

II. PROPOSED COMPREHENSIVE PLAN AMENDMENT REQUEST AND GENERAL PROPERTY INFORMATION

A. LARGE SCALE AMENDMENT REQUEST

Based on an analysis of the adopted Comprehensive Plan, the Applicant proposes a series of amendments to the City of Edgewater Comprehensive Plan. The Applicant has submitted an ADA/DRI to be concurrent with this Large Scale Comprehensive Plan Amendment (CPA). The CPA will require Text and Future Land Use Map Series amendments to the adopted City of Edgewater Comprehensive Plan.

First, the Applicant proposes a series of map amendments to the City of Edgewater Comprehensive Plan Future Land Use Map series to incorporate the Restoration project to the city boundaries and to reflect key natural systems, land use and infrastructure features for the project site. These map amendments are shown in Section IV of this application.

Second, is an expansion of the Development Area Boundary, to include potential transportation water, sewer and drainage improvements on the Future Land Use Map. Approval of the Restoration DRI will require a Future Land Use Map amendment to move the Development Area Boundary. The annexation agreement for the property and existing growth patterns require the Development Area Boundary be moved on the adopted Map Series. Movement of the boundary to include Restoration is in proper anticipation of the expansion of the regional roadway network and is in keeping with regional growth patterns.

Third, this amendment proposes to change the Future Land Use Map designations for the subject site from Environmental Systems Corridor and Forestry Resource to Sustainable Community Development and Conservation Wetlands.

Finally, the Applicant is proposing a Comprehensive Plan Text Amendment to create a new Sustainable Community Development (SCD) land use district in the Future Land Use Element of the adopted Plan. The creation of a new development concept called the Sustainable Community Development District “SCD” will incorporate innovative planning principles to preserve and enhance the environmental site features, respecting the regional and ecological setting within an urban design program. The SCD is based on the concept of sustainable design, to create an environment that is self-supporting and improves over time. With the required integration of a complete range of land uses, including residential, office, retail, institutional, recreational, conservation, public and private infrastructure and public facilities, the development will be self-contained and self-sustained while providing needed workplace services for Edgewater in southeast Volusia County.

B. LEGAL DESCRIPTION AND PROPERTY APPRAISER PARCEL IDENTIFICATION NUMBERS**1. Section /Township/Range (Legal Description)**

The south 1/2 of the Southwest 1/4 and the South 1/2 of the Southeast 1/4, Section 32, Township 17 South, Range 33 East; the South 1/2 of the Southwest 1/4, the Southwest 1/4 of the Southeast 1/4, the Southeast 1/4 of the Southeast 1/4, the Southwest 1/4 of the Northeast 1/4 of the Southeast 1/4, the Southeast 1/4 of the Northeast 1/4 of the Southeast 1/4, the Northeast 1/4 of the Northeast 1/4 of the Southeast 1/4, the Southeast 1/4 of the Southeast 1/4 of the Northeast 1/4 and the Northeast 1/4 of the Southeast 1/4 of the Northeast 1/4, Section 33, Township 17 South, Range 33 East; the South 1/2 of the Northwest 1/4, the South 1/2 of the Northeast 1/4, the Southwest 1/4 and the Southeast 1/4, Section 34, Township 17 South, Range 33 East; that portion of the South 1/2 of the Northwest 1/4 and the Southwest 1/4, lying southwesterly of Interstate 95, Section 35, Township 17 South, Range 33 East; a portion of Section 6, Township 18 South, Range 34 East, lying southwesterly of Interstate 95; all of Section 1 and 2, Township 18 South, Range 33 East; and Section 3, Township 18 South, Range 33 East, excepting therefrom five (5) acres in Government Lot 14, Described as follows: Beginning at the Southeast corner of said Section 3: thence West on the South line of said Section 660 feet; thence North 330 feet; thence East 660 feet to the East line of said Section 3; thence South on the Section line 330 feet to the place of beginning; ALL being more particularly described as follows: For a Point of Beginning, commence at the southwest corner of said Section 3, thence North 00° 23' 50" West, along the west line of said Section 3, a distance of 9268.62 feet to the south line of said Section 32; thence South 88° 53' 05" West, along said south line of Section 32, a distance of 1121.77 feet to the southwest corner of said Section 32; thence North 01° 45' 25" West, a distance of 1317.75 feet to the northwest corner of said South 1/2 of the Southwest 1/4 of Section 32; thence North 88° 48' 27" East, a distance of 5316.15 feet to the northwest corner of said South 1/2 of the Southwest 1/4 of Section 33; thence North 88° 44' 47" East, a distance of 3973.41 feet to the northwest corner of said Southeast 1/4 of the Southeast 1/4 of Section 33; thence North 01° 45' 54" West, a distance of 663.33 feet to the northwest corner of said Southwest 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 33; thence North 88° 44' 01" East, a distance of 661.32 feet to the northwest corner of said Southeast 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 33; thence North 01° 50' 38" West, a distance of 1990.46 feet to the northwest corner of said Northeast 1/4 of the Southeast 1/4 of the Northeast 1/4 of Section 33; thence North 88° 41' 43" East, a distance of 658.58 feet to the northwest corner of said South 1/2 of the Northwest 1/4 of Section 34; thence North 88° 35' 24" East, a distance of 5293.36 feet to the northeast corner of said South 1/2 of the Northwest 1/4 of Section 35; thence North 88° 07' 06" East, along the north line of said South 1/2 of the Northwest 1/4 of Section 35, a distance of 884.36 feet to the westerly right of way of Interstate 95; thence southeasterly along said westerly right of way the following four (4) courses: South 39° 53' 36" East, a distance of 452.54 feet; thence South 29° 52' 56" East, a distance of 1053.25 feet; thence South 29° 53' 27" East, a distance of 1127.04 feet; thence South 29° 53' 23" East, a distance of 1141.37 feet to the east line of the Southwest 1/4 of Section 35, Township 17 South, Range 33 East; thence South 02° 12' 17" East, along said east line of the Southwest 1/4; a distance of 700.28 feet to the southwest corner of the Southeast 1/4 of said Section 35; thence North 88° 44' 36" East, along the south line of said Southeast 1/4, a distance of 370.66 feet to said westerly right of way of Interstate 95; thence southeasterly along said westerly right of way the following four (4) courses: South 29° 52' 54" East, a distance of 1270.66 feet; thence South 29° 53' 55" East, a distance of 1005.54 feet; thence South 29° 52' 17" East, a distance of 825.17 feet; thence 939.01 feet along the arc of a curve to the right being non-tangent to the

last described lines, said curve having a radius of 8419.42 feet, a central angle of 6° 23' 25" and a chord of 938.53 feet which bears South 26° 41' 16" East; thence South 00° 15' 12" West, leaving said right of way of Interstate 95 and along a line non-tangent to said curve, a distance of 5905.65 feet to the south line of Section 6, Township 18 South, Range 34 East; thence North 89° 44' 48" West, along said south line of Section 6, a distance of 3825.35 feet to the southeast corner of said Section 1; thence South 89° 19' 23" West, along the south line of said Section 1, a distance of 5288.04 feet to the southeast corner of said Section 2; thence South 89° 14' 48" West, along the south line of said Section 2, a distance of 5299.92 feet to the southeast corner of said Section 3; thence North 00° 20' 15" West, along the east line of said Section 3, a distance of 330.00 feet; thence South 89° 01' 09" West, a distance of 660.00 feet; thence South 00° 20' 15" East, a distance of 330.00 feet to the south line of Section 3; thence South 89° 01' 09" West, along the south line of Section 3, a distance of 4619.20 feet to the Point of Beginning. Containing 5181.4 acres more or less.

Exhibits refer to the legal descriptions attached to the warranty deed. Tax parcel numbers beginning with 8301, 8302, 8303, 8405, and 8406 lie with the City of Edgewater inside Exhibit A at the top of the special warranty deed.

2. Property Appraiser Parcel Identification Numbers

35173300000101	01183300000010	02183300000010
34173300000011	01183300000010	06183400000015
34173300000014	03183300000020	06183400000014
34173300000011	03183300000025	06183400000015
33173300000011	03183300000020	
32173300000011	01183300000015	
32173300000014	01183300000011	
32173300000011	01183300000015	
01183300000015	02183300000010	
02183300000010	02183300000018	

C. TOTAL ACREAGE

5,181.4 ± acres

D. CURRENT FUTURE LAND USE (FLU) AND ZONING DESIGNATIONS

The subject site currently has Future Land Use designations Environmental Systems Corridor and Forestry Resource. These designations are placeholder designations from Volusia County since the property was annexed into the City in 2005. The site has not been zoned in the City.

E. FUTURE LAND USE AND ZONING DESIGNATIONS OF ADJACENT PROPERTIES

Table 2, Adjacent Property Entitlements shows adjacent properties to the subject site which have the following future land use and zoning designations.

Table 2
Adjacent Property Entitlements (Revised)

Adjacent Property	Future Land Use Designation	Zoning Designation
North – New Smyrna Beach	Rural/Silva culture, Environmental Systems Corridor and Forestry Resource	Agriculture/ Urban Overlay
East – Edgewater	Residential	R1
South – Edgewater	Residential	PUD
West/South – Volusia County	Rural/Silva culture, Environmental Systems Corridor and Forestry Resource	Agriculture

F. GENERAL PROJECT DESCRIPTION

The Restoration DRI-based Comprehensive Plan Amendment revised application is submitted to be in compliance with all applicable Florida Statutes (FS) and Florida Administrative Codes (FAC) applicable to the project.

Due to the fact that the application is being submitted in conjunction with the Restoration DRI for the project, a comprehensive plan amendment may be reviewed regardless of the Section 163 F.S. requirements which limit amendment cycles.

1. Project Background

As part of the preparation of the revised Comprehensive Plan Amendment document, every attempt has been made to address the requirements for Comprehensive Plan Amendment application as listed in Chapters 163, 187 and 380 FS and Rule 9J-5, FAC. In addition, requirements listed in Chapter 186, FS, Rules 9J-2 and 9J-11, FAC, as well as Chapter 28-24 FAC, were reviewed.

In addition, since the initial large scale submitted to the City, the property in the City of New Smyrna Beach has been removed from the project.

The City of New Smyrna Beach has communicated to the Applicant that the City is not ready to accept the Restoration project in the near term. Growth in the City was occurring from Pioneer Trail south and along Airport Road, in Venetian Bay, north of SR 44. While the City is trying to cope with growth north of SR 44, the City expressed an open concern about leap frog development within their planned Western Annexation Area and the exacerbation of that trend if Restoration was added. Furthermore, the Applicant had always planned on developing the New Smyrna Beach portions of the project in a later part of Phase II and Phase III. Therefore, the Applicant has chosen to delete the 1,515± acres located in the City of New Smyrna Beach from the Restoration DRI project. By design, all development, planned infrastructure improvements, restoration activities and the extension of Airport Road to the project have been eliminated at this time. However the Applicant retains easement

rights to extend Williamson Blvd. south of SR 44 to the project site, which remains part of the overall program.

Responses included in this submission reflect the removal of the City of New Smyrna Beach lands and the proposed development program. Exhibits, tables and legal description have all been revised to reflect this change in the plan and program for the property.. The new project acreage in the City of Edgewater is 5,181± acres.

2. Project Description, Proposed Development Program and Phasing

The Restoration project site is located in Volusia County within the City of Edgewater on the west side of I-95. The larger portion of the site, approximately 5,181± acres north of CR 442, is located in Edgewater and was annexed into the City, in June 2005. The project site is made up of undeveloped timberland and a power line easement. Lands along the northern and southern border are currently being planned for development and Volusia County has aligned extensions of Williamson Boulevard, a major County road corridor, through the project site to Indian River Boulevard on the south, as shown on Exhibit 1, Location Map, located in Application Section I Supplemental Data. I-95 is adjacent to the site on the east and an unpaved westward extension of Indian River Boulevard extension abuts the southern property border.

The Development Program proposed in the Restoration ADA/DRI will be developed over three phases, with horizontal development commencing in 2009 and vertical development in 2010. Build-out of the lands is anticipated in 2027. During this period of time, the Applicant is proposing to develop 8,500 residential dwelling units and 3,215,163 square feet of non-residential uses.

In addition, the Applicant has made significant changes in the overall Development Plan and program as a result of input received by a number of the commenting agencies and organizations. The revised **Restoration Master Development Plan (Map H)** incorporates the intent of Volusia County's Map A by preserving all lands intact within the Spruce Creek Swamp corridor located on the western side of the property. This very important corridor connects habitats to the north and to the south in the creek system. Proposed development on the east side of the project site was shifted closer to I-95 and moved around to preserve two major north-south wetland strands that extend off the property to the north and south on the revised development plan. As originally proposed, wildlife corridors extending east to west across the property will serve as connections between Spruce Creek Swamp and interior preservation areas/habitats. Roads crossing the wildlife corridors will either be bridged or contain culverts serving as passageways promoting wildlife movement.

The proposed development footprint has been revised to shift development more toward I-95 on the eastern side of the project and to move development around to preserve the north-south wetland strands pursuant to Volusia County's Map A. The project continues to strive to offer a balance between the value of the wildlife habitat on the site, its "fit" into the regional perspective for conservation lands, and the property owners' desire to develop their land. The owners are still proposing to improve the habitats that remain, which represent approximately 66% of the project area, by performing perpetual management to enhance and restore pine flatwoods and seasonally flooded wetlands.

Restoration will be a model of environmental sustainability and ingenuity and is taking shape in a transect-based new urbanist plan where these principles are employed throughout the

development. An extensive recreation trail system and a Conservation Hamlet of 500 homes is designed to allow the entire community to interact with and experience the natural environment. This, together with a one and one-half mile lake system set in a pristine, natural treed environment will feature an abundance of wildlife, birds and fishing opportunities.

A comparison of the previous Map H to the newly proposed **Map H, Master Development Plan (Revised)** shows that the locations the residential units have essentially been swapped. Age restricted residential has been removed from the development program and replaced with age targeted residential housing, which can occur anywhere residential is permitted in the project. Two distinct development nodes have been created on the property including a eastern development node where the majority if the Restoration project is planned and smaller unique area clustered in the western portion of the site called a Conservation Hamlet.

The Applicant is proposing to increase the overall build out development program. This represents a marked change from the RAI # 2 submission as shown on the revised **Table 10-2 Phased Development** included in **Question 10, General Project Description**. The proposed development program includes all 8,500 residential units in Edgewater. The non-residential uses in the development program have been increased to affect a better jobs to housing balance in the project. Phase II and Phase III of the DRI includes the majority of the program changes in residential and non-residential uses.

In addition, Restoration already has entered into a dialogue with the Volusia County schools to provide one public high school site, and one elementary school site to meet not only the projected needs of Restoration's residential communities, but also to accommodate the school needs of the surrounding Edgewater and New Smyrna Beach area. Also, discussions have been held with representatives of Bert Fish Medical Center in New Smyrna Beach regarding the potential location of a satellite facility, medical complex or hospital site, in conjunction with the planned Town Center.

Other proposed public facilities discussed with Edgewater city officials to date include potential sites for a new City Hall complex and Emergency Operations Center. Opportunities will exist for a Fire/EMS facility, a Police substation, a Public Library and Post Office. These public facilities could be accommodated and integrated into the other mixed retail, office and residential uses in and around the Town Center area.

The Mixed Use Town Center component of Restoration could become the central business center for the expanded Edgewater area. In particular, The Town Center, which abuts the major north-south road, Williamson Boulevard, will include urban-style housing, retail space, office space and public uses in a mixed-use traditional neighborhood setting. Narrow streets, on-street parking, sidewalks with trees and benches, a variety of retail stores, restaurants and mix of public and private uses will provide an interesting, diverse and community-oriented gathering place.

The Mixed Use Town Center will provide an opportunity for a vertical mix of rental apartments and condominium units above street-level commercial and office space uses. The proximity of the neighborhood commercial and office space in the Mixed Use Town Center core to the surrounding neighborhoods will significantly encourage pedestrian access and will reduce vehicular traffic within the Mixed Use Town Center area. By providing mixed land uses and a significant workplace on site, many vehicular trips will be captures onsite.

The multi-way boulevard has been planned and designed to accommodate a transit system linking the Mixed Use Town Center with a high density, transit ready, mixed-use

development corridor of 85 acres and the office oriented Workplace. The walkable compact development corridor will feature at least 2,500 dwelling units and 1.3 million square feet of various mixed-use development. The overall planned density of 6 units per acre provides for a significant amount of pedestrian interaction and connectivity where multiple neighborhood parks and open spaces are all integrated into a pedestrian friendly walkable environment that is highly amenitized.

The transit ready compact walkable design configuration and balance of jobs and housing within the Restoration Plan will allow onsite capture and internalization of over 50% of the vehicular trips that would normally exit the property. The great benefit of this strategy is a significant reduction of vehicle miles traveled per household with a corresponding reduction in greenhouse gas emissions that make Restoration a cutting-edge model of future development in the Central Florida region.

Access to the environment is more important than merely protecting it. Trail systems with uninterrupted paths and view platforms will connect the neighborhoods to the natural environment. As part of the amenity program, a professional environmentalist will have knowledge of the species and Spruce Creek ecosystem to facilitate a nature interpretative center and will lead tours into the landscape. An educational and nature-oriented recreational program will be developed to provide interpretive and educational programs for schools and civic organizations, residents and the community as a whole.

Trails, paths and bikeway routes will be planned through Restoration as part of the overall recreation program.

Restoration continues to work closely with Volusia County, the St. Johns River Water Management District, the Florida Fish and Wildlife Conservation Commission, Florida Audubon and various other environmental agencies from the outset to address the integration of the built environment with the natural environment. The outcome of these initiatives will result in the inclusion within the Development Order of a comprehensive Site Mitigation and Management Plan (SMMP) as called for in the Sustainable Community Development land use designation proposed for the City of Edgewater Future Land Use Map (FLUM).

A draft copy of the SMMP has been provided to the City of Edgewater as part of the DRI 3rd RAI response and identifies the known habitats and the wildlife species found on the site and it, upon completion, will identify the protocols for managing the same, including the general and special conditions imposed by reason of any permits issued by the above identified agencies.

Further, Restoration is using an integrated approach for the development of the SMMP that addresses the mitigation and ecological management requirements for the Project. The SMMP and the protocols is based on extensive site surveys and associated data, the known habitat requirements of the species present on the property, the characteristics of the species using the property and the specified impacts. The SMMP emphasizes the preservation, enhancement and management of the natural features, including wetlands and upland areas so as to minimize development impacts to the environmental features of the site. This will ensure that development impacts are minimized for the resident wildlife, wetlands and other important features of the site. The SMMP includes improving several of the existing vegetative communities by prescribed fire, replanting with native species, by removing drainage ditches and through the management of exotics. Species receiving special concern under the SMMP are the gopher tortoise, the bald eagle and the swallow tail kite.

These outcomes will be designed in consultation with the Florida Fish and Wildlife Conservation Commission and will be subject to further scrutiny as the permitting process discussed earlier proceeds. These outcomes are assured through Development Order conditions.

The Restoration Large Scale Comprehensive Plan Amendment is being submitted in conjunction with and as part of a large land use, detail-oriented, intensive planning effort.

3. Existing Site Conditions

The project site comprises approximately 5,181 acres in southeastern Volusia County. The project site is located west of the city of Edgewater and west of I-95. The site is bounded on the south by an unpaved westward extension of Indian River Boulevard, which dead-ends at Spruce Creek Swamp. The west boundary of the site extends into Spruce Creek Swamp. The north boundary lies 300-500 feet south of an existing dirt road. The east boundary parallels I-95 for 1.92 miles and then extends directly south to Indian River Boulevard.

The entire site may be characterized as a pine flatwoods ecosystem interspersed with forested wetlands. The site has been subject to timber operations for many years such that uplands on site are vegetated by slash pine plantations varying in age from recently clear-cut to 20-30 years old. Many of the wetter areas of the site have been bedded and planted to pines as well. Most areas of planted pines over 15 years of age have a relatively dense under story of saw palmetto, gall berry and wax myrtle. The site does not appear to have been subject to routine controlled burns for at least 10-15 years. Forested wetlands on site include cypress domes and sloughs interspersed within flatwoods ridges and mixed cypress-hardwood swamps associated with Spruce Creek Swamp.

Pine flatwoods found on the site are quite common throughout much of Northern and Central Florida. Originally, longleaf pines were common on drier sites while slash pines, which are less fire-resistant, were confined to moister sites; wildfire being the contributing factor in this distribution. However, fire control and artificial reforestation have extended the range of slash pine into former longleaf sites. The pine flatwoods class on the site is dominated by slash pine.

Coniferous plantations areas are typically dominated by high densities of slash pines that have been planted for timber production. Stand ages on the site range 5-30 years. Most of the pine plantations viewed from the road appear to have a somewhat dense under story of saw palmetto, gall berry, and wax myrtle indicating that several years have elapsed since the last time the site has burned. Wetter areas of the site were bedded prior to planting of pines, and sapling cypress and young loblolly bay are common in these areas.

The Cypress swamp community type is composed of entirely or predominantly of pond cypress or bald cypress. The SJRWMD data indicates that cypress swamps form the core of Spruce Creek Swamp and are interspersed within the pine plantations throughout the eastern third of the site.

The following is a revised list of vegetation types located on the subject property:

Table 3
Existing Land Uses (Revised)

FLUCFCS CODE¹	FLUCFCS DESCRIPTION	ACREAGE
4111	Slash pine flatwoods, mixed ages	82.33
4271	Live oak groves	0.48
4413	Pine plantations, 1-5 years	79.40
4414	Pine plantations, 6-10 years	506.48
4415	Pine plantations, 11-15 years	499.49
4416	Pine plantations, 16-20 years	496.56
4417	Pine plantations, 21-25 years	283.90
4418	Pine plantations, 26-30 years	141.02
4419	Pine plantations, >30 years	573.26
5241	Small ponds	14.32
6211	Cypress swamps	1069.42
6212	Cypress -sawgrass swamps	185.47
6271	Slash pine-Cypress swamps	1019.17
6411	Sawgrass	44.04
6414	Maidencane	55.62
7401	Disturbed land	15.84
8141	Limited access (Interstate system)	76.80
8321	FPL power line easement	37.80
		5181.40

¹Florida Land Use Cover and Forms Classification System

The supplemental data in Section II on Soils provides a description of the soils identified on Exhibit 3, Natural Resources Conservation Service Soils Map of the Hammock Creek Project Site, as occurring in the Restoration (aka Hammock Creek) project area. These descriptions were prepared based on information in Soil Survey of Volusia County, Florida (U.S. Department of Agriculture, Soil Conservation Service 1983).

The soils listed in Table 1, Review of USCS Soil Survey Maps, Restoration are grouped in terms of development suitability, as defined by the Soil Conservation Service. Development suitability refers to soil limitations in their natural, unaltered state, and limitations are commonly overcome by sound engineering practices in development planning. As is indicated, developable soils correspond to upland areas within or near areas of minimal to no flooding and non-hydric vegetation.

For further and a more in-depth analysis, please refer to the additional data and analysis in the Vegetation and Wildlife, Wetlands, Water, Soils and Floodplains sections located in Application Section II Supplemental Data.