Agenda Item 7 (Quasi-Judicial Hearing)

Rezoning - Planned Development-GeneralDEV2018-120 Tiki Supreme PD-G

STAFF REPORT

DATE: December 14, 2018

TO: Planning Board Members

FROM: Dennis Mrozek, AICP, Planning Director

PROJECT REQUEST

A request by Joseph Hopkins, P.E., The Performance Group, Inc., on behalf of Tiki Supreme Inc., to rezone 12.4± acres of land located at 2401 Mason Avenue from Planned Development-General (PD-G) (Expired Tiki Supreme Planned District Agreement) to Planned Development-General (PD-G) for the development of a 102,907± square foot industrial development.

PROJECT LOCATION

The subject property is generally located on the east side of Mason Avenue, approximately one-quarter north of Dunn Avenue. The site was previously approved with a Planned Development zoning designation, but has since expired. The subject property is currently vacant and undeveloped. Zoning and Land Use designations are illustrated in the following table and are also shown in the accompanying maps.

Table 1: Land Use and Zoning

	Existing Uses	Future Land Use Designation	Existing Zoning Classification
Site	Vacant Undeveloped	General Industrial	Planned Development-General (PD-G)
North	Industrial/Warehouse Distribution	General Industrial	Planned Development-General (PD-G)
South	Vacant Undeveloped & Daycare (across 300± Utility Easement)	Mixed Use & General Industrial	Planned Development-General (PD-G) & Residential Professional (RP)
East	Industrial/Warehouse Distribution	General Industrial & Mixed Use	Planned Development-General (PD-G) & Residential Professional (RP)
West	Vacant Undeveloped	General Industrial	Planned Development-General (PD-G)

PROJECT DESCRIPTION

The applicant is requesting to rezone this property to Planned Development-General for the purpose of developing industrial and office uses. The property was previously zoning to a Planned Development zoning designation in February 2007, but development never occurred and the development rights have lapsed. The property subject to the current rezoning is approximately 12.4± acres, but 3.6± of those acres along the south side of the property are encumbered by a utility easement dedicated to Florida Power and Light. Portions of the property have been identified as stormwater areas.

GENERAL PLANNED DEVELOPMENT DISTRICT PURPOSES

The Planned Development (PD) districts are established and intended to encourage innovative land planning and site design concepts that support a high quality of life and achieve a high quality of development, environmental sensitivity, energy efficiency, and other City goals and objectives by:

- a. Reducing or diminishing the inflexibility or uniform design that sometimes results from strict application of zoning and development standards designed primarily for individual lots;
- b. Allowing greater freedom in selecting the means of providing access, open space, and design amenities;
- c. Allowing greater freedom in providing a well-integrated mix of residential and nonresidential land uses in the same development, including a mix of housing types, lot sizes, and densities;
- d. Providing for efficient use of land resulting in smaller networks of utilities and streets and thereby lowering development and housing costs; and
- e. Promoting quality design and environmentally sensitive development that respects surrounding established land use character and respects and takes advantage of a site's natural and man-made features, such as trees, wetlands, surface waters, floodplains, and historic features.

PROJECT ANALYSIS

Review of and the decision on a Planned Development application shall be based on compliance of the proposed zoning reclassification and PD Plan/Agreement with the review standards in Section 3.4.D.3, Site-Specific Zoning District Map Amendment Review Standards, and the standards for the proposed type of PD district in Section 4.8, Planned Development Zoning Districts.

Site-Specific Zoning District Map Amendment Review Standards

In determining whether to adopt or deny a proposed Site-Specific Zoning District Map Amendment, the City shall consider:

- a. Whether the applicant has provided, as part of the record of the public hearing on the application, competent substantial evidence that the proposed amendment:
 - i. Is consistent with and furthers the goals, objectives, and policies of the comprehensive plan and all other applicable City-adopted plans;

The property included in the PD Rezoning application currently has the comprehensive plan land use designations of General Industrial. General Industrial land uses are areas which generally contain industrial, office and service related activities of a larger scale and serving

regional and national markets. The floor area ratio (FAR) within General Industrial land use designations cannot exceed 0.7. However, the applicant has set the maximum FAR for the development at 0.4. The General Industrial land use designation can support the proposed uses on the site.

ii. Is not in conflict with any portion of this Code;

Development standards for a PD District must comply with the development standards of Article 6: Development Standards and Article 7: Subdivision Standards or any modifications of those standards established in the PD Plan (*Attachment A*) and PD Agreement. The applicant has proposed modifications to these standards listed below, which are detailed later in this report. Approval of the PD rezoning application with modifications would not be in conflict with any portions of the LDC.

- 1. Section 6.10.K.3 (Industrial Sign Schedule) Modifications to increase permitted wall signage from 200 square feet to 300 square feet in Industrial Zoning Districts.
- 2. Section 4.9.D (Scenic Thoroughfare Landscape Buffer) Modification to allow a reduction from 50 feet to 25 feet for the required landscape buffer width.

iii. Addresses a demonstrated community need;

The applicant has provided a Modification/Benefit letter that details public benefits and addresses the standard for a demonstrated community need (*Attachment B*).

iv. Is compatible with existing and proposed uses surrounding the subject land, and is the appropriate zoning district for the land;

The proposed uses of the property (detailed below) are compatible with the uses in the surrounding properties. Staff has determined the proposed PD zoning district and uses are appropriate for the land.

v. Would result in a logical and orderly development pattern;

Standards established in the PD Agreement and the LDC would result in a logical and orderly development pattern for the subject property. Section 6.12.C.4 of the LDC addresses building design and architectural standards for all new development on major City thoroughfares (Mason Avenue). The applicant has not proposed modifications to these building design standards and will comply with LDC requirements at time of development.

vi. Would not adversely affect the property values in the area;

Staff does not have any indication the proposed development would have an adverse effect on the property values in the area.

vii. Would result in development that is adequately served by public facilities (roads, potable water, wastewater, solid waste, storm water, schools, parks, police, and fire and emergency medical facilities); and

The PD Agreement acknowledges rezoning approval does not constitute a Concurrency Certificate. During the site plan review process for any proposed phase of the development, the applicant will be required to separately obtain a Concurrency Certificate or, where applicable, to enter into a proportionate fair share agreement. No vehicular driveway/access points are approved as part of this rezoning request.

Staff has reviewed the requested development for impacts to public facilities as part of the rezoning. Staff offers no objection to the proposed uses or development plan.

viii. Would not result in significantly adverse impacts on the natural environment including, but not limited to, water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment; and Staff does not anticipate any adverse environmental impacts with the approval of this request.

b. If the applicant demonstrates that the proposed amendment meets the criteria in subparagraph [a] above, whether the current zoning district designation accomplishes a legitimate public purpose.

The subject property currently has the zoning designation of Planned Development-General (Tiki Supreme PD), which has expired, resulting in a lapse of development rights. Future use of the property would require a rezoning. The flexibility provided by the PD-G rezoning allows for greater development potential specific to the proposed uses.

Planned Development Zoning Districts Review Standards

Before approving a PD zoning district classification, the City Commission shall find the application for the PD zoning district, as well as the PD Plan/Agreement included as part of the application, comply with the following standards:

1. PD Plan/Agreement

The PD Plan/Agreement includes a development plan for the subject site. This includes identification of potential vehicle access points, development area, parking areas, stormwater locations and general site improvements (*Attachment A*). To the extent actual buildings, features, improvements and uses are shown on the PD Plan, they are shown only for illustrative purposes. Layout, quantity and scale of the improvements may change based on the needs of a particular end user of the Property.

Landscaping

Approximately 3.6± acres of the site is encumbered by a utility easement dedicated to Florida Power and Light. The easement area will not be used in the overall site area calculations for trees, perimeter plantings and buffers. With the exception of the Scenic Thoroughfare Overlay (detailed below), the remaining 8.8± acres of the site will be landscaped in accordance with the LDC. Clustering of the landscape material shall be permitted as long as the total required landscape material count is provided.

Mason Avenue is designated a Scenic Thoroughfare Overlay District (STO) and requires a minimum landscape yard depth of 50 feet. A minimum landscape buffer of 25 ft. is being proposed by the applicant. The applicant proposes landscaping of the STO to be in accordance with the LDC by providing the equivalent buffer plantings to comply with the typical 50 foot buffer landscape yard requirements. The applicant has identified adjacent industrial properties that have been developed with the 25 foot landscape buffer (*see Attachment B*), which staff acknowledges is accurate. However, recently approved developments in the general area have been approved with a 50 foot *average* landscape buffer and a 25 foot minimum. Staff recommends a 50 foot average landscape buffer with a 25 foot minimum buffer consistent with recently approved developments. All other landscaping requirements will be addressed during site plan review.

Parking

The Developer will have the option to construct only the minimum number of off-street parking space required for the proposed use based on a parking demand study prepared by the Developer that estimates parking demand based on the recommendations of the Institute of Traffic Engineers (ITE) or other acceptable source of parking demand data, and that includes relevant data collected from uses or combinations of uses that are the same or comparable to the proposed use in terms of density, scale, bulk, area, type of activity, employment and location. In the absence of a parking demand study, parking shall be calculated consistent with the requirements of the LDC.

Signage

Signage for planned districts is provided for in the development agreement, in accordance with the nature of the uses and similarity of the uses to those permitted in other districts. The applicant has identified the Industrial Zoning District sign schedule as a base for the proposed signage for the PD, but with the following increase in signage:

Request to increase allowable wall signage from a maximum of 200 square feet to a maximum of 300 square feet.

Signage within the Planned Development shall be permitted as detailed below and must meet the applicable provisions of the LDC, Section 6.10.k.3 for the Industrial District.

- Monument Signage One monument sign shall be permitted for each individual use in the development, up to a maximum of four uses, with a maximum total sign area of 120 square feet for the property.
- Wall Signage One wall sign shall be permitted for each individual use in the development, up to a maximum of four uses, with a total maximum total sign area of 300* square feet for the Property and a maximum of 200 square feet of signage for any one use.
 - *Applicant requests increase from 200 square feet to 300 square feet.

2. Consistency with City Plans

If adopted by the City Commission, the PD zoning district designation and the PD Plan/Agreement will be consistent with the comprehensive plan and the proposed land use designation.

3. Compatibility with Surrounding Areas

The proposed development plan meets compatibility standards for the property perimeters. The applicant has conducted a neighborhood meeting, as required by the LDC. A summary of the neighborhood meeting prepared by the applicant is attached (*Attachment C*).

4. Development Phasing Plan

The applicant has proposed the following completion schedule for the proposed development:

Application shall be submitted for all construction permits for the development, or for the first phase of a phased development, within five years of the approval of the PD Agreement by the City Commission. The filing of an appeal of the land development order by any person shall toll the time for permitting until final resolution of the appeal. If development is phased, application for construction permits for subsequent phases shall be submitted within ten years from the date of initial approval.

Construction of initial development shall be substantially complete within eight years of the approval of the PD Agreement. Construction of any subsequent phase shall be substantially complete within fifteen years of the initial approval of the PD Agreement by the City Commission.

One 12-month extension of the scheduled application or completion dates may be permitted as a minor modification to the PD Agreement.

Failure to comply with the schedule set out above shall cause the development rights granted pursuant to the PD Agreement to lapse.

5. Conversion Schedule

Not applicable.

6. On-Site Public Facilities

Water and sewer service shall be provided by the City of Daytona Beach. All utilities shall be constructed underground. Owner or Developer will also provide easements and grants for the installation, maintenance and upkeep of the public utilities including water, sewer, reclaim water, electrical and telephone, as well as cable television and fiber, if available. Water, sewer, reclaim water infrastructure must be constructed to current City standards and consistent with the PD Agreement. Offsite extensions for water, sewer and reuse shall be provided as required and will be determined at the time of site plan review and approval.

Owner acknowledges that flows of sewer from the Property into the City's public sewer system will be limited based on the capacity of City Lift Station 105 and the 6" sewer force main (the "Force Main Segment") that connects the Lift Station to another sewer force main on Williamson Boulevard. Collectively, Lift Station 105 and the Force Main Segment are referred to as the "Regional City Sewer Facilities". Whenever the City determines that a proposed development of a lot or parcel within the Planned Development may cause the existing capacity of the Regional City Sewer Facilities to be exceeded, the City may require the project developer/property owner to do either of the following as a condition of site plan approval:

- 1) Provide the required upgrades to the Regional City Sewer Facilities, at the developer/property owner's sole cost;
- Where the City determines that the nature of the impact from the proposed development project is such that it would not otherwise be feasible (from a cost or technical standpoint) to construct an upgrade, the City may instead require the developer/property owner to pay the City a sum sufficient to pay for a portion of the cost of the smallest upgrade in capacity that would, in the City's determination, be feasible. The portion to be paid will be the proposed development's pro rata share of the excess capacity created by the upgrade determined by the City to be feasible. For example, where the proposed development would cause existing flows to exceed capacity of Lift Station 105 by 10%, and the City determines that an upgrade would need to increase the capacity of the Lift Station by 50% in order to be feasible, the City will require the owner or developer to pay 20% of the projected cost of such upgrade. In such instance, the City will retain the payment made and apply it toward

the cost of the upgrade when it is made. In either instance, the term, "cost," includes permitting, design, and construction; and the upgrade will be made to City standards.

<u>7. Uses</u>

The PD Agreement identifies the following permitted uses for the property, subject to compliance with the Use-Specific Standards set forth in Article 5, LDC:

- Bakeries
- Bottling Plants
- Brewery, Winery or Craft Distillery
- Building, Heating, Plumbing or Electrical Contractors Storage Yard
- Warehouse, Storage and Distribution
- Wholesale Showroom
- Manufacturing, Assembly or Fabrication (Light and Heavy)
- Educational, Scientific or Industrial Research and Development
- Professional Service Offices
- Other Office Facilities
- General Industrial Services

8. Densities/Intensities

• Planned Development District maximum floor area ratio: 0.40

9. Dimensional Standards

- Maximum building height 35 feet
- Maximum building coverage 40%
- Minimum open space 20%
- Maximum impervious surface area 80%
- Building Setbacks:
 - Side 10 Feet
 - Front 50 Feet
 - Rear 10 Feet

10. Development Standards

All development in a PD district shall comply with the development standards of Article 6: Development Standards, and Article 7: Subdivision Standards, or any modifications of those standards established in the PD Plan/Agreement as consistent with City plans, the objective of the particular type of development standard, the purpose of the particular PD district, and any additional limitations or requirements set forth in Sections 4.8.C and 4.8.D for the particular type of PD district.

Proposed Modifications

- Section 6.10.K.3 (Industrial Sign Schedule) Modifications to increase permitted wall signage from 200 square feet to 300 square feet in Industrial Zoning Districts.
- 2) Section 4.9.D (Scenic Thoroughfare Landscape Buffer) Modification to allow a reduction from 50 feet to 25 feet for the required landscape buffer width.

RECOMMENDATION

Should all LDC modifications requested be approved, staff finds the project is consistent with the Comprehensive Plan and recommends approval to rezone 12.4± acres of land located at 2401 Mason Avenue to Planned Development-General (PD-G) for the development of a 102,907± square foot industrial development.

The item is tentatively scheduled to be heard by the City Commission for first reading on February 6, 2019, and for second reading on February 20 (public hearing). A majority vote of the Planning Board members present and voting is required to recommend approval to the City Commission.

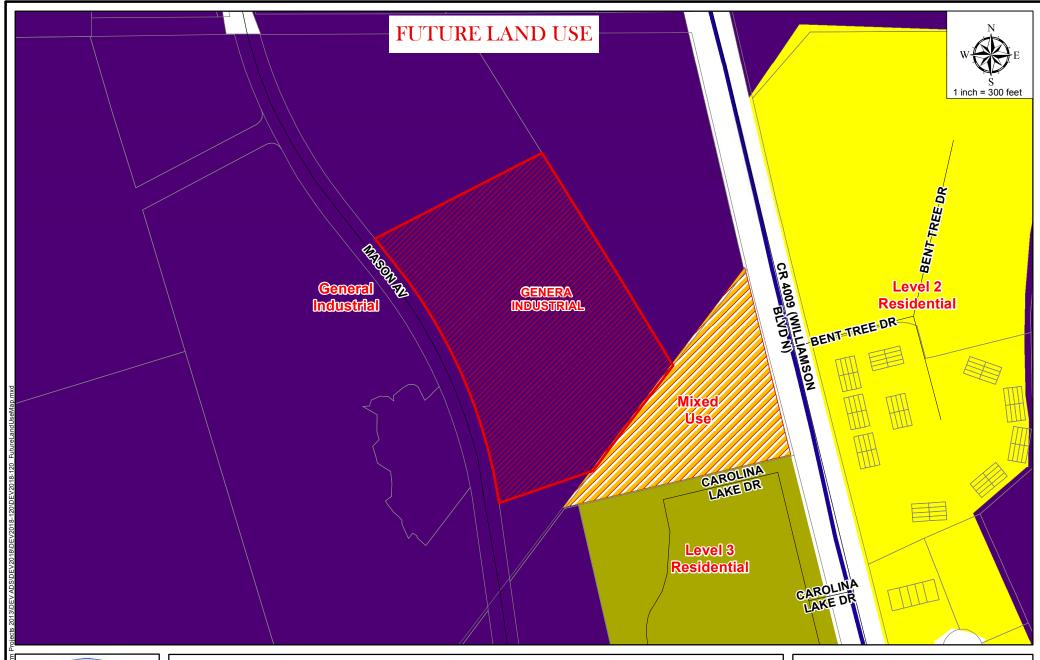
A majority vote of the Planning Board members present and voting are required to recommend approval to the City Commission.





DEV2018-120 PLANNED DEVELOPMENT AMENDMENT LOCATION MAP

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.





DEV2018-120 PLANNED DEVELOPMENT AMENDMENT FUTURE LAND USE MAP

City of Daytona Beach Map disclaimer:

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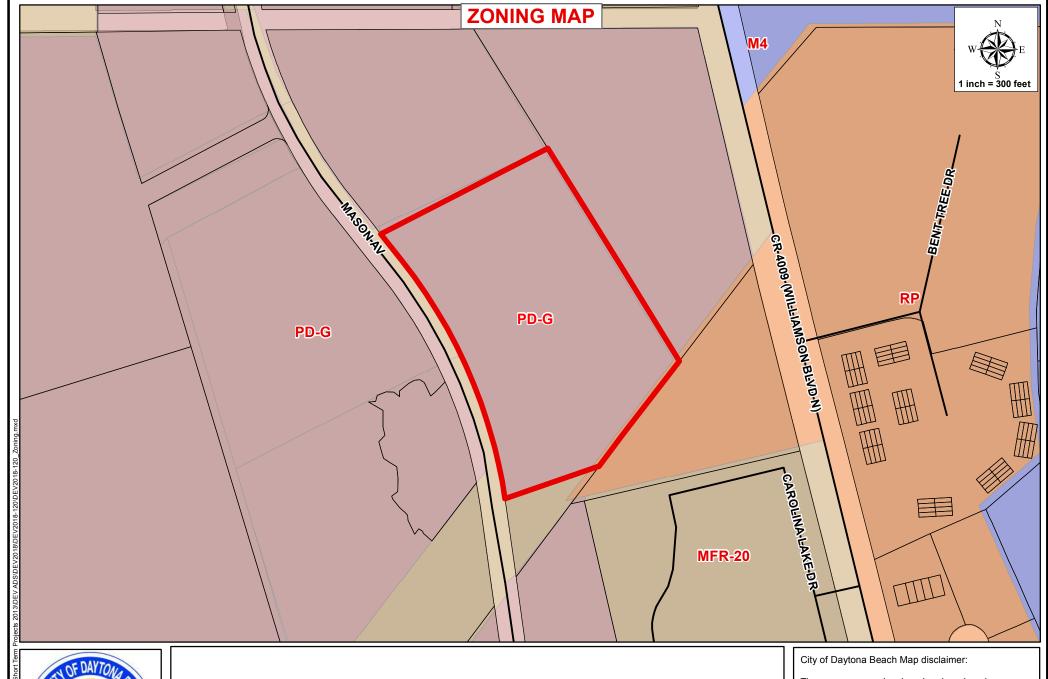


DEV2018-120 PLANNED DEVELOPMENT AMENDMENT AERIAL MAP

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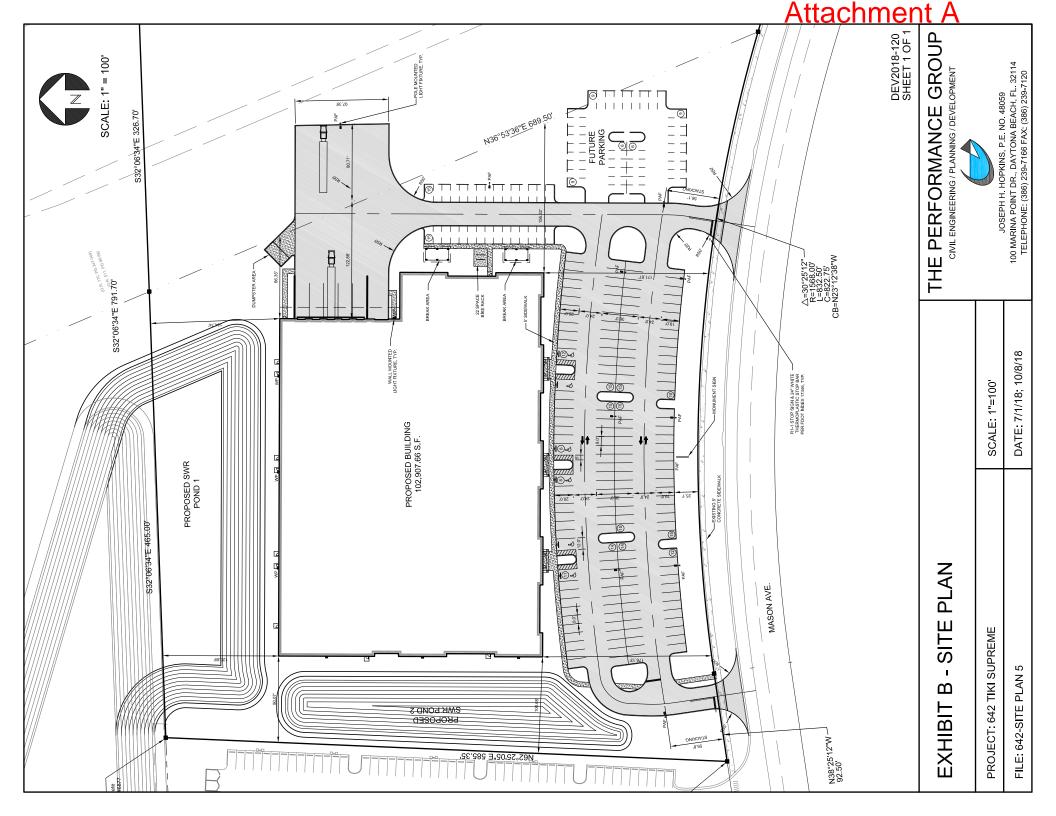
1 inch = 300 feet





DEV2018-120
PLANNED DEVELOPMENT AMENDMENT
ZONING MAP

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THE PERFORMANCE GROUP



October 8, 2018

Mr. Dennis Mrozek, AICP City of Daytona Beach 301 S. Ridgewood Avenue Daytona Beach, Florida 32114

Ref: Waiver and Benefits Summary

Tiki Supreme - Planned Development - General

City ID No. DEV2018 -120

Dear Mr. Mrozek:

With regard to the referenced rezoning application, we are seeking seven (2) waives from the Land Development Code requirements. In conjunction with a description of the waivers, we have outlined below the benefits that will be achieved through the approval of the waiver:

1. LDC Section 6.10.K.3 (Table 6.10.K.3) - Industrial District Sign Standards

<u>Waiver – Wall Signage</u>: In the industrial zoned districts wall signage is limited to a maximum of 200 square feet. The waiver is to increase the maximum amount of wall signage to 300 square feet.

<u>Benefit</u>: The site is located in an industrial corridor comprised of a mix of large scale industrial developments. By virtue of the scale of this development, having over +/- 400 linear feet of wall frontage and being setback over 150 feet from the right of way, the visibility of the wall signage is vital to the success and identity of the perspective tenants. The requested increase in wall signage will benefit the tenants and insure the success of the development, which directly benefits the community.

2. LDC Section 4.9.D.3.A (Table 4.9.D.3.A) – Scenic Thoroughfare Overlay District Landscaping

<u>Waiver – Scenic Buffer</u>: The segment of Mason Avenue is within a Scenic Thoroughfare Overlay District (STO) and requires a 50-foot scenic buffer along the right of way. The waiver is to decrease the STO to 25-feet.

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Mr. Dennis Mrozek, AICP October 8, 2018 Page 2 of 2

<u>Benefit:</u> The site is located along Mason Avenue in an established industrial district. The adjacent properties located at 2275 (Budweiser Distribution), 2361 (Vitas) and 2381 (Costa) were previously developed within this corridor and provided only a 25-foot scenic buffer. The requested waiver is being made in order to provide consistency in the thoroughfare buffering requirements. The benefit to the perspective tenant is to ensure visibility from the right of way and decrease the overall building setback. The success of the perspective tenants is a direct benefit to the community.

If in your review of this summary you have questions or need any additional information, please feel free to give me a call.

Sincerely

Joseph H. Hopkins, P.E.

President

Neighbor Meeting Minutes Tiki Supreme

City ID NO. DEV2018-120

On October 30th, 2018 a Neighborhood Meeting was held at the Holiday Inn, located at 137 Automall Circle in Daytona Beach.

At 6:30 pm the meeting was called to order.

Those in attendance signed the attached Sign-In Sheet which included:

Dick McNerney Mike Cotton Joe Hopkins

The following is a summary of the presentation and discussion of those in attendance:

- 1. A presentation was made to introduce the project regarding the location, orientation and layout.
- Mr. Cotton inquired about the stormwater design and proposed improvements adjacent to his property to the north.
- The PD Agreement was discussed regarding dimensional requirements and proposed uses.
- 4. We discussed the requested waivers from the LDC.
- The discussion digressed into a discussion regarding cost of construction that Mr. Cotton has experienced and the initial estimates of cost for the Tiki Supreme project.
- We reviewed the timing of the project relative to the public hearing schedule and the anticipated start of construction.
- The discussion digressed into a discussion about development trends in the area and related project.
- 8. The presentation concluded and the meeting dispersed at approximately 7:05pm.

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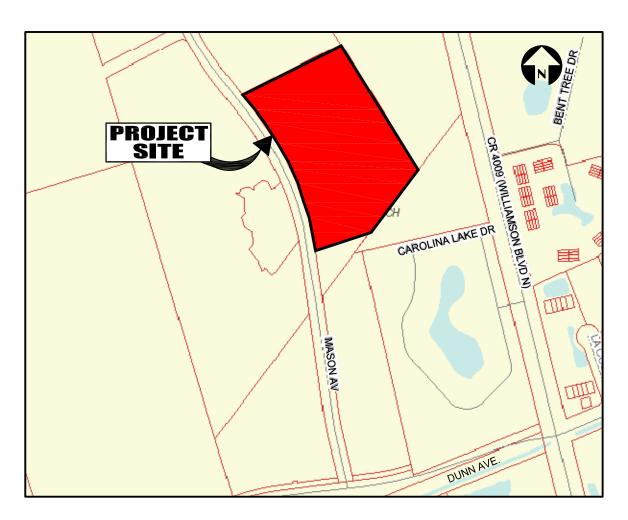
Attachment C

Neighborhood Meeting

October 30, 2018 @ 6:30pm Holiday Inn Daytona Beach LPGA Blvd. 137 Automall Circle, Daytona Beach, FL 32124 386.239.7166

Dear Sir/Madam:

You are invited to a neighborhood meeting regarding a request by Joe Hopkins, P.E., on behalf of TIKI SUPREME, INC. to amend the current Comp Plan Agreement. A 103,000 S.F. Ofiice/Warehouse Building is proposed to be constructed on the 12.43 acre tract of land along Mason Avenue as shown on the map below.



The meeting is being held to allow interested persons to listen to an overview of the project and ask questions. The neighborhood meeting will be held at The Holiday Inn Daytona Beach LPGA Blvd., 137 Automall Circle, Daytona Beach, FL 32124 on October 30, 2018 @ 6:30pm.

Please feel free to contact Joe Hopkins, P.E.; by phone at 386.239.7166 or email at TPGDaytona@aol.com should you have any questions. Thank You.



Neighbor Meeting Minutes Tiki Supreme

City ID NO. DEV2018-120

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Attachment C

Volusia County	omty		ס	Property Appraiser Larry Bartlett	<u>o</u>
DISCLAIMER: S	DISCLAIMER: Surrounding Owners Request Prepared by Volusia County Property Appraisers Office	lusia County Property Appraisers Office			s18014
The Walinaia Can					910014
The Volusia Cou	The Volusia County Property Appraiser and staff are constantly working to	tantly working to			
provide and pub	provide and publish the most current and accurate information possible. No	ation possible. No			
warranties, expr	warranties, expressed or implied are provided for the data herein, its use	herein, its use,	STATE OF F	STATE OF FLORIDA, VOLUSIA COUNTY	
or its interpretation.	tion.		I HEREBY CI	I HEREBY CERTIFY the following is a true	8
Additionally, the	Additionally, the Appraiser's data is not as current as the Clerk of the Court	Clerk of the Court	copy or the	copy of the records of this office. This	
data causing mi	data causing mismatches - which are beyond our control		Larry Bartle	Larry Bartlett, Property Appraiser	İ
Again, one must	Again, one must remember that the primary use of the assessment data	sessment data	1	1	
contained is for	contained is for the preparation of the current year tax roll.		By: X	Machine	
No responsibility	No responsibility or liability is assumed for inaccuracies or errors.	r errors.	Chief De	Chief Deputy Property Appraiser	
Please govern y	Please govern yourself accordingly.				
Parcel Number o	Parcel Number of Subject Property: 5215-00-00-0032 - 300' Radius - Joseph H. Hopkins, P.E 2/2/2018	Radius - Joseph H. Hopkins, P.E 2/2	/2018		
TOTOTOTOTO	CWNEX_NAME	OWNER_ADDR_1	OWNER_ADDR_2	OWNER ADDR 3	ZIPCODE
521500000030	CONSOLIDATED-TOMOKA LAND CO	<null></null>	PO BOX 10809	E	32120-0804
521500000034	CATENAX OFFICE INC	<null></null>	PO BOX 55		16059
521500000035	TIKI WII LIAMSON LIC	BEACH OWNERS ASSOCIATION	PO BOX 10809	ACH FL	32120-0809
521500000063	INDIGO DEVELOPMENT I I C	Nully	PO BOX 55		16059
521500000068	CLOCKTOWER PARTNERS I I C	<null></null>	PO BOX 10809	Ë	32120-0809
521500000090	CAROLINA CLUB ASSOCIATES LTD	^Nully	2100 HOLL YWOOD BLVD	FOR ORANGE FL 3	32129
	CENTER TOINT DAYTONA LTD	<null></null>	BO BOY 10103	THE P	33130 0103