



**CITY OF DELAND**  
**REGULAR MEETING OF THE CITY COMMISSION**  
**JANUARY 22, 2025 AT 7:00 PM**  
**CITY HALL, COMMISSION CHAMBERS**  
**120 SOUTH FLORIDA AVENUE**

**AGENDA**

**CALL TO ORDER**

**INVOCATION-Chaplain Reggie May, Deland PD Chaplain**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**PRESENTATIONS**

1. Introduction of Police Officer's: Mark Sias and Joseph Mendola.
2. Police Officer Promotions: Lt. Matthew Salmon, Sgt. Roman Johnson, Sgt. Ken Ramkissoo, Sgt. Brian Bice, Cpl. Bobby Winland.
3. Presentation re Holiday Lighting Contest Winner.
4. Employee Years of Service Award.

**CONSENT AGENDA**

1. Resolution Approving FY 2024-2025 Budget Amendment.  
Presentation of a budget amendment for FY 2024/2025.
2. Consideration re Change Order #1 for Lift Station #1 Re-Design, Permitting and Bidding Assistance Services.  
  
Staff recommends that the City Commission approve the subject change order #1 with Mead & Hunt to provide additional design, permitting, and bidding services for the Lift Station #1 Redesign Project.

**PETITIONS AND REQUESTS FROM THE PUBLIC PRESENT**

**OLD BUSINESS**

1. Second Reading of Ordinance No. 2024-41, Annexing ±0.99 Acre of Property Located on the South Side of Cassadaga Road, West of Interstate 4. (DeLand Tech Park). 1st Reading: 08/19/2024.  
  
This a request to annex 0.99 acres of property into the city limits of DeLand.
2. Second Reading of Ordinance No. 2024-42, Changing the Land Use for Approximately 0.99 Acre of Property, Located on the South Side of Cassadaga Road, West of Interstate 4 (DeLand Tech Park).1st Reading: 08/19/2024.

The City Commission is requested to approve a land use amendment for the purposes of incorporating the subject property into the DeLand Tech Park PD.

3. Second Reading of Ordinance No. 2024-43, Amending the DeLand Tech Park PD, for 143.80 Acres of Property Located on the South Side of Cassadaga Road, West of Interstate 4. (1st Reading: 08/19/2024.)

The goal of the proposed amendment is to include the subject property in the DeLand Tech Park development plan and allow the use of off-site Tree Protection Areas.

## **NEW BUSINESS**

1. First Reading of Ordinance Annexing ±21.07 Acres of Property Located on the Northwest Corner of South Blue Lake Avenue and East Beresford Avenue and Adjacent Right of Way.

This is a request to annex 21.07 acres of property into the City limits of DeLand.

2. First Reading of Ordinance Changing the Land Use for Approximately ±15.50 Acres of Property, Located at the Northwest Corner of South Blue Lake Avenue and East Beresford Avenue, from Volusia County Urban Low Intensity (ULI) to City of DeLand Low Density Residential (LDR).

This is a request to amend the City's Future Land Use Map to designate the subject property as Low Density Residential.

## **CITY COMMISSION REPORTS**

1. Report re Elected Officials Round Table.
2. Report re Volusia-Flagler TPO.
3. Report re River of Lakes Heritage Corridor.

## **CITY MANAGER REPORT**

## **CITY ATTORNEY REPORT**

## **CITY CLERK REPORT**

## **CITY COMMISSION**

## **ADJOURNMENT**

The DeLand City Commission holds its regular meetings on the first and third Mondays of each month at 7:00 p.m. in the DeLand City Commission Chambers, 120 South Florida Avenue, DeLand. Notice of special meetings, workshops, changes in dates, times or locations are provided by separate Public Notices, which are posted at City Hall and on the City's web site.

The City of DeLand may take action on any matter during this meeting, including items that are not set forth within this agenda.



Public participation is encouraged on any matter on the agenda. If you desire to be recognized by the Mayor, please fill out a Speaker's Card and present it to the City Clerk.

Minutes of the DeLand City Commission meetings are not transcribed verbatim. If any person decides to appeal a decision made by the City Commission with respect to any matter considered at a public meeting or hearing, he/she will need a record of the proceedings including all testimony and evidence upon which the appeal is to be based. To that end, such person will want to ensure that a verbatim record of the proceedings is made by a court reporter, at the person's own expense.

In accordance with the American Disabilities Act, persons needing a special accommodation in order to participate in the proceedings should notify the City Clerk's Office at least 48 hours in advance of the meeting: 626-7132.

Assisted Listening System receivers are available for the hearing impaired, and can be obtained from the City Clerk.

If you wish to obtain information regarding the City Commission's Agenda, please call the City Clerk's Office: 626-7132.

We respectfully request that all pagers and cell phones be turned OFF during City Commission meetings.

Electronic Information! City Commission agendas and short form minutes are now available on the City's web page: [www.deland.org](http://www.deland.org).

**CITY OF DELAND**  
**Request for Commission Action**  
**January 22, 2025**

**SUBJECT:** Employee Years of Service Award.

**DEPARTMENT:** Human Resources

**PREPARED BY:** Mark Hayward, HR Director

**ATTACHMENTS:**

**APPROVED BY:** Michael Pleus, City Manager, January 14, 2025

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**SUMMARY/HIGHLIGHT:**

The City of DeLand is fortunate to have so many dedicated employees who have served the DeLand community for many years. to honor these outstanding employees, the City Commission presents them with a plaque.

**15 Years of Service**

**Joshua Santos, Police Department**

**STRATEGIC PLAN FOCUS AREA/ACTION STEP:**

N/A

**SUSTAINABILITY:**

N/A

**FISCAL IMPACT:**

None

**RECOMMENDATION:**

It is recommended the City Commission present the service award.

**BACKGROUND/DISCUSSION:**

N/A

**CITY OF DELAND**  
**Request for Commission Action**  
**January 22, 2025**

**SUBJECT:** Resolution Approving FY 2024-2025 Budget Amendment.

**DEPARTMENT:** Finance

**PREPARED BY:** Daniel Stauffer, Finance Director

**ATTACHMENTS:** Resolution , FY24-25 Budget Amendment Details

**APPROVED BY:** Michael Pleus, City Manager, January 16, 2025

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**SUMMARY/HIGHLIGHT:**

The budget amendments proposed are detailed in the attached summary and recommended after review of actual expenditures to date. The amendments proposed are primarily revisions to reflect anticipated actual revenues and expenditures.

**STRATEGIC PLAN FOCUS AREA/ACTION STEP:**

N/A

**SUSTAINABILITY:**

N/A

**FISCAL IMPACT:**

The Resolution amends the budget to reflect recommended changes with the impact on each fund itemized in the attached summary.

Operating Contingency balances after these amendments are as follows:

|                            |           |
|----------------------------|-----------|
| General Fund               | \$496,317 |
| Water & Sewer Fund         | \$335,164 |
| Airport Fund               | \$161,960 |
| Stormwater Fund            | \$0       |
| Permits & Inspections Fund | \$0       |

**RECOMMENDATION:**

Staff recommends the City Commission adopt the Resolution amending the FY 24/25 budget as presented.

**BACKGROUND/DISCUSSION:**

The most significant budget amendment in the General Fund is for Hurricane Milton expenses (\$2,322,091). There are also amendments for Hurricane Helene expenses (\$5,450), Transfer to Grants and Special Revenue Fund for 2024 ROW ADA Improvements (\$40,648) and Transfer to the Capital Project Fund (\$35,557). The Transfer to the Capital Project Fund is mainly to fund A/V Upgrades at the Fire Department (\$23,264) and the purchase of a Crestliner Jonboat (\$10,000).

The significant budget amendment in the Stormwater Fund is to fund the purchase of a Sandbag Machine that was purchased during Hurricane Milton.

The significant budget amendment in the Health Insurance Cost Containment Fund is to fund expenses that coincide with the moving of the Clinic location and upgrades to the new building.

## RESOLUTION NO. 2025 -

**A RESOLUTION OF THE CITY COMMISSION OF DELAND, FLORIDA, AMENDING THE BUDGET FOR THE GENERAL FUND, CONFISCATED TRUST FUND, HOMELESSNESS FUND, GOVERNMENT IMPACT TRUST FUND, GRANT AND SPECIAL REVENUE FUND, DEBT SERVICE FUND, CAPITAL FUND, WATER AND SEWER FUND, WATER TRUST FUND, AIRPORT FUND, STORMWATER FUND, AND HEALTH INSURANCE COST CONTAINMENT FUND FOR THE FISCAL YEAR 2024-2025; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** it is necessary to amend the budget for the City of DeLand for fiscal year 2024-2025; and

**WHEREAS,** the City Commission is vested by the Charter of the City of DeLand with the authority to amend the budget.

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

**Section 1.** The budget of the City of DeLand for fiscal year 2024-2025 is amended in the following manner:

### GENERAL FUND

| Account Number          | Account Description              | Current Budget    | Increase         | Decrease       | Revised Budget    |
|-------------------------|----------------------------------|-------------------|------------------|----------------|-------------------|
| <b>REVENUES</b>         |                                  | <b>52,873,505</b> | <b>2,406,827</b> | <b>0</b>       | <b>55,280,332</b> |
|                         | <b>Other Sources</b>             |                   |                  |                |                   |
| 001-0000-380-000        | USE OF RESERVES                  | 1,452,191         | 2,405,627        | 0              | 3,857,818         |
| 001-0000-380-002        | USE OF RESERVES - ARPA           | 644,195           | 1,200            | 0              | 645,395           |
| <b>EXPENDITURES</b>     |                                  | <b>52,873,505</b> | <b>2,547,860</b> | <b>141,033</b> | <b>55,280,332</b> |
|                         | <b>Administrative Services</b>   |                   |                  |                |                   |
| 001-0106-414-300        | O/T-HURRICANE & DISASTER RELIEF  | 0                 | 200,000          | 0              | 200,000           |
| 001-0106-599-100-MILTON | HURRICANE MILTON - 10/07/2024    | 0                 | 2,130,000        | 0              | 2,130,000         |
|                         | <b>Fire Prevention</b>           |                   |                  |                |                   |
| 001-1223-411-100        | EXECUTIVE SALARIES               | 0                 | 100,318          | 0              | 100,318           |
| 001-1223-412-100        | REGULAR SALARIES & WAGES         | 367,673           | 0                | 100,318        | 267,355           |
|                         | <b>Spec Martin Stadium</b>       |                   |                  |                |                   |
| 001-1408-546-200        | PEST CONTROL                     | 0                 | 540              | 0              | 540               |
| 001-1408-546-300        | A/C MAINTENANCE                  | 1,500             | 1,600            | 0              | 3,100             |
|                         | <b>Conrad/Melching</b>           |                   |                  |                |                   |
| 001-1412-546-200        | PEST CONTROL                     | 0                 | 540              | 0              | 540               |
| 001-1412-552-200        | OPERATING CAPITAL                | 3,200             | 425              | 0              | 3,625             |
|                         | <b>Contingency</b>               |                   |                  |                |                   |
| 001-9990-999-100        | CONTINGENCY                      | 500,000           | 0                | 3,683          | 496,317           |
|                         | <b>Transfers</b>                 |                   |                  |                |                   |
| 001-9999-991-120        | TRANSFER TO HOMELESSNESS FUND    | 694,195           | 1,200            | 0              | 695,395           |
| 001-9999-991-190        | TRANSFER TO GRANTS & SPEC REV    | 887,980           | 40,648           | 0              | 928,628           |
| 001-9999-991-200        | TRANSFER TO DEBT SERVICE FUND    | 1,437,749         | 0                | 37,032         | 1,400,717         |
| 001-9999-991-300        | TRANSFER TO CAPITAL PROJECT FUND | 5,081,473         | 72,589           | 0              | 5,154,062         |

## CONFISCATED TRUST FUND

| Account Number      | Account Description     | Current Budget | Increase      | Decrease | Revised Budget |
|---------------------|-------------------------|----------------|---------------|----------|----------------|
| <b>REVENUES</b>     |                         | <b>3,000</b>   | <b>45,606</b> | <b>0</b> | <b>48,606</b>  |
| 109-0000-380-900    | USE OF RESERVES - STATE | 0              | 45,606        | 0        | 45,606         |
| <b>EXPENDITURES</b> |                         | <b>3,000</b>   | <b>45,606</b> | <b>0</b> | <b>48,606</b>  |
| 109-1229-549-100    | OTHER OBLIGATIONS       | 3,000          | 45,606        | 0        | 48,606         |

## HOMELESSNESS FUND

| Account Number      | Account Description        | Current Budget | Increase     | Decrease | Revised Budget |
|---------------------|----------------------------|----------------|--------------|----------|----------------|
| <b>REVENUES</b>     |                            | <b>803,380</b> | <b>1,200</b> | <b>0</b> | <b>804,580</b> |
| 120-9999-381-001    | TRANSFER FROM GENERAL FUND | 694,195        | 1,200        | 0        | 695,395        |
| <b>EXPENDITURES</b> |                            | <b>803,380</b> | <b>1,200</b> | <b>0</b> | <b>804,580</b> |
| 120-1120-552-100    | OPERATING SUPPLIES         | 0              | 1,200        | 0        | 1,200          |

## GOVERNMENT IMPACT FEES TRUST FUND

| Account Number      | Account Description                  | Current Budget   | Increase      | Decrease | Revised Budget   |
|---------------------|--------------------------------------|------------------|---------------|----------|------------------|
| <b>REVENUES</b>     |                                      | <b>1,750,862</b> | <b>11,200</b> | <b>0</b> | <b>1,762,062</b> |
|                     | <b>Impact Fee Revenue</b>            |                  |               |          |                  |
| 170-0000-324-110    | IMPACT FEES - POLICE RESIDENTIAL     | 55,505           | 2,800         | 0        | 58,305           |
| 170-0000-324-115    | IMPACT FEES - FIRE RESIDENTIAL       | 183,750          | 2,800         | 0        | 186,550          |
| 170-0000-324-610    | IMPACT FEES - RECREATION RESIDENTIAL | 917,808          | 2,800         | 0        | 920,608          |
| 170-0000-324-910    | IMPACT FEES - GEN GOVT RESIDENTIAL   | 224,750          | 2,800         | 0        | 227,550          |
| <b>EXPENDITURES</b> |                                      | <b>1,750,862</b> | <b>11,200</b> | <b>0</b> | <b>1,762,062</b> |
|                     | <b>Administrative Services</b>       |                  |               |          |                  |
| 170-0106-531-100    | PROFESSIONAL SERVICES                | 13,750           | 2,800         | 0        | 16,550           |
|                     | <b>Fire</b>                          |                  |               |          |                  |
| 170-1222-531-100    | PROFESSIONAL SERVICES                | 13,750           | 2,800         | 0        | 16,550           |
|                     | <b>Police</b>                        |                  |               |          |                  |
| 170-1226-531-100    | PROFESSIONAL SERVICES                | 13,750           | 2,800         | 0        | 16,550           |
|                     | <b>Parks</b>                         |                  |               |          |                  |
| 170-1403-531-100    | PROFESSIONAL SERVICES                | 13,750           | 2,800         | 0        | 16,550           |

## GRANT AND SPECIAL REVENUE FUND

| Account Number          | Account Description                    | Current Budget   | Increase      | Decrease | Revised Budget   |
|-------------------------|----------------------------------------|------------------|---------------|----------|------------------|
| <b>REVENUES</b>         |                                        | <b>2,975,404</b> | <b>55,245</b> | <b>0</b> | <b>3,030,649</b> |
|                         | <b>Grant Revenue</b>                   |                  |               |          |                  |
| 190-0000-331-200-PD2513 | JAG - PARKING ENFORCEMENT OFFICER GOLF | 0                | 14,597        | 0        | 14,597           |
|                         | <b>Transfers</b>                       |                  |               |          |                  |
| 190-9999-381-001        | TRANSFER FROM GENERAL FUND             | 738,653          | 40,648        | 0        | 779,301          |
| <b>EXPENDITURES</b>     |                                        | <b>2,975,404</b> | <b>55,245</b> | <b>0</b> | <b>3,030,649</b> |
|                         | <b>Police</b>                          |                  |               |          |                  |
| 190-1226-531-100        | PROFESSIONAL SERVICES                  | 0                | 1,450         | 0        | 1,450            |
| 190-1226-664-000-PD2513 | JAG - PARKING ENFORCEMENT OFFICER GOLF | 0                | 13,147        | 0        | 13,147           |
|                         | <b>Trees</b>                           |                  |               |          |                  |
| 190-1302-663-000-PW2401 | CDBG 2024 - ROW ADA IMPROV             | 68,135           | 40,648        | 0        | 108,783          |

## DEBT SERVICE FUND

| Account Number      | Account Description        | Current Budget   | Increase       | Decrease       | Revised Budget   |
|---------------------|----------------------------|------------------|----------------|----------------|------------------|
| <b>REVENUES</b>     |                            | <b>2,445,075</b> | <b>103,925</b> | <b>140,957</b> | <b>2,408,043</b> |
|                     | <b>Transfers</b>           |                  |                |                |                  |
| 200-9999-381-001    | TRANSFER FROM GENERAL FUND | 1,333,824        | 103,925        | 37,032         | 1,400,717        |
| 200-9999-381-180    | TRANSFER FROM DOWNTOWN CRA | 142,360          | 0              | 103,925        | 38,435           |
| <b>EXPENDITURES</b> |                            | <b>2,445,075</b> | <b>103,925</b> | <b>140,957</b> | <b>2,408,043</b> |
|                     | <b>Debt Service</b>        |                  |                |                |                  |
| 200-1222-771-100    | PRINCIPAL                  | 669,293          | 73,684         | 0              | 742,977          |
| 200-1222-772-200    | INTEREST EXPENSE           | 134,872          | 30,241         | 0              | 165,113          |
| 200-1403-771-100    | PRINCIPAL                  | 450,220          | 0              | 37,032         | 413,188          |
| 200-1800-771-100    | PRINCIPAL                  | 106,436          | 0              | 73,684         | 32,752           |
| 200-1800-772-200    | INTEREST EXPENSE           | 35,924           | 0              | 30,241         | 5,683            |

## CAPITAL FUND

| Account Number          | Account Description                 | Current Budget    | Increase      | Decrease | Revised Budget    |
|-------------------------|-------------------------------------|-------------------|---------------|----------|-------------------|
| <b>REVENUES</b>         |                                     | <b>15,210,839</b> | <b>72,589</b> | <b>0</b> | <b>15,283,428</b> |
|                         | <b>Other Sources</b>                |                   |               |          |                   |
| 300-9999-381-001        | TRANSFER FROM GENERAL FUND          | 5,081,473         | 72,589        | 0        | 5,154,062         |
| <b>EXPENDITURES</b>     |                                     | <b>15,210,839</b> | <b>72,589</b> | <b>0</b> | <b>15,283,428</b> |
|                         | <b>Fire</b>                         |                   |               |          |                   |
| 300-1222-664-000-FR2503 | MACH ALERT 81-82-83                 | 75,000            | 515           | 0        | 75,515            |
| 300-1222-664-000-FR2508 | A/V UPGRADES AT FIRE DEPARTMENT     | 0                 | 23,264        | 0        | 23,264            |
| 300-1222-664-000-FR2509 | CRESTLINER JONBOAT                  | 0                 | 10,000        | 0        | 10,000            |
|                         | <b>Parks</b>                        |                   |               |          |                   |
| 300-1403-664-000-PR2406 | MODERNIZE ELEVATOR AT BILL DREGGORS | 168,605           | 1,200         | 0        | 169,805           |
| 300-1403-664-000-PR2518 | NEW UTILITY VEHICLE                 | 20,227            | 578           | 0        | 20,805            |
| 300-1403-664-000-PR2519 | HAULER GAS OPERATED 1 OF 3          | 0                 | 12,344        | 0        | 12,344            |
| 300-1403-664-000-PR2520 | HAULER GAS OPERATED 2 OF 3          | 0                 | 12,344        | 0        | 12,344            |
| 300-1403-664-000-PR2521 | HAULER GAS OPERATED 3 OF 3          | 0                 | 12,344        | 0        | 12,344            |

## WATER AND SEWER FUND

| Account Number          | Account Description             | Current Budget     | Increase      | Decrease      | Revised Budget     |
|-------------------------|---------------------------------|--------------------|---------------|---------------|--------------------|
| <b>REVENUES</b>         |                                 | <b>115,933,163</b> | <b>0</b>      | <b>0</b>      | <b>115,933,163</b> |
| <b>EXPENDITURES</b>     |                                 | <b>115,933,163</b> | <b>14,836</b> | <b>14,836</b> | <b>115,933,163</b> |
|                         | <b>Utilities Administration</b> |                    |               |               |                    |
| 401-4201-546-200        | PEST CONTROL                    | 500                | 1,360         | 0             | 1,860              |
| 401-4201-549-420        | BAD DEBT EXPENSE                | 0                  | 13,171        | 0             | 13,171             |
|                         | <b>Utilities Maintenance</b>    |                    |               |               |                    |
| 401-4206-664-000-UT2422 | L/S #20 REPLACEMENT & PANEL BOX | 76,559             | 275           | 0             | 76,834             |
| 401-4206-664-000-UT2423 | L/S #80 REPLACEMENT & PANEL BOX | 73,977             | 30            | 0             | 74,007             |
|                         | <b>Contingency</b>              |                    |               |               |                    |
| 401-9990-999-100        | CONTINGENCY                     | 350,000            | 0             | 14,836        | 335,164            |

## WATER TRUST FUND

| Account Number          | Account Description                 | Current Budget   | Increase       | Decrease       | Revised Budget   |
|-------------------------|-------------------------------------|------------------|----------------|----------------|------------------|
| <b>REVENUES</b>         |                                     | <b>7,046,872</b> | <b>0</b>       | <b>0</b>       | <b>7,046,872</b> |
| <b>EXPENDITURES</b>     |                                     | <b>7,046,872</b> | <b>366,600</b> | <b>366,600</b> | <b>7,046,872</b> |
| 403-4230-663-000-WA2301 | 2024 WATER MAIN IMPROVEMENTS        | 1,491,702        | 0              | 366,600        | 1,125,102        |
| 403-4230-663-000-WA2501 | 2026 WATER MAIN IMPROVEMENTS DESIGN | 0                | 366,600        | 0              | 366,600          |

## AIRPORT FUND

| Account Number          | Account Description                      | Current Budget    | Increase      | Decrease      | Revised Budget    |
|-------------------------|------------------------------------------|-------------------|---------------|---------------|-------------------|
| <b>REVENUES</b>         |                                          | <b>10,339,349</b> | <b>0</b>      | <b>0</b>      | <b>10,339,349</b> |
| <b>EXPENDITURES</b>     |                                          | <b>10,339,349</b> | <b>23,448</b> | <b>23,448</b> | <b>10,339,349</b> |
| 430-4300-531-100-AP2401 | FAA/FDOT - UPDATE MASTER PLAN            | 620,368           | 3,000         | 0             | 623,368           |
| 430-4300-549-100        | OTHER OBLIGATIONS                        | 70,274            | 0             | 5,900         | 64,374            |
| 430-4300-662-000-AP2001 | FDOT - T-HANGARS & ELEC GATE             | 0                 | 0             | 0             | 0                 |
| 430-4300-664-000-AP2504 | JOHN DEERE Z994R 60-INCH ZERO TURN MOWER | 18,150            | 5,900         | 0             | 24,050            |
| 430-4300-664-000-AP2506 | NEW EOC RADIO SET                        | 0                 | 14,548        | 0             | 14,548            |
| 430-9990-999-100        | CONTINGENCY                              | 179,508           | 0             | 17,548        | 161,960           |

## STORMWATER FUND

| Account Number          | Account Description          | Current Budget   | Increase      | Decrease     | Revised Budget   |
|-------------------------|------------------------------|------------------|---------------|--------------|------------------|
| <b>REVENUES</b>         |                              | <b>3,791,101</b> | <b>48,550</b> | <b>0</b>     | <b>3,839,651</b> |
|                         | <b>Other Sources Revenue</b> |                  |               |              |                  |
| 450-0000-380-000        | USE OF RESERVES              | 932,037          | 48,550        | 0            | 980,587          |
| <b>EXPENDITURES</b>     |                              | <b>3,791,101</b> | <b>56,350</b> | <b>7,800</b> | <b>3,839,651</b> |
| 450-4500-534-100        | CONTRACTUAL SERVICES         | 55,000           | 7,800         | 0            | 62,800           |
| 450-4500-549-100        | OTHER OBLIGATIONS            | 15,800           | 0             | 7,800        | 8,000            |
| 450-4500-664-000-SW2510 | SANDBAG MACHINE              | 0                | 48,550        | 0            | 48,550           |

## HEALTH INSURANCE COST CONTAINMENT FUND

| Account Number      | Account Description          | Current Budget | Increase      | Decrease | Revised Budget |
|---------------------|------------------------------|----------------|---------------|----------|----------------|
| <b>REVENUES</b>     |                              | <b>734,705</b> | <b>42,000</b> | <b>0</b> | <b>776,705</b> |
|                     | <b>Miscellaneous Revenue</b> |                |               |          |                |
| 500-0000-380-000    | USE OF RESERVES              | 0              | 42,000        | 0        | 42,000         |
| <b>EXPENDITURES</b> |                              | <b>734,705</b> | <b>42,000</b> | <b>0</b> | <b>776,705</b> |
| 500-5000-546-100    | BUILDING MAINTENANCE         | 0              | 36,500        | 0        | 36,500         |
| 500-5000-546-200    | PEST CONTROL                 | 0              | 500           | 0        | 500            |
| 500-5000-552-100    | OPERATING SUPPLIES           | 131,100        | 5,000         | 0        | 136,100        |



**Section 2.** In all other respects the Budget of the City of DeLand, Florida for fiscal year 2024-2025 is hereby ratified and confirmed as adopted by Resolutions 2024-85 & 2024-113.

**Section 3.** This Resolution shall become effective immediately upon its adoption.

**PASSED AND DULY ADOPTED** this 22<sup>nd</sup> day of January, 2025.

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Christopher M. Cloudman  
Mayor-Commissioner

**ATTEST:**

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Julie A. Hennessy  
City Clerk-Auditor

**APPROVED AS TO FORM AND LEGALITY:**

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Darren J. Elkind  
City Attorney

## FY 24-25 Budget Amendment Details

| Account Description                        |                                      | Increase         | Decrease       | Description                                                                                                                                                                                                             |
|--------------------------------------------|--------------------------------------|------------------|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>GENERAL FUND</b>                        |                                      |                  |                |                                                                                                                                                                                                                         |
| <b>REVENUES</b>                            |                                      | <b>2,406,827</b> | <b>0</b>       |                                                                                                                                                                                                                         |
| 001-0000-380-000                           | USE OF RESERVES                      | 2,330,000        |                | increase funding for Hurricane Milton overtime (\$200,000) and expenses (\$2,130,000)                                                                                                                                   |
| 001-0000-380-000                           | USE OF RESERVES                      | 75,627           |                | increase funding for 2024 ROW ADA Improvements (\$40,648), A/V Upgrades at Fire Department (\$23,264), Crestliner Jonboat (\$10,000), Mach Alert 81-82-83 (\$515), modernization of elevator at Bill Dreggors (\$1,200) |
| 001-0000-380-002                           | USE OF RESERVES - ARPA               | 1,200            |                | increase appropriation for Homeless Shelter operating supplies                                                                                                                                                          |
| <b>EXPENDITURES</b>                        |                                      | <b>2,547,860</b> | <b>141,033</b> |                                                                                                                                                                                                                         |
| 001-0106-414-300                           | O/T-HURRICANE & DISASTER RELIEF      | 200,000          |                | increase appropriation for Hurricane Milton Overtime                                                                                                                                                                    |
| 001-0106-599-100-MILTON                    | HURRICANE MILTON - 10/07/2024        | 2,130,000        |                | increase appropriation for Hurricane Milton expenses                                                                                                                                                                    |
| 001-1223-411-100                           | EXECUTIVE SALARIES                   | 100,318          |                | increase appropriation for Executive Salaries (Reclass/Correct Fire Marshal Salary)                                                                                                                                     |
| 001-1223-412-100                           | REGULAR SALARIES & WAGES             |                  | 100,318        | decrease appropriation for Regular Salaries (Reclass/Correct Fire Marshal Salary)                                                                                                                                       |
| 001-1408-546-200                           | PEST CONTROL                         | 540              |                | increase appropriation for Pest Control                                                                                                                                                                                 |
| 001-1408-546-300                           | A/C MAINTENANCE                      | 1,600            |                | increase appropriation for A/C Maintenance                                                                                                                                                                              |
| 001-1412-546-200                           | PEST CONTROL                         | 540              |                | increase appropriation for Pest Control                                                                                                                                                                                 |
| 001-1412-552-200                           | OPERATING CAPITAL                    | 425              |                | increase appropriation for Icemaker                                                                                                                                                                                     |
| 001-9999-991-120                           | TRANSFER TO HOMELESSNESS FUND        | 1,200            |                | increase appropriation for operating supplies                                                                                                                                                                           |
| 001-9999-991-190                           | TRANSFER TO GRANTS & SPEC REV        | 40,648           |                | increase appropriation for 2024 ROW ADA Improvements                                                                                                                                                                    |
| 001-9999-991-200                           | TRANSFER TO DEBT SERVICE FUND        |                  | 37,032         | decrease appropriation for three hauler gas operated (bought in capital fund)                                                                                                                                           |
| 001-9999-991-300                           | TRANSFER TO CAPITAL PROJECT FUND     | 35,557           |                | increase appropriation for new utility vehicle (\$578), A/V Upgrades at Fire Department (\$23,264), Crestliner Jonboat (\$10,000), Mach Alert 81-82-83 (\$515), modernization of elevator at Bill Dreggors (\$1,200)    |
| 001-9999-991-300                           | TRANSFER TO CAPITAL PROJECT FUND     | 37,032           |                | increase appropriation for three hauler gas operated (originally budgeted in debt service)                                                                                                                              |
| 001-9990-999-100                           | CONTINGENCY                          |                  | 3,683          | decrease appropriation for A/C Maintenance (\$1,600), Pest Control (\$1,080), Icemaker (\$425), and new utility vehicle (\$578)                                                                                         |
| <b>CONFISCATED TRUST FUND</b>              |                                      |                  |                |                                                                                                                                                                                                                         |
| <b>REVENUES</b>                            |                                      | <b>45,606</b>    | <b>0</b>       |                                                                                                                                                                                                                         |
| 109-0000-380-900                           | USE OF RESERVES - STATE              | 45,606           |                | increase funding for Red Dot Sights/Holsters                                                                                                                                                                            |
| <b>EXPENDITURES</b>                        |                                      | <b>45,606</b>    | <b>0</b>       |                                                                                                                                                                                                                         |
| 109-1229-549-100                           | OTHER OBLIGATIONS                    | 45,606           |                | increase appropriation for Red Dot Sights/Holsters                                                                                                                                                                      |
| <b>HOMELESSNESS FUND</b>                   |                                      |                  |                |                                                                                                                                                                                                                         |
| <b>REVENUES</b>                            |                                      | <b>1,200</b>     | <b>0</b>       |                                                                                                                                                                                                                         |
| 120-9999-381-001                           | TRANSFER FROM GENERAL FUND           | 1,200            |                | increase funding for Red Dot Sights/Holsters                                                                                                                                                                            |
| <b>EXPENDITURES</b>                        |                                      | <b>1,200</b>     | <b>0</b>       |                                                                                                                                                                                                                         |
| 120-1120-552-100                           | OPERATING SUPPLIES                   | 1,200            |                | increase appropriation for operating supplies                                                                                                                                                                           |
| <b>GOVERNMENTAL IMPACT FEES TRUST FUND</b> |                                      |                  |                |                                                                                                                                                                                                                         |
| <b>REVENUES</b>                            |                                      | <b>11,200</b>    | <b>0</b>       |                                                                                                                                                                                                                         |
| 170-0000-324-110                           | IMPACT FEES - POLICE RESIDENTIAL     | 2,800            |                | increase funding for Impact Fee Study                                                                                                                                                                                   |
| 170-0000-324-115                           | IMPACT FEES - FIRE RESIDENTIAL       | 2,800            |                | increase funding for Impact Fee Study                                                                                                                                                                                   |
| 170-0000-324-610                           | IMPACT FEES - RECREATION RESIDENTIAL | 2,800            |                | increase funding for Impact Fee Study                                                                                                                                                                                   |
| 170-0000-324-910                           | IMPACT FEES - GEN GOVT RESIDENTIAL   | 2,800            |                | increase funding for Impact Fee Study                                                                                                                                                                                   |

## FY 24-25 Budget Amendment Details

| Account Description                      |                                        | Increase       | Decrease       | Description                                                                                                                                                                                                    |
|------------------------------------------|----------------------------------------|----------------|----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>EXPENDITURES</b>                      |                                        | <b>11,200</b>  | <b>0</b>       |                                                                                                                                                                                                                |
| 170-0106-531-100                         | PROFESSIONAL SERVICES                  | 2,800          |                | increase appropriation for Impact Fee Study                                                                                                                                                                    |
| 170-1222-531-100                         | PROFESSIONAL SERVICES                  | 2,800          |                | increase appropriation for Impact Fee Study                                                                                                                                                                    |
| 170-1226-531-100                         | PROFESSIONAL SERVICES                  | 2,800          |                | increase appropriation for Impact Fee Study                                                                                                                                                                    |
| 170-1403-531-100                         | PROFESSIONAL SERVICES                  | 2,800          |                | increase appropriation for Impact Fee Study                                                                                                                                                                    |
| <b>GRANTS &amp; SPECIAL REVENUE FUND</b> |                                        |                |                |                                                                                                                                                                                                                |
| <b>REVENUES</b>                          |                                        | <b>55,245</b>  | <b>0</b>       |                                                                                                                                                                                                                |
| 190-0000-331-200-PD2513                  | JAG - PARKING ENFORCEMENT OFFICER GOLF | 14,597         |                | increase funding for Parking Enforcement Officer Golf Cart grant                                                                                                                                               |
| 190-9999-381-001                         | TRANSFER FROM GENERAL FUND             | 40,648         |                | increase appropriation for 2024 ROW ADA Improvements                                                                                                                                                           |
| <b>EXPENDITURES</b>                      |                                        | <b>55,245</b>  | <b>0</b>       |                                                                                                                                                                                                                |
| 190-1226-531-100                         | PROFESSIONAL SERVICES                  | 1,450          |                | increase appropriation for professional services                                                                                                                                                               |
| 190-1226-664-000-PD2513                  | JAG - PARKING ENFORCEMENT OFFICER GOLF | 13,147         |                | increase appropriation for Parking Enforcement Officer Golf Cart                                                                                                                                               |
| 190-1302-663-000-PW2401                  | CDBG 2024 - ROW ADA IMPROV             | 40,648         |                | increase funding for 2024 ROW ADA Improvements                                                                                                                                                                 |
| <b>DEBT SERVICE FUND</b>                 |                                        |                |                |                                                                                                                                                                                                                |
| <b>REVENUES</b>                          |                                        | <b>103,925</b> | <b>140,957</b> |                                                                                                                                                                                                                |
| 200-9999-381-001                         | TRANSFER FROM GENERAL FUND             |                | 37,032         | decrease funding for three hauler gas operated (bought in capital fund)                                                                                                                                        |
| 200-9999-381-001                         | TRANSFER FROM GENERAL FUND             | 103,925        |                | increase funding for FS #83 Improvements                                                                                                                                                                       |
| 200-9999-381-180                         | TRANSFER FROM DOWNTOWN CRA             |                | 103,925        | decrease funding for Voorhis Avenue                                                                                                                                                                            |
| <b>EXPENDITURES</b>                      |                                        | <b>103,925</b> | <b>140,957</b> |                                                                                                                                                                                                                |
| 200-1222-771-100                         | PRINCIPAL                              | 73,684         |                | increase appropriation for FS #83 Improvements                                                                                                                                                                 |
| 200-1222-772-200                         | INTEREST EXPENSE                       | 30,241         |                | increase appropriation for FS #83 Improvements                                                                                                                                                                 |
| 200-1403-771-100                         | PRINCIPAL                              |                | 37,032         | decrease appropriation for three hauler gas operated (bought in capital fund)                                                                                                                                  |
| 200-1800-771-100                         | PRINCIPAL                              |                | 73,684         | decrease appropriation for Voorhis Avenue                                                                                                                                                                      |
| 200-1800-772-200                         | INTEREST EXPENSE                       |                | 30,241         | decrease appropriation for Voorhis Avenue                                                                                                                                                                      |
| <b>CAPITAL PROJECT FUND</b>              |                                        |                |                |                                                                                                                                                                                                                |
| <b>REVENUES</b>                          |                                        | <b>72,589</b>  | <b>0</b>       |                                                                                                                                                                                                                |
| 300-9999-381-001                         | TRANSFER FROM GENERAL FUND             | 35,557         |                | increase funding for new utility vehicle (\$578), A/V Upgrades at Fire Department (\$23,264), Crestliner Jonboat (\$10,000), Mach Alert 81-82-83 (\$515), modernization of elevator at Bill Dreggors (\$1,200) |
| 300-9999-381-001                         | TRANSFER FROM GENERAL FUND             | 37,032         |                | increase funding for three hauler gas operated (originally budgeted in debt service)                                                                                                                           |
| <b>EXPENDITURES</b>                      |                                        | <b>72,589</b>  | <b>0</b>       |                                                                                                                                                                                                                |
| 300-1222-664-000-FR2503                  | MACH ALERT 81-82-83                    | 515            |                | increase appropriation for Mach Alert 81-82-83                                                                                                                                                                 |
| 300-1222-664-000-FR2508                  | A/V UPGRADES AT FIRE DEPARTMENT        | 23,264         |                | increase appropriation for A/V Upgrades at Fire Department                                                                                                                                                     |
| 300-1222-664-000-FR2509                  | CRESTLINER JONBOAT                     | 10,000         |                | increase appropriation for Crestliner Jonboat                                                                                                                                                                  |
| 300-1403-664-000-PR2406                  | MODERNIZE ELEVATOR AT BILL DREGGORS    | 1,200          |                | increase appropriation for modernization of elevator at Bill Dreggors                                                                                                                                          |
| 300-1403-664-000-PR2518                  | NEW UTILITY VEHICLE                    | 578            |                | increase appropriation for new utility vehicle                                                                                                                                                                 |
| 300-1403-664-000-PR2519                  | HAULER GAS OPERATED 1 OF 3             | 12,344         |                | increase appropriation for hauler gas operated                                                                                                                                                                 |
| 300-1403-664-000-PR2520                  | HAULER GAS OPERATED 2 OF 3             | 12,344         |                | increase appropriation for hauler gas operated                                                                                                                                                                 |
| 300-1403-664-000-PR2521                  | HAULER GAS OPERATED 3 OF 3             | 12,344         |                | increase appropriation for hauler gas operated                                                                                                                                                                 |

## FY 24-25 Budget Amendment Details

| Account Description                           |                                          | Increase       | Decrease       | Description                                                                                                                          |
|-----------------------------------------------|------------------------------------------|----------------|----------------|--------------------------------------------------------------------------------------------------------------------------------------|
| <b>WATER &amp; SEWER FUND</b>                 |                                          |                |                |                                                                                                                                      |
| <b>REVENUES</b>                               |                                          | <b>0</b>       | <b>0</b>       |                                                                                                                                      |
| <b>EXPENDITURES</b>                           |                                          | <b>14,836</b>  | <b>14,836</b>  |                                                                                                                                      |
| 401-4201-546-200                              | PEST CONTROL                             | 1,360          |                |                                                                                                                                      |
| 401-4201-549-420                              | BAD DEBT EXPENSE                         | 13,171         |                | increase appropriation for bad debt expense                                                                                          |
| 401-4206-664-000-UT2422                       | L/S #20 REPLACEMENT & PANEL BOX          | 275            |                | increase appropriation for Lift Station #20 replacement and panel box                                                                |
| 401-4206-664-000-UT2423                       | L/S #80 REPLACEMENT & PANEL BOX          | 30             |                | increase appropriation for Lift Station #80 replacement and panel box                                                                |
| 401-9990-999-100                              | CONTINGENCY                              |                | 14,836         | decrease appropriation for Pest Control (\$1,360), bad debt expense (\$13,171), Lift Station #20 (\$275) and Lift Station #80 (\$30) |
| <b>WATER TRUST FUND</b>                       |                                          |                |                |                                                                                                                                      |
| <b>REVENUES</b>                               |                                          | <b>0</b>       | <b>0</b>       |                                                                                                                                      |
| <b>EXPENDITURES</b>                           |                                          | <b>366,600</b> | <b>366,600</b> |                                                                                                                                      |
| 403-4230-663-000-WA2301                       | 2024 WATER MAIN IMPROVEMENTS             |                | 366,600        | decrease appropriation for 2026 Water Main Improvements Design (budgeted in wrong account)                                           |
| 403-4230-663-000-WA2501                       | 2026 WATER MAIN IMPROVEMENTS DESIGN      | 366,600        |                | increase appropriation for 2026 Water Main Improvements Design (budgeted in wrong account)                                           |
| <b>AIRPORT FUND</b>                           |                                          |                |                |                                                                                                                                      |
| <b>REVENUES</b>                               |                                          | <b>0</b>       | <b>0</b>       |                                                                                                                                      |
| <b>EXPENDITURES</b>                           |                                          | <b>23,448</b>  | <b>23,448</b>  |                                                                                                                                      |
| 430-4300-531-100-AP2401                       | FAA/FDOT - UPDATE MASTER PLAN            | 3,000          |                | increase appropriation for Update Master Plan                                                                                        |
| 430-4300-549-100                              | OTHER OBLIGATIONS                        |                | 5,900          | decrease appropriation for Other Obligations                                                                                         |
| 430-4300-664-000-AP2504                       | JOHN DEERE Z994R 60-INCH ZERO TURN MOWER | 5,900          |                | increase appropriation for John Deere Zero Turn Mower                                                                                |
| 430-4300-664-000-AP2506                       | NEW EOC RADIO SET                        | 14,548         |                | increase appropriation for new EOC Radio Set                                                                                         |
| 430-9990-999-100                              | CONTINGENCY                              |                | 17,548         | decrease appropriation for Update Master Plan (\$3,000) and new EOC Radio Set (\$14,548)                                             |
| <b>STORMWATER FUND</b>                        |                                          |                |                |                                                                                                                                      |
| <b>REVENUES</b>                               |                                          | <b>48,550</b>  | <b>0</b>       |                                                                                                                                      |
| 450-0000-380-000                              | USE OF RESERVES                          | 48,550         |                | increase funding for Sandbag Machine                                                                                                 |
| <b>EXPENDITURES</b>                           |                                          | <b>56,350</b>  | <b>7,800</b>   |                                                                                                                                      |
| 450-4500-534-100                              | CONTRACTUAL SERVICES                     | 7,800          |                | increase appropriation for NPDES Permit                                                                                              |
| 450-4500-549-100                              | OTHER OBLIGATIONS                        |                | 7,800          | decrease appropriation for Other Obligations                                                                                         |
| 450-4500-664-000-SW2510                       | SANDBAG MACHINE                          | 48,550         |                | increase appropriation for Sandbag Machine                                                                                           |
| <b>HEALTH INSURNACE COST CONTAINMENT FUND</b> |                                          |                |                |                                                                                                                                      |
| <b>REVENUES</b>                               |                                          | <b>42,000</b>  | <b>0</b>       |                                                                                                                                      |
| 500-0000-380-000                              | USE OF RESERVES                          | 42,000         |                | increase funding for new Clinic upgrades, Pest Control and Operating Supplies                                                        |
| <b>EXPENDITURES</b>                           |                                          | <b>42,000</b>  | <b>0</b>       |                                                                                                                                      |
| 500-5000-546-100                              | BUILDING MAINTENANCE                     | 36,500         |                | increase appropriation for new Clinic upgrades                                                                                       |
| 500-5000-546-200                              | PEST CONTROL                             | 500            |                | increase appropriation for Pest Control                                                                                              |
| 500-5000-552-100                              | OPERATING SUPPLIES                       | 5,000          |                | increase appropriation for Operating Supplies                                                                                        |

**CITY OF DELAND**  
**Request for Commission Action**  
**January 22, 2025**

**SUBJECT:** Consideration re Change Order #1 for Lift Station #1 Re-Design, Permitting and Bidding Assistance Services.

**DEPARTMENT:** Utilities

**PREPARED BY:** Jim Ailes, Deputy Public Serv. Director/Utilities Director

**ATTACHMENTS:** Scope change proposal

**APPROVED BY:** Michael Pleus, City Manager, January 16, 2025

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**SUMMARY/HIGHLIGHT:**

In the proposed 24/25 fiscal year budget, the City Commission was presented a project for a redesign of Lift Station #1 located on Wisconsin Avenue between the ponds at Painters Pond on Wisconsin Avenue. This project would allow for the relocation of the station from inside the building to outside so that the wet well and pumps could be enlarged to service the downtown and Stetson University area.

The scope for this project was approved by the City Commission on October 7, 2024 for the design, permitting, and bidding services for this project. The old site will be demolished to allow for better access to the station for servicing and cleaning, as needed. In addition, the elevation of the lift station will be raised to accommodate for the roadway flooding that occurs after a major rain event. Hurricane Helene flooded the lift station and generator and a complete relocation to the east was determined to be in the cities best interest.

An updated design scope to the original task assignment has been received from Mead & Hunt and is attached for additional surveying and soil borings, design work for gravity sewer system, force main connection, and design replacement for parking lot replacement. The subject task order, if approved, will provide these services. This task assignment does not include funds for construction, engineering, and inspections (CEI) Services, which will be proposed later in the fiscal year once bidding has occurred.

**STRATEGIC PLAN FOCUS AREA/ACTION STEP:**

High Value Government.

**SUSTAINABILITY:**

Facilities & Infrastructure.

**FISCAL IMPACT:**

This proposed task order, if approved, will result in an obligation of an additional amount of \$44,323.00 per the attached scope. The previous scope in the amount of \$176,095.00 plus this additional amount will bring the fee total to \$220,418.00. Funds in the amount of \$1,795,314.00 were set aside for this project in the 24/25 fiscal year. The remaining balance of funds will be available in the Utility Enterprise Account to cover the future construction, engineering, and inspection (CEI) service expense.

**RECOMMENDATION:**

Staff recommends that the City Commission approve the subject change order #1 with Mead & Hunt to provide additional design, permitting, and bidding services for the Lift Station #1 Redesign Project.

**BACKGROUND/DISCUSSION:**

This project would address the increase in growth in the DeLand downtown area and elevate a lift station that has survived numerous flooding from storm water issues in the past.



## Scope change #1

Project Name: DeLand Lift Station No-1

Client: City of DeLand

Project Location: City of DeLand

Client representative: Jim Ailes

Project number: 1000706-241074.01

Mead & Hunt Manager: Casey Cissell

Date: 12/10/2024

Mead & Hunt, Inc. phone: 386-414-5062

1. Client hereby authorizes the following changes in the scope of work:
  - a. Proposed Lift station site will be relocated to 225 E Wisconsin Ave at a higher elevation.
  - b. Design of +/- 300 LF of 8" gravity sewer down E Wisconsin Ave to the new lift station. This will involve replacing one manhole and installing one new manhole upstream of the gravity system.
  - c. A new parking lot with parallel parking will be designed at the existing lift station site to replace the current parking area, which will be taken over by the new lift station.
  - d. Submit for city site plan review at the new site.
  - e. Revise the survey to include the new lift station site at 225 E Wisconsin Ave, as well as the section of E Wisconsin Ave from the existing lift station site to the proposed site, for the design of the proposed gravity system.
2. The effect of these changes in the scope of work is as follows:
  - a. Phase 1 - Project Management
    - i. Further coordination will be required for utilities and additional sheets will be required in the plan set. The Survey will also be revised to include the new site.
  - b. Phase 2 - Data Collection and Site Reconnaissance

- i. Additional utility coordination will need to take place to understand what is around the proposed lift station site and to design the new gravity sewer system to the lift station.
  - c. Phase 3 – Preliminary Design
    - i. Additional sections will need to be added to the report to design the new site layout and design the gravity sewer system to the new station.
  - d. Phase 4 – Project Design
    - i. Additional work and effort will be required to design the new gravity sewer system, replace the road, and parking lot.
  - e. Phase 5 – Permitting
    - i. The proposed lift station site will require a city site plan review with possible RAI's. The new site along with the parking area will require coordination with DEP to establish an ERP exemption, or an entirely new ERP permit.
  - d. Phase 7 – Subconsultants/Reimbursables
    - i. Additional survey will be required for the road to the new lift station site, and the new lift station site itself. Two extra borings will need to be completed at the proposed parking area.
- 3. The reasons for these changes in the scope of work are as follows:
  - a. During Hurricane Milton, the existing lift station site experienced significant flooding, preventing the city from accessing and maintaining Lift Station #1. As a result, the city decided to relocate the new lift station to 225 E Wisconsin Ave. The additional coordination and design efforts outlined in this change order will be required to complete the design of Lift Station #1.
- 4. Additional Mead & Hunt fees:
  - Phase 1 - Project Management: \$3,235.00
  - Phase 2 - Data Collection and Site Reconnaissance: \$2,586.00
  - Phase 3 – Preliminary Design: \$5,524.00
  - Phase 4 – Project Design: \$15,528.00
  - Phase 5 – Permitting: \$ 11,450.00



**Total - \$ 44,323.00**

- 5. Revised project completion date: Project schedule remains the same.
- 6. Project manager’s comments: Given the new lift station site's downtown location and the presence of an existing railroad in the area, the conditions underground remain uncertain until further geotechnical investigation and excavation are completed.

Mead & Hunt, Inc. shall commence work on this change as soon as it receives this signed document by delivery, regular mail, fax or e-mail.

This change in work or scope change is subject to the terms and conditions of the contract executed for this project dated 10/25/2023.

|           |                                                                                    |          |                                                                                                   |
|-----------|------------------------------------------------------------------------------------|----------|---------------------------------------------------------------------------------------------------|
| For:      | MEAD & HUNT, INC.                                                                  | For:     | CITY OF DELAND                                                                                    |
| By:       |  | By:      |                                                                                                   |
| Name:     | Brad T. Blais, P.E.                                                                | Name:    |                                                                                                   |
| Title:    | Vice President/Client Manager                                                      | Title:   |                                                                                                   |
|           |                                                                                    |          | <i>The above person is authorized to sign for Client and bind the Client to the terms hereof.</i> |
| Date:     | December 12, 2024                                                                  | Date:    |                                                                                                   |
| Approval: |                                                                                    | Approval |                                                                                                   |
|           | <i>required if signature above is not authorized to sign contracts</i>             |          |                                                                                                   |

**CITY OF DELAND**  
**Request for Commission Action**  
**January 22, 2025**

**SUBJECT:** Second Reading of Ordinance No. 2024-41, Annexing ±0.99 Acre of Property Located on the South Side of Cassadaga Road, West of Interstate 4. (DeLand Tech Park). 1st Reading: 08/19/2024.

**DEPARTMENT:** Planning

**PREPARED BY:** Carol Kuhn, Planning Director

**ATTACHMENTS:** ORD-2024-41, Exhibit A-Legal Description, Exhibit B-Zoning Map, AN24-111 Staff Report, Business Impact Estimate - Tech Park Annex, AN24-111 Aerial Map, AN24-111 Property Record Card 8106-00-00-0072

**APPROVED BY:** Michael Pleus, City Manager, January 16, 2025

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**SUMMARY/HIGHLIGHT:**

The subject property is 0.987 acres in size, located in unincorporated Volusia County and is currently zoned VC: R-4 (Volusia County Urban Single Family), with a future land use designation of VC: ULI (Volusia County Urban Low Intensity). It is owned by Longleaf Four, LLC, and the property is currently vacant. The applicant intends on combining the subject property's 0.987 acres with the existing 143.24 acres of property within the Tech Park Planned Development to the south.

On July 17, 2024, the Planning Board unanimously voted to recommend approval of the annexation request. On August 19, 2024, the City Commission unanimously voted to approve the annexation request on first reading.

On October 21, 2024, the City Commission voted to continue the item to the November 4, 2024, meeting, per the applicant's request.

On November 4, 2024, the City Commission voted to continue the item to the December 16, 2024, meeting, per the applicant's request.

On January 6, 2025, the City Commission voted to continue the item to the January 22, 2025, meeting.

**STRATEGIC PLAN FOCUS AREA/ACTION STEP:**

Smart Growth Principles.

**SUSTAINABILITY:**

Strategic Plan Focus Area: Preparing for Future Sustainability - Annexing the property into the city's jurisdiction will subject it to the city's adopted policies and allow implementation of the city's Sustainability Action Plan.

**FISCAL IMPACT:**

Inclusion of this property into the city's tax roll will increase funds towards city services.

**RECOMMENDATION:**

Staff recommends approval of the annexation request, on second reading.

**BACKGROUND/DISCUSSION:**

The DeLand Tech Park PD was originally approved on October 3, 2022. The applicant has applied for a land use amendment and first amendment to the DeLand Tech Park PD that will include the subject property.

**ORDINANCE NO. 2024 – 41**

**AN ORDINANCE OF THE CITY COMMISSION OF DELAND, FLORIDA, ANNEXING A PARCEL OF LAND TOTALING APPROXIMATELY +/- 0.99 ACRES OF PROPERTY LOCATED ON THE SOUTHSIDE OF CASSADAGA ROAD, WEST OF INTERSTATE 4 (DELAND TECH PARK); AMENDING CITY BOUNDARIES TO INCLUDE THE ANNEXED PROPERTIES; AFFIRMING COMPLIANCE WITH STATUTORY PROCEDURE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Petitioner, Mark Watts, Esquire, on behalf of the owner Longleaf Four, LLC, submitted a petition for annexation of approximately +/- 0.99 acres of land located on the southside of Cassadaga Road, west of Interstate 4 (DeLand Tech Park); and

**WHEREAS**, the area to be annexed is contiguous to the boundaries of the City of DeLand, to the south, will not create an enclave if annexed, is reasonably compact, is not circuitous, and otherwise meets the requirements of *Chapter 171, Florida Statutes*.

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

**Section 1.** The following described parcel of land in Volusia County, Florida, for which a petition for annexation has been received from the Petitioner, Mark Watts, Esquire, on behalf of the owner, Longleaf Four, LLC, totaling approximately +/- 0.99 acres, located on the southside of Cassadaga Road, west of Interstate 4 (DeLand Tech Park) is hereby annexed and made part of the City of DeLand, subject to the jurisdiction, obligations, benefits and privileges of property within the municipality:

**See legal description(s) attached hereto as Exhibit “A”**

**Parcel Identification No. 810600000072**

**Section 2.** The boundary lines of the City of DeLand are hereby changed and redefined to include the lands described in Section 1 above and depicted on the map attached hereto as Exhibit “B” and by this reference made a part hereof.

**Section 3.** The City Commission finds that a public hearing has been held on this Ordinance prior to adoption in the Commission Chambers, City Hall, 120 S. Florida Avenue, DeLand, Florida, at 7:00 p.m., on January 22, 2025, after notice published in accordance with Florida Statutes Section 171.044.

**Section 4.** This Ordinance shall become effective immediately upon its adoption.

**PASSED AND DULY ADOPTED** this 22<sup>nd</sup> day of January, 2025.

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Christopher M. Cloudman  
Mayor-Commissioner

**ATTEST:**

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Julie A. Hennessy  
City Clerk - Auditor

Passed on first reading: August 19, 2024  
Adopted on second reading: January 22, 2025

**APPROVED AS TO FORM AND LEGALITY:**

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Darren J. Elkind  
City Attorney

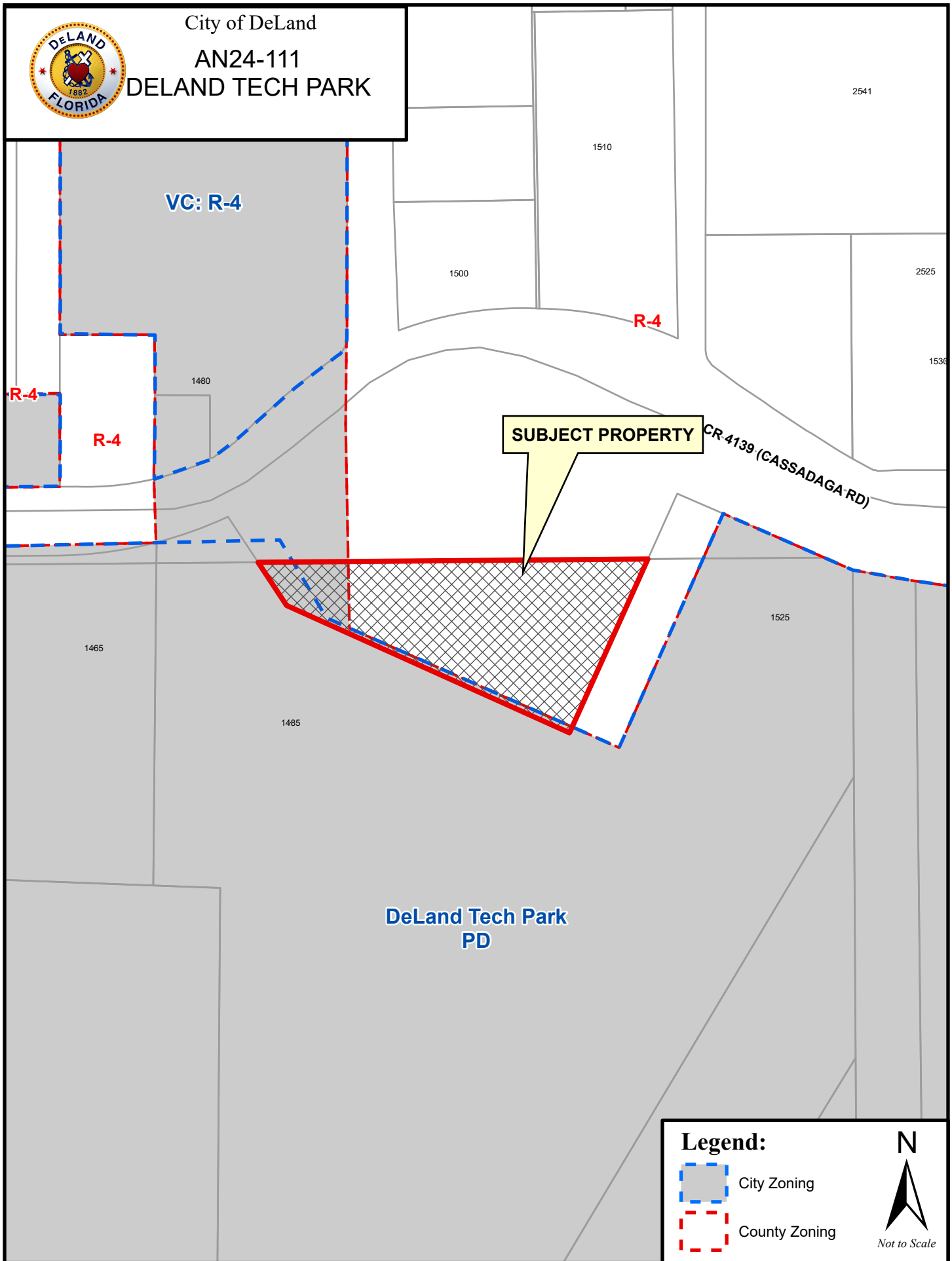
**“EXHIBIT A”**  
**LEGAL DESCRIPTION**  
**8106-00-00-0072**

LEGAL DESCRIPTION (POND PARCEL TO LONGLEAF FOUR, LLC):

A PORTION OF THE SOUTH ½ OF GOVERNMENT LOT 3, SECTION 6, TOWNSHIP 18 SOUTH, RANGE 31 EAST, VOLUSIA COUNTY FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE CANOPY TERRACE SUBDIVISION AS RECORDED IN MAP BOOK 63, PAGES THROUGH 143 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, SAID CORNER ALSO BEING THE NORTHWEST CORNER OF AFORESAID GOVERNMENT LOT 3; THENCE RUN S 00°14'47" E (S 00°14'44" E, PLAT), ALONG THE EAST LINE OF SAID CANOPY TERRACE SUBDIVISION AND THE WEST LINE OF SAID GOVERNMENT LOT ), A DISTANCE OF 1300.54 FEET (1300.63', PLAT) TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF CASSADAGA ROAD AS DESCRIBED IN OFFICIAL RECORDS BOOK PAGE 3818 OF THE AFORESAID PUBLIC RECORDS; THENCE CONTINUE, S 00°14'47" E, ALONG THE WEST LINE OF SAID GOVERNMENT LOT 3, A DISTANCE OF 100.00 FEET TO ITS INTERSECTION SOUTH RIGHT-OF-WAY LINE OF SAID CASSADAGA ROAD; THENCE, DEPARTING THE WEST LINE OF SAID GOVERNMENT LOT 3, RUN N 89°31'01" E, ALONG THE EASTERLY EXTENSION OF THE SOUTH RIGHT-OF-WAY LINE OF CASSADAGA ROAD AS DESCRIBED IN SAID OFFICIAL RECORDS BOOK 3779, PAGE 3818, A DISTANCE OF 707.66 FEET TO ITS INTERSECTION WITH THE WESTERLY BOUNDARY LINE OF THOSE LANDS DEEDED TO THE COUNTY OF VOLUSIA IN OFFICIAL RECORDS BOOK 5243, PAGE 4423 OF THE AFORESAID PUBLIC RECORDS THE POINT OF BEGINNING: THENCE CONTINUE N 89°31'01" E, A DISTANCE OF 414.52 FEET TO A POINT ON THE EASTERLY BOUNDARY LINE OF THOSE AFORESAID LANDS DEEDED TO COUNTY OF VOLUSIA IN OFFICIAL RECORDS BOOK 5243, PAGE THENCE, DEPARTING THE SAID EASTERLY EXTENSION, RUN ALONG THE BOUNDARY OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 5243, PAGE 4423 THE FOLLOWING THREE (3) COURSES, S 24°14'52" W (S 24°02'55" W, DEED), A DISTANCE 202.81 FEET; THENCE N 65°45'10" W (N 65°56'05" W, DEED), A DISTANCE OF 330.00 FEET; THENCE N 33°27'08" W, (N 33°38'05" W, DEED), A DISTANCE OF 55.02 FEET TO ITS INTERSECTION WITH THE AFORESAID EASTERLY EXTENSION OF THE SOUTH RIGHT-OF-WAY LINE OF CASSADAGA ROAD AND THE POINT OF BEGINNING.

THE ABOVE-DESCRIBED PARCEL CONTAINS 43,031 SQUARE FEET OR .987 ACRES MORE OR LESS



**PLANNING DEPARTMENT STAFF REPORT  
TO  
PLANNING BOARD**

**July 17, 2024**

*Continued from June 12, 2024*

**APPLICATION:** AN24-111

1. **Requested Action:** Annexation of 0.987 acres of property into the City limits of DeLand
2. **Location:** Cassadaga Rd., west of I-4
3. **Petitioner:** Mark Watts, CobbCole
4. **Owner:** Longleaf Four, LLC
5. **Size of parcel(s):** ± 0.987 acres
6. **Parcel ID:** 810600000072
7. **Land Use Designation & Zoning of Subject Property:**

**Future Land Use:** Volusia County: Urban Low Intensity (ULI)

**Existing Zoning:** Volusia County: R-4

**Existing Use:** Wooded/Undeveloped

8. **Surrounding Land Use & Zoning:**

|               | LAND USE                | ZONING       |
|---------------|-------------------------|--------------|
| <b>North:</b> | VC: URBAN LOW INTENSITY | VC: R-4      |
| <b>South:</b> | COMMERCE                | TECH PARK PD |
| <b>East:</b>  | COMMERCE                | TECH PARK PD |
| <b>West:</b>  | COMMERCE                | TECH PARK PD |

**9. Physical Characteristics:** The subject property is ± 0.987 acres in size and is wooded and undeveloped. It does not appear to contain any wetlands and does not lie within the 100-year flood zone.



The subject property is located in unincorporated Volusia County and is currently zoned VC: R-4 (Volusia County Urban Single Family), with a future land use designation of VC: ULI (Volusia County Urban Low Intensity). It is owned by Longleaf Four, LLC, and the property is currently vacant. The applicant intends on combining the subject property's 0.987 acres with the with existing 143.24 acres of property within the Tech Park Planned Development to the south. This application is accompanied by a request for a future land use amendment (SMLU24-112) and a request for a rezone (Z24-081). If the requests are approved, any future site improvements will require review and approval of a separate development application.

**10. Public Services & Utilities:** The City's Utilities Department determined the closest City water main is an 8" main on Cassadaga Rd. and the closest city sewer main is also located on Cassadaga Rd., with a 6" force main.

**11. Growth Management Plan Consistency:**

North of the property is mostly rural, with residential homes and located in unincorporated Volusia County. To the south, east and west will be commercial and industrial uses as part of the DeLand Tech Park Planned Development.

**12. Analysis:** The City's guidelines for annexation require a property be sufficiently contiguous to property already within the city limits and to be accessible to public services provided. In addition, the State requires the property be reasonably compact, not circuitous, and does not create an enclave. The subject property does not create an enclave, is contiguous to the City of DeLand, is reasonably compact and is not circuitous. The parcel is contiguous to the city to the south, by  $\pm$  587 ft.

**Recommendation:** Staff recommends that the Planning Board forward this annexation petition to the City Commission, with a recommendation for approval.

Based upon the concurrency requirements of the State of Florida and the City's concurrency management plan, as adopted in Article 5, Sec. 33-41 of the Land Development Regulations, approval of the proposed annexation does not automatically provide vested development rights. At the time the developer applies for a development permit, adequate infrastructure must exist to support the proposed development. If such infrastructure does not exist, the developer may be required to incur additional expense to ensure that the necessary infrastructure is provided.

# **Business Impact Estimate**

Proposed ordinance's title/reference:

**ORDINANCE NO. 2024- 41**

**AN ORDINANCE OF THE CITY COMMISSION OF DELAND, FLORIDA, ANNEXING A PARCEL OF LAND TOTALING APPROXIMATELY +/- 0.99 ACRES OF PROPERTY LOCATED ON THE SOUTHSIDE OF CASSADAGA ROAD, WEST OF INTERSTATE 4 (DELAND TECH PARK); AMENDING CITY BOUNDARIES TO INCLUDE THE ANNEXED PROPERTIES; AFFIRMING COMPLIANCE WITH STATUTORY PROCEDURE; AND PROVIDING AN EFFECTIVE DATE.**

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City is of the view that a business impact estimate is not required by state law<sup>1</sup> for the proposed ordinance, but the City is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:
  - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
  - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
  - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
  - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

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<sup>1</sup> See Section 166.041(4)(c), Florida Statutes.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City hereby publishes the following information:

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

**The proposed ordinance annexes a parcel of land totaling approximately +/- 0.99 acres of property located on the southside of Cassadaga Road, west of Interstate 4. Into the City of DeLand.**

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City, if any:

(a) An estimate of direct compliance costs that businesses may reasonably incur:

**There is no direct economic impact to existing businesses.**

(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible:

**None.**

(c) An estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

**The City does not anticipate any regulatory costs associated with this ordinance.**

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

**The estimated number of businesses that may be impacted by the proposed ordinance is unknown.**

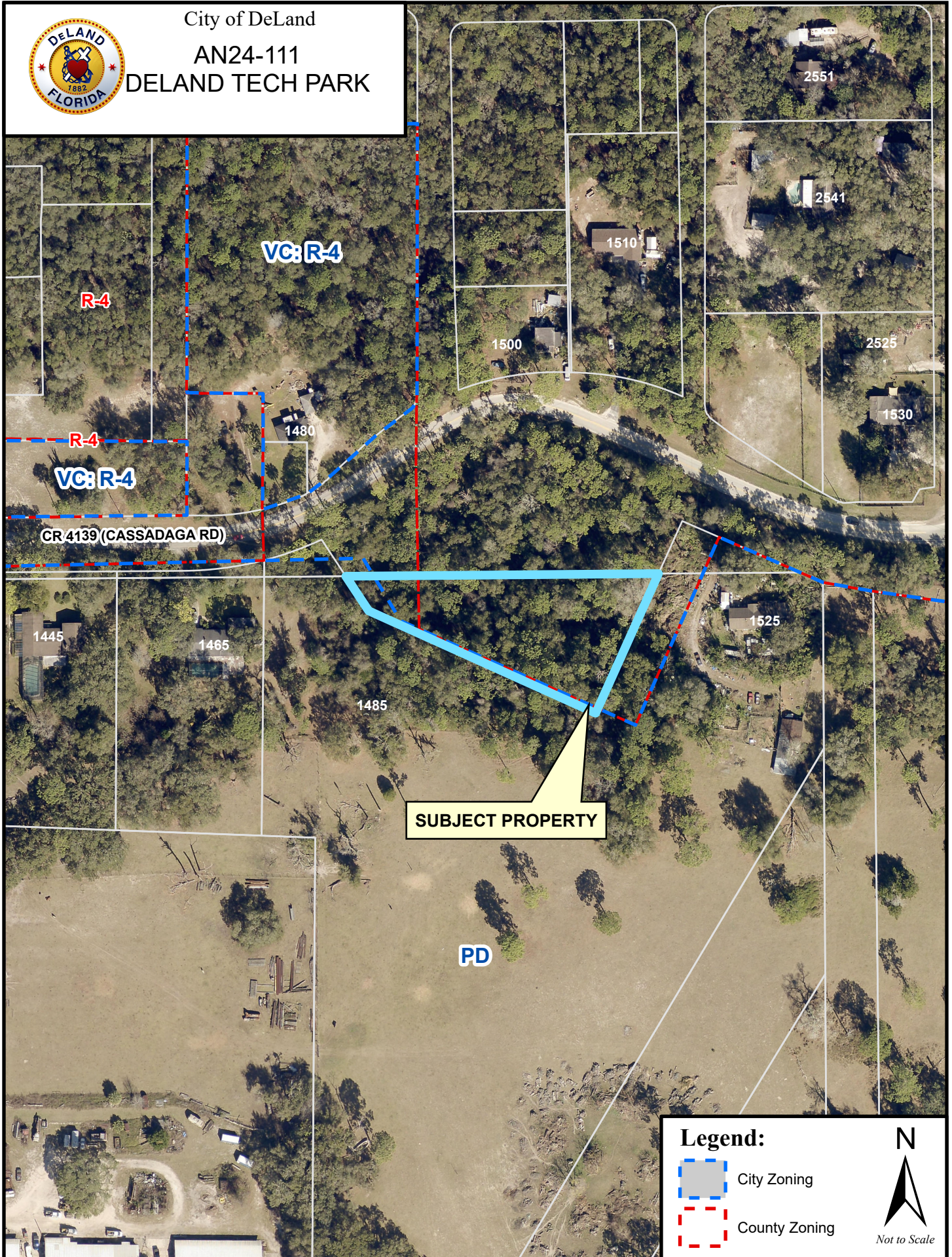
4. Additional information the governing body deems useful (if any):

**N/A**





City of DeLand  
AN24-111  
DELAND TECH PARK



**Legend:**

-  City Zoning
-  County Zoning







Volusia County Property Appraiser  
123 W. Indiana Ave., Rm. 102  
DeLand, FL. 32720  
Phone: (386) 736-5901 Web: [vcpa.vcgov.org](http://vcpa.vcgov.org)

AltKey: 8025456  
LONGLEAF FOUR LLC

Parcel ID: 810600000072  
CASSADAGA RD, DELAND, FL

#### Parcel Summary

|                                 |                                                         |
|---------------------------------|---------------------------------------------------------|
| <b>Alternate Key:</b>           | 8025456                                                 |
| <b>Parcel ID:</b>               | 810600000072                                            |
| <b>Township-Range-Section:</b>  | 18 - 31 - 06                                            |
| <b>Subdivision-Block-Lot:</b>   | 00 - 00 - 0072                                          |
| <b>Owner(s):</b>                | LONGLEAF FOUR LLC - FS - Fee Simple - 100%              |
| <b>Mailing Address On File:</b> | 320 N MERIDIAN ST STE 700<br>INDIANAPOLIS IN 46204 1744 |
| <b>Physical Address:</b>        | CASSADAGA RD, DELAND 32724                              |
| <b>Property Use:</b>            | 0000 - VACANT RES                                       |
| <b>Tax District:</b>            | 012-DELAND                                              |
| <b>2023 Final Millage Rate:</b> | 18.7526                                                 |
| <b>Neighborhood:</b>            | 5045                                                    |
| <b>Subdivision Name:</b>        |                                                         |
| <b>Homestead Property:</b>      | No                                                      |

**CITY OF DELAND**  
**Request for Commission Action**  
**January 22, 2025**

**SUBJECT:** Second Reading of Ordinance No. 2024-42, Changing the Land Use for Approximately 0.99 Acre of Property, Located on the South Side of Cassadaga Road, West of Interstate 4 (DeLand Tech Park). 1st Reading: 08/19/2024.

**DEPARTMENT:** Planning

**PREPARED BY:** Carol Kuhn, Planning Director

**ATTACHMENTS:** ORD-2024-42, Exhibit A-Legal Description, SMLU24-112 Staff Report , SMLU24-112 Aerial Map, SMLU24-112 Zoning Map, SMLU24-112 Current Land Use Map, SMLU24-112 Proposed Land Use Map, SMLU24-112 Applicant Statement, SMLU24-112 VGMC Consistency Certification Letter

**APPROVED BY:** Michael Pleus, City Manager, January 16, 2025

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**SUMMARY/HIGHLIGHT:**

Request to amend the future land use designation for a parcel located on the south side of Cassadaga Rd., west of Interstate-4. The request is to change the future land use designation from Volusia County Urban Low Intensity (VC: ULI) to City of DeLand Commerce (COM). The parcel is wooded and undeveloped. The applicant intends on combining the 0.99 acres with the existing development known as the Tech Park Planned Development. Concurrent applications to annex and rezone the property (AN24-111) (Z24-081) were also submitted.

On July 17, 2024, the Planning Board unanimously voted to recommend approval of the requested land use amendment.

On August 19, 2024, the City Commission unanimously voted to approve the future land use amendment request on first reading.

On October 21, 2024, the City Commission voted to continue the item to the November 4, 2024, meeting, per the applicant's request.

On November 4, 2024, the City Commission voted to continue the item to the December 16, 2024, meeting, per the applicant's request.

On December 16, 2024, the City Commission voted to continue the item to the meeting on January 6, 2024, per the applicant's request.

On January 6, 2025, the City Commission voted to continue the item to the January 22, 2025, meeting.

In a letter dated September 20, 2024, the Volusia Growth Management Commission (VGMC) issued a Certificate of Consistency regarding the proposed land use change.

**STRATEGIC PLAN FOCUS AREA/ACTION STEP:**

Institute Smart Growth Principles.

**SUSTAINABILITY:**

The Strategic Plan Focus Area: Preparing for the Future/Sustainability recognizes that, "...the city itself is dynamic and that extensive changes will occur in the near and long term future", and that "...it is important that there be a strategic focus on the future". Amending the future land use designation of the subject property is a

necessary step for a newly-annexed property. By changing the land use from Volusia County's ULI to the City of DeLand's COM supports the Southwest Activity Center, as the intent of the Commerce (COM) future land use designation is to develop the Southwest Activity Center in a manner that contributes to the creation of quality light industrial and commercial space for southwest Volusia County and the City of DeLand.

**FISCAL IMPACT:**

Inclusion of the subject property in the city's tax rolls will increase funds towards city services.

**RECOMMENDATION:**

Staff recommends that the City Commission approve the proposed land use amendment, on second reading.

**BACKGROUND/DISCUSSION:**

The subject property is adjacent to the Southwest Activity Center (SWAC) and shall comply with the policies identified within the Local Plan as Commerce (COM). The SWAC has trip allowances based on the uses and the district (Commerce/West Central/Community). According to the Local Plan, the maximum average daily trips in the Commerce district is 13,700; the West Central district allows for average daily trips of up to 19,600; and for the Community district, the maximum allowable average daily trips per day is 4,700 trips. This trip allowance was incorporated in the PD agreement that was approved by City Commission on October 3, 2022. With the incorporation of the 0.987-acre parcel, those trips are not being exceeded with the approval of the land use amendment.

**ORDINANCE NO. 2024 - 42**

**AN ORDINANCE OF THE CITY COMMISSION OF DELAND, FLORIDA, AMENDING THE COMPREHENSIVE PLAN FOR THE CITY OF DELAND, BY CHANGING THE LAND USE DESIGNATION OF CERTAIN PROPERTY LOCATED ON THE SOUTH SIDE OF CASSADAGA ROAD, WEST OF INTERSTATE 4; FROM VOLUSIA COUNTY'S URBAN LOW INTENSITY FUTURE LAND USE DESIGNATION TO CITY OF DELAND'S COMMERCE FUTURE LAND USE DESIGNATION; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, F.S. §163.3161, et seq., creates the Community Planning Act (hereinafter the "Act"); and

**WHEREAS**, the Act allows each local government to approve comprehensive plan amendments related to small scale development activities at any time during the year under certain conditions; and

**WHEREAS**, the Act permits small area amendments to be approved without regard to statutory limits on the frequency of comprehensive plan amendments as long as:

1. The proposed amendment involves the change to the land use designation of a parcel of property that is 50 acres or less; and
2. The cumulative effect of the above amendment does not exceed 120 acres annually; and

**WHEREAS**, the City Commission adopted a comprehensive plan for the future growth and development of the City pursuant to Ordinance No. 90-4, as amended, (hereinafter the "Comprehensive Plan"); and

**WHEREAS**, the City Commission has received a request to amend the Comprehensive Plan by changing the land use designation of approximately +/- 0.99 acre of land located on the south side of Cassadaga Road, west of Interstate 4; from Volusia County's Urban Low Intensity future land use designation to City of DeLand's Commerce future land use designation; and

**WHEREAS**, the Planning Board held a public hearing, after due public notice, for the purpose of recommending the adoption of the proposed Comprehensive Plan amendment; and

**WHEREAS**, the City Commission held a public hearing after due public notice, in accordance with F.S. §163.3184(11); and

**WHEREAS**, this land use amendment has been transmitted to and reviewed by the Volusia Growth Management Commission.

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

**Section 1.** The City Commission hereby amends the Future Land Use Map for the incorporated area by changing the land use designation of that certain parcel of land located on the south side of Cassadaga Road, west of Interstate 4; consisting of approximately +/- 0.99 acre of land from Volusia County's Urban Low Intensity Future Land Use designation to City of



DeLand's Commerce Future Land Use designation, as more particularly described in the Exhibit "A" attached hereto and by this reference made a part hereof.

**Section 2.** If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, that holding shall in no way affect the validity of the remaining portions of this Ordinance.

**Section 3.** The effective date of this Ordinance shall be the later date of the following events: (1) the date of issuance of a certificate of consistency or conditional certificate of consistency with regard to the land use designation of the subject property by the Volusia Growth Management Commission; (2) thirty-one (31) days after its adoption by the City Commission; or (3) if properly challenged by an affected person, after the state land planning agency or the Administration Commission, respectively, issues a final order determining this adopted small scale development amendment to be in compliance. No development orders, development permits or land uses dependent on this Ordinance may be issued or commence before it has become effective.

**PASSED AND DULY ADOPTED** this 22<sup>nd</sup> day of January, 2025.

\_\_\_\_\_  
Christopher M. Cloudman  
Mayor - Commissioner

**ATTEST:**

\_\_\_\_\_  
Julie A. Hennessy  
City Clerk - Auditor

Passed on first reading: August 19, 2024  
Adopted on second reading: January 22, 2025

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
Darren J. Elkind  
City Attorney

**“EXHIBIT A”**  
**LEGAL DESCRIPTION**  
**8106-00-00-0072**

LEGAL DESCRIPTION (POND PARCEL TO LONGLEAF FOUR, LLC):

A PORTION OF THE SOUTH ½ OF GOVERNMENT LOT 3, SECTION 6, TOWNSHIP 18 SOUTH, RANGE 31 EAST, VOLUSIA COUNTY FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE CANOPY TERRACE SUBDIVISION AS RECORDED IN MAP BOOK 63, PAGES THROUGH 143 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, SAID CORNER ALSO BEING THE NORTHWEST CORNER OF AFORESAID GOVERNMENT LOT 3; THENCE RUN S 00°14'47" E (S 00°14'44" E, PLAT), ALONG THE EAST LINE OF SAID CANOPY TERRACE SUBDIVISION AND THE WEST LINE OF SAID GOVERNMENT LOT ), A DISTANCE OF 1300.54 FEET (1300.63', PLAT) TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF CASSADAGA ROAD AS DESCRIBED IN OFFICIAL RECORDS BOOK PAGE 3818 OF THE AFORESAID PUBLIC RECORDS; THENCE CONTINUE, S 00°14'47" E, ALONG THE WEST LINE OF SAID GOVERNMENT LOT 3, A DISTANCE OF 100.00 FEET TO ITS INTERSECTION SOUTH RIGHT-OF-WAY LINE OF SAID CASSADAGA ROAD; THENCE, DEPARTING THE WEST LINE OF SAID GOVERNMENT LOT 3, RUN N 89°31'01" E, ALONG THE EASTERLY EXTENSION OF THE SOUTH RIGHT-OF-WAY LINE OF CASSADAGA ROAD AS DESCRIBED IN SAID OFFICIAL RECORDS BOOK 3779, PAGE 3818, A DISTANCE OF 707.66 FEET TO ITS INTERSECTION WITH THE WESTERLY BOUNDARY LINE OF THOSE LANDS DEEDED TO THE COUNTY OF VOLUSIA IN OFFICIAL RECORDS BOOK 5243, PAGE 4423 OF THE AFORESAID PUBLIC RECORDS THE POINT OF BEGINNING: THENCE CONTINUE N 89°31'01" E, A DISTANCE OF 414.52 FEET TO A POINT ON THE EASTERLY BOUNDARY LINE OF THOSE AFORESAID LANDS DEEDED TO COUNTY OF VOLUSIA IN OFFICIAL RECORDS BOOK 5243, PAGE THENCE, DEPARTING THE SAID EASTERLY EXTENSION, RUN ALONG THE BOUNDARY OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 5243, PAGE 4423 THE FOLLOWING THREE (3) COURSES, S 24°14'52" W (S 24°02'55" W, DEED), A DISTANCE 202.81 FEET; THENCE N 65°45'10" W (N 65°56'05" W, DEED), A DISTANCE OF 330.00 FEET; THENCE N 33°27'08" W, (N 33°38'05" W, DEED), A DISTANCE OF 55.02 FEET TO ITS INTERSECTION WITH THE AFORESAID EASTERLY EXTENSION OF THE SOUTH RIGHT-OF-WAY LINE OF CASSADAGA ROAD AND THE POINT OF BEGINNING.

THE ABOVE-DESCRIBED PARCEL CONTAINS 43,031 SQUARE FEET OR .987 ACRES MORE OR LESS

**PLANNING DEPARTMENT STAFF REPORT  
TO  
THE CITY OF DELAND PLANNING BOARD**

**July 17, 2024**

*Continued from June 12, 2024*

**A. APPLICATION NO.:** SMLU24-112

**APPLICANT:** Mark Watts, CobbCole

**REQUEST:** To amend the land use designation from Volusia County Urban Low Intensity (ULI) to City of DeLand Commerce (COM)

**B. SITE FACTORS:**

Location: Cassadaga Rd., west of I-4 and east of Dr. Martin Luther King Jr. Bltwy.  
Parcel ID: 810600000072  
Parcel Size: ± 0.987 acres  
Land Use: VC: ULI  
Existing Use: Vacant

|               | <b>SURROUNDING USE:</b> |
|---------------|-------------------------|
| <b>North:</b> | VC: ULI                 |
| <b>South:</b> | COM                     |
| <b>East:</b>  | COM                     |
| <b>West:</b>  | COM                     |

**C. REQUESTED ACTION & HISTORY:**

A request is being made for the future land use designation to be amended for a parcel located on Cassadaga Rd., west of Interstate-4. The request is to change the future land use designation from Volusia County Urban Low Intensity (VC: ULI) to City of DeLand Commerce (COM). The parcel is wooded and undeveloped. The applicant intends on combining the 0.987 acres with the existing 143.24-acre development known as the Tech Park Planned Development. *Concurrent applications to annex and rezone the property (AN24-111) (Z24-081) were also submitted.*

**D. CHRONOLOGY OF PAST EVENTS:**

The request to amend the future land use designation consists of ± 0.987 acres of property owned by Longleaf Four, LLC. The subject property is adjacent to the Southwest Activity Center (SWAC) and shall comply with the policies identified within the Local Plan as Commerce (COM). The SWAC has trip allowances based on the uses and the district (Commerce/West Central/Community). According to the Local Plan, the maximum average daily trips in the Commerce district is 13,700; the West Central district allows for average daily trips of up to 19,600; and for the Community district, the maximum allowable average daily trips per day is 4,700 trips. This trip allowance was incorporated in the PD agreement that was approved by City Commission on October 3, 2022. With the incorporation of the 0.987-acre parcel, those trips are not being exceeded with the approval of the land use amendment.

**E. ALTERNATIVES & ANALYSIS:**

The purpose of this section is to analyze the reasonableness of the applicant's request for an amendment of the land use designation for the subject property. This analysis will include a description of the current and future land uses of the site and the surrounding area, potential impacts on the transportation system, and any significant adverse environmental impacts.

**1. Availability of Public Facilities (water, sewer, solid waste, drainage, traffic, recreation, and schools if residential):**

- a.* The subject property is within the city's service area for both water and sewer and availability has been confirmed.
- b.* A Traffic Impact Analysis was reviewed with the application submittal and meet the standards set forth in the SWAC Local Plan and the DeLand Tech Park PD.
- c.* The change in designation will not generate a new demand for recreational facilities.
- d.* Volusia County already provides a sanitary landfill for the disposal of solid waste. The landfill has adequate capacity at this time.
- e.* The City can provide an adequate LOS of Fire/Rescue & Police service.

**2. Compatibility with Land Use and Other Elements:** The Future Land Use element requires that the subject property be consistent with surrounding development. Per the City of DeLand SWAC Local Plan, the intent of the Commerce (COM) land use designation is to, "provide for a mix of office and light industrial uses". The uses may include Industrial/Business Park, Office/Office Park ancillary supportive commercial uses.

The subject property is being incorporated into the Southwest Activity Center with the Commerce land use designation. The Commerce designation is one of three land uses permitted within the SWAC. The adjacent parcels are compatible with the Commerce designation, as they are also part of the SWAC, with land use designations being a mixture of Commerce, West Center and Community.

**3. Future Land Use Map:** The proposed change in the land use designation to Commerce (COM) will be shown on the revised Future Land Use Map.

**4. Location of Lakes, Floodplains, and Wetlands:** The property does not appear to contain bodies of water or wetlands.

**5. Analysis of Natural Resources:**

- a.* *Soil types:* Astatula Fine Sand, 8-17% slope
- b.* *Presence of Endangered Species:* None known of at this time.

**6. Existing and Future Impact upon Infrastructure Capacity:**

- a.* *Water* – obtained from City – availability confirmed
- b.* *Sewer* – obtained from City – availability confirmed
- c.* *Drainage* –Stormwater capture for future development will be addressed on-site and will be reviewed with the site plan application.
- d.* *Solid Waste* – Solid waste services are available for the property.
- f.* *Fire/Rescue Service* – The City can provide an adequate LOS of Fire/Rescue service.
- g.* *Police Service* - The City can provide an adequate LOS of Police protection.

**7. Impact upon Recreation and Open Space:** No need for new recreational facilities is anticipated as recreational facilities are not needed for commercial property.

**8. New Public Facilities Needed to Serve Land Use:** No need for new public facilities is anticipated as services such as water/sewer and public safety are already in place for the property to connect to.

9. **Impact Upon Existing Deficiencies:** As identified in the City's Comprehensive Plan, drainage is the only existing deficiency within the City. Any future development on this site will be required to manage its own stormwater mitigation and minimize any off-site stormwater impacts that the development may create.
10. **Impact upon Ability of the City to Fund Capital Improvements:** The development should not create an additional impact upon the City's ability to fund the projects listed in the adopted Five-Year Capital Improvement Program as this is not a publicly-funded project.
11. **Impact upon Adopted Five-Year Schedule in Capital Improvements Element:** The proposed land use amendment will not require revision to the City's adopted Five-Year Capital Improvement Program as this is not a publicly-funded project.
12. **Compatibility with Existing Zoning Classification:** The existing zoning classification may be amended upon approval of the land use amendment to the DeLand Tech Park PD which is compatible with both the Southwest Activity Center's Local Plan and the Commerce land use designation. The zoning request is being reviewed concurrent to the land use amendment.
13. **Will the proposed land use change impact schools?** The proposed amendment is to Commerce (COM) which does not allow for residential uses.
14. **How does this proposal fit with the guidelines developed for DeLand 2050 and the City's Strategic Plan?**

- a. *Located in the Urban Core/Activity Center Overlay (Category 2) – “emphasizes an intensive mix of uses that are compatible with and include residential. These centers will become the major commercial areas”.* The site is located west of Interstate-4 and east of Dr. Martin Luther King Jr. Blvd and adjacent to other industrial uses to the south, east and west that are designated in the Local Plan as being Commerce (COM) or West Center (WCD). The COM and WCD designations allow uses such as light industrial, office or commercial uses. To the north is a 140-lot single-family residential subdivision known as Canopy Terrace which, according to the Local Plan, has a land use designation of Community (CMN), allowing for a mixture of residential and neighborhood retail uses.
- b. *DeLand 2050 Land Use Guidelines: “...Concentrate development at the core of the city or at transit-oriented sites and corridors. The urban core is the key area to focus development, maintaining a strong job base and taking advantage of existing infrastructure. Locating higher intensity along select corridors or major centers will encourage transit and lessen traffic congestion.”*– the subject property is within the Southwest Activity Center which has “the ultimate goal of developing a key employment area for the City of DeLand and the rest of southwest Volusia County”. The 0.987-acre parcel will be added into the Tech Park Planned Development which supports the uses outlined in the Local Plan, such as light industrial uses and retail/commercial uses.

- F. **CONCLUSION:** The facility analysis presented in the above sections suggests the proposed land use should not cause any of the City's facilities to degrade below the adopted or current operational LOS. The proposed land use designation, COM (Commerce), is consistent with the surrounding area, and is not expected to create any land use incompatibilities.
- G. **STAFF RECOMMENDATION:** Staff recommends approval of the proposed amendment of the subject property's future land use designation from VC: ULI (Volusia County Urban Low Intensity), to City of DeLand's COM (Commerce) land use.

## H. VGMC INFRASTRUCTURE IMPACT ASSESSMENT:

In accordance with standard practice from the Florida Department of Economic Opportunity (DEO) and other review agencies, an impact comparison analysis of the proposed amendment has been completed based upon the theoretical maximum development potential under the currently adopted future land use designation versus the proposed designation.

The following seven public facilities and services were examined: (Table 4)

1. Schools (population)
2. Transportation
3. Sanitary Sewer
4. Potable Water
5. Recreation
6. Solid Waste
7. Stormwater Drainage

**Impact Analysis Table 4 (Theoretical Max.)**

| Development Variable            | EXISTING Future Land Use                        | PROPOSED Future Land Use                        | Net Change           |
|---------------------------------|-------------------------------------------------|-------------------------------------------------|----------------------|
|                                 | <i>Theoretical Maximums</i>                     |                                                 |                      |
| Permitted Density/Intensity     | 0.50 F.A.R.                                     | 60% impervious                                  | N/A                  |
| Dwelling Units                  | 4                                               | N/A                                             | -4                   |
| Non-residential Sq. Ft.         | 21,500 sq. ft.                                  | 25,800 sq. ft.                                  | +4,300               |
| 1. Population                   | 10                                              | N/A                                             | -10                  |
| 2. Average Daily Trips          | Residential: 203 ADT<br>Industrial: N/A         | Residential: N/A<br>Industrial: 105 ADT         | -203<br>+105         |
| 3. Sanitary Sewer (gallons/day) | Residential: 1,600<br>Industrial (other): N/A   | Residential: N/A<br>Industrial (other): 2,580   | -1,600<br>+2,580     |
| 4. Potable Water (gallons/day)  | Residential: 800<br>Industrial (other): N/A     | Residential: N/A<br>Industrial (other): 1,000   | -800<br>+1,000       |
| 5. Solid Waste (pounds/day)     | Residential: 13 lbs.<br>Industrial (other): N/A | Residential: N/A<br>Industrial (other): 83 lbs. | -13 lbs.<br>+80 lbs. |
| 6. Stormwater Drainage          | N/A                                             | N/A                                             | N/A                  |
| 7. Recreation/Open Space        | 0.3                                             | N/A                                             | N/A                  |

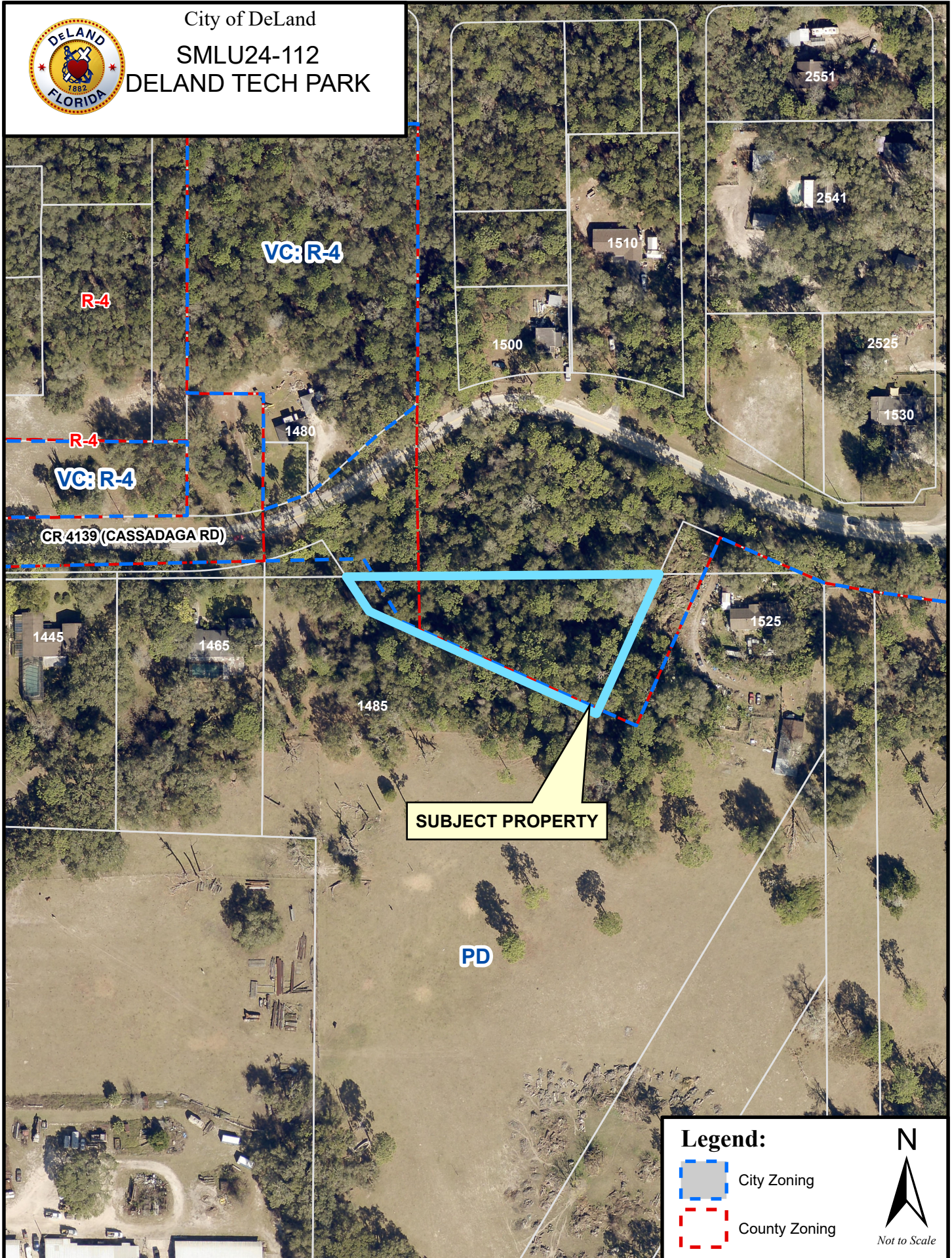
**Notes:**

1. Population: 2.44 persons per household (per 2020 Census)
2. Transportation: ITE Trip Generation Manual, 11th Edition: *Single-Family Residential (210)*: 9.43 ADT/Dwelling Unit  
*General Light Industrial (110)*: 4.87 ADT/1,000 sq. ft.
3. Sanitary Sewer: 200 GPD per Equivalent Residential Unit; 0.10 GPD per sq. ft. commercial/other use
4. Potable Water: 300 GPD per Equivalent Residential Unit; 0.10 GPD per sq. ft. commercial/other use
5. Solid Waste: 3.21 pounds per person per day; 10 lbs. per 1,000 sq. ft. non-residential development per day
6. Stormwater Drainage: LOS Standard 25-yr, 24-hr event. Drainage system to be designed to meet the req. of the LDC during subdivision or site plan review.
7. Rec. & Open Space: 7 acres/1,000 persons (0.007 acres/person)





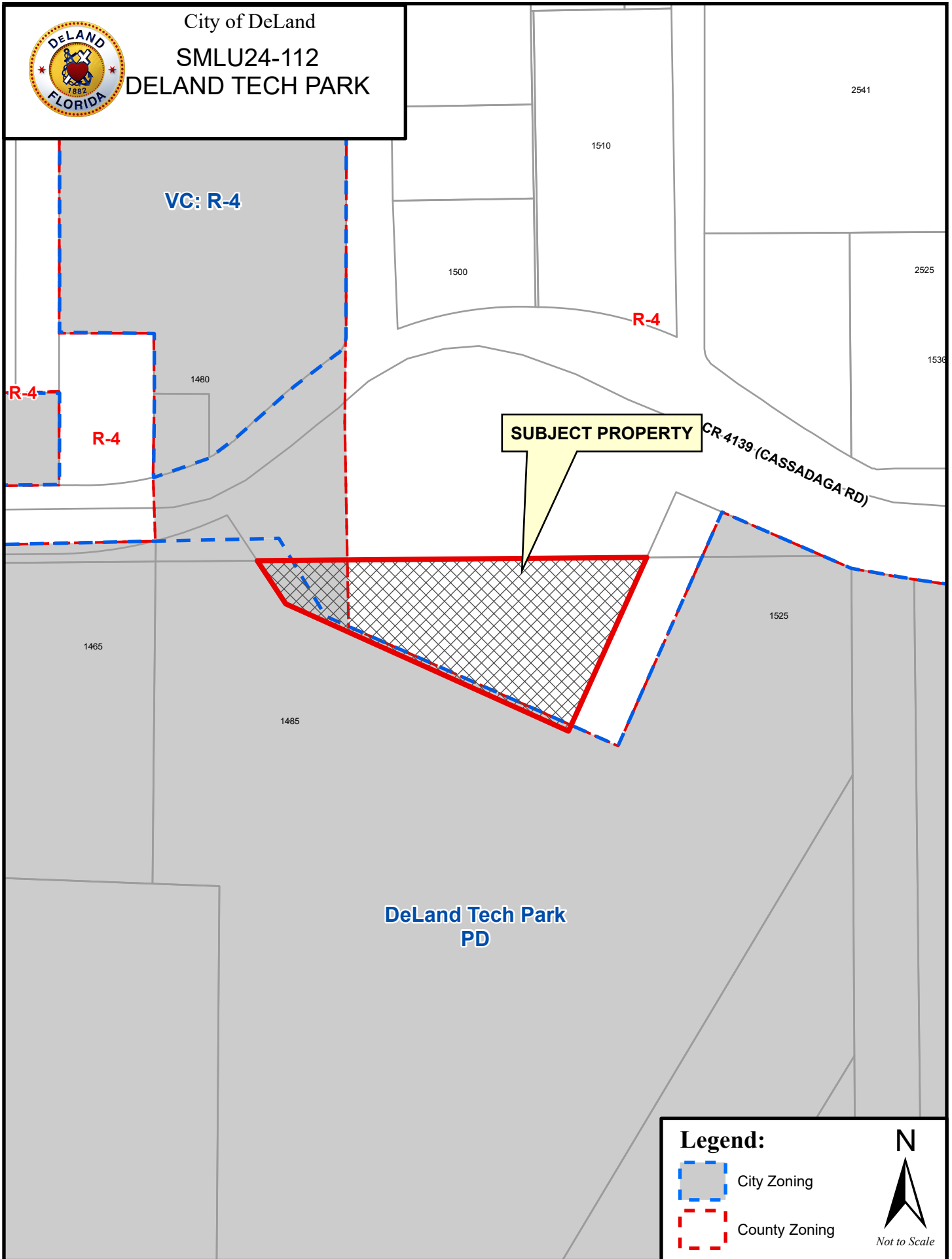
City of DeLand  
SMLU24-112  
DELAND TECH PARK







City of DeLand  
SMLU24-112  
DELAND TECH PARK



**Legend:**

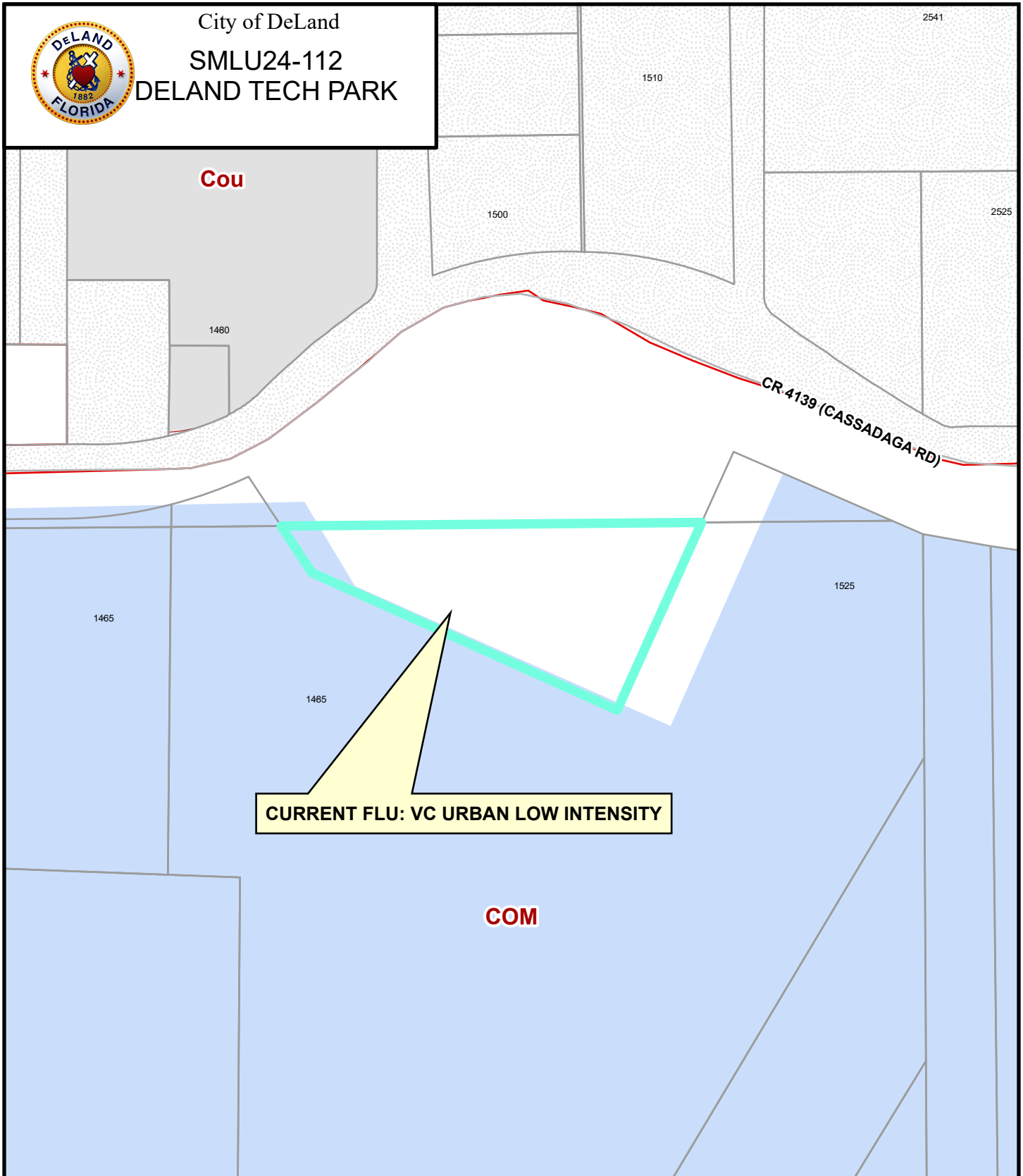
-  City Zoning
-  County Zoning







City of DeLand  
SMLU24-112  
DELAND TECH PARK



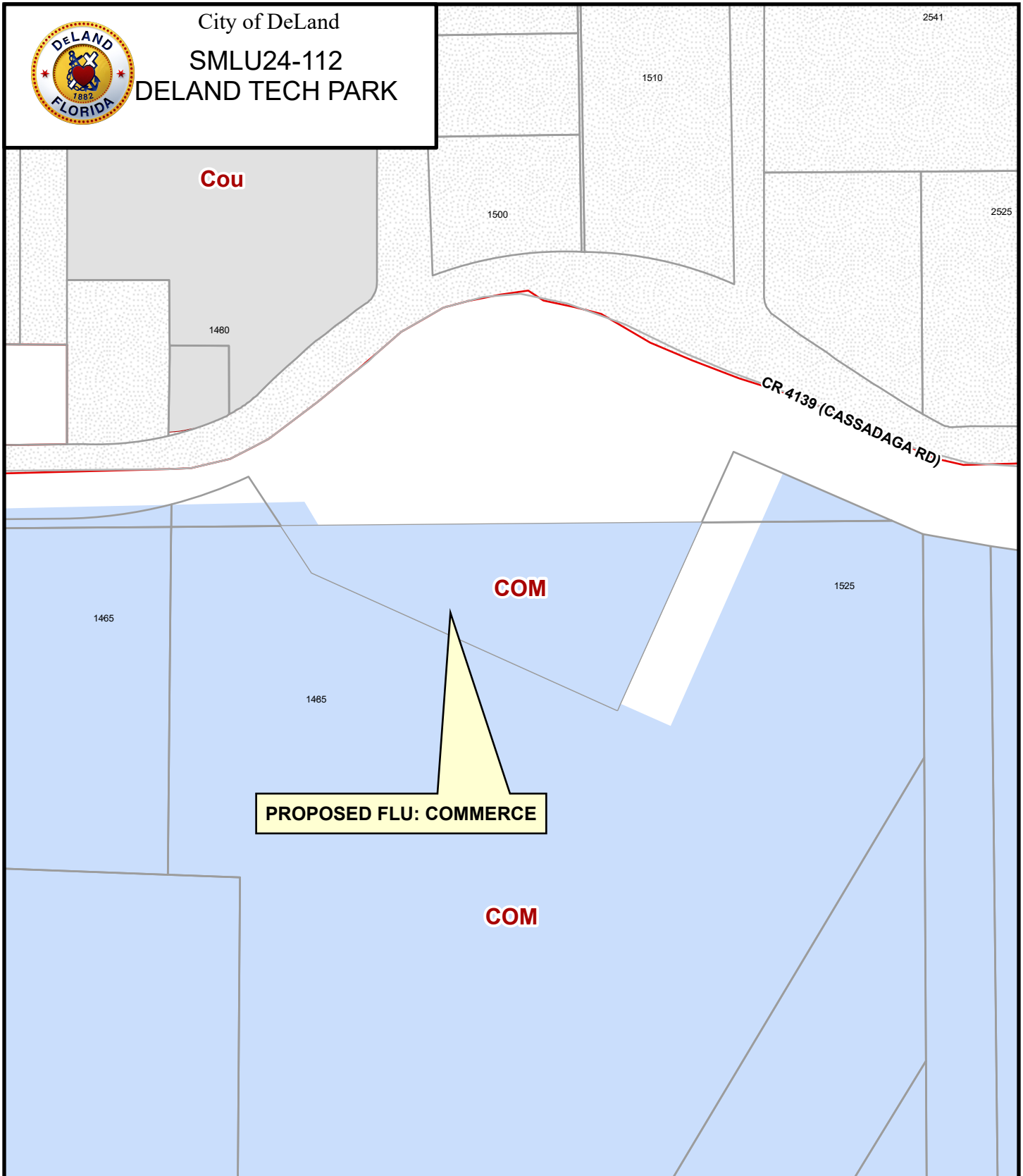
**DeLand Future Land Use:**

|                            |                            |                     |                           |
|----------------------------|----------------------------|---------------------|---------------------------|
| Agricultural Conservation  | Educational                | Downtown Commercial | New Community Development |
| Urban Low Intensity        | Mixed Office - Residential | Redevelopment       | Community                 |
| Low Density Residential    | Mixed Commercial           | Gateway             | Commerce                  |
| Medium Density Residential | Business Retail            | Rail Spur           | West Central District     |
| High Density Residential   | Highway Commercial         | Industrial          | County                    |





City of DeLand  
SMLU24-112  
DELAND TECH PARK



**DeLand Future Land Use:**

|                            |                            |                     |                           |
|----------------------------|----------------------------|---------------------|---------------------------|
| Agricultural Conservation  | Educational                | Downtown Commercial | New Community Development |
| Urban Low Intensity        | Mixed Office - Residential | Redevelopment       | Community                 |
| Low Density Residential    | Mixed Commercial           | Gateway             | Commerce                  |
| Medium Density Residential | Business Retail            | Rail Spur           | West Central District     |
| High Density Residential   | Highway Commercial         | Industrial          | County                    |



## **STATEMENT FOR SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT REQUEST**

### **PARCEL ID NO. 8106-00-00-0072**

Longleaf Four, LLC is the owner of parcel 8106-00-00-0072. They recently acquired this parcel in a swap of land with Volusia County. Longleaf Four, LLC is looking to amend the land use designation on this parcel from County ULI to City Commerce to match the land use designations of the surrounding DeLand Tech Park project parcels.



## Volusia Growth Management Commission

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September 20, 2024

Carol Kuhn, Planning Director  
City of DeLand  
120 S. Florida Avenue  
DeLand, FL 32720

**RE: VGMC Case #24-044 – City of DeLand  
Small Scale Comprehensive Plan Amendment, SMLU-24-112  
Certificate of Consistency**

Dear Ms. Kuhn,

VGMC Case No. 24-044 qualifies for certification in accordance with Chapter 90, Article II. of the Volusia County Code of Ordinances, Volusia Growth Management Commission Consistency Certification Rules and Organization. Based upon the lack of objection filed by another unit of local government, VGMC Case No. 24-044 is hereby deemed certified as consistent effective September 19, 2024 without the need for a public hearing.

The Volusia Growth Management Commission appreciates the efforts of the City of DeLand to further intergovernmental cooperation and coordination in Volusia County. If you have any questions regarding this matter, please do not hesitate to call me.

Sincerely,

*Debbie Connors*

Debbie Connors  
VGMC Chair

**CITY OF DELAND**  
**Request for Commission Action**  
**January 22, 2025**

**SUBJECT:** Second Reading of Ordinance No. 2024-43, Amending the DeLand Tech Park PD, for 143.80 Acres of Property Located on the South Side of Cassadaga Road, West of Interstate 4. (1st Reading: 08/19/2024.)

**DEPARTMENT:** Planning

**PREPARED BY:** Carol Kuhn, Planning Director

**ATTACHMENTS:** ORD-2024-43 , Exhibit A - Legal Description - ORD, Exhibit B - ORD First Amendment to DeLand Tech Park PD Agreement, Attachment A - Legal Description - PD, Exhibit B - Amended PD Plan - PD, Exhibit C - Building Elevations - PD, Z24-081 Boundary Survey, Z24-081 Staff Report, Z24-081 Renderings, Z24-081 Aerial, Z24-081 Zoning, Z24-081 Added Parcels to the PD

**APPROVED BY:** Michael Pleus, City Manager, January 16, 2025

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**SUMMARY/HIGHLIGHT:**

The applicant is requesting to amend the Planned Development Agreement for the DeLand Tech Park Planned Development, which was approved by the City Commission on October 3, 2022, originally consisting of 140.07 acres. The purpose of the amendment is to incorporate additional 3.73 acres of property into the existing Planned Development, update the expiration date of the Planned Development and to allow for off-site Tree Protection Area (TPA).

The amendment provides the option to utilize adjacent property for off-site Tree Protection Area through an easement dedicated to the City of DeLand. The easement agreement will ensure that the city has access to inspect the property. However, all maintenance will be the responsibility of the owner/owner's association. Additionally, the amended agreement requires that when the city determines that it is legally permissible to annex an offsite TPA into the DeLand Tech Park PD, the applicant shall submit an application to once again amend the PD agreement to formally include the offsite TPA within twelve (12) months from the date notice is provided to the city. At that point, once annexed into the city, the offsite TPA will be incorporated into the DeLand Tech Park PD, via an amendment to the PD agreement.

Since first reading, additional edits were made to the amended PD agreement. The changes address internal landscaping requirements, building setbacks and building orientation. Exposed, insulated metal panels are proposed if part of a cold storage or refrigerated storage facility or structure. An example elevation is attached to this amendment. All changes since first reading are in the amended PD agreement and are highlighted in yellow.

On August 14, 2024, the Planning Board recommended approval of the zoning amendment.

On August 19, 2024, the City Commission unanimously voted to approve the zoning amendment on first reading.

On October 21, 2024, the City Commission voted to continue the item to the meeting on November 4, 2024, per the applicant's request.

On November 4, 2024, the City Commission voted to continue the item to the meeting on December 16, 2024, per the applicant's request.

On December 16, 2024, the City Commission voted to continue the item to the meeting on January 6, 2024, per the applicant's request.

On January 6, 2025, the City Commission voted to continue the item to the January 22, 2025, meeting.

**STRATEGIC PLAN FOCUS AREA/ACTION STEP:**

Regional High Value Job Creation.

## **SUSTAINABILITY:**

Strategic Focus Area: Preparing for the Future/Sustainability - The Strategic Plan recognizes that "...the city itself is dynamic and that extensive changes will occur in the region in the near and long term future". The subject property is located within the Southwest Activity Center (SWAC). One of the objectives of the SWAC is to, "...provide adequate and appropriate areas resulting in the mixture of urban land uses". The DeLand Tech Park PD supports said objective, as it will provide for commercial, office and light industrial jobs while being located to varying residential uses, such as Canopy Terrace (single-family residential) to the north and Yardly (detached multi-family) to the west.

## **FISCAL IMPACT:**

Once constructed, the DeLand Tech Park PD will positively impact the city's tax roll and increase funds for city services.

## **RECOMMENDATION:**

Staff recommends that the City Commission approve the PD amendment for the DeLand Tech Park PD, on second reading.

## **BACKGROUND/DISCUSSION:**

The subject property lies within the Southwest Activity Center (SWAC) and shall comply with the policies identified in the Local Plan. The DeLand Tech Park PD was originally approved on October 3, 2022 and includes a mixture of commercial and light industrial uses. All development shall comply with the land development regulations and development standards outlined in the PD agreement, to include a maximum impervious area of 60-70%, landscaping requirements that utilize Florida-Friendly plantings and LID - low impact development practices.

**ORDINANCE NO. 2024 - 43**

**AN ORDINANCE OF THE CITY COMMISSION OF DELAND, FLORIDA, AMENDING THE DELAND TECH PARK PLANNED DEVELOPMENT (PD), ON PROPERTY LOCATED ON THE SOUTH SIDE OF CASSADAGA ROAD, WEST OF INTERSTATE 4; APPROVING AN AMENDMENT TO A PLANNED DEVELOPMENT PLAN ORIGINALLY CONSISTING OF APPROXIMATELY 140.07 +/- ACRES OF PROPERTY; MAKING FINDINGS OF CONSISTENCY WITH THE COMPREHENSIVE LAND USE PLAN FOR THE CITY OF DELAND; DIRECTING CHANGE IN THE COMPREHENSIVE ZONING MAP; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the Applicant, Mark Watts, Esquire, on behalf of the owners, has filed for an amendment to the DeLand Tech Park Planned Development (PD) originally consisting of approximately 140.07 +/- acres of land located on the southside of Cassadaga Road, west of Interstate 4, which is more particularly described in the legal description attached hereto as Exhibit “A” and by this reference made a part hereof; and

**WHEREAS**, the DeLand Tech Park Planned Development was approved by the City Commission on October 3, 2022 (Ordinance No. 2022-30); and

**WHEREAS**, the applicant is proposing an amendment to the DeLand Tech Park PD to incorporate additional property into the existing PD, update the expiration date of the PD, and to allow for off-site Tree Protection Area; and

**WHEREAS**, said rezoning is consistent with both the Comprehensive Plan and the purpose and intent of Section 33-32 of the Code of Ordinances of the City of DeLand (the “Code”); and

**WHEREAS**, the Applicant has submitted an application for the approval of a development plan in order to change certain development standards for the property described in Exhibit “A” (hereinafter the “Property” or the “Project”); and

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

**WHEREAS**, the proposed development plan is consistent with the Commerce District/West Central District future land use designation.

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

**Section 1.** The City Commission has held a public hearing to approve the amendment to the DeLand Tech Park, Planned Development (PD) Agreement originally consisting of approximately 140.07 +/- acres of land located on the southside of Cassadaga Road, west of Interstate 4.

**Section 2.** Pursuant to the determination made at public hearing, the City Commission hereby amends the Comprehensive Zoning Map of the City to include the land described in Exhibit “A” as DeLand Tech Park PD, Planned Development District.

**Section 3.** The zoning of the Property as PD, Planned Development District, is made pursuant to Section 33-32 of the Code and the development of the Property shall take place in accordance with that Section and in substantial compliance with the Development Plan Agreement, Maps and other supporting documentation which were previously submitted for the DeLand Tech Park PD, Planned

Development District, as well as the documentation submitted along with the current application, all of which has been filed and will be retained for public inspection in the office of the City Planning Department and constitute a supplement to the official Zoning Map of the City.

**Section 4.** The approved Development Plan and Development Agreement for DeLand Tech Park PD, Planned Development District, shall be amended as per the attached Exhibit “B” which by this reference made a part hereof.

**Section 5.** The failure of the approved Development Plan to address a particular permit, condition, term or restriction shall not relieve the Applicant of the necessity of complying with any law governing said permitting requirements, conditions, terms or restrictions, as same may be amended or enacted from time to time in the future. All current land development regulations of the City are applicable to the PD District except to the extent that they conflict with a specific provision of the approved Development Plan.

**Section 6.** At the time of development, the Applicant shall comply with all relevant building codes and development standards contained in the City’s Code of Ordinances or in the Development Plan; provided, however, that the development standards contained in the adopted Development Plan shall supersede comparable standards contained in the Code of Ordinances.

**Section 7.** Pursuant to Article 5 of the City’s Land Development Regulations, the Applicant shall comply with all applicable infrastructure regulations.

**Section 8.** The Planning Director is hereby directed to change the Comprehensive Zoning Map of the City of DeLand to conform with the change of zoning enacted in this Ordinance.

**Section 9.** If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, that holding shall in no way affect the validity of the remaining portions of this Ordinance.

**Section 10.** This Ordinance shall become effective immediately upon its adoption.

**PASSED AND DULY ADOPTED** this 22<sup>nd</sup> day of January, 2025.

\_\_\_\_\_  
Christopher M. Cloudman  
Mayor - Commissioner

**ATTEST:**

\_\_\_\_\_  
Julie A. Hennessy  
City Clerk - Auditor

Passed on first reading: August 19, 2024  
Adopted on second reading: January 22, 2025

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
Darren J. Elkind  
City Attorney



“EXHIBIT A”

LEGAL DESCRIPTION

A PORTION OF SECTION 6, TOWNSHIP 18 SOUTH, RANGE 31 EAST LYING IN VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 6, TOWNSHIP 18 SOUTH, RANGE 31 EAST, THENCE RUN N89°54'53"E ALONG THE NORTH LINE OF SAID SECTION 6, A DISTANCE OF 1406.09 FEET TO THE EAST LINE OF GOVERNMENT LOT 4, SAID SECTION 6; THENCE ALONG SAID EAST LINE S00°05'07"E, 1400.66 FEET TO THE MONUMENTED SOUTHERLY RIGHT OF WAY LINE OF CASSADAGA ROAD AND THE POINT OF BEGINNING; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE AND THE EASTERLY EXTENSION THEREOF N89°31'56"E, 1314.15 FEET; THENCE N00°23'02"W, 3.98 FEET TO THE AFORESAID SOUTHERLY RIGHT OF WAY LINE AND TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 567.62 FEET, A CENTRAL ANGLE OF 10°54'08", A CHORD BEARING OF S80°02'11"E AND A CORD DISTANCE OF 107.84 FEET; THENCE ALONG THE AFORESAID SOUTHERLY RIGHT OF WAY LINE AND THE ARC OF SAID CURVE 108.01 FEET; THENCE CONTINUE ALONG SAID SOUTHERLY RIGHT OF WAY LINE S85°29'15"E, 356.07 FEET; THENCE CONTINUE ALONG SAID SOUTHERLY RIGHT OF WAY LINE N89°16'03"E, 313.13 FEET TO THE WESTERLY LIMITED ACCESS RIGHT OF WAY LINE OF INTERSTATE 4 (STATE ROAD 400) AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP. SECTION 79110, FINANCIAL PROJECT 242655-1; THENCE DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE ALONG SAID WESTERLY RIGHT OF WAY LINE S15°45'16"W, 2426.29 FEET TO THE SOUTH LINE OF THE NORTH 1/2 OF GOVERNMENT LOT 7, SAID SECTION 6; THENCE DEPARTING SAID WESTERLY LIMITED ACCESS RIGHT OF WAY LINE ALONG SAID SOUTH LINE OF THE NORTH 1/2 OF GOVERNMENT LOT 7 AND GOVERNMENT LOT 6, N89°30'43"W, 802.91 FEET TO THE SOUTHEAST CORNER OF LOT 19, YOURLANDO FARMS AND GROVES, ACCORDING TO THE MAP OF PLAT RECORDED IN MAP BOOK 10, PAGES 227-228, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE N89°50'02"W, ALONG THE SOUTH LINE OF SAID LOTS 19 AND 20, A DISTANCE OF 617.62 FEET TO THE SOUTHWEST CORNER OF SAID LOT 20, ALSO BEING THE NORTHEAST CORNER OF LOT 27 OF SAID PLAT; THENCE S00°14'30"E ALONG EAST LINE OF LOT 27, A DISTANCE OF 250.12 FEET; THENCE DEPARTING SAID EASTERLY LINE S35°50'39"W, 354.19 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF STATE ROAD 472, AS SHOWN ON SAID FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 79110; THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE N54°12'54"W, 1481.04 FEET TO THE EASTERLY RIGHT OF WAY LINE OF DR. MARTIN LUTHER KING, JR BELTWAY AS SHOWN ON VOLUSIA COUNTY RIGHT OF WAY MAP, PROJECT 1113-3; THENCE DEPART SAID NORTHERLY RIGHT OF WAY LINE OF STATE ROAD 472 ALONG SAID EASTERLY RIGHT OF WAY LINE OF DR. MARTIN LUTHER KING, JR BELTWAY N00°27'19"W, 703.97 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 98.09 FEET, A CENTRAL ANGLE OF 45°56'03"; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE AND ALONG THE ARC OF SAID CURVE 78.64 FEET; THENCE CONTINUE ALONG SAID EASTERLY RIGHT OF WAY LINE N45°28'45"E, 26.79 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 5629.58 FEET, A CENTRAL ANGLE OF 02°41'26", A CHORD BEARING OF N04°10'14"E AND A CHORD DISTANCE OF 264.32 FEET; THENCE CONTINUE ALONG SAID EASTERLY RIGHT OF WAY LINE AND THE ARC OF SAID CURVE 264.35 FEET; THENCE DEPART SAID EASTERLY RIGHT OF WAY LINE N89°31'31"E, 361.54 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 1440.00 FEET, A CENTRAL ANGLE OF 12°42'11", A CHORD BEARING OF S84°07'35"E AND A CHORD DISTANCE OF

318.61 FEET; THENCE CONTINUE ALONG THE ARC OF SAID CURVE 319.26 FEET; THENCE N12°13'31"E, 80.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 1519.95 FEET, A CENTRAL ANGLE OF 03°39'55", A CHORD BEARING OF S75°56'11"E AND A CHORD DISTANCE OF 97.21 FEET; THENCE ALONG THE ARC OF SAID CURVE 97.23 FEET; THENCE S74°06'12"E, 169.11 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 1000.00 FEET AND A CENTRAL ANGLE OF 15°36'56"; THENCE ALONG THE ARC OF SAID CURVE 272.54 FEET TO THE SOUTH LINE OF GOVERNMENT LOT 4, SAID SECTION 6; THENCE ALONG SAID SOUTH LINE S89°43'08"E, 118.51 FEET TO THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 4; THENCE ALONG THE EASTERLY LINE OF SAID GOVERNMENT LOT 4, N00°10'37"W, 1028.79 FEET TO THE POINT OF BEGINNING.

CONTAINING 6263726 SQ. FT., OR 143.795 ACRES MORE OR LESS.

**“EXHIBIT B”**

**FIRST AMENDMENT TO DELAND TECH PARK**

**PLANNED DEVELOPMENT AGREEMENT**

This First Amendment to the Planned Development Agreement (the "First Amendment") is made this \_\_\_\_ day of \_\_\_\_\_, 2024, between the **CITY OF DELAND**, a Florida municipal corporation (hereafter, the "City"), whose mailing address is 120 S. Florida Avenue, DeLand, FL 32720, and **LONGLEAF FOUR, LLC**, a limited liability company, whose mailing address is 320 N. Meridian St., Ste 700, Indianapolis, IN 46204 (hereafter, "Applicant").

**WHEREAS**, the City and Applicant previously entered into that certain Planned Development Agreement (the "PD Agreement") dated on or about **Month XX, 2024**, and recorded in Official Records Book **XXXX, Page XXXX** of the Public Records of Volusia County, Florida in connection with the rezoning of  $\pm 143.24$  acres known as the "DeLand Tech Park PD"; and

**WHEREAS**, the Applicant wishes to amend the DeLand Tech Park PD to incorporate additional property, more specifically described in Exhibit "A", for a total of  $\pm 143.80$  acres of property, and to revise the reverter provision; and

**WHEREAS**, the application to amend the DeLand Tech Park PD was duly and properly filed with the City on April 10, 2024, and the application was reviewed by the City's Community Development Department and determined to be consistent with the City's Comprehensive Plan; and

**WHEREAS**, public hearings on this First Amendment to the DeLand Tech Park Planned Development Agreement were held by the City of DeLand's Planning Board on August 14, 2024, and the City Commission on August 19, 2024, and **Month XX, XXXX**, after due public notice was provided in accordance with the City's Land Development Regulations Ordinance No. 2013-11, as amended.

**WHEREAS**, the owners of the properties: Longleaf Four, LLC, Stonekirk Ventures, LLC, J. Scott Kirk, and W.L. Kirk, Jr., are in agreement with the provisions of this Amendment.

**NOW THEREFORE**, the City and Applicant acknowledge and agree that the DeLand Tech Park PD is hereby amended to reflect the following changes, revisions and amendments to the DeLand Tech Park Planned Development Agreement and amended Planned Development Plan:

1. Exhibit A is amended to replace the original legal description with an updated legal description to reflect the current property included in the PD.

See attached Exhibit “A”

2. Exhibit B is amended to replace the existing Planned Development Plan of the Development Agreement to incorporate additional acreage.

See attached Exhibit “B”.

3. The following revisions are made to certain standards set forth in Section E:

**1. The following lot development criteria shall apply to industrial or similar development within the DeLand Tech Park PD:**

- a. Maximum building height: 65 feet (ft.)
- b. Minimum perimeter building setbacks\*:

(a) Side, Street: 30 ft.

Side, Interior: 10 ft.

(b) Front: 35 ft.

(c) Rear: 25 ft.

\*Minimum perimeter building setbacks shall not be required adjacent to stormwater tracts or internal drive aisles.

4. Landscape buffer requirements: The landscape buffers shall be installed per the City's applicable Land Development Regulations (see Buffer Standards listed in 33.92.02 of the City

of Deland Land Development Regulations), unless otherwise noted herein. No landscape buffers shall be required adjacent to internal property or tract boundaries within the industrial areas of the DeLand Tech Park PD. Existing vegetation within the buffers will be preserved to the extent possible; however, changing the grade within the proposed landscape buffer will be permitted, provided that the graded area will be replanted using native or low-water landscape material and may use a combination of *saved* and planted material to meet this standard.

6. Architectural and Site Design Standards:

1. As to industrial structures within the property, the following architectural standards shall apply:

a. The exterior materials shall be of hard wall construction, meaning pre-cast or tilt-up concrete panels, masonry or cast stone. Exposed insulated metal panels shall be permitted if part of a cold storage or refrigerated storage facility or structure. Accent materials at or near office areas, entrances or along the facades of the building, as designed to provide a break in the continuous facade of the principal industrial building, may consist of wood, or wood appearing materials, architectural metal panels or metal and glass panels. Examples of acceptable building elevations are attached as Exhibit .

b. A parapet wall, ~~or~~ rooftop screen, or fence shall be installed to screen mechanical equipment that may be installed on the roof of the principal industrial building. A parapet wall, ~~or~~ rooftop screen or fence shall not be included in the measurement of the total height of the principal industrial building. The purpose of the parapet wall, ~~or~~ rooftop screen or fence is to screen rooftop mechanical units

from the line of site of 1-4, Kirk Drive and Cassadaga Road, acknowledging that, depending on surrounding elevations, such rooftop units may not be entirely screened from view from these roadways.

c. Industrial buildings located along or oriented to 1-4 shall be oriented so that ~~their long axis runs east to west in order that the more narrow ends of the buildings are oriented toward 1-4.~~ No loading bays shall face 1-4.

...

e. The building facade of a principal industrial building that is facing 1-4 shall include a minimum of at least three (3) of the four (4) following architectural elements:

i. Corner offices with appropriate window panels and entryways, as extending at least 12' 10' in height;

4. Subparagraph F(2)(g) is added as follows:

f. Option for Off-site TPA. At the Applicant's option, TPA areas shown on the Planned Development Plan may be replaced, in whole or in part, through the dedication of one or more areas of land located within the City's incorporated area and adjacent to the Property (including across any public right of way) as TPA ("Offsite TPA"). If Offsite TPA is provided, the Applicant shall provide an easement dedicating the Offsite TPA area to the City in a form acceptable to the City Attorney during subdivision or final site plan review. The Offsite TPA easement shall provide the City with the right to access and inspect the Offsite TPA area, but shall not obligate the City to perform any ongoing maintenance in the Offsite TPA area. Offsite TPA area dedicated in accordance with this section may

also count toward the required open space for the development of the Property. When the City determines that it is legally permissible to annex an offsite TPA area in the DeLand Tech Park PD, the Applicant shall submit an application to amend the DeLand Tech Park PD to formally include the Offsite TPA within twelve (12) months from the date notice is provided by the City.

5. Paragraph L – Reverter Provision is amended to replace the paragraph in its entirety with the Expiration condition as follows (changes shown in ~~striketrough~~/underline format):

~~L. Reverter Provision: The City Commission may rezone any portion of the project which has not secured a final development order on or before 7 years from the effective date of this ordinance as may be necessary or appropriate to protect adjoining properties or the public health, safety and welfare, unless the City Commission, for good cause shown, shall extend the time period indicated in this paragraph.~~

L. Expiration: The terms of this Development Agreement shall be vested upon issuance of a final plat development order for the development issued within five (5) years from the effective date of the ordinance which adopts the Planned Development Plan unless the City Commission, for good cause shown, extends the time period indicated in this paragraph. If not vested by said date, the Planned Development Plan shall expire and will be of no further force or effect and no development shall occur on the subject property until it is rezoned. The City Commission may rezone the subject property as may be necessary or appropriate to protect adjoining properties or the public health, safety and welfare if the Planned Development Plan expires.

**IN WITNESS WHEREOF**, the City and the Applicant have caused this First Amendment to the DeLand Tech Park Planned Development Agreement to be duly executed by their authorized representatives as of the last date entered below.

**(Signatures on Following Pages)**



ATTEST:

City Commission of DeLand Florida

\_\_\_\_\_  
Michael Pleus  
City Manager

\_\_\_\_\_  
Christopher M. Cloudman  
Mayor

STATE OF FLORIDA

CITY OF DELAND

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization this \_\_\_\_\_ day of \_\_\_\_\_ (mo/yr), by Michael Pleus and Christopher M. Cloudman, as City Manager and Mayor, City of DeLand, respectively, on behalf of the City of DeLand, and who are personally known to me.

NOTARY PUBLIC, STATE OF FLORIDA

Type or Print Name:

\_\_\_\_\_

Commission No.: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

**WITNESSES**

**LONGLEAF FOUR, LLC**

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Sign Name

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Sign Name

By: \_\_\_\_\_

Print: Harry F McNaught

Title: Manager

Date: \_\_\_\_\_

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization this \_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_, by Harry F. McNaught, as Manager of **LONGLEAF FOUR, LLC**, who is personally known to me or has produced \_\_\_\_\_ as identification.

Seal

\_\_\_\_\_  
Notary Public

Type or Print Name:\_\_\_\_\_

Commission No. \_\_\_\_\_

My Commission Expires:\_\_\_\_\_

**WITNESSES**

**STONEKIRK VENTURES, LLC**

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Sign Name

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Sign Name

By: \_\_\_\_\_

Print: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization this \_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_, by \_\_\_\_\_, as \_\_\_\_\_ for and on behalf of **STONEKIRK VENTURES, LLC**, who is personally known to me or has produced \_\_\_\_\_ as identification.

Seal

\_\_\_\_\_  
Notary Public

Type or Print Name:\_\_\_\_\_

Commission No. \_\_\_\_\_

My Commission Expires:\_\_\_\_\_

**WITNESSES**

**W. L. Kirk Jr. Trustees and J. Scott Kirk**

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Sign Name

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Sign Name

By: \_\_\_\_\_

Print: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization this \_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_, by \_\_\_\_\_, as \_\_\_\_\_, who is personally known to me or has produced \_\_\_\_\_ as identification.

Seal

\_\_\_\_\_  
Notary Public

Type or Print Name:\_\_\_\_\_

Commission No. \_\_\_\_\_

My Commission Expires:\_\_\_\_\_

**WITNESSES**

**W. L. Kirk, Jr.**

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Sign Name

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Sign Name

By: \_\_\_\_\_

Print: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

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Seal

\_\_\_\_\_  
Notary Public

Type or Print Name: \_\_\_\_\_

Commission No. \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

Attachment A Legal Description

LEGAL DESCRIPTION

A PORTION OF SECTION 6, TOWNSHIP 18 SOUTH, RANGE 31 EAST LYING IN VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 6, TOWNSHIP 18 SOUTH, RANGE 31 EAST, THENCE RUN N89°54'53"E ALONG THE NORTH LINE OF SAID SECTION 6, A DISTANCE OF 1406.09 FEET TO THE EAST LINE OF GOVERNMENT LOT 4, SAID SECTION 6; THENCE ALONG SAID EAST LINE S00°05'07"E, 1400.66 FEET TO THE MONUMENTED SOUTHERLY RIGHT OF WAY LINE OF CASSADAGA ROAD AND THE POINT OF BEGINNING; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE AND THE EASTERLY EXTENSION THEREOF N89°31'56"E, 1314.15 FEET; THENCE N00°23'02"W, 3.98 FEET TO THE AFORESAID SOUTHERLY RIGHT OF WAY LINE AND TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 567.62 FEET, A CENTRAL ANGLE OF 10°54'08", A CHORD BEARING OF S80°02'11"E AND A CORD DISTANCE OF 107.84 FEET; THENCE ALONG THE AFORESAID SOUTHERLY RIGHT OF WAY LINE AND THE ARC OF SAID CURVE 108.01 FEET; THENCE CONTINUE ALONG SAID SOUTHERLY RIGHT OF WAY LINE S85°29'15"E, 356.07 FEET; THENCE CONTINUE ALONG SAID SOUTHERLY RIGHT OF WAY LINE N89°16'03"E, 313.13 FEET TO THE WESTERLY LIMITED ACCESS RIGHT OF WAY LINE OF INTERSTATE 4 (STATE ROAD 400) AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP. SECTION 79110, FINANCIAL PROJECT 242655-1; THENCE DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE ALONG SAID WESTERLY RIGHT OF WAY LINE S15°45'16"W, 2426.29 FEET TO THE SOUTH LINE OF THE NORTH 1/2 OF GOVERNMENT LOT 7, SAID SECTION 6; THENCE DEPARTING SAID WESTERLY LIMITED ACCESS RIGHT OF WAY LINE ALONG SAID SOUTH LINE OF THE NORTH 1/2 OF GOVERNMENT LOT 7 AND GOVERNMENT LOT 6, N89°30'43"W, 802.91 FEET TO THE SOUTHEAST CORNER OF LOT 19, YOURLANDO FARMS AND GROVES, ACCORDING TO THE MAP OF PLAT RECORDED IN MAP BOOK 10, PAGES 227-228, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE N89°50'02"W, ALONG THE SOUTH LINE OF SAID LOTS 19 AND 20, A DISTANCE OF 617.62 FEET TO THE SOUTHWEST CORNER OF SAID LOT 20, ALSO BEING THE NORTHEAST CORNER OF LOT 27 OF SAID PLAT; THENCE S00°14'30"E ALONG EAST LINE OF LOT 27, A DISTANCE OF 250.12 FEET; THENCE DEPARTING SAID EASTERLY LINE S35°50'39"W, 354.19 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF STATE ROAD 472, AS SHOWN ON SAID FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 79110; THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE N54°12'54"W, 1481.04 FEET TO THE EASTERLY RIGHT OF WAY LINE OF DR. MARTIN LUTHER KING, JR BELTWAY AS SHOWN ON VOLUSIA COUNTY RIGHT OF WAY MAP, PROJECT 1113-3; THENCE DEPART SAID NORTHERLY RIGHT OF WAY LINE OF STATE ROAD 472 ALONG SAID EASTERLY RIGHT OF WAY LINE OF DR. MARTIN LUTHER KING, JR BELTWAY N00°27'19"W, 703.97 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 98.09 FEET, A CENTRAL ANGLE OF 45°56'03"; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE AND ALONG THE ARC OF SAID CURVE 78.64 FEET; THENCE CONTINUE ALONG SAID EASTERLY RIGHT OF WAY LINE N45°28'45"E, 26.79 FEET TO THE BEGINNING OF A NON-

TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 5629.58 FEET, A CENTRAL ANGLE OF 02°41'26", A CHORD BEARING OF N04°10'14"E AND A CHORD DISTANCE OF 264.32 FEET; THENCE CONTINUE ALONG SAID EASTERLY RIGHT OF WAY LINE AND THE ARC OF SAID CURVE 264.35 FEET; THENCE DEPART SAID EASTERLY RIGHT OF WAY LINE N89°31'31"E, 361.54 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 1440.00 FEET, A CENTRAL ANGLE OF 12°42'11", A CHORD BEARING OF S84°07'35"E AND A CHORD DISTANCE OF 318.61 FEET; THENCE CONTINUE ALONG THE ARC OF SAID CURVE 319.26 FEET; THENCE N12°13'31"E, 80.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 1519.95 FEET, A CENTRAL ANGLE OF 03°39'55", A CHORD BEARING OF S75°56'11"E AND A CHORD DISTANCE OF 97.21 FEET; THENCE ALONG THE ARC OF SAID CURVE 97.23 FEET; THENCE S74°06'12"E, 169.11 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 1000.00 FEET AND A CENTRAL ANGLE OF 15°36'56"; THENCE ALONG THE ARC OF SAID CURVE 272.54 FEET TO THE SOUTH LINE OF GOVERNMENT LOT 4, SAID SECTION 6; THENCE ALONG SAID SOUTH LINE S89°43'08"E, 118.51 FEET TO THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 4; THENCE ALONG THE EASTERLY LINE OF SAID GOVERNMENT LOT 4, N00°10'37"W, 1028.79 FEET TO THE POINT OF BEGINNING.

CONTAINING 6263726 SQ. FT., OR 143.795 ACRES MORE OR LESS.

**Exhibit B**  
**Amended PD Plan**



## LEGAL DESCRIPTION

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CONTAINING 6263726 SQ. FT., OR 143.795 ACRES MORE OR LESS.



|                 |           |
|-----------------|-----------|
| Project Size    | 143.80 AC |
| Wetland Acreage | 0         |

|                 |                                                                               |
|-----------------|-------------------------------------------------------------------------------|
| Future Land Use | Commerce (West Activity Center), West Central District (West Activity Center) |
| Existing Zoning | VC: I-1, VC: A-1, VC: A-1c, VC: I-1c, VC: R-4                                 |
| Proposed Zoning | (PUD) Planned Unit Development                                                |

|                                                           |                            |                                                      |                        |
|-----------------------------------------------------------|----------------------------|------------------------------------------------------|------------------------|
| North                                                     | South                      | East                                                 | West                   |
| Urban Low Intensity (County)/West Central District (City) | Crossing PUD (Orange City) | Urban Low Intensity/ Urban Medium Intensity (County) | SWAC Commerce (County) |

| North                                    | South                     | East                                                            | West   |
|------------------------------------------|---------------------------|-----------------------------------------------------------------|--------|
| VC:R-4 (Urban Single-family Residential) | VC:I-1 (Light Industrial) | VC:R-R (Rural Residential)/R-4(Urban Single-family Residential) | VC:SWC |

## DEVELOPMENT PROGRAM

| Parcel NO    | Land Use                                                                         | Gross Acres      | Development Program |
|--------------|----------------------------------------------------------------------------------|------------------|---------------------|
| 1            | Industrial                                                                       | 90.70 AC         | 1,500,000sf         |
| 2            | Commercial: Power Center/Neighborhood Retail                                     | 38.29 AC         | 130,000 sf          |
| 3            | Commercial: Power Center/Neighborhood Retail/ Gas Station with Convenience Store | 14.81 AC         | 110,000 sf          |
| <b>TOTAL</b> |                                                                                  | <b>143.80 AC</b> | <b>1,740,000 sf</b> |

Phasing: TBD

| LAND USE             | ACREAGE PROVIDED |
|----------------------|------------------|
| Commercial/Mixed Use | 8.81 AC          |
| Industrial           | 18.36 AC         |

## NON-RESIDENTIAL DEVELOPMENT STANDARDS

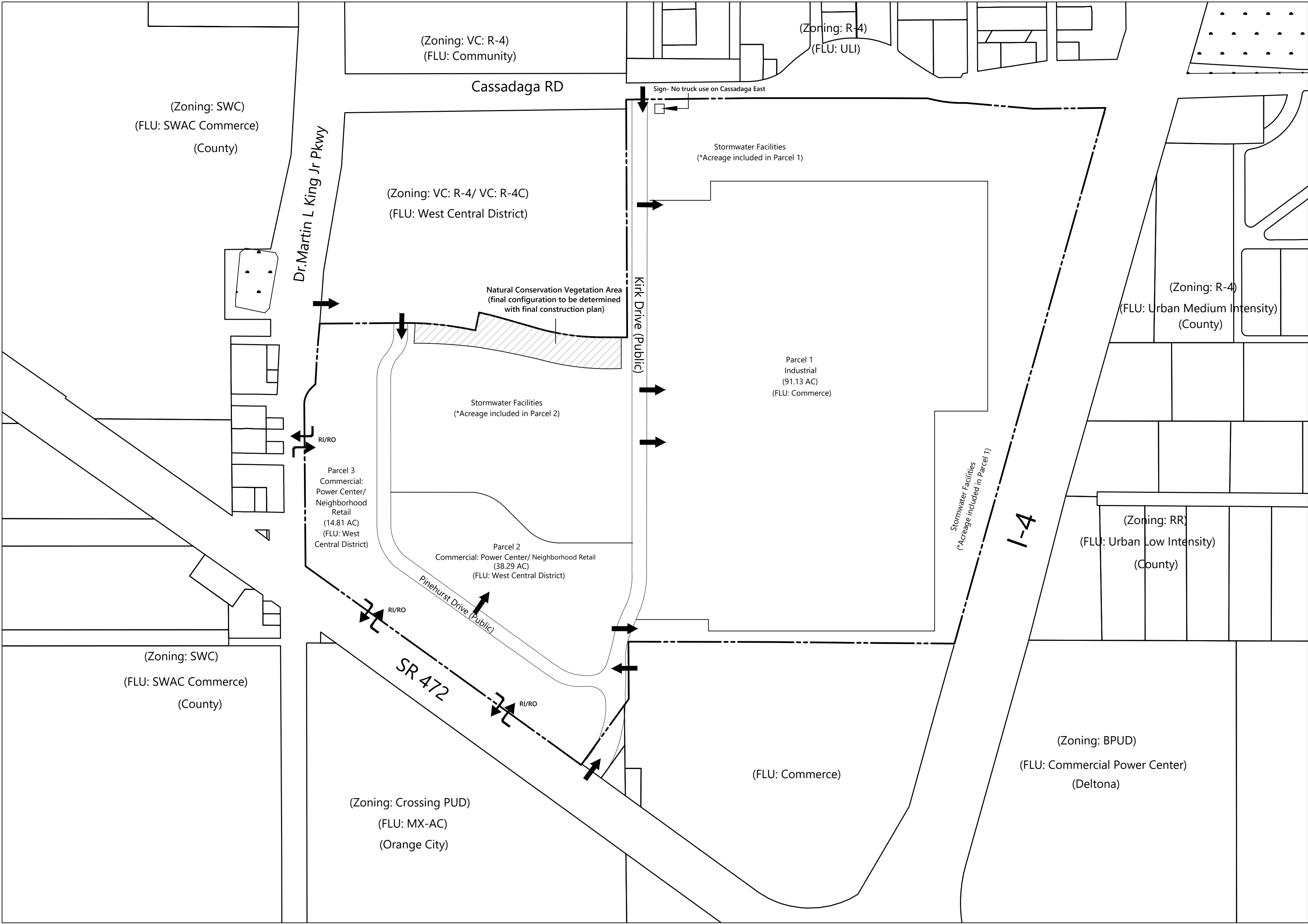
|                     |                                                                                        |
|---------------------|----------------------------------------------------------------------------------------|
| Max Lot Coverage    | 60%                                                                                    |
| Max Building Height | 80'                                                                                    |
| Minimum Setbacks    |                                                                                        |
| Front               | 20'                                                                                    |
| Side                | 10'<br>(25' when abutting residential-zoned properties)<br>(20' when abutting streets) |
| Rear                | 10'<br>(25' when abutting residential-zoned properties)                                |

|                     |                                    |
|---------------------|------------------------------------|
| Max Lot Coverage    | 70%                                |
| Max Building Height | 65'                                |
| Minimum Setbacks    |                                    |
| Front               | 35'                                |
| Side                | 10'<br>(30' when abutting streets) |
| Rear                | 25'                                |

| PARKING:   | PARKING<br>RATIO (SPACE/SF)                                                                                                                                                                                                                                                                                   | SPACE<br>PROVIDED |
|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| Industrial | 1 space/1,000 square feet of net floor area * for the first 20,000 square feet devoted to warehousing plus the required parking for square footage devoted to other uses 1 space/2,000 square feet for the second 20,000 square feet 1 space/4,000 square feet for floor area in excess of 40,000 square feet | 345               |
| Commercial | 3 spaces/300 square feet of net floor area* and 1 space/every additional 250 square feet                                                                                                                                                                                                                      | 485               |

## DEVELOPMENT NOTES

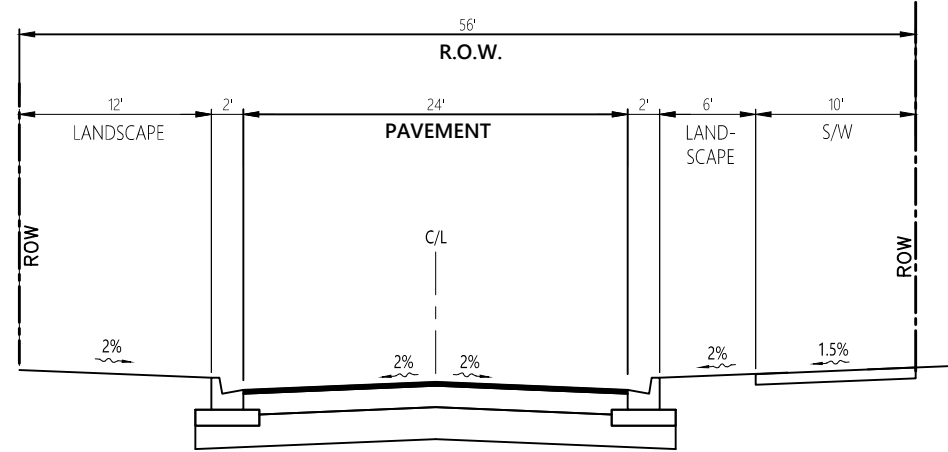
1. All acreages are subject to change with final engineering and final plat review and approval.
2. Per City of DeLand LDC Sec 33-17, additional buffer and sign requirements apply to developments within and/or along special overlay districts per article IV of chapter 33.
3. Per City of DeLand LDC Sec 33-91, parking on grass and sidewalks is prohibited. Vehicle use areas shall be paved with concrete, asphalt concrete or industry recognized porous paving approved by the city's engineer. Paved areas shall be included in the site's impervious surface calculation.
4. Unless otherwise prohibited in the list of primary, conditional or special-exception uses for each zoning district, outdoor display of equipment, supplies, merchandise, or personal property is permitted in compliance with section 33-27.04.
5. Stormwater management areas shall be provided per each phase of development.



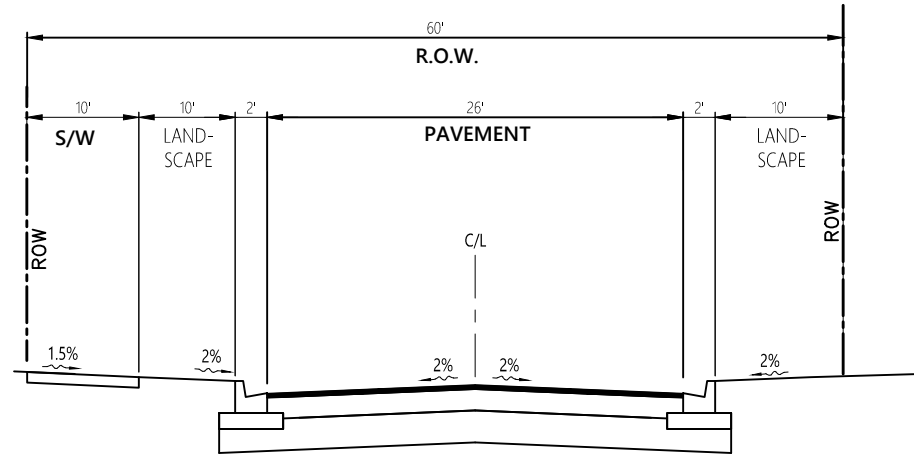
- a. **Rain Garden.** Vegetated depressions (also referred to as bioretention cells) that collect runoff and facilitate its infiltration into the ground. Sizes of rain gardens, or bioretention cells, may vary based on the development area they are intended to serve.
- b. **Filter Strip.** Bands of dense vegetation planted immediately downstream of a runoff source designed to filter runoff before it reaches a receiving water body.
- c. **Swales.** Shallow channel lines with vegetation or grass and used to convey and store runoff.
- d. **Green Roofs.** Impermeable roof membranes overlaid with a lightweight planting mix with a high infiltration rate and vegetated with plants tolerant to heat, drought, and periodic inundation used to reduce the volume of runoff discharged to a receiving water body.
- e. **Dry well.** Also referred to as a French Drain, a dry well is a gravel or stone filled pit that is located to catch water from roof downspouts or paved areas.
- f. **Subsurface Recharge Trenches.** Trenches filled with porous media, such as sand or aggregate that collect runoff and exfiltrate it into the ground.
- g. **Permeable Pavement.** Manufactured paving stones, concrete, or asphalt that allow for infiltration into porous media placed underneath.
- h. **Infiltration Basin.** Small, vegetative basins or dry ponds designed to receive runoff and exfiltrate it into the ground.
- i. **Rain Barrel or Cistern.** Containers that store runoff delivered through building downspouts. Rain barrels are generally smaller structures and located above ground. Cisterns are generally larger than barrels and often buried. These elements may be connected to the building's plumbing or irrigation systems, or otherwise used to reuse water that is collected.

- 
- Figure 1: Typical Section of a Two-Lane Highway with a Median. The diagram illustrates the cross-section of a highway with a central median. The total Right-of-Way (R.O.W.) width is 137 feet. The pavement width is 36 feet, consisting of two 18-foot lanes. The median is 12 feet wide. The shoulders are 9 feet wide, and the land-landscape areas are 17 feet wide. The outer edges have a 15% slope. Traffic directions are indicated by arrows pointing up and down the centerline.

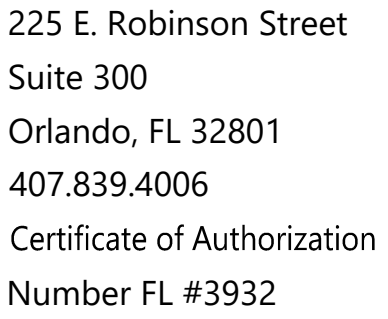
Kirk Drive Typical Road Section - South of Pinehurst Dr. to SR 472



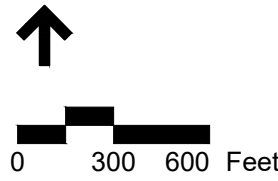
Pinehurst Drive Typical Road Section From Kirk Dr. to E/W Connector to MLK Beltway  
N.T.S.



Kirk Drive Typical Road Section - North of Pinehurst Dr. to Cassadaga Rd.  
N.T.S.



|                                                                                     |                                         |
|-------------------------------------------------------------------------------------|-----------------------------------------|
|  | PROJECT BOUNDARY                        |
|  | PARCEL LIMITS                           |
|  | NATURAL CONSERVATION<br>VEGETATION AREA |
|  | PROPOSED ACCESS POINT                   |
|  | RI/RO ACCESS                            |



## City of DeLand, Florida

[illegible]

September 30, 2022

Vertical Datum NAVD 1988

# LAND USE PLAN

Drawing Number

Sheet of







PPG1160-5 BLUE BEADS



mcmillan | pazdan | smith  
ARCHITECTURE



PPG1161-7 BRILLIANT BLUE



mcmillan | pazdan | smith  
ARCHITECTURE



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BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHERLY;  
HAVING A RADIUS OF 567.62 FEET; A CENTRAL ANGLE OF

A DISTANCE OF 107.84 FEET; THENCE ALONG THE FORESAID SOUTHERLY RIGHT OF WAY LINE AND THE ARC OF SAID CURVE ANGLE OF 108.01 FEET; THENCE CONTINUE ALONG SAID SOUTHERLY RIGHT OF WAY LINE S85°29'15"E, 356.07 FEET; THENCE CONTINUE ALONG SAID SOUTHERLY RIGHT OF WAY LINE N89°16'03"E, 133.13 FEET TO THE WESTERLY LIMITED ACCESS RIGHT OF WAY LINE OF INTERSTATE 4 (STATE ROAD 400) AS SHOWN ON A FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 7910I, FINANCIAL PROJECT 24265-1; THENCE DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE ALONG SAID WESTERLY RIGHT OF WAY LINE S15°45'16"W, 2426.29 FEET TO THE SOUTH LINE OF THE NORTH 1/2 OF GOVERNMENT LOT 6, SAID SECTION 6; THENCE DEPARTING SAID WESTERLY LIMITED ACCESS RIGHT OF WAY LINE S85°29'15"E, 356.07 FEET TO THE NORTH 1/2 OF GOVERNMENT LOT 7 AND GOVERNMENT LOT 8, BOTH BEING PARTS OF THE FORESAID MAHONEY TRACT, RECORDS IN PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, PAGES 927-928.

THENCE CONTINUE ALONG SAID SOUTHERLY RIGHT OF WAY LINE S89°00'02"W, ALONG THE SOUTH LINE OF SAID LOTS 19 AND 20, A DISTANCE OF 617.62 FEET TO THE SOUTHWEST CORNER OF SAID LOT 20, ALSO BEING THE NORTHEAST CORNER OF LOT 27 OF SAID LOT; THENCE S007°43'0"E, ALONG EAST LINE OF SAID LOT 27, A DISTANCE OF 250.12 FEET; THENCE DEPARTING SAID EASTERLY LINE S35°50'38"W, 354.19 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF STATE ROAD 472, AS SHOWN ON SAID FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 7910I, FINANCIAL PROJECT 24265-1; THENCE DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE ALONG SAID WESTERLY RIGHT OF WAY LINE S4°12'54"W, 1481.04 FEET TO THE EASTERLY RIGHT OF WAY LINE OF DR. MARTIN LUTHER KING, JR. BELTWAY AS SHOWN ON VOLUSIA COUNTY RIGHT OF WAY MAP, PROJECT 24265-1, SECTION 7910I, FINANCIAL PROJECT 24265-1; THENCE CONTINUE ALONG SAID EASTERLY RIGHT OF WAY LINE OF DR. MARTIN LUTHER KING, JR. BELTWAY N002°71'19"W, 703.97 FEET TO THE BEGINNING OF A CIRCULAR CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 98.09 FEET; A CENTRAL ANGLE OF 42°56'03"; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE AND ALONG THE ARC OF SAID CURVE 78.64 FEET; THENCE CONTINUE ALONG SAID EASTERLY RIGHT OF WAY LINE ALONG S45°28'45"E, 26.79 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 5623.58 FEET, A CENTRAL ANGLE OF 02°41'28", A CHORD BEARING OF N04°10'14"E AND A CHORD DISTANCE OF 264.32 FEET; THENCE CONTINUE ALONG SAID EASTERLY RIGHT OF WAY LINE AND THE ARC OF SAID CURVE 264.35 FEET; THENCE DEPART SAID EASTERLY RIGHT OF WAY LINE N89°31'31"E, 361.54 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 1440.00 FEET, A CENTRAL ANGLE OF 12°42'11"; A CHORD BEARING OF S84°07'35"E AND A CHORD DISTANCE OF 316.61 FEET; THENCE CONTINUE ALONG THE ARC OF SAID CURVE 316.26 FEET; THENCE N12°13'31"E, 80.00 FEET TO THE BEGINNING OF A CIRCULAR CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 1519.95 FEET, A CENTRAL ANGLE OF 03°39'58", A CHORD BEARING OF S84°07'35"E AND A CHORD DISTANCE OF 97.92 FEET; THENCE ALONG THE ARC OF SAID CURVE 97.93 FEET; THENCE S74°06'12"E, 69.11 FEET TO THE BEGINNING OF A CIRCULAR CONCAVE NORTHERLY HAVING A RADIUS OF 1000.00 FEET AND A CENTRAL ANGLE OF 15°16'56"; THENCE ALONG THE ARC OF SAID CURVE 272.54 FEET TO THE SOUTH LINE OF GOVERNMENT LOT 4, SAID SECTION 6; THENCE ALONG SAID SOUTH LINE S89°43'08"E, 118.51 FEET TO THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 4; THENCE ALONG THE EASTERLY LINE OF SAID GOVERNMENT LOT 4, N0010°37"W, 1828.79 FEET TO THE POINT OF BEGINNING.

CONTAINING 6263726 SQ. FT., OR 143.795 ACRES MORE OR LESS.

|   |                         |
|---|-------------------------|
| △ | PERMANENT CONTROL POINT |
| ■ | SITE BENCHMARK          |
| ◐ | FIRE HYDRANT            |
| ⊗ | GAS VALVE               |
| ⊗ | REUSE VALVE             |
| ⊗ | SANITARY SEWER VALVE    |

|     |                  |
|-----|------------------|
| CPP | CORRUGATED PIPE  |
| CV  | CHECK VALVE      |
| (C) | CALCULATED       |
| DIP | DUCTILE IRON     |
| DW  | DRIVEWAY         |
| (D) | DEED DIMENSION   |
| EL  | ELEVATION        |
| ES  | ELECTRIC SERVICE |
| EOW | EDGE OF WALKWAY  |
| FH  | FIRE HYDRANT     |
| FNC | FENCE            |

FILE: K:\LIBRARY\TEMPLATES\2022 TEMPLATES\24X36 SURVEY IN PROGRESS.DWG

THE N002°32'02"W. 3.98 FEET TO  
OF WAY LINE AND TO THE  
CURVE CONCAVE NORTHERLY,  
I, A CENTRAL ANGLE OF  
580°02'11"E AND A CORD  
BE ALONG THE AFORESAID  
AND THE ARC OF SAID CURVE  
ALONG SAID SOUTHERLY RIGHT  
FEET; THENCE CONTINUE  
WAY LINE N89°16'03"E,  
LIMITED ACCESS RIGHT OF WAY  
DAD 400) AS SHOWN ON  
PORTION RIGHT OF WAY MAP.

1 242635-1; THENCE  
2 OF WAY LINE ALONG SAID  
3 5'45"16"W, 42.629 FEET TO  
4 1/2 OF GOVERNMENT LOT 7,  
5 NG SAID WESTERLY LIMITED  
6 NG SAID SOUTH LINE OF THE  
7 7 AND GOVERNMENT LOT 6.  
8 SOUTHEAST CORNER OF LOT  
9 ES, ACCORDING TO THE MAP  
10, PAGES 227-228,  
11 FLORIDA. THENCE

LINE OF SAID LOTS 19 AND TO THE SOUTHWEST CORNER NORTHEAST CORNER OF LOT "30"E ALONG EAST LINE OF 16 FEET; THENCE DEPARTING SAID 19 FEET TO THE NORTHERLY AD 472, AS SHOWN ON SAID PORTATION RIGHT OF WAY MAP, SAID NORTHERLY RIGHT OF FEET TO THE EASTERLY RIGHT OF KING IR BELTWAY AS

T OF WAY MAP, PROJECT  
 EASTERLY RIGHT OF WAY LINE  
 EASTERLY RIGHT OF WAY  
 , JR BELTWAY N00°27'19"W,  
 IF A CURVE CONCAVE  
 NG SAID EASTERLY RIGHT OF  
 F SAID CURVE 78.64 FEET;  
 EASTERLY RIGHT OF WAY LINE

BEGINNING OF A  
 ASTERLY HAVING A RADIUS  
 GLE OF 02°41'26", A CHORD  
 HORD DISTANCE OF 264.32  
 AND EASTERLY RIGHT OF WAY  
 VE 264.35 FEET; THENCE  
 F A NON-TANGENT CURVE  
 / A RADIUS OF 1440.00 FEET,  
 A CHORD BEARING OF  
 NCE OF 318.61 FEET; THENCE  
 ID CURVE 319.26 FEET;

TO THE BEGINNING OF A  
SOUTHERLY HAVING A RADIUS  
OF 03°39'55", A CHORD  
HOLD DISTANCE OF 97.21  
FEET; SAID CURVE 97.23 FEET;  
TO THE BEGINNING OF A  
CURVE HAVING A RADIUS OF 1000.00  
FEET; THENCE ALONG  
THE SOUTHLING 15°36'56",  
THENCE ALONG S 16°  
14'46" E; THENCE ALONG S 16°  
14'46" E TO THE SOUTHEAST  
CORNER OF THE SOUTHEAST  
QUARTER LOT 4, THENCE ALONG THE  
SOUTHLING 101°00'37" W,  
THENCE ALONG THE SOUTHLING  
101°00'37" W, BEGINNING.

143.795 ACRES MORE OR

SECTION 1 TWP 18 RGE 30 EAST

04' 72' 79'

E. LINE OF LOT 27

PARC  
HWHST  
OR

4

[illegible]

FIGURE 1

\_\_\_\_\_

IT HOLDINGS LLC

|   |                         |
|---|-------------------------|
| △ | PERMANENT CONTROL POINT |
| ■ | SITE BENCHMARK          |
| ◐ | FIRE HYDRANT            |
| ⊗ | GAS VALVE               |
| ⊗ | REUSE VALVE             |
| ⊗ | SANITARY SEWER VALVE    |

|     |                  |
|-----|------------------|
| CPP | CORRUGATED PIPE  |
| CV  | CHECK VALVE      |
| (C) | CALCULATED       |
| DIP | DUCTILE IRON     |
| DW  | DRIVEWAY         |
| (D) | DEED DIMENSION   |
| EL  | ELEVATION        |
| ES  | ELECTRIC SERVICE |
| EOW | EDGE OF WALKWAY  |
| FH  | FIRE HYDRANT     |
| FNC | FENCE            |

of 121

**PLANNING DEPARTMENT STAFF REPORT  
TO  
PLANNING BOARD**

**August 14, 2024**

*Continued from July 17, 2024*

**APPLICATION NO.:** Z24-081

**APPLICANT:** Mark Watts, CobbCole

**REQUEST:** Amend the existing zoning designation from Volusia County's R-4 (Urban Single-Family) and DeLand Tech Park Planned Development to First Amendment to DeLand Tech Park Planned Development

**APPLICABLE REGULATIONS:**

|             |                                                         |
|-------------|---------------------------------------------------------|
| Article IV  | OVERLAY AND FLOATING ZONES                              |
|             | Sec. 33-32 – Planned Development District.              |
| Article XII | ADMINISTRATION AND ENFORCEMENT                          |
|             | Sec. 33-135 – Procedure for text amendments & rezoning. |

**A. SITE FACTORS:**

|                  |                                                                     |
|------------------|---------------------------------------------------------------------|
| Location:        | Northwest quadrant of SR 472 and Interstate 4                       |
| Parcel Size:     | ± 3.73 being added to original PD                                   |
| Land Use:        | Southwest Activity Center (Commerce District/West Central District) |
| Existing Zoning: | Volusia County R-4, Tech Park Planned Development                   |
| Existing Use:    | Mostly undeveloped                                                  |

|        | SURROUNDING USE:        | SURROUNDING ZONING:                  |
|--------|-------------------------|--------------------------------------|
| North: | VC: ULI; SWAC Community | Kirk DeLand PD (Canopy Terrace); R-4 |
| South: | Orange City             | Orange City                          |
| East:  | VC: ULI                 | VC: RR                               |
| West:  | VC: Unincorporated      | VC: Unincorporated                   |

**B. ANALYSIS:**

The applicant is requesting to amend the Planned Development Agreement for the DeLand Tech Park Planned Development, which was approved by the City Commission on October 3, 2022, originally consisting of 143.24 acres. The purpose of the amendment is to incorporate additional property into the existing Planned Development, update the expiration date of the Planned Development and to allow for off-site Tree Protection Area (TPA). The additional property will add 3.73 acres of property to DeLand Tech Park, with a grand total of 146.97 acres. Additionally, the amendment provides the option to utilize adjacent property for off-site Tree Protection Area through an easement dedicated to the City of DeLand. The easement agreement will ensure that the city has access to inspect the property, however, all maintenance will be the responsibility of the owner/owner's association.



Additionally, the amended agreement requires that when the city determines that it is legally permissible to annex an offsite TPA in the DeLand Tech Park PD, the applicant shall submit an application to once again amend the PD agreement to formally include the offsite TPA within twelve (12) months from the date notice is provided to the city. At that point, once annexed into the city, the offsite TPA will be incorporated into the DeLand Tech Park PD, via an amendment to the PD agreement.

The subject property lies within the Southwest Activity Center (SWAC) and shall comply with the policies identified within the Local Plan as “Commerce” and “West Central”. According to the vision of the SWAC, the ultimate goal is to develop a key employment area for the City of DeLand and the rest of southwest Volusia County. As described in the original Planned Development, the applicant seeks to develop the eastern side of the subject property as industrial space and the western side of the property as commercial/neighborhood retail.

None of the development standards from the original DeLand Tech Park Planned Development agreement are being changed and the developer will need to follow the requirements that were previously outlined in the original Planned Development Agreement such as maximum impervious area and all landscaping standards.

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Section 33-135 of the Land Development Regulations provides the following criteria, which the City Commission shall utilize in reviewing a rezoning request:

**1. Is the proposed rezoning consistent with the Comprehensive Land Use Plan, the land use, zoning pattern and character of the surrounding area?**

The proposed zoning classification of Planned Development is consistent with the Comprehensive Land Use Plan and the existing Commerce/West Central District Future Land Use Designations.

**2. Will the proposed rezoning have an impact upon the environment or natural resources?**

The site is heavily wooded and the proposed development would reduce this tree coverage significantly. However, the Planned Development Agreement and associated plan ensures that tree preservation areas, buffering and other tree requirements meet the minimum standards of the Land Development Regulations. The proposed development should not have any other negative impacts on environmental or natural resources on the site or the surrounding area. The developer will be required to conduct an environmental study of the property prior to site plan approval.

**3. Will the proposed rezoning have an impact upon the economy of the affected area?**

The subject site is currently vacant. The proposed rezoning would allow for development of commercial and industrial uses, which would lead to additional jobs and tax revenue for the City.

**4. Will the proposed rezoning have an impact upon governmental services?**

Governmental services such as potable water, sewer, code enforcement, police, and fire are available for the subject property.

The Southwest Activity Center (SWAC) has trip allowances based on the uses and the district (Commerce/West Central/Community). According to the SWAC plan, the maximum allowable trips for the Commerce district is 13,700 average daily trips; for the West Central District the allowable trips totals to 19,600 average daily trips; and for the Community district, the maximum allowable average daily trips per day is 4,700 trips.

In a Trip Comparison Memo provided by the applicant dated May 27, 2022, the three land use categories for the SWAC are compared. In this memo, trip data for upcoming projects within the SWAC are compared with the maximum trip threshold for the entirety of the SWAC, if fully developed. The comparison includes not only the DeLand Tech Park Planned Development, but it also includes data from the proposed DeLand CTC development, Canopy Terrace and a trip projection for the Advent Health parcel. The provided trip comparison demonstrates how the proposed DeLand Tech Park Planned Development will not cause the maximum number of trips allotted in the SWAC plan to be exceeded.

The applicant also submitted a Traffic Impact Analysis dated July 2023 which was reviewed by staff. The additional acreage being added as part of this amendment to DeLand Tech Park is not anticipated to have any affect on the original study.

**5. Are there changes in the circumstances or conditions affecting the area since the original assignment of zoning that will support the proposed zoning?**

There have not been any changes in the area surrounding DeLand Tech Park since its original approval in 2022.

**6. Was there a mistake in the original classification?**

There was no mistake in the original classification.

**7. Will the proposed rezoning have any effect upon the use or value of the affected area?**

The proposed project will be developed for industrial, neighborhood commercial and retail uses, all of which will positively contribute to the jobs in the area. The proposed rezoning will not have an effect on the use or negatively affect the value of the area, as the proposed development is in line with the City's long-range plans.

Additionally, the development will provide a road connecting the north end of the development to the south end, lessening congestion on nearby thoroughfares.

**8. Will the proposed rezoning have an impact upon public health, safety and welfare?**

Impacts upon public health, safety and welfare will generally be positive impacts, as the development will reduce traffic congestion from roads by providing alternate routes for drivers. The approval of the amendment should have no additional impacts, as the property being added into the Planned Development totals less than one acre.

**C. CONCLUSION:**

The original Southwest Activity Center (SWAC) designation was designed for high intensity uses including office, commercial, industrial and recreational uses. With this application, the applicant is proposing a rezoning from Volusia County's R-4 to the First Amendment to DeLand Tech Park Planned Development in order to develop the subject property, to include the additional acreage, allow for off-site Tree Protection Area, and to modify the expiration date.

**D. STAFF RECOMMENDATION:**

Staff recommends that the Planning Board forward to the requested amendment to City Commission recommending approval for the rezoning request.



225 E. Robinson Street  
Suite 300  
Orlando, FL 32801  
407.839.4006  
Certificate of Authorization  
Number FL #3932

## DESIGN NARRATIVE

THE LANDSCAPE DESIGN GOAL FOR THE DELANO TECH PARK IS TO CREATE A UNIFYING LANDSCAPE CHARACTER AND SETTING WITH THE SURROUNDING ENVIRONMENT THAT IS INVITING, SAFE, AND COMPLEMENTS THE EXISTING LANDSCAPE. CONSISTENCY IN LANDSCAPE MATERIALS, FORM, AND ORGANIZATION WILL COLLECTIVELY RESULT IN A COHERENT HIGH-QUALITY ENVIRONMENT ENCOURAGING CONSISTENT SITE DESIGNS FOR FUTURE BUILDING EXPANSIONS IN THIS PLANNED DEVELOPMENT AS WELL AS CREATE A STRONG "SENSE OF PLACE."

## LANDSCAPE DESIGN OBJECTIVES

- ENHANCE PEDESTRIAN CONNECTIONS—REINFORCING LINKS FROM OUTSIDE THE PLANNED DEVELOPMENT TO THE COMMERCIAL AND INDUSTRIAL DEVELOPMENTS.
- MAINTAIN VIEWS INTO THE PLANNED DEVELOPMENT.
- MAXIMIZE OPPORTUNITIES TO INTEGRATE THE EXISTING CANOPY TREES.
- MAINTAIN GREEN SPACE, SEEDING TREES WITH CLIMAX THAT IS AN INVITING, SOFT GATHERING AREA SURROUNDED BY OPEN SPACE.
- MAXIMIZE THE USE OF CANOPY TREES TO CREATE SHADE AND FIRM WALKWAY EDGES, PARKING AND OPEN SPACES. REPLACE LOST CANOPY WITH NEW SHADE TREES WITHIN LANDSCAPE APPROVED PALETTE.
- USE PEDESTRIAN PAVEMENTS THAT MEET THE RECOMMENDED STANDARDS AND FIND WAYS TO REINFORCE BUILDING ENTRANCES WITH DECORATIVE PAVEMENT MATERIALS OR FALL PATTERNS.
- EXTERIOR LIGHTING SOURCES SHOULD BE SHIELDED AND MEET THE FULL CUTOFF CLASSIFICATION.
- MAXIMIZE EFFICIENCY IRRIGATION USING RECLAIMED WATER AS POSSIBLE TO REDUCE POTABLE WATER CONSUMPTION.
- DESIGN UTILIZING WATER EFFICIENT LANDSCAPING TO HELP SATISFY LEED REQUIREMENTS.

## LANDSCAPE VISION STANDARDS

LANDSCAPE ARCHITECTURAL DEVELOPMENT MUST CONFORM TO CITY OF DELAND'S REGULATIONS. KEY CONSIDERATIONS INCLUDE:

## PLANTINGS

- PRESERVE EXISTING MAJOR CANOPY TREES WHERE POSSIBLE AND INCORPORATE INTO PLANTING DESIGN. PLANTINGS REINFORCE THE BASIC SITE PLAN STRUCTURE, PROVIDES SHADE, DEFINES AND UNIFIES THE LANDSCAPE, PROVIDES PROTECTION FROM WIND, PROVIDES DISTINCT VISUAL IDENTITY AT ENTRIES AND CREATES AN ATMOSPHERE CONJUNCTIVE TO THE USER'S EXPERIENCE. PLANTINGS PROVIDE A MEANS TO PROTECT AND PRESERVE APPROPRIATELY SIZED TREE, SHRUB, AND HEDGE PLANTINGS ENHANCE THE USE AND MICROCLIMATE OF THE SITE. NATIVE PLANTS WITHIN NATURAL COMMUNITY ASSOCIATIONS ARE THE HIGHEST PLANTING PRIORITY PROVIDING ATTRACTIVE AND SUSTAINABLE PLANTING. PLANTINGS THAT ARE DROUGHT TOLERANT, DROUGHT FRIENDLY NON-NATIVES – SPECIES THAT ARE NONNATIVE, DROUGHT TOLERANT AND HISTORICALLY ASSOCIATED WITH A FLORIDA LANDSCAPE. COLORFUL ORNAMENTAL TREES AND PALMS IN A SIMPLE GROUNDCOVER, MULCHED OR NATIVE LANDSCAPE SELECTED FOR YEAR-ROUND ATTRACTIVENESS. PLANT MATERIALS AT ENTRIES WILL BE

## WALKWAYS

- WALKWAYS SHOULD BE CONSTRUCTED OF LIGHT-COLORED PAVEMENTS WITH ACCENT PAVING AT NODES AS SHOWN IN THE STANDARD PLAN.
- WAYFINDING ELEMENTS AND SHOULD BE CONSISTENT THROUGHOUT THE DEVELOPMENT.
- WALKWAY SIZE SHOULD ACCOMMODATE PEDESTRIAN AND BICYCLE FLOWS.
- PEDESTRIAN WALKS SHOULD HAVE A MINIMUM WIDTH OF FIVE TO EIGHT FEET.
- COMBINED PEDESTRIAN/BICYCLE WALKS SHOULD HAVE A MINIMUM WIDTH OF TWELVE FEET.

## SITE FURNISHINGS

- **BICYCLE RACKS** - BICYCLE PARKING SHOULD BE LOCATED NEAR BUILDING ENTRANCES WITH GOOD VISIBILITY ON PAVED SURFACES AND CONFIGURED INTO THE LANDSCAPE WITH SUFFICIENT RACKS PROPORTIONAL TO WHAT IS REQUIRED BY THE CITY'S LAND DEVELOPMENT REGULATIONS.
- **SEATING** - BENCHES AT ENTRIES AND NODES ARE TO HAVE RAISED BACK AND SEAT STYLES TO MEET THE ESTABLISHED CAMPUS STANDARD. SEAT WALLS MAY BE USED WHERE APPROPRIATE AND ARE TO COMPLEMENT BUILDING MATERIALS AND FINISHES.

## LIGHTING

- PRIMARY WALKWAYS ARE TO BE ILLUMINATED BY VISIBLE SOURCE LED LIGHT FIXTURES INSTALLED ON PEDESTRIAN LIGHT POLES, 12 TO 15 FEET IN HEIGHT WITH SPACING TO MEET THE RECOMMENDED FOOT CANDLE REQUIREMENT.
- SPECIALTY LIGHTING SHOULD BE PROVIDED FOR BUILDING FACADES AND PLAZA ENTRY SPACE. EXTERIOR LIGHTING OF BUILDINGS COMPLEMENTS WALKWAY FIXTURES.

## IRRIGATION

THE DESIGN INTENT OF THE LANDSCAPE IRRIGATION SYSTEM(S) IS TO CREATE THE MOST EFFICIENT IRRIGATION SYSTEM POSSIBLE WHILE MAINTAINING FLEXIBILITY TO ADAPT TO A NUMBER OF SEASONAL AND REGULATORY REQUIREMENTS. THE IRRIGATION SYSTEM IS DESIGNED USING VARIOUS HYDRO-ZONES WITH PLANT MATERIALS OF SIMILAR WATERING REQUIREMENTS TO REDUCE THE AMOUNT OF WATER REQUIRED. IT SHOULD ALSO HAVE THE ABILITY TO DRAW FROM SEVERAL WATER SOURCES (POTABLE, RECLAIMED AND/OR RECYCLED WATER) DEPENDING ON VARIOUS SITUATIONS TO ENSURE THAT ADEQUATE WATER IS AVAILABLE AT ALL TIMES WHILE REDUCING POTENTIAL WATER USE.

THE DESIGN OBJECTIVES FOR THE IRRIGATION SYSTEM ARE AS FOLLOWS:-

- IRRIGATION SYSTEMS MUST BE DESIGNED TO CONFORM TO CITY OF DELAND'S LAND DEVELOPMENT REGULATIONS AND MEET VOLUSIA COUNTY'S WATERWISE LANDSCAPE IRRIGATION ORDINANCE.
- UNDERSTAND THE POTENTIAL FOR WATER AVAILABILITY AND STRICT WATER RESTRICTIONS AND ACCOMMODATE FOR BOTH.
- KNOW SYSTEM THAT HAS THE ABILITY OF WATERING THREE PER WEEK AT A RATE OF 1-1/2" UP TO 3/4" OF WATER PER IRRIGATION ZONE CAN BE APPLIED ON THE DESIGNATED DAY, AND IS CAPABLE ENOUGH TO WATER THAT SAME AMOUNT 1X PER WEEK WHEN TIGHT WATER RESTRICTIONS ARE IN EFFECT.
- DIFFERENTIATE HYDRO ZONE AREAS THAT REQUIRE LITTLE TO NO WATER FROM AREAS REQUIRING AVERAGE AMOUNTS OF WATER.
- KNOW HOW TO DESIGN WITH HEAD IRRIGATION FOR SHRUBS AND BUDLEERS FOR TREES LARGER THAN 3" CALIPER.
- UTILIZE SPRAY HEADS FOR ALL SMALL TURF GRASS AREAS AND BIO-SWALES.
- UTILIZE ROTOR HEADS FOR LARGE TURF AREAS.
- INCORPORATE PC-BASED CENTRAL CONTROLLER TECHNOLOGY FOR MONITORING AND MANAGEMENT OF THE IRRIGATION SYSTEM.
- PROVIDE FLEXIBLE SYSTEM ALLOWING SPRAY HEADS TO BE TURNED OFF OR DOWN WHEN NOT NEEDED.
- PRIORITIZE WITHIN BIO-SWALES.

## EXHIBIT E

## DeLand Tech Park PD

[illegible]

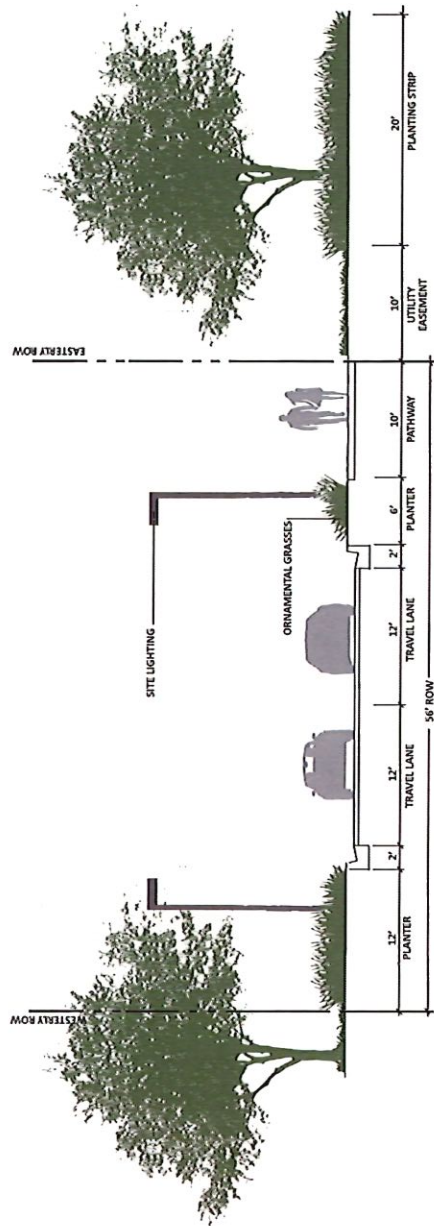
Vertical Datum NAVD 1988

Design Intent Narrative

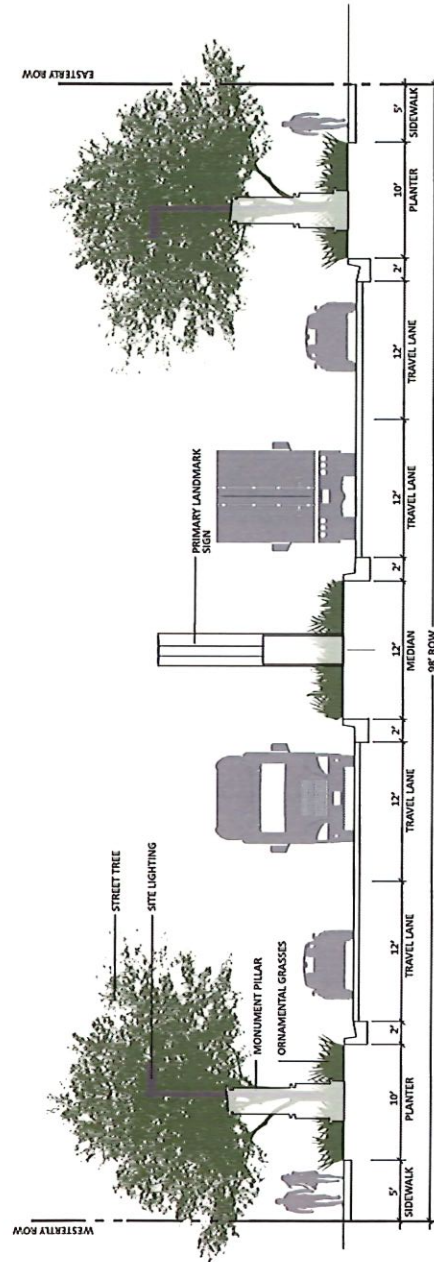
L1.00

| DATE           | PROPERTY NUMBER |
|----------------|-----------------|
| Sept. 20, 2022 | 64054.00        |

## TYPICAL ROADWAY CROSS-SECTIONS



**PINEHURST DRIVE TYPICAL ROAD SECTION FROM KIRK DR TO E/W CONNECTOR TO MLK BELTWAY (A)**



KIRK DRIVE TYPICAL ROAD SECTION - SOUTH OF PINEHURST DRIVE TO SR 472 (B)

DeLand Tech Park PD

City of Deland, Florida

[illegible]

Vertical Datum NAVD 1988

### Typical Roadway Cross-Sections

L1.01

DATE Sept. 29, 2022





A cross-section diagram of a proposed road improvement project. The diagram shows a road with a 30' wide 'PRESERVE EXISTING TREES AND VEGETATION' zone on the left, a 'GRASS SHOULDER' on the right, and 'CASSADAGA ROAD' at the top. A '30' W' dimension line spans the width of the road and shoulder area.

TYPICAL SECTION FOR TREE PROTECTION AREA ALONG I-4 (B)

DeLand Tech Park PD

City of Deland, Florida

[illegible]

Vertical Datum NAVD 1988

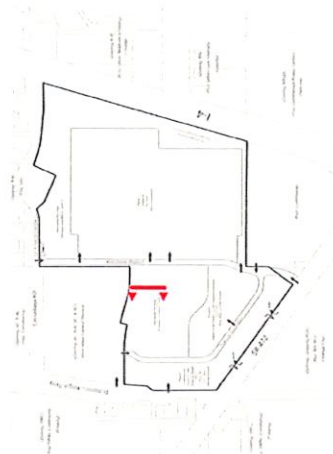
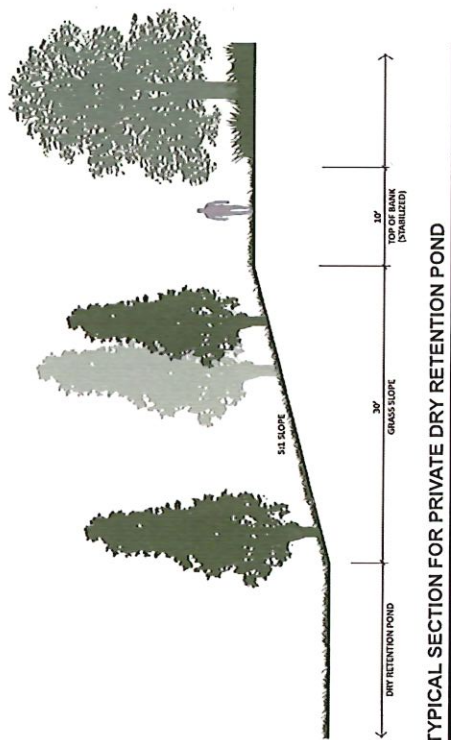
### Typical Tree Protection Cross-Sections

L1.03

DATE Sept. 29, 2022 64054.00  
 PAY TO THE ORDER OF PR. AGENT TRUMP/DOH



## TYPICAL PRIVATE DRY RETENTION POND CROSS-SECTION



## DeLand Tech Park PD

City of DeLand, Florida

[illegible]

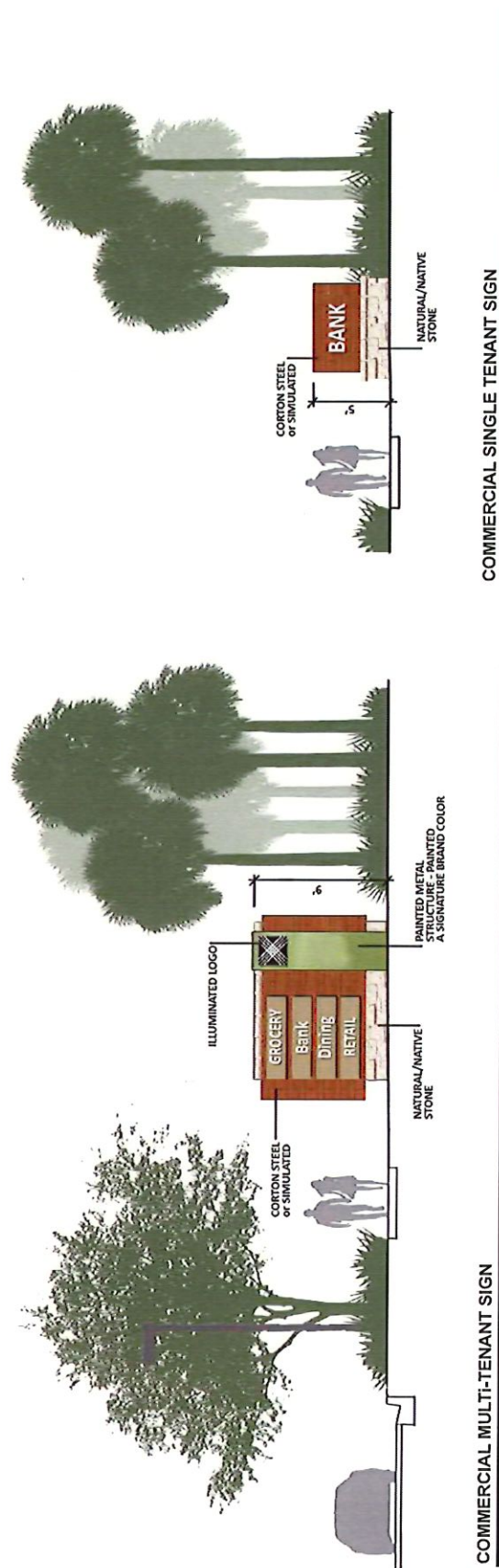
Vertical Datum NAVD 1988

**Typical Dry Retention Pond  
Cross-Section**

L1.04

DATE Sept. 29, 2022 Project Tagline 64054.00

## CONCEPTUAL SIGN ELEVATIONS -- OPTION 1



DeLand Tech Park PD

City of DeLand, Florida

[illegible]

Vertical Datum NAVD 1988

Concentrations

## Sign Elevations

1

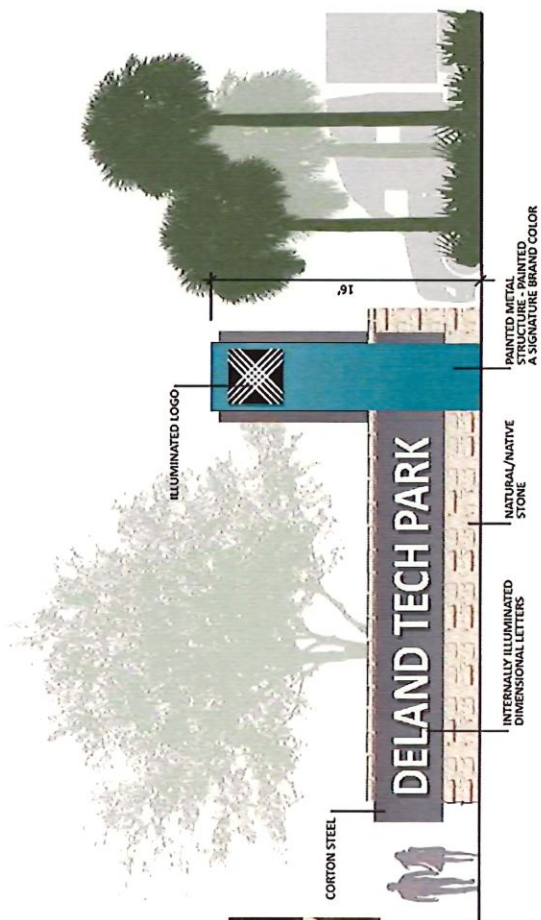
Option 1

L1.05

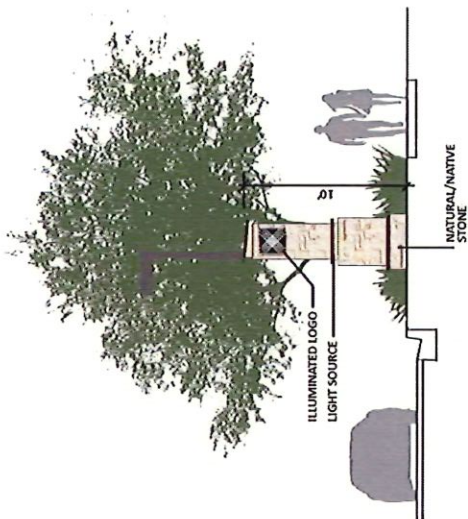
DATE: Sept. 29, 2022 64054.00  
Per request: 10/1/2022



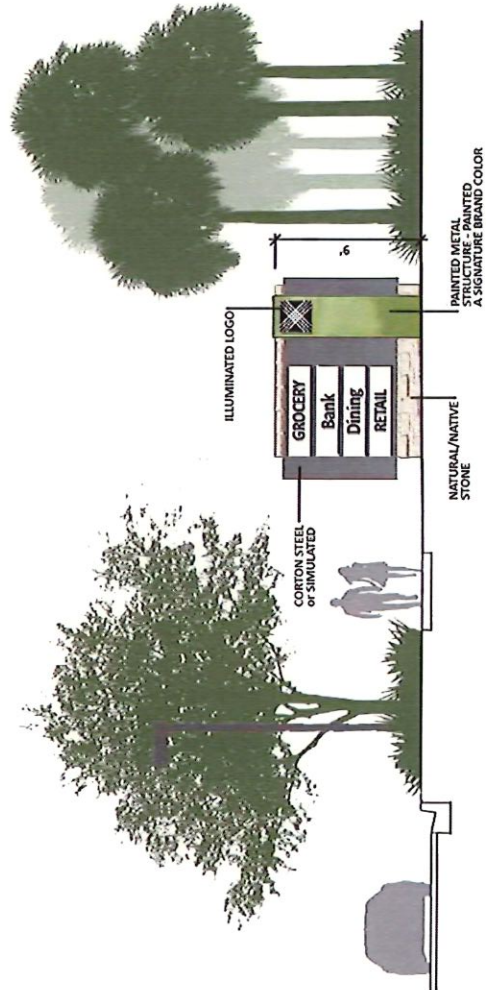
## CONCEPTUAL SIGN ELEVATIONS -- OPTION 2



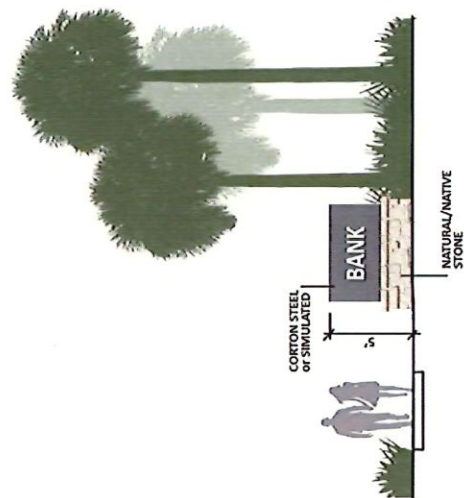
PRIMARY LANDMARK SIGN



## MONUMENT PILLAR



## COMMERCIAL MULTI-TENANT SIGN



**COMMERCIAL SINGLE TENANT SIGN**

DeLand Tech Park PD

City of DeLand, Florida

[illegible]













- LIGHTING**
- PRIMARY WALKWAYS ARE TO BE ILLUMINATED BY VISIBLE SOURCE LED LIGHT FIXTURES INSTALLED ON PEDESTRIAN POLES OR 12' TALL POLES IN THE RIGHT OF WAY. LIGHTING TO MEET THESE REQUIREMENTS SHOULD BE PROVIDED FOR BUILDING FACADES AND PLAZA ENTRY SPACE. EXTERIOR LIGHTING OF BUILDINGS COMPLEMENTS WALKWAY FIXTURES.



PEDESTRIAN LIGHT BOLLARD - MILLLENIA



PEDESTRIAN LIGHTING - MILLLENIA



SITE LIGHTING - MILLLENIA FIXTURE



PEDESTRIAN LIGHT BOLLARD - SOLANA



PEDESTRIAN LIGHTING - SOLANA



SITE LIGHTING - SOLANA FIXTURE

## SOLAR PANELS



- SOLAR PANELS**
- SOLAR PANELS USED TO OFFSET ENERGY COSTS
  - REDUCES CARBON FOOTPRINT AND IMPROVES PUBLIC HEALTH
  - RENEWABLE ENERGY ALSO IMPROVES PUBLIC HEALTH

## DeLand Tech Park PD

City of DeLand, Florida

|                      |                         |
|----------------------|-------------------------|
| Project Name         | DeLand Tech Park PD     |
| Location             | City of DeLand, Florida |
| Project No.          | 2022-001                |
| Revision No.         | 01                      |
| Revision Date        | March 21, 2022          |
| Revision Description |                         |

Vertical Datum: NAVD 1988

## Typical Light Fixtures

**L1.10**

DATE: Sept. 20, 2022 64054.00





**FLORIDA NATIVE PLANT MATERIAL**

WAX MYRTLE

SABAL PALM

SLASH PINE

SOUTHERN MAGNOLIA

LIVE OAK

STYCAMORE

FIREBUSH

HOLLY FERN

WALTER VIBURNUM

CORDGRASS

RUSTY LYONIA

BLANKET FLOWER

MUHLY GRASS

SAW PALMETTO

COONTIE FERN

YALPOON HOLLY

## DeLand Tech Park PD

[illegible]

**PLANTINGS**

- APPROPRIATELY SCALED TREE, SHRUB, AND HEDGE PLANTINGS ENHANCE THE USE AND MICROCLIMATE OF THE SITE. NATIVE PLANTS WITH NATURAL LIFE CYCLES AND PLANTING PRIORITY PROVIDING ATTRACTIVE AND SUSTAINABLE PLANTINGS.
- IN MORE FORMAL ENTRY AREAS, THE USE OF COLORFUL, FLORIDA FRIENDLY, NON-INVASIVE, DROUGHT TOLERANT AND HISTORICALLY ASSOCIATED WITH A COLORFUL ORNAMENTAL TREES AND PALMS IN A SIMPLE GROUNDCOVER, MULCHED OR NATIVE LANDSCAPE "TERRACE" MAKES UP THE "BUILDING FOUNDATION" PLANTINGS. PLANT SELECTION SHOULD BE YEAR-ROUND ATTRACTIVE.



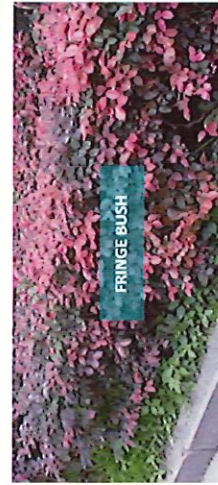
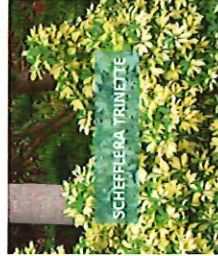
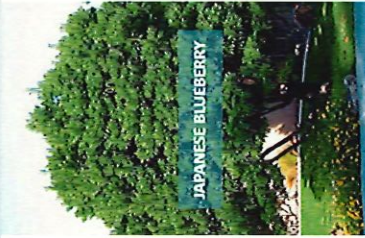
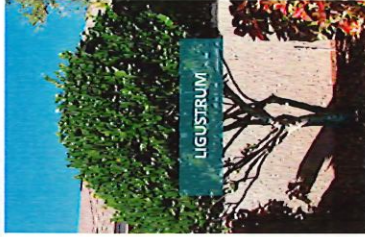
**FLORIDA-FRIENDLY PLANT MATERIAL**

| FLORIDA FRIENDLY PLANT LIST  |                         |  |
|------------------------------|-------------------------|--|
| BOTANICAL NAME               | COMMON NAME             |  |
| <b>CANOPY TREE</b>           |                         |  |
| <i>Quercus nuttalli</i>      | Nuttall Oak             |  |
| <b>SMALL TREE</b>            |                         |  |
| <i>Callistemon viminalis</i> | Bottlebrush             |  |
| <i>Elaeocarpus decipiens</i> | Japanese Blueberry      |  |
| <i>Eriobotrya japonica</i>   | Loquat                  |  |
| <i>Lagerstroemia indica</i>  | Crape Myrtle            |  |
| <i>Styphidium japonicum</i>  | Japanese Sweetgum       |  |
| <i>Wikstroemia indica</i>    | Wax Tree                |  |
| <i>Tabebuia caribaea</i>     | Silver Trumpet Tree     |  |
| <i>Tabebuia impetiginosa</i> | Purple Trumpet Tree     |  |
| <i>Tabebuia umbellata</i>    | Yellow Trumpet Tree     |  |
| <i>Ulmus parvifolia</i>      | Chinese Elm             |  |
| <b>PALM TREES</b>            |                         |  |
| <i>Arenga engleri</i>        | Sugar Palm              |  |
| <i>Bismarckia nobilis</i>    | Bismarck Palm           |  |
| <i>Chamaedorea elegans</i>   | Chinese Fan Palm        |  |
| <i>Phoenix chinensis</i>     | Chinese Date Palm       |  |
| <i>Phoenix dactylifera</i>   | Mediterranean Date Palm |  |
| <i>Phoenix roebelenii</i>    | Pigmy Date Palm         |  |
| <b>SHRUBS</b>                |                         |  |
| <i>Agave attenuata</i>       | Blue Lily of the Nile   |  |
| <i>Allamanda cathartica</i>  | Yellow Allamanda        |  |
| <i>Alpinia zerumbet</i>      | Shell Ginger            |  |
| <i>Abutilon 'Trinité'</i>    | Scarlet Petunia         |  |
| <i>Aspidistra elatior</i>    | Cast Iron Plant         |  |
| <i>Canna 'Tropaeum'</i>      | Canna Lily              |  |
| <i>Dianella bartramia</i>    | Variegated Flax Lily    |  |
| <i>Furcraea foetida</i>      | False Agave             |  |
| <i>Calophyllum glaucum</i>   | Thyrsalis               |  |

## DeLand Tech Park PD

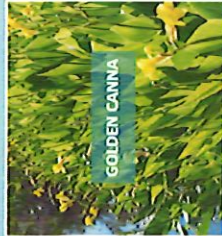
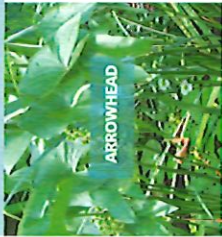
|                                       |                                        |
|---------------------------------------|----------------------------------------|
| City of Deland, Florida               |                                        |
| DATE                                  | March 25, 2022                         |
| TIME                                  | 10:00 AM                               |
| LOCATION                              | 10000 S.W. 10th Ave., Deland, FL 32117 |
| PROJECT                               | Deland City Hall Renovation            |
| CLIENT                                | City of Deland                         |
| DESIGNER                              | James M. Smith, P.E.                   |
| CONTRACT NO.                          | 2021-001                               |
| ISSUE NO.                             | 1.0                                    |
| DATE OF ISSUE                         | March 25, 2022                         |
| PROJECT NO.                           | 2021-001                               |
| PROJECT NAME                          | Deland City Hall Renovation            |
| PROJECT ADDRESS                       | 10000 S.W. 10th Ave., Deland, FL 32117 |
| PROJECT PHONE                         | (386) 321-1234                         |
| PROJECT FAX                           | (386) 321-1234                         |
| PROJECT EMAIL                         | deland@delandfl.gov                    |
| PROJECT WEBSITE                       | delandfl.gov                           |
| PROJECT SOCIAL MEDIA                  | delandfl.gov                           |
| PROJECT VIDEO                         | delandfl.gov                           |
| PROJECT AUDIO                         | delandfl.gov                           |
| PROJECT PHOTO                         | delandfl.gov                           |
| PROJECT DOCUMENT                      | delandfl.gov                           |
| PROJECT MAP                           | delandfl.gov                           |
| PROJECT PLAN                          | delandfl.gov                           |
| PROJECT SPEC                          | delandfl.gov                           |
| PROJECT BIDDING                       | delandfl.gov                           |
| PROJECT CONTRACT                      | delandfl.gov                           |
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| PROJECT BOND                          | delandfl.gov                           |
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| PROJECT FINANCE                       | delandfl.gov                           |
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| PROJECT LANDSCAPE                     | delandfl.gov                           |
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| PROJECT NON-NEPHROTOXICITY            | delandfl.gov                           |
| PROJECT NON-CARDIOTOXICITY            | delandfl.gov</                         |

- PLANTING APPROPRIATELY SCALED TREE, SHRUB, AND HERCE PLANTINGS ENHANCE THE USE AND MICROCLIMATE OF THE SITE. NATIVE PLANTS WITHIN NATURAL SETBACKS PROVIDE THE HIGHEST PLANTING PRIORITY PROVIDING ATTRACTIVE AND SUSTAINABLE PLANTINGS.
- IN MORE FORMAL ENTRY AREAS, THE NATIVE PLANT PALETTE IS ARGUMENTED TO BE MORE APPROPRIATE THAN NON-NATIVES – SPECIES THAT ARE NON-INVASIVE, DROUGHT TOLERANT AND HISTORICALLY ASSOCIATED WITH A FLORIDA LANDSCAPE.
- NATIVE TREES AND NATURAL PALMS IN A SIMPLE GROUND COVER MULCHED OR NATIVE LANDSCAPE TERRACE – MAKES UP THE BUILDING FOUNDATION PLANTINGS. PLANT SELECTION SHOULD BE YEAR-ROUND ATTRACTIVENESS.

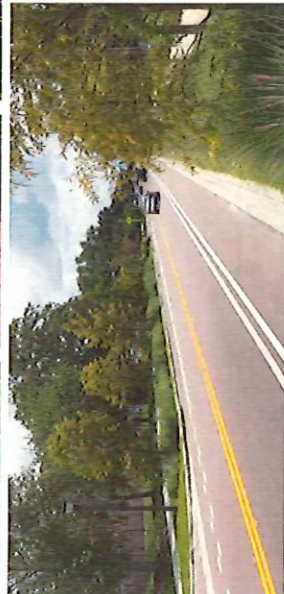
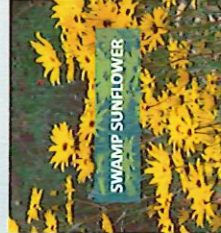
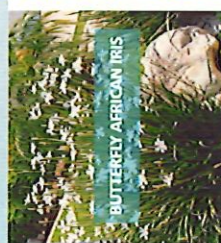




## STORMWATER POND AMENITY



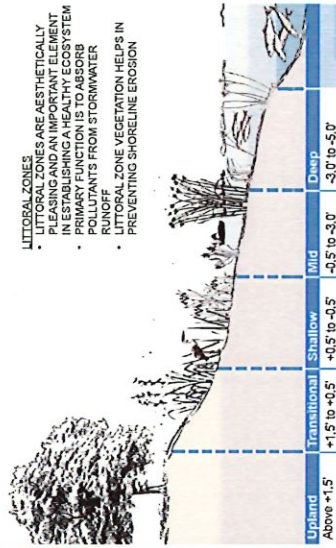
## BIOSWALE &amp; RAINGARDEN FEATURE

AQUATIC PLANT LIST

| BOTANICAL NAME          | COMMON NAME               |
|-------------------------|---------------------------|
| Nymphaea odorata        | American white water lily |
| Sagittaria latifolia    | Arrowhead                 |
| Iris hexagona           | Blue flag iris            |
| Sagittaria arifolia     | Duck potato               |
| Cyperus californicus    | Spart bluish              |
| Echinochloa polystachya | Carrot grass              |
| Potamogeton nodosus     | Gulf Cordgrass            |
| Potamogeton cordatus    | Pickersweed               |
| Juncus ssp.             | Pontweed                  |
| Sagittaria angustifolia | Soft rush                 |
| Sagittaria distachya    | Scheuchzeria bulbous      |
| Hypoxis montanum        | St. John's wort           |
| Vallisneria spiralis    | Tape or eelgrass          |
| Sagittaria arifolia     | Weed grass bluish         |
| Sagittaria cuneolata    | Wood grass bluish         |

## LITTORAL ZONES

- LITTORAL ZONES ARE AESTHETICALLY PLEASING AND AN IMPORTANT ELEMENT IN ESTABLISHING A HEALTHY ECOSYSTEM
- PRIMARY FUNCTION IS TO ABSORB POLLUTANTS FROM STORMWATER RUNOFF
- LITTORAL ZONE VEGETATION HELPS IN PREVENTING SHORELINE EROSION



## BIOSWALE / RAIN GARDEN PLANT LIST

| BOTANICAL NAME           | COMMON NAME            |
|--------------------------|------------------------|
| Anthericum liliago       | St. Bernard's Lily     |
| Dietes iridoides         | Butterfly African Iris |
| Iris versicolor          | Blue Flag Iris         |
| Helianthus angustifolius | Swamp Sunflower        |
| Muhlenbergia capillaris  | Mundy Grass            |
| Scordium                 | Cord Grass             |

## DeLand Tech Park PD

[illegible]

Model D-4-1000

**Typical Stormwater Pond  
and Bioswale Amenity**

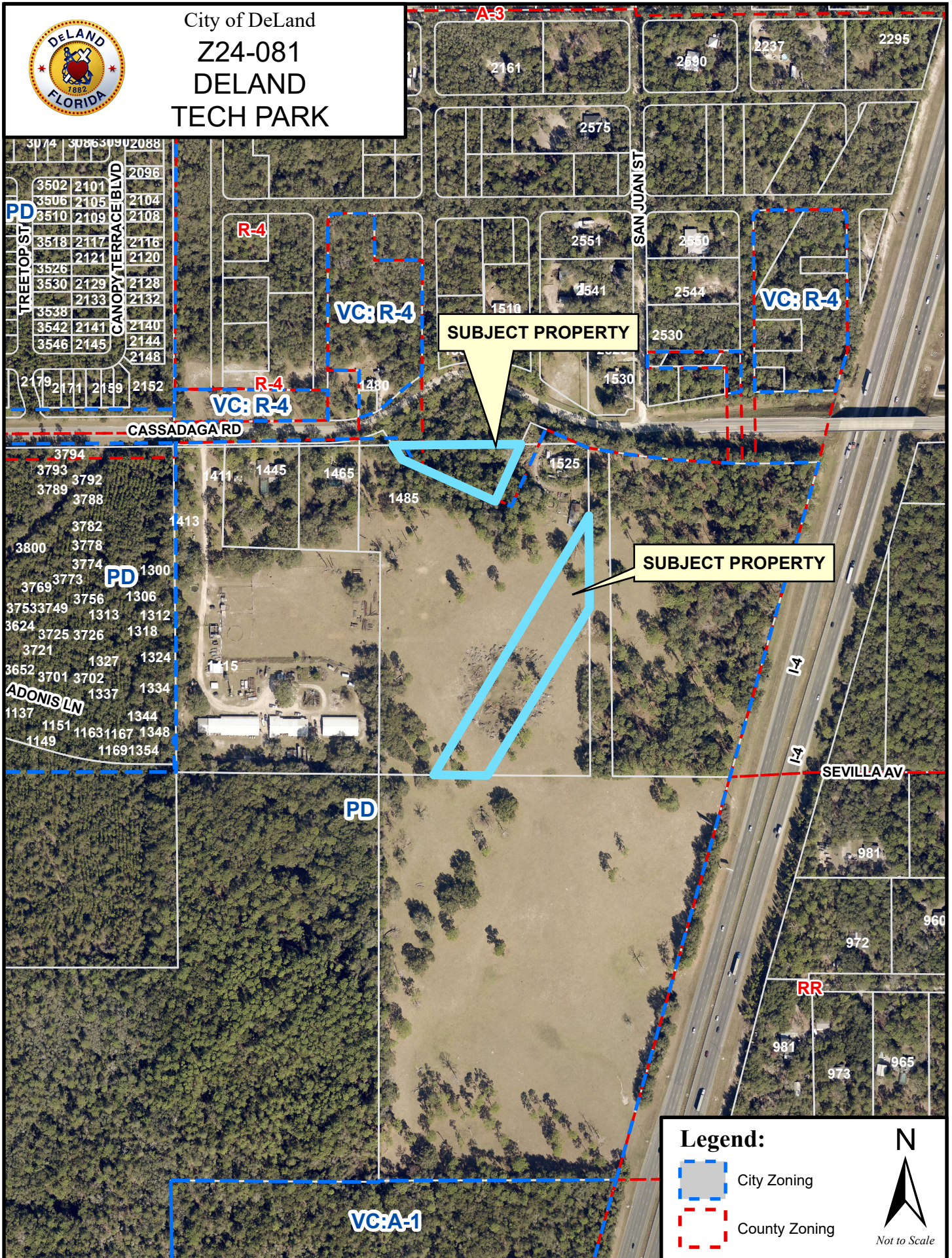
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DATE Sept. 29, 2022





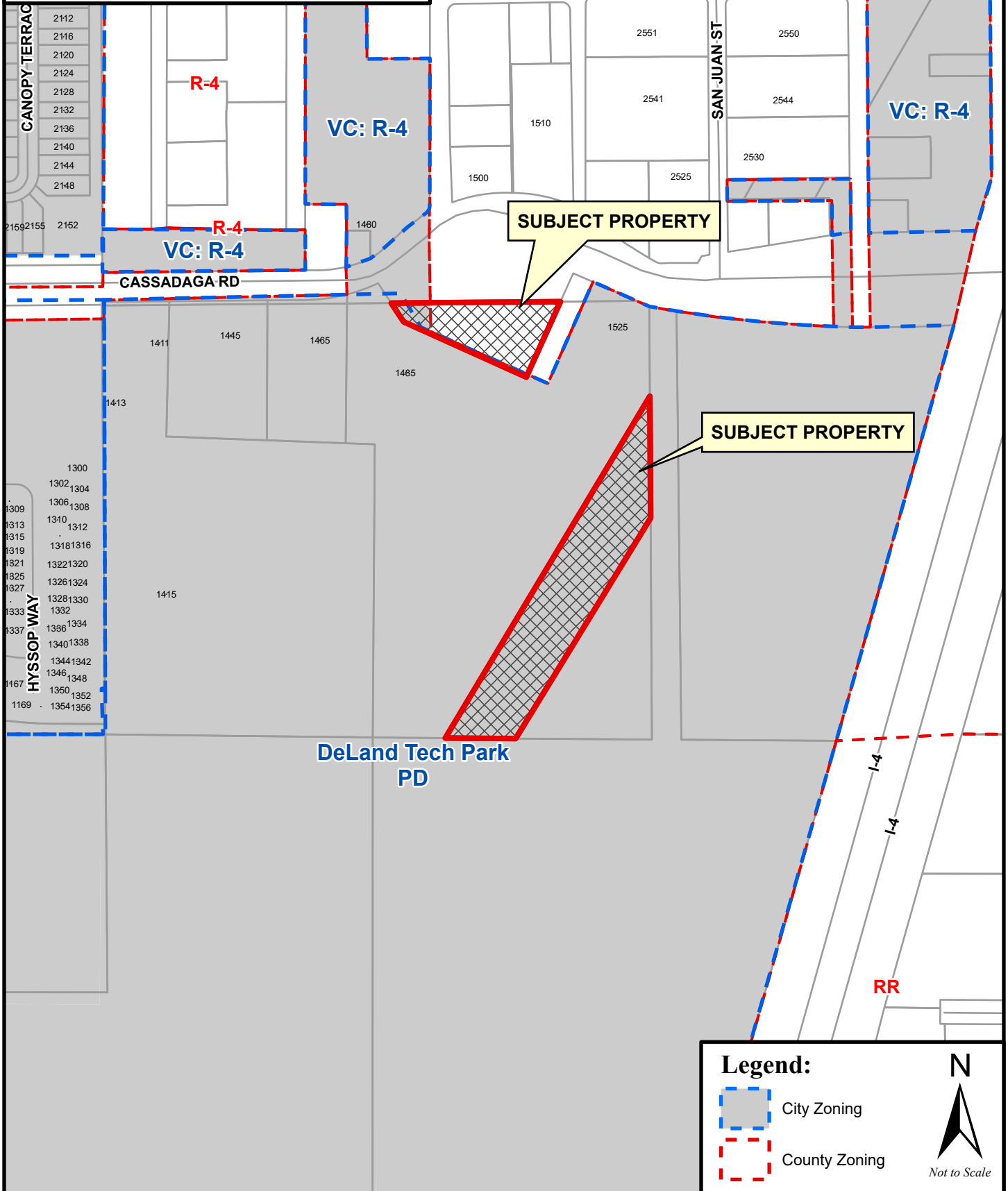
City of DeLand  
Z24-081  
DELAND  
TECH PARK



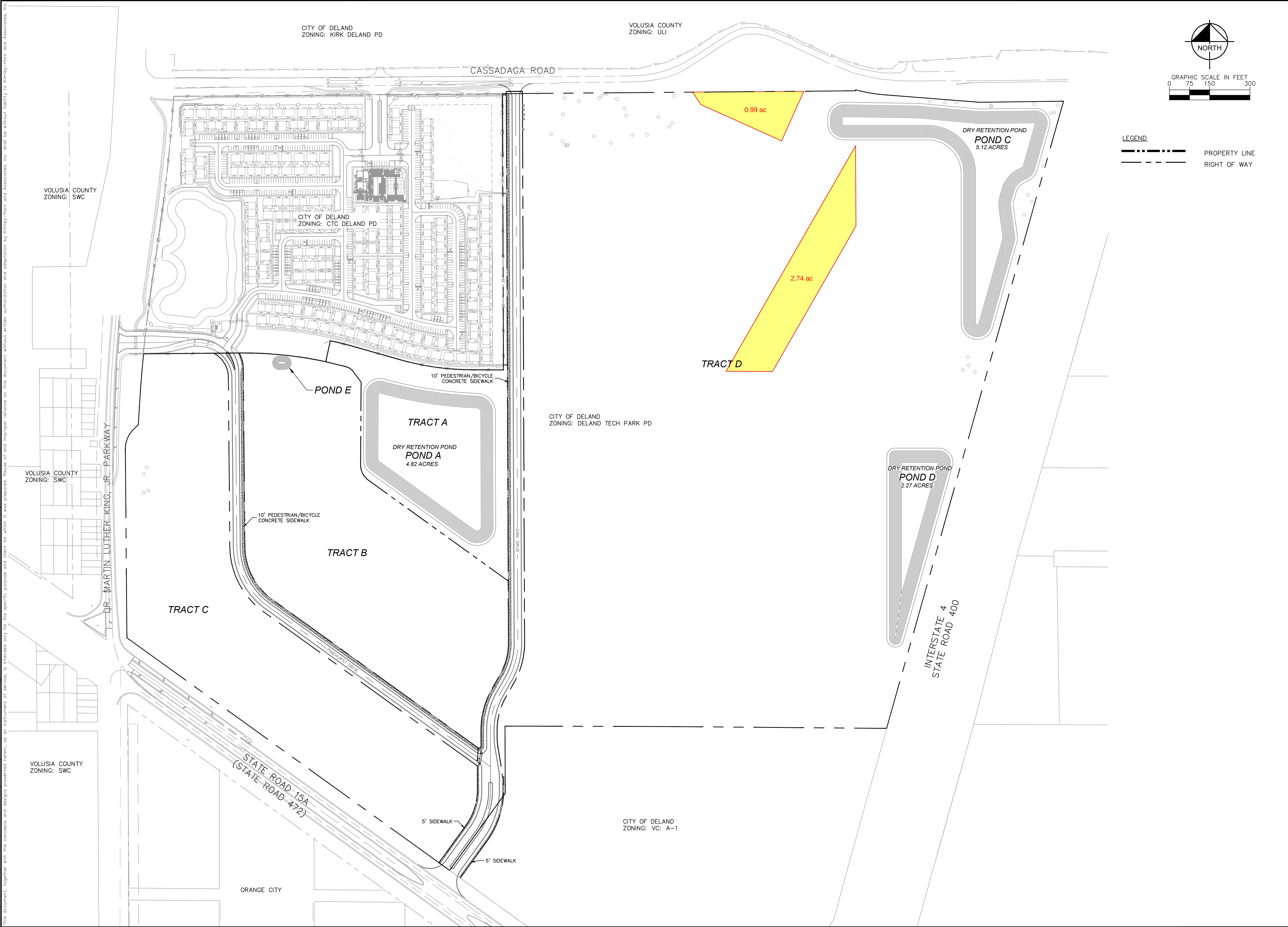




City of DeLand  
Z24-081  
DELAND  
TECH PARK



Plotted By: Ramirez, Joan Sheet Set: DELAND TECH PARK Layout: PG August 05, 2024 04:31:45pm K:\ORL\_Civil\2418000-Deland Tech Park\CAADD\CONST\PlanSheets\C4.0-SITE.dwg  
This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



|                  |                |         |                   |  |  |                          |                   |                   |                    |                 |                   |                                                             |                                                                                                                                                                                                                         |           |  |     |    |      |
|------------------|----------------|---------|-------------------|--|--|--------------------------|-------------------|-------------------|--------------------|-----------------|-------------------|-------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|--|-----|----|------|
| DELAND TECH PARK | CITY OF DELAND | FLORIDA | OVERALL SITE PLAN |  |  | KHA PROJECT<br>249418000 | DATE<br>7/15/2024 | SCALE<br>AS SHOWN | DESIGNED BY<br>--- | DRAWN BY<br>--- | CHECKED BY<br>--- | JEFFREY R. SWISHER, P.E.<br>FLORIDA LICENSE NUMBER<br>60275 | <br>© 2024 KIMLEY-HORN AND ASSOCIATES, INC.<br>200 S. ORANGE AVENUE, SUITE 600, ORLANDO, FL 32801<br>WWW.KIMLEY-HORN.COM CA-00000696 | REVISIONS |  | No. | BY | DATE |
|                  |                |         |                   |  |  |                          |                   |                   |                    |                 |                   |                                                             |                                                                                                                                                                                                                         |           |  |     |    |      |



**CITY OF DELAND**  
**Request for Commission Action**  
**January 22, 2025**

**SUBJECT:** First Reading of Ordinance Annexing ±21.07 Acres of Property Located on the Northwest Corner of South Blue Lake Avenue and East Beresford Avenue and Adjacent Right of Way.

**DEPARTMENT:** Planning

**PREPARED BY:** Carol Kuhn, Planning Director

**ATTACHMENTS:** Ordinance, Exhibit A - Legal Description, Exhibit B-Map, ROW and Parent Metes and Bounds SURVEY, AN24-092 Aerial, AN24-092 Staff Report Blue Lake Cove

**APPROVED BY:** Michael Pleus, City Manager, January 16, 2025

---

**SUMMARY/HIGHLIGHT:**

The subject property is located in unincorporated Volusia County and is currently zoned VC: R-3 (Volusia County Urban Single Family), with a future land use designation of VC: ULI (Volusia County Urban Low Intensity). It is owned by Clark Van Hooten, and the property is currently vacant, with a 100' wide FPL easement that runs down the center of the property, then east.

On December 11, 2024, the Planning Board unanimously voted to recommend approval of the annexation request.

**STRATEGIC PLAN FOCUS AREA/ACTION STEP:**

Smart Growth Principles.

**SUSTAINABILITY:**

Strategic Plan Focus Area: Preparing for Future Sustainability - Annexing the property into the city's jurisdiction will subject it to the city's adopted policies and allow implementation of the city's Sustainability Action Plan.

**FISCAL IMPACT:**

Inclusion of this property into the city's tax roll will increase funds for city services.

**RECOMMENDATION:**

Staff recommends that the City Commission to approve the annexation of property into the city limits, on first reading.

**BACKGROUND/DISCUSSION:**

The applicant also applied for a land use amendment for the subject property but has not yet decided on a requested zoning designation. Once a zoning designation is determined, the applicant will be required to bring the request to the Planning Board and two readings with the City Commission.

**ORDINANCE NO. 2025 –**

**AN ORDINANCE OF THE CITY COMMISSION OF DELAND, FLORIDA, ANNEXING A PARCEL OF LAND TOTALING APPROXIMATELY +/- 21.07 ACRES OF PROPERTY LOCATED ON THE NORTHWEST CORNER OF SOUTH BLUE LAKE AVENUE AND EAST BERESFORD AVENUE AND ADJACENT RIGHT-OF-WAY; AMENDING CITY BOUNDARIES TO INCLUDE THE ANNEXED PROPERTIES; AFFIRMING COMPLIANCE WITH STATUTORY PROCEDURE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Petitioner, Scott Banta, submitted a petition for annexation of approximately +/- 21.07 acres of land located on the northwest corner of South Blue Lake Avenue and East Beresford Avenue and adjacent right-of-way; and

**WHEREAS**, the subject property to be annexed is currently vacant; and

**WHEREAS**, the area to be annexed is contiguous to the boundaries of the City of DeLand on the east, will not create an enclave if annexed, is reasonably compact, is not circuitous, and otherwise meets the requirements of *Chapter 171, Florida Statutes*.

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

**Section 1.** The following described parcel of land in Volusia County, Florida, for which a petition for annexation has been received from the Petitioner, Scott Banta, totaling approximately +/- 21.07 acres, located on the northwest corner of South Blue Lake Avenue and East Beresford Avenue and adjacent right-of-way, is hereby annexed and made part of the City of DeLand, subject to the jurisdiction, obligations, benefits and privileges of property within the municipality:

**See legal description(s) attached hereto as Exhibit “A”**

**Parcel Identification No. 701500000720**

**Section 2.** The boundary lines of the City of DeLand are hereby changed and redefined to include the lands described in Section 1 above and depicted on the map attached hereto as Exhibit “B” and by this reference made a part hereof.

**Section 3.** The City Commission finds that a public hearing has been held on this Ordinance prior to adoption in the Commission Chambers, City Hall, 120 S. Florida Avenue, DeLand, Florida, at 7:00 P.M., on \_\_\_\_\_, 2025, after notice published in accordance with Florida Statutes Section 171.044.

**Section 4.** This Ordinance shall become effective immediately upon its adoption.

**PASSED AND DULY ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Christopher M. Cloudman  
Mayor-Commissioner

**ATTEST:**

\_\_\_\_\_  
Julie A. Hennessy  
City Clerk - Auditor

Passed on first reading:  
Adopted on second reading:

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
Darren J. Elkind  
City Attorney

## **EXHIBIT "A"**

**DESCRIPTION: METES AND BOUNDS DESCRIPTION FOR PARENT PARCEL**

**FOR ANNEXING (CREATED BY SURVEYOR)**

**THE SOUTH HALF (S 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 15, TOWNSHIP 17 SOUTH, RANGE 30 EAST, SUBJECT TO THE RIGHT OF WAY OF PUBLIC ROADS AND OF EASEMENTS TO HOUSTON TEXAS GAS AND OIL CORPORATION, RECORDED IN OFFICIAL RECORDS BOOK 421, PAGE 668 AND TO FLORIDA POWER CORPORATION, RECORDED IN OFFICIAL RECORDS BOOK 899, PAGE 470, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;**

**BEGIN AT A 5/8" IRON BAR AND CAP #3019 MARKING THE NORTHEAST CORNER OF THOSE LANDS RECORDED IN OFFICIAL RECORDS BOOK 7109, PAGE 363, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE RUN S01°03'59"E, ALONG THE WEST RIGHT OF WAY LINE OF SOUTH BLUE LAKE AVENUE, (A 200.00 FOOT RIGHT OF WAY) A DISTANCE OF 495.84 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF EAST BERESFORD AVENUE FOR VOLKUSIA COUNTY RIGHT OF WAY AQUISITION PROJECT NUMBER 5779; THENCE RUN S88°50'48"W, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 57.24 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 1590.00 FEET; THENCE CONTINUE ALONG SAID RIGHT OF WAY LINE AND ALONG SAID CURVE PASSING TRHROUGH A CENTRAL ANGLE OF 15°37'47", AND HASVING AN ARC LENGTH OF 433.74 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF S81°01'54"W, 432.39 FEET, TO A POINT OF REVERSE CURVE; THENCE CONTINUE ALONG SAID NORTH RIGHT OF WAY LINE AND ALONG THE ARC OF SAID CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 1520.00 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, PASSING THROUGH A CENTRAL ANGLE OF 02°57'45" AND HAVING AN ARC LENGTH OF 78.59 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF S74°51'53"W, 78.59 FEET TO A POINT ON THE EAST**



LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 15; THENCE RUN S01°14'18"E, ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 15, A DISTANCE OF 7.21 FEET TO THE INTERSECTION WITH THE NORTH LINE OF A 30.00 FOOT EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 421, PAGE 668, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE RUN S88°57'54"W, ALONG THE NORTH LINE OF SAID EASEMENT, A DISTANCE OF 38.39 FEET; THENCE RUN S01°09'46"E, A DISTANCE OF 25.68 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF SAID EAST BERESFORD AVENUE; THENCE RUN S89°08'15"W, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 598.30 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE SOUTH MASSACHUSETTE AVENUE; THENCE RUN N00°56'02"W, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 602.08 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 15; THENCE RUN N88°46'23"E, ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 15, A DISTANCE OF 1196.93 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 15.50 ACRES.

DESCRIPTION: EAST BERESFORD AVENUE, S. BLUE LAKE AVENUE AND S. MASSACHUSETTS AVENUE  
FOR ANNEXING (CREATED BY SURVEYOR)

A PORTION OF RIGHT OF WAYS FOR ANNEXATION, LYING IN AND BEING A PORTION OF SECTIONS 14 AND 15, TOWNSHIP 17 SOUTH, RANGE 30 EAST, VOLUSIA COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

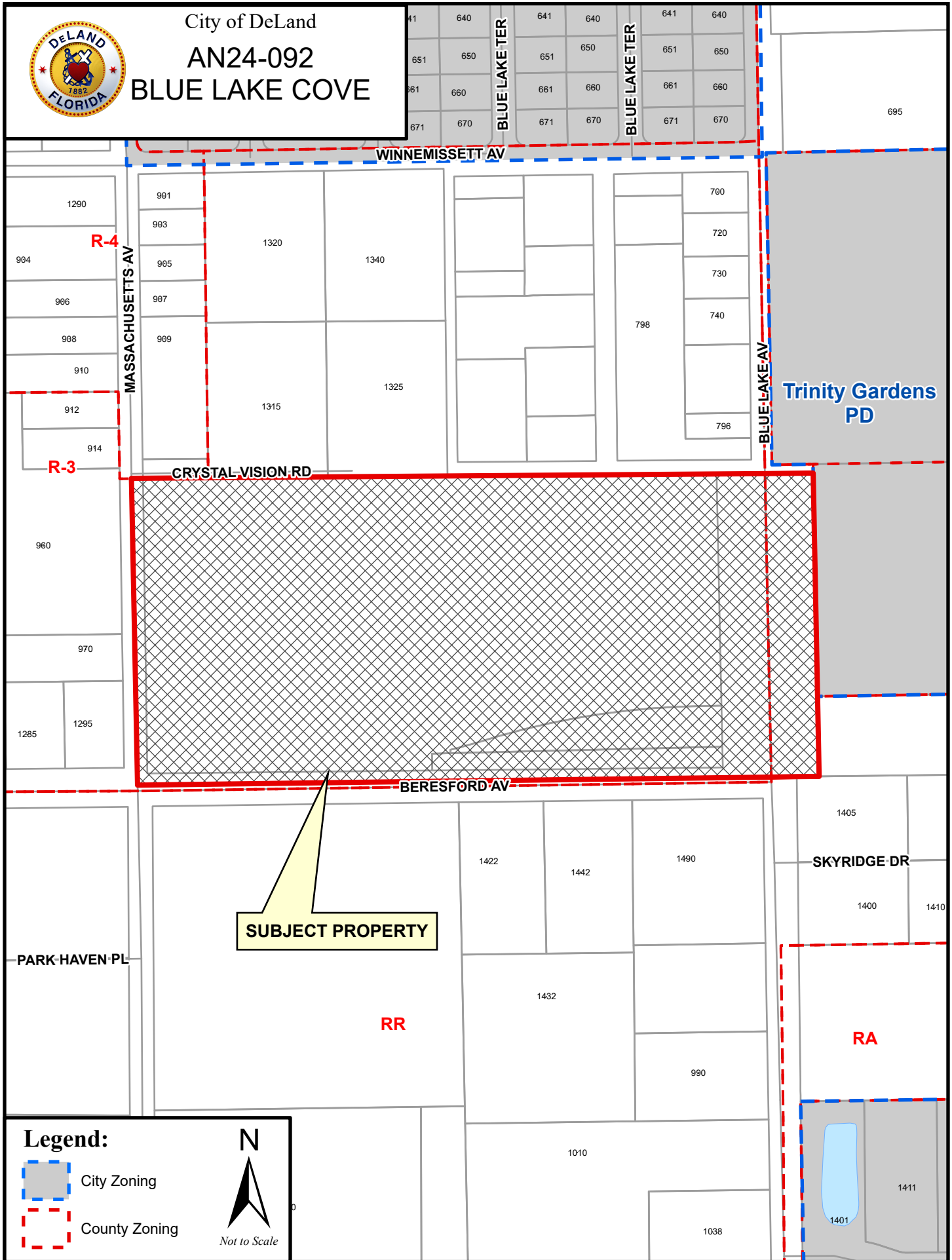
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PAGE 363, A DISTANCE OF 200.05 FEET, TO A 5/8" IRON BAR AND CAP #LB 1, MARKING THE EAST RIGHT OF WAY LINE OF SOUTH BLUE LAKE AVENUE; THENCE RUN S01°03'45"E, ALONG THE EAST RIGHT OF WAY LINE OF SAID SOUTH BLUE LAKE AVENUE, A DISTANCE OF 646.03 FEET TO THE INTERSECTION WITH THE EASTERLY PROJECTION OF THE CENTERLINE OF EAST BERESFORD AVENUE; THENCE RUN S88°51'11"W, ALONG THE CENTERLINE OF SAID EAST BERESFORD AVENUE, A DISTANCE OF 1423.27 FEET TO THE INTERSECTION WITH THE CENTERLINE OF SOUTH MASSACHUSETTS AVENUE; THENCE RUN N00°56'02"W, ALONG THE CENTERLINE OF SAID SOUTH MASSACHUSETTS AVENUE, A DISTANCE OF 644.27 FEET; THENCE RUN N88°46'23"E, ALONG AN EASTERLY EXTENSION OF THE NORTH LINE OF THOSE LANDS RECORDED IN SAID OFFICIAL RECORDS BOOK 7109, PAGE 363, A DISTANCE OF 24.80 FEET TO THE INTERSECTION WITH THE EAST RIGHT OF WAY LINE OF SAID SOUTH MASSACHUSETTS AVENUE; THENCE RUN S00°56'02"E, ALONG THE EAST RIGHT OF WAY LINE OF SAID SOUTH MASSACHUSETTS AVENUE, A DISTANCE OF 602.08 FEET TO A 5/8" IRON BAR AND CAP #3019 MARKING THE INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF EAST BERESFORD AVENUE; THENCE RUN N89°08'15"E, ALONG THE NORTH RIGHT OF WAY LINE OF SAID EAST BERESFORD AVENUE, A DISTANCE OF 598.30 FEET, TO A 5/8" IRON BAR AND CAP 3019; THENCE CONTINUE ALONG THE NORTH RIGHT OF WAY LINE OF SAID EAST BERESFORD AVENUE N01°09'46"W, A DISTANCE OF 25.68 FEET TO A 5/8" IRON BAR AND CAP #3019; THENCE CONTINUE ALONG SAID NORTH RIGHT OF WAY LINE OF SAID EAST BERESFORD AVENUE, A DISTANCE OF 38.39 FEET; THENCE CONTINUE ALONG SAID NORTH RIGHT OF WAY LINE OF EAST BERESFORD AVENUE, N01°14'18"W, A DISTANCE OF 7.22 FEET TO A POINT ON THE ARC OF A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1520.00 FEET; THENCE CONTINUE ALONG THE NORTH RIGHT OF WAY LINE OF SAID EAST BERESFORD AVENUE AND ALONG THE ARC OF SAID CURVE, PASSING THROUGH A CENTRAL ANGLE OF 02°57'45" AND HAVING AN ARC LENGTH OF 78.59 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF N74°41'53"E, 78.58 FEET TO A POINT OF REVERSE CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 1590.00 FEET;

THENCE CONTINUE ALONG SAID NORTH RIGHT OF WAY LINE AND ALONG THE ARC OF SAID CURVE, PASSING THROUGH A CENTRAL ANGLE OF  $15^{\circ}37'47''$  AND HAVING AN ARC LENGTH OF 433.74 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF  $N81^{\circ}01'54''$ , 432.39 FEET TO THE POINT OF TANGENCY; THENCE CONTINUE ALONG SAID NORTH RIGHT OF WAY LINE  $N88^{\circ}50'48''E$ , 57.24 FEET TO A POINT OF INTERSECTION WITH THE WEST RIGHT OF WAY LINE OF SAID SOUTH BLUE LAKE AVENUE; THENCE RUN  $N01^{\circ}03'59''W$ , ALONG THE WEST RIGHT OF WAY LINE OF SAID SOUTH BLUE LAKE AVENUE, A DISTANCE OF 495.84 FEET TO THE POINT OF BEGINNING.

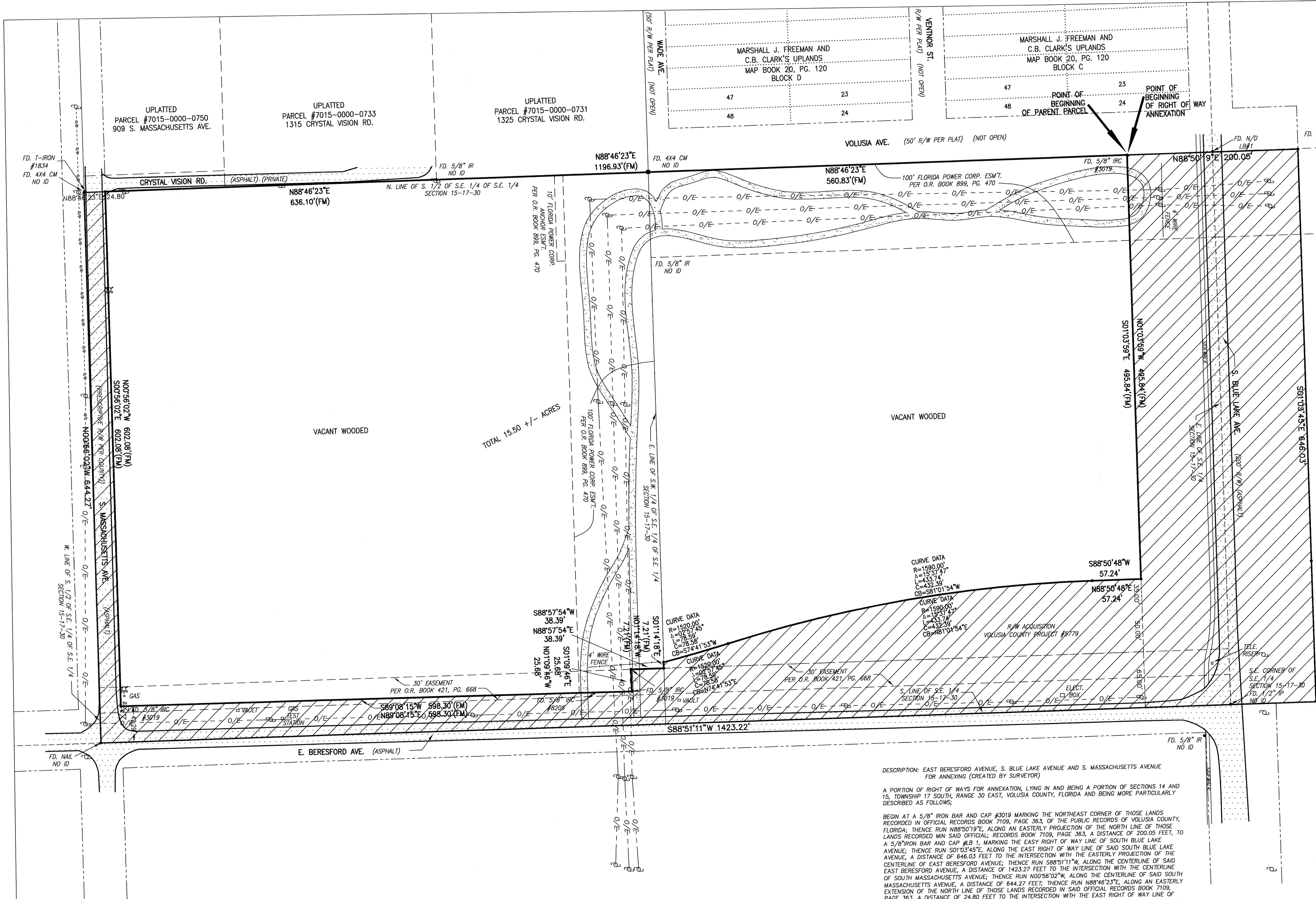
SAID RIGHT OF WAY CONTAINS 5.57 ACRES

TOTAL 21.07 ACRES





SECTION 15, TOWNSHIP 17 SOUTH, RANGE 30 EAST  
DeLAND  
VOLUSIA COUNTY, FLORIDA



- ABBREVIATIONS:
- A/C = AIR CONDITIONER
  - CL = CALCULATED
  - CL = CENTERLINE
  - CL = CHAIN LINK FENCE
  - CONC. = CONCRETE
  - CSL = CONCRETE SLAB
  - CB = CONCRETE BLOCK
  - C.M. = CONCRETE MONUMENT
  - (D) = DEED OR DESCRIPTION
  - D/U = DRAINAGE/UTILITY EASEMENT
  - EAST = EAST
  - E/P = EDGE OF PAVEMENT
  - ESMT = EASEMENT
  - ELEV. = ELEVATION
  - F.F. = FINISHED FLOOR
  - FD. = FOUND
  - (FM) = FIELD MEASURED
  - LD = IDENTIFICATION
  - IP = IRON PIPE
  - IR = IRON ROD
  - IR&C = IRON ROD AND CAP
  - LS = LICENSED SURVEYOR
  - LB = LICENSED SURVEY BUSINESS
  - N = NORTH
  - N/D = NAIL AND DISK
  - N/W = NAIL AND WASHER
  - O.R. = OFFICIAL RECORDS
  - O/H = OVERHANG
  - O/E = OVERHEAD ELECTRIC LINE
  - (P) = PLAT (MAP) DIMENSION
  - P/P = POWER POLE
  - P.C. = POINT OF CURVATURE
  - F.F. = FINISHED FLOOR
  - P.O.B. = POINT OF BEGINNING
  - P/L = PROPERTY LINE
  - R/W = RIGHT-OF-WAY
  - S = SOUTH
  - S/T = SETTING TANK
  - S.F. = SQUARE FEET
  - TYP. = TYPICAL
  - UGE = UNDER GROUND ELECTRIC
  - W = WEST
  - W/F = WOOD FENCE
  - W/M = WATER METER
  - Δ = DELTA OR CENTRAL ANGLE
  - L = LENGTH OF CURVE
  - R = RADIUS
  - T = TANGENT DISTANCE
  - C.B. = CHORD BEARING
  - CH. = CHORD DISTANCE

- ⊗ = FIRE HYDRANT
- ⊗ = SEWER VALVE
- ⊗ = WATER VALVE
- ⊗ = POWER POLE

DESCRIPTION: OVERALL PARENT PARCEL (PER ORB 7109 PG. 363.)

THE SOUTH HALF (S 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 15, TOWNSHIP 17 SOUTH, RANGE 30 EAST, SUBJECT TO THE RIGHT OF WAY OF PUBLIC ROADS AND OF EASEMENTS TO HOUSTON TEXAS GAS AND OIL CORPORATION, RECORDED IN OFFICIAL RECORDS BOOK 421, PAGE 668 AND TO FLORIDA POWER CORPORATION, RECORDED IN OFFICIAL RECORDS BOOK 899, PAGE 470, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

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SAID PARCEL CONTAINS 15.50 ACRES.

**THIS SURVEY IS CERTIFIED TO AND PREPARED FOR THE SOLE AND EXCLUSIVE BENEFIT OF THE ENTITIES AND/OR INDIVIDUALS SHOWN HEREON, ON THE MOST CURRENT DATE SHOWN, AND SHALL NOT BE RELIED UPON BY ANY OTHER ENTITY OR INDIVIDUAL WHOMSOEVER.**

- NOTES:
1. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHT OF WAY AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR EXCEPT AS SHOWN.
  2. NOT VALID WITHOUT THE SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
  3. NO UNDERGROUND IMPROVEMENTS OR INSTALLATIONS OR OTHER INTERIOR IMPROVEMENTS HAVE BEEN LOCATED, EXCEPT AS SHOWN, AS PER THE REQUEST OF THE CLIENT.
  4. UNLESS NOTED, LEGAL DESCRIPTION FURNISHED BY CLIENT.
  5. FEATURES SHOWN BY SYMBOL AS INDICATED IN THE LEGEND ARE NOT TO SCALE.
  6. THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A TITLE SEARCH, A TITLE SEARCH MAY REVEAL ADDITIONAL INFORMATION AFFECTING THE PARCEL AS SHOWN.
  7. WHERE APPLICABLE, MONUMENT DIAMETERS, ETC., AND/OR LS OR LB NUMBERS ARE SHOWN NEAR RESPECTIVE SYMBOL ABOVE, UNLESS SHOWN IN LEGEND.
  8. BEARINGS AND GEOMETRY SHOWN HEREON BASED ON GPS OBSERVATIONS, FLORIDA STATE PLANE COORDINATE SYSTEM, FLORIDA EAST COAST ZONE (0901), NORTH AMERICAN DATUM 1983, 2011 ADJUSTMENT.
  9. UNLESS SHOWN, ONLY THOSE VISIBLE FEATURES IN THE IMMEDIATE VICINITY OF THE ABOVE DESCRIBED PARCEL BOUNDARY HAVE BEEN LOCATED.
  10. SUBJECT PROPERTY LIES WITHIN ZONE "X", AREAS DETERMINED TO BE OUTSIDE 500 YEAR FLOOD PLAN AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, VOLUSIA COUNTY COMMUNITY #125155, PANEL #121200470 H, DATED FEBRUARY 19, 2014. THIS FLOOD INSURANCE RATE MAP IS NOT A SURVEY AND NO RESPONSIBILITY IS TAKEN FOR THE ACCURACY OF SAID MAP.

NOTES:

THIS SURVEY IS CERTIFIED TO AND PREPARED FOR THE SOLE AND EXCLUSIVE BENEFIT OF THE ENTITIES AND/OR INDIVIDUALS SHOWN HEREON, ON THE MOST CURRENT DATE SHOWN, AND SHALL NOT BE RELIED UPON BY ANY OTHER ENTITY OR INDIVIDUAL WHOMSOEVER. THERE MAY BE ADDITIONAL RESTRICTIONS AND/OR OTHER MATTERS THAT ARE NOT SHOWN HEREON THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THE COUNTY. THIS SURVEY IS PREPARED WITHOUT BENEFIT OF ABSTRACT OR TITLE SEARCH UNLESS OTHERWISE NOTED. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY AND MAPPER AND THE FIRM, WHICH WAS PREPARED UTILIZING THE BEST AVAILABLE INFORMATION AND AS SUCH DOES NOT CONSTITUTE A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED. FURTHERMORE, THIS SURVEYOR AND FIRM DOES NOT ASSUME RESPONSIBILITY AND SHALL NOT BE HELD LIABLE FOR CLAIMS ARISING FROM ERRONEOUS OR INCORRECT INFORMATION FURNISHED TO THE SURVEYOR, WHICH WAS USED AS A BASIS IN THE PREPARATION OF THIS SURVEY DRAWING.

DESCRIPTION: EAST BERESFORD AVENUE, S. BLUE LAKE AVENUE AND S. MASSACHUSETTS AVENUE FOR ANNEXING (CREATED BY SURVEYOR)

A PORTION OF RIGHT OF WAYS FOR ANNEXATION, LYING IN AND BEING A PORTION OF SECTIONS 14 AND 15, TOWNSHIP 17 SOUTH, RANGE 30 EAST, VOLUSIA COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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REVISED 5/6/2024 TO ADD METES AND BOUNDS DESCRIPTION FOR PARENT PARCEL FOR ANNEXING

## EFIRD SURVEYING GROUP, INC.

475 S. BLUE LAKE AVENUE  
DELAND, FLORIDA 32724  
PHONE: (386) 740-4144 FAX: (386) 740-4155  
WEBSITE: [www.efirdsurveying.com](http://www.efirdsurveying.com)  
e-mail: [larry@efirdsurveying.com](mailto:larry@efirdsurveying.com)  
Certificate of Authorization Licensed Business Number 7230

### Boundary Survey

Survey Date: 4/15/2024 Drawing Number: 23-0412 ROW Scale: 1"=60'

For: DREAMQUEST TINY NEIGHBORHOODS, INC.

xxxx S. BLUE LAKE AVE., DeLAND

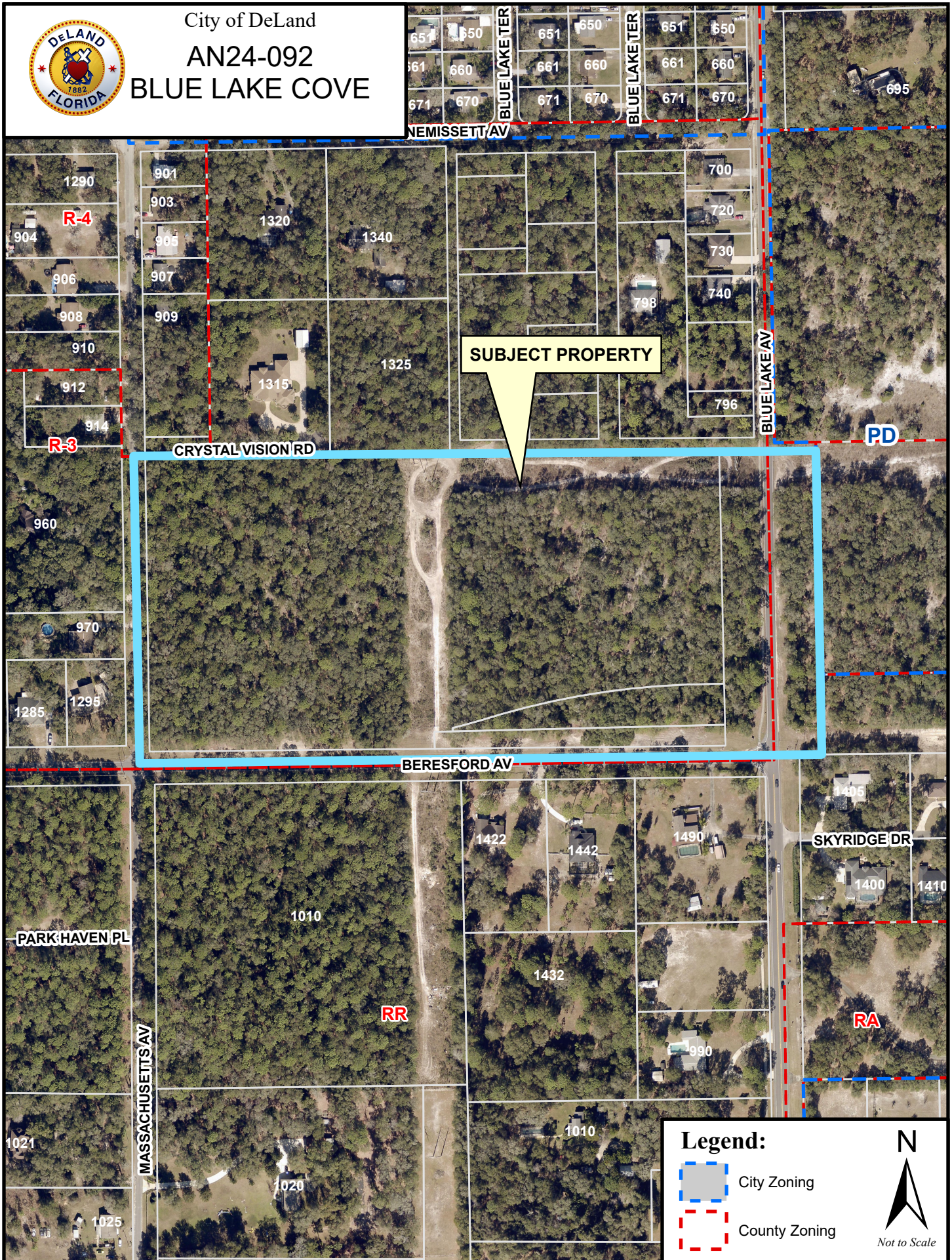
I HEREBY CERTIFY THIS SURVEY/DRAWING TO BE CORRECT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND CONFORMS TO THE FLORIDA STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF SURVEYING AND MAPPING, AND I AM A LICENSED SURVEYOR AND MAPPER IN FLORIDA, PURSUANT TO SECTION 474.02, FLORIDA STATUTES.

LARRY R. EFIRD, III  
Professional Surveyor & Mapper No. 5823





City of DeLand  
AN24-092  
BLUE LAKE COVE



**Legend:**

- City Zoning
- County Zoning





**PLANNING DEPARTMENT STAFF REPORT  
TO  
PLANNING BOARD**

**December 11, 2024**

**APPLICATION:** AN24-092

1. **Requested Action:** Annexation of 21.07 acres of property into the City limits of DeLand
2. **Location:** Northwest corner of E. Beresford Ave. and S. Blue Lake Ave.
3. **Petitioner:** Mr. Scott Banta
4. **Staff:** Kendall Story
5. **Owner:** Clark Van Hooten
6. **Size of parcel(s):** ± 21.07 acres
7. **Parcel ID:** 701500000720
8. **Land Use Designation & Zoning of Subject Property:**

**Future Land Use:** Volusia County: Urban Low Intensity (ULI)

**Existing Zoning:** Volusia County: R-3

**Existing Use:** Wooded/Undeveloped

9. **Surrounding Land Use & Zoning:**

|               | LAND USE                | ZONING                              |
|---------------|-------------------------|-------------------------------------|
| <b>North:</b> | VC: URBAN LOW INTENSITY | VC: R-3                             |
| <b>South:</b> | VC: RURAL               | VC: RR                              |
| <b>East:</b>  | URBAN LOW INTENSITY     | TRINITY GARDENS PLANNED DEVELOPMENT |
| <b>West:</b>  | VC: URBAN LOW INTENSITY | VC: R-3                             |

**10. Physical Characteristics:** The subject property is ± 21.07 acres in size and is wooded and undeveloped. It does not appear to contain any wetlands and does not lie within the 100-year flood zone.

The subject property is located in unincorporated Volusia County and is currently zoned VC: R-3 (Volusia County Urban Single Family), with a future land use designation of VC: ULI (Volusia County Urban Low Intensity). It is owned by Clark Van Hooten, and the property is currently vacant, with a 100' wide FPL easement that runs down the center of the property, then east. This application is accompanied by a request for a future land use amendment (SMLU24-093) to LDR (Low Density Residential). If the requests are approved, any future site improvements will first require a rezone of the subject property to a City zoning district, followed by review and approval of a separate development application.

**11. Public Services & Utilities:** The City's Utilities Department determined the closest City water main is a 8" & 12" main along the south and east of the property, and the closest city sewer main is also located on the south side of the property, with an 8" force main.

**12. Growth Management Plan Consistency:**

North, south, and west of the property is mostly rural, with residential homes, located in unincorporated Volusia County. The Trinity Gardens Planned Development, once constructed, will be located east of the subject property.

**13. Analysis:** The City's guidelines for annexation require a property be sufficiently contiguous to property already within the city limits and to be accessible to public services provided. In addition, the State requires the property be reasonably compact, not circuitous, and does not create an enclave. The subject property does not create an enclave, is contiguous to the City of DeLand, is reasonably compact and is not circuitous. The parcel is contiguous to the city to the east, by ± 495 ft.

**Recommendation:** Staff recommends that the Planning Board forward this annexation petition to the City Commission, with a recommendation for approval.

Based upon the concurrency requirements of the State of Florida and the City's concurrency management plan, as adopted in Article 5, Sec. 33-41 of the Land Development Regulations, approval of the proposed annexation does not automatically provide vested development rights. At the time the developer applies for a development permit, adequate infrastructure must exist to support the proposed development. If such infrastructure does not exist, the developer may be required to incur additional expense to ensure that the necessary infrastructure is provided.

**CITY OF DELAND**  
**Request for Commission Action**  
**January 22, 2025**

**SUBJECT:** First Reading of Ordinance Changing the Land Use for Approximately ±15.50 Acres of Property, Located at the Northwest Corner of South Blue Lake Avenue and East Beresford Avenue, from Volusia County Urban Low Intensity (ULI) to City of DeLand Low Density Residential (LDR).

**DEPARTMENT:** Planning

**PREPARED BY:** Kendall Story, Senior Planner

**ATTACHMENTS:** Ordinance, Exhibit A - Legal Description, Boundary Survey, SMLU24-093 Staff Report Blue Lake Cove Future Land Use, SMLU24-093 Current Land Use, SMLU24-093 Proposed Land Use, SMLU24-093 Zoning, SMLU24-093 Aerial

**APPROVED BY:** Michael Pleus, City Manager, January 16, 2025

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**SUMMARY/HIGHLIGHT:**

The applicant is requesting the future land use designation be amended for a ±15.50-acre parcel located on the northwest corner of S. Blue Lake Ave. & E. Beresford Ave. from Volusia County's Urban Low-Intensity (VC: ULI) land use designation to the City of DeLand's Low-Density Residential (LDR) land use designation.

On December 11, 2024, the Planning Board voted 6-1 to recommend approval of the land use amendment request.

**STRATEGIC PLAN FOCUS AREA/ACTION STEP:**

Smart Growth Principles

**SUSTAINABILITY:**

Strategic Plan Focus Area: Preparing for Future Sustainability - adopting the future land use designation of Low Density Residential (LDR) is in line with the City's policies and long-term goals, as the City grows.

**FISCAL IMPACT:**

Inclusion of the subject property in the City's tax rolls will increase funds towards City services.

**RECOMMENDATION:**

Staff recommends that the City Commission approve the proposed land use amendment, on first reading.

**BACKGROUND/DISCUSSION:**

The applicant has not yet decided on a requested zoning designation. Once a zoning designation is determined, the applicant will be required to bring the request to the Planning Board, followed by two readings with the City Commission.



## **ORDINANCE NO. 2025 -**

**AN ORDINANCE OF THE CITY COMMISSION OF DELAND, FLORIDA, AMENDING THE COMPREHENSIVE PLAN FOR THE CITY OF DELAND, BY CHANGING THE LAND USE DESIGNATION OF CERTAIN PROPERTY LOCATED ON THE NORTHWEST CORNER OF SOUTH BLUE LAKE AVENUE AND EAST BERESFORD AVENUE FROM VOLUSIA COUNTY'S URBAN LOW INTENSITY FUTURE LAND USE DESIGNATION TO CITY OF DELAND'S LOW-DENSITY RESIDENTIAL FUTURE LAND USE DESIGNATION; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, F.S. §163.3161, et seq., creates the Community Planning Act (hereinafter the "Act"); and

**WHEREAS**, the Act allows each local government to approve comprehensive plan amendments related to small scale development activities at any time during the year under certain conditions; and

**WHEREAS**, the Act permits small area amendments to be approved without regard to statutory limits on the frequency of comprehensive plan amendments as long as:

1. The proposed amendment involves the change to the land use designation of a parcel of property that is 50 acres or less; and
2. The cumulative effect of the above amendment does not exceed 120 acres annually; and

**WHEREAS**, the City Commission adopted a comprehensive plan for the future growth and development of the City pursuant to Ordinance No. 90-4, as amended, (hereinafter the "Comprehensive Plan"); and

**WHEREAS**, the City Commission has received a request to amend the Comprehensive Plan by changing the land use designation of approximately +/- 15.50 acres of land located on the northwest corner of South Blue Lake Avenue and East Beresford Avenue; from Volusia County's Urban Low Intensity future land use designation to City of DeLand's Low-Density Residential future land use designation; and

**WHEREAS**, the Planning Board held a public hearing, after due public notice, for the purpose of recommending the adoption of the proposed Comprehensive Plan amendment; and

**WHEREAS**, the City Commission held a public hearing after due public notice, in accordance with F.S. §163.3184(11); and

**WHEREAS**, this land use amendment has been transmitted to and reviewed by the Volusia Growth Management Commission.

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

**Section 1.** The City Commission hereby amends the Future Land Use Map for the incorporated area by changing the land use designation of that certain parcel of land located on the northwest corner of South Blue Lake Avenue and East Beresford Avenue; consisting of

approximately +/- 15.50 acres of land from Volusia County's Urban Low Intensity Future Land Use designation to City of DeLand's Low-Density Residential Future Land Use designation, as more particularly described in the Exhibit "A" attached hereto and by this reference made a part hereof.

**Section 2.** If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, that holding shall in no way affect the validity of the remaining portions of this Ordinance.

**Section 3.** The effective date of this Ordinance shall be the later date of the following events: (1) the date of issuance of a certificate of consistency or conditional certificate of consistency with regard to the land use designation of the subject property by the Volusia Growth Management Commission; (2) thirty-one (31) days after its adoption by the City Commission; or (3) if properly challenged by an affected person, after the state land planning agency or the Administration Commission, respectively, issues a final order determining this adopted small scale development amendment to be in compliance. No development orders, development permits or land uses dependent on this Ordinance may be issued or commence before it has become effective.

**PASSED AND DULY ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Christopher M. Cloudman  
Mayor - Commissioner

**ATTEST:**

\_\_\_\_\_  
Julie A. Hennessy  
City Clerk - Auditor

Passed on first reading:  
Adopted on second reading:

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
Darren J. Elkind  
City Attorney

## **EXHIBIT "A"**

**DESCRIPTION: METES AND BOUNDS DESCRIPTION FOR PARENT PARCEL**

**(CREATED BY SURVEYOR)**

**THE SOUTH HALF (S 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 15, TOWNSHIP 17 SOUTH, RANGE 30 EAST, SUBJECT TO THE RIGHT OF WAY OF PUBLIC ROADS AND OF EASEMENTS TO HOUSTON TEXAS GAS AND OIL CORPORATION, RECORDED IN OFFICIAL RECORDS BOOK 421, PAGE 668 AND TO FLORIDA POWER CORPORATION, RECORDED IN OFFICIAL RECORDS BOOK 899, PAGE 470, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;**

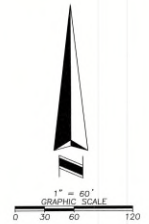
**BEGIN AT A 5/8" IRON BAR AND CAP #3019 MARKING THE NORTHEAST CORNER OF THOSE LANDS RECORDED IN OFFICIAL RECORDS BOOK 7109, PAGE 363, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE RUN S01°03'59"E, ALONG THE WEST RIGHT OF WAY LINE OF SOUTH BLUE LAKE AVENUE, (A 200.00 FOOT RIGHT OF WAY) A DISTANCE OF 495.84 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF EAST BERESFORD AVENUE FOR VOLKUSIA COUNTY RIGHT OF WAY AQUISITION PROJECT NUMBER 5779; THENCE RUN S88°50'48"W, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 57.24 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 1590.00 FEET; THENCE CONTINUE ALONG SAID RIGHT OF WAY LINE AND ALONG SAID CURVE PASSING TRHROUGH A CENTRAL ANGLE OF 15°37'47", AND HASVING AN ARC LENGTH OF 433.74 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF S81°01'54"W, 432.39 FEET, TO A POINT OF REVERSE CURVE; THENCE CONTINUE ALONG SAID NORTH RIGHT OF WAY LINE AND ALONG THE ARC OF SAID CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 1520.00 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, PASSING THROUGH A CENTRAL ANGLE OF 02°57'45" AND HAVING AN ARC LENGTH OF 78.59 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND**

DISTANCE OF S74°51'53"W, 78.59 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 15; THENCE RUN S01°14'18"E, ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 15, A DISTANCE OF 7.21 FEET TO THE INTERSECTION WITH THE NORTH LINE OF A 30.00 FOOT EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 421, PAGE 668, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE RUN S88°57'54"W, ALONG THE NORTH LINE OF SAID EASEMENT, A DISTANCE OF 38.39 FEET; THENCE RUN S01°09'46"E, A DISTANCE OF 25.68 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF SAID EAST BERESFORD AVENUE; THENCE RUN S89°08'15"W, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 598.30 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE SOUTH MASSACHUSETTE AVENUE; THENCE RUN N00°56'02"W, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 602.08 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 15; THENCE RUN N88°46'23"E, ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 15, A DISTANCE OF 1196.93 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 15.50 ACRES.



SECTION 15, TOWNSHIP 17 SOUTH, RANGE 30 EAST  
DeLAND  
VOLUSIA COUNTY, FLORIDA



- [illegible]

NOTES:

1. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS RIGHT OF WAY AND/OR OWNERSHIP  
WERE FURNISHED TO THE SUPERVISING AGENT AS SHOWN.
2. NO RECORDS OF THE DEEDS OF THE COUNTY OF FLORIDA RECORDING SURVEYOR AND MAPPER,  
NOR RECORDS OF THE DEEDS OF THE COUNTY OF FLORIDA RECORDING SURVEYOR AND MAPPER,  
NO UNDERGROUND IMPROVEMENTS OR INSTALLATIONS OF OTHER INTERIOR  
IMPROVEMENTS HAVE BEEN LOCATED, EXPOSED OR EXAMINED, AS PER THE REQUEST OF THE  
CLIENT, FOR THE PURPOSES OF THIS INVESTIGATION.
3. FEATURES SHOWN BY SYMBOL AS INDICATED IN THE LEGEND ARE NOT TO SCALE.  
THEY ARE APPROXIMATE POSITIONS OF FEATURES. NO SEARCH WAS MADE FOR ANY  
ADDITIONAL INFORMATION IDENTIFYING THE PARCELS AS SHOWN.
4. NO RECORDS OF THE DEEDS OF THE COUNTY OF FLORIDA RECORDING SURVEYOR AND MAPPER,  
NOR RECORDS OF THE DEEDS OF THE COUNTY OF FLORIDA RECORDING SURVEYOR AND MAPPER,  
NOR RESPECTIVE SYMBOLS ABOVE, UNLESS SHOWN IN LEGEND.
5. BEARING OF THE BOUNDARY LINE OF THE PARCELS, NORTH ARCADES, FLORIDA STATE PLANE COORDINATE  
SYSTEM, COUNTY OF FLORIDA STATE ZONE (0901), NORTH AMERICAN DATUM 1983, 2011 ADJUSTMENT.
6. UNLESS SHOWN, ONLY THOSE VISIBLE FEATURES IN THE IMMEDIATE VICINITY OF THE AREAS DESCRIBED  
ON THE MAP OF THE BOUNDARY LINE OF THE PARCELS, NORTH ARCADES, FLORIDA STATE PLANE COORDINATE  
SYSTEM, COUNTY OF FLORIDA STATE ZONE (0901), NORTH AMERICAN DATUM 1983, 2011 ADJUSTMENT.
7. SUBJECT PROPERTY LIES WITHIN ZONE "A", AREAS DESIGNATED TO BE OUTSIDE 500 YEAR FLOOD  
PROTECTION ZONE. THE PROPERTY IS NOT A SUBJECT AND NO HAZARDITY IS TAKEN  
FOR THE PROPERTY OF THE COUNTY OF FLORIDA RECORDING SURVEYOR AND MAPPER.
8. VULNERA COUNTY COMMISSION #25556, PANEL 1272700470, 10 FEBRUARY 1996, IS THE  
LOCAL INSURANCE POLICY FOR THE PROPERTY AND IS NOT A SUBJECT AND NO HAZARDITY IS TAKEN  
FOR THE PROPERTY OF THE COUNTY OF FLORIDA RECORDING SURVEYOR AND MAPPER.
9. FOR THE ACCURACY OF GAD MAP.

NOTE:

[illegible]

DESCRIPTION: (PER ORB 7109 PG. 363)

THE SOUTH HALF (S 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 15, TOWNSHIP 17 SOUTH, RANGE 30 EAST, SUBJECT TO THE RIGHT OF WAY OF PUBLIC ROADS AND OF EASEMENTS TO HOUSTON TEXAS GAS AND OIL CORPORATION, RECORDED IN OFFICIAL RECORDS BOOK 421, PAGE 668 AND TO FLORIDA POWER CORPORATION, RECORDED IN OFFICIAL RECORDS BOOK 899, PAGE 470, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

THIS SURVEY IS CERTIFIED TO AND PREPARED FOR THE SOLE AND EXCLUSIVE BENEFIT OF THE ENTITIES AND/OR INDIVIDUALS SHOWN HEREON, ON THE MOST CURRENT DATE SHOWN, AND SHALL NOT BE RELIED UPON BY ANY OTHER ENTITY OR INDIVIDUAL WHOMSOEVER.

EFIRD SURVEYING GROUP, INC.

475 S. BLUE LAKE AVENUE  
DELAND, FLORIDA 32724

WEBSITE: [www.efirdsurveying.com](http://www.efirdsurveying.com)

e-mail: [larry@efirdsurveying.com](mailto:larry@efirdsurveying.com)  
Certificate Of Authorization Licensed Business Number 7230

Boundary Survey

|                           |                            |                                      |
|---------------------------|----------------------------|--------------------------------------|
| Survey Date:<br>1/10/2024 | Drawing Number:<br>23-0412 | Scale: 1"=60'<br>Drawn By: JRE/JM/LE |
|---------------------------|----------------------------|--------------------------------------|

DREAMQUEST TINY NEIGHBORHOODS, INC.

XXXX S. BLUE LAKE AVE., DULAND

I HEREBY CERTIFY, THIS STATE DRAWING TO BE CORRECT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND COMPLY WITH THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 47, F.A.C. PURSUANT TO SECTION 472.028, FLORIDA STATUTES.

NO. 58224  
STATE OF FLORIDA  
1/10/2024

**PLANNING DEPARTMENT STAFF REPORT  
TO  
THE CITY OF DELAND PLANNING BOARD**

**December 11, 2024**

**A. APPLICATION NO.:** SMLU24-093

**APPLICANT:** Scott Banta, Telesis Services, LLC

**STAFF PLANNER:** Kendall Story

**REQUEST:** To amend the land use designation from Volusia County Urban Low-Intensity to City of DeLand Low-Density Residential

**B. SITE FACTORS:**

Location: Northwest corner of S. Blue Lake Ave. & E. Beresford Ave.  
Parcel ID #: 701500000720  
Parcel Size: ± 15.50 acres  
Land Use: Volusia County Urban Low-Intensity  
Existing Use: Vacant, undeveloped

|               | <b>SURROUNDING USE:</b> |
|---------------|-------------------------|
| <b>North:</b> | VC: Urban Low-Intensity |
| <b>South:</b> | VC: Rural               |
| <b>East:</b>  | Low-Density Residential |
| <b>West:</b>  | VC: Urban Low-Intensity |

**C. REQUESTED ACTION & HISTORY:**

**1. REQUEST:** The applicant is requesting the future land use designation be amended for a ±15.50-acre parcel located on the northwest corner of S. Blue Lake Ave. & E. Beresford Ave. from Volusia County's Urban Low-Intensity (VC: ULI) land use designation to the City of DeLand's Low-Density Residential (LDR) land use designation. *The Applicant has petitioned for annexation (#AN24-092),*

**2. CHRONOLOGY OF PAST EVENTS:** The southeast portion of the subject property includes a portion of property owned by Volusia County. A current survey of the property includes a 100' wide Florida Power & Light easement that runs north to south, and then east to S. Blue Lake Ave.

**D. ALTERNATIVES & ANALYSIS:**

The purpose of this section is to analyze the reasonableness of the applicant's request for an amendment of the land use designation for the subject property. This analysis will include a description of the current and future land uses of the site and the surrounding area, potential impacts on the transportation system, and any significant adverse environmental impacts. Florida Statute 163.3187 allows for a Future Land Use Map amendment for area of use under 50 acres, and are not an area of critical state concern.

**1. Availability of Public Facilities (water, sewer, solid waste, drainage, traffic, recreation, and schools if residential):**

The City's Utilities Department states that the closest city water main is found on the south and east sides of the property. The closest sewer main is an 8" force main that runs along the south side of the property.

Due to the proposed use and size, a Traffic Impact Analysis was not required, as the proposed density would not trigger more than 1,000 average daily trips.

Future residential development of the site will have a demand for new recreation that will be addressed with the rezoning application, once a final development is submitted.

Volusia County already provides a sanitary landfill for the disposal of solid waste. The landfill has adequate capacity at this time.

**2. Compatibility with Land Use and Other Elements:** The Future Land Use element requires that the subject property be consistent with surrounding development. The Comprehensive Plan describes the Low-Density Residential land use designation as being typified by detached single-family dwelling units and both agricultural and conservation land uses, with a maximum density of 5.8 units per acre. It should be located in areas where more intense uses would not be compatible with the surrounding area.

To the north and west of the subject property is Volusia County Urban Low-Intensity which allows as many as 4 dwelling units per acre. To the south is property with a land use designation of Volusia County Rural, which is restricted to no more than 1 unit per acre. And, to the east is Low-Density Residential and the location of Trinity Gardens, which allows up to 4.59 dwelling units per acre.

**3. Future Land Use Map:** The proposed change in the land use designation to Low-Density Residential (LDR) will be shown on the revised Future Land Use Map.

**4. Location of Lakes, Floodplains, and Wetlands:** The property does not contain bodies of water, nor is it located within a floodplain.

**5. Analysis of Natural Resources:**

**a. Soil types:**

Tavares Fine Sand, 0-5% slope

**b. Presence of Endangered Species:** None known of at this time. A full report will be required with the submittal of an application for development of the property.

**6. Existing and Future Impact upon Infrastructure Capacity:**

**a. Water** – The City's Utility Department indicates sufficient water supply is available for the proposed land use designation.

**b. Sewer** – The City's Utility Department has indicated sufficient existing capacity.

- c. *Drainage* – The City adheres to the County’s 100-year frequency, 24-hour storm event standard for landlocked basins. Stormwater capture for future development will be addressed on-site and will be further evaluated at the time of preliminary plat.
- d. *Solid Waste* – Solid waste services are available for the property.
- e. *Transportation* – The proposed use of the property is for residential use.

In order to estimate traffic generation by development on the subject property, Staff must make projections for the most intense type of development allowed under the existing and proposed land use designations. Development under the most intensive of the uses allowed under the current land use designation of Volusia County Rural must be compared with the most intensive use proposed under the City’s Low-Density Residential designation.

The Volusia County Urban Low-Intensity land use designation allows a maximum density of 4 dwelling unit per acre; and with the most-intense allowable residential use, the property would currently be permitted to yield up to 62 units and would generate **441** calculated trips per day according to Trip Generation by the Institute of Transportation Engineers. (11<sup>th</sup> ed.)

DeLand’s Low-Density Residential land use designation allows for a maximum residential density up to 5.8 dwelling units per acre. If the land use amendment is approved, the 15.50 acres of property could yield as many as 90 units. Therefore, the traffic generation will be calculated based on the DeLand Comprehensive Plan. Assuming the maximum density, the 15.50 acres of property would generate **641** calculated trips per day at build-out, according to Trip Generation.

- 7. **Impact upon Recreation and Open Space:** Future residential development of the site will have a demand for new recreation that will be addressed with the rezoning application, once a final development is submitted.
- 8. **New Public Facilities Needed to Serve Land Use:** No need for new public facilities is anticipated.
- 9. **Impact Upon Existing Deficiencies:** As identified in the City's Comprehensive Plan, drainage is the only existing deficiency within the City. Any future development on this site will be required to manage its own stormwater, based on the 100 year/24-hour storm event, and it will be further reviewed as part of the development plan submittal.
- 10. **Impact upon Ability of the City to Fund Capital Improvements:** The development should not create an additional impact upon the City's ability to fund the projects listed in the adopted Five-Year Capital Improvement Program.
- 11. **Impact upon Adopted Five-Year Schedule in Capital Improvements Element:** The proposed land use amendment will not require revision to the City's adopted Five-Year Capital Improvement Program.



12. **Compatibility with Existing Zoning Classification:** The existing zoning classification will be amended upon approval of the land use amendment to a classification permitted by the new land use designation.
13. **Will the proposed land use change impact schools?** The applicant will need to provide a current Finding of Adequate Capacity letter from the Volusia County School Board as part of the approval of this request.
14. **How does this proposal fit with the guidelines developed for DeLand 2050 and the City's Strategic Plan?**
- a. Located in the Urban Core (Category 2) – i.e. “where the majority of the new, higher intensity growth will take place.” Based on these criteria, a significant increase in density is not appropriate but changes in keeping with the surrounding development pattern would be acceptable. – *Consistent; the increase in density is appropriate based on the surrounding properties and location.*
  - b. DeLand 2050 Land Use Guidelines: “Concentrate development at the core of the city or at transit-oriented sites and corridors. The urban core is the key area to focus development, maintaining a strong job base and taking advantage of existing infrastructure. Locating higher intensity along select corridors or major centers will encourage transit and lessen traffic congestion.” – *Consistent; subject property is located at the intersection of E. Beresford Ave. and S. Blue Lake Ave., and provides easy access to both Interstate 4 and the Downtown.*

E. **CONCLUSION:** The facility analysis presented in the above sections suggests the proposed land use should not cause any of the City's facilities to degrade below the adopted or current operational LOS. The proposed land use designation, Low-Density Residential, is consistent with the surrounding area, and is not expected to create any land use incompatibilities.

F. **STAFF RECOMMENDATION:** Staff recommends approval of the proposed amendment of the subject property's future land use designation to the City's Low-Density Residential.

G. **VGMC INFRASTRUCTURE IMPACT ASSESSMENT:**

In accordance with standard practice from the Florida Department of Economic Opportunity (DEO) and other review agencies, an impact comparison analysis of the proposed amendment has been completed based upon the theoretical maximum development potential under the currently adopted future land use designation versus the proposed designation.

The following seven public facilities and services were examined: (Table 4)

- |                   |                        |
|-------------------|------------------------|
| 1. Transportation | 5. Stormwater Drainage |
| 2. Sanitary Sewer | 6. Recreation          |
| 3. Potable Water  | 7. Schools             |
| 4. Solid Waste    |                        |

**Table 4. Impact Analysis (Theoretical Max.)**

| Development Variable             | EXISTING Future Land Use    | PROPOSED Future Land Use | Net Change   |
|----------------------------------|-----------------------------|--------------------------|--------------|
|                                  | <i>Theoretical Maximums</i> |                          |              |
| Permitted Density/Intensity      | 4 du/acre                   | 5.8 du/acre              | +1.8 du/acre |
| Dwelling Units                   | 62                          | 90                       | +28          |
| Non-residential Sq. Ft.          | N/A                         | N/A                      | N/A          |
| 1. Population                    | 151                         | 220                      | +49          |
| 2. PM Peak Hr. Trips/Daily Trips | 35 peak/441 ADT             | 51 peak/641 ADT          | +16/+100     |
| 3. Sanitary Sewer (gallons/day)  | 12,400                      | 18,000                   | +5,600       |
| 4. Potable Water (gallons/day)   | 18,600                      | 27,000                   | +8,400       |
| 5. Solid Waste (pounds/day)      | 485                         | 706                      | +221         |
| 6. Stormwater Drainage           | N/A                         | N/A                      | N/A          |
| 7. Recreation/Open Space         | 1.06                        | 1.54                     | +.48         |

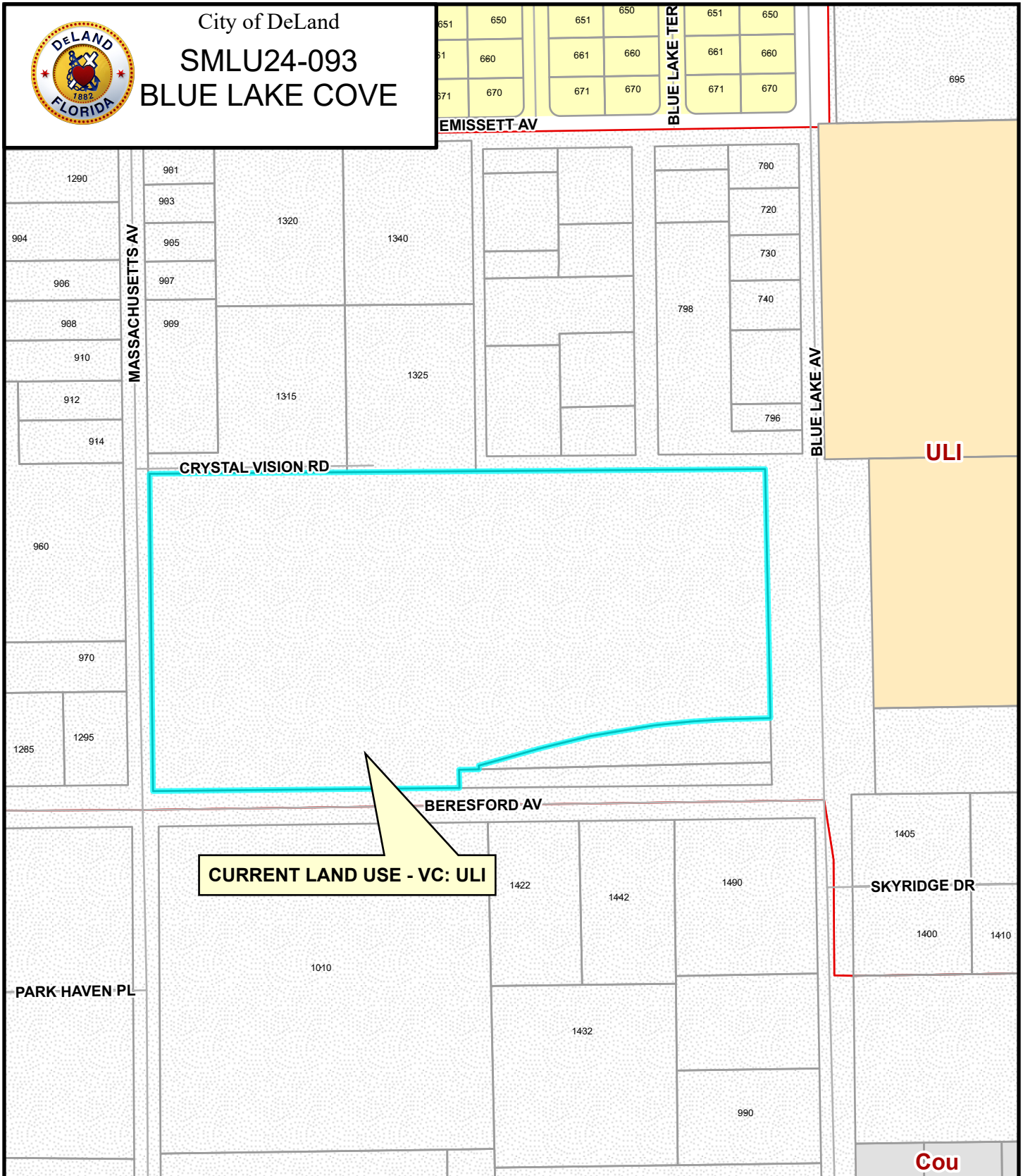
Notes:

1. Population: 2.44 persons per household (per 2020 Census)
2. Transportation: ITE Trip Generation Manual, 11th Edition: PM PEAK HR rate *RM* (240): 0.57 trips per unit; ADT rate *RM* (240): 7.12 trips per day per unit
3. Sanitary Sewer: 200 GPD per Equivalent Residential Unit; 0.10 GPD per sq. ft. commercial use
4. Potable Water: 300 GPD per Equivalent Residential Unit; 0.10 GPD per sq. ft. commercial use
5. Solid Waste: 3.21 pounds per person per day; 10 lbs. per 1,000 sq. ft. non-residential development per day
6. Stormwater Drainage: LOS Standard 25-yr, 24-hr event. Drainage system to be designed to meet the req. of the LDC during subdivision or site plan review.
7. Rec. & Open Space: 7 acres/1,000 persons (0.007 acres/person)

The proposed amendment results in increased impacts to all public infrastructure and services based on the theoretical maximum impact analysis.



City of DeLand  
SMLU24-093  
BLUE LAKE COVE



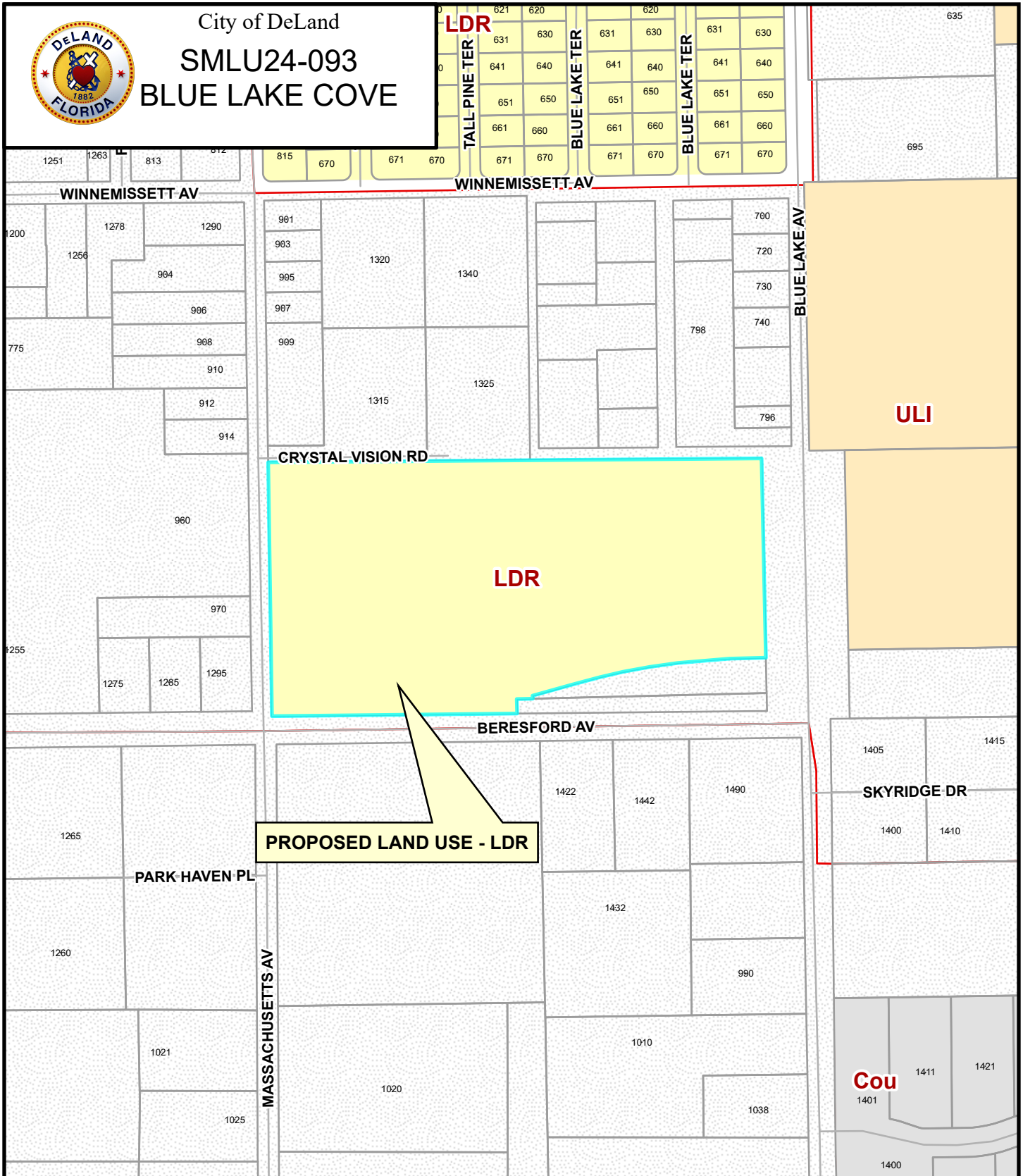
DeLand Future Land Use:

|                            |                            |                     |                           |
|----------------------------|----------------------------|---------------------|---------------------------|
| Agricultural Conservation  | Educational                | Downtown Commercial | New Community Development |
| Urban Low Intensity        | Mixed Office - Residential | Redevelopment       | Community                 |
| Low Density Residential    | Mixed Commercial           | Gateway             | Commerce                  |
| Medium Density Residential | Business Retail            | Rail Spur           | West Central District     |
| High Density Residential   | Highway Commercial         | Industrial          | County                    |





City of DeLand  
SMLU24-093  
BLUE LAKE COVE



DeLand Future Land Use:

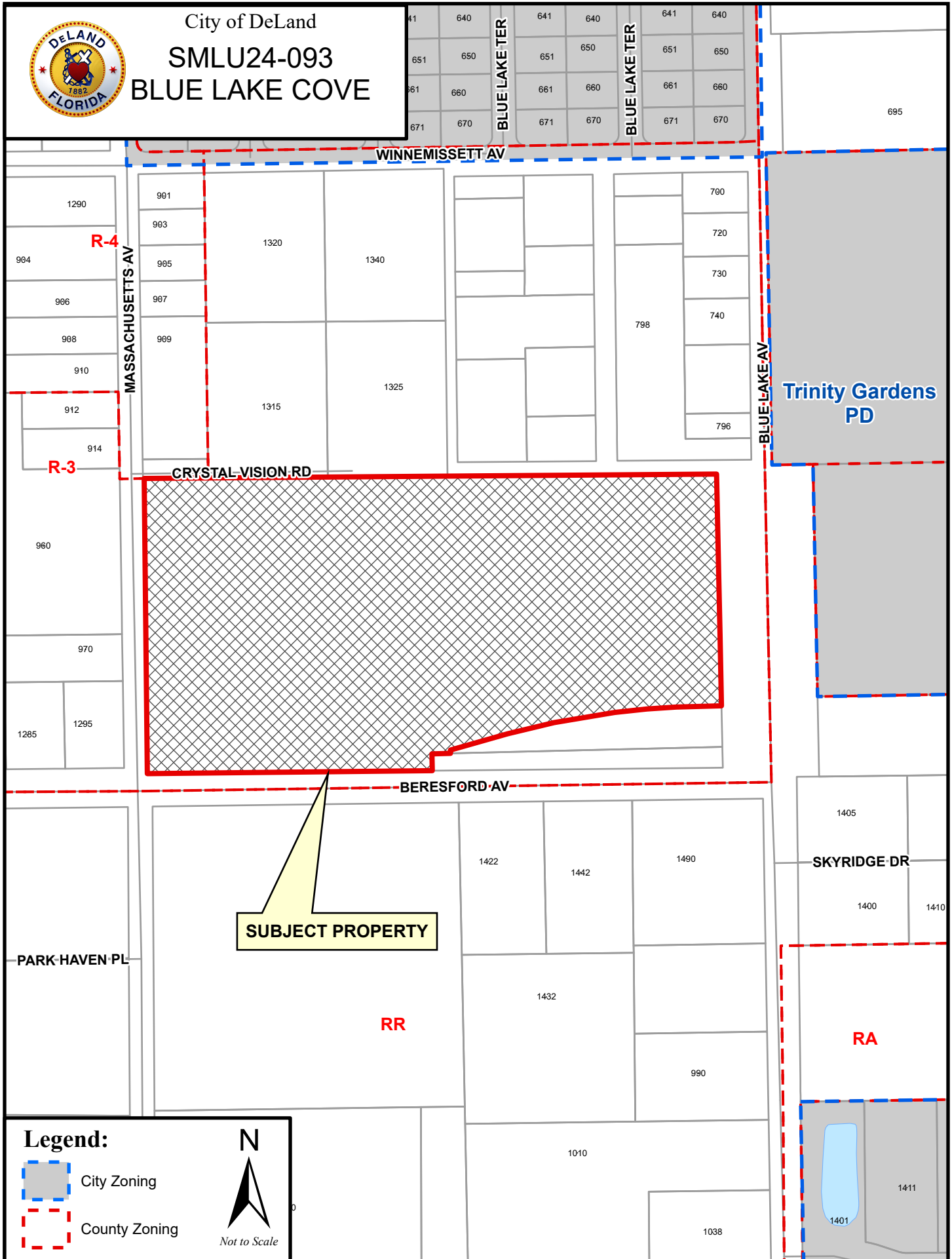
|                            |                            |                     |                           |
|----------------------------|----------------------------|---------------------|---------------------------|
| Agricultural Conservation  | Educational                | Downtown Commercial | New Community Development |
| Urban Low Intensity        | Mixed Office - Residential | Redevelopment       | Community                 |
| Low Density Residential    | Mixed Commercial           | Gateway             | Commerce                  |
| Medium Density Residential | Business Retail            | Rail Spur           | West Central District     |
| High Density Residential   | Highway Commercial         | Industrial          | County                    |







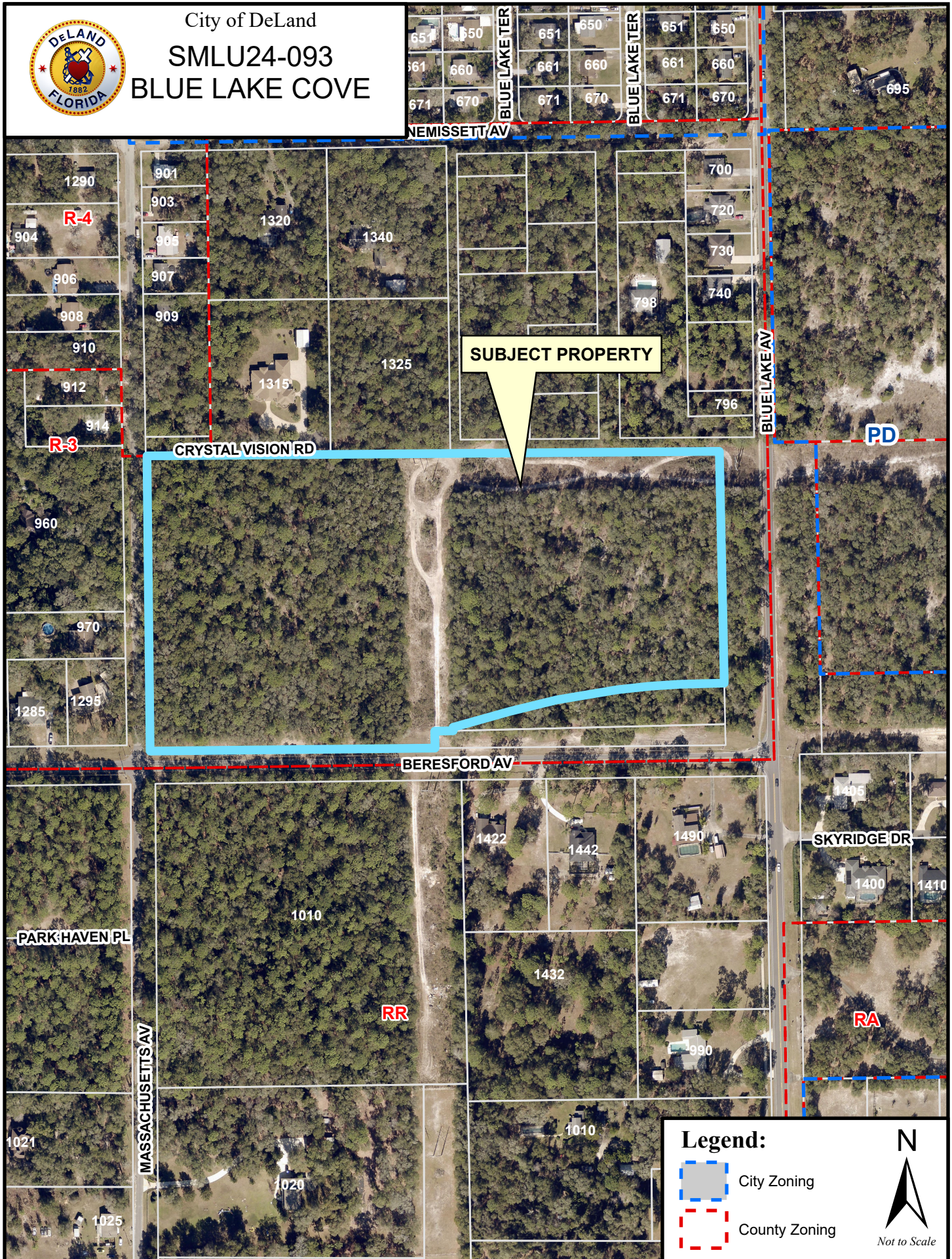
City of DeLand  
SMLU24-093  
BLUE LAKE COVE







City of DeLand  
SMLU24-093  
BLUE LAKE COVE



**Legend:**

- City Zoning
- County Zoning

