City of Palm Coast, Florida
Agenda Item

Agenda Date: November 18, 2026 **Agenda Item:** D.4

Department **Division**	COMMUNITY DEVELOPMENT PLANNING	**Amount** **Org/Account #**	
Subject:	ACCI VENTURES ASPHALT MANUFACTURING PLANT – AR 6785		
Presenter:	**Michael Hanson, A.I.C.P, Senior Planner**		

Attachments:

1. Staff Report
2. Map Series
3. Application Packet
4. Boundary Survey and Title
5. Concept Plan
6. Compiled Applicant Memorandums & Analysis
7. Revised Traffic Study
8. Neighborhood Meeting Documentation
9. Public Notice Documentation

Background:

The applicant has requested that the City consider a request to approve a Use Not Permitted in the City for an Asphalt Manufacturing Plant pursuant to Unified Land Development Code (LDC) Section 3.01.06 on behalf of their client, the property owner. This type of use may be permitted by a super majority vote of the City Council subsequent to an affirmative or negative recommendation by the Planning and Land Development Regulation Board.

The subject parcel was acquired by the property owner on June 28, 2023. The property was previously developed and is being used by the owner for their heavy construction and excavation operations. This property is zoned as Heavy Industrial (IND-2) and is designated as Industrial. The site is at the southwest end of the Hargrove Industrial Park and has a rail spur access to the Florida East Coast Railway. The property owner hired the applicant to pursue an application to request City Council approve an asphalt manufacturing plant on the site. Asphalt manufacturing plants are explicitly listed under LDC Sec. 3.01.06 as Use not permitted in the City. The LDC requires an application for a use on that list to go through a public hearing process and requires a super-majority vote of the City Council (four out of five votes) to be approved, following a recommendation of the Planning and Land Development Regulation Board (PLDRB).

In Staff's research, this appears to be the City's first application under LDC Section 3.01.06. Through

discussions with the City Manager, Interim Community Development Director, City Attorney and the Applicant, it was determined that this application is not a special exception application, but would follow a modified special exception process in regards to neighborhood meetings and public notice requirements as the potential approval of this application will authorize the use on the site. How it deviates is that the process shall utilize the review findings criteria listed under LDC Sec. 2.05.05 for consideration of potential approval and does not use the special exception criteria found under 2.07.03. Further unlike special exceptions this application shall be forwarded to the City Council for final action following an affirmative or negative recommendation from the PLDRB. Lastly, planning staff was instructed to not provide a staff recommendation on this item by the Interim Community Development Director following discussion with the City Attorney.

This paragraph provides hypothetical framework in the event that the application is approved. The potential approval of this application will result in the use being approved via a Development Order which will be valid for a period of 12 months. This approval shall run with the land and be confined to the subject property. In the event that the applicant is unable to make use of the approval within 12 months and can demonstrate good faith reliance, they may request a single 12-month extension of the development order. Good faith reliance may include, but is not limited to, the securing of any required permits from other governmental agencies/jurisdictions or the expenditure of substantial funds in relation to establishing the use. Alternatively, the City will comply with the applicant's potential utilization of the Tolling Extension provisions for any emergency declarations declared after the issuance of the development order subject to F.S. 252.363. The resulting development order does not authorize any site work or modifications to the site. In order to make use of the use, the applicant shall be required to submit a Technical Site Plan application to make use of the asphalt manufacturing plant use. In the event that the use is established and is abandoned for a period of 12 months, then the use is considered abandoned, and would need another application to reinstate the use.

This is a quasi judicial item, please disclose any ex parte communication.

Recommended Action:
STAFF DOES NOT HAVE A RECOMMENDATION FOR THE APPLICATION. THE PLANNING AND LAND DEVELOPMENT REGULATION BOARD MAY FIND THAT THIS PROJECT IS CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN AND THE LAND DEVELOPMENT CODE AND RECOMMEND THAT THE CITY COUNCIL APPROVES APPLICATION NO. 6785 OR FIND THAT THIS PROJECT IS NOT CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN AND THE LAND DEVELOPMENT CODE AND RECOMMEND THAT THE CITY COUNCIL DENIES APPLICATION NO. 6785.

COMMUNITY DEVELOPMENT DEPARTMENT

ASPHALT PLANT - USE NOT PERMITTED WITHIN THE CITY STAFF REPORT

PLANNING AND LAND DEVELOPMENT REGULATION BOARD

NOVEMBER 18, 2026

OVERVIEW

Project #	6785
Applicant:	Michael Chiumento III, Esquire – Chiumento Law PLLC
Property Description:	±5.93 acres
Property Owner:	ACCI VENTURES LLC
FLUM Designation:	Industrial
Zoning Designation:	Heavy Industrial (IND-2)
Current Use:	Heavy Construction and Land Excavation Contractors
Property Tax ID:	16-11-30-0000-01010-0020
Property Location:	Southside of Hargrove Grade approximately 200 feet west of its intersection with Railside Way.
Requested Action:	Request to approve a Use Not Permitted in the City for an Asphalt Manufacturing Plant pursuant to Unified Land Development Code (LDC) Section 3.01.06.

REQUESTED ACTION

The applicant has requested that the City consider a request to approve a Use Not Permitted in the City for an Asphalt Manufacturing Plant pursuant to Unified Land Development Code (LDC) Section 3.01.06 on behalf of their client, the property owner. This type of use may be permitted by a super majority vote of the City Council subsequent to an affirmative or negative recommendation by the Planning and Land Development Regulation Board.

BACKGROUND/SITE HISTORY

The subject parcel was acquired by the property owner on June 28, 2023. The property was previously developed and is being used by the owner for their heavy construction and excavation operations. This property is zoned as Heavy Industrial (IND-2) and is designated as Industrial. The site is at the southwest end of the Hargrove Industrial Park and has a rail spur access to the Florida East Coast Railway. The property owner hired the applicant to pursue an application to request City Council approve an asphalt manufacturing plant on the site. Asphalt manufacturing plants are explicitly listed under LDC Sec. 3.01.05 as *Use not permitted in the City.* The LDC requires an application for a use on that list to go through a public hearing process and requires a super-majority vote of the City Council (four out of five votes) to be approved, following a recommendation of the Planning and Land Development Regulation Board (PLDRB).

In Staff's research, this appears to be the City's first application under LDC Section 3.01.05. Through discussions with the City Manager, Interim Community Development Director, City Attorney and the Applicant, it was determined that this application is not a special exception application, but would follow a modified special exception process in regards to neighborhood meetings and public notice requirements as the potential approval of this application will authorize the use on the site. How it deviates is that the process shall utilize the review findings criteria listed under LDC Sec. 2.05.05 for consideration of potential approval and does not use the special exception criteria found under 2.07.03. Further unlike special exceptions this application shall be forwarded to the City Council for final action following an affirmative or negative recommendation from the PLDRB. Lastly, planning staff was instructed to not provide a staff recommendation on this item by the Interim Community Development Director following discussion with the City Attorney.

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LAND USE AND ZONING INFORMATION

USE SUMMARY TABLE:

CATEGORY:	EXISTING:	PROPOSED:
Future Land Use Map (FLUM)	Industrial	No change proposed
Zoning District	Heavy Industrial (IND-2)	No change proposed
Use	Heavy Construction and Land Excavation Contractors	Addition of Asphalt Manufacturing Plant

SURROUNDING ZONING AND LAND USES:

NORTH	FLUM	Industrial
	Zoning	Light Industrial and Warehousing (IND-1)
	Use	Warehouse, Undeveloped
EAST	FLUM	Industrial
	Zoning	IND-2, IND-1
	Use	Chemical manufacturing, storage warehouses
SOUTH	FLUM	Industrial, Canals
	Zoning	IND-1, PSP
	Use	Flex warehouses, rail spurs
WEST	FLUM	Industrial, Agriculture and Timberlands (Flagler County)
	Zoning	IND-1, Agriculture (Flagler County)
	Use	Railroad, Silvicultural

ANALYSIS BASED ON UNIFIED LAND DEVELOPMENT CODE CHAPTER 2 SECTION 2.05.05

The Unified Land Development Code, Chapter 2, and Part II, Section 2.05.05 states: *When reviewing a development order application, the approval authority shall determine whether sufficient factual data was presented in order to render a decision. The decision to issue a development order shall be based upon the following, including but not limited to*:

A. The proposed development must not be in conflict with or contrary to the public interest;

Staff Findings: The proposed use may be in conflict or contrary to the public interest as the use is listed as an explicit use found under LDC Sec. 3.01.06 as a *Use not permitted in the City* as adopted by City Council. The LDC states the reasoning for the inclusion of the listed uses are “due to their potential incompatibility with current development trends in the City, their potential deleterious effects upon the public health, safety, and welfare, and the potential likelihood that they will create nuisances and significant adverse impacts upon adjacent land uses”. The applicant hosted a neighborhood meeting with property owners prior to the item getting to the public hearings for the request; however, it in regard to the applicant’s request creating a potential nuisance or causing significant adverse impacts upon adjacent land uses, it is pragmatic to engage the stakeholders during a public hearing. To that effect, the applicant did send a certified mailing informing the abutting property owners of the public hearing as required by LDC Sec. 2.05.03. Regarding potential public health, safety, and welfare issues, if the application is approved for the use, the applicant will be required to submit a full technical site plan application where industrial projects are evaluated in accordance with the requirements of LDC Sec. 4.14 which establishes industrial performance standards covering lighting, sound generation, water consumption, hazardous/regulated waste management, electrical/electromagnetic interference, air quality, storage of hazardous or regulated chemicals, fire prevention standards, and radioactive materials. Industrial projects with these elements have additional permitting requirements with third party regulatory entities such as St. Johns River Water Management District (SJRWMD), Florida Department of Environmental Protection (FDEP), and the Florida Department of Health: Bureau of Radiation Control, as applicable based on project. Considering the location of the subject property at the terminus of an industrial park adjacent to the FEC railroad, and that it has existing IND-2 zoning, this is in staff’s opinion the most likely place within the City for this kind of use.

B. The proposed development must be consistent with the Comprehensive Plan and the provisions of this LDC;

Staff Findings: The request will be consistent with all applicable portions of the Land Development Code (LDC) and the Comprehensive Plan. The following are a selection of goals, policies and objectives from the Comprehensive Plan that the project supports:

- **Chapter 1, Future Land Use Element: Goal 1.1 –** Preserve the character of residential communities, prevent urban sprawl and protect open space and environmental resources, while providing a mix of land uses, housing types, services, and job opportunities in mixed use centers and corridors.

- **Chapter 1, Future Land Use Element: Policy 1.1.1.1 -** The following future land use designations are established and depicted on the FLUM: E. Industrial –
  Purpose and Intent: This designation identifies areas suitable for both heavy and light industrial uses to provide employment opportunities for higher skilled jobs with higher pay scales.
  Allowable Uses: Heavy industrial uses to include those that are major users of electricity and water, produce greater amounts of solid wastes and air emissions, or substantially impact the landscape through mining and mineral extraction. Light industrial uses include limited manufacturing and product assembly, warehousing, storage yards and facilities, and business and research parks involving trucking and shipping activities.
  Density: None.
  Development Allowances and Restrictions: An industrial use's proximity to wellfields shall be considered. Commercial and institutional uses are also allowed within this designation only when necessary to provide support facilities for large employment centers.

- **Chapter 1, Future Land Use Element: Objective 1.1.4** Discourage Urban Sprawl – Promote compact and contiguous development, a mixture of land uses, and discourage urban sprawl.

- **Chapter 1, Future Land Use Element: Policy 1.1.4.3** -– *Land use patterns will be required to be efficient and not disproportionately increase the cost of providing and maintaining public facilities, as well as providing housing and transportation strategies that will foster energy conservation.*

- **Chapter 6, Conservation and Coastal Management Element: Objective 6.1.1 -** Air Quality Standards meet or exceed the minimum ambient air quality standards established by FDEP.

- **Chapter 6, Conservation and Coastal Management Element: Policy 6.1.1.4** - The following strategies are incorporated to protect air quality, which include, but are not limited to:
  A. Require Best Management Practices (BMPs) and enforce standards at active construction sites to control fugitive particulate emissions;
  B. Encourage alternatives and investigate potential incentives for alternatives to open burning practices such as mulching, smoke screens, and other air quality protection techniques;
  C. Maintain coordination with relevant state and local agencies concerning open burning practices;
  D. Address the preservation of natural tree buffers and native vegetation and other possible landscape requirements within the LDC.

- **Chapter 6, Conservation and Coastal Management Element:** Objective 6.1.2 - Quality and Quantity of Ground Water Resources - Establish and enforce policies and procedures to secure a reliable and safe potable water supply that meets anticipated consumer demands, while complying with the standards and regulations required by SJRWMD and FDEP.

- **Chapter 6, Conservation and Coastal Management Element:** Policy 6.1.2.2 - As enforced in the LDC, continue to regulate land uses that handle, produce, store, or dispose of regulated substances by appropriately siting these land uses to prevent the introduction of these substances into groundwater.

The listed goals, objectives, and policies are a sample of the City's Comprehensive Plan that relate to the project. Although the LDC specifically requires a super-majority vote of the City Council for an asphalt manufacturing plant, in LDC Sec 4.14(A)8 establishes that an asphalt plant would be presumed to be heavy industrial. The property is zoned for heavy industrial and has an industrial future land use map (FLUM) designation. The proposed use would not increase any urban sprawl as the site is already developed and the use would be contained on the site. The site when it comes in for Technical Site Plan will be required to restore the site to ensure it does not exceed the maximum impervious surface ratio for the site and complies with the required landscaping as required by Policy 6.1.1.4D and LDC Sec 11.02 and 11.03 due to the site being cleared without permit of approximately 1.25 acres on the south side of the property as referenced from aerial imagery

C. The proposed development must not impose a significant financial liability or hardship for the City;

Staff Findings: It is unlikely that the proposed project would impose a significant financial liability or hardship on the City.

D. The proposed development must not create an unreasonable hazard, or nuisance, or constitute a threat to the general health, welfare, or safety of the City's inhabitants;

Staff Findings: The proposed project is on an existing developed site that is used for heavy industrial. The closest property which currently has zoning for residential is found in Palm Coast Park to the north. While that nearest tract of Palm Coast Park has zoning for multifamily, the tract of land is inundated with a fair amount of wetlands, which would likely affect the potential development of that tract of Palm Coast Parkway. As previously stated, industrial projects are subject to meeting additional industrial performances standards as adopted in the LDC under Sec 4.14. These performance standards are actively analyzed during the Technical Site Plan application process, which would potentially follow this application should it be approved by City Council. The most applicable industrial performance standards for the proposed project involve air quality, water consumption, and the storage/disposal of hazardous materials.

E. The proposed development must comply with all other applicable local, state and federal laws, statutes, ordinances, regulations, or codes;

Staff Finding: If the application is approved with a super-majority vote by the City Council, the applicant will need to submit a Technical Site Plan application which will be reviewed by City Review staff and based on its developmental level be processed as required by the City's Land Development Code. The proposed development must comply with the requirements of the LDC and all other applicable local, state and federal laws, statutes, ordinances, regulations and codes. An example of that compliance will be ensuring that the unpermitted tree clearing on the site is addressed likely as a condition of approval for a subsequent Technical Site Plan application if this application is approved or as an action of code compliance if this application is denied.

PUBLIC PARTICIPATION

Per LDC Section 2.05.03, the applicant notified adjacent property owners via certified mail at least 14 days before the public hearing. The applicant also hosted a neighborhood meeting, pursuant to LDC Section 2.05.02, on Tuesday September 29, 2026, at Indian Trails Middle School. Documentation for

the applicant's compliance with public notice and the neighborhood meeting have been attached to the application.

RECOMMENDATION

Staff does not have a recommendation for the application.

The Planning and Land Development Regulation Board may find that this project is consistent with the City's Comprehensive Plan and the Land Development Code and recommend that the City Council approves Application No. 6785 or find that this project is not consistent with the City's Comprehensive Plan and the Land Development Code and recommend that the City Council denies Application No. 6785.

77 Hargrove Grade - Distant Aerial

Thu, November 5, 2026 2:15 PM



The City of Palm Coast prepares and uses this map/map data for its own purposes. This map/map data displays general boundaries and may not be appropriate for site specific uses. The City uses data believed to be accurate; however, a degree of error is inherent in all maps. This map/map data is distributed AS-IS without warranties of any kind, either expressed or implied including, but not limited to, warranties of suitability to a particular purpose or use. This map/map data is intended for use only at the published scale. Detailed on-the-ground surveys and historical analyses of sites may differ substantially from this map/map data.

77 Hargrove Grade - Aerial Close

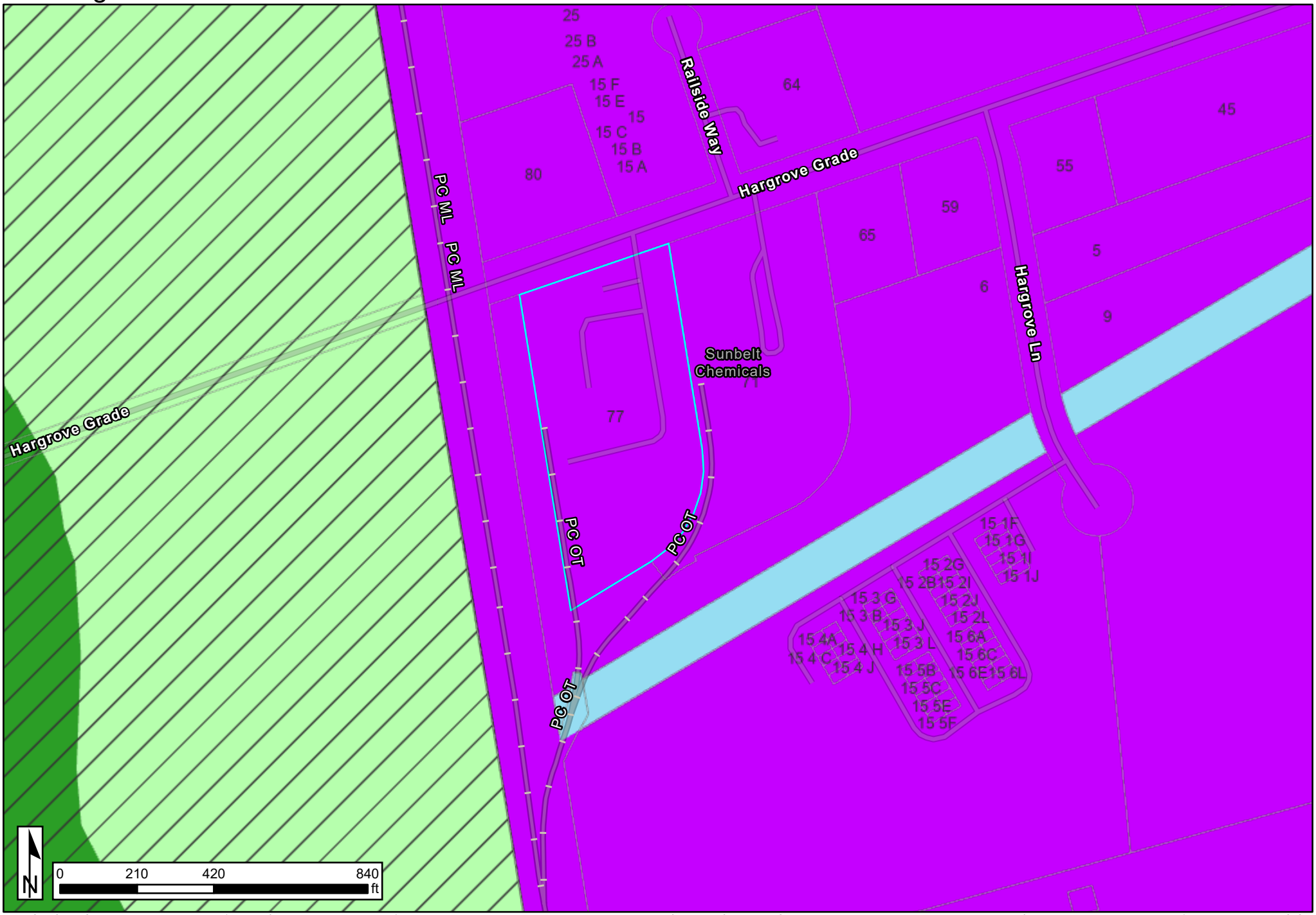
Thu, November 5, 2026 2:09 PM



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77 Hargrove Grade - FLUM

Thu, November 5, 2026 2:10 PM



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77 Hargrove Grade - Zoning

Thu, November 5, 2026 2:13 PM



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GENERAL - APPLICATION

DATE	07/16/2026
APPLICATION TYPE	SPECIAL EXCEPTION

PROJECT NAME	77 Hargrove Special Exception				
LOCATION OF SUBJECT PROPERTY (PHYSICAL ADDRESS)	77 HARGROVE GRAD PALM COAST FL 32137				
PROPERTY APPRAISER'S PARCEL NUMBER	16-11-30-0000-01010-0020				
LEGAL DESCRIPTION	PART OF N 1/2 OF SECTION EAST OF FEC RR & SOUTH OF HARGROVE RD OR 215 PG 197 5.93 AC PARCEL LOCATE 76.06 ' E OF RR (76.6'IS PROPOSED DITCH) PARCEL IS 375' ALONG SLY BDRY OF HARGROVE RD OR 435 PG 11				
SUBDIVISION NAME					
SECTION	16	BLOCK	01010	LOT	0020
PROPERTY ACRES	5.9249			PROPERTY SQ FT	258089
FUTURE LAND USE MAP DESIGNATION	INDUSTRIAL			EXISTING ZONE DISTRICT	IND-2
OVERLAY DISTRICT					
COMMUNITY PANEL NUMBER	120684			MAP PANEL DATE	06/06/2018
FLOOD ZONE					
PRESENT USE OF PROPERTY	INDUSTRY - HEAVY				

DESCRIPTION OF REQUEST / PROPOSED DEVELOPMENT (MAY ATTACH ADDITIONAL SHEETS)

Special exception application

PROPOSED NUMBER OF LOTS		IS THERE EXISTING MORTGAGE?	Yes

Owner	Applicant / Agent
Name: ACCI VENTURES LLC	Name: MICHAEL D. CHIUMENTO III
Mailing Address: 77 HARGROVE GRADE PALM COAST, FL 32137	Mailing Address: 145 CITY PLACE, SUITE 301 PALM COAST, FL 32164
Phone Number: (386) 263-0044	Phone Number: (386) 445-8900
E-mail Address: ROBERT.ACKLEY@AMERICANCIVILCONSTRUCTION.COM	E-mail Address: CMCNEIL@LEGALTEAMFORLIFE.COM
Mortgage Holder	**Engineer or Professional**
Name:	Name:
Mailing Address:	Mailing Address:
Phone Number:	Phone Number:
E-mail Address:	E-mail Address:
Architect	**Traffic Engineer**
Name:	Name:
Mailing Address:	Mailing Address:
Phone Number:	Phone Number:
E-mail Address:	E-mail Address:
Surveyor	**Landscape Architect**
Name:	Name:
Mailing Address:	Mailing Address:
Phone Number:	Phone Number:
E-mail Address:	E-mail Address:
Attorney	
Name:	
Mailing Address:	
Phone Number:	
E-mail Address:	

APPLICANT / OWNER'S AFFIDAVIT: I certify that all the foregoing information is accurate and that all work will be done in compliance with all applicable laws regulating construction and zoning

APPLICANT / OWNER'S ELECTRONIC SUBMISSION STATEMENT: Under penalty of perjury, I declare that all the information contained in this development application is true and correct. By signing this Electronic Submission Form, I consent to use electronic communications, electronic records, and electronic signatures rather than paper documents for the form(s) provided on this web site. I understand that my electronic signature is legally binding, as stated by 2016 Florida Statutes Title XXXIX Chapter 668 Section 50

Signature of Property Owner or Applicant

MICHAEL CHIUMENTO III

GENERAL APPLICATION:
- [ ] Rezoning
- [X] Special Exception
- [ ] Nonstatutory Land Division/Parcel Reconfiguration
- [ ] Vacating Plat
- [ ] Subdivision Master Plan
- [ ] Preliminary Plat
- [ ] Final Plat
- [ ] Master Site Plan
- [ ] Nonresidential Controlling Master Site Plan
- [ ] Technical Site Plan
- [ ] Site Plan Addition
- [ ] Development Order Modification
- [ ] Variance
- [ ] Parking Flexibility
- [ ] Wireless Communication Facility (new structure)

CD Plus Application #: _____ Application Submittal Date: _____
Fee Paid: $_____ Date of Acceptance: _____
Employee Name Accepting Application (print name): _____
Rejected on _____ Rejected by: _____
Reason for Rejection: _____

A. PROJECT NAME: ACCI Ventures LLC

B. LOCATION OF SUBJECT PROPERTY (PHYSICAL ADDRESS): 77 Hargrove Grade, Palm Coast, FL 32137

C. PROPERTY APPRAISER'S PARCEL NUMBER(s): 16-11-30-0000-01010-0020

D. LEGAL DESCRIPTION: _____Subdivision Name; ____Section; _____ Block; _____Lot
Part of Government Section 16, Township 11 South, Range 30 East, Flagler County, Florida, east of the FEC Railroad and south of Hargrove Grade; ±5.93 acres, as described in OR Book 215, Page 197.

E. SUBJECT PROPERTY ACRES / SQUARE FOOTAGE: 5.93 acres/258,089.846 sq. ft.

F. FUTURE LAND USE MAP DESIGNATION: Industrial EXISTING ZONING DISTRICT: IND-2

OVERLAY DISTRICT: _____

G. FLOOD ZONE: Yes COMMUNITY PANEL NUMBER:_____ DATE: _____

H. PRESENT USE OF PROPERTY: The property is presently improved and used as an industrial property with office space, equipment shop, material recycling (asphalt and concrete), equipment and truck storage and parking for American Civil Construction Inc.

I. DESCRIPTION OF REQUEST / PROPOSED DEVELOPMENT (MAY ATTACH ADDITIONAL SHEETS):
Request for special exception approval to permit the use of the subject IND-2 property as an asphalt manufacturing plant.

J. PROPOSED NUMBER OF LOTS: 1

K. CHECK APPROPRIATE BOX FOR SITE PLAN:
- [ ] Tier 1 (up to 40,000 sq. ft. / 40 units)
- [ ] Tier 2 (up to 100,000 sq. ft. / 100 units)
- [ ] Tier 3 (exceeding 100,000 sq. ft. / 100 units)

L. LIST BELOW ANY APPLICATIONS CURRENTLY UNDER REVIEW OR RECENTLY APPROVED ASSOCIATED WITH THIS APPLICATION: None

M. WATER/SEWER PROVIDER: City of Palm Coast

N. IS THERE AN EXISTING MORTGAGE? [X] Yes [ ] No

AFFIDAVIT OF CORPORATE IDENTITY / AUTHORITY

STATE OF FLORIDA

COUNTY OF FLAGLER

COMES NOW, Kimberly Ackley, being first duly sworn, who deposes and says:

(1) That he/she is the Manager, an officer of ACCI Ventures LLC corporation existing under the laws of the State of Florida.

(2) That he/she is authorized to execute the following deeds or instruments on behalf of the above named corporation: ACCI Ventures LLC relating to the following described real property: See Exhibit "A" attached hereto and incorporated by reference.

(3) That this affidavit is made to induce the City of Palm Coast to accept the above described property.

Signature of owner OR person authorized to represent this application

Signature

Kimberly Ackley, Manager - ACCI Ventures LLC

Print name

Signature

Print name

NOTARY: This instrument was acknowledged before me on this 16th day of July, 2026 by Kimberly M Ackley who is/are personally known to me, or who has/have produced _____ as identification.

(SEAL)

NATHAN THOMAS POOLSON NOTARY PUBLIC MY COMMISSION EXPIRES 1-23-2028 STATE OF FLORIDA COMMISSION NUMBER HH 484253

Signature of Notary Public, State of Florida

EXHIBIT "A"

A parcel of land lying in Government Section 16, Township 11 South, Range 30 East, Flagler County, Florida, being more particularly described as follows: From a point of reference being the intersection of the Easterly right of way of the Florida East Coast Railroad (150' R/W) with the Northerly boundary line of said Government Section 16; thence South 09°09'56" East 902.56 feet along the said Easterly right of way line of the Florida East Coast Railroad to a point of intersection with Southerly right of way of Hargrove Grade (100' R/W) as dedicated to the Board of County Commissioners, Flagler County, Florida in Official Records Book 185, Pages 202-203 of the Public Records of said Flagler County; thence departing said Easterly right of way of the Florida East Coast Railroad North 71°14'44" East 76.06 feet along said Southerly right of way of Hargrove Grade to the Point of Beginning of this description; thence continue North 71°14'44" East 375.00 feet along said Southerly right of way; thence departing said Southerly right of way of Hargrove Grade South 09°09'56" East 494.41 feet to a point of curvature; thence Southwesterly 309.10 feet along a curve to the right having a radius of 260.44 feet, a central angle of 68°00'00", a chord of 291.27 feet and a chord bearing South 24°50'04" West to a Point of Tangency; thence South 58°50'04" West 223.13 feet; thence North 09°09'56" West 757.00 feet to the Point of Beginning of this Description.

Property Owner Letter of Authorization

**********IF APPLICANT IS NOT THE PROPERTY OWNER**********

Dear Planning Manager,

I / We, ACCI Ventures LLC

(**All** property owners)

being the current property owner(s) of the property legally described as Parcel Number(s)

16-11-30-0000-01010-0020

and also described as Subdivision _____,

Section_____, Block 16, Lot 2, OR

Street Address or Physical Location: 77 Hargrove Grade, Palm Coast, Fl 32137

Do hereby designate and authorize

Michael D. Chiumento III, Esq. & Chiumento Law, PLLC

(name of agent / applicant)

representing ACCI Ventures LLC

(Individual or Corporate Name)

to sign on my/our behalf, as my/our agent to submit an application for a

Special Exception

(type of application)

for the property described above.

Kimberly Ackley

Signature of property owner

Kimberly Ackley, Manager - ACCI Ventures LLC

Print name

Signature of property owner

Print name

NOTARY: This instrument was acknowledged before me on this 16th day of July,

20 26 by Kimberly M Ackley **who is/are personally known to me, or**

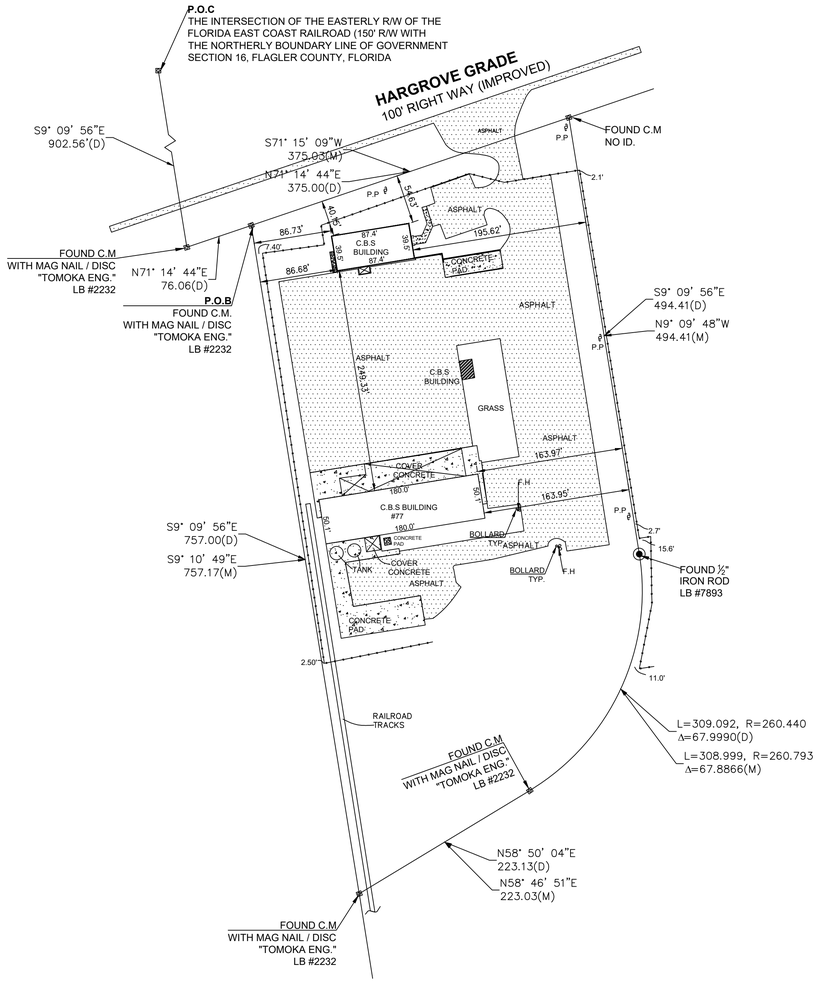
who has/have produced _____ **as identification.**

NATHAN THOMAS POOLSON NOTARY PUBLIC MY COMMISSION EXPIRES 1-23-2028 STATE OF FLORIDA COMMISSION NUMBER HH 484253

(SEAL)

Signature of Notary Public, State of Florida

MAP OF BOUNDARY



LEGAL DESCRIPTION:
A PARCEL OF LAND LYING IN GOVERNMENT SECTION 16, TOWNSHIP, RANGE 30
EAST, FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
FROM A POINT OF REFERENCE BEING THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY
OF THE FLORIDA EAST COAST RAILROAD (150' R/W) WITH THE NORTHERLY BOUNDARY LINE
OF SAID GOVERNMENT SECTION 16; THENCE SOUTH 09°09'56" EAST 902.56 FEET ALONG THE
EASTERLY RIGHT-WAY-WAY LINE OF THE FLORIDA EAST COAST RAILROAD TO A POINT OF
INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY OF HARGROVE GRAVE (100' R/W) AS
DEDICATED TO THE BOARD OF COUNTY COMMISSIONERS, FLAGLER COUNTY, FLORIDA IN
OFFICIAL RECORDS BOOK 185, PAGE 202-203 OF THE PUBLIC RECORDS OF SAID FLAGLER
COUNTY; THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY OF THE FLORIDA EAST COAST
RAILROAD NORTH 71°14'44" EAST 76.06 FEET ALONG SAID SOUTHERLY RIGHT-OF-WAY OF
HARGROVE GRADE TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE
NORTH 71°14'44" 375.00 FEET ALONG SAID SOUTHERLY RIGHT-OF-WAY; THENCE
DEPARTING SAID SOUTHERLY RIGHT-OF-WAY OF HARGROVE SOUTH 09°09'56" EAST
494.41 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY 309.10 FEET ALONG A
CURVE TO THE RIGHT HAVING A RADIUS OF 260.44 FEET A CENTRAL ANGLE OF 60°00'00", A
CHORD OF 291.27 FEET HAD A CHORD BEARING SOUTH 24°50'04" WEST TO A POINT OF
TANGENCY; THENCE SOUTH 58°50'04" WEST 223.13 FEET; THENCE NORTH 09°09'56" WEST
757.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION.

SURVEY NOTES:

1) The "Legal Description" hereon is in accord with the the description provided by the client.
2) Underground improvements were not located or shown.
3) Lands shown hereon were not abstracted by this office for easements, rights-of-way, ownership or other instruments of record.
4) Bearings based on N 71°14'44" E for the Northerly right of way line of HARGROVE GRADE,.
5) Fence ownership, if aplicable, has not been determined by this office. Fences are drawn out of scale in order to accentuate their relationship to property lines. Fences are not deemed to be encroachments unless ownership is apparent.
6) "Unless it bears the signature and the original raised seal of a Florida licensed surveyor and mapper, this map/report is for informational purposes only and is not valid.
7) The property shown hereon lies within flood zone " X " as per F.E.M.A. Flood Insurance Rate Map, Panel 12035C0120E Dated 06-06-2018.
8) Unless otherwise noted Measured angles and distances are the same as Plat or Deed angles and distances.
9) This survey has been performed according to the standard of care to achieve the following accuracies for the following surveyed.
Surveyed Accuracy: 1 foot in 21783 feet
Commercial / High risk Linear Accuracy: 1 foot in 10000 feet
SOP Rule 5J-17.05(3) (B) (15) b.ii
10) All elevation shown hereon are based on the North American Vertical Datum of 1988 (NAVD 88)

PREPARED FOR:
ACCI VENTURES LLC

LEGEND
—E— = AERIAL UTILITY WIRES
A/C = AIR CONDITIONER
AKA = ALSO KNOWN AS
B.R.L = BUILDING RESTRICTION LINE
TV = CABLE TELEVISION PEDESTAL
Δ = CENTRAL ANGLE
℄ = CENTERLINE
-x-x-x- = CHAIN LINK FENCE
CB = CHORD BEARING
CD = CHORD DISTANCE
CONC. = CONCRETE
= CONCRETE FLATWORK
CMP = CORRUGATED METAL PIPE
E = ELECTRICITY METER
ELEV. = ELEVATION
F.F. = FINISHED FLOOR
= FIRE HYDRANT
G = GAS METER
L = ARC LENGTH
= LIGHT POLE
MEAS. = MEASURED
N.G.V.D. = NATIONAL GEODETIC VERTICAL DATUM
O.R.B. = OFFICIAL RECORD BOOK
P.I.N. = PARCEL IDENTIFICATION NUMBER
P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT
R = RADIUS
RCP = REINFORCED CONCRETE PIPE
R/W = RIGHT-OF-WAY
S = SEWER CLEAN OUT
Ⓢ = SEWER MANHOLE
D = STORM MANHOLE
T = TELEPHONE PEDESTAL
-o- = WOOD FENCE
= WOOD POWER POLE
W = WATER METER
Ⓦ = WELL

THE INFORMATION SHOWN HEREON MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

BY: _____
ALAN FRANKLIN GLASS
FLORIDA REGISTERED SURVEYOR
MAPPER CERTIFICATE No. 5712

ALAN FRANKLIN GLASS
No. 5712
STATE OF FLORIDA
REGISTERED LAND SURVEYOR AND MAPPER

GLASS LAND SURVEYING, LLC
GLASS LAND SURVEYING, LLC
3731 WEST 5TH STREET, HILLIARD, FLORIDA 32046
(904) 675-9241 * CELL: (904) 370-0318
LICENSE BUSINESS NO. LB 8359

SCALE: 1"=80'
DATE: 08-03-26
DRN BY: JG
CKD BY: AG
JOB NO: 1000
F.B. NO: DC
PAGE NO. DC

DWG NO. DWGNO

Prepared by and Return to:
Michael D. Chiumento III, Esq.
CHIUMENTO LAW, PLLC
145 City Place, Suite 301
Palm Coast, FL 32164
Attn: Caroline McNeil

Affidavit
Survey - No Additional Improvements

BEFORE ME, the undersigned authority, duly authorized to take acknowledgments and administer oaths, personally appeared Kimberly Ackley, as Manager of ACCI Ventures, LLC, a Florida limited liability company ("Affiant"), who depose(s) and say(s) under penalties of perjury that:

1. This affidavit is made with regard to the following described property:

Parcel Identification Number 16-11-30-0000-01010-0020

See attached Exhibit "A"

2. Affiant is the fee simple owner of the real property described under item 1 above ("Property").
3. Affiant has reviewed the survey of the Property prepared by Target Surveying, LLC, dated April 29, 2015 under Survey Number 227330.
4. There has been no construction on the Property since the original survey and no construction on adjoining land that would encroach onto the Property.

ACCI VENTURES, LLC, a Florida limited liability company

By: _____
Kimberly Ackley, Manager

STATE OF FLORIDA
COUNTY OF FLAGLER

The foregoing instrument was sworn to and subscribed before me by means of [X] physical presence or [_] online notarization, this 16th day of July, 2026 by Kimberly Ackley, as Manager of ACCI Ventures, LLC, a Florida limited liability company, who [X] is personally known or [X] has produced a driver's license as identification.

[Notary Seal]



_____
Notary Public

EXHIBIT "A"

A parcel of land lying in Government Section 16, Township 11 South, Range 30 East, Flagler County, Florida, being more particularly described as follows: From a point of reference being the intersection of the Easterly right of way of the Florida East Coast Railroad (150' R/W) with the Northerly boundary line of said Government Section 16; thence South 09°09'56" East 902.56 feet along the said Easterly right of way line of the Florida East Coast Railroad to a point of intersection with Southerly right of way of Hargrove Grade (100' R/W) as dedicated to the Board of County Commissioners, Flagler County, Florida in Official Records Book 185, Pages 202-203 of the Public Records of said Flagler County; thence departing said Easterly right of way of the Florida East Coast Railroad North 71°14'44" East 76.06 feet along said Southerly right of way of Hargrove Grade to the Point of Beginning of this description; thence continue North 71°14'44" East 375.00 feet along said Southerly right of way; thence departing said Southerly right of way of Hargrove Grade South 09°09'56" East 494.41 feet to a point of curvature; thence Southwesterly 309.10 feet along a curve to the right having a radius of 260.44 feet, a central angle of 68°00'00", a chord of 291.27 feet and a chord bearing South 24°50'04" West to a Point of Tangency; thence South 58°50'04" West 223.13 feet; thence North 09°09'56" West 757.00 feet to the Point of Beginning of this Description.

LEGEND



GRAPHIC SCALE
0 50 75
(IN FEET)
1 inch = 50 ft.

= CONCRETE
= ASPHALT
= COVERED OR ENCLOSED
= WOOD BRIDGE
= ASPHALT MILLINGS
= GRASS

NOTES:

Since the parcel is IND-2 and all adjoining parcels are IND-1, the perimeter buffer requirement is a Type C buffer on the side and rear property lines. Along the frontage adjacent to a standard local/collector roadway right-of-way, the code requires a Type A buffer unless it fronts one of Palm Coast's "specially designated arterial or collector roads,"which would increase to Type B. Hargrove Grade is generally treated as an industrial local roadway, so typically this is a Type A frontage buffer.

For your site, that generally means:

Front (ROW): Type A buffer
Sides/rear adjacent to IND-1: Type C buffer

The planting requirements for those buffers under Palm Coast Chapter 11 are approximately:

Buffer Type	Width	Planting Requirement	Screening
Type A	10 ft	1 canopy tree per 30 LF + shrubs/groundcover	Minimal screening
Type C	15 ft	1 canopy tree per 25 LF + understory trees + shrubs	Moderate opacity

Typical Type C requirements include:

continuous landscape strip,
canopy trees,
understory trees,
hedge/shrub massing,
irrigation,
mulch/groundcover.

Palm Coast also requires:

drought-tolerant/native emphasis,
automatic irrigation for landscaped areas,
preservation credits for existing trees where applicable.

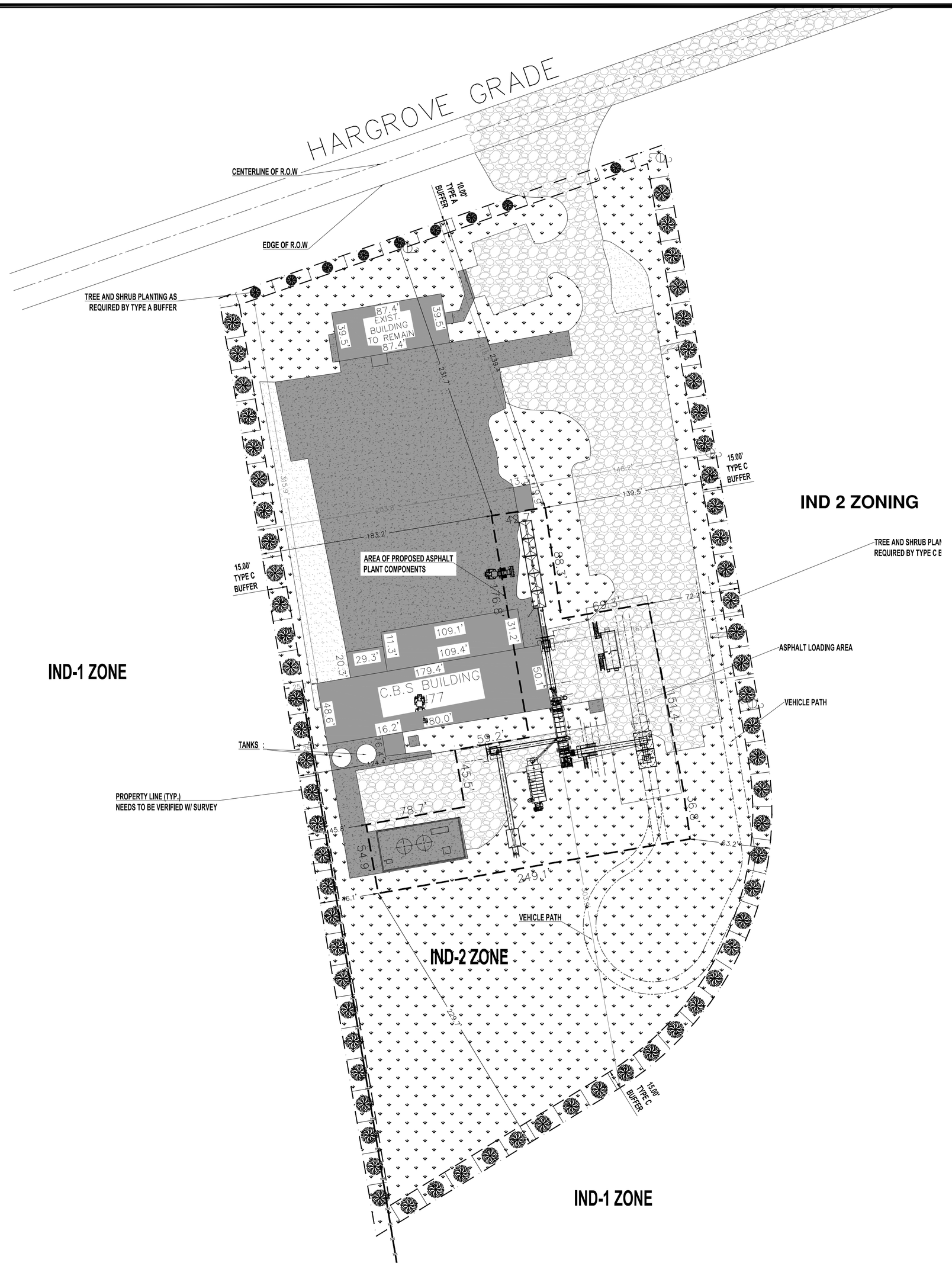
For IND developments specifically, the code also requires foundation landscaping:

planting beds at least 4 ft wide
along:
60% of front elevations
25% of street side elevations
10% of interior side elevations
no rear foundation planting requirement.

A practical layout for your parcel would likely be:

10' landscape strip along Hargrove Grade
15' side/rear landscape buffers
canopy trees staggered roughly every 25-30 feet,
understory trees intermixed,
continuous shrub hedge in the side/rear buffers.

LOT AREA TABLE, ft²	
LOT	252,498.59
PROPOSED PLANT AREA	34,969.51
EXISTING BUILDINGS	16,889.98
EXISTING CONCRETE, ASPHALT, ASPHALT MILLINGS	95,757.81
TOTAL IMPERVIOUS AREA:	+/-147,617.3 (58.5%)



Surveyor's Certification

REPRODUCTIONS OF THIS SKETCH OF SURVEY ARE NOT VALID UNLESS SEALED WITH THE EMBOSSED SEAL OF THE SIGNING SURVEYOR.

THE SKETCH OF SURVEY DEPICTED HEREON CONFORMS TO THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN ACCORDANCE WITH CHAPTER 5J-17 (FORMERLY 61G-17), PURSUANT TO CHAPTER 472.027 FLORIDA STATUTES, AND WAS DONE UNDER MY SUPERVISION.

Signature Date

Brandon D. Shugart, PSM #7009
surveying@imecivil.com

EXHIBIT

IME CIVIL & SURVEYING, LLC
1870 COUNTY ROAD 214
ST AUGUSTINE, FLORIDA 32084
WWW.IMECIVIL.COM
904-429-7764
Licensed Survey Business #8139
Certificate of Authorization #33025

© Copyright
Do not copy or reproduce without permission.

ADDRESS OF PROPERTY SHOWN HEREON:
FOR: AMERICAN CIVIL CONSTRUCTION
AT: 77 Hargrove Grde
Palm Coast, FL 32137

Drawn By: TM
Scale 1" = 50 Feet
Drawing/File #: 040726.500

Additional Information/Certifications:
XXXXX

Special Note - Liability Notice

NOTICE OF LIABILITY: THIS SURVEY IS CERTIFIED TO THOSE INDIVIDUALS SHOWN IN TITLE AND CERTIFICATION BLOCKS BELOW. ANY OTHER USE, BENEFIT OR RELIANCE BY ANY OTHER PARTY IS STRICTLY PROHIBITED AND RESTRICTED. SURVEYOR IS RESPONSIBLE ONLY TO THOSE CERTIFIED AND HEREBY DISCLAIMS ANY OTHER LIABILITY AND HEREBY RESTRICTS THE RIGHTS OF ANY OTHER INDIVIDUAL OR FIRM TO USE THIS SURVEY IN ANY MANNER WHATSOEVER, WITHOUT THE WRITTEN CONSENT OF THE SIGNING SURVEYOR. SEE SURVEYOR'S NOTE #11 HEREON.

HARGROVE ASPHALT PLANT

C:\USERS\TYME CIVIL DROPBOX\TY WORK\ME CIVIL - WORK\ENGINEERING\2026\040726.500 - HARTHORNE ASPHALT PLANT\HARTHORNE ASPHALT PLANT.DWG Plot: Plan 24x36,5/27/2026 11:49 AM,Ty, IME Civil and Surveying, LLC

Michael D. Chiumento
Michael D. Chiumento III
William J. Bosch
Vincent L. Sullivan
Diane A. Vidal, P.A.*
Thomas R. Pycraft *
Christy Earls

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Ormond Beach, FL 32174

CHIUMENTO LAW

Proudly serving Flagler and Volusia Counties for over 50 years

July 16, 2026

Via Portal Submission
City of Palm Coast
Members of the Planning and Land Development Regulation Board
160 Lake Avenue
Palm Coast, FL 32164

RE: 77 Hargrove Grade, Palm Coast, Florida 32137
Special Exception Application

Dear Members of the Planning and Land Development Regulation Board:

Our firm has the pleasure of representing ACCI Ventures LLC (hereinafter "ACCI") in connection with the special exception request being presented for consideration. The real property is approximately 5.93 acres located on Hargrove Grade in Palm Coast, Florida.

This letter is submitted concurrently with the special exception application requesting approval to utilize the subject industrial property as an asphalt manufacturing plant. Based on the property's existing Industrial Future Land Use designation, IND-2 zoning classification, current industrial use, location at the end of Hargrove Grade, and the operational and regulatory safeguards applicable to modern asphalt facilities, the proposed use satisfies the review criteria set forth in Sections 2.05.05 and 2.07.03 of the City of Palm Coast Land Development Code ("LDC"). Accordingly, the application presents a use that is consistent with the City's adopted industrial land use framework, is not contrary to the public interest, can be operated without creating an unreasonable hazard or nuisance, and should be recommended for approval subject to appropriate conditions and site plan review.

I. The Applicant and Industrial Property

ACCI Ventures, LLC owns the subject property at 77 Hargrove Grade. Robert Ackley is the President of American Civil Construction, Inc. ("ACCI"), which currently operates from the property. ACCI is a civil construction company whose work includes site development and related construction services. ACCI's stated vision is to build a great place to work, compete with safe, quality-driven production companies, raise the bar within the industry, and provide high-quality service through dignity, fairness, operational excellence, and experienced personnel.

The subject property is already used for industrial purposes. The materials submitted with the application show an existing industrial site layout, including office/warehouse-type improvements, paved and operational yard areas, storage, circulation, and other support features associated with the existing civil construction operation. The property is zoned IND-2 and is designated Industrial on the City's Future Land Use Map. The property is also located where Hargrove Grade dead ends within close proximity to a rail spur. This location supports its suitability for an industrial use that is separated from more sensitive residential uses.

The applicant also owns the property across the road at 80 Hargrove Grade. That ownership is relevant to a compatibility analysis as it assists with coordinated operations, buffering, and mitigation of potential impacts.

II. Proposed Asphalt Manufacturing Use and Operational Safeguards

The requested special exception would allow the subject property to be used as an asphalt manufacturing plant. In general terms, an asphalt plant produces hot mix asphalt by combining aggregate, sand, and asphalt cement in a controlled manufacturing process. The principal components of an asphalt facility include aggregate feed systems, conveyors, a drying/mixing drum, asphalt cement storage, emissions-control equipment, storage silos, loading areas, and related support equipment.

Asphalt is a recyclable paving material, and asphalt pavement can be reclaimed and reused in new pavement production. Modern asphalt facilities utilize emissions-control technology, including baghouse filtration, to capture particulate matter generated during production, and these facilities are subject to permitting and regulatory requirements designed to control emissions, odor, dust, noise, and other potential impacts.

Asphalt facilities are not unregulated industrial operations. Rather, they must comply with applicable federal, state, and local requirements, including air-quality permitting and operating standards, stormwater and drainage controls, fire-prevention requirements, hazardous or regulated materials management requirements, and other applicable environmental and safety standards. The City's own heavy industrial performance standards likewise contemplate review of lighting, sound, water consumption, hazardous or regulated waste management, electrical/electromagnetic interference, air quality, chemical storage, fire prevention, septic systems, and other matters relevant to the safe operation of heavy industrial uses.

Accordingly, the proposed use is not being presented as an unrestricted industrial activity. It is being presented as a regulated, reviewable, and conditionable industrial use within an IND-2 zoning district, subject to special exception approval, subsequent technical site plan review, and all applicable local, state, and federal permits and operating requirements.

III. Meeting with City Staff and Confirmed Approval Process

On March 11, 2026, we met with City staff to discuss the procedural path for seeking approval of the proposed asphalt manufacturing plant at 77 Hargrove Grade.

City staff confirmed that asphalt plants are identified in the LDC as heavy industrial uses under

Section 4.14, but are also included among uses not permitted absent City Council approval under Section 3.01.06. City staff further confirmed that the proposed asphalt plant would require review and recommendation by the Planning and Land Development Regulation Board, followed by City Council approval by supermajority vote, and that the process would include two public hearings: one before the PLDRB and one before City Council.

City staff also advised that the applicant may proceed through the special exception process under Section 2.07, with the initial application submitted at a conceptual level focused on use approval and compatibility. Under the anticipated sequence discussed with staff, detailed engineering and technical site plan review would follow after special exception approval. This approach allows the applicant to seek threshold approval of the use before incurring the full expense of final technical design, while preserving the City's ability to review detailed engineering, drainage, circulation, buffering, parking, loading, utilities, fire protection, and other technical issues during subsequent site plan review.

IV. Compliance with LDC Sections 2.05.05 and 2.07.03

Section 2.05.05 of the LDC requires consideration of whether the proposed development is contrary to the public interest, whether it is consistent with the Comprehensive Plan and LDC, whether it imposes a significant financial liability or hardship for the City, whether it creates an unreasonable hazard or nuisance or threat to public health, welfare, or safety, and whether it complies with all other applicable laws, ordinances, regulations, and codes.

The proposed special exception satisfies those criteria. First, the proposed use is located on an existing industrial property within an IND-2 zoning district and Industrial future land use area. Second, the use is directly related to construction, infrastructure, paving, and site development activity, which are appropriate industrial functions. Third, the application does not request that the City assume any financial obligation for the operation; rather, the applicant will remain responsible for permitting, site improvements, compliance, and operation. Fourth, potential impacts associated with asphalt production are capable of being addressed through applicable performance standards, environmental permitting, operational controls, buffering, screening, traffic management, and technical site plan review. Fifth, the use will remain subject to all applicable local, state, and federal laws and permitting requirements.

Section 2.07.03 further requires that a special exception be consistent with the specific requirements for the particular use, meet concurrency requirements, and be compatible with surrounding neighborhoods while promoting the value of surrounding land, structures, or buildings. The compatibility analysis includes architectural design, fencing and screening, landscaping, noise reduction, signage, lighting, storm drainage, sanitation collection, police and fire protection, traffic control, parking, loading, and other relevant matters to assure the proposed development site fosters desirable conditions and compatibility with the existing environment.

The subject property's existing industrial character, IND-2 zoning, location at the end of Hargrove Grade, and surrounding industrial context support compatibility. The applicant's ownership of 80 Hargrove Grade across the road further supports coordinated industrial use and mitigation. To the extent the City determines that conditions are appropriate, the applicant is prepared to work with staff regarding reasonable conditions addressing buffering, screening, hours or operational

controls, truck routing, dust control, lighting, stormwater management, fire protection, parking, loading, and other matters within the City's review authority.

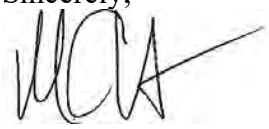
V. Conclusion

For the reasons set forth above, ACCI Ventures, LLC respectfully requests that the Planning and Land Development Regulation Board recommend approval of the special exception application for the proposed asphalt manufacturing plant at 77 Hargrove Grade. The request is consistent with the property's Industrial future land use designation and IND-2 zoning classification, and is compatible with the existing industrial character of the site and surrounding area, including current property uses. The proposed special exception would primarily allow for the addition of equipment to support asphalt production, without requiring changes to the existing drainage system or substantial alteration of the land. The project will not impose a financial hardship on the City and can be operated in compliance with all applicable performance standards, permitting requirements, and local, state, and federal regulations.

Palm Coast and Flagler County are experiencing significant growth, and the proposed project would support that growth by providing a local source of asphalt production. Approval of the special exception would substantially reduce the costs and logistical impacts associated with hauling asphalt from the nearest existing asphalt plant, located nearly thirty miles away. The project is also expected to create approximately 125 to 150 local jobs, including positions for truck drivers, plant workers, quality control personnel, sales staff, and administrative employees.

The applicant is prepared to continue working with City staff, the PLDRB, City Council, and the surrounding community to address reasonable conditions and technical requirements as the project proceeds through the required approval process.

Sincerely,



Michael D. Chiumento III
Attorney

Michael D. Chiumento
Michael D. Chiumento III
William J. Bosch
Vincent L. Sullivan
Diane A. Vidal, P.A.*
Thomas R. Pycraft *
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CHIUMENTO LAW

Proudly serving Flagler and Volusia Counties for over 50 years

MEMORANDUM

TO: **CITY OF PALM COAST STAFF**

FROM: **MICHAEL D. CHIUMENTO III, ESQ.**

DATE: **OCTOBER 8, 2026**

RE: **SPECIAL EXCEPTION CRITERIA – PROPOSED ASPHALT MANUFACTURING PLANT (77 HARGROVE GRADE)**

On March 11, 2026, representatives on behalf of ACCI Ventures, LLC met with City staff to discuss the proposed asphalt manufacturing plant at 77 Hargrove Grade and the appropriate procedural path for obtaining approval. During that meeting, the parties discussed the interplay between Sections 3.01.06 and 2.07 of the Land Development Code, and City staff advised that the Applicant could proceed through the special-exception process under Section 2.07, beginning with conceptual use approval and followed by detailed technical site-plan review. The memorandum memorializing that meeting and the agreed-upon approval path is included for reference.

Consistent with those discussions, the Applicant proceeded with the project as a special-exception application and has developed its submittal around the review criteria and procedural framework identified by City staff.

This memorandum addresses the standards governing ACCI's request for approval of a proposed asphalt manufacturing plant at 77 Hargrove Grade, Palm Coast, Florida. The property is designated Industrial on the Future Land Use Map and zoned IND-2 (Heavy Industrial). Asphalt plants are expressly classified by the Land Development Code ("LDC") as heavy industrial uses, while Section 3.01.06 imposes an additional requirement that an asphalt manufacturing plant receive a supermajority vote of the City Council following a recommendation from the Planning and Land Development Regulation Board ("PLDRB"). City staff previously advised that the application would proceed through the special-exception process in Section 2.07 at a conceptual use-approval stage, with detailed technical site-plan review to follow.

The purpose of this memorandum is to explain why the record supporting this application satisfies, or is structured to satisfy through the City's normal conditions and subsequent technical review, the criteria the City has identified for the special-exception proceeding. We respectfully request that Staff evaluate the application against those adopted criteria and provide a positive recommendation where the criteria are met. If Staff believes any criterion remains unsatisfied, the

applicant requests that the specific criterion and the factual basis for that conclusion be identified so that it may be addressed before hearing.

I. REGULATORY FRAMEWORK

A. The property is already planned and zoned for heavy industrial development.

This application is not a request to introduce industrial development into a residential or commercial zoning district. The subject property is designated Industrial on the Future Land Use Map and is zoned IND-2. LDC Section 3.03.01(D)(2) states that the purpose of the IND-2 district is to permit a wide range of intensive industrial uses, including uses that produce air emissions, use significant water, store regulated materials, or otherwise have impacts requiring performance controls. The Code addresses those impacts through performance standards intended to protect public health, safety, and welfare.

The use table in Section 3.03.02 identifies "Manufacturing, Heavy" as a permitted use in the IND-2 district. Section 4.14.01, in turn, expressly identifies asphalt plants among the industrial uses presumed to be heavy industrial. Thus, the proposed use is consistent with the basic industrial land-use framework applicable to this site.

B. Section 3.01.06 creates an additional approval layer, not a substitute for adopted review standards.

Section 3.01.06 provides that certain listed uses, including asphalt manufacturing plants, "may be permitted" by supermajority vote of the City Council after an affirmative or negative recommendation from the PLDRB. The provision explains that these uses receive heightened scrutiny because of their potential incompatibility, potential effects on health, safety, and welfare, and potential for nuisance or significant adverse impacts on adjacent land uses.

Those stated concerns substantially overlap the findings the City has directed the applicant to address under Sections 2.05.05 and 2.07.03: public interest; consistency with the Comprehensive Plan and LDC; hazards and nuisances; legal compliance; use-specific requirements; concurrency; and compatibility, including screening, noise, lighting, drainage, public safety, traffic, parking, and loading. Reading the Code as a whole, Section 3.01.06 heightens the required vote and places final authority with the City Council, while the published criteria provide the substantive framework for evaluating whether the identified risks have been adequately addressed.

C. The City has directed this application through the Section 2.07 special-exception process.

At the March 11, 2026 meeting, City staff advised that the applicant could submit under Section 2.07 and described a two-step sequence: first, conceptual special-exception/use approval; second, detailed engineering and technical site-plan review. That sequencing is consistent with Section 2.07.04, which provides that approval of a special exception authorizes the applicant to submit applications for development permits and other appropriate approvals.

Accordingly, the present proceeding should determine whether the proposed use, as conceptually designed and subject to appropriate safeguards and later technical approvals, satisfies the criteria for use approval. Matters that properly belong to final engineering, permitting, or detailed site-

plan review can be addressed through conditions of approval and the subsequent development-permit process.

II. THE PROCEEDING IS QUASI-JUDICIAL AND MUST BE DECIDED ON THE ADOPTED CRITERIA AND THE EVIDENTIARY RECORD

Florida law treats local government decisions on special zoning exceptions and other site-specific development orders as quasi-judicial in nature. *See Webb v. Town Council of Town of Hilliard*, 766 So. 2d 1241, 1243 (Fla. 1st DCA 2000); *Grace v. Town of Palm Beach*, 656 So. 2d 945, 946 (Fla. 4th DCA 1995). Palm Coast's own LDC likewise requires its development-order procedures to recognize the quasi-judicial aspects of local decision-making and to comply with controlling state-law requirements for quasi-judicial matters.

The significance is practical. This is not a policy referendum on whether asphalt manufacturing is desirable in the abstract. The legislative policy choices already appear in the Code: IND-2 is the City's heavy-industrial district; asphalt plants are classified as heavy industrial; Section 3.01.06 imposes heightened review and a supermajority vote; and Sections 2.05.05, 2.07.03, and 4.14 establish the findings and performance standards relevant to the use. The PLDRB and City Council apply those standards to the evidence presented for this particular property and proposal.

In *Irvine v. Duval County Planning Commission*, 495 So. 2d 167, 167 (Fla. 1986), the Florida Supreme Court held that once a special-exception applicant makes the initial showing that the application satisfies the governing criteria, the burden shifts to the opposing side to demonstrate through competent substantial evidence in the hearing record that the standards are not met and that the use is adverse to the public interest. The Supreme Court later reiterated that allocation of burdens *in Dusseau v. Metropolitan Dade County Board of County Commissioners*, 794 So. 2d 1270, 1274-75 (Fla. 2001*). Florida Power & Light Co. v. City of Dania*, 761 So. 2d 1089 (Fla. 2000), likewise confirms that the local government acts as factfinder and that the ultimate decision must be supported by competent substantial evidence tied to the applicable criteria.

Opposition is therefore relevant when it supplies competent evidence bearing on an adopted criterion. Generalized concern, however sincerely held, does not itself replace the Code's standards. Where an issue depends on technical subjects such as traffic, emissions, drainage, or noise, the evidentiary record must support the factual conclusion reached. The City may weigh conflicting competent evidence, but a negative recommendation or denial should identify the criterion found unsatisfied and the evidence supporting that finding.

III. THE APPLICATION ADDRESSES THE SECTION 2.05.05 DEVELOPMENT-ORDER FINDINGS

A. Public interest.

The proposed development is consistent with the public interest reflected in the City's adopted industrial planning framework. The site is already Industrial on the Future Land Use Map and IND-2 on the zoning map. There are project-specific public benefits, including more than 50 new positions in labor, trucking, and equipment operation; the ability to receive production materials by rail; and a local source of asphalt intended to serve roadway construction and maintenance

needs. Those benefits are relevant to the public-interest finding when considered together with the site's industrial designation and the required performance controls.

B. Consistency with the Comprehensive Plan and LDC.

The land-use setting strongly supports consistency. The site is designated Industrial and zoned IND-2, a district expressly intended for intensive industrial operations. Heavy manufacturing is permitted in IND-2, and Section 4.14 specifically classifies asphalt plants as heavy industrial. The applicant is not requesting a rezoning or Comprehensive Plan amendment to create a location for heavy industrial activity. Instead, it seeks the additional approval required by Section 3.01.06 and will remain subject to the performance standards and development-review requirements applicable to IND-2 uses.

C. No significant financial liability or hardship for the City.

The application materials do not identify any public subsidy, City-funded construction obligation, or other project-specific financial liability to the City. To the extent Staff has identified a municipal cost or hardship attributable to the proposed use, the applicant requests that it be identified so that it can be addressed through the review process. On the record presently provided, there is no factual basis for a finding that the project would impose a significant financial liability or hardship on the City.

D. No unreasonable hazard, nuisance, or threat to public health, welfare, or safety.

This criterion is central to the application and to Section 3.01.06. The Code does not treat every heavy industrial impact as disqualifying; IND-2 exists to accommodate intensive industrial activity subject to performance controls. Section 4.14.02 requires industrial operations to satisfy specific performance standards and obtain necessary environmental permits, and Section 4.14.01(C) expressly states that approvals, permits, or written assurances from appropriate governmental agencies concerning dust emissions, water consumption, air quality, and hazardous or regulated waste management constitute competent and substantial presumptive evidence of compliance with the applicable zoning performance standards.

The applicant's conceptual materials show the proposed plant layout and explain the equipment and production process. They also place the proposed use in the context of an already industrial site used for a construction office, equipment storage and parking, asphalt and concrete material recycling, and rail-based material handling. The applicant's presentation identifies the site as adjacent to the active Florida East Coast Railway and an existing chemical plant. These facts are directly relevant to the character of the surrounding environment and whether the proposed use represents an unreasonable hazard or nuisance in this location. Final operation will remain subject to the objective performance standards and permitting requirements in Section 4.14 and other applicable law.

E. Compliance with other applicable law.

The applicant recognizes that use approval does not displace separate local, state, or federal permitting requirements. Section 2.05.06 expressly contemplates that additional permits may be required after a development order, and the March 2026 sequencing discussion likewise contemplated technical site-plan review after threshold use approval. The special exception may

therefore be conditioned upon obtaining and maintaining all legally required permits and demonstrating final compliance at the development-permit stage.

IV. THE APPLICATION ADDRESSES THE ADDITIONAL SECTION 2.07.03 FINDINGS

A. Specific requirements applicable to the use.

The use is governed principally by the IND-2 standards and Section 4.14. Asphalt plants are expressly recognized as heavy industrial uses. Section 4.14 imposes measurable requirements concerning matters such as lighting, sound, water consumption, hazardous or regulated waste management, fire prevention, and environmental permitting. The applicant does not seek relief from those standards. Approval of the use can and should be expressly conditioned on satisfaction of all applicable Section 4.14 standards and the subsequent technical approvals the City ordinarily requires.

B. Concurrency.

Section 2.07.03(B) requires compliance with the City's concurrency requirements. Nothing provided to the applicant to date identifies a concurrency deficiency that would preclude the proposed use. If Staff believes a particular concurrency standard is not met, the applicant requests identification of the affected facility or standard and the supporting data so that it can be addressed before hearing. A generalized concern about future growth or infrastructure is not a substitute for application of the City's adopted concurrency requirements to the proposal.

C. Compatibility with the surrounding area.

Compatibility does not require that adjoining properties contain the identical use. The Code itself directs the City to evaluate compatibility through specified components and permits safeguards and conditions where appropriate. Several site-specific facts favor compatibility here: the property is already zoned IND-2; its existing uses are industrial in character; the site is adjacent to an active freight railroad; the applicant identifies an existing chemical plant in the immediate area; and the conceptual plan locates the proposed plant within an established industrial property rather than introducing a new industrial district into a residential neighborhood.

The Section 2.07.03(C) components can be addressed as follows:

- **Architectural design**: the proposal is an industrial production facility within an IND-2 district. Final structures and equipment remain subject to the applicable dimensional, building, and site-plan standards.
- **Fencing, screening, and landscaping**: these items can be fixed through the subsequent technical site plan and imposed as conditions of the use approval where Staff identifies a specific buffering need.
- **Noise, signs, and lighting:** Section 4.14 supplies objective industrial noise standards, and lighting remains subject to Chapter 9. Compliance may be confirmed through the required technical submittals and statements of compliance.
- **Storm drainage and sanitation**: detailed engineering is appropriately evaluated during the technical site-plan and permit stage contemplated by Staff's March 2026 sequencing.

- **Police and fire protection:** the use remains subject to City fire-prevention requirements and review, including the fire-suppression and Fire Marshal requirements applicable to industrial uses.
- **On- and off-site traffic**: the applicant has quantified anticipated production and truck activity and has emphasized the existing rail spur as a means of receiving production materials by rail, reducing dependence on truck delivery of those inputs. Traffic impacts will comply with all adopted roadway standards.
- **Off-street parking and loading**: the site presently accommodates equipment storage and parking, and the final layout remains subject to site-plan review for compliance with the applicable parking and loading standards.
- **Other compatibility considerations**: the location's existing industrial character, rail adjacency, and IND-2 designation are material context when determining whether the proposed use fosters conditions compatible with the existing environment.

The City also has authority under Section 2.05.04(I) to impose appropriate conditions and safeguards. Accordingly, if a discrete compatibility issue can be resolved by a reasonable condition tied to an adopted standard, the Code supplies a mechanism to address that issue without denying the use outright.

V. SECTION 3.01.06 DOES NOT CONVERT THE HEARING INTO AN UNBOUNDED POLICY VOTE

The applicant recognizes that Section 3.01.06 is an important additional requirement. It requires a supermajority of the City Council, and it expressly calls attention to potential incompatibility, nuisance, health and safety effects, and impacts on adjacent land uses. Those concerns must be taken seriously and supported by an adequate record. But the provision should be read together with the rest of the LDC, not as a grant of standardless discretion after the City has directed the applicant through a quasi-judicial special-exception process.

The phrase "may be permitted" establishes that an asphalt plant is not allowed as of right merely because the property is IND-2. It does not identify any independent, objective criterion that can be applied apart from the development-order, special-exception, compatibility, and industrial-performance standards elsewhere in the Code. The supermajority requirement likewise establishes the number of affirmative votes necessary for approval; a vote count is not itself evidence that a substantive criterion is unsatisfied.

Accordingly, once the applicant presents a prima facie case under the criteria the City has required it to meet, any adverse recommendation or denial should rest on competent substantial evidence tied to an identified criterion. This approach gives full effect to Section 3.01.06 while preserving the rule-of-law protections inherent in a quasi-judicial proceeding. It also ensures that any remaining concern can be evaluated and, where appropriate, addressed through a condition, safeguard, or subsequent technical approval.

VI. REQUEST FOR STAFF RECOMMENDATION

Staff's role is especially important because the PLDRB and City Council will rely on the record developed through the City's technical review. The applicant therefore respectfully requests a recommendation based on the adopted criteria and the evidence applicable to this site and proposal.

Where Staff concludes that a criterion is satisfied, the recommendation should say so. Where Staff believes a criterion is not satisfied, the recommendation should identify the specific Code provision, the factual deficiency, and any additional information or reasonable condition that would resolve the issue.

The applicant has selected a site planned and zoned for heavy industrial activity and is not asking the City to disregard the risks identified in Section 3.01.06. It is asking the City to evaluate those risks through the standards the City has adopted. The proposed use is consistent with the industrial designation and IND-2 zoning, is expressly recognized by the LDC as a heavy industrial use, is subject to objective performance and permitting requirements, and has been presented through the conceptual special-exception process previously identified by Staff. Where the applicant establishes the required findings and the record contains no competent substantial evidence of a specific failure to satisfy them, approval—subject to appropriate conditions and subsequent technical review—is the result supported by Florida special-exception law and the City's own Code.

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William J. Bosch
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Kareen Movsesyan
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CHIUMENTO LAW

Proudly serving Flagler and Volusia Counties for over 50 years

MEMORANDUM

TO: **CITY OF PALM COAST STAFF**

FROM: **MICHAEL D. CHIUMENTO III, ESQ.**

DATE: **MARCH 26, 2026**

RE: **MEETING SUMMARY – APPROVAL PROCESS FOR PROPOSED ASPHALT PLANT (77 HARGROVE GRADE)**

This memorandum is intended to memorialize our March 11, 2026 meeting with City staff regarding the procedural path for seeking approval of a proposed asphalt manufacturing plant on property located at 77 Hargrove Grade in Palm Coast, Florida. Please advise if any portion of this summary does not accurately reflect our discussion.

I. OVERVIEW OF PROPOSED APPROVAL PATH

As discussed, asphalt plants are specifically identified in the LDC as heavy industrial uses (Section 4.14) but are also included among uses not permitted absent City Council approval under Section 3.01.06. The proposed asphalt plant will require approval by a supermajority vote (4/5) of the City Council following review and recommendation by the Planning and Land Development Regulation Board (PLDRB), consistent with Section 3.01.06 of the Land Development Code ("LDC"), which governs uses deemed not permitted absent such approval.

City staff confirmed that the approval process will include:

- Review and recommendation by the PLDRB; and
- Two public hearings (PLDRB and City Council).

II. SPECIAL EXCEPTION PROCESS UNDER CHAPTER 2

City staff advised that the applicant may submit an application under Section 2.07 (Special Exceptions), which establishes procedures for uses that may not ordinarily be appropriate within a zoning district but could be permitted subject to conditions and safeguards.

III. APPLICATION SEQUENCING AND SITE PLAN CONSIDERATIONS

We discussed whether a technical site plan application (i.e., full engineering plans) is required at the outset. City staff acknowledged the cost implications and indicated the following anticipated sequence:

1. Special Exception Application (Conceptual Level)
   - Initial application under Chapter 2 focusing on use approval and compatibility;
   - Supported by sufficient conceptual information to evaluate impacts and criteria.

2. Subsequent Technical Site Plan Approval
   - Detailed engineering and technical review to follow after special exception approval.

This approach would allow the applicant to obtain threshold approval of the use before incurring the expense of full technical design.

IV. PROJECT MANAGEMENT AND COMMUNITY OUTREACH

City Planner Michael Hansen will serve as the project manager for this application.

City staff also recommended, and we intend to coordinate, a neighborhood meeting in advance of formal hearings to facilitate community engagement and address potential concerns early in the process.

Please let us know if this memorandum does not accurately reflect the substance of our discussion or if there are additional procedural requirements we should incorporate as we move forward.

Michael D. Chiumento
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William J. Bosch
Vincent L. Sullivan
Diane A. Vidal, P.A.*
Thomas R. Pycraft *
Christy Earls

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MEMORANDUM

TO: **MARCUS DUFFY, ESQ., PHONG NGUYEN, MIKE McGLOTHLIN, MICHAEL HANSON**

CC: **ROBERT ACKLEY, FILE**

FROM: **MICHAEL D. CHIUMENTO III, ESQ.**

DATE: **OCTOBER 27, 2026**

RE: **APPROVAL PROCESS AND REQUEST FOR GUIDANCE – PROPOSED ASPHALT PLANT, 77 HARGROVE GRADE, PALM COAST, FLORIDA**

At our March 11, 2026 meeting, City staff directed us to pursue approval of the proposed asphalt plant through the special exception process. In reliance on that direction, we prepared and submitted the application, conducted the neighborhood meeting, and responded to the City's comment letter.

At our October 8, 2026 meeting, however, staff advised that a special exception was not the appropriate procedure. We understood the project should instead proceed through major industrial development review, with consideration of the review criteria in Section 2.05.05, and compliance with Section 4.14's industrial performance and environmental standards, in part through technical site review.

Following this meeting, our office reviewed the City's October 20, 2026 business meeting agenda (included for reference), which includes a PLDRB-recommended amendment to Section 2.07.02 providing:

"Uses requiring a super majority vote of the City Council pursuant to Subsection 3.01.06 shall utilize the special exception process with the Planning and Land Development Regulation Board providing a recommendation based on this section to the City Council for final approval by resolution."

This proposed amendment appears to direct projects such as ours back to the very special exception process staff first directed us to use, then advised us against using.

To allow us to properly advise our client and proceed without further unnecessary delay, please confirm the applicable approval process and appropriate application to utilize; the specific review and approval criteria; whether the proposed amendment affects our application; and whether the existing application, fees, neighborhood meeting, and supporting materials may be carried forward.

MEMORANDUM

September 25, 2026

Re: American Civil Construction Asphalt Plant
Traffic Statement
Flagler County, Florida
Project № 260236.02.01

The purpose of the study is to estimate trip generation and evaluate the intersection of US 1 and Hargrove Grade.

Project Description

The development site encompasses ± 2.34 acres and is located south of Hargrove Grade and west of Railside Way in Flagler County, Florida as illustrated in **Figure 1**. The development consists of an expansion of the existing asphalt plant to the south of the proposed development. Access to the site is proposed via a full access driveway.

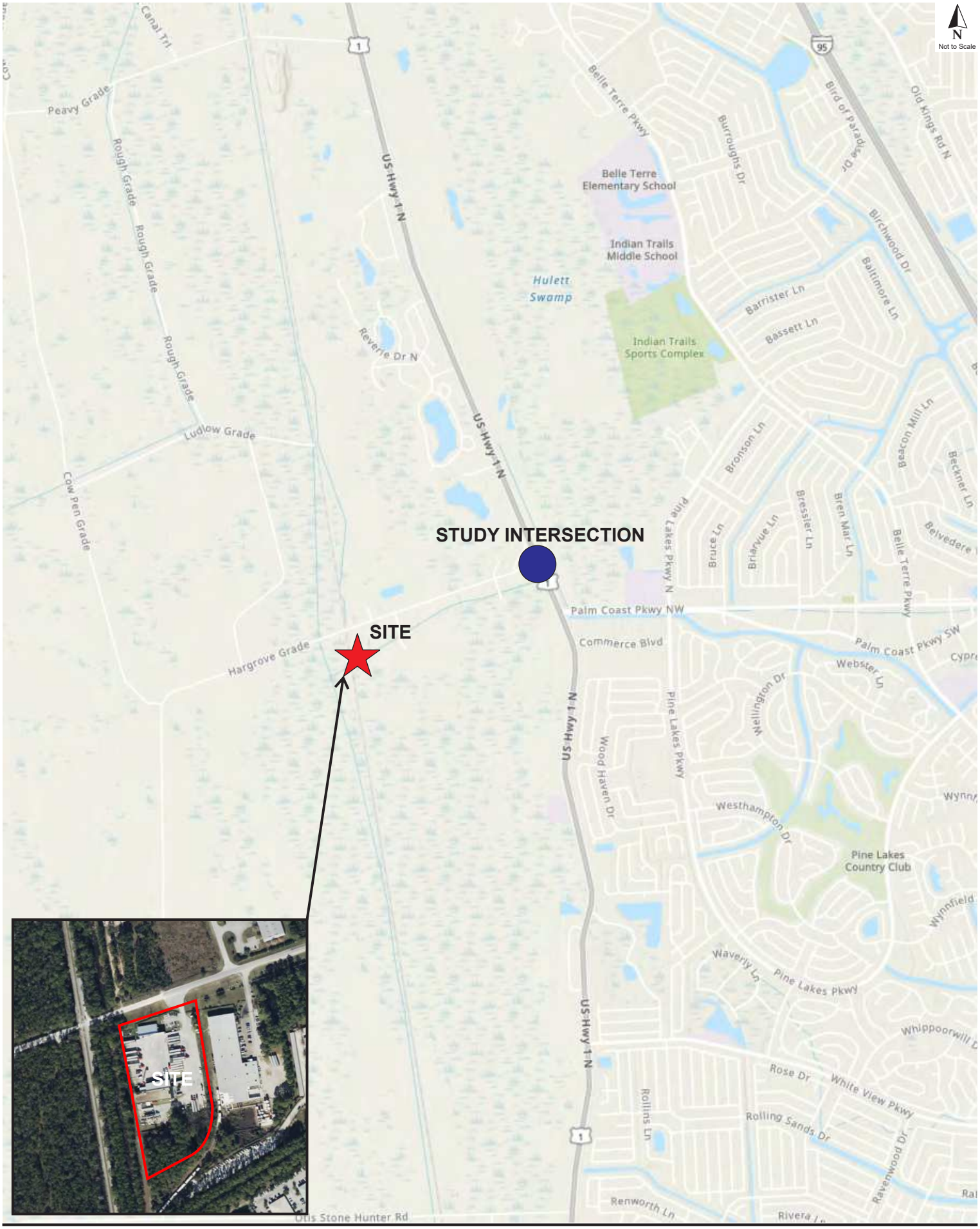
Trip Generation

The trip generation analysis for the proposed land use was conducted using information provided by the applicant. Accordingly, the asphalt plant is expected to generate 10 additional employees, 40 dump trucks throughout the day, and 100 dump trucks during the off-peak hours. The applicant has indicated that the 100 off-peak dump trucks are expected to occur between 6:00 pm and 7:00 am and are not expected to occur during the adjacent-street AM or PM peak hours. **Table 1** summarizes the resulting trip generation analysis.

Table 1
Trip Generation Analysis

Trip Generator	Number	Daily Trips	AM Peak Hour Total	AM Peak Hour Enter	AM Peak Hour Exit	PM Peak Hour Total	PM Peak Hour Enter	PM Peak Hour Exit
Employees	10	20	10	10	0	10	0	10
Dump Trucks	40	80	10	5	5	10	5	5
Off-Peak Trucks*	100	200	0	0	0	0	0	0
Total		300	20	15	5	20	5	15

** Off-peak refers to 6:00 pm to 7:00 am*


N
Not to Scale
STUDY INTERSECTION
SITE
SITE
Belle Terre Elementary School
Indian Trails Middle School
Indian Trails Sports Complex
Hulett Swamp
Pine Lakes Country Club
US Hwy 1 N
Palm Coast Pkwy NW
Palm Coast Pkwy SW
Commerce Blvd
Hargrove Grade
Ludlow Grade
Peavy Grade
Rough Grade
Cow Pen Grade
Reverie Dr N
Belle Terre Pkwy
Burroughs Dr
Bird of Paradise Dr
Old Kings Rd N
Birchwood Dr
Baltimore Ln
Barrister Ln
Bassett Ln
Bronson Ln
Bruce Ln
Briarvue Ln
Bressler Ln
Bren Mar Ln
Beacon Mill Ln
Beckner Ln
Belvedere
Pine Lakes Pkwy N
Webster Ln
Wellington Dr
Wood Haven Dr
Westhampton Dr
Wynnfield
Waverly Ln
Whippoorwill
Rose Dr
White View Pkwy
Rolling Sands Dr
Rollins Ln
Ravenwood Dr
Renworth Ln
Otis Stone Hunter Rd

The proposed development is projected to generate 300 daily trips, of which 20 trips occur during the AM peak hour, and 20 trips occur during the PM peak hour.

Trip Distribution

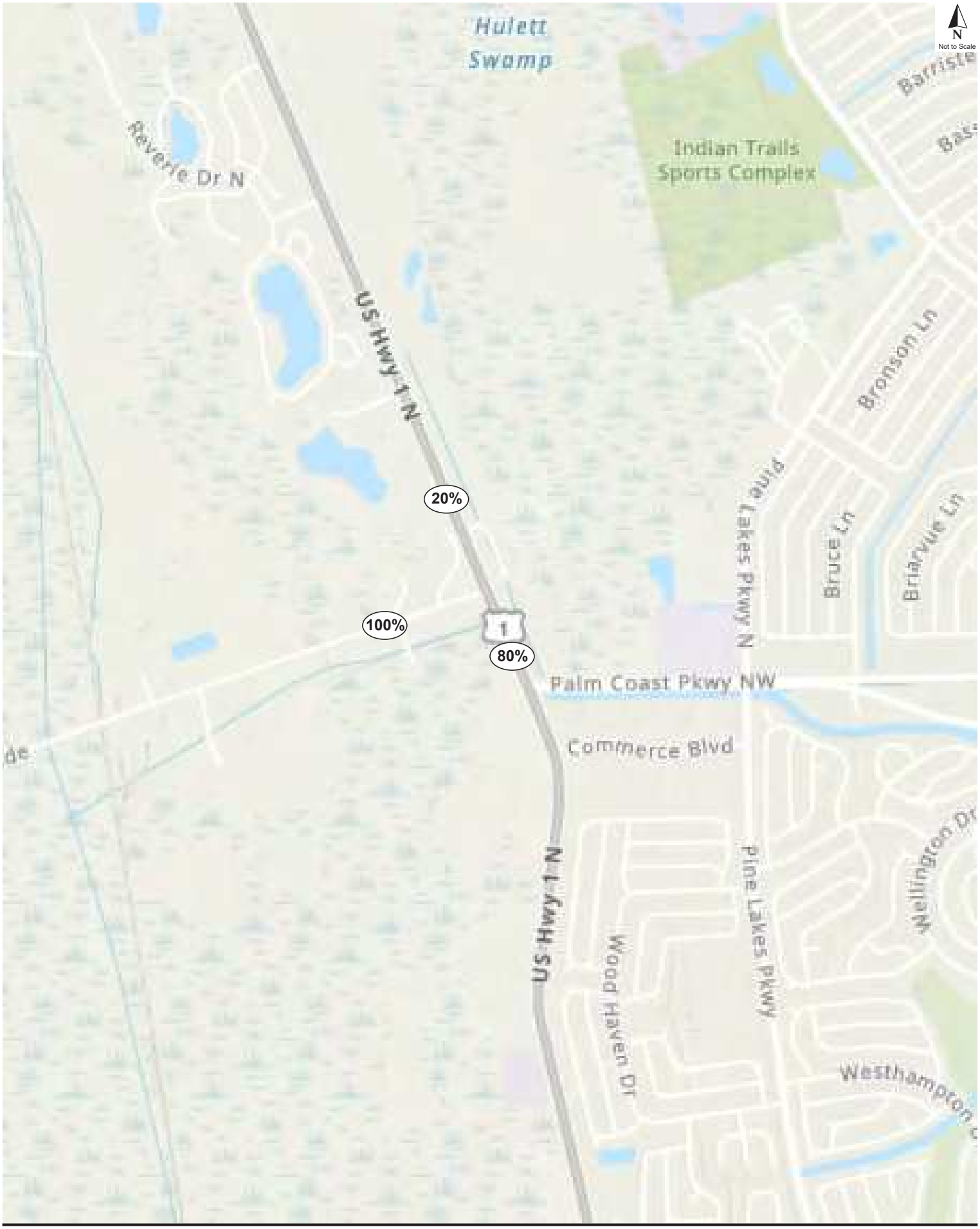
Trip distribution was developed based on observed turning movement patterns at the adjacent intersection, regional roadway connectivity, and existing traffic flow characteristics along US 1. The distribution is illustrated in **Figure 2**. The distribution reflects dominant attraction south of the intersection of US 1 and Hargrove Grade, towards the City of Palm Coast.

Intersection Volumes

Turning movements at the adjacent intersection of US 1 and Palm Coast Parkway were collected on April 15, 2026. The counts were collected during the peak season; therefore, no seasonal factor was applied to the counts. The adjacent intersection counts were used to calculate the base northbound and southbound volumes for the study intersection of US 1 and Hargrove Grade. The volumes entering and exiting Hargrove Grade were obtained from the *Intersection Evaluation Study* for the intersection of US 1 and Hargrove Grade. The base northbound and southbound through volumes were then adjusted accordingly to match the adjacent intersection volumes. The projected traffic volumes are shown in **Figure 3**. The turning movement counts, Flagler County *2025 Peak Season Factor Category Report*, Intersection Evaluation Study, and the projected intersection calculations are provided in the **Attachments**.

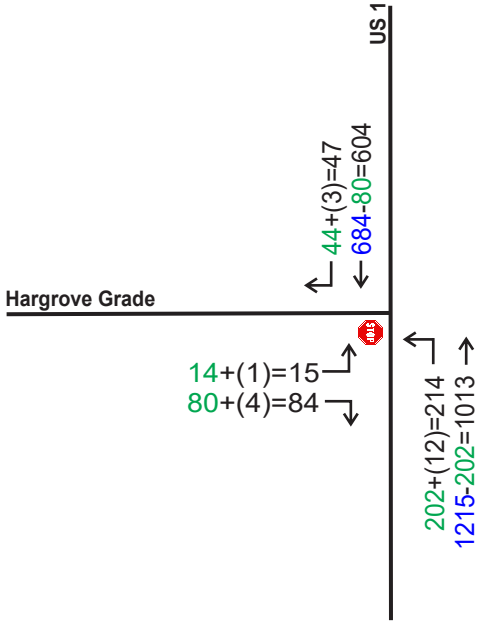
Intersection Analysis

Analysis of the intersection of US 1 and Hargrove Grade was conducted based on the projected AM and PM peak hour traffic volumes. The operational analysis was conducted using *Synchro* software which incorporates the methods of the *Highway Capacity Manual (HCM), 7th Edition.* Background and buildout level of service conditions were evaluated. The results of the intersection capacity analysis are summarized in **Table 2,** which reveals that the intersection of US 1 and Hargrove Grade is projected to operate adequately at project buildout. The *HCM* analysis worksheets are included in the **Attachments**.

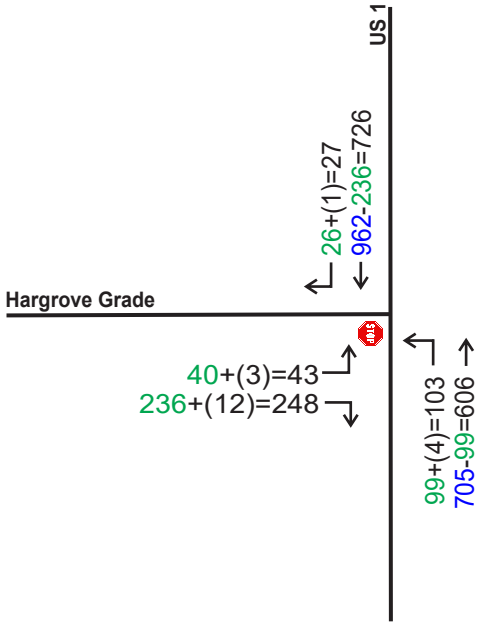

Hulett
Swamp
Not to Scale
Indian Trails
Sports Complex
Reverie Dr N
US Hwy 1 N
20%
100%
1
80%
Palm Coast Pkwy NW
Commerce Blvd
US Hwy 1 N
Pine Lakes Pkwy N
Bruce Ln
Bronson Ln
Briarvue Ln
Pine Lakes Pkwy
Wood Haven Dr
Wellington Dr
Westhampton

Not to Scale

AM Peak



PM Peak



Legend:
2026 Traffic Counts
Intersection Evaluation Study Volumes
(Project)

Table 2
Intersection Capacity Analysis

Int #	Intersection		Control	Time Period	Scenario	EB		WB		NB		SB	
	Major Road	Minor Road				Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
1	US 1	Hargrove Grade	TWSC	AM	Background	17.2	C	--	--	10.5	B	0.0	A
					Buildout	20.1	C	--	--	10.7	B	0.0	A
				PM	Background	16.2	C	--	--	10.3	B	0.0	A
					Buildout	16.6	C	--	--	10.3	B	0.0	A

Conclusion

The analysis identified the following for the proposed development:

- The development is projected to generate 300 daily trips, of which 20 trips occur during the AM peak hour, and 20 trips occur during the PM peak hour.
- The intersection of US 1 and Hargrove Grade is projected to operate adequately at project buildout.

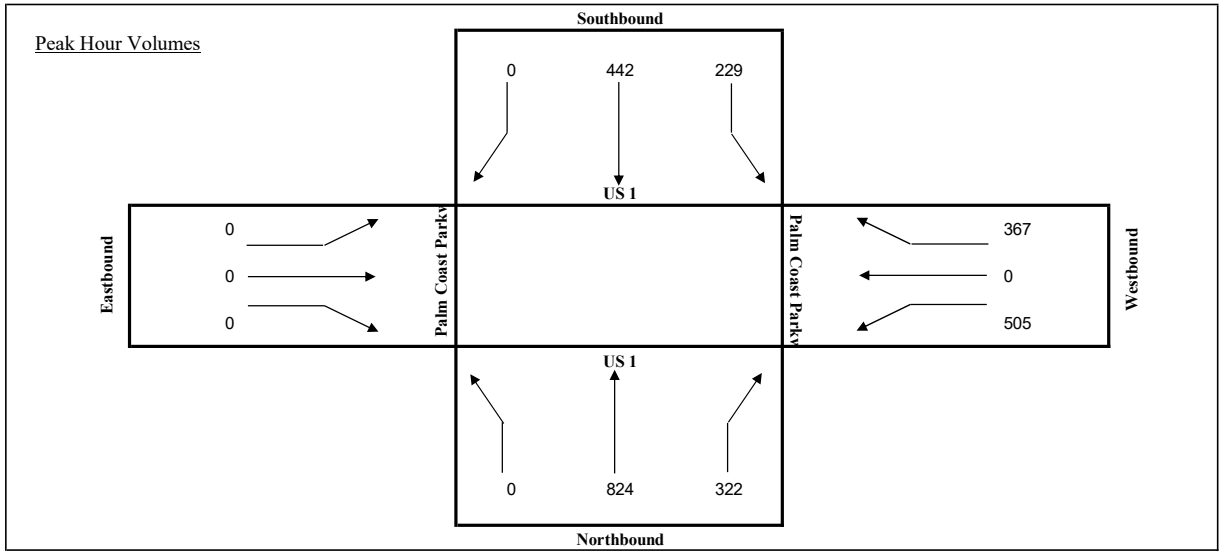
ATTACHMENTS

TURNING MOVEMENT COUNT ANALYSIS

AUTOS & TRUCKS

Intersection (N/S): US 1
Intersection (E/W): Palm Coast Parkway
Date: 4/15/2026

			US 1 NB			US 1 SB			Palm Coast Parkway EB			Palm Coast Parkway WB			
Start	End		L	T	R	L	T	R	L	T	R	L	T	R	TOTAL
7:00 AM	7:15 AM		0	175	55	34	65	0	0	0	0	72	0	87	488
7:15 AM	7:30 AM		0	208	60	55	82	0	0	0	0	89	0	91	585
7:30 AM	7:45 AM		0	229	68	61	98	0	0	0	0	107	0	87	650
7:45 AM	8:00 AM		0	210	78	67	111	0	0	0	0	127	0	111	704
8:00 AM	8:15 AM		0	198	80	54	114	0	0	0	0	146	0	94	686
8:15 AM	8:30 AM		0	187	96	47	119	0	0	0	0	125	0	75	649
8:30 AM	8:45 AM		0	179	89	63	106	0	0	0	0	99	0	78	614
8:45 AM	9:00 AM		0	149	94	59	92	0	0	0	0	105	0	65	564
Total for:	7:00 AM	8:00 AM	0	822	261	217	356	0	0	0	0	395	0	376	2427
Total for:	8:00 AM	9:00 AM	0	713	359	223	431	0	0	0	0	475	0	312	2513
Tota Peak Hour:	7:30 AM	8:30 AM	0	824	322	229	442	0	0	0	0	505	0	367	2689
Overall PHF:	0.95														

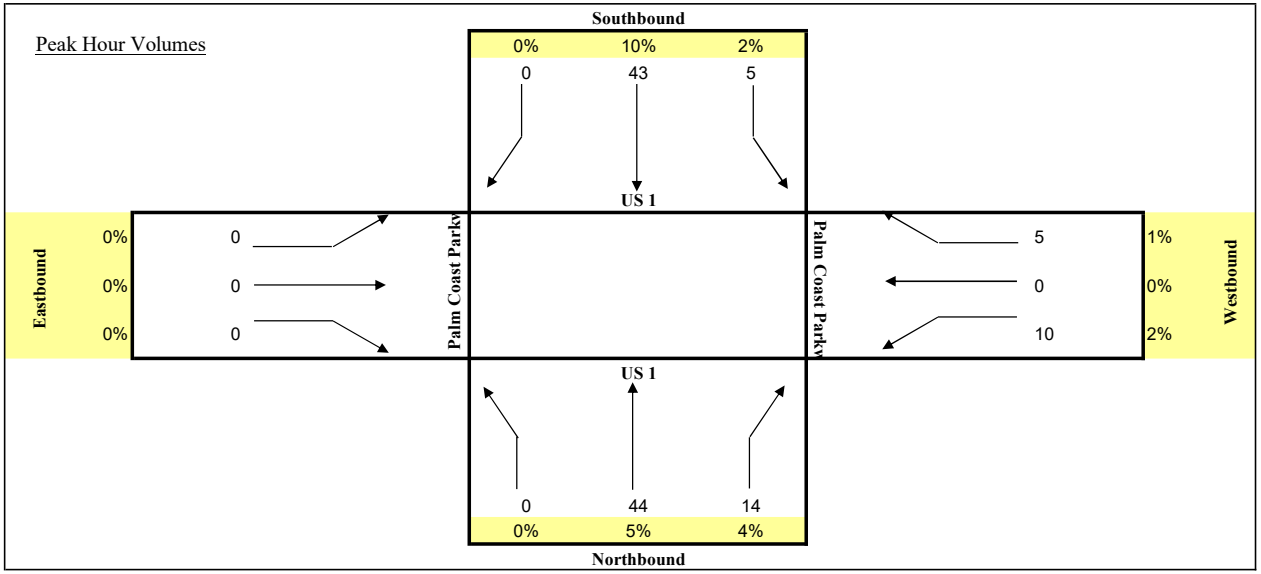


TURNING MOVEMENT COUNT ANALYSIS

TRUCKS

Intersection (N/S): US 1
Intersection (E/W): Palm Coast Parkway
Date: 4/15/2026

		US 1			US 1			Palm Coast Parkway			Palm Coast Parkway			
		NB			SB			EB			WB			
Start	End	R	T	L	R	T	L	R	T	L	R	T	L	TOTAL
7:00 AM	7:15 AM	0	7	4	1	5	0	0	0	0	3	0	1	21
7:15 AM	7:30 AM	0	5	4	5	5	0	0	0	0	1	0	1	21
7:30 AM	7:45 AM	0	11	2	2	3	0	0	0	0	2	0	0	20
7:45 AM	8:00 AM	0	10	8	1	12	0	0	0	0	4	0	0	35
8:00 AM	8:15 AM	0	13	2	1	10	0	0	0	0	1	0	1	28
8:15 AM	8:30 AM	0	8	3	0	8	0	0	0	0	3	0	3	25
8:30 AM	8:45 AM	0	13	1	3	13	0	0	0	0	2	0	1	33
8:45 AM	9:00 AM	0	7	2	1	5	0	0	0	0	3	0	2	20
Total for:	7:00 AM	8:00 AM	0	33	18	9	25	0	0	0	0	10	0	2	97
Total for:	8:00 AM	9:00 AM	0	41	8	5	36	0	0	0	0	9	0	7	106
Tota Peak Hour:	7:45 AM	8:45 AM	0	44	14	5	43	0	0	0	0	10	0	5	121
Overall PHF:	0.86														

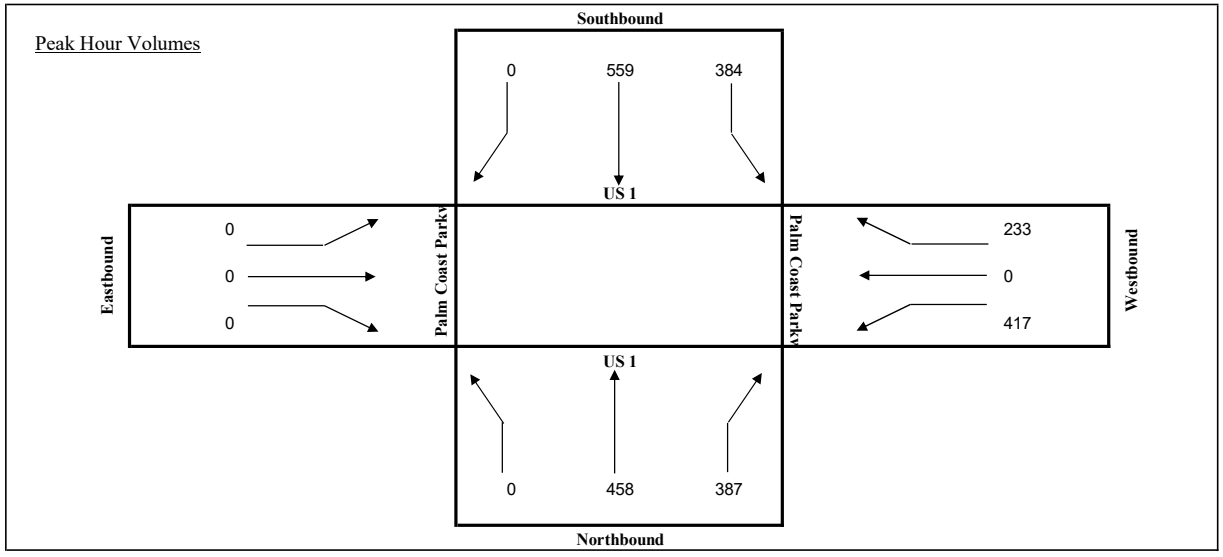


TURNING MOVEMENT COUNT ANALYSIS

AUTOS & TRUCKS

Intersection (N/S): US 1
Intersection (E/W): Palm Coast Parkway
Date: 4/15/2026

			US 1 NB			US 1 SB			Palm Coast Parkway EB			Palm Coast Parkway WB			
Start	End		L	T	R	L	T	R	L	T	R	L	T	R	TOTAL
4:00 PM	4:15 PM		0	145	88	56	146	0	0	0	0	97	0	47	579
4:15 PM	4:30 PM		0	139	83	68	131	0	0	0	0	104	0	68	593
4:30 PM	4:45 PM		0	113	79	99	158	0	0	0	0	92	0	61	602
4:45 PM	5:00 PM		0	129	110	102	136	0	0	0	0	93	0	45	615
5:00 PM	5:15 PM		0	98	111	98	116	0	0	0	0	124	0	60	607
5:15 PM	5:30 PM		0	118	87	85	149	0	0	0	0	108	0	67	614
5:30 PM	5:45 PM		0	97	96	70	123	0	0	0	0	102	0	41	529
5:45 PM	6:00 PM		0	105	74	64	95	0	0	0	0	84	0	33	455
Total for:	4:00 PM	5:00 PM	0	526	360	325	571	0	0	0	0	386	0	221	2389
Total for:	5:00 PM	6:00 PM	0	418	368	317	483	0	0	0	0	418	0	201	2205
Tota Peak Hour:	4:30 PM	5:30 PM	0	458	387	384	559	0	0	0	0	417	0	233	2438
Overall PHF:	0.99														

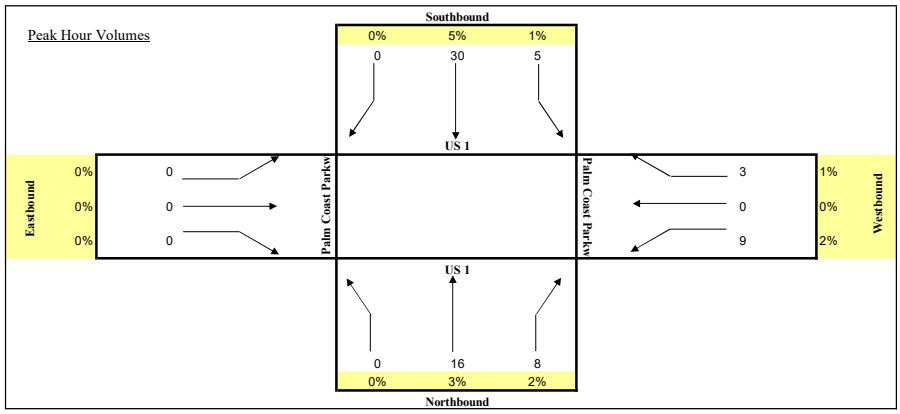


TURNING MOVEMENT COUNT ANALYSIS

TRUCKS

Intersection (N/S): US 1
Intersection (E/W): Palm Coast Parkway
Date: 4/15/2026

		US 1 NB			US 1 SB			Palm Coast Parkway EB			Palm Coast Parkway WB			
Start	End	R	T	L	R	T	L	R	T	L	R	T	L	TOTAL
4:00 PM	4:15 PM	0	5	1	2	7	0	0	0	0	1	0	0	16
4:15 PM	4:30 PM	0	5	1	2	8	0	0	0	0	2	0	2	20
4:30 PM	4:45 PM	0	2	2	1	6	0	0	0	0	4	0	1	16
4:45 PM	5:00 PM	0	4	4	0	9	0	0	0	0	2	0	0	19
5:00 PM	5:15 PM	0	1	0	3	7	0	0	0	0	1	0	2	14
5:15 PM	5:30 PM	0	2	0	1	5	0	0	0	0	0	0	1	9
5:30 PM	5:45 PM	0	4	1	0	2	0	0	0	0	2	0	0	9
5:45 PM	6:00 PM	0	4	0	1	2	0	0	0	0	0	0	0	7
Total for:	4:00 PM	5:00 PM	0	16	8	5	30	0	0	0	0	9	0	3	71
Total for:	5:00 PM	6:00 PM	0	11	1	5	16	0	0	0	0	3	0	3	39
Tota Peak Hour:	4:00 PM	5:00 PM	0	16	8	5	30	0	0	0	0	9	0	3	71
Overall PHF:	0.89														



2025 PEAK SEASON FACTOR CATEGORY REPORT - REPORT TYPE: ALL
CATEGORY: 7300 FLAGLER COUNTYWIDE

MOCF: 0.95

WEEK	DATES	SF	PSCF
1	01/01/2025 - 01/04/2025	1.04	1.09
2	01/05/2025 - 01/11/2025	1.07	1.13
3	01/12/2025 - 01/18/2025	1.09	1.15
4	01/19/2025 - 01/25/2025	1.07	1.13
5	01/26/2025 - 02/01/2025	1.04	1.09
6	02/02/2025 - 02/08/2025	1.01	1.06
* 7	02/09/2025 - 02/15/2025	0.98	1.03
* 8	02/16/2025 - 02/22/2025	0.97	1.02
* 9	02/23/2025 - 03/01/2025	0.96	1.01
*10	03/02/2025 - 03/08/2025	0.95	1.00
*11	03/09/2025 - 03/15/2025	0.93	0.98
*12	03/16/2025 - 03/22/2025	0.93	0.98
*13	03/23/2025 - 03/29/2025	0.93	0.98
*14	03/30/2025 - 04/05/2025	0.93	0.98
*15	04/06/2025 - 04/12/2025	0.93	0.98
*16	04/13/2025 - 04/19/2025	0.93	0.98
*17	04/20/2025 - 04/26/2025	0.95	1.00
*18	04/27/2025 - 05/03/2025	0.96	1.01
*19	05/04/2025 - 05/10/2025	0.97	1.02
20	05/11/2025 - 05/17/2025	0.99	1.04
21	05/18/2025 - 05/24/2025	0.99	1.04
22	05/25/2025 - 05/31/2025	0.99	1.04
23	06/01/2025 - 06/07/2025	1.00	1.05
24	06/08/2025 - 06/14/2025	1.00	1.05
25	06/15/2025 - 06/21/2025	1.01	1.06
26	06/22/2025 - 06/28/2025	1.01	1.06
27	06/29/2025 - 07/05/2025	1.02	1.07
28	07/06/2025 - 07/12/2025	1.02	1.07
29	07/13/2025 - 07/19/2025	1.02	1.07
30	07/20/2025 - 07/26/2025	1.02	1.07
31	07/27/2025 - 08/02/2025	1.02	1.07
32	08/03/2025 - 08/09/2025	1.02	1.07
33	08/10/2025 - 08/16/2025	1.01	1.06
34	08/17/2025 - 08/23/2025	1.02	1.07
35	08/24/2025 - 08/30/2025	1.02	1.07
36	08/31/2025 - 09/06/2025	1.03	1.08
37	09/07/2025 - 09/13/2025	1.03	1.08
38	09/14/2025 - 09/20/2025	1.03	1.08
39	09/21/2025 - 09/27/2025	1.02	1.07
40	09/28/2025 - 10/04/2025	1.01	1.06
41	10/05/2025 - 10/11/2025	1.00	1.05
42	10/12/2025 - 10/18/2025	0.99	1.04
43	10/19/2025 - 10/25/2025	1.00	1.05
44	10/26/2025 - 11/01/2025	1.00	1.05
45	11/02/2025 - 11/08/2025	1.01	1.06
46	11/09/2025 - 11/15/2025	1.01	1.06
47	11/16/2025 - 11/22/2025	1.02	1.07
48	11/23/2025 - 11/29/2025	1.02	1.07
49	11/30/2025 - 12/06/2025	1.03	1.08
50	12/07/2025 - 12/13/2025	1.03	1.08
51	12/14/2025 - 12/20/2025	1.04	1.09
52	12/21/2025 - 12/27/2025	1.07	1.13
53	12/28/2025 - 12/31/2025	1.09	1.15

* PEAK SEASON

Intersection	
Int Delay, s/veh	1.9

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	13	77	194	877	610	42
Future Vol, veh/h	13	77	194	877	610	42
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	170	225	-	-	250
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	85	85	85	85	85	85
Heavy Vehicles, %	3	3	5	9	9	5
Mvmt Flow	15	91	228	1032	718	49

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	1690	359	767	0	-	0
Stage 1	718	-	-	-	-	-
Stage 2	972	-	-	-	-	-
Critical Hdwy	6.86	6.96	4.2	-	-	-
Critical Hdwy Stg 1	5.86	-	-	-	-	-
Critical Hdwy Stg 2	5.86	-	-	-	-	-
Follow-up Hdwy	3.53	3.33	2.25	-	-	-
Pot Cap-1 Maneuver	83	635	823	-	-	-
Stage 1	442	-	-	-	-	-
Stage 2	325	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	60	635	823	-	-	-
Mov Cap-2 Maneuver	174	-	-	-	-	-
Stage 1	319	-	-	-	-	-
Stage 2	325	-	-	-	-	-

Approach	EB	NB	SB
HCM Ctrl Dly, s/v	13.92	2	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	EBLn2	SBT	SBR
Capacity (veh/h)	823	-	174	635	-	-
HCM Lane V/C Ratio	0.277	-	0.088	0.143	-	-
HCM Ctrl Dly (s/v)	11	-	27.6	11.6	-	-
HCM Lane LOS	B	-	D	B	-	-
HCM 95th %tile Q(veh)	1.1	-	0.3	0.5	-	-

Intersection	
Int Delay, s/veh	3.3

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	38	227	95	542	780	28
Future Vol, veh/h	38	227	95	542	780	28
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	170	225	-	-	250
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	90	90	90	90	90	90
Heavy Vehicles, %	5	5	5	9	9	5
Mvmt Flow	42	252	106	602	867	31

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	1379	433	898	0	-	0
Stage 1	867	-	-	-	-	-
Stage 2	512	-	-	-	-	-
Critical Hdwy	6.9	7	4.2	-	-	-
Critical Hdwy Stg 1	5.9	-	-	-	-	-
Critical Hdwy Stg 2	5.9	-	-	-	-	-
Follow-up Hdwy	3.55	3.35	2.25	-	-	-
Pot Cap-1 Maneuver	132	562	733	-	-	-
Stage 1	364	-	-	-	-	-
Stage 2	558	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	113	562	733	-	-	-
Mov Cap-2 Maneuver	229	-	-	-	-	-
Stage 1	312	-	-	-	-	-
Stage 2	558	-	-	-	-	-

Approach	EB	NB	SB
HCM Ctrl Dly, s/v	17.62	1.6	0
HCM LOS	C		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	EBLn2	SBT	SBR
Capacity (veh/h)	733	-	229	562	-	-
HCM Lane V/C Ratio	0.144	-	0.185	0.449	-	-
HCM Ctrl Dly (s/v)	10.7	-	24.3	16.5	-	-
HCM Lane LOS	B	-	C	C	-	-
HCM 95th %tile Q(veh)	0.5	-	0.7	2.3	-	-

Project No. 260236.02.01
Intersection Volumes

Analysis Period	Factors SF	AGR	Years	Tgen Enter	Exit	Legend
AM Peak	1.00	2.00%	1	15	5	Backg'd + (Project) = Total

Intersection: US 1 & Hargrove Grade 1

App	Mvmt	Lns	Raw	SF	Adjusted	GR	Redirect	Vested	Adj Bg'd	ProjIn	ProjOut	Project	BldOut	Volumes
	L	1	194	1.00	**194**	1.04			**202**	80%	0%	**12**	**214**	202 + (12) = 214
NB	T	2	1191	1.00	**1,191**	1.02			**1013**	0%	0%	**0**	**1013**	1013
	R	0		1.00	**0**	1.02			**0**	0%	0%	**0**	**0**	
	L	0		1.00	**0**	1.02			**0**	0%	0%	**0**	**0**	
SB	T	2	671	1.00	**671**	1.02			**604**	0%	0%	**0**	**604**	604
	R	1	42	1.00	**42**	1.04			**44**	20%	0%	**3**	**47**	44 + (3) = 47
	L	1	13	1.00	**13**	1.04			**14**	0%	20%	**1**	**15**	14 + (1) = 15
EB	T	0		1.00	**0**	1.04			**0**	0%	0%	**0**	**0**	
	R	1	77	1.00	**77**	1.04			**80**	0%	80%	**4**	**84**	80 + (4) = 84
	L	0		1.00	**0**	1.04			**0**	0%	0%	**0**	**0**	
WB	T	0		1.00	**0**	1.04			**0**	0%	0%	**0**	**0**	
	R	0		1.00	**0**	1.04			**0**	0%	0%	**0**	**0**	

Counts from 2025

Project No. 260236.02.01
Intersection Volumes

Analysis Period	Factors SF	Factors AGR	Factors Years	Tgen Enter	Tgen Exit	Legend
PM Peak	1.00	2.00%	1	5	15	Backg'd + (Project) = Total

Intersection: US 1 & Hargrove Grade — *1*

App	Mvmt	Lns	Raw	SF	Adjusted	GR	Redirect	Vested	Adj Bg'd	ProjIn	ProjOut	Project	BldOut	Formula
	L	1	95	1.00	95	1.04			**99**	80%	0%	**4**	**103**	99 + (4) = 103
NB	T	2	691	1.00	691	1.02			**606**	0%	0%	**0**	**606**	606
	R	0		1.00	0	1.02			**0**	0%	0%	**0**	**0**	
	L	0		1.00	0	1.02			**0**	0%	0%	**0**	**0**	
SB	T	2	943	1.00	943	1.02			**726**	0%	0%	**0**	**726**	726
	R	1	25	1.00	25	1.04			**26**	20%	0%	**1**	**27**	26 + (1) = 27
	L	1	38	1.00	38	1.04			**40**	0%	20%	**3**	**43**	40 + (3) = 43
EB	T	0		1.00	0	1.04			**0**	0%	0%	**0**	**0**	
	R	1	227	1.00	227	1.04			**236**	0%	80%	**12**	**248**	236 + (12) = 248
	L	0		1.00	0	1.04			**0**	0%	0%	**0**	**0**	
WB	T	0		1.00	0	1.04			**0**	0%	0%	**0**	**0**	
	R	0		1.00	0	1.04			**0**	0%	0%	**0**	**0**	

Counts from 2025

Intersection	
Int Delay, s/veh	1.9

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	14	80	202	1013	604	44
Future Vol, veh/h	14	80	202	1013	604	44
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	0	270	-	-	475
Veh in Median Storage, #	2	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	3	3	5	9	9	5
Mvmt Flow	15	87	220	1101	657	48

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	1646	328	704	0	-	0
Stage 1	657	-	-	-	-	-
Stage 2	990	-	-	-	-	-
Critical Hdwy	6.86	6.96	4.2	-	-	-
Critical Hdwy Stg 1	5.86	-	-	-	-	-
Critical Hdwy Stg 2	5.86	-	-	-	-	-
Follow-up Hdwy	3.53	3.33	2.25	-	-	-
Pot Cap-1 Maneuver	89	665	870	-	-	-
Stage 1	475	-	-	-	-	-
Stage 2	318	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	67	665	870	-	-	-
Mov Cap-2 Maneuver	93	-	-	-	-	-
Stage 1	355	-	-	-	-	-
Stage 2	318	-	-	-	-	-

Approach	EB	NB	SB
HCM Ctrl Dly, s/v	17.15	1.75	0
HCM LOS	C		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	EBLn2	SBT	SBR
Capacity (veh/h)	870	-	93	665	-	-
HCM Lane V/C Ratio	0.252	-	0.163	0.131	-	-
HCM Ctrl Dly (s/v)	10.5	-	51	11.2	-	-
HCM Lane LOS	B	-	F	B	-	-
HCM 95th %tile Q(veh)	1	-	0.6	0.4	-	-

Intersection	
Int Delay, s/veh	2.2

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	15	84	214	1013	604	47
Future Vol, veh/h	15	84	214	1013	604	47
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	0	270	-	-	475
Veh in Median Storage, #	2	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	3	3	5	9	9	5
Mvmt Flow	16	91	233	1101	657	51

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	1672	328	708	0	-	0
Stage 1	657	-	-	-	-	-
Stage 2	1016	-	-	-	-	-
Critical Hdwy	6.86	6.96	4.2	-	-	-
Critical Hdwy Stg 1	5.86	-	-	-	-	-
Critical Hdwy Stg 2	5.86	-	-	-	-	-
Follow-up Hdwy	3.53	3.33	2.25	-	-	-
Pot Cap-1 Maneuver	86	665	867	-	-	-
Stage 1	475	-	-	-	-	-
Stage 2	308	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	63	665	867	-	-	-
Mov Cap-2 Maneuver	72	-	-	-	-	-
Stage 1	348	-	-	-	-	-
Stage 2	308	-	-	-	-	-

Approach	EB	NB	SB
HCM Ctrl Dly, s/v	20.07	1.86	0
HCM LOS	C		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	EBLn2	SBT	SBR
Capacity (veh/h)	867	-	72	665	-	-
HCM Lane V/C Ratio	0.268	-	0.227	0.137	-	-
HCM Ctrl Dly (s/v)	10.7	-	69.3	11.3	-	-
HCM Lane LOS	B	-	F	B	-	-
HCM 95th %tile Q(veh)	1.1	-	0.8	0.5	-	-

Intersection	
Int Delay, s/veh	3.2

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	40	236	99	606	726	26
Future Vol, veh/h	40	236	99	606	726	26
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	0	270	-	-	475
Veh in Median Storage, #	2	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	5	5	5	9	9	5
Mvmt Flow	43	257	108	659	789	28

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	1334	395	817	0	-	0
Stage 1	789	-	-	-	-	-
Stage 2	545	-	-	-	-	-
Critical Hdwy	6.9	7	4.2	-	-	-
Critical Hdwy Stg 1	5.9	-	-	-	-	-
Critical Hdwy Stg 2	5.9	-	-	-	-	-
Follow-up Hdwy	3.55	3.35	2.25	-	-	-
Pot Cap-1 Maneuver	141	596	787	-	-	-
Stage 1	400	-	-	-	-	-
Stage 2	537	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	122	596	787	-	-	-
Mov Cap-2 Maneuver	278	-	-	-	-	-
Stage 1	346	-	-	-	-	-
Stage 2	537	-	-	-	-	-

Approach	EB	NB	SB
HCM Ctrl Dly, s/v	16.22	1.45	0
HCM LOS	C		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	EBLn2	SBT	SBR
Capacity (veh/h)	787	-	278	596	-	-
HCM Lane V/C Ratio	0.137	-	0.156	0.43	-	-
HCM Ctrl Dly (s/v)	10.3	-	20.3	15.5	-	-
HCM Lane LOS	B	-	C	C	-	-
HCM 95th %tile Q(veh)	0.5	-	0.5	2.2	-	-

Intersection	
Int Delay, s/veh	3.4

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	43	248	103	606	726	27
Future Vol, veh/h	43	248	103	606	726	27
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	0	270	-	-	475
Veh in Median Storage, #	2	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	5	5	5	9	9	5
Mvmt Flow	47	270	112	659	789	29

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	1342	395	818	0	-	0
Stage 1	789	-	-	-	-	-
Stage 2	553	-	-	-	-	-
Critical Hdwy	6.9	7	4.2	-	-	-
Critical Hdwy Stg 1	5.9	-	-	-	-	-
Critical Hdwy Stg 2	5.9	-	-	-	-	-
Follow-up Hdwy	3.55	3.35	2.25	-	-	-
Pot Cap-1 Maneuver	140	596	787	-	-	-
Stage 1	400	-	-	-	-	-
Stage 2	531	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	120	596	787	-	-	-
Mov Cap-2 Maneuver	275	-	-	-	-	-
Stage 1	343	-	-	-	-	-
Stage 2	531	-	-	-	-	-

Approach	EB	NB	SB
HCM Ctrl Dly, s/v	16.64	1.5	0
HCM LOS	C		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	EBLn2	SBT	SBR
Capacity (veh/h)	787	-	275	596	-	-
HCM Lane V/C Ratio	0.142	-	0.17	0.452	-	-
HCM Ctrl Dly (s/v)	10.3	-	20.8	15.9	-	-
HCM Lane LOS	B	-	C	C	-	-
HCM 95th %tile Q(veh)	0.5	-	0.6	2.3	-	-

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Vincent L. Sullivan
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2 Camino Del Mar
Palm Coast, FL 32137

By Appointment Only:
57 W. Granada Blvd.
Ormond Beach, FL 32174



September 18, 2026

RE: Parcel Identification Number 16-11-30-0000-01010-0020
ACCI Ventures-77 Hargrove Special Exception – Asphalt Manufacturing Plant

To Whom It May Concern:

ACCI Ventures, Inc., a Florida corporation, is the owner of 77 Hargrove Grade, which is approximately 5.93 acres and located east of the FEC Railroad and south of Hargrove Grade. (Parcel Identification number: 16-11-30-0000-01010-0020 as further described on the attached **Exhibit "A"**. The property is zoned as IND-2 and has an Industrial FLUM designation.

Currently, the owner has submitted a special exception application to the City of Palm Coast for an asphalt manufacturing plant. Pursuant to LDC Section 3.01.06, an asphalt manufacturing plant is listed as a use not permitted in the city and requires a super-majority vote of the City Council to be approved for the site following a recommendation of the Planning and Land Development Regulation Board.

As required by City Code, we will be having a neighborhood meeting on **Tuesday, September 29, 2026, at 6:00 p.m. at the cafeteria (Room 511 & 512) of Indian Trails Middle School, 5505 Belle Terre Parkway, Palm Coast, Florida 32137** (see attached **Exhibit "B"** with directions on how to enter the school) to answer any of your questions. It is open to the public.

Sincerely yours,

Michael D. Chiumento III

EXHIBIT "A"

A parcel of land lying in Government Section 16, Township 11 South, Range 30 East, Flagler County, Florida, being more particularly described as follows: From a point of reference being the intersection of the Easterly right of way of the Florida East Coast Railroad (150' R/W) with the Northerly boundary line of said Government Section 16; thence South 09°09'56" East 902.56 feet along the said Easterly right of way line of the Florida East Coast Railroad to a point of intersection with Southerly right of way of Hargrove Grade (100' R/W) as dedicated to the Board of County Commissioners, Flagler County, Florida in Official Records Book 185, Pages 202-203 of the Public Records of said Flagler County; thence departing said Easterly right of way of the Florida East Coast Railroad North 71°14'44" East 76.06 feet along said Southerly right of way of Hargrove Grade to the Point of Beginning of this description; thence continue North 71°14'44" East 375.00 feet along said Southerly right of way; thence departing said Southerly right of way of Hargrove Grade South 09°09'56" East 494.41 feet to a point of curvature; thence Southwesterly 309.10 feet along a curve to the right having a radius of 260.44 feet, a central angle of 68°00'00", a chord of 291.27 feet and a chord bearing South 24°50'04" West to a Point of Tangency; thence South 58°50'04" West 223.13 feet; thence North 09°09'56" West 757.00 feet to the Point of Beginning of this Description.

EXHIBIT "B"

Enter at northern gate of Indian Trails and park in the Sigma Parking lot.



Michael D. Chiumento
Michael D. Chiumento III
William J. Bosch
Vincent L. Sullivan
Diane A. Vidal, of counsel
Christy E. Earls

Michael D. Chiumento III
Managing Partner
Michael3@legalteamforlife.com

CHIUMENTO LAW

145 City Place, Suite 301
Palm Coast, FL 32164
Tel. (386) 445-8900
Fax: (386) 445-6702

2 Camino Del Mar
Palm Coast, FL 32137

By Appointment Only:
57 W. Granada Blvd.
Ormond Beach, FL 32174

September 30, 2026

Via Email Transmission
MHanson@palmcoastgov.com
Michael Hanson, AICP
City of Palm Coast
160 Lake Avenue
Palm Coast, FL 32164

RE: 77 Hargrove Grade, Palm Coast, Florida 32137
Special Exception Application (Asphalt Manufacturing Plant)

Mr. Hanson:

On Tuesday, September 29, 2026, the Applicant on the above-referenced application conducted a neighborhood information meeting regarding the proposed asphalt manufacturing plant at 77 Hargrove Grade, Palm Coast, Florida. Approximately twenty-five individuals attended, the majority of whom were staff of ACCI Ventures, LLC and their family members. Apart from those individuals, approximately three residents and/or business owners from the surrounding area were present. The sign-in sheet is enclosed. Representatives of the Applicant were present to describe the proposed use and respond to questions from those in attendance.

During the neighborhood meeting, the attendees asked several questions regarding the application. Below is a reproduction of those questions/concerns and the Applicant's response in *italics* directly beneath the question.

Please let us know if the City has any questions regarding this matter.

Question regarding air emissions and odor associated with asphalt production.
The Applicant explained that the facility uses a drum-mix process with a baghouse and filtration system that captures particulate and micro-materials generated during production, with periodic filter-bag replacement occurring after every approximately 25,000 to 30,000 tons of production. Natural gas is used to heat and dry the aggregate and sand. The Applicant acknowledged that asphalt production has an associated odor, but explained that the operation will be required to obtain a mass-emissions permit and to comply with all applicable federal, state, and local environmental permitting requirements. Additionally, the general daily production time will be only three to four hours a day. The Applicant further explained that volatile organic compound emissions are relatively low and that the U.S. Environmental Protection Agency generally considers modern asphalt facilities to be low risk, noting that comparable plants operate in and around residential areas in other parts of the country at significantly higher production levels.

Question regarding hours of operation and the frequency of production.
The Applicant explained that the plant is generally intended to operate during off-peak hours, typically between approximately 9:00 p.m. and 5:00 a.m., and that production is not a daily occurrence. Production is conducted on a per-order basis; for a typical order, the plant would produce the required quantity and then shut down operations. A shift extending beyond the ordinary run time would be anticipated only for larger jobs.

Question regarding truck traffic generated by the facility.
The Applicant explained that daily output is anticipated to be approximately 250 to 300 tons, which equates to roughly 10 to 15 truckloads per day, with approximately 20 to 30 truck trips during peak operations. The Applicant explained that a substantial portion of materials is intended to be delivered by rail spur rather than truck, and that traffic-related matters will be further addressed through the City's site plan review and permitting process.

Question regarding the scale and volume of production.
The Applicant explained that although the project will start at approximately 50,000 tons in the first year, the ultimate planned production is approximately 200,000 to 300,000 tons per year, dependent on growth. The Applicant distinguished the proposed operation from substantially larger projects, noting that jobs in the range of 1,200 to 1,500 tons would be atypical for this facility.

Question regarding materials sourcing and the use of the on-site rail spur.
The Applicant explained that aggregate and sand are delivered by both truck and rail, and that approximately 70 to 75 percent of the material used is new material. The property includes a rail spur, and the Applicant intends to expand rail usage in order to reduce truck traffic. The Applicant also explained that materials will be recycled on the property.

Sincerely yours,



Michael D. Chiumento III

Enclosure

ACCI Ventures, Inc.
Application for Special Exception

NEIGHBORHOOD MEETING – TUESDAY September 29, 2026

NAME	ADDRESS	PHONE NUMBER	E-MAIL ADDRESS
S. VACCO	25 RAILSIDE CT PALM COAST	386 433 0006	
J. Rossheim	10 Hargrove Circle	386-446-9100	
K Moscone	15 HARGROVE LN	954-234-4348	
B Knight	1600 Lady Fern DeLand	3869560662	
Ryan Ackley	32 Sawdust Ln Palm Coast, FL 32137	386-449-9825	
Gaylee Tillotson	6 Hargrove Lane	386 446 7990	info@topshelfstorage.net
Darcy Dale	2286 Forest Park St	30+966-6781	
Tim Barnes	38 Pinell lane	267-406-1216	
NELSON FERREIRA	144 BARRINGTON DR.	386-569-8021	
Richard McCune	160 Vilian trail	386-852-0122	

Marlan Owens	14 Ryding lane Palm Coast Fl	619 315 6972	Marlan.Owens12@gmail.com
Corey Hale	2286 Forest Park Bunnell	386-295-0795	
Tim Omlison	91 Rolling Sands DR	267 252 4776	
Shawn Brannen	20 fischer	386-283-3801	
Diana Eljadue	20 westfalls ln	3863460129	diana-sofia210@hotmail.com
Alvaro Hernandez	10 Flower Hill Ln. Palm Coast FL	609-772-0691	ALVARO.HERNANDEZ @ AMERICANCIVILCONSTRUCTION.COM.
Matthew Hatch	13 Summer Tree	570 832 0782	Matthew.Hatch@americancivilconstruction.com
Alondra Alcala	14 Ryding Ln Palm coast, FL	(619)724-9973	alialcala1997@gmail.com
Lucas A. Wildenstein	900 Tuscan Reserve Dr. Apt 922 Palm Coast, FL 32164	(607)422-8763	lwildens@gmail.com

city of PALM COAST

Community Development Department
Planning Division

160 Lake Avenue
Palm Coast, FL 32164
386-986-3736

November 3, 2026

RE: Request for Asphalt Plant at 77 Hargrove Grade, Application # 6785

Dear Neighboring Property Owner,

The Community Development Department, in accordance with Section 2.05.03 of the City of Palm Coast's Unified Land Development Code, advises you that:

A request for an Asphalt Manufacturing Plant at 77 Hargrove Grade, parcel ID No: 16-11-30-0000-01010-0020, has been received by the City. The request is made based on Land Development Code Section 3.01.06 *Uses Not Permitted in the City*. The property is zoned Heavy Industrial (IND-2) and has a designation of Industrial on the Future Land Use Map. In accordance with LDC Sec. 3.01.06, for the use to be approved on the site, it requires a super-majority vote of the City Council subsequent to an affirmative or negative recommendation by the Planning and Land Development Board.

The application is made by Michael Chiumento III, Esq. of Chiumento Law, PLLC on behalf of the property owner, ACCI VENTURES LLC.

You are hereby notified that the Planning and Land Development Board will hear the item during a public hearing in the Council Chambers of the Jon Netts Community Wing at City Hall, 160 Lake Avenue, Palm Coast, Florida on Wednesday, November 18, 2026, beginning at 5:30 p.m. or as soon thereafter as possible.

You are welcome to attend and express your opinion or place concerns in writing and email them to PLDRB@palmcoastgov.com. The e-mail should indicate that they are intended for public participation and may be submitted up until 5:00 p.m. the day before the meeting. The City reserves the right to redact or reject Documentary Evidence containing obscene material or material that is confidential pursuant to state law.

Cordially,

Michael Hanson

Michael Hanson, AICP
Project Manager

NOTE: Pursuant to Section 286.0105 of Florida Statutes the City of Palm Coast Community Development Department hereby notifies all interested persons that if a person decides to appeal any decision made by the PLDRB with respect to any matter considered at such meeting or hearing, he or she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is based. In accordance with the Americans with Disabilities Act, persons needing assistance to participate in these proceedings should contact the ADA Coordinator at 386-986-2570 at least 48 hours prior to the meeting.

ACCI VENTURES LLC
77 HARGROVE GRADE
PALM COAST, FL 32137

ACCI VENTURES LLC
77 HARGROVE GRADE
PALM COAST, FL 32137

ALEXANDRA HOLDINGS LLC
3816 CUTLASS BAYOU
NOKOMIS, FL 34275

FLORIDA EAST COAST RAILWAY
(PALM COAST)
7150 PHILIPS HIGHWAY
JACKSONVILLE, FL 32256

TOP SHELF STORAGE INC
1115 INMAN AVE #310
EDISON, NJ 08820

V3 LLC
25 RAILSIDE WAY SUITE A
PALM COAST, FL 32137

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115 Inman Ave. #310
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Edison NJ 08820

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3816 Cutlass Bayou
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Niceville FL 32578

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City, State, ZIP+4®
Jacksonville FL 32256

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Palm Coast FL 32137

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