

Agenda Item 6 (Legislative Hearing)

Large Scale Comprehensive Plan Amendment

DEV2018-026

The Preserve at LPGA

Staff Report

DATE: October 8, 2018

TO: Planning Board Members

FROM: Doug Gutierrez, AICP, Principal Planner

PROJECT REQUEST

A request by Robert A. Merrell III, Esquire, Cobb Cole, and Raymond J. Spotford, AICP, England-Thims and Miller, Inc. on behalf of E. Scott Bullock, Consolidated-Tomoka Land Co., for approval of a Large Scale Comprehensive Plan Amendment (LSCPA).

PROJECT DESCRIPTION

Proposed Text Amendment to the Future Land Use Element Neighborhood “V”. The parcel consists of 130 ± acres, which the applicant proposes to amend the text of the Neighborhood V section of the Comprehensive Plan in order to increase the density from one (1) unit per acre to two (2) units per acre, with a maximum density of four (4) units per net acres. The Applicant desires to develop the property as a single-family subdivision through a Planned Development General (PD-G) rezoning, which is being processed concurrently with this application. The Property is generally located on the west side of LPGA Blvd., between International Golf Drive and Speedway Blvd. (US 92).

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 (Map Series - Attachment A).

Table 1: Land Use and Zoning

	Existing Uses	Existing Future Land Use Designation	Existing Zoning Classification
Site	Undeveloped	Low Intensity Urban (LIU) Potential Environmentally Significant (PES)	County
North	Father Lopez High School Undeveloped	Low Intensity Urban (LIU)	PD-G County
South	Undeveloped	Low Intensity Urban (LIU)	County
East	Municipal Stadium Undeveloped	Existing Potential Parks (EPP) Mixed Use (MU)	SFR-5
West	Undeveloped	Conservation (C)	County

Conformance with Comprehensive Plan

The applicant has requested that the Future Land Use Element Neighborhood “V” be amended as follows:

Neighborhood “V”

q. Issue: The 130+/- acre property lying West of LPGA Blvd. and identified in Exhibit “A” attached to application DEV2018-026, is located within a designated urban area of the City. Development of this area shall achieve efficient use of land and reduced infrastructure costs. The current density of one (1) dwelling unit per gross acre is inconsistent with urban development patterns planned for this area.

(1) Policy: The 130+/- acres identified in Exhibit “A” attached to application DEV2018-026 shall be developed as a Planned Development. Residential development shall be permitted at a maximum gross density of two (2) dwelling units per acre and a maximum net density of four (4) dwelling units per acre. The residential subdivision shall be clustered to protect environmental site features and encourage the higher net density herein. There shall be no non-residential uses within the site. All community facilities shall be considered accessory to the residential use.

(2) Policy: The development shall be required to comply with the wetland buffer requirements of the St. Johns River Water Management District and/or the USACE.

(3) Policy: The use of private wells and septic tanks are prohibited in the subject area.

Policy 1.1.2 describes the Low Intensity Urban (LIU) and Potential Environmentally Significant (PES) designations as shown below.

LOW INTENSITY URBAN: This designation provides a mechanism to protect environmental site features. Any land use considered to be urban may be permitted within this category and shall be developed in accordance with the Future Land Use Element. Up to 25% of the gross acreage may consist of non-residential land uses including, but not limited to, commercial, office, warehouse, distribution, recreation, and amusements located in planned zoning districts. Non-residential uses including public schools shall be located in such a manner that will provide compatibility with residential uses. In addition, high traffic-generating non-residential uses shall be concentrated on major roadway corridors.

Land uses considered to be urban will be serviced by central utilities and designed to protect sensitive wetlands. The gross density is 1 dwelling unit per gross acre on all affected lands. Density transfers from the PES overlay areas to the LIU areas will permit net densities exceeding 1 dwelling unit per acre on uplands. However, the average net densities will not exceed 4 dwelling units per acre. Eighteen percent (18%) of this area shall be green area of which at least fifty percent (50%) shall be preservation of uplands sited in an ecologically strategic manner. Building coverage on commercial and residential lots shall not exceed 50% of the total site. Any exceptions to the foregoing limitations on density require either an amendment to this category or specific authority under an applicable neighborhood policy in the Future Land Use Element. *(Ordinance #06-116) (Ordinance #09-278)*

POTENTIAL ENVIRONMENTALLY SIGNIFICANT (PES): Potential areas of highly valued habitat, which provide protection of functionally interconnected wetland and upland systems, shall be designated as PES.

Permitted land uses in the PES are limited to such uses as silviculture, unimproved pasture, passive recreation, mitigation, utility corridors, and other agricultural activities that do not

degrade high value wetland systems. Roadway and stormwater facilities may be allowed provided adverse impacts to wildlife corridors or environmentally sensitive lands are avoided or mitigated.

Actual boundaries of the potential high value environmental systems will be determined based on site-specific information in accordance with all statutes, laws, regulations and agency rules then in effect.

At such time as a permitting or mitigation agreement is reached regarding the PES areas and/or when platting occurs, PES areas shall be incorporated in the overall mitigation plans. When an area designated PES is determined not to contain federal or state designated threatened or endangered species and/or wetland and upland systems that are important to corridor conditions or contain high value environmentally sensitive lands as determined by the statutes or rules then in effect, the land use will revert to the underlying use designated on the Future Land Use Map consistent with Neighborhood S, K, and V policies concurrent with an amendment to the comprehensive Plan, or may be re-designated to a more appropriate urban use at a later date in accordance with an amendment procedure of the adopted Comprehensive Plan. (*Ordinance #07-356*)

Neighborhood Input

The neighborhood meeting was held at the Holiday Inn LPGA, 137 Automall Circle, Daytona Beach, FL on October 1, 2018 at 6:00 PM. The applicant's summary stated that the meeting was attended by one interested party, who was receptive to the project. (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 Low Impact Urban (LIU) allows for a density of one (1) dwelling units per acre (DU/AC) and a FAR of 0.5. The proposed amendment to Neighborhood "V" will increase the density to 2 DU/AC and does not permit non-residential use.

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 City of Daytona Beach water and sewer capacity are provided. The detailed data and analysis are in the attached project analysis provided by the applicant (Data and Analysis - Attachment C).

The City of Daytona Beach 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 increase of the possible peak potable water demand of 0.025 MGD.

The City of Daytona Beach 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 increase of the possible peak potable water demand of 0.025 MGD.

The current future land potential Average Daily Trip (ADT) generation is 1,516 p.m. peak hour trips. The proposed Future Land Use Element amendment to Neighborhood "V" potential ADT generation is 254 trips will result in a net decrease of 1,262 potential ADT 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 non-residential, conservation and residential uses with existing urban services that are 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 potential peak hour trips will decrease 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 1.1.7 The City shall utilize the neighborhood development policies for further direction or specific neighborhood issues as contained in this element.

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

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

Policy 1.5.1 Ensure a surplus of available undeveloped residential land for both single family, multi-family housing opportunities by providing a variety of residential zoning districts on undeveloped property throughout the City.

Policy 2.2.7 Development west of 1-95 shall be primarily Planned Developments, which achieve the following benefits:

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

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.

Policy 2.3.1 Requests to increase land use intensity shall demonstrate the adequacy of public facilities and services to serve the increase. The Land Development Code shall be maintained in a manner that requires development orders be supported with a report that identifies the impact of the proposed development on the public infrastructure

Policy 2.3.5 All requests for development shall be reviewed to ensure that the potential impact of the proposed development does not degrade water supply capacity and public facility capacity, and that the appropriate department and/or provider is notified. A building permit or development order shall not be granted if adequate capacity is not available.

Policy 2.3.7 The City shall to the extent practical, prohibit the use of city water for irrigation purposes and require the use of reclaimed water for newly developed areas within the reclaimed water service area outlined in the Water Supply Work Plan.

Objective 2.4 Natural and Historic Resources. Maintain land use practices that are compatible with and protect the natural resources of a site such as wetlands, vegetative cover, floodplains, topography, wildlife habitat, soils, historic and cultural resources, and scenic resources, and to notify owners of historic structures of programs available to restore such structures.

Policy 2.4.1 The City's wetlands protection regulations, which provide for buffers and permit mitigation shall be maintained (in conformance with County-wide minimum standards) and enforced.

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.

Policy 1.5.1 Monitor Volusia County's program establishing county road projects to encourage that projects needed to correct existing deficiencies, transit improvements, Transportation Demand Management (TDM) strategies, and Transportation System Management (TSM) strategies will be considered to have higher priority than new roadway projects, except where road projects are constructed and dedicated by private development efforts.

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 1.8.4 In the review of new developments, the City shall give particular attention:

- Use of curved streets and traffic calming
- Discouragement of single family residential lots fronting on collector or arterial streets
- Requiring adequate buffering between residential uses and major roadways

Housing Element

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

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

Infrastructure Element

Objective 1.3 Future Needs - Potable Water and Sanitary Sewer: The City shall require all new development to have central water and sewer service. Existing development shall be served as required by the Volusia County Health Department.

Objective 1.7 Wellfields: The City shall maintain its wellfield protection regulations.

Objective 1.8 Urban Sprawl - Water and Sewer: The City shall not extend residential water and sewer lines west of the current service area boundary before 2020.

Policy 1.10.1 The City's stormwater management regulations shall be maintained in a manner that is consistent with the regulations of Volusia County and the St. Johns River Water Management District.

Policy 1.10.2 The City will continue to require that development within 100-year floodplains provide compensating storage volume equal or greater to the fill put on the property in question.

Conservation Element

Objective 1.2 Water Pollution: Continue to pursue drainage practices and programs that minimize ground, estuarine (fisheries) and surface water pollution; see policies for measurability.

Policy 1.3.3 The City shall maintain a permit system that requires the St. Johns River Water Management District approval to ensure consideration of the wildlife habitats (shown on Figure 7.2).

Policy 1.3.4 The City shall adopt land development regulations which prohibit fill of the floodplain without off-setting storage capacity.

Policy 1.3.5. Development in habitat areas listed by the State of Florida and the U.S. Fish and Wildlife Service as Endangered, Threatened or Species of Special Concern shall not be adversely impact the listed species. The City's Land Development Code shall also encourage secondary linkage to nearby wildlife corridors, even if by artificial means; construction of new corridors should be considered as a form of mitigation where appropriate.

Policy 1.3.6. The Land Development Code shall require an Environmental Impact Assessment to be submitted and reviewed prior to the issuance of a development order for areas that contain listed species or native wetlands as identified by this element, and for any area within the PES overlay. The Assessment shall be used to determine compliance with this Objective. The Assessment must address the methodology used. For purposes of identifying wetlands, the Assessment may use the methodology used in the Center for Wetlands, University of Florida Technical Report No. 41 referenced above.

Recreation and Open Space Element

Goal 1: To provide an open space, parks and recreation system that meets the needs of the residents of Daytona Beach.

Policy 1.1.1. The Parks System shall provide a level-of-service of 3.5 acres per 1,000 permanent residents and actively pursue park development.

Public Schools Facilities Element

Objective 1.4: “Coordinate Comprehensive Plan Amendments and Development Orders with School Capacity”.

RECOMMENDATION

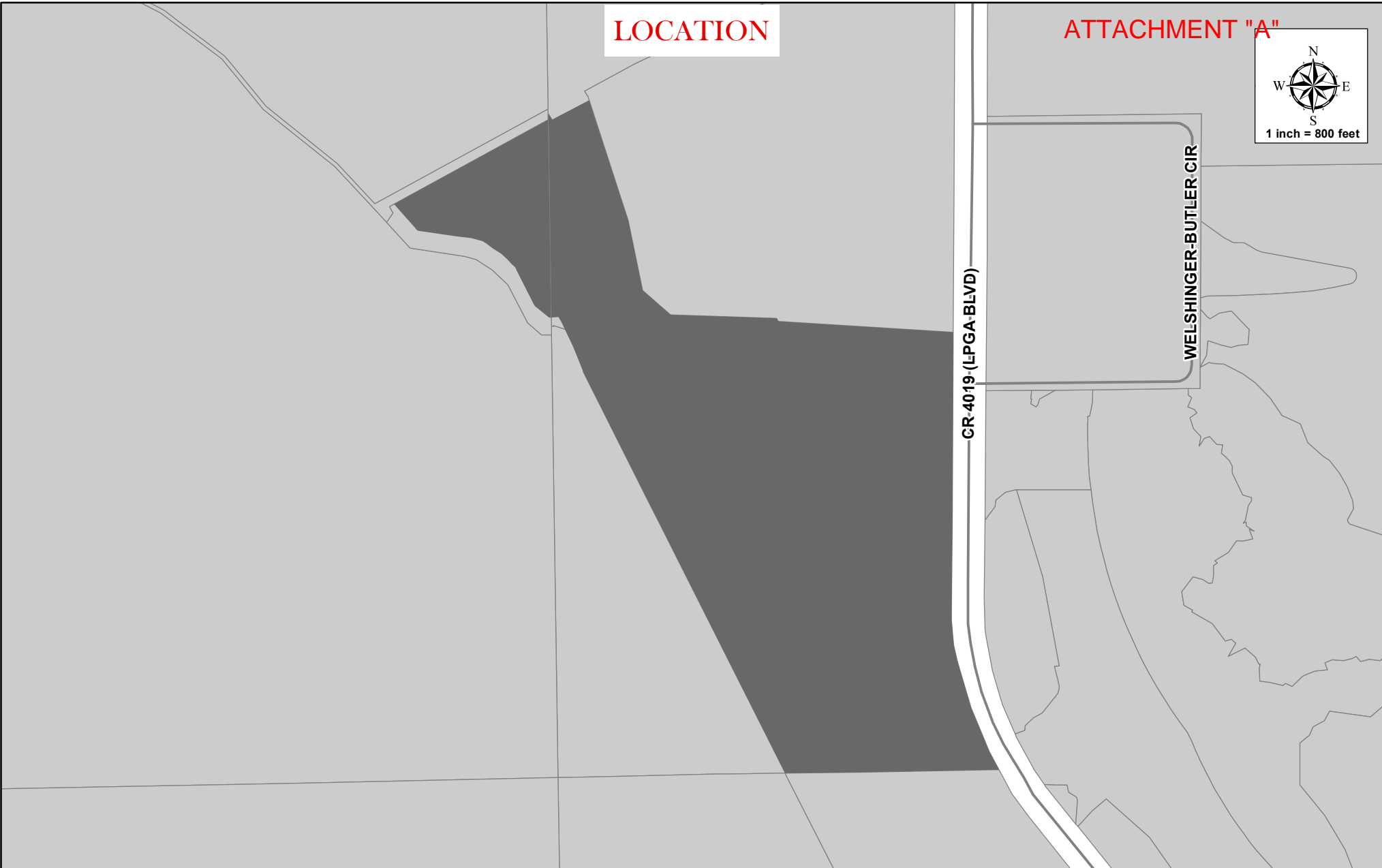
Staff finds that the large scale amendment is consistent with the Comprehensive Plan, does not represent urban sprawl and the City has available capacity to serve the demand on water and sewer.

Based on staff analysis and review, the proposed Future Land Use Text Amendment to Neighborhood “V”, adding Issue (q) and Policies (1), (2) & (3), to allow the maximum residential gross density of two (2) dwelling units per acre and a maximum net density of four (4) dwelling units per acre, requiring clustering to protect environmental site features and prohibiting commercial uses within the site, staff recommends approval.

A majority vote of the Planning Board members present and voting are required to recommend approval of this policy matter to the City Commission.

LOCATION

ATTACHMENT "A"



Document Path: P:\Admin\Pratt\Short Term Projects 2018\DEV AD\DEV2018\DEV2018-026\DEV2018-026_LocationMap.mxd



**DEV2018-026
COMPREHENSIVE PLAN TEXT 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"



SLIM PINES RD

CR 4019 (LPGA BLVD)

WELSHINGER-BUTLER CIR

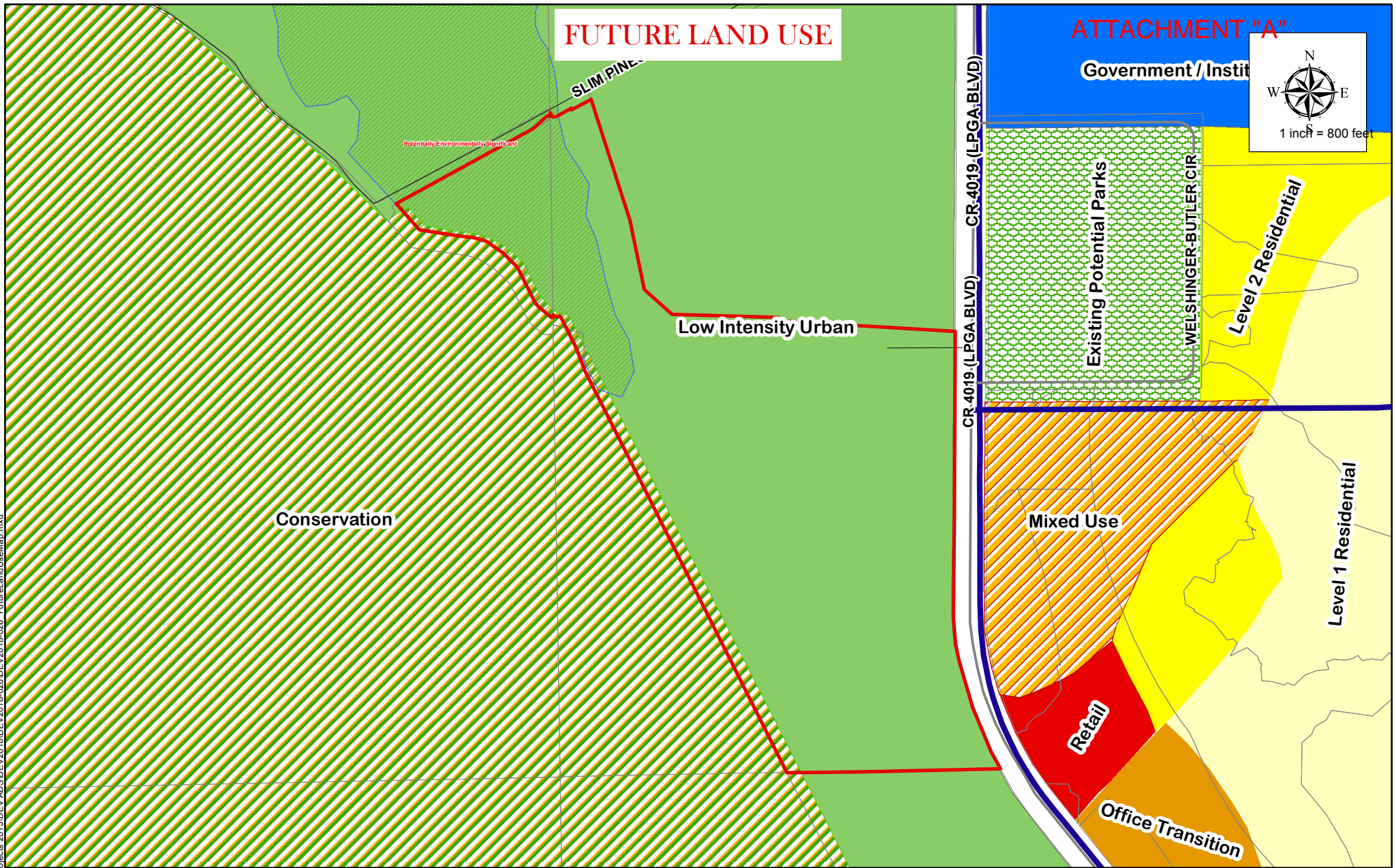
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**DEV2018-026
COMPREHENSIVE PLAN TEXT AMENDMENT
AERIAL MAP**

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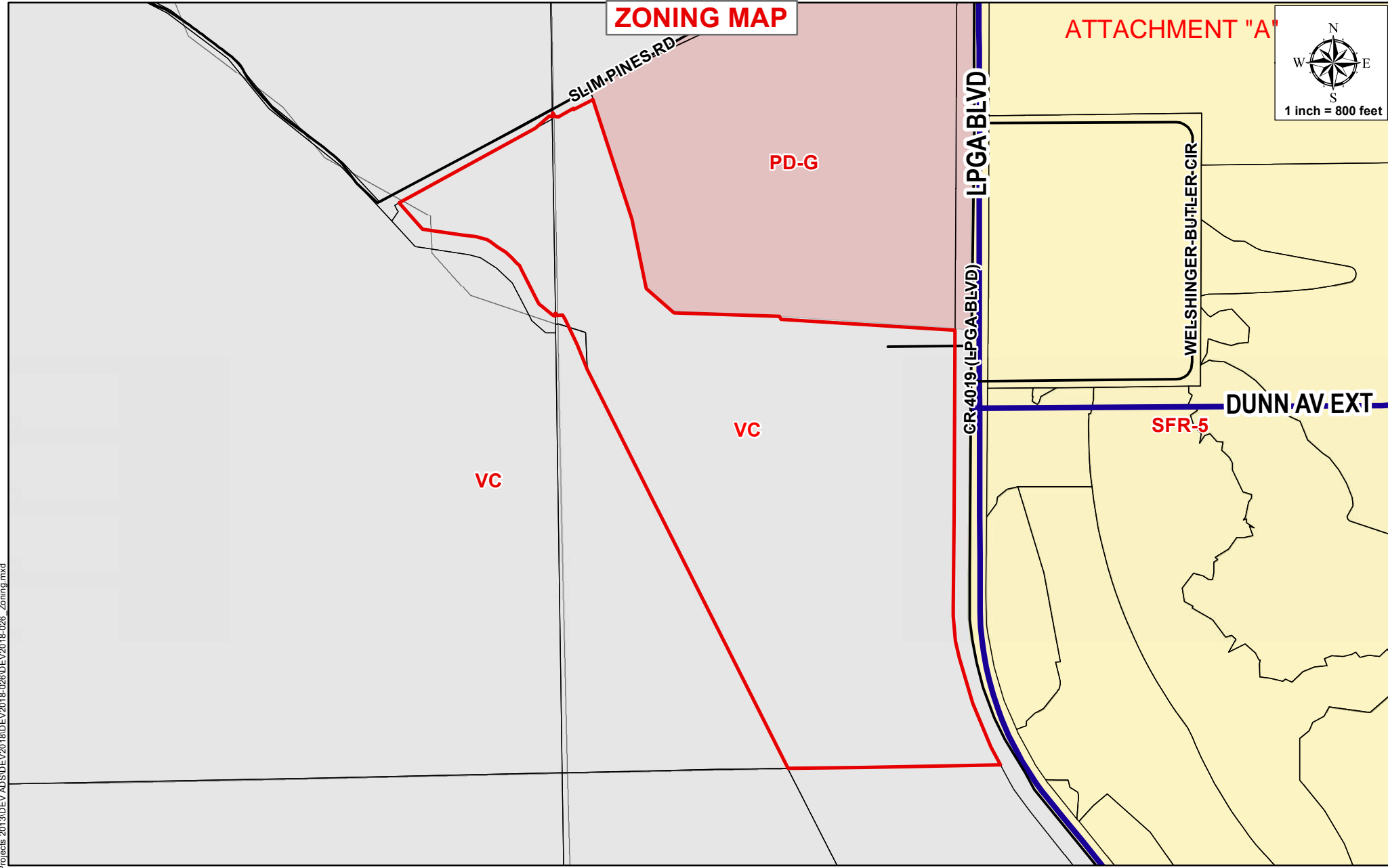
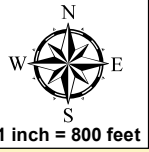
**DEV2018-026
COMPREHENSIVE PLAN TEXT AMENDMENT
FUTURE LAND USE MAP**

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ZONING MAP

ATTACHMENT "A"



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DEV2018-026 COMPREHENSIVE PLAN TEXT AMENDMENT ZONING MAP

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Daytona Beach • DeLand

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CobbCole.com

Memorandum

To: Dennis Mrozek, Planning Director, City of Daytona Beach

From: Deborah D. LaCroix, CLA

Date: October 2, 2018

Client/Matter #: The Preserve at LPGA Planned Development-General Rezoning and Large Scale Comprehensive Plan Amendment
DEV2017-091 & DEV2018-026

Subject: Neighborhood Meeting Summary – October 1, 2018

A neighborhood meeting was held in the meeting room of the Holiday Inn LPGA, 137 Automall Circle, Daytona Beach, FL on October 1, 2018 at 6:00 p.m.

Rob Merrell, Jeff Sweet, Ray Spofford, Sans Lassiter, Jessica Gow and Debi LaCroix were in attendance to explain the rezoning and comprehensive plan amendment requests.

The meeting was attended by only one interested party. See attached Sign-In Sheet.

The interested party was receptive to the proposed project.

We look forward to this item being scheduled for the Planning Board at their October 25, 2018 meeting.

Thanks.

Deb.

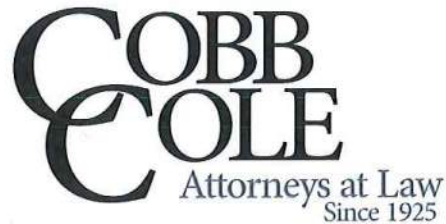
THE PRESERVE
PLANNED DEVELOPMENT-GENERAL REZONING
AND
COMPREHENSIVE PLAN AMENDMENT

DEV2017-091 and DEV2018-026

NEIGHBORHOOD MEETING
OCTOBER 1, 2018 6:00 P.M.
SIGN IN SHEET

<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE NUMBER</u>
Ray Spofford	14775 Old St. Augustine Rd.	904-521-7521
Deb Macroy	Cobb Cole 1498 Ridgewood	386/323-9263
L Sanslassiter	1450 W Granada Blvd, Suite 2 Ormond Beach, FL 32174	
Edith Shelley	Helix Health	(386) 481-2868
Jeff Sweet	3157 Kevnan Lake Circle, Apt 24 Jacksonville, FL 32246	585-746-6160
Jessica Gow	Cobb Cole	352-895-9305
Rob Merrill	11	11

Scott W. Cichon
 Robert A. Merrell III
 John P. Ferguson
 Mark A. Watts
 Heather Bond Vargas
 Kelly Parsons Kwiatek
 Kathleen L. Crotty
 Andrea M. Kurak
 Matthew S. Welch
 Michael J. Woods
 Michael O. Sznajstajler
 Raymond L. Schumiann
 Pamela R. Masters
 Robert E. Doan
 Holly J. Woerschling
 Erica C. Johnson
 Taylor M. Westfall
 Sarah Zimmerman Fogle



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 *Practice limited to federal
 immigration matters

RETIRED
 Thomas S. Hart

William M. Cobb
 (1881-1939)
 Thomas T. Cobb
 (1916-2004)
 W. Warren Cole, Jr.
 (1926-2008)

September 19, 2018

INVITATION TO NEIGHBORHOOD MEETING

Dear Neighbor:

The law firm of Cobb Cole has the pleasure of representing Consolidated-Tomoka Land Co., the owner, and Alsop Companies, LLC, the contract purchaser, of 130+/- acres of property located on LPGA Boulevard, as shown on the attached map. The contract purchaser intends to rezone and amend the comprehensive plan on the property, for 158 single family dwellings.

As future neighbors to the proposed rezoning and Large Scale Comprehensive Plan Amendment, we would like to invite you to discuss the rezoning on **Monday, October 1, 2018 at 6:00 p.m.** in the meeting room of the Holiday Inn LPGA Daytona Beach, located at 137 AutoMall Circle, Daytona Beach, Florida, 32124.

We look forward to seeing you at this meeting if you are interested in discussing this rezoning.

Sincerely,

Robert A. Merrell III

Direct Dial (386) 323-9263
 Email Rob.Merrell@CobbCole.com
 Fax (386) 944-7955

RAM:ddl
 Enclosures



4133-00-00-0011
Tiger Bay Mitigation, LLC
1140 N. Williamson Boulevard, Suite 140
Daytona Beach, FL 32114

5229-00-00-0011/5228-00-00-0030
City of Daytona Beach
P.O. Box 2451
Daytona Beach, FL 32115-2451

5220-00-00-032A/028A
Cardinal Servicing Co., LLC
1000 Riverside Avenue, Suite 400
Jacksonville, FL 32204

5229-00-00-0090/5230-00-00-0012
City of Daytona Beach
301 S. Ridgewood Avenue
Daytona Beach, FL 32114

5230-00-00-0011/5232-00-00-0012/5229-00-00-0014
SJRWMD/TIITF/AGR-Forestry
4049 Reid Street (P.O. Box 1429)
Palatka, FL 32178-4217

5229-00-00-0040
HW CGC Investment Land, LLC
2101 Cedar Springs, Suite 1400
Dallas, TX 75201

5232-00-00-0050
Raymond Hayes
659 Ocean View Drive
Port Hueneme, CA 93041

5229-01-00-0010
Diocese of Orlando c/o Thomas G. Wenski
50 E. Robinson Street
Orlando, FL 32802

5229-00-00-0100
GC Land, LLC c/o Hayman Woods, LLC
2101 Cedar Springs Road, Suite 1440
Dallas, TX 75201

NEIGHBORHOOD MEETING NOTICE

A NEIGHBORHOOD MEETING HAS BEEN SCHEDULED ON
10/1/18 AT 6pm TO INTRODUCE THE

FOLLOWING APPLICATION FOR THIS PROPERTY:

PDb-Rezoning / CPA

THE MEETING WILL BE HELD AT THE FOLLOWING LOCATION:

Holiday Inn LPGA/137 Automobile Dr. Ft.

INTERESTED PARTIES CAN CONTACT Cobb Cole

AT 280-323-9203 FOR FURTHER INFORMATION.

The Preserve at LPGA Large Scale Comprehensive Plan Amendment

1.1 Applicant Name and Address

Consolidated-Tomoka Land Co.
1140 N. Williamson Boulevard
Daytona Beach, FL 32114

1.2 Primary Contact for Applicant

E. Scott Bullock
Vice President – Real Estate
N. Williamson Boulevard
Daytona Beach, FL 32114

1.3 Applicants Authorized Representative

Raymond J. Spofford, AICP
England-Thims & Miller, Inc.
14775 Old St Augustine Rd
Jacksonville, Florida 32258
Office: 904-642-8990
Fax: 904-646-9485
SpoffordR@etminc.com

2 PROPERTY INFORMATION

2.1 Nature of Applicant's Interest

The Applicant, Consolidated-Tomoka Land Co. seeks a Comprehensive Plan Text Amendment to the Neighborhood V provisions of the City of Daytona Beach Comprehensive Plan. The 130-acre subject property, as described in Exhibit A (the "Property"), is located within the LI-U Future Land Use designation and within Neighborhood V. The Neighborhood V text establishes additional criteria for various properties, including density allowances.

The Applicant seeks to amend the text for Neighborhood V by creating a new subheading dealing specifically with the vacant 130-acre Property and establishing a maximum gross density of 2 dwelling units per acre and a maximum net density of 4 dwelling units per acre allowance for the Property. The intent is to develop the property as a single-family subdivision under the Planned Development regulations.

2.2 Size of Property and Survey

The size of the property is +/- 130 acres. See the Copy of the Boundary Survey and Legal Description attached as Exhibit A.

2.3 Legal Description

The Legal Description and Boundary Survey is provided in Exhibit A. Proof of ownership is provided in Exhibit B.

2.4 Parcel Identification Numbers

30-15-32-00-00-0013 and a portion of 29-15-32-00-00-0010.

2.5 General Location

The Property is located within the City of Daytona Beach on the west side of LPGA Blvd. between International Golf Drive and W. International Speedway Blvd. (US Highway 92) as shown on the Location Map included in Exhibit C.

2.6 Frontage

The Property has approximately 2,300 feet of frontage on LPGA Blvd.

2.7 Access

The property has direct access from LPGA Blvd as shown on the Location Map in Exhibit C.

2.8 Street Address

LPGA Blvd, Daytona Beach, 32124

3 LAND USE INFORMATION

3.1 Aerial Photography

An aerial map (2015) showing the general characteristics of the vacant property and the surrounding residential and non-residential development is attached as Exhibit D.

3.2 Existing Development

The property is currently vacant and is managed under an existing timber lease.

3.3 Current Zoning

The current zoning for the Property and surrounding area is shown on Exhibit E. The property currently has Volusia County zoning per the annexation into the City of Daytona Beach in 1991 per Ordinance 91-298 recorded in OR 3702 Page 4906 of the public records. In accordance with that ordinance, the Property is simultaneously seeking a rezoning to PD-G to allow for single family development.

3.4 Future Land Use Map Designation

The Property as well as surrounding properties are designated as LI-U (Low-Impact Urban) on the City of Daytona Beach Future Land Use Map ("FLUM"). The FLUM is attached as Exhibit F. The Applicant does not seek a change to the FLUM.

3.5 Proposed Future Land Use Map Designation

The Applicant does not seek a change to the FLUM.

3.6 Comprehensive Plan Amendment

Issue: As identified on Policy 2.2.7 of the Future Land Use element, the 130-acre property lying west of LPGA Blvd. and identified on Exhibit A attached to the application DEV2018-026, is located within a designated urban area of the City. Development of this area shall achieve efficient use of land and reduced infrastructure costs. The current density of one (1) dwelling unit per gross acre is inconsistent with urban development patterns. The property shall be developed as a Planned Development with a maximum gross density of two (2) units per acre.

1) Policy q: Within the 130 acres identified as Exhibit A attached to the application for DEV2018-026:

Residential development shall be permitted at a maximum gross density of two (2) dwelling units per acre and a maximum average net density of four (4) dwelling units per acre. The residential subdivision shall be clustered to protect environmental site features and encourage the higher average net density referenced herein.

There shall be no non-residential uses within the site. All community facilities shall be considered accessory to the residential use.

2) Policy: The development shall be required to comply with the wetland buffer requirements of the St. Johns River Water Management District and/or the USACE.

3) Policy: The use of private wells and septic tanks are prohibited in the subject area.

4 CONSISTENCY AND COMPATIBILITY

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

1 FUTURE LAND USE ELEMENT

Policy 1.1.1 "...when questions arise as to whether a land use proposal is consistent with the Future Land Use Map ("FLUM")... the City shall use the following criteria in determining conformance to the FLUM":

1. The extent of departure from the appropriate land use area
2. The conditions in the area that would support the use in the proposed area
3. Consistency with the goals, objectives and policies in this comprehensive plan

4. Impact on other jurisdictions
5. Impact on infrastructure and services including water, sewer, drainage, transportation, parks, mass transit, solid waste, and schools

The proposed text amendment is consistent with and supports the Goals, Policies and objectives of the Comprehensive Plan as further described in this application. The proposed text amendment to Neighborhood V will allow development of the property in a compact, cohesive and efficient manner within an existing urban boundary that is currently served by utilities. The development will not negatively impact the City's infrastructure or services and will provide increase to the City's general and enterprise fund through new ad valorem and utilities revenue.

Policy 1.1.7 “The City shall utilize the neighborhood development policies for further direction or specific neighborhood issues as contained in this element.”

The proposed text amendment to Neighborhood V is consistent with this policy and seeks to allow development of the property in a compact, cohesive and efficient manner. The current density of one dwelling unit per gross acre is inconsistent with urban development patterns.

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

The proposed development, while not considered a ‘major traffic generator’, will adhere to this policy. The access for the proposed community is from an arterial. Traffic generation and the impacts of same will be analyzed as part of the Planned Development process and the project will adhere to all relevant requirements in order to receive rezoning approval.

Policy 1.2.3 “Ensure that projected population growth corresponds to appropriate hurricane evacuation plans...”

Although this policy is geared to the coastal areas, it should be noted that the proposed text amendment to Neighborhood V is consistent with this policy as the property is immediately adjacent to a designated hurricane evacuation route.

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

In support of this Objective, the text amendment to Neighborhood V will allow the property to be developed to provide an affordable and optimal housing choice for young families, medium wage earners, and elders.

Policy 1.5.1 “Ensure a surplus of available undeveloped residential land for both single family, multi-family housing opportunities by providing a variety of residential zoning districts on undeveloped property throughout the City.”

The text amendment to Neighborhood V is consistent with this policy as it will allow the vacant property to be developed as a Planned Development to be developed as a single-family community.

Policy 2.2.7 “Development west of I-95 shall be primarily Planned Developments, which achieve the following benefits:

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

The text amendment to Neighborhood V is consistent with this policy as it will allow the property to be developed as a Planned Development. Providing for this development will remediate the lack of development density in relation to the existing utility infrastructure. The current allowance of 1 dwelling unit per acre encourages a sprawling development form. The text amendment seeks allowance of 2 dwelling units per gross acre, with a clustering of those units to achieve a balance between the community form and the natural, open space that will be conserved by that clustering.

Objective 2.3 “Adequate public water, sewer and drainage shall be provided for 100 percent of new developments...”

The public utility infrastructure is in place, is immediately adjacent to the property and is more than adequate to serve the proposed community. Drainage needs shall be met within the bounds of the property and will not impact the City drainage facilities.

Policy 2.3.1 “Requests to increase land use intensity shall demonstrate the adequacy of public facilities and services to serve the increase.”

The text amendment to Neighborhood V is consistent with this policy through demonstrable adequacy of public facilities to serve the increase in density:

The Property seeks a rezoning to Planned Development in accordance with the requirements of Ordinance 1991-298. Both traffic and public infrastructure concurrency analysis are part of the rezoning process, and the Applicant does not seek a waiver from any standards. Concurrency analysis for public infrastructure follows.

Policy 2.3.5 “All requests for development shall be reviewed to ensure that the potential impact of the proposed development does not degrade water supply capacity and public facility capacity, and that the appropriate department and/or provider is notified. A building permit or development order shall not be granted if adequate capacity is not available.”

The text amendment to Neighborhood V is consistent with this policy as the property must undergo review as a Planned Development prior to receiving any development approval. Review of public infrastructure is part of the Planned Development process, and the proposed project will be required adhere to all relevant standards of the land development regulations. There are adequate City public facilities in place to serve the project for water, wastewater treatment, and

reuse water. No deficit in any of the services is noted, and no extension of public facilities is required. Providing for the proposed community development density will remediate the lack of development density in relation to the existing utility infrastructure.

The burden of demonstrating that the proposed development does not impair the adequacy of the road system (LOS standards) is on the applicant during the Planned Development process. Any impact in excess of acceptable standards shall be mitigated in accordance with all applicable regulations.

Public Water, Sewer and Reuse (Capacity and flow information from Utilities Department)

The City of Daytona Beach Waste Water Treatment Plant that will accommodate the waste from the project is located at 3651 LPGA Boulevard, approximately 1 road mile from the proposed community. The plant has a permitted capacity of 15 MGD and a current maximum average annual daily flow of 8.8 MGD. There is a 16" force main on the east side of LPGA to provide service to the project.

Based on usage standards given in the City of Daytona Beach Land Development Code (Section 6-16.C.2) of 150 gallons per day per capita, and the standard of 2.14 persons per dwelling unit, the proposed land use change will generate an additional need for 25,350 gallons per day of waste water treatment capacity. This generated demand is considered de minimus and will not negatively impact public infrastructure.

The City of Daytona's Water Treatment Plant is located 3651 LPGA Boulevard, approximately 1 road mile from the proposed community. The plant has a permitted capacity of 24 MGD potable water and a current average annual daily flow of 15.15 MGD. There is a 24" potable water main on the west side of LPGA to provide service to the project.

Based on usage standards given in the City of Daytona Beach Land Development Code (Section 6-16.C.4) of 150 gallons per day per capita, and the standard of 2.14 persons per dwelling unit, the proposed land use change will generate an additional need for 25,350 gallons per day of potable water capacity. This generated demand is considered de minimus and will not negatively impact public infrastructure.

Reuse water is generated at the City of Daytona's Water Treatment Plant located 3651 LPGA Boulevard, approximately 1 road mile from the proposed community. There is a 20" reuse water main on the west side of LPGA to provide service to the project.

There are adequate public facilities in place to serve the project for water, wastewater treatment, and reuse water. No deficit in any of the services is noted, and no extension of public facilities is required.

The Land Development regulations of the City require that storm water be retained on-site, thereby eliminating any burden to the public drainage facilities.

The Tomoka Landfill, operated by Volusia County, will not reach capacity until the year 2052, based on population projections. The text amendment to Neighborhood V is in line with those population projections and will not decrease the adequacy of this public facility for solid waste.

Policy 2.3.7 “The City shall...prohibit the use of city water for irrigation purposes and require the use of reclaimed water for newly developed areas within the reclaimed water service area outline in the Water Supply Work Plan.”

The text amendment to Neighborhood V is consistent with this plan and will use reclaimed water for irrigation for all lots and common areas. A reclaimed water line is immediately adjacent to the property.

Objective 2.4 Natural and Historic Resources

“Maintain land use practices that are compatible with and protect the natural resources of a site such as wetlands, vegetative cover, floodplains, topography, wildlife habitat, soils...”

Policy 2.4.1 “The City’s wetlands protection regulations, which provide for buffers and permit mitigation shall be maintained... and enforced.”

The text amendment to Neighborhood V is consistent with this policy and in accordance with the land development and jurisdictional agency regulations, approximately 50% of the property, both uplands and wetlands will be put under conservation easement to protect the habitat and ecology of the area and to provide open space and recreation to the members of the community. The property, under its current silvicultural exemption, does not provide this additional level of protection to habitat.

Policy 2.4.3 ” Water wellfields and their cones of influence as shown on the land use map series shall be protected from adverse impacts of development.”

The text amendment to Neighborhood V is consistent with this policy: the property is outside of the protected areas and will not negatively impact them.

ELEMENT 1.1 NEIGHBORHOOD DEVELOPMENT POLICIES / NEIGHBORHOOD V

The text amendment to Neighborhood V is consistent with the findings for several properties in that Neighborhood that the current density of one dwelling unit per gross acre is inconsistent with urban development patterns. In each case, the properties are outside of, or protect wetlands (FLU Map 17), have adequate road access, and are able to demonstrate that the proposed density does not exceed the capacity of the existing and planned public services. This proposed text amendment is consistent with those conditions.

2 TRANSPORTATION ELEMENT

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

Policy 1.3.2 “...Daytona Beach adopts the following peak hour Level-of-Service standards for the Daytona Beach transportation network...”

Functional Classification	Minimum LOS
Primary Arterials	D

The project is immediately adjacent to LPGA Boulevard which is shown on FLU 7 as a Primary Arterial. The text amendment to Neighborhood V is consistent with this policy. The Traffic Impact Analysis must either demonstrate that the proposed development does not exceed the LOS, or must mitigate for the impact. The project will follow all applicable state and local regulations related to impact mitigation.

Policy 1.8.4 “In review of new developments, the City shall give particular attention:

- Use or curvilinear streets and traffic calming
- Discouragement of single family residential lots fronting on collector or arterial streets
- Requiring adequate buffering between residential uses and major roadways

The text amendment to Neighborhood V is consistent with this policy as the property must undergo review as a Planned Development prior to receiving any development approval. Although not finalized, the proposed community provides for lots with local road access only that is well separated from any collector or arterial roadways. The large wetlands system between the community and LPGA Boulevard will serve as a dense buffer between the community and the adjacent roadway. To the extent possible considering the narrowness of the uplands portion of the site the design maximizes streets designed to provide for calming of interior traffic patterns.

ELEMENT 3 HOUSING

Goal 1 To assure the availability of sound and affordable housing for all current and future residents of Daytona beach.

In support of this Goal, the text amendment to Neighborhood V will allow the property to be developed to provide an affordable and optimal housing choice for young families, medium wage earners, and elders.

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

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

The text amendment to Neighborhood V supports this Objective and this Policy as it will allow the vacant property to be developed to provide an affordable and optimal housing choice for young families, medium wage earners, and elders in an area that is currently underserved with housing opportunities.

ELEMENT 4 INFRASTRUCTURE

Objective 1.3 “The City shall require all new development to have central water and sewer service.”

The proposed text amendment to Neighborhood V is consistent with this policy and proposes central water and sewer for all lots and amenities. Adequate public facilities are immediately adjacent to the property.

Objective 1.7 Wellfields “The City shall maintain its wellfield protection regulations”

The proposed text amendment to Neighborhood V is consistent with this objective and does not present any impact to the wellfields or their protection zones.

Objective 1.8 Urban Sprawl: Water and Sewer “The City shall not extend residential water and sewer lines west of the current service area boundary before 2020.

The proposed text amendment to Neighborhood V is consistent with this objective. The property is well within the Urban Service Boundary shown on FLU 14.

Policy 1.10.1 “The City’s stormwater management regulations shall be maintained in a manner that is consistent with the regulations of Volusia County and the St. Johns River Water Management District”.

The proposed text amendment to Neighborhood V is consistent with this policy and proposes all development in accordance with relevant regulations. All stormwater will be retained on-site as required; thereby reducing pollution from surface water run-off.

Policy 1.10.2 “The City will continue to require that development within 100-year floodplains provide compensating storage volume equal or greater to the fill put on the property in question.”

The proposed text amendment to Neighborhood V is consistent with this policy and will adhere to all applicable land development regulations related to compensatory storage.

ELEMENT 6 CONSERVATION

Objective 1.2 Water Pollution “Continue to pursue drainage practices and programs that minimize ground, estuarine (fisheries) and surface water pollution...”

The proposed text amendment to Neighborhood V is consistent with this policy. The development will retain stormwater in on-site ponds as required. The ponds will serve to hydrate the wetlands and will prevent surface water pollution from run-off.

ELEMENT 7 RECREATION AND OPEN SPACE

Goal 1 “To provide an open space, parks and recreation system that meets the needs of the residents of Daytona Beach.”

The proposed text amendment to Neighborhood V is consistent with this goal and will, through the Planned Development process, demonstrate provision for its residents of both active and passive recreation opportunities that will reduce the impact to existing public facilities.

ELEMENT 13 PUBLIC SCHOOLS

Objective 1.4 “Coordinate Comprehensive Plan Amendments and Development Orders with School Capacity”.

The proposed text amendment to Neighborhood V is consistent with this objective and is required, as part of the rezoning process, to demonstrate adequate school capacity as determined by the Volusia County School Board based on the specifics of the proposed development.

CONCLUSIONS

The proposed text amendment has been shown to meet the threshold, as defined by Florida Statutes, for a finding that it does not propose urban sprawl. Further, it will allow a compact, efficient development of the property in a density that corresponds to an urban area.

The proposed text amendment is consistent with and supports the Goals, Policies and objectives of the Comprehensive Plan as further described in this application. The proposed text amendment to Neighborhood V will allow development of the property in a compact, cohesive and efficient manner within an existing urban boundary that is currently served by utilities. The development will not negatively impact the City’s infrastructure or services and will provide increase to the City’s general and enterprise fund through new ad valorem and utilities revenue.

4.2 Consistency with Urban Sprawl Rule 163.3177(6)(a)(9)(b) Florida Statutes, provides that plan amendments shall be determined to discourage the proliferation of urban sprawl if it incorporates development patterns or urban forms that achieves **four or more** of the following: Plan Goals, Policies and Objectives of the Daytona Beach

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

Response: The development of the Property to a residential community will benefit the environment through the conservation easements that will be placed on the existing wetlands, will provide enhanced recreation opportunities to the community, and will provide additional revenues to the City both from enhanced ad valorem and

from additional utility accounts. No extension or intensification of any public infrastructure is required.

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

Response: The utility lines in this area are large capacity but are not serving, within the immediate area, development of adequate density to achieve a return on investment to provide that infrastructure. The Property will provide a density of residences that is both compatible with surrounding areas and will provide a significant source of revenue to the utility.

- (III) Promotes walkable and connected communities and provide 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 pedestrians, bicycle and transit if available.**

Response: The Property is located immediately south of an existing high school and will provide pedestrian connection to that school pending approval by the school. The text amendment will allow the property to provide an affordable and optimal housing choice for young families, medium wage earners, and elders.

- (IV) Promotes conservation of water and energy.**

Response. The Property proposes development that will manage storm water runoff in a manner that will conserve water resources by having the ponds serve to rehydrate the surrounding wetlands and prevent run-off.

Water reuse lines are available and will be used for irrigation demands for the lots and for the community common areas. Private wells will not be allowed, thereby conserving potable water and effectively reusing water for non-potable demand.

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

Response: N/A

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

Response: A portion of the site is considered to be Potentially Environmentally Sensitive (PES) lands (see Exhibit F). A part of this portion of the property will be under conservation easement: other areas will allow location of storm water ponds, which will serve to rehydrate the wetlands in the PES.

Approximately 50% of the Property is considered wetlands and will be put under conservation easement to protect the habitat and ecology of the area. This area will also provide open space and recreation (as allowed by jurisdictional agencies) to the

members of the community. The property, under its current silvicultural exemption, does not provide this additional level of protection to habitat.

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

Response: No non-residential development is proposed.

- (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.**

Response: The current allowance of 1 dwelling unit per acre encourages a sprawling development form. The text amendment seeks allowance of 2 dwelling units per gross acre, with a clustering of those units to achieve a balance between the community form and the natural, open space that will be conserved by that clustering. Providing for this development will remediate the lack of development density in relation to the existing utility infrastructure.

The proposed amendment promotes a development pattern and urban form that achieves six of the preceding eight general policies. The proposed text amendment will therefore not contribute to urban sprawl as defined by Florida Statutes.

4.3 LAND USE COMPATIBILITY ANALYSIS

The text amendment to Neighborhood V is consistent with this policy as it will allow the property to be developed as a Planned Development. Providing for this development will remediate the lack of development density in relation to the existing utility infrastructure. The current allowance of 1 dwelling unit per acre encourages a sprawling development form. The text amendment seeks allowance of 2 dwelling units per gross acre, with a clustering of those units to achieve a balance between the community form and the natural, open space that will be conserved by that clustering.

5 CONCURRENCY ANALYSIS

5.1 Traffic Data and Analysis

See Technical Memorandum prepared by ETM, Inc. attached as Exhibit G.

5.1.1 Trip Generation for the Current FLUM Designation

The estimated trip generation for the current FLUM designation is 1,516 gross p.m. peak hour trips.

5.1.2 Trip Generation for the Proposed FLUM Designation

The estimated trip generation for the proposed FLUM designation is 254 gross p.m. peak hour trips.

5.1.3 Change in Trip Generation

The net change in trip generation is a reduction of 1,262 gross p.m. peak hour trips.

5.1.4 Trip Distribution

The trip distribution can be found in the TIA prepared by LTG, Inc. as revised May 2018.

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

The impact on the Level of Service at build out can be found in the TIA prepared by LTG, Inc. as revised May 2018.

5.2 Sanitary Sewer Data and Analysis

The following table provides a comparison of current and future FLUM designation demand for sewer and water facilities.

Preliminary Water/Sewer Calculations - Current FLUM				
Water Demand Calculations				
Units	# of Units	GPD/Unit or 1000sf	GPD (ADF)	GPD (Peak)
Single Family	130	321	41730	166920
Commercial	353.925	100	35392.5	141570
Total			77122.5	308490
Sewer Demand Calculations				
Units	# of Units	GPD/Unit	GPD (ADF)	GPD (Peak)
Single Family	130	321	41730	166920
Commercial	353.925	100	35392.5	141570
Total			77122.5	308490
Preliminary Water/Sewer/Reuse Calculations - Proposed FLUM				
Water Demand Calculations				
Units	# of Units	GPD/Unit	GPD (ADF)	GPD (Peak)
Single Family	260	321	83460	333840
Sewer Demand Calculations				
Units	# of Units	GPD/Unit	GPD (ADF)	GPD (Peak)
Single Family	260	321	83460	333840
Notes:				
1. 150 GPD per capita assuming 2.14 persons per household.				
2. Uses a peak factor of 4.				
Preliminary Water/Sewer/Reuse Calculations - Net Change				
Water Demand Calculations				
Units			GPD (ADF)	GPD (Peak)
Single Family			6337.5	25350
Sewer Demand Calculations				
Units			GPD (ADF)	GPD (Peak)
Single Family			6337.5	25350

5.2.1 Sewer Facilities

The City of Daytona Beach WWTP located at 3651 LPGA Blvd. will serve wastewater generated by the project. This plant has a capacity of 15 MGD and the current maximum monthly average daily flow is 8.8 MGD.

5.2.2 Sanitary Sewer Demand from the Current FLUM Designation

Sanitary sewer demand is 77,122.5 gpd with a peak flow of 308,490 gpd for the current FLUM designation.

5.2.3 Sanitary Sewer Demand from the Proposed FLUM Designation

Sanitary sewer demand is 83,460 gpd with a peak flow of 333,840 for the proposed FLUM designation.

5.2.4 Change in Sanitary Sewer Use

The net change in sanitary sewer use is a slight increase of 6,337.5 gpd and a peak flow of 25,350 gpd.

5.2.1 Impacts on LOS

The plant capacity is 15 MGD with an average daily flow of 8.8 MGD for available capacity of 6.6 MGD. The net increase in the peak flow of .025 will not have a significant impact of the current level of service.

5.3 Potable Water Data and Analysis

5.3.1 Potable Water Facilities

The City of Daytona Beach WTP located at 3651 LPGA Blvd. will provide potable water service to the project. This plant has a capacity of 24 MGD and the current maximum monthly average daily flow is 15.15 MGD.

5.3.2 Potable Water Demand from the Current FLUM Designation

Potable water demand is 7,122.5 gpd with a peak flow of 308,490 gpd for the current FLUM designation.

5.3.3 Potable Water Demand from the Proposed FLUM Designation

Potable water demand is 83,460 gpd with a peak flow of 333,840 for the proposed FLUM designation.

5.3.4 Change in Potable Water Use

The net change in potable water demand is a slight increase of 6,337.5 gpd with a peak flow of 333,840 gpd.

5.3.5 Impacts on LOS

The plant capacity is 24 MGD with an average daily flow of 15.15 MGD for available capacity of 8.85 MGD. The net increase in the peak flow of .025 will not have a significant impact of the current level of service.

5.4 Stormwater Data and Analysis

The subject property consists of planted pine plantation for silviculture and undeveloped uplands and wetlands. The site consists a 10 +/- acre borrow pit that is surrounded by improved pasture and shrub and brushland that will make up the primary development area. This site is very flat, but generally drains to the north to Thayer Canal located adjacent to the north boundary and west to the wetlands. Stormwater management facilities will be constructed to treat surface water runoff so that the peak discharge from the post development conditions is at or below the peak discharge from pre-development conditions. The project will treat and attenuate the storm water runoff for the mean annual and 25-year, 24-hour rain event in accordance with federal, state, and local requirements.

5.5 Solid Waste Data and Analysis

Volusia County operates the Tomoka Landfill that has capacity through the year 2052. The proposed FLUM change will not adversely affect the capacity of the landfill.

5.6 Wellfield Protection Zones

The Property is not within any Wellfield Protection Zones according to FLU 16 Well Field Buffer Zones Map in the Future Land Use Map Series of the City's Comprehensive Plan.

5.7 Reclaimed Water

Reclaimed water is available along LPGA Boulevard adjacent to the site.

6. ENVIRONMENTAL ANALYSIS

6.1 Surface Water and Wetlands

Within project site, there are an estimated 122 acres of potential wetland and there are an estimated 65 acres of potential upland in scattered locations. Attached as Exhibit H is a Preliminary Environmental Assessment dated February 16, 2017 and prepared by Zev Cohen & Associates. Appendix A contains a soils map.

6.2 Vegetative Cover

Most of the property has been furrowed for silviculture. The planted pine wetland in the northern and central project limits have a more developed community structure than the southern portion that was recently clear cut and replanted. The planted pine communities in the southern portion of the site may begin to exhibit more upland characteristics as they mature. No impacts to protected flora or fauna species are anticipated due to the proposed project. Attached as Exhibit H is a Preliminary Environmental Assessment dated February

16, 2017 and prepared by Zev Cohen & Associates. Appendix A contains a land cover/habitat map.

6.3 Flood Zone

See attached Exhibit I, Flood Zone Map.

6.4 Listed Animal and plant Species

No listed animal or plant species were observed on the site.

PRESERVE AT LPGA

Exhibit A

Legal Description/Boundary Survey

PRESERVE AT LPGA

EXHIBIT ALEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN SECTION 29 AND SECTION 30, TOWNSHIP 15 SOUTH, RANGE 32 EAST, VOLUSIA COUNTY FLORIDA, SAID PARCEL OF LAND ALSO BEING A PORTION OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 4415, PAGE 2540, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOW:

BEGIN AT THE NORTHWEST CORNER OF THE FATHER LOPEZ SUBDIVISION AS RECORDED IN MAP BOOK 55, PAGE 43 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, SAID NORTHWEST CORNER BEING A 4" BY 4" CONCRETE MONUMENT STAMPED "PRM 2620"; THENCE SOUTH 61°21'07" WEST, ALONG THE EXTENDED SOUTH LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 7410, PAGE 2300 OF SAID PUBLIC RECORDS, A DISTANCE OF 1357.37 FEET; THENCE CONTINUING ALONG SAID SOUTH LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 7410, PAGE 2300, SOUTH 28°38'53" EAST, A DISTANCE OF 44.11 FEET; THENCE CONTINUING ALONG SAID SOUTH LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 7410, PAGE 2300, SOUTH 34°06'19" WEST, A DISTANCE OF 70.76 FEET TO THE EASTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 4265, PAGE 2081, OF SAID PUBLIC RECORDS; THENCE SOUTH 42°24'02" EAST, ALONG SAID EASTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 4265, PAGE 2081 AND DEPARTING SAID SOUTH LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 7410, PAGE 2300, A DISTANCE OF 213.54 FEET TO A 2 1/4" STEEL PIPE WITH AN ALUMINUM CAP STAMPED "LB 1221"; THENCE SOUTH 81°36'17" EAST, ALONG SAID EASTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 4265, PAGE 2081, A DISTANCE OF 335.33 FEET TO A 2 1/4" STEEL PIPE WITH AN ALUMINUM CAP STAMPED "LB 1221"; THENCE SOUTH 75°19'24" EAST, CONTINUING ALONG SAID EASTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 4265, PAGE 2081, A DISTANCE OF 74.32 FEET TO A 2 1/4" STEEL PIPE WITH AN ALUMINUM CAP STAMPED "LB 1221"; THENCE SOUTH 57°21'39" EAST, CONTINUING ALONG SAID EASTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 4265, PAGE 2081, A DISTANCE OF 118.23 FEET TO A 2 1/4" STEEL PIPE WITH AN ALUMINUM CAP STAMPED "LB 1221"; THENCE SOUTH 46°19'56" EAST, CONTINUING ALONG SAID EASTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 4265, PAGE 2081, A DISTANCE OF 131.11 FEET TO A 2 1/4" STEEL PIPE WITH AN ALUMINUM CAP STAMPED "LB 1221"; THENCE SOUTH 27°02'34" EAST, CONTINUING ALONG SAID EASTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 4265, PAGE 2081, A DISTANCE OF 261.76 FEET TO A 2 1/4" STEEL PIPE WITH AN ALUMINUM CAP STAMPED "LB 1221"; THENCE SOUTH 48°52'29" EAST, CONTINUING ALONG SAID EASTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 4265, PAGE 2081, A DISTANCE OF 114.40 FEET TO A SET 1/2" IRON PIPE STAMPED "LB 6824"; THENCE SOUTH

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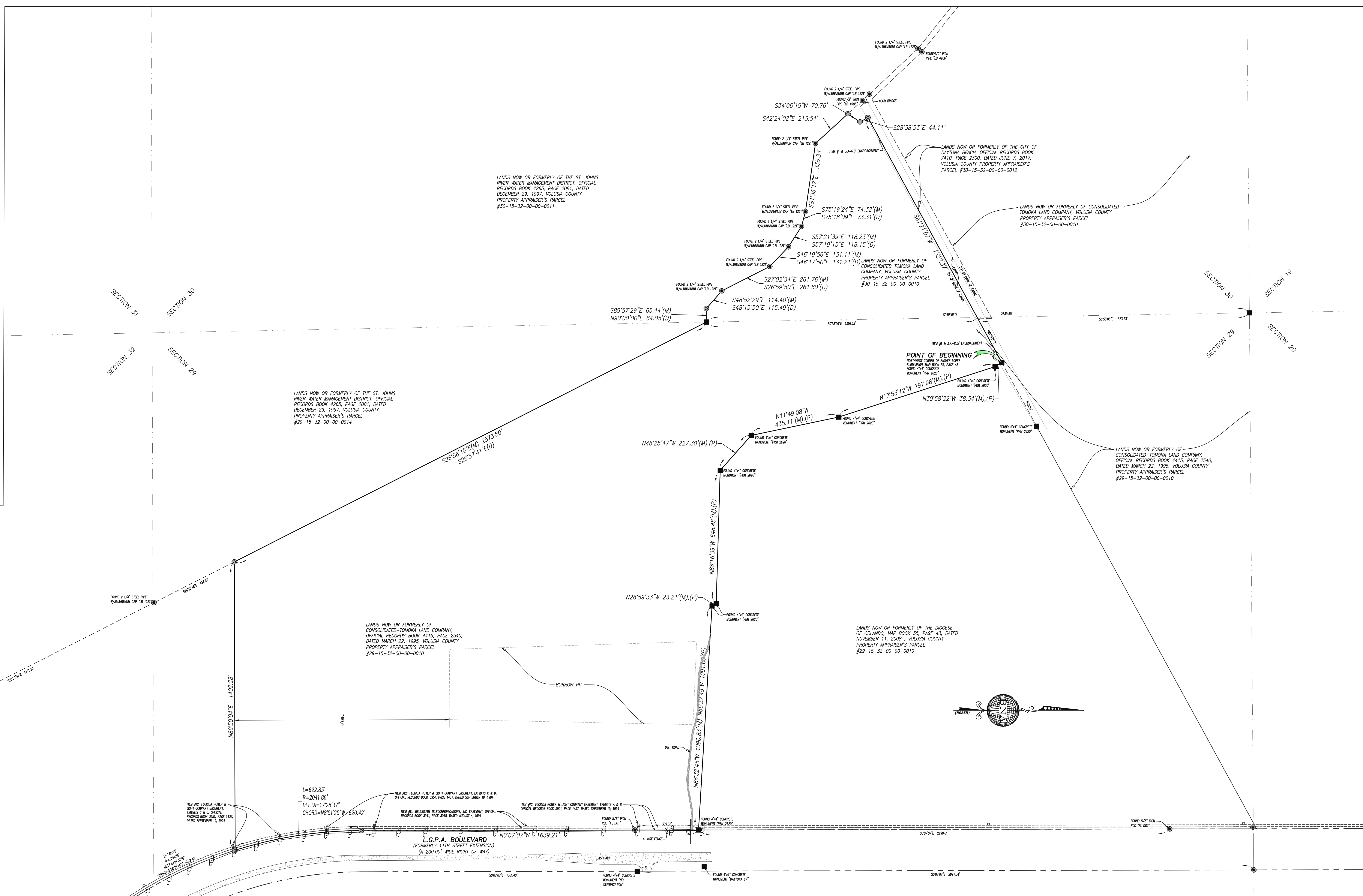
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MAP SHOWING BOUNDARY SURVEY OF: A PARCEL OF LAND LYING IN SECTION 29 AND SECTION 30, TOWNSHIP 15 SOUTH, RANGE 32 EAST, VOLUSIA COUNTY, FLORIDA.

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TITLE COMMITMENT NOTES PURSUANT TO FIDELITY NATIONAL TITLE INSURANCE COMPANY ORDER NUMBER: 6169935, EFFECTIVE DATE: FEBRUARY 17, 2017, REVISION DATE: JUNE 15, 2017 - SCHEDULE B-SECTION 2, PART II:

- DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, CREATED, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE HEREOF BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES FOR VALUE OF RECORD THE ESTATE OR INTEREST OR MORTGAGE THEREON COVERED BY THIS COMMITMENT. SUPPORTING DOCUMENTS, IF ANY, NOT FURNISHED.
- TAXES AND ASSESSMENTS FOR THE YEAR 2017 AND SUBSEQUENT YEARS, WHICH ARE NOT YET DUE AND PAYABLE, FOR 2016 TAX YEAR PARCEL/D # 5229-00-00-0010, GROSS TAX AMOUNT IS \$501.36, EXEMPTION TYPE IS NONE, AND PAYMENT STATUS IS PAID. FOR 2016 TAX YEAR PARCEL/D # 5223-00-00-0010, GROSS TAX AMOUNT IS \$142.18, EXEMPTION TYPE IS NONE, AND PAYMENT STATUS IS PAID. NOT A SURVEY MATTER.
- FOR 2016 TAX YEAR PARCEL/D # 5230-00-00-0010, GROSS TAX AMOUNT IS \$298.82, EXEMPTION TYPE IS NONE, AND PAYMENT STATUS IS PAID.
- STANDARD EXCEPTIONS:
 - ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND, REFER TO SURVEY.
 - RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORDS, SUPPORTING DOCUMENTS, IF ANY, NOT FURNISHED.
 - ANY LIEN, OR RIGHT TO A LIEN FOR SERVICES, LABOR, OR MATERIALS HERETOFORE OR HEREAFTER FURNISHED, IMPOSED BY LAW AND NOT SHOWN BY THE PUBLIC RECORDS, NOT A SURVEY MATTER.
 - TAXES OR ASSESSMENTS WHICH ARE NOT SHOWN AS EXISTING LIENS IN THE PUBLIC RECORDS, NOT A SURVEY MATTER.
 - ANY LIEN PROVIDED BY COUNTY ORDINANCE OR BY CHAPTER 159, FLORIDA STATUTES, IN FAVOR OF ANY CITY, TOWN, VILLAGE OR PORT AUTHORITY FOR UNPAID SERVICE CHARGES FOR SERVICE BY ANY WATER, SEWER OR GAS SYSTEM SUPPLYING THE INSURED LAND, NOT A SURVEY MATTER.
 - RIGHTS OF TENANTS OCCUPYING ALL OR PART OF THE INSURED LAND UNDER UNRECORDED LEASES OR RENTAL AGREEMENTS, NOT A SURVEY MATTER.
 - INTENTIONALLY DELETED.
 - INGRESS AND EGRESS TO PARCEL #5230-00-00-0010 IS CONTINGENT UPON JOINT OWNERSHIP OF PARCEL #5229-00-00-0010; SHOULD BOTH PARCELS NOT BE SOLD TOGETHER THEN PARCEL # 5230-00-00-0010 WILL LACK INGRESS AND EGRESS. ADDITIONAL INFORMATION IN REGARDS TO PROPOSED INGRESS AND EGRESS NOT FURNISHED AT THE TIME OF THE SURVEY.
 - INTENTIONALLY DELETED.
 - EASEMENT GRANTED TO FLORIDA POWER CORPORATION RECORDED IN OFFICIAL RECORDS BOOK 3100, PAGE 1988. DOES NOT AFFECT THE SUBJECT PROPERTY.
 - ORDINANCE NO. 81-298 RECORDED OCTOBER 13, 1991, IN OFFICIAL RECORDS BOOK 3702, PAGE 4906. THIS DOCUMENT REFERS TO LAND DESCRIBED IN EXHIBIT A, BUT THERE IS NOT AN EXHIBIT A RECORDED IN THIS DOCUMENT.
 - EASEMENT GRANTED TO BELLSOUTH TELECOMMUNICATIONS, INC. RECORDED AUGUST 4, 1994, IN OFFICIAL RECORDS BOOK 3941, PAGE 3068. AFFECTS SUBJECT PROPERTY.
 - EASEMENT GRANTED TO FLORIDA POWER & LIGHT CO RECORDED SEPTEMBER 19, 1994, IN OFFICIAL RECORDS BOOK 3951, PAGE 1437. AFFECTS SUBJECT PROPERTY.
 - INTENTIONALLY DELETED.
 - INTENTIONALLY DELETED.
 - THE NATURE, EXTENT OR EXISTENCE OF RIPARIAN RIGHTS IS NOT INSURED. DOES NOT AFFECT THE SUBJECT PROPERTY.
 - RIGHTS OF OTHERS TO USE THE WATERS OF ANY WATER BODY EXTENDING FROM THE INSURED LAND ONTO OTHER LANDS. DOES NOT AFFECT THE SUBJECT PROPERTY.

PROJECT NUMBER: 1048-001
DATE: 08-02-17
SCALE: 1"=200'
DRAWING No.: BNDY
SHEET No.: 1 of 1

CERTIFIED TO: ALSO COMPANIES, LLC
BRADS HAW-NILES & ASSOCIATES, INC.
SURVEYING AND MAPPING CONSULTANTS
LICENSED BUSINESS NO. 6824
280 BUSINESS PARK CIRCLE, SUITE 410
ST. AUGUSTINE, FLORIDA 32085
(904) 829-2591 FAX: (904) 829-5070

DRAWN BY: A.D. BRADSHAW
CHECKED BY: A. D. BRADSHAW
FIELD BOOK/PAGE(S): 390/61,64-73, 391/1, 48-49, 67-75, 393/1-6, 16, 25

TABLE OF ABBREVIATIONS

●	SET 1/2" IRON PIPE, LB 6824	⊗	WATER METER	(M)	FIELD MEASURED
○	FOUND 2 1/4" IRON PIPE, LB 1221, AS NOTED	⊕	FIRE HYDRANT	(C)	CALCULATED
■	SET 4" CONCRETE MONUMENT, LB 6824	⊖	GATE VALVE	(P)	PLAT CALL
■	FOUND 4" CONCRETE MONUMENT, AS NOTED	⊙	UTILITY POLE	⊗	AIR RELEASE VALVE W/MANHOLE
R/W	RIGHT OF WAY	→	GUY ANCHOR	⊗	SANITARY SEWER MANHOLE
I	IDENTIFICATION	⊕	OVERHEAD ELECTRIC	⊗	SEWER CLEAN OUT
⊖	WATER VALVE	(O)	DEED CALL		

REV	DATE	BY	CHKD	DESCRIPTION

PRESERVE AT LPGA

Exhibit B

Deeds

(Transfer Amt \$ 10)
Instrument # 99043176
Book: 4406
Page: 1377

Return to:

This Instrument Prepared By:
Robert F. Apgar, Esquire
Post Office Box 10809
Daytona Beach, FL 32120-0809

Parcel No.

Grantee(s) S.S. #:

QUIT CLAIM DEED

This Quit Claim Deed, executed this 25th day of February, 1999, by PATRICIA LAGONI, AS TRUSTEE UNDER TRUST NO. IDI-4 DATED SEPTEMBER 6, 1995, first party, to CONSOLIDATED-TOMOKA LAND CO., a Florida Corporation, whose post office address is 149 South Ridgewood Avenue, Daytona Beach, Florida 32114, second party:

(Wherever used herein the terms "first party" and "second party" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, That the said first party, for and in consideration of the sum of \$10.00, in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of Volusia, State of Florida, to wit:

Legal Description contained in Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever.

IN WITNESS WHEREOF, the said first party has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Frances A. Massey

Frances A. Massey
Printed Name

Mary Lou Dolan

Mary Lou Dolan
Printed Name

Patricia Lagoni as Trustee

Patricia Lagoni, as Trustee Under
Trust No. IDI-4 dated September 6, 1995
149 South Ridgewood Avenue
Daytona Beach, Florida 32114

STATE OF FLORIDA
COUNTY OF VOLUSIA

I hereby certify that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared Patricia Lagoni, as Trustee Under Trust No. IDI-4 dated September 6, 1995, to me known to be the person described in and who executed the foregoing instrument and she acknowledged before me that she executed the same on behalf of the Trust. She is personally known to me.

WITNESS my hand and official seal in the County and State last aforesaid this 25th day of February, 1999.

Tammy J. Givvin
Notary Public, State of Florida

My Commission Expires:



Tammy J. Givvin
MY COMMISSION # CC781250 EXPIRES
October 6, 2002
BONDED THROUGH FARM INSURANCE, INC.

**DEED FROM PATRICIA LAGONI, AS TRUSTEE UNDER TRUST NO. IDI-4
TO CONSOLIDATED-TOMOKA LAND CO.**

<u>DESCRIPTION</u>	<u>SEC.</u>	<u>TWP.</u>	<u>RGE</u>
S-1/2 South of SR 40 LESS Drainage Ditches per RB 648 Pg. 269 and LESS parcel sold to First Baptist Church of Ormond Beach as described in O.R. Book 3410, Page 0507 and O.R. Book 3933, Page 3270, Public Records of Volusia County, Florida	26	14	31
All South of State Road 40 LESS NE-1/4 of SE-1/4 and LESS 3.27 acres deeded to Florida Power & Light Company as described in O.R. Book 3106, Page 0661, Public Records of Volusia County, Florida	27	14	31
E 1/2 South of State Road 40 LESS Borrow Pit and Drainage Ditch & LESS parcel sold to Carl Julian as described in O.R. Book 4149, Page 2762, Public Records of Volusia County, Florida	28	14	31
All East of parcel conveyed to Trustees of Internal Improvement Trust Fund, State of Florida, as described in O. R. Book 4265, Page 2081, Public Records of Volusia County, Florida	33	14	31
All	34	14	31
All LESS parcels sold to First Baptist Church of Ormond Beach and Riverbend Community Church, Inc. as described in O. R. Book 3410, Page 0507; O. R. Book 3933, Page 3270; O. R. Book 4090, Page 4160 and O. R. Book 4375, Page 2234, Public Records of Volusia County, Florida	35	14	31
NE-1/4 of SW-1/4 LESS The North 1,069.21 ft. thereof meas. on E/L thereof; and that part of W-1/4 lying South of Old Road LESS road and LESS parcels sold to First Baptist Church of Ormond Beach and Riverbend Community Church, Inc. as described in O. R. Book 3795, Page 1822; O.R. Book 3835, Page 0468; and O. R. Book 4375, Page 2234, Public Records of Volusia County, Florida	36	14	31

BOOK : 4406
PAGE : 1378

**DEED FROM PATRICIA LAGONI, AS TRUSTEE UNDER TRUST NO. IDI-4
TO CONSOLIDATED-TOMOKA LAND CO.**

<u>DESCRIPTION</u>	<u>SEC.</u>	<u>TWP.</u>	<u>RGE.</u>
LESS the following described parcel in Sections 35 and 36, Township 14 South, Range 31 East: A portion of Sections 35 and 36, Township 14 South, Range 31 East, Volusia County, Florida, being more particularly described as follows: As a point of reference, commence at the Northeast corner of said Section 35; thence South 01°11'7" East, along the East line of said Section 35, 816.00 feet; thence North 87°55'30" East, 1216.52 feet to the Southeast corner of parcel deeded to First Baptist Church of Ormond Beach as recorded in Official Records Book 3795, Page 1822, Public Records of Volusia County, Florida; thence North 01°11'7" West, along the Easterly line of said parcel 581.27 feet to the Northeast corner of said parcel; thence South 74°22'01" East, along the Easterly projection of the Northerly line of said parcel 0.55 feet to a point 45 feet Westerly of the Westerly right of way line of Tymber Creek Road (a 70' right-of-way); thence South 01°24'17" East, and parallel to the said Westerly right of way line, 881.10 feet to the POINT OF BEGINNING; thence continue South 01°24'17" East, along said line parallel to the Westerly right of way line, 1178.68 feet; thence South 87°55'30" West, 1752.28 feet; thence North 13°50'03" West, 1203.86 feet, thence North 87°55'30" East, 2011.42 feet to the POINT OF BEGINNING.			
All	1	15	31
SW-1/4 of NE-1/4 & W ½ of SE-1/4 & SW-1/4 & SW-1/4 of NW-1/4	5	15	32
All LESS NE 1/4 of NE 1/4	6	15	32
All	7	15	32
All N and W of LPGA Blvd. LESS NE-1/4 of NE-1/4 & LESS conveyance of sub-station site to Florida Power & Light Company as described in O. R. Book 3859, Page 3723, Public Records of Volusia County, Florida	8	15	32
All West of LPGA Blvd.	17	15	32
All West of LPGA Blvd.	20	15	32

BOOK: 4406
PAGE: 1379

1

DEED FROM PATRICIA LAGONI, AS TRUSTEE UNDER TRUST NO. IDI-4
TO CONSOLIDATED-TOMOKA LAND CO.

BOOK: 4406
PAGE: 1380
Diane M. Matousek
Volusia County, Clerk of Court

<u>DESCRIPTION</u>	<u>SEC.</u>	<u>TWP.</u>	<u>RGE.</u>
All West of LPGA Blvd. LESS a triangular parcel in SW-1/4 conveyed to Trustees of Internal Improvement Trust Fund, State of Florida, as described in O. R. Book 4265, Page 2081, Public Records of Volusia County, Florida	29	15	32
N-1/2 lying South and West of LPGA Blvd. LESS parcel conveyed to Trustees of Internal Improvement Trust Fund, State of Florida, as described in O. R. Book 4265, Page 2081, Public Records of Volusia County, Florida	32	15	32

SUBJECT TO RESERVATIONS, RESTRICTIONS AND EASEMENTS OF RECORD.

citsafe/DEEDTRUS.4 -2/18/99

Return to:

This Instrument Prepared By:
Robert F. Apgar, Esquire
Post Office Box 10809
Daytona Beach, FL 32120-0809



Parcel No.

Grantee(s) S.S. #:

**CORRECTIVE
QUIT CLAIM DEED**

This Corrective Quit Claim Deed, executed this 22nd day of March, 1999, by PATRICIA LAGONI, AS TRUSTEE UNDER TRUST NO. IDI-4 DATED SEPTEMBER 6, 1995, first party, to CONSOLIDATED-TOMOKA LAND CO., a Florida Corporation, whose post office address is 149 South Ridgewood Avenue, Daytona Beach, Florida 32114, second party:

(Wherever used herein the terms "first party" and "second party" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, That the said first party, for and in consideration of the sum of \$10.00, in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and being in Highlands County, State of Florida, to wit:

Legal Description contained in Exhibit "A" attached hereto and made a part hereof.

THIS CORRECTIVE DEED IS GIVEN TO CORRECT CERTAIN LEGAL DESCRIPTIONS OF THE PROPERTY CONVEYED IN THAT CERTAIN DEED RECORDED IN OFFICIAL RECORDS BOOK 4406, PAGE 1377, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA WHICH IS IN SECTIONS 26-14-31 & 35-14-31 AND FOUND ON OFFICIAL RECORDS BOOK 4406 AT PAGE 1378.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever.

IN WITNESS WHEREOF, the said first party has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Tammy J. Girvin

Tammy J. GIRVIN
Printed Name

Jill S. Lust

Jill S. LUST
Printed Name

Patricia Lagoni, as Trustee

Patricia Lagoni, as Trustee Under
Trust No. IDI-4 dated September 6, 1995
149 South Ridgewood Avenue
Daytona Beach, Florida 32114

STATE OF FLORIDA

COUNTY OF VOLUSIA

I hereby certify that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared Patricia Lagoni, as Trustee Under Trust No. IDI-4 dated September 6, 1995, to me known to be the person described in and who executed the foregoing instrument and she acknowledged before me that she executed the same on behalf of the Trust. She is personally known to me.

WITNESS my hand and official seal in the County and State last aforesaid this 22nd day of March, 1999.

Jill S. Lust
Notary Public, State of Florida

My Commission Expires:



Jill S. Lust
MY COMMISSION # CC702886 EXPIRES
February 18, 2002
BONDED THRU TROY FAIR INSURANCE, INC.

DEED FROM PATRICIA LAGONI, AS TRUSTEE UNDER TRUST NO. IDI-4
TO CONSOLIDATED-TOMOKA LAND CO.

<u>DESCRIPTION</u>	<u>SEC.</u>	<u>TWP.</u>	<u>RGE</u>
S-1/2 South of SR 40 LESS Drainage Ditches per RB 648 Pg. 269 and LESS parcel sold to First Baptist Church of Ormond Beach as described in O.R. Book 3410, Page 0507; O.R. Book 3933, Page 3270 and O.R. Book 4099, Page 4160, Public Records of Volusia County, Florida	26	14	31
All South of State Road 40 LESS NE-1/4 of SE-1/4 and LESS 3.27 acres deeded to Florida Power & Light Company as described in O.R. Book 3106, Page 0661, Public Records of Volusia County, Florida	27	14	31
E 1/2 South of State Road 40 LESS Borrow Pit and Drainage Ditch & LESS parcel sold to Carl Julian as described in O.R. Book 4149, Page 2762, Public Records of Volusia County, Florida	28	14	31
All East of parcel conveyed to Trustees of Internal Improvement Trust Fund, State of Florida, as described in O. R. Book 4265, Page 2081, Public Records of Volusia County, Florida	33	14	31
All	34	14	31
All LESS parcels sold to First Baptist Church of Ormond Beach and Riverbend Community Church, Inc. as described in O. R. Book 3410, Page 0507; O. R. Book 3933, Page 3270 and O. R. Book 4375, Page 2234, Public Records of Volusia County, Florida	35	14	31
NE-1/4 of SW-1/4 LESS The North 1,069.21 ft. thereof meas. on E/L thereof; and that part of W-1/4 lying South of Old Road LESS road and LESS parcels sold to First Baptist Church of Ormond Beach and Riverbend Community Church, Inc. as described in O. R. Book 3795, Page 1822; O.R. Book 3835, Page 0468; and O. R. Book 4375, Page 2234, Public Records of Volusia County, Florida	36	14	31

DEED FROM PATRICIA LAGONI, AS TRUSTEE UNDER TRUST NO. IDI-4
TO CONSOLIDATED-TOMOKA LAND CO.

<u>DESCRIPTION</u>	<u>SEC.</u>	<u>TWP.</u>	<u>RGE.</u>
LESS the following described parcel in Sections 35 and 36, Township 14 South, Range 31 East: A portion of Sections 35 and 36, Township 14 South, Range 31 East, Volusia County, Florida, being more particularly described as follows: As a point of reference, commence at the Northeast corner of said Section 35; thence South 01°11'7" East, along the East line of said Section 35, 816.00 feet; thence North 87°55'30" East, 1216.52 feet to the Southeast corner of parcel deeded to First Baptist Church of Ormond Beach as recorded in Official Records Book 3795, Page 1822, Public Records of Volusia County, Florida; thence North 01°11'7" West, along the Easterly line of said parcel 581.27 feet to the Northeast corner of said parcel; thence South 74°22'01" East, along the Easterly projection of the Northerly line of said parcel 0.55 feet to a point 45 feet Westerly of the Westerly right of way line of Tymber Creek Road (a 70' right-of-way); thence South 01°24'17" East, and parallel to the said Westerly right of way line, 881.10 feet to the POINT OF BEGINNING; thence continue South 01°24'17" East, along said line parallel to the Westerly right of way line, 1178.68 feet; thence South 87°55'30" West, 1752.28 feet; thence North 13°50'03" West, 1203.86 feet, thence North 87°55'30" East, 2011.42 feet to the POINT OF BEGINNING.			
All	1	15	31
SW-1/4 of NE-1/4 & W ½ of SE-1/4 & SW-1/4 & SW-1/4 of NW-1/4	5	15	32
All LESS NE 1/4 of NE 1/4	6	15	32
All	7	15	32
All N and W of LPGA Blvd. LESS NE-1/4 of NE-1/4 & LESS conveyance of sub-station site to Florida Power & Light Company as described in O. R. Book 3859, Page 3723, Public Records of Volusia County, Florida	8	15	32
All West of LPGA Blvd.	17	15	32
All West of LPGA Blvd.	20	15	32

**DEED FROM PATRICIA LAGONI, AS TRUSTEE UNDER TRUST NO. IDI-4
TO CONSOLIDATED-TOMOKA LAND CO.**

ATTACHMENT "C"

<u>DESCRIPTION</u>	<u>SEC.</u>	<u>TWP.</u>	<u>RGE.</u>
All West of LPGA Blvd. LESS a triangular parcel in SW-1/4 conveyed to Trustees of Internal Improvement Trust Fund, State of Florida, as described in O. R. Book 4265, Page 2081, Public Records of Volusia County, Florida	29	15	32
N-1/2 lying South and West of LPGA Blvd. LESS parcel conveyed to Trustees of Internal Improvement Trust Fund, State of Florida, as described in O. R. Book 4265, Page 2081, Public Records of Volusia County, Florida	32	15	32

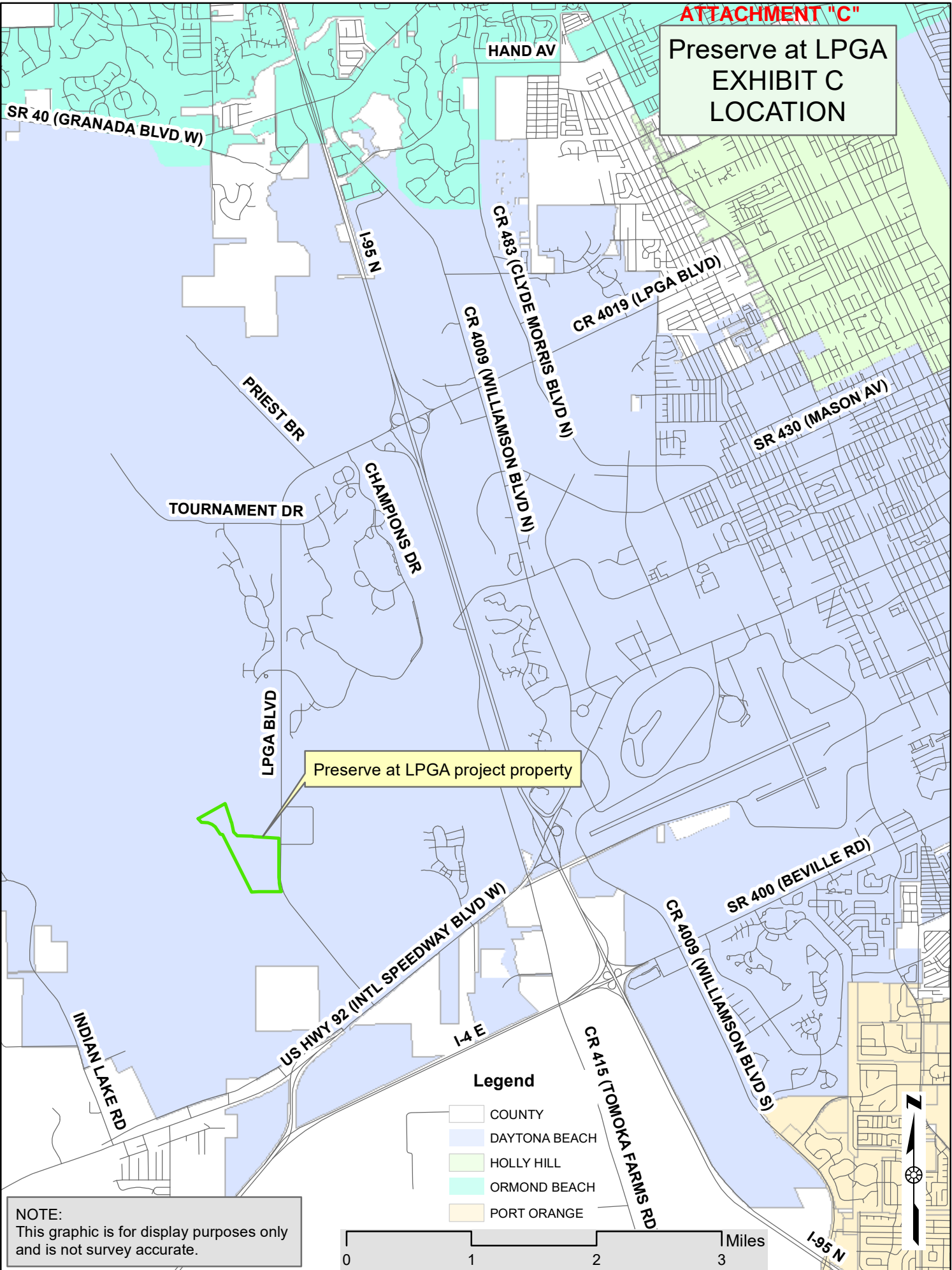
SUBJECT TO RESERVATIONS, RESTRICTIONS AND EASEMENTS OF RECORD.

citsafe/DEEDTRUS.4 -2/22/99

PRESERVE AT LPGA

Exhibit C
Location Map

Preserve at LPGA
EXHIBIT C
LOCATION



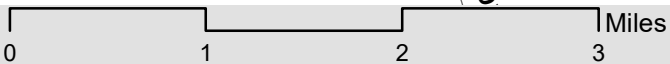
TOURNAMENT DR

Preserve at LPGA project property

Legend

- COUNTY
- DAYTONA BEACH
- HOLLY HILL
- ORMOND BEACH
- PORT ORANGE

NOTE:
This graphic is for display purposes only
and is not survey accurate.



PRESERVE AT LPGA

Exhibit D

Aerial

Preserve at LPGA
EXHIBIT D
2015 Aerial

TOURNAMENT DR

DUNN AV

195 S

CHAMPIONS DR

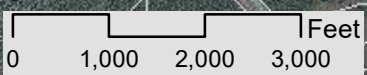
CR 4019 (LPGA BLVD)

Text

Preserve at LPGA project property

US HWY 92 (INTL SPEEDWAY BLVD W)

NOTE:
This graphic is for display purposes only
and is not survey accurate.



PRESERVE AT LPGA

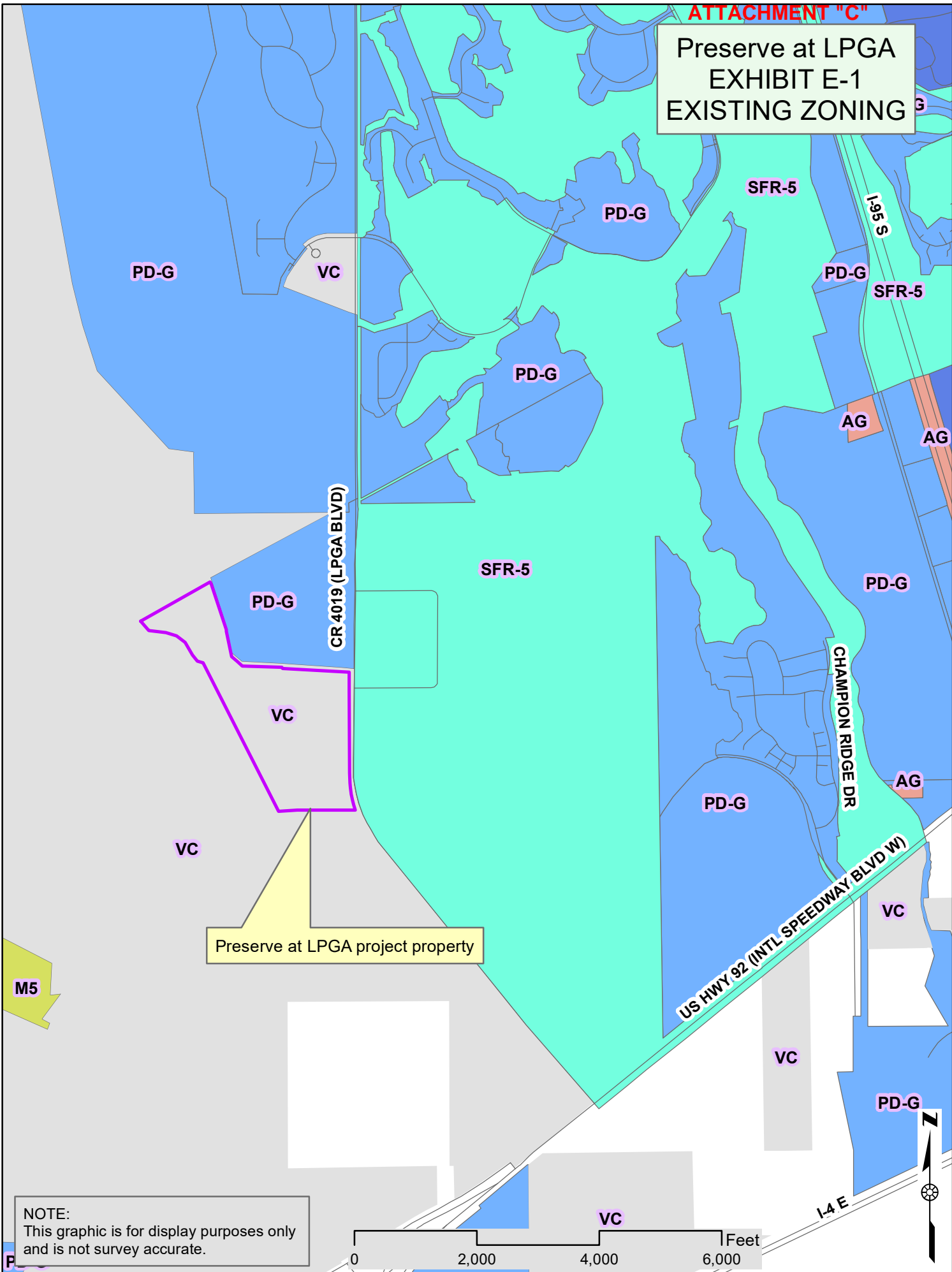
Exhibit E

Existing Zoning Map

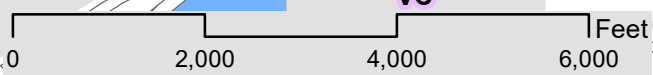
&

Proposed Zoning Map

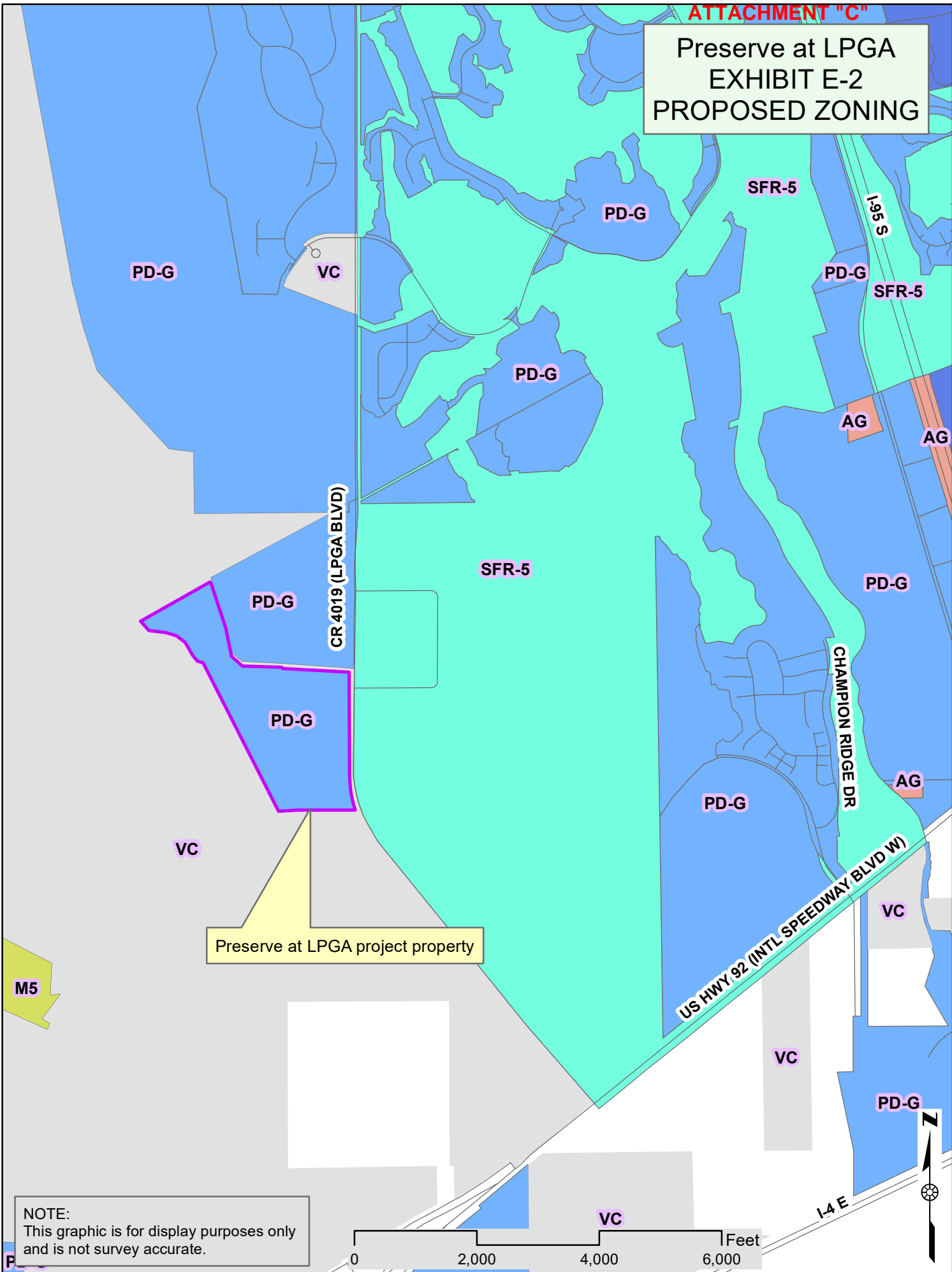
Preserve at LPGA
EXHIBIT E-1
EXISTING ZONING



NOTE:
This graphic is for display purposes only
and is not survey accurate.



Preserve at LPGA
EXHIBIT E-2
PROPOSED ZONING



NOTE:
This graphic is for display purposes only
and is not survey accurate.

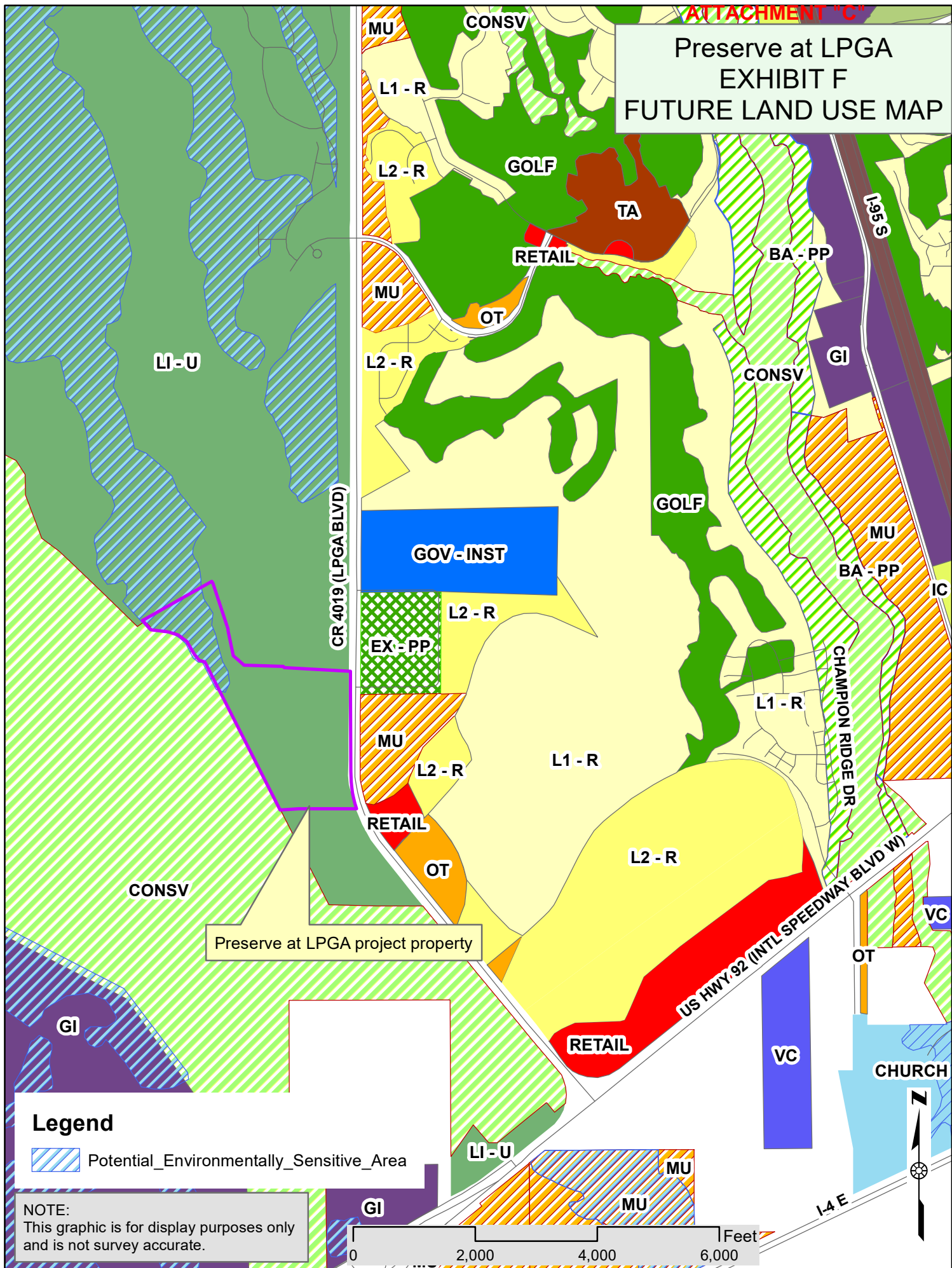
PRESERVE AT LPGA

Exhibit F

Future Land Use Map

ATTACHMENT 'C'

**Preserve at LPGA
EXHIBIT F
FUTURE LAND USE MAP**



Legend

Potential_Environmentally_Sensitive_Area

NOTE:
This graphic is for display purposes only
and is not survey accurate.

PRESERVE AT LPGA

Exhibit G

ETM Technical Memorandum

www.etminc.com

tel 904-642-8990 • fax 904-646-9485

14775 Old St. Augustine Road • Jacksonville, Florida 32258

TECHNICAL MEMORANDUM

RE: The Preserve at Daytona Beach – Comprehensive Plan Amendment

July 17, 2018

Mr. Douglas M. Gutierrez, AICP
Development Services/Planning Division
301 S. Ridgewood Avenue
Daytona Beach, FL. 32115-2451

Introduction

The existing future land use comprehensive plan for The Preserve at Daytona Beach has been proposed to be amended from Non-Residential and Single-Family development to only Single-Family development.

This analysis has been conducted in accordance with guidelines set forth by the City of Daytona Beach and the Florida Department of Transportation (FDOT), with procedures structured by the Institute of Transportation Engineers (ITE).

Trip Generation for Existing vs. Proposed FLU Designations

Trip generation for both scenarios was based on the 10th Edition of the *ITE Trip Generation Manual*.

The analysis is based on the existing future land use (FLU) designations of Non-Residential and Single-Family, and the proposed FLU designation of Single-Family, as outlined in the Future Land Use element (FLUE) of the City of Daytona Beach's Comprehensive Plan. According to the FLUE, Non-Residential development has a maximum intensity of 25% of the total upland area and a .5 floor area ratio (FAR). Based on this threshold, the maximum developable building area is approximately 353,925 ft². Additionally, a total of 130 single-family dwelling units at a maximum of 1 unit per acre is permitted. The proposed FLU aspires to develop with the constraint of 2 units per acre without Non-Residential development, yielding a total of 260 single-family dwelling units.

Table 1 depicts the calculations used to determine the total gross p.m. peak hour trips produced by both, existing FLU and proposed FLU, as well as the difference between the two. ITE Land Use Codes (LUC) 820 and 210 were used for non-residential and single-family land uses, respectively.

Table 1 – Gross P.M. Peak Hour Trip Generation Estimates

Status	Land Use	ITE Land Use Code	Size (Number of Units)	Independent Variable (Units)	PM Peak Hour Estimation Method (Rate or Equation)	Gross P.M. Peak Hour Trip Ends	% Entering	Volume Entering	% Exiting	Volume Exiting	
Existing FLU	Shopping Center	820	353925	Sq. Ft.	$\ln(T) = 0.74\ln(X) + 2.89$	1,385	48%	665	52%	720	
	Single Family	210	130	Dwelling Units	$\ln(T) = 0.96\ln(X) + 0.20$	131	63%	83	37%	48	
	Total						1,516		748		769
Proposed FLU	Single Family	210	260	Dwelling Units	$\ln(T) = 0.96\ln(X) + 0.20$	254	63%	160	37%	94	
	Total						254		160		94
	Net Change						-1262		-588		-875

The net change is determined by subtracting the net gross p.m. peak hour trips generated by the existing Non-Residential plus Single-Family land use designations from the proposed Single-Family land use with a designation of 2 units per acre. As depicted in Table 1, the proposed FLU of 260 single-family units is expected to reduce the total number of trips for the site by approximately 1,262 gross trips during the p.m. peak hour.

Conclusion

Because there is no net increase in potential traffic over what is currently permitted by the City of Daytona Beach’s Comprehensive Plan, it is recommended that this amendment be accepted. At the time of final development permitting, concurrency and any required mitigation will be more thoroughly evaluated.

Sincerely,
ENGLAND, THIMS & MILLER, INC.



Tyler Blair, E.I.
 Transportation Planning

PRESERVE AT LPGA

Exhibit H

Environmental
Assessment

Preliminary Environmental Assessment
For

The Preserve
Daytona Beach, Volusia County, FL

ZC 16194

February 16, 2017

Prepared By:

Zev Cohen & Associates
Attention: Savannah Parks
300 Interchange Blvd., Suite C
Ormond Beach, FL 32174
(386) 677-2482

Prepared For:

Alsop Companies, LLC
Andrew Norgart
77 Almeria Street
St. Augustine, FL 3208

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2.2 Wetlands	2
3.0 WETLANDS AND SURFACE WATERS	3
3.1 Methods and Jurisdiction	3
4.0 PROTECTED SPECIES	4
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4.2 Protected Plant Species	7
6.0 SUMMARY	10
Technical Literature References	11

Appendices

Appendix A - Figures

- Vicinity Map
- Aerial Map
- Quadrangle Map
- Soils Map
- Lidar Map
- Habitat Map
- Potential Upland/Wetland Habitat Map
- Eagles Nest Map

CTLIC The Preserve
February 14, 2017
ZC 16194

1.0 PROJECT INFORMATION

The Preserve project site is located in portions of Sections 29 30 & 32, Township 15 South, Range 32 East in the City of Daytona Beach, Volusia County, Florida. The property is specifically located North of SR 92, west of LPGA Boulevard (See attached Vicinity, Aerial Map and Quadrangle Map for details). The latitude and longitude coordinates for the approximate center of the project are 29° 13.192'N, 81° 4.846'W was determined on the USGS *Daytona Beach* Quadrangle.

The proposed project is to develop a preliminary environmental assessment, for Alsop properties LLC would like to assess the 197 acres available on site for future development. This report reflects only the area pertaining to this specific project (see attached Aerial Map).

ZCA Environmental Department staff has conducted a Preliminary Environmental Assessment (PEA) on the estimated wetland property. The subject property was reviewed to determine habitat types present, boundaries of habitat types, presence of or the potential for protected species, wildlife utilization of the site and other environmental constraints noted during the site visits. This PEA report discusses the methods used to conduct the EA, the results thereof and includes supporting figures.

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2.0 VEGETATIVE COMMUNITY AND LAND USE DESCRIPTIONS

The subject property consists of planted pine fields for siculture and undeveloped upland and wetlands (see habitat and soil map). Each community and land use area was categorized according to the Florida Department of Transportation (FDOT) (1999) *Florida Land Use, Cover and Forms Classification System* (FLUCCS). The communities and land uses observed on the subject property are described in detail below.

2.1 Uplands

Improved Pastures (FLUCCS 211)— This land cover type consists of mostly open area maintained by bahiagrass (*Paspalum notatum*), with scattered short wax myrtle (*Myrica cerifera*) and broomsedge (*Andropogon virginicus*).

Herbaceous Dry Prairie (FLUCCS 310)— This habitat type was recently bedded and planted with small slash pine (*Pinus elliottii*) but remains herbaceous in nature. It consists of mostly broomsedge, occasional loblolly bay (*Gordonia lasianthus*), live oak (*Quercus virginiana*), laurel oak (*Quercus laurifolia*) saplings. The ground cover consisted of Virginia chain fern (*Woodwardia virginica*), carpet grass (*Eleocharis baldwinii*) feterbush (*Lyonia lucida*), yellow eyed grass (*Xyris spp.*), and scattered saw palmetto (*Serenoa repens*).

Shrub and Brushland (FLUCCS 320)— This area appears to have been cleared and converted to pasture in 2005 but has not been maintained recently. The shrub layer is composed of saltbush (*Baccharis halimifolia*) and wax myrtle. It was less pasture like than the open fields to the east of the reservoir. The groundcover consists of bahiagrass, chalky bluestem (*Andropogon virginicus*), lovegrass (*Eragrostis elliottii*), and occasional blackberry (*Rubus argutus*), gallberry (*Ilex galbra*), and dogfennel (*Eupatorium capillifolium*).

Coniferous Plantations (FLUCCS 441)— These areas were dominated by planted slash pine with scattered loblolly bay and swamp bay (*Persea palustris*) and an open ground cover of greenbriar (*Smilax spp.*), poison ivy (*Toxicodendron radicans*), rusty lyonia (*Lyonia ferruginea*), Chalky bluestem, and a dense ground cover of pine needles. Other vegetation observed in these areas were grapevine (*Vitis rotundifolia*), gallberry, saw palmetto, and wax myrtle.

2.2 Wetlands

Reservoir (FLUCCS 530)— There is an approximate 10 acre reservoir between the improved pasture and shrub and brushland. This borrow pit is characterized by open water with a fringe of wet prairies (643) and is surrounded by naturally recruited slash pine.

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Bay Swamp (FLUCCS 611)— At the most southern limits of the project, loblolly bay dominate an area that appears to be fire suppressed with older planted slash pine. This bay swamp may not experience inundation and appears to have a groundwater table at or below the soil surface.

Cypress (FLUCCS 621)— This habitat is found within the southern portion of the property. It is dominated in the canopy with scattered bald cypress (*Taxodium distichum*) with a shrub layer of sparse loblolly bay, sweetbay (*Magnolia virginiana*), bushy blue stem (*Andropogon glomeratus*), yellow eyed grass, St. John's wort (*Hypericum fasciculatum*) and salt bush. This habitat type was also recently clear cut, bedded, and replanted with slash pine as a result of a silviculture operation.

Planted Pine Wetlands (FLUCCS 628)— Much of this area has a canopy of planted slash pine, pond pine (*Pinus serotina*), sweetbay, loblolly bay, and scattered cypress saplings. The ground cover is primarily blue maidencane (*Amphicarpum muehlenbergianum*), yellow eyed grass, camphor weed (*Pluchea* spp.), Virginia chain fern, muscadine grapevine, and St. John's wort. The southern-most portion of this habitat along LPGA Boulevard is the most recent bedded and planted area of new pine. It is possible that this southern area may transition into upland as the furrows settle and the planted pines become more mature.

Wetland Forested Mix (FLUCCS 630)—The canopy and sub canopy of this habitat consists of a mix of older planted pine, pond pine, loblolly bay, swamp bay, red maple, cypress, and a ground cover of fetterbush, gallberry, poison ivy, Virginia chain fern, and wax myrtle.

Wet Prairie (FLUCCS 643)— This area is along the edge of a borrow pit and is comprised of St. John's wort, yelloweyed grass, blue maidencane, and camphor weed.

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3.0 WETLANDS AND SURFACE WATERS

3.1 Methods and Jurisdiction

Criteria used to determine the presence of the boundaries of wetlands and surface waters were in accordance with Chapter 62-340 F.A.C. and the 1987 *Corps of Engineers Wetlands Delineation Manual*.

4.0 PROTECTED SPECIES

Prior to visiting the site, a background literature search was conducted to compile a list of state and federally protected animal and plant species that could occur on-site. The three primary sources of literature reviewed include the Florida Fish and Wildlife Conservation Commission's (FWC) *Florida's Endangered Species, Threatened Species, And Species of Special Concern*, the United States Fish and Wildlife Service's (FWS) Threatened and Endangered Species System (TESS) database, and the Florida Department of Agriculture and Consumer Services (FDACS), Division of Plant Industry's (DPI) *Notes on Florida's Endangered and Threatened Plants*. During the site visit, observations or evidence of protected species were noted in field notebooks. Additionally, the likelihood of occurrence of each protected species was noted following the habitat mapping and description, as noted above.

4.1 Protected Wildlife Species

The protected animal species with at least some likelihood of occurrence are listed in Table 4.1.1, below. The estimated likelihood of occurrence of each species is noted in the table and those species with at least a moderate likelihood of occurrence or have potential to occur in this region are discussed following the table.

Table 4.1.1: Protected wildlife species with the potential to occur on the subject property, in Volusia County, Florida; January 20, 2017.

Species Name	Common Name	Agency Listing		Likelihood of Occurrence	Habitat
		FWC	FWS/NMFS		
<i>Dendroica kirtlandii</i>	Kirtland's warbler	E	E	Low	Migrant, utilizing various terrestrial and palustrine habitats
<i>Drymarchon corais couperi</i>	Eastern indigo snake	T	T	Low	Wide variety of habitats
<i>Falco peregrinus tundrius</i>	Arctic peregrine falcon	E		Low	Wide variety of open habitats
<i>Falco sparverius paulus</i>	Southeastern American kestrel	T		Low	Open, or partly open habitats with scattered trees
<i>Gopherus polyphemus</i>	Gopher tortoise	T		Moderate	Sandhills, scrub, hammocks, dry prairies,

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<i>Haliaeetus leucocephalus</i>	Southern bald eagle	T	T	Moderate	flatwoods, & ruderal Coasts, rivers and large lakes in open areas
<i>Picoides borealis</i>	Red-cockaded woodpecker	T	E	Low	Open, mature pine woodlands
<i>Pituophis melanoleucus mugitus</i>	Florida pine snake	SSC		Low	Sandhills, scrubby flatwoods, hammocks & ruderal habitats
<i>Sciurus niger shermani</i>	Sherman's fox squirrel	SSC		Low	Longleaf pine-turkey oak sandhills, mesic flatwoods, & baygalls

E= Endangered; T= Threatened; SSC= Species of Special Concern

Those species listed as having a moderate likelihood of occurrence in Table 4.1.1 are listed as such due to presence of suitable habitat. Based on the results of the database search described above, only 2 possible protected species have at least a moderate likelihood of occurrence.

The gopher tortoise (*Gopherus polyphemus*) requires uplands that have a high enough elevation to allow for the construction of underground burrows that would not be below the groundwater table. A gopher tortoise burrow survey has not yet been conducted and will be required before the start of construction due to the presence of suitable habitat. No gopher tortoise burrows were observed during the site visits.

The bald eagle (*Haliaeetus leucocephalus*) is considered to have a moderate likelihood of occurrence on site. A search on the Florida Fish and Wildlife Conservation Commission’s Eagle Nest Locator website indicated that a bald eagle nest was known to be active on the west side of the site in 2006. This nest was last surveyed in 2012 and was not observed. A survey has not been conducted for the nest since 2012.



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Bald Eagle Nest Data Search Results:							Results per page: 20 ▾
	Nest ID	County	Latitude	Longitude	Known Active	Last Survey	Distance
View History	VO116	Volusia	29 10.06	81 07.52	2006	2012	0.62
Print 	Export  					Page 1 of 1	

During ZCA's site visit biologists conducted a ground level survey for this nest in an area 500' north and south of the location indicated by the FWC and 300' into Tiger Bay State forest but did not observe an eagle nest. It is possible that the nest may have been previously lost. Coordination with the FWC and USFWS will be required by the agencies.

The Florida pine snake (*Pituophis melanoleucus mugitus*) is known to occupy pine flatwoods and old fields. During low water conditions pine snakes seek open habitats with adjacent wetlands. The Florida pine snake is also a gopher tortoise commensal species and has been documented to utilize both tortoise burrows and the tunnels of pocket gophers (*Geomys pinetis*).

The lack of suitable snags within the project limits inhibits American kestrel (*Falco sparverius*) nesting. No nests or nesting activities were observed. It should be noted that the migratory northern subspecies generally departs Florida by March; however, there are recorded observations of the migrant subspecies beyond that date. Any kestrels observed on the subject property during the breeding season (April – early September) would be considered to be the protected southern subspecies (*F. sparverius paulus*).

No Peregrine falcons (*Falco peregrinus*) or nests were observed on the subject property. It is anticipated that proposed development will not adversely impact this species.

The Red-cockaded woodpecker (*Picoides borealis*) is a habitat specialist, requiring stands of mature longleaf pine that have contracted red-heart disease. The woodpecker utilizes the empty cavity of these trees for nesting. The stands need to be open, with a sparse sub-canopy to allow easy flight and sufficient foraging habitat. Due to the lack of mature longleaf pine stands onsite, the likelihood of the Red-cockaded woodpecker occurring onsite is low.

The Kirtland's warbler (*Dendroic kirtlandi*) has one of the most restricted breeding ranges of any North American bird. It breeds in the open jack pine (*Pinus banksiana*) plains of central Michigan. The bird over-winters in the Bahamas and only passes through Florida during the spring and fall migrations. While in the state the bird utilizes a variety of habitats as stop over locations during migration.

The Sherman's fox squirrel (*Sciurus niger shermani*) is the largest of the three fox squirrels that occur in Florida. The Sherman's fox squirrel utilizes xeric habitats such as long-leaf pine and turkey oak sandhills, although they can be found in mesic forests as well. Fox squirrels were not observed and are not anticipated onsite due to a lack of suitable habitat.

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4.2 Protected Plant Species

The protected plant species with some potential to occur on the subject property are listed in Table 4.2.1, below.

Table 4.2.1: Protected plant species with the potential to occur on the subject Parcel in Volusia County, Florida; January 20, 2017.

Species Name	Common Name	Agency Listing		Likelihood of occurrence	Habitat
		FDACS	FWS		
Asplenium erosum	Auricled spleenwort	E		Low	Hammocks, trunks of trees in wet hammocks and cypress strand swamps.
Asplenium serratum	American Bird's Nest Fern	E		Low	Fallen logs, stumps, and tree trunks in cypress swamps and tropical rockland hammocks
Calamintha ashei	Ashe's savory	T		Low	Dry pinelands and sand pine scrub
Calamovilfa curtissii	Curtiss' reedgrass	T		Low	Pine flatwoods; Moist sands or sandy peats of pine savannas and longleaf pine-saw palmetto flatwoods.
Calopogon barbatus	Bearded grass pink	T		Moderate	Wet pine flatwoods, bogs
Calopogon multiflorus	Many-flowered grass pink	E		Moderate	Dry to moist flatwoods with longleaf pine, wiregrass, saw palmetto; Pine flatwoods, esp. recently burned
Deeringothamnus rugelii	Rugel's pawpaw	E	E	Low	Open slash pine or longleaf pine flatwoods with wiregrass and saw palmetto in the understory
Epidendrum conopseum	Greenfly orchid	CE		Moderate	Moist hammocks, cypress and hardwood swamps; epiphytic
Gonolobus suberosus	Angle pod	T		Low	Upland hardwood and mixed forests
Habenaria nivea	Snowy orchid; bog torch	T		Moderate	Wet pine flatwoods
Helianthus carnosus	Lakeside sunflower	E		Low	Wet flatwoods
Lilium catesbaei	Catesby's lily	T		Moderate	Moist pine flatwoods and savannahs
Listera australis	Southern twayblade	T		Low	Hammocks
Lycopodiella cernua	Nodding clubmoss	CE		Moderate	Wet pinelands
Mononeuria paludicola (fka Minuartia godfreyi)	GODFREY'S STITCHWORT; GODFREY'S SANDWORT	E		Low	Mesic to Hydric Pine flatwoods; ecotone between flatwoods and cypress
Nemastylis floridana	Celestial lily	E		Moderate	Wet flatwoods, prairies, marshes, cabbage palm

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					hammocks edges
Osmunda cinnamomea	Cinnamon fern	CE		Present	Wet woods and swamps
Osmunda regalis	Royal fern	CE		Moderate	Wet woods and swamps
Pecluma plumula	Polypody fern	E		Low	Hammocks; epiphytic
Pecluma ptilota var. bourgeauana	COMB POLYPODY; SWAMP PLUME POLYPODY; PALMLEAF ROCKCAP FERN	E		Low	rockland hammocks, strand swamps, and wet woods; often on tree bases and fallen logs
Platanthera blephariglottis	Large white fringed orchid	T		Moderate	Marshes, and wet, open, grassy areas
Platanthera ciliaris	YELLOW FRINGED ORCHID	T		Low	Bogs, marshes, flatwoods, savannas
Platanthera cristata	Golden fringed orchid	T		Low	Marshes and wet, pine flatwoods
Platanthera flava	Southern tubercled orchid; gypsy-spikes	T		Low	Cypress and hardwood swamps
Pogonia ophioglossoides	Rose pogonia	T		Moderate	Marshes and wet, pine flatwoods
Pycnanthemum floridanum	FLORIDA MOUNTAINMINT	T		Low	Wet swales/depressions in pine flatwoods; wet prairies, floodplain forest, soils are typically black sandy peats.
Schwalbaea americana	American chaffseed	E	E	Low	Moist, grassy ecotones around ponds in longleaf pine sandhills; longleaf pine savannas, sandhills, and flatwoods. Plants are semi-parasitic on the roots of gallberry, huckleberry, St. John's-wort, silk grass, and others.
Spiranthes laciniata	Lace-lip ladies' tresses	T		Low	Marshes and cypress swamps
Spiranthes longilabris	Long-lip ladies' tresses	T		Moderate	Marshes and wet pine flatwoods
Spiranthes lucayana	gray ladies' tresses	E		Low	Hammocks

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Spiranthes tuberosa	Little ladies' tresses; little pearl twist	T	Moderate	Pine flatwoods
Tillandsia fasciculata	CARDINAL AIRPLANT; COMMON WILD PINE; STIFF-LEAVED WILD PINE	E	Moderate	on trees in cypress swamps, hammocks, pinelands
Tillandsia utriculata	Giant wild pine	E	Moderate	Hammocks and cypress swamps, pinelands
Verbesina heterophylla	DIVERSELEAF CROWNBEARD	E	Low	Hardwood hammocks
Zamia pumila	Florida coontie	CE	Low	Hammocks, pinelands and Indian middens
Zephyranthes atamasca	Rain lily	T	Low	Wet pine flatwoods and meadows
Zephyranthes atamasca var. treatiae	Treat's rain lily	T	Low	Wet pine flatwoods and meadows
Zephyranthes simpsonii	Simpson's zephyr lily	T	Low	wet pinelands and pastures, wet roadsides

E= Endangered; T= Threatened; CE= Commercially Exploited

Based on the results of the database search described above, there were 38 possible plant species that could occur on the subject site. Of these 38, 14 were considered to have at least a moderate likelihood of occurrence on the subject property. The cinnamon fern (*Osmundastrum cinnamomeum*) was not observed but is likely to occur in wetland areas on site. Plants listed as CE are only protected against illegal harvesting. No protected plant species are expected to occur on the subject property. While other listed species have some potential to occur on the subject property, none were observed. If present, potentially occurring listed plant species would not present a constraint to development.

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5.0 SUMMARY

The Preserve project is located in Daytona Beach, Volusia County, Florida. Within project site, there are an estimated 122 acres of potential wetland and there are an estimated 65 acres of potential upland in scattered locations. The majority of the property has been furrowed for silviculture. The planted pine wetland in the northern and central project limits have a more developed community structure than the southern portion that was recently clear cut and replanted. The planted pine communities in the southern portion of the site may begin to exhibit more upland characteristics as they mature.

No impacts to protected flora or fauna species are anticipated due to the proposed project.

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Technical Literature References

Chafin, L.G. 2000. *Field Guide to the Rare Animals of Florida*. Florida Natural Areas Inventory, Tallahassee, Florida.

Coile, Nancy C. 1998. *Notes of Florida's Endangered and Threatened Plants*. (Rule 5B-40 Florida's Regulated Plant Index), Botany Contribution 38, 2nd Ed. Florida Department of Agriculture and Consumer Services, Division of Plant Industry, Gainesville, Florida. 119 pp.

Cox, Jeffrey. A. 1987 *Status and Distribution of the Florida Scrub-Jay*. Florida Ornithological Society. Special Publication No. 3, Gainesville, Florida 110 pp.

Cox, James, D. Inkley, R. Kautz. 1987. *Ecology and Habitat Protection Needs of Gopher Tortoise (Gopherus polyphemus) Populations Found on Lands Slated for Large-Scale Development in Florida*. Florida Game and Freshwater Fish Commission, Nongame Wildlife Program. Technical Report No. 4. Tallahassee, Florida. 69 pp.

Deyrup, Mark, Franz, Richard 1994. *Rare and Endangered Biota of Florida, Volume IV Invertebrates*. Special Committee on Invertebrates, Florida Committee on Rare and Endangered Plants and Animals.

Division of Endangered Species. *Threatened and Endangered Species System*. Web Page Address: http://ecos.fws.gov/tess_public/TESSWebpage. United States Fish and Wildlife Service, Denver, Colorado.

Environmental Laboratory, Wetlands Research Program. 1987. *Corps of Engineers Wetlands Delineation Manual*. Technical Report Y-87-1. Department of the Army, Vicksburg, Mississippi.

Florida Exotic Pest Plant Council. 2005. *List of Florida's Invasive Species*. Internet: <http://www.fleppc.org/05list.htm>. Florida Exotic Pest Plant Council.

Florida Fish and Wildlife Conservation Commission. 2004. *Florida's Endangered Species, Threatened Species, and Species of Special Concern*. Web Page Address: <http://www.wildflorida.org/imperiled/pdf/Endangered-Threatened-Special-Concern-2004.pdf>. Florida Fish and Wildlife Conservation Commission.

Gilbert, Carter R., 1992. *Rare and Endangered Biota of Florida, Volume II Fishes*. Special Committee on Fishes, Florida Committee on Rare and Endangered Plants and Animals.

Gilbert, K.M., J.D. Tobe, R.W. Cantrell, M.E. Sweeley, J.R. Cooper. 1995. *The Florida Wetlands Delineation Manual*. Florida Department of Environmental Protection, South Florida Water Management District, St. Johns River Water Management District, Suwannee River Water Management District, Southwest Florida Water Management District, and Northwest Florida Water Management District. 198 pp.

Hipes, D. D.R. Jackson, K. NeSmith, D. Printiss, K. Brandt. 2001. *Field Guide to the Rare Animals of Florida*. Florida Natural Areas Inventory, Tallahassee, Florida.

Humphrey, Stephen R., 1992. *Rare and Endangered Biota of Florida, Volume I. Mammals*. Special Committee on Mammals, Florida Committee on Rare and Endangered Plants and Animals.

Moler, Paul E., 1992. *Rare and Endangered Biota of Florida, Volume III Amphibians and Reptiles*. Special Committee on Amphibians and Reptiles Florida Committee on Rare and Endangered Plants and Animals.

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Natural Resource Conservation Service (Soil Conservation Service at time of publication). Circa 1977. *Soil Survey of Indian River County, Florida*. United States Department of Agriculture.

Rogers, James A. Jr., Kale, Herbert W. III, Smith, Henry T. 1996. *Rare and Endangered Biota of Florida Volume V. Birds*. Special Committee on Birds Florida Committee on Rare and Endangered Plants and Animals.

Surveying and Mapping Office, Thematic Mapping Section. Department of Transportation. 1999. *Florida Land Use, Cover and Forms Classification System* 3rd ed. State of Florida, Department of Administration. 81 pp.

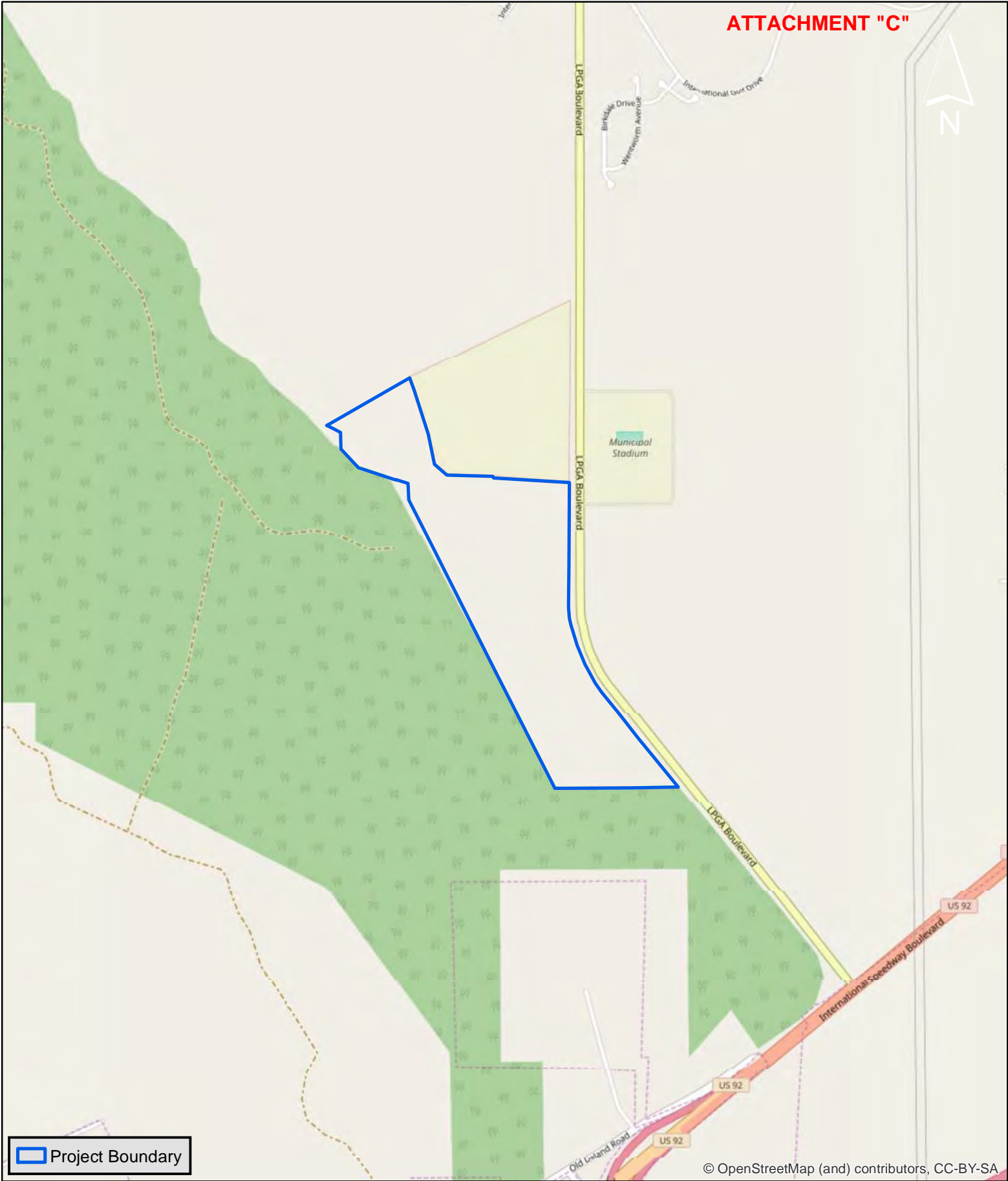
Wunderlin, Richard P. 1998. *Guide to the Vascular Plants of Florida*. University Press of Florida. 804 pp.

Wunderlin, R. P., and B. F. Hansen. 2004. *Atlas of Florida Vascular Plants* (<http://www.plantatlas.usf.edu/>). [S. M. Landry and K. N. Campbell (application development), Florida Center for Community Design and Research.] Institute for Systematic Botany, University of South Florida, Tampa.

Zev Cohen and Associates, Inc. 2004. *Geographically Referenced Listed Species Database*, including the *Florida Scrub-Jay Database*. Proprietary Geographic Information System Database.

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attachments

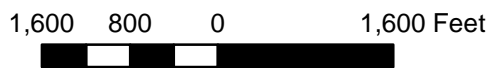
Appendix A



Project Boundary

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Vicinity Map
The Preserve
Daytona Beach, Florida



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ATTACHMENT "C"

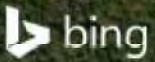
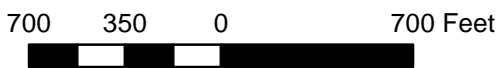


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Aerial Map The Preserve Daytona Beach, Florida



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Pinetrees

X29

29

X28

X29

Hayes Island

SWAMP

31

32

32

Project Boundary

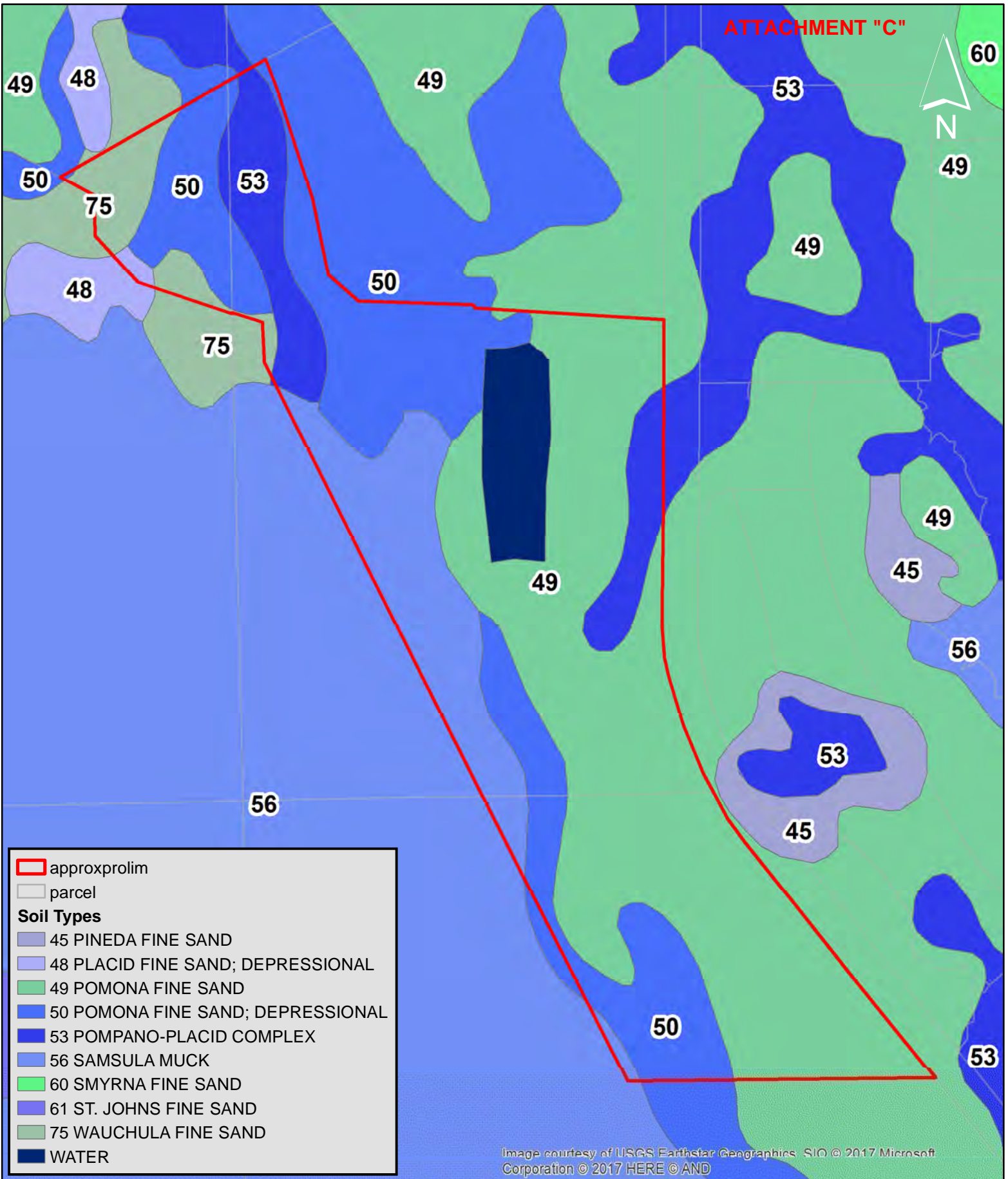
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Quadrangle Map The Preserve Daytona Beach, Florida

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Soils Map

The Preserve

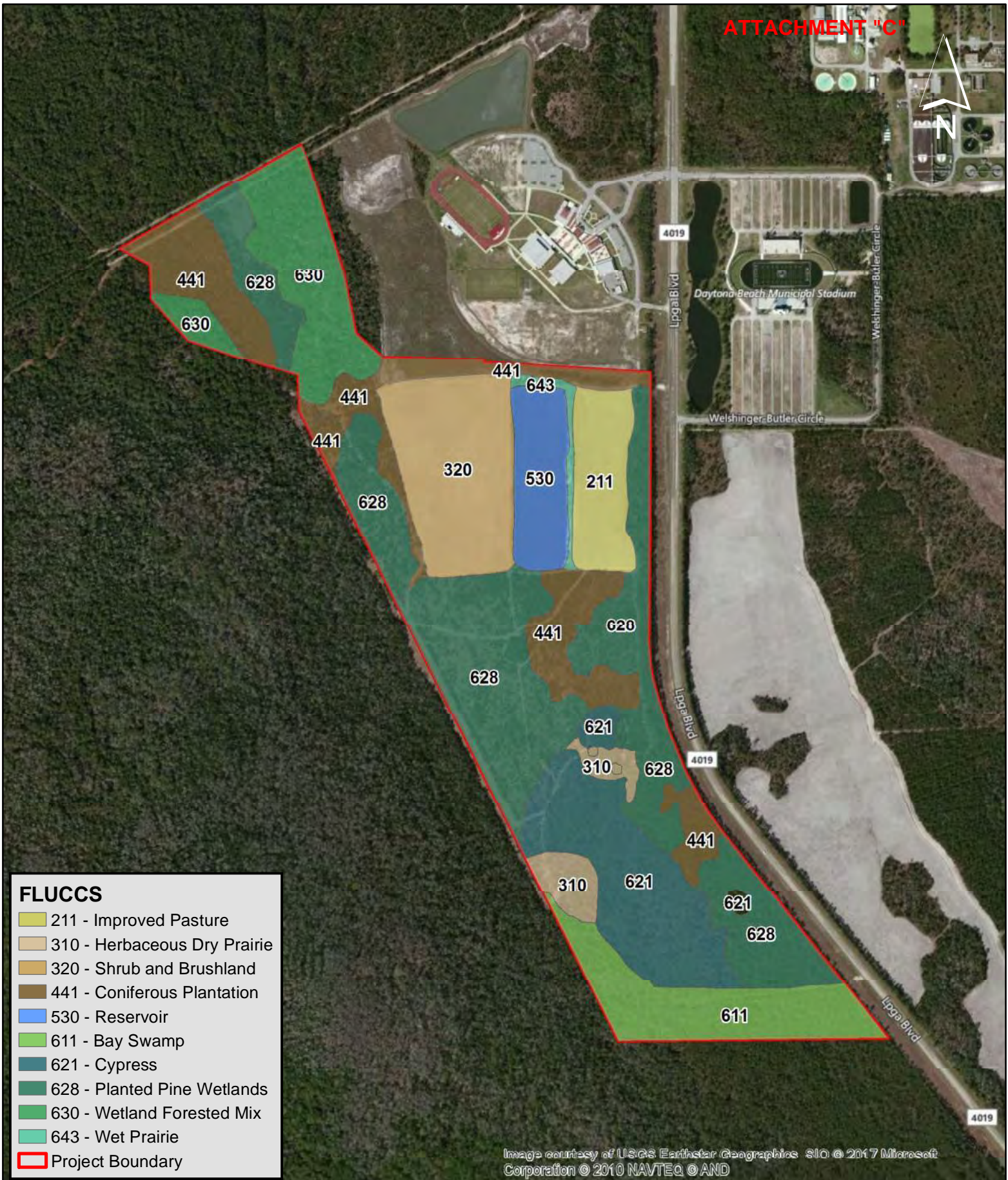
Daytona Beach, Florida



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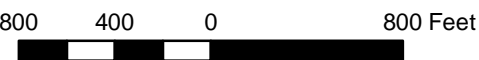
FLUCCS

- 211 - Improved Pasture
- 310 - Herbaceous Dry Prairie
- 320 - Shrub and Brushland
- 441 - Coniferous Plantation
- 530 - Reservoir
- 611 - Bay Swamp
- 621 - Cypress
- 628 - Planted Pine Wetlands
- 630 - Wetland Forested Mix
- 643 - Wet Prairie
- Project Boundary

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Florida Land Use, Cover and Forms Classification System

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Habitat Map The Preserve Daytona Beach, Florida

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Potential Upland vs. Wetland

- Other Surface Water - 10 acres
- Upland - 65 acres
- Wetland - 122 acres
- Project Boundary

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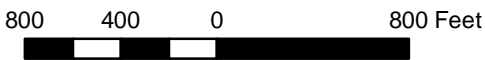
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Potential Upland/Wetland Map
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Daytona Beach, Florida



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- Project Boundary
- Eagles Nest (VO116)

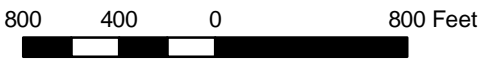
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Source: Florida Fish and Wildlife Conservation Commission
Last survey 2012, last known active 2006
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Eagles Nest Map The Preserve Daytona Beach, Florida



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PRESERVE AT LPGA

Exhibit I

Flood Zone Map

AH

PGA Blvd

A

ZONE A
 ZONE AH



The Preserve

Flood Plain

Source: ETM, Volusia County, FEMA

SUBJECT PROPERTY



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