



**CITY OF NEW SMYRNA BEACH  
BEACHSIDE RESIDENT TASK FORCE  
BOARD MEETING**

**WEDNESDAY, JANUARY 6, 2016 – 6:00 P.M.**

**CITY COMMISSION CHAMBER, CITY HALL,  
210 SAMS AVENUE, NEW SMYRNA BEACH, FLORIDA**

- A. CALL TO ORDER
- B. ROLL CALL
- C. APPROVAL OF MINUTES NOVEMBER 4, 2015
- D. PUBLIC PARTICIPATION

**NEW BUSINESS**

- E. ADDRESSING PROBLEMS OF PARKING AND MOBILITY AND IT'S IMPACT ON THE NEIGHBORHOOD ON BEACHSIDE
  - 1. CONSIDER LOTS FOR SALE TO ADDRESS PARKING ISSUES ( FLAGLER AND SOUTH ATLANTIC AVENUES)
  - 2. REVIEW THE TRAFFIC CALMING MANUAL
- F. DISCUSS PRIORITIES FOR TWO FINAL MEETINGS

**OLD BUSINESS**

- G. UPDATE ON CENTRAL BEACH PROJECT
  - UPDATE ON SIDEWALKS PROJECT PHASE II (SPECIFICALLY NORTH PINE STREET, SOUTH COOPER STREET SIDEWALKS AND TRAFFIC CALMING)
- H. COMMENTS FROM BOARD MEMBERS OR STAFF
- I. ADJOURNMENT

**In accordance with the Americans With Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's Office in person or by mail at 210 Sams Avenue, New Smyrna Beach, Florida 32168, (386) 424-2112, prior to the meeting.**

**INDEX OF ROADWAY PLANS**

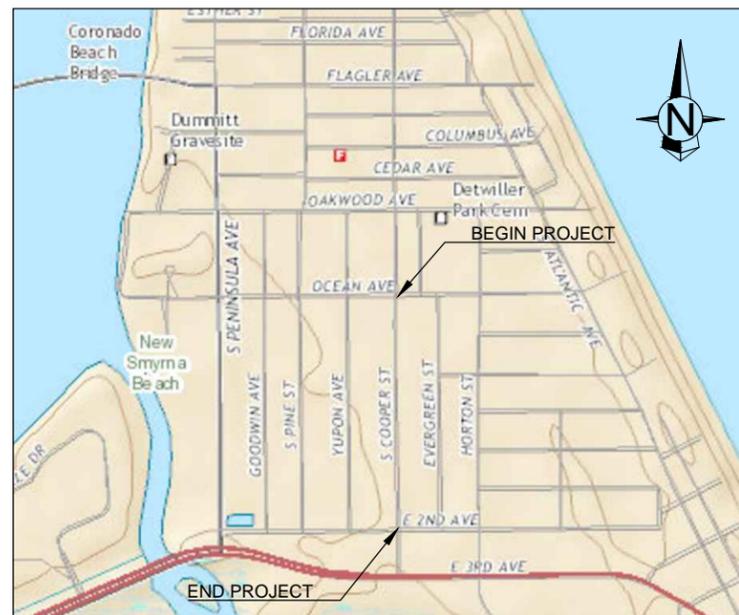
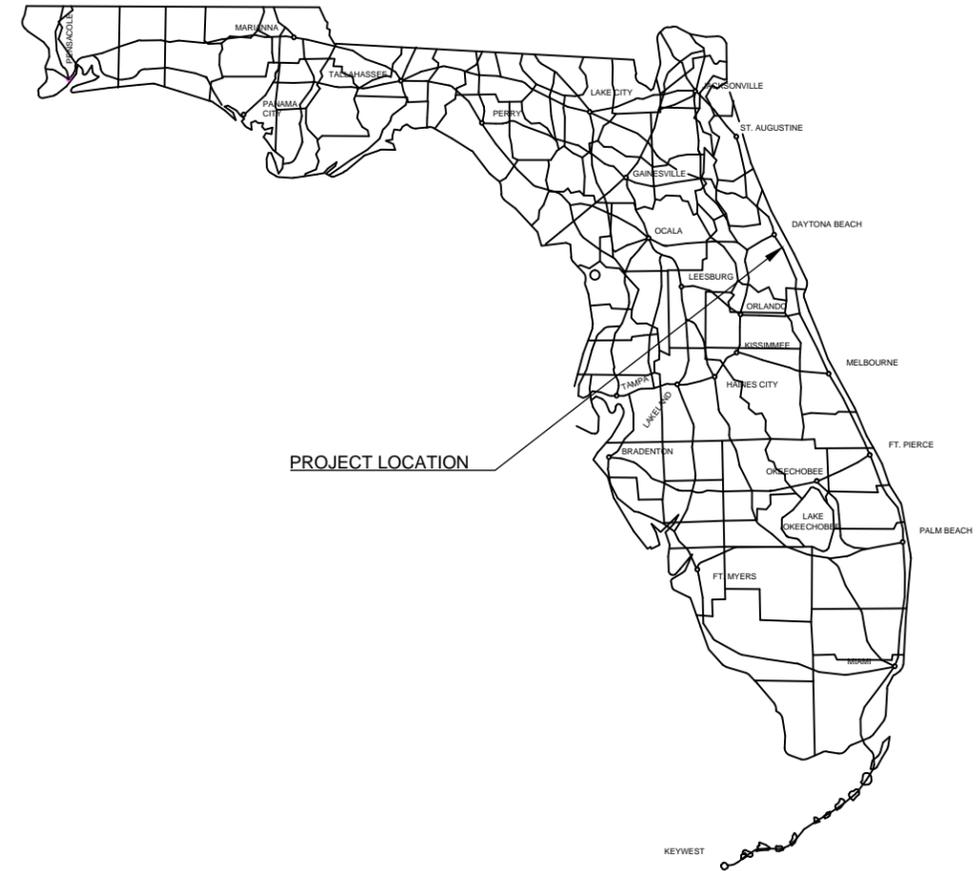
SHEET	TITLE
01	KEY SHEET
02	GENERAL NOTES
03	TYPICAL SECTION
04 - 07	PLAN SHEETS
08	CONSTRUCTION DETAILS



# NEW SMYRNA BEACH

VOLUSIA COUNTY, FLORIDA

## COOPER STREET SIDEWALK AND TRAFFIC CALMING IMPROVEMENTS



VICINITY MAP  
SCALE = 1" = 1500'

LENGTH OF PROJECT	LINEAR FEET	MILES
ROADWAY	1,713.11	0.324
BRIDGES	--	--
NET LENGTH OF PROJECT	1,713.11	0.324
EXCEPTIONS	--	--
GROSS LENGTH OF PROJECT	1,713.11	0.324

PLAN SET		
DATE	BY	DESCRIPTION
09/08/2015	TAS	REVISED FOR 8' SIDEWALK

**SHOP DRAWINGS  
TO BE SUBMITTED TO:**  
 MIKAL REED HALE, P.E.  
 TRAFFIC ENGINEERING DATA SOLUTIONS, INC.  
 80 SPRING VISTA DRIVE  
 DEBARY, FL 32713  
 PH: (386) 753-0558 FAX: (386) 753-0778  
 E-Mail: mhale@teds-fl.com

**PLANS PREPARED BY:**



**TRAFFIC ENGINEERING DATA SOLUTIONS, INC.**

Phone: (386) 753-0558 80 Spring Vista Drive  
 Fax: (386) 753-0778 DeBary, FL 32713

**CERTIFICATE OF AUTHORIZATION NO. 27392**

NOTE: THE SCALE OF THESE PLANS MAY  
HAVE CHANGED BY REPRODUCTION.

CALL 2 WORKING DAYS  
BEFORE YOU DIG

**811**

IT'S THE LAW!  
DIAL 811

Know what's below.  
Call before you dig.

SUNSHINE STATE ONE CALL OF FLORIDA, INC.

STANDARDS AND SPECIFICATIONS INCORPORATED BY REFERENCE:  
 Florida Department of Transportation, 2015 Design Standards, and 2015 Standard  
 Specifications for Road and Bridge Construction, as amended by Contract Documents, and  
 updated per January 2015 Workbook.

For Design Standards, click on the "Design Standards" link at the following web site:  
<http://www.dot.state.fl.us/rddesign/>

For Standards Specifications for Road and Bridge Construction click on the "Specifications" link  
 at the following web site:  
<http://www.dot.state.fl.us/specificationsoffice/>

ROADWAY PLANS  
 ENGINEER OF RECORD: \_\_\_\_\_ MIKAL REED HALE, P.E.

DATE: \_\_\_\_\_  
 P.E. NO.: 58048

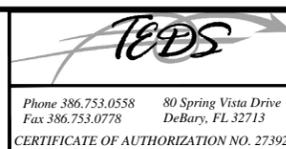
SHEET  
NO.  
**01**

**GENERAL NOTES:**

1. This plan set has been prepared to show improvements desired by the City of New Smyrna Beach, which are intended to be constructed through a change order to the City's existing contract for their Central Beach Improvements. The existing conditions depicted within these plans are based on the survey information and design conditions depicted within the current plans for that project, as prepared by Pegasus Engineering, and all supplements thereto. All of the conditions, requirements, and procedures set forth in the City's on-going construction contract for the Central Beach Improvements shall apply, and the proposed work depicted in this plan set shall be constructed in accordance with all of the specifications incorporated in that same contract.
2. Contractor shall notify the City of New Smyrna Beach Project Manager (Kyle Fegley, P.E.) at (386)424-2168, at least two (2) business days prior to beginning construction.
3. The contractor shall notify all utility companies a minimum of two (2) working days prior to excavation as required by chapter 77-153 of the Florida Statutes.
4. Elevations refer to NGVD 1929, based on Benchmark No. 24 having an elevation of 7.810 feet, as included in the Central Beach Improvements project.
5. The contractor shall field verify the existing pavement elevations of all driveways and sidewalks to ensure the proposed sidewalk matches existing pavement at connection.
6. The information shown on these drawings concerning type and location of underground and other utilities is based on records and surveys available during plan development, but is not guaranteed to be accurate or all inclusive. The contractor shall make his own determination as to the type and location of utilities, as may be necessary to avoid damage thereto. The contractor is responsible for all utility locates prior to and during any construction activities, as well as any coordination of utility relocation necessary within the project construction. Contractor shall verify depth of all existing utility mains and ensure that the minimum coverage to the top of pipe will be maintained.
7. Unless otherwise noted, all removed material (except for signs) shall become the property of the contractor and is to be appropriately disposed of in areas provided by the contractor.
8. All existing drainage structures and pipes within the right-of-way shall remain, unless otherwise directed.
9. Unless otherwise specified, the contractor shall adjust all existing and proposed appurtenances (i.e. valve boxes, meter boxes, pull boxes, manholes, etc.) meant to be flush with finished grade.
10. All private and public property affected by this work shall be restored to a condition equal to or better than existing conditions. Cost to be incidental to other construction and no extra compensation will be allowed.
11. All P.R.M.'s shown on plans, or found, shall be preserved in a permanent manner.
12. Any U.S.C. & G.S. monuments within the limits of construction shall be protected, and if in danger of damage, the contractor shall notify the project engineer, and both shall notify: State Geodetic Advisor, Ronnie Taylor, Suite 309, 3900 Commonwealth Boulevard, Tallahassee, FL, (904) 488-2427. Contractor shall be responsible for any damage to markers and shall replace at contractor's expense if damaged.
13. Contractor shall cooperate with City's designated representative(s) at all times with respect to sampling, testing, and inspections.
14. Sign locations are approximate and shall be field verified and noted by the contractor prior to the beginning of construction. Minor adjustments may be made to ensure no signs are obscured.
15. Unless otherwise noted, all existing signs shall remain. The contractor shall be responsible for removing all signs which are to be removed or relocated, as noted in these plans. Signs to be relocated shall be stored and protected during construction, until such time they are re-installed and the project is complete. Any signs damaged during construction shall be replaced by the contractor at no cost to the City of New Smyrna Beach. Signs which are not intended to be re-utilized shall be delivered to the City of New Smyrna Beach Streets Division (386) 424-2205.
16. All station/offsets shown are to the Baseline of Construction for Cooper Street. CAD files will be provided for the benefit of the contractor in staking out the proposed improvements. No other project control information other than that shown in these plans will be provided. Prior to first application for payment, the contractor shall stake the right of way at 100 feet whole-station intervals (with stationing shown on the stakes), and delineate the proposed extents of the sidewalk for the City's inspection.
17. Prior to start of construction, contractor shall be required to determine whether or not there are any private improvements located in the public right of way that are in conflict with proposed construction, such as landscaping, irrigation, lighting, fences, etc. Whenever such improvements exist, contractor shall be responsible for notifying the adjacent property owner(s) that their private improvements are encroaching on the public right of way. Contractor shall also be responsible for coordinating the private property owners to ensure that the private improvements are relocated onto private property by the owners of the existing improvements, such that they do not delay and are not in conflict with the proposed construction.
18. With exception of mailboxes, all personal property within the right-of-way that is not relocated by the property owner shall be removed by the contractor as necessary to construct the project in accordance with the plans.
19. The contractor is to maintain uninterrupted access to all driveways at all times and is to notify property owners five (5) days prior to starting construction adjacent to their individual properties.
20. Access to the intersecting side streets shall be maintained at all times.
21. Maintenance of Traffic shall be in accordance with FDOT Standard Indices 600 series; specific attention is directed to FDOT Standard Index Number 601, 602, 603, 604, and 605.
22. The contractor shall perform work in accordance with requirements of FDOT Standard Specifications, Section 103 - Prevention, Control, and Abatement of Erosion and Water Pollution. Environmental controls shall be used at locations designated in the Stormwater Pollution Prevention Plan (SWPPP) as provided by Pegasus Engineering, LLC, or as approved by the engineer.
23. Contractor shall ensure that proposed conditions will not result in less cover over the existing utilities than the minimum requirements below, unless specifically approved by the City in writing:
 

Storm Drains	12 inches minimum cover (not including Bell Joint)
Water Mains & Services	36 inches minimum cover
Reclaimed Water Mains & Services	36 inches minimum cover
Gravity Sewer Mains & Services	36 inches minimum cover
Sanitary Sewer Force Mains	36 inches minimum cover
Primary or Secondary Electric	30 inches minimum cover
Telecommunications	18 inches minimum cover
24. Trimming of shrubs and pruning of tree limbs and roots is anticipated to be required for construction of proposed sidewalk. Throughout the pruning process, Contractor shall be required to coordinate with the City of New Smyrna Beach designated representative, and shall be required to complete all pruning to the City's satisfaction. Prior to completing any pruning, contractor shall excavate soils around root systems such that roots are exposed and can be visibly inspected by the City. Limbs of all existing trees or shrubs which overhang the proposed sidewalk shall be pruned to provide 8 feet of vertical clearance over top of any portion of the proposed sidewalk. Any trees, shrubs, or brush adjacent to the proposed sidewalk shall be trimmed to provide a minimum of 1.5' of horizontal clearance, as measured from the edge of the sidewalk, unless this distance exceeds available right of way limits, in which case trimming shall be terminated at the right of way.
25. In cases where removal of existing trees is required, they shall be completely removed by the contractor, including limbs, trunks, and their entire root system(s). Once the proposed sidewalk has been delineated in the field (as required in General Note 16 of this page), contractor shall contact the City of New Smyrna Beach designated representative for a visual inspection in order to ensure there is no viable means of saving those trees specified for removal based on expected conflicts with root systems. Contractor shall use caution when removing existing trees in order to avoid damage to other elements that may be in close proximity, such as fences or other private property, existing utilities, other trees, etc. Contractor shall be solely responsible for any damage caused, and no additional compensation shall be provided to restore items that are damaged during construction. In locations where substantial root systems are encountered in close proximity to existing utilities, Contractor shall contact the appropriate representative of the Utilities Commission, City of New Smyrna Beach (UCNSB) to determine whether or not portions of existing root systems will be permitted to remain in the ground in order to avoid disruption of existing utilities.
26. Proposed concrete sidewalk shall be constructed in accordance with FDOT Standard Specification, Section 522.
27. All striping and pavement markings shall be thermoplastic constructed in accordance with FDOT Standard Specification, Section 711.
28. In locations where existing asphalt is to be sawcut and/or curbing is to be removed / replaced with new curb or curb & gutter, contractor shall be responsible for protection of the existing travel lanes through the duration of the project, and shall be required to repair any pavement that is damaged during construction to the satisfaction of the City of New Smyrna Beach, which could entail milling/resurfacing and/or full depth reconstruction of the pavement section depending upon the level of damage that may occur.
29. All requirements for video / audio recordings set forth within the contract for the on-going Central Beach Improvements shall apply.
30. All noise level and work hour restrictions set forth within the contract for the on-going Central Beach Improvements shall apply.

REVISIONS		
DATE	BY	DESCRIPTION
09/08/2015	TAS	REVISED FOR 8' SIDEWALK

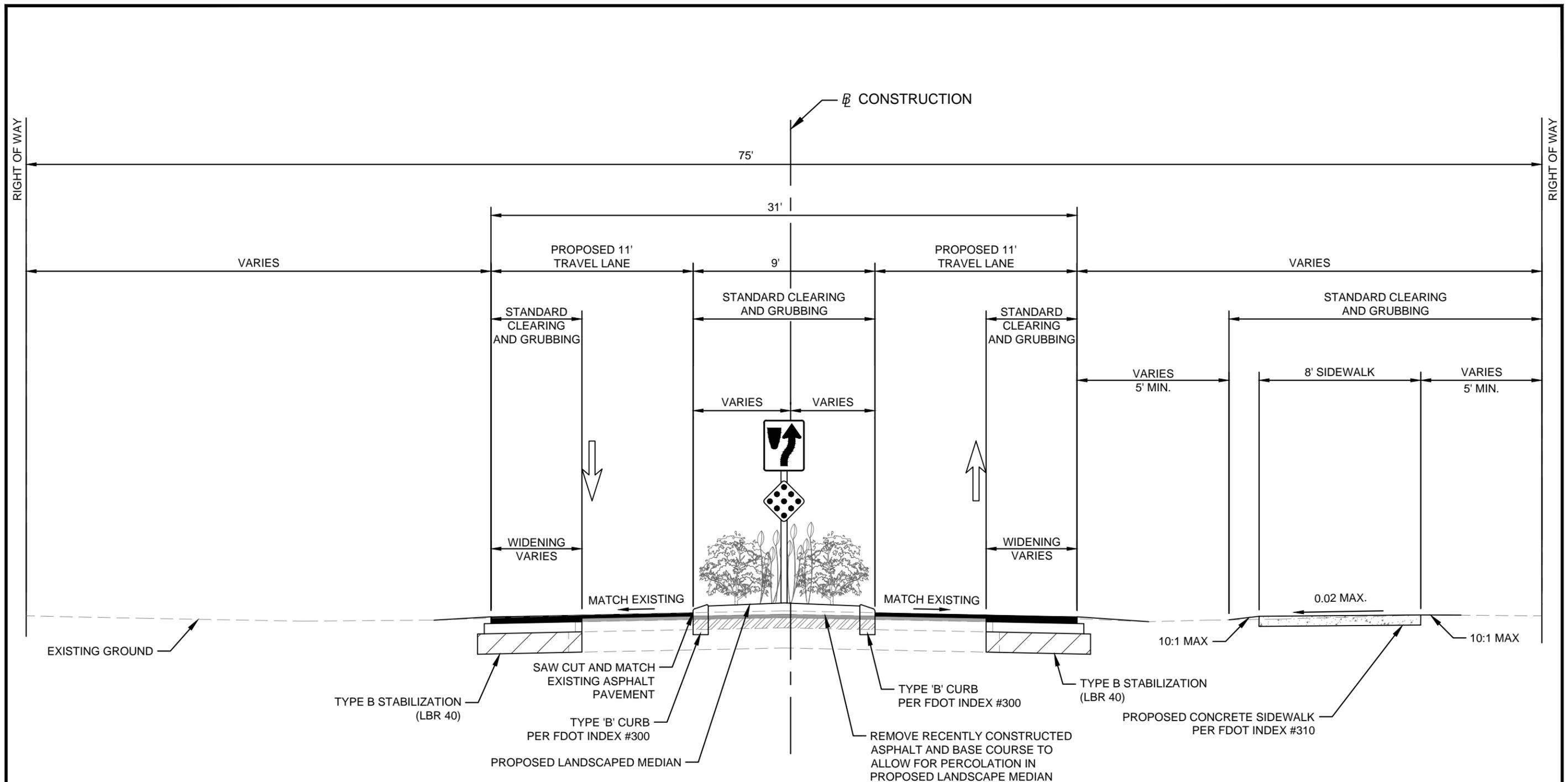


**COOPER STREET SIDEWALK AND TRAFFIC CALMING IMPROVEMENTS**

**GENERAL NOTES**

SHEET NO.

02



**TYPICAL SECTION**  
**COOPER STREET**  
 (N.T.S.)

**WIDENING**  
 LIMEROCK BASE COURSE (8") WITH  
 TYPE SP-9.5 STRUCTURAL COURSE (TRAFFIC B) 1 1/2"

**NOTES:**

1. CONTRACTOR SHALL ENSURE ALL SLOPES OF PROPOSED SIDEWALKS COMPLY WITH AMERICAN WITH DISABILITIES ACT (ADA), INCLUDING 2.0% MAXIMUM CROSS-SLOPE AND 5.0% MAXIMUM LONGITUDINAL SLOPE.
2. CONTRACTOR SHALL ENSURE THAT PROPOSED SIDEWALK SLOPES PROVIDE POSITIVE DRAINAGE FROM PRIVATE PROPERTY TOWARDS THE COOPER STREET RIGHT OF WAY SUCH THAT RUNOFF DIRECTED TOWARDS PRIVATE PROPERTIES IS LESS IN POST DEVELOPMENT CONDITIONS THAN THAT WHICH EXISTED PRIOR TO THE START OF CONSTRUCTION.
3. MAINTAIN 1.5' MINIMUM HORIZONTAL CLEARANCE FROM PROPOSED SIDEWALK TO ANY LATERAL OBSTRUCTIONS.
4. MAINTAIN 8.0' MINIMUM VERTICAL CLEARANCE ABOVE PROPOSED SIDEWALKS.

REVISIONS		
DATE	BY	DESCRIPTION
09/08/2015	TAS	REVISED FOR 8' SIDEWALK



**COOPER STREET SIDEWALK AND  
 TRAFFIC CALMING IMPROVEMENTS**

**TYPICAL SECTIONS**

SHEET NO.

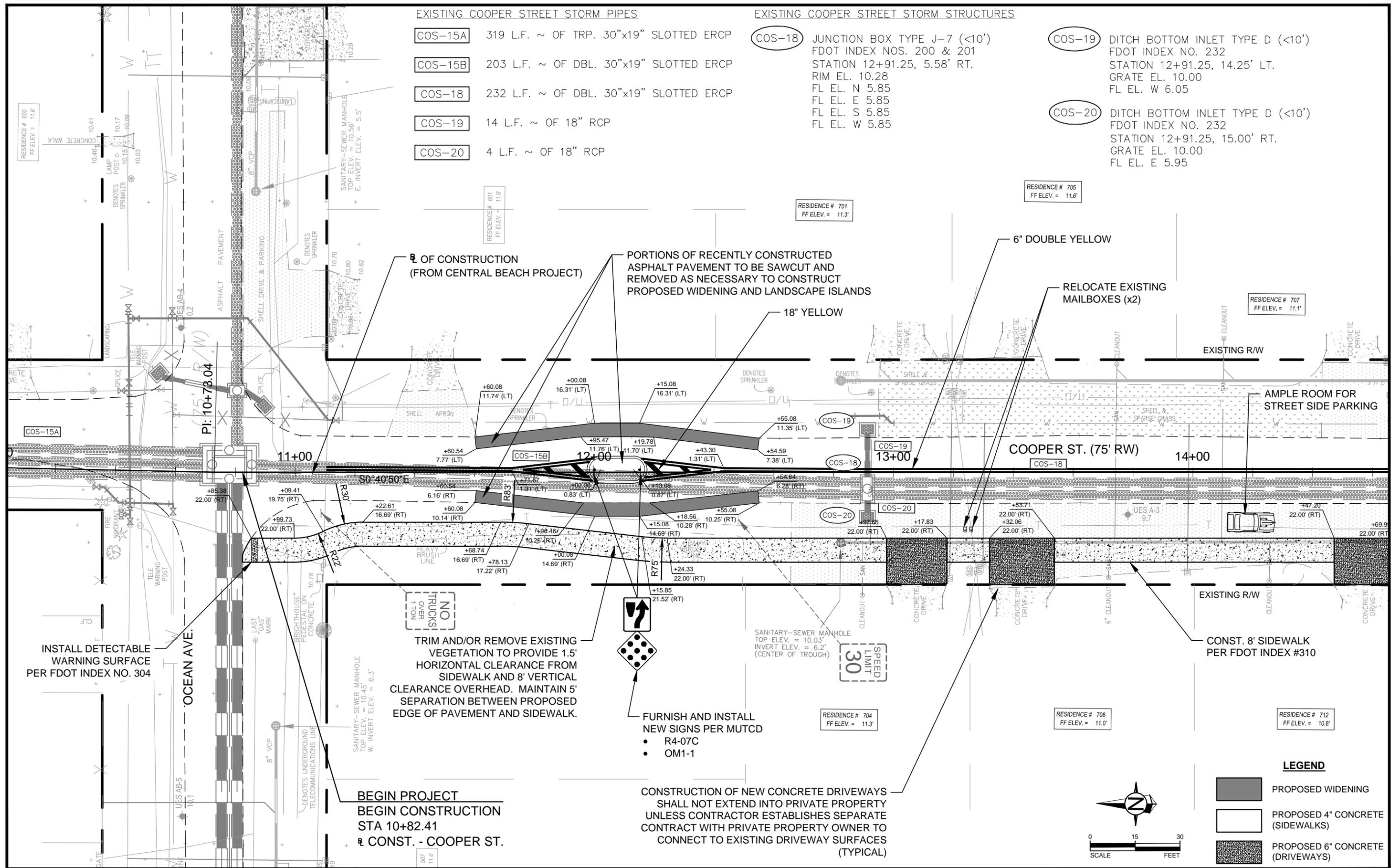
**03**

EXISTING COOPER STREET STORM PIPES

- COS-15A 319 L.F. ~ OF TRP. 30"x19" SLOTTED ERCP
- COS-15B 203 L.F. ~ OF DBL. 30"x19" SLOTTED ERCP
- COS-18 232 L.F. ~ OF DBL. 30"x19" SLOTTED ERCP
- COS-19 14 L.F. ~ OF 18" RCP
- COS-20 4 L.F. ~ OF 18" RCP

EXISTING COOPER STREET STORM STRUCTURES

- COS-18 JUNCTION BOX TYPE J-7 (<10')  
FDOT INDEX NOS. 200 & 201  
STATION 12+91.25, 5.58' RT.  
RIM EL. 10.28  
FL EL. N 5.85  
FL EL. E 5.85  
FL EL. S 5.85  
FL EL. W 5.85
- COS-19 DITCH BOTTOM INLET TYPE D (<10')  
FDOT INDEX NO. 232  
STATION 12+91.25, 14.25' LT.  
GRATE EL. 10.00  
FL EL. W 6.05
- COS-20 DITCH BOTTOM INLET TYPE D (<10')  
FDOT INDEX NO. 232  
STATION 12+91.25, 15.00' RT.  
GRATE EL. 10.00  
FL EL. E 5.95



TRIM AND/OR REMOVE EXISTING VEGETATION TO PROVIDE 1.5' HORIZONTAL CLEARANCE FROM SIDEWALK AND 8' VERTICAL CLEARANCE OVERHEAD. MAINTAIN 5' SEPARATION BETWEEN PROPOSED EDGE OF PAVEMENT AND SIDEWALK.

FURNISH AND INSTALL NEW SIGNS PER MUTCD

- R4-07C
- OM1-1

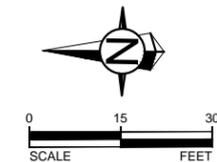
CONSTRUCTION OF NEW CONCRETE DRIVEWAYS SHALL NOT EXTEND INTO PRIVATE PROPERTY UNLESS CONTRACTOR ESTABLISHES SEPARATE CONTRACT WITH PRIVATE PROPERTY OWNER TO CONNECT TO EXISTING DRIVEWAY SURFACES (TYPICAL)

BEGIN PROJECT  
BEGIN CONSTRUCTION  
STA 10+82.41  
CONST. - COOPER ST.

INSTALL DETECTABLE WARNING SURFACE PER FDOT INDEX NO. 304

**LEGEND**

- PROPOSED WIDENING
- PROPOSED 4" CONCRETE (SIDEWALKS)
- PROPOSED 6" CONCRETE (DRIVEWAYS)



REVISIONS		
DATE	BY	DESCRIPTION
09/08/2015	TAS	REVISED FOR 8" SIDEWALK



**TEDS**

Phone 386.753.0558 80 Spring Vista Drive  
Fax 386.753.0778 DeBary, FL 32713  
CERTIFICATE OF AUTHORIZATION NO. 27392

**COOPER STREET SIDEWALK AND TRAFFIC CALMING IMPROVEMENTS**

PLAN VIEW

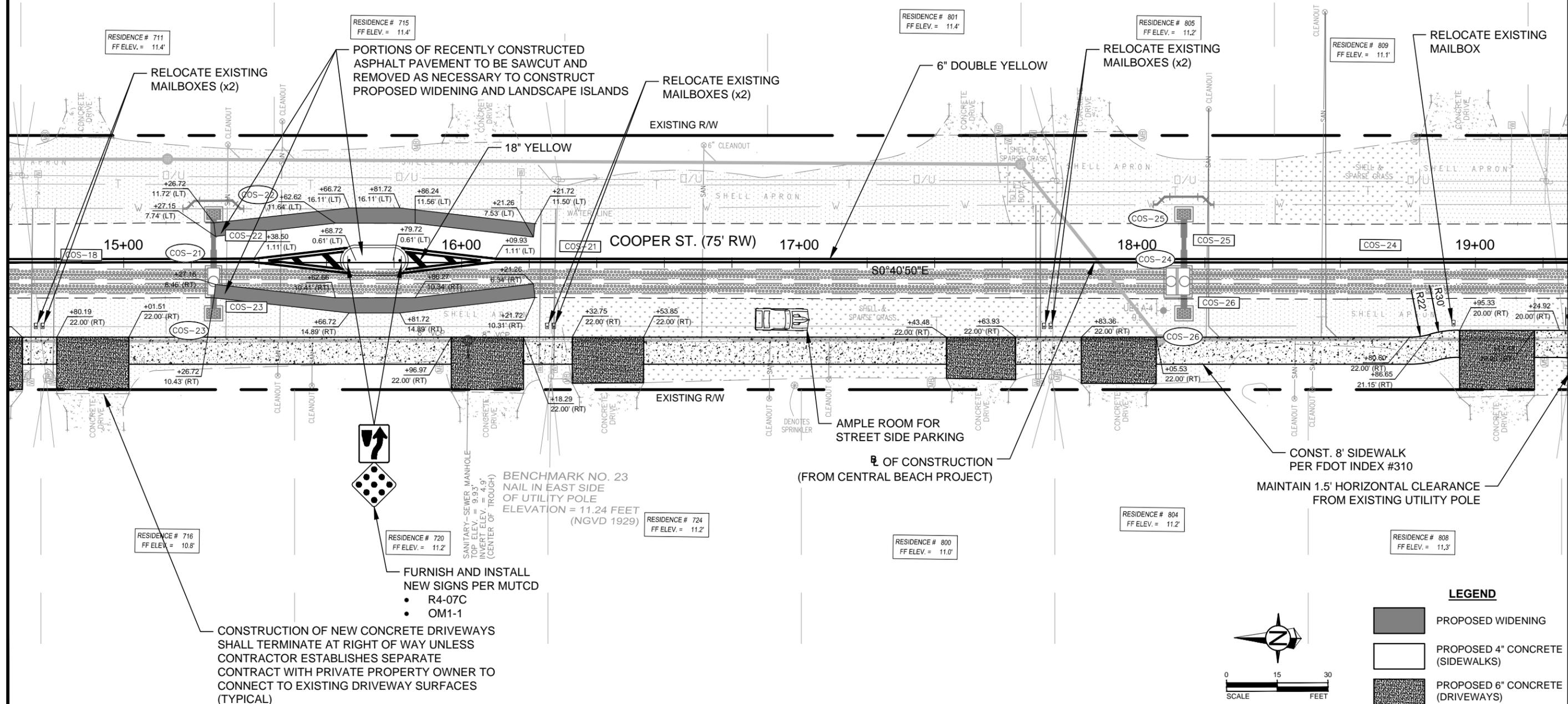
SHEET NO.  
**04**

EXISTING COOPER STREET STORM PIPES

- COS-18 232 L.F. ~ OF DBL. 30"x19" SLOTTED ERCP
- COS-21 280 L.F. ~ OF DBL. 30"x19" SLOTTED ERCP
- COS-22 14 L.F. ~ OF 18" RCP
- COS-23 4 L.F. ~ OF 18" RCP
- COS-24 292 L.F. ~ OF DBL. 30"x19" SLOTTED ERCP
- COS-25 14 L.F. ~ OF 18" RCP
- COS-26 4 L.F. ~ OF 18" RCP

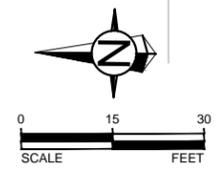
EXISTING COOPER STREET STORM STRUCTURES

- COS-24 JUNCTION BOX TYPE J-7 (<10')  
FDOT INDEX NOS. 200 & 201  
STATION 18+12.00, 5.58' RT.  
RIM EL. 9.97(N) 9.96(S)  
WEIR EL. 8.20; LENGTH = 8.00'  
FL EL. N 5.85  
FL EL. E 5.85  
FL EL. S 5.35  
FL EL. W 5.85  
SEE DETAIL, SHEET 53
- COS-25 DITCH BOTTOM INLET TYPE D (<10')  
FDOT INDEX NO. 232  
STATION 18+13.75, 14.25' LT.  
GRATE EL. 9.50  
FL EL. W 5.70
- COS-26 DITCH BOTTOM INLET TYPE D (<10')  
FDOT INDEX NO. 232  
STATION 18+13.75, 15.00' RT.  
GRATE EL. 9.60  
FL EL. E 5.60
- COS-27 JUNCTION BOX TYPE J-7 (<10')  
FDOT INDEX NOS. 200 & 201  
STATION 21+11.29, 5.58' RT.  
RIM EL. 9.47(N) 9.45(S)  
WEIR EL. 7.70; LENGTH = 8.00'  
FL EL. N 5.35  
FL EL. E 5.35  
FL EL. S 4.85  
FL EL. W 5.35  
SEE DETAIL, SHEET 53
- COS-28 DITCH BOTTOM INLET TYPE D (<10')  
FDOT INDEX NO. 232  
STATION 21+09.54, 14.25' LT.  
GRATE EL. 9.20  
FL EL. W 5.55
- COS-29 DITCH BOTTOM INLET TYPE D (<10')  
FDOT INDEX NO. 232  
STATION 21+09.54, 15.00' RT.  
GRATE EL. 9.15  
FL EL. E 5.45



CONSTRUCTION OF NEW CONCRETE DRIVEWAYS SHALL TERMINATE AT RIGHT OF WAY UNLESS CONTRACTOR ESTABLISHES SEPARATE CONTRACT WITH PRIVATE PROPERTY OWNER TO CONNECT TO EXISTING DRIVEWAY SURFACES (TYPICAL)

- FURNISH AND INSTALL NEW SIGNS PER MUTCD
- R4-07C
  - OM1-1



**LEGEND**

- PROPOSED WIDENING
- PROPOSED 4" CONCRETE (SIDEWALKS)
- PROPOSED 6" CONCRETE (DRIVEWAYS)

REVISIONS		
DATE	BY	DESCRIPTION
09/08/2015	TAS	REVISED FOR 8" SIDEWALK



**TEDS**

Phone 386.753.0558 80 Spring Vista Drive  
Fax 386.753.0778 DeBary, FL 32713  
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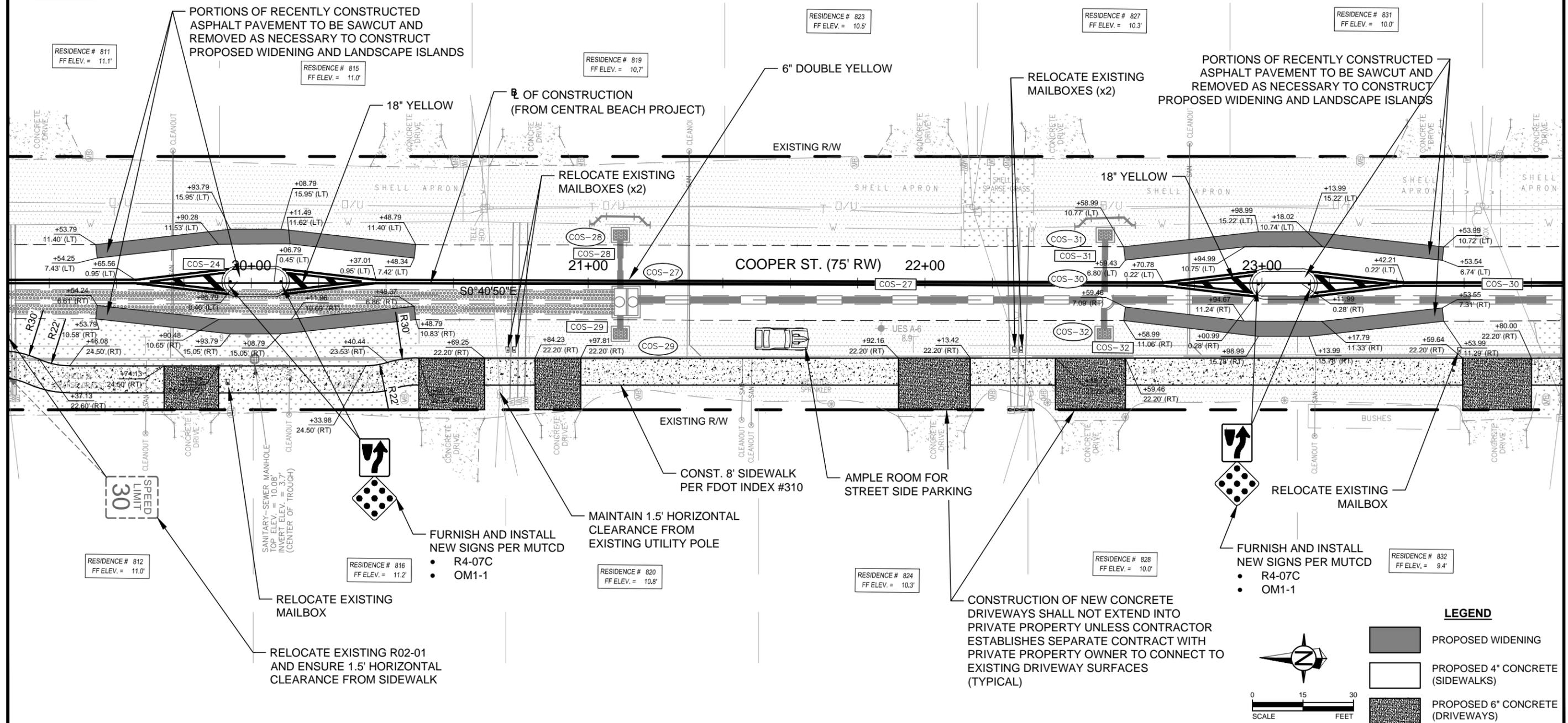
## COOPER STREET SIDEWALK AND TRAFFIC CALMING IMPROVEMENTS

## PLAN VIEW

SHEET NO.  
**05**

- EXISTING COOPER STREET STORM PIPES**
- COS-24 292 L.F. ~ OF DBL. 30"x19" SLOTTED ERCP
  - COS-27 136 L.F. ~ OF 24" RCP
  - COS-28 14 L.F. ~ OF 15" RCP
  - COS-29 4 L.F. ~ OF 15" RCP
  - COS-30 220 L.F. ~ OF 24" RCP
  - COS-31 16 L.F. ~ OF 15" RCP
  - COS-32 6 L.F. ~ OF 15" RCP

- EXISTING COOPER STREET STORM STRUCTURES**
- COS-30 MANHOLE TYPE P-7 (<10')  
FDOT INDEX NOS. 200 & 201  
STATION 22+53.28, 5.00' RT.  
RIM EL. 8.98  
FL EL. N 4.75  
FL EL. E 4.75  
FL EL. S 4.75  
FL EL. W 4.75
  - COS-31 DITCH BOTTOM INLET TYPE D (<10')  
FDOT INDEX NO. 232  
STATION 22+53.50, 14.25' LT.  
GRATE EL. 8.65  
FL EL. E 4.95
  - COS-32 DITCH BOTTOM INLET TYPE D (<10')  
FDOT INDEX NO. 232  
STATION 22+53.16, 15.00' RT.  
GRATE EL. 8.65  
FL EL. W 4.85



**TEDS**

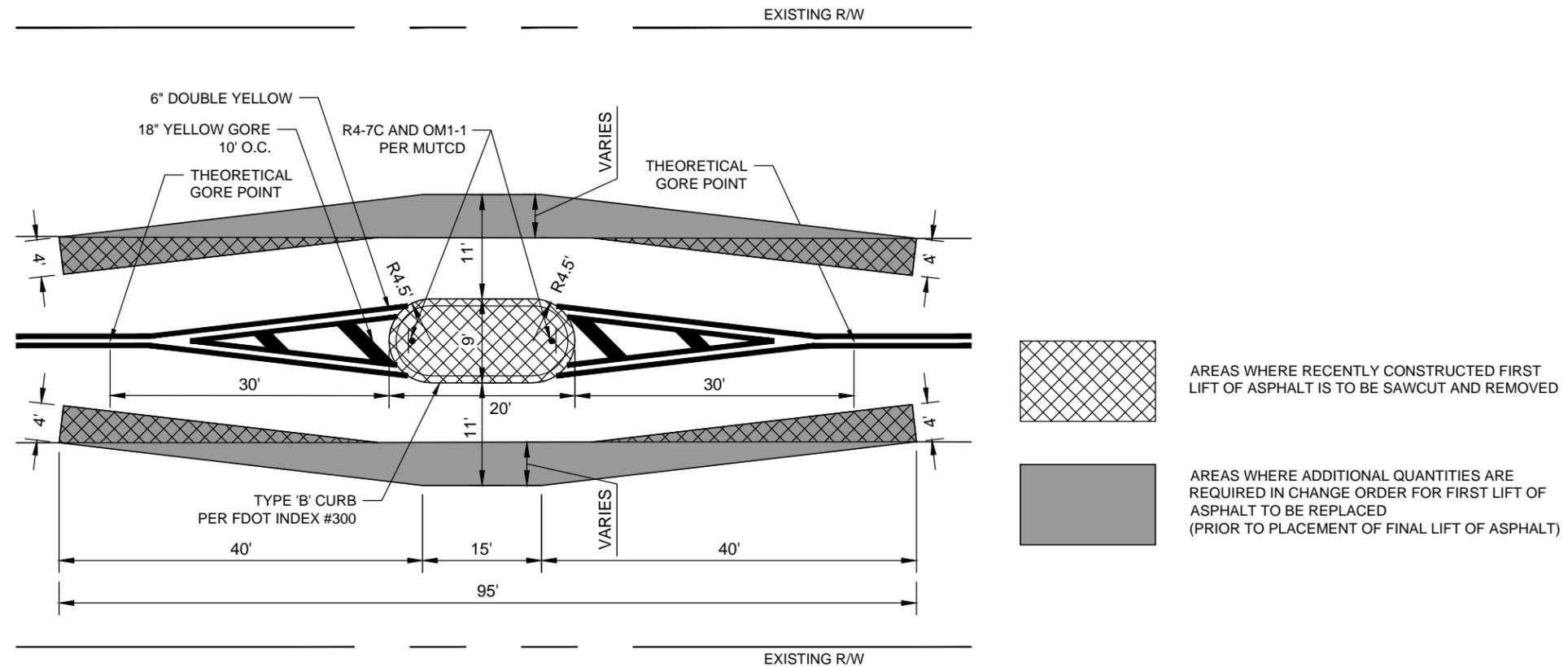
Phone 386.753.0558 80 Spring Vista Drive  
Fax 386.753.0778 DeBary, FL 32713  
CERTIFICATE OF AUTHORIZATION NO. 27392

**COOPER STREET SIDEWALK AND TRAFFIC CALMING IMPROVEMENTS**

**PLAN VIEW**

SHEET NO.  
**06**





**TRAFFIC CALMING ISLAND DETAIL**  
(NTS)

REVISIONS		
DATE	BY	DESCRIPTION
09/08/2015	TAS	REVISED FOR 8' SIDEWALK



TEDS

Phone 386.753.0558 80 Spring Vista Drive  
Fax 386.753.0778 DeBary, FL 32713  
CERTIFICATE OF AUTHORIZATION NO. 27392

COOPER STREET SIDEWALK AND  
TRAFFIC CALMING IMPROVEMENTS

CONSTRUCTION DETAILS

# Flagler Avenue/Beachside Parking Inventory & Initiatives



Community  
Redevelopment  
Agency

# Flagler Avenue/Beachside Parking Inventory & Initiatives

## New Smyrna Beach, Florida

Prepared by:

**New Smyrna Beach Community Redevelopment Agency**

201 Sams Avenue

New Smyrna Beach, FL 32168

**City of New Smyrna Beach Planning and Engineering**

210 Sams Avenue

New Smyrna Beach, FL 32168

This report utilizes information included in the June 2009 CRA Parking Plan prepared by Glatting Jackson Kercher Anglin, Inc. (now known as AECOM).

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## SUMMARY

The issue of parking availability in the area near Flagler Avenue has been an issue for some time. As Flagler Avenue becomes more vibrant and economically successful, the issue of parking becomes more pressing. There are four user groups that appear to impact parking in the Flagler Avenue area:

- Special event patrons
- Beach-goers
- Business Patrons
- Beachside Residents

Because each of these user groups has specific needs, several alternatives have been identified for each group. Some of these alternatives are more financially viable than others. Moving some of the beachgoer traffic could ease parking strains along Flagler Avenue, both in traffic flow and number of vehicles attempting to park along Flagler Avenue. Remote parking lots may provide additional parking for special events. However, for remote lots to work well; there must be limited alternatives to the remote lots, the lots must be easy to locate, and the lots must be provided with free, easy and certain transport to the desired area. New beachside parking areas should be pursued. All of the parking concerns cannot be addressed with additional parking areas, but additions would doubtless be beneficial.

Based upon the analysis provided in this study, staff is recommending the following short-term and long-term strategies for City Commission consideration:

### **Short-Term Recommendations: (2011-2012)**

- Eliminate the 50% parking reduction within the Flagler Avenue Special Parking District and instead establish an in-lieu-of parking fee. The fee proceeds would be deposited in the Flagler Avenue/Beachside parking fund
- Continue working with the Coronado Methodist Church to establish public access to their parking facilities at the west end of Flagler Avenue
- Continue to work with Volusia County and the Florida Department of Transportation (FDOT) to provide signage directing visitors to alternate beach ramp locations
- Continue to work with Volusia County to open the Crawford Road beach ramp as needed and to provide signage directing visitors to the ramp
- Install additional bicycle racks on Flagler Avenue
- Utilize the City-owned lots on Columbus Avenue as a parking lot for special event parking and remote employee parking
- Move forward with Esther Street temporary parking (awaiting grant funding notification on stormwater aspect of the project)
- Expand parking maps/inventory of available spaces to the wayfinding project and website.

**Long-Term Recommendations: (2012-2016)**

- Prepare a RFP for a long-term parking strategy report to address all issues identified.
- Establish a Flagler Avenue/Beachside Parking Fund. Use funds to acquire property and develop parking lots
- Work to identify properties for short-term leasing; and long-term parking utilization for purchase (through ECHO grants when possible)
- Encourage the County to “speed-up” beach ingress and egress through sun-pass type technology
- Explore the option of a beachside parking structure in addition to surface parking
- Institute a pilot program to provide remote special event parking and shuttle services at the AOB site, old High School site and Canal Street. Funding could potentially be provided through a public/private partnership between the City, CRA and/or event sponsors.
- Establish paid visitor parking lots to fund future parking enhancements
- Establish a residents-only parking zone along streets in surrounding neighborhoods
- If legally possible, eliminate the current transportation impact fee in the Flagler Avenue area and replace it with a parking impact fee

Regardless of which parking strategies are chosen, continual monitoring of the parking situation within the Flagler Avenue area will be needed. The continued long-term success of Flagler Avenue depends upon the ability of visitors, patrons and residents to be able to provide safe, adequate, affordable and convenient parking.

As a condition of approval, require special event organizers to submit a report on parking conditions during the event, including a picture of designated streets/blocks.

## INTRODUCTION

This parking review for the New Smyrna Beach Community Redevelopment Agency (CRA) is intended to assist the CRA and the City of New Smyrna Beach with the following:

- Determining the existing and projected parking deficiencies within the Flagler Avenue area
- Providing analysis of various alternatives to resolve the parking issues
- Providing funding alternatives.

The issue of parking availability in the area near Flagler Avenue has been an issue for some time. As Flagler Avenue becomes more vibrant and economically successful, the issue of parking becomes more pressing. In December 2010, the City Commission published a list of “Top 10 Goals and Objectives for 2011”. Included in this Top 10 list is direction to staff to complete a Flagler Avenue parking study, to identify long-term parking solutions.

The CRA began the groundwork for this study in June 2009 with a report prepared by Glatting Jackson Kercher Anglin, Inc. (now AECOM). This report, which was prepared in conjunction with the CRA Master Plan Update, evaluated the existing and future parking demand for both Canal Street and Flagler Avenue. This study focuses exclusively on Flagler Avenue and surrounding areas (**Figure 1**).

This study summarizes that report and identifies specific parking improvement projects and regulatory and procedural changes, and recommends funding strategies for the parking improvement projects.

Figure 1: Study Area



## EXISTING PARKING CONDITIONS AND CONCERNS

### Overview

With the on-going success of events and businesses on Flagler Avenue and an increase in beach traffic, parking in the Flagler Avenue area has become a prominent issue within the community. These attractors to Flagler Avenue – businesses, special events and the beach – each require different parking and/or traffic solutions in order to minimize impacts on residents and merchants in the area.

### Special Events

Traffic generated by special events creates parking issues in the residential neighborhoods surrounding Flagler Avenue. Event patrons will sometimes park in areas that reduce visibility at intersections, creating traffic hazards. Other patrons will park on private property or block residential driveways. There are approximately 34 special events held on Flagler Avenue throughout the calendar year. A complete list of events and the estimated attendance is included in **Appendix A** of this study. Per information provided by the City’s Parks and Recreation Director, these events draw an estimated total of 177,000 – 186,000 visitors to Flagler Avenue annually.

### Businesses

There are several businesses along Flagler Avenue that draw a large number of patrons on a regular basis. These businesses are generally restaurants such as Atlantis Bistro, Clancy’s Cantina and That’s Amore.

Because these businesses typically generate peak demand during evening and weekend hours, there is not usually an impact on the adjacent retail stores as those stores tend to be open only during daytime hours. However, following completion of the construction of the hotel, additional tourist generation will likely encourage retail businesses to increase their hours of operation. If this occurs, the conflicts between retail parking and restaurant parking will be exacerbated.

Currently, overflow parking generated by these businesses is handled through on-street parking and by the use of the City’s parking lot at the Coronado Civic Center. Generally, this arrangement is satisfactory. However, when the Civic Center is rented for an event, conflicts arise over the availability of parking for users of the Shuffleboard Court and restaurant patrons. **Table 1** details the number of reservations at the Civic Center in 2010 and 2011.

**Table 1: Coronado Civic Center Reservations (2010-2011)**

Rental Hours	Number of Reservations (2010)	Number of Reservations (2011 YTD)
8:00 a.m. – 12:00 p.m.	131	174
12:00 p.m. – 5:00 p.m.	149	131
5:00 p.m. – 11:00 p.m.	135	141

**Beach Traffic**

The majority of visitors accessing the beach via the Flagler Avenue ramp are not utilizing parking spaces on Flagler Avenue. Additionally, while some visitors may park in the Flagler Boardwalk parking lot at the east end of Flagler Avenue, the majority of these visitors will drive onto and park on the beach. The biggest impact on Flagler Avenue from beach traffic is not to the parking but on the congestion that can create near gridlock during some weekends and holidays.

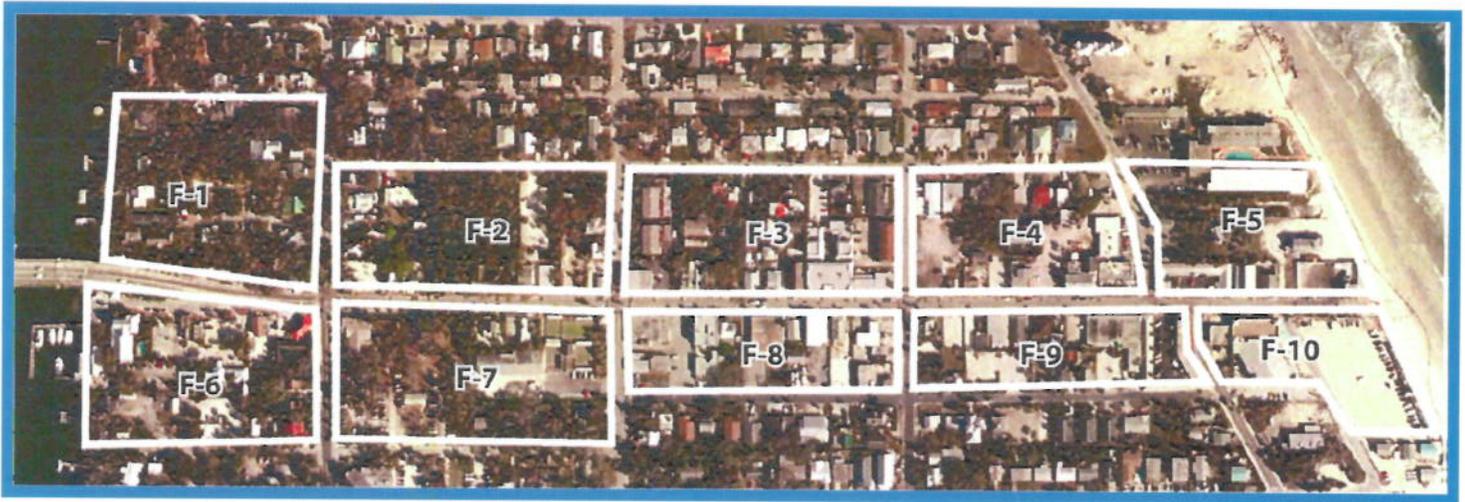
The City must continue to encourage Volusia County to streamline ingress/egress to the Beach, through technology improvements and shifting/closing as appropriate the various accesses.

This study, which is based on information collected by AECOM, will assess current and projected parking deficits; will provide recommendations on parking improvements and regulatory changes to address these deficits; and will recommend potential funding solutions.

## METHODOLOGY

The basis of the calculations identifying current and projected parking needs is the building area located on Flagler Avenue. Flagler Avenue currently contains approximately 288,000 square feet of built space. This built space is comprised of private office, residential, retail, and restaurant uses. **Table 2** lists each land use type, the area in square feet of each land use, and the percentage of each land use as a part of the entire area of Flagler Avenue. **Table 3** lists the area in square feet of each land use for each block of Flagler Avenue. **Figure 2** shows the Flagler Avenue block layout used in the AECOM report and this study.

**Figure 2: Flagler Avenue Block Layout**



A comprehensive field survey was conducted by AECOM staff to obtain specific counts and locations of all parking (public and private) within the Flagler Avenue area. Surface lot, on-street, and individual parcel parking were identified. Parking occupancy data was collected by trained field technicians, supervised by a senior traffic analyst and a transportation engineer on Friday, March 13, 2009 and Saturday, March 14, 2009. Copies of the detailed data collection forms (one copy for each study area block per day) are included in **Appendix B**.

**Table 2: Flagler Avenue Land Distribution**

Land Use	Existing Area	% of Total
Residential	114,689	40%
Retail	89,832	31%
Restaurant	35,340	12%
Other	23,153	8%
Private Office	15,973	6%
Service	7,588	3%
Church	1,674	1%
<b>TOTAL</b>	<b>288,249</b>	<b>100%</b>

Source: *New Smyrna Beach CRA Parking Plan, Glattig Jackson Kercher Anglin, Inc.*

**Table 3: Flagler Avenue Land Distribution by Block**

Land Use	F1	F2	F3	F4	F5	F6	F7	F8	F9	F10
Residential	22,459	9,218	15,695	5,712	42,431	10,539	3,129	3,666	1,840	
Retail	1,596	1,944	19,978	5,975	9,823	2,528	2,422	20,268	11,079	14,219
Restaurant			4,040	11,710	3,976	2,084		7,685	3,625	2,220
Other			946			14,089			8,118	
Private Office	2,064	5,097	2,411	1,696		2,185		1,560	960	
Service		900	3,531				1,442	1,715		
Church							1,674			
<b>TOTAL</b>	<b>26,119</b>	<b>17,159</b>	<b>46,601</b>	<b>25,093</b>	<b>56,230</b>	<b>31,425</b>	<b>8,667</b>	<b>34,894</b>	<b>25,622</b>	<b>16,439</b>

Source: *New Smyrna Beach CRA Parking Plan, Glatting Jackson Kercher Anglin, Inc.*

**EXISTING PARKING SUPPLY AND PROJECTED PARKING DEMAND**

The parking supply inventory was conducted on Friday, March 13, 2009 and Saturday, March 14, 2009. Data was collected on a block-by-block basis, using the block faces identified in **Figure 2**, above. This data is shown in **Table 4**, which also shows the existing demand on Flagler Avenue for peak hours on Friday and Saturday, versus the current available capacity.

Parking supply is grouped into two general categories: on-street parking and off-street parking. On-street parking accounts for 16% of the total spaces in the Flagler Avenue area. Off-street parking accounts for 84% of the available parking in the Flagler Avenue area.

The current existing parking ratio is approximately 3.0 spaces per 1,000 square feet of floor area in the Flagler Avenue area.

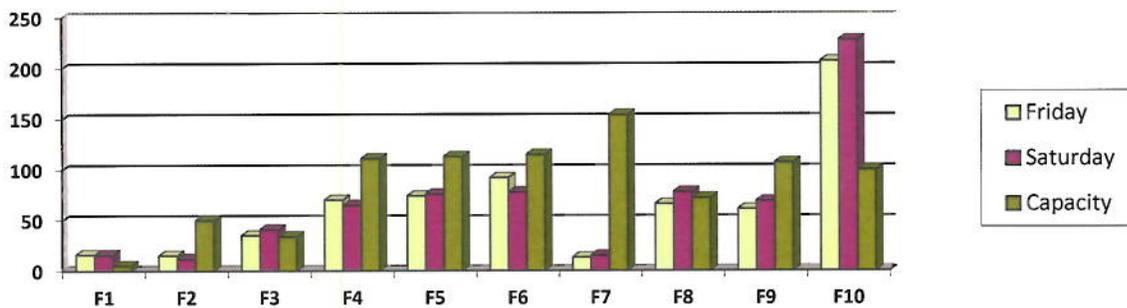
**Table 4: Flagler Avenue Parking Capacity**

	Demand		Capacity	Surplus/ (Deficit)
	Friday	Saturday		
F1	16	16	5	(11)
F2	15	12	50	35
F3	35	41	34	(7)
F4	70	65	111	41
F5	74	76	113	37
F6	92	78	115	23
F7	13	15	154	139
F8	66	78	72	(6)
F9	61	69	107	38
F10	207	228	100	(128)
<b>Total</b>	<b>649</b>	<b>678</b>	<b>861</b>	<b>183</b>

Source: *New Smyrna Beach CRA Parking Plan, Glatting Jackson Kercher Anglin, Inc.*

As shown in **Table 4**, the overall parking capacity for the surveyed areas is currently greater than the parking demand. However, as shown by the following graphical representation of the above data (**Figure 3**), there are parking deficits in certain blocks – F1, F3, F8 and F10. The largest deficit of nearly 130 spaces is located at block F10. This deficit is likely caused by the attraction to the beach and water and the neighboring restaurants and retail. There are also several areas with large parking surpluses. The fact that there are several locations with parking surpluses and parking deficits indicates that the parking supply may not be located in the appropriate areas. However, parking does exist within reasonable walking distance from any deficit parking.

**Figure 3: Flagler Avenue Parking Demand and Existing Capacity**



Source: *New Smyrna Beach CRA Parking Plan, Glatting Jackson Kercher Anglin, Inc.*

Additional comparison tools used to evaluate and predict the required parking are the parking ratios required in the City’s *Land Development Regulations (LDR)*, the Institute of Transportation Engineer’s *3<sup>rd</sup> Edition Parking Generation* manual (ITE), and the Urban Land Institute’s *2<sup>nd</sup> Edition Shared Parking* manual. **Table 5** contains the parking ratios from the ITE manual and from the City’s LDR, which were used to generate the required parking numbers. **Table 6** compares the parking numbers generated on each block to the number of existing parking spaces provided.

**Table 5: Parking Rates**

Land Use	NSB LDR	ITE – Friday	ITE - Saturday
<b>Residential</b>			
SFR	2.0 spaces/du	2.0 spaces/du	2.0 spaces/du
MFR	2.0 spaces/du	2.0 spaces/du	2.0 spaces/du
<b>Retail</b>			
General Retail	3.33 spaces/1000 SF	4.01 spaces/1000 SF	4.74 spaces/1000 SF
Convenience Store	4.0 spaces/1000 SF	3.4 spaces/1000 SF	4.0 spaces/1000 SF
Restaurant	1 space/3 seats	5.55 spaces/1000 SF	13.5 spaces/1000 SF
<b>Other</b>			
Hotel	1.68 spaces/room	0.91 spaces/room	0.95 spaces/room
Gym	5 spaces/1000 SF	5.19 spaces/1000 SF	5.19 spaces/1000 SF
Office, Commercial	3.33 spaces/1000 SF	2.4 spaces/1000 SF	Non-specified
Service	3.33 spaces/1000 SF	4.01 spaces/1000 SF	4.74 spaces/1000 SF
Church	0.33 spaces/seat	1.94 spaces/1000 SF	2.21 spaces/1000 SF

Source: *New Smyrna Beach CRA Parking Plan, Glatting Jackson Kercher Anglin, Inc.*

It should be noted that although the City's *Land Development Regulations* require the parking identified above, parking within the Flagler Avenue Special Parking District is reduced by 50%. This means, for example, that a residential unit only has to provide one parking space and a restaurant only has to provide one parking space for every six seats.

**Table 6: Flagler Avenue Parking Generation**

	NSB LDR	ITE Friday	ITE Saturday	Current Capacity	Surplus/ (Deficit)
<b>F1</b>	42	39	36	5	(37)
<b>F2</b>	46	40	29	50	4
<b>F3</b>	169	159	203	34	(169)
<b>F4</b>	146	101	194	111	(83)
<b>F5</b>	154	145	184	113	(71)
<b>F6</b>	110	83	97	115	5
<b>F7</b>	41	26	24	154	113
<b>F8</b>	170	146	218	72	(146)
<b>F9</b>	115	88	123	107	(16)
<b>F10</b>	68	69	97	100	2
<b>Total</b>	1,062	896	1,206	861	(345)

Source: *New Smyrna Beach CRA Parking Plan, Glatting Jackson Kercher Anglin, Inc.*

As demonstrated by **Table 5** and **Table 6**, the City's minimum parking ratios are generally consistent with standards from the Institute of Transportation Engineers and the Urban Land Institute.

Two exceptions are the City's parking ratios for General Retail and for Service uses, which are lower than the industry standards. However, as noted above, because this area of the City is within the Flagler Avenue Special Parking District, these minimum parking ratios are further reduced by 50%.

Shared parking was also analyzed on an area-wide basis. Rates from the ITE *Trip Generation* manual were used with the shared parking principles from the Urban Land Institute's *Shared Parking* manual. The resulting maximum required number of spaces needed if shared parking is utilized within the Flagler Avenue area was 657 spaces on a Friday and 973 spaces on a Saturday.

### **SUMMARY OF EXISTING AND PROJECTED PARKING DEMANDS**

As demonstrated in **Table 6**, the City's parking code and ITE *Trip Generation* manual both indicate that parking supply is not sufficient for the projected development. The ULI shared parking method requires significantly less parking than required by the City's codes and the ITE *Trip Generation* manual. However, even with the use of shared parking, a parking deficiency will generally occur on Saturdays. These deficits are projected to occur as a result of permanent business development along Flagler Avenue, and do not take into account special events and beach-goers who may be parking on Flagler Avenue and walking to the beach. The second part of the study will provide recommendations on how to address existing parking shortages, handle special event parking and direct beach-going traffic to alternative access points.

## SOLUTIONS AND ALTERNATIVES

As discussed earlier in this report, there are four distinct user groups that require parking on and around the Flagler Avenue area:

- Special event patrons
- Beach-goers
- Business Patrons
- Beachside Residents

Because of the unique needs of each group, a one-size fits all approach will not result in the improvements and regulatory changes needed to efficiently address the parking concerns. To that end, staff has prepared a series of potential solutions to address the parking needs of each of these user groups. These recommendations are discussed in further detail, below.

### Special Event Parking

While some special event patrons will visit local businesses along Flagler Avenue or spend time at the beach, the majority of visitors will only be on Flagler Avenue to attend a specific special event. As discussed above, there are 34 special events that are held throughout the year on Flagler Avenue. A complete list of these events is included in **Appendix A**. These events collectively draw between 177,000 and 186,000 visitors to Flagler Avenue each year.

Many of these visitors now park on the local streets in the surrounding residential neighborhoods. However, because of the number of visitors to any one event, visitors will often park illegally rather than park in a legal manner farther away from Flagler Avenue. The result is that vehicles are often parked in front of fire hydrants, on private property or in front of residential driveways. This has created a conflict with residents in the neighborhoods surrounding Flagler Avenue.

Because the City could not build a sufficient number of parking spaces to handle special event parking, staff is recommending the following alternatives to significantly reduce parking impacts associated with special events:

#### Remote Parking and Shuttle Service

Remote parking would significantly reduce the amount of vehicles trying to find parking spaces in the residential areas around Flagler Avenue. In order for remote parking to be successfully implemented, the following items would be required:

- **Scheduling:** Frequent, scheduled shuttle service would be required to and from the remote parking site. A maximum of 10-15 minute intervals would most likely be appropriate. During the peak arrival and departure times, additional shuttles might be required to handle the additional passenger volume.

- **Location:** Shuttle stops should be prominently marked and patrons should be let off in close proximity to both the event and the remote parking lots. Remote parking lots should generally not be located more than 1-2 miles from the site of the event. Possible remote parking lot locations include:  
**CRA parking lots in the Canal Street area, AOB property, Old high school site off of the North Causeway, Explore Leasing Outback Lot, Explore leasing lot for sale near 3<sup>rd</sup> Ave beach ramp**
- **Signage:** Prominent and frequent signage should clearly direct visitors to the locations of remote parking lots. Directional signs should also be able to notify visitors when a particular remote lot is filled and direct them to alternative remote parking lots.
- **Cost:** Parking in remote lots and shuttle services should be provided free of charge or, if needed or desired, a minimal fee could be charged. Initial costs may be incurred by either the City and/or CRA, with the ultimate goal of having the event sponsor underwriting this service.
- **Prohibit On-Street Parking:** In order for remote parking to be truly effective, other alternatives must be eliminated. This would require that the residential streets around Flagler Avenue be posted with signs stating "No On-Street Parking During Special Event Hours". Alternatively, a residential parking only program could be initiated. This would effectively promote the use of off-site remote parking lots and the shuttle service.

#### Identified Expenses:

- If the assumption is made that remote lots will be City-controlled property, there would not be a cost to use those parcels for remote parking.
- The estimated cost of one 25-passenger mini-shuttle bus is approximately \$500 for six hours and approximately \$650 for 10 hours. These prices are subject to variation, depending upon the length of the service and the time of year. Depending on the size of the event, it is estimated that 4 to 6 mini-busses would be required. However, there may be alternative shuttle services that are less expensive. The use of mini-busses was provided only as an example to illustrate potential costs associated with this alternative.
- Signs prohibiting on-street parking during the special event would need to be manufactured.
- Once the signs are manufactured, they would need to be put in place by City staff prior to the event and collected after the event. This would likely involve overtime pay for City staff.
- Police staff would be required to monitor and enforce the no on-street parking regulations. Average overtime pay for an officer is \$48 per hour. It is estimated that two officers would be required. The average duration of most events is approximately 4 hours, although there are some events such as Flamingo Follies that are multi-day, full-day events, which would require additional police staffing.

**Total Estimated Costs: \$3,400 - \$5,000 per event.** As discussed above, funding may need to be initially provided by the City and/or CRA, with the eventual goal of the event sponsor paying 100% of the costs.

#### **Public Use of Private Parking Lots**

The use of private parking lots adjacent to Flagler Avenue could accommodate a very limited number of special event visitors. Additionally, these visitors would need to arrive prior to any event that required a street closure and they would be prohibited from leaving until after the event concluded. This alternative would be better suited to handle parking for vendors and other workers at the special event.

#### **Identified Expenses:**

- Property owners may require some compensation for use of their parking lots by the special event organizer. Because the City has not utilized this type of parking in the past, there are no definitive cost estimates. Using the \$5 per space rate charged by the Coronado Methodist Church at a recent event, staff is estimating that temporary leasing of private parking would cost \$50 - \$250 per lot.
- Alternatively, the property owner could charge each visitor, vendor and/or worker for parking, which would provide compensation to the owner.

**Total Estimated Costs: \$0 - \$5,000.**

#### **Resident Parking Only Program**

Resident parking only program would be adopted by the City for persons who could verify their residency status in the neighborhoods immediately surrounding Flagler Avenue. This would allow those residents, and/or their guests, to park on the local streets surrounding the special event. Signs would need to be installed, either on a permanent or temporary basis, restricting on-street parking to residents only. Vehicles that are parked on the street that did not exhibit the resident pass would be subject to warnings, and then on subsequent parking violations, ticketing and/or towing.

#### **Identified Expenses:**

- The manufacture of "Residents Only" parking signs.
- Residential only parking programs are done through on-line registration with license tags; recognition software is utilized for enforcement.
- If administration of the program was assumed by existing Finance staff, no additional finance staffing costs would be incurred.
- Police department staff would need to be utilized to monitor the on-street parking situation and issue tickets if necessary. Overtime pay for a police officer is approximately \$48 per hour.

Staff estimates that two officers would be required during the typical four-hour event, or Citizens-On-Patrol could be used for parking enforcement.

**Total Estimated Costs: \$2,000 - \$5,000**

### **Beach Parking**

The parking lot at the east end of Flagler Avenue, adjacent to the ocean, most likely does not accommodate as many business patrons as the intersection of Flagler Avenue and Pine Street. Instead, the Flagler Boardwalk parking lot is likely used by visitors who may park and walk on the beach, or enjoy the view from the Boardwalk pavilion. Additional users may include surfers who park in the lot and then walk to the beach with their surfboards.

Although the AECOM study identified a parking deficit in block F10, it does not appear that a significant portion of the parking deficit in the Flagler Avenue area is being caused by visitors parking on or near Flagler Avenue and then walking to the beach.

However, the volume of traffic using the Flagler Avenue beach ramp causes near gridlock on Flagler Avenue on weekends and holidays. The result is that patrons of businesses in the Flagler Avenue area may have difficulty accessing parking spaces.

Most beach-goers that do park in the Flagler Avenue area will generally not spend the entire day on the beach. Those arriving in the morning often leave the beach by early to mid afternoon, while the groups staying until dusk often arrive in the afternoon. This type of visitor likely has little desire to use a remote lot or tram to reach the beach, and wants their parking to either be on or immediately adjacent to the beach. This is likely due, in part, to the amount of beach accessories that often accompanies the beachgoer, and to a desire to be near one's vehicle when inclement weather closes in. The beachgoer though, may be willing to access alternative ramps to the Flagler Avenue ramp such as the 3<sup>rd</sup> Avenue ramp, Beachway Avenue ramp or the Crawford Road ramp, when it is open.

The City has worked with the owner of the Fish House to provide additional parking in the Flagler Dunes parking lot at Buenos Aires Street and Columbus Avenue. Twenty-eight parking spaces in this private lot have been leased by the CRA for a period of one to five years. The CRA is also designing improvements to the Flagler Boardwalk pavilion and restrooms, as well as to the adjacent parking area. Formalization of the parking adjacent to the Flagler Avenue Boardwalk will result in clearly delineated parking, which will increase efficient use of that parking lot. The City is also designing improvements at the Esther Street Beachfront Park, which would include an additional 45 parking spaces immediately adjacent to the ocean.

In order to further increase efficiency and reduce traffic gridlock on Flagler Avenue, the following alternatives are proposed for review:

**Make the Flagler Avenue Beach Ramp One-Way Out**

Making the Flagler Avenue beach ramp one-way for outgoing traffic would reduce much of the gridlock on Flagler Avenue that is caused by visitors having to stop and pay the beach toll. This option would allow visitors to experience Flagler Avenue, without causing back-ups that impact other intersections and block access to parking spaces.

**Identified Expenses:**

- Create and install signage to direct visitors to alternative in-bound beach ramps
- Relocation of the toll collector's booth to an alternative location

**Make the Flagler Avenue Beach Ramp One-Way In and Provide Additional Toll Booths**

Similar to the previous alternative, this scenario would designate Flagler Avenue as a one-way ramp with all traffic entering the beach. Doing so would allow additional toll collection booths to be placed at the ramp, which would increase the rate at which vehicles could enter the beach. While this scenario would potentially reduce some of the gridlock on Flagler Avenue, it would likely not completely eliminate it. Volusia County is currently working with SunPass to complete a traffic analysis of the traffic patterns near the beach ramps and is performing a transponder survey to determine the number of vehicles with SunPass transponders. The purpose of this collaboration between the County and SunPass is to determine whether one-way beach ramps and/or electronic pass beach access lanes are feasible.

**Identified Expenses:**

- Create and install signage to inform visitors that the Flagler Avenue ramp is one-way entering the beach
- Staffing costs for additional toll collection booths

**Provide Signage to Direct Visitors to Alternative Beach Ramp Locations**

Placing signage at various locations throughout the City, informing visitors of the locations of the various beach ramps and the wait times to enter the beach may reduce some of the congestion on Flagler Avenue during weekends and holidays. Volusia County staff is currently adding additional message boards to direct visitors to alternative beach ramp locations.

**Identified Expenses:**

- Manufacture, installation, and monitoring of signs at various locations throughout the City

**Permanently Open the Crawford Road Beach Ramp**

Permanently opening the Crawford Road beach ramp would provide an additional access point for visitors wanting to enter the beach.

Opening of this ramp could be done in conjunction with making Flagler Avenue a one-way only ramp or, it could be utilized as a full access two-way ramp. Volusia County staff has indicated that the County will begin opening the Crawford Road ramp and providing signage to direct visitors to this ramp.

**Identified Expenses:**

- Manufacture, installation and monitoring of additional signs directing visitors to the ramp
- Staffing costs for the toll collection booth at this location

It should be noted that because Volusia County, and not the City of New Smyrna Beach, controls access to the beach, these possible alternatives would need to be implemented by the County. City staff spoke with County staff in the Coastal Division on July 14, 2011. County staff has indicated that all plans for traffic flow changes to the beach ramps have been temporarily suspended until after the Beach Safety Study was completed and presented to the County Council. This study was presented in August 2011.

**Permanent Business Parking**

Permanent businesses appear to be the significant cause of the parking deficit in the Flagler Avenue area. As discussed in the Methodology section above, these parking deficits are particularly notable in the area at the intersection of Flagler Avenue and Pine Street, and at the east end of Flagler Avenue by the ocean. The assumption of staff is that while these two areas have a demonstrated lack of parking, that lack may be caused by two different user groups. The issue of parking at the east end of Flagler Avenue, in block F10 is discussed above. This section of this study will focus only on the area around the intersection of Flagler Avenue and Pine Street, in blocks F3 and F8.

The area at the intersection of Flagler Avenue and Pine Street contains a mix of shops, bars and restaurants. While the retail shops are generally closed by 5:00 or 6:00 p.m., there is some overlap with the adjacent bars and restaurants, which are open in the afternoon and evening for lunch and dinner service. While two of the restaurants in this area lease parking spaces from the CRA in order to technically meet the City's parking requirements, there is no signage directing patrons to the parking lots where these spaces are physically located. Therefore, patrons will park as close as possible to their destination and will not use spaces that have been leased by a specific business. This parking typically occurs on Flagler Avenue and at the parking lot for the Coronado Civic Center. When there are events at the Civic Center, this parking is not available, which exacerbates the parking deficiency in this area. Additionally, because the City provides a 50% reduction for parking in this area, this regulation may be creating or adding to the deficit.

Alternatives to address the parking needs of permanent businesses are discussed in further detail, below.

### Remote Employee Parking

While many of the businesses on Flagler Avenue and surrounding streets are owner operated, many do hire outside employees who compete with patrons for on-street and off-street parking. One option for the City is to provide a remote parking area for Flagler Avenue employees. This parking could be located on the City-owned lots on Columbus Avenue, which was the site of the City's former fire station.

### Identified Expenses:

- Because the City already owns the land, there are no acquisition costs
- Construction of a 44-space shell parking lot, including sub-base and base
- Create and install signage

**Total Estimated Costs: \$100,000**

### Regulatory Changes

The City's *Land Development Regulations* (LDR) includes ratios that establish how much parking is required for a particular business or residential use. These ratios are shown in **Table 5** of this report for uses operating in the Flagler Avenue area. However, the LDR also reduces the parking ratios within the Flagler Avenue Special Parking District (**Figure 4**) by 50%. Originally, this reduction was intended to promote reuse of existing historic buildings and encourage redevelopment of the Flagler Avenue area. The thought was that by reducing parking requirements, business owners would not be encouraged to demolish historic buildings in order to provide surface parking lots.

This strategy has apparently been successful as much of the historic character of Flagler Avenue continues to be preserved. However, as the success of Flagler Avenue increases and new, more intense uses open in the area, this reduction may be contributing to the projected parking deficit.

The City has the option of eliminating this regulation and requiring business owners to provide the full number of parking spaces required by code. Spaces could continue to be leased off-site from either the CRA or private property owners. Alternatively, the City could acknowledge that the parking reduction continues to be a valuable tool for redevelopment and could choose to maintain or even completely waive on-site parking requirements. The continued waiver of the parking requirements is recommended by staff.



**Identified Expenses:**

- The cost associated with this alternative would include staff time to administratively process the amendment and associated advertising costs.

**Total Estimated Costs: \$2,000**

**Multi-Modal Alternatives**

As recently as two years ago, the Flagler Avenue area was serviced by fixed route, regularly scheduled VOTRAN bus service. This service has since been converted to a "Flex" route, where users must schedule a pick-up and drop-off time with VOTRAN. This change, designed to address VOTRAN ridership issues, has essentially eliminated any type of mass transit within the Flagler Avenue area.

Mass transit is not the only alternative form of transportation that could be utilized by visitors. Many beachside residents and visitors will walk or bicycle to the Flagler Avenue area. Some bicyclists may lock their bicycles to street signs, benches or other inappropriate objects, creating a safety hazard for pedestrians. Providing additional bicycle stands on Flagler Avenue may encourage nearby residents to bicycle rather than drive to the area.

**Identified Expenses:**

- VOTRAN would not incur the costs for adding a fixed route to the Flagler Avenue area without City and/or CRA support. These costs could potentially include purchase of additional vehicles, maintenance and operation, and salaries and benefits for staff.
- Installation of additional bicycle racks in the area is approximately \$1,000 per rack. If at least one rack were provided on each block face, the total estimated cost would be approximately \$10,000.

**Total Estimated Costs: \$10,000**

**Redesign of On-Street Parking**

At the June 28, 2011 City Commission meeting, the Commission discussed eliminating the landscape islands within many of the on-street parking areas on Flagler Avenue. Staff surveyed the street on July 12, 2011 to determine how many potential parking spaces could be created if the landscape islands were removed. Based upon this survey, staff has estimated that between three to seven parking spaces could be added by removal of existing on-street landscape islands.

It should be noted that the estimated number of potential spaces on block F2 may be reduced by 2 or 3 spaces, depending upon whether the proposed hotel is built. Additionally, there are a number of places where there would be no parking gains to be made by removing trees, as driveways or visibility areas at intersections would prevent the addition of new parking spaces.

If the City decides to move forward with this alternative, work should be scheduled to coincide with the Flagler Avenue stormwater improvements and hotel construction. This will ensure that improvements are only installed once, and only after all subsurface work has been completed. It should be noted that the trees provide the only landscaping on Flagler and removal will result in a barren appearance. This option is not recommended.

### **Signage**

There is currently signage on Flagler Avenue directing visitors and patrons to the various public parking lots. However, not all of these lots appear to be fully utilized. The CRA is currently working with a consultant to develop a way finding signage program for the CRA district, including the Flagler Avenue area.

### **Identified Expenses:**

- Consultant fees
- Manufacture and installation costs for the signs
- Long-term maintenance and replacement costs as signs are damaged, destroyed or deteriorate over time

### **Total Estimated Costs: (Included in the CRA Budget FY 2011-2012)**

### **Lease and/or Purchase of Additional Land for New Parking Lots**

In 2010, the CRA partnered with the owner of the Fish House to build the Flagler Dunes parking lot at the intersection of Buenos Aires Street and Columbus Avenue. This lot, which contains 31 parking spaces, cost a total of \$68,000 to construct. In return for contributing to the cost of construction, the property owner has leased the CRA 28 parking spaces. The duration of the leased parking varies from one year to five years. This type of public/private partnership can significantly reduce the costs associated with purchasing land outright and constructing a parking lot. Additionally, continued private ownership of the land means that the parcel continues to remain on the tax rolls, even if the revenue collected via ad valorem taxes is minimal.

**Identified Expenses:** Staff has identified eight properties that may be potential candidates for purchase and construction of new parking areas, or for a partnership with the property owner to construct and lease parking. These eight properties are discussed in further detail below. **Figure 5** shows the locations of these potential parking areas. It should be noted that the estimated costs only include the cost to purchase the property and the cost to construct a shell parking lot. The costs do not include any demolition costs that may be required. Estimated construction costs were based on actual construction costs associated with the Flagler Dunes Parking lot.

**Figure 5: Potential Parking Areas**

When determining whether to purchase land to construct parking lots or to enter into a lease with a private property owner, there are several items that must be considered:

- Outright purchase of properties allows for the most control of a site, but could be prohibitively expensive and removes properties from the tax rolls.
- City controlled leases where the City makes a substantial improvement to a property and in return gains a long term, publicly accessible lot would be less expensive than an outright purchase. However, at some point in the future that parking could become private or go away completely.
- Owner controlled leases could be considered where the City makes a lower level of financial investment. This would allow the owner to take over control and maintenance of the lot. Again, as with City controlled leases, this alternative may not provide a long-term permanent parking solution.
- Use of existing City owned property is inexpensive, but location is critical. The City should pursue County ECHO funds to support a County-wide funding priority for more beachside parking. This parking should be a half block to a block off of Flagler Avenue, in order to preserve opportunities for commercial development along Flagler Avenue.

**1** 412 Jessamine Street



**Pro:** Two contiguous lots under same ownership, appears unoccupied.

**Con:** Although the homes are currently unoccupied, the structures would need to be demolished and the site cleared and graded.

**Desirability:** Medium

**Potential Number of Parking Spaces:** 17

**Cost:** This site is not currently posted for sale.



**2** Lot between CRA Jessamine parking lot and 412 Jessamine.



**Pro:** Vacant, adjacent to CRA Jessamine lot.

**Con:** Single lot, lower parking yield. This vacant lot could be used to expand the adjacent public lot without making that existing lot excessively large.

**Desirability:** High.

**Potential Number of Parking Spaces:** Gain 14 spaces, lose 6, net gain 8

**Cost:** This lot is not currently posted for sale.



3

3 Lots west of CRA Jessamine parking lot



**Pro:** Vacant lots, with the two fronting Jessamine Street recently cleared.

**Con:** One of the three lots fronts on Flagler. While one lot could be used to expand the public lot to the east, the lots fronting Flagler and Cooper would be better served with private uses as allowed in the MU zoning district.

**Desirability:** Medium

**Potential Number of Parking Spaces:** Gain 14 spaces using two south lots that front on Jessamine Street.

**Cost:** Location 3 is currently offered at \$1,400,000. Including construction costs, total estimated cost is \$102,200 per space. (which is out of financial reality for cost per space) The owners were contacted in September 2011 on their intent in leasing, but none was expressed.



**4** Lot fronting Flagler north of post office



**Pro:** Provides some parking on north side of Flagler.

**Con:** Fronts on Flagler Avenue, which would be better location for retail or other commercial use. The slab from the former structure is still on site and would need to be removed.

**Desirability:** Medium

**Potential Number of Parking Spaces:** 10

**Cost:** Location 4 is currently offered at \$449,500. Including construction costs, total estimated cost is \$47,150 per space.



5

**2 Lots fronting Columbus under City ownership**



**Pro:** City owned, vacant. One block from Flagler Avenue activities, and is already City owned.

**Con:** Outside of CRA. Because property is zoned for residential use, the City Commission would need to approve the special exception application to construct the parking lot. Meetings are underway with surrounding property owners.

**Desirability:** High

**Potential Number of Parking Spaces:** 44 (if entire lot is cleared)

**Cost:** Public Works is preparing a cost estimate for site plan approval.



6

309 Flagler, 308 Jessamine

**Pro:** Contiguous, adjacent to private lot, possibility to negotiate with private lot owner and only use Jessamine lot, same family ownership. Could be a one-way through lot with angled parking. City Building Official is currently seeking approvals to demolish the structure at 309 Flagler Avenue.

**Con:** One lot fronts on Flagler; large live oak tree in back.

**Desirability:** Low

**Potential Number of Parking Spaces:** 9

**Cost:** Location 6 is currently offered at \$299,000 for 309 Flagler and \$199,000 for 308 Jessamine, for a total of \$498,000. Total costs including construction would be \$57,533 per space.



7

Lots owned by Coronado Methodist Church



**Pro:** Currently a parking lot, large capacity, could physically tie into Coronado Civic Center lot.

**Desirability:** High.

This is a large existing, though unimproved parking lot. An improved lot would require working around the large number of historic trees and there would be limitations on hours of public access.

Coronado Methodist Church provides a significant amount of parking at the west end of Flagler Avenue. However, this parking is currently available only to members of the Coronado Methodist Church during church activities and services.

**Estimated Number of Parking Spaces: 65**

**Cost:** Negotiations are underway for a lease agreement.



8

222 Flagler Avenue / 219 Florida Avenue



**Pro:** Both parcels are under common ownership, adjacent to CRA Florida parking lot. Could support several configurations and could include a commercial use of Flagler frontage. Immediately adjacent to hotel site.

**Con:** Parcel fronting on Flagler Avenue may be better suited for development.

**Desirability:** Medium

**Potential Number of Parking Spaces:** 14

**Cost:** Location 8 is not for sale. A meeting is set to discuss leasing of the property.



## FINANCING STRATEGIES

In addition to identifying possible alternative solutions to physically locate parking within the Flagler Avenue area, staff has also identified possible funding mechanisms to implement these alternatives. These possible funding sources are discussed in further detail below:

### Charging Parking Users

- Many cities provide on-street parking or lots. Parking fees could provide funding for maintenance and enforcement.
- **Parking Impact Fee:** A parking impact fee could be used in conjunction with, or in lieu of, the existing transportation impact fee currently levied. The fee would be a flat fee per parking space and would be charged based on the number of on-site parking spaces required for the business. The fee would only be charged if the business could not provide all required parking on site. The amount of the fee would need to be determined with a detailed and legally defensible study.
- **Parking Improvement District:** This fee would be similar to a business Improvement District (BID), which allows for an assessment on property within a defined area. Revenues from this assessment are then directed back to the area to finance a wide range of services, including security, maintenance, marketing, economic development, parking, and special events.
- **Parking Leases:** The CRA has a parking lease program that currently has five Flagler Avenue area businesses leasing 38 parking spaces. At \$150 per space, this program has revenues of \$5,700 for the Flagler Avenue leased spaces. The payment requirement for leased spaces has been suspended for two years. The concept is appropriate, but the revenue stream is small, and the fees were waived in 2011-2012.

## CONCLUSIONS AND RECOMMENDATIONS

The issue of parking availability in the area near Flagler Avenue has been an issue for some time. As Flagler Avenue becomes more vibrant and economically successful, the issue of parking becomes more pressing. As identified in this study, there are four user groups that appear to impact parking in the Flagler Avenue area:

- Special event patrons
- Beach-goers
- Business Patrons
- Beachside Residents

Because each of these user groups has specific needs, several alternatives have been identified for each group. Some of these alternatives are more viable than others. Rerouting some of the beachgoer traffic could ease parking strains along Flagler Avenue, both in traffic flow and number of vehicles attempting to park along Flagler Avenue. Remote parking lots may provide additional parking for special events. However, for remote lots to work well; there must be limited alternatives to the remote lots, the lots must be easy to locate, and the lots must be provided with free, easy and certain transport to the desired area. New parking areas should be pursued. All of the parking concerns cannot be addressed with additional parking areas, but additions would be beneficial.

Based upon the analysis provided in this study, staff is recommending the following short-term and long-term strategies for City Commission consideration:

### **Short-Term Recommendations: (2011-2012)**

- Eliminate the 50% parking reduction within the Flagler Avenue Special Parking District and instead establish an in-lieu-of parking fee
- Continue working with the Coronado Methodist Church to establish public access to their parking facilities at the west end of Flagler Avenue
- Continue to work with Volusia County and the Florida Department of Transportation (FDOT) to provide signage directing visitors to alternate beach ramp locations
- Continue to work with Volusia County to open the Crawford Road beach ramp as needed and to provide signage directing visitors to the ramp
- Install additional bicycle racks on Flagler Avenue
- Utilize the City-owned lots on Columbus Avenue as a parking lot for special event parking and remote employee parking
- Move forward with Esther Street temporary parking (awaiting grant funding notification on stormwater aspect of the project)
- Expand parking maps/inventory of available spaces to the wayfinding project and website.

**Long-Term Recommendations: (2012-2016)**

- Prepare a RFP for a long-term parking strategy report to address all issues identified.
- Establish a Flagler Avenue/Beachside Parking Fund. Use funds to acquire property & develop parking lots.
- Work to identify properties for short-term leasing; and long-term parking utilization for purchase (through ECHO grants when possible)
- Encourage the County to “speed-up” beach ingress and egress through sun-pass type technology
- Explore the option of a beachside parking structure in addition to surface parking
- Institute a pilot program to provide remote special event parking and shuttle services at the AOB site, old High School site and Canal Street. Funding could potentially be provided through a public/private partnership between the City, CRA and/or event sponsors.
- Establish paid visitor parking lots to fund future parking enhancements
- Establish a residents-only parking zone along streets in surrounding neighborhoods
- If legally possible, eliminate the current transportation impact fee in the Flagler Avenue area and replace it with a parking impact fee

Regardless of which parking strategies are chosen, continual monitoring of the parking situation within the Flagler Avenue area will be needed. The continued long-term success of Flagler Avenue depends upon the ability of visitors, patrons and residents to be able to provide safe, adequate, affordable and convenient parking.

As a condition of approval, require special event organizers to submit a report on parking conditions during the event, including a picture of designated streets/blocks.

# **APPENDIX A**

## **List of Flagler Avenue Special Events**

Event	Date	Estimated Visitors
Wine Walk	4 <sup>th</sup> Monday of each month	500/event
Hawaiian Open and Luau	February	10,000
Mardi Gras Parade	March	10,000
Shamrock and Roll	March	10,000
New Smyrna Beach Food Festival	April	10,000
Cinco de Mayo Celebration and Tequila Festival	May	10,000
Seaside Fiesta	June	15,000
Flagler Avenue Open/Putt and Crawl	July	10,000
Shrimp and Seafood Festival	August	10,000
Grill Master Classic	September	10,000
Jazz Festival	September	12,000-15,000
Chili and Chaps and Craft Beer Walk	October	10,000
New Smyrna Ween	October	10,000
Flamingo Follies	November	12,000-15,000
Christmas Carnival	November-December	10,000
Christmas Parade	December	12,000 – 15,000
Ed Root Run	December	12,000 – 15,000
Boat Parade	December	12,000-15,000
New Year's on Flagler	December	10,000

Source: City of New Smyrna Beach Parks and Recreation Department

## **APPENDIX B**

### **Glatting Jackson Kercher Anglin Parking Study Support Data for Flagler Avenue**



## MEMO

TO: Members of the Beachside Task Force  
FROM: Tony Otte, CRA/Economic Development Director  
DATE: December 18, 2015  
RE: Consideration of the Purchase of the vacant lot immediately east of the City parking lot on Jessamine Ave

In 2011 City staff completed a study with recommendations for increasing the parking capacity in the Flagler Ave area (copy attached). One of the lots considered is owned by Carol Woodall (p. 24 of the study). The lot was not for sale when the study was completed, but a recent email to City staff states that the lot is now for sale.

This vacant lot is immediately east of the City's Jessamine Parking lot. Per the Flagler parking study the vacant lot could be used to expand the Jessamine parking lot by about 9 parking spaces. The owner is selling this lot and the lot catty-corner to the NW, which is the Robin's Nest gifts building (brown building, blue awning). Erin Beasley, the owner's granddaughter, says she will sell the vacant lot separately for \$300,000, which is \$59.41 per sq ft.

The City had two appraisals (attached) done for the three lots to the west of the City Parking lot in April of last year. The per square foot price of those three lots per the appraisals was \$50 per sq foot (Pomeroy) and \$41 per sq ft (Hamilton). The subject property is 50' x 101' or 5,050 sq ft.

The two lots to the east of the subject property were sold a year ago, as a part of a "multi-parcel sale" for \$365,000. I suspect that the "multi-parcel" consists of the two lots since both now have the same owner's name. At 5,000 and 5,050 sq ft each, that would be a sq ft price of \$36.32 per sq ft, although there are limitations with the eastern-most property: the former owner told me that the eastern-most 8 feet were given in an easement to the adjoining property owner to the North (on Flagler) in a separate sale.

The 2013 Parking Task Force report included this recommendation (copy of recommendations attached): "Continue to look for options for smaller surface parking lots throughout the area."

I believe that this is worth exploring if funds are available.

**APPRAISAL REPORT**  
**OF THREE VACANT LOTS**  
**ALONG FLAGLER AVENUE & JESSAMINE AVENUE**  
**IN THE CITY**  
**NEW SMYRNA BEACH**  
**VOLUSIA COUNTY, FLORIDA**

**PREPARED FOR**

**TONY OTTE**  
**CRA / ECONOMIC DEVELOPMENT DIRECTOR**  
**CITY OF NEW SMYRNA BEACH**  
**210 SAMS AVENUE**  
**NEW SMYRNA BEACH, FL 32168**

**DATE OF VALUATION : APRIL 9, 2014**  
**DATE OF INSPECTION : APRIL 9, 2014**  
**DATE OF REPORT : APRIL 16, 2014**

**PREPARED BY**

**RICHARD C. ALLEN, MAI**  
**STATE-CERTIFIED GENERAL REAL ESTATE APPRAISER #RZ411**



**APPRAISAL ASSOCIATES OF FLORIDA, INC.**

*Real Estate Appraisers — Consultants*

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April 16, 2014

City of New Smyrna Beach  
210 Sams Avenue  
New Smyrna Beach, FL 32168

Attn: Tony Otte, CRA / Economic Development Director

RE: Appraisal of three vacant lots along Flagler Avenue and Jessamine Avenue in city of New Smyrna Beach, Volusia County, Florida (PAA file # 214.013)

Dear Mr. Otte:

At your request, I have personally inspected the above referenced property and submit to you this Appraisal Report. The purpose of the appraisal is to estimate the As Is market value of the above referenced property.

This letter of transmittal is followed by the certification of the appraisal and the narrative appraisal report further describing the subject property and containing the reasoning and pertinent data leading to the estimated value. Particular attention is directed to the Underlying Assumptions and Limiting Conditions section of this report.

Based on our analysis of the facts and data as presented in this report, and our appraisal experience, it is our opinion that the subject property has a value of the Fee Simple Estate, under the Assumptions and Limiting Conditions of this assignment, as follows:

The as-is Value of Flagler Ave and Jessamine Ave Lots;

As of April 9, 2014 **\$640,000**

The accompanying report contains our summary of data, analyses, and conclusions and is written to be self-explanatory. However, should you have any questions, please advise. Thank you for the privilege of serving you.

Respectfully submitted,

Richard C. Allen, MAI  
State-certified general real estate appraiser # RZ411

## CERTIFICATION

I certify that, to the best of my knowledge and belief:

1. The statements of fact contained in this report are true and correct.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, unbiased professional analyses, opinions, and conclusions.
3. I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest with respect to the parties involved; any specified interest or bias has not affected the impartiality of my opinions and conclusions.
4. My compensation for this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
5. My engagement in this assignment was not contingent upon developing or reporting predetermined results, requested minimum valuation, a specific valuation, or the approval of a loan.
6. My analyses, opinions, and conclusions were developed, and this report has been prepared in conformity with the Uniform Standards of Professional Appraisal Practice (USPAP), the requirements of the Code of Professional Ethics of the Appraisal Institute, and the American Society of Appraisers.
7. I have made a personal inspection of the property that is the subject of this report.
8. Ronald S. Crouse, State-certified general real estate appraiser #RZ670 and Mickey W. Smith, State-certified general real estate appraiser #RZ2364, helped in the data collection and analysis for this report.
9. I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
10. The use of this report is subject to the requirements of the Appraisal Institute and the American Society of Appraisers relating to review by its duly authorized representatives.
11. We have not performed prior appraisals on the subject property within the last three years.



Richard C. Allen, MAI  
State-certified general real estate appraiser # RZ411

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### ADDENDUM

- Assumptions and Limiting Conditions
- Important Definitions
- Subject Deed
- Zoning and Future Land Use
- Flood Map
- Area Data
- Comparable Sales
- Appraiser Qualifications

## SUMMARY OF SIGNIFICANT CONCLUSIONS

Location	The subject property consist of three vacant lots with one fronting on the south side of Flagler Avenue about 50 feet east of Cooper Street, one directly behind this lot with frontage on the north side of Jessamine Avenue and one on the northeast corner of Jessamine Avenue and Cooper Street, city of New Smyrna Beach, Volusia County, FL	
Tax ID #	7455-08-04-0020, 7409-06-05-0011 & 7409-06-05-0020	
Legal Description	Refer to Warranty Deed in addendum.	
Ownership	Eilai Investments LLC	
Type of Property	Vacant Mixed Use / Commercial Land.	
Site Size	Approximately 12,800 total of three lots according to Volusia County Property Appraiser (VCPA).	
Site Improvements	None	
Easement & Encroachments	No known easements or encroachments	
Current Assessment	The total assessment is \$164,400.	
Current Taxes	\$3,683.88	
Zoning	MU, Mixed Use District, city of New Smyrna Beach; Future Land Use is Commercial.	
Highest & Best Use As Vacant	Commercial / Mixed Use development of all three lots combined as one parcel	
As Improved	N/A	
Marketing/Exposure Period	Around 6 to12 months	
Intended User	City of New Smyrna Beach	
Flood Zone	According to Flood Insurance Rate Map, Community Panel #12127 C 0542 H, dated February 19, 2014 as Zone "X", which is not within the flood plain. Appraiser does not warrant flood zone information.	
Dates of Value	As-Is Date of Inspection	April 9, 2014
Market Value	As-Is Vacant Commercial Land	<b>\$640,000</b>

## **APPRAISAL REPORT**

This is an Appraisal Report which is intended to comply with the reporting requirements set forth under Standards Rule 2-2(b) of the Uniform Standards of Professional Appraisal Practice (USPAP). As such, it contains all the data used in developing our opinion of value and provides an explanation of our research, reasoning, analyses and conclusions.

## **PURPOSE OF APPRAISAL**

The purpose of this appraisal is to provide the appraiser's best Market Value estimates of the fee-simple estates:

Market value is defined as being “the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus.” Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- (1) buyer and seller are typically motivated;
- (2) both parties are well informed and well advised, and each acting in what he considers his own best interest;
- (3) a reasonable time is allowed for exposure in the open market;
- (4) payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto;
- (5) and the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

Fee Simple Estate is defined as Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat.<sup>1</sup>

<sup>1</sup> The Dictionary of Real Estate Appraisal, Fourth Edition, Page 113, published by the Appraisal Institute, 2002.

Intended Use of Report: To provide market value estimate

Intended Users of Report: This report is intended for use only by our client the City of New Smyrna Beach for the above stated use.

## **SCOPE OF WORK**

The Scope of Work is required by the Uniform Standards of Professional Appraisal Practice (USPAP) to convey the extent of research and investigation undertaken by the appraiser to complete the assignment.

This report contains a wide range of market data used in supporting our value conclusions. The appraiser has relied upon primary data and secondary data sources. Primary data is that developed by the appraiser through research and investigation. This includes sales and absorption data, sales costs, etc. We used public records and internet sources to identify comparable sales. We confirmed the sales with one or more of the parties involved if possible or Public Records if unable to confirm with Party of transaction. We researched zoning and land use issues and other pertinent issues with the subject property.

Secondary data is that compiled by others, such as Board of Realtor statistics, census and demographics data, etc. This data is reviewed for accuracy, reasonableness and appropriateness before being relied upon.

## **INTRODUCTORY DESCRIPTION OF THE SUBJECT PROPERTY**

The subject property is a parcel of vacant commercial / mixed use land consisting of three tax parcels containing about 12,800 square feet total according to Volusia County Property Appraiser.

For the purpose of this Appraisal we are going to combine the three lots into one parcel. The parcels are listed for sale as one economic unit and the highest and best use is considered to be for the lots to be developed as one economic unit.

Separating the units for individual analysis would not meet the highest and best use test or the larger parcel test and would be considered an extraordinary assumption. One of the highest and best use tests is what would create the highest return to the land. The value of the property if the lots were appraised as three separated parcels would diminish the value of the sites combined.

## **DESCRIPTION OF THE NEIGHBORHOOD**

The subject neighborhood can be described in general as the entire beachside area, from the numbered streets south of the subject, to the Dunes Park north of the subject. The area is bounded on the east by the Atlantic Ocean and on the west by the Halifax River, which serves as the Intracoastal Waterway. The subject is located on Flagler Avenue.

There are only two bridges to the beachside in New Smyrna Beach. Third Avenue connects to the South Causeway, which has a bridge with 65 feet of clearance for large boats to pass under. It is a four-lane traffic artery with a median and turn lanes. Third Avenue is the largest traffic artery providing access to the beach area. The North Causeway has a small bascule bridge that leads to Flagler Avenue which runs from Peninsula Ave to the Beach.

State Road A1A, also known as Atlantic Avenue, runs through the area, closer to the beach, while Peninsula Drive parallels the river shore. The width between the two bodies of water is about a half mile. The interior portions of the neighborhood are accessed by a grid-like network of streets running from Atlantic Avenue to Peninsula Drive.

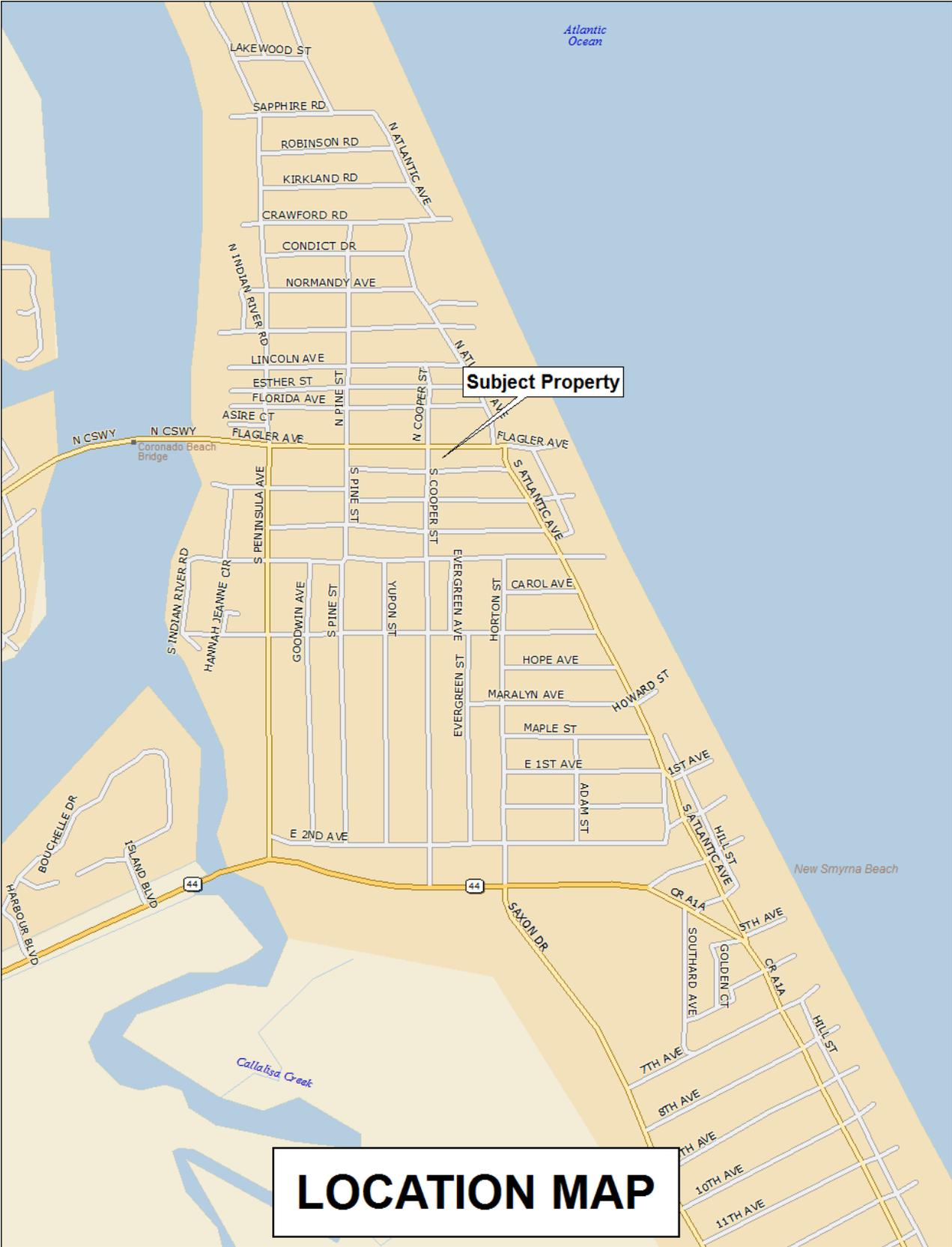
The immediate subject area in general is tourist-oriented. There are several restaurants, nightclubs, shops, boutiques and hotels / bed and breakfast along Flagler Avenue and this is the main corridor to the beach and Flagler Avenue boardwalk. There are also numerous restaurants and eateries along A1A south of the subject along with the Publix anchored Indian River Shopping Center with several restaurants, shops, stores and banks.

The immediate neighborhood has a positive outlook. Real estate prices are stable, and older properties are being renovated or redeveloped. Fluctuations in a tourist-oriented economy are practically inevitable, but the area has always been a desirable one for vacationers, and we expect that trend to continue. There were no detrimental influences to the neighborhood.

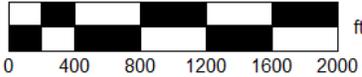
The subject is situated in a high traffic area that caters to the tourist industry, which is the major source of income for the State of Florida and the subject itself.

### Summary

The demographics and the surrounding properties indicate that there is a sufficient market base for sustained tourist oriented operations. The subject property location has historically been financially successful, and the outlook is positive. In summary, the subject neighborhood, because of its location, convenient access, and physical characteristics should continue to be in demand as the economy improves.



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Data Zoom 14-0

**SUBJECT PHOTOS**



**LOOKING SOUTH AT SUBJECT FROM FLAGLER AVENUE**



**LOOKING NORTHEAST AT SUBJECT FROM COOPER STREET**

**SUBJECT PHOTOS**



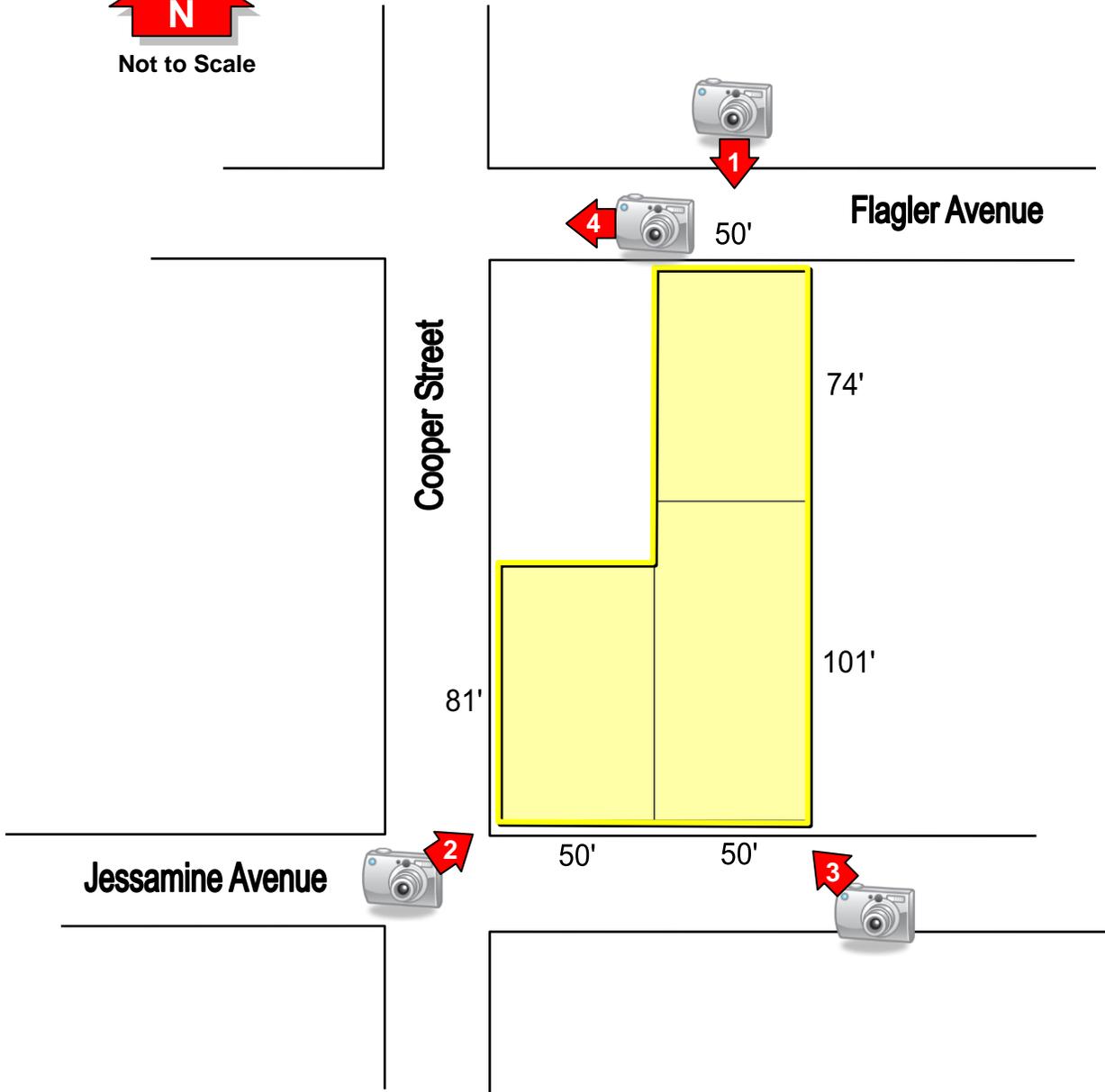
**LOOKING NORTHWEST AT SUBJECT FROM JESSAMINE AVENUE**



**STREET VIEW LOOKING WEST ALONG FLAGLER AVENUE**



Not to Scale



# SUBJECT PROPERTY



# AERIAL OF SUBJECT PROPERTY

## **SITE DESCRIPTION**

### Location

The subject property is located on the south side of Flagler Avenue about 50 feet east of Cooper Street with additional frontage on the northeast corner of Jessamine Avenue and Cooper Street, city of New Smyrna Beach, Volusia County.

### Shape

The subject is slightly irregular flag shape containing about 12,800 square feet. It has about 50 feet of frontage along the south side of Flagler Avenue, about 80 feet of frontage along the east side of Cooper Street and about 100 feet of frontage along the north side of Jessamine Ave. See the aerial plat in addendum for a clearer understanding of the property's configuration and dimensions.

### Access/Easements

Access is available via frontages on Flagler Ave, Cooper Street and Jessamine Ave.

### Topography

The land is at road grade, level and cleared.

## **LEGAL DESCRIPTION**

Please refer to Warranty Deed for legal description in the addendum.

## **RECORD OF OWNERSHIP**

The subject parcel is currently identified on the Volusia County Tax Roll as follows

Eilai Investments LLC  
521 Flagler Avenue  
New Smyrna Beach, FL 32169

There have been no arm's length recorded transactions in the last five years. The property is currently listed for sale with Collado Real Estate for \$1,299,000.

## **ASSESSMENT AND TAXES**

The subject parcel appears on the Volusia County Tax Roll and has an overall assessment of \$164,400.

## **FLOOD ZONE DATA**

The subject property is identified on Flood Insurance Rate Map, Community Panel #12127 C 0542 H, dated February 19, 2014 as Zone "X", which is not within the flood plain. A copy of the flood map is included in the addendum.

If there is further question concerning the flood hazard for the subject, the appraiser recommends a topographical survey to determine the exact flood zone boundaries, since this is beyond our expertise.

## **ZONING**

The subject is zoned MU, Mixed Use District, and has a Future Land Use Designation of Commercial by city of New Smyrna Beach. The MU, Mixed Use district forms the metropolitan center for commercial, financial, professional, governmental and cultural activities. Uses are permitted which require central location. Intermixing of business, professional, and multi-family for new residential uses permit people to live and work in or near the downtown area if they so desire. See addendum for detailed description of zoning classification and permitted uses and special exceptions allowed.

## **UTILITIES**

The subject has electricity and telephone and municipal water and sewer service available along Flagler Avenue.

## **MARKETABILITY**

The subject site is compatible with the neighborhood, and demand for this type property is average in this location.

### **Marketing Period – Exposure Time**

**“Marketing Period” is defined as follows:**

The most probable amount of time necessary to expose a property, in its entirety, to the open market in order to achieve a sale. Implicit in this definition are the following characteristics.

- The property will be actively exposed and aggressively marketed to potential purchasers through marketing channels commonly used by sellers of similar type properties.

- The property will be offered at a price reflecting the most probable mark-up over the market value used by sellers of similar type properties.
- A sale will be consummated under the terms and conditions of the definition of market value.

**“Exposure Time” is defined as follows:**

Exposure time is a “retrospective” opinion, looking back (from the effective date) to the beginning of the “hypothetical” process of selling the asset, so that the sale would have been consummated on the “effective date” of appraisal.

We estimate the subject property should sell after a marketing effort of approximately 6 to 12 months at or near the appraised value. It is our opinion that a 6 to 12 month exposure time is adequate for the subject property.

**HIGHEST AND BEST USE**

The value of real estate is directly related to the use to which it can be put. It follows that a particular parcel may have several different value levels, depending on the use being considered. Accordingly, the subject is appraised under its highest and best use.

Highest and Best Use is defined as “the reasonably probable and legal use of vacant land or an improved property, that is physically possible, appropriately supported, and financially feasible, and that results in the highest value.”<sup>2</sup>

<sup>2</sup> The Appraisal of Real Estate, Thirteenth Ed., Appraisal Institute, 2008

Highest and Best Use is shaped by competitive forces within the market where the property is located. It is an economic study of market forces, focused on the subject property. The benefit that an amenity may contribute to the development of a community is not considered in the appraiser's analysis of Highest and Best Use.

Because the use of the land can be limited by the existence of improvements or, in some cases, by proposed improvements, an opinion of Highest and Best Use is determined separately for the land as though vacant and available to be put to its Highest and Best Use and for the property as it actually exists or as it is proposed to be developed.

Determining the Highest and Best Use for the land as if vacant is necessary in estimating the value of the land. Determination of the Highest and Best Use for a property, as if

developed according to the proposed plan, provides a basis for deciding if the proposed use should be completed, or if the development plan should be revised or abandoned.

In the analysis of Highest and Best Use, four major factors are taken into consideration. A Highest and Best Use must be legally permissible, physically possible, financially feasible, and be maximally productive.

## HIGHEST AND BEST USE OF THE SITE, AS VACANT

### Legal Use

This factor takes into consideration the uses allowed by applicable zoning regulations and governmental land use plans, as well as limitations placed on the property by deed and/or plat restrictions. The subject is zoned Mixed Use with a commercial land use, with adequate size for development. The lot is conforming and is considered developable. The appraiser is unaware of any other legal development restrictions.

### Physical Limitations

This factor takes into consideration the physical characteristics of the site and its capability of meeting development requirements as to size, open space, and retention areas. It also considers the type and size of a development for which the site is capable of supporting and its ability to harmoniously co-exist with established land uses in the surrounding area. Subject appears to have adequate size for future mixed use/commercial development.

### Financial Feasibility and Maximal Productivity

Any of the legally permissible physically possible uses which would have a value in excess of its total development costs would be financially feasible. The use which generates the greatest value in excess of cost is said to be maximally productive. Regardless of possible uses allowed by zoning, the physical capability of the site to support a proposed use and the suitability of a proposed use in relation to surrounding land use trends, if there exists in the marketplace insufficient demand for that use, and then it cannot be considered an appropriate Highest and Best Use.

We can determine no alternative use which would yield a greater value. We conclude then that the highest and best use of the land, as vacant, is for future mixed use or commercial development.

## **VALUATION PROCESS**

Traditionally, three approaches are used to arrive at an estimate of market value, the Sales Comparison, Cost and Income Capitalization Approaches. Ideally, each approach, properly employed, provides an accurate indication of value. However, due to unique characteristics of various types of properties, one or more of the approaches may be inappropriate or inapplicable in arriving at an estimate of value.

The subject property is a parcel of commercial / mixed use land containing about 12,800 square feet according to Public Records. This type of property lends itself to valuation by the Sales Comparison Approach.

The principle of the Sales Comparison Approach is that the typical buyer will not pay, nor would the typical seller expect to obtain, a price for the property higher than an equally desirable substitute would command. In applying this method, recent sales of vacant properties are examined and compared with the subject, making appropriate adjustments for differences. The Sales Comparison Approach is used to estimate the subject property "As Is" as vacant land.

## **SALES COMPARISON APPROACH**

In estimating the subject land value, the sales comparison approach was used, as defined in The Dictionary of Real Estate Appraisal, page 268:

"A set of procedures in which an appraiser derives a value indication by comparing the property being appraised to similar properties that have been sold recently, applying appropriate units of comparison, and making adjustments, based on the elements of comparison, to the sale prices of the comparables."

The most important aspect in analyzing the subject property in relation to the comparable sales is that the comparable properties should all have the same property rights conveyed, equal financing, similar conditions of sale and market conditions, and comparable locations and physical characteristics. Because of the unique location of the subject property along Flagler Ave, a block from the Atlantic Ocean in the central tourist area of New Smyrna Beach, truly comparable vacant land sales were difficult to find. There simply are very limited vacant sites located in areas such as the subject that have sold in recent years. However, all of the sales could potentially be used for development of mixed uses, and all are located in the somewhat comparable marketing areas as the subject. Each sale is described in the addendum. The comparable sales were analyzed for differences as shown in the following adjustment grid.

## LAND SALES GRID

<b>Adjustment Analysis:</b>		<u>6882/1266</u>	<u>1917/435</u>	6696/1695 & 6835/3992
Sale Price		Sale 1 \$750,000	Sale 2 \$437,500	Sale 3 \$350,000 (Adjusted)
Land Size	12,800 s.f.	35,000 s.f.	15,000 s.f.	9,000 s.f.
Sale Date	4/14	7/13	1/13	2/12 & 3/13
<b>Time Adjustment</b>		<b>-0-</b>	<b>-0-</b>	<b>-0-</b>
<b>Adj Price/S. F.</b>		<b>\$21.43</b>	<b>\$29.17</b>	<b>\$38.89</b>
Location	New Smyrna Flagler Ave	New Smyrna Bch 3 <sup>rd</sup> Avenue	Flagler Beach Oceanshore Blvd	New Smyrna Flagler Ave
<b>Adjustment</b>		<b>Inferior</b>	<b>Inferior</b>	<b>Similar</b>
Access/Exposure	3 Street	1 Street	2 Street	2 Street
<b>Adjustment</b>		<b>Inferior</b>	<b>Inferior</b>	<b>Inferior</b>
Land Size	12,800 s.f.	35,000 s.f.	15,000 s.f.	9,000 s.f.
<b>Adjustment</b>		<b>Similar</b>	<b>Similar</b>	<b>Inferior</b>
Shape	Sl. Irregular	Sl. Irregular	Sl. Irregular	Sl. Irregular
<b>Adjustment</b>		<b>Similar</b>	<b>Similar</b>	<b>Similar</b>
Topography	At Grade	At Grade	At Grade	At Grade
<b>Adjustment</b>		<b>Similar</b>	<b>Similar</b>	<b>Similar</b>
Zoning	MU	Comm.	GC	MU
Land Use	Commercial	Comm.	Comm.	Commercial
<b>Adjustment</b>		<b>Inferior</b>	<b>Inferior</b>	<b>Similar</b>

## **RELATIVE COMPARISON ANALYSIS:**

### Property Rights

The subject property was appraised according to property rights known as fee simple estate. The exact definition is included in this report. Fee simple estate infers absolute ownership unencumbered by any other interest of estate; subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat. All of the comparable properties were sold in fee simple, and so no adjustments were required for this aspect of ownership.

### Financing Terms

Sale prices for identical properties can differ due to influences of different financing arrangements. Below market interest rates tend to increase sale prices, while interest rates above market can result in decreased sale prices. The subject property was appraised on a cash equivalent basis; so all comparable sales should reflect cash equivalent sales prices. All of the comparable properties that were verified were sold for cash, or were considered cash equivalent, and no adjustments were necessary.

### Conditions of Sale

Conditions of sale refer to the motivations of the buyer and seller, and whether the sale was an "arm's-length transaction" or not. Sale prices can be influenced because the parties are related to one another through business or family. Also, prices can be lower than market because the seller needs cash in a hurry, or prices can be higher because a developer may need a site as an assemblage. The motivations of the buyers and sellers of the comparable properties used in this analysis were questioned during the verification process for each sale.

### Market Conditions

The market conditions adjustment relates to the economic conditions of the market at the time of the comparable sale compared to market conditions at the effective date of the appraisal. Changes in market conditions may be caused by fluctuation in supply and demand, interest rates, inflation or deflation, and overall economic factors. The real estate market has rebounded in the past couple years and all sales are newer so no market adjustment is warranted.

**SALE 1** - This is the sale of a vacant commercial parcel of land located along 3<sup>rd</sup> Avenue in city of New Smyrna Beach containing 35,000 square feet. The site sold in July 2013 for \$750,000 or \$21.43 per square foot. It is currently being developed as a parking lot. This sale is considered inferior to the subject site in the following areas:

- Location - The subject is located along one of the main commercial tourist streets along the central and north east coast of Florida. This sale is inferior.
- Access / Exposure - The subject has access and exposure from three streets. This sale has only one street access and exposure and is inferior compared to the subject.
- Zoning - The subject has a mixed use classification which allows various type developments. This sale is zoned commercial and is inferior compared to the subject.

Overall, this sale's index price of \$21.43 per square foot is felt to be considerably less than what the subject should expect.

**SALE 2** - This is the sale of a vacant commercial parcel of land located at the southwest corner of 9<sup>th</sup> Street South and South Ocean Shore Blvd. in the city of Flagler Beach, Flagler County Florida. The site contains 15,000 square feet and sold in January 2013 for \$437,500 or \$29.17 per square foot. This sale is considered inferior to the subject site in the following areas:

- Location - The subject is located along one of the main commercial tourist streets along the central and north east coast of Florida. This sale is inferior.
- Access / Exposure - The subject has access and exposure from three streets. This sale has two street access and exposure and is inferior compared to the subject.
- Zoning - The subject has a mixed use classification which allows various type developments. This sale is zoned commercial and is inferior compared to the subject.

Overall, this sale's index price of \$29.17 per square foot is felt to be considerably less than what the subject should expect.

**SALE 3** - This is the assemblage sale of two lots, one located along Flagler Avenue that was improved with an old single family residence at the time of sale that has been demolished and the rear lot which was vacant. The total of both sites is 9,000 square feet. These two parcels were assembled between February 2012 and March 2013 for a total sale price of \$360,000 less \$10,000 for demolition indicates an adjusted sale price of \$350,000 or \$38.89 per square foot. It is currently improved with a new Bed & Breakfast development. This sale is considered inferior to the subject site in the following areas:

- Access / Exposure - The subject has access and exposure from three streets. This sale has two street access and exposure and is inferior compared to the subject.
- Size / Development Potential - This sale is smaller than the subject and has inferior development potential resulting from its more restrictive size.

Overall, this sale's index price of \$38.89 per square foot is felt to be slightly less than what the subject should expect.

Based on the preceding analysis the subject's price should be substantially higher than Sales 1 price of \$21.43 and Sales 2 price of \$29.17 per square foot and slightly higher than Sales 3 price of \$38.89 per square foot.

The Appraiser also researched the sales of five improved mixed use properties located along Flagler Avenue in the immediate area of the subject property that have occurred in the past year. These properties consist of various uses including retail, office and mixed commercial / residential. Land sizes ranged in size from 5,900 square feet to 8,000 square feet and building improvement sizes ranged from about 1,000 square feet to nearly 4,000 square feet. With **no** value given to the building improvements the total overall sale price divided by **just** the land sizes indicated a range of value from about \$55 to about \$95 per square foot, with an average of about \$75 per square foot, of land only with no value to improvements.

Based on the preceding analysis the subject's land price would be considerably less than the average of about \$75 per square foot.

#### Reconciliation of Land Value

Varying degrees of emphasis were placed on both analyses. Therefore, giving consideration to the vacant land sales and improved sales located along Flagler Avenue, the market value of the subject property as of the date of valuation is estimated to be at \$50.00 per square foot. The above comparisons, conclusions and value estimate results in the following land valuation for the subject property:

$$12,800 \text{ s.f @ } \$50.00/\text{s.f.} = \mathbf{\$640,000 (R)}$$

As previously discussed, the subject property is currently listed for sale with Collado Real Estate for \$1,299,000 or about \$50.00 per square foot. However, there have been no land sales (past or present) that support this listing.

## RECONCILIATION OF VALUE INDICATIONS AND FINAL VALUE ESTIMATE

The Sales Comparison Approach was utilized in valuing the land. Therefore, based on the foregoing facts, the fair market value of the subject property, land only, as of the date of valuation, is estimated to be **\$640,000**.

## **ADDENDUM**

Assumptions and Limiting Conditions

Important Definitions

Subject Deed

Zoning and Future Land Use

Flood Map

Area Data

Comparable Sales

Appraiser Qualifications

## **ASSUMPTIONS AND LIMITING CONDITIONS**

### Type of Report:

This is a Summary Appraisal Report which is intended to comply with the reporting requirements set forth under Standard Rule 2-2(b) of the Uniform Standards of Professional Appraisal Practice for a Summary Appraisal Report. The information contained in this report is specific to the needs of the client and for the intended use stated in this report. The appraiser is not responsible for unauthorized use of this report.

### Type of Appraisal:

This is a Summary Appraisal as defined by the Uniform Standards of Professional Appraisal Practice. This means that no departures from Standard 1 were invoked.

### Legal Matters:

The legal description used in this report is assumed to be correct, but it may not necessarily have been confirmed by survey. No responsibility is assumed in connection with a survey or for encroachments or overlapping or other discrepancies that might be revealed thereby. Any sketches included in the report are only for the purpose of aiding the reader in visualizing the property and are not necessarily a result of a survey.

Any sketch in this report may show approximate dimensions and is included to assist the reader in visualizing the property. Maps and exhibits found in this report are provided for reader reference purposes only. No guarantee as to accuracy is expressed or implied unless otherwise stated in this report. No survey has been made for the purpose of this report.

It is assumed that the utilization of the land and improvements is within the boundaries or property lines of the property described, and that there is no encroachment or trespass unless otherwise stated in this report.

No responsibility is assumed for an opinion of legal nature, such as to ownership of the property or condition of title.

The appraisers assume the title to the property to be marketable; that, unless stated to the contrary, the property is appraised as an unencumbered fee which is not used in violation of acceptable ordinances, statutes, or other governmental regulations.

### Unapparent Conditions:

The appraisers assume that there are no hidden or unapparent conditions of the property, subsoil or structures which would render it more or less valuable than otherwise comparable property. The appraisers are not experts in determining the presence or

absence of hazardous substance, defined as all hazardous or toxic materials, waste, pollutants or contaminants (including, but not limited to, asbestos, PCB, UFFI, or other raw materials or chemicals) used in construction or otherwise present on the property.

The appraisers assume no responsibility for the studies or analysis which would be required to conclude the presence or absence of such substances or for loss as a result of the presence of such substances. The client is urged to retain an expert in this field, if desired. The value estimate is based on the assumption that the subject property is not so affected.

Information and Data:

Information and opinions furnished to the appraisers and contained in the report, were obtained from sources considered reliable and believed to be true and correct. However, no responsibility for accuracy of such items furnished the appraisers can be assumed by the appraisers.

Any engineering is assumed to be correct. Any plot plans and illustrative material in this report are included only to assist the reader in visualizing the property.

All mortgages, liens, encumbrances, and servitudes have been disregarded unless so specified within the appraisal report. The subject property is appraised as though under responsible ownership and competent management.

Zoning and Licenses:

It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a nonconforming use has been stated, defined and considered in the valuation.

It is assumed that the subject property complies with all applicable federal, state and local environmental regulations and laws unless noncompliance is stated, defined and considered in the valuation.

It is assumed that the information relating to the location of or existence of public utilities that has been obtained through a verbal inquiry from the appropriate utility authority or has been ascertained from visual evidence is correct.

No warranty has been made regarding the exact location or capacities of public utility systems.

It is assumed that all license, consents, or other legislative or administrative authority from local, state or national governmental or private entity or organization have been, or can

be, obtained or renewed for any use on which the value estimate contained in the valuation report is based.

The appraisers will not be required to give testimony or appear in court due to preparing the appraisal with reference to the subject property in question, unless prior arrangements have been made.

Possession of the report does not carry with it the right of publication. Out-of-context quoting from or partial reprinting of this appraisal report is not authorized. Further, neither all nor any part of this appraisal report shall be disseminated to the general public by the use of media for public communication without the prior written consent of the appraisers signing this appraisal report.

The authentic copies of this report are bound with a clear cover which reveals the company name, Pomeroy Appraisal Associates of Florida, Inc. Any copy that does not have this cover or an original signature of the appraisers is unauthorized and may have been altered and is considered invalid.

Disclosure of the contents of this report is governed by the By-Laws and Regulations of the Appraisal Institute and the American Society of Appraisers. Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraisers or the firm with which they are connected, or any reference to the Appraisal Institute or to the ASA) shall be disseminated to the public through advertising media, public relations media, news media, sales media, or any other public means of communication without the prior written consent and approval of the author.

The distribution of the total valuation in this report, between land and improvements, is applicable only as a part of the whole property. The land value, or the separate value of the improvements, must not be used in conjunction with any other appraisal or estimate and is invalid if so used.

No environmental or concurrency impact studies were either requested or made in conjunction with this appraisal report. The appraisers, thereby, reserve the right to alter, amend, revise, or rescind any of the value opinions based upon any subsequent environmental or concurrency impact studies, research or investigation.

The American with Disabilities Act ("ADA") became effective January 26, 1992. The appraisers have not made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. It is possible that a compliance survey of the property, together with a detailed analysis of the requirements of the ADA, could reveal that the property is not in

compliance with one or more of the requirements of the Act. If so, this fact could have a negative effect upon the value of the property. Since the appraisers have no direct evidence relating to this issue, possible noncompliance with the requirements of ADA in estimating the value of the property has not been considered.

The appraisal report related to a geographical portion of a larger parcel is applied only to such geographical portion and should not be considered as applying with equal validity to other portions of the larger parcel or tract. The value for such geographical portions plus the value of all other geographical portions may or may not equal the value of the entire parcel or tract considered as an entity.

The appraisal is subject to any proposed improvements or additions being completed as set forth in the plans, specifications, and representations referred to in the report, and all work being performed in a good and workmanlike manner. The appraisal is further subject to the proposed improvements or additions being constructed in accordance with the regulations of the local, county, and state authorities. The plans, specifications, and representations referred to are an integral part of the appraisal report when new construction or new additions, renovations, refurbishing, or remodeling applies.

If this appraisal is used for mortgage loan purposes, the appraisers invite attention to the fact that (1) the equity cash requirements of the sponsor have not been analyzed, (2) the loan ratio has not been suggested, and (3) the amortization method and term have not been suggested.

The function of this report is not for use in conjunction with a syndication of real property. This report cannot be used for said purposes and, therefore, any use of this report relating to syndication activities is strictly prohibited and unauthorized. If such an unauthorized use of this report takes place, it is understood and agreed that Pomeroy Appraisal Associates of Florida, Inc. has no liability to the client and/or third parties.

Acceptance of and/or use of this appraisal report constitutes acceptance of the foregoing General Underlying Assumptions and General Limiting Conditions. The appraisers' duties, pursuant to the employment to make the appraisal, are complete upon delivery and acceptance of the appraisal report. However, any corrections or errors should be called to the attention of the appraisers within 60 days of the delivery of the report.

This report is intended for use only by the identified client and identified other known intended users stated within the cover letter. Use of this report by others is not intended by the appraiser.

Liability for this appraisal assignment is limited only to the extent of the fee collected.

## **IMPORTANT DEFINITIONS**

### **Definition of Market Value:**

The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- 1) buyer and seller are typically motivated;
- 2) both parties are well-informed or well-advised, and acting in what they consider their own best interests;
- 3) a reasonable time is allowed for exposure in the open market;
- 4) payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
- 5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

Market Value Comments: The factors of utility, scarcity, desire and effective purchasing power are apparent in the definition. The implication that buyer and seller are working under equal pressure is seldom completely true, although typical motivation for each does imply a reasonable balance for a market value transaction.

Market prices do not necessarily follow all of these concepts and are often affected by salesmanship and the urgency and need of the buyer and/or seller. The central difference between market price and market value lies in the premise of knowledge and willingness both of which are contemplated in market value, but maybe not in market price. Stated differently, at any given moment of time, market value denotes what a property is actually worth under certain specified conditions, while market price denotes what it actually sold for.

Probability of Value Change: The market value of the property appraised in the report is estimated as of the aforementioned date. Constantly changing economic, social, political and physical conditions have varying effects upon real property values. Even after the passage of a relatively short period of time, property values may change substantially and require a review of the appraisal and recertification.

### **Definition of Fee Simple Estate or Interest:**

Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat. (The Dictionary of Real Estate Appraisal, 4th Edition, by the Appraisal Institute, 2002.)

### **Definition of Highest and Best Use:**

The reasonably probable and legal use of vacant land or an improved property, which is physically possible, appropriately supported, financially feasible, and that results in the highest value. The four criteria the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum productivity. (The Dictionary of Real Estate Appraisal, 4th Ed., by the Appraisal Institute, 2002.)

The definition immediately preceding applies specifically to the highest and best use of land and/or property. It is to be recognized that in cases where a site has existing improvements on it, the highest and best use may very well be concluded to be different from the existing use. The existing use will continue, however, unless and until land value in its highest and best use exceeds the total value of the property in its existing use.

Also implied, is that the estimation of highest and best use results from judgment and analytical skill, i.e., that the use concluded from analysis represents an opinion, not a fact to be found. In appraisal practice, the concept of highest and best use represents the foundation on which market value rests. In the context of most probable selling price (market value), another appropriate term to reflect highest and best use would be most probable use. In the context of investment value, an alternative term would be most profitable use.

The highest and best use of both land as though vacant and property as improved must meet four criteria. The highest and best use must be 1) physically possible, 2) legally permissible, 3) financially feasible, and 4) maximally productive.

These criteria are usually considered sequentially; a use may be physically possible, but this is irrelevant if it is feasibly impossible or legally prohibited. Only when there is a reasonable possibility that one of the prior, unacceptable conditions can be changed is it appropriate to proceed with the analysis. If, for example, current zoning does not permit a potential highest and best use, but there is a possibility that the zoning can be changed, the proposed use can be considered on that basis. A full analysis may be included in the report when the conclusions are based on techniques applied to identify the highest and best use among two or more potential uses. (The Appraisal of Real Estate, Eleventh Edition by Appraisal Institute.)

**VALUE AS IS:** The value of specific ownership rights to an identified parcel of real estate as of the effective date of the appraisal; relates to what physically exists and is legally permissible and excludes all assumptions concerning hypothetical market conditions or possible rezoning.

This Document Prepared By and Return to:  
Hal Spence, Esquire  
221 North Causeway  
New Smyrna Beach, FL 32169

Parcel ID Number: 740906050020, 740906050011, 74550

# Warranty Deed

This Indenture, Made this 6th day of June, 2007 A.D., Between  
Gary A. Dolly and Sally L. Dolly, husband and wife

of the County of Volusia, State of Florida, grantors, and  
Eilai Investments, LLC, a Florida limited liability company

whose address is: 521 Flagler Avenue, New Smyrna Beach, FL 32169

of the County of Volusia, State of Florida, grantee.

Witnesseth that the GRANTORS, for and in consideration of the sum of

----- DOLLARS,  
and other good and valuable consideration to GRANTORS in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, have granted, bargained and sold to the said GRANTEE and GRANTEE'S heirs, successors and assigns forever, the following described land, situate, lying and being in the County of State of Florida to wit:

PARCEL 1: Lot 2, Block 5, COOPER SUBDIVISION, according to the map or plat thereof recorded in Map Book 5, Page 165, of the Public Records of Volusia County, Florida.

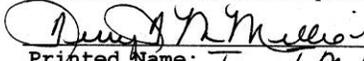
PARCEL 2: Lot 2, Block 4, NEW SMYRNA BRIDGE AND INVESTMENT COMPANY SUBDIVISION, in the City of New Smyrna Beach, Florida, according to the map in Map Book 2, Page 127, of the Public Records of Volusia County, Florida. EXCEPTING that certain Permanent Easement described as follows: A part of Lot 2, Block 4, New Smyrna Bridge and Investment Company Subdivision of the Robert Walker Grant, as recorded in Map Book 2, Page 127, of the Public Records of Volusia County, Florida, described as follows: from the Southwest corner of said Lot 2, run North 00°50'53" West, along the West line of said Lot 2, a distance of 76.35 feet to the Point of Beginning, thence North 89°46'43" East, along the occupied South R/W line of Flagler Avenue, a distance of 50.04 feet; thence South 00°54'22" East, along the East line of said Lot 2, a distance of 3.00 feet; thence South 89°49'49" West, parallel with the occupied South R/W line of Flagler Avenue, a distance of 50.04 feet; thence North 00°50'53" West, along the West line of said Lot 2, a distance of 3.00 feet to the Point of Beginning.

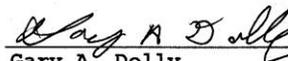
(Continued on Attached)

and the grantors do hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

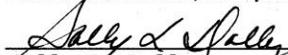
In Witness Whereof, the grantors have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in our presence:

  
Printed Name: Terry T. McMillan  
Witness

  
Gary A. Dolly (Seal)  
P.O. Address: P. O. Box 2044, New Smyrna Beach, FL 32170

  
Printed Name: BARBARA E. GARRETT  
Witness

  
Sally L. Dolly (Seal)  
P.O. Address: P. O. Box 2044, New Smyrna Beach, FL 32170

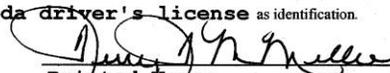
STATE OF Florida  
COUNTY OF Volusia

The foregoing instrument was acknowledged before me this 6th day of June, 2007 by  
Gary A. Dolly and Sally L. Dolly, husband and wife

who are personally known to me or who have produced their Florida driver's license as identification.



Terry T. McMillan  
MY COMMISSION # DD250003 EXPIRES  
January 9, 2008  
BONDED THRU TROY FAUN INSURANCE, INC.

  
Printed Name: \_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

**Warranty Deed - Page 2**

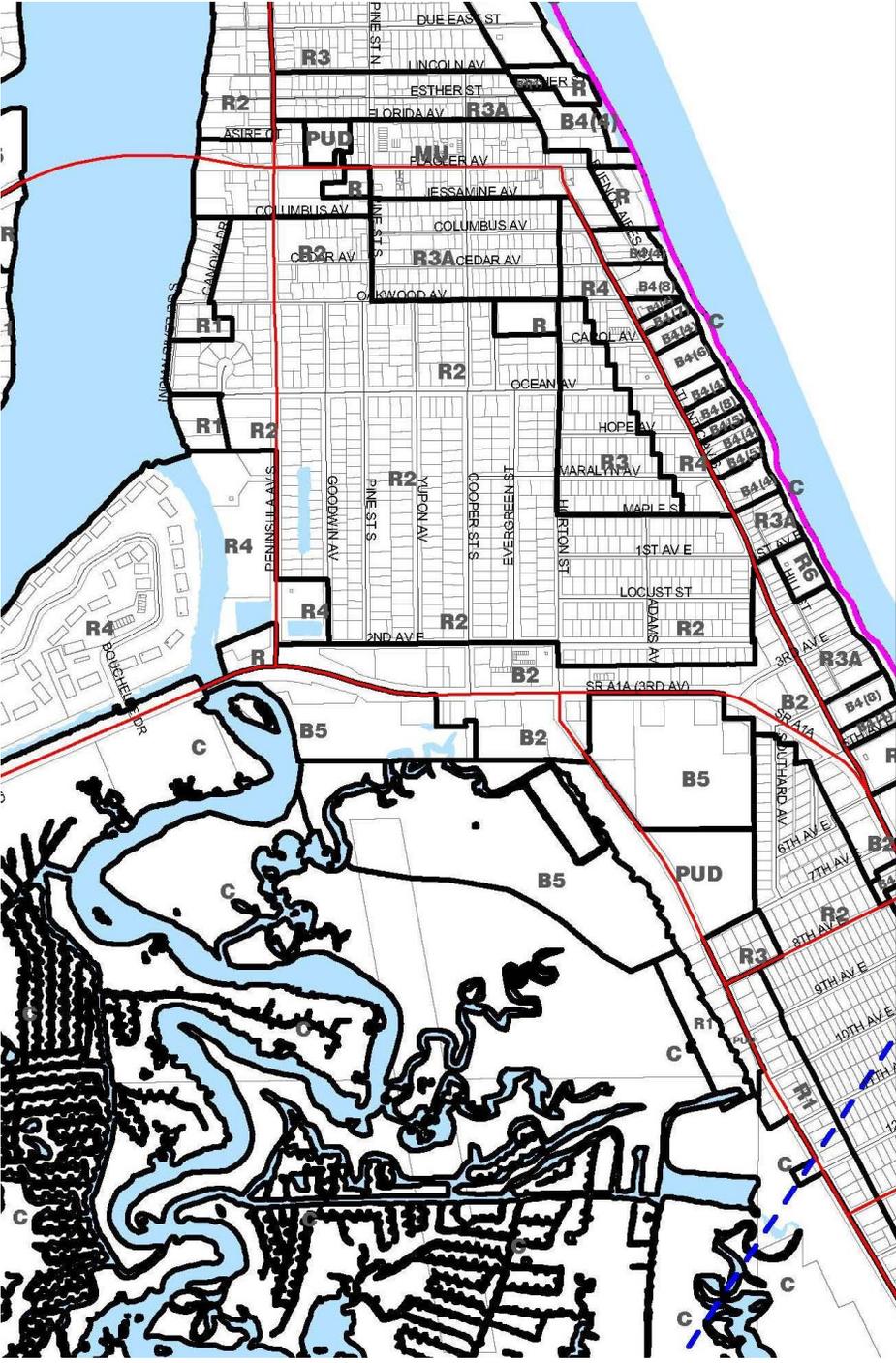
Parcel ID Number: 740906050020, 740906050011, 74550

Instrument# 2007-131983 # 2  
Book: 6074  
Page: 4156  
Diane M. Matousek  
Volusia County, Clerk of Court

PARCEL 3: Lot 1, except the North 20 feet thereof, Block 5, W. L. COOPER'S SUBDIVISION, according to the map or plat thereof recorded in Map Book 4, Page 114 and Map Book 5, Page 165, of the Public Records of Volusia County, Florida.

# ZONING MAP

*New Smyrna Beach  
Florida*



Code	Class
A1	PRIME AGRICULTURE
A2	AGRICULTURE
B2	NEIGHBORHOOD BUSINESS
B3	HIGHWAY SERVICE BUSINESS
B4(4)	OCEAN COMMERCIAL
B4(5)	OCEAN COMMERCIAL
B4(6)	OCEAN COMMERCIAL
B4(7)	OCEAN COMMERCIAL
B4(8)	OCEAN COMMERCIAL
B4(9)	OCEAN COMMERCIAL
B5	PLANNED SHOPPING CENTER
B6	MEDICAL PROFESSIONAL
B6A	LIMITED MEDICAL PROFESSIONAL
BBH	BED & BREAKFAST HOMES
C	CONSERVATION
CM	COMMERCIAL MARINA
COZ	CORRIDOR OVERLAY ZONE
FR	FORESTRY RESOURCE
HBOD	HISTORIC BUILDING OVERLAY ZONE
I1	LIGHT INDUSTRY
I2	HEAVY INDUSTRY
I3	INDUSTRIAL PARK
I4	WATERFRONT INDUSTRIAL
MH1	MOBILE HOME PARK
MH2	MANUFACTURED HOUSING SUBDIVISION
MU	MIXED USE (CENTRAL BUSINESS DISTRICT)
PUD	PUD
R	RECREATION
R1	SINGLE FAMILY
R2	SINGLE FAMILY
R2A	SINGLE FAMILY DETACHED & ATTACHED
R3	SINGLE FAMILY
R3A	SINGLE FAMILY & TWO FAMILY (ZERO LOT LINE)
R3B	SINGLE FAMILY
R4	MULTI-FAMILY
R5	MULTI-FAMILY
R6	MULTI-FAMILY
RE	RESIDENTIAL ESTATE
RR-PUD	RESORT RESIDENTIAL PUD

	ARTS DISTRICT
	HISTORIC BUILDING OVERLAY DISTRICT
	CORRIDOR OVERLAY ZONE
	COUNTY ZONING
	BUILDING RESTRICTION ZONE
	HEIGHT NOTIFICATION ZONE
	NOISE IMPACT ZONE
	RUNWAY PROTECTION ZONES



August 9, 2013

# ZONING MAP

The City of New Smyrna Beach, Florida, is divided into the following districts within which the uses of land are regulated as provided by this LDR. Each district is listed below with its accompanying abbreviation:

A-1	Prime Agriculture
A-2	Agriculture
FR	Forestry Resource
C	Conservation
RA	Rural Agriculture Estate
R	Recreation
RE	Residential Estate
R-1	Single-Family Residential
R-2	Single-Family Residential
R-2A	Single-Family Detached and Attached Residential
R-3	Single-Family and Two-Family Residential
R-3A	Single-Family and Two-Family (Zero Lot Line) Residential
R-3B	Single-Family Residential
R-4	Multifamily Residential
R-5	Multifamily Residential
R-6	Multifamily Residential
MH-1	Mobile Home Park
MH-2	Manufactured Housing Subdivision
MU	Mixed Use (Central Business District)
B-2	Neighborhood Business
B-3	Highway Service Business
B-4	Ocean Commercial
B-5	Planned Shopping Center
B-6	Medical-Professional
B-6A	Limited Medical-Professional
CM	Commercial Marina
I-1	Light Industrial
I-2	Heavy Industrial
I-3	Industrial Park
I-4	Waterfront Industrial
BBH	Bed and Breakfast Home Overlay District
COZ	Corridor Overlay Zone
PUD	Planned Unit Developments
HBOD	Historic Building Overlay District
AOD	Arts Overlay District

(Ord. No. 23-12, § 1, 2-28-2012; Ord. No. 61-12, § 1, 6-12-2012)

MU, MIXED USE DISTRICT  
(CENTRAL BUSINESS DISTRICT)

*Intent.* The MU, Mixed Use District forms the metropolitan center for commercial, financial, professional, governmental, and cultural activities. Uses are permitted which require a central location convenient to the general citizenry and provide a supportive relationship to each other. Retail goods and services together with accommodations for tourists, transients, and permanent guests or tenants are permitted. Intermixing of business, professional, and multifamily for new residential uses permit people to live and work in or near the downtown area if they so desire.

*Permitted uses.*

Advertising companies

Art studios

Assisted living facilities

Automobile sales and services, new and used permitted west of Riverside Drive only, except on Canal Street between Riverside Drive and the FEC railroad tracks where the use is prohibited

Bakeries, nonmanufacturing

Bed and breakfast homes

Billiard halls

Charter boat business

Club, sports or health

College level and adult educational facilities

Communication facilities, such as radio, television, telephone, and telegraph buildings

Convenience market with or without gas pumps

Dancing establishments

Day care centers, adult  
Delicatessens  
Funeral homes  
Government buildings and offices  
Grocery stores  
Laboratories  
Newspaper offices and printing shops  
Night clubs  
Offices, general, professional and real estate  
Package stores  
Parking lots  
Pawn shops  
Personal services  
Recreational buildings and complexes  
Residential, attached dwelling unit  
Residential, duplex  
Residential, multi-family  
Residential, single-family  
Restaurants, type "A," "B," and "D"  
Retail sales and services  
Rooming houses  
Schools with no more than 250 students  
Service stations, types "A" and "B"  
Taverns  
Taxicab and bus stands and terminals  
Theaters  
Tour boat business  
Transient lodging:

- "Transient lodging rooms, standard," as defined by this LDR, shall be a maximum of 500 square feet.
- "Transient lodging rooms, deluxe," as defined by this LDR, shall be a maximum of 750 square feet.
- The maximum room size does not include any balcony, porch or deck area connected to the unit.
- No more than 30 percent of the units may be deluxe.

Truck and trailer rentals (for properties in the district that front along U.S. Highway 1 and meet the conditions in [sub]section 801.18.

*Permitted accessory uses.*

All those uses customarily associated with the permitted principal uses.

Attached dwelling units that are structurally part of the principal commercial use.

Sidewalk cafes that comply with [sub]section 801.14 of the LDR.

Swimming pool, private, in conjunction with apartments, condominiums, hotels, motels, residential developments, bed and breakfast homes, and recreational buildings and complexes subject to the following:

- (1) It is located in the yard area between the rear wall of the residential structure and the rear lot line; or
- (2) It is located at the front or side of the building, but not in required yards, and a six-foot high solid opaque wall or fence totally encloses the pool area.

*Conditional uses.*

Farmers markets, subject to the following conditions:

- (1) The planning manager or designee determines that adequate parking is available.
- (2) There is adequate space on-site to accommodate all vendors without utilizing public rights-of-way unless city commission approval has been received to utilize the public rights-of-way.
- (3) Vendors shall not block pedestrian ways.
- (4) Products offered for sale shall be limited to the following:
  - a. Fresh fruits and vegetables.
  - b. Herbs and spices.
  - c. Farmstead products including but not limited to cheese, meats, fish/seafood, poultry, eggs, baked goods, canned goods, honey, maple syrup and preserves.
  - d. Bedding plants, hanging and potted plants, and cut flowers.
  - e. Dried flowers or plants.
  - f. A maximum of 50 percent of the total area used for the market shall be allowed for handicrafts.
  - g. Prepared food and beverages.
  - h. Flea market and yard sale items are prohibited.
- (5)

The farmers market organization must obtain a business tax receipt from Volusia County and from the City of New Smyrna Beach.

- (6) Each vendor operating within the farmers market must obtain a business tax receipt from Volusia County and from the City of New Smyrna Beach.
- (7) Informational booths for 501(c)3 non-profit organizations shall be permitted.

*Approval of a conditional use.* At the time the applicant applies for a business tax receipt with the city, the applicant shall also submit a conceptual plan to the planning department. The conceptual plan shall show the general location of the vendor stalls on the site. Based upon the criteria listed above, the planning manager or designee shall approve or deny the application for a conditional use.

*Transfer or abandonment of a conditional use.* Conditional uses are approved for a specific location and are assigned to the property. If the location of the use is changed, new conditional use approval must be obtained.

*Violation of conditional use terms or conditions.* It is a violation of this Code for any person to violate or to refuse or fail to comply with any term or condition of a conditional use. Violations may be prosecuted or enforced as provided by law for prosecution or enforcement of municipal ordinances.

*Special exceptions.*

Arcades, subject to the following conditions:

- (1) The city commission shall specify the hours of operation to ensure that the operation does not interfere with the operation of an adjacent business or businesses;
- (2) Smoking shall be prohibited within the establishment and an interior "No Smoking" sign shall be posted in a conspicuous area within the establishment;
- (3) Consumption of alcoholic beverages shall be prohibited within the establishment and an interior "No Consumption of Alcoholic Beverages" sign shall be posted in a conspicuous area within the establishment; and
- (4) The establishment shall be attended by an adult employee during the hours of operation.

Beach concession vehicles parked at a business, beachside only. See [sub]section 801.10.

Beach concession vehicle parking lots. See subsection 801.09.

Day care center, child, subject to the following additional conditions:

- (1) The child day care center shall be located on and be accessible by an arterial or collector roadway.
- (2) Play areas shall be fenced and landscaped. The landscaping shall have a vegetative hedge that will reach six feet in height within two years that is planted a minimum of three feet on center.
- (3) Play areas shall be located within all applicable setback dimensions.
- (4) The child day care center property shall have a vehicular drop off and pickup area with a minimum [of] 100 feet of drive lane outside of the public right-of-way, or sufficient parking area to provide enough space to fit the required parking and provided space for drop off and pick up.

Horse drawn carriage tour operations, subject to the following conditions:

- (1) Overnight boarding of horses used to pull the carriages is prohibited within the city limits;
- (2) Hours of operation shall be limited from 9:00 a.m. to 10:00 p.m. on weekdays and 9:00 a.m. to 11:00 p.m. on weekends;
- (3) All horses used to pull the carriages shall be bagged or diapered to prevent animal waste from littering the public rights-of-way;
- (4) All horses used to pull the carriages shall be fully attended at all times unless confined within a stable;
- (5) All carriages must be equipped with an operating rear flashing red light and reflective decals must be placed on all remaining sides of the horse and carriage when on the public rights-of-way;
- (6) The base of operation shall be cleaned of all animal waste at the close of each business day to the extent that any offensive odor will not create a recognizable nuisance to neighboring properties;
- (7) Any stable or animal storage area that is outside of a building must be screened by a six-foot high opaque fence; and
- (8) All tour routes and customer pick up and drop off locations shall require city commission approval based upon compatibility with neighborhoods and safety for other vehicles and the horse and carriage operation.

In order to obtain an occupational license, all horse drawn carriage tour operations must provide proof of the following:

- (1) A veterinarian certification for all horses to be used in the business operations. The certification shall be based on a treatment for internal parasites and an inspection of teeth, hoofs, shoes and any other indicators of general physical condition.
- (2) Proof of liability insurance with a minimum value of \$1,000,000.00.

Houses of worship

Tattoo parlor, subject to the following conditions:

- (1) Shall not operate on any parcel with frontage on the following streets:
  - a. Flagler Avenue
  - b. 3rd Avenue
  - c. Canal Street
  - d. U.S. 1
- (2) Shall not operate on any parcel adjacent to or across the street from a single-family residential zoning district.
- (3) Shall not operate between the hours of 12:00 a.m. and 8:00 a.m.
- (4) Shall not be established within 300 feet of a church, daycare, private school, or public school.
- (5) Shall not be established within 1,000 feet of an existing tattoo parlor.
- (6) The business shall be subject to all requirements of F.S. ch. 877.
- (7) Tattooing areas shall not be visible from the public right-of-way.
- (8) Windows shall maintain a minimum transparent area of 65 percent.

Waterfront dining and entertainment establishments

*Prohibited uses.* The following uses shall be prohibited throughout the entire mixed use zoning district:

Outdoor storage (except operable vehicles, solid waste in an enclosed structure and propane gas tanks to the rear of a principal structure).

Uses not listed in permitted uses.

The following uses shall be prohibited in the Historic Westside Neighborhood:

Package stores

Nightclubs

Taverns

*Dimensional requirements.*

*Minimum lot size.*

Area: None

Depth: None

Width: 50 feet

*Minimum yard size.*

Front yard build-to lines:

Washington Street and intersecting streets one block north & south: 10—15 feet.

Canal Street and intersecting streets one block north and south: 0—5 feet.

Flagler Avenue: 2—10 feet. Streets intersecting with Flagler Avenue within one block north and south of Flagler Avenue excluding corner lots fronting on the street parallel to Flagler Avenue: 2—10 feet. Streets intersecting Flagler Avenue where lot also fronts on the street parallel to Flagler Avenue: 7—12 feet.

Other streets: 0—20 feet based on the average setback of buildings that were constructed before 1950 on both sides of the street in the same block. The build-to line may exceed 20 feet but may be no greater than the average setbacks of existing principal pre-1950 buildings within the block on both sides of the street.

Side yard setback: Washington Street: Four feet if access is provided by a rear alley or from a side street; or a total of ten feet combined if a driveway is required to access rear parking.

Canal Street: None.

Flagler Avenue: Three feet if access is provided by a rear alley or from a side street; or a total of ten feet combined if a driveway is required to access rear parking.

Other streets: Five feet if access is provided by a rear alley or from a side street; or a total of ten feet combined if a driveway is required to access rear parking.

Rear yard setback: Ten feet

*Encroachment into required yards.*

There shall be no encroachment into required front yard areas except for the following accessory structures:

Eaves, sidewalk/patios/decks at adjacent public sidewalk elevation, planters, signs conforming to city regulations, benches/tables/chairs, other incidental uses may be located up to the front property line. Balconies, awnings, canopies and hanging signs may encroach upon the right-of-way provided there is a minimum vertical clearance of eight feet and a minimum horizontal setback of two feet from the face of the curb or if no curb exists, four feet from the edge of street pavement.

There shall be no encroachment into required side and rear yard areas except eaves may encroach a maximum of 18 inches into the side yard and 42 inches into the rear yard.

*Visibility triangle for corner lots.*

A visibility triangle shall remain clear of any obstructions on corner lots. The visibility triangle shall be measured as follows:

Commence at the point of two intersecting curbs, or if no curbs exist at the point of two intersection edges of pavement and measure 20 feet in each direction and connect the points with a line.

*Maximum principal building height.*

Beachside: Three stories or 42 feet maximum

Mainland: Seven stories or 82 feet maximum

*Minimum residential building separation.* Where two or more residential buildings are built on one parcel, there shall be a separation of at least 20 feet between the buildings, plus 1.5 additional feet for each five feet of building height over 20 feet. When buildings vary in height, said distance to be based on the tallest building. (Example: If there is a 20-foot-tall building and a 25-foot-tall building, the separation must be 21.5 feet.)

*Maximum building coverage.* None.

*Screen enclosures.* As an exception to the maximum building coverage provision any parcel may be allowed an additional ten percent building coverage for only a screen pool enclosure if the following conditions are met:

1. A screen pool enclosure shall only cover the swimming pool and surrounding pool deck and shall have a roof and walls consisting entirely of screening; and
2. There shall be no variances granted to exceed the maximum building coverage or additional coverage allowed for screen enclosures.

*Minimum floor area.* Minimum floor area of an apartment dwelling unit or attached dwelling unit shall be:

- 450 square feet of livable area for a one-bedroom unit;
- 550 square feet of livable area for a two-bedroom unit;
- 700 square feet of livable area for a three-bedroom unit.

*Minimum floor area.* Minimum floor area of a rented sleeping room in a hotel, motel, or rooming house shall be 150 square feet.

*Buffers.* Landscaped buffer area shall be required as follows:

- (1) As defined in this LDR at property lines abutting or facing a residentially zoned lot; and
- (2) A minimum width of five feet at property lines of off-street parking areas, whether requiring class II or III site plan approval or not (new construction expansion or replacement only).

*Off-street parking and loading.* Off-street parking and loading shall be provided as required in this LDR.

*Maximum unit density for all dwelling units.* 12 units per acre beachside, 18 units per acre mainland. No less than 3,630 square feet of lot area for each beachside dwelling unit. 2,420 square feet of lot area for each mainland dwelling unit.

*Maximum unit density for transient lodging units.*

Hospitality future land use designation: 75 units per acre.

Activity center future land use designation: 40 units per acre.

Marina future land use designation: 24 units per acre. Density may be increased up to 48 units per acre if the following conditions are met:

- (1) A minimum of 20 percent of the total usable land area is preserved by deed or easement for public access and/or public recreation; and
- (2) The public use area shall comprise at least 40 percent of the total linear footage of shoreline available to the property.

All other future land use designations permitting transient lodging units: 24 units per acre.

*Minimum requirements for townhouses and townhouse lots.*

All lots shall be adjacent to a public right-of-way or common area.

Lots shall have a minimum width of 20 feet where a living unit is to be located.

Lot frontage along a right-of-way or common area shall be a minimum of ten feet.

Front setbacks shall be 20 feet or as required per [sub]section 504.01M. of this LDR.

Side setbacks shall be zero feet.

Rear setbacks shall be 20 feet except if there is a landscaped common area behind the townhome and there is a minimum distance of 20 feet from the project boundary line and the dwelling unit or accessory structures.

## ARTS OVERLAY DISTRICT

*Purpose and intent.* The purpose of the Arts Overlay District is to encourage a desired mix of appropriate business uses oriented toward or supporting the visual, performing, cultural, literary, decorative, and culinary arts theme. While any business listed in the underlying zoning district is permitted, only those business uses related and contributing directly to the arts theme shall be eligible for the incentives detailed below. Determination of whether a proposed business is eligible shall be determined by the administrative official or designee.

### Eligible businesses:

Bakeries

Cafes

Coffee shops

Galleries

Retail sales and services associated with the visual, performing, cultural, literary, decorative, or culinary arts

Restaurants

Theatres

*Incentives (commercially zoned properties):* Eligible businesses located on a parcel that is commercially zoned shall be permitted the following incentives:

*Parking waiver.* On-site parking requirements shall be waived for all eligible businesses.

*Storage.* Outdoor storage is generally prohibited; however, temporary display and limited activities pertinent to the business that contribute to the character of the arts overlay district shall be permitted. Such displays shall be directly in front of the business and shall be removed daily at the close of business. All displays shall be placed to maintain a minimum 36-inch clearance, as required by the Americans with Disabilities Act.

*Special events.* Special events may include, but are not limited to images art show, art fiesta, and monthly gallery walks. Additional special events may be permitted by the city commission within a specifically defined area of the arts overlay district. All proposed special events shall be reviewed by the special events committee and approved by the city commission if public property will be utilized for the event.

*Sales of alcoholic beverages for consumption on premises.* Eligible businesses shall be exempt from the distance requirements of the city's Code of Ordinances and Land Development Regulations.

*Incentives (Residentially zoned properties):* Eligible businesses located on a parcel that is residentially zoned may be permitted the following incentives as part of a special exception use that is reviewed by the planning and zoning board and approved by the city commission:

*Parking waiver.* On-site parking requirements may be waived for all eligible businesses.

*Storage.* Outdoor storage is generally prohibited; however, temporary display and limited activities pertinent to the business that contribute to the character of the arts overlay district shall be permitted. Such displays shall be directly in front of the business and shall be removed daily at the close of business. All displays shall be placed to maintain a minimum 36-inch clearance, as required by the Americans with Disabilities Act.

*Special events.* Special events may include, but are not limited to images art show, art fiesta, and monthly gallery walks. Additional special events may be permitted by the city commission within a specifically defined area of the arts overlay district. All proposed special events shall be reviewed by the special events committee and approved by the city commission if public property will be utilized for the event.

*Sales of alcoholic beverages for consumption on premises.* Eligible businesses may be exempt from the distance requirements of the city's Code of Ordinances and Land Development Regulations.

All special exception uses must meet the special exception criteria outlined in section 305.04 of this LDR. In addition, all special exception uses shall meet the following criteria in order to protect the residential character of the surrounding area:

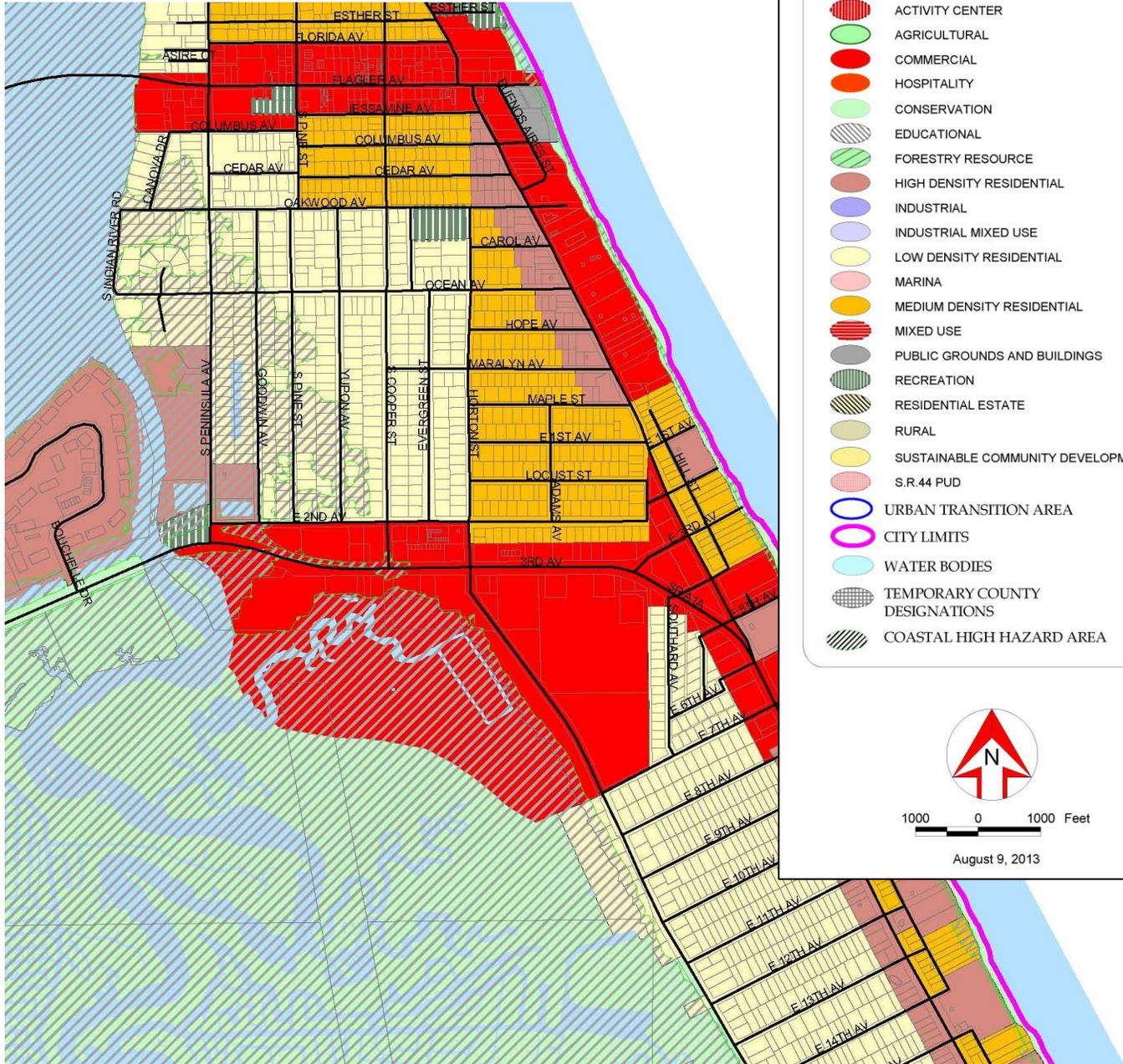
The business location must also be the primary residence of the business owner.

One non-illuminated sign shall be permitted. The maximum allowed sign area shall not exceed ten square feet of copy area.

The business shall only be allowed to operate between the hours of 9:00 a.m. to 7:00 p.m. Monday-Saturday, and from 10:00 a.m. to 5:00 p.m. on Sunday. The hours of operation may be extended if the home-based business is participating in a special event approved by the special events committee or city commission.

(Ord. No. 4-00, § 1, 2-22-2000; Ord. No. 13-00, § 1, 2-22-2000; Ord. No. 2-00, § 1, 3-14-2000; Ord. No. 23-00, § 1, 4-11-2000; Ord. No. 19-00, § 1, 4-24-2000; Ord. No. 24-00, § 1, 6-13-2000; Ord. No. 18-01, § 1, 4-10-2001; Ord. No. 58-01, § 4, 10-9-2001; Ord. No. 16-02, § 2, 4-9-2002; Ord. No. 40-02, § 3, 8-21-2002; Ord. No. 61-02, § 1, 11-12-2002; Ord. No. 37-03, § 1, 6-24-2003; Ord. No. 07-05, §§ 2—4, 3-17-2005; Ord. No. 53-05, § 1, 6-14-2005; Ord. No. 40-06, § 1, 5-9-2006; Ord. No. 41-06, § 1, 6-13-2006; Ord. No. 121-06, § 2, 12-12-2006; Ord. No. 122-06, § 1, 12-12-2006; Ord. No. 61-07, § 1, 5-22-2007; Ord. No. 66-07, § 1, 6-12-2007; Ord. No. 82-07, § 1, 8-28-2007; Ord. No. 80-07, § 3, 11-13-2007; Ord. No. 105-07, § 1, 11-27-2007; Ord. No. 38-08, § 2, 6-10-2008; Ord. No. 50-08, § 2, 9-9-2008; Ord. No. 37-08, § 1, 8-26-2008; Ord. No. 62-08, § 2, 11-11-2008; Ord. No. 68-08, § 1, 11-11-2008; Ord. No. 69-08, § 2, 11-25-2008; Ord. No. 72-08, § 3, 12-9-2008; Ord. No. 03-09, § 1, 1-27-2009; Ord. No. 10-09, § 1, 2-10-2009; Ord. No. 14-09, § 1, 3-10-2009; Ord. No. 05-09, § 2, 3-23-2009; Ord. No. 21-09, § 1, 4-14-2009; Ord. No. 08-09, § 1, 2-10-2009; Ord. No. 21-10, § 2, 5-11-2010; Ord. No. 22-10, § 2, 5-11-2010; Ord. No. 30-10, § 1, 6-22-2010; Ord. No. 52-10, § 1, 10-12-2010; Ord. No. 59-10, § 1, 12-14-2010; Ord. No. 08-11, § 2, 2-8-2011; Ord. No. 10-11, § 1, 2-8-2011; Ord. No. 38-11, § 3, 6-28-2011; Ord. No. 68-11, § 2, 10-11-2011; Ord. No. 01-12, §§ 1, 2, 1-24-2012; Ord. No. 23-12, § 1, 2-28-2012; Ord. No. 37-12, § 1, 3-13-2012; Ord. No. 42-12, § 1, 4-10-2012; Ord. No. 61-12, § 1, 6-12-2012; Ord. No. 62-12, § 2, 8-28-2012; Ord. No. 73-12, § 1, 9-11-2012; Ord. No. 77-12, § 1, 9-11-2012)

*City  
of  
New Smyrna Beach  
Comprehensive Plan  
Map II - 3  
FUTURE LAND USE MAP*



**Legend**

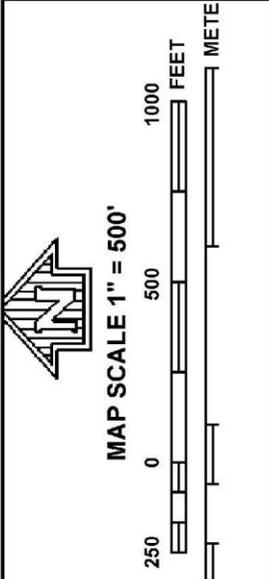
-  ACTIVITY CENTER
-  AGRICULTURAL
-  COMMERCIAL
-  HOSPITALITY
-  CONSERVATION
-  EDUCATIONAL
-  FORESTRY RESOURCE
-  HIGH DENSITY RESIDENTIAL
-  INDUSTRIAL
-  INDUSTRIAL MIXED USE
-  LOW DENSITY RESIDENTIAL
-  MARINA
-  MEDIUM DENSITY RESIDENTIAL
-  MIXED USE
-  PUBLIC GROUNDS AND BUILDINGS
-  RECREATION
-  RESIDENTIAL ESTATE
-  RURAL
-  SUSTAINABLE COMMUNITY DEVELOPMENT
-  S.R.44 PUD
-  URBAN TRANSITION AREA
-  CITY LIMITS
-  WATER BODIES
-  TEMPORARY COUNTY DESIGNATIONS
-  COASTAL HIGH HAZARD AREA



1000      0      1000 Feet

August 9, 2013

**FUTURE LAND USE MAP**



**NATIONAL FLOOD INSURANCE PROGRAM**

PANEL 0542H

**FIRM**  
**FLOOD INSURANCE RATE MAP**  
**VOLUSIA COUNTY,**  
**FLORIDA**  
**AND INCORPORATED AREAS**

PANEL 542 OF 930  
 (SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
NEW MAYNA BEACH, CITY OF	125132	0542	H
VOLUSIA COUNTY	125155	0542	H

NOTE - THIS MAP INCLUDES BOUNDARIES OF THE COASTAL BARRIER RESOURCES ACT OF 1982 AND/OR SUBSEQUENT ENABLING LEGISLATION.

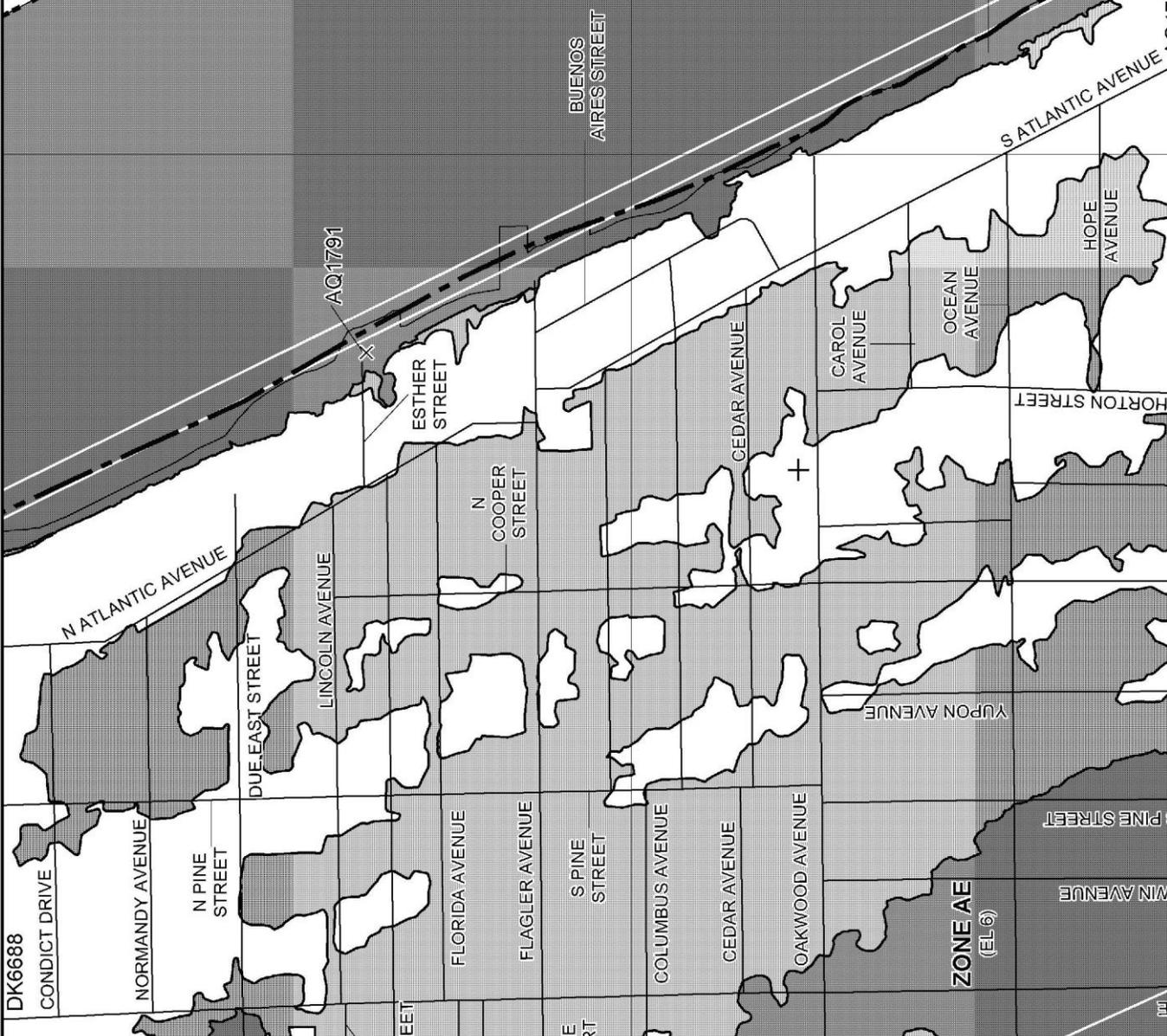
Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.



MAP NUMBER  
 12127C0542H  
 MAP REVISED  
 FEBRUARY 19, 2014

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at [www.msc.fema.gov](http://www.msc.fema.gov)



# Volusia County

Florida's 11th most populous county

with 2.6% of Florida's population



## Population

Census Population	Volusia County	Florida
1980 Census	258,762	9,746,961
1990 Census	370,737	12,938,071
% change 1980-90	43.3%	32.7%
2000 Census	443,343	15,982,824
% change 1990-00	19.6%	23.5%
2010 Census	494,593	18,801,332
% change 2000-10	11.6%	17.6%
Hispanic or Latino	55,217	4,223,806
% Hispanic or Latino	11.2%	22.5%
Under 18 years of age	93,273	4,002,113
% Under 18 years of age	18.9%	21.3%
65 years of age and over	104,289	3,259,602
% 65 years of age and over	21.1%	17.3%
Median Age	45.3	40.7
<b>Estimates and Projections</b>		
2012 Estimate	497,145	19,074,434
% change 2010-12	0.5%	1.5%
2015 Projection based on 2011 estimate	505,979	19,664,972
% change 2010-15	2.3%	4.6%
2020 Projection based on 2011 estimate	526,375	21,021,643
% change 2015-20	4.0%	6.9%

## Density

Persons per square mile	Volusia County	Florida
2000	401.9	296.4
2010	449.2	350.6
2012	451.5	355.7

## Households and Family Households

Households	Volusia County	Florida
Total households, 2000 Census	184,723	6,338,075
Family households, 2000 Census	120,064	4,210,760
% with own children under 18	37.0%	42.3%
Total households, 2010 Census	208,236	7,420,802
Family households, 2010 Census	130,386	4,835,475
% with own children under 18	34.6%	40.0%
Average Household Size, 2010 Census	2.31	2.48
Average Family Size, 2010 Census	2.84	3.01

According to Census definitions, a household includes all of the people who occupy a housing unit. The occupants may be a single family, one person living alone, two or more families living together, or any other group of related or unrelated people who share living quarters. A family includes a householder and one or more other people living in the same household who are related to the householder by birth, marriage, or adoption. Census counts may be corrected for Census Count Question Resolution (CQR).

## Housing

Housing Counts	Volusia County	Florida
Housing units, 2000 Census	211,938	7,302,947
Occupied	184,723	6,337,929
Owner-occupied	139,058	4,441,799
Renter-occupied	45,665	1,896,130
Vacant	27,215	965,018
Housing units, 2010 Census	254,226	8,989,580
Occupied	208,236	7,420,802
Owner-occupied	150,443	4,998,979
Renter-occupied	57,793	2,421,823
Vacant	45,990	1,568,778
<b>Units Permitted</b>		
1990	3,860	126,384
2000	3,587	155,269
% change 1990-2000	-7.1%	22.9%
2010	715	38,679
% change 2000-10	-80.1%	-75.1%
2011	1,024	42,360
% change 2010-11	43.2%	9.5%

## Population Characteristics

	Volusia County	Florida
Language spoken at home other than English		
Persons aged 5 and over	12.8% +/- 0.5%	27.0% +/- 0.1%
Place of birth		
Foreign born	7.3% +/- 0.3%	19.2% +/- 0.1%
Veteran status		
Civilian population 18 and over	14.2% +/- 0.4%	11.2% +/- 0.1%

Persons aged 1 and over	Volusia County	Florida
Same house	86.1% +/- 0.6%	83.5% +/- 0.1%
Different house in the U.S.	13.5% +/- 0.6%	15.7% +/- 0.1%
Different county in Florida	3.0% +/- 0.3%	3.0% +/- 0.1%
Different county in another state	3.1% +/- 0.3%	2.6% +/- 0.1%
Abroad	0.4% +/- 0.1%	0.8% +/- 0.1%

+/- = margin of error based on a 90% confidence level.

## Existing Single-Family Home Sales

Percent Change in Homes Sold	Volusia County	Florida	Percent Change in Median Sales Price	Volusia County	Florida
2001-02	13.1%	9.9%	2001-02	13.1%	8.8%
2002-03	33.9%	13.1%	2002-03	17.8%	11.8%
2003-04	10.3%	10.7%	2003-04	20.9%	17.1%
2004-05	8.9%	2.5%	2004-05	29.5%	29.2%
2005-06	-35.2%	-27.6%	2005-06	7.0%	5.6%
2006-07	-23.6%	-29.2%	2006-07	-9.4%	-5.5%
2007-08	-9.0%	-4.3%	2007-08	-16.0%	-19.8%
2008-09	30.3%	31.4%	2008-09	-21.2%	-24.0%
2009-10	9.1%	4.9%	2009-10	-8.6%	-4.2%
2010-11	6.1%	7.8%	2010-11	-7.3%	-3.1%

Note: Home sales data are calculated for Metropolitan Statistical Areas (MSAs). Data shown here reflect the value for the MSA in which the county is located.

**Employment by Industry**

Average Annual Employment, % by Category, 2011	Volusia County	Florida	Average Annual Wage, 2011	Volusia County	Florida
Natural Resource & Mining	1.0%	1.2%	All industries	\$33,857	\$41,570
Construction	4.8%	4.6%	Natural Resource & Mining	\$16,993	\$24,287
Manufacturing	5.5%	4.3%	Construction	\$34,026	\$41,088
Trade, Transportation and Utilities	19.6%	20.7%	Manufacturing	\$43,905	\$51,847
Information	1.3%	1.9%	Trade, Transportation and Utilities	\$27,826	\$37,111
Financial Activities	4.6%	6.6%	Information	\$45,420	\$61,487
Professional & Business Services	10.4%	14.6%	Financial Activities	\$38,925	\$57,043
Education & Health Services	20.9%	14.9%	Professional & Business Services	\$35,685	\$49,155
Leisure and Hospitality	14.5%	13.3%	Education & Health Services	\$40,857	\$43,685
Other Services	3.4%	3.3%	Leisure and Hospitality	\$17,495	\$21,448
Government	13.9%	14.5%	Other Services	\$32,195	\$29,608
			Government	\$42,380	\$47,823

**Labor Force**

Labor Force as Percent of Population Aged 18 and Older	Volusia County	Florida	Unemployment Rate	Volusia County	Florida
1990	56.8%	64.3%	1990	5.3%	6.3%
2000	59.3%	63.8%	2000	3.4%	3.8%
2010	62.6%	61.7%	2010	11.5%	11.3%
2012 (preliminary)	62.3%	62.0%	2012 (preliminary)	8.9%	8.7%

**Income and Financial Health**

Personal Income (\$000s)	Volusia County	Florida	Per Capita Personal Income	Volusia County	Florida
1990	\$6,079,639	\$253,324,396	1990	\$16,247	\$19,437
2000	\$10,583,551	\$466,644,105	2000	\$23,787	\$29,079
% change 1990-2000	74.1%	84.2%	% change 1990-00	46.4%	49.6%
2010	\$15,933,933	\$719,828,478	2010	\$32,212	\$38,210
% change 2000-10	50.6%	54.3%	% change 2000-10	35.4%	31.4%
2011	\$16,544,186	\$755,357,550	2011	\$33,436	\$39,636
% change 2010-11	3.8%	4.9%	% change 2010-11	3.8%	3.7%

Earnings by Place of Work (\$000s)	Volusia County	Florida	Median Income	Volusia County	Florida
1990	\$3,008,964	\$161,178,093	Median Household Income	\$44,169 +/- \$811	\$47,827 +/- \$164
2000	\$5,238,071	\$312,145,185	Median Family Income	\$56,286 +/- \$865	\$57,592 +/- \$258
% change 1990-2000	74.1%	93.7%	+/- = margin of error based on a 90% confidence level.		
2010	\$7,349,098	\$442,407,289	<b>Percent in Poverty, 2011</b>		
% change 2000-10	40.3%	41.7%	All ages in poverty	17.4%	17.0%
2011	\$7,575,067	\$459,056,456	Under age 18 in poverty	27.1%	25.1%
% change 2010-11	3.1%	3.8%	Ages 5-17 in families in poverty	25.8%	23.5%

Personal Bankruptcy Filing Rate (per 1,000 population)	Volusia County	Florida
2000	5.19	4.45
2011	5.35	4.67
State Rank	8	NA

Note: Florida numbers exclude Miami-Dade County.

**Education**

Public Education Institutions	Volusia County	Florida
Total	77	3,494
Elementary	48	1,917
Middle	12	599
Senior High	13	600
Combination	4	378

**Quality of Life**

Crime	Volusia County	Florida
Crime rate, 2011 (index crimes per 100,000 population)	4,183.9	4,070.2
Admissions to prison FY 2011-12	842	32,279
Admissions to prison per 100,000 population FY 2011-12	169.4	169.2

Educational attainment Persons aged 25 and older	Volusia County	Florida
% HS graduate or higher	87.5% +/- 0.4%	85.5% +/- 0.1%
% bachelor's degree or higher	20.8% +/- 0.6%	26.0% +/- 0.1%

+/- = margin of error based on a 90% confidence level.

Workers Aged 16 and Over	Volusia County	Florida
Place of Work		
Worked outside county of residence	20.1% +/- 0.7%	17.6% +/- 0.1%
Travel Time to Work		
Mean travel time to work (minutes)	25.1 +/- 0.5	25.7 +/- 0.1

+/- = margin of error based on a 90% confidence level.

Reported County Government Revenues and Expenditures

Revenue	Volusia County	Florida*	Expenditures	Volusia County	Florida*
Total - All Revenue Account Codes (\$000s)	\$635,152.2	\$36,374,756.2	Total - All Expenditure Account Codes (\$000s)	\$ 621,178.4	\$ 36,616,300.3
Per Capita \$	\$1,284.19	\$2,027.91	Per Capita \$	\$ 1,255.94	\$ 2,041.38
% of Total	100.0%	100.0%	% of Total	100.0%	100.0%
Taxes (\$000s)	\$270,956.2	\$11,620,845.4	General Government Services** (\$000s)	\$ 154,069.8	\$ 6,284,042.5
Per Capita \$	\$547.84	\$647.87	Per Capita \$	\$ 311.51	\$ 350.34
% of Total	42.7%	31.9%	% of Total	24.8%	17.2%
Permits, Fee, and Special Assessments (\$000s)	\$5,423.3	\$1,100,663.6	Public Safety (\$000s)	\$ 155,569.2	\$ 8,098,640.5
Per Capita \$	\$10.97	\$61.36	Per Capita \$	\$ 314.54	\$ 451.50
% of Total	0.9%	3.0%	% of Total	25.0%	22.1%
Intergovernmental Revenues (\$000s)	\$85,322.7	\$4,482,088.0	Physical Environment (\$000s)	\$ 41,855.5	\$ 4,075,797.4
Per Capita \$	\$172.51	\$249.88	Per Capita \$	\$ 84.63	\$ 227.23
% of Total	13.4%	12.3%	% of Total	6.7%	11.1%
Charges for Services (\$000s)	\$166,730.9	\$10,526,473.0	Transportation (\$000s)	\$ 81,629.4	\$ 4,454,280.8
Per Capita \$	\$337.11	\$586.86	Per Capita \$	\$ 165.04	\$ 248.33
% of Total	26.3%	28.9%	% of Total	13.1%	12.2%
Judgments, Fines, and Forfeits (\$000s)	\$2,843.9	\$120,971.0	Economic Environment (\$000s)	\$ 20,390.3	\$ 1,389,572.1
Per Capita \$	\$5.75	\$6.74	Per Capita \$	\$ 41.23	\$ 77.47
% of Total	0.4%	0.3%	% of Total	3.3%	3.8%
Miscellaneous Revenues (\$000s)	\$16,706.6	\$1,174,700.3	Human Services (\$000s)	\$ 22,505.5	\$ 3,339,215.3
Per Capita \$	\$33.78	\$65.49	Per Capita \$	\$ 45.50	\$ 186.16
% of Total	2.6%	3.2%	% of Total	3.6%	9.1%
Other Sources (\$000s)	\$87,168.6	\$7,349,014.8	Culture / Recreation (\$000s)	\$ 43,267.0	\$ 1,640,080.8
Per Capita \$	\$176.24	\$409.71	Per Capita \$	\$ 87.48	\$ 91.44
% of Total	13.7%	20.2%	% of Total	7.0%	4.5%
			Other Uses and Non-Operating (\$000s)	\$ 79,126.7	\$ 6,457,672.2
			Per Capita \$	\$ 159.98	\$ 360.02
			% of Total	12.7%	17.6%
			Court-Related Expenditures (\$000s)	\$ 22,765.2	\$ 876,998.8
			Per Capita \$	\$ 46.03	\$ 48.89
			% of Total	3.7%	2.4%

\* All County Governments Except Duval - The consolidated City of Jacksonville / Duval County figures are included in municipal totals rather than county government totals.

\*\* (Not Court-Related)

State Infrastructure

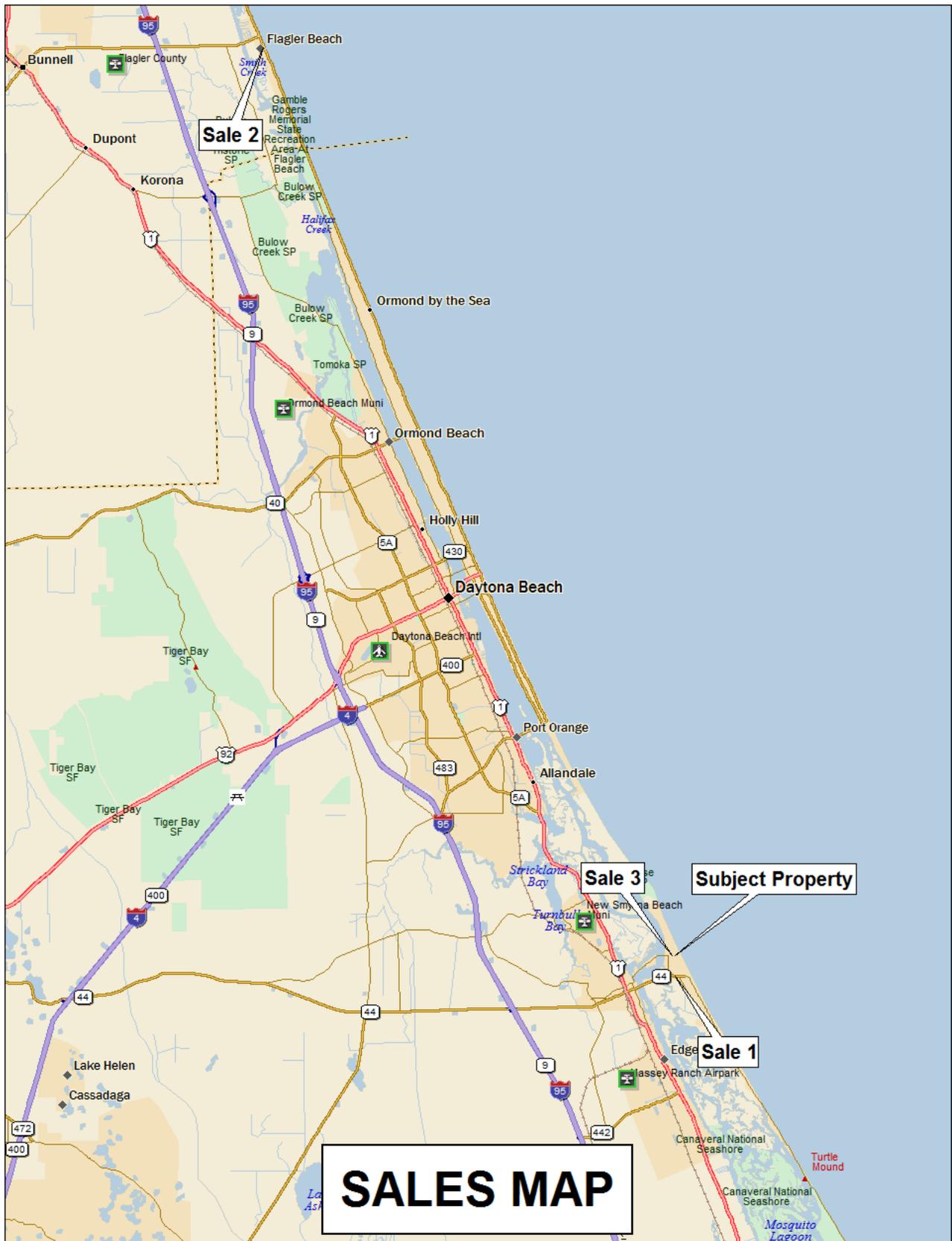
	Volusia County	Florida
<b>Transportation</b>		
State Highway		
Centerline Miles	359.6	12,075.8
Lane Miles	1,324.7	43,138.2
State Bridges		
Number	144	6,661
<b>State Facilities</b>		
Buildings/Facilities (min. 300 Square Feet)		
Number	276	15,533
Square Footage	3,139,714	220,185,642
<b>State Lands</b>		
Conservation Lands		
Parcels	347	38,681
Acreage	64,369.3	3,222,919.8
Non-Conservation Lands		
Parcels	80	5,638
Acreage	3,521.8	219,836.5

State and Local Taxation

2011 Ad Valorem Millage Rates	Volusia County	
	County-Wide	Not County-Wide*
County	5.7771	0.4640
School	8.0630	
Municipal		4.4743
Special Districts	1.3678	3.3639

\*MSTU included in Not County-Wide "County" category





# SALES MAP



Data use subject to license.

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www.delorme.com



MN (6.4° W)



0 1 2 3 4 5 6 7 8 mi

Data Zoom 9-5

## Land Sales Data Sheet, Sale No. 1

<b><u>Recording Data</u></b>	O.R. Book 6882, Page 1266, Volusia County, Florida
<b><u>Grantor</u></b>	Stonemill Enterprises, LLLP, ½ interest and Walter M. Mills and Delores M. Mills, ½ interest
<b><u>Grantee</u></b>	P and J Consulting, Inc.
<b><u>Date of Transaction</u></b>	July 10, 2013
<b><u>Date Inspected</u></b>	August 14, 2013
<b><u>Dimensions and Size of Land</u></b>	This is a basically rectangular lot, with a total area of 35,000 square feet.
<b><u>Consideration</u></b>	\$750,000
<b><u>Unit Price</u></b>	\$21.43 per square foot
<b><u>Type of Instrument</u></b>	Warranty Deed
<b><u>Tax ID Number</u></b>	7416-05-26-0080
<b><u>Address Location</u></b>	It is located on the south side of 3 <sup>rd</sup> Avenue, about 300 feet west of Saxon Drive in the city of New Smyrna Beach, Volusia County, Florida.
<b><u>Zoning</u></b>	Commercial
<b><u>Present Use</u></b>	Vacant Land
<b><u>Highest and Best Use at Time of Transaction</u></b>	Commercial development
<b><u>Condition of Transaction</u></b>	Arm's length transaction

**Land Sales Data Sheet, Sale No. 1 (continued)**

**Encumbrances**

None noted

**Various On-Site  
Utilities**

Available to site - electricity, water, sewer, and telephone

**Verification  
Information**

With Travis Dever, representative of the buyer on August 8, 2013 by Richard C. Allen, MAI, and Volusia County Public Records

**Motivation of  
Parties**

Typical motivation

**Analysis of Pertinent  
Information/Cash  
Equivalency**

Assumed to be cash equivalent

**Exposure Time**

Not known

**Number of Days  
Property was  
On the Market**

Unknown

**Remarks**

This site is level, below grade and partly covered.



Scale 1:1,458 - 1 in = 122 ft



Date Created: 20-Aug-13 10:31 AM

DISCLAIMER: This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information. Use at your own risk.  
SOURCE: PARCEL DATA, VOLUSIA COUNTY PROPERTY APPRAISER

07/15/2013 12:47 PM  
Doc stamps 5250.00  
(Transfer Amt \$ 750000)  
Instrument# [REDACTED] # 1  
Book : 6882  
Page : 1266

Prepared by:  
**SID C. PETERSON, JR., ESQUIRE**  
P. O. Box 428  
New Smyrna Beach, FL 32170  
(13-16075)

**WARRANTY DEED** (Statutory Form - Section 689.02F.S.)

**THIS INDENTURE**, made this 10<sup>th</sup> day of July, 2013, **BETWEEN**

**STONEMILL ENTERPRISES, LLLP, a Georgia limited liability limited partnership, as to an undivided one-half (1/2) interest and WALTER M. MILLS and DELORES M. MILLS, his wife, as to an undivided one-half (1/2) interest**

of the County of Wayne, State of Georgia, *Grantors*, and

**P and J CONSULTING, INC., a Florida corporation**

whose post office address is 208 Canova Drive, New Smyrna Beach, Florida 32169

of the County of Volusia, State of Florida, *Grantee*,

**WITNESSETH**, That said *Grantors*, for and in consideration of the sum of **TEN AND NO/100 (\$10.00) DOLLARS**, and other good and valuable considerations to said *Grantors* in hand paid by said *Grantee*, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said *Grantee*, and *Grantee's* heirs and assigns forever, the following described land, situate, lying and being in Volusia County, Florida, to-wit:

The Westerly 40 feet of Lot 7 and all of Lots 8, 9 and 10, Block 26, First Addition to J. Y. Detwiler's Subdivision in New Smyrna Beach, as per map in Map Book 7, Page 85, Public Records of Volusia County, Florida. Together with a strip of land 40 feet in depth (measured North to South) and described as follows:

Beginning at the Southwest corner of Lot 10, Block 26, First Addition to J. Y. Detwiler's Subdivision of New Smyrna Beach, as per map in Map Book 7, Page 85, thence Southerly along the Southerly extension of the West line of said Lot 10 a distance of 40 feet; thence Easterly and parallel to the South line of Lots 10, 9, 8 and 7 in said Block 26, a distance of 200 feet; thence Northerly and parallel to the Southerly extension of the West line of Lot 10 a distance of 40 feet to a point in the South line of Lot 7 which is 10 feet West of the Southeast corner of Lot 7, Block 26; thence Westerly along the South lines of Lots 7, 8, 9 and 10 a distance of 200 feet to the point of beginning.

**PARCEL IDENTIFICATION NO.:** 7416-05-26-0080

**SUBJECT TO:** (A) Taxes and assessments for the year 2013 and subsequent years; (B) All covenants, restrictions, easements and limitations of records, if any, however this reference does not operate to re-impose same; (C) Zoning ordinances that may affect subject property.

and said *Grantors* do hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

"Grantor" and "Grantee" are used for singular or plural, as context requires.

IN WITNESS WHEREOF, Grantors have hereunto set Grantors' hands and seals the day and year first above written.

Signed, Sealed and Delivered  
in our Presence:

[Signature]  
Donald Winske  
(Witness - print name)  
[Signature]  
Will Harkess  
(Witness - print name)

STONEMILL ENTERPRISES, LLLP, a Georgia  
limited liability limited partnership

BY: [Signature]  
DELORES MARIE MILLS, manager of  
STONEMILL HOLDINGS, LLC, a  
Georgia limited liability company, General  
Partner

Signed, Sealed and delivered  
in our presence:

[Signature]  
Donald Winske  
(Witness - print name)  
[Signature]  
Will Harkess  
(Witness - print name)

[Signature] (SEAL)  
WALTER M. MILLS

[Signature] (SEAL)  
DELORES M. MILLS

STATE OF GEORGIA  
COUNTY OF Cayote

I HEREBY CERTIFY, that on this 10 day of July, 2013, before me personally appeared **DELORES MARIE MILLS, manager of STONEMILL HOLDINGS, LLC, a Georgia limited liability company, General Partner of STONEMILL ENTERPRISES, LLLP, a limited liability limited partnership,** a corporation under the laws of the State of Georgia, who is personally known to me or who has produced GA DL as identification and who executed the foregoing conveyance and who acknowledged the execution thereof to be her free act and deed as such officer, for the uses and purposes therein mentioned; and the said instrument is the act and deed of said company.

WITNESS my signature and official seal at 620 N Jeff Davis Fayetteville in the County of Cayote, State of Georgia, the day and year last aforesaid.

[Signature]  
Vionette Gonzalez  
(Notary - print name)  
Notary Public - State of Florida  
Commission No.: N/A  
My Commission Expires 5/6/15



STATE OF GEORGIA  
COUNTY OF Cayote

I HEREBY CERTIFY that on this day, before me, an officer duly qualified to take acknowledgments, personally appeared, **WALTER M. MILLS and DELORES M. MILLS, his wife,** who are personally known to me or who have produced GA DL as identification and who executed the foregoing instrument, and who acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State of Georgia on this 10 day of July, 2013.

[Signature]  
Vionette Gonzalez  
(Notary - print name)  
Notary Public - State of Georgia  
Commission No.: N/A  
My Commission Expires: 05/06/2015



## Land Sales Data Sheet, Sale No. 2

<b><u>Recording Data</u></b>	O.R. Book 1917, Page 435, Flagler County, Florida
<b><u>Grantor</u></b>	Robert Souza, Trustee
<b><u>Grantee</u></b>	Coastal Cloud Properties, LLC
<b><u>Date of Transaction</u></b>	January 17, 2013
<b><u>Date Inspected</u></b>	April 11, 2014
<b><u>Dimensions and Size of Land</u></b>	This is a basically rectangular lot, with a total area of 15,000 square feet.
<b><u>Consideration</u></b>	\$437,500
<b><u>Unit Price</u></b>	\$29.17 per square foot
<b><u>Type of Instrument</u></b>	Warranty Deed
<b><u>Tax ID Number</u></b>	12-12-31-45000-00160-0010 & 0030
<b><u>Address Location</u></b>	904 South Oceanshore Blvd, in the city of Flagler Beach, Flagler County Florida. It is located on the southwest corner of Oceanshore Blvd and 9 <sup>th</sup> Street South.
<b><u>Zoning</u></b>	Commercial
<b><u>Present Use</u></b>	Vacant Land
<b><u>Highest and Best Use at Time of Transaction</u></b>	Commercial development
<b><u>Condition of Transaction</u></b>	Arm's length transaction

**Land Sales Data Sheet, Sale No. 2 (continued)**

**Encumbrances**

None noted

**Various On-Site  
Utilities**

Available to site - electricity, water, sewer, and telephone

**Verification  
Information**

With Donna Mascia, Tivolacci Realty, representative of the seller and Flagler County Public Records

**Motivation of  
Parties**

Typical motivation

**Analysis of Pertinent  
Information/Cash  
Equivalency**

Assumed to be cash equivalent

**Exposure Time**

Not known

**Number of Days  
Property was  
On the Market**

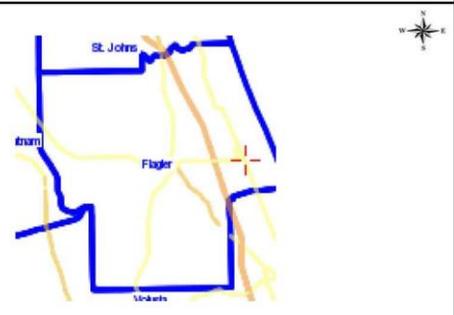
Unknown

**Remarks**

This site is level, at grade and partly covered.



Flagler County Property Appraiser			
Parcel: 12-12-31-4500-00160-0010 Acres: 0.256			
Name:	COASTAL CLOUD PROPERTIES LLC	Land Value	222,920
Site:	904 OCEANSHORE BLVD S	Building Value	0
Sale:	437,500 on 01-2013 Reason=U Qual=Y	Misc Value	0
Mail:	38 NORTSHORE DRIVE PALM COAST, FL 32137	Just Value	222,920
		Assessed Value	222,920
		Exempt Value	0
		Taxable Value	222,920



The Flagler County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll. PLEASE NOTE THAT THE PROPERTY APPRAISER MAPS ARE FOR ASSESSMENT PURPOSES ONLY NEITHER FLAGLER COUNTY NOR ITS EMPLOYEES ASSUME RESPONSIBILITY FOR ERRORS OR OMISSIONS ---THIS IS NOT A SURVEY---

Date printed: 04/10/14 : 09:23:20

RECORD AND RETURN TO:  
This Instrument Prepared by:

Covenant Closing & Title Services, Inc.  
4879 Palm Coast Parkway NW  
Unit #5  
Palm Coast, Florida 32137

as a necessary incident to the fulfillment of conditions  
contained in a title insurance commitment issued by it.

Property Appraisers Parcel I.D. (Folio) Number(s):  
12-12-31-4500-00160-0010  
12-12-31-4500-00160-0030

File No:20120575

### WARRANTY DEED

**This Warranty Deed Made the 17th day of January, 2013, by ROBERT SOUZA, as Trustee of the ROBERT SOUZA REVOCABLE TRUST DATED MAY 19, 2011, hereinafter called the grantor, whose post office address is: 559 N. 10th Street, Flagler Beach, Florida 32136**

**to COASTAL CLOUD PROPERTIES, LLC, a Florida Limited Liability Company**

**whose post office address is: 38 Northshore Drive, Palm Coast, Florida 32137, hereinafter called the grantee,**

WITNESSETH: That said grantor, for and in consideration of the sum of \$10.00 Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Flagler County, Florida, viz:

**Lots 1, 2, and 3 of Block 16, Moody's Subdivision of Flagler Beach, according to the plat thereof as recorded in Plat Book 1, Page 24, of the Public Records of Flagler County, Florida.**

Grantor warrants that this property is not his homestead property as provided by the Florida Constitution

**TOGETHER** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**To Have and to Hold**, the same in fee simple forever.

**And** the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to 2012, reservations, restrictions and easements of record, if any.

*(The terms "grantor" and "grantee" herein shall be construed to include all genders and singular or plural as the context indicates.)*

In Witness Whereof, Grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Witness #1 Signature: Victoria Letellier \_\_\_\_\_

Witness #1 Printed Name: Victoria Letellier ROBERT SOUZA, as Trustee of the Robert Souza Revocable Trust dated May 19, 2011

Witness #2 Signature: Margie Simmons \_\_\_\_\_

Witness #2 Printed Name: Margie Simmons

**\*\*TWO SEPARATE WITNESSES REQUIRED\*\***

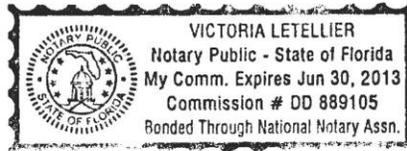
STATE OF FLORIDA  
COUNTY OF Flagler

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of January, 2013, by ROBERT SOUZA, as Trustee of the Robert Souza Revocable Trust dated May 19, 2011 who is personally known to me or who has produced driver license(s) as identification.

My Commission Expires:

Victoria Letellier  
Notary Public Signature

(Notary Seal)



### Land Sales Data Sheet, Sale No. 3

<b><u>Recording Data</u></b>	O.R. Book 6696, Page 1695 and Book 6835, Page 3992, Volusia County, Florida
<b><u>Grantor</u></b>	6696-1695 Shirley Deborah Sweat, et al 6835-3992 Shirley Deborah Sweat
<b><u>Grantee</u></b>	Tamara Messina
<b><u>Date of Transaction</u></b>	February 27, 2012 & March 19, 2013
<b><u>Date Inspected</u></b>	April 9, 2014
<b><u>Dimensions and Size of Land</u></b>	This is a basically rectangular lot, with a total area of 9,000 square feet.
<b><u>Consideration</u></b>	\$360,000 less \$10,000 demo = \$350,000 adjusted
<b><u>Unit Price</u></b>	\$38.89 per square foot
<b><u>Type of Instrument</u></b>	Warranty Deed
<b><u>Tax ID Number</u></b>	7455-08-03-0050 & 7409-06-01-0050
<b><u>Address Location</u></b>	309 Flagler Avenue, city of New Smyrna Beach, Volusia County Florida. It is located on the south side of Flagler Avenue and the north side of Jessamine Street about 200 feet east of Pine Street.
<b><u>Zoning</u></b>	MU, Mixed Use with Commercial Land Use
<b><u>Present Use</u></b>	Improved with new Bed & Breakfast development
<b><u>Highest and Best Use at Time of Transaction</u></b>	Mixed Use / Commercial development
<b><u>Condition of Transaction</u></b>	Arm's length transaction

**Land Sales Data Sheet, Sale No. 3 (continued)**

**Encumbrances**

None noted

**Various On-Site  
Utilities**

Available to site - electricity, water, sewer, and telephone

**Verification  
Information**

With Tamara Messina, Grantee and Volusia County Public Records

**Motivation of  
Parties**

Typical motivation

**Analysis of Pertinent  
Information/Cash  
Equivalency**

Assumed to be cash equivalent

**Exposure Time**

Not known

**Number of Days  
Property was  
On the Market**

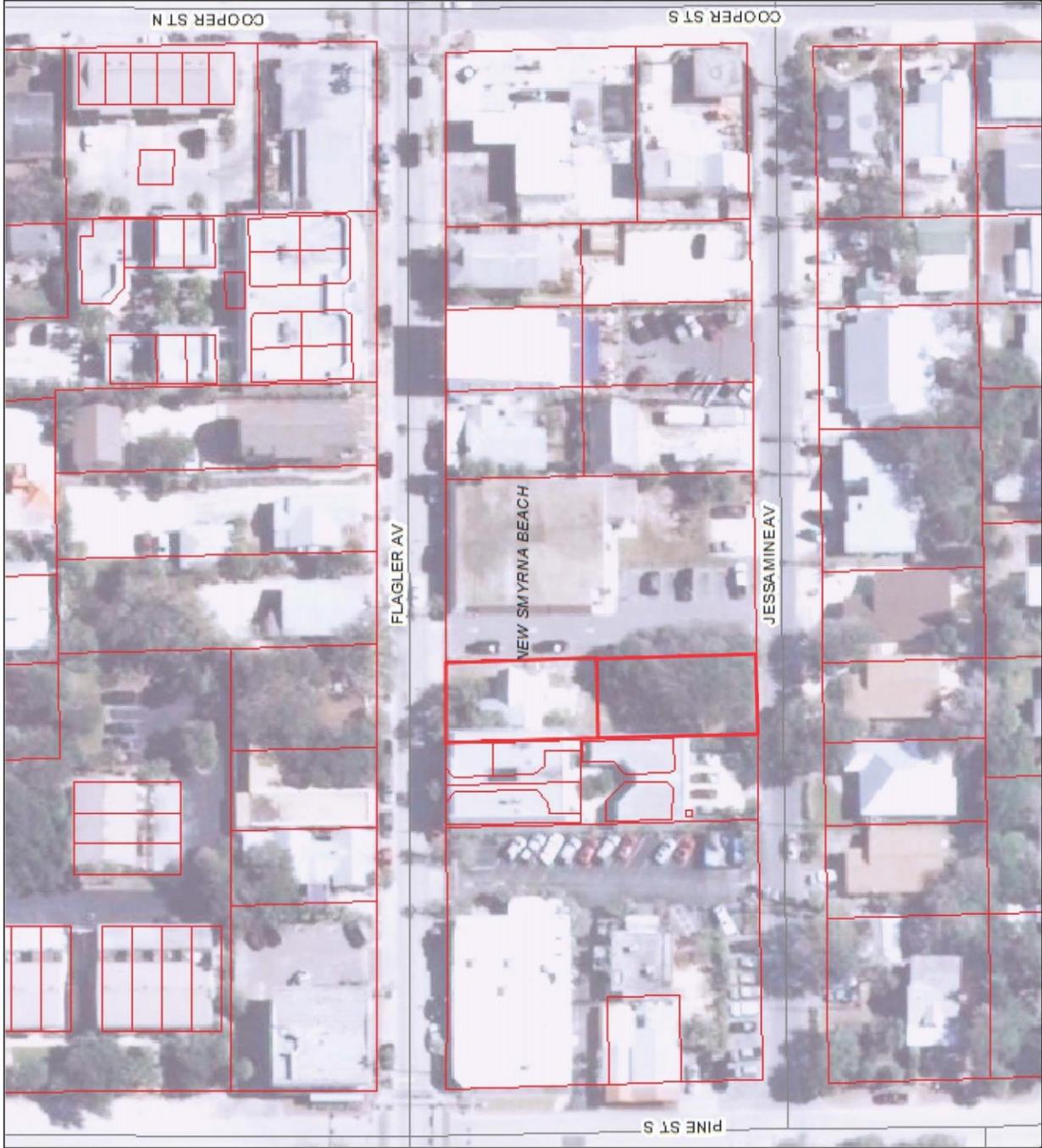
Unknown

**Remarks**

This site is level, at grade and partly covered. This is the assemblage sale of two lots, one located along Flagler Avenue that was improved with an old single family residence at the time of sale that has been demolished and the rear lot which was vacant. The total of both sites is 9,000 square feet. These two parcels were assembled between February 2012 and March 2013 for a total sale price of \$360,000 less \$10,000 for demolition indicates an adjusted sale price of \$350,000 or \$38.89 per square foot. It is currently improved with a new Bed & Breakfast development.



Scale 1:1,042 - 1 in = 87 ft



DISCLAIMER: This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information. Use at your own risk.  
SOURCE: PARCEL DATA, VOLUSIA COUNTY PROPERTY APPRAISER

04/02/2012 03:40 PM  
Doc stamps 1750.00  
(Transfer Amt \$ 250000)  
Instrument# 2012-056867 # 1  
Book : 6696  
Page : 1695

**Prepared By and Return To:**

Tracey Portigo  
Fidelity National Title of Florida, Inc.  
2244 State Road 44  
New Smyrna Beach, FL 32168

**File No. FT15-15-12-000054**

**Property Appraiser's Parcel I.D. (folio) Number(s)**

████████████████████

For Documentary Stamp Tax purposes  
the consideration is \$ 250,000.00

**WARRANTY DEED  
(INDIVIDUAL)**

This WARRANTY DEED, dated February 27, 2012 by  
**SHIRLEY DEBORAH SWEAT, WILL G. DOUGLAS, KAREN B. HATHAWAY, JOHN J. DOUGLAS,  
THEODORE S. DOUGLAS, IV, AMITY BOLEY, AND NICOLE OTTO**

whose post office address is:

**c/o 115 Silver Circle, Edgewater, FL 32141**

hereinafter called GRANTOR, to

**TAMARA MESSINA, A SINGLE PERSON,**

whose post office address is:

**800 First Avenue, New Smyrna Beach, FL 32169**

hereinafter called the GRANTEE:

(Wherever used herein the terms "Grantor" and "Grantee" include all parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successor and assigns of corporations.)

WITNESSETH: That the grantor, for and in consideration of the sum of \$10.00 and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys, and confirms unto the GRANTEE, all that certain land situated in Volusia County, Florida, viz:

**PARCEL 1:**

Lot 5, Block 3, of the plat of the subdivision of Lot 2, Block 1, of the Robert Walker Grant, in Township 17 South, Range 34 East, according to the map in Map Book 2, Page 127, Public Records of Volusia County, Florida, Less and Except that portion lying in Flagler Avenue Right-of-Way.

**PARCEL 2:**

**WARRANTY DEED**  
(Continued)

North 6 feet of Lot 5, Block 1, W.L Coopers Subdivision, according to the map in Map Book 4, Page 114, and in Map Book 5, Page 165, Public Records of Volusia County, Florida.

**\*\*THE WITHIN DESCRIBED PREMISES ARE NOT SUBJECT TO HOMESTEAD INTERESTS.\*\***

SUBJECT TO covenants, conditions, restrictions, reservations, limitations, easements and agreements of record, if any; taxes and assessments for the year 2012 and subsequent years; and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same in fee simple forever.

AND the grantor hereby covenants with said GRANTEE that except as above noted, the GRANTOR is lawfully seized of said land in fee simple; that the GRANTOR has good right and lawful authority to sell and convey said land; that the GRANTOR hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever.

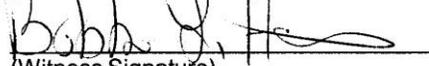
IN WITNESS WHEREOF, GRANTOR has signed and sealed these presents the date set forth above.

SIGNED AND SEALED IN THE PRESENCE OF THE FOLLOWING WITNESSES:

  
\_\_\_\_\_  
(Witness Signature)

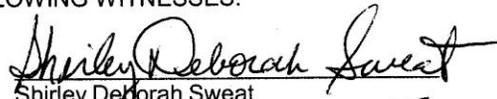
**Judith A. Reiker**

\_\_\_\_\_  
(Print Name of Witness)

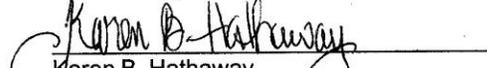
  
\_\_\_\_\_  
(Witness Signature)

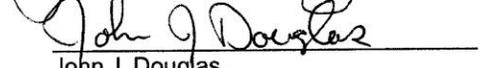
**Bobbie L. Haynes**

\_\_\_\_\_  
(Print Name of Witness)

  
\_\_\_\_\_  
Shirley Deborah Sweat

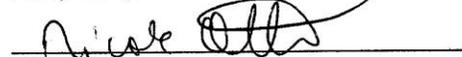
\_\_\_\_\_  
Will G. Douglas

  
\_\_\_\_\_  
Karen B. Hathaway

  
\_\_\_\_\_  
John J. Douglas

\_\_\_\_\_  
Theodore S. Douglas, IV

\_\_\_\_\_  
Amity Boley

  
\_\_\_\_\_  
Nicole Otto

**WARRANTY DEED**  
(Continued)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Address)

State of FLORIDA  
County of VOLUSIA

THE FOREGOING INSTRUMENT was sworn and acknowledged before me on FEBRUARY 28, 2012  
by: Shirley Deborah Sweat, ~~Will G. Douglas, Karen B. Hathaway, John J. Douglas, Theodore S. Douglas, IV, Armita Boley~~, and Nicole Otto who is personally known to me or has produced Drivers License as identification.

Signature: \_\_\_\_\_  
Print Name:



STATE OF: FLORIDA  
COUNTY OF: VOLUSIA

THE FOREGOING INSTRUMENT was sworn and acknowledged before me on FEBRUARY 29, 2012  
by: Karen B. Hathaway, who is personally known to me or has produced Drivers License as identification.

Signature \_\_\_\_\_  
Print Name:



**WARRANTY DEED**  
(Continued)

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same in fee simple forever.

AND the grantor hereby covenants with said GRANTEE that except as above noted, the GRANTOR is lawfully seized of said land in fee simple; that the GRANTOR has good right and lawful authority to sell and convey said land; that the GRANTOR hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, GRANTOR has signed and sealed these presents the date set forth above.

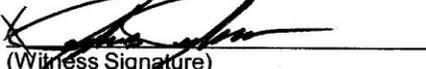
SIGNED AND SEALED IN THE PRESENCE OF THE FOLLOWING WITNESSES:

# 1

X   
(Witness Signature)

Stephen Hausman  
(Print Name of Witness)

# 2

X   
(Witness Signature)

Joseph L. Jackson  
(Print Name of Witness)

\_\_\_\_\_  
Shirley Deborah Sweat

X \_\_\_\_\_  
Will G. Douglas

\_\_\_\_\_  
Karen B. Hathaway

\_\_\_\_\_  
John J. Douglas

X \_\_\_\_\_  
Theodore S. Douglas, IV

  
Amity Boley

\_\_\_\_\_  
Nicole Otto

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Address)

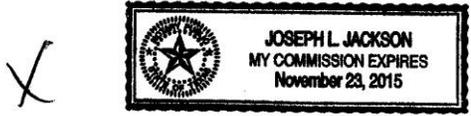
**WARRANTY DEED**  
(Continued)

X State of TEXAS  
County of SMITH

THE FOREGOING INSTRUMENT was sworn and acknowledged before me on FEBRUARY  
28<sup>th</sup> 2012 by: ~~Shirley Deborah Stewart, Will C. Douglas, Keron B. Hathaway, John J. Douglas, Theodore S. Douglas, IV, Amity Boley, and Nicole Pitt~~ who is personally known to me or has produced TEXAS STATE ID as identification.

X Signature: [Handwritten Signature]  
Print Name: Joseph L. Jackson

**NOTARY SEAL AND COMMISSION EXPIRATION:**



**WARRANTY DEED**  
(Continued)

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same in fee simple forever.

AND the grantor hereby covenants with said GRANTEE that except as above noted, the GRANTOR is lawfully seized of said land in fee simple; that the GRANTOR has good right and lawful authority to sell and convey said land; that the GRANTOR hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, GRANTOR has signed and sealed these presents the date set forth above.

SIGNED AND SEALED IN THE PRESENCE OF THE FOLLOWING WITNESSES:

# 1

X [Handwritten Signature]  
(Witness Signature)

X Marsha Standridge  
(Print Name of Witness)

# 2

X [Handwritten Signature]  
(Witness Signature)

X Karen Scheie  
(Print Name of Witness)

[Handwritten Signature]  
Shirley Deborah Sweat

X [Handwritten Signature]  
Will G. Douglas

[Handwritten Signature]  
Karen B. Hathaway

[Handwritten Signature]  
John J. Douglas

X [Handwritten Signature]  
Theodore S. Douglas, IV

[Handwritten Signature]  
Amity Boley

[Handwritten Signature]  
Nicole Otto

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Address)

Instrument# 2012-056867 # 7  
Book: 6696  
Page: 1701  
Diane M. Matousek  
Volusia County, Clerk of Court

**WARRANTY DEED**  
(Continued)

X State of Colorado  
County of Moffat

THE FOREGOING INSTRUMENT was sworn and acknowledged before me on 3-1-12 by Shirley Deborah Sweet, Will G. Douglas, Karen B. Hathaway, John J. Douglas, Theodore S. Douglas, IV, Amity Boley, and Nicole Orr who is personally known to me or has produced LCR as identification.

X Signature: [Handwritten Signature]  
Print Name: January Zaledzieski

NOTARY SEAL AND COMMISSION EXPIRATION:

X 

JANUARY ZALEDZIESKI Notary Public State of Colorado
---

  
My Commission Expires March 09, 2014

Prepared by:  
**SID C. PETERSON, JR., ESQUIRE**  
P. O. Box 428  
New Smyrna Beach, FL 32170  
(13-15960)

**WARRANTY DEED** (Statutory Form - Section 689.02F.S.)

**THIS INDENTURE**, made this 19<sup>th</sup> day of March, 2013, **BETWEEN**

**SHIRLEY DEBORAH SWEAT**

of the County of Lawrence, State of Georgia, **Grantor**, and

**TAMARA MESSINA**

whose post office address is P. O. Box 2513, New Smyrna Beach, Florida 32170

of the County of Volusia, State of Florida, **Grantee**,

**WITNESSETH**, That said **Grantor**, for and in consideration of the sum of **TEN AND NO/100 (\$10.00) DOLLARS**, and other good and valuable considerations to said **Grantor** in hand paid by said **Grantee**, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said **Grantee**, and **Grantee's** heirs and assigns forever, the following described land, situate, lying and being in Volusia County, Florida, to-wit:

Lot 5, Block 1, except the North 6 feet, **W. L. COOPER'S REDIVISION** of Lot 4, Section 9, Township 17 South, Range 34 East, according to the map or plat thereof as recorded in plat Book 5, page 165, Public Records of Volusia County, Florida

**PARCEL IDENTIFICATION NO.:** 7409-06-01-0050

**SUBJECT TO:** (A) Taxes and assessments for the year 2013 and subsequent years; (B) All covenants, restrictions, easements and limitations of records, if any, however this reference does not operate to re-impose same; (C) Zoning ordinances that may affect subject property.

**THE ABOVE-DESCRIBED PROPERTY IS NOT THE LEGAL HOMESTEAD OF THE GRANTOR NOR IS IT CONTIGUOUS OR ADJACENT TO THE LEGAL HOMESTEAD OF THE GRANTOR WHOSE RESIDENCE IS: in Dublin, Georgia**

and said **Grantor** does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

"**Grantor**" and "**Grantee**" are used for singular or plural, as context requires.

**IN WITNESS WHEREOF**, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, Sealed and delivered  
in our presence:

Ashley Brown  
Ashley Brown  
(Witness - print name)

Shirley Deborah Sweat (SEAL)  
SHIRLEY DEBORAH SWEAT

Peggy W. Cauley  
Peggy W. Cauley  
(Witness - print name)

**STATE OF GEORGIA**

**COUNTY OF** Laurens

**I HEREBY CERTIFY** that on this day, before me, an officer duly qualified to take acknowledgments, personally appeared, **SHIRLEY DEBORAH SWEAT**, who is personally known to me or who has produced Drivers License as identification and who executed the foregoing instrument, and who acknowledged before me that she executed the same.

**WITNESS** my hand and official seal in the County and State last aforesaid this 19<sup>th</sup> day of March, 2013.

Jessica Tolbert  
Jessica Tolbert  
(Notary - print name)  
Notary Public - State of Georgia  
Commission No.:  
My Commission Expires: 8/2/14





**APPRAISAL ASSOCIATES OF FLORIDA, INC.**

*Real Estate Appraisers — Consultants*

600 N. RIDGEWOOD AVE., SUITE A, EDGEWATER, FL 32132 • TEL. 386-423-5110 • FAX 386-423-3066

---

**Richard C. Allen Sr., MAI**

**EMINENT DOMAIN COORDINATOR**

Pomeroy Appraisal Associates of Florida, Inc.  
State-certified general real estate appraiser RZ411  
Licensed Real Estate Broker

600 N. Ridgewood Ave., Suite A  
Edgewater, FL 32132  
(386) 423-5110

---

**LICENSURE AND CERTIFICATION**

Florida State-certified general real estate appraiser RZ411  
Florida Real Estate Licensed Broker BK 0424291

**PROFESSIONAL AFFILIATIONS**

MAI member of the Appraisal Institute  
Governor - American Institute of Real Estate Appraisers - 1983-1984  
Executive Committee - American Institute of Real Estate Appraisers - 1983-1984  
National Chairman of External Affairs - American Institute of Real Estate Appraisers - 1983-1984  
Member - New Smyrna Beach, Daytona Beach and DeLand Board of Realtors

Approved Appraiser for the following:

Florida Department of Transportation	U. S. Post Office
State of Florida Department of Natural Resources	M.G.I.C.
New York State Department of Transportation	Other County, State, and Federal Agencies
Vermont Highway Department	Various Banks and Mortgage Companies
G.S.A.	

**EXPERT TESTIMONY**

Has been qualified and presented testimony as an expert witness in the Circuit Courts of the following Florida counties: Brevard, Citrus, Duval, Flagler, Lake, Leon, Marion, Orange, Osceola, Polk, Putnam, Seminole, St. Johns, St. Lucie, Sumter and Volusia. Testified on several occasions in Federal, Circuit and Supreme Courts, and Interstate Commerce Commissions throughout the United States. Also, testified in Court of Claims in New York State on a number of occasions.

## GEOGRAPHIC EXPERIENCE

Has provided real estate appraisal services in the following Florida counties:

Alachua	Brevard	Broward
Charlotte	Citrus	Collier
Dade	Duval	Flagler
Gadsden	Hardee	Hernando
Highlands	Hillsborough	Indian River
Lake	Lee	Leon
Manatee	Marion	Martin
Okeechobee	Orange	Osceola
Pinellas	Polk	Putnam
Sarasota	Seminole	St. Johns
St. Lucie	Sumter	Volusia

## EDUCATION AND PROFESSIONAL ADVANCEMENT

Canton Agricultural and Technical Institute, Canton, NY - 1952-1953  
 AIREA Courses required for MAI designation - 1965-1970  
 Economics and Advanced Real Estate Techniques, Syracuse, NY - 1975  
 Mortgage-Equity Capitalization Clinic, Syracuse, NY - 1980  
 Tax Considerations in Real Estate, Syracuse, NY - 1980  
 SREA Sponsored "FNMA - Single/Multi-Family" Seminar - 1981  
 FHLB Section 41b - 1985 (7 hrs)  
 Standards of Professional Practice (14 hrs) & Subdivision Analysis (14 hrs) - 1985  
 Cash Equivalency (7 hrs) & Valuation of Residential Construction (7 hrs) - 1986  
 Introduction to Investment Analysis (7 hrs) & Employee Relocation Council Appraisal (6 hrs) - 1986  
 Sales Comparison Approach/Market Data - October 1986 (7 hrs)  
 Marshall & Swift Residential Cost Handbook (7 hrs) & Accrued Depreciation (7 hrs) - 1987  
 Rates, Ratios & Reasonableness (7 hrs) & Highest and Best Use (7 hrs) - 1988  
 Impact of Asbestos on Appraising - April 1988 (7 hrs)  
 Feasibility Analysis Non-residential Properties (7 hrs), Discounted Cash Flow Analysis (7 hrs), Persuasive Report Writing (7 hrs), Standards of Professional Practice Update (7 hrs) & Timber Valuation (14 hrs) - 1989  
 Legal Valuation (12 hrs) and Appraisal Regulation by Federal Agencies (7 hrs) - 1990  
 Gold Coast Real Estate School - Apartment Appraisal/House Construction - March 1991 (30 hrs)  
 Standards of Professional Practice "Part A" - November 1993 (16 hrs)  
 Standards of Professional Practice "Part B" - February 1994 (11 hrs)  
 Real Estate Education Specialists - Modern Appraisal Techniques - July 1994 (23 hrs)  
 Real Estate Education Specialists - USPAP/Law Update - July 1994 (7 hrs)  
 Appraisal General - July 1994 (23 hrs)  
 The APPRAISERS Complete Review - February 1996 (21 hrs)  
 USPAP/Law Update - August 1996 (7 hrs)  
 Eminent Domain - August 1996 (3 hrs)  
 The Internet and Appraising - February 1997 (7 hrs)  
 Standards of Prof. Practice, Part B - June 1997 (11 hrs)  
 Standards of Prof. Practice, Part A (USPAP) - June 1997 (15 hrs)  
 Appraiser's Florida Core Law - June 1997 (4 hrs)  
 Florida Law & Standards Update - August 1998 (7 hrs)  
 USPAP/Law Update - August 1998 (7 hrs)  
 Appraising 2-4 Family Residential Properties - September 1998 (6 hrs)  
 USPAP and Florida Law Update - March 2000 (7 hrs)  
 Environmental Hazards Impact on Real Estate Value - March 2000 (7.5 hrs)  
 Appraising Conservation Easements and Other Less Than Fee Interests - March 2000 (7.5 hrs)  
 Appraising Wetlands - March 2000 (8 hrs)

Easement Valuation, Course 403 - October 2001 (8 hrs)  
USPAP/Florida Law Update, 7 hours - 2002  
Site and Improvements Inspections and Descriptions, and Fractional Limited Partnership  
Ownership Interest, 15 hours - 2002  
USPAP Update: Standards & Ethics (400) and Business Practices & Ethics (420) - Nov. 2003 (15 hrs)  
Florida Core Law Update - March 2004 (3 hrs)  
Advanced Appraisal Review - May 2004 (20 hrs)  
Broker/Salesperson Continuing Education Course - 2005 (14 hrs)  
National USPAP Course - March 2006 (7 hrs)  
Florida Appraisers State Law Update - March 2006 (3 hrs)  
Appraising the Tough Ones - September 2006 (7 hrs)  
The Cost Approach - October 2006 (7 hrs)  
Scope of Work - October 2006 (7 hrs)  
Business Practices and Ethics (Online Course 420) - December 2007  
National USPAP Update - October 2008 (7 hrs)  
Florida Laws & Regulations - October 2008 (3 hrs)  
Mortgage Fraud-Protect Yourself! - October 2008 (8 hrs)  
Florida Appraisal Supervisor-Trainee Roles & Relationships - October 2008 (4 hrs)  
Even Odder: More Oddball Appraisals - October 2008 (8 hrs)  
National USPAP Update - October 2010 (7 hrs)  
Florida Laws & Regulations - October 2010 (3 hrs)  
The Changing World of FHA Appraising - October 2010 (8 hrs)  
Florida Appraisal Supervisor-Trainee Roles & Relationships - October 2010 (4 hrs)  
Residential Appraisal Review - November 2012 (7 hrs)  
Florida Appraisal Laws and Regulations - November 2012 (3 hrs)  
The Cost Approach - November 2012 (7 hrs)  
Residential Report Writing: More Than Forms - November 2012 (7 hrs)  
The Dirty Dozen - November 2012 (3 hrs)  
Business Practices and Ethics - February 2013 (7 hrs)

### **TEACHING AND LECTURING EXPERIENCE**

Onondaga County Community College - Real Estate Appraisal  
State University of New York - Real Estate Appraisal & Principles  
New York State Bar Association - Mock Trial  
Mortgage Bankers Association - Central New York  
AIREA Chapter Meetings  
Onondaga and Madison County Board of Realtors  
New Smyrna Beach, Florida, Board of Realtors

### **APPRAISAL AND COUNSELING EXPERIENCE**

1984 - Present	Pomeroy Appraisal Associates of Florida, Inc.
1967 - 1984	Pomeroy Appraisal Associates, Inc., Syracuse, New York
1964 - 1967	Martin Allard, Inc., Burlington, Vermont
1955 - 1964	New York State Department of Transportation, Watertown, New York

Engaged full-time in professional appraisal and counseling related to all types of real estate for a wide variety of clients serving many functions. Specialties include railroad valuation, condemnation, tax matters, certiorari and IRS, financing on all types of property, land development, easements, multi-family residential, general commercial and industrial counseling.

THIS DOCUMENT HAS A COLORED BACKGROUND • MICROPRINTING • LINEMARK™ PATENTED PAPER

AC# 678270

STATE OF FLORIDA

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
FLORIDA REAL ESTATE APPRAISAL BD

SEQ# L12112002141

DATE	BATCH NUMBER	LICENSE NBR
11/20/2012	120219741	RZ411

The CERTIFIED GENERAL APPRAISER  
Named below IS CERTIFIED  
Under the provisions of Chapter 475 FS.  
Expiration date: NOV 30, 2014

ALLEN, RICHARD CHARLES  
600 N RIDGEWOOD AVE  
EDGEWATER FL 32132

RICK SCOTT  
GOVERNOR

DISPLAY AS REQUIRED BY LAW

KEN LAWSON  
SECRETARY



**RONALD S. CROUSE, ASA, CRA**  
**PRESIDENT POMEROY APPRAISAL ASSOCIATES OF FL. INC**

**CERTIFICATION AND LICENSES**

Florida State-certified general real estate appraiser RZ670  
Florida Real Estate Licensed Broker BL463693  
FHA Approved Appraiser FLRZ670

**PROFESSIONAL EXPERIENCE**

1986 - Present     -   **Pomeroy Appraisal Associates of Fl. Inc.**  
1985 – 1986       -   State of Florida Building Subcontractor  
1976 – 1985       -   State of New York Building Contractor

**EXPERT TESTIMONY**

Has been qualified and presented testimony as an expert witness in Federal Bankruptcy Court, United States District Court Middle District of Florida Orlando Division, and Circuit Court of Volusia, Seminole, and Brevard Counties.

**PROFESSIONAL AFFILIATIONS**

Accredited Senior Appraiser - American Society of Appraisers (**ASA**)  
Designated Member (**CRA**) - National Ass. of Review App. & Mort. Underwriters  
General Associate Member of the Appraisal Institute (AI)  
Member of the International Right-of-Way Association  
MAI Candidate - Appraisal Institute  
National Association of Realtors

**REAL ESTATE RELATED EDUCATION**

**Required Appraisal Institute Courses for Appraiser Designation**

AIREA - Principles Course  
AIREA - Standards of Professional Practice Course  
AIREA - Basic Valuation  
AIREA - Capitalization Theory and Techniques, Part A  
AIREA - Capitalization Theory and Techniques, Part B  
AIREA - Case Studies in Real Estate Valuation  
AIREA - Valuation Analysis and Report  
AI - Highest and Best Use and Market Analysis  
AI - Advanced Sales Comparison and Cost Approach

**Additional Real Estate Courses**

AI - Real Estate Finance Statistics and Valuation Modeling  
AIREA - Residential Valuation  
AIREA - Litigation Valuation  
AIREA - Computer Assisted Investment Analysis  
Architectural Drafting and Blueprint Reading Courses  
Florida Real Estate Course #1  
BITA - Home Inspection Course

**Partial List of Seminars**

Rates, Ratios and Reasonableness	Real Estate Appraisal Methods
Principles of Capitalization	Standards of Professional Practice, Part A
Standards of Professional Practice, Part B	Business Valuation, Parts 1 and 2
Understanding Limited App. & Rep. Options	The Appraisers Complete Review Seminar
USPAP/Law Update	Accrued Depreciation Seminar
Marshall and Swift Comm. Cost Est. Seminar	Eminent Domain
Standards of Professional Practice, Part C	Appraising 2 to 4-Family Residence
IRWA Easement Valuation	Business Practices and Ethics

**PARTIAL LIST OF PROPERTY TYPES APPRAISED**

Vacant Land: Urban, rural, commercial, multi-family, industrial, planned development, residential, agricultural, and mixed use.

Improved Properties: Residential, commercial, industrial, multi-family, shopping centers, planned developments, professional/medical office buildings, time share projects, and mixed use properties.

Special Use Properties: Golf courses, marinas, billboards, railroad right-of-way, road right-of-way, and wetlands.

Partial Interest: Leasehold/leased fee, utility easements, drainage easements, construction easements, eminent-domain valuations, land leases, and Limited Partnerships.

Review: Review experience for FDOT, St.Johns Water Mgt. Brevard County Property Acquisition. Various Banks and Attorneys.

Engaged full-time in professional appraisal and counseling services related to all types of real estate for a wide variety of clients, including Banks, local and state government agencies, attorneys, and private clients.

**PARTIAL LIST OF CLIENTS**

**Government Agencies**

Florida Department of Transportation  
Florida Department of Environmental Protection  
Brevard County  
Flagler County

Florida Communities Trust  
Volusia County  
Seminole County  
Various cities and municipalities

**Lending Institutions**

Bank of America  
Regions Bank  
Riverside National Bank  
Friends Bank  
Surety Bank  
First Union National Bank  
Ohio Savings and Loan  
Wells Fargo

SunTrust Bank  
Colonial Bank  
Prosperity Bank  
Sunshine State Bank  
Coquina Bank  
Temecula Valley Bank  
Pinnacle Bank  
Washington Mutual

AC# 6442629

STATE OF FLORIDA

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
FLORIDA REAL ESTATE APPRAISAL BD

SEQ# L12100502034

DATE	BATCH NUMBER	LICENSE NBR
10/05/2012	128113943	RZ670

The CERTIFIED GENERAL APPRAISER  
Named below IS CERTIFIED  
Under the provisions of Chapter 475 FS.  
Expiration date: NOV 30, 2014

CROUSE, RONALD STEVEN  
600 N RIDGEWOOD AVE  
EDGEWATER FL 32132

RICK SCOTT  
GOVERNOR

DISPLAY AS REQUIRED BY LAW

KEN LAWSON  
SECRETARY

# HAMILTON APPRAISAL SERVICES

A LIMITED LIABILITY COMPANY

FILE #14-4094



## Summary Appraisal Report of

**EILAI INVESTMENTS LLC LAND**

400 Block of Flagler Avenue  
New Smyrna Beach, Volusia County, FL 32169

**As of**

May 6, 2014

**Prepared for**

Community Redevelopment Agency  
City of New Smyrna Beach  
210 Sams Avenue  
New Smyrna Beach, FL

**Prepared by**

Alfred A. Hamilton, MAI  
State-Certified General Real Estate Appraiser RZ714

**HAMILTON APPRAISAL SERVICES, LLC**

*Commercial Real Estate Appraisers*

1648 Taylor Road #463  
Port Orange, FL 32128

# HAMILTON APPRAISAL SERVICES

A LIMITED LIABILITY COMPANY

COMMERCIAL REAL ESTATE APPRAISERS & CONSULTANTS  
HONESTY, INTEGRITY & QUALITY SINCE 1924

Norman G. Hamilton, Realtor® (1882 – 1955)  
N. Arthur Hamilton, MAI (1918 – 2005)

1648 Taylor Rd. #463  
Port Orange, Florida 32128



Alfred A. (Chip) Hamilton, MAI  
State-Certified General Real Estate Appraiser RZ714

T 386.236.0848  
F 386.236.0852  
chip@hamiltonappraisers.com

May 15, 2014

Community Redevelopment Agency  
City of New Smyrna Beach  
210 Sams Avenue  
New Smyrna Beach, FL

Attn: Tony Otte, CRA/Economic Development Director

Re: **EILAI INVESTMENTS LLC LAND**  
400 Block of Flagler Avenue  
New Smyrna Beach, Volusia County, FL 32169  
File #14-4094

Dear Mr. Otte:

At your request, I have prepared an appraisal for the above referenced property. The purpose of this appraisal is to provide my opinion of the market value of the subject. The interest appraised is the fee simple interest. The intended use of the appraisal is for acquisition decisions. This appraisal is intended for the use of the City of New Smyrna Beach and its authorized agents. My Client is the Community Redevelopment Agency of the City of New Smyrna Beach, Florida.

This Appraisal Report has been completed in accordance with Standards 1 and 2 (the Real Property Appraisal standards) of the Uniform Standards of Professional Appraisal Practice of the Appraisal Foundation and the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.

The attached report details the scope of the appraisal, level of reporting, definition of value, valuation methodology, and pertinent data researched and analyzed in the development of this appraisal report.

I certify that I have no present or contemplated future interest in the property beyond this opinion of value. Your attention is directed to the General Assumptions and Limiting Conditions located on page 7. Acceptance of this report constitutes an understanding of and agreement with these assumptions and conditions.

CRA/City of New Smyrna Beach  
Attn: Tony Otte  
May 15, 2014

**Extraordinary Assumptions:** None.

**Hypothetical Conditions:** None.

It is my opinion that the market value of the fee simple interest of the subject, subject to the assumptions and conditions noted herein, as of May 6, 2014, was:

**FIVE HUNDRED TWENTY-FIVE THOUSAND DOLLARS  
(\$525,000).**

*This confidential report is prepared for the sole use and benefit of CRA/City of New Smyrna Beach and its advisors and is based, in part, upon documents, writings and information owned by CRA/City of New Smyrna Beach. This report is provided for informational purposes only to third parties authorized to receive it. The appraiser-client relationship is with CRA/City of New Smyrna Beach as the client. This report should not be used for any purpose other than to understand the information available to CRA/City of New Smyrna Beach concerning this property. CRA/City of New Smyrna Beach and the appraisers assume no responsibility if this report is used in any other manner.*

***IN ORDER FOR THIS VALUE OPINION TO BE CONSIDERED VALID, THIS LETTER MUST REMAIN ATTACHED TO THE REPORT, WHICH CONTAINS 26 PAGES PLUS RELATED EXHIBITS.***

Thank you for the opportunity to be of service. If you have any questions about this report, please do not hesitate to give us a call.

Respectfully submitted,  
HAMILTON APPRAISAL SERVICES, LLC



Alfred A. Hamilton, MAI  
State-Certified General Real Estate Appraiser RZ714

# Certification Statement

I certify that, to the best of my knowledge and belief:

The statements of fact contained in this report are true and correct.

The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial and unbiased professional analyses, opinions, and conclusions.

I have no present or prospective interest in the property that is the subject of this report, and no personal interest with respect to the parties involved.

I have not performed an appraisal or any other service regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.

I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.

My engagement in this assignment was not contingent upon developing or reporting predetermined results.

My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.

My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and the Standards of Professional Practice of the Appraisal Institute, which include the Uniform Standards of Professional Appraisal Practice.

The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives. It is also subject to the requirements of the State of Florida relating to review by the Florida Real Estate Appraisal Board.

No one provided significant real property appraisal assistance to the person signing this certification.

I have made a personal inspection of the property that is the subject of this report.

As of the date of this report, I have completed the continuing education program of the Appraisal Institute.



Alfred A. Hamilton, MAI  
State-Certified General Real Estate Appraiser RZ714

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# Executive Summary

<b>Property Name:</b>	EILAI Vacant Land Parcel
<b>Client:</b>	Community Redevelopment Agency of the City of New Smyrna Beach, Florida.
<b>Property Address:</b>	400 Block of Flagler Avenue, New Smyrna Beach, FL 32169
<b>County Parcel ID Numbers:</b>	7455-08-04-0020, 7409-06-05-0011 & 7409-06-05-0020
<b>Owner of Record:</b>	EILAI INVESTMENTS, LLC
<b>Land Area:</b>	12,800± square feet
<b>Building Area:</b>	None.
<b>Property Overview:</b>	This is a vacant commercial land parcel with frontage along Flagler Avenue and corner frontage along S. Cooper Street and Jessamine Avenue.
<b>Type of Value:</b>	Market value
<b>Property Rights Appraised:</b>	Fee simple
<b>Highest and Best Use:</b>	Commercial use
<b>Future Land Use Category:</b>	Commercial
<b>Zoning Classification:</b>	Mixed Use (Central Business District)
<b>2013 Assessment:</b>	\$164,400
<b>Reporting Option:</b>	Appraisal Report
<b>Date of Value:</b>	May 6, 2014
<b>Date of Report:</b>	May 15, 2014
<b>Final Value Conclusion:</b>	\$525,000.
<b>Extraordinary Assumptions:</b>	None.
<b>Hypothetical Conditions:</b>	None.

*This confidential report is prepared for the sole use and benefit of CRA/City of New Smyrna Beach and its advisors and is based, in part, upon documents, writings and information owned by CRA/City of New Smyrna Beach. This report is provided for informational purposes only to third parties authorized to receive it. The appraiser-client relationship is with CRA/City of New Smyrna Beach as the client. This report should not be used for any purpose other than to understand the information available to CRA/City of New Smyrna Beach concerning this property. CRA/City of New Smyrna Beach and the appraisers assume no responsibility if this report is used in any other manner.*

## General Assumptions and Limiting Conditions

This appraisal and report has been made with the following **general assumptions**:

- No responsibility is assumed for the legal description provided or for matters pertaining to legal or title considerations. Title to the property is assumed to be good and marketable unless otherwise stated.
- The property is appraised free and clear of any and all liens or encumbrances unless otherwise stated.
- Responsible ownership and competent property management are assumed.
- The information furnished by others is believed to be reliable, but no warranty is given for its accuracy.
- All engineering studies are assumed to be correct. The plot plans and illustrative material in this report are included only to help the reader visualize the property.
- It is assumed that there are no hidden or unapparent conditions of the property, subsoil or structures that render it more or less valuable. No responsibility is assumed for such conditions or for obtaining the engineering studies that may be required to discover them.
- It is assumed that the property is in full compliance with all applicable federal, state and local environmental regulations and laws unless the lack of compliance is stated, described and considered in the appraisal report.
- It is assumed that the property conforms to all applicable zoning and land use regulations and restrictions unless a non-conformity has been identified, described and considered in the appraisal report.
- It is assumed that all required licenses, certificates of occupancy, consents and other legislative or administrative authority from any local, state or national government or private entity or organization have been or can be obtained or renewed for any use on which the opinion of value contained in this report is based.
- It is assumed that the use of the land and improvements is confined within the boundaries or property lines of the property described and that there is no encroachment or trespass unless noted in the report.
- Unless otherwise stated in this report, the existence of hazardous materials, which may or may not be present on the property, was not observed by the appraisers. I have no knowledge of the existence of such materials on or in the property. I, however, am not qualified to detect such substances. The presence of substances such as asbestos, urea-formaldehyde foam insulation and other potentially hazardous materials may affect the value of the property. This opinion of value is predicated on the assumption that there is no such material on or in the property that would cause a loss in value. No responsibility is assumed for such conditions or for any expertise or engineering knowledge required to discover them. The intended user is urged to retain an expert in this field, if desired.
- No information regarding the soil conditions of the subject site was provided for this analysis. This opinion of value is predicated on the assumption that there are no such adverse soil conditions impacting the property that would cause a loss in value. No responsibility is assumed for such conditions or for any expertise or engineering knowledge required to discover them. The intended user is urged to retain an expert in this field, if desired. A survey revealing any adverse soil conditions on the site could have an impact on the values concluded herein.
- No information regarding the environmental condition of the subject site was provided for this analysis. This opinion of value is predicated on the assumption that there are no such adverse environmental conditions impacting the property that would cause a loss in value. No responsibility is assumed for such conditions or for any expertise or engineering knowledge required to discover them. The intended user is urged to retain an expert in this field, if desired. An audit revealing any adverse environmental conditions on the site could have an impact on the value concluded herein.
- The Americans with Disabilities Act (ADA) became effective January 26, 1992. I have not made a specific compliance survey or analysis of the property to determine whether or not it is in conformity with the various detailed requirements of ADA. It is possible that a compliance survey of the property and a detailed analysis of the requirement of the ADA would reveal that the

property is not in compliance with one or more of the requirements of the act. If so, this fact could have a negative impact upon the value of the property. Since I have no direct evidence relating to this issue, possible noncompliance with the requirements of ADA was not considered in reaching the value concluded herein.

- No building inspection report was provided for this analysis. The condition of the subject improvements relied upon for this analysis was based on a cursory viewing of the subject property, and based solely on conditions that were readily apparent during a normal viewing of the property. This opinion of value is predicated on the assumption that there are no such adverse conditions impacting the property that would cause a loss in value. No responsibility is assumed for such conditions or for any expertise or engineering knowledge required to discover them. An inspection by a qualified professional building inspector is recommended in order to verify the structural and mechanical integrity and conditions of the property. An audit revealing any adverse conditions could have an impact on the value concluded herein.

This appraisal and report has been made with the following **general limiting conditions**:

- Any allocation of the total value concluded in this report between the land and the improvements applies only under the stated program of utilization. The separate values allocated to the land and buildings must not be used in conjunction with any other appraisal and are invalid if so used.
- Any opinions of value provided in the report apply to the entire property, and any proration or division of the total into fractional interests will invalidate the opinion of value, unless such division of interests has been set forth in the report.
- Possession of this report, or a copy thereof, does not carry with it the right of publication.
- The appraisers, by reason of this appraisal, are not required to give further consultation or testimony or to be in attendance in court with reference to the property in question unless arrangements have been previously made.
- Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraisers or the firm with which the appraisers are connected) shall be disseminated to the public through advertising, public relations, news, sales or other media without the prior written consent and approval of the appraisers.
- The forecasts, projections or operating estimates contained herein are based on current market conditions, anticipated short-term supply and demand factors and a stable economy. These forecasts are, therefore, subject to changes with future conditions.

### ***Extraordinary Assumptions***

An assumption, directly related to a specific assignment, as of the effective date of the assignment results, which, if found to be false, could alter the appraiser's opinions or conclusions. Extraordinary assumptions presume as fact otherwise uncertain information about physical, legal, or economic characteristics of the subject property; or about conditions external to the property, such as market conditions or trends; or about the integrity of data used in an analysis. An extraordinary assumption may be used in an assignment only if:

- It is required to properly develop credible opinions and conclusions;
- The appraiser has a reasonable basis for the extraordinary assumption;
- Use of the extraordinary assumption results in a credible analysis; and
- The appraiser complies with the disclosure requirements set forth in USPAP for extraordinary assumptions.

(USPAP, 2014-2015 ed., Definitions and SR-1-2(f))

This appraisal and report is made with the following extraordinary assumptions:

- None.

### ***Hypothetical Conditions***

A condition, directly related to a specific assignment, which is contrary to what is known by the appraiser to exist on the effective date of the assignment results, but is used for the purpose of analysis. Hypothetical conditions are contrary to known facts about physical, legal, or economic characteristics of

the subject property; or about conditions external to the property, such as market conditions or trends; or about the integrity of data used in an analysis. A hypothetical condition may be used in an assignment only if:

- Use of the hypothetical condition is clearly required for legal purposes, for purposes of reasonable analysis, or for purposes of comparison;
- Use of the hypothetical condition results in a credible analysis; and
- The appraiser complies with the disclosure requirements set forth in USPAP for hypothetical conditions.

(USPAP, 2014-2015 ed., Definitions and SR-1-2(g))

This appraisal and report is made with the following hypothetical conditions:

- None

# Premises of the Appraisal

## *Purpose of the Appraisal*

The purpose of this appraisal is to provide my opinion of the market value of the subject.

## *Reporting Option*

Appraisal Report

## *Intended Use*

The intended use of the appraisal is for acquisition decisions.

## *Intended User*

This appraisal is intended for the use of the City of New Smyrna Beach and its authorized agents.

## *Property Interest Appraised*

Fee simple interest

## *Client*

Community Redevelopment Agency of the City of New Smyrna Beach, Florida

## *Date of Report*

May 15, 2014

## *Effective Date of Value*

May 6, 2014

## *Market Value Definition*

"The most probable price that the specified property interest should sell for in a competitive market after a reasonable exposure time, as of a specified date, in cash, or in terms equivalent to cash, under all conditions requisite to a fair sale, with the buyer and seller each acting prudently, knowledgeably, for self-interest, and assuming that neither is under duress."<sup>1</sup>

## *Exposure Period*

Exposure time precedes the effective date of the appraisal. The Appraisal Standards Board of the Appraisal Foundation defines exposure time in the Statement on Appraisal Standards No. 6 (SMT-6) as follows: "The estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal; a retrospective estimate based upon an analysis of past events assuming a competitive and open market."

The market for properties like the subject is limited. Marketing times are extended due to the limited demand. This extends the exposure time for which this property would have had to been on the market to achieve a sale at my opinion of value. I estimate that the exposure period for the subject, as defined above, would have been about twelve months.

---

<sup>1</sup> The Dictionary of Real Estate Appraisal, Fifth Edition (Chicago: The Appraisal Institute, 2010), Page 122.

## ***Competency Rule***

USPAP requires that prior to accepting an assignment I must identify the appraisal problem and have the knowledge and experience to complete it competently. Alternatively, I can disclose my lack of knowledge and/or experience and take the steps necessary to complete the assignment competently, describing this in the appraisal report.

I have experience in appraising properties of this type in this market. I have the knowledge and experience to perform this assignment competently.

# Property Identification and History

## Location

The subject is a vacant commercial land parcel in the 400 Block of Flagler Avenue and extends south to Jessamine Avenue.



## Current Owner of Record

EILAI INVESTMENTS, LLC, an inactive/dissolved Florida Limited Liability Company. The last mailing address was on file with the Florida Division of Corporations is 1499 W. Palmetto Park Rd., Ste. 300, Boca Raton, FL 33486. The mailing address on the Volusia County Property Record Card is 521 Flagler Avenue, New Smyrna Beach, FL 32169.

## Three-Year Sale History

Research of the applicable public records and private data services revealed that the subject has not been transferred during the three years prior to the date of value of this report. The property was acquired on June 6, 2007 from Gary A and Sally L. Dolly by Warranty Deed recorded in Official Records Book 6074, Pages 4155 & 4166. The indicated consideration was \$950,000. The sellers took back a mortgage for \$880,000 (93% of the purchase price) at what appears to have been market rates and terms.

## Current Listing/Pending Contracts

The subject property is currently listed for sale with Donna Concannon for \$1,299,000. This is Loopnet ID 18389243 with a listing date of 10/7/2013. The listing agent reports that two parties are "extremely

interested" in the property, one from Miami and one from Atlanta. She is uncertain as to why they have not made offers yet.

### ***Legal Description***

The following legal description describes three parcels and was taken from the deed of acquisition:

**PARCEL 1: Lot 2, Block 5, COOPER SUBDIVISION, according to the map or plat thereof recorded in Map Book 5, Page 165, of the Public Records of Volusia County, Florida.**

**PARCEL 2: Lot 2, Block 4, NEW SMYRNA BRIDGE AND INVESTMENT COMPANY SUBDIVISION, in the City of New Smyrna Beach, Florida, according to the map in Map Book 2, Page 127, of the Public Records of Volusia County, Florida. EXCEPTING that certain Permanent Easement described as follows: A part of Lot 2, Block 4, New Smyrna Bridge and Investment Company Subdivision of the Robert Walker Grant, as recorded in Map Book 2, Page 127, of the Public Records of Volusia County, Florida, described as follows: from the Southwest corner of said Lot 2, run North 00°50'53" West, along the West line of said Lot 2, a distance of 76.35 feet to the Point of Beginning, thence North 89°46'43" East, along the occupied South R/W line of Flagler Avenue, a distance of 50.04 feet; thence South 00°54'22" East, along the East line of said Lot 2, a distance of 3.00 feet; thence South 89°49'49" West, parallel with the occupied South R/W line of Flagler Avenue, a distance of 50.04 feet; thence North 00°50'53" West, along the West line of said Lot 2, a distance of 3.00 feet to the Point of Beginning.**

**PARCEL 3: Lot 1, except the North 20 feet thereof, Block 5, W. L. COOPER'S SUBDIVISION, according to the map or plat thereof recorded in Map Book 4, Page 114 and Map Book 5, Page 165, of the Public Records of Volusia County, Florida.**

# Scope of the Appraisal

**Appraisal Type:** Appraisal Report

**Property Type:** Commercial condominium unit

**Date of Last Inspection:** May 6, 2014

**Property Identification and Viewing:** The subject was identified by parcel information provided by the client as well as information from the Volusia County Property Appraiser's records. I made a physical inspection of the property and took photographs.

The property inspection made for this appraisal is adequate for the scope of this appraisal assignment. This inspection is made for appraisal purposes only and is not intended to replace a building or site inspection that is typically made by a qualified professional specializing in those areas. It is my intent to view those areas of the building and site that are readily observable and that have an impact on my valuation. Hidden or unapparent features that are not revealed to us during my inspection and discussions with the property contact or others knowledgeable about the property might not be considered in my analysis. If hidden features are subsequently revealed or discovered that were not considered, it may be necessary to amend my analysis and conclusions.

**Analysis of Physical Factors:** All pertinent physical factors were analyzed.

**Analysis of Economic Factors:** All pertinent economic factors were analyzed.

**The Extent of Data Research:** We maintain a current and comprehensive database of sales and listings for the Volusia County market area. Additional data research included:

- Researched Volusia County Property Appraiser's records and the MicroDecisions commercial database for Years 2010 to the present date for sales of similar properties
- Researched Loopnet, a commercial database, for current listings of similar properties
- Interviewed market participants who specialize in office properties, including brokers, owners and operators concerning recent sales
- Confirmed market data with a party to the transaction or other reliable source where warranted

**The Type and Extent of Analysis:**

Cost Approach: For this property type the cost approach is not applicable or necessary for a credible appraisal and has not been developed.

Sales Comparison Approach: This approach is applicable, necessary and has been fully developed.

Income Capitalization Approach: For this property type the income approach is not applicable or necessary for a credible appraisal and has not been developed.

**Qualifications of the Appraisers:**

I have been educated and trained and have experience in the normal property economics that are typical of real estate appraisers with similar levels of qualifications and experience. In the course of normal appraisal experience, I am exposed to a wide variety of specialties, including surveying, civil engineering, environmental engineering, biological consultants, architects, construction-related engineers, building contractors and inspectors, attorneys, developers, business specialists, title abstractors and land planners, to name only the most common. While I have gained some familiarity with these specialties I have by no means developed an expertise in these areas. Our knowledge and experience in these areas is sufficient for the purposes of this appraisal assignment. For matters requiring expertise outside this Scope of Work, an appropriate expert should be consulted.

# Market Area Analysis

## *Current Economic Conditions*

### Summary of the Local Real Estate Market

- Discussions with local market participants, including developers, homebuilders, commercial brokers, leasing agents, management companies and other market participants indicate that for a number of years following the Great Recession, uncertainty in the local economy left them with no clear indication of the future of the real estate development market. Now, 4 years after the end of the Great Recession, the local economy is beginning to improve. There is still a long way to go to reach pre-recession levels, but the economy is finally heading in the right direction.
- The general consensus of informed real estate professionals in this market area appears to be that:
  - demand for commercial, office, retail and industrial space is down significantly from peak, although in the most desirable commercial hubs, demand has begun to increase after remaining stable for the past few years
  - commercial and industrial rents are probably down 25% to 50% from peak with rents in the most desirable commercial hubs not down as much as in the less desirable markets
  - commercial and industrial values are down significantly from peak with values for the most desirable commercial hubs down not as much as in the less desirable markets
  - commercial, retail and industrial occupancy rates are down from peak with the occupancy rates of the most desirable commercial hubs not down as much as the less desirable markets
  - there is little demand for commercial and industrial vacant land in this market, except for a few pockets in prime locations, mainly along major commercial highways, such as Granada Blvd in Ormond Beach, West Intl Speedway Blvd in Daytona Beach and Dunlawton Av in Port Orange
  - the occupancy and average daily rates for hotels in this area are down from peak, although up over the past couple of years
  - There has been an increase in the sales of older oceanfront hotels purchased for renovation with several of the larger renovated hotels to receive national flags such as Hampton Inn, Hyatt Place and Residence Inn
  - two new, large oceanfront developments have been announced in the Daytona Beach market. A Russian development company is planning to build the Daytona Beach Convention Hotel & Condos, consisting of two towers: a 29-story condo tower containing 105 units and a 26-story hotel tower containing 500 rooms. Groundbreaking for this \$150 million project is slated for August 2013 with a planned opening in the Fall 2015. And a Canadian group is planning to develop a Hard Rock Hotel & Café to be built on an oceanfront site just south of Sunsplash Park in Daytona Beach. This 375,000± square foot development would include 250 hotel rooms, two rock star suites, 100 condominium units, 28,000 square feet of ballroom and banquet space, a spa, gift shop and studio where guests can record music they can take home. Reservations for the condominiums have been brisk and are targeted to sellout by mid-2014. Construction could begin by the end of 2014 with the developer hoping to have the resort open in time for the Daytona 500 in 2016.
  - the number of homes sold in the Daytona Beach Metropolitan Statistical Area has increased over the past couple of years; the median price of residential real estate has also increased the past couple of years
  - there has been little demand for vacant single residential acreage to be purchased for development; sales that have occurred are buyers expecting significant hold times

- demand for finished residential homesites in this market has picked up substantially over the past year or so, with many national homebuilders buying large numbers of finished lots; the price per lot has increased markedly from only 12-18 months ago
  - demand for new multifamily residential projects has increased over the past year or so; in the fairly recent past, most of the demand was for senior and affordable housing; currently there are a couple of larger market rate projects being currently under construction or going through the permitting process for development in the near future
  - there has been considerable sales activity for existing multifamily properties in the Volusia County market the past couple of years
- Demand for new commercial development has increased over the past couple of years. although most of the new demand is in the most appealing commercial hubs in the Flagler County/Volusia County market; there remains little demand for new commercial development in less attractive locations
  - Otherwise, sales and rental activities, although generally higher than just a year or so ago, are still rather slow and will likely remain that way until the economy begins to pick up speed. In this type of market, value conclusions become less reliable than in times of an active and stable market.

## ***Neighborhood Analysis***

A neighborhood is defined by The Dictionary of Real Estate Appraisal, 5<sup>th</sup> Edition, as *a group of complementary land uses; a congruous grouping of inhabitants, buildings or business enterprises*. Within any given neighborhood, any number of districts or areas of homogeneous land uses may be present. Each neighborhood has qualities and value influences of its own.

The subject's neighborhood can be described as a compact area along and either side of Flagler Avenue on the beachside in New Smyrna Beach. This is the central business district of the beachside at the north end of New Smyrna Beach. The area is improved with dozens of retail and service shops, restaurants and similar uses fronting along Flagler Avenue. Behind these shops are older residential areas, typically small older homes on small lots.

The commercial area of the neighborhood is within one block of Flagler Avenue. This is a two lane city street with parallel, on street parking. It is intensely developed with generally one and two story buildings. The area has been redeveloped over the past ten or fifteen years and there are now projects (like the subject) as well as much older though mostly renovated buildings.

This is a quaint beach town shopping area and draws tourists as well as locals. The merchants as well as the City are active in promoting the area and it has become very popular. A new Hampton Inn at the west end of the street provides accommodations for short term visitors who can park at the hotel and walk through the entire neighborhood.

Due to the popularity, traffic and parking are challenges. The City has acquired areas for parking just off Flagler Avenue and leases parking spaces to properties that are short of required parking.

The area has suffered from the poor real estate market of the past six or eight year just like the overall economy. As the economy slowly recovers demand will return to help strengthen businesses in the area. This will in turn strengthen the real estate market from its rather soft current condition. The outlook for the neighborhood is for improvement with the future.

## Property Description – Site

**Site Size:** The subject is a vacant commercial site that totals approximately 12,800 square feet.

**Property Type:** Land, commercial.

**Road Frontage/Access:** The site has 50 feet of frontage along the south side of Flagler Avenue, 100 feet along the north side of Jessamine Avenue and 81 feet along the east line of Cooper Street. There is access from each of these city streets.

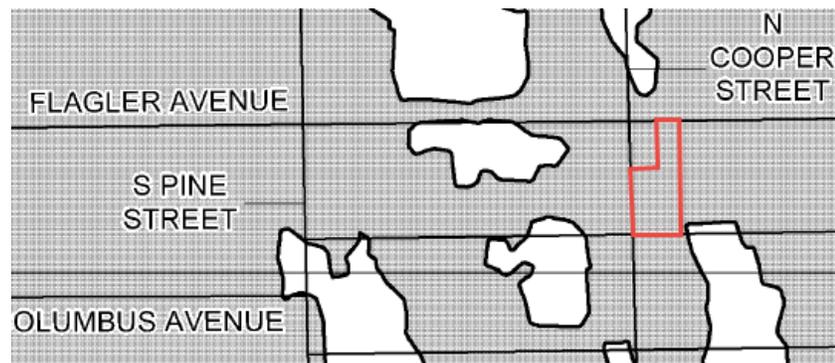
**Site Shape:** "L"-shaped as shown below:



**Topography:** Level, near road grade and cleared.

**Utilities:** All public utilities are available to the site.

**Flood Zone:** The subject appears to fall within a Special Flood Hazard Area per FEMA Map #12127C0542H, effective February 19, 2014. A licensed surveyor would be required to make a formal determination. The approximate location of the project is shown below.



**Census Tract:** 827.01

**Future Land Use:** Commercial (City of New Smyrna Beach)

**Zoning:** MU, Mixed Use (Central Business District); subject appears to be a conforming use.

**Present Use:** Vacant site.

**Easements/  
Encroachments:** A site survey was not provided. I assume there are no easements or encroachments that have a negative effect on value.

**Stormwater Retention:** None developed. On site system required for development.

**Site Improvements:** None.

**Assessment and Taxes:**

Tax Parcel ID #'s:	7455-08-04-0020, 7409-06-05-0011 & 7409-06-05-0020
Tax Year:	2013
Assessed Value Land:	\$164,400
Assessed Value Improvements:	<u>-0-</u>
Total Assessed Value:	\$164,400
Tax Rate:	22.40800
2013 Real Estate Taxes:	\$3,683.84

**Comments on Taxes:** The 2013 assessment is favorable to the property owner.

# Subject Photographs



View from Flagler Avenue.



Looking east on Flagler Av; subject on right.



Looking south along east property line.



Looking northwest across property.



Looking east on Jessamine Av; subject on left.



Looking north on Cooper St; subject on right.

## Highest and Best Use

For a market value opinion, a site is valued in terms of its highest and best use, which is defined as “the reasonably probable and legal use of vacant land or an improved property that is physically possible, appropriately supported, financially feasible, and that results in the highest value. The four criteria the highest and best use must meet are legal permissibility, physical possibility, financial feasibility and maximum productivity.”<sup>2</sup>

The subject is a vacant commercial site located on Flagler Avenue, the main road through the beachside downtown area and directly connected to the north bridge and north causeway. It has good frontage and access to two additional streets. The site size is small but consistent with developed sites in the neighborhood. There is a variety of retail and office uses in the neighborhood and permitted for the subject. Several two story properties in the neighborhood also have residential uses on the second floor. Development of the subject will require careful planning and will likely result in an intensive development.

It is my opinion that the highest and best use of the subject site is for a future commercial development consistent with the neighborhood and with market demand.

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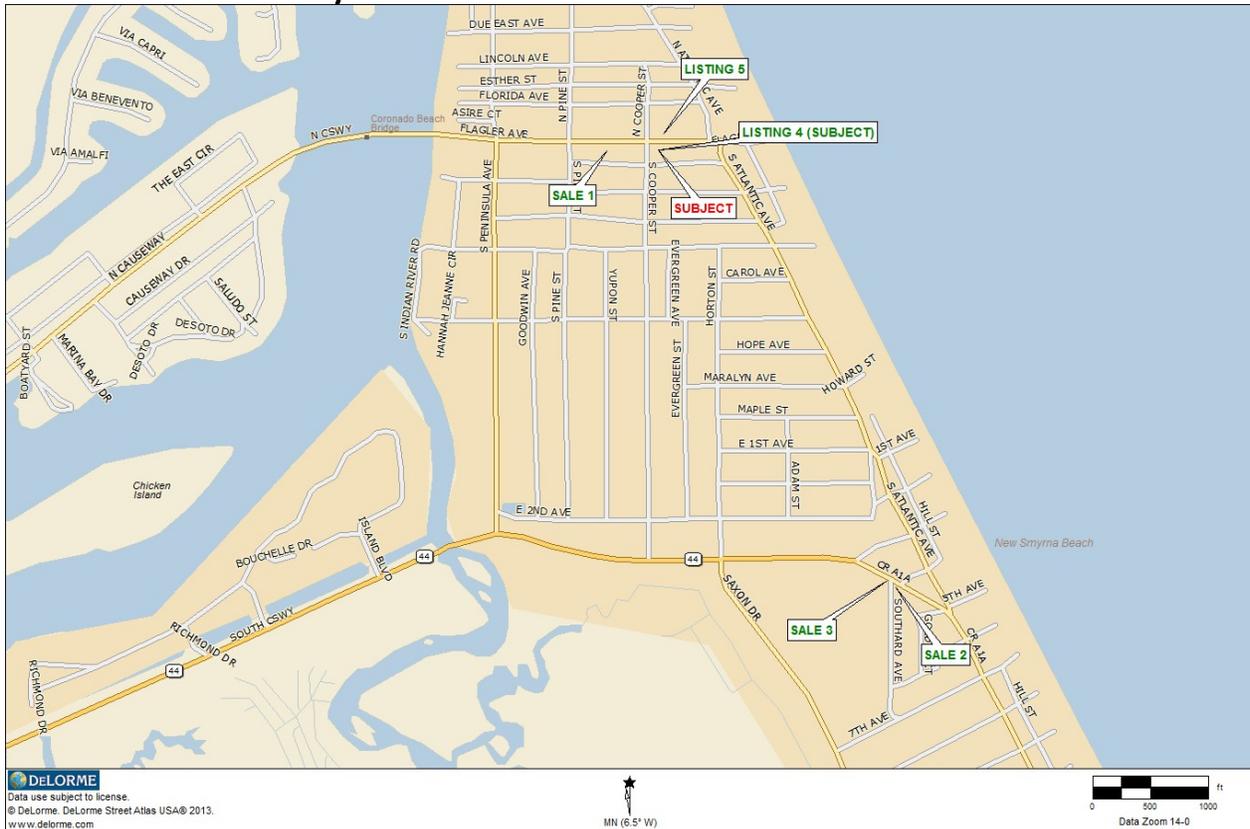
<sup>2</sup> The Dictionary of Real Estate Appraisal, Fifth Edition (Chicago: The Appraisal Institute, 2010), Page 93.

# Sales Comparison Approach

I have searched for sales of comparable commercial sites within east Volusia County concentrating on the New Smyrna Beach area. Recent comparable sales of small sites in downtown areas like the subject are very scarce. The following sales represent the most recent and comparable market data from which to develop my opinion of market value.

Sales Summary/Analysis Grid						
	Subject	Comparable 1	Comparable 2	Comparable 3	Comparable 4	Comparable 5
Tax Parcel No(s):	7455-08-04-0020, 7409-06-05-0011 & 7409-06-05-0020	7409-06-01-0050	7415-03-05-0010	7415-03-06-0010	7455-08-04-0020+ SUBJECT	7455-09-00-0300
Grantor	EILAI INVESTMENTS LLC	Shirley Sweat, et al	Lovett Enterprises, Inc	Diane B Hester Family Corporation	EILAI INVESTMENTS LLC	North Causeway Professional Center
Grantee		Tamara Messina	San Remo Investments	Ray Hester Building, Inc	LISTING	LISTING
O.R. Book/Page		6696-1702 & 6835-3992	6939-4986	6958-4693	Loopnet: 18389243	Loopnet: 15226390
Address	400 Blk Flagler Av New Smyrna Beach	309 Flagler Av New Smyrna Beach	800 Blk SR A1A, New Smyrna Beach	807 SR A1A, New Smyrna Beach	400 Blk Flagler Av New Smyrna Beach	[Street5], [City5]
Sale Date		3/12 & 3/13	12/12/2013	2/12/2014	5/14/2014	5/14/2014
Sale Price		\$360,000	\$150,000	\$272,000	\$1,299,000	\$425,000
Sale Price/SF		\$40.00	\$25.76	\$27.91	\$101.48	\$62.04
Property Rights	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple
% Adjustment		0%	0%	0%	0%	0%
Financing	Cash to the Seller	3rd Party @ mkt terms	Cash to Seller	PMM, 74% loan	Cash to the Seller	Cash to Seller
% Adjustment		0%	0%	0%	0%	0%
Conditions of Sale	Normal	Normal	Normal	Assume normal	Normal	Normal
% Adjustment		0%	0%	0%	0%	0%
Market Conditions	5/6/2014	3/12 & 3/13	12/12/2013	2/12/2014	5/14/2014	5/14/2014
% Adjustment		0%	0%	0%	0%	0%
Adjusted Price Per SF		<b>\$40.00</b>	<b>\$25.76</b>	<b>\$27.91</b>	<b>\$101.48</b>	<b>\$62.04</b>
Location	Direct Flagler Av frontage	1 blk west, Flagler to Jessamine	800 Blk SR A1A, New Smyrna Beach	807 SR A1A, New Smyrna Beach	Direct Flagler Av frontage	Across Flagler Av
Comparison		Comparable	Inferior	Inferior	Comparable	Comparable
% Adjustment		0%	25%	25%	0%	0%
\$ Adjustment		\$0.00	\$6.44	\$6.98	\$0.00	\$0.00
Site Size (SF)	12,800	9,000	5,824	9,745	12,800	6,850
Comparison		Comparable	Smaller-less flexible	Comparable	Comparable	Smaller-less flexible
% Adjustment		0%	10%	0%	0%	10%
\$ Adjustment		\$0.00	\$2.58	\$0.00	\$0.00	\$6.20
Site Shape - Utility	Irregular; good	Rectangular; good	Trapizoidal; average	Trapizoidal; average	Irregular; good	Rectangular; good
Comparison		Comparable	Inferior	Inferior	Comparable	Comparable
% Adjustment		0%	10%	10%	0%	0%
\$ Adjustment		0	\$2.58	\$2.79	\$0.00	\$0.00
Zoning/H&BU	Mixed Use/Commercial	Mixed Use/Commercial- parking	N'hood Bus/Office	N'hood Bus/Office	Mixed Use/Commercial	Mixed Use/Commercial
Comparison		Comparable	Comparable	Comparable	Comparable	Comparable
\$ Adjustment		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Topography	Level, at grade, cleared	Large tree impacts usage	Level, at grade, cleared	Level, at grade; old office	Level, at grade, cleared	Level, at grade, cleared
Comparison		Inferior	Comparable	Comparable	Comparable	Comparable
% Adjustment		10%	0%	0%	0%	0%
\$ Adjustment		\$4.00	\$0.00	\$0.00	\$0.00	\$0.00
Frontage & Access	3 frontages including secondary corner	Front & rear access	Corner location	Corner location	3 frontages including secondary corner	Frontage along Flagler Av only
Comparison		Comparable	Comparable	Comparable	Comparable	Inferior
% Adjustment		0%	0%	0%	0%	20%
\$ Adjustment		\$0.00	\$0.00	\$0.00	\$0.00	\$12.41
Final Adjusted Price		<b>\$44.00</b>	<b>\$37.35</b>	<b>\$37.68</b>	<b>\$101.48</b>	<b>\$80.66</b>
Net Adjustments		<b>\$4.00</b>	<b>\$11.59</b>	<b>\$9.77</b>	<b>\$0.00</b>	<b>\$18.61</b>
Weighting, 1-10		10	5	5	0	0
Weighted Average	\$40.76				<b>ASKING PRICE</b>	<b>ASKING PRICE</b>
Average	\$39.68	(sales only)				
Reconciled SF Value	<b>\$41.00</b>					

## Sales Location Map



Sale 1 is a composite of the purchases of the site for a new bed and breakfast and the rear parking area. These sales took place about a year apart with the second sale occurring shortly before the construction was complete. Sales 2 and 3 are located along the other east-west commercial corridor on the beachside in New Smyrna Beach. Sale 2 is being improved with a professional office. Sale 3 had an old office on the site. I was unable to verify the details of this sale with a party to the transaction but it appears to be consistent with the market. The listings include the current listing of the subject property as well as a vacant site directly across Flagler Avenue from the subject.

### ***Adjustment Notes***

The adjustments shown in the analysis grid are my opinion of the market's reaction to the particular characteristics.

### **Property Rights, Financing & Conditions of Sale**

Each of the sales transferred the fee simple interest. This is the same interest being appraised for the subject; no adjustments are necessary.

Financing for each of the sales was either cash to the seller or seller financing at market rates and terms. No adjustments are needed.

### **Market Conditions**

These sales took place during a period of relative price stability. There is no indication from the market that there has been a measurable change in values since the oldest sale. No adjustments are needed for changes in market conditions.

## Location and Physical Characteristics

Location and physical characteristics were reviewed for variances between subject and the comparables. Positive adjustments are made for factors where the comparables are considered inferior to the subject while negative adjustments are made for factors where the comparables are considered superior to the subject. The subject's location along Flagler Avenue is considerably superior to that of Sales 2 and 3 and upward adjustments are made.

Sale 2 and Listing 5 are considerably smaller than the subject. Although smaller sites generally sell for higher square foot prices than larger sites, in this case the smaller sites reduce development flexibility and are considered inferior to the subject. Upward adjustments are made.

Sales 2 and 3 are trapezoidal in shape making development design more challenging. This is considered inferior to the subject and upward adjustments are made.

Sale 1 had a large tree on the rear of the parcel which cannot be removed and limits parking arrangements. This reduces the utility of a portion of the site. An upward adjustment is made.

The subject has frontage and access along three streets though it is unknown if access would be permitted from all three streets in a subsequent development. Still, it has good access. Listing 5 has frontage and access along Flagler Avenue only. This is inferior to the subject and an upward adjustment is made.

## Value Analysis & Conclusion

The three sales provide value indications from \$37.35 to \$44 per square foot with an overall average indicator of \$39.68 per square foot. The listings are much higher as would be expected of asking prices. The broker for the listing of the subject (Comparable 4) reports two extremely interested buyers though there have been no purchase offers made. This property has been listed for sale since October 2013. Listing 5 has been offered for sale since July 2007. The asking price is higher today than it was at the end of 2011.

Major emphasis was placed on Sale 1 which is located in the block west of the subject. Less weight is placed on Sales 2 and 3 due to the large adjustments required and the inability to independently verify the transaction for Sale 3. The listings are provided to reflect current asking price activity but are not relied upon in my value conclusion. The weighted average of the sales was \$40.76 per square foot.

I have adopted a value of **\$41 per square foot** for the subject's site area. The value of the subject is calculated to be

<b>Site Size</b>	<b>x</b>	<b>Value/SF</b>	<b>=</b>	<b>Value Indication</b>
12,800±		\$41		\$525,000 (rounded)

It is my opinion that the market value indication of the fee simple interest in the subject, "as is", as of May 6, 2014, subject to the assumptions and conditions noted earlier, was **\$525,000**.

## Final Reconciliation

The process of reconciliation involves the analysis of each approach to value. The quality of data applied, the significance of each approach as it relates to market behavior and defensibility of each approach are considered and weighed. Each approach has been considered separately. The value indications for the subject were:

Cost Approach	Not developed
Sales Comparison Approach	\$525,000
Income Capitalization Approach	Not developed

Cost Approach: For this property type the cost approach is not applicable or necessary for a credible appraisal and has not been developed.

Sales Comparison Approach: The sales comparison approach compares the subject to somewhat similar properties that have sold reasonably close to the date of value. This approach directly measures the motivations of the buyers and sellers in the market. It is also the approach best understood by the general public. When sufficient data is available, it is the most direct and systematic approach to value. The reliability of this approach depends upon the availability and comparability of the market data.

The sales used in this appraisal are of properties considered most comparable to the subject. The sale properties were adjusted for differences in location, site size and shape, topography and road frontages. Current market data for highly comparable properties is limited and this impacts the reliability of the value indicator. Still, the quantity and quality of this data are considered sufficient from which to conclude a reasonable value for the subject.

Income Capitalization Approach: For this property type the income approach is not applicable or necessary for a credible appraisal and has not been developed.

## Final Value Conclusion

It is my opinion that the market value of the fee simple interest in the subject, "as is", as of May 6, 2014, subject to the assumptions and conditions noted earlier, was

**FIVE HUNDRED TWENTY-FIVE THOUSAND DOLLARS  
(\$525,000).**

*This confidential report is prepared for the sole use and benefit of CRA/City of New Smyrna Beach and its advisors and is based, in part, upon documents, writings and information owned by CRA/City of New Smyrna Beach. This report is provided for informational purposes only to third parties authorized to receive it. The appraiser-client relationship is with CRA/City of New Smyrna Beach as the client. This report should not be used for any purpose other than to understand the information available to CRA/City of New Smyrna Beach concerning this property. CRA/City of New Smyrna Beach and the appraisers assume no responsibility if this report is used in any other manner.*

**Extraordinary Assumptions:** None.

**Hypothetical Conditions:** None.

## **Addenda**

# Qualifications of the Appraiser



**Alfred A. (Chip) Hamilton, MAI**  
**State-Certified General Real Estate Appraiser RZ714**

## BUSINESS ADDRESS

Hamilton Appraisal Services, LLC  
1648 Taylor Road #463  
Port Orange, Florida 32128  
Telephone: (386) 236-0848, Facsimile: (386) 236-0852  
chip@hamiltonappraisers.com

## PROFESSIONAL MEMBERSHIPS & LICENSING

- ❖ MAI Member, Appraisal Institute, Certificate No. 7219 (1985)
- ❖ State-Certified General Real Estate Appraiser RZ714, State of Florida
- ❖ SRA Member, Appraisal Institute (1983)
- ❖ Member, East Florida Chapter of the Appraisal Institute

## CAREER BACKGROUND

Full time fee appraiser working statewide, but mostly in the Volusia/Flagler County market since 1976.

## EDUCATIONAL BACKGROUND

Bachelor of Science in Business Administration, Real Estate and Urban Land Studies; University of Florida, 1969

## APPRAISAL EDUCATION

In addition to the courses required to earn my BSBA Degree in Real Estate and those required by the Appraisal Institute for my professional designations, I have completed over 500 hours of continuing education. Included are the following courses and seminars completed within the past 15± years:

- ❖ "Standards of Professional Practice", 9/98, Orlando, Florida
- ❖ "Small Hotel/Motel Valuation", 10/98, Orlando, Florida
- ❖ "Valuation of Local Retail Properties", 9/99, Daytona Beach, Florida
- ❖ "Valuation of Detrimental Conditions in Real Estate", 11/99, Orlando, Florida
- ❖ "Value of Partial Interests – Divided", 9/2000, Orlando, Florida
- ❖ "USPAP & Florida Core Law", 10/2000, Orlando, Florida
- ❖ "Litigation Skills for the Appraiser", 5/2001, Orlando, Florida
- ❖ "Real Estate Fraud", 2/2002, Orlando, Florida
- ❖ Course 800 - "Separating Real and Personal Property from Intangible Bus. Assets", 3/2002, Boca Raton, Florida
- ❖ "Analyzing Commercial Lease Clauses", 9/2002, Orlando, Florida
- ❖ "Introduction to GIS Applications", 9/2002, Online/Appraisal Institute
- ❖ "Appraisal Consulting", 2/2003, Orlando, Florida
- ❖ "Florida Core Law", 3/2004, Orlando, Florida
- ❖ "Using GIS, Graphics, FTP, etc.", 3/2004, Orlando, Florida
- ❖ "Special Purpose Properties", 5/2004, Orlando, Florida
- ❖ Seminar ACE #7257, Scope of Work, 2004
- ❖ Real Estate Finance, Value & Investment Performance; 2005
- ❖ Seminar ACE #7547, Subdivision Valuation, 2006
- ❖ "USPAP Update & Florida Core Law", 3/2006, Orlando, Florida
- ❖ "Appraisal Scope Of Work: Burden or Blessing" – Teleconference, 04/2006
- ❖ "Cool Tools – New Technology For Appraisers", Altamonte, 02/2007
- ❖ "Business Practices and Ethics", Altamonte Springs, FL, 5/11/07
- ❖ "Analytics with Site to do Business", Tallahassee, FL, 10/2007
- ❖ "Forecasting Revenue", Altamonte Springs, FL, 1/2008
- ❖ "Supervisor/Trainee Roles & Relationships under Florida Law.", 10/2008, Melbourne, Florida
- ❖ "Appraising Distressed Commercial Real Estate", 11/2008 – Webinar
- ❖ "Develop Effective Marketing Plan", 03/2009 – Webinar
- ❖ "Appraising Distressed Commercial Real Estate", 8/2009, Orlando, Florida
- ❖ "Appraisal Curriculum Overview", 02/2010, Orlando, Florida

**APPRAISAL EDUCATION CONT'D.**

- ❖ “Land, Condo & Subdivisions - Solutions for Hard to Value Assets” - Teleconference 03/2010
- ❖ “Supervisor/Trainee Roles & Relationships”, 08/2010, Florida
- ❖ “Appraising the Appraisal”, 1/2012, Orlando, Florida
- ❖ “Business Practices and Ethics”, 3/2012, Orlando, Florida
- ❖ “USPAP Update”, 3/2012, Orlando, Florida
- ❖ Spotlight on USPAP – Hypothetical Conditions & Extraordinary Assumptions, 2012
- ❖ Spotlight on USPAP – Common Errors and Issues & Workfiles, 2012
- ❖ Florida Law Update, 2012
- ❖ IRS Valuation – AI Webinar, 2012
- ❖ 2012 Financial Crimes Symposium, Florida DBPR
- ❖ 2013 Central Florida Real Estate Forum, September 2013
- ❖ Commercial Bankruptcy Webinar-Appraisal Institute, 4/2013
- ❖ Insurable Value Webinar-Appraisal Institute, 10/2013
- ❖ USPAP Update, Orlando, FL, 2/2014

**APPRAISAL REPORTS PREPARED IN THE FOLLOWING COUNTIES**

Volusia, Flagler, Brevard, St. John's, Nassau, Clay, Putnam, Seminole, Lake, Orange, Dade, St. Lucie, Polk, Alachua, Suwannee, Hamilton, Lafayette, Levy, Hernando, Citrus, Pinellas, Franklin, Marion, and Sarasota.

**TYPES OF APPRAISAL ASSIGNMENTS**

Vacant land and acreage, subdivisions, mobile home parks, luxury condominium apartment projects, motels/hotels, banking facilities, warehouses, industrial, rental apartment projects, retail stores, shopping centers, office buildings, gas station/convenience stores, restaurants, churches, manufacturing plants, moving and storage facilities, golf courses and country clubs, campgrounds and recreation areas, mini-warehouse storage facilities, condemnation, litigation and market/feasibility studies.

**PURPOSES OF APPRAISALS**

Financing, acquisition or disposition, insurance purposes, governmental acquisition (for both acquiring authorities and property owners), eminent domain proceedings (for both condemning authorities and property owners), litigation, estate tax purposes and estate planning.

**EXPERT WITNESS QUALIFICATION**

Qualified and accepted as an expert to give opinion testimony on real estate valuation in Circuit Courts in Volusia, Flagler, Brevard, St. Johns, Citrus, and Suwannee Counties, in Federal Bankruptcy Court in Orlando and Jacksonville, Florida and in Federal Tax Court in Tampa, Florida.

**PARTIAL LIST OF CLIENTS**

**Government Agencies**

- |  |                                |
|--|--------------------------------|
| ❖ Florida Department of Transportation           | ❖ Halifax Health               |
| ❖ Florida Department of Environmental Protection | ❖ City of Daytona Beach        |
| ❖ Florida Department of Forestry                 | ❖ City of Daytona Beach Shores |
| ❖ Florida Department of Management Services      | ❖ City of Holly Hill           |
| ❖ Florida Inland Navigation District (FIND)      | ❖ City of Ormond Beach         |
| ❖ Flagler County                                 | ❖ City Of Palm Coast           |
| ❖ Flagler County School Board                    | ❖ City of Port Orange          |
| ❖ County of Volusia                              | ❖ City of South Daytona        |
| ❖ Volusia County School Board                    | ❖ Ponce de Leon Port Authority |

**Banks and Financial Institutions**

- |                            |                             |
|----------------------------|-----------------------------|
| ❖ Independent Bankers Bank | ❖ Regions Bank              |
| ❖ Bank of America          | ❖ Florida Community Bank    |
| ❖ BB&T                     | ❖ SunTrust Bank             |
| ❖ Compass Bank (CBRE)      | ❖ Surety Bank               |
| ❖ Fifth Third Bank         | ❖ East Coast Community Bank |
| ❖ Florida Capital Bank     | ❖ Wachovia Bank             |
| ❖ Prosperity Bank          | ❖ Floridian Bank            |

**Individuals**

- ❖ Attorneys
- ❖ Insurance Agents
- ❖ Mortgage Bankers/Brokers
- ❖ Real Estate Investors & Developers

**Businesses/Corporations**

- ❖ Florida Power and Light
- ❖ Attorneys Title Insurance Fund
- ❖ West Volusia Hospital Authority
- ❖ United Parcel Service
- ❖ Port Orange Riverwalk
- ❖ Daytona Beach News Journal
- ❖ Ticor Title Insurance
- ❖ CIA Developers
- ❖ Vanguard Realty
- ❖ Halifax Health

**CONTINUING EDUCATION REQUIREMENT**

The Appraisal Institute conducts a program of continuing education for its designated members. Members who meet the minimum standards of this program are awarded periodic educational certification. I, Alfred A. Hamilton, have completed the requirements under the continuing education program of the Appraisal Institute.

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**AC#651862** **STATE OF FLORIDA**  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
FLORIDA REAL ESTATE APPRAISAL BD **SEQ# L12103103797**

DATE	BATCH NUMBER	LICENSE NBR
10/31/2012	128138889	RZ714

The CERTIFIED GENERAL APPRAISER  
Named below IS CERTIFIED  
Under the provisions of Chapter 475 FS.  
Expiration date: NOV 30, 2014

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RICK SCOTT GOVERNOR **KEN LAWSON SECRETARY**

DISPLAY AS REQUIRED BY LAW



# Executive Summary

The City of New Smyrna Beach has experienced a significant increase in traffic related complaints over the last several years which continues to strain the scarce resources of our small city. Identified ongoing traffic *problems can be attributed to a variety of causes. Some of these include, both residential and commercial population growth, increased tourism and the daily increase in beach visitor traffic populations.*

As many of our major roadways in the City of New Smyrna Beach become more and more congested with traffic (e.g. SR 44, U.S.1) many residents and visitors will seek other travel routes such as residential streets to bypass traffic congestion. Most of these residential roads and neighborhood streets were never designed to become short cuts or to handle a large increase in traffic volume.

When this occurs, the volume of complaints from residents directly to the police and through the city's elected officials increases. Some typical complaints concern speeding, parking, increased volume of vehicles in neighborhoods, excessive vehicle noise, pollution, and pedestrian/bicycle safety concerns.

The initial response to these type of traffic complaints has historically been directed to the New Smyrna Beach Police Department for resolution. Many times the response to these concerns is targeted or directed enforcement activities such as, Radar/Laser Speed Enforcement Details, Extra Patrol and other temporary measures designed to show presence and attempt to gain compliance. Of course, these are only temporary fixes and the traffic complaints tend to reoccur.

The City staff, in partnership with the New Smyrna Beach Police Department and other stakeholders has developed this "City of New Smyrna Beach - Traffic Calming Program Handbook", designed as a guide to improve the City's response to traffic related citizen concerns. This handbook provides a defined process and methodology to both identify specific actionable traffic problems, as well as provide a well-defined pathway and strategy for possible long term resolution.

"Traffic Calming" is the name given to the various strategies for reducing the speed and volume of vehicles on streets and roadways through the combination of mainly physical measures that reduce the negative effects of motor vehicle use, alter driver behavior and improve conditions for non-motorized street users.

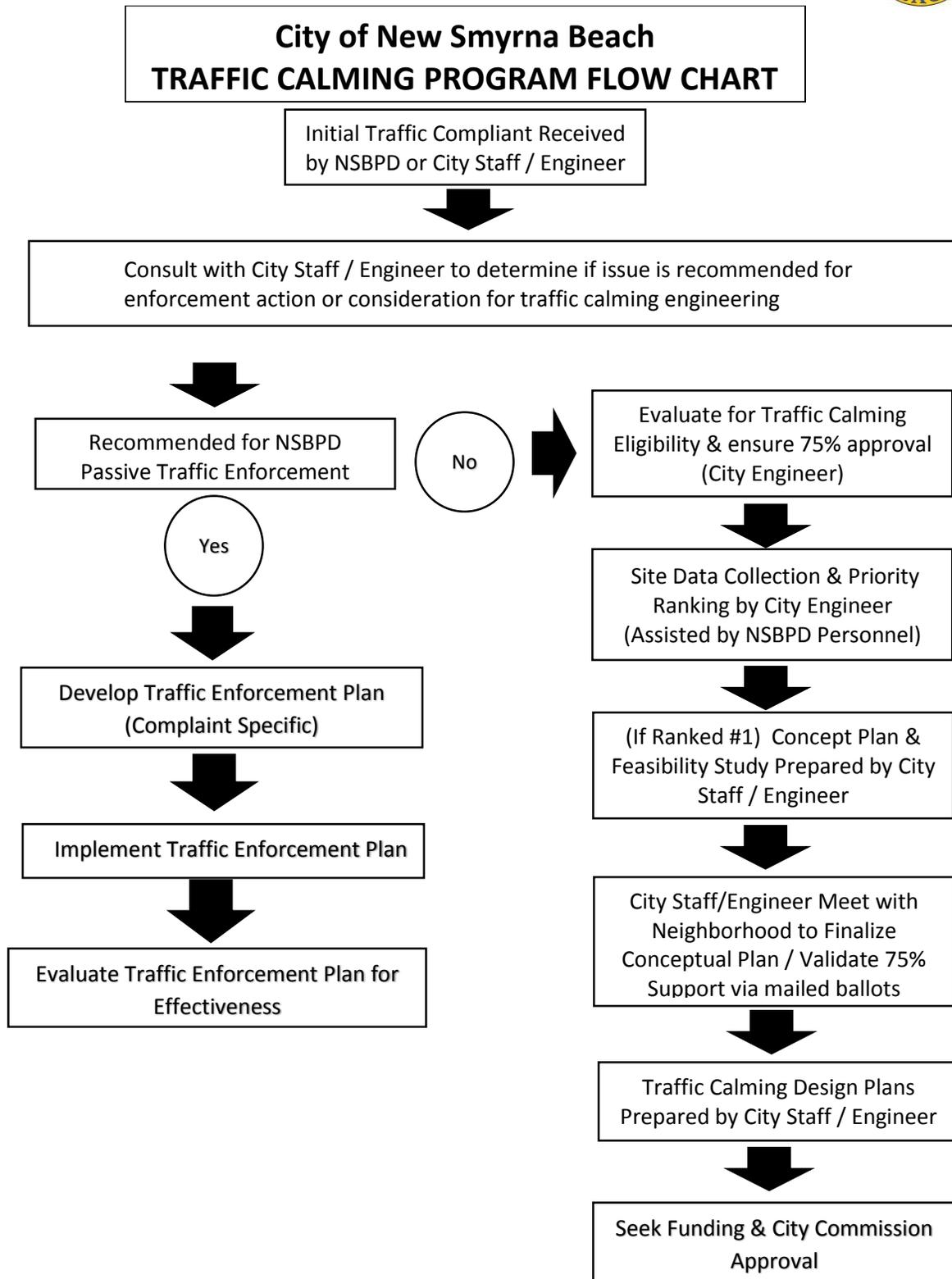
The goals of this traffic calming program include reduction in vehicle speeds and/or volumes, improving safety for all users of City streets and enhancing the quality of life for the citizens of New Smyrna Beach. This program will seek to accomplish these goals through providing traffic calming education, providing the enforcement parameters, and explaining the engineering involved in traffic calming.

Some of the more common traffic calming features included in this handbook are: Additional signs, pavement markings, delineators, speed humps, speed tables, street Narrowing, intersection throating, roundabouts, bulb-outs, chicanes, turn restrictions , median modifications and traffic diverters.

Also included in this handbook is a Traffic Calming Flow Chart designed to clearly outline the process to be followed when a traffic complaint or request for traffic calming measures is received. The flowchart delineates the shared responsibilities of City Staff and the New Smyrna Beach Police Department to assist in determining eligibility for traffic calming engineering or directed enforcement actions.

# SECTION 1.0

## DATA COLLECTION, PRIORITY RANKING, AND FEASIBILITY STUDY



## SECTION 1.0

### DATA COLLECTION, PRIORITY RANKING, AND FEASIBILITY STUDY



#### a. Traffic and Site Data Collection

The City of New Smyrna Beach Engineering Staff, with the assistance of the New Smyrna Beach Police Department, will be responsible for traffic and site data collection. The following information will be obtained in order to perform the priority ranking in Section 4.0 b of this handbook:

- 24-hour traffic counts will be obtained for all street(s) in the project.
- A speed study will be performed for the street(s) within the impact area to determine the 85<sup>th</sup> percentile speed.
- If cut-through traffic is a concern of the residents, an effort will be made to quantify this data.
- Crash data for the preceding three years will be obtained.
- The location of any schools, parks, and other pedestrian generators will be made.
- A site visit will be performed to determine the existing pedestrian and bicycle facilities, the existing grades, drainage, ADA considerations, land uses, etc.
- The Capital Improvement Programs for the City of New Smyrna Beach and Volusia County and the Florida Department of Transportation Work Program will be examined to determine if any improvements have been funded within the next three years for the impact area.

#### b. Priority Ranking Method

**Traffic Calming Program Priority Ranking System** - The City of New Smyrna Beach Engineering Department uses the data collected in the “Traffic and Site Data Collection” to assign a “priority ranking” to each traffic calming request. The priority ranking, which is based on seven factors, is then used to identify the priority for funding with the highest ranking request receiving traffic calming consideration first. However, the City has the option to provide traffic calming to a project that may not have the highest rank if other mitigating factors create a more serious need.

**Traffic Speed** - A traffic speed study will be conducted to determine the number of vehicles which are exceeding the posted speed limit in the impacted area. Three (3) points will be granted for each mile per hour (mph) the 85<sup>th</sup> percentile speed exceeds the posted speed limit using the following formula:

Traffic Speed Points = (85th percentile speed in mph – posted speed limit in mph) multiplied by 3.

The “85th percentile speed” is the speed at or below which 85 percent of the street’s traffic is observed to be traveling.

*Points for Traffic Speed are not restricted.*

Example: If 85 percent of traffic on a study roadway is observed to be traveling at or below 43 mph, then 43 mph is the 85th percentile speed. The posted speed limit of the street is 35 mph. Therefore, the number of points assigned in the “Traffic Speed” category would be 43 – 35 multiplied by 3 or 24 points.

**Traffic Crashes** - A three-year crash history for the impact area will be obtained and used to calculate the number of points for each traffic calming request. The number of crashes over a three-year period susceptible to correction by installation of traffic calming (based on engineering judgment) will be divided by three and then divided by the total roadway length in miles from the impact area. Five (5) points will be assigned for each annual crash per mile using the following formula:

Traffic Crash Points = (Total # of Crashes divided by 3 divided by the total length of streets) multiplied by 5. *Points for Traffic Crashes are not restricted.*

## SECTION 1.0 (continued)

### DATA COLLECTION, PRIORITY RANKING, AND FEASIBILITY STUDY



Example: Assume the traffic calming request Street is 1.25 miles in length and has had 15 crashes over the last three years that are susceptible to correction by installation of traffic calming. This would result in 15 divided by 3 = 5 (the average annual crashes). Five is then divided by 1.25 miles which results in 4 or the “average annual crash rate per mile.” Then the average annual crash rate per mile (4) is multiplied by 5. This would in turn result in assigning 20 points for “Traffic Crashes” in this example.

**Cut-Through Traffic** - The streets in the impact area of the traffic calming request will be investigated in the field to determine the reasonable percentage of cut-through traffic during the AM or PM peak-hour. For this factor the AM peak-hour will be any hour between 7:00 and 9:00 am and the PM peak-hour will be any hour between 4:00 and 6:00 pm. Points will be assigned by multiplying the AM or PM peak-hour percentage (whichever is higher) of cut-through traffic times 50 using the following formula:

Cut-Through Traffic Points = AM or PM Peak-Hour Percentage of Cut-Through Traffic multiplied by 50

*Points for cut-through traffic are not restricted.*

Example: A field investigation of the example traffic calming request revealed that the AM peak-hour cut-through traffic percentage was 20 percent and the PM peak hour was 10 percent. Therefore 20 percent (0.2) times 50 = 10 points for this example.

**Traffic Volume** - Daily volume count information less than one year old or new onsite counts will be conducted for the street(s) in the impacted area. For those impact areas with more than one street the traffic volume shall be determined by adding the vehicles per day for each street in the impact area and dividing by the total number of streets. One point will be assigned for each 500 vehicles up to a maximum of 5,000 vehicles using the following formula:

Traffic Volume Points = Vehicles per Day (maximum 5,000) divided by 500

*Not to exceed 10 points*

Example: The request daily traffic count has 1,500 vehicles per day resulting in assignment of 3 points. Very few high-volume streets above 5,000 vehicles per day are likely to qualify for traffic calming since these streets tend to be major City thoroughfares.

**Schools** - Each school within two miles of an impact area provides 5 points up to a maximum of 10 points. If there are more than two schools within two miles of impact area, then extra points for these schools may be added under “Other Considerations” (below).

*Not to exceed 10 points.*

Example: The traffic calming request is within 1.5 miles of an elementary school providing 5 points for the example.

**Sidewalks and Bicycle Facilities** - The impact area street(s) will be examined to determine if there are proposed or existing sidewalks/bicycle facilities. If there are no proposed or existing sidewalks/bicycle facilities adjacent to a street, 5 points are added to the ranking. Zero (0) points are granted if the impact area street has a proposed or existing sidewalk/bicycle facility on one or both sides of the street in the impact area. Proposed sidewalks/bicycle facilities are those projects which are funded and scheduled to be constructed within the next three fiscal years within the impacted area. Points may be granted for multiple streets in an impact area by determining the average for all of the streets in the impact area using the following formula.

**SECTION 1.0 (continued)**  
**DATA COLLECTION, PRIORITY RANKING, AND FEASIBILITY STUDY**



Multiple Street Points = Five (5) Point for each street with a sidewalk/bicycle facility plus zero (0) points for each street without a proposed or existing sidewalk/bicycle facility in the impact area divided by the number of streets in the impact area.

*Not to exceed 5 points.*

Example: The traffic calming request has no sidewalks or bicycle facility on one street a proposed sidewalk on the second street and an existing bicycle facility on the third street which results in 3.3 points for the example. This was determined as follows:  $(0+5+5)/3 = 3.3$ .

**Other Considerations** - Recognizing that every request is unique and that there may be other important considerations not captured by the other six criteria, there is an opportunity for additional 10 points that could be assigned. As an example crashes with fatalities or pedestrian injuries could be an “other consideration”.

*Not to exceed 10 points.*

Example: The traffic calming request is within 1/2 mile of a park and there have been several pedestrian related crashes creating an additional 10 points for the example.

**Priority Ranking Summary** - Upon completion of the calculations for the seven factors the priority ranking will be totaled and the request added to the “Traffic Calming Priority List”. The following Table provides the total of the example traffic calming request from the preceding factors. A priority ranking of 75.3 would indicate a high probability that traffic calming devices would be provided for the example request depending upon a higher ranking from other requests already on the Traffic Calming Priority List or future requests with a higher score. However, the City has the option to provide traffic calming to a project that may not have the highest ranking if other mitigating factors create a more serious need.

Priority Ranking Summary	
Factor	Points
Speed	24
Crashes	20
Cut-Through	10
Volume	3
Schools	5
Sidewalks/Bicycle Facilities	3.3
Other Considerations	10
<b>TOTAL POINTS</b>	<b>75.3</b>

It should be noted that just because a project has the highest “priority ranking” does not necessarily mean it will move forward to the next step. As an example, it could be that the project is one of several requests that really do not justify the installation of traffic calming devices. Thus, City Staff will use judgment in determining whether or not the project with the highest “priority ranking” proceeds to the next step in the process.



#### c. Passive Traffic Calming Measures

For any request, City Staff, after consultation with the New Smyrna Beach Police Department, may choose to employ passive traffic calming measures such as targeted speed limit enforcement or placement of a radar trailer. If it is determined through a study that the passive measures have been successful, City Staff will then meet with the neighborhood to present the results as there may be justification for not proceeding with a feasibility study.

##### 1. Targeted Speed Limit Enforcement

In response to citizen concerns the New Smyrna Beach Police Department provides targeted speed limit enforcement. It is not uncommon to find that within a short period of time the vehicular speed increases to near the pre-enforcement levels unless enforcement is continued on a daily or random basis. Unless used for short periods of time the cost (at approximately \$600 per day) does not tend to make this measure a long term solution.

Although not technically a traffic calming device, targeted speed limit enforcement may be considered for evaluating the level of speed reduction possible with more permanent measures. Targeted enforcement can also be used in conjunction with new physical traffic calming devices to help drivers become aware of the new traffic calming restrictions.



##### 2. Radar Trailer Placement

A radar trailer is a device that measures each approaching vehicle's speed and displays it next to the legal speed limit as a reminder to drivers to slow down to the speed limit. In order to be most effective the placement of the trailer should be in the clear view of the oncoming driver's line of sight. These trailers can be easily placed on a street for a limited amount of time and then relocated to another street, allowing a single trailer to be effective in many locations.



Given the initial cost for purchase of a radar trailer of approximately \$10,000 used and \$25,000 new, and the man-power required for placement of the trailer is estimated to be in the \$500 per day range. Like targeted speed limit enforcement the placement of a radar trailer provides a temporary benefit for reduction of vehicular speeds since they tend to increase after the trailer is moved. Potential vandalism of the trailer is a concern that should be considered when choosing locations for placement of a radar trailer.



#### d. Concept Plan and Feasibility Study

A feasibility study will be prepared by the City Staff or a consultant chosen by the City. Various aspects will likely be evaluated including, but not limited to, the following:

- The type(s) of problems in the impact area (speed, volume, cut-through, etc.)
- The designation of street(s) or roadway(s) to be calmed (local or collector)
- The existing grade of the street(s) or roadway(s)
- The drainage plan in the area
- The safety of all potential users of the street(s) or roadway(s)

Ultimately, the feasibility study will consider all the data and include a recommended traffic calming concept plan which will specify the type, number, and location of proposed devices. Additionally, the study will include the anticipated benefits of the concept plan as well as an opinion of probable cost for the proposed traffic calming device(s) in the impact area. The opinion of probable cost shall include but is not limited to the anticipated total project cost for the traffic calming project, design cost, construction cost, material cost, installation cost, City Staff man-hour cost, consultant cost, anticipated maintenance cost, etc. Should the feasibility study indicate that the traffic calming project is anticipated to cost in excess of \$25,000 (twenty five thousand dollars) for constructing, the amount in excess of \$25,000 shall be paid by the residents in the neighborhood that requested the traffic calming.

#### e. Meeting with the Neighborhood

City Staff or a consultant selected by the City will schedule an informal overview meeting with the neighborhood or designated representatives to discuss both the preliminary concept plan and the feasibility study, as well as elicit comments from the neighborhood. The meeting will be held at a location as close as reasonably possible to the neighborhood. The priority ranking and any neighborhood funding of an amount in excess of \$25,000 will also be discussed at this meeting. The City of New Smyrna Beach has the option but not the obligation to enter into an agreement with the owners of the property within a traffic calming impact area to provide funding with a "Special Assessment District". In addition, the concept plans will be revised if the neighborhood, with the approval of City Staff, determine that it will be beneficial to the City.



#### f. Ballot Preparation and Design Initiation

Upon finalization of the feasibility study and concept plan, as finalized to incorporate neighborhood comments, Traffic Calming Ballots will then be prepared using the form on Page 22 as an example and mailed to each property owner in the impact area. This form may be modified to reflect that by indicating "FOR" on the ballot that they are also agreeing to pay for additional costs above and beyond the \$25,000 limitation. Should 75 % percent of the Ballots that were sent out be returned indicating that they are "FOR" the project, then design of the traffic calming project will be initiated.



## Traffic Calming Ballot

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**(Enter Name of Neighborhood Association or Subdivision)**

In order for the ballot process to be successful, at least 75% of the ballots mailed by the City of New Smyrna Beach (City) must be returned and marked **“FOR”** to support the installation of Traffic Calming.

The approval requirements set by the City have been designed to avoid the potential of removal of the traffic calming devices. However, if removal is requested by the property owner(s), a petition for removal must be submitted to the City with a minimum of 85% of the property owner(s) in agreement for removal. The cost for removal will be assessed to the property owner(s).

**Due Date of Ballot** \_\_\_\_\_  
(Enter Date)

**“FOR”**  **By checking this box, I am supporting the installation of Traffic Calming.**

**“AGAINST”**  **By checking this box, I am opposed to the installation of Traffic Calming.**

**Signed:** \_\_\_\_\_

\_\_\_\_\_  
**Print Name**

**Signed:** \_\_\_\_\_

\_\_\_\_\_  
**Print Name**

Please return ballot in the enclosed envelope to the City of New Smyrna Beach Engineering Division, 210 Sams Avenue, New Smyrna Beach, FL 32168.

All ballots must be postmarked by \_\_\_\_\_ (Enter Date).

## SECTION 2.0

### TRAFFIC CALMING MEASURES



After a 75 % percent approval consensus is attained by the neighborhood for the traffic calming concept plan, the City Staff will prepare design plans for the traffic calming project. City Staff or a consultant selected by the City will schedule a meeting with the neighborhood representatives to discuss the final design plans and elicit comments from the neighborhood. Should the neighborhood representative's request design plan modifications that are acceptable to the City Staff, the design plans will be revised by the City or consultant to accommodate the request(s). The revised design plans will again be presented to the neighborhood representatives for comment and approval.

The ultimate selection of the traffic calming devices incorporated into the design plans will usually encompass passive traffic calming measures first, such as additional signs or improved pavement markings, before the more expensive physical devices.

#### 1. Additional Signs

In general signs can be an effective tool for advising drivers of the numerous situations encountered on streets and roadways today such as curve warnings, golf cart crossings, or truck traffic restrictions, etc. Regulatory signs such as speed limit signs and STOP signs have been requested in the past for calming of traffic in neighborhoods, however, applicants for traffic calming should be aware that speed limit signs and STOP signs are not appropriate traffic calming devices. The following is an effort to describe the circumstances under which these types of signs should be installed.

**Speed Limit Signs** – Speed limits for streets and roadways are normally established based upon recognized engineering criteria related to the roadway design. Some of the criteria used by the City for setting the speed limit on a street or roadway include the following:

- The total pavement width
- The lane width
- The drivers sight distance
- The 85<sup>th</sup> percentile speed determined by a speed study



The proximity of the neighborhood to sources of high pedestrian generation such as schools and parks may provide justification for a lower speed limit. Approximately \$200 per sign is estimated for those areas where new speed limit signs are justified.

**STOP Signs** – It has been shown in studies that STOP signs only reduce speeds within 150 to 200 feet of the sign, and midblock speeds between STOP signs may actually increase. Due to the acceleration and deceleration actions required by a STOP sign the noise and air pollution in the neighborhood of the signs is usually increased. In addition, overuse of STOP signs usually tends to lead drivers to either ignore or roll through the sign which can potentially lead to crashes or pedestrian injuries. STOP signs are not installed by the City unless they first meet the criterion specified in the *Manual on Uniform Traffic Control Devices (MUTCD)*. The MUTCD provides the following guidance and warrants for placement of a STOP sign:



## SECTION 2.0 (continued)

### TRAFFIC CALMING MEASURES



#### Guidance:

- STOP signs should not be used for speed control. Improper placement of STOP signs creates a tendency of drivers to try to make up the time lost between STOP signs resulting in additional noise and air pollution created by the acceleration and deceleration of the vehicles.
- STOP signs should be installed in a manner that minimizes the number of vehicles having to stop.
- A STOP sign should not be placed on a major street unless justified by a traffic engineering study. The study should determine the direction of the majority of the pedestrians, sight distance considerations and longest distance of uninterrupted traffic flow.

#### Multi Way Stop Control Warrants:

- The intersection has been determined to have five crashes in a 12 month period susceptible to correction by a multi-way stop control installation.
- The total of the street volumes equals or exceeds 300 vehicles per hour for eight hours in a 24 hour daily period.
- The combined vehicular, pedestrian and bicycle volume from the minor street averages at least 200 for eight hours in a 24 hour daily period with an average 30 second delay per vehicle during the highest hour.
- If the 85<sup>th</sup> percentile speed of the major street exceeds 40 mph the minimum combined vehicular, pedestrian and bicycle volume is reduced to 140 for eight hours in a 24 hour daily period with an average 30 second delay per vehicle during the highest hour.

Therefore, placement of STOP signs should not be considered as a means to help calm traffic in a neighborhood unless the MUTCD criterion has been satisfied. Approximately \$200 per sign is estimated for those areas where new STOP signs are justified.

## 2. Additional Pavement Markings

**Lane striping** – Lane striping can be used to create dedicated bicycle lanes, parking lanes, or pavement edge lines. As a traffic calming measure pavement markings can be used to narrow the vehicular travel lanes giving the perception of a higher speed to encourage drivers to reduce their speed. Although normally not requiring major design expenditures and low in cost to install at approximately \$2 per linear foot, the reduction in speed has not been conclusively demonstrated based on past evidence. The increase in the maintenance required may offset the benefits derived from the installation of new lane striping.



**Optical Speed Bars** – Optical speed bars are a series of pavement markings spaced at decreasing distances perpendicular to the pavement edge lines and centerlines. In the past they have been used in construction zones to provide drivers with the impression of increased speed. This measure is anticipated to cost approximately \$2 per linear foot and does not require a large expenditure of funds for design. However, although they are initially effective the speed reduction diminishes after repeated use.

## SECTION 2.0 (continued)

### TRAFFIC CALMING MEASURES



**Speed Legends** – Speed legends are numbers painted on the roadway lanes to indicate the posted speed limit. They are usually placed near speed limit signs. Speed legends can be useful in reinforcing a reduction in the speed limit or advising the speed when entering a residential area from a major roadway. However, while low in cost at \$2 per linear foot and requiring little design they have not been shown to significantly reduce travel speeds.



**Raised Pavement Markers (RPM's)** – RPM's are the reflectors which have been placed to help drivers visually identify the centerline, lane lines and pavement edge lines on-streets and roadways during inclement weather and nighttime hours. RPM's can also be arranged in a rectangular array across the thru lanes of a roadway to create a rumble strip. These rumble strips can be effective in reducing travel speeds but also considerably increase the roadway noise. As a consequence of the noise created

by RPM rumble strips they are usually only placed in locations with a very low density of residential structures. The cost for the purchase and installation is anticipated to be approximately \$5 per RPM.

**Delineators** - Delineators are similar to RPM's except the reflectors are placed on a vertical plastic break away pole to further define a centerline or pavement edge line of a street or roadway. Delineators help to add a vertical element to the pavement and are often used with other physical traffic calming devices to improve their visibility and effectiveness. Delineators usually do not require a large expenditure for design and can help in reducing the driver speeds when used to delineate physical devices. The approximate anticipated cost per delineator is \$50 and are thus usually used sparingly due to the replacement and maintenance cost.



**High Visibility Crosswalks** – Using eight-foot long 12" wide solid white pavement marking perpendicular to the traffic flow for a crosswalk and colorless RPM's at each end the visibility of a crosswalk is considerably enhanced. Drivers tend to be more aware of the high visibility crosswalks and usually slow down when they are approached. However, the \$2,000 cost for installation may restrict the use to those areas with limited sight distance or high volume intersections.

**Angled Parking** – Forty five degree angled parking increases the potential number of parking stalls and reduces the width of the roadway available for travel lanes. This has the potential effect of reducing vehicle speeds due to the narrowed travel lane width and parking of vehicles. Consequently angled parking works well in locations with a high parking demand such as multi-family, commercial and mixed use developments. The approximate cost for angled parking is \$300 to \$350 per stall. However, bike lanes do not function well with angled parking on both sides unless the roadway pavement is wider than 58 feet. A street or roadway with frequent driveways should not be considered for angled parking due to the major reduction in the number of stalls.





## a. Physical Traffic Calming Devices

Physical traffic calming devices will be considered when either the passive measures have not alleviated the neighborhood concerns or the City Staff determines the need for their installation. City Staff or the consultant hired by the City will determine the most appropriate physical traffic calming device(s) using engineering judgment and the “Traffic Calming Measure or Device Comparison” found in Section 5.0 TRAFFIC CALMING MEASURES. The following descriptions of the advantages, disadvantages, and cost for the physical traffic calming devices are provided to give the City guidance when considering traffic calming. Drawings of the physical traffic calming devices are in Section 10.0 of this handbook.

### 1. Speed Hump

Speed humps are wave-shaped paved areas approximately 3.5 inches tall and 12-feet wide. Generally the driver discomfort increases proportionately as the speed over the speed hump increases. The device usually slows the traffic immediately and if placed 300 to 600 feet apart will tend to reduce the speed between speed hump placements. Speed humps also tend to reduce the volume and cut-through traffic considerably due to driver discomfort when negotiating a speed hump. In order to reduce potential liability issues, speed humps should be properly signed and marked as indicated in the *ITE, Traffic Calming: State of the Practice*. Deceleration and acceleration of vehicles negotiating speed humps is increased in proportion with the number and spacing of the installations. Speed humps are anticipated to cost approximately \$2,500 to \$3,000 each and have a life span of approximately 10 to 20 years. This device is self-enforcing for the reduction in speed and thus increases the emergency vehicle response times. Speed humps are usually only recommended as a traffic calming device for low speed, low volume local streets or roadways.



3" high

11-0-0



## 2. Speed Table



Speed tables are 22-foot long speed humps with a 10-foot long flat top on each side of a wave-shaped paved areas approximately 3.5 inches tall and six-foot long. Similar to the speed hump, the drivers discomfort increases proportionately as the speed over the speed table increases. The device usually slows the traffic immediately and if placed 300 to 600 feet apart will tend to reduce the speed between speed table placements. Speed tables also tend to reduce the volume

and cut-through traffic considerably due to driver discomfort when negotiating a speed table. In order to reduce potential liability issues, speed tables should be properly signed and marked as indicated in the *ITE, Traffic Calming: State of the Practice*. Deceleration and acceleration of vehicles negotiating speed tables is increased in proportion with the number and spacing of the installations. Speed tables are anticipated to cost approximately \$3,000 to \$3,500 each and have a life span of approximately 10 to 20 years. This device is self-enforcing for the reduction in speed and thus increases the emergency vehicle response times. Similar to speed humps, speed tables are usually only recommended as a traffic device for low speed, low volume local streets or roadways.

## 3. Raised Crosswalks

Raised crosswalks are shaped similar to a speed table. They are 22 feet long, 3.5 inches tall, with a 10-foot long flat surface on the top with either standard or special emphasis crosswalk striping. Like the speed hump and speed table, the drivers discomfort increases proportionately as the speed over the raised crosswalk increases thus reducing the speeds on the street or roadway. Therefore, the device usually slows the traffic immediately. Raised crosswalks also tend to reduce the volume and cut-through traffic considerably due to driver discomfort when negotiating a raised crosswalk. In order to reduce potential liability issues, raised crosswalks



should be properly signed and marked as indicated in the *ITE, Traffic Calming: State of the Practice*. Deceleration and acceleration of vehicles negotiating raised crosswalks is increased in proportion with the number and spacing of the installations. Raised crosswalks are anticipated to cost approximately \$3,000 to \$3,500 each or \$10,000 to 15,000 per intersection with four crosswalks and drainage considerations. Raised crosswalks have a life span of approximately 10 to 20 years. This device is self enforcing on the reduction in speed and thus increases the emergency vehicle response times. Raised crosswalks are usually only recommended as a traffic device for low speed, low volume local streets or roadways.



#### 4. Textured Pavement

Textured pavement and stamped asphalt can be used either alone as a traffic calming device or in combination with other physical devices to enhance the speeding driver discomfort while adding pleasing visual aesthetics. The major concerns for the installation of textured pavement in residential neighborhoods are the considerable noise created when a vehicle crosses the surface, compliance and the \$40 to \$50 per square yard cost of the installation. Since some textured pavements do not appear to comply with the Americans with Disabilities Act (ADA) pedestrian surface requirements, they



are generally not recommended for sidewalks and bike paths. Usually drivers tend to slow down when crossing textured pavement areas due vibration created by the pavement surface. This has a corresponding reduction in cut-through traffic and traffic volume.

#### 5. Roundabout

Roundabouts are raised islands placed in an intersection, around which the traffic circulates counterclockwise. They are usually circular in shape and have a center island diameter in excess of 100 feet. Normally, a large roundabout is installed on higher volume arterial or collector roadways and typically have raised splitter islands provided at each intersection with all way STOP or YEILD signs. Neighborhood traffic circles are very similar to a roundabout except the diameter of the island is usually about 16 to 24 feet and is used for low volume local streets and



normally do not have raised splitter islands at each intersection. For the purposes of this “Handbook” neighborhood traffic circles will be referred to as neighborhood roundabouts. The cost for a neighborhood roundabout is usually about \$10,000 ranging up to a major intersection, or large roundabout costing as much as \$200,000. Roundabouts are effective in reducing the travel speeds and also have a positive effect on reducing the

cut-through traffic. Roundabouts are pedestrian and bicycle friendly, and when designed without textured pavement, also meet ADA standards. Large emergency vehicles such as fire trucks may have difficulty circumnavigating a roundabout if not designed with them in mind. An added advantage is that roundabouts usually do not restrict driveway access in the neighborhood. There is some potential for on-street parking reduction and costs incurred for landscaping maintenance are other disadvantages of a roundabout.

## SECTION 2.0 (continued)

### TRAFFIC CALMING MEASURES



#### 6. Chicane

Chicanes are curb extensions that alternate from one side of the street to the other, forming “S” shaped curves. Chicanes can also be created by alternating the on-street parking from one side of the street to the other. Raised landscaped islands or delineators are usually provided at both ends of a chicane in order to vertically enhance the drivers awareness of the need for a lateral shift. Chicanes discourage speeding by forcing the drivers to perform a horizontal deflection in the vehicle path and usually emergency vehicles do not have a problem with this maneuver. Maintenance cost for the landscaping and any loss in on-street parking are the disadvantages of chicanes. The cost per chicane is usually \$10,000 to \$20,000 each.

#### 7. Median Islands

Median islands are raised islands constructed in the centerline of a street or roadway designed to require drivers to change their travel path in order to negotiate around the island. The median island has the effect of reducing the travel lane widths and normally cause a noticeable speed reduction. However, when the islands are longer than 200 feet the speeds can actually increase. Median islands are often used as a gateway island from a high volume roadway to a local residential street creating opportunities for landscaping. In addition, a median island can be constructed with a standard or raised crosswalk providing the dual benefit of a pedestrian refuge and additional speed reduction. When properly designed median islands can reduce



cut-through traffic while increasing the safety for pedestrians and cyclists. However median islands usually reduce or eliminate on-street parking and interrupts driveway access to the properties adjacent to the device. Depending upon the proposed length and width, a median island usually costs \$15,000 to \$30,000. However, very short median islands can cost as little as \$5,000 if they are under 20 feet long and four-feet wide.

#### 8. Turn Restrictions

Turn restrictions used for traffic calming encompass streets and roadways with full closures, half closures, diagonal diverters, median barriers and forced right-turn islands as described below:

**Full-Street Closures** – Full-street closures are street termination barriers that have been placed across a street to completely restrict through traffic. Usually a “T” or cul-de-sac like circular pavement is provided at the street termination to allow vehicles to turn around without using adjacent driveways or the shoulder of the road. However, sidewalks and bicycle paths are usually left open. The street termination barriers may consist of landscaped islands, walls, gates, a line of bollards spaced four to six feet apart or any other obstructions that leave an opening

## SECTION 2.0 (continued)

### TRAFFIC CALMING MEASURES



smaller than the width of a passenger car. The approximate cost for a full closure is \$20,000 to \$100,000 depending upon the type of termination barrier and turn around treatment. A few of the full closure advantages would be the potential to eliminate cut-through traffic, and severely reduce the speed and volume while allowing the continuation of pedestrian and bicycle traffic. On-street parking is usually eliminated in the vicinity of a full-street closure. Emergency response times can



be adversely affected unless proper consideration is given to the routes necessary to provide services to the neighborhood. The major disadvantage of this traffic calming device is that a public street closure legal procedure must be completed and approved by the City Commission of New Smyrna Beach prior to the installation. Full closures may also cause traffic diversions to adjacent local streets and could be expensive to maintain.

**Half-Street Closure** – Half-street closures are barriers that block the travel in one direction for a short distance on two-way streets. The half-street closure barriers may consist of landscaped islands, walls, gates, a line of bollards spaced four to six feet apart or any other obstructions that leave an opening smaller than the width of a passenger car. Half-street closures are the most common volume control measure proposed where a full-street closure is not possible. Half-street closures are usually staggered, thus allowing through movements, but making it much less attractive than alternative routes. Half-street closures can be used in sets to force circular traffic patterns in neighborhoods with a grid design. Since two-way through movements are not easily available cut-through drivers will avoid half-street closures. Like the full closure the half closure street allows through movement of pedestrians and bicycles and usually reduces the



speed and volume in the neighborhood. On-street parking is usually eliminated in the vicinity of a half-street closure. Emergency response times can be adversely affected unless proper consideration is given to the routes necessary to provide services to the neighborhood. The cost of a half-street closure is usually \$5,000 to \$7,000 depending upon the type of barrier chosen. One of the major deficiencies of a half-street closure is the ability to circumvent the barrier and continue along the remainder of the two-way street.

**Diagonal Diverter** – Diagonal diverters are barriers placed diagonally across an intersection which blocks the through movement and forces drivers to make a right-turn. The diagonal diverter barriers may consist of landscaped islands or a line of bollards spaced four to six feet apart or any other obstructions that leave an opening smaller than the width of a passenger car. Like half-street closures, diagonal diverters are usually staggered throughout the neighborhood to creating circular routes in the impact area. Pedestrian and bicycle paths usually remain open but must be diverted away from the intersection island in order to cross the street. Cut-

## SECTION 2.0 (continued)

### TRAFFIC CALMING MEASURES



through traffic, speeds and traffic volumes are reduced when this device is placed in a neighborhood. Even though the diagonal diverter is does not create a problem for emergency service traffic the response times are usually increased. On-street parking is usually eliminated in the vicinity of a diagonal diverter. Landscaping may be provided in a diagonal diverter island with a corresponding increase in the maintenance costs. The approximate cost for a traffic diverter is estimated to be \$15,000 to \$40,000 depending upon the type of island construction, drainage modifications and landscaping provided.

**Median Barrier** – Median barriers are raised islands located along the centerline of a street and continue through an intersection blocking the through movement and forcing drivers to make through or right-turns only. The median barriers may consist of landscaped islands or a line of bollards spaced four to six feet apart or any other obstructions that leave an opening smaller than the width of a passenger car. Like diagonal diverters, median barriers are usually staggered throughout the neighborhood to create circular routes in the impact area. Pedestrian and bicycle paths usually remain open and openings can be provided in the median barriers in order to cross the street. Cut-through traffic, speeds and traffic volumes are reduced when this device is placed in a neighborhood. Even though the median barrier is does not create a problem for emergency service traffic the response times are usually increased. On-street parking is usually eliminated in the vicinity of a median barrier. Landscaping may be provided in a median barrier island with a corresponding increase in the maintenance costs. The approximate cost for a median barrier is estimated to be \$20,000 to \$25,000 depending upon the type of island construction, drainage modifications and landscaping provided.



## SECTION 2.0 (continued)

### TRAFFIC CALMING MEASURES



**Forced Right-turn Island** – Forced right-turn islands are raised islands placed in an intersection to require right-turns only for an intersecting street. The forced right-turn islands may consist of landscaped islands or a line of bollards spaced four to six feet apart or any other obstructions that leave an opening smaller than the width of a passenger car. Like median barriers, forced right-turn islands are usually staggered throughout the neighborhood to create circular routes in the impact area. Pedestrian and bicycle paths usually remain open and openings can be provided in the forced right-turn islands in order to cross the street. Cut-through traffic, speeds and traffic volumes are reduced when this device is placed in a neighborhood. Even though

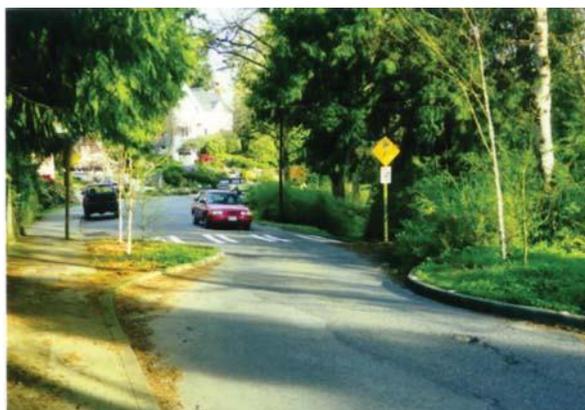


the forced right-turn island does not create a problem for emergency service traffic the response times are usually increased. On-street parking is usually eliminated in the vicinity of a forced right-turn island. Landscaping may be provided in a forced right-turn island with a corresponding increase in the maintenance costs. The approximate cost for a forced right-turn island is estimated to be \$5,000 to \$10,000 each depending upon the type of island construction, drainage modifications and landscaping provided.



## 9. Choker or Street Narrowing

A choker or street narrowing are curb extensions that are usually placed at mid-block by widening the planting strip adjacent to the curb which creates lane widths less than the adjacent street or roadway. A choker can be signed and marked as a crosswalk if needed. The choker may consist of curbing or a line of bollards spaced four to six feet apart or any other obstructions that leave an opening smaller than the width of a passenger car. Chokers provide speed reductions due to the physical perception of a narrow roadway. Pedestrian and bicycle paths usually remain open. Cut-through traffic, speeds and traffic volumes may be reduced



when this device is placed in a neighborhood. A choker does not normally create problems for emergency service traffic. On-street parking is usually eliminated in the vicinity of a choker. Landscaping may be provided adjacent to a choker with a corresponding increase in the maintenance costs. The approximate cost for a choker is estimated to be \$10,000 to \$15,000 depending upon the narrowing restriction device that is chosen, any drainage modifications required and if landscaping is provided.

## 10. Traffic Diverters

Traffic diverters are curb modifications on otherwise straight roadways that create a short “S” type curve forcing two lateral shifts in the path of the traffic. Traffic diverters are one of the few traffic calming devices that can be used on low speed (under 30 mph), high volume collectors and arterials if the traffic diverter design is reflective of the posted speed limit. A traffic diverter on a local street can be signed and marked as a crosswalk if needed. A traffic diverter is usually constructed with curbing on collectors and arterials but could be a line of bollards spaced four to six feet apart or any other obstructions that leave an opening smaller than the width of a passenger car on local roadways. Traffic diverters provide speed reductions due to the lateral movement required to negotiate the “S” curve. Pedestrian and bicycle paths usually remain open. Cut-through traffic, speeds and traffic volumes may be reduced when this device is placed in a local street neighborhood. A traffic diverter does not create problems for emergency service vehicles. On-street parking is usually not affected by a traffic diverter. Landscaping may be provided adjacent to a traffic diverter with a corresponding increase in the maintenance costs. The approximate cost for a traffic diverter is estimated to be \$10,000 to \$15,000 depending upon the device that is chosen to create the “S” type curve, any drainage modifications required and if landscaping is provided.





## 11. Intersection Bulbout

Intersection bulbouts create an intersection that is narrower than the adjacent street or roadway. An intersection bulbout is usually constructed with curbing but could be a line of bollards spaced four to six feet apart or any other obstructions that leave an opening smaller than the width of a passenger car. Intersection bulbouts provide speed reductions due to the physical reduction in the roadway width creating a driver perception that the vehicle speed should be reduced. Pedestrian and bicycle paths usually remain open. Cut-through traffic, speeds and traffic volumes may be reduced when this device is placed in a local street neighborhood. An intersection bulbout may create problems for large emergency service vehicles negotiating right-turn movements. On-street parking is usually eliminated adjacent to the intersection bulbouts. Landscaping may be provided adjacent to the intersection bulbouts with a corresponding increase in the maintenance costs. The approximate cost for a traffic diverter is estimated to be \$5,000 to \$10,000 without drainage modifications and \$35,000 with drainage modifications per intersection. If landscaping is provided on all four corners of the intersection another \$1000 to \$5,000 should be added to the preceding amounts.



### b. Selection of Traffic Calming Measures and/or Devices

The traffic calming selected by the City may encompass passive measures first to seek additional data and understanding of the neighborhood concerns before choosing to recommend physical traffic calming devices. In addition, several types of traffic calming measures or devices may be used in the impact area when multiple problems and concerns are encountered. The residents should also note that many of the traffic calming devices have the potential to increase the noise and air pollution created when drivers negotiate the devices.

The selection of the traffic calming measure (s) or devices (s) should also take into consideration of the following table which provides a comparison of the effectiveness, advantages, disadvantages, and potential cost for the traffic calming devices approved by the City of New Smyrna Beach. By matching the neighborhood concerns and data collected in Section 4-a with the most cost effective type of traffic calming measure (s) or device (s) the neighborhood concerns, the City traffic calming goals and objectives have a high potential to be satisfied.

# SECTION 2.0 (continued)

## TRAFFIC CALMING MEASURES



### TRAFFIC CALMING MEASURE OR DEVICE COMPARISON

Measure or Device	Reduces Traffic Speed?	Reduces Crashes?	Reduces Cut-Thru Traffic?	PED & Bicycle Friendly	Emergency Vehicle Impacts	Noise Impacts	Reduces Parking?	Landscaping Maintenance Required?	Time Length of Measure or Device Life Span	Estimated Cost
Speed Enforcement	Yes	Yes	No	Yes	None	None	No	No	During Enforcement	\$600/Day/Location
Radar Trailer	Yes	No	No	Not Applicable	None	None	No	No	During Placement	\$500/Day
Additional Signs	Some	Possible**	No	Possible	None	None	Possible	No	5 to 10 Years	\$200/Sign
Additional Pavement Markings	Some	Possible	No	Possible	None	Possible	Possible	No	5 to 10 Years	\$2/Linear Foot
Speed Hump	Yes	Yes	Yes	No	Yes	Possible	Possible	No	10 to 20 Years	\$2,500 - \$3,000 Each (recommended every 300 to 600 ft.)
Speed Table	Yes	Yes	Yes	No	Yes	Possible	Possible	No	10 to 20 Years	\$3,000 - \$3,500 Each
Raised Crosswalks	Yes	Yes	Yes	Yes	Yes	Possible	Possible	No	10 to 20 Years	\$10,000 - \$15,000 Each
Textured Pavement	Some	Possible	Some	No	None	Yes	No	No	10 to 20 Years	\$40 - \$50/Square Yard
Roundabout	Yes	Possible	Possible	Yes	Some	None*	Yes	Possible	10 to 20 Years	\$10,000 - \$200,000/ Intersection
Chicane	Yes	Possible	Yes	Yes	Some	None*	Yes	Possible	10 to 20 Years	\$10,000 - \$20,000 Each
Median Island	Some	No	Yes	Yes	None	None*	Yes	Possible	10 to 20 Years	\$15,000 - \$30,000 Each
Turn Restrictions	Yes	Yes	Yes	Yes	Yes	None*	Yes	Possible	10 to 20 Years	\$10,000 - \$35,000 Each
Choker or Street Narrowing	Yes	Possible	Yes	Yes	Some	None*	Yes	Possible	10 to 20 Years	\$10,000 - \$15,000 Each
Traffic Diverter	Yes	Possible	Yes	Yes	Some	None*	Yes	Possible	10 to 20 Years	Varies \$10,000 Minimum
Intersection Bulbout	Yes	Possible	No	Yes	Some	None*	Yes	Possible	10 to 20 Years	\$5,000 - \$10,000 w/o Drain \$35,000 with Drain

\*Noise Impacts depend on the use of stamped asphalt or textured pavement

\*\*Crashes may increase with the installation of un-warranted STOP signs

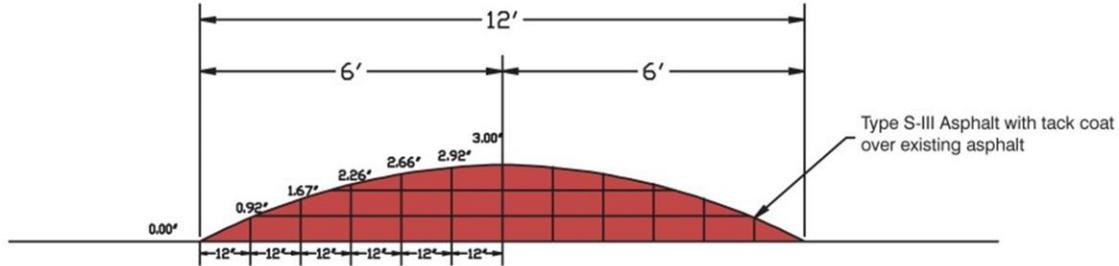
# SECTION 3.0

## TRAFFIC CALMING DEVICES

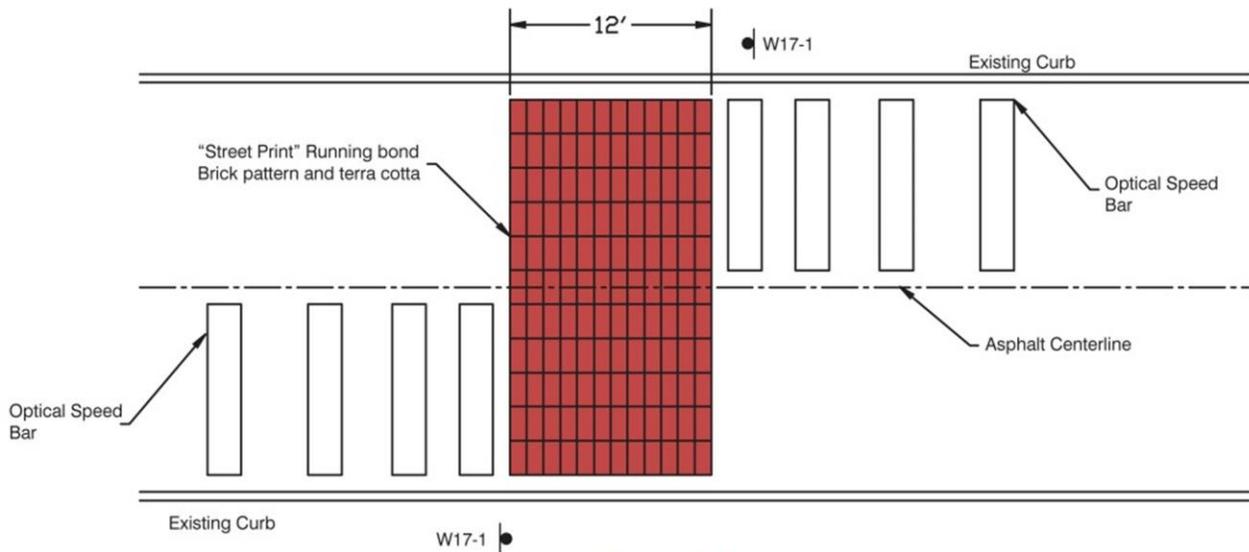


The following drawings are provided for informational purposes only and should not be considered a final design for any physical traffic calming device.

### Speed Hump



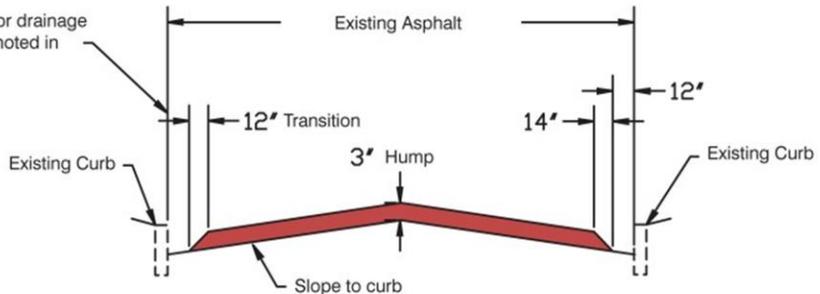
**Driving Profile**



**Plan View**

Note: Undisturbed clearance for drainage shall be 12" unless otherwise noted in construction documents

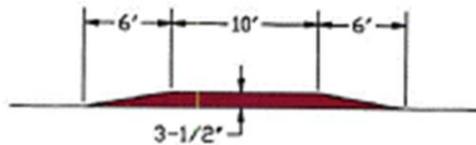
Sign Descriptions  
W17-1 Speed Hump



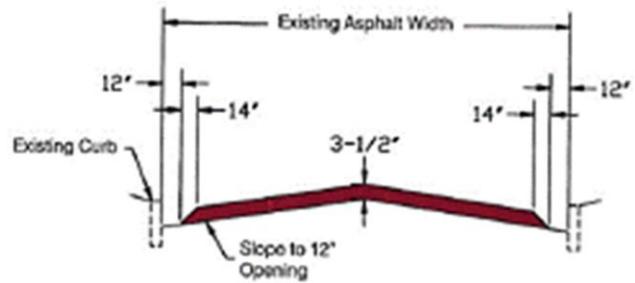
**Typical Section**



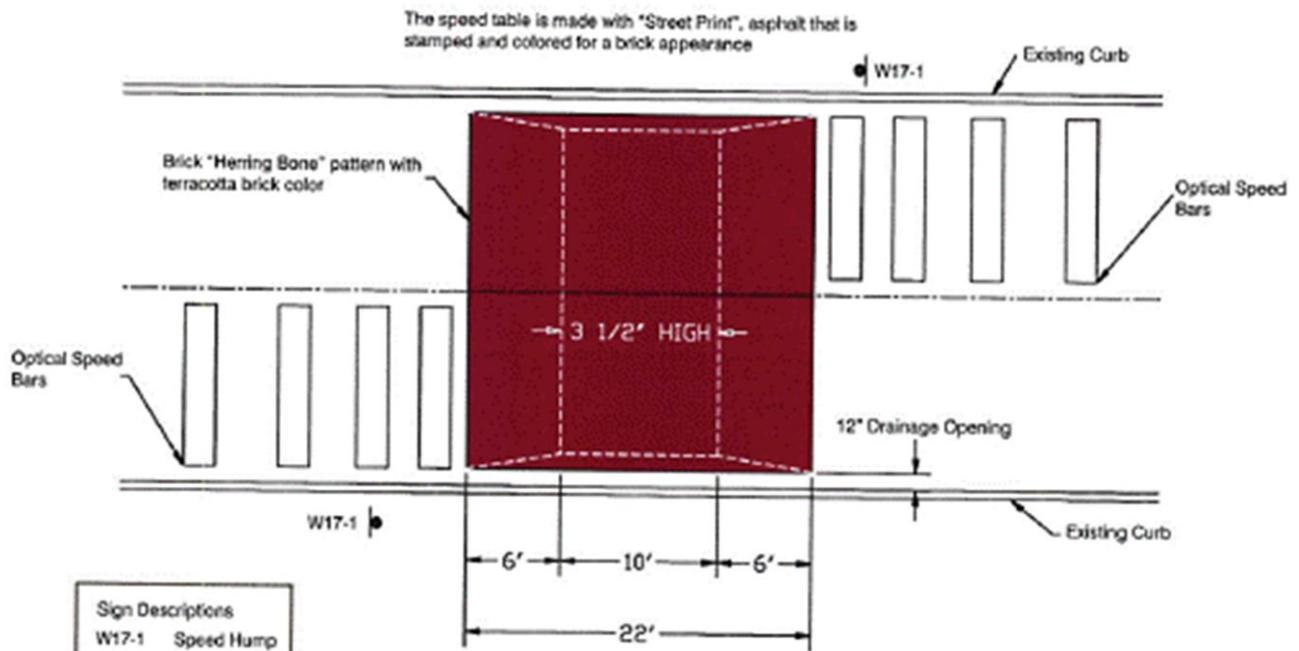
## Speed Table



**Driving Profile**



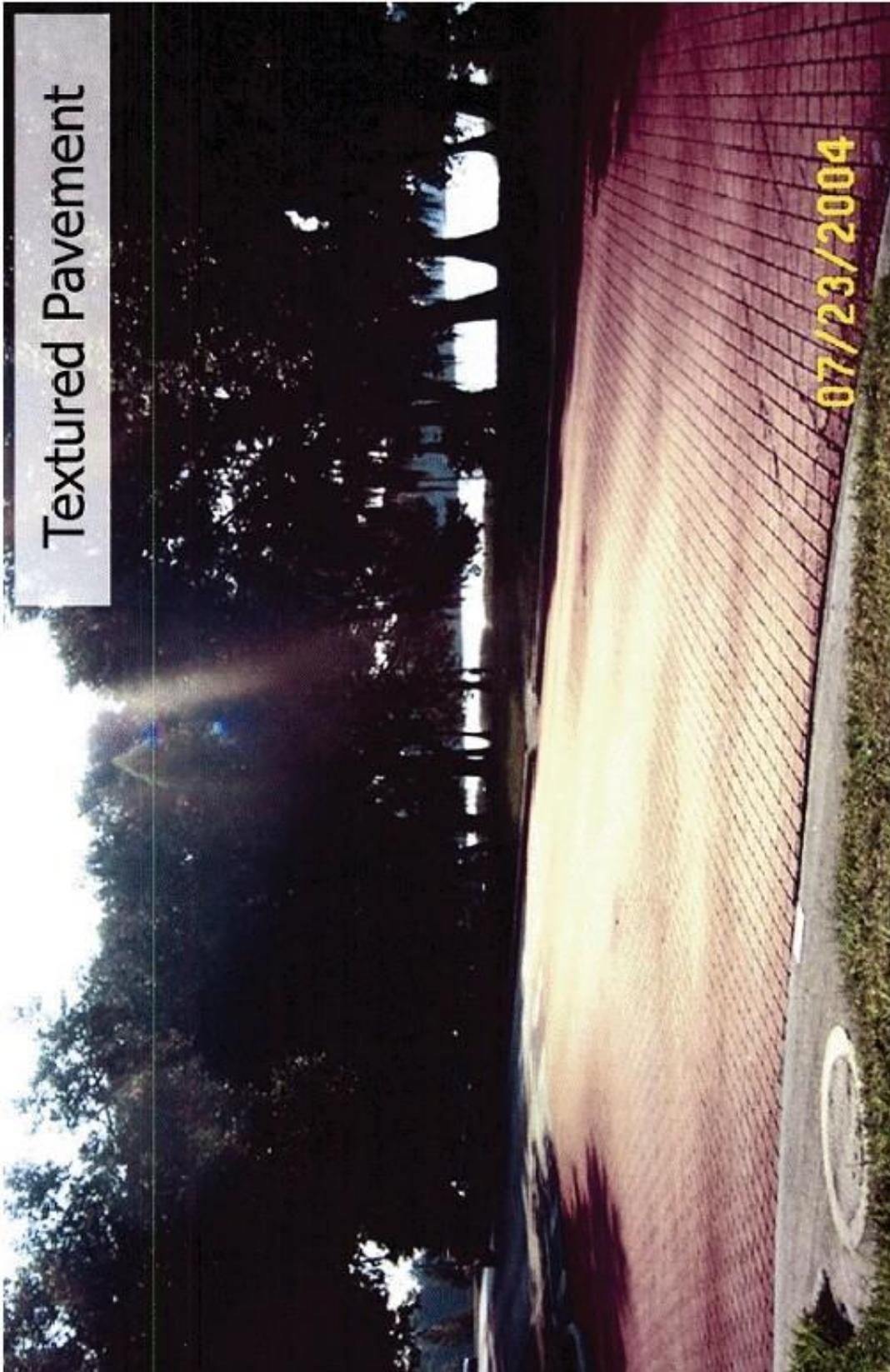
**Typical Section**



**Plan View**



## Textured Pavement



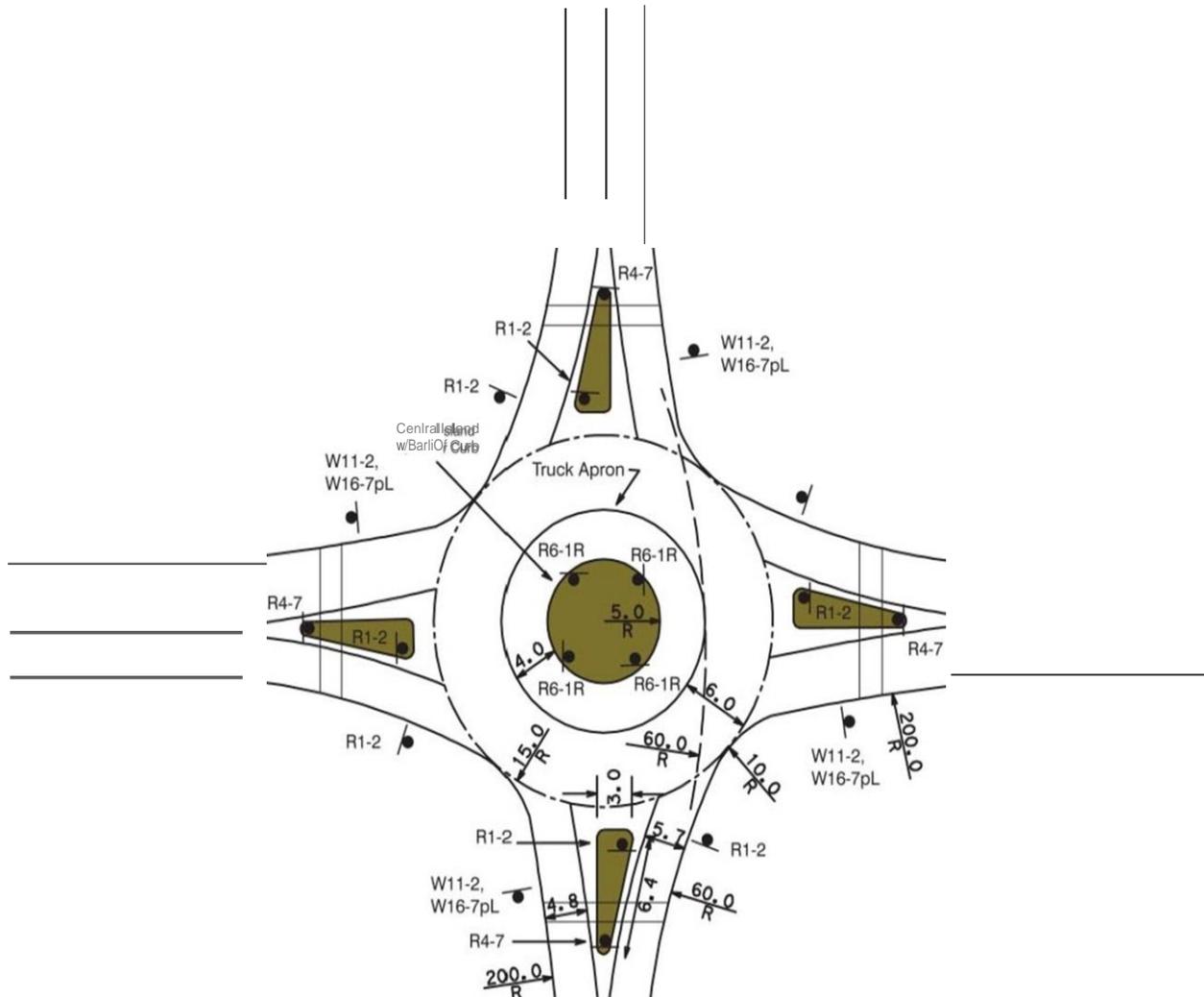
# SECTION 3.0 (continued)

## TRAFFIC CALMING DEVICES



### Major Intersection Roundabout

This figure illustrates the minimum roundabout configuration for a 90 degree intersection of two roadways with one lane in each direction. It is designed to accommodate a WB-15 Design vehicle, or automobile traffic at a 25 mph speed. This is only an example and not a recommended design. Each intersection requires thorough analysis and a unique design by a roundabout designer.



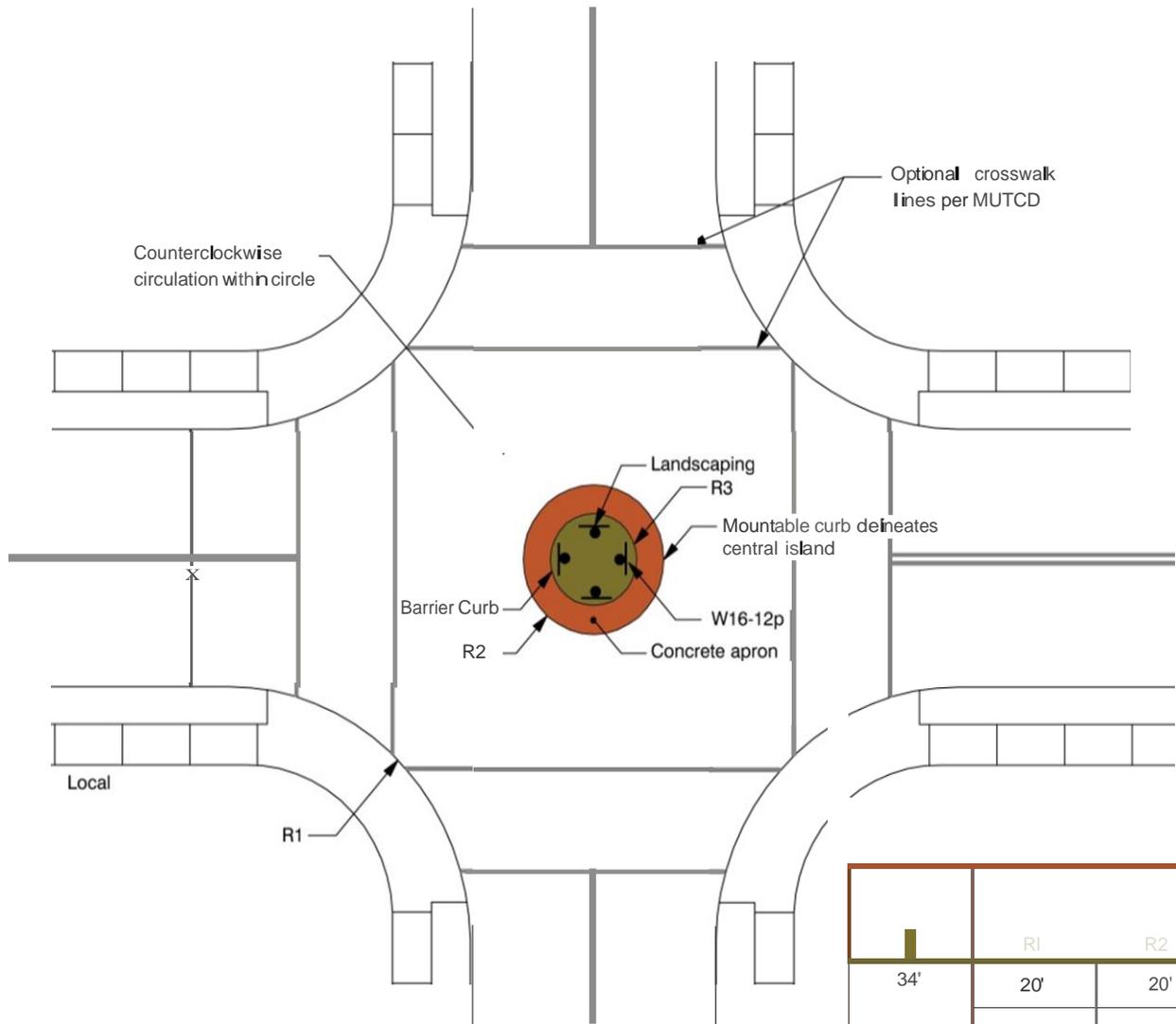
Sign Descriptions

R1-2	Yield
W11-2	Pedestrian
W16-7pL	Arrow
R4-7	Keep Right
R6-1R	One-way

**SECTION 3.0 (continued)**  
**TRAFFIC CALMING DEVICES**

Roundabout Geometries  
 (Typical for all legs)

**Local Street Roundabout**  
 (Also known as a Traffic Circle)

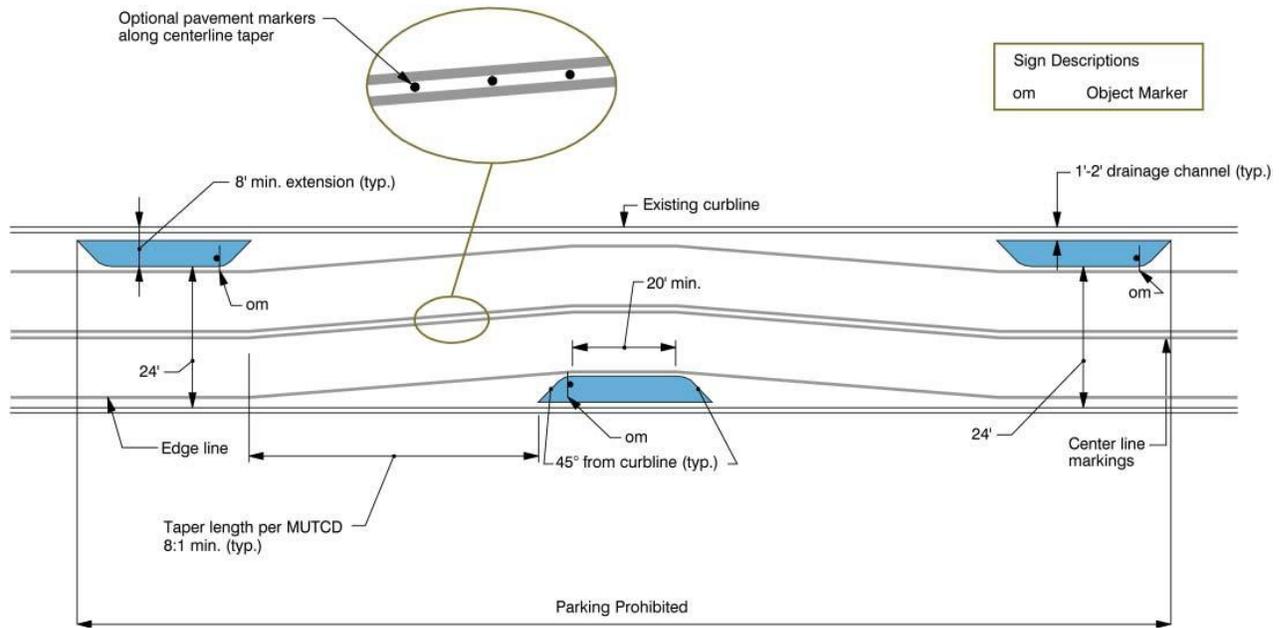


	R1	R2	R3
34'	20'	20'	8'
	25'	24'	8'
32'	15'	12'	7'
	20'	18'	7'
	25'	20'	7'
30'	15'	11'	6'
	20'	15'	6'
	25'	16'	6'

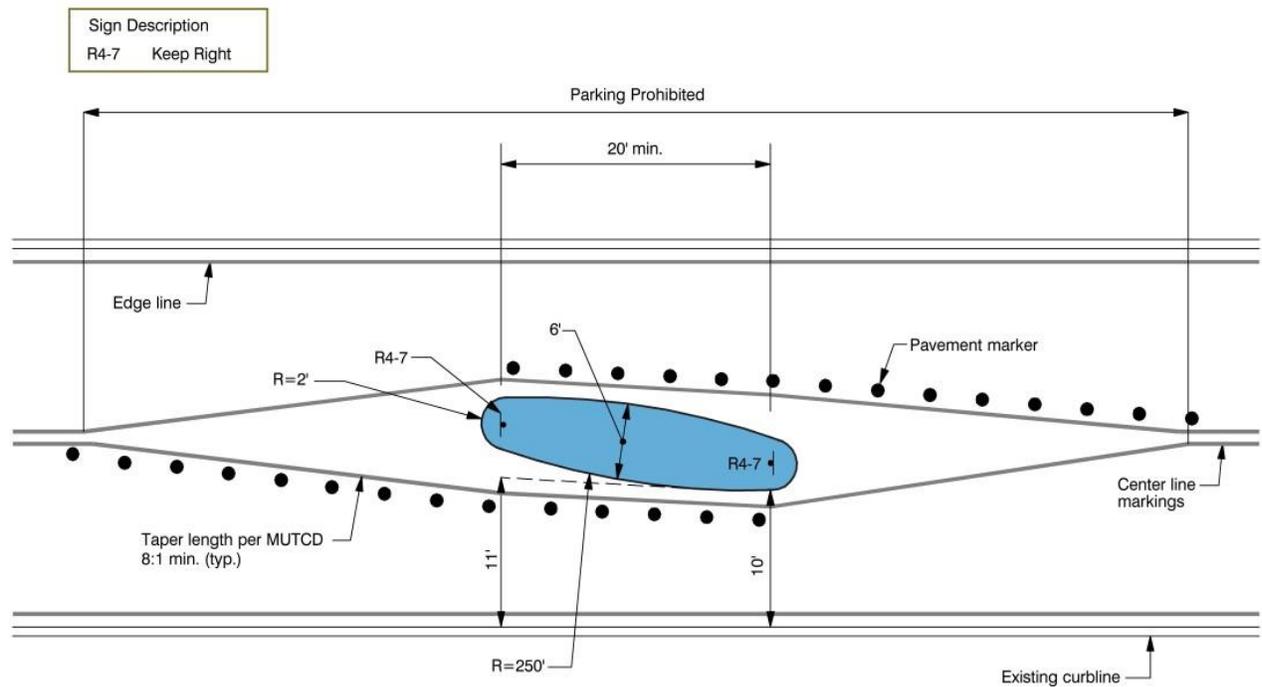
Sign Descriptions



## Chicane

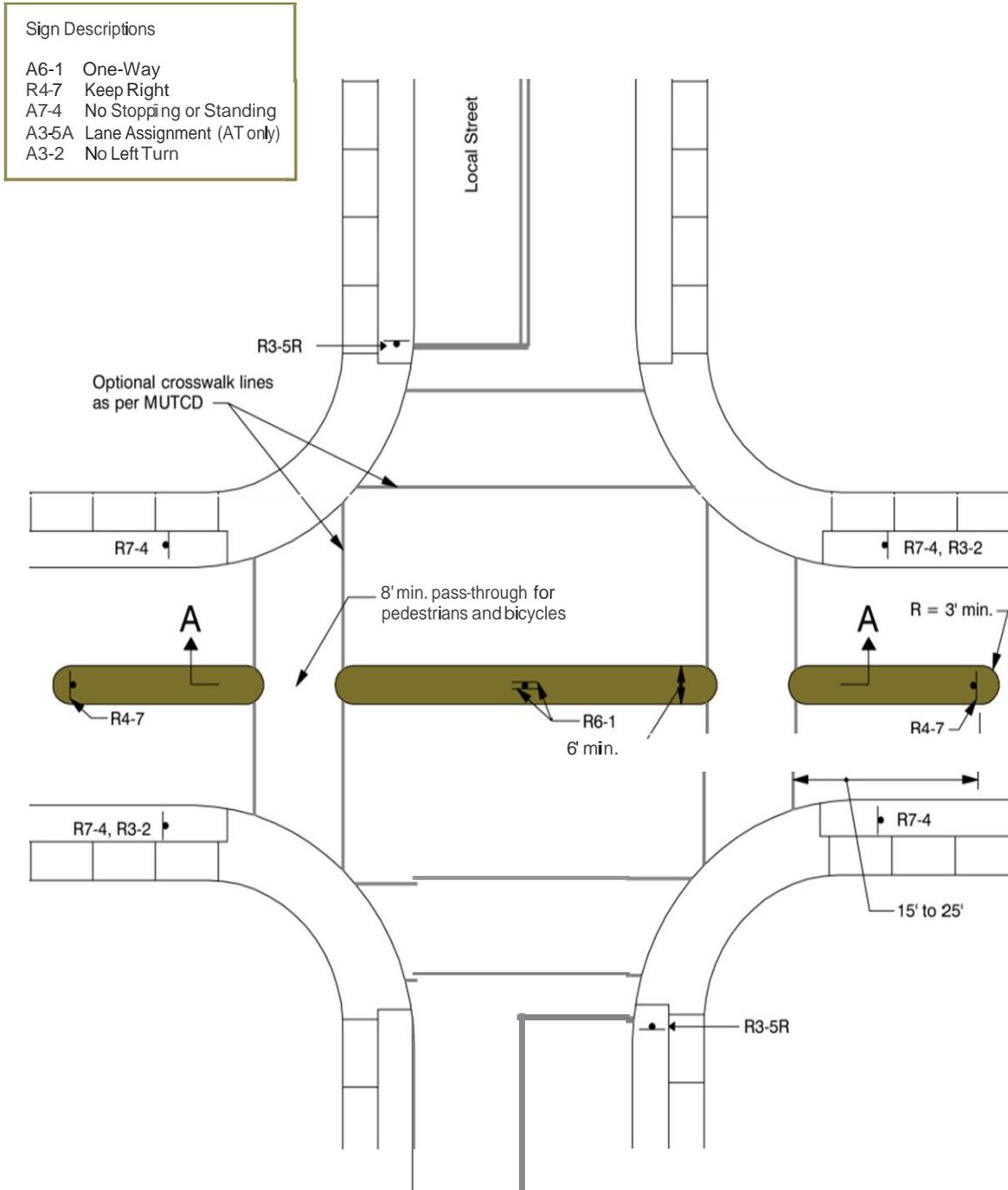


## Median Island



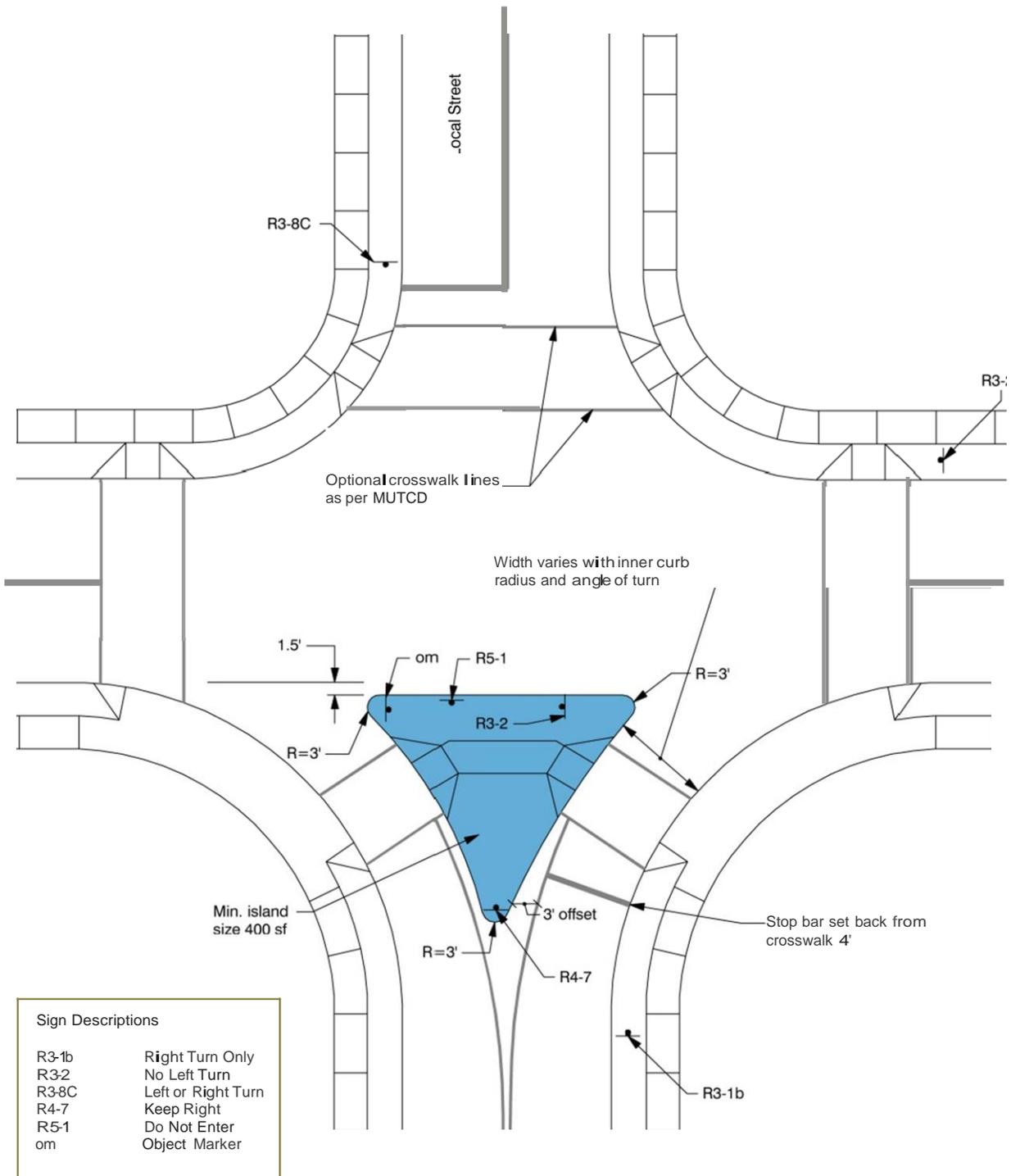


## Turn Restrictions Right-turn Only Intersection





## Forced Turn Island

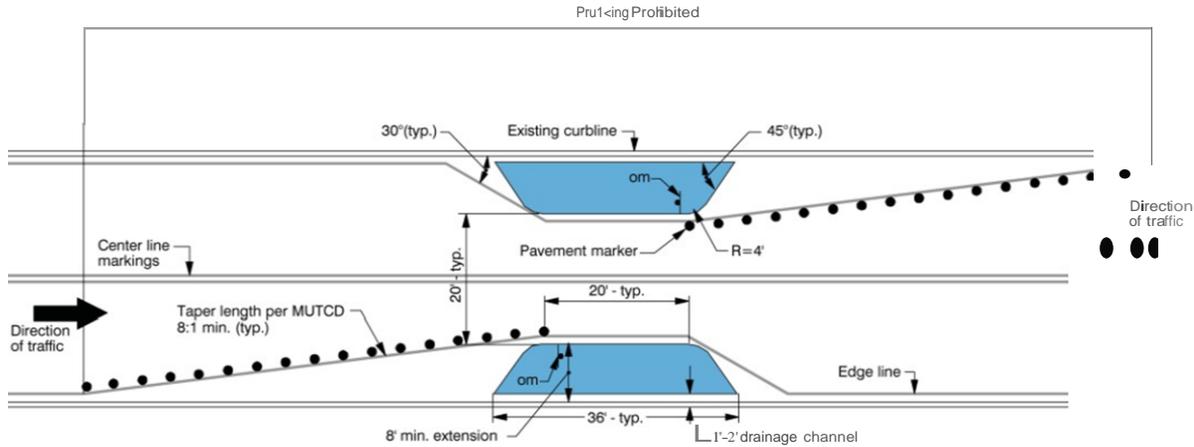


# SECTION 3.0 (continued)

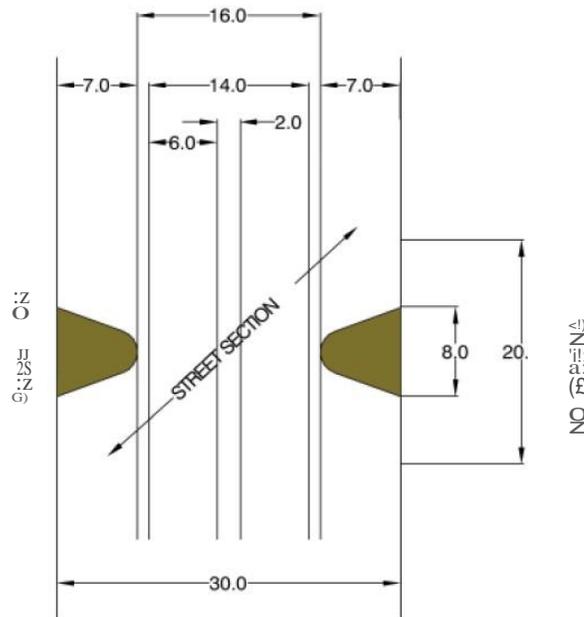
## TRAFFIC CALMING DEVICES



### Choker



Sign Descriptions  
om = Object Marker

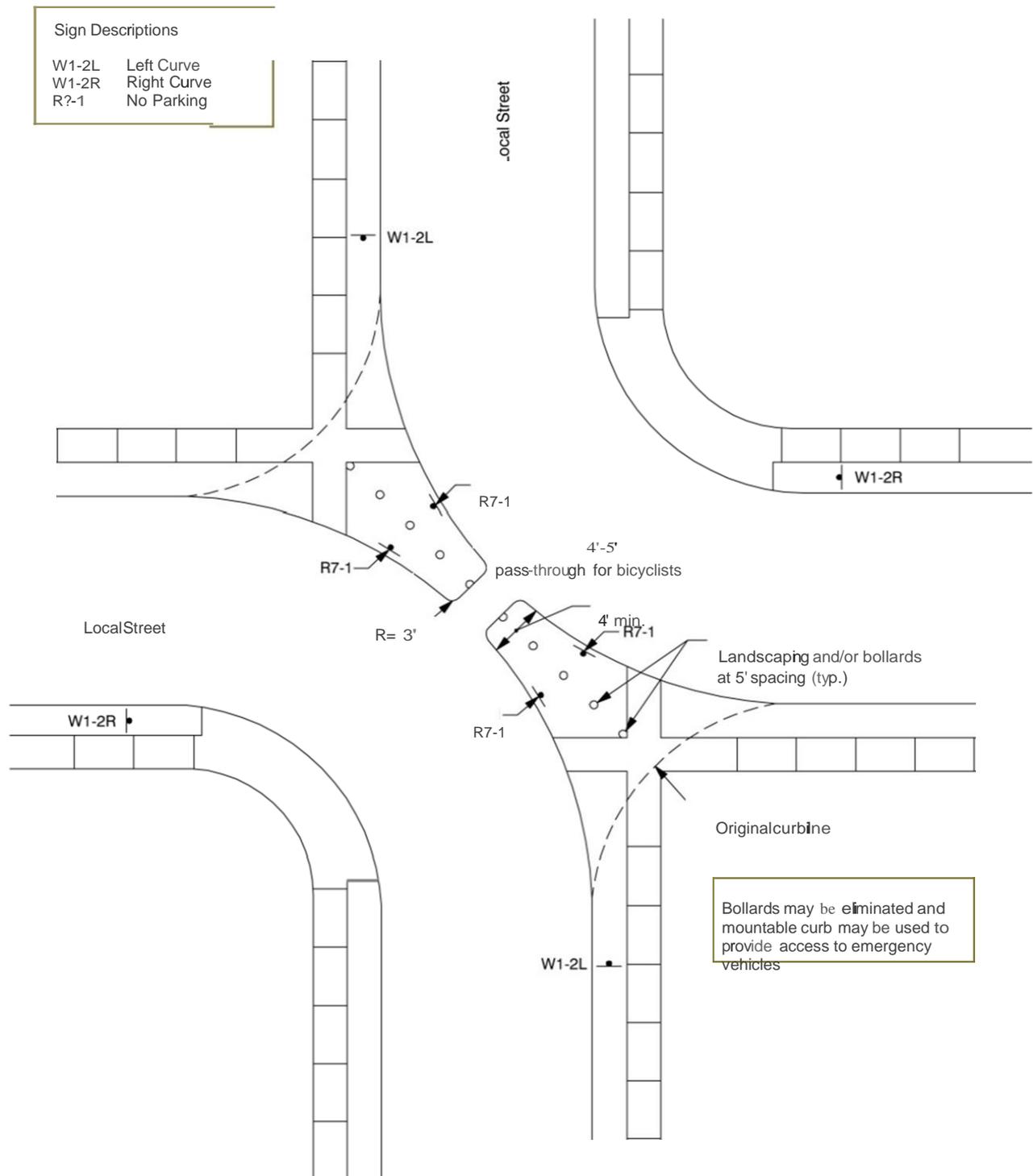


MIN. 30' WIDE STREET  
FOR WIDER STREETS  
MAKE BULB DEEPER

THE BULB-OUT DRAWING SHOWN IS FOR A 30 FOOT WIDE STREET\_ IF A STREET IS WIDER, THE BULB WOULD BE DEEPER; EACH BULB SHOWN IS SEVEN FEET DEEP. THE WIDTH BETWEEN BULBS SHOULD BE 16 FEET, WHICH ALLOWS FOR ONE FOOT BETWEEN BULB AND CAR, SIX FEET PER CAR AND TWO FEET BETWEEN CARS. THIS WOULD REQUIRE CARS TO SLOW DOWN SUBSTANTIALLY IN ORDER TO PASS. THE BULB WOULD RESTRICT PARKING FOR APPROXIMATELY 20 FEET (ONE CAR LENGTH FOR PARKING PURPOSES) IN ORDER FOR THE BULB TO BE VISIBLE, ALLOW WIDER VEHICLES TO PULL TO THE RIGHT AND ALLOW AN OPPOSING VEHICLE TO PASS. IT MAY BE POSSIBLE TO PLANT A TREE IN EACH BULB.



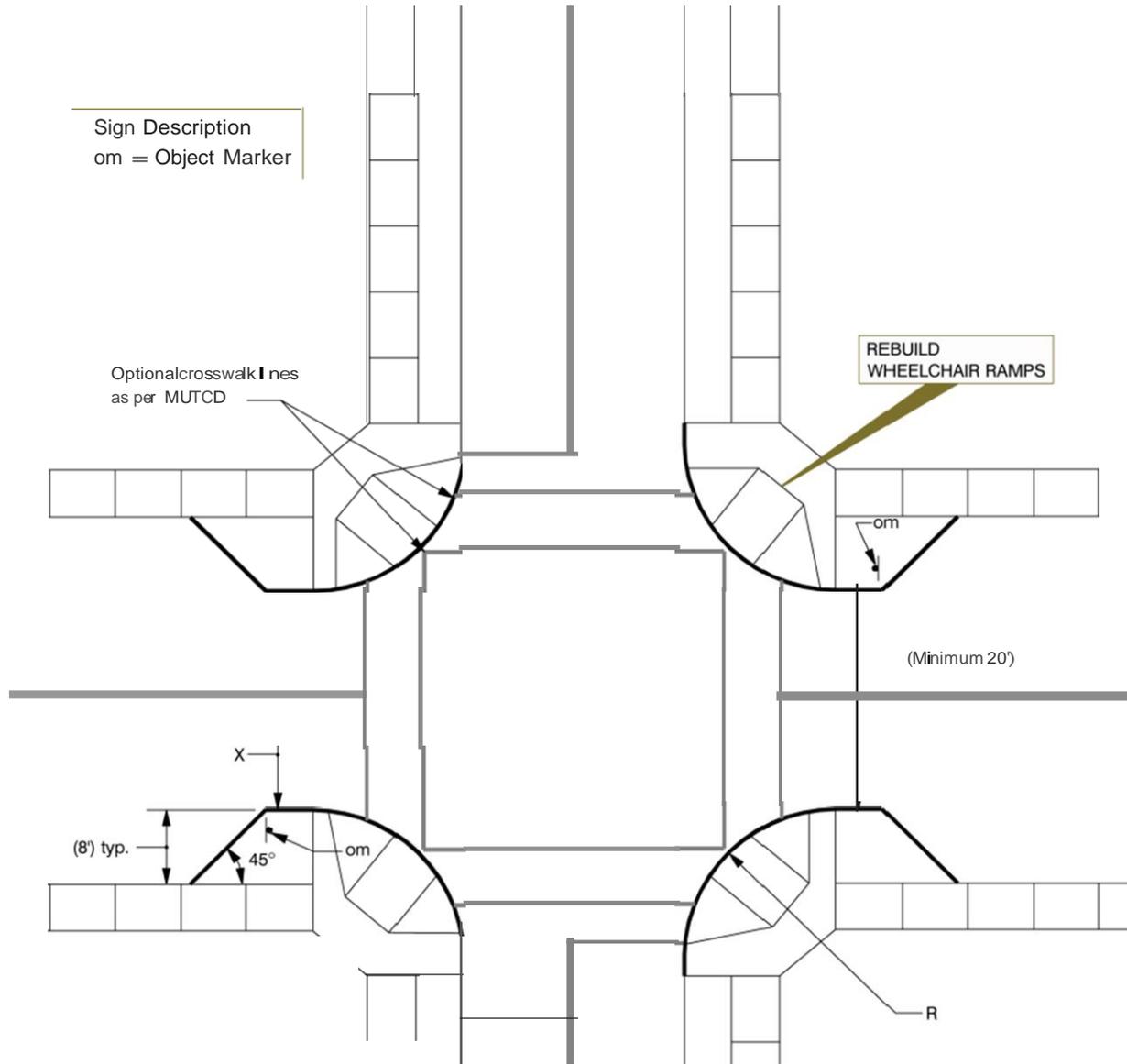
## Diagonal Diverter





**TRAFFIC CALMING DEVICES**

**Bulbout  
 (Intersection Treatment)**



NOTES: 1. Distance X is referenced from the center of the roadway to the lip of gutter.

For The Street Widths:		Use This Curb Radius:
X	Y	R
12'	12'	40'
12'	14'	32'
12'	16'	26'
14'	12'	37'
14'	14'	35'
14'	16'	24'

**SECTION 3.0 (continued)**  
**TRAFFIC CALMING DEVICES**  
**TRAFFIC CALMING PROGRAM HANDBOOK**

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