission expires: \_\_\_\_\_  
(NOTARIAL SEAL)



*Alice L. Vesell*  
Signature

ALICE L. VESSELL  
Notary - printed name  
Commission No. My Commission Expires October 5, 2001

THIS INSTRUMENT PREPARED BY:

Blatock, Landers, Walters & Vogler, P.A.  
802 11th Street West  
Bradenton, Florida 34205  
(813) 748-0100

Diane M. Matousek  
Volusia County, Clerk of Court

Book: 4015  
Page: 623  
Diane M. Matousek  
Volusia County, Clerk of Court

EXHIBIT A

**Best Available Copy**

Being a portion of Section 30, Township 15 South, Range 33 East, Volusia County, Florida; Being more particularly described as follows: From the Southwest corner of said Section 30, run North 00 Degrees 33 Minutes 28 Seconds East along the West line of said Section 30, a distance of 1416.04 feet to the Southerly right-of-way line of Beville Road (State Road 400), a 100 foot wide right-of-way, thence North 64 Degrees 22 Minutes 40 Seconds East along the Southerly right-of-way line of said Beville Road. A distance of 1390.80 feet to the Point of Beginning; Thence continue North 64 Degrees 22 Minutes 40 Seconds East along the Southerly right-of-way line of said Beville Road, a distance of 249.57 feet; Thence departing said right-of-way line, run South 25 Degrees 37 Minutes 20 Seconds East, a distance of 387.50 feet; Thence South 15 Degrees 50 Minutes 09 Seconds West, a distance of 376.95 feet; Thence North 25 Degrees 37 Minutes 20 Seconds West, a distance of 570 feet, to the Point of Beginning.

Being subject to a Drainage Retention Pond as shown on the Plat of said Pine Lake Subdivision, and a 20 Foot Utility Easement along and adjacent to the Southerly Right-of-Way line of Beville Road.

131498

088942

Altkey: 4839470  
 OLDE PROPERTY CORPORATION

Parcel ID: 533000040023  
 1401 BEVILLE RD , DAYTONA BEACH

### Parcel

**Short Parcel Id** 533000040023  
**Property Location** 1401 BEVILLE RD, DAYTONA BEACH, 32119  
**PC Code** 1700 - OFFICE 1 STORY  
**Total Bldgs** 1  
**Neighborhood** 7375 - DAYTONA BEACH- BEVILLE RD  
**Business Name** AMERIPRISE FINANCIAL

### Primary Owner

**Owner** OLDE PROPERTY CORPORATION

**In Care Of**  
**Mailing Address** 719 GRISWOLD ST STE 1700  
 DETROIT MI 48226

### All Owners

#	Owner 1	Owner 2	Owner %	Owner Type(s)
0	OLDE PROPERTY CORPORATION		100	FS - Fee Simple

### Legal

**Millage Group** 204-DAYTONA BEACH  
**Legal Description** 30 15 33 PT OF GOVT LOT 4 W OF CLYDE MORRIS BLVD & S OF BEVILLE RD BEING E 208.71 FT MEAS ON BEVILLE OF N 287.48 FT MEAS ON CLYDE MORRIS PER OR 3808 PG 970  
**Map TWP-RNG-SEC** 15 - 33 - 30  
**Subdivision-Block-Lot** 00 - 04 - 0023  
**Date Created** 08-APR-86  
**Year Annexed**

### Sales

Book/Page	Instr Type	Inst #	Sale Date	V/I	Sale Price
3808 / 0970	WD-WARRANTY DEED	1993022474	02/15/1993	I	\$355,000
2622 / 1732	WD-WARRANTY DEED		10/15/1984	V	\$300,000

### County Links

**Property Tax Bill** [CLICK HERE](#)  
**Link to Permits** [CLICK HERE](#)

### Other Links

**Google Street Address** [CLICK HERE](#)  
**Bing Maps** [CLICK HERE](#)

BOOK PAGE  
3808 0970  
VOLUSIA CO., FL

This instrument was prepared by:  
Edward W. Lane, III, Esquire  
Ulmer, Karchison, Ashby & Taylor  
P. O. Box 479  
Jacksonville, Florida 32201

SPECIAL WARRANTY DEED

THIS INDENTURE made this 10<sup>th</sup> day of February, 1993, between FIRST UNION NATIONAL BANK OF FLORIDA, a national banking association ("Grantor"), whose address is 214 North Hogan Street, Jacksonville, Florida 32202 and OLDE PROPERTY CORPORATION, a Michigan corporation, ("Grantee"), whose address is 131 West Lafayette, Detroit, Michigan 48226.

W I T N E S S E T H:

That Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, to it in hand paid by Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold Grantee, its successors and assigns forever, the following described land, situate, lying and being in the County of Volusia, State of Florida, to-wit:

See Exhibit "A" attached hereto.

SUBJECT TO taxes and assessments for the year 1993 and subsequent years, and covenants, restrictions and easements of record.

And Grantor does hereby warrant the title to said land, and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor, and no others.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed in its name by its ~~Assistant Vice President~~ and caused its corporate seal to be hereto affixed the day and year first above written.

Signed and sealed in the presence of:

FIRST UNION NATIONAL BANK OF FLORIDA, a national banking association

[Signature]  
Edward W. Lane III (Print Name)  
[Signature]  
EDWARD W. LANE III (Print Name)

By: [Signature]  
John H. Olsen (Print Name)  
Its: [Signature]  
(Corporate Seal)

022474  
RECORD VENDOR

93 FEB 19 AM 2:23  
CLERK OF THE COUNTY COURT  
VOLUSIA COUNTY, FLA.

RETURN TO: PDG  
Johnson, Blakely, Pope, Bokor & Ruppel, P.A.  
Post Office Box 1363  
911 Chestnut Street  
Clearwater, Florida 34617

RECORDED \$ 10.00  
L.S. # 248505  
PROPERTY TAXES SIGNED  
INTEREST  
Clerk Circuit Court Volusia Co. Florida



BOOK PAGE  
3808 0971  
VOLUSIA CO., FL

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 16 day of February, 1993, by Gail OLSEN, as AVP of First Union National Bank of Florida, a national banking association, on behalf of the association. He/She is personally known to me.

Judith S. Padgham  
Judith S. Padgham (Int Name)  
Notary Public, State of Florida  
My Commission expires:  
#AA746770

NOTARY PUBLIC, STATE OF FLORIDA  
My commission expires 12/6, 1994

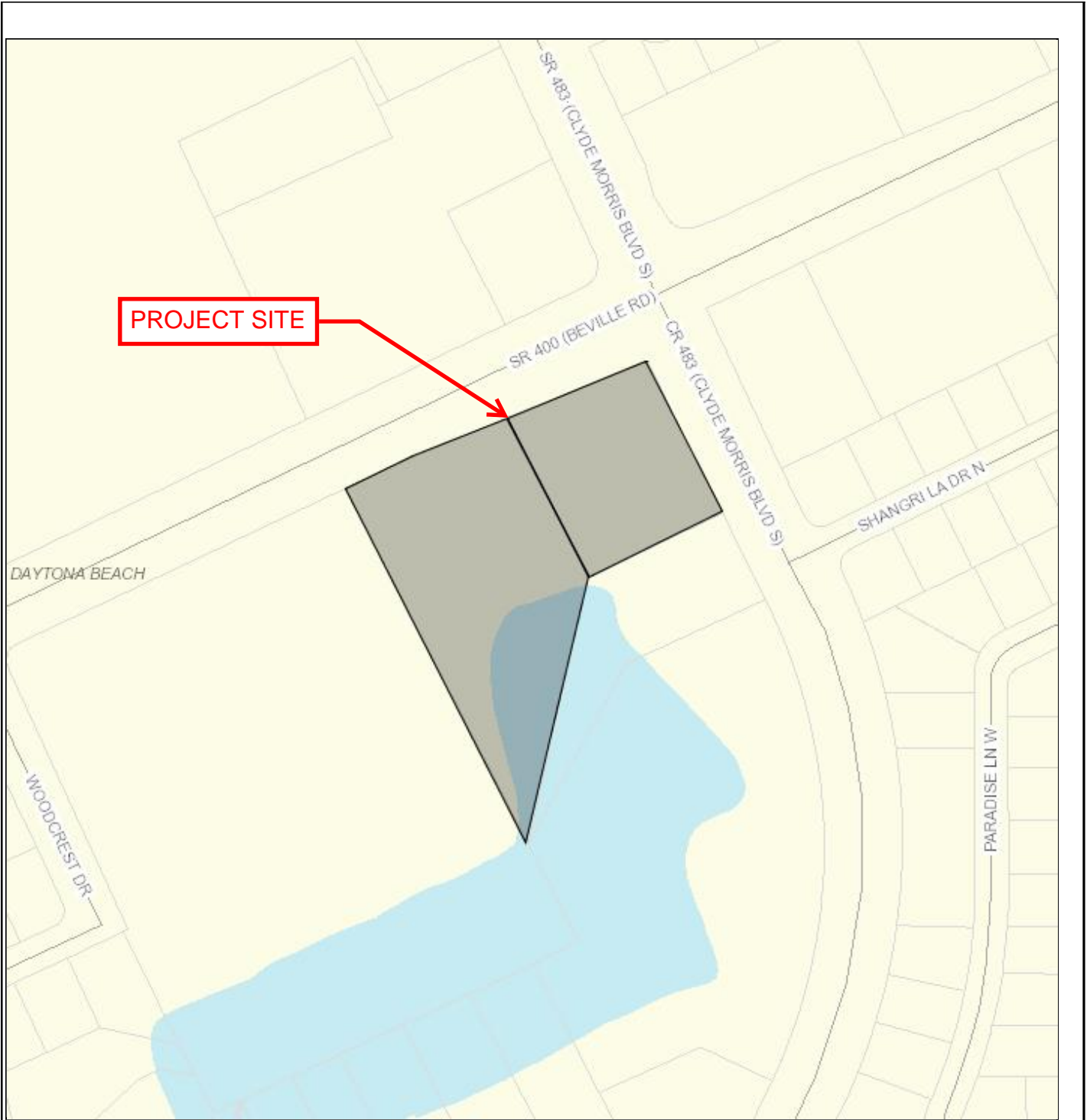
EXHIBIT A

Being a portion of Section 30, Township 15 South, Range 33 East, Volusia County, Florida; being more particularly described as follows:

From the Southwest corner of said Section 30, run North 00°33'28" East along the West line of said Section 30, a distance of 1416.04 feet to the Southerly right-of-way of Beville Road (State Road 400), a 100 foot wide right-of-way, thence North 64°22'40" East along the southerly right-of-way of said Beville Road a distance of 1640.37 feet to the Point of Beginning; thence continue along said right-of-way North 64°22'40" East a distance of 208.70 to an intersection of the westerly right-of-way of Clyde Morris Boulevard, a 100 foot wide right-of-way; thence run South 25°36'03" East along said westerly right-of-way a distance of 287.50 feet; thence departing said right-of-way, run South 64°22'40" West a distance of 208.59 feet; thence North 25°37'20" West a distance of 287.50 feet to the Point of Beginning.

I:\USERS\EWL\FUN\OLDE.WD

022474



Scale 1:2,500 - 1 in = 208 ft  
Date Created:  
10-Apr-18 11:13 AM

DISCLAIMER: This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information. Use at your own risk.  
SOURCE: PARCEL DATA, VOLUSIA COUNTY PROPERTY APPRAISER

# BEVILLE COMMERCIAL

1401 Beville Road  
Daytona Beach FL

Attachment C

Beville Rd

1401 Beville Rd

Google Earth

© 2018 Google

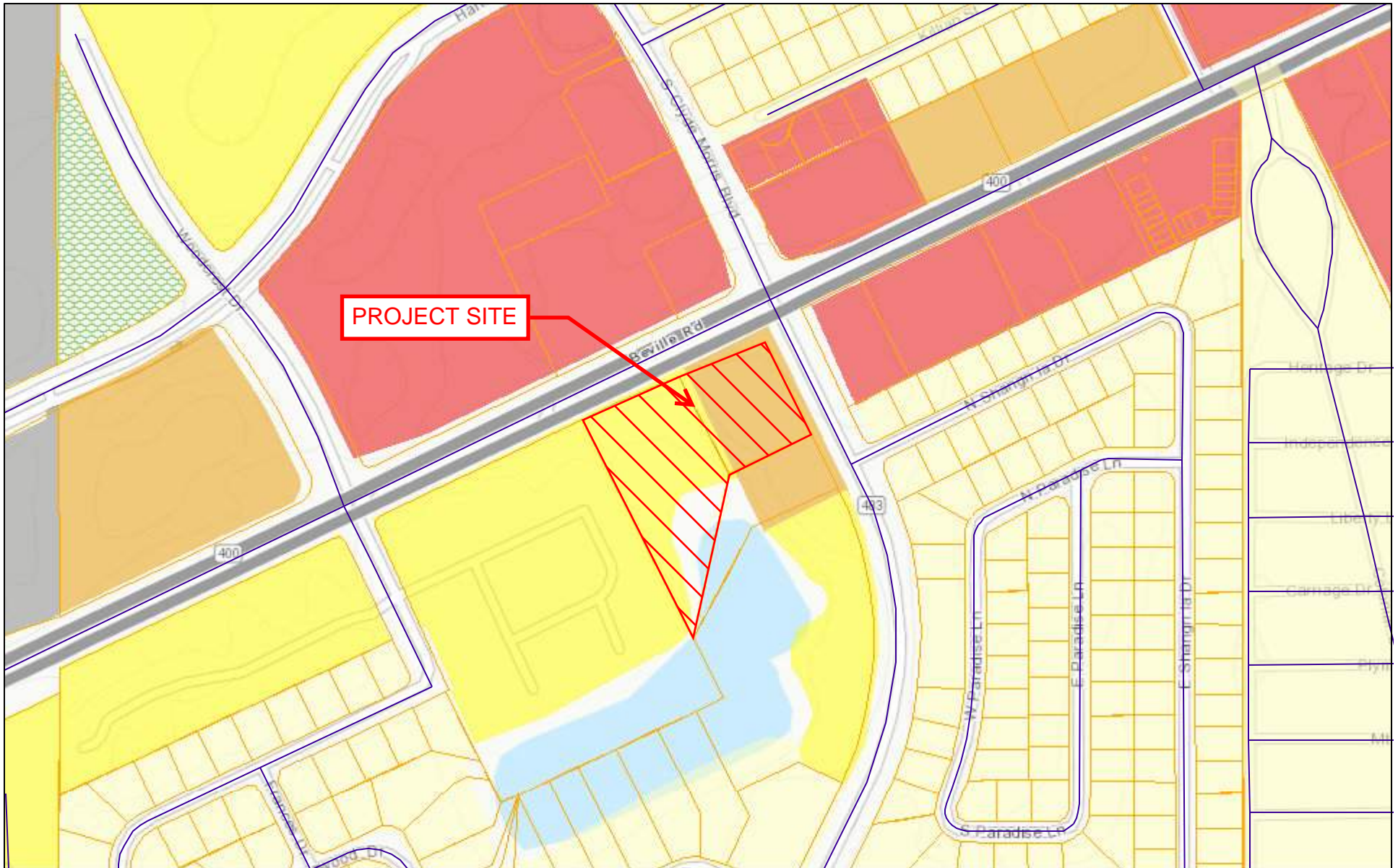


1000 ft

EXHIBIT D

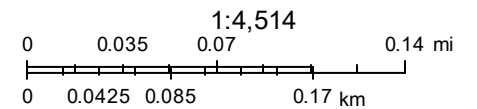
# Beville Commercial

# Attachment C



April 10, 2018

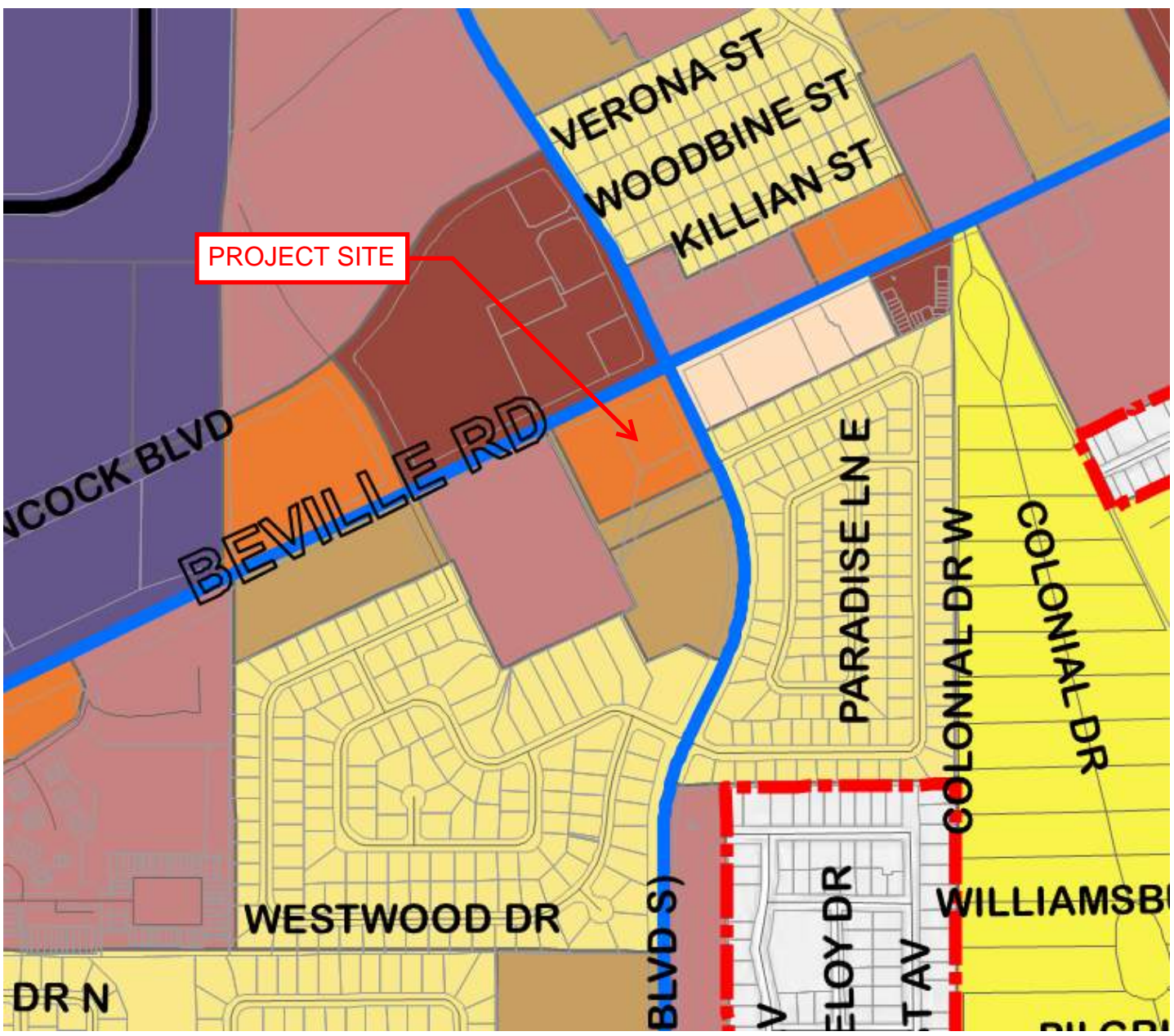
- |                      |                          |                         |
|----------------------|--------------------------|-------------------------|
| — Street Centerlines | <b>Future Land Use</b>   | Level 2 Residential     |
| — City Limits        | Retail                   | Office Transition       |
| — Tax Parcel         | Existing Potential Parks | Volusia County Land Use |
|                      | Level 1 Residential      |                         |



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri



# The City of Daytona Beach Proposed Zoning Map Attachment C

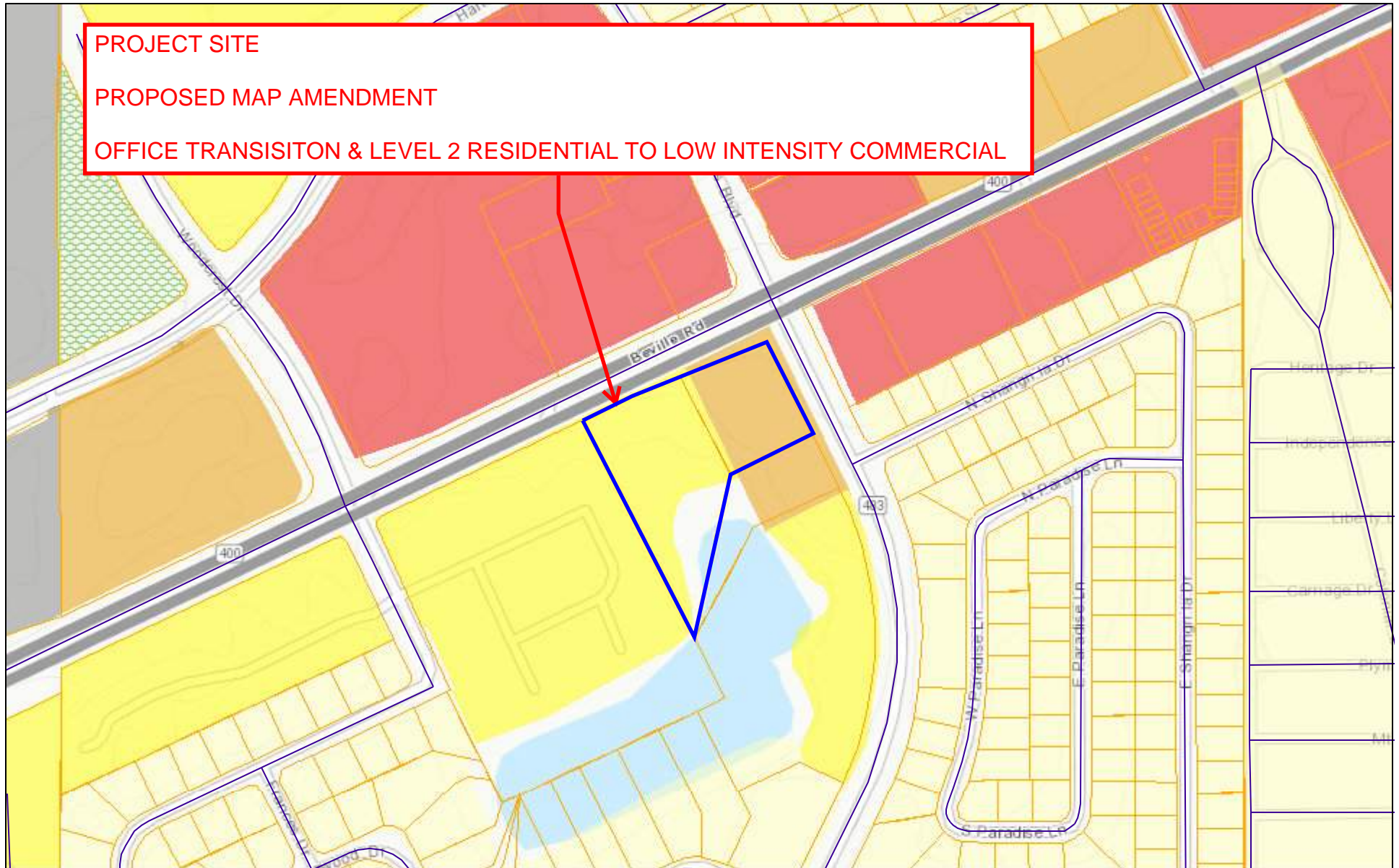


AG	MFR-12	RDB2	RDD3	RP
AP	MFR-20	RDB3	RDD4	SFR-5
BA	MFR-40	RDB4	RDD5	T-1
BP	MFR20-H	RDB5	RDD6	T-2
BR1	MSD	RDB6	RDD7	T-4
BR2	OP	RDB7	RDM1	T-5
HM	PD-G	RDB8	RDM2	T2-H
M1	PD-RD	RDB9	RDM3	VC
M3	RDB1	RDD1	RDM4	
M4	RDB10	RDD2	RDM5	
M5	RDB11	RDD2-H	RDM6	

EXHIBIT F

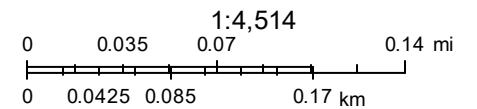
# Beville Commercial

## Attachment C



April 10, 2018

- Street Centerlines
- City Limits
- Tax Parcel
- Future Land Use**
  - Level 2 Residential
  - Office Transition
  - Volusia County Land Use
  - Retail
  - Existing Potential Parks
  - Level 1 Residential



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri



July 23, 2018

Dennis Mrozak  
 Planning Director  
 City of Daytona Beach  
 301 South Ridgewood Avenue  
 Daytona Beach, FL 32115

Re: **Beville Road Commercial  
 Trip Generation Analysis**

This analysis has been prepared to assess the traffic impacts of changing the current land use designation of a 3.7 acre site in Daytona Beach, Florida. The site is located in the southwest quadrant of the intersection of Beville Road & Clyde Morris Boulevard. The site is currently designated as Level 2 Residential and Office Transition. It is proposed that the site's land use be changed to Low Intensity Commercial.

The Office Transition land use designation has a Floor Area Ratio (FAR) of 3.0, and the Residential Land Use has a FAR of 1.0. The proposed land use designation, Low Intensity Commercial has an FAR of 1.0. **Table 1** below shows the comparison between existing land use and proposed land use.

**Table 1: Land Use Development Potential**

Land Use	Size (Acres)	FAR	Development Potential (SF)
<b>Existing Use</b>			
Office Transition	1.285	3.0	167,924
Level 2 Residential	2.415	1.0	105,197
<b>Proposed Use</b>			
Low Intensity Commercial	3.700	1.0	161,172

The trip generation potential of the proposed development was estimated using the ITE Trip Generation Manual, 10th Edition, for land use code (LUC) 820 – Shopping Center. The estimated total additional net-new trips expected to be generated by the proposed development are 1,750 daily two-way trips (875 in / 875 out), 110 two-way trips (68 in / 42 out) in the AM Peak hour and 147 two-way trips (71 in / 76 out) in the PM Peak hour as shown in **Table 2**.

**Table 2: Trip Generation Comparison**

Description	LUC	Size	Units	Daily			AM Peak Hour			PM Peak Hour		
				Total	In	Out	Total	In	Out	Total	In	Out
Shopping Center	820	30	KSF	2,652	1,326	1,326	167	104	63	223	107	116
Pass-By Trips (34%)				902	451	451	57	35	22	76	36	40
<b>Net New External Trips</b>				<b>1,750</b>	<b>875</b>	<b>875</b>	<b>110</b>	<b>68</b>	<b>42</b>	<b>147</b>	<b>71</b>	<b>76</b>

Source: ITE Trip Generation Manual, 10th Edition

Based on the above analysis, the proposed land use (Low Intensity Commercial) will result in a lower maximum development potential and therefore less potential trips than the currently existing designations. No additional adverse traffic impacts are expected to be created by the proposed change.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.



Kenneth K. Siu, P.E.



EXHIBIT H - TRIP GENERATION COMPARISON TABLE

EXISTING LAND USE												
Description	LUC	Size	Units	Daily			AM Peak Hour			PM Peak Hour		
				Total	In	Out	Total	In	Out	Total	In	Out
Office	710	167.924	KSF	1,755	878	877	184	158	26	186	30	156
SF Residential	210	21.039	DU	248	124	124	20	5	15	23	14	9
<b>External Trips</b>				<b>2,003</b>	<b>1,002</b>	<b>1,001</b>	<b>204</b>	<b>126</b>	<b>78</b>	<b>209</b>	<b>100</b>	<b>109</b>
PROPOSED LAND USE												
Shopping Center	820	30	KSF	2,652	1,326	1,326	167	104	63	223	107	116
Pass-By Trips (34%)				902	451	451	57	35	22	76	36	40
<b>Net New External Trips</b>				<b>1,750</b>	<b>875</b>	<b>875</b>	<b>110</b>	<b>68</b>	<b>42</b>	<b>147</b>	<b>71</b>	<b>76</b>
<b>Change in Net New External Trips</b>				<b>-253</b>	<b>-127</b>	<b>-126</b>	<b>-94</b>	<b>-58</b>	<b>-36</b>	<b>-62</b>	<b>-29</b>	<b>-33</b>