



**A G E N D A**  
**ORMOND BEACH PLANNING BOARD**  
**Regular Meeting**

**September 13, 2012**

**7:00 PM**

**City Commission Chambers**  
22 South Beach Street  
Ormond Beach, FL

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE PLANNING BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THIS PUBLIC MEETING, THAT PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, SAID PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, INCLUDING THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

PERSONS WITH A DISABILITY, SUCH AS A VISION, HEARING OR SPEECH IMPAIRMENT, OR PERSONS NEEDING OTHER TYPES OF ASSISTANCE, AND WHO WISH TO ATTEND CITY COMMISSION MEETINGS OR ANY OTHER BOARD OR COMMITTEE MEETING MAY CONTACT THE CITY CLERK IN WRITING, OR MAY CALL 677-0311 FOR INFORMATION REGARDING AVAILABLE AIDS AND SERVICES.

- I. ROLL CALL**
- II. INVOCATION**
- III. PLEDGE OF ALLEGIANCE**
- IV. NOTICE REGARDING ADJOURNMENT**

THE PLANNING BOARD WILL NOT HEAR NEW ITEMS AFTER 10:00 PM UNLESS AUTHORIZED BY A MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. ITEMS WHICH HAVE NOT BEEN HEARD BEFORE 10:00 PM MAY BE CONTINUED TO THE FOLLOWING THURSDAY OR TO THE NEXT REGULAR MEETING, AS DETERMINED BY AFFIRMATIVE VOTE OF THE MAJORITY OF THE BOARD MEMBERS PRESENT (PER PLANNING BOARD RULES OF PROCEDURE, SECTION 2.7).

- V. PLANNING DIRECTOR'S REPORT**
- VI. PUBLIC HEARINGS**

**A. SE 12-130 1521 West Granada Boulevard - Wal-Mart Store: Special Exception for Outdoor Storage.**

This is a request by Tommie Fullington, co-manager of Wal-Mart Stores, Inc., for a Special Exception to allow the annual seasonal storage trailers of ten trailers from November 1st to January 7th, located on the southwest section of the property by automotive repair portion of the store. The subject property is located at 1521 West Granada Boulevard and is zoned as Planned Business Development (PBD). The application does not propose any building construction.

**B. LDC 12-132: Land Development Code Amendment, Tecomunications Towers and Antennae.**

This is an administrative request to amend Chapter 2-57 of Chapter 2, District and General Regulations, of Article IV, Conditional and Special Exception

regulations of the Land Development Code regarding Telecommunications Towers and Antennae, as follows:

1. Deleting redundant language repeated in Chapter 2, Article II – District Regulations;
2. Deleting reference to “Granada/Bovard Streetscape” and substituting the term “Downtown”;
3. Adding camouflaged telecommunication tower setbacks from residential structures or adjacent property lines to residential zoning districts; and
4. Providing the ability for the City to hire an outside consultant to assist staff in the review of application and associated materials with the costs of such review borne by the applicant.

**VII. OTHER BUSINESS**

**VIII. MEMBER COMMENTS**

**IX. ADJOURNMENT**

# STAFF REPORT

## City of Ormond Beach Department of Planning

**DATE:** September 6, 2012

**SUBJECT:** Wal-Mart Store: Special Exception for Outdoor Storage

**APPLICANT:** Tommie Fullington, co-manager of Wal-Mart Stores, Inc.

**NUMBER:** 12-130

**PROJECT PLANNER:** Steven Spraker, AICP, Senior Planner

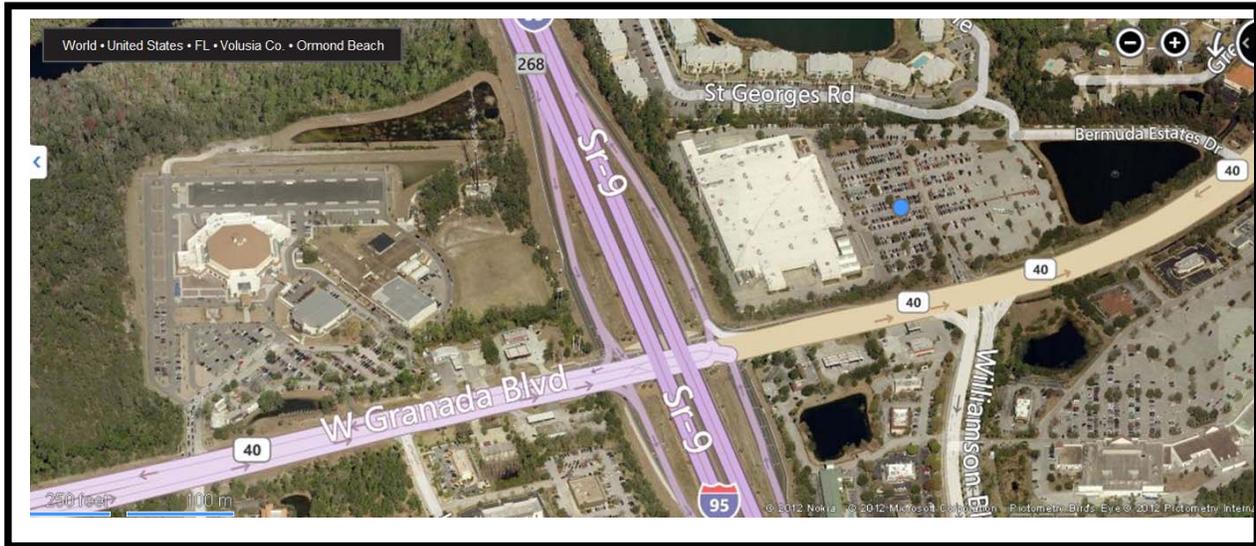
**INTRODUCTION:** This is a request by Tommie Fullington, co-manager of Wal-Mart Stores, Inc., for a Special Exception to allow the annual seasonal storage trailers of ten trailers from November 1st to January 7th, located on the southwest section of the property by automotive repair portion of the store. The subject property is located at 1521 West Granada Boulevard and is zoned as Planned Business Development (PBD). The application does not propose any building construction.

**BACKGROUND:** The subject property is currently designated as "General Commercial" on the City's Future Land Use Map (FLUM), and is classified as Planned Business Development (PBD) on the City's Official Zoning Map. The development history of the Ormond Beach Wal-Mart SuperCenter is as follows:

- On December 21, 1993, the City Commission approved Resolution 93-257 for a Planned Business Development to construct a 199,026-square foot retail building located at the intersection of Williamson Boulevard and West Granada Boulevard. The site plan detailed a number of issues including required masonry walls, building appearance, signage, traffic circulation and the Greenbelt buffer.
- On September 7, 1994, the Board of Adjustment and Appeals granted a variance of 506 square feet for additional wall signage, allowing a total of 606 square feet, distributed across the building.
- On November 1, 1994, the City Commission approved Resolution 94-220, the first amended development order for the PBD. The resolution affirmed the Board of Adjustment and Appeals variance for signage and included three (3) wall signs ("WAL\*MART", "SUPERCENTER", and "FOOD CENTER") for a total of 357.18 square feet of wall signage.
- On December 5, 1995, the City Commission approved Resolution 95-213, the second amended development order for the PBD. The resolution allowed Wal-Mart to erect an interstate interchange sign on the site.

- In April of 1996, the Site Plan Review Committee approved a minor modification (SPRC #96-386) to extend a continuous drive aisle throughout the main entrance of the site. The original 1993 site plan contained a landscape and sidewalk island that did not allow continuous driveway access and forced motorists to turn left or right only 320 feet from the intersection of Granada and Williamson Boulevards. The island created significant traffic problems, including the stacking of cars into the intersection of Granada and Williamson Boulevards.
- In March of 1999, the Site Plan Review Committee approved a minor modification (SPRC #99-11-680) to allow improvements to curbs (better turning radii for trucks), landscaping, and to add parking lot signage (no overnight parking, tow-away zones).
- On August 20, 2002, the City Commission approved Resolution 2002-180, the third amended development order, that approved a 6,960 square foot expansion to the existing garden center. The Resolution also approved modifications to the traffic movements at the main entrance of the site for vehicles entering and exiting Granada and Williamson Boulevards, eliminating the first three (3) ingress and egress points between the main entrance aisle and the parking lot.
- December 17, 2002, the City Commission denied a Planned Business Development request to allow the on-site outside storage of trailers, from October 15 to January 2 annually. The purpose of the request was to allow the storage of merchandise during the holiday season.
- On May 12, 2004, the City's Site Plan Review Committee approved a minor modification site plan application that proposed modifications to the existing parking to upgrade the parking lot and make the site more compliant with handicapped accessibility requirements. The site plan also included a landscape betterment plan that ensured that the site's landscaping complied with the city's requirements.
- On August 2, 2005, the City Commission approved the fourth amended Development Order and the property was rezoned from B-8 (Commercial) to Planned Business Development, reflecting changes in the 2004 Land Development Code. The Development Order allowed the construction of a 3,428 square foot layaway stockroom expansion between the garden center and the tire and lube express, but was never constructed.
- On November 3, 2009, the City Commission approved the fifth amended Development Order (Ordinance 2009-37) that authorized a waiver of 89 parking spaces for internal parking improvements, improvements at the intersection of Granada Boulevard and Williamson Boulevard, and architectural improvements to the existing store. These improvements have been constructed and inspected.

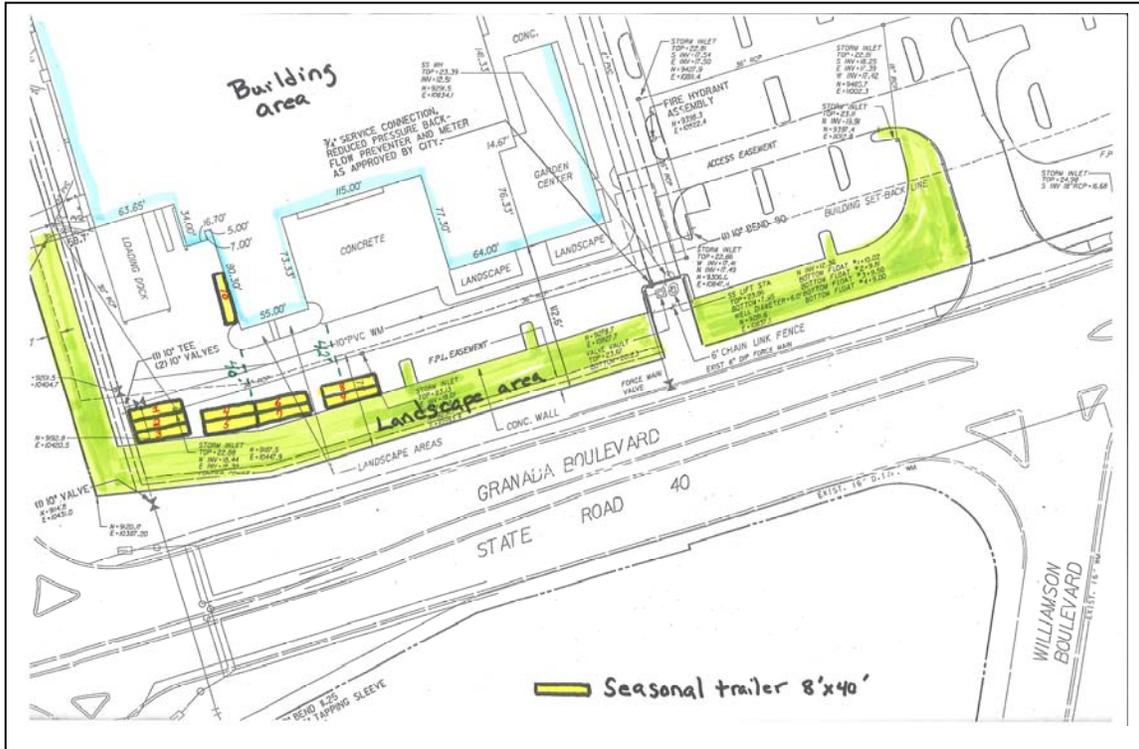
**Table 1: Site Aerial: Surrounding Uses**



**Table 2: Surrounding Uses with Land Use and Zoning Designations:**

	Land Uses	Land Use Designation	Zoning Classification
<b>North</b>	Bermuda Estates	“High Density Residential”	R-6 (High Density Residential) with Planned Development Overlay
<b>South</b>	Ormond Towne Square and Gas Station/Restaurant	“Commercial” and “Tourist Commercial”	B-8 (Commercial), B-7 (Highway Tourist Commercial), and PBD (Planned Business Development)
<b>East</b>	Blockbuster Center Single Family Homes (County)	“Office/Professional” County Urban Single-Family Residential	B-10 (Suburban Boulevard) & County R-4C (Urban Single-Family Residential)
<b>West</b>	I-95 and Calvary Christian Church	“Tourist Commercial”	B-7 (Highway Tourist Commercial)

**PROJECT DESCRIPTION:** The Special Exception proposes to allow the storage of ten seasonal storage trailers annually from November 1<sup>st</sup> to January 7<sup>th</sup> in the area of the automotive repair section of the store.



The request has the characteristics:

1. The seasonal storage trailers shall not be higher than eight feet in height.
2. The seasonal storage trailers are 40' in depth and eight' in width.
3. The seasonal storage trailers have been arranged to leave ten feet in order to access each trailer.
4. The area where the seasonal storage trailers are proposed is located next to an eight foot high split face concrete wall. The trailers shall not be visible to Granada Boulevard on Interstate 95.
5. There is a 36' landscape buffer between the eight foot high wall and Granada Boulevard.
6. There seasonal storage trailers will impact a maximum of five parking spaces around the tire center.
7. The location of the tenth trailer may be adjusted based on the operation of the automotive center.
8. The location of the seasonal storage trailers shall not impact the drive aisle for trucks, vehicles, or emergency access vehicles. The City fire department has reviewed the site layout and has no objections.

9. The seasonal storage trailers are located by the general merchandise section of the store. No trailers are proposed by the northern portion of the building by the Bermuda Estates apartment complex.

City staff is aware that the Florida Department of Transportation is performing analysis to widen the intersection of Williamson and Granada Boulevards. This roadway improvement may require the taking of a portion of the landscape buffer west of the Wal-Mart entrance leading to the Interstate 95 on-ramp. The roadway project should not impact the existing eight foot wall which provides the visual buffer from Granada Boulevard.

**ANALYSIS:** In 2002, Wal-Mart applied to allow storage trailers from October 15 to January 2 annually. The application was denied by the Development Review Board and City Commission. The key concerns discussed during the review were as follows:

1. The Wal-Mart property had been a repeat code enforcement violator including overnight parking of RV's, the display and sale of garden center merchandise, and the outdoor storage of trailers.
2. The location of the proposed trailers was behind the store and there was inadequate width to allow two way vehicle traffic. City staff expressed concern that the location selected would not allow provide safe vehicle access around the store.
3. Members of the Development Review Board stated the application was an attempt to obtain more storage space outside of the store in order to devote all the interior store square footage for retail space.
4. There was concern regarding the citywide implications on other retail locations if this type of trailer storage was allowed.

Since 2002, the Wal-Mart store has performed a series of improvements that has aimed to make the store and the site function better and provide aesthetic improvements. With the Garden Center expansion the issue of the outdoor sales of merchandise has been resolved. In 2011, a major façade improvement was completed as well as improvements to the vehicle access and parking for the Wal-Mart store.

The Special Exception application has resolved the issue of where to locate the proposed seasonal storage trailers so as not to impact access around the building. The remaining questions from the 2002 seasonal storage trailer application exist. The application could be viewed as an attempt to increase the overall square footage of the building without performing a building expansion. In the pre-application meeting Wal-Mart store managers stated that the seasonal storage trailers were an opportunity to provide better customer service during an extremely busy time of the year. The store managers stated that the existing economy has increased the lay away demand and resulted in more sales through this process. The final concern regarding the citywide implications of allowing seasonal storage trailers still exists. The proposed seasonal storage trailers have not been proposed at any other location within the City. An application for seasonal storage trailers would require a Special Exception and to be reviewed against the criteria listed below in this report.

There are multiple Land Development Code sections related to the outdoor storage, display and sales of merchandise. Section 1-22 of the Land Development Code defines outdoor storage as “The storage or display, outside of a completely enclosed building, of equipment, machinery and materials used in the ordinary course of a permitted use, or the storage of inoperable motor vehicles, or the storage of used materials or items whether for sale or not. This term expressly does not include junk or junkyards as defined in this Article.”

Ordinance 2005-22 rezoned the Wal-Mart property to Planned Business Development and incorporated the B-8 zoning district within the Development Order. The Development Order requires a Special Exception for any type of outdoor storage. A Special Exception requires the review/recommendation by the Planning Board and a final decision by the City Commission. The Special Exception requires review of the criteria of the following Land Development Code Sections:

1. Section 2-57.O.2, Outdoor Storage;
2. Section 2-56: General criteria and Special Exception review criteria (applies to all Special Exception requests);
3. Section 1-15.E: Planned Developments and Special Exceptions (Planning Board criteria for all Special Exceptions); and
4. Section 1-18.E: Criteria for Issuance of Development Order (City Commission criteria for all Special Exceptions).

### **Section 2-57.O.2, Outdoor Storage Criteria:**

Section 2-57.O.2 of the Land Development Code outlines the criteria for outdoor storage:

#### **O-**

#### **1. OUTDOOR STORAGE**

- 1. Provide screening and buffering from abutting residential areas. All outdoor uses and storage shall comply with the landscape buffer and wall/fencing requirements contained in Chapter 3, Article I.**

The proposed location of the seasonal storage trailers does not abut any residential area. The Bermuda Estates apartments do abut the Wal-Mart to the north of the building, however, the requested location area for the seasonal storage trailers is located on the other side of the property.

- 2. Parking areas shall be paved and identified on the site plan. The Site Plan Review Committee may waive the requirement for paving of the parking areas, if the site plan indicates that all of the access aisle is paved, but actual parking areas are a stabilized pervious surface, such as grass, shell or paver-brick. The Site Plan Review Committee shall not waive this**

**requirement if the design does not result in reduction of paved, impervious area.**

The area for the seasonal storage trailers is paved and predominately extra paved surface area. The request would reduce the total parking spaces by a maximum of five spaces. The reduction of spaces is minimal and would be in the automotive section of the store.

**3. Storage areas shall be identified by type of storage.**

The storage area has been identified and shall not be used for any other type of activity.

**4. Fencing for outdoor storage areas shall be installed along the interior line of the front or rear buffers, as established by Chapter 3, Article I. This requirement may be waived if there is specific language within an approved development order for a Special Exception or Planned Industrial Development.**

There is an existing split face concrete block wall abutting the proposed storage location.

**5. No fencing shall be located within the minimum side corner yard buffer, as required by Chapter 3, Article I (Buffer Area Requirements).**

The split face concrete block wall is existing and no additional constructions is proposed.

**6. In the B-5 and I-1 zoning districts, outdoor storage is permitted up to 49% of the principal building floor area. Outdoor storage exceeding this limitation shall require a Special Exception or a Planned Development.**

The property is zoned as Planned Business Development and this criteria is not applicable.

**Section 2-56: Special Exception Criteria**

Section 2-56 of the Land Development Code outlines the general criteria for all Special Exception approvals:

***A. Off-street parking, loading and service areas shall be provided and located such that there is no adverse impact on adjoining properties, beyond that generally experienced in the district.***

The site has 826 parking spaces and the temporary reduction of 5 parking spaces would not have an impact to the overall provision of parking. The proposed location of the season storage trailers would not impact loading or service areas.

- B. Required yards, screening or buffering, and landscaping shall be consistent with the district in general, the specific needs of the abutting land uses, Chapter 3, Article 1, and other applicable provisions of this Code.**

The proposed request shall impact the site buffers or landscaping. With the 2009 plan approval that included building architecture and site improvements, the site landscaping and irrigation were brought up to the City Land Development Code requirements.

- C. Size, location, or number of conditional or Special Exceptions in an area shall be limited so as to maintain the overall character of the district in which said conditional or Special Exceptions are located.**

There has been one other Special Exception approved at the Lowe's Home Improvement Center for outdoor activity that allowed outdoor sales of merchandise.

- D. Hours of operation may be limited and the City may require additional information on structural design and site arrangement, to assure the compatibility of the development with existing and proposed uses in the surrounding area.**

The seasonal storage trailers are located behind an eight foot wall with a landscape buffer between Granada Boulevard and the on-ramp for Interstate 95.

- E. The Special Exception shall not generate hazardous waste or require use of hazardous materials in its operation without use of City-approved mitigative techniques.**

This Special Exception request will not generate hazardous waste.

- F. All development proposed as a Special Exception within or adjacent to a historic district shall be reviewed based on applicable criteria stated herein for residential, commercial or mixed use development and shall also comply with appearance and design guidelines for historic structures.**

The project is not located within, or adjacent to, a historic district and this criteria doe not apply to the project development.

- G. Outdoor lighting shall have no spillover onto adjacent property or rights-of-way beyond the building site property line and the lumens shall not exceed two (2) foot-candles at the property line.**

The site lighting plan is not proposed for amendment and the applications solely for the seasonal storage trailers.

## **Section 1-15.E: Planning Board Criteria and Section 1-18.E: City Commission Criteria**

Sections 1-15.E. and 1-18.E of the Land Development Code establish the Planning Board and City Commission Development Order criteria. The Land Development Code states that the following criteria shall be considered:

- 1. The proposed development conforms to the standards and requirements of this Code and will not create undue crowding beyond the conditions normally permitted in the zoning district, or adversely affect the public health, safety, welfare or quality of life.**

The Land Development Code does not prohibit outdoor storage, but does require a Special Exception. Approving this request is not expected to create negative impacts to residential uses. The Site Plan Review Committee has reviewed the request and does not believe it would adversely affect the public health, safety, welfare or quality of life.

- 2. The proposed development is consistent with the Comprehensive Plan.**

The site has a Future Land Use designation of "General Commercial", which is consistent with the proposed use. The Future Land Use Element states that the "Commercial" land use category is designed for, "To provide for the sales of retail goods and services, high density multi-family, professional offices and services, and restaurants, depending on the range of population to be served and the availability of transit." The retail sales of merchandise, either inside or outside of the building, is consistent with the "General Commercial" land use category.

- 3. The proposed development will not adversely impact environmentally sensitive lands or natural resources, including but not limited to waterbodies, wetlands, xeric communities, wildlife habitats, endangered or threatened plants and animal species or species of special concern, wellfields, and individual wells.**

The proposed application for seasonal storage trailers will not adversely impact environmentally sensitive lands or natural resources and is an existing developed site.

- 4. The proposed use will not substantially or permanently depreciate the value of surrounding property; create a nuisance; or deprive adjoining properties of adequate light and air; create excessive noise, odor, glare, or visual impacts on the neighborhood and adjoining properties.**

The proposed application for seasonal storage trailers will not depreciate the value of surrounding properties based on the location abutting roadways.

- 5. There are adequate public facilities to serve the development, including but not limited to roads, sidewalks, bike paths, potable water, wastewater**

**treatment, drainage, fire and police safety, parks and recreation facilities, schools, and playgrounds.**

Public facilities currently serve the site and there would be no impact to the existing infrastructure.

- 6. Ingress and egress to the property and traffic patterns are designed to protect and promote motorized vehicle and pedestrian/bicycle safety and convenience, allow for desirable traffic flow and control, and provide adequate access in case of fire or catastrophe. This finding shall be based on a traffic report where available, prepared by a qualified traffic consultant, engineer or planner which details the anticipated or projected effect of the project on adjacent roads and the impact on public safety.**

The Special Exception site plan exhibit has been reviewed and determined acceptable for traffic movement, including fire trucks.

- 7. The proposed development is functional in the use of space and aesthetically acceptable.**

There is no development proposed with the seasonal storage trailers. The site plan exhibit is functional. It could be argued that the seasonal storage trailers would diminish the aesthetics of the site.

- 8. The proposed development provides for the safety of occupants and visitors.**

The site plan exhibit indicates safe movement on the site for occupants and visitors.

- 9. The proposed use of materials and architectural features will not adversely impact the neighborhood and aesthetics of the area.**

There is no new building development for the outdoor storage and this criterion is not applicable.

- 10. The testimony provided at public hearings.**

This application has not been reviewed in a public forum and no testimony has been provided.

### **CONCLUSION:**

Line of Reason supporting the Special Exception: The Land Development Code establishes outdoor storage as a Special Exception in the Wal-Mart Planned Business Development zoning district with specific criteria. The criterion analyzes the impacts of an application to residential uses and requires a site plan. There is no expected impact to residential uses and the site plan submitted does not negatively site access or other site improvements.

Line of Reason against the Special Exception: The seasonal storage trailer would impact the overall aesthetic character of the site and should not be permitted. This argument is in line with criteria number seven of the Development Order criteria. Additionally, criteria number four of the Development Order discusses the lowering of property values and creating a nuisance. It is possible that allowing seasonal storage

trailers can create additional impacts on code enforcement staff to ensure that the designated areas are being complied with.

**RECOMMENDATION:** It is expected that the application will be reviewed by the City Commission on October 16, 2012. It is recommended that the Planning Board **APPROVE** the application for the seasonal storage trailers for Wal-Mart at 1521 West Granada Boulevard with the following conditions:

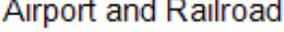
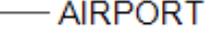
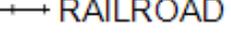
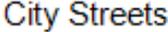
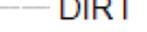
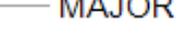
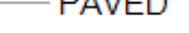
1. The allowable dates for season storage trailers shall be from November 1st to January 7<sup>th</sup> annually.
2. No more than ten seasonal storage trailers shall be allowed.
3. The seasonal storage trailers shall not be higher than eight feet in height.
4. The area where the seasonal storage trailers are proposed is located along the existing eight foot concrete wall in the area of the automotive repair and loading area for general merchandise. No trailers are allowed by the northern portion of the building by the Bermuda Estates apartment complex.
5. The seasonal storage trailers are permitted to impact a maximum of five parking spaces in the vicinity the tire center, per the attached site plan exhibit.
6. The location of the tenth trailer may be adjusted based on the operation of the automotive center.

# **EXHIBIT A**

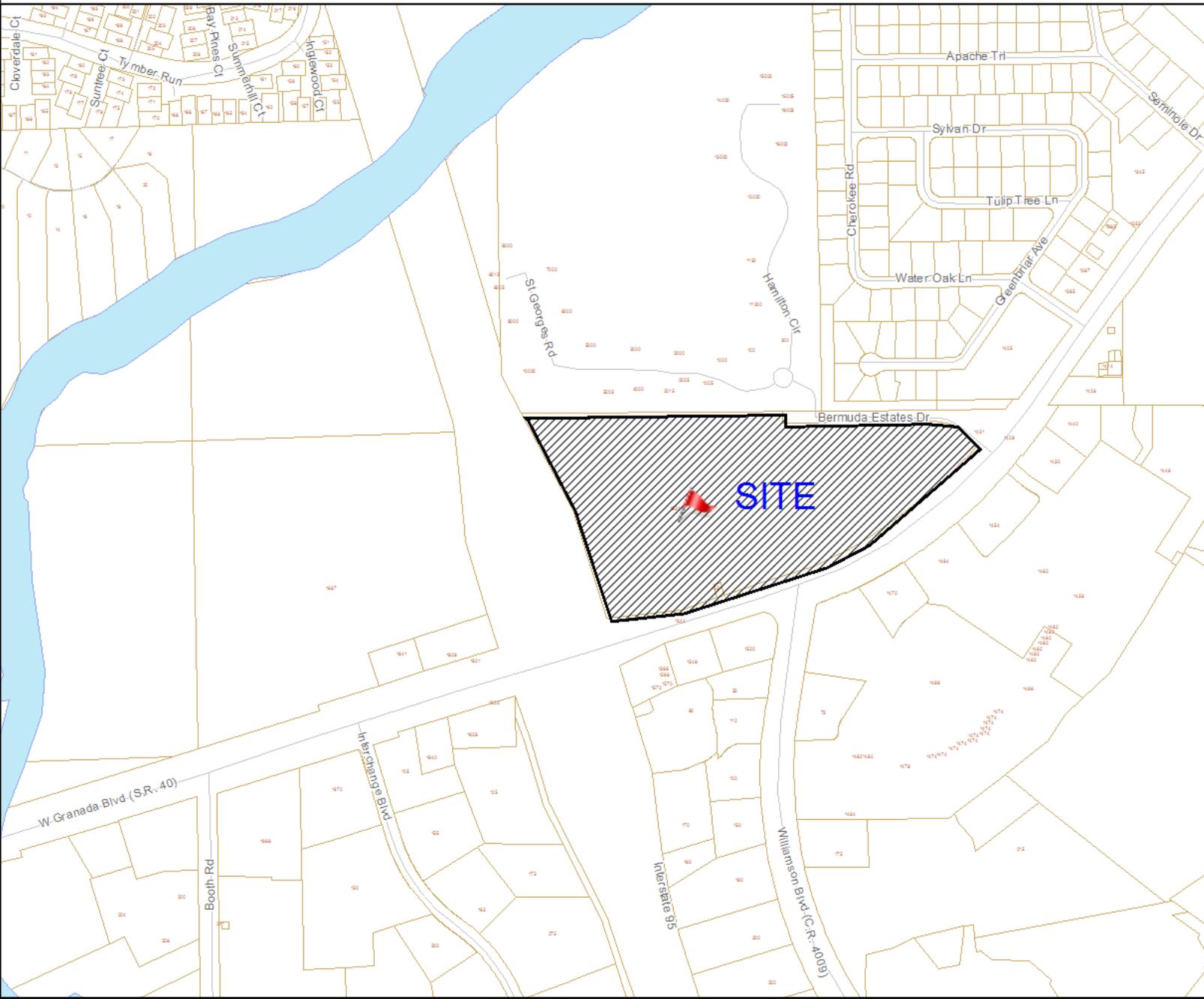
Location Map and Site  
Pictures

# 1521 West Granada Boulevard location map



-  Golf Courses
-  Address Points
-  Airport and Railroad
-  AIRPORT
-  RAILROAD
-  City Streets
-  DIRT
-  MAJOR
-  PAVED
-  Water Features
-  Property Lines

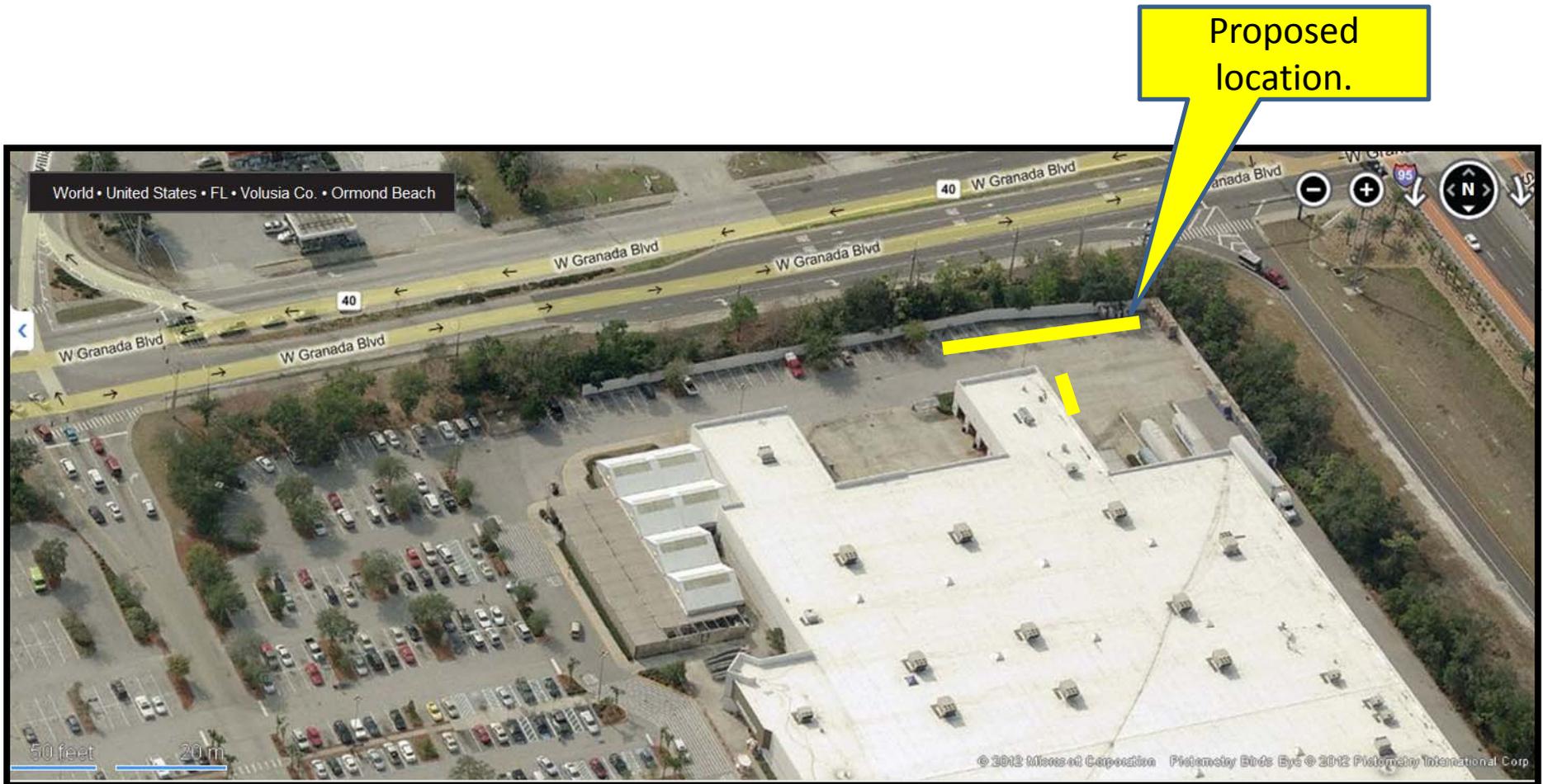
599 ft



GIS data is provided on an "as is" basis. The accuracy or reliability of the data is not guaranteed or warranted in any way. The City of Ormond Beach specifically disclaims any warranty either expressed or implied, including, but not limited to, the implied warranties of merchantability and fitness for a particular use. The entire risk as to quality and performance of the data is with the end user. In no event will the City, its staff or it's representatives be liable for any direct, indirect, incidental, special, consequential, or other damages, including loss of profit, arising out of the use of this data even if the City has been advised of the possibility of such damages.



# Proposed location for 10 seasonal trailers.





**Area proposed for seasonal trailer storage**



**Area proposed for seasonal trailer storage**





**Area of general merchandise loading and automotive center**



**Area of automotive center**

# **EXHIBIT B**

Applicant information and  
site exhibits



1521 W. Granada Blvd.  
Ormond Beach, FL 32174  
Phone: 386-672-2104  
Fax: 386-672-3987

August 15, 2012

City of Ormond Beach  
Planning Department  
22 South Beach Street  
Ormond Beach, FL 32174

Re: Letter of Intent

This request is to utilize ten temporary storage trailers at our location during the increased seasonal sales period due to the Annual Event Day (day after Thanksgiving) and Christmas Selling Season.

- These trailers will be positioned at the rear of the store per the attached layout. The placement of the trailers will be set so that they cannot be seen from Granada Blvd, nor will they interfere with the normal delivery traffic coming to the store.
- This request is for seasonal permission due to the yearly increased business due to the reasons stated above.
- The trailers are need for the storage of the increased product flow due to the following:
  1. The increased sales due to the holiday season.
  2. The increase in customers utilizing our Site to Store delivery program and Pick-up- Today program.
  3. The storage of Event Day merchandise
  4. The storage of Layaway items.

Sincerely,

Tommie Fullington  
Co-Manger  
Walmart Stores, Inc.

Grocery  
BAYS

Grocery  
Doors

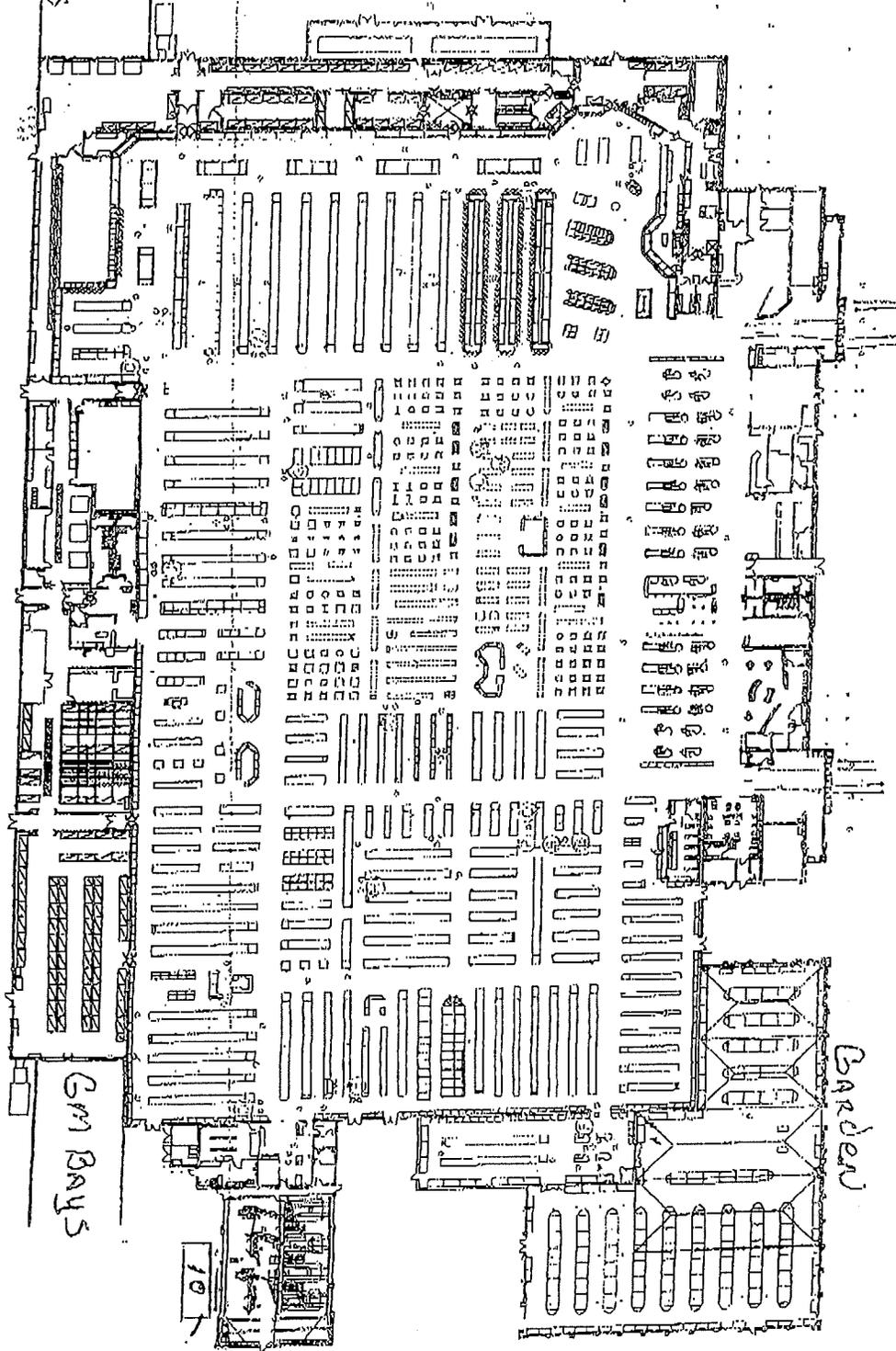
GM  
Doors

GM BAYS

Barber

10

173	45	67	89
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Building area

3/4" SERVICE CONNECTION,  
REDUCED PRESSURE BACK-  
FLOW PREVENTER AND METER  
AS APPROVED BY CITY.

GARDEN CENTER

CONCRETE

LANDSCAPE

LANDSCAPE

FIRE HYDRANT  
ASSEMBLY

ACCESS EASEMENT

BUILDING SET-BACK LINE

Landscape area

GRANADA BOULEVARD

STATE ROAD 40

WILLIAMSON BOULEVARD

Seasonal trailer 8'x40'

SS MH  
TOP = 23.39  
INV = 12.51  
N = 9291.5  
E = 10834.1

STORM INLET  
TOP = 22.81  
S INV = 17.54  
E INV = 17.50  
N = 9427.9  
E = 10811.4

STORM INLET  
TOP = 22.81  
S INV = 18.25  
E INV = 17.39  
W INV = 17.42  
N = 9465.7  
E = 11002.3

STORM INLET  
TOP = 23.11  
N INV = 19.91  
N = 9397.4  
E = 11012.8

STORM INLET  
TOP = 24.98  
S INV 18" RCP = 16.68

STORM INLET  
TOP = 22.66  
W INV = 17.41  
N INV = 17.49  
N = 9306.6  
E = 10847.4

SS LIFT STA  
TOP = 23.95  
BOTTOM = 7.95  
WELL DIAMETER = 5.0'  
N = 9281.6  
E = 10837.1

N INV = 12.36  
BOTTOM FLOAT #1 = 10.02  
BOTTOM FLOAT #2 = 9.81  
BOTTOM FLOAT #3 = 9.50  
BOTTOM FLOAT #4 = 9.00

N = 9278.7  
E = 10827.7  
VALVE VAULT  
TOP = 23.67  
BOTTOM = 20.23

STORM INLET  
TOP = 23.13  
E INV = 18.01  
W INV = 18.05  
N = 9251.1  
E = 10593.3

STORM INLET  
TOP = 22.88  
N INV = 18.44  
E INV = 18.39  
UNPER. CONST.

N = 9201.5  
E = 10404.7

N = 9192.8  
E = 10420.5

N = 9114.8  
E = 10431.0

N = 9120.17  
E = 10387.20

BEND 11.25  
TAPPING SLEEVE

# STAFF REPORT

## City of Ormond Beach Department of Planning

**DATE:** September 1, 2012

**SUBJECT:** LDC Amendments – Revision 2

**APPLICANT:** City Initiated

**NUMBER:** Case# 12-132

**PROJECT PLANNER:** Richard P. Goss, AICP

Code Section Title	Code Section	Amendment
Chapter 2, Article IV	Section 2-27 T	Telecommunication Towers

**A. INTRODUCTION:** In 2007 the City Commission approved broadening the areas where telecommunication towers could be placed if camouflaged due to increased data usage with the proliferation of smart phones. This trend continued as wireless providers increased the number of minutes allowed under the typical wireless plan as wireless use became a commodity. This translated to additional need for capacity in the wireless network which could best be met by increasing the density and number of tower sites in areas where capacity is needed. Historically, communications towers have been constructed in commercial and industrial areas and residential areas have been avoided due to residential opposition however residential end users want reliable wireless service. The City realized building towers in areas where land use was more intense would be inadequate to service the growing need for increased capacity and better coverage indoors where the end user needs it. Also the City recognized the proximity between tower sites was shrinking as well such that the carriers can no longer simply find commercial or industrial areas and aim coverage into residential areas. Consequently, using stealth towers and other camouflage technologies to better hide high towers seemed to be the answer to this infill issue. The city has a number of larger parcels in the established residential zoning districts of the City that could accommodate camouflaged towers. In reviewing the parcels that are available to accommodate camouflage towers in the City's residential neighborhoods, wireless carriers are beginning to look at churches and school sites because of locations and large lot sizes. Churches and schools are often good locations for towers. Recently, neighborhood meetings regarding a potential church site points this out.

In May 2007, the City revised the Telecommunication Ordinance to require the applicant to conduct neighborhood meetings, demonstrate the height of the tower by floating a balloon at the proposed height, provide simulated pictures in scale

depicting the camouflaged tower to determine visual impacts on adjacent residential areas, and provide propagation studies signifying why a certain height of tower is needed. The propagation study was and still is not to determine whether a tower is permitted but it is used to determine the height of tower needed to eliminate coverage gaps. Also, setbacks for towers in residentially zoned districts which did not allow them were eliminated since only camouflaged towers are now permitted in all residentially zone districts. During neighborhood meetings where a wireless carrier presented two potential sites, one of which was on Church property zoned residential, it was discovered there were no setbacks for towers within the residential districts which permitted them. This amendment is designed to eliminate that flaw. In addition, there are some minor amendments to eliminate redundant or outdated language as well as provide the City the ability to engage the services of an outside consultant to assist in the review of a telecommunication tower request. Any costs incurred by the City would be paid for by the applicant.

#### **B. LDC CODE SECTION TO BE AMENDED:**

The amendments proposed by staff are clean-up as well as substantial amendments. Each zoning district has uses which are either permitted by right, by condition, by Special Exception or not permitted. Consequently, to repeat this in the conditional/special exception standards is redundant and more importantly it presents opportunities for errors between the District Regulations contained in Section 2-08 through 2-35 and Section 2-27 T. It should be expected and it is the Department's goal to ensure the LDC is simple, direct and consistent. This is important because where there are inconsistencies, the more stringent applies and this has a two edge sword for the applicant and the community.

The name change from the Granada/Bovard Streetscape Overlay to the Downtown Overlay is a language update only. The LDC refers to the Downtown Overlay in Section 2-70. Consistency in terms will be accomplished with this change.

The Telecommunication Ordinance has not been used since 2007 when the last change was made so experience among everyone in the Department with this section is limited. With the interest of wireless carriers placing telecommunication towers in Ormond Beach, comes increased usage and familiarity with the ordinance. It was discovered that while the City has permitted communication towers in a few residential areas prior to 2007 and expanded them to conditional uses in residential areas if camouflaged, no setback exists for camouflaged towers within residential zoning districts. Consequently, staff chose a standard practice among many governments that dictates the base of a communication tower be 2 feet away from a residential zone for every 1 foot of the structure's height. For example, a 150-foot tower would need to be located in a residential zone and be at least 300 feet in all directions from the nearest residential structure. Consequently, as 3.67 to 8 acre site would be needed to place a 100

to 150 foot high camouflaged communication tower in a residential zone and meet the buffer setbacks from all residential structures. A query of the land parcel database indicates there are 8 public schools, 7 churches, and 161 parcels that could accommodate towers of this size based solely on the buffer.

Finally, the fourth change has to do with giving the City authority to hire an RF engineer through the City's Continuing Consultant List if staff needs assistance in interpreting the asking the right questions from the wireless carriers as it pertains to the methodology, interpretation of maps, and conclusions contained in propagations studies.

To address these matters, staff proposes three amendments to the LDC. They are as follows:

1. Amend Section 2-57 T 3. Subsection 2, Telecommunications Towers and Antennae, of Chapter 2, District and General Regulations, of Article IV, Conditional and Special Exception Regulations of the City Land Development Code by adding setbacks to residential zoning districts since all residential zoning districts now permit camouflaged telecommunication towers. It shall read as follows:

~~2. Telecommunication towers, whether camouflaged or non-camouflaged, shall not be permitted in the following areas: Non-stealth telecommunications towers may only be located in those zoning districts allowing such uses through a Special Exception process; provided, however, that non-stealth telecommunications towers may not be located in the following areas:~~

~~a. RR (Rural Residential), R-1 (Residential Estate), R-2 (Single-Family Low-Density), R-2.5 (Single-Family Low-Medium Density), R-3 (Single-Family Medium Density), R-4 (Single-Family Cluster and Townhouse), and T-2, (Manufactured Home) Multi-Family Medium-High Density (R-6) zoning districts;~~

~~a.b. The area comprising the Granada/Bovard Streetscape Downtown Overlay District;~~

~~b.e. The area extending from Beach Street (North and South) eastward to the Atlantic Ocean;~~

~~c.d. Any area currently or hereafter designated as an Historic District pursuant to Chapter 2, Article VI of this Code.~~

Co-location of camouflaged antennae may be permitted on all multi-family and non-residential structures within these areas, if the camouflaged antennae comply with all applicable provisions of the Land Development Code

2. Staff proposes to amend Section 2-57 T 3. Subsection 3, Telecommunications Towers and Antennae, of Chapter 2, District and General Regulations, of Article IV, Conditional and Special Exception Regulations of the City Land Development Code by adding setbacks to residential zoning districts since all residential zoning districts now permit camouflaged telecommunication towers. It shall read as follows:

<u>APPLICABLE AREA</u>	<u>BUFFER SETBACK REQUIREMENTS</u>
<u>All residential zoning districts which allows camouflaged or non camouflaged telecommunication towers.</u>	<u>200' or 200% of the height of the tower, whichever is greater from residential structures or adjacent property lines in all directions.</u>

3. Staff proposes to add subsection 15 to Section 2-57 T. 3. Telecommunications Towers and Antennae, of Chapter 2, District and General Regulations, of Article IV, Conditional and Special Exception Regulations of the City Land Development Code by adding consultant recovery costs related to review of telecommunication tower applications. It shall read as follows:

**15. Outside Consultant:** To assist the City in the review of a telecommunication application and in particular the propagation study and related documents in support of a specified height, the City may elect to engage outside consultants to review and make recommendations to the SPRC.

In order to recover all costs associated with the use of an outside consultant to provide technical review services, a review charge in addition to the application fee shall be charged to the applicant prior to staff reviewing an application. The review charge shall be for all actual costs incurred by the outside consultant in reviewing the propagation study and related documents in support of a specified height. The applicant shall also reimburse any additional costs relating to additional reviews, errors, omissions, discrepancies, delays or extensions as the result of actions or requests by the applicant.

**C. CONCLUSION:** There are certain criteria that must be evaluated before LDC 12-26 can be approved. According to Article I of the Land Development Code, the Planning Board shall consider the following criteria when making its recommendation on code amendments:

**1. The proposed development conforms to the standards and requirements of this Code and will not create undue crowding beyond the conditions normally permitted in the zoning district, or adversely affect the public health, safety, welfare or quality of life.**

Towers and antennae have the potential to produce harmful effects upon the community; therefore, camouflaging towers and antennae is the primary means of minimizing adverse aesthetic and visual impacts on the land,

property, buildings, and other facilities adjacent to, surrounding, and in general the same area as the requested location of such wireless telecommunication facilities. The setback proposed is stringent but the growing need for data transmission and communication service in the community with the protection of residential neighborhoods from encroachment of excessively tall structures requires a balance. If approved, a camouflaged tower location in a residential area will need between 3.67 to 8 acres of land to meet the setback requirements from residential structures assuming the tower are between 100 and 150 feet tall. However, the City has two mechanisms to ensure a school site is adequately vetted: the Interlocal Agreement between the School District and the City; and the ability by the city to "bump up" any tower permitted administratively to a discretionary review requiring Planning Board and City Commission review and action.

While wireless infrastructure can have potential negative effects upon property, the health, safety and welfare of residents is advanced with increased wireless coverage. For example, in homes networks will enable a new class of intelligent electronic devices that can interact with each other and with the internet in addition to providing connectivity between computers, phones, and security/monitoring systems. Smart homes can assist elderly and the disabled with assisted living, patient monitoring, and emergency response.

**2. The proposed development is consistent with the Comprehensive Plan.**

The amendments are consistent with and further the purpose of the Comprehensive Plan as it pertains to health, safety, and welfare. Balancing the increasing demand for cell phone and data transmission with the need to protect residential areas is of primary consideration.

**3. The proposed development will not adversely impact environmentally sensitive lands or natural resources, including but not limited to waterbodies, wetlands, xeric communities, wildlife habitats, endangered or threatened plants and animal species or species of special concern, wellfields, and individual wells.**

The amendment is designed to protect the residents from the potential visual impact a wireless facility may have on a residential area while at the same time providing an opportunity for the wireless carriers to fill in the coverage gaps that exist in the City.

**4. The proposed use will not substantially or permanently depreciate the value of surrounding property; create a nuisance; or deprive adjoining properties of adequate light and air; create excessive noise, odor, glare, or visual impacts on the neighborhood and adjoining properties.**

As more people switch from land lines to cell phones for their main service, reliable reception is becoming a necessity. The improved signal from nearby cell sites may actually boost residential property values. The effect of cell

towers on property values will vary depending on how homeowners in an area rate their costs and benefits. The City reasoned that an alternative to an unsightly communication tower in a residential zoning district was to disguise towers as something else. However, the lack of residential setbacks for the towers substantially and permanently depreciates the value of property. The purpose of this amendment is to establish residential setbacks in the residential zoning districts that permit camouflaged towers. In reviewing the history of this ordinance, prior to 2007 telecommunication towers were allowed in Rural Estate Agriculture and Rural Residential and no setback existed between the tower placement and residential homes except for the lot area requirement of 1 and 5 acres. One acre is deemed insufficient for placement of a tower.

- 5. There are adequate public facilities to serve the development, including but not limited to roads, sidewalks, bike paths, potable water, wastewater treatment, drainage, fire and police safety, parks and recreation facilities, schools, and playgrounds.**

Increased access to wireless communications has benefited both business interests as well as homeowners. Wireless applications are as important today as sewer and water facilities. Coverage gaps exist through the residential areas since few towers exist in these areas and the coverage gaps will have increasingly negative effects upon health, safety and welfare.

- 6. Ingress and egress to the property and traffic patterns are designed to protect and promote motorized vehicle and pedestrian/bicycle safety and convenience, allow for desirable traffic flow and control, and provide adequate access in case of fire or catastrophe. This finding shall be based on a traffic report where available, prepared by a qualified traffic consultant, engineer or planner which details the anticipated or projected effect of the project on adjacent roads and the impact on public safety.**

Not Applicable – This is not related a development.

- 7. The proposed development is functional in the use of space and aesthetically acceptable.**

Not Applicable – This is not related to a development.

- 8. The proposed development provides for the safety of occupants and visitors.**

Not Applicable – This is not related to a development.

- 9. The proposed use of materials and architectural features will not adversely impact the neighborhood and aesthetics of the area.**

The amendment being proposed is to enhance the purposes of why wireless tower locations were expanded throughout the city provided they were camouflaged. Towers were required to be camouflaged because of the expanded number of locations permitted. The purpose of the camouflage

towers is to reduce to a greater degree the impact towers have upon residential neighborhoods. The need for expanded capacity for data and cell phone has grown significantly to the point that coverage gaps are frequent throughout the Ormond Beach area. To accommodate the general public's increased usage of cellular communication and data transmission, the amendment is designed to balance the need for and the potential impact towers may have on residential neighborhoods.

**10. The testimony provided at public hearings.**

To be determined at the Planning Board Public Hearing.

**D. FUTURE THOUGHTS FOR DISCUSSION:** Since the introduction of the I-phone in early 2007 and the market's competitors introducing their own smart phone versions, data transmission and cellular use has increased significantly. Wireless applications have expanded to include voice, internet access, web browsing, paging and short messaging, subscriber information services video conferencing, entertainment, sensing, and distributed control. There seems to be no end to the potential use for wireless communication. It is not surprising that the City has coverage gaps. Perhaps it is surprising that the City has only had interest from wireless providers in the last two years. The amendment for inserting residential setbacks for towers in residential zoning districts is needed immediately. However, it is suggested that the Planning Board establish a future work session to deliberate and discuss the following areas of the Telecommunication Ordinance:

1. Should camouflaged towers be permitted in single family residential areas (R1, R2, R3, NP and R4) by right or by special exception? Should camouflaged towers be permitted in these single family residential districts at all?
2. If the answer is yes to the question that camouflaged towers is an appropriate infrastructure that should be in residential areas, should the City restrict the height of towers to no more than 75 feet in residential areas? If so, the towers at 75 feet can be better camouflaged than the current 150 foot monopine structures. However by restricting height, more towers at lower heights will be needed.

**D. RECOMMENDATION:** It is recommended that the Planning Board approve Case # 12-132 amending the LDC.

Attachments: as

**ORDINANCE NO. 2012-XXXX**

**AN ORDINANCE OF THE CITY OF ORMOND BEACH, FLORIDA, AMENDING THE CITY LAND DEVELOPMENT CODE; CHAPTER 2 - DISTRICT AND GENERAL REGULATIONS, ARTICLE IV - CONDITIONAL AND SPECIAL EXCEPTION REGULATION; MORE PARTICULARLY AMENDING SECTION 2-57 T SUBSECTIONS 2 and 3 BY DELETING REDUNDANT LANGUAGE, DELETING REFERENCE TO THE TERM "GRANADA/BOVARD STREETScape" AND SUBSTITUTING THE TERM "DOWNTOWN," ESTABLISHING SETBACKS FOR TELECOMMUNICATION TOWERS WITHIN RESIDENTIAL ZONING DISTRICTS; AND ADDING SUBSECTION 15 FOR OUTSIDE CONSULTANT SERVICES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEPARABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, from time to time continued amendments to the telecommunication requirements are needed to maintain parity with changing technology while ensuring the purposes for such regulations are maintained; and

**WHEREAS**, the City Commission finds these amendments to be in the overall best interest of the public health, safety and welfare, now therefore,

**BE IT ENACTED BY THE PEOPLE OF THE CITY OF ORMOND BEACH, FLORIDA, THAT:**

**SECTION ONE:** Amend Section 2-57 T 3. Subsection 2, Telecommunications Towers and Antennae, of Chapter 2, District and General Regulations, of Article IV, Conditional

and Special Exception Regulations of the City Land Development Code by adding setbacks to residential zoning districts since all residential zoning districts now permit camouflaged telecommunication towers to read as follows:

2. Telecommunication towers, whether camouflaged or non-camouflaged, shall not be permitted in the following areas: Non-stealth telecommunications towers may only be located in those zoning districts allowing such uses through a Special Exception process; provided, however, that non-stealth telecommunications towers may not be located in the following areas:
  - a. ~~RR (Rural Residential), R-1 (Residential Estate), R-2 (Single-Family Low Density), R-2.5 (Single-Family Low-Medium Density), R-3 (Single-Family Medium Density), R-4 (Single-Family Cluster and Townhouse), and T-2, (Manufactured Home) Multi-Family Medium-High Density (R-6) zoning districts;~~
  - a.b. The area comprising the ~~Granada/Bovard Streetscape~~ Downtown Overlay District;
  - b.e. ~~The area extending from Beach Street (North and South) eastward to the Atlantic Ocean;~~
  - c.d. ~~Any area currently or hereafter designated as an Historic District pursuant to Chapter 2, Article VI of this Code.~~

Co-location of camouflaged antennae may be permitted on all multi-family and non-residential structures within these areas, if the camouflaged antennae comply with all applicable provisions of the Land Development Code

**SECTION TWO:** Amend Section 2-57 T 3. Subsection 3, Telecommunications Towers and Antennae, of Chapter 2, District and General Regulations, of Article IV, Conditional and Special Exception Regulations of the City Land Development Code by adding setbacks to residential zoning districts to read as follows:

<u>APPLICABLE AREA</u>	<u>BUFFER SETBACK REQUIREMENTS</u>
<u>All residential zoning districts which allows camouflaged or non camouflaged telecommunication towers.</u>	<u>200' or 200% of the height of the tower, whichever is greater from residential structures or adjacent property lines in all directions.</u>

**SECTION THREE.** Amend Section 2-57 T. 3. Telecommunications Towers and Antennae, of Chapter 2, District and General Regulations, of Article IV, Conditional and Special Exception Regulations of the City Land Development Code by adding subsection 15 to read as follows:

**15. Outside Consultant:** To assist the City in the review of a telecommunication application and in particular the propagation study and related documents in support of a specified height, the City may elect to engage outside consultants to review and make recommendations to the SPRC.

In order to recover all costs associated with the use of an outside consultant to provide technical review services, a review charge in addition to the application fee shall be charged to the applicant prior to staff reviewing an application. The review charge shall be for all actual costs incurred by the outside consultant in reviewing the propagation study and related documents in support of a specified height. The applicant shall also reimburse any additional costs relating to additional reviews, errors, omissions, discrepancies, delays or extensions as the result of actions or requests by the applicant.

**SECTION FOUR:** All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION FIVE.** In the event any word, phrase, clause, sentence, paragraph, term, or provision of this Ordinance shall be held to be invalid by a court of competent jurisdiction, such judicial determination shall not affect any other word, clause, phrase, sentence, paragraph, term or provision, of this Ordinance, and the remainder of this Ordinance shall remain in full force and effect.

**SECTION SIX.** This Ordinance shall take effect immediately upon its adoption.

**PASSED UPON** at the first reading of the City Commission, this \_\_\_\_ day of \_\_\_\_\_, 2012.

**PASSED UPON** at the second and final reading of the City Commission, this \_\_\_\_ day of \_\_\_\_\_, 2012.

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**ED KELLY**

Mayor

**ATTEST:**

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**LOIS TOWEY**

Assistant City Clerk

**City of Ormond Beach Commercial Development Report - September 6, 2012**

#	Project	Description	Applica-tion Date	1st Review	2nd Review	3rd Review	4th Review	5th Review	Advisory Board	City Commis-sion	Final Approval	DO Expiration	LDC Extension Expiration	2009 SB Expiration	SB 2156 Expiration	HB 7207 Expiration	Building Permit Info	Building Permit Value	Eng. Permit	Clearing Permit	Under Construct-ion	CO Issued	E or Arc = Project Engineer or Architect O = Owner A = Applicant
1	<b>146 NORTH ORCHARD STREET</b> 146 North Orchard Street 12-134	Rezoning from B-1 to I-1, consistent with recently amended Industrial land use	08.22.12	No SPRC review					10.11.12														A = Clinton Baylor O = Pat Baylor
2	<b>400 CLYDE MORRIS BOULVERARD</b> 400 Clyde Morris Boulevard 07-1240	Minor Modification to approved site plan for 2 office buildings (9,384 and 7,671 SF)	12.26.07	01.16.08	04.01.08				NA	NA	06.19.08	06.19.10	06.19.11	06.19.13	NA	06.14.15	Not Applied						E = Harpster Engineering O = Ormond Medical Arts ARC = BPF Design
3	<b>906 NORTH US HIGHWAY 1</b> 1142 North US Highway 1 12-136	Special Exception to allow iterant vendors and outdoor activity annually during <b>Special Events</b>	09.05.12						10.11.12 (tentatively)														A = Nelson Jackson
4	<b>AMERICAN LEGION - POST 267</b> 1142 North US Highway 1 11-105	Redevelop existing building into an American Legion, including building and site improvements	08.23.11	09.06.11	11.01.11	03.13.12					04.05.12	04.05.14											O = American Legion, Post 267 E = Daniel Johns, P.E. ARC = Stan Holle
5	<b>ANDY ROMANO OCEANFRONT PARK</b> 839 South Atlantic Avenue 12-01	Construct public oceanfront park including parking, stormwater, recreational amenities, and landscaping.	10.04.11	10.18.11	01.24.12				11.10.11 Approved	02.07.12 & 02.21.12	03.21.12	Under Const.					Issued 05.24.12	\$1,295,170	Issued 05.24.12	Issued 05.24.12	15%		E = Zev Cohen and Associates, Inc. O = City of Ormond Beach ARC = DJ Designs, Inc.
6	<b>ATLANTIC CENTRAL ENTERPRISES</b> 14 West Tower Circle 08-25000008	New 26,500 +/- SF Industrial Warehouse/Office	04.08.08	04.22.08	06.10.08				NA	NA	07.03.08	07.03.10	None	07.03.12	NA	07.03.14	Not Applied						O = Atlantic Central Enterprises A = Steve Traulson E = W.A. Cross Engineering, Inc
7	<b>BETNR HANGERS @ OB AIRPORT</b> 85 Hanger Way 10-00000036	Phased construction of three buildings (1: 1,000 SF office, 5,300 SF manufacturing, 6,300 SF hanger) (2: 1,600 SF office, 10,500 SF hanger) (3: 4,800 Warehouse)	12.08.09	12.22.09	02.09.10				NA	NA	03.22.10	03.22.12				03.22.14	Not Applied						E = McKim & Creed A = BETNR ARC = BPF Design
8	<b>BROWN/THOMPSON COMMERCIAL</b> 1287 West Granada Boulevard 08-25000037	9,225 square foot building and associated site improvements	12.01.08	12.16.08	01.04.11	06.07.11			Approved 07.14.11	Approved 09.06.2011 - Ord 11-31		DO = 09.06.16											E = Danny Johns O = Brown/Thompson ARC = Robert Hall
9	<b>CAPITAL TELECOM</b> 610 South Yonge Street 12-69	Construct a 150 foot camouflaged telecommunications tower.	02.29.12	03.20.12	06.19.12						07.24.12	07.24.14					In plan review		In plan review	In plan review			E = AllPro Consulting Group O = Ormond Beach LLC, PTA - SI 908 APP = Capital Telecom
10	<b>CARDINAL DRIVE LIFEGUARD STATION</b> 301 Cardinal Drive 11-23	Demolish existing structure and build new lifeguard station with public restrooms and expand parking.	02.22.11	03.08.11	05.25.11				NA	NA	06.27.11	06.27.13					Issued 08.31.12	\$362,476	Issued 08.31.12	Issued 08.31.12	5%		E = Alann Engineering Group O = County of Volusia ARC = DJ Designs, Inc.
11	<b>COURTYARD PBD</b> 135 N. US1 (between Highland and Dix) 07-1243	12,000 Square Feet Retail (Dollar General complete) and 16 MF units	01.04.08	02.04.08	12.01.08	02.17.09			04.09.09 PB	06.02 CC Ord 09-17	06.12.09	Site plan vested w/ Phase 1	Not Applied	NA	NA	PBD/PRD, ph.2 06.02.14	Not Applied						E = Daniel Johns, P.E. O = Ormond Central Market Place ARC = Richard Brookfield
12	<b>121 EAST GRANADA BOULEVARD -CONCEPT</b> 121 East Granada Boulevard #12-90	Redevelop site for urgent care use, expand building by 2,316 square feet, and site improvements	06.19.12	07.03.12	09.11.12																		E = Parker Mynchenberg & Assoc O = Dr. Batniji ARC = BPF Design
13	<b>JIMMY JOHNS</b> 300 West Granada Boulevard 12-81	Demolition of existing on-site building and construction of new buildings and associated site improvements	04.10.12	04.25.12	05.25.12						06.18.12						Issued 08.10.12	shell = \$342,069	\$117,600 Issued	Issued	10%		E = Parker Mynchenberg & Assoc O = Brent Triebel ARC = Ben Butera
14	<b>KING'S CROSSINGS CENTRE</b> 775 West Granada Boulevard 12-113	Vacant land. Construction of two story, 11,352 square foot building and associated site improvements.	06.18.12	07.03.12							07.24.12						In plan review	shell = \$245000	In plan review	In plan review			E = Alann Engineering Group O = Arian Development, LLC ARC = Architectural Design & Associates, Inc.
15	<b>McNAMARA WAREHOUSE</b> 480 Andalusia Drive 11-13	4,580 square foot warehouse and associated site improvements	12.22.10	01.05.11																			E = Parker Mynchenberg & Assoc O = McNamara Construction, LLC ARC = Stan Hoelle

\* Highlighted projects indicate change in status (such as SPRC approval, CC approval, building permits issued, or CO issued).

**City of Ormond Beach Commercial Development Report - September 6, 2012**

#	Project	Description	Applica-tion Date	1st Review	2nd Review	3rd Review	4th Review	5th Review	Advisory Board	City Commis-sion	Final Approval	DO Expiration	LDC Extension Expiration	2009 SB Expiration	SB 2156 Expiration	HB 7207 Expiration	Building Permit Info	Building Permit Value	Eng. Permit	Clearing Permit	Under Construct-ion	CO Issued	E or Arc = Project Engineer or Architect O = Owner A = Applicant
16	<b>NORTH ORCHARD CENTER</b> 150 North Orchard Street 07-1167	New 7,400 SF office (2,000SF), warehouse (10 units) and mini-storage (218 units)	05.14.07	06.06.07	08.29.07	11.14.07	01.02.08		PB 01.10.08 APP (6-0)	CC 03.04.08 Ord 08-09	04.08.08	04.08.10	04.07.11	04.07.13		Site plan 04.07.13 PBD 03.04.15	Not Applied						E = Alann Engineering Group O = Brian Share
17	<b>NOVA BANK</b> 115 North Nova Road 07-1200	1,800 SF Bank	08.29.07	09.12.07	10.24.07	12.05.07			NA	NA	01.08.08	01.09.10	01.09.11	01.09.12		01.19.14	Not Applied						E = Alann Engineering Group O = Paul F. Holub, Jr. ARC = BPF Design
18	<b>ORMOND CROSSINGS PMUD</b> 100 Ormond Crossings Boulevard 10-134	Master Development Plan zoning document for Ormond Crossings project (no site plan approval)	08.16.10	09.02.10	11.28.11				Discussion 06.18.12														O = Tomoka Holdings LLC A = Tomoka Holdings LLC
19	<b>ORMOND GRANDE</b> 1255 North US1 10-00000006	New 4,800 SF industrial and 60 townhomes (see residential report)	10.13.09	10.27.09	01.05.10				Not required	Not Required	01.12.10	01.12.12	None	NA	NA	01.12.14	Not Applied						E = Parker Mynchenberg & Assoc O/A = Ormond Grande LLC
20	<b>PRINCE OF PEACE - SOCIAL SERVICE</b> 600 South Nova Road 10-00000007	12,160 square foot new building for Church thrift shop, meeting area, offices, and food pantry	11.03.09	11.17.09 (concept)	12.29.09				04.08.10	05.18.10			05.14.13 (Special Exception)										E - Alann Engineering O = Prince of Peace ARC = DJ Designs
21	<b>RIVERBEND CHURCH EXPANSION</b> 2080 West Granada Boulevard 09-25000008	Site improvements and utility connect in association with expansion in Daytona Beach	09.08.09	09.22.09	01.18.11				NA	NA	07.13.11	Under Constr.					\$515,034	Issued 11.09.11	X	25%			E = Mark Dowst & Associates O = Riverbend Church
22	<b>ROOT COMMERCE PARK</b> 900 North US Highway 1 06-4-1107	New 99,000 SF (49,200 office) and warehouse in 5 buildings on 12.48 acres	04.26.06	05.18.06	08.17.06	10.12.06	12.07.06		PB 11.09.06 A (5-0)	02.20.07- CC Ord 07-04	06.27.08	06.27.10	06.06.11	06.06.13	NA	Zoning 02.20.15 Site Plan 06.06.15	Not Applied						E = Parker Mynchenberg & Associates ARC = BPF Design A = Root Chapman
23	<b>STOR-IT</b> 99 Portland Avenue 11-09	Construction of vehicle storage facility with 87 bays and associated site improvements.	12.07.10	12.21.10	11.15.11				12.08.11	04.03.12 &04.17.12	04.18.12	04.18.14					06.12.12	\$460,159	06.12.12	06.12.12	20%		E = Zev Cohen & Associates O = Vanacore Commercial Property
24	<b>SUNOCO - CONCEPT</b> 1546 West Granada Boulevard #12-94	Demolish existing structures and construct new convenience store with gas	05.14.12	CONCEPT 05.29.12																			E = England, Thimus & Miller, Inc O = Sunoco, Inc.
25	<b>SUNOCO - CONCEPT</b> 460 South Atlantic Avenue	Demolish existing structures and construct new convenience store with gas	05.22.12	CONCEPT 06.05.12																			E = England, Thimus & Miller, Inc O = Sunoco, Inc.
26	<b>TOMOKA CHRISTIAN CHURCH</b> 1450 Hand Avenue 07-1201	Proposed New Church - 61,000 SF, 801 seats	08.29.07	09.26.07	11.14.07	02.05.08	03.04.08	04.01.08	Approved 03.27.08 DRB	App 05.06.08 Res. 08-102	06.19.08	06.16.10	06.16.11	05.06.13	NA	S. Except. 05.06.15S ite Plan	Issued 08.30.12	\$9,787,637	07.23.12 Issued	07.23.12 Issued	15%		E = Zev Cohen & Associates O = Tomoka Christian Church ARC = Hyde West Architects
27	<b>WAL-MART</b> 1521 West Granada Boulevard 12-130	Special Exception for 10 seasonal trailers annually from November 1st to January 7th	08.06.12						09.13.12	10.16.12													A = Tommie Fullington, Wal-Mart
28	<b>WASTEWATER TREATMENT EXPANSION</b> 550 Orchard Street 10-00000001	Wastewater treatment Expansion	10.06.09	10.20.09	03.02.10				NA	NA	03.10.10	03.10.12 Under Const.	Under Const.	Under Const.			Issued 10.20.11	Issued 10.20.11	Issued 10.20.11	60%			E = Camp Dresser & McKee Inc. O = City of Ormond Beach

\* Highlighted projects indicate change in status (such as SPRC approval, CC approval, building permits issued, or CO issued).

**City of Ormond Beach Residential Development Report -- Ending September 6, 2012**

#	Project	Description	Applica-tion Date	1st Review	2nd Review	3rd Review	4th Review	5th Review	Advisory Board	City Commis-sion	Final Approval	DO Expiration	LDC Extension Expiration	2009 SB Expiration	SB 2156 Expiration	HB 7207 Expiration	Building Permit Info	Eng. Permit	Clearing Permit	Under Construc-tion	CO Issued	E or Arc = Project Engineer or Architect O = Owner A = Applicant
A	<b>COURTYARD PBD</b> 135 N. US1 (between Highland and Dix) 07-1243	21,000 Square Feet Retail (9,000 Dollar General) and 16 MF units	01.04.08	02.04.08	12.01.08	02.17.09			04.09.09 PB	06.02 CC Ord 09-17 Expires Ph.2 06.02.12	06.12.09		Not Applied	NA			None for Residential					E = Danny Johns O = Ormond Central Market Place ARC = E.M.P. Architecture & Design
B	<b>DEER CREEK SUBDIVISION</b> 2400 Airport Road 04-08-989	346 Single-Family Lots (4 phases)	08.24.04								08.31.05	Under Const.	Under Const.	Under Const.				Phase 1 Phase 2 Phase 3 Phase 4 (phase 4a completed)	Done Done Done 0%			E = Mark Dowst & Associates O/A = Hunter's Ridge, Inc
C	<b>ENCLAVE AT NORTH POINTE</b> Tymber Creek Road (Parcel # 4113-00-00-0032) 05-06-1041	34 Single-Family Lots	06.29.05	03.02.06	03.23.06	10.12.06	02.21.07	04.11.07		O 06-08 (PRD) R- 04-206 Plat	09.10.07	08.01.09 PRD Zoning	08.01.10	08.01.12 Zoning & 10.09.12 Site Plan	NA	08.01.14 Zoning & 10.09.14 Site Plan	Not Applied					E = Land Plan Engineering Group O = Silverstein & Goldberg Trust A = White Falcon Land & Development
C	<b>ENCLAVE AT NORTH POINTE</b> Tymber Creek Road (Parcel # 4113-00-00-0032) 10-153	34 Single-Family Lots - <b>PRD Amendment</b> Transfer traffic concurrency vesting to Marshside subdivision	10.04.10	10.19.10					Required	Required												E = Land Plan Engineering Group O = Silverstein & Goldberg Trust A = White Falcon Land & Development
D	<b>MARSHSIDE AT GROOVER BRANCH</b> Tymber Creek Rd. & Airport Rd. (Parcel # 4124-00-00-0240) 05-06-1035	68 Single-Family Lots	06.08.05	12.08.05	02.02.06	03.23.06	09.19.07	6.10.08	PB 06.08.06 Deny (3-2)	11.14.06 Ord. 06-09		11.14.09 PRD Rezoning	11.14.10 Zoning	11.14.12 Zoning	NA	11.14.14 Zoning						E = Land Plan Engineering Group O = Enclave of Timber Creek LLC A = White Falcon Land & Development
D	<b>MARSHSIDE AT GROOVER BRANCH</b> Tymber Creek Rd. & Airport Rd. (Parcel # 4124-00-00-0240) 10-152	Amendment & rezoning for Marshside subdivision to increase the number of lots from 68 to 104 units.	10.04.10	10.19.10	09.11.12				Required	Required												E = Land Plan Engineering Group O = Enclave of Timber Creek LLC A = White Falcon Land & Development
E	<b>ORMOND GRANDE</b> 1255 North US1 10-00000006	New 4,800 SF industrial and 60 townhomes	10.13.09	10.27.09	01.05.10				Not required	Not Required	01.12.10	01.12.12		NA	NA	01.12.14						E = Parker Mynchenberg & Assoc O/A = Ormond Grande LLC
F	<b>ORMOND STATION</b> 644 North Nova Road 08-25000039	29 Townhomes	11.06.08	12.02.08	06.09.09	12.22.09	02.23.10 (final)				03.09.10	03.09.12	None	None	09.09.12	09.09.14						E = Harpster Engineering O = Scott Vanacore
G	<b>PINELAND</b> East of I-95, north of Airport Road 08-23000002	Preliminary Plat of 192 Single-Family Lots	11.04.08	11.18.08	02.17.09				PB Approved (4-2)	Approved Ord 08-44		10.21.13 PRD Rezoning		NA	NA	10.21.15 PRD Rezoning						E = Zahn Engineering O = Funcoast Developers
H	<b>RIVER OAKS</b> Airport Road (Parcel # 4124-00-00-0040) 03-10-935	101 Single-Family Lots	06.28.06	07.13.06	01.24.07	08.01.07	09.12.07		10.25.07 DRB (6- 0)	12.18.07 R07-226 (P. Plat)	11.07.07	Under Const.	PRD: 11.08.09 Site Plan 10.08.09	PRD: 11.08.11 Site Plan 10.08.11	NA	PRD: 11.08.13 Site Plan 10.08.13	Subdivision Imp. Value: \$1,256,900	05.12.1 0	05.12.10	35%		E =Harpster Engineering O/A = Vanacore Homes
I	<b>TOMOKA GOLF VILLAGE</b> 20 Tomoka Oaks Blvd. 05-06-1039	122 Townhomes & 3 Single-Family Lots	06.15.05	09.29.05	05.03.06	07.27.06			08.10.06	10.17.06 O 06-17		10.17.08 PRD Rezoning	1st Ext: 10.17.09 2nd Ext: 10.17.10	10.17.12	NA	10.17.14						E/A = CPH Engineers, Inc. O = Tomoka Oaks Golf/Country Club

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