

**ORDINANCE NO. 2024 – \_\_\_**

**AN ORDINANCE OF THE FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS, FLAGLER COUNTY, FLORIDA, DESIGNATING THE PRIMROSE AT HUNTER’S RIDGE PLANNED UNIT DEVELOPMENT (PUD); ESTABLISHING DEVELOPMENT CRITERIA THROUGH A DEVELOPMENT AGREEMENT; PROVIDING FOR FINDINGS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, ACE AND LUNA II, LLC, is the owner and applicant of the subject parcel, submitted Application #4697 for approval of a Site Development Plan in a Planned Unit Development (PUD) and PUD Development Agreement for Primrose at Hunter’s Ridge on a 27.14 acre parcel, more or less, in size and identified as Property Appraiser Parcel No. 22-14-31-0000-01010-0081, more particularly described in **Exhibit “A”** to the PUD Development Agreement, attached hereto as Attachment 1 and made a part hereof; and

**WHEREAS**, the subject property is part of the Hunter’s Ridge Development of Regional Impact (DRI) which was initially established in 1991 and was subsequently amended through the Development Order approved by the Board of County Commissioners through Resolution No. 2023-18, approved on February 20, 2023 and recorded on March 17, 2023 at Official Records Book 2764, Page 762, Public Records of Flagler County, Florida; and

**WHEREAS**, the Hunter’s Ridge DRI established land uses generally, but without the specificity provided by the PUD review and approval process; and

**WHEREAS**, the subject parcel has been designated through the DRI as a Mixed Use Office/Retail/Service parcel (“Primrose”) limited to no more than 239,841 square feet of floor area and a maximum structure height of 45 feet; and

**WHEREAS**, this Ordinance and its Attachment and Exhibits shall serve as the Primrose at Hunter’s Ridge PUD and PUD Development Agreement; and

**WHEREAS**, the owner is now desirous of commencing development within the Primrose at Hunter’s Ridge PUD in a manner that is consistent with the standards and criteria included in the adopted PUD Development Agreement and reflected graphically on the PUD Site Development Plan, together with the Hunter’s Ridge DRI Development Order and amendments; and

**WHEREAS**, on July 9, 2024, the Planning and Development Board conducted a public hearing on this request and voted to recommend approval; and

**WHEREAS**, on August 19, 2024, the Flagler County Board of County Commissioners held a public hearing on this request and voted to approve the Primrose at Hunter’s Ridge PUD Development Agreement; and

**WHEREAS**, public notice of this action has been provided in accordance with Section 125.66, Florida Statutes, and Section 2.07.00, Flagler County Land Development Code.

**NOW, THEREFORE, BE IT ORDAINED BY THE FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS:**

**SECTION 1. FINDINGS**

- A. The Board of County Commissioners, pursuant Section 3.04.02 of the Flagler County Land Development Code, finds as follows:
1. The proposed Primrose at Hunter's Ridge PUD does not adversely affect the orderly development of Flagler County and complies with applicable Comprehensive Plan goals, objectives and policies, the Flagler County Land Development Code, and the Hunter's Ridge Development of Regional Impact (DRI) Development Order; and
  2. The proposed Primrose at Hunter's Ridge PUD will not adversely affect the health and safety of residents or workers in the area and will not be detrimental to the use of adjacent properties or the general neighborhood.

**Section 2. ADOPTION OF DEVELOPMENT AGREEMENT**

- A. This Ordinance and its Exhibits attached hereto shall serve as the PUD Development Agreement for the Primrose at Hunter's Ridge PUD.
- B. The Board of County Commissioners hereby adopts the PUD Development Agreement for the Primrose at Hunter's Ridge PUD, the boundaries of said PUD as depicted in the legal description included at **Exhibit "A"** to Attachment 1 and attached hereto.
- C. Development within the boundaries of the Primrose at Hunter's Ridge PUD as approved shall take place consistent with the Flagler County Land Development Code as may be modified or amended, this Ordinance, the Hunter's Ridge Development of Regional Impact (DRI) Development Order, and the PUD Site Development Plan included at **Exhibit "B"** to Attachment 1 and attached hereto. The requirements of this Ordinance supersede any inconsistent provisions of the Flagler County Land Development Code or other ordinances of the County.
- D. This Ordinance shall be effective as of the date provided herein and shall remain effective until amended or rescinded.

**Section 3. EFFECTIVE DATE**

This Ordinance shall take effect upon Official Acknowledgement by the Secretary of State that the Ordinance has been filed.

**PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF  
FLAGLER COUNTY, FLORIDA THIS 19TH DAY OF AUGUST 2024.**

**FLAGLER COUNTY BOARD OF  
COUNTY COMMISSIONERS**

By: \_\_\_\_\_  
Andrew S. Dance, Chair

**ATTEST:**

**Approved as to Form:**

By: \_\_\_\_\_  
Tom Bexley, Clerk of the  
Circuit Court and Comptroller

\_\_\_\_\_  
Sean S. Moylan, Deputy County Attorney

**Attachment 1**  
**PRIMROSE AT HUNTER'S RIDGE**  
**PLANNED UNIT DEVELOPMENT AGREEMENT**

**1.0 INTRODUCTION**

This PUD Development Agreement (“Agreement”) governs the project known as Primrose at Hunter’s Ridge (“Project”) on approximately 27.14 acres of land located generally at the northwest corner of Hunter's Ridge Boulevard and Airport Road within the Hunter's Ridge Development of Regional Impact, which was initially established in 1991 and was subsequently amended through the Development Order approved by the Board of County Commissioners through Resolution 2023-18, approved on February 20, 2023, and recorded on March 17, 2023 at Official Records Book 2764, Page 762, Public Records of Flagler County, Florida (hereinafter referred to as "Hunter's Ridge DRI") and being more particularly described in **Exhibit "A"**, attached hereto (hereinafter referred to as the "Property"). The Property is owned by ACE AND LUNA II, LLC, a Florida Limited Liability Company ("Owner"). For purposes of this Agreement, the Owner’s address is 660 Virginia Park, Laguna Beach, California 92651.

1.1 Owner’s Commitments. Owner hereby commits to develop this project in accordance with the approved Agreement and formally bind any successors in title to all commitments made in this Agreement. All building codes, zoning ordinances and other land development regulations of Flagler County (“County”) including, without limitation, the County Comprehensive Plan and/or any similar plans adopted by the County, as may be amended from time to time, will be applicable to this Project unless otherwise stated herein.

1.2 Operation and Maintenance. Except as otherwise provided for herein, all common areas including open space, recreation, required buffers, signage, landscaping, lighting, stormwater systems and all other common areas shall be maintained by the Owner, its successors or assigns, also including but without limitation a Property Owner’s Association (“Association”). The County will not be responsible for operation or maintenance of the above.

1.3 General Project Description. The Project shall be developed in general accordance with the layout as depicted on the PUD Site Development Plan which is attached hereto as **Exhibit “B”** (hereinafter referred to as “Site Development Plan”) and shall be comprised of 239,841 gross square feet of mixed-use development that may include any one or more of the uses as discussed in section 2.1 below.

**2.0 PROJECT DESCRIPTION**

2.1 Mixed Use Office/Retail/Service. The Project is currently part of the Hunter’s Ridge DRI and is consistent with said DRI. The Master Development Plan, attached to the Hunter’s Ridge DRI as Map H, shows the site (identified as Primrose on Map H) as Mixed Use, a copy of which is reattached and reincorporated herein. Uses within Primrose at Hunter’s Ridge as herein established shall rely on those uses and requirements listed in the County’s O-1, O-2, C-1, and C-2 (shopping center) districts, consistent with the Mixed Use: Low Intensity Future Land Use designation. The Project shall be developed as a shopping center with entry features along the adjacent roadway.

The Project shall consist of a maximum of 239,841 square feet. Development within the boundaries of the Primrose at Hunter's Ridge PUD as approved shall take place consistent with this Agreement, the Site Development Plan, and the Flagler County Land Development Code ("FCLDC").

2.2 Common Areas. Common Areas are located throughout the Project and shall include open space, landscape areas, conservation areas, required buffers, and retention ponds and may include entrance features. Common areas shall be maintained by the Owner, or their successors and assigns. Maintenance responsibilities shall be designated and accepted through appropriate dedications on the final site plan.

2.3 Variances. Variance requests shall be subject to Flagler County's variance procedures as provided for in the FCLDC.

### **3.0 DEVELOPMENT PLAN**

#### 3.1 Plan Overview.

(a) The PUD Site Development Plan included as **Exhibit "B"** is conceptual only and depicts the general layout of the entire development plan. The exact location of structures, internal landscape buffers, drainage facilities, and other improvements shown on the Site Development Plan may be modified during the final site plan review process.

(b) Adjustments to the Site Development Plan are anticipated to occur during the PUD Site Development Plan and final site plan review process. Minor adjustments that meet the intent and purpose of the DRI and Flagler County's Comprehensive Plan and the FCLDC may be approved by the County Administrator or designee, as long as the substantial integrity of the Site Development Plan and the development standards contained herein are maintained. Any modification to the PUD Site Development Plan that increases the density/intensity (floor area and height) or types of development or reduces the total amount or type of open space, or decreases the size of the buffer, shall require the approval of the Flagler County Board of County Commissioners following the review and recommendation of the Flagler County Planning and Development Board.

(c) The Project may be developed in multiple phases as depicted in the Site Development Plan. All infrastructure necessary to support each phase of the Project shall be constructed within that phase. Adequate emergency vehicle access and turn-arounds shall be provided at all times. Development shall require a Commercial Site Development Permit.

(d) The Primrose at Hunter's Ridge PUD will require final site plan approval prior to the certificate of occupancy for the building. All infrastructure necessary to support the development shall be constructed within the development as a condition of final site plan approval. Adequate emergency vehicle access and turn-arounds shall be provided at all times.

(e) Construction trailers may be permitted on site in conjunction with the issuance and continuation of a Commercial Site Development Permit. Construction trailers may not remain on site following expiration or completion of a Commercial Site Development Permit.

3.2 Site Development Permitted Uses. For purposes of this Agreement, the development shall be permitted for any use as listed in the County's O-1, O-2, C-1, and C-2 (shopping center) districts, consistent with within the Mixed Use: Low Intensity Future Land Use designation. Anything not listed herein shall defer to the standards outlined in the FCLDC. All development which is prohibited in the above referenced zoning districts shall also be prohibited within the Project.

#### **4.0 LAND DEVELOPMENT CODE APPLICABILTY**

4.1 Except as otherwise set forth in the DRI and in this PUD Development Agreement, the Flagler County Land Development Code ("FCLDC") shall apply to development of the Property. The requirements of the Hunter's Ridge DRI shall be adhered to. The provisions of this Agreement supersede any inconsistent provisions of the FCLDC to the extent of such conflict.

#### **4.2 Stormwater.**

(a) The Property will have a privately maintained drainage system. The Stormwater system shall be constructed to comply with the requirements of phase 1 as noted on the Site Development Plan. It is contemplated within this Agreement that the Stormwater system shall be further constructed to provide adequate drainage as additional phases are developed as noted on the Site Development Plan. Stormwater runoff from the development will be conveyed to the Stormwater system by means of curb and gutter. Included within the Stormwater system is the permanent easement recorded in Official Records Book 2756, Page 262, Public Records of Flagler County, Florida. The system will be maintained by the Owner, Association, or CDD, or combination thereof, at the discretion of the Owner without recourse to Flagler County.

(b) No structures may be placed within the Stormwater system or easements, except walls and fences may be permitted with open bottoms that do not impede the conveyance of drainage.

(c) It is contemplated in this Agreement that the stormwater requirements be met via the overall site so as not to be required for development occurring on individual sites within the overall site.

4.3 Wetlands. Wetlands and their adjacent upland buffers shall be placed in conservation easements, and no vegetation removal (except for invasive species) may be permitted. All conservation easements to be limited to the use as depicted on the final site plan and/or as stated in any recorded conservation easement.

#### **4.4 Roadways.**

(a) Property access shall be provided by adjacent roadways as indicated on Exhibit B. Each applicant for a building permit within the Project is required to pay applicable transportation impact fees to Flagler County. However, no construction shall commence beyond phase 1, with the exception of mass grading of phase 2, until the adjacent Hunter's Ridge Boulevard offsite roadway is constructed to the northerly limits of the property.

(b) Emergency ingress/egress throughout the project shall be maintained at all times in compliance with the FCLDC and applicable Fire and Life Safety Codes.

4.5 Landscaping. Efforts to preserve and enhance the existing landscape will be achieved through supplemental landscaping that will blend with the natural vegetation while also accentuating the entrances and other common spaces. All reasonable efforts shall be made to preserve existing native trees and vegetation on the site. Index tree protection shall comply with the FCLDC. General landscaping around entrances, buildings, and other common areas will be landscaped with native plant materials in accordance with Article V the FCLDC and the Hunter's Ridge DRI as adopted or amended. All landscape areas will have supplemental irrigation. Flexibility of this PUD Site Development Plan allows for further refinement of site development, landscaping, and preservation of existing vegetation. Landscaping in the development will, at a minimum, be in compliance with the requirements of the FCLDC.

4.6 Signage. Primrose at Hunter's Ridge PUD signage shall be designed and constructed in compliance with the setbacks and sight clearance requirements of the FCLDC unless otherwise specified on the Site Development Plan. The design and intent of the signage is to ensure adequate means of communication through signage while maintaining the attractive visual appearance within the Project. All signage shall be constructed consistent with provisions in the FCLDC.

4.7 Site Development Requirements. The dimensional requirements within the Project will be as set forth in the table at Section 5.4 below.

4.8 Entry Features. The entrance/exit to the Project shall be constructed as shown on the Site Development Plan. Vehicular access shall be designed to accommodate emergency vehicle access at these locations, pursuant to dimensional requirements defined by application of FCLDC.

4.9 Lighting. Site lighting fixtures shall be provided in accordance with the FCLDC. Lighting locations should be depicted on the final site plan, and all lighting should be shielded and aimed downward so as not to cast light off of the Project or create undue glare on adjacent roadways. Additional landscape lighting may include low-level lighting and occasional accent lighting. The locations of such fixtures shall follow Flagler County requirements, as well as the Hunter's Ridge DRI requirements.

4.10 Pedestrian Access. Pedestrian access is provided by concrete sidewalks as depicted on the Site Development Plan attached as **Exhibit "B"**.

## **5.0 CONCEPTUAL SITE DEVELOPMENT PLAN**

5.1 Plan Overview. The Site Development Plan, **Exhibit "B"**, depicts the general layout of the Site, including the location of development areas. All utilities, and Stormwater systems shall be constructed within two (2) years from the Owners being authorized to commence construction on said improvements. Owners shall be permitted to relocate such buildings and uses as the market dictates, or as desired, so long as the relocation is otherwise consistent with this Agreement.

5.2 Zoning and Future Land Use Map (FLUM) Category. Flagler County's Comprehensive Plan designates Primrose at Hunter's Ridge as Mixed Use: Low-Intensity. The PUD zoning is consistent with this FLUM category.

5.3 Project Infrastructure. The Project will include infrastructure to support the proposed commercial uses, including potable water, fire water service, wastewater service, stormwater, and access to meet concurrency requirements.

5.4 Site Development Requirements.

(a) The following table lists the site development requirements that are applicable within the Project. Variances may be granted by Flagler County in accordance with the FCLDC.

Table of Site Development Requirements

Minimum project size	5 acres
Minimum project width	300 feet
Minimum Pervious Area	30%
Maximum Floor Area	239,841 square feet
Maximum Building Height	45 feet
<u>Minimum Perimeter Setbacks for Structures:</u>	
Front Yard:	100 feet
Rear Yard:	50 feet
Setbacks Abutting Airport Road right-of-way (South):	100 feet
Setbacks Abutting Hunter's Ridge Boulevard right-of-way (East)	100 feet
Setbacks Abutting West parcel line:	50 feet
Setbacks Abutting North parcel line:	100 feet

(b) Easements shall have the uses assigned to them by any Grantor, and any encroachments within an easement shall be specifically authorized by the easement or subject to removal and replacement at the sole expense of the Owner without recourse to Flagler County.

5.5 Parking. Parking for the commercial uses are calculated as an overall shopping center use at four (4) parking spaces per 1,000 square feet and shall be deemed to meet the FCLDC requirements. However, for uses such as movie theaters and restaurants, for combined space exceeding ten percent (10%) of the total floor area, the parking shall be calculated based upon the FCLDC requirements for those individual uses plus four (4) parking spaces per thousand square feet.

5.6 Minimum Floor Elevation. All buildings shall have a minimum finished floor elevation of 1' above the Base Flood Elevation as shown on the Flood Insurance Rate Maps for Flagler County or 1' above adjacent road centerline grade, whichever is highest. Minimum finished floor elevation must comply with the FCLDC.

5.7 Emergency Services. In adherence with the Florida Fire and Life Safety Codes, fire protection requirements for the Project will be met through the use of hydrants installed within the Project by the Owner, along with required minimum setback distances and fire zones adjacent to buildings as determined at the time of building permit review. All buildings will meet minimum fire alarm, fire sprinkler, and radio system requirements as determined at the time of building permit review. The location of hydrants will be shown on the final site plan.



5.8 Wetland Buffer. Upland buffers adjacent to all wetlands shall be a minimum of 25 feet in width, and any conservation easement should include both the wetland and the upland buffer. Wetlands identified for preservation (and not otherwise impacted by development of the Project) shall be placed in a conservation easement consistent with the requirements of any Environmental Resource Permit issued by the St. Johns River Water Management District. All conservation easements will be shown on the final site plan, will require the installation of signage indicating the presence of the conservation easement, and shall be maintained in their natural state.

5.9 Phasing. The Project may be developed in multiple phases. However, no construction shall commence beyond phase 1, with the exception of mass grading of phase 2, until the adjacent Hunter's Ridge Boulevard roadway is constructed to the northerly limits of the Project. Simultaneous construction of the roadway extension and phase 2 may occur if a final site plan for the road extension is approved by the County and the construction bonded. Further, prior to the construction of phase 1, a site phasing plan detailing the construction limits of phase 1 shall be submitted and approved by the County. Infrastructure necessary to support each phase of the Project shall be constructed concurrently with that phase.

5.10 Services. All services for this Project including telephone, electricity, solid waste disposal, cable television service, potable water, sanitary sewer, reuse irrigation water, and stormwater management shall be provided by the responsible parties.

(a) Fire Protection. Primary Fire and EMS response shall be provided within the Project by the Flagler County Fire Rescue Department, with the City of Ormond Beach and Volusia County responding as needed through mutual aid agreements.

(b) Solid Waste Disposal. The Owner will contract with a sanitation provider for commercial dumpster service. The location for dumpsters and other solid waste disposal services shall be as depicted in the Site Development Plan, and in compliance with the FCLDC.

(c) Central Potable Water and Sanitary Sewer Systems. Utility Services will be provided by the City of Ormond Beach pursuant to the terms of the Retail Water and Wastewater Service Agreement for the Hunter's Ridge Development in Flagler County dated 11-16-2009.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

[SIGNATURE PAGE TO FOLLOW]

**Owner's/Applicant's Consent and Covenant**

COMES NOW, the Owner on behalf of itself and its successors, assigns and transferees of any nature whatsoever, and consents to and agrees with the covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in the Primrose at Hunter's Ridge PUD Development Agreement

**ACE & LUNA II, LLC:**

WITNESS:

[Signature]  
Joseph Garibay

By: [Signature]  
Allan Feker  
Its President

STATE OF California

COUNTY OF Orange

The foregoing instrument was acknowledged before me by means of ~~online~~ or  physical presence this 7th day of February, 2024, by Allan Feker as President of ACE & LUNA II, LLC, a Florida Limited Liability Company, who is personally known to me or has produced a driver's license as identification.

WITNESS my hand and official seal this 7th day of February, 2024.



(SEAL)

[Signature]  
Notary Signature

Zoila Eimers  
Printed Name

**EXHIBIT "A"**  
**Legal Description**

(AS RECORDED IN OFFICAL RECORDS BOOK 2756, PAGE 262, FLAGLER COUNTY, FLORIDA)

A PARCEL OF LAND BEING IN SECTIONS 15 AND 22, TOWNSHIP 14 SOUTH, RANGE 31 EAST, FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOW:

BEGINNING AT A FOUND 3"X3" CONCRETE MONUMENT W/SCREW PRM LB 3019 FOR THE BEGINNING OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 686.89', AND BEING ON THE NORTHERN RIGHT-OF-WAY LINE OF AIRPORT ROAD EXTENSION (100' PUBLIC RIGHT OF WAY PER MAP BOOK 38, PAGES 55-58); THENCE LEAVING SAID RIGHT-OF-WAY, ALONG SAID CURVE TO THE RIGHT, AN ARC LENGTH OF 286.69', THROUGH A CENTRAL ANGLE OF 23°54'50", A CHORD BEARING OF N10°46'22"W, A CHORD DISTANCE OF 284.61' TO A FOUND 3"X3" CONCRETE MONUMENT W/SCREW PRM LB 3019; THENCE ALONG THE EAST LINE OF THE LANDS NOW OR FORMERLY OWNED BY US CAPITAL ALLIANCE, LLC, THE FOLLOWING SIX (6) COURSES AND DISTANCES: 1.) N10°56'00"W A DISTANCE OF 448.84' TO A SET 5/8" IRON REBAR CAPPED JOHNSON PSM 5913; 2.) N83°08' 16"W A DISTANCE OF 117.75' TO A SET 5/8" IRON REBAR CAPPED JOHNSON PSM 5913; 3.) N10°30'30"W A DISTANCE OF 686.09' TO A SET 5/8" IRON REBAR CAPPED JOHNSON PSM 5913; 4.) N24°10'33"W A DISTANCE OF 228.88' TO A SET 5/8" IRON REBAR CAPPED JOHNSON PSM 5913; 5.) N00°33'53"W A DISTANCE OF 180.75' TO A SET 5/8" IRON REBAR CAPPED JOHNSON PSM 5913 TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 932.03'; 6.) THENCE ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 25°29'00" FOR AN ARC LENGTH OF 414.54', A CHORD BEARING OF N64°29'29"E, AND A CHORD DISTANCE OF 411.13' TO A SET 5/8" IRON REBAR CAPPED JOHNSON PSM 5913 IN THE NORTHERLY LINE OF SECTION 22, TOWNSHIP 14 SOUTH, RANGE 31 EAST, AND THE BEGINNING OF A COMPOUND CURVE TO THE LEFT, HAVING A RADIUS OF 932.03'; THENCE CONTINUE ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 06°57'52" FOR AN ARC LENGTH OF 113.29', A CHORD BEARING OF N48°16'03"E, AND A CHORD DISTANCE OF 113.22' TO A SET 5/8" IRON REBAR CAPPED JOHNSON PSM 5913 AND THE BEGINNING OF NON-TANGENT COMPOUND CURVE TO THE LEFT HAVING A RADIUS OF 140.99'; THENCE ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 34°19'05" FOR AN ARC LENGTH OF 84.45', WITH A CHORD BEARING S76°47'00"E, A CHORD DISTANCE OF 83.19' TO A SET 5/8" IRON REBAR CAPPED JOHNSON PSM 5913 TO THE BEGINNING OF A NON-TANGENT REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 5153.60'; THENCE CONTINUE ALONG SAID REVERSE CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 0°37' 10" FOR AN ARC LENGTH OF 55.72', A CHORD BEARING OF S23°56'06"E, A CHORD DISTANCE OF 55.72' TO A SET 5/8" IRON REBAR CAPPED JOHNSON PSM 5913 IN THE NORTHERLY LINE OF SAID SECTION 22, TOWNSHIP 14 SOUTH, RANGE 31 EAST, AND THE BEGINNING OF A COMPOUND CURVE TO THE RIGHT, HAVING A RADIUS OF 5153.60'; THENCE CONTINUE ALONG SAID COMPOUND CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 10°27'52" FOR AN ARC LENGTH OF 941.24', A CHORD BEARING S16°31'12"E, A CHORD DISTANCE OF 939.93' TO A SET 5/8" IRON REBAR CAPPED JOHNSON PSM 5913; THENCE S13°03'13"E A DISTANCE OF 507.07' TO A SET 5/8" IRON REBAR CAPPED JOHNSON PSM 5913; THENCE N76°56'41"E A DISTANCE OF 5.00' TO A SET 5/8" IRON REBAR CAPPED JOHNSON PSM 5913 IN THE WEST RIGHT-OF-WAY LINE OF HUNTER'S RIDGE BOULEVARD (AN 80' PUBLIC RIGHT OF WAY PER MAP BOOK 37, PAGES 38-39); THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING THREE (3) COURSES AND DISTANCES: 1.) S13°03'13"E A DISTANCE OF 255.04' TO A FOUND 3"X3" CONCRETE MONUMENT W/SCREW

PRM LB 3019 FOR THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00'; 2.) THENCE ALONG SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 71°02'30" FOR AN ARC LENGTH OF 31.00', A CHORD BEARING OF S22°27'56"W, AND A CHORD DISTANCE OF 29.05' TO A FOUND 3"X3" CONCRETE MONUMENT W/SCREW PRM LB 3019 AND TO THE BEGINNING OF A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 175.00'; 3.) THENCE LEAVING SAID HUNTERS RIDGE RIGHT-OF-WAY, ALONG SAID REVERSE CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 49°00'31" FOR AN ARC LENGTH OF 149.69', A CHORD BEARING OF S33°28'56"W, AND A CHORD DISTANCE OF 145.17' TO A FOUND 3"X3" CONCRETE MONUMENT W/SCREW PRM LB 3019 FOR THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00'; THENCE ALONG SAID REVERSE CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 67°17'17" FOR AN ARC LENGTH OF 29.36', A CHORD BEARING OF S42°37'19"W, AND A CHORD DISTANCE OF 27.70' TO A FOUND 3"X3" CONCRETE MONUMENT W/SCREW PRM LB 3019 ON THE NORTHERN RIGHT-OF-WAY LINE OF AIRPORT ROAD EXTENSION AND BEING THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1700.00'; THENCE ALONG SAID RIGHT-OF-WAY AND ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 16°17'08" FOR AN ARC LENGTH OF 483.20', A CHORD BEARING OF S68°07'24"W, AND A CHORD DISTANCE OF 481.58' TO THE POINT OF BEGINNING.

**EXHIBIT "B"**  
**Site Development Plan**



# PUD CONCEPT PLANS FOR HUNTERS RIDGE TOWN CENTER FLAGLER COUNTY, FLORIDA FEBRUARY 2024

PREPARED BY:



**OWNER**

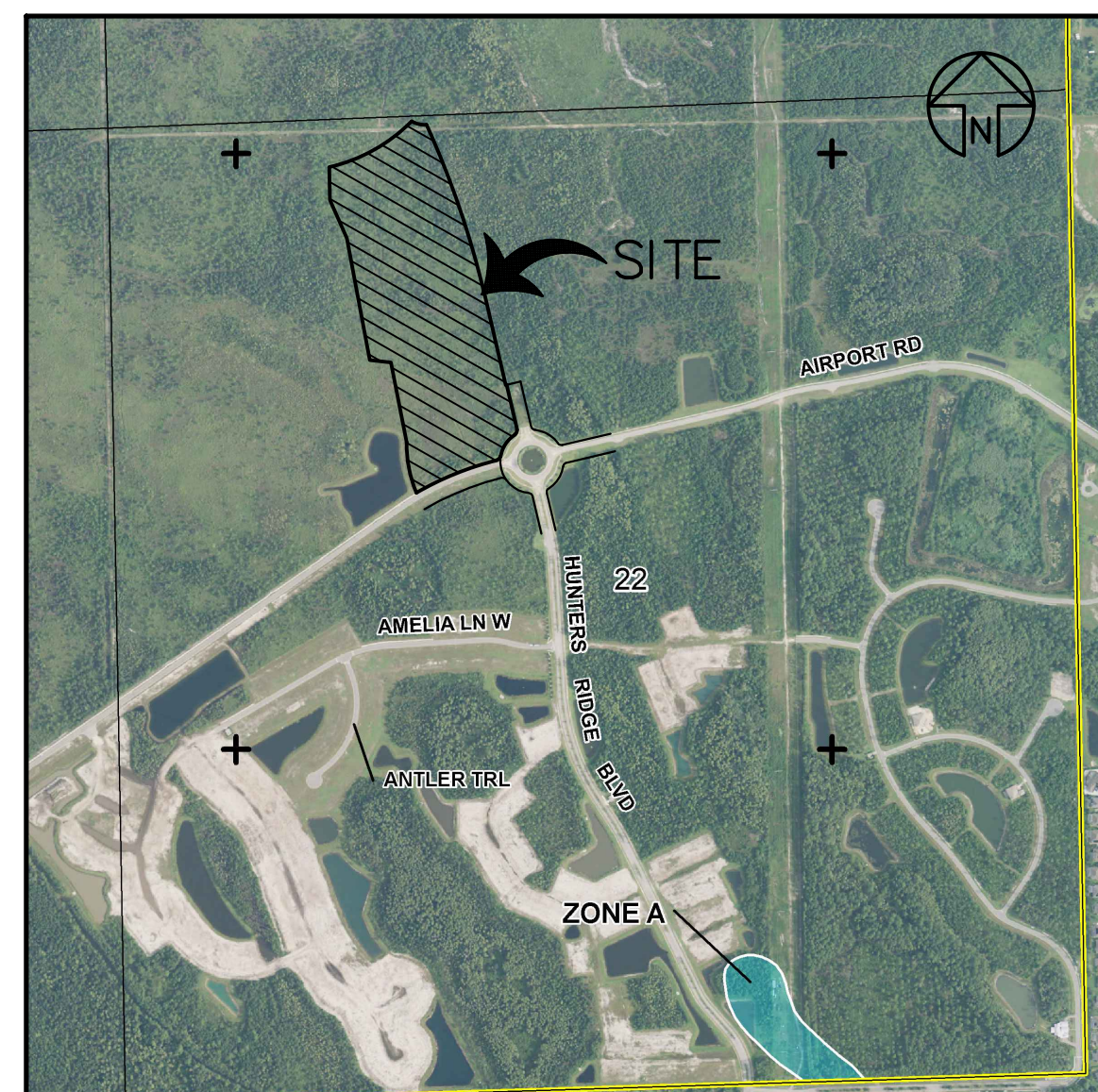
ACE AND LUNA II, LLC  
CONTACT: ALLAN FEKER  
15701 SOUTH TAMiami TRAIL  
FORT MYERS, FL 33908  
PHONE: (949) 232-7840  
E-MAIL: yuo77@icloud.com

**ENGINEER AND SURVEYOR**

MARK DOWST AND ASSOCIATES, INC.  
CONTACT: MARK DOWST, P.E.  
536 N. HALIFAX AVENUE, SUITE 100  
DAYTONA BEACH, FLORIDA 32118  
PHONE: (386) 258-7999 FAX: (386) 257-4310  
E-MAIL: mdowst@mdaeng.com

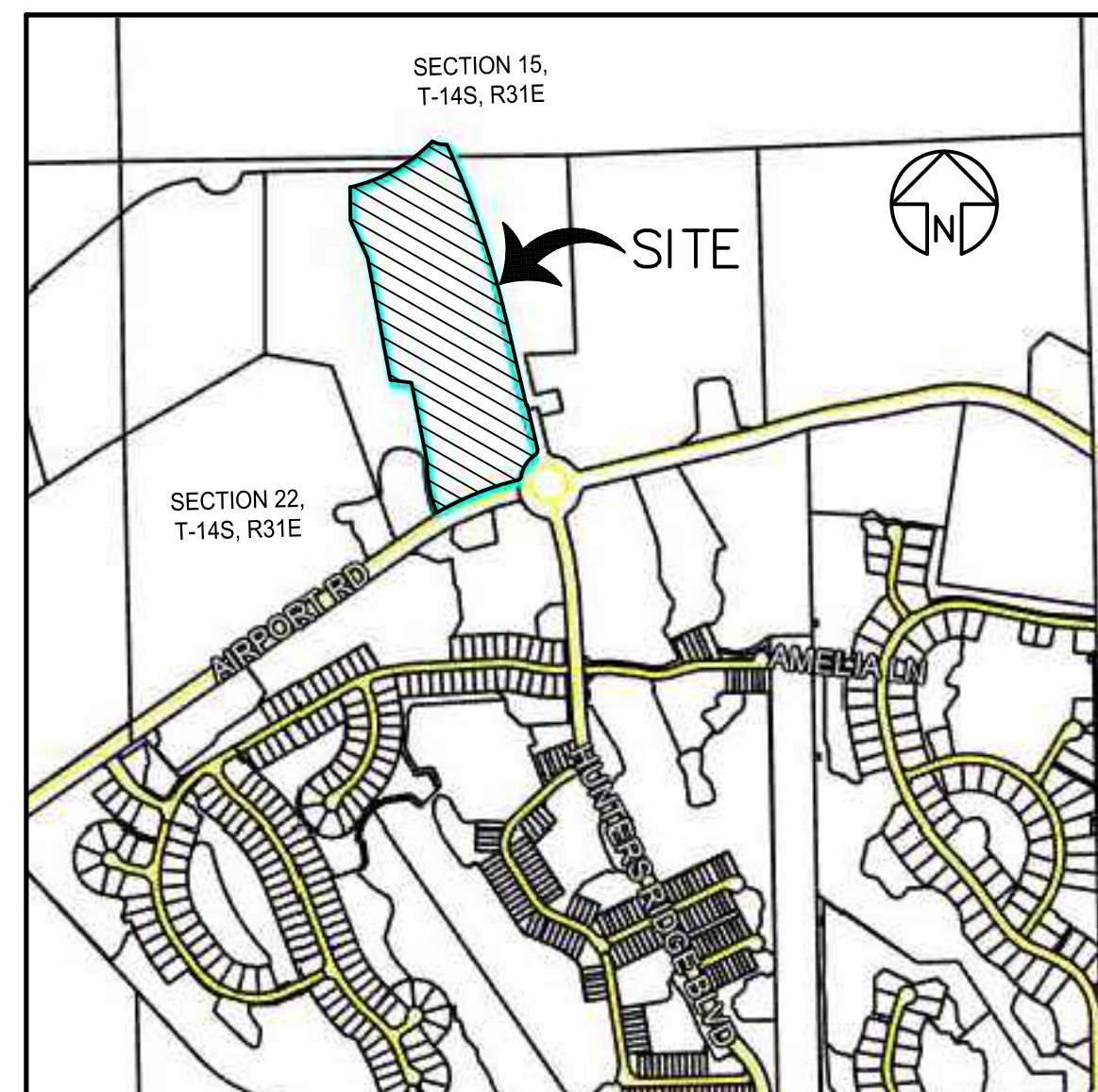
**FLOOD MAP**

SCALE: 1" = 1000'



**VICINITY MAP**

SCALE: 1" = 1000'



**LEGAL DESCRIPTION**

(AS RECORDED IN OFFICIAL RECORDS BOOK 2756, PAGE 262, FLAGLER COUNTY, FLORIDA)

A PARCEL OF LAND BEING IN SECTIONS 15 AND 22, TOWNSHIP 14 SOUTH, RANGE 31 EAST, FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND 3"x3" CONCRETE MONUMENT W/SCREW PRM LB 3019 FOR THE BEGINNING OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 686.89', AND BEING ON THE NORTHERN RIGHT-OF-WAY LINE OF AIRPORT ROAD EXTENSION (100' PUBLIC RIGHT OF WAY PER MAP BOOK 36, PAGES 55-58); THENCE LEAVING SAID RIGHT-OF-WAY, ALONG SAID CURVE TO THE RIGHT, AN ARC LENGTH OF 286.69', THROUGH A CENTRAL ANGLE OF 23°54'50", A CHORD BEARING OF N10°46'22"W, A CHORD DISTANCE OF 284.61' TO A FOUND 3"x3" CONCRETE MONUMENT W/SCREW PRM LB 3019; THENCE ALONG THE EAST LINE OF THE LANDS NOW OR FORMERLY OWNED BY US CAPITAL ALLIANCE, LLC, THE FOLLOWING SIX (6) COURSES AND DISTANCES: 1.) N10°56'00"W A DISTANCE OF 448.84' TO A SET 5/8" IRON REBAR CAPPED JOHNSON PSM 5913; 2.) N83°08'16"W A DISTANCE OF 117.75' TO A SET 5/8" IRON REBAR CAPPED JOHNSON PSM 5913; 3.) N10°30'30"W A DISTANCE OF 686.09' TO A SET 5/8" IRON REBAR CAPPED JOHNSON PSM 5913; 4.) N24°10'33"W A DISTANCE OF 228.89' TO A SET 5/8" IRON REBAR CAPPED JOHNSON PSM 5913; 5.) N00°33'53"W A DISTANCE OF 180.75' TO A SET 5/8" IRON REBAR CAPPED JOHNSON PSM 5913 TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 932.03'; THENCE ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 25°29'00" FOR AN ARC LENGTH OF 414.54', A CHORD BEARING OF N84°29'29"E, AND A CHORD DISTANCE OF 411.13' TO A SET 5/8" IRON REBAR CAPPED JOHNSON PSM 5913 IN THE NORTHERLY LINE OF SECTION 22, TOWNSHIP 14 SOUTH, RANGE 31 EAST, AND THE BEGINNING OF A COMPOUND CURVE TO THE LEFT, HAVING A RADIUS OF 932.03'; THENCE CONTINUE ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 06°57'52" FOR AN ARC LENGTH OF 113.22', A CHORD BEARING OF N48°16'03"E, AND A CHORD DISTANCE OF 113.22' TO A SET 5/8" IRON REBAR CAPPED JOHNSON PSM 5913 AND THE BEGINNING OF NON-TANGENT COMPOUND CURVE TO THE LEFT HAVING A RADIUS OF 140.99'; THENCE ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 34°19'05" FOR AN ARC LENGTH OF 84.45', WITH A CHORD BEARING S76°47'00"E, A CHORD DISTANCE OF 83.19' TO A SET 5/8" IRON REBAR CAPPED JOHNSON PSM 5913 TO THE BEGINNING OF A NON-TANGENT REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 515.60'; THENCE CONTINUE ALONG SAID REVERSE CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 0°37'10" FOR AN ARC LENGTH OF 55.72', A CHORD BEARING OF S23°56'06"E, A CHORD DISTANCE OF 55.72' TO A SET 5/8" IRON REBAR CAPPED JOHNSON PSM 5913 IN THE NORTHERLY LINE OF SAID SECTION 22, TOWNSHIP 14 SOUTH, RANGE 31 EAST; AND THE BEGINNING OF A COMPOUND CURVE TO THE RIGHT, HAVING A RADIUS OF 515.60'; THENCE CONTINUE ALONG SAID COMPOUND CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 10°27'52" FOR AN ARC LENGTH OF 941.24', A CHORD BEARING S16°31'12"E, A CHORD DISTANCE OF 939.93' TO A SET 5/8" IRON REBAR CAPPED JOHNSON PSM 5913; THENCE, S13°03'13"E, A DISTANCE OF 507.07' TO A SET 5/8" IRON REBAR CAPPED JOHNSON PSM 5913; THENCE, N76°56'41"E, A DISTANCE OF 5.00' TO A SET 5/8" IRON REBAR CAPPED JOHNSON PSM 5913 IN THE WEST RIGHT-OF-WAY LINE OF HUNTER'S RIDGE BOULEVARD (AN 80' PUBLIC RIGHT OF WAY PER MAP BOOK 37, PAGES 38-39); THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING THREE (3) COURSES AND DISTANCES: 1.) S13°03'13"E A DISTANCE OF 255.04' TO A FOUND 3"x3" CONCRETE MONUMENT W/SCREW PRM LB 3019 FOR THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00'; 2.) THENCE ALONG SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 71°02'30" FOR AN ARC LENGTH OF 31.00', A CHORD BEARING OF S22°27'56"W, AND A CHORD DISTANCE OF 29.05' TO A FOUND 3"x3" CONCRETE MONUMENT W/SCREW PRM LB 3019 AND TO THE BEGINNING OF A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 175.00'; 3.) THENCE LEAVING SAID HUNTERS RIDGE RIGHT-OF-WAY, ALONG SAID REVERSE CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 49°00'31" FOR AN ARC LENGTH OF 149.69', A CHORD BEARING OF S33°28'56"W, AND A CHORD DISTANCE OF 145.17' TO A FOUND 3"x3" CONCRETE MONUMENT W/SCREW PRM LB 3019 FOR THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00'; THENCE ALONG SAID REVERSE CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 67°17'17" FOR AN ARC LENGTH OF 29.36', A CHORD BEARING OF S42°33'19"W, AND A CHORD DISTANCE OF 27.70' TO A FOUND 3"x3" CONCRETE MONUMENT W/SCREW PRM LB 3019 ON THE NORTHERN RIGHT-OF-WAY LINE OF AIRPORT ROAD EXTENSION AND BEING THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1700.00'; THENCE ALONG SAID RIGHT-OF-WAY AND ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 16°17'08" FOR AN ARC LENGTH OF 483.20', A CHORD BEARING OF S68°07'24"W, AND A CHORD DISTANCE OF 481.58' TO THE POINT OF BEGINNING.

**SHEET INDEX**

No.	DESCRIPTION
C1	COVER SHEET
C2	EXISTING SITE CONDITIONS
C3	OVERALL PLAN
C4	PRELIMINARY UTILITY PLAN
C5	PRELIMINARY DRAINAGE PLAN

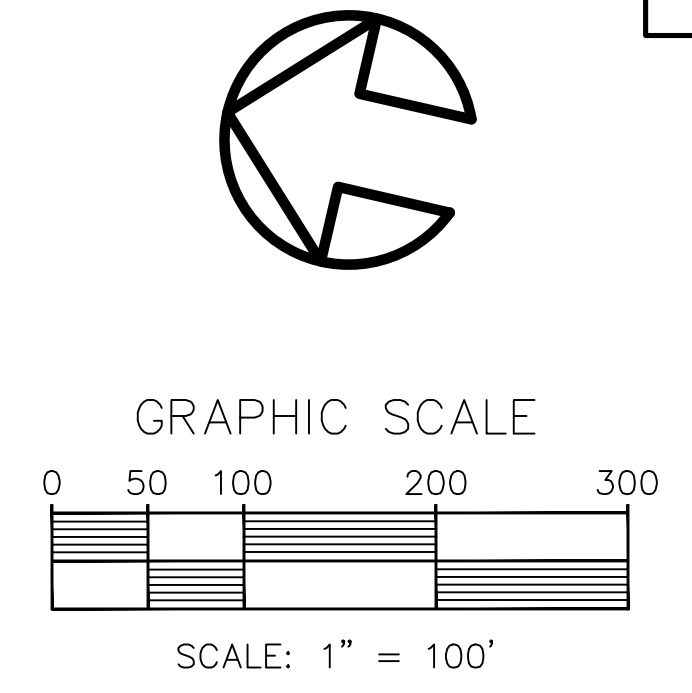
## EXHIBIT B





**LEGEND**

	EXISTING GRADE
	EXISTING WETLANDS TO REMAIN
	EXISTING WETLANDS TO BE REMOVED PREVIOUSLY PERMITTED THROUGH S.J.R.W.M.D. AND ARMY CORPS OF ENGINEERS



REVISION	
NO.	DATE
1	06-05-24

APPR.	DATE

**MARK DOWST & ASSOCIATES, INC.**  
 ENGINEERS \* PLANNERS \* SURVEYORS  
 536 N. HALIFAX AVENUE, SUITE # 100 \* DAYTONA BEACH, FLORIDA 32118 \* (386) 258-7999  
 SCALE 1" = 100'  
 DESIGNED MSD DRAWN RCM CHECKED MSD DATE 02-20-24  
 BY

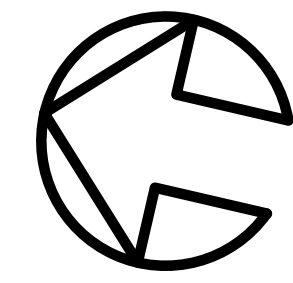
EXISTING SITE CONDITIONS  
 HUNTERS RIDGE TOWN CENTER  
 FLAGLER COUNTY, FLORIDA

**SITE DATA**

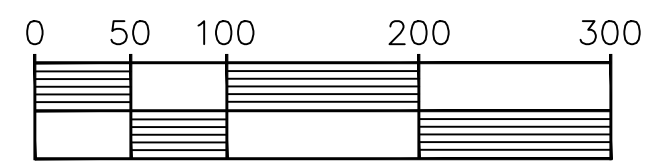
SITE AREA: 27.17 ACRES  
 EXISTING ZONING: PUD  
 EXISTING FUTURE LAND USE: MIXED USE LOW INTENSITY  
 PROPOSED USE: SHOPPING CENTER  
 MAXIMUM BUILDING AREA: 239,841 S.F. (20.2%)  
 MAXIMUM BUILDING HEIGHT: 45 FEET  
 MINIMUM PERVIOUS AREA (INCLUDING STORMWATER POND): 30%  
 MAXIMUM IMPERVIOUS AREA: 70%  
 MINIMUM LOT SIZE: 10,000 S.F.  
 REQUIRED BUILDING SETBACKS:  
 FRONT: 100 FEET  
 REAR: 50 FEET  
 SIDE INTERIOR: 50 FEET  
 SIDE ABUTTING STREET: 100 FEET  
 PARKING REQUIRED: 4 SPACE PER 1,000 SF GFA = 960 SPACES

**GENERAL NOTES**

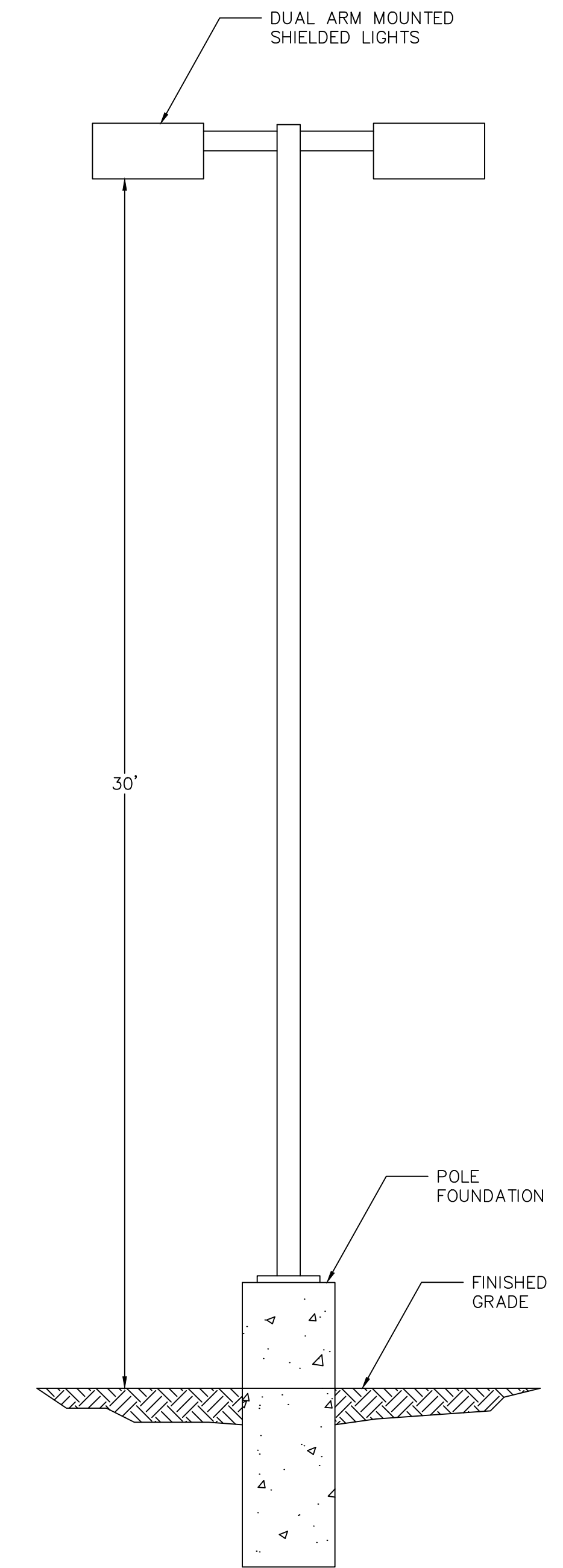
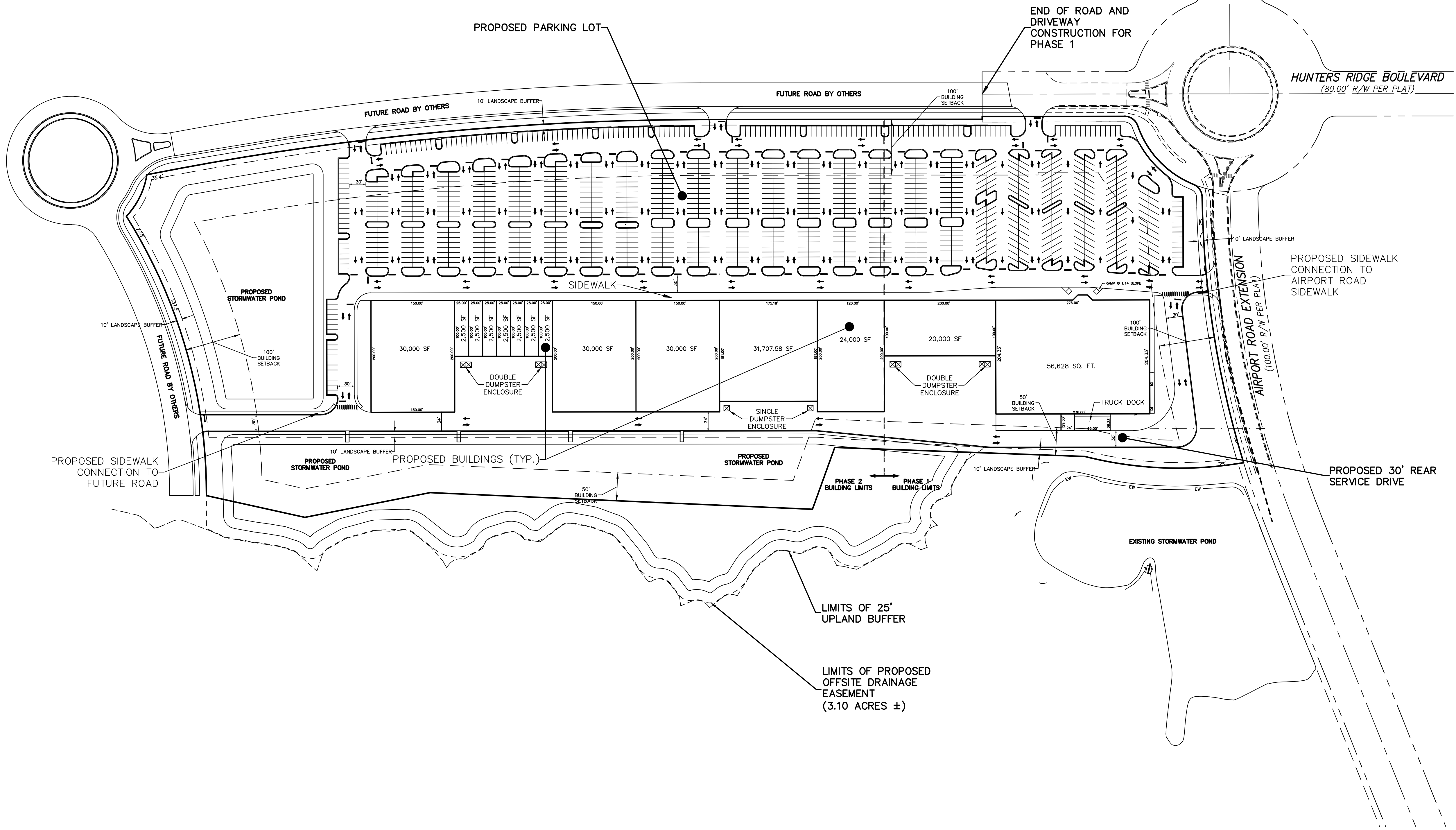
- SOIL TYPES: 3 SAMSULA AND HONTOON SOILS HYDROLOGIC GROUP A/D, 8 HICORIA, RIVERA, AND GATOR SOILS HYDROLOGIC GROUP C/D, 40 POMONA FINE SAND HYDROLOGIC GROUP B/D
- PARCEL APPEARS TO FALL IN FLOOD HAZARD ZONE "X", AS SCALED FROM FLOOD INSURANCE RATE MAP 12035C0345 E, EFFECTIVE JUNE 6TH, 2016.
- BOUNDARY AND TOPOGRAPHIC SURVEY PREPARED BY MARK DOWST & ASSOCIATES, INC., PROJECT NO. 1557, DATED 2-23-23.
- ELEVATIONS REFER TO NAVD 88.
- SOIL BORINGS OBTAINED FROM GEOTECHNICAL EVALUATION PREPARED BY UNIVERSAL ENGINEERING, UES REPORT No. 141704, DATED MAY 1, 2023.



**GRAPHIC SCALE**



SCALE: 1" = 100'



REVISION	
NO.	DATE
3	06-27-24
2	06-09-24
1	03-28-24

APPR.	DATE	NO.
MSD		
MSD		
MSD		

**MARK DOWST & ASSOCIATES, INC.**  
 ENGINEERS \* PLANNERS \* SURVEYORS  
 LB 4335  
 536 N. HALIFAX AVENUE, SUITE # 100 \* DAYTONA BEACH, FLORIDA 32118 \* (386) 256-7999  
 SCALE: 1" = 100'  
 DESIGNED: MSD  
 DRAWN: RCM  
 CHECKED: MSD  
 DATE: 02-20-24

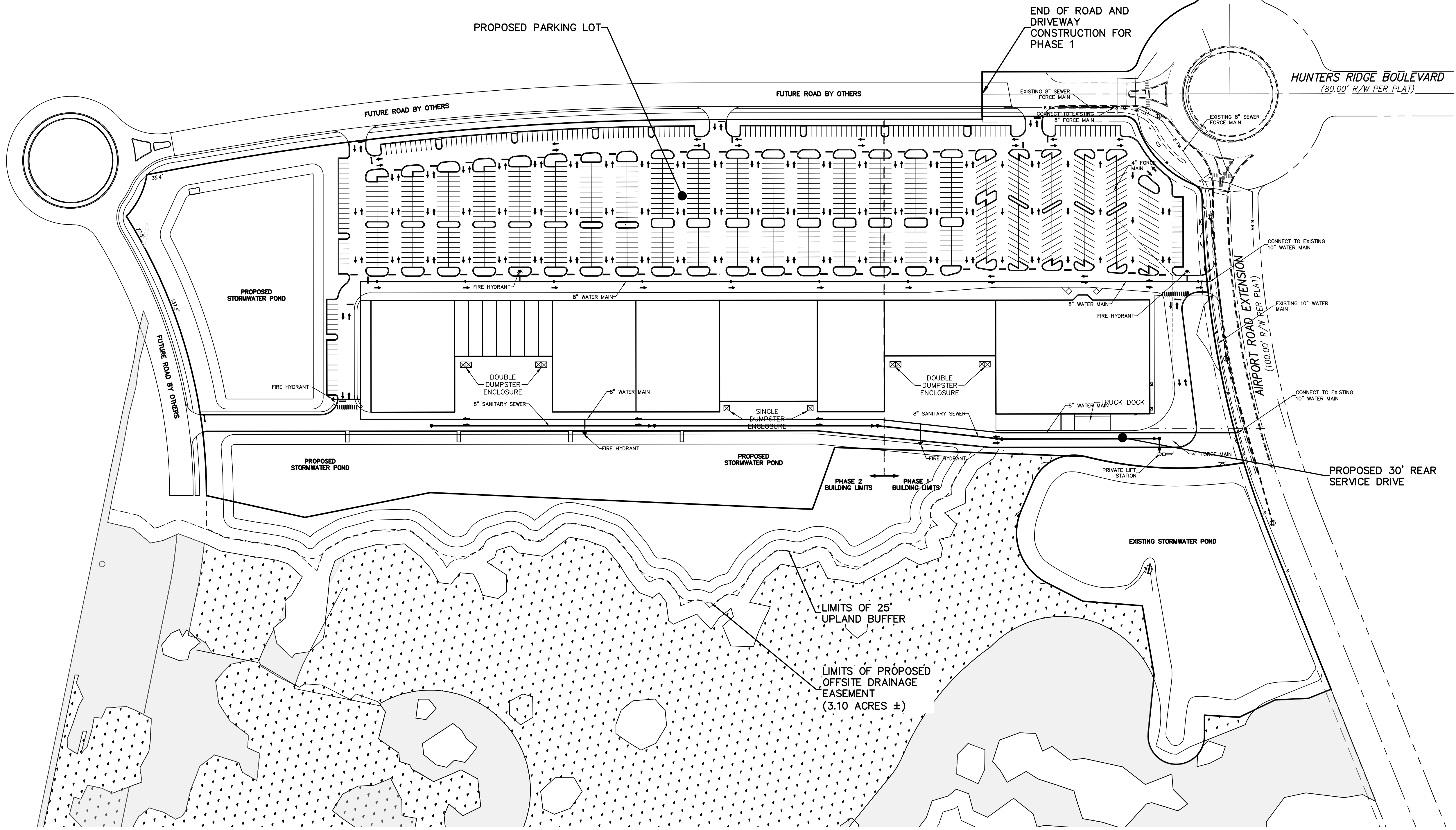
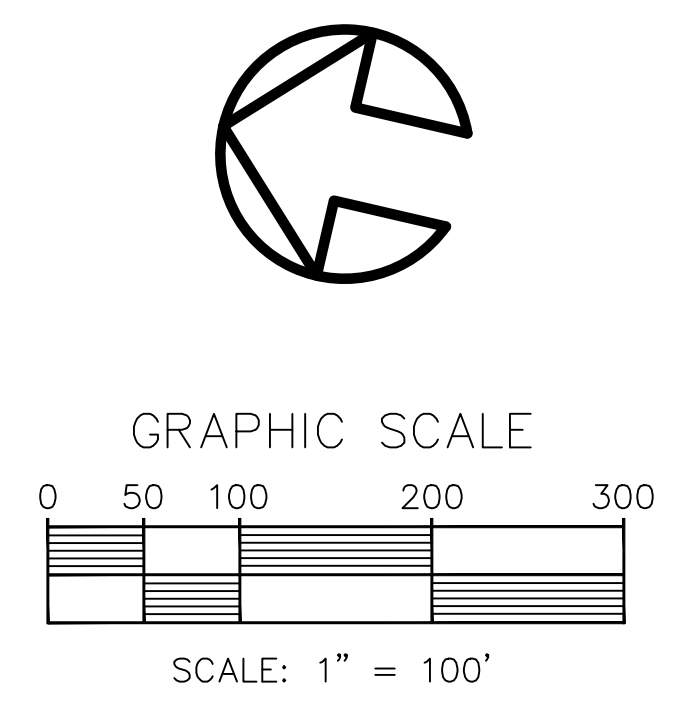
**OVERALL PLAN**  
**HUNTERS RIDGE TOWN CENTER**  
**FLAGLER COUNTY, FLORIDA**

PROJECT NO.	C3
1557	



**LEGEND**

	EXISTING GRADE
	INTERPOLATED EXISTING GRADE
	PROPOSED GRADE
	EXISTING CONTOUR
	PROPOSED CONTOUR
	PROPOSED STORMWATER RUNOFF
	PROPOSED TRAFFIC ARROW
	PROPOSED FIRE HYDRANT
	PROPOSED SANITARY MANHOLE WITH FLOW DIRECTION



REVISION	
NO.	DATE
1	06-05-24

NO.	DATE	APPR.	MSD
1	06-05-24		MSD

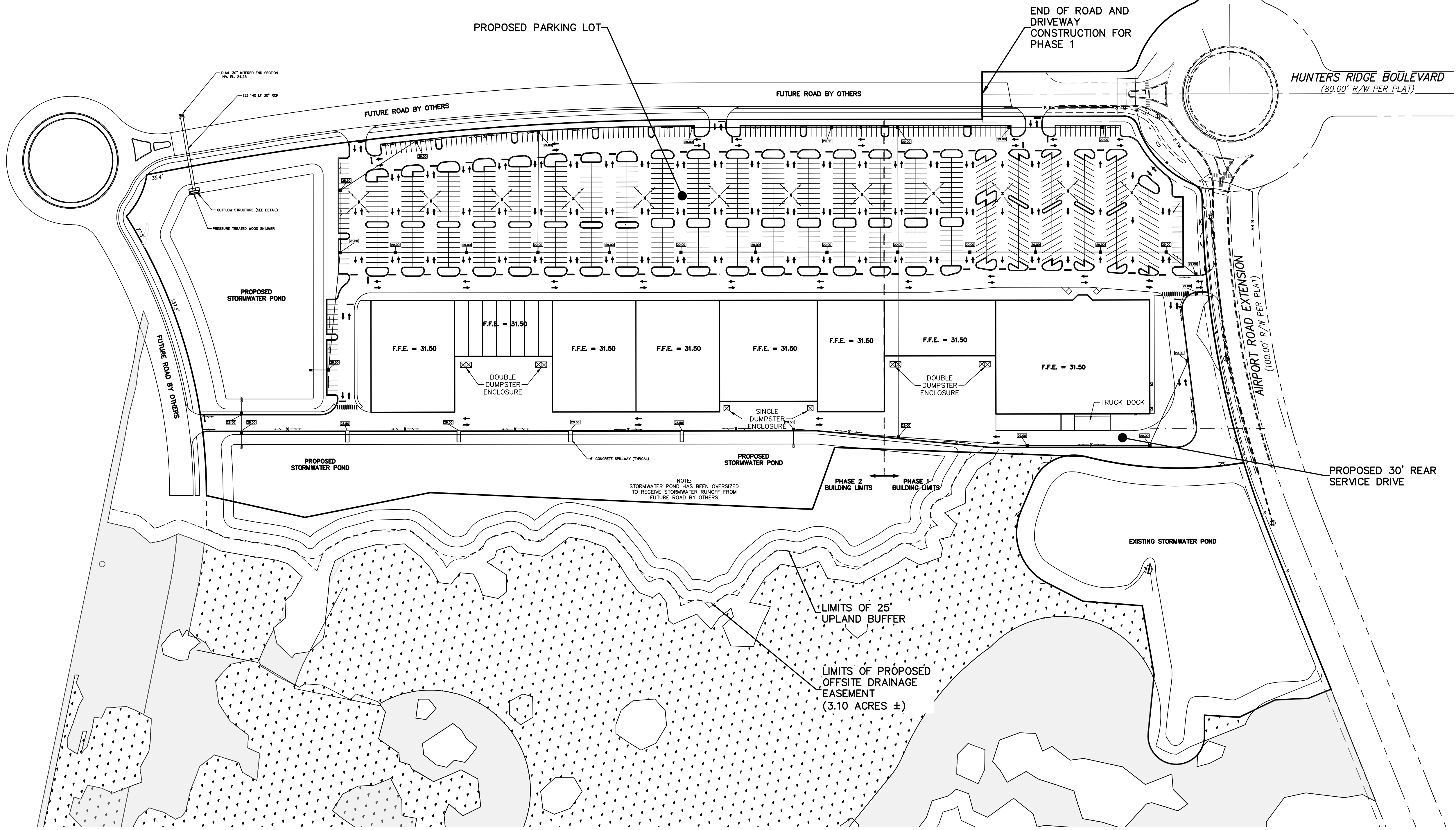
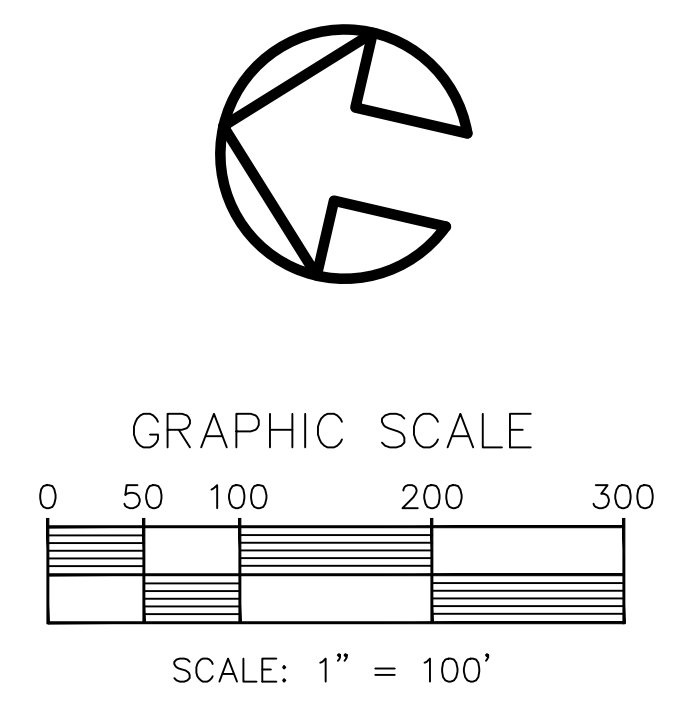
**MARK DOWST & ASSOCIATES, INC.**  
 ENGINEERS \* PLANNERS \* SURVEYORS  
 EB 4335  
 536 N. HALIFAX AVENUE, SUITE # 100 \* DAYTONA BEACH, FLORIDA 32118 \* (386) 258-7999  
 SCALE 1" = 100'  
 DESIGNED MSD  
 DRAWN RCM  
 CHECKED MSD  
 DATE 02-20-24  
 DATE

**PROPOSED UTILITY PLAN**  
**HUNTERS RIDGE TOWN CENTER**  
**FLAGLER COUNTY, FLORIDA**

PROJECT NO. 1557 C4  
 1557-SITE-5

**LEGEND**

	EXISTING GRADE
	INTERPOLATED EXISTING GRADE
	PROPOSED GRADE
	EXISTING CONTOUR
	PROPOSED CONTOUR
	PROPOSED STORMWATER RUNOFF
	PROPOSED TRAFFIC ARROW
	PROPOSED STORM INLET
	PROPOSED MITERED END SECTION



**REVISION**

NO.	DATE	APPR.

--	--	--	--	--	--	--	--

**MARK DOWST & ASSOCIATES, INC.**  
 ENGINEERS \* PLANNERS \* SURVEYORS  
 EB 4335  
 536 N. HALIFAX AVENUE, SUITE # 100 \* DAYTONA BEACH, FLORIDA 32118 \* (386) 256-7999  
 SCALE: 1" = 100'  
 DESIGNED MSD DRAWN RCM CHECKED MSD DATE 06-05-24  
 BY DATE

**PROPOSED DRAINAGE PLAN**  
**HUNTERS RIDGE TOWN CENTER**  
**FLAGLER COUNTY, FLORIDA**

PROJECT NO.	C5
1557	1557-SITE-5

UNOFFICIAL

