

ORDINANCE NO. 97-44

12/10/1997 09:37
Instrument # 97206647
Book: 4259
Page: 534

AN ORDINANCE OF THE CITY OF DELAND, FLORIDA, APPROVING A DEVELOPMENT PLAN FOR CRYSTAL COVE LTD. RESIDENTIAL DEVELOPMENT, A RESIDENTIAL PLANNED DEVELOPMENT CONSISTING OF APPROXIMATELY 47.7 ACRES OF PROPERTY, LOCATED ON THE NORTH SIDE OF MCGREGOR ROAD, APPROXIMATELY 900 FEET WEST OF US 17/92; CONDITIONING FINAL DEVELOPMENT APPROVAL ON A DETERMINATION OF CONCURRENCY; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Crystal Cove, Ltd. (hereinafter referred to as "Applicant"), owns a 47.7 acre parcel of land located on the north side of West McGregor Road, approximately 900 feet west of US 17/92, which is more particularly described in the legal description attached hereto as Exhibit "A" and by this reference made a part hereof; and

WHEREAS, the subject property was previously rezoned to PD, Planned Development District by the City Commission; and

WHEREAS, said zoning as a PD District is consistent with both the Comprehensive Plan and the purpose and intent of Section 33-32 of the Code of Ordinances of the City of DeLand (the "Code"); and

WHEREAS, Applicant has submitted an application for approval of a development plan for the Crystal Cove Ltd. Residential Development to encompass all of the property described in Exhibit "A" (hereinafter the "Property" or the "Project"); and

WHEREAS, the proposed development plan meets or exceeds the minimum conditions and standards for the PD District with respect to minimum development size, perimeter setbacks, comprehensive plan consistency, internal compatibility, external compatibility, open spaces, sidewalks, environmental constraints, internal access and circulation, external transportation access, off-street parking, public facilities and unified control; and

WHEREAS, the proposed development plan is consistent with the Low Density Residential land use designation which: encourages intensified development in outlying or newly developed areas for a variety of residential needs; encourages clustering of new development to promote shared facilities and access and to discourage linear development along collector and arterial level roadways; permits energy and cost effective delivery of services; and, requires properly designed ingress and egress to avoid undue traffic hazards or congestion;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF DELAND, FLORIDA:

Section 1. The zoning of the Property as PD, Planned Development District, was made pursuant to Section 33-32 of the Code and the development of the Property shall take place in accordance with that Section and in substantial compliance with the Development Plan Report, Narrative, Maps and other supporting documentation submitted by Applicant which shall be filed and retained for public inspection in the office of the City Planning Department and constitute a supplement to the official Zoning Map of the City.

Section 2. The approved Development Plan for the Crystal Cove Ltd. Residential Development, including the Development Plan Report, Narrative, Maps and other supporting documentation (on file with the City Planning Department), are incorporated herein by reference

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and shall be amended to include the conditions as set forth in the document entitled "Conditions for the Approval of the Crystal Cove Ltd. Residential Development," which is attached hereto as Exhibit "B" and by this reference made a part hereof.

Section 3. The failure of the approved Development Plan to address a particular permit, condition, term or restriction shall not relieve the Applicant of the necessity of complying with any law governing said permitting requirements, conditions, terms or restrictions, as same may be amended or enacted from time to time in the future. All current land development regulations of the City are applicable to the PD District except to the extent that they conflict with a specific provision of the approved Development Plan.

Section 4. At the time of development, the Applicant shall comply with all relevant building codes and development standards contained in the City's Code of Ordinances or in the Development Plan; provided, however, that the development standards contained in the adopted Development Plan shall supersede comparable standards contained in the Code of Ordinances.

Section 5. Pursuant to Article 5 of the City's Land Development Regulations, the Applicant shall comply with all applicable infrastructure regulations.

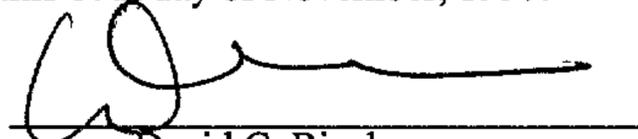
Section 6. The City Commission may rezone any portion of the Project which has not obtained preliminary plat approval within two years from the date of adoption of this Ordinance.

Section 7. No rights to obtain final development orders nor any rights to develop the property have been granted or implied by this Ordinance. Final development orders for the property including, but not limited to, subdivision and site plan approval shall be subject to a determination of concurrency.

Section 8. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, that holding shall in no way affect the validity of the remaining portions of this Ordinance.

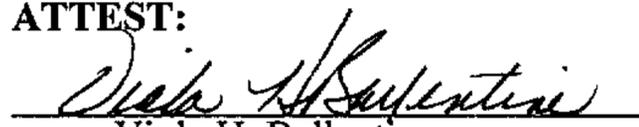
Section 9. This Ordinance shall become effective immediately upon its adoption.

PASSED AND DULY ADOPTED this 17th day of November, 1997.



David C. Rigsby
Mayor-Commissioner

ATTEST:



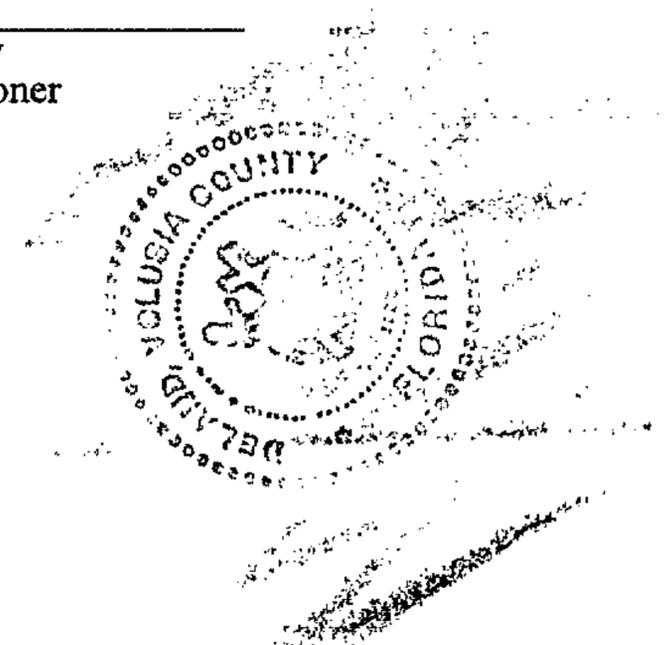
Viola H. Ballentine
City Clerk - Auditor

Passed on first reading: November 3, 1997
Adopted on second reading: November 17, 1997

APPROVED AS TO FORM AND LEGALITY:



Mark A. Zimmerman
City Attorney



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EXHIBIT A

LEGAL DESCRIPTION

Tract "B"

The Southwest 1/4 of the Southwest 1/4 LESS the West 55 feet thereof; and the West 1/2 of the Northwest 1/4 of the Southeast 1/4 of the Southwest 1/4, and the South 1/8 of the Northwest 1/4 of the Southwest 1/4 LESS the Right-of-Way for McGregor Road, all in Section 28, Township 17 South, Range 30 East, Volusia County, Florida.

together with (i) all tenements, hereditaments, appurtenances, thereunto belonging or in anywise appertaining; (ii) all of the Grantor's rights, title and interest in and to all air, surface, mineral and subsurface rights, easements and rights of way and ingress and egress rights relating thereto; (iii) all right, title and interest of the Grantor in and to any land lying in the bed of any street, alley, road or avenue, or any proposed street, alley, road or avenue contiguous thereto to the centerline thereof, with every privilege, right, title, interest and estate reversion and remainder thereto belonging or in anywise thereto appertaining.

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Diane M. Matousek
Volusia County, Clerk of Court

EXHIBIT B

**CONDITIONS FOR THE APPROVAL OF CRYSTAL COVE
A LIMITED RESIDENTIAL DEVELOPMENT**

1. At the time of the submittal of the preliminary plat, submit a more detailed tree survey showing the width and species of all trees on the site, detailed tree protection worksheets, and plans acceptable to the City, to preserve the maximum number of historic trees.
2. As a condition of the preliminary plat, provide permits from the relevant local, state and federal agencies, regarding the wetlands and any proposed dredging and filling activities.
3. As part of the submittal of the preliminary plat, show the primary and secondary shoreline protection zones for all lots abutting the lake.
4. Prior to the approval of the preliminary plat, provide the details of the gopher tortoise management plan, which is acceptable to all relevant local, state and federal agencies.
5. Prior to the approval of the preliminary plat, provide the City with a conservation easement for the 35' wide natural buffer along the west property line, titled in name of the Homeowners Association, and a non-exclusive conservation easement over the same 35' to the City of DeLand.

U:\P\SR\CCExB

ORDINANCE 2000-46

AN ORDINANCE OF THE CITY OF DELAND, FLORIDA, AMENDING ORDINANCE NO. 97-44; WHICH APPROVED THE DEVELOPMENT PLAN FOR THE CRYSTAL COVE LTD. RESIDENTIAL DEVELOPMENT BY AMENDING THE PLANNED DEVELOPMENT DOCUMENT BY ADDING PHASE II AND AMENDING THE DEVELOPMENT STANDARDS THEREFOR; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Ordinance No. 97-44, adopted November 17, 1997, approved a Development Plan for the Crystal Cove Ltd. Residential Development; and

WHEREAS, the present developer of the Crystal Cove Ltd. Residential Development is requesting that the development standards be amended by adding Phase II and amending the development standards; and

WHEREAS, this site was part of the original project when it was annexed, but was not included in the rezoning of 1997.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF DELAND, FLORIDA:

Section 1. City of DeLand Ordinance 97-44, approving the Development Plan for the Crystal Cove Ltd. Residential Development is hereby amended by adding Phase II and amending the development standards, which are attached as Exhibit A and Exhibit B.

Section 2. At the time of development, the developer shall comply with all relevant building codes and development standards contained in the City's Code of Ordinances or in the Development Plan; provided, however, that the development standards contained in the adopted Development Plan, as amended, shall supersede comparable standards contained in the Code of Ordinances.

Section 3. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, that holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 4. All Ordinances, or parts of Ordinances, in conflict herewith are, to the extent of such conflict, hereby repealed.

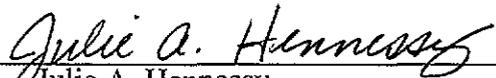
Section 5. This Ordinance shall become effective immediately upon its adoption.

PASSED AND DULY ADOPTED this 18th day of December, 2000.



David C. Rigsby
Mayor - Commissioner

ATTEST:



Julie A. Hennessy
City Clerk - Auditor

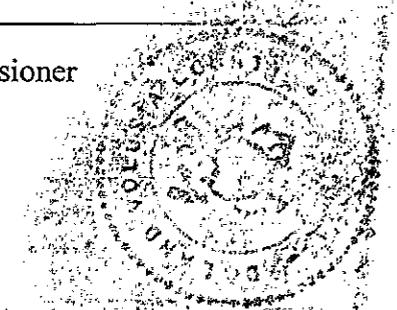
Passed on first reading: December 4, 2000

Adopted on second reading: December 18, 2000

APPROVED AS TO FORM AND LEGALITY:



Mark A. Zimmerman
City Attorney



01/09/2001 13:35
Instrument # 2001-004779
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Crystal **Cove**

Phase 2

PLANNED DEVELOPMENT DELAND, FLORIDA

PREPARED BY:
CPH-Engineers, Inc.
101 N. Woodland Blvd.
Suite 100
DeLand, Florida
32720

CEIVT

OCT 20 2000

200-08-09
COMMUNITY DEVELOPMENT

PROJECT DEVELOPER:

Crystal Cove, Ltd.
401 West Colonial Drive
Suite 1
Orlando, FL 32804
Jim Fant
[REDACTED]

PROJECT CONSULTANTS:

Engineering/Planning: CPH Engineer, Inc.
101 N. Woodland Blvd
Suite 100
DeLand, FL 32720
Nancy B Cook, PE
[REDACTED]

Environmental: Aquatic Symbiotics, Inc.
100 S. Semoran Blvd.
Orlando, FL 32807
Thomas W. Jacobs
[REDACTED]

Surveying: Southeastern Surveying and Mapping
925 S. Semoran Blvd.
Suite 112
Winter Park, FL 32792
James L. Petersen, PSM
[REDACTED]

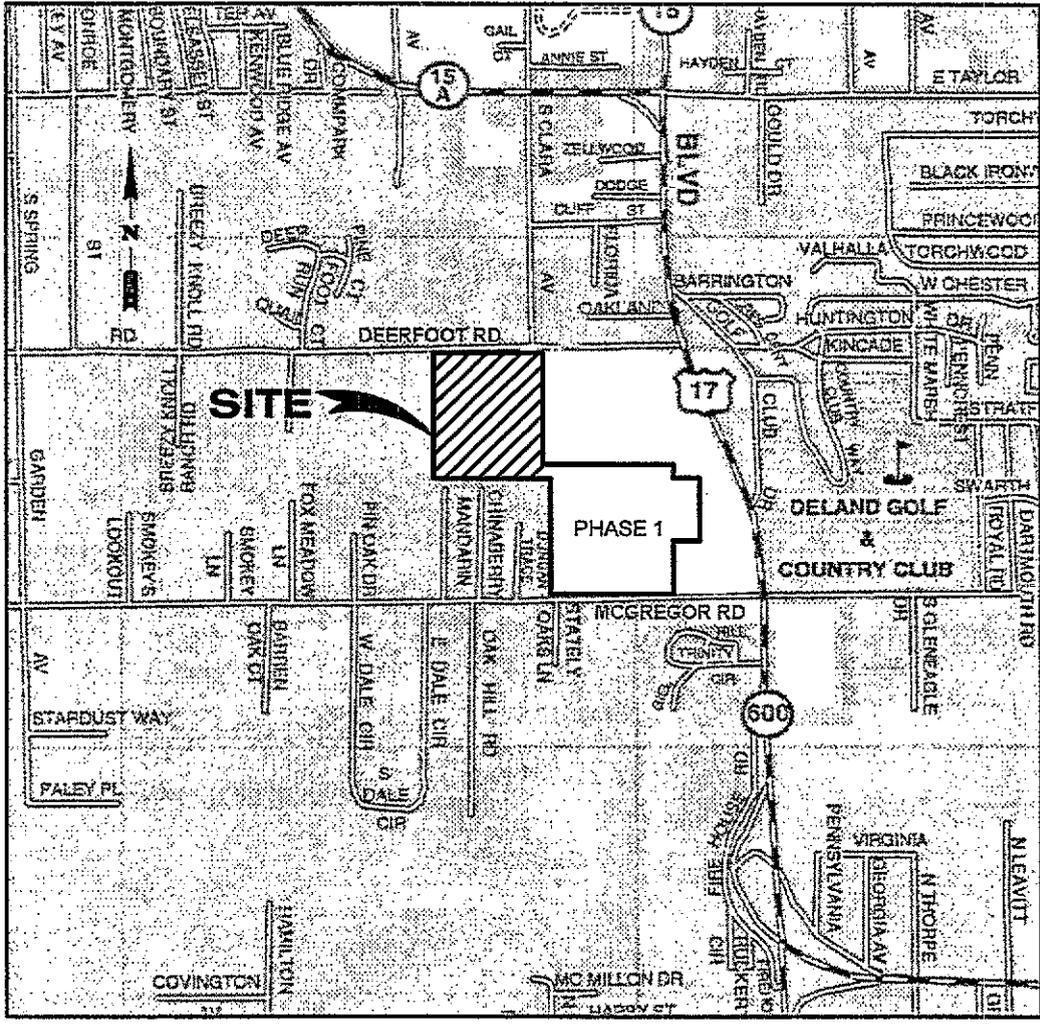
Traffic: Traffic, Planning and Design, Inc.
535 Versailles Drive
Suite 200
Maitland, FL 32751
Turgut Dervish, PE
[REDACTED]

**CRYSTAL COVE PD
PHASE 2**

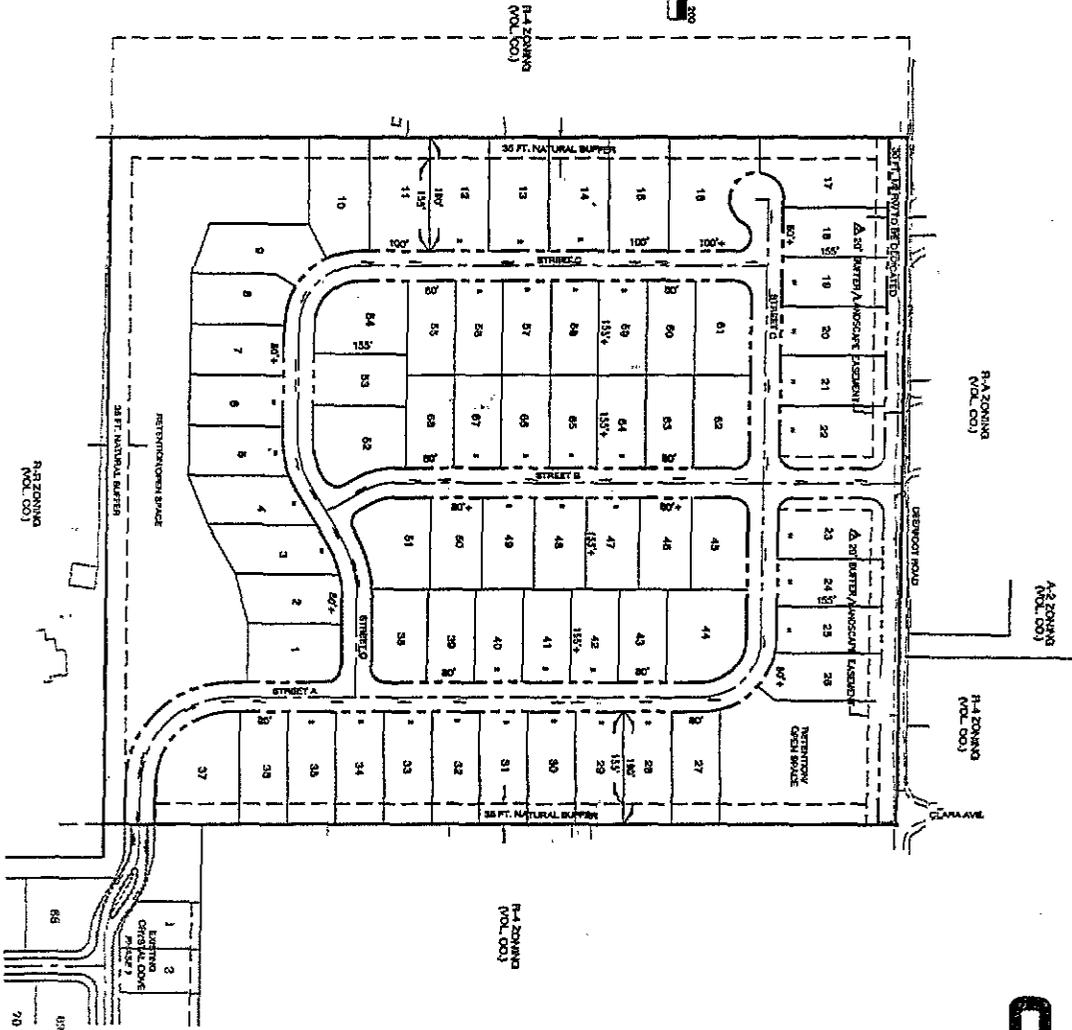
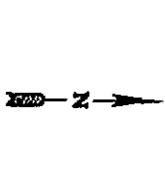
DELAND, FLORIDA

LEGAL DESCRIPTION

THE NORTHEAST $\frac{1}{4}$, OF THE SOUTHEAST $\frac{1}{4}$, SECTION 29,
TOWNSHIP 17 SOUTH, RANGE 30 EAST, LESS THE WEST 165.00
FEET, VOLUSIA COUNTY, FLORIDA.



VICINITY MAP
Scale: 1"=2000'



CRYSTAL COVE PHASE 2

PLANNED DEVELOPMENT DELAND, FLORIDA

DEVELOPER:

Crystal Cove, LTD.
101 H. Woodland Avenue, Suite 7
Deland, Florida 32720
(407) 925-8778
Attn: Anne Ford

ENGINEER:

CRH Engineers, Inc.
101 H. Woodland Avenue, Suite 100
Deland, Florida 32720
(407) 925-8778
Attn: Mark Cook, P.E.

ENVIRONMENTAL:

Florida Environmental Services, Inc.
100 S.W. Massachusetts Avenue, Suite A
Deland, Florida 32720
(407) 282-0052

SURVEYOR:

Southwestern Surveying and Mapping
825 South Semoran Boulevard, Suite 112
Winter Park, Florida 32789
(407) 974-8724

UTILITIES:

Water: City of Deland
Power: Florida Power Corporation
Telephone: Telephone Company
Cable Television: Time Warner Cable

SITE DATA

Average Summary
Total Site Area 1,532,282 SF 35.2 ACRES
Maximum Number of Lots: 68

Zoning

Current Zoning: R-4
Desired Use: UNDEVELOPED

RECEIVED
NOV 10 2000
COMMUNITY DEVELOPMENT

CRH Engineers, Inc.
191 NORTH WOODLAND AVENUE
DELAND, FLORIDA 32720
PHONE: (407) 738-4412
WWW.CRHENGINEERS.COM

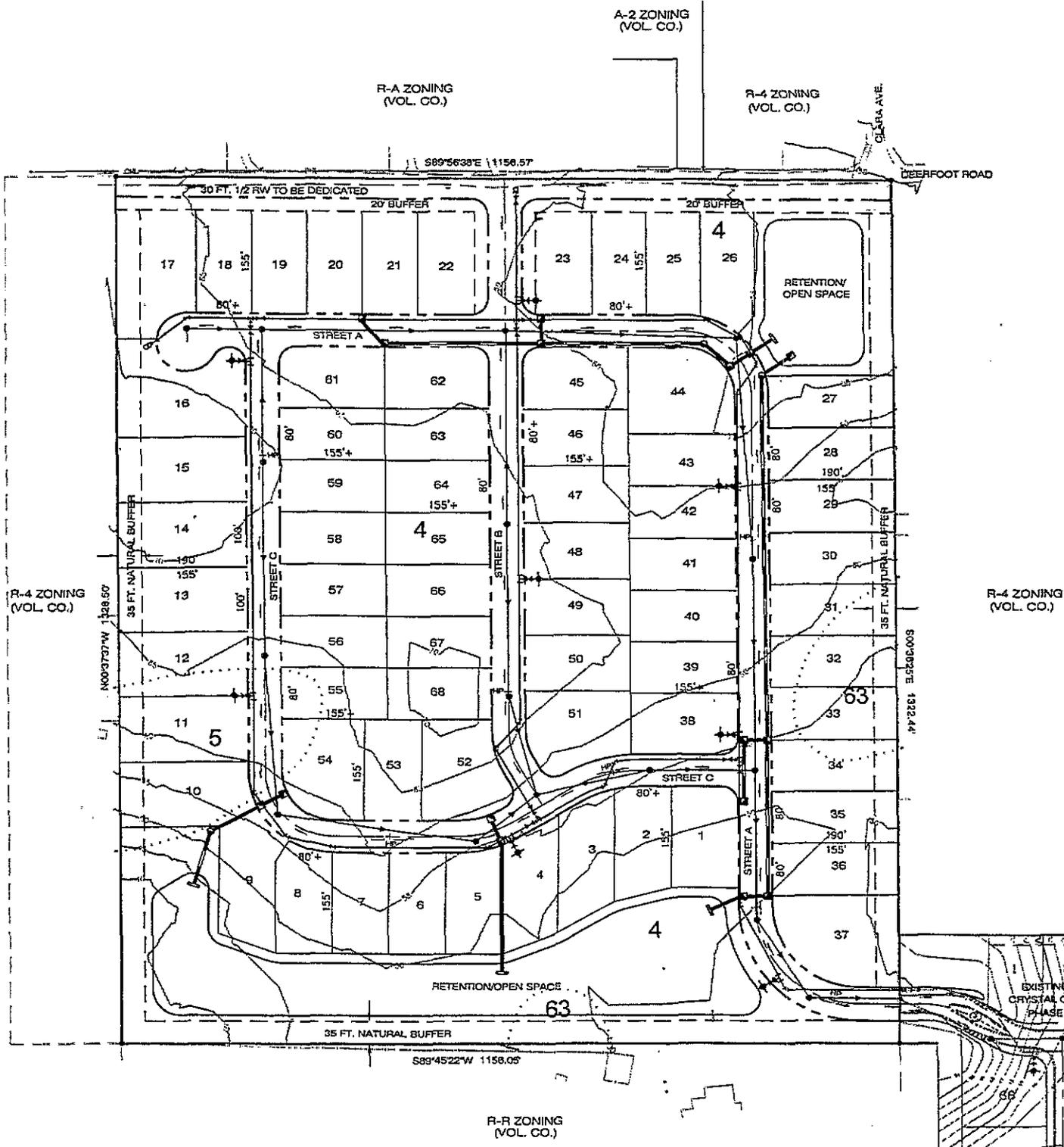
DATE	PROJECT/COORD
12	72
12	72

DESIGNED BY:	DATE:
Checked By:	DATE:
Approved By:	DATE:
Registration No.:	DATE:

DATE	DESCRIPTION
12/11/00	1st REVISION
12/11/00	2nd REVISION
12/11/00	3rd REVISION

SHEET NO. **1 of 1**

CONCEPTUAL PLAN
CRYSTAL COVE
PHASE 2



CPH Engineers, Inc.
 MAIN STREET CENTER, SUITE 100
 101 NORTH WOODLAND BLVD.
 DELAND, FLORIDA 32720
 TELEPHONE: (904) 738-4142
 FAX: (904) 738-4142
 E-MAIL: deland@cphengineers.com
 WWW.CPHENGINEERS.COM

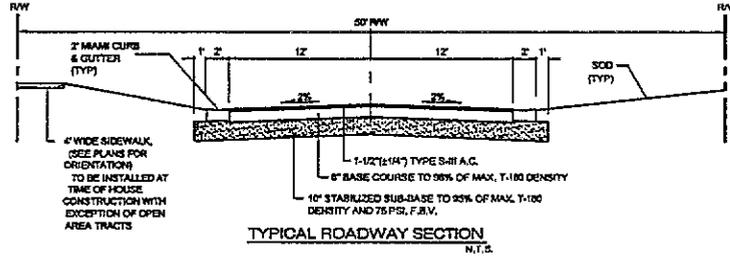
Date	To	For
		Project Control

Activity
Designed by:
Drawn by:
Checked by:
Approved by:
Registration No.

CRYSTAL COVE PHASE 2



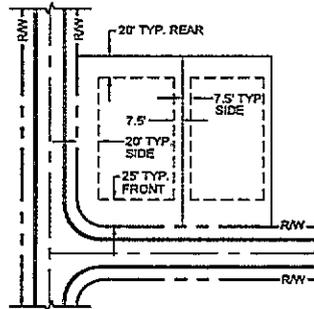
Scale 1"=100'



TYPICAL ROADWAY SECTION
N.T.S.

SOILS LEGEND

SOIL No.	DESCRIPTION	HYDROLOGIC GROUP
4	ASTATULA FINE SAND, 0 TO 8 PERCENT SLOPES	A
5	ASTATULA FINE SAND, 8 TO 17 PERCENT SLOPES	A
63	TAVARES FINE SAND, 0 TO 5 PERCENT SLOPES	A



BUILDING SETBACK DETAIL
N.T.S.

LEGEND

- PROPOSED STORM SEWER WITH DRAINAGE STRUCTURE
- PROPOSED SANITARY SEWER WITH MANHOLE
- EXISTING SANITARY SEWER WITH MANHOLE
- PROPOSED WATER LINE
- EXISTING WATER LINE
- EASEMENT LINE
- EXISTING CONTOUR
- RIGHT OF WAY
- DRAINAGE FLOW
- TREE LOCATION AND TYPE
- SOILS LINE AND NUMBER

63



Name	Date				Drawing scale: 1" = 100' HORZ	SHEET NO.	DRAINAGE AND UTILITY CONCEPT PLAN
J. B. M.	8/00				Date: SEPT. 2000	1 of 1	
D. D. H.	9/00				Job No.: 83302.02		CRYSTAL COVE PHASE II
N. B. C.	9/00				Plot scale: 1:1	DELAND	
Jancy B. Cook	9/00	No.	Date	Revision	Approved		
54610					CAD file: UTIL_CNCPT		

SITE STATISTICAL DATA

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Total Site Area 1,532,582 SF 35.2 Acres

Residential: 1,273,406 SF 29.23 Acres

Open Space: 415,480 SF 9.54 Acres - 27.1%

Retention/Open Space: 259,175 SF 5.95 Acres - 16.9%

Buffers: 156,305 SF 3.59 Acres - 10.2%

Current Zoning: PD

Current Use: Undeveloped

Maximum Number of Lots: 68

57 Lots @ 12,400 ± SF

11 Lots @ 14,520 ± SF

Density: 1.93 Units/Acre

Maximum Impervious: 40% / Lot (average)

Maximum Building Height: 35'

Minimum Floor SF: 1400 (heated)

Minimum Lot Size: 12,000 SF

Typical Lot Size: 80' x 155' (12,400 SF)

Minimum Lot Width (At Build. Line): 75'

Minimum Lot Setbacks:

Front 25'

Rear 20'

Side 7.5'

Street Side 20'

Setbacks Start From Lot Property Boundary Line And Includes Buffer

Minimum Right of Way: 50'

Minimum Roadway Width: 24' A.C.

Street A 1981 LF

Street B 972 LF

Street C 1486 LF

Roadway Name Will Change At Phase 1 & 2 Connection

PHASING

Project Will Be Developed In One Phase

PROJECT SIGNAGE

Per Land Development Regulations

Masonry Wall/Signage, With Landscaping And Lighting, At Deerfoot Rd. Entrance

UTILITIES

Water: City of DeLand
Power Company: Florida Power Corporation
Telephone Company: Bellsouth
Cable Television: Time Warner Cable

HISTORIC TREE PRESERVATION

Area to be defined during preliminary plat process. Special roadway design and special residential setbacks may be required to assist in the historic tree protection. Protection of the drip line diameter or tree root zone will be required. Any historic tree that may be removed will require individual approval during the preliminary plat approval process.

Tree Replacement/ Worksheet To Be Defined During The Preliminary Plat Process.

CRYSTAL COVE PHASE 2 PLANNED DEVELOPMENT REPORT

The purpose and intent of the Applicant is to develop a high quality single family Planned Development that will comply with the City of DeLand Comprehensive Plan's policies and goals. The project will be for low-density housing that will be convenient to shopping and employment centers.

Crystal Cove Phase 2 will adhere to the following DeLand general goals and policies:

A. Protect existing residential neighborhoods by providing proper land use and natural buffers between compatible uses within and external to the Crystal Cove PUD

This development will provide a low intensity land use between the R-4 Zoning on the east and west side, R-R Zoning to the south, and Deerfoot Road on the north. The zoning to the north of Deerfoot is R-A, A-2 and R-4 Zoning. Additionally, 35-foot natural buffers will surround the property on the east, west, and south sides. To buffer the project internally, a 20-foot natural/landscape buffer along the north side of the project, along with a 30-foot right-of-way for Deerfoot Road, will provide visual and sound protection.

B. Assure that the project does not burden public services (water, wastewater, parks and recreation, police and fire protection) by adhering to Article 5, Facilities and Services and Impact Fees – DeLand Land Development Regulations March 1998. Also to abide by City, SJRWMD, and FDEP codes concerning detail design and construction of the project's wastewater management, solid waste, and drainage systems.

The attached report outlines this approach.

C. Assure that the project does not burden public roads beyond acceptable levels of service (as determined by the City and/or Volusia County) as follows:

1. Provide only a secondary entrance for emergency and limited use for residents only on Deerfoot Road and encourage the use of the main entrance off McGregor Road in Crystal Cove Phase 1 as the primary entrance to Phase 2.
2. Develop a pedestrian and bike path system within Crystal Cove Phase 2 to provide convenient and safe access, internally connecting to existing Phase 1 and off site systems on McGregor Road.

3. Encourage use of public transportation and make available "pick-up" locations for such transportation.
4. See the attached Traffic Impact Analysis for specific traffic count information (under separate cover).

D. Protect historical or archaeological sites:

None were found based on site surveys but if encountered they will be developed under Article 4 Section 33-34, DeLand Development Regulations.

E. Provide of neighborhood and community recreation and open space as follows:

1. Assure maintenance and preservation of buffers as open space using covenants and deed restrictions.
2. Establish and provide for the maintenance of permanent tree preservation areas as shown on the Crystal Cove Phase 2 PUD Master Plan.
3. Connect, where feasible, buffers and other open spaces as part of the project's bike and pedestrian network.
4. Historic tree protection areas are to be defined during the Preliminary Plat process. The tree replacement/worksheet will also be defined during the Preliminary Plat process. The trees in the 30-foot right-of-way will not be included in the worksheet calculations.

F. Protect environmentally sensitive lands, flora and fauna by adhering to the development requirements for Article 6 – Resource Protection Standards, 1998.

Though a detailed environmental study is not required for DeLand PD submittal, the attached report (from Phase 1 PD submittal) is provided to assist in expediting the detail plan review of Crystal Cove Phase 2.

G. The development order for Crystal Cove Phase 2 shall comply with the provisions of the adopted development agreement. Where there is a conflict between the City Land Development Regulations and the Development Order, the Development Order takes precedence. For those land development regulations not specifically addressed in the Crystal Cove Phase 2 Development Order the latest version of the City's Development regulations take precedence.

INFRASTRUCTURE DESIGN STANDARDS

STORM WATER MANAGEMENT

I. GENERAL

- A. The design of the storm water management system will comply with the City's and SJRWMD requirements.
- B. Unless otherwise agreed to, only infrastructure in the public right-of-way or approved easements will be owned and maintained by the City.

II. DESIGN GUIDELINES

- A. The design will be in accordance with City, and SJRWMD requirements. The following is a summary of some of the requirements. These requirements are subject to change at the discretion of the City and SJRWMD.
 - 1. Provide on-site storage volume and recovery for the pollution abatement volume.
 - 2. Discharge into the on-site retention pond system shall be limited to the difference in pre and post condition peak flow and total volume from the 25-year 24-hour storm event.
 - 3. The proposed storm water management system shall be comprised of retention pond areas and soakage swale areas.
 - 4. All retention and soakage swale areas shall be sodded side slopes, and grassed and mulched bottom areas.
 - 5. All retention and soakage areas shall be designed as dry retention areas. The retention and soakage swale areas shall be designed to recover with in a 14-day period.

WATER SYSTEM

I. GENERAL

- A. Water service will be extended to the project from Crystal Cove Phase 1. Mains, services, hydrants, valves and fittings shall be in accordance with the standards of the City of DeLand and FDEP. All water distribution facilities will become the property of the City.
- B. An existing 12" water main is located at the northwest corner of Crystal Cove Phase 1 and is planned to be extended to the Proposed project as described above. The distribution system will be designed to provide required fire flow plus normal flows to the residential area, while retaining acceptable residual pressures. The design will be coordinated with the City engineering staff.

II. DESIGN GUIDELINES

- A. As stated above, all aspects of the design will be in accordance with City, FDEP and HRS standards and requirements. The following is a summary of some current requirements. These are subject to change at the discretion to the City, FDEP or HRS.
 - 1. Domestic flows shall be based on 350 gpd per equivalent residential unit.
 - 2. Minimums for flows shall comply with the minimum level of service standards of the adopted comprehensive plan at the time of development.
 - 3. On-site fire hydrants have been spaced no more than 500 feet on center. The City of DeLand shall pay for installation and provision of off-site fire hydrants.
 - 4. Hydrants shall be served by 6" minimum diameter looped mains and by 8" diameter dead-end mains.
 - 5. Water mains shall be PVC Class 150, DR 18 conforming to AWWA Std. C900.
 - 6. Fittings for ductile iron pipe and PVC C900 pipe shall be ANSI/AWWA C110/A21.10 (latest edition) and shall be cement lined in conformance with ANSI/AWWA C104/A21.4 (latest edition).
 - 7. Valves shall be resilient-seat gate valves and shall conform to ANSI/AWWA c509-87 with a wrench nut operator.
 - 8. Hydrants shall be cast iron body, fully bronzed mounted, 150 psi working pressure per AWWA C502. Each hydrant shall have one 4-1/2" pumper nozzle and two 2-1/2" hose nozzles. Hydrants shall be restrained with tie rods.
 - 9. As-built drawings shall be submitted to the City.

10. Pressure testing and disinfection shall comply with the City of DeLand and FDEP requirements.
11. Blue magnetic tape shall be buried in the water main trench directly above the water main.

SANITARY SEWERS

I. GENERAL

- A. Municipal sewer service will be provided through an on-site gravity sewer collection system. Mains, laterals, and other appropriate items will be built in accordance with the standards of the City and FDEP. All sewer facilities will become the property of the City. Sewer infrastructure shall be constructed in the public right-of-way or in an easement dedicated to the City.

II. DESIGN GUIDELINES

- A. As stated above, the sanitary sewer design will be in accordance with City and FDEP standards and requirements. The following is a summary of some current requirements. These are subject to change at the discretion of the City and FDEP.
1. One equivalent residential unit shall have an average flow of 350 gpd.
 2. Minimum slopes for gravity mains will be 0.40% for 8" diameter pipes.
 3. Manholes shall be pre-cast concrete in accordance with ASTM C478. Joints shall be tongue and groove with proper recess for RAM-NEK sealant, or equal. Interior surfaces shall be coated with a minimum dry film thickness of 16 mils of an approved bituminous material.
 4. Manhole ring and covers shall be cast iron, in accordance with ASTM A48, suitable to withstand an AASHTO HS-20-44 loading. The cover shall be marked per City standards.
 5. Gravity pipe shall be PVC sewer pipe conforming to ASTM D3034, SDR 35. Joints and fittings shall be in accordance with ASTM D3034.
 6. As-built drawings shall be submitted to the City.

March 25, 1997

Mr. Jim Fant
Brooksville Development
401 West Colonial Dr., Suite 7
Orlando, FL 32804

Dear Mr. Fant:

Report of Preliminary Ecological Assessment
+/- 80 Acre Parcel - Volusia County

This report has been prepared following our investigation of site conditions on March 20, 1997. The following text describes the basic ecological constraints regarding site development, as well as suggestions or recommendations to resolve any of these issues. Please note that all areas are based on Aquatic Symbiotics, Inc. interpretation of exhibits provided by the Client, site data, and a Volusia County aerial photo.

Site Description:

The +/- 80 acre site is located in extreme western Volusia County, Florida, approximately four (4) miles south of the City of Deland. A variety of habitats exist here, ranging from Borrow pit wetlands to Sandhill scrub. The wetlands here are an excavated isolated area which historically may have been wetlands. The area now contains open water with very steep side slopes above the water line. Wetland permitting jurisdiction of the U. s. Army Corps of Engineers (COE) and St. Johns River Water Management District (SJRWMD) will not extend horizontally landward significantly past the water level in the pit as of this writing.

The uplands on the parcel have also largely been disturbed. The northwestern +/- 40 acres is a semi-managed pasture with varieties of sandhill tolerant oaks re-establishing approximately 20% of the area. No significant Sand pine (Pinus clausa) were noted in this +/- 40 acre area. The U.S.D.A.'s Soil Survey of Volusia County, Florida (1980) contain circa 1972 aerial photos which show the northwestern +/- 40 acres with approximately 5% tree cover.

**Aquatic
Symbiotics, Inc.**

100 S. Semoran Blvd.
Suite A
Orlando, Florida
32807
407/282-3092



Mr. Jim Fant, Brooksville Development
Report of Preliminary Ecological Assessment
+/- 80 Acre Parcel - Volusia County
March 25, 1997
Page Two

Site Description (cont.):

The southeastern +/- 40 acres (minus the borrow area and some disturbed area west of and adjacent to the borrow) contains a more diverse canopy of oaks and Sand pine. Recent underbrushing made for excellent visibility in wildlife transects. Both +/- 40 acre areas, particularly the southeastern one, incurs frequent recreation vehicle traffic.

Wetlands:

The wetland is isolated from other waters and appears to be wholly owned. These two (2) observations are assets in the permitting arena due to lack of impact to other land owners or waterways. The wetland has also incurred significant historic impacts. The lack of value or function area also assets to negotiation of minor wetland impacts.

Wetland Recommendations:

Three (3) regulatory interests will require authorization to impact site wetlands. The COE, SJRWMD, and Volusia County Environmental Management Department will all require some type of permit for impact to the public resource. Due to the isolated and impacted nature of the wetlands, minor impacts should not receive opposition from the regulators.

Protected Flora and/or Fauna:

The site investigation revealed that various animals utilize the parcel. However, evidence of only one (1) species of animal which is provided specific protection, the Florida Gopher tortoise (Gopherus polyphemus), was observed. No other protected flora or fauna were noted.

The Florida Game and Fresh Water Fish Commission (FGFWFC) regulate any impacts to the Gopher tortoise. No evidence of plants or animals regulated by the U. S. Fish and Wildlife Service (USFWS) was observed. It will be necessary to perform a quantitative (100%) assessment of the parcel for the presence of the tortoise. If the tortoise resides on, or within fifty (50) feet of the site the FGFWFC will require authorization to resolve the issues.

AS



Mr. Jim Fant, Brooksville Development
Report of Preliminary Ecological Assessment
+/- 80 Acre Parcel - Volusia County
March 25, 1997
Page Three

Protected Flora and/or Fauna Recommendations:

Perform the quantitative tortoise assessment and resolve with the FGFWFC as necessary. The preliminary review found only three (3) active tortoise burrows. It is recommended to consider "on-site relocation" in green spaces. Any population found will be small, therefore, the resolution (including consulting) should not exceed (\$8,000.00)

Conclusions:

The parcel contains a +/- 5.4 acres of wetlands which require Federal, State and local permits to impact. Mitigation is an alternative, however, relatively ambiguous until site planning is initiated.

With the exception of a very small (if any) population of Gopher tortoises, the uplands do not hold evidence of any other ecological barriers to site development. Once the tortoise issue is resolved, the uplands can be developed as required.

We appreciate the opportunity to provide this preliminary ecological assessment of your parcel. Please contact us with any questions or comments regarding this document.

Respectfully,



Thomas W. Jacobs
Vice President

TWJ:lw
BROOKS.1

AS





United States Department of the Interior

FISH AND WILDLIFE SERVICE
6620 Southpoint Drive South
Suite 310
Jacksonville, Florida 32216-0912

IN REPLY REFER TO:
FWS/R4/ES-JAFL

OCT 24 1997

Thomas Jacobs
Aquatic Symbiotics, Inc.
100 S. Semoran Boulevard, Suite A
Orlando, Florida 32807

FWS Log No: 98-056F
County: Volusia

Dear Mr. Jacobs:

This is in response to information received on October 10, 1997 regarding the Crystal Cove development of a ±80 acre site in Volusia County, Florida. We have reviewed the description of habitat on the property, site investigation results, and Florida scrub-jay occurrence records. The described habitat is not suitable nesting habitat for scrub-jays and occurrence records from 1992 to present show there are no scrub-jays on the property. Review of this information and additional information indicates development of this property is not likely to impact scrub-jays.

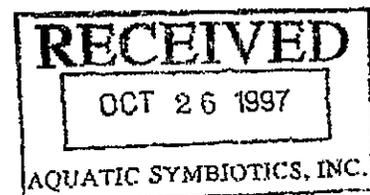
However, if at any time during the development scrub-jays appear on the property, construction should be halted and our office contacted immediately. It is also our recommendation that as much natural vegetation as possible be left on the property and used in the landscape.

If you have any questions, please contact Stefanie Barrett at (904) 232-2580, ext. 104. Thank you for the opportunity to comment.

Sincerely,

Don Palmer

For Michael M. Bentzien
Assistant Field Supervisor



October 17, 1997

Ms. Stefanie Barrett
U.S. Fish and Wildlife Service
6620 Southpoint Dr., South
Suite 310
Jacksonville, FL 32216

Dear Ms. Barrett:

Crystal Cove - Volusia County
Florida Scrub Jay Presence

This letter has been prepared in response to your October 15, 1997 inquiry regarding the possible presence of the Florida Scrub Jay (*Aphelocoma coerulescens coerulescens*) on the proposed development. Your inquiry is based on a complaint from an adjacent owner that the Scrub jay is present. The following discussion provides documentation of site investigation, habitat viability, and the likelihood of the parcel being inhabited by the Scrub jay.

Site Investigation: Aquatic Symbiotics, Inc. staff have been on the parcel on two (2) occasions: On March 20, 1997 to perform a qualitative listed species assessment; and April 11, 1997 to escort St. Johns River Water Management District (SJRWMD) staff on site to review wetland issues. On neither occasion were Scrub jays observed.

The initial investigation in March, 1997 found the parcel to be unsuitable for inhabitation by the Scrub jay. The subject parcel is dominated by canopy size oaks and Sand pine (*Pinus clausa*). No evidence of recent fire was observed. A small wetland exists in the southeast corner of this excessively well drained parcel, which is fringed by heavily disturbed (off road vehicles) ruderal vegetation. The purpose of this investigation was a qualitative protected species assessment, however, due to the poor quality habitat the Scrub jay tape was not played.

The purpose of the second site visit with the SJRWMD in April, 1997 was to identify the limit of wetlands. No Scrub jays were observed.

**Aquatic
Symbiotics, Inc.**
100 S. Semoran Blvd.
Suite A
Orlando, Florida
32807
407/282-3092

RECEIVED

OCT 21 1997

CONKLIN, PORTER & HOLMES
ENGRS., INC.
SANFORD, FLA.



Ms. Stefanie Barrett, USFWS
Crystal Cove - Volusia County
Florida Scrub Jay Presence
October 17, 1997
Page Two

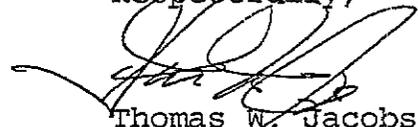
Supporting Data: Aquatic Symbiotics, Inc. is currently representing an HCP for the Scrub jay in another portion of Volusia County. In the pursuit of said HCP Aquatic Symbiotics, Inc. has obtained the most current habitat and sighting data available. The enclosed copy of the Florida Game and Fresh Water Fish Commission's (FGFWFC) 1997 habitat and sighting map clearly excludes this site.

Conclusion: There has been no physical observation of the Scrub jay on site by Aquatic Symbiotics, Inc.. Furthermore, no suitable nesting habitat exists here. It is possible a transient sighting occurred, but the likelihood of inhabitation is virtually zero based on the status of existing site habitat and the attractive ecological status of other lands off site in the vicinity.

Secondly, the current data utilized by the local regulatory interest shows neither suitable habitat or any recorded sightings. Aquatic Symbiotics, Inc. is of the opinion that the Florida Scrub jay does not utilize the subject parcel as critical or support habitat.

We are pleased to provide this information. Please call with any questions.

Respectfully,



Thomas W. Jacobs
Vice President

TWJ:lw
MGTDEB

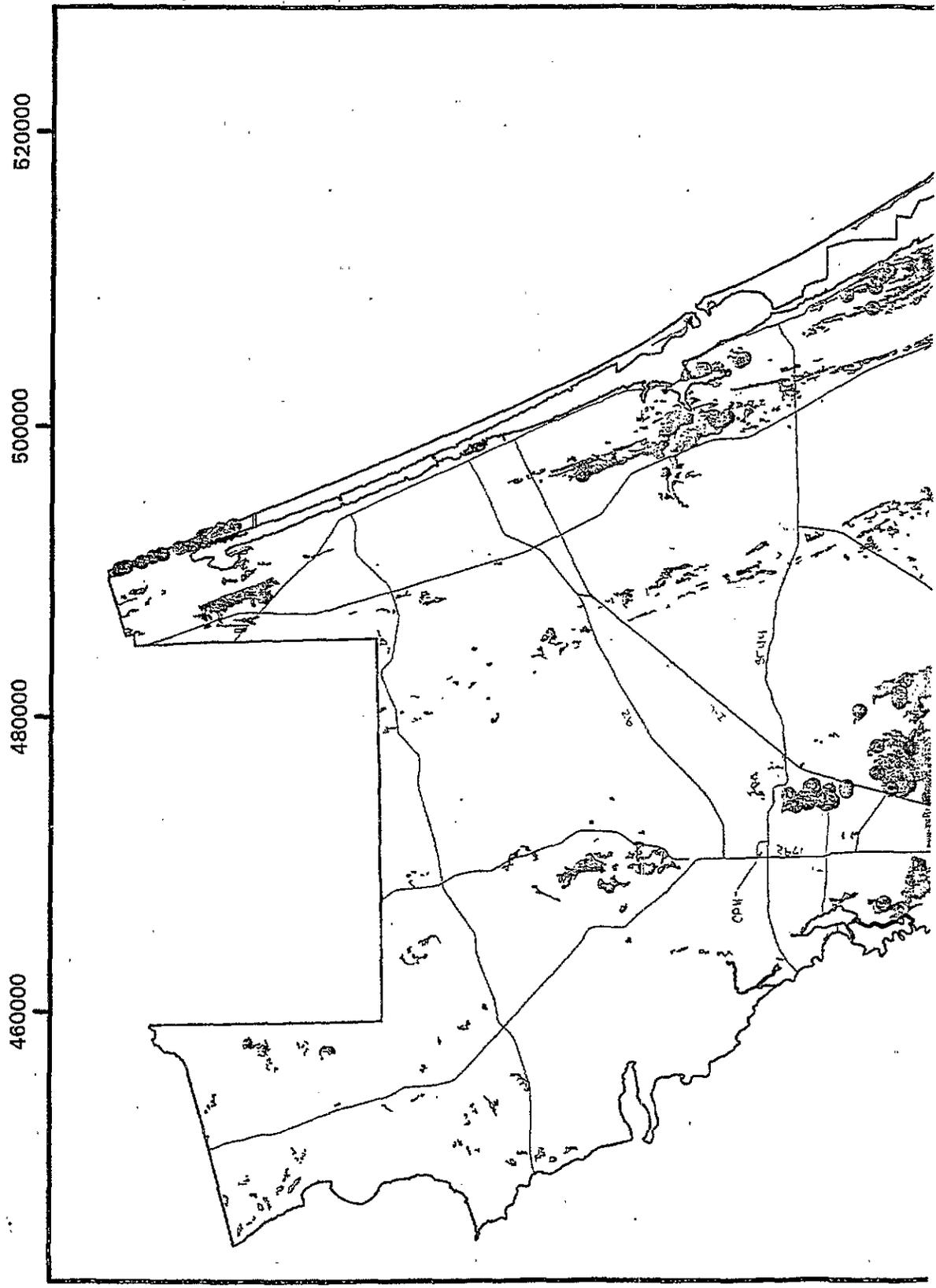
Enclosure

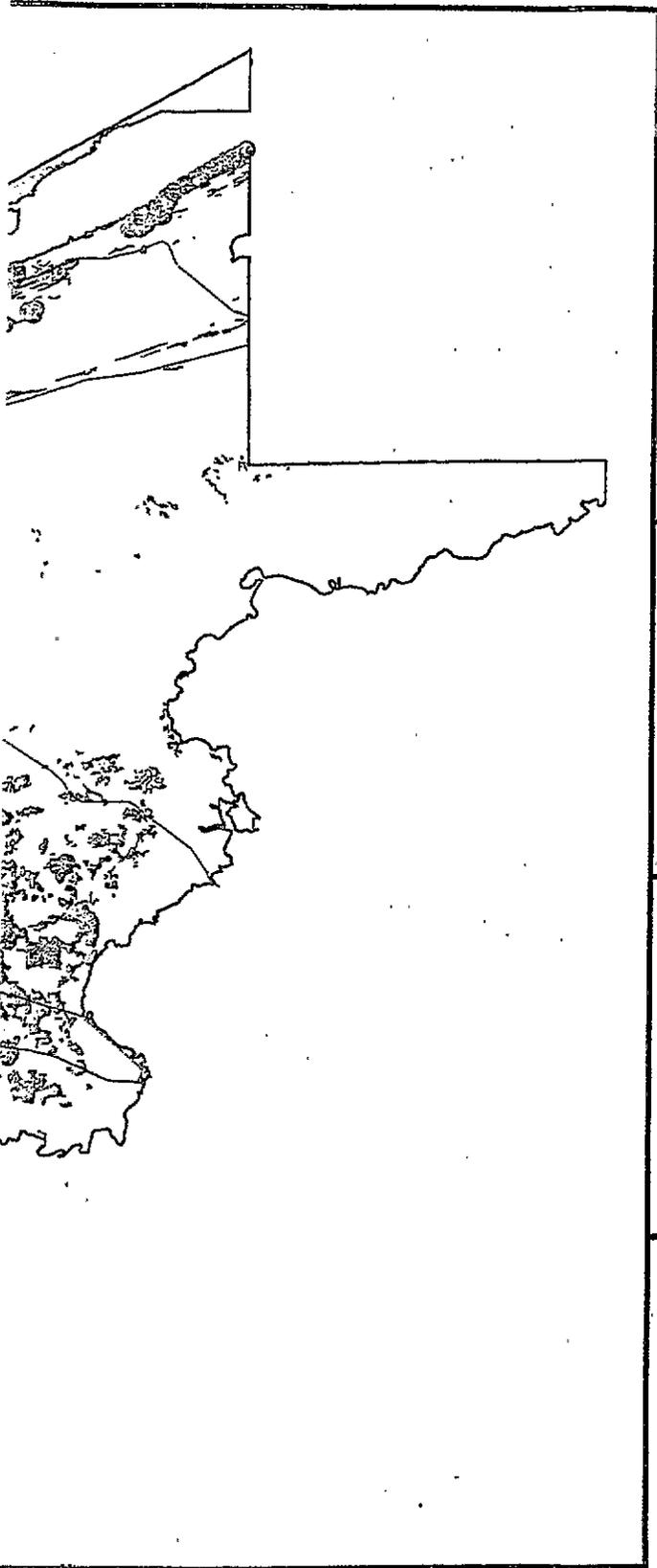
c: Mr. Jim Fant, Brooksville Dev.
Mr. Ken Steeves, Conklin, Porter & Holmes

AS

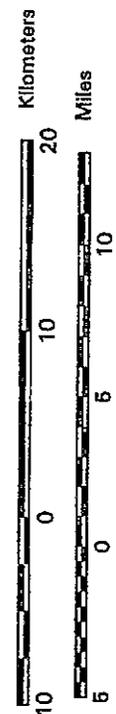


Volusia County, Florida
Florida scrub jay habitat and occurrence records





Scale



1 : 400500

Legend

Class_Names

-  Scrub jay habitat
-  Scrub jay occurrence records
-  County boundary
-  Major roads

Map prepared by: Sharon B. Arnold
/haud/pqeeet/priva/qaquad/asy/vw/usta; jay.map
Florida Game & Fresh Water Fish Commission
Office of Environmental Services
620 S. Mecklen St.
Tallahassee, FL 32399-1600
July 24, 1997



City of DeLand

Application

For: Change of Zoning

File Copy B3302.2

Staff Use Only:
APPLS Z -

Check One: Map Change X Text Change

Requested Action:

Applicant Name: Last: Crystal Cove Ltd. First: _____ Middle: _____

Applicant Address: Number: 401 Direction: W. Name: Colonial Drive Route: Suite 7

City: Orlando State: Florida Zip code: 32804

Telephone Number: 4 0 7 . 4 2 5 . 8 2 7 6 Extension: _____

Applicant Signature: [Signature] SUP Crystal Cove Ltd. General Partner

Owner Name: Last: Crystal Cove Ltd. First: [Signature] Middle: [Signature]

Owner Address: Number: 401 Direction: W. Name: Colonial Drive Route: Suite 7

City: Orlando State: Florida Zip code: 32804

Telephone Number: 4 0 7 . 4 2 5 . 8 2 7 6 Extension: _____

Owner Signature: [Signature] SUP Crystal Cove Ltd. General Partner

Parcel Number: _____

Property Address: Street Number: _____ Street Direction: _____ Street Name: _____ Street Route: _____

Area: Acres: _____ Square Feet: 1,532,582.00

* Addressor General Location: South side of Deerfoot Road +/- 1/4 Mile East of US 17-92

Legal Description: See Attachments

EXISTING REGULATIONS: _____

FUTURE LAND USE CLASSIFICATION: Low Density Residential

ZONING: PD

BOOK: 4632
PAGE: 4322

ADJACENT ZONING CLASSIFICATIONS:

NORTH: R-4, A-2
SOUTH: R-R
EAST: R-4, PD
WEST: R-4

REASON FOR REQUESTED CHANGE:

Revise the existing expired Planned Development (PD)
zoning classification

FEE SCHEDULE

APPLICATION FOR CHANGE OF ZONE: \$275.00 plus \$5 per acre.

APPLICATION FOR PLANNED DEVELOPMENT DESIGNATION: \$550.00 plus \$5 per acre. $550 + 175.90 = \$725.90$

APPLICATION FOR TEXT CHANGE TO LAND DEVELOPMENT REGULATIONS: \$375.00

APPLICATION RECEIVED BY: _____ DATE: _____
FEE DUE: \$ _____ PAID: _____ DATE: _____

U/p/applications/rezon

PLANNING BOARD SCHEDULE - 2000
JANUARY 2000 - JANUARY 2001

Application Closing Date	Planning Board Meeting	City Commission Meetings
DECEMBER 22, 1999 (A) DECEMBER 31, 1999 (B)	JANUARY 18, 2000	FEBRUARY 7, 21
JANUARY 21, 2000 (A) JANUARY 28, 2000 (B)	FEBRUARY 16, 2000	MARCH 6, 20
FEBRUARY 18, 2000 (A) FEBRUARY 25, 2000 (B)	MARCH 15, 2000	APRIL 3, 17
MARCH 24, 2000 (A) MARCH 31, 2000 (B)	APRIL 19, 2000	MAY 1, 15
APRIL 21, 2000 (A) APRIL 28, 2000 (B)	MAY 17, 2000	JUNE 5, 19
MAY 26, 2000 (A) JUNE 2, 2000 (B)	JUNE 21, 2000	JULY 3, 17
JUNE 23, 2000 (A) JUNE 29, 2000 (B)	JULY 19, 2000	AUGUST 7, 21
JULY 21, 2000 (A) JULY 28, 2000 (B)	AUGUST 16, 2000	SEPTEMBER 4, 18
AUGUST 25, 2000 (A) AUGUST 31, 2000 (B)	SEPTEMBER 20, 2000	OCTOBER 2, 16
SEPTEMBER 22, 2000 (A) SEPTEMBER 29, 2000 (B)	OCTOBER 18, 2000	NOVEMBER 6, 20
OCTOBER 20, 2000 (A) OCTOBER 27, 2000 (B)	NOVEMBER 15, 2000	DECEMBER 4, 18
NOVEMBER 24, 2000 (A) DECEMBER 1, 2000 (B)	DECEMBER 20, 1999	JANUARY 1, 15, 2001
DECEMBER 22, 2000(A) DECEMBER 29, 2000 (B)	JANUARY 17, 2001	FEBRUARY 5, 19, 2001

MEETING DATES:

Planning Board 3rd Wed-5pm, CC 1st & 3rd Mon. of following month 7pm, all meetings in City Commission Chambers
CLOSING TIME: 12:00 P.M. ON THE CLOSING DATES

APPLICATION TYPES AND PUBLIC NOTICE REQUIREMENTS

APPLICATION TYPES:

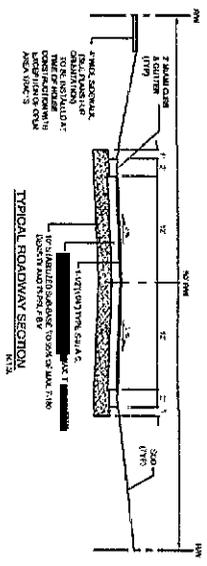
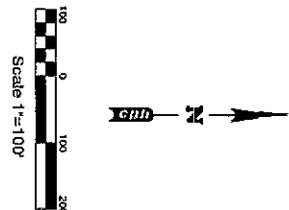
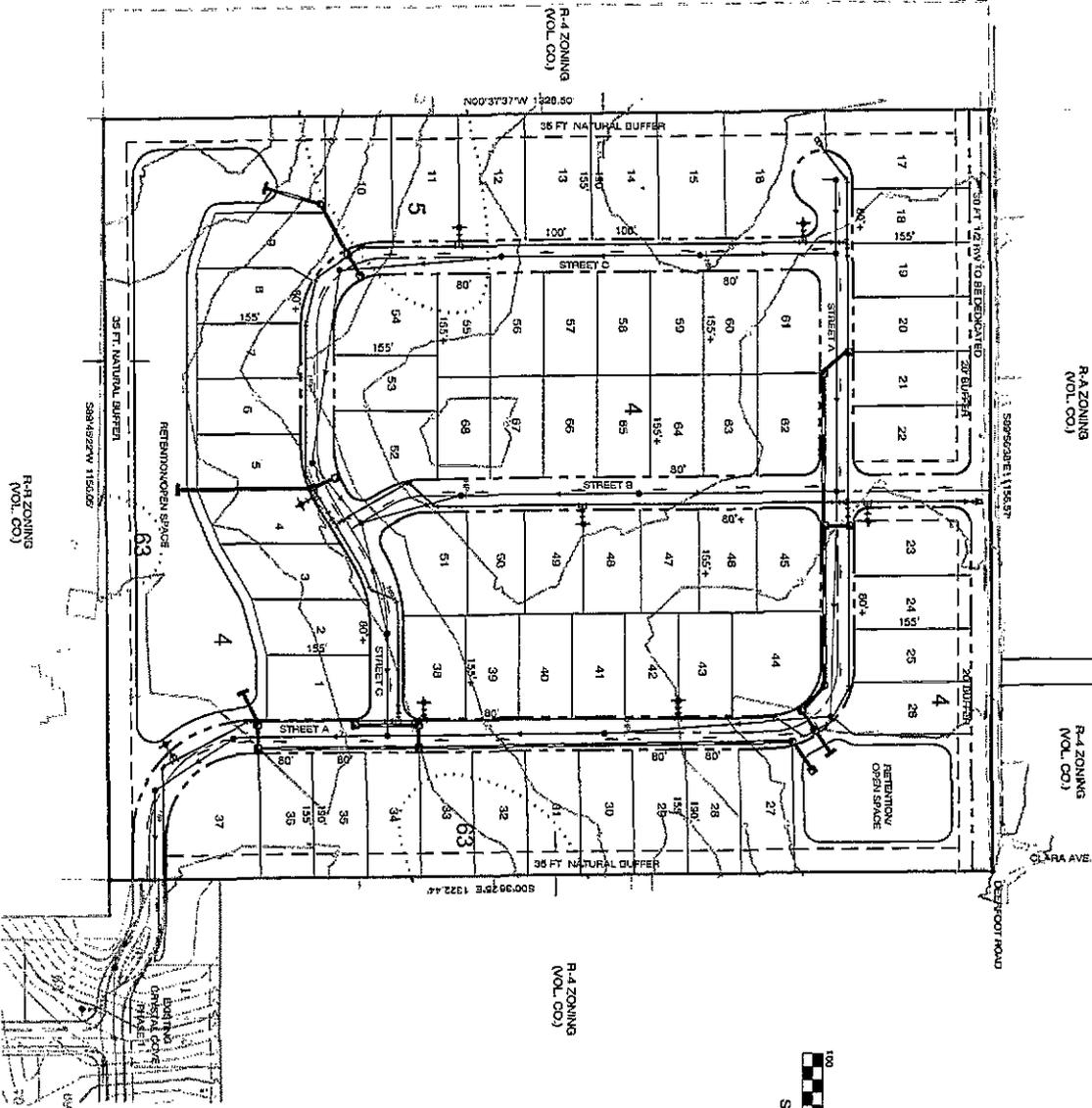
(A) - Any item requiring notification to property owners
or advertising in the newspaper

(B) - Items requiring staff review or one public hearing by City
Commission

- Annexations
- Development Agreements
- Any item requiring an Ordinance
- Land use Change
- Subdivisions - Final
- Subdivisions - Preliminary notification
- Zoning Changes including LDR's
- Class III Site Plan

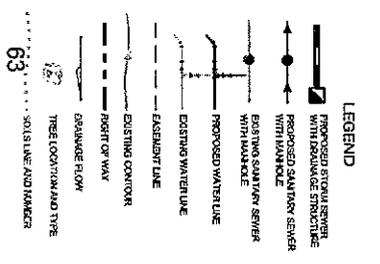
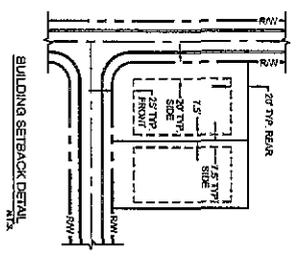
- Liquor Licenses
- Special Exceptions
- Miscellaneous items requiring a Resolution
- Miscellaneous items not requiring advertising or
- Parking Waivers
- Determination of Similarity or Uses

CRYSTAL COVE PHASE 2



SOILS LEGEND

SOIL NO.	DESCRIPTION	HYDROLOGIC GROUP
4	ASTILLA FINE SAND, 0 TO 6 PERCENT SLOPES	A
5	ASTILLA FINE SAND, 6 TO 12 PERCENT SLOPES	A
63	UNSATURATED FINE SAND, 12 TO 18 PERCENT SLOPES	A



CPH Engineers, Inc.
 MAIN STREET CENTER, SUITE 100
 100 DELAND, FLORIDA 32720
 TELEPHONE: (407) 253-1111
 FAX: (407) 253-1112
 WWW.CHEUNGENR.COM

DATE	TO	FROM
	Project Owner	CPH

Activity	Name	Date
Designed By	J.S.K.	2007
Drawn By	D.B.H.	2007
Checked By	M.B.C.	2007
Approved By	NAME & CODE	2007
Registration No.	5418	

DRAINAGE AND UTILITY CONCEPT PLAN
 SHEET NO. **1 of 1**
 CRYSTAL COVE
 PHASE II
 11/2008

EXHIBIT B

**ADDITIONAL INFORMATION FOR THE CRYSTAL COVE
PLANNED DEVELOPMENT**

Perimeter Buffer:

South, East and West boundaries shall contain 35' wide natural buffer (maintain existing vegetation).

North boundary shall contain 20' buffer meeting requirements of Class C landscape buffer or equivalent.