THE CITY OF NEW SMYRNA BEACH - PLANNING & ZONING

OLD MISSION COVE: CONDUCT A QUASI-JUDICIAL PUBLIC HEARING TO REVIEW AND APPROVE A PROPOSED RESIDENTIAL SUBDIVISION PLAT CONSISTING OF A TOTAL OF 37 TOTAL RESIDENTIAL UNITS/LOTS WITHIN A TOTAL 11.2 ACRE AREA, WITH THOSE UNITS BEING 25 TOTAL SINGLE FAMILY (SF) LOTS AND 12 TOWNHOUSE LOTS.

June 22, 2021

Background:

Applicant/Authorized Agent: V. "Buddy" LaCour, 220 Charles St., Port Orange, FL 32129

Property Owners: Old Mission Cove, LLC, & Southern Trends Development LLC, both at 220 Charles St., Port Orange, FL 32129

Request: Approval of the final development plans and plat for a proposed residential subdivision consisting of a total of 37 total residential units/lots within a total 11.2 acre area, with those units being 25 total single family (SF) lots and 12 townhouse lots. The proposed subdivision will be within two proposed plats (each 5.6 acres), with 12 townhouse lots and 2 single family (SF) lots in Phase 1, and 23 single family lots in Phase 2, and include associated infrastructure and improvements both within and outside of the plat boundaries.

A concurrent and separate application has also been made to the City (as # SV-1-20) for the vacation of two separate portions of currently platted right-of-way (r/w) totaling 0.665 acres, the majority of which is within this 11.2 acre proposed site and in

which most of the previously existing plat has already been vacated.

Site Information: The 11.2 acre site is currently undeveloped and vacant, and immediately adjacent to Ingham Road to the east and CR 4137/Old Mission Road to the west, with Mission Drive further to the south and SR 44 to the far north. The site also

contains three differing and separate City zoning designations within its boundaries with the westernmost portion/tax parcel zoned R-4, Multi-Family Residential District, and the eastern portion divided between R-3, Single & Two Family Residential District within the larger northern area and R-2, Single Family Residential District within the smaller southern area adjacent to the R-4 western portion.

Tax Parcel Information: 7419-00-00-0040, 7419-00-00-0042, & 7419-00-00-0060

Exhibits:

1. **Exhibit A** - Location Map
2. **Exhibit B** - Aerial Map
3. **Exhibit C -** Current Zoning Map
4. **Exhibit D** – Plan Set, including the Old Mission Cove Phase 1 & 2 plats
5. **Exhibit E** – Townhouse Architectural Plans

Findings:

The proposed plats and associated engineering plans would allow for development of this 11 acre total site in accordance with the three separate and existing zoning designations within its boundaries. Those zoning designations and proposed uses include the proposed 12 townhouse lots that area entirely within the R-4 Multi-Family zoned area, and the 25 proposed single family lots within (and conforming to) the larger R-2 and R-3 zoned areas within the eastern portion fronting Ingham Road. The current development plan proposes a single roadway through and linking these areas, connecting to both Old Mission Road to the west and Ingham Road to the east. The original application and plans were first submitted in late 2018 and have been revised and resubmitted seven times since then due to various plan changes and review comments.

The existing 11 acre site is a combination of previous uses, primarily as agricultural pasture and open space, and containing a large number of existing large trees, one of which is designated an Historic Tree under the LDR criteria and proposed to remain (a 40” Oak within Lot 32, protected by a retaining wall that extends into adjacent Lots 31 & 33). The plans show a large amount and degree of tree preservation techniques, having undergone a number of redesigns to accommodate trees, and now including methods to reduce and/or eliminate impacts to trees during construction and/or with the final residential lot development.

These tree protection methods are indicated on both the construction plans and plats within Exhibit D, with the proposed plat and plan sheets indicating Tree Protection Easements (TPE) for both Specimen & Historic Tree preservation. These proposed TPE areas are within and include portions of 20 of the proposed 37 total lots, with the plans indicating various specifics for construction methods for utility installation, root impacts, and/or retaining walls to preserve existing tree elevations within areas required to be filled to meet minimum required residential floor elevations, etc.

Existing wetland areas are also proposed to be protected by the Exhibit D plat and plans, with the proposed Tracts E & G in the Phase 1 plat area (totaling 0.9 acres) being dedicated as both TPE areas for tree preservation and as Conservation Easement for the St. Johns River Water Management District.

The proposed Old Mission Cove Phase 1 & 2 plats also dedicate a total of 1.98 acres of public right-of-way, with that including a new 50' wide public road right-of-way (called Coronado Cove Road) within the total 11.2 acre site, by constructing a roadway connection to Mission Drive to the west and extending that to a proposed connection to Ingham Road to the east. That eastern connection is through & using an existing platted right-of-way to the north named Fifth St. on the original 1926 plat, but renamed on the Phase 2 plat to now be Calypso Way, with these new street names having been approved by the Volusia County GIS/911 system. In addition to that new internal roadway, the same proposed plats will dedicate additional public road r/w area for the two surrounding and currently inadequate collector roads, by providing 10' of additional r/w along its 205' of Mission Drive frontage and another 15' wide area of additional r/w along its 814' of Ingham Road frontage. Volusia County has the permitting and maintenance responsibility for these two new connections to both Mission Drive and Ingham Road, and has approved the current plans as shown.

A review of this proposed plat by an independent surveyor on behalf of the City is required by State Statute. This process is in progress and is expected to be completed prior to the June 22 City Commission meeting, and is thus listed as a recommended condition of approval.

At its regularly scheduled meeting on June 7, 2021, the Planning and Zoning Board voted, 6-0, to recommend the City Commission approve the Old Mission Cove Phase 1 & Phase

2 subdivision plats, with the following conditions:

- The approval by the Commission of the concurrent vacation request (SV-1-20) for the two small right-of-way areas within the proposed plats, and;
- The required review and approval of the plats be completed by an independent surveyor on behalf of the City.

Recommendation

Staff recommends the City Commission **approve** the Old Mission Cove Phase 1 & 2 subdivision plats and development plans, subject to the following two conditions:

- Final approval by the Commission of the concurrent vacation request (SV-1-20) for the two small right-of-way areas within the proposed plats, and;
- Completion of the required review and approval of the plats by an independent surveyor on behalf of the City.

Staff also recommends the City Commission authorize the Mayor to execute the Contract for Plat Recording on behalf of the City.

Fiscal Analysis:
N/A

Strategic Plan Item:
No

Staff Report Created By: Robert Mathen - Planner II

Attachments:

Exhibit A - Location Map S-11-18.pdf
Exhibit B - Aerial Map S-11-18.pdf
Exhibit C - Existing Zoning Map S-11-18.pdf
Exhibit D - Site Plan Set - 05-12-2021.pdf
Exhibit E - Townhouse Architectural Plans.pdf
Plat Contract - Old Mission Cove Phases 1 and 2.pdf