



CITY OF DELAND
REGULAR MEETING OF THE PLANNING BOARD
JUNE 15, 2022 AT 5:00 PM
CITY HALL, COMMISSION CHAMBERS
120 SOUTH FLORIDA AVENUE

AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

VERBAL REPORT ON CITY COMMISSION MEETINGS

MINUTES

1. Approval of the minutes from the May 18, 2022 meeting.

VARIANCE OLD BUSINESS

VARIANCE NEW BUSINESS

1. Applicant Name: Jarod Stubbs
Project Number: V22-095
Project Location: 1601 N. Woodland Blvd.
Project Description: Variance to: Reduce required landscape buffers: (1) along N Woodland Blvd from 40' to 10'; (2) along Old Daytona Rd from 30' to 10'; and (3) along the eastern local access road from 30' to 10'.
2. Applicant Name: Rudolph Valentine
Project Number: V22-098
Project Location: 748 Mystic Oaks Ln.
Project Description: Variance to: Reduce setback to 6' along rear property line for already existing shed.

PUBLIC PARTICIPATION PROCEEDINGS

PLANNING - OLD BUSINESS

1. Applicant Name: Frank Ford, Jr.
Project Number: Z21-186 – Rezoning for Glasshouse Square PD
Project Location: 130 W. New York Ave.
Project Description: Rezone 0.868 acres from C-2A to Planned Development
2. Applicant Name: Mark Watts
Project Number: Z22-063 – Rezoning for DeLand Tech Park PD **(to be Continued)**
Project Location: 1465 Cassadaga Road

Project Description: Rezone 142.8 acres from County R-4C, R-4, A-1C, A-1, I-1C & I-1 to DeLand Tech Park Planned Development

3. Applicant Name: Mark Watts
Project Number: Z22-073 –Rezoning for DeLand Commons **(to be Continued)**
Project Location: North side of Voorhis Avenue at S. Clake Street
Project Description: Rezone 1.45 acres from DeLand Commons PD to C-2A, Downtown Commercial

PLANNING - NEW BUSINESS

1. Applicant Name: David Cooke
Project Number: PSB22-038 – Preliminary Plat and Construction Plan for Oak Hammock Reserve
Project Location: 37.66 acres located at the NW corner of W. Beresford Rd. and S. Spring Garden Ave.
Project Description: 110 Lot Residential Subdivision
2. Applicant Name: Steven Campisi
Project Number: SMLU22-074 – Comprehensive Plan Amendment
Project Location: N Spring Garden Road, south of Clear Lake Drive
Project Description: Land use change for 14.57 acres from Mixed Office-Residential to High Density Residential
3. Applicant Name: Nick Everly
Project Number: Z22-046 – Rezoning for Pointe Grand Apartments PD
Project Location: N Spring Garden Road, south of Clear Lake Drive
Project Description: Rezone 14.57 acres from The Cascades PD to Pointe Grand Apartments PD to develop a multi-family residential project

OTHER BUSINESS

ADJOURNMENT



**CITY OF DELAND
PLANNING BOARD REGULAR MEETING
MINUTES
WEDNESDAY, MAY 18, 2022 -5:00 P.M.
CITY HALL**

CALL TO ORDER

The meeting began at 5:00 p.m.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance – Ms. Comella, Chairperson

ROLL CALL

Nora Lewis	Present
Don Liska	Present
Buz Nesbit	Present
Dan Reed	Present
Albert Neumann	Present, Arrived 5:07 p.m.
Jeremy Owens, <i>Vice Chairperson</i>	Present
Virginia Comella, <i>Chairperson</i>	Present

Quorum: Yes

Present – Mike Holmes, Planning Director; Darren Elkind, City Attorney; Belinda Williams-Collins, Senior Planner; Kendall Story, Senior Planner; Vivian Ford, Administrative Coordinator; applicant; and members of the public.

VERBAL REPORT ON CITY COMMISSION MEETINGS

Mr. Holmes gave the report.

MINUTES

1. Mr. Reed moved to approve the April 20, 2022 Meeting Minutes. Mr. Owens seconded the motion. The motion passed unanimously, Mr. Neumann was not yet present.

VARIANCE OLD BUSINESS

None.

VARIANCE NEW BUSINESS

None.

PUBLIC PARTICIPATION PROCEEDINGS

Ms. Comella read the Public Participation procedures.

PLANNING – OLD BUSINESS

None.

PLANNING – NEW BUSINESS

1. Applicant Name: Frank Ford, Jr.
Project Number: Z21-186 – Rezoning for Glasshouse Square PD
Project Location: 130 W. New York Ave.
Project Description: Rezone 0.868 acres from C-2A to Planned Development

Mr. Reed recused himself from voting due to a conflict of interest. Voting Conflict form on file.

Staff announced that applicant has requested a continuance to June 15, 2022 meeting. Staff also wishes to have the application continued.

Mr. Owens moved to continue the application to June 15, 2022 meeting. Mr. Liska seconded the motion. The motion passed unanimously.

2. Applicant Name: Mark Watts
Project Number: Z22-053 – Rezoning for CTC DeLand PD
Project Location: SE corner of Martin Luther King Blvd. & Cassadaga Road
Project Description: Rezone 28.64 acres from County R-4C & R-4 to CTC DeLand PD to develop a multi-family residential project

Public Participation: Mark Watts, of Cobb Cole and the applicant, spoke and answered questions from the Board.

Mr. Owens moved to recommend approval to City Commission with the following recommendations. Ms. Lewis seconded the motion. The motion passed unanimously.

Recommendations:

- a) Revise PD to remove subdivision and internal road items reference and creation of property owners association;
- b) Ensure max impervious to 50% is the correct amount;
- c) Provide detailed standards for free standing garages;
- d) Coordinate with city forester on environmental provisions to determine if they are needed;
- e) Update southern buffer to 20' to match PD agreement;

- f) Allow City the option to take the entrance road at the time of final site plan; and
- g) Revise reference to LID to be required.

3. Applicant Name: Nika Hosseini
Project Number: Z22-057 – Amendment to Woodland Crossings PD
Project Location: Part of Woodland Crossing Shopping Center on N. Woodland Blvd.
Project Description: Amend 1.1 acres of Woodland Crossings PD to allow a car wash as permitted use

Public Participation: Mark Watts, of Cobb Cole and on behalf of the applicant, spoke and answered questions from the Board about the proposed PD agreement.

Mr. Reed moved to recommend approval to City Commission with the following recommendations. Ms. Lewis seconded the motion. The motion passed 5-2 with Members Nesbit and Owens dissenting.

Recommendations:

- a) Revise agreement to allow for access from either north or south, but not both, to be able to address FDOT requirements;
- b) State hours of operation to be 8AM to 8PM;
- c) Extend easement west to serve Lot 4; and
- d) Replat will address changes to TPA.

4. Applicant Name: Mark Watts
Project Number: SMLU22-061 – Comprehensive Plan Amendment
Project Location: 306 W. Wisconsin Ave.
Project Description: Land use change for 1.45 acres from Low Density Residential & Institutional Overlay to Mixed Commercial

Public Participation: Mark Watts, of Cobb Cole and the applicant, spoke and answered questions from the Board.

Mr. Liska moved to recommend approval to City Commission. Ms. Lewis seconded the motion. The motion passed unanimously.

5. Applicant Name: Mark Watts
Project Number: Z22-060 – Rezoning for North West Square PD
Project Location: 306 W. Wisconsin Ave.
Project Description: Rezone 1.45 acres from R1-B to Northwest Square PD to develop mixed commercial & residential uses in an existing building.

Public Participation: Mark Watts, of Cobb Cole and the applicant, spoke and answered questions from the Board.

Mr. Nesbit moved to recommend approval to City Commission with the following recommendations. Mr. Reed seconded the motion. The motion passed unanimously.

Recommendations:

- a) Delete reference to flea market;

- b) Existing exterior of building to be preserved to extent practical (explain if accessible apartment is a new structure);
- c) Liquor license limited to SRX and 2COP, but catered events can have alcohol served by the caterer;
- d) Hours of operation to be 7AM – 11PM;
- e) No subdivision of the property, applicant will maintain unified ownership and preserve the right to condominiumize the residential units;
- f) Minimum standards will be modified to identify that existing building will maintain a maximum of 15 residential units;
- g) Remove reference to loft in residential definition;
- h) Plaque or monument to identify history of building;
- i) Provide parking comparison of required vs provided;
- j) Describe landscaping to be as currently on site; and
- k) Verify amount of impervious surface and actual height of buildings.

6. Applicant Name: Mark Watts
Project Number: Z22-063 – Rezoning for DeLand Tech Park PD
Project Location: 1465 Cassadaga Road
Project Description: Rezone 142.8 acres from County R-4C, R-4, A-1C, A-1, I-1C & I-1 to DeLand Tech Park Planned Development

Mr. Nesbit recused himself from voting due to a conflict of interest. Voting Conflict form on file.

Staff requested a continuance to June 15, 2022 meeting. Applicant agreed to continuance but requested to present for board comments in preparation for next month. Staff agreed to have applicant present for comments.

Public Participation: Mark Watts, of Cobb Cole and the applicant, spoke and answered questions from the Board. Mac McNaught, also spoke and answered questions from the board. The board provided the following comments.

Recommendations:

- a) Correct acreage discrepancy;
- b) Provide traffic analysis that is consistent with Comprehensive Plan; include trips for CTC DeLand project and Advent Parcel. May be trips from Canopy Terrace project (Community District) can be utilized for remainder of Activity Center;
- c) Revise list of uses to clearly identify which ones are allowed in industrial and commercial sections. Also state that truck stops are not permitted;
- d) Indicate which roadways will be public/private and timing of construction;
- e) Provide design standards for commercial area that will be compatible with the industrial area;
- f) If property is to be subdivided, add section to PD agreement; and
- g) Consider providing structure or signage that identifies which part of the interchange is in DeLand.

Mr. Owens moved to continue the application to June 15, 2022 meeting. Ms. Lewis seconded the motion. The motion to continue passed unanimously.

7. Applicant Name: Peter King
Project Number: Z22-070 – Renovations of the Putnam Hotel to include the acquisition of this 100' x 100' lot to be combined with the Putnam parcel for parking.
Project Location: 225 W. New York Ave.
Project Description: Rezone 10,000 square feet from R-1A to C-2A, Downtown Commercial

Public Participation: Peter King, applicant, spoke and answered questions from the Board.

Ms. Lewis moved to recommend approval to City Commission. Mr. Reed seconded the motion. The motion passed unanimously.

8. Applicant Name: Mark Watts
Project Number: Z22-073 –Rezoning for DeLand Commons
Project Location: North side of Voorhis Avenue at S. Clake Street
Project Description: Rezone 1.45 acres from DeLand Commons PD to C-2A, Downtown Commercial

Public Participation: Staff requested to continue to June 15, 2022 meeting on behalf of the applicant and staff, applicant was not present.

Ms. Lewis moved to continue the application to June 15, 2022 meeting. Mr. Owens seconded the motion. The motion to continue passed unanimously.

9. Applicant Name: City of DeLand
Project Number: Z22-075 – Administrative Rezoning
Project Location: West side of S.R. 4139
Project Description: Rezone 1.45 acres from Royal Oaks PD to E-1, Education

Public Participation: No members of the public were present, the board voted per the staff report. Staff was present on behalf of applicant, no members of the public remained present and the Board voted based on the staff report.

Mr. Owens moved to recommend approval to City Commission. Mr. Nesbit seconded the motion. The motion passed 6-1 with Member Neumann dissenting.

10. Applicant Name: City of DeLand
Project Number: SMLU22-076 – Administrative Comprehensive Plan Amendment
Project Location: SE corner of Dr. Martin L. King Jr. Btwy. & Beresford Ave. Ext.
Project Description: Land use change for 1.3 acres from Low Density Residential to Highway Commercial

Public Participation: No members of the public were present, the board voted per the staff report. Staff was present on behalf of applicant, no members of the public remained present and the Board voted based on the staff report.

Mr. Elkind explained the purpose of the rezoning and land use changes.

Mr. Owens moved to recommend approval to City Commission. Mr. Reed seconded the motion. The motion passed unanimously.

11. Applicant Name: City of DeLand
Project Number: Z22-077 – Administrative Rezoning
Project Location: SE corner of Dr. Martin L. King Jr. Btwy. & Beresford Ave. Ext.
Project Description: Rezone 1.3 acres from Royal Oaks PD to C-2, Highway Commercial

Public Participation: No members of the public were present, the board voted per the staff report. Staff was present on behalf of applicant, no members of the public remained present and the Board voted based on the staff report.

Mr. Reed moved to recommend approval to City Commission. Ms. Lewis seconded the motion. The motion passed unanimously.

OTHER BUSINESS

None.

ADJOURNMENT

The meeting ended at 8:43 p.m.

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

June 15, 2022

A. APPLICATION NO: V22-095

APPLICANT: Jarod Stubbs (Applicant)

REQUEST: To reduce the required landscape buffers on three sides of the property.
1. Along N Woodland Blvd - Reduce 40' buffer to 10'
2. Along Old Daytona Rd - Reduce 30' buffer be to 10'
3. Along the eastern local access road - Reduce 30' buffer be to 10'

APPLICABLE ORDINANCES: Sec. 33-87.02(d) (4). *Setbacks, building separation, and lot coverage.*

B. SITE FACTORS:

LOCATION: 1601 N Woodland Blvd,

PARCEL SIZE: +/- .81' acres

EXISTING ZONING/USE: C-2 General Commercial

Required Minimum Setbacks in Feet				
Front	Rear setback, abutting residentially zoned property	Side abutting residentially zoned property	Side setback abutting street	Rear, other
20'	25'	25'	20'	10'



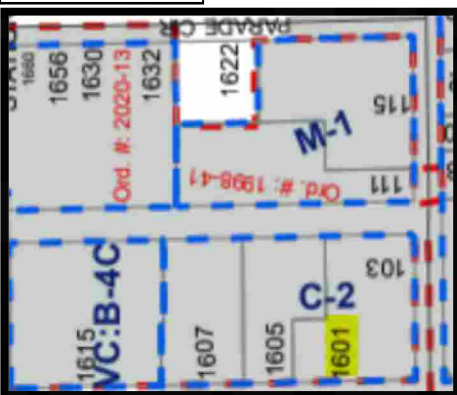
	SURROUNDING USE:	SURROUNDING ZONING:
NORTH:	General Commercial	C-2
SOUTH:	General Commercial	C-2
EAST:	Industrial	M-1
WEST:	General Commercial	C-2

DOES THE APPLICANT OWN PROPERTY WHICH IS ADJACENT TO THE PROPERTY FORWHICH HE OR SHE SEEKS A VARIANCE? Yes ☐ No ☒

C. LAND USE PLAN DESIGNATION: Highway Commercial

CHRONOLOGY: The property located on North Woodland Blvd is in a C-2 General Commercial zoning district. The applicant is seeking a variance to change the required buffers on three sides of the property. Per the applicant, the site sits on the NE corner of N Woodland Blvd and Old Daytona Rd. It is occupied by a closed Sonic drive thru. The variance is to reduce the required landscape buffers on three sides of the property. Along N Woodland Blvd the applicant is requesting the 40' buffer be reduced to 10', along Old Daytona Rd the applicant is requesting the 30' buffer be reduced to 10', and along the eastern local access road, the applicant is requesting the 30' buffer be reduced to 10'.

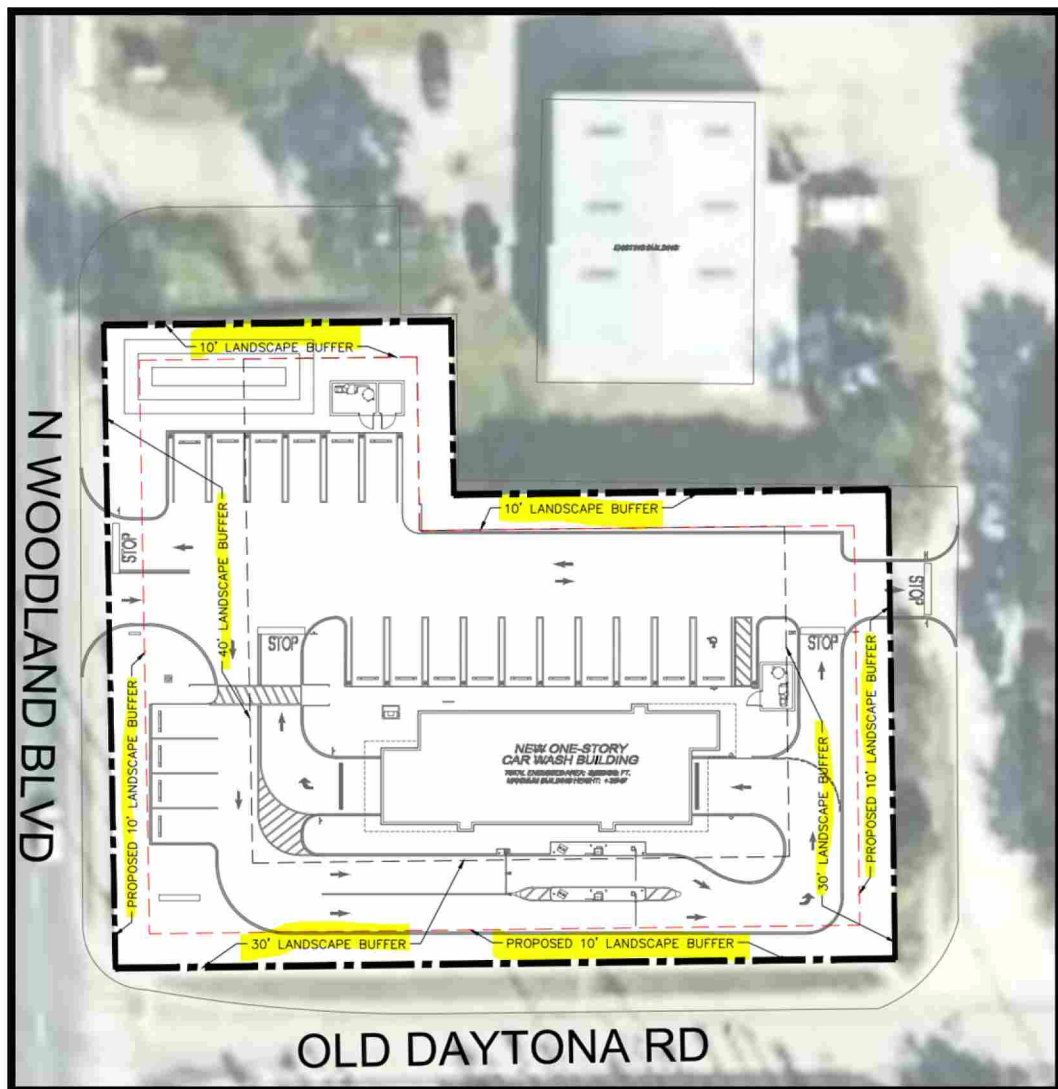
Zoning Map



N Woodland view

D. ANALYSIS:

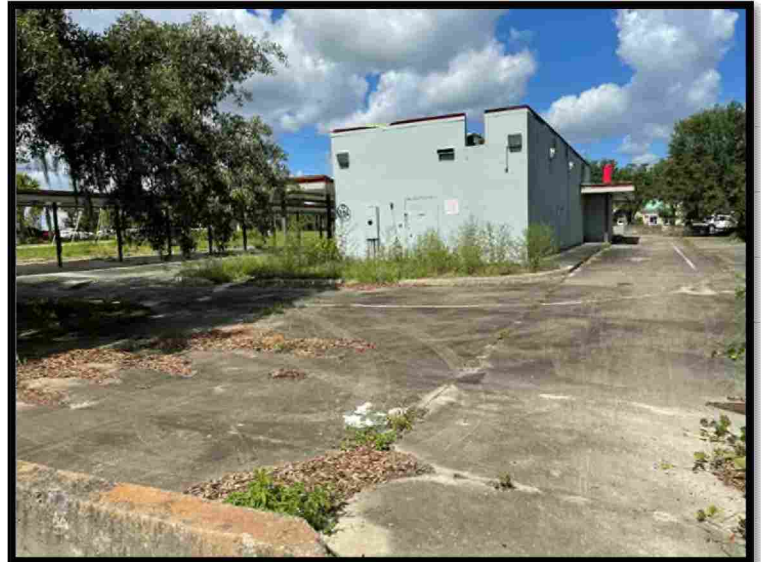
This property abuts a commercial property and an industrial property. The applicant is requesting a variance to reduce buffers on three sides. The new buffers will measure 10' on each side. The N Woodland side is currently 40' buffer and the Old Daytona side along with eastern local access road is currently 30' buffer. The project consists of a proposed $\pm 2,923$ SF Carwash with vacuum cleaning stations and associated parking. The variance is to allow the full utilization of the property. Per the applicant, this would be the smallest car wash. Without the variance circulation of the site is tough and makes it difficult for cars to enter and leave. Therefore, granting the variance will allow the applicant to construct a carwash that allows full circulation and a normal flow of traffic.





Old Daytona View

Eastern Local Access Road View



E. VARIANCE CRITERIA: Per Section 33-103.03, as amended, the Planning Board will consider the following criteria in making a determination concerning the granting or denial of the requested variance:

1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved, and which are not applicable to other lands, structures, or buildings in the same zoning district.

The subject property currently has an abandon sonic and the applicant wishes to construct a drive thru carwash. This circumstance does not qualify the property as a special condition.

2. Granting of the variance request will not confer on the applicant any special privilege that is denied by the development code to other lands, building, or structures in the same zoning district.

Granting of the variance would confer special privileges, as the buffers will be reduced to 10' on three sides.

3. Literal interpretation and enforcement of the development code regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the development code, and would work unnecessary and undue hardship on the applicant such as natural site conditions, size or shape of lot, or existing structures(s).

The literal interpretation and enforcement of the code would not deprive the applicant of rights commonly enjoyed by other properties in the neighborhood.

4. The granting of the variance will be in harmony with the general intent and purpose of this code and the Comprehensive Plan, as amended, and will not be injurious to the surrounding properties or detrimental to the public welfare.

The drive thru car wash is unlikely to be injurious to the surrounding properties. According to the applicant it will be smaller than other car washes in town.

5. The Variance, if granted, is the minimum variance necessary to make possible the reasonable use of the land, building or structure.

Requiring the applicant to follow current codes would deny the applicant the ability to utilize the land as proposed. Previous use did provide a more substantial buffer along Woodland Boulevard.

6. The special conditions or circumstances are not the result of actions of the applicant or owner.

The circumstance is the result of applicant through the design of the proposed use.

N Woodland & Old Daytona View

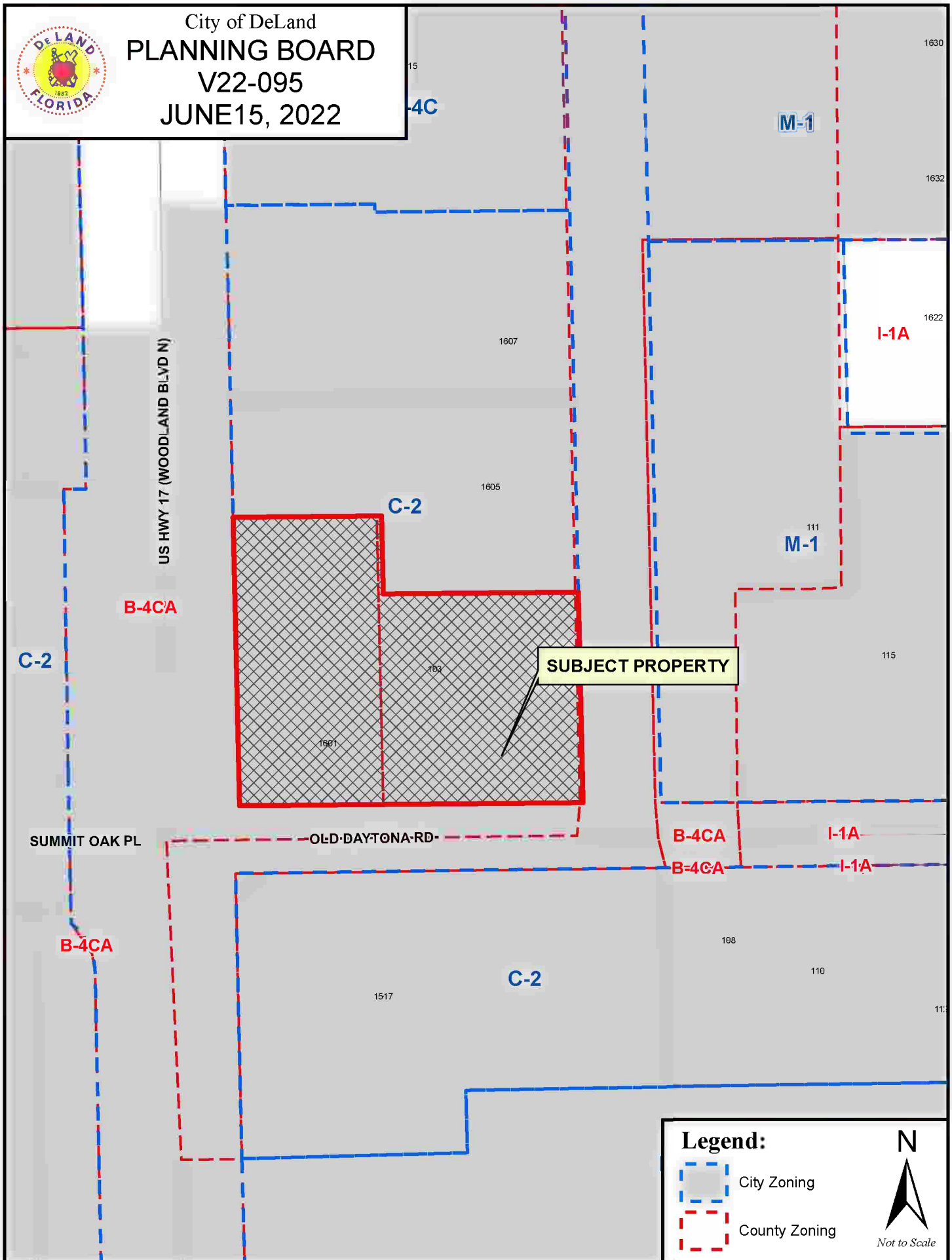


- F. STAFF SUMMARY:** The applicant is requesting a variance to reduce buffers on three sides. Per the applicant, this would be the smallest car wash in town and wishes the new buffers to measure 10' on each side. The site sits on the NE corner of N Woodland Blvd and Old Daytona Rd. It is occupied by a closed Sonic drive thru. The variance would allow reduction of the required landscape buffers on three sides of the property. Along N Woodland Blvd the applicant is requesting the 40' buffer be reduced to 10', along Old Daytona Rd the applicant is requesting the 30' buffer be reduced to 10', and along the eastern local access road, the applicant is requesting the 30' buffer be reduced to 10'. The drive thru car wash is unlikely to be injurious to the surrounding properties. However, the subject property is located on a key gateway of the City and landscape buffers should be provided consistently all along the corridor.

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City of DeLand
PLANNING BOARD
V22-095
JUNE 15, 2022





City of DeLand
PLANNING BOARD
V22-095
JUNE 15, 2022



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

June 15, 2022

A. APPLICATION NO: V22-098

APPLICANT: Rudolph N Valentine (Applicant)

REQUEST: To allow existing shed to encroach rear set back by 1'5"

APPLICABLE ORDINANCES: **Sec. 33-87.02(d) (4).** *Setbacks, building separation, and lot coverage.* **Sec. 33-17.05 R-1—Single-Family Dwelling District**

B. SITE FACTORS:

LOCATION: 748 Mystic Oaks LN,

PARCEL SIZE: +/- 9000' Square Feet

EXISTING ZONING/USE: R-1B Single-Family Residential

Front	Required Minimum Setbacks in Feet				Accessory Structure
	Rear	Side	Street Side		
30'	25'	10'	20'		7.5'



SURROUNDING USE:

SURROUNDING ZONING:

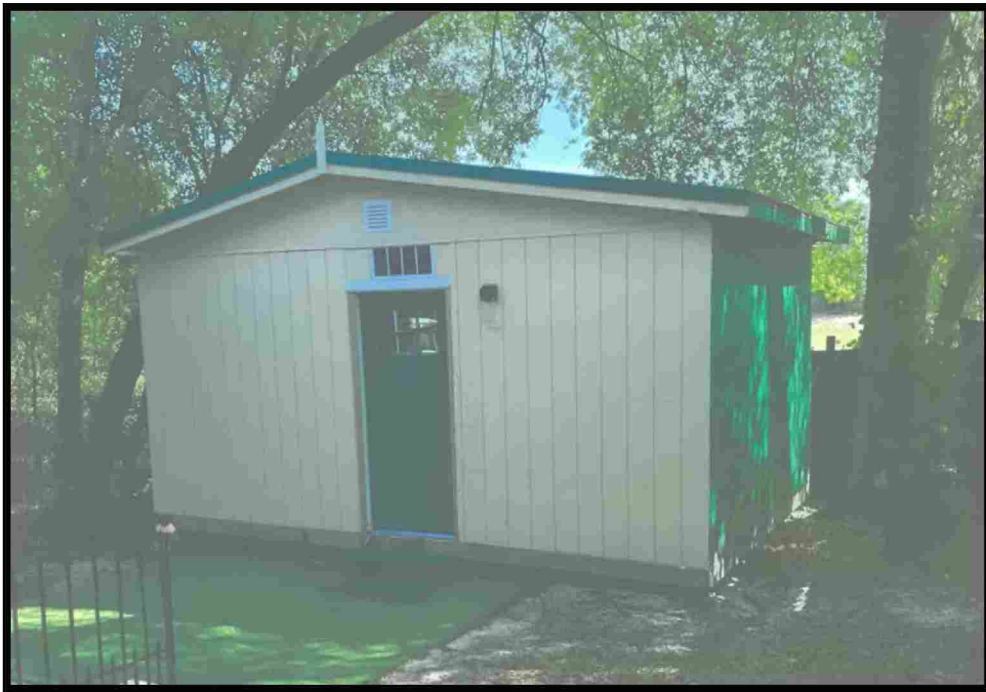
NORTH:	Single-Family Residential	R-1B
SOUTH:	Single-Family Residential	R-1B
EAST:	Single-Family Residential	R-1B
WEST:	Single-Family Residential	R-1B

DOES THE APPLICANT OWN PROPERTY WHICH IS ADJACENT TO THE PROPERTY FOR WHICH HE OR SHE SEEKS A VARIANCE? Yes ☐ No ☒

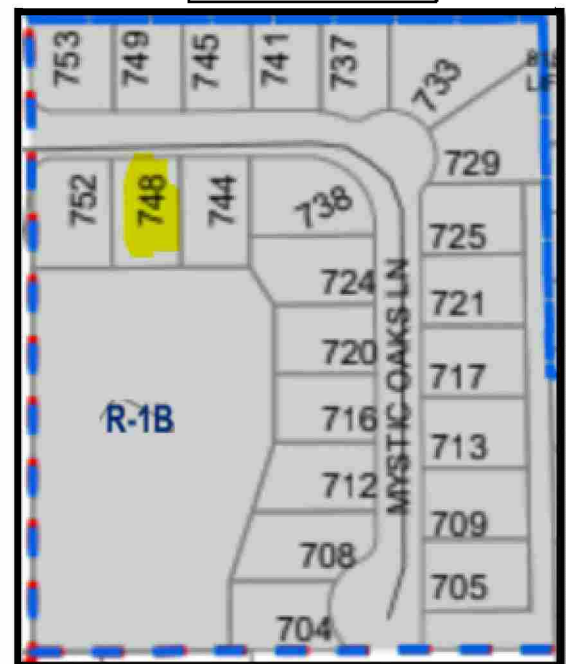
C. LAND USE PLAN DESIGNATION: Low Density Residential

CHRONOLOGY: The property located on Mystic Oaks LN is in a R-1B Single Family Dwelling Zone. The applicant is seeking a variance to change the required accessory structure rear setbacks for a shed. Per the applicant, the shed is located directly facing a retention pond. The applicant stated the rear of his home is not gated and there will be no construction where the retention pond is located. Therefore, the location of the shed is unlikely to be injurious to the surrounding properties. Current accessory structure regulations state, that you must be 7.5' away from both the rear and side lot line. The variance is to allow the shed to encroach the rear setback by 1.5', making the structure 6' rather than the 7.5' from the rear property line.

Shed

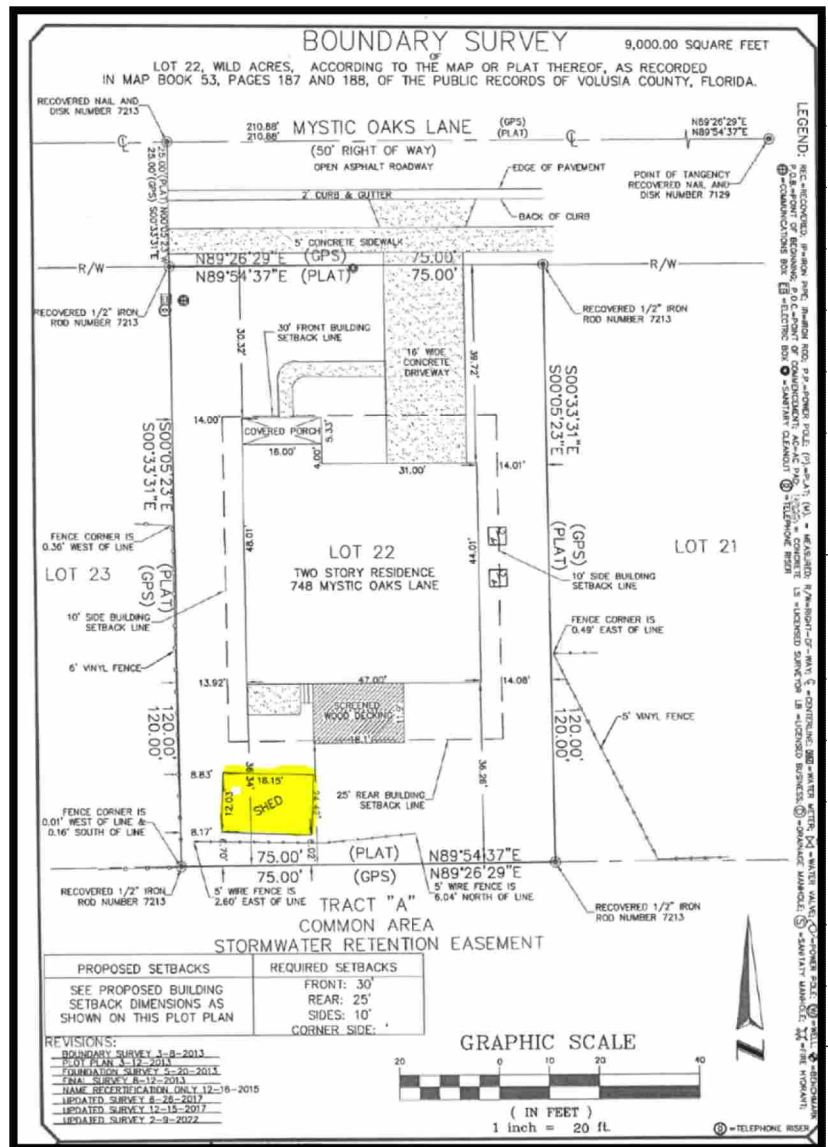


Zoning Map



D. ANALYSIS:

This property abuts two single family homes on either side and a retention pond to its rear. The applicant is requesting a variance to keep a shed that encroaches the rear accessory structure setbacks by 1.5. Accessory structure standards permit a side and rear setback of 7.5' on each side. The applicant meets this standard for side setbacks. However, the rear setback is 6' making it 1.5' closer to the rear lot line. The applicant does not have a fence in the back of the home. The rear of the home faces a retention pond with no plans of future construction. Therefore, the location of the shed is unlikely to be injurious to the surrounding properties. This variance will grant the applicant a building permit to allow the shed on the property as currently constructed.



View from
Retention Pond

E. VARIANCE CRITERIA: Per Section 33-103.03, as amended, the Planning Board will consider the following criteria in making a determination concerning the granting or denial of the requested variance:

1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved, and which are not applicable to other lands, structures, or buildings in the same zoning district.

The subject property faces a retention pond to its rear which is the result of applicant's ex-wife, which failed to apply for a shed permit. This circumstance does not qualify the property as a special condition. The shed cannot remain at this location without a building permit. The shed does not impose harm or a nuisance to neighboring properties.

2. Granting of the variance request will not confer on the applicant any special privilege that is denied by the development code to other lands, building, or structures in the same zoning district.

Granting of the variance would confer special privileges, as the structure encroaches the required 7.5' setback.

3. Literal interpretation and enforcement of the development code regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the development code, and would work unnecessary and undue hardship on the applicant such as natural site conditions, size or shape of lot, or existing structures(s).

The literal interpretation and enforcement of the code would not deprive the applicant of rights commonly enjoyed by other properties in the neighborhood. The existing structure encroaches setbacks however being that the structure has been up for 10 plus year makes it a natural site condition.

4. The granting of the variance will be in harmony with the general intent and purpose of this code and the Comprehensive Plan, as amended, and will not be injurious to the surrounding properties or detrimental to the public welfare.

The accessory structure is unlikely to be injurious to the surrounding properties. According to the applicant both neighbors have fences and the structure is facing a retention pond to its rear that is screened by trees. The structure is not harmful aesthetically or physically to residents and surrounding areas

5. The Variance, if granted, is the minimum variance necessary to make possible the reasonable use of the land, building or structure.

As the shed is existing, this is the minimum variance necessary to allow the structure to remain where it was constructed 10 years ago.

6. The special conditions or circumstances are not the result of actions of the applicant or owner.

The circumstance is the result of applicant not acknowledging the need of a permit resulting the shed to be built 1.5' over standards.

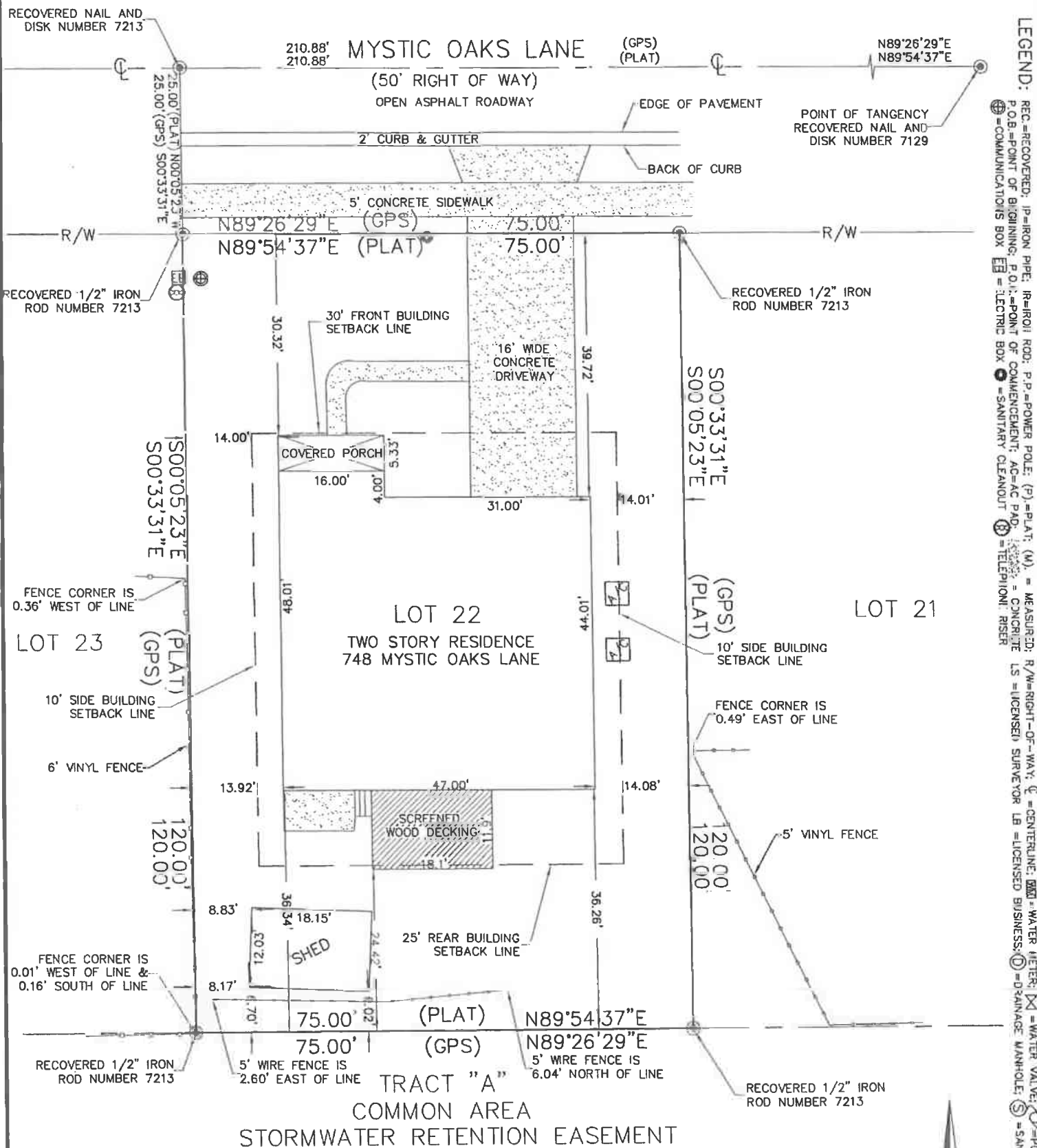
F. STAFF SUMMARY: The applicant is seeking a variance to change the required accessory structure rear setbacks for a shed. Per the applicant, the shed is located directly facing a retention pond. The applicant wants to keep the shed that encroaches the rear accessory structure setbacks by 1.5. Accessory structure standards permit a side and rear setback of 7.5' on each side. The applicant meets this standard for side setbacks. However, the rear setback is 6' making it 1.5' closer to the rear lot line. The accessory structure is unlikely to be injurious to the surrounding properties. According to the applicant both neighbors have fences and the structure is facing a retention pond to its rear. The structure is not harmful aesthetically or physically to residents and surrounding areas.

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BOUNDARY SURVEY

9,000.00 SQUARE FEET

LOT 22, WILD ACRES, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED
IN MAP BOOK 53, PAGES 187 AND 188, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

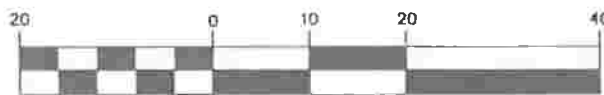


PROPOSED SETBACKS	REQUIRED SETBACKS
SEE PROPOSED BUILDING SETBACK DIMENSIONS AS SHOWN ON THIS PLOT PLAN	FRONT: 30' REAR: 25' SIDES: 10' CORNER SIDE: '

REVISIONS:

BOUNDARY SURVEY 3-8-2013
 PLOT PLAN 3-12-2013
 FOUNDATION SURVEY 5-20-2013
 FINAL SURVEY 8-12-2013
 NAME RECERTIFICATION ONLY 12-16-2015
 UPDATED SURVEY 6-26-2017
 UPDATED SURVEY 12-15-2017
 UPDATED SURVEY 2-9-2022

GRAPHIC SCALE



(IN FEET)

1 inch = 20 ft.

Ⓡ = TELEPHONE RISER

SURVEYORS NOTES:

1. THE SURVEYOR HAS NOT ABSTRACTED THE LAND SHOWN HEREON FOR EASEMENTS, RIGHT-OF-WAY OR RESTRICTIONS OF RECORD WHICH MAY AFFECT THE TITLE OR USE OF THIS LAND.
2. SUBJECT DWELLING FALLS WITHIN ZONE "X" ACCORDING TO THE F.I.R.M. MAP # 12127C0470 H, DATED 2/19/2014.
3. NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS SHOWN HEREON.
4. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED PROFESSIONAL SURVEYOR AND MAPPER NAMED BELOW IN THE SIGNATURE WINDOW.
5. BEARINGS SHOWN HEREON LABELED AS (GPS) ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, (EAST ZONE) AS DETERMINED BY THE FLORIDA DEPARTMENT OF TRANSPORTATIONS "FPRN" CELLULAR GPS NETWORK. BEARINGS SHOWN HEREON LABELED AS (PLAT) ARE BASED ON THE RECORD PLAT, BOTH REPRESENT THE SAME PARCEL OF LAND.
7. THERE ARE PUBLIC UTILITIES ALONG THE FRONT SIDE OF LOTS BUT THE RECORDED PLAT DOES NOT SHOW A UTILITY EASEMENT

JOB NO. 2013-027
 DATE: 3-8-2013
 SCALE: 1" = 20 FEET
 FIELD BY: JOHNNY/SEAN
 CALCULATED BY: WHA
 DRAWN BY: WHA
 CHECKED BY: WHA
 MODEL=JOYCELYN MANOR

CERTIFIED TO:

RUDOLPH N. VALENTINE

ADDRESS # 748 MYSTIC OAKS LANE

FOR THE LICENSED BUSINESS BY:

WILLIAM H. ABEL JR., PSM #6165
 SIGNATURE DATE: 5-10-2022



1780 DOYLE ROAD, SUITE 6
 DELTONA, FLORIDA 32725
 (386) 860-1866



City of DeLand
PLANNING BOARD
V22-098
JUNE 15, 2022

Parkmore Manor
PD

HILL AV N

A-3A

R-1B

MYSTIC OAKS LN

SUBJECT PROPERTY

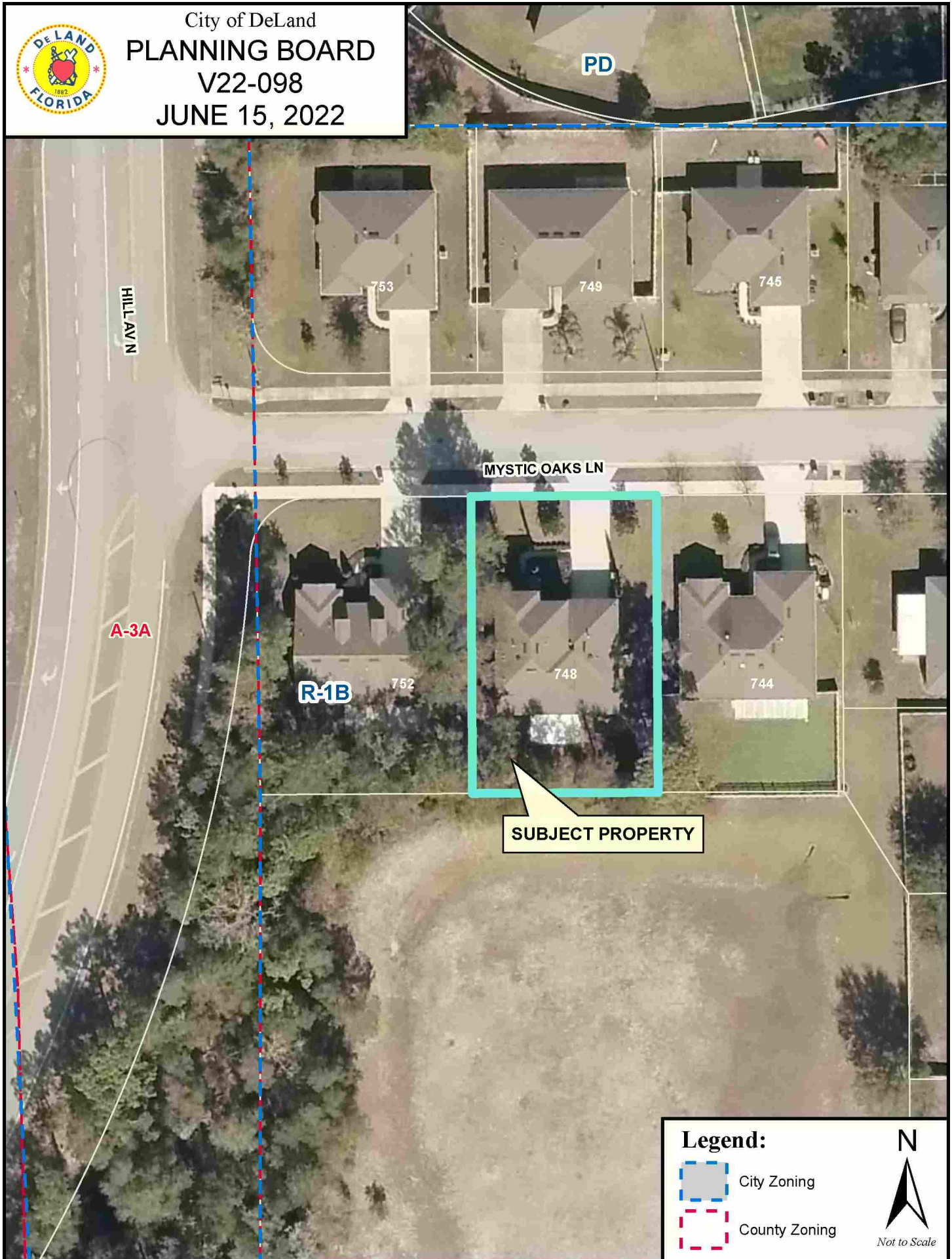
Legend:

-  City Zoning
-  County Zoning





City of DeLand
PLANNING BOARD
V22-098
JUNE 15, 2022



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

June 15, 2022

A. APPLICATION NO.: Z21-186 Glass House Square

APPLICANT: Frank Ford, Jr. , Landis Graham, French P.A.

REQUEST: The applicant is requesting to amend the zoning
From: City C-2A&H (Downtown Commercial / Historic Overlay)

To: Glass House Square PD

Note: This property is also located within the Downtown Historic District Overlay

Developer is implementing provisions set forth in acquisition and redevelopment agreement (ADA) executed by city of DeLand and Glasshouse Square, LLC on July 9, 2020.

APPLICABLE ORDINANCES:

Article XII ADMINISTRATION AND ENFORCEMENT
Sec. 33-135 – Procedure for text amendments and rezoning

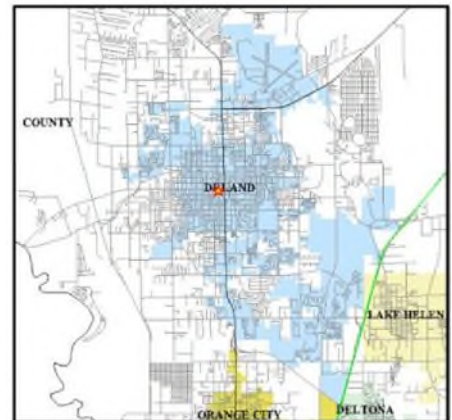
Location: 130 W. New York Ave.
Downtown Support Design District

Parcel Size: 0.868± acres

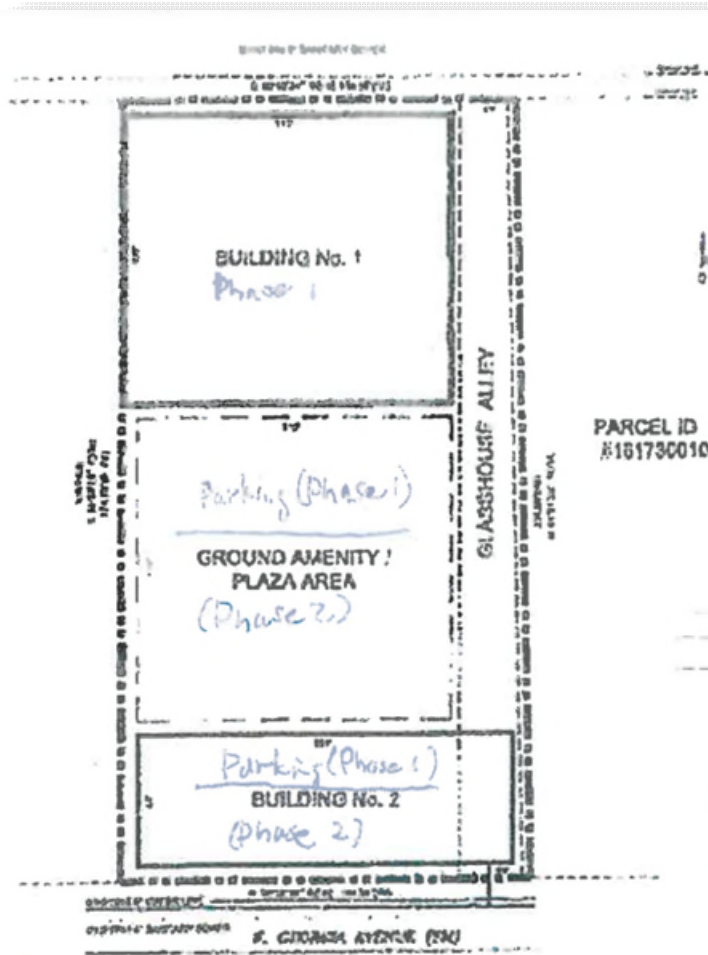
Existing Use: Vacant

B. ANALYSIS:

The site currently consists of a single structure that was the former location of the County jail. Ultimately, the applicant will demolish the structure and now wishes to have the property rezoned to the Glasshouse Square PD (Planned Development). The property could be developed in as many as 2 phases and will include a maximum of 5 residential units as well as a number of other potential commercial and office uses.



The development of the property will be guided by the development agreement provided and includes the provision of 50 on-site and offsite parking spaces, will follow the sign plan that is to be provided, will include a green square/water feature and comply with architectural standards that maintain consistency with the character of the historic downtown area. The property is currently subject to the Downtown Historic Overlay and will remain so despite the request to rezone to the property to a planned development.



PARCEL ID
#16173001030030



Section 33-135 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 Land use designation for this property is Downtown Commercial. As outlined in the city's comprehensive plan, the policy guidelines state:

Land uses shall be mixed whenever possible to provide diversity. Major categories should include institutional/governmental office, commercial and retail, cultural, and residential. New developments shall be coordinated, even among separate developers, in order to develop a site/structure unity. In general, retail commercial uses shall be encouraged on the ground floors that front on to streets. Offices and residential should be encouraged to locate above the active ground floor.

The existing zoning designations are described as follows:

City of DeLand: C-2A Downtown Commercial

33-17.17. *C-2A—Downtown Commercial District.*

- (a) *Statement of intent.* The purpose of this zoning district is to provide for residential, retail, and service needs of the Central Business District (CBD). The list of permitted uses contains those land uses that are oriented to the downtown area.

City of DeLand: H Historic

Sec. 33-34. - *Historic districts and landmarks.*

3-34.01. *Generally.*

- (a) *Statement of intent.* The intent of the following regulations is to serve the best interest of the health, safety, prosperity and welfare of the citizens of DeLand by:
1. Protecting, enhancing and perpetuating historic resources that represent or reflect elements of the city's cultural, social, economic, political and architectural history.
 2. Stabilizing and improving property values through the revitalization of older residential and commercial properties and neighborhoods.
 3. Fostering an awareness and pride in the accomplishments and achievements of the past.
 4. Protecting and enhancing the city's historic attractions to residents, tourists and visitors which in turn serve to stimulate the local economy and draw new business and industry.
 5. Enriching the quality of life in DeLand by fostering knowledge of the living heritage of the past.
 6. Conserving existing housing stock and extending the economic life of housing units through the rehabilitation of such units under housing and neighborhood redevelopment programs.
- (b) *Statement of purpose.* The city commission shall identify, evaluate, recognize, preserve and protect historical land archaeological resources within the city limits of DeLand, in the best interest of the health, safety, prosperity and welfare of the citizens of DeLand by:
1. Creating a historic preservation board with the power to effectively administer the duties provided for herein.
 2. Developing a process to designate individual properties (buildings, structures, sites, objects) and groups of properties (districts) as historically significant.
 3. Protecting the integrity of designated historic resources by requiring a review of proposals to add to, demolish or in any way alter the exterior historic fabric of such resources.

4. Encouraging historic preservation by providing technical assistance and financial incentives.
5. Obtaining certified local government status as provided for in the National Historic Preservation Act of 1966, as amended in 1980 (P.L. 96-515) and as procedures dictate in 36 C.F.R. 61 (1987).

The proposed zoning designation is generally described as follows:

Glasshouse Square PD – Planned Development

33-17.22. *PD—Planned Development District.*

- (a) Statement of intent. The Planned Development District is intended to provide a method for consideration and approval of unique zoning districts for individual Planned Developments (PD) which are not provided for or allowed in the zoning districts otherwise established by this chapter. See also: [section 33-32](#), Planned Development District and [section 33-133](#), Review of Planned Development Plans.

A development agreement has been written to outline the unique zoning requirements by which the development will be constructed. For the sake of comparison, the chart below lists some of the lot and building requirements of the existing and proposed zoning categories:

Lot & Bldg Reqmts.	C-2A	Glasshouse Square PD
Min. lot area	n/a	n/a
Min. width	n/a	n/a
Setbacks	n/a	
Front	n/a	10 ft. along New York/Georgia
Rear	n/a	
Sides	n/a	
Perimeter bldg.		5 ft. min. on East, none on North, South, West.
Max density	20 upa	5 units max.
Min. floor area		Bldg 1 - not less than 2 stories, not less than 20,000 gross sq. ft. Bldg 2 - not less than 2 stories, not less than 7,000 gross sq. ft.
Efficiency	425 sf	
1 BR	525 sf	
2+ BR	725 + 150/add'l BR	
Max. lot coverage	n/a	100%
Max. bldg height	80 ft	Bldg 1 - Max. 2 stories + rooftop space, not more than 60 ft. above FFE Bldg 2 - Max. 2 stories, not more than 40 ft. above FFE
Landscaping		None required
Building separation		None required

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

Rezoning of the property will only amend the permitted uses of the property and not impact the environment or natural resources. The property is located within the heart of the downtown and for the most part has no environmental resources to speak of.

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

The property is currently vacant contributes only marginally to the tax base. The rezoning action will spur the development of commercial and residential uses on the site that will have an impact upon the economy.

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

The rezoning action will not impact governmental services. The property is located within the urban area and such services are already provided. No new services are anticipated to be required because of the rezoning action.

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

This building has been vacant and unused for a number of years. The City of DeLand obtained the site from the County in order to facilitate redevelopment. Immediately to the east of the site is located the area known as Artisan Alley, the location for regular pedestrian retail and social events as well as Georgia Ave. which has been redeveloped to curtail vehicular use as necessary to allow pedestrian activity as well. The redevelopment of this site will be a continuation of this type of activity in the area.

6. Was there a mistake in the original classification?

It does not appear that the classification was the result of a mistake because it is consistent with other zoning designations in the surrounding area.

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

The proposed rezoning will permit virtually the same uses that the existing zoning with a few nuances as shown in the attached comparative list. New proposed uses are in keeping with uses that are permitted within the general area. The property is located in the Downtown Historic District and the design of the structure is subject to the review of the Historic Preservation Board in order to maintain the historic character of the area. The development agreement also addresses parking which will be provided on-site during Phase 1. The location of project parking beyond Phase 1 will need to be determined.

C-2A	Type	Glasshouse Square PD
General/Professional Offices	p	General/Professional Offices
Financial Institutions	C20	Financial Institutions, but without drive through service
Medical office	p	Medical office
Drugstores and pharmacies	p	Drugstores and pharmacies, but without drive through service
Laboratories, hospitals and clinics	p	
Medical clinics over 5,000 square feet	p	
Nursing homes and adult congregate living facilities	p	
Veterinary clinics and pet grooming shops with overnight and/or outdoor boarding facilities and runs	C	
Mailbox and shipping shops	p	Mailbox and shipping shops
Copying, printing and lithography	p	Copying, printing and lithography
		Showroom commercial
Beauty salons, barbershops and day spas	p	Beauty salons, barbershops and day spas
Day care facilities, adult or child	p	Day care facilities, adult or child
Dry cleaning and laundry, retail	p	Dry cleaning and laundry, retail
Dry cleaning and laundry, self-service	p	
Mortuary, funeral homes and crematoriums	p	
Pet shops and pet grooming with no overnight boarding of animals	C	
Tailor shops and shoe repair	p	Tailor shops and shoe repair
Banquet facilities, catering services	p	Banquet facilities, catering services
		Outdoor entertainment
		Outdoor events including, without limitation, weddings, receptions, parties, farmers' markets, food trucks, outdoor markets, temporary vendor booths, concerts and festivals. These events may be open to the public or may be private.
Bed and breakfast inn	p	
Hotels or motels and associated accessory uses including restaurant and conference facilities	p	
Uses requiring a DBPR 3PS liquor license (package sales) or 4COP liquor license (bars, lounges, etc.)	E17	Uses requiring a DBPR 3PS liquor license (package sales)
Package sales where beer and/or wine (no liquor) are sold for consumption off premises with DBPR 2APS license	C	Package sales where beer and/or wine (no liquor) are sold for consumption off premises with DBPR 2APS license
Restaurants including fast food and/or drive through facilities	C20	Restaurants including except fast food and/or drive through facilities
Restaurants and establishments serving alcohol requiring a DBPR 2COP, 3PS or 4COP license with special class	C	Restaurants and establishments serving alcohol requiring a DBPR 2COP, 3PS or 4COP license with special class
Bakery, pastry, gourmet, coffee and specialty beverage shops (retail)	p	Bakery, pastry, gourmet, coffee and specialty beverage shops (retail)
Bakeries wholesale, up to 1,000 square feet of floor area	C	
Convenience stores without gas pumps	p	Convenience stores without gas pumps
Furniture, appliances retail	p	Furniture, appliances retail
Furniture, appliances wholesale	p	

Grocery	P	Grocery
Retail sales	P	Retail sales
Used materials, sales or thrift shops; not including junk yards	P	Used materials, sales or thrift shops; not including junk yards
Multiple-family dwellings on the first floor	C*	
Residential dwelling units above the first floor or one residential unit on the first floor accessory to an office or commercial use	C	Residential dwelling units above the first floor in Building 2, only
Business colleges, professional or commercial schools	P	Business colleges, professional or commercial schools
Churches, houses of worship and religious institutions with customary accessory educational and recreational uses	E5	
Government and public land uses and buildings	P	Government and public land uses and buildings
Private clubs and lodges	C9	
Museums	P	Museums
		Gallery (commercial)
Music, dance, gymnasium, art school or studio, excluding discotheques	P	Music, dance, gymnasium, art school or studio, excluding discotheques
Parks, community and regional	E8	
Parks, mini and neighborhood	P	Parks, mini and neighborhood
Theatres and assembly halls	P	Theatres and assembly halls
		Research and Development facilities
		Pet supply store
Pest control and exterminating services	P	
Upholstering and reupholstering	P	
Microwave, radio, telephone and television facilities and transmission towers	E6	
Commercial parking lots	P	
		Craft beverage and food sales and production
		Craftsmen shops
		Structures associated with the uses listed, such as shade structures, fixed awnings and porticos.

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

City utilities are available for this property and new development is required to utilize the available water and water systems that are in place helping to maintain public health and the area is served by police and fire. The rezone request will not adversely impact health, safety or welfare. The property is located within the developed urban core and the property is compatible with commercial/retail uses. This request is consistent with the area and not anticipated to adversely impact the area in that regard.

C. CONCLUSION:

This rezoning request aligns with the pattern of development in the surrounding area and will enhance the overall goals established for the downtown area including the provision of housing and the appropriate commercial use of the property. This site is also located within the Downtown Historic Overlay. That designation will remain in place and this action will not change it. A clear determination of who is responsible to complete the demolition is needed. It is the city's understanding that the applicant will complete it and any precautionary efforts to protect adjacent properties will need to be added to the development agreement.

D. STAFF RECOMMENDATION:

Staff recommends that the rezoning request be approved upon clarification of additional information (i.e. parking, demolition) before the Planning Board forwards a recommendation to the City Commission.

1 GLASSHOUSE SQUARE PLANNED DEVELOPMENT AGREEMENT

2 CITY COMMISSION OF THE

3 CITY OF DELAND, FLORIDA

4 IN RE: (Case #), Application of

5 GLASSHOUSE SQUARE, LLC

6 ORDINANCE # _____

7
8 ORDER AND RESOLUTION

9 GRANTING A REQUEST FOR CHANGE OF ZONING FROM C2-A Historic Overlay

10 (C2 – AH) TO

11 GLASSHOUSE SQUARE PD (PLANNED DEVELOPMENT)

12
13 The application of GlassHouse Square, LLC, (together with its successors and
14 assigns, "Applicant") for rezoning was heard by and before the City Commission, DeLand
15 Florida, on _____, 2022. Based upon the verified Application and other supporting
16 documents, maps, charts, overlays, other evidence and instruments; the advice, report,
17 and recommendations of the Community Development Department, and other City
18 departments and agencies of DeLand, Florida; and the testimony adduced and evidence
19 received at the Public Hearing on this Application by the Planning Board on _____, __,
20 2022, and otherwise being fully advised, the City Commission does hereby find and
21 determine as follows:

22 GENERAL FINDINGS

23 A. The application of GlassHouse Square, LLC was duly and properly filed
24 herein on October 4th, 2021 as required by law.

25 B. All fees and costs which are by law, regulation, or Ordinance required to be
26 borne and paid by the Applicant have been paid.

27 C. The Applicant is the contract purchaser of an approximately 0.868-acre
28 parcel of land situated in DeLand, Florida. This parcel of land is described more

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1 particularly in the survey and legal description, a true copy of which is attached hereto as
2 Exhibit "A" (the "Property").

3 D. The City of DeLand is the owner of the Property, which has frontage on W.
4 New York Avenue and W. Georgia Avenue and is the former site of the Volusia County
5 Jail. The Property is located within the DeLand Downtown Community Redevelopment
6 Area as well as the City's Historic District. The existing jail building is in a deteriorated
7 condition, contains asbestos, is unsightly, and is hindering the continued redevelopment
8 that is and has been occurring in the immediate area in which the jail building is located.
9 The City desires that the Property be redeveloped for a mixed use, in-fill project with a
10 variety of permitted uses including, without limitation, general offices, professional offices,
11 medical offices, retail, commercial, multifamily residential and residential lofts, and
12 entertainment and event spaces, all of which are to be consistent with the aesthetic
13 qualities of downtown DeLand, and in furtherance of the City's Downtown DeLand
14 Redevelopment Plan, and the Florida Community Redevelopment Act of 1969, Florida
15 Statutes, Chapter 163. The Applicant intends to redevelop the Property with a mixture of
16 uses including, without limitation, the aforementioned uses, consistent with the terms set
17 forth herein.

18 E. The Applicant has complied with the concept plan provision as required by
19 Land Development Regulations Ordinance # 2013-11, as amended.

20 F. The Applicant has complied with the "Due Public Notice" requirements of
21 the City Commission, Land Development Regulations Ordinance # 2013-11, as amended.

22 G. The owner of the Property agrees with the provisions of the Development
23 Agreement.

24 FINDINGS REGARDING REZONING

25 A. The Applicant has applied for a change of zoning of the Property from the
26 present zoning classification(s) of the Property from C-2A Historic Overlay (C2 – AH) to
27 GlassHouse Square Planned Development (PD).

28 B. The said rezoning to a Mixed Use Planned Development is consistent with
29 both the City of DeLand Comprehensive Plan Ordinance # 1990-04, as amended, and
30 the intent and purpose of the City of DeLand Land Development Regulations Ordinance
31 # 2013-11, as amended, and does promote the public health, safety, morals, general

1 welfare, and orderly growth of the area affected by the rezoning request.

2 NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY OF
3 DELAND, FLORIDA, IN OPEN MEETING DULY ASSEMBLED IN THE CITY
4 COMMISSION CHAMBERS, 120 SOUTH FLORIDA AVENUE, DELAND, FLORIDA,
5 THIS (public hearing date) DAY OF _____, A.D., 2022, AS
6 FOLLOWS:

7 A. The Application of GlassHouse Square, LLC for the rezoning of the Property
8 is hereby granted.

9 B. The zoning classification of the Property is hereby amended from C-2A
10 Historic Overlay (C2 – AH) to GlassHouse Square Planned Development (PD) as
11 described in Article VII of the City of DeLand, Land Development Regulations Ordinance
12 # 2013-11, as amended.

13 C. The Official Zoning Map of the City of DeLand, is hereby amended to show
14 the rezoning of said Property to GlassHouse Square Planned Development (PD).

15 D. The City of DeLand Land Development Regulations Ordinance # 2013-11,
16 as amended, is consistent with the provisions of the "Development Agreement" as
17 hereinafter set forth in this Ordinance and with respect to any conflict between Land
18 Development Regulations Ordinance # 2013-11, as amended, and the "Development
19 Agreement", the provisions of the "Development Agreement" shall govern. Ordinance
20 No. 2013-11, as amended, shall govern with respect to any matter not covered by the
21 "Development Agreement." The City of DeLand, will ensure overall compliance with this
22 Ordinance.

23 E. Unless otherwise provided for herein, the City of DeLand, Land
24 Development Regulations, Ordinance # 2013-11, as amended, shall apply to the Property
25 in the same manner as the C2 Historic Overlay (C2 – AH) zoning classification.

26 F. Nothing in this Ordinance shall abridge the requirements of any City of
27 DeLand Ordinance other than Ordinance 2013-11, as amended. Timing and review
28 procedures contained in this Order and Resolution may be modified to comply with the
29 City of DeLand Land Development Regulations, Ordinance No. 2013-11, as amended.
30 Further, nothing in the Development Agreement is intended to abridge the requirements
31 of Ordinance No. 2013-11, as amended, and any other City Ordinances, except as

1 provided herein.

2 DEVELOPMENT AGREEMENT

3 A. Development Concept. The Property shall be developed as a Planned
4 Development (PD) substantially in accordance with the Planned Development Plan
5 described below. The Planned Development Plan shall govern the development of the
6 Property as a Planned Development and shall regulate the future land use of the Property.

7 1. Planned Development Plan. The Planned Development Plan shall
8 consist of the attached Development Plan Map prepared by CPH, Inc. and this
9 Development Agreement. The Development Plan Map is hereby approved and
10 incorporated in this Ordinance by reference as Exhibit "B". The Planned Development
11 Plan shall be filed and retained for public inspection in the Planning Department and it
12 shall constitute a supplement to the Official Zoning Map of the City of DeLand.

13 2. Amendments. All amendments of the Planned Development Plan,
14 other than those deemed by the Planning Department to be minor amendments as set
15 out in Ordinance No. 2013-11, as amended, shall require the review and recommendation
16 of the Planning Board and action by the City Commission in the same manner as a
17 rezoning of the Property.

18 3. Subdivision Approval. Subdivision Plat Approval is not required. If
19 Applicant chooses to subdivide the Property, an application for exemption or a preliminary
20 and/or a final plat application for the area to be subdivided shall be submitted for review
21 and approval in the manner required by Article 13 of the City of DeLand Land
22 Development Regulations, Ordinance No. 2013-11, as amended.

23 4. Final Site Plan Approval. After the Planned Development Plan is
24 recorded and prior to issuance of any permits for construction, other than for asbestos
25 abatement, demolition, clearing and landfill by the City of DeLand, a Final Site Plan shall
26 be prepared and submitted for review and approval in the manner required by Article 12
27 of the City of DeLand, Land Development Regulations Ordinance # 2013-11, as
28 amended.

29 B. Unified Ownership. The Applicant shall maintain unified ownership of the
30 Property (after title is conveyed to it) until after issuance of the Final Site Plan
31 Development Order.

1 C. Phases of Development. Applicant may, in its sole discretion, develop the
2 Property in two (2) phases and, if Applicant so elects, the order of the phases for
3 development shall be sequential (i.e., Phase 1 shall precede Phase 2). Applicant may
4 commence development of Phase 2 prior to completion of Phase 1, but the Certificate of
5 Occupancy for Phase 2 shall not be issued until Phase 1 is substantially completed.

6 D. Land Uses Within the PD. The development of the Property shall be
7 consistent with the uses prescribed for each area within the proposed GlassHouse
8 Square Planned Development. The location and approximate size of said land use areas
9 are shown on the Development Plan Map, Exhibit "B". The following land uses shall be
10 allowed as permitted principal uses conditional uses, special exceptions and structures
11 along with their customary accessory uses and structures:

12 1. All permitted uses, conditional uses, and special exceptions within the C2
13 – AH zoning district, subject to the following restrictions:

14 a. Financial Institutions, are permitted only without drive through
15 service

16 b. Drugstore and pharmacies, are permitted only without drive through
17 service

18 c. Uses requiring a DBPR 3PS liquor license (package sales) may be
19 permitted as a special exception.

20 2. Outdoor entertainment

21 3. Outdoor events including, without limitation, weddings, receptions, parties,
22 farmers' markets, food trucks, outdoor markets, temporary vendor booths,
23 concerts, and festivals. These events may be open to the public or may be private,
24 and may include outdoor consumption of alcohol.

25 4. Gallery (commercial)

26 5. Research and Development facilities

27 6. Pet Supply store

28 7. Craft beverage and food sales and production

29 8. Craftsmen shops

30 9. Structures associated with the uses listed, such as shade structures, fixed
31 awnings, and porticos.

1 E. Development Standards. The minimum site design regulations that will be
2 used to govern development within the in PD are as follows:

- 3 1. Minimum lot area - no minimum
- 4 2. Minimum lot width and/or depth - no minimum
- 5 3. Minimum yard size (building) - no minimum
- 6 4. Maximum front yard – 10 feet along New York Avenue and
7 Georgia Avenue.
- 8 5. Minimum stories and floor area:
 - 9 a. Building 1 as shown on the Development Plan Map (“Building 1”)
10 - Not less than two (2) stories and not less than 20,000 gross square feet.
 - 11 b. Building 2 as shown on the Development Plan Map (“Building 2”)
12 - Not less than two (2) stories and not less than 7,000 gross square feet.
- 13 6. Maximum stories and building height:
 - 14 a. Building 1 - Maximum of two (2) stories, plus rooftop space.
15 The top of all enclosures shall be not more than sixty (60’) feet above the finished
16 floor elevation of the first floor of the building.
 - 17 b. Building 2 –Maximum of two stories and forty (40) feet above
18 the finished floor elevation of the first floor of the building.
- 19 7. Maximum lot coverage:
20 100%
- 21 8. Landscape requirements - No perimeter landscape buffer or other
22 landscaping is required.
- 23 9. Perimeter building setbacks:
24 5 foot minimum setback on the entire east property line. There is no setback
25 required on the north, south or west property lines.
- 26 10. Minimum building separation –
27 None.
- 28 11. Off-street parking requirements. Applicant contemplates developing
29 the Property in phases and shall provide a minimum of forty (40) parking spaces for Phase
30 1 and ten (10) parking spaces for Phase 2, for a total parking requirement of not less than
31 fifty (50) spaces. Parking may be located onsite and/or in offsite parking lot(s). If applicant

elects to have onsite parking for Phase 1 the general location and configuration of that parking are shown on Exhibit C. The exact size, location and configuration will be determined at site plan approval. Any such parking area may be secured or controlled by gates or other access limitations. Development of onsite parking with permeable pavers or similar materials is permitted. In lieu of standard code dimensional requirements, Applicant may elect to provide standard parking space dimensions of no smaller than 9' by 18' and drive aisle widths of 20' or more. Handicapped accessible parking space dimensions shall be in accordance with code. No parking islands are required for onsite parking. It is anticipated that the Applicant or its successors may seek variances or other accommodations from City related to the design of its offsite parking lot(s), to the extent reasonably necessary to make efficient use of space in the downtown area. Offsite parking, if any, shall be within 800 feet of the Property in order to count for purposes of the minimum parking requirements. For the sake of clarity, this means that the nearest point on any parcel of property upon which offsite parking is located shall be within 800 feet of any point on the boundary of the Property. Except as otherwise provided herein, the exact location, number of spaces, phasing of construction, and other issues involving the parking on site shall be addressed in the site plan and parking shall otherwise be provided in accordance with the Land Development Regulations Ordinance No. 2013-11, as amended.

12. Signage requirements. Notwithstanding Section 33-73.02, market lights (i.e., strands of lights) are permitted in the Pedestrian Walkway and onsite parking area (Phase 1)/Amenity Area (Phase 2) without staff approval, subject to Applicant complying with Section 33-73.02 (f) 2. And 3. The Pedestrian Walkway and (in Phase 2) Amenity Area may be treated as additional street frontages, and each building may be treated as a separate parcel, to the extent doing so allows Applicant greater allowance in the height, dimensions, location or number of signs, or otherwise allows Applicant greater flexibility in regard to signage. For purposes of determining permitted signage on Building 1, Building 2 shall not be considered a residential land use. Except as otherwise provided herein, signs shall comply with applicable requirements of the Land Development Regulations Ordinance No. 2013-11, as amended, Article VII, Signs, as applicable to the C2- AH district.

1 13. Open Space/Common Area. Open Space and/or Common Area
2 requirements for the Property shall be satisfied in development of Phase 1 by the
3 pedestrian walkway ("Pedestrian Walkway") shown on the Development Plan Map,
4 notwithstanding the requirements of the City's Land Development Code. In Phase 2, the
5 Green Square/water feature area/gathering space shown on the Development Plan
6 ("Amenity Area") satisfies such requirements.

7 14. Architectural Design Standards: The Architectural standard for the
8 Property shall be consistent with the aesthetic qualities of downtown DeLand and
9 complementary to the brick architecture which currently exists along Georgia Avenue.
10 The general architectural standards, elevations and concepts set forth on Exhibit D shall
11 apply to the Property, and are deemed consistent and complementary with said aesthetic
12 qualities and architecture along Georgia Avenue.

13 15. Minimum residential unit exterior sound attenuation: Sound
14 Transmission Class (STC) 60 Rating for exterior walls. For fenestration: STC35. (As
15 established by LEED Enhanced Acoustical Credits).

16 16. Residential units – The maximum number of residential units on the
17 Property is five (5). Residential units shall be permitted only in Building 2.

18 17. Pedestrian Walkway – The pedestrian walkway, as shown on the
19 Development Plan Map ("Pedestrian Walkway"), will be generally left open to the public
20 during the hours of 8:00 a.m. until midnight. However, it is contemplated Applicant may
21 close it for private events and may leave it open to the public for longer hours than stated
22 above. At times it may be used for vehicular access. Outdoor seating for restaurants is
23 also contemplated for the Pedestrian Walkway. It is contemplated that there will be a
24 separate agreement entered into between Applicant, or its successors or assigns, and
25 the City, consistent with this Development Agreement, regulating specific parameters
26 related to the public use of the Pedestrian Walkway, the adoption or future amendment
27 of which shall not be deemed a zoning of the Property. Either or both buildings shall be
28 permitted to overhang the Pedestrian Walkway provided a ground clearance of at least
29 14 feet shall be maintained for permanent structures.

30 F. Environmental Considerations. The Property is currently covered by
31 structures and hardscape and contains no trees and no green space. Although trees and

1 landscaping are not required under current code (Section 33-57.07), even if such code
2 provisions change in the future, no tree protection area or landscaping shall be required.

3 G. Sewage Disposal and Potable Water. Provision for sewage disposal and
4 potable water needs of the PD will be provided in accordance with the Comprehensive
5 Plan, Ordinance No.1990-04, as amended, the Land Development Regulations
6 Ordinance No. 2013-11, as amended, and State of Florida Administrative Code 64E-6.

7 H. Stormwater Drainage. Provision for stormwater retention shall be in
8 accordance with the requirements of the St. Johns River Water Management District
9 ("SJRWMD"). Neither the City's land development regulations, nor any other applicable
10 regulation of the City shall impose any on-site storm water treatment or storage
11 requirements which are in any way greater than SJRWMD's requirements. It is
12 anticipated that all stormwater from the Property will outfall to the City's Stormwater
13 System. Pursuant to a separate agreement, the City has the option to install or upsize (as
14 the case may be), and maintain, an underground stormwater system beneath the
15 Pedestrian Walkway, to the extent space and capacity is available therefor, as determined
16 by sound engineering principles.

17 I. Access and Transportation System Improvements. All access and
18 transportation system improvements shall be provided in accordance with the Land
19 Development Regulations, Ord. 2013-11, as amended. The Property shall be developed
20 in substantial accordance with the following access and transportation system
21 improvements. Vehicular access may be provided to the Property from New York Avenue
22 on the Pedestrian Walkway, and from Georgia Avenue. The Applicant may restrict or
23 prohibit public vehicular access to the Property.

24 J. Internal Roadways. No internal roadways are anticipated at this time.

25 K. Building or Property Owners Association. It is not the current intent of the
26 Applicant to subdivide the Property and therefore no building or property owner's
27 association would be required. However, if the Applicant or its successors or assigns later
28 subdivide the Property, then an owners association shall be required. With respect to the
29 enforcement of agreements, covenants, easements, or restrictions entered into between
30 the Applicant and the owners' or occupiers of property within the GlassHouse Square
31 Planned Development, the City of DeLand shall only enforce the provisions of the

"Development Agreement" and City of DeLand Land Development Regulations Ordinance # 2013-11, as amended, whichever is applicable, and not the private agreements entered into between the aforementioned parties.

L. Other:

1. Minimizing Disruption of Public Parking. Development of the Property:

a. Building 1 shall be designed to reasonably minimize the disruption to the existing public parking on the City's parcel, Tax Parcel No. 7016-01-03-0070, without unreasonably interfering with construction of the project(s) on the Property.

b. The site plan for each phase shall include measures to mitigate disruption to such existing public parking, which shall be part of the City's review process and shall be depicted on the site plan for each respective phase. Such mitigation measures may include, without limitation, the Applicant maintaining its laydown area and all construction staging operations on the Property or on the City's lot located at 224 South Florida Avenue, or other measures to avoid impacts to Georgia Avenue.

2. Additional Restrictions. The following additional restrictions apply to the Property, as set forth below:

a. Building 1 (Shall be Phase 1, if development occurs in phases.)	FIRST FLOOR *Not to exceed 10,500 GSF provided, however, allowable area (not to exceed an additional 2,000 GSF) may be permitted upon Applicant addressing any additional demand for parking, as may be reasonably determined by City staff. *No more than 30% of 1 st floor space to be for general, professional, medical or government offices. *No residential use.
	SECOND FLOOR *Not to exceed 10,500 GSF provided, however, allowable area (not to exceed an additional 2,000 GSF) may be permitted upon Applicant addressing any additional demand for parking,

	as may be reasonably determined by City staff. *No residential use.
	ROOFTOP *Not to exceed 10,500 GSF. *Rooftop space enclosures including, without limitation, enclosures for stairways, elevator landing, enclosed restroom, and other enclosures, shall not exceed 1,500 GSF. * All enclosures except for stairway enclosures, elevator shafts and landings, and mechanical rooms shall be set back at least 10 feet from the edge of the roof. *No residential use.

1

b. Building 2 (Shall be Phase 2, if development occurs in phases	FIRST FLOOR – *Not to exceed 4,200 GSF provided, however, allowable area (not to exceed an additional 1,000 GSF) may be permitted upon Applicant addressing any additional demand for parking, as may be reasonably determined by City staff. *No more than 30% of 1st floor space to be general, professional, medical or government offices. *No residential use.
	SECOND FLOOR - *Not to exceed 5,000 GSF provided, however, allowable area (not to exceed an additional 1,000 GSF) may be permitted upon Applicant addressing any additional demand for parking, as may be reasonably determined by City staff.

2

1 3. Before issuance of the Certificate of Occupancy for Building 2, Applicant
2 shall construct the Green Square water feature area/gathering space and Pedestrian
3 Walkway, as generally depicted on the Development Plan Map.

4 4. Except as otherwise provided herein, the City of DeLand Land Development
5 Regulations, Ordinance Number 2013-11, as amended, shall apply to the Property in the
6 same manner as the C-2 Historical Overlay (C2 – AH) zoning classification.

7 M. Reverter Provision: (i) Provided the Applicant has commenced
8 development of the project within five (5) years from the Effective Date (as defined below)
9 and has completed development or has continued to actively develop ongoing phases as
10 demonstrated by issuance of development permits and building permits, or actual
11 construction activities, then no rezoning by the City shall occur unless otherwise
12 requested by the then owner. (ii) If the Applicant does not meet the guidelines under
13 subsection (i) above, the City Commission may rezone any portion of the Property which
14 has not secured a final development order on or before 5 years from the Effective Date
15 of this ordinance as may be necessary or appropriate to protect adjoining properties or
16 the public health, safety, and welfare, unless the City Commission shall extend the time
17 indicated in this paragraph.

18 N. Binding Effect of Plans; Recording; and Effective Date. The Planned
19 Development Plan, including any and all amendments, shall bind and inure to the benefit
20 of the Applicant. The PD zoning, provisions of the "Development Agreement," and all
21 approved plans shall run with the land and shall be administered in a manner consistent
22 with Article 12 of the City of DeLand Land Development Regulations Ordinance # 2013-
23 11, as amended.

24 This Ordinance and all subsequent amendments shall be filed with the Clerk of the
25 Court and recorded within forty-five (45) days following execution of the document by the
26 City Commission, in the Public Records of Volusia County, Florida. One copy of the
27 document, bearing the book and page number of the Official Record in which the
28 document was recorded, shall be submitted to the Planning Department for placement in
29 the public file. The date of recording of this document shall constitute the effective date
30 of the PD or its subsequent amendments. The Applicant shall pay all filing costs for
31 recording documents.

DONE and ORDERED by the City Commission, City of DeLand, Florida,
this ____ day of _____, 2022.

ATTEST:

City Commission of DeLand Florida

Michael Pleus
City Manager

Robert Apgar
Mayor

STATE OF FLORIDA
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization this ____ day of _____, 2022 by Michael Pleus and Robert Apgar, 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: _____

1
2 WITNESSES:

GLASSHOUSE SQUARE, LLC, a
Florida limited liability company

3
4
5
6 By: _____

Michael Prelec, Manager

7
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14
15 STATE OF FLORIDA
16 COUNTY OF VOLUSIA
17

18 The foregoing instrument was acknowledged before me by means of ☐
19 physical presence or ☐ online notarization this ____ day of
20 _____, by Michael Prelec, Manager of Glasshouse Square,
21 LLC, who is personally known to me or who has produced
22 _____ as identification.
23
24

25
26 NOTARY PUBLIC, STATE OF FLORIDA
27 Type or Print Name:
28

29
30 Commission No.: _____
31 My Commission Expires: _____
32
33

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EXHIBIT A
LEGAL DESCRIPTION

LEGAL DESCRIPTION

PARCEL A:

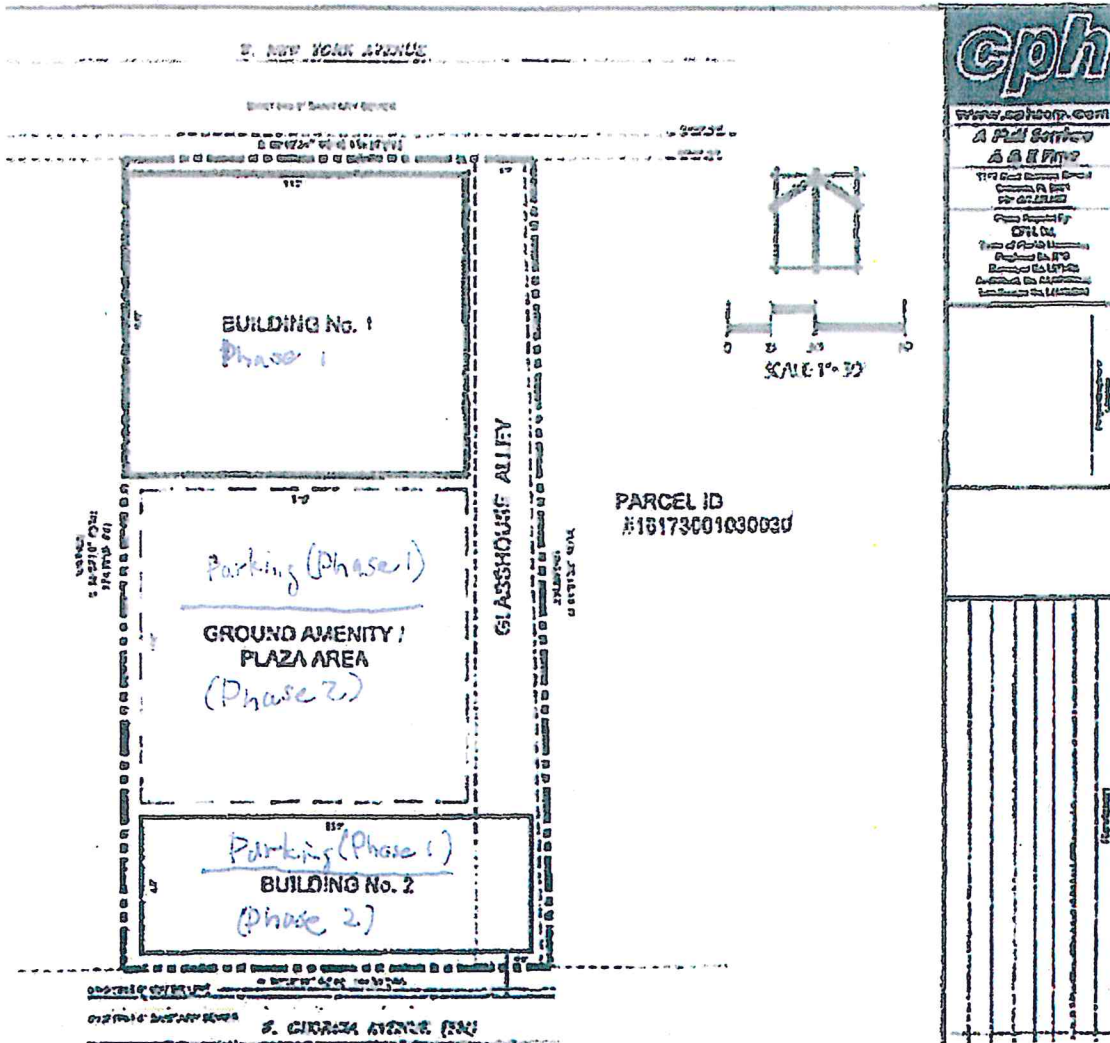
The West 73 feet of Lot 3, Block 3 and the East 64.84 feet of Lot 4, Block 3, Map of Howry's Addition to DeLand, according to the map or plat thereof as recorded in Deed Book G, PAGE 701, Public Records of Volusia County, Florida, Less any portion within the Rights of Way of New York Avenue and Georgia Avenue (F/K/A Short Street).

Also described as:

That portion of Lot 3, Block 3, Howry's Addition to DeLand, as recorded in Deed Book "G", Page 701, Public Records of Volusia County, Florida, lying West of the Westerly line of Miller Hardware Company's Re-Subdivision Map Book 5, Page 156 of aforesaid Public Records, Less any portion lying within the Rights of Way of New York Avenue, a 66 foot wide R/W, and Georgia Avenue (F.K.A. Short Street). Together with that portion of Lot 4, Block 3, Howry's Addition to DeLand, as recorded in Deed Book "G", Page 701, Public Records of Volusia County, Florida, lying East of the following described line; Beginning at a point on the South line of West New York Avenue, as now laid out 66 feetwide, said point being 191.9 feet East of the center line of S. Florida Avenue, said point also being 57 feet East of the established and recognized Northwest corner of said Lot 4, Block 3, Howry's Addition to DeLand, thence South at right angles to West New York Avenue 274.7 feet, more or less, to a point on the North side of Shore Street sometimes called Georgia Avenue, which point is 184.45 feet East of the center line of S. Florida Avenue, and 57 feet East of the Southwest corner of said Lot 4, Block 3, Howry's Addition as established and recognized and marked by an iron pipe.

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3

EXHIBIT B
DEVELOPMENT PLAN MAP

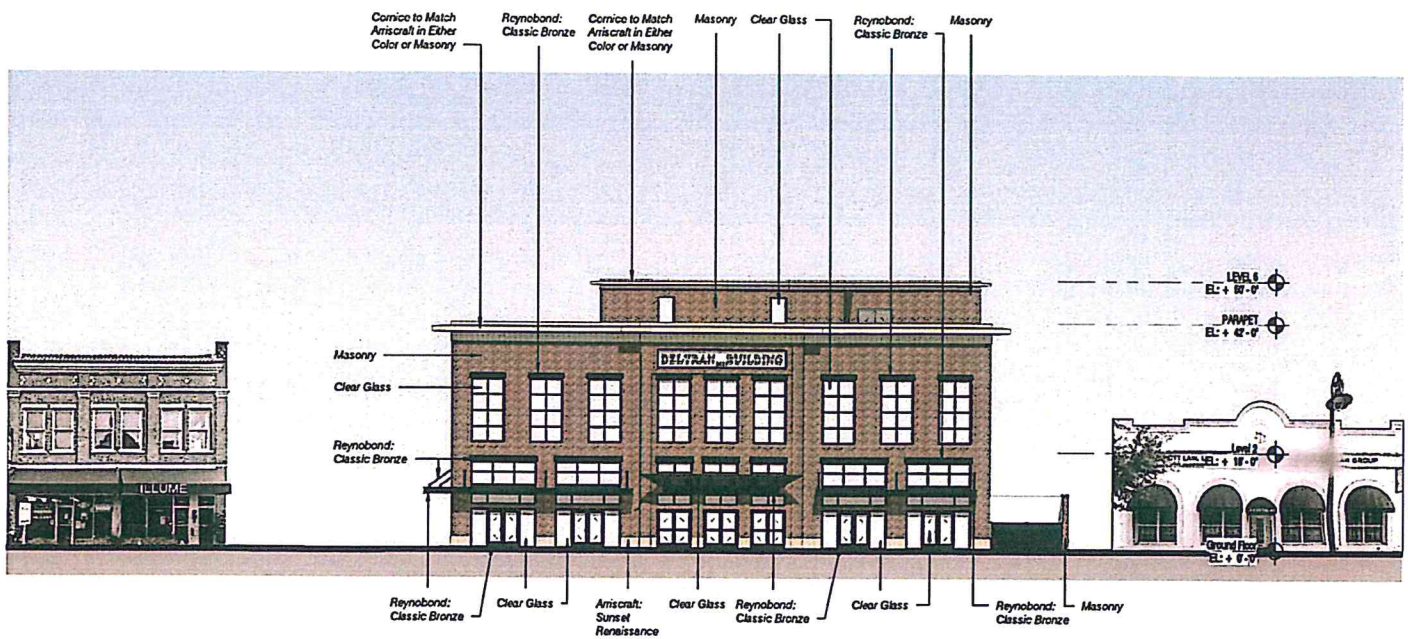


1
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EXHIBIT C
PARKING PLAN

1
2
3

EXHIBIT D
ARCHITECTURAL STANDARDS



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NORTH ELEVATION - A

1/16" = 1'-0"

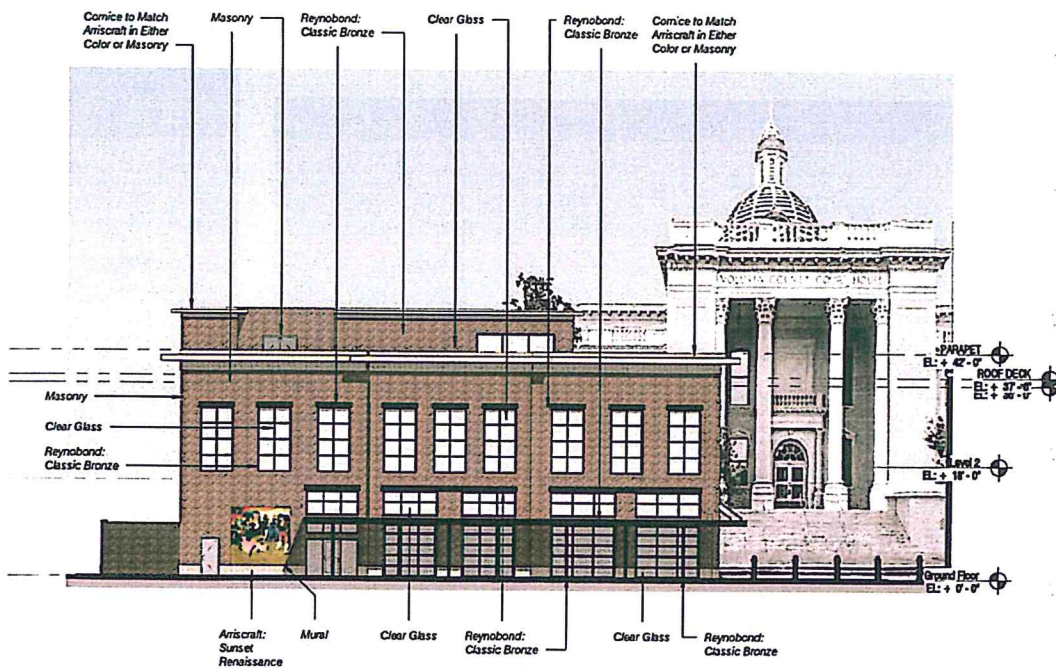
July 20, 2021

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SOUTH ELEVATION - A

1/16" = 1'-0"

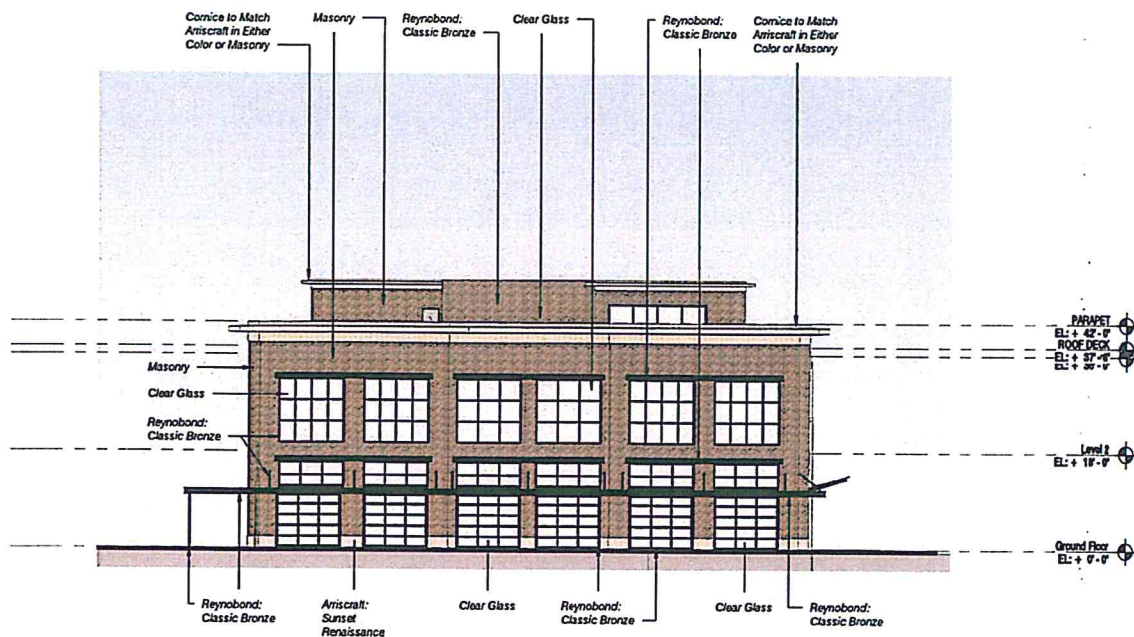
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EAST ELEVATION - A

1/16" = 1'-0"

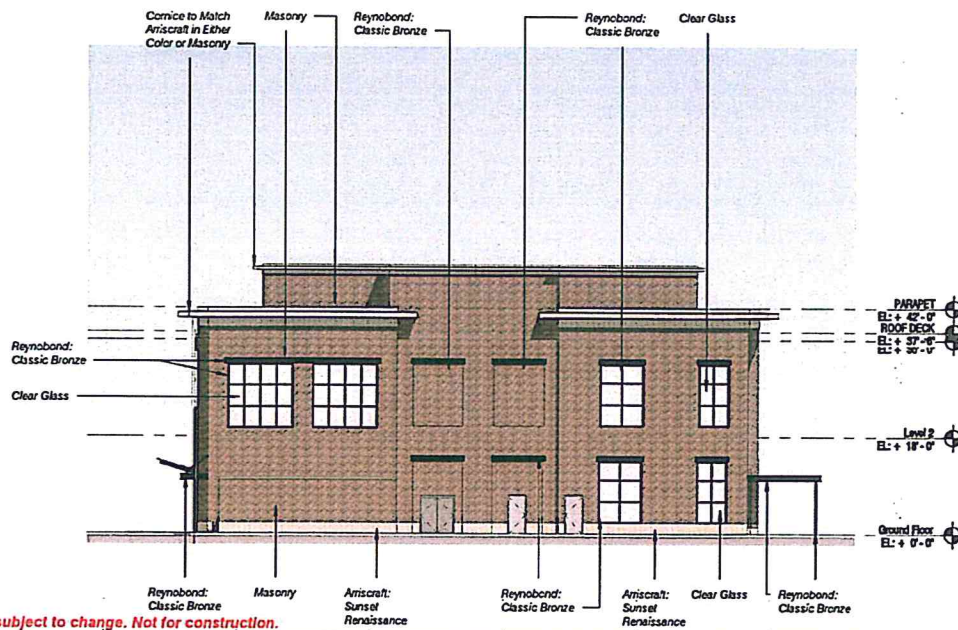
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WEST ELEVATION

1/16" = 1'-0"

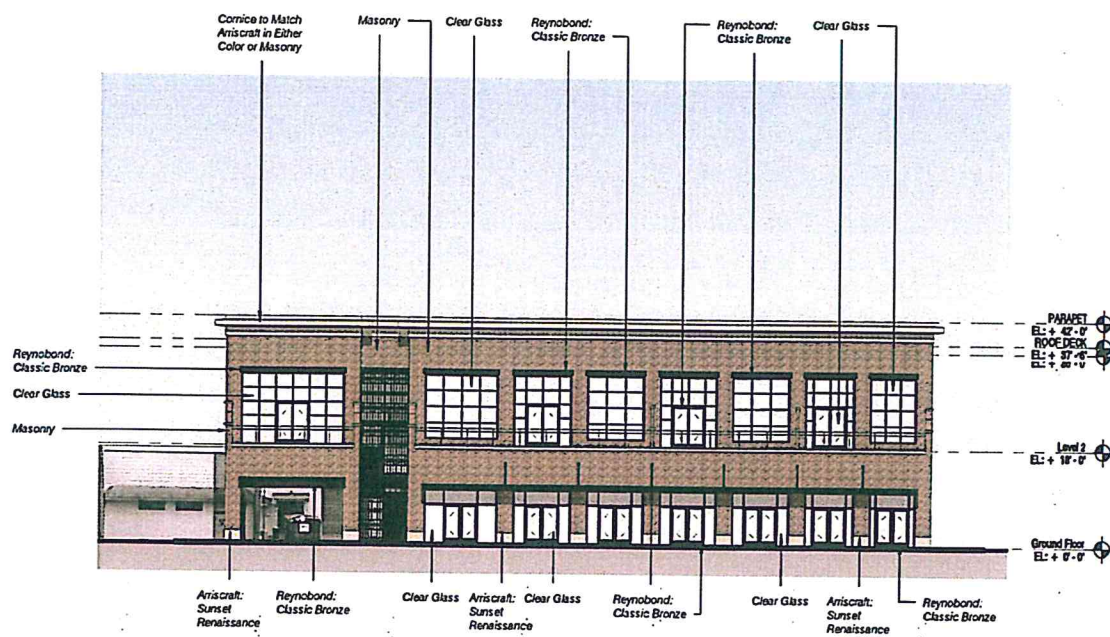
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NORTH ELEVATION - B

1/16" = 1'-0"

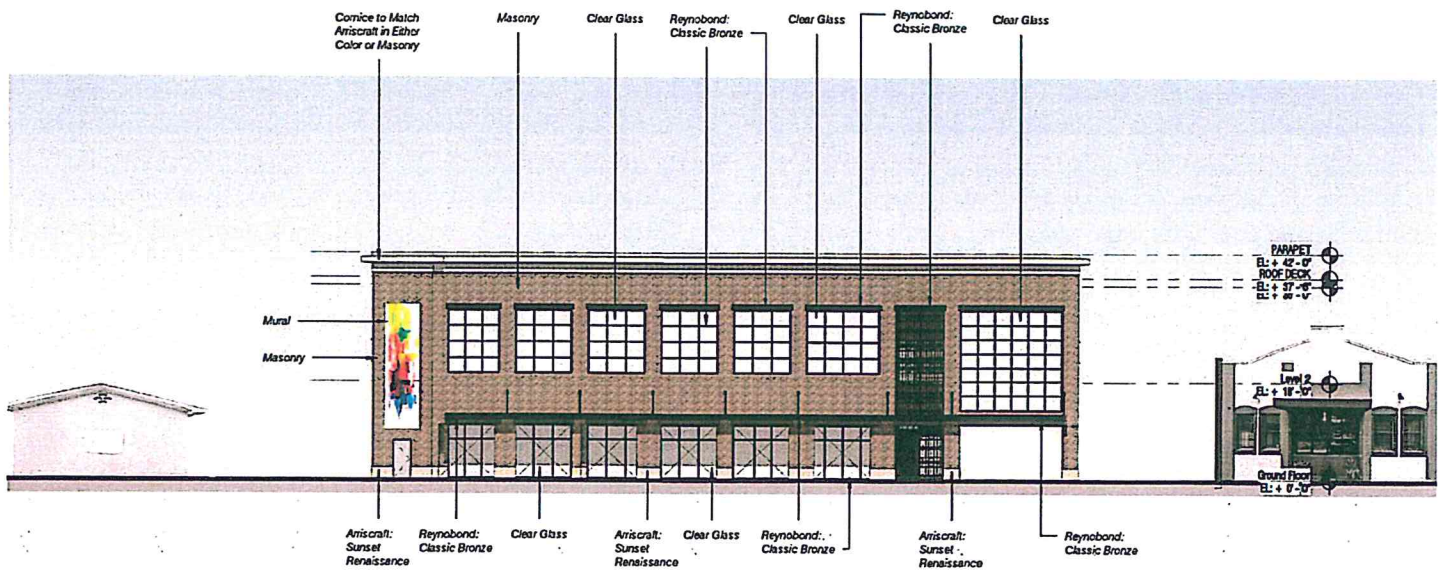
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SOUTH ELEVATION - B

1/16" = 1'-0"

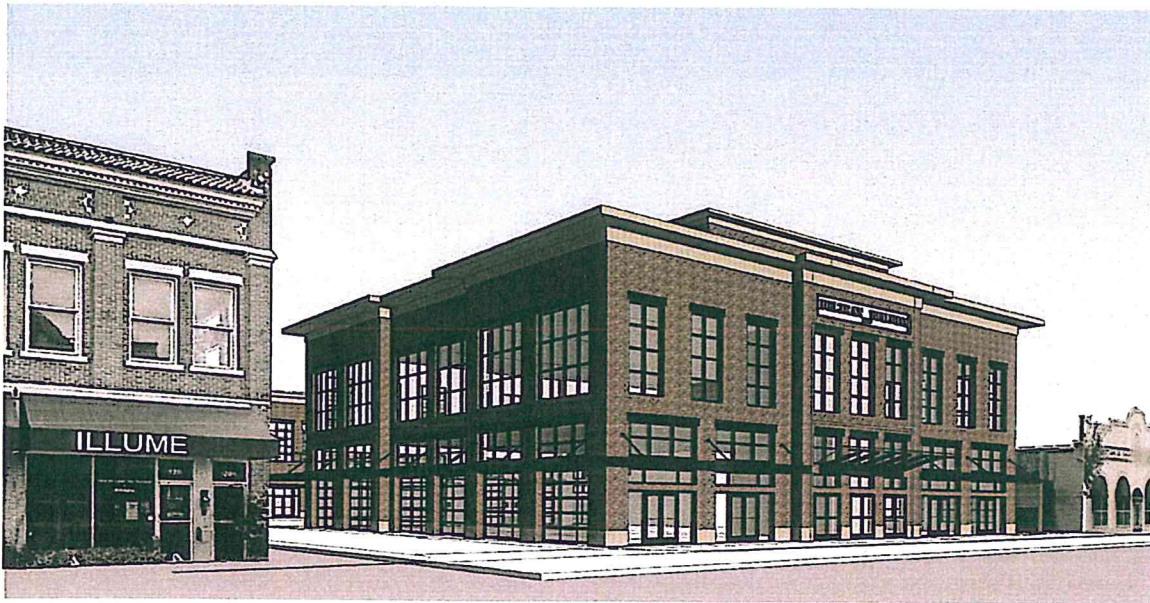
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VIEW 2

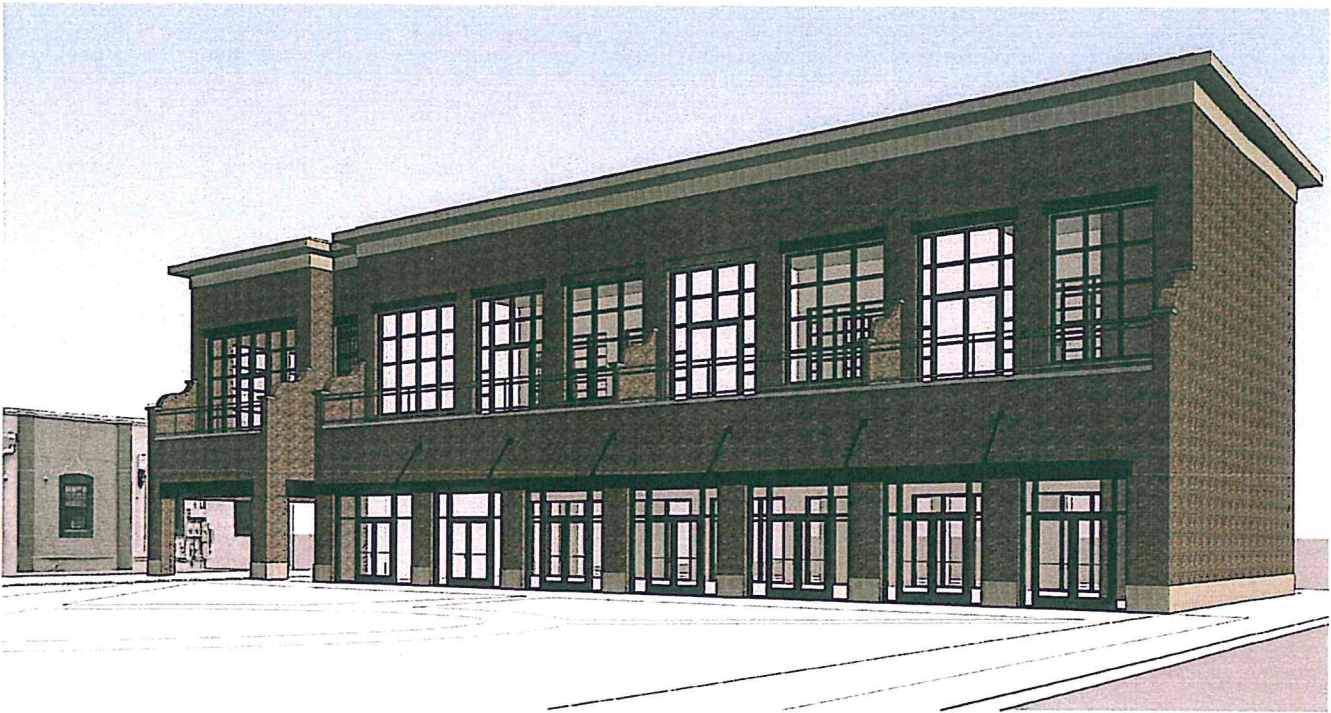
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VIEW 4

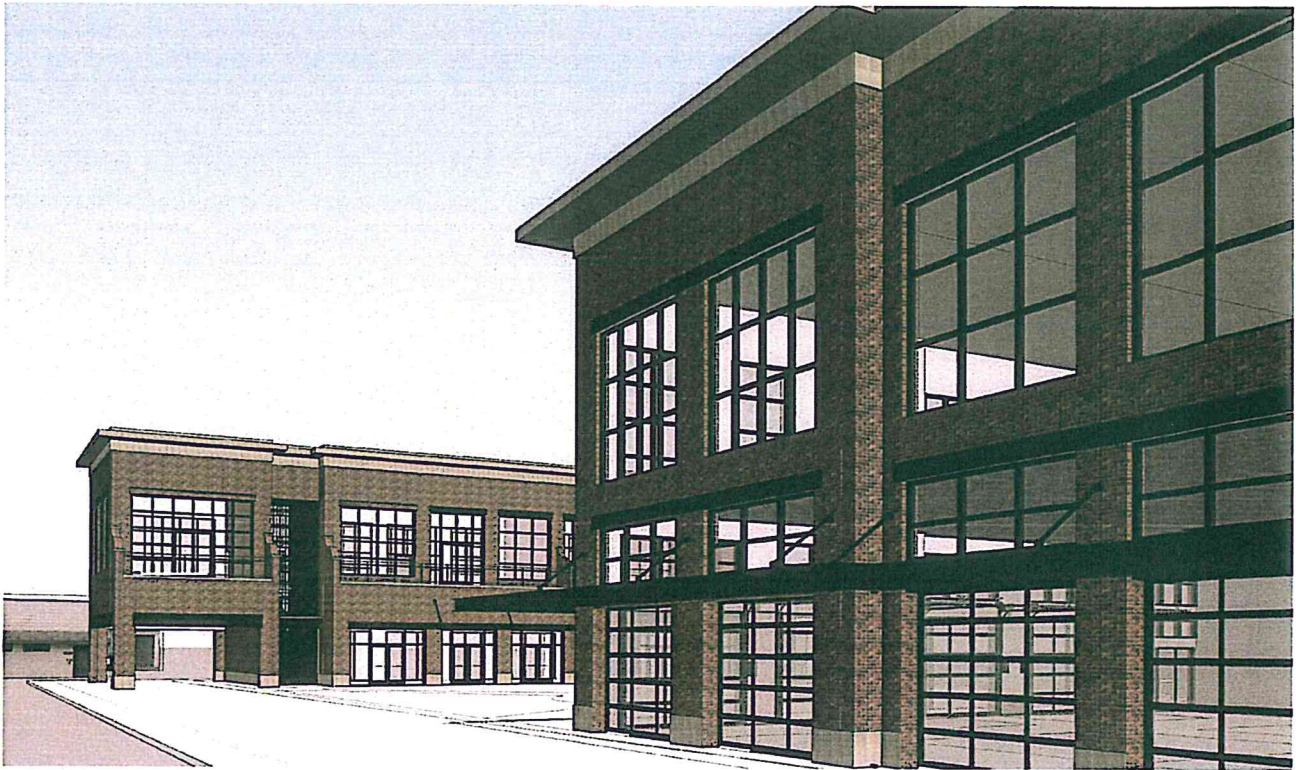
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VIEW 5

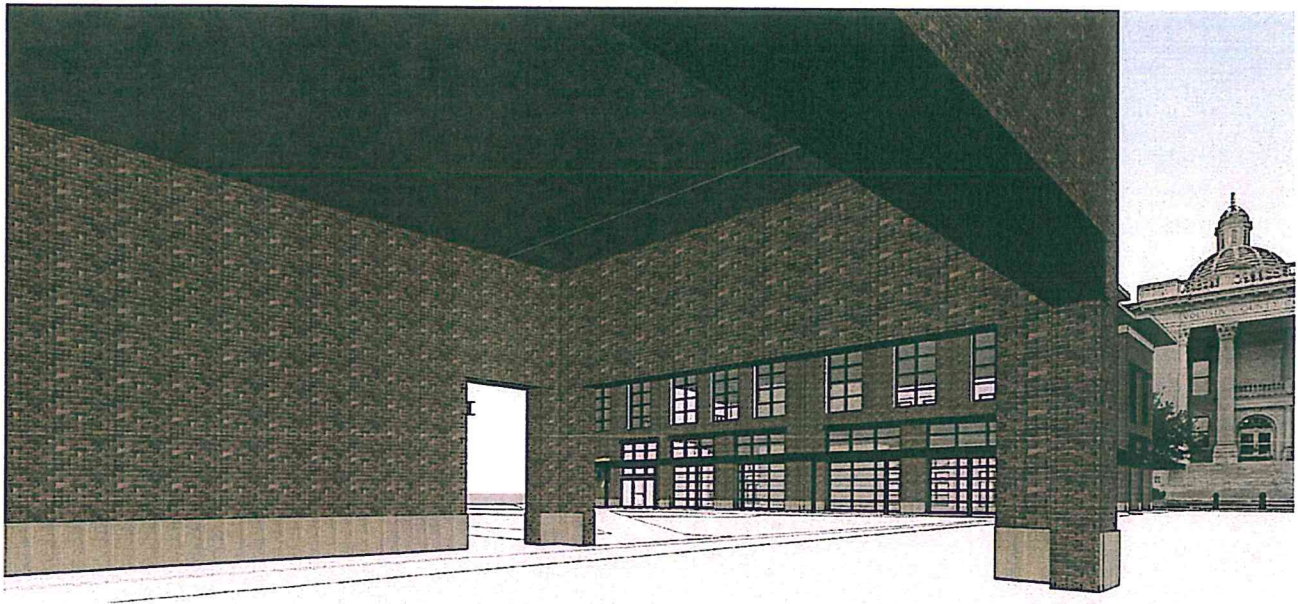
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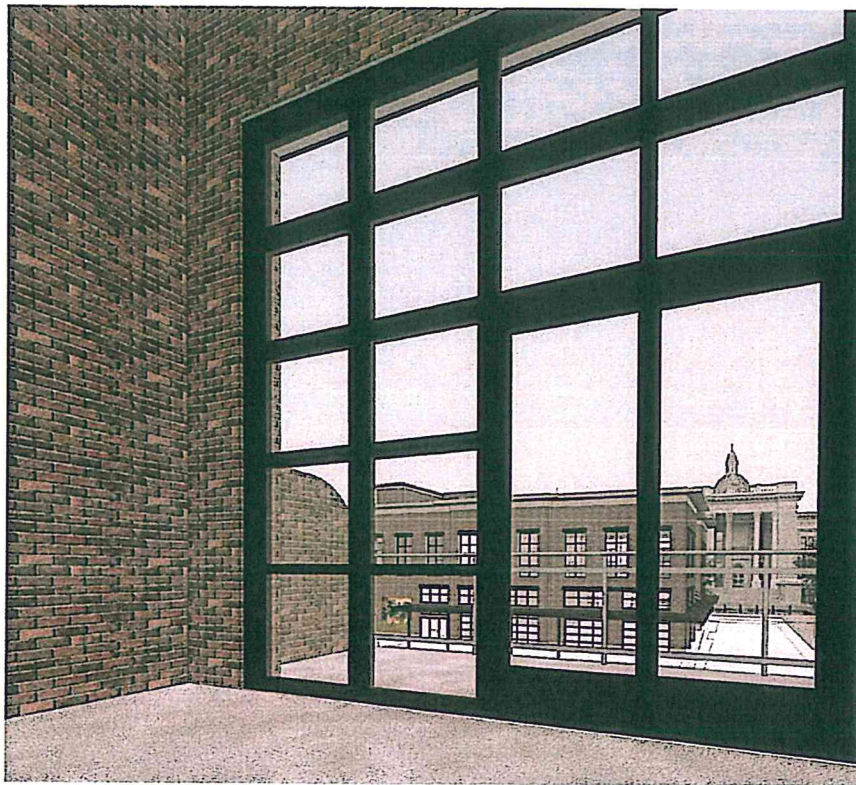
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VIEW 8

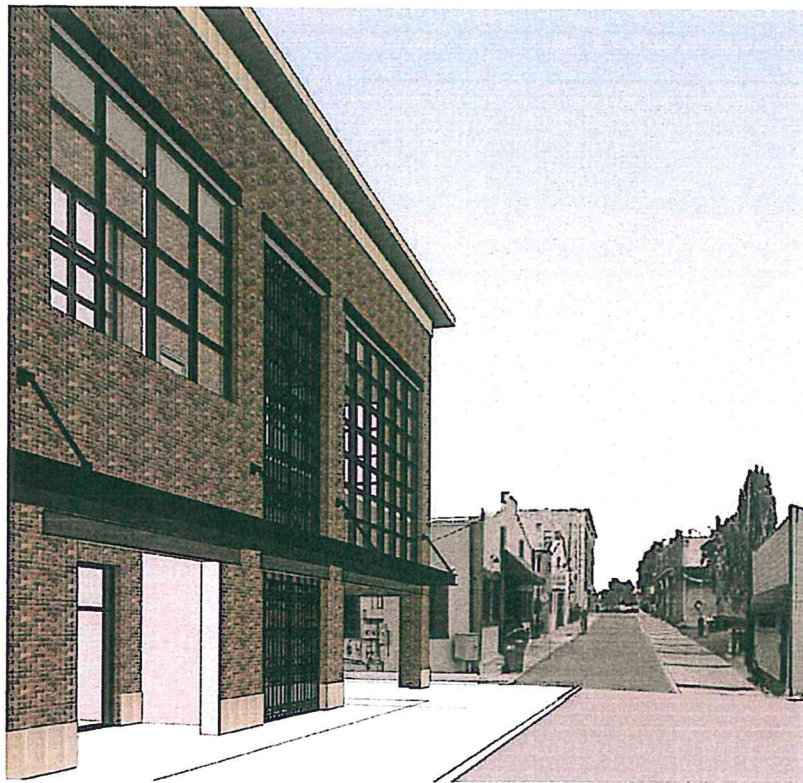
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24

TOTAL SIGN / COPY AREA = 0.5 SF PER 1 LINEAR FT OF BUILDING FRONTAGE
 114.54 LIN FT X 0.5 SF = 57.27 SF OF COPY AREA

DELTRAN BUILDING SIGN = 26.99 SF
 (4) FUTURE SIGNS = 7 SF EACH = 28 SF



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North Elevation Copy Area

1/16" = 1'-0"

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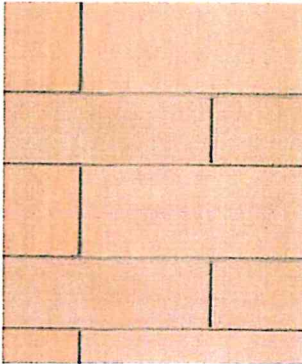
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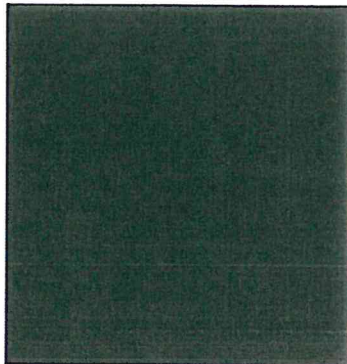
25

GLASSHOUSE

MATERIALS



ARRISCRAFT:
SUNSET RENAISSANCE
(CORNICE'S AND TRIMS WILL
MATCH IN EITHER COLOR OR
MASONRY)



CLASSIC BRONZE REYNOBOND
(STOREFRONTS AND CANOPIES)



ELDORADO STONE: BRACCIANO
ROMABRICK



COLOMBUS BRICK COMPANY:
BURLINGTON QUEEN



GROUT: AMERIMIX. DANDELION

VIRACON
800.533.2080 / www.viracon.com

U1	91%
Est. Performance	87%
Winter U-Value	1.52
Summer U-Value	.93
SC	1.63
SHGC	.70
LSG	1.01

July 20, 2021

CLEAR GLASS: VIRACON

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Material Board

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26

W. NEW YORK AVENUE

EXISTING 8" SANITARY SEWER

S 89°49'34" W(FM) 138.28'(FM)

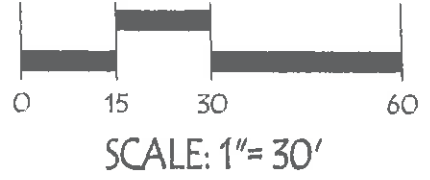
115'

BUILDING No. 1

102'

GLASSHOUSE ALLEY

Too narrow for
shared parking
parallel parking
will be accommodated in certain
spots (must have at least
11' driveway - one way)



PARENT TRACT
PARCEL ID
#16173001030030

S 00°03'18" E(FM)
274.70'(D-FM)

24' TWO WAY DRIVE

274.88'(FM)
N 01°21'32" W(FM)

EXISTING 6" WATER LINE

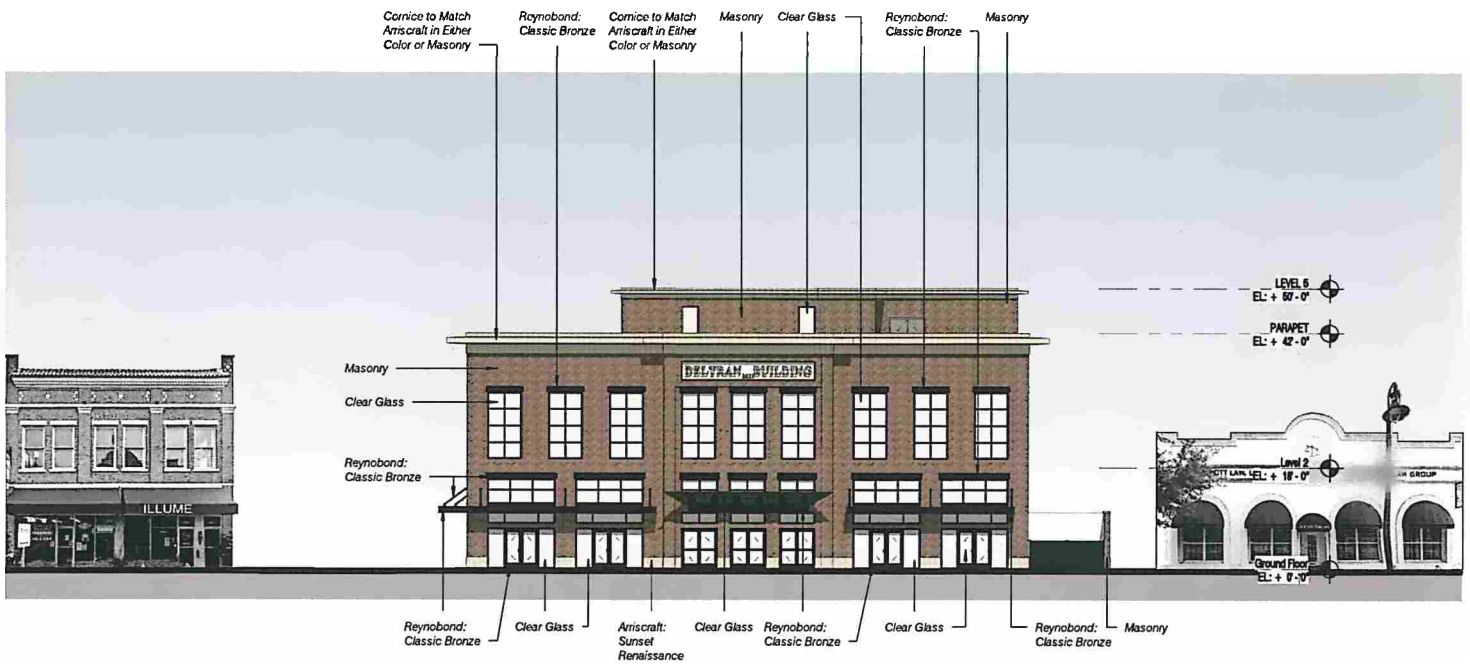
N 89°52'29" E(FM) 144.54'(FM)

EXISTING 8" SANITARY SEWER

W. GEORGIA AVENUE (FM)

1
2

EXHIBIT D
ARCHITECTURAL STANDARDS



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NORTH ELEVATION - A

1/16" = 1'-0"

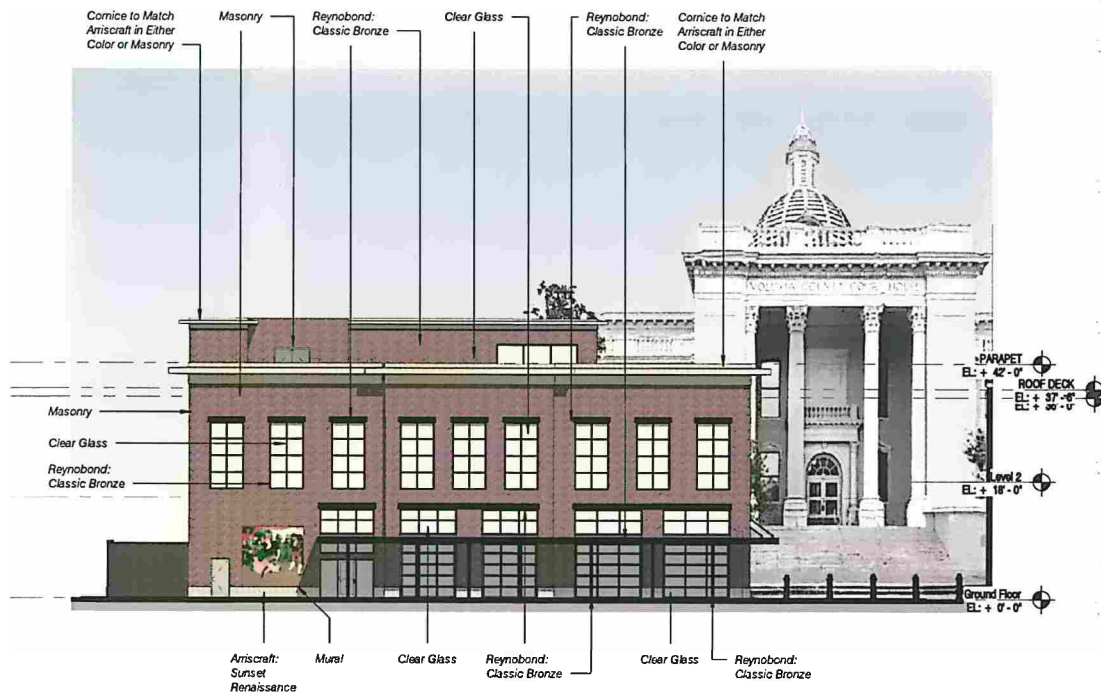
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SOUTH ELEVATION - A

1/16" = 1'-0"

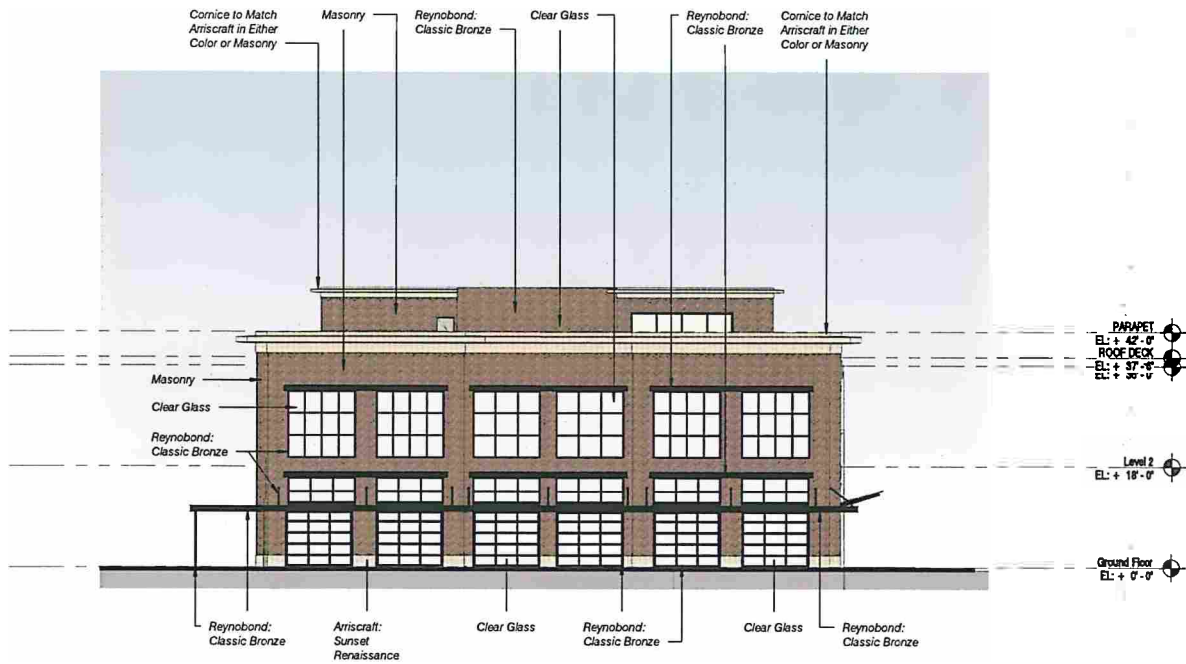
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EAST ELEVATION - A

1/16" = 1'-0"

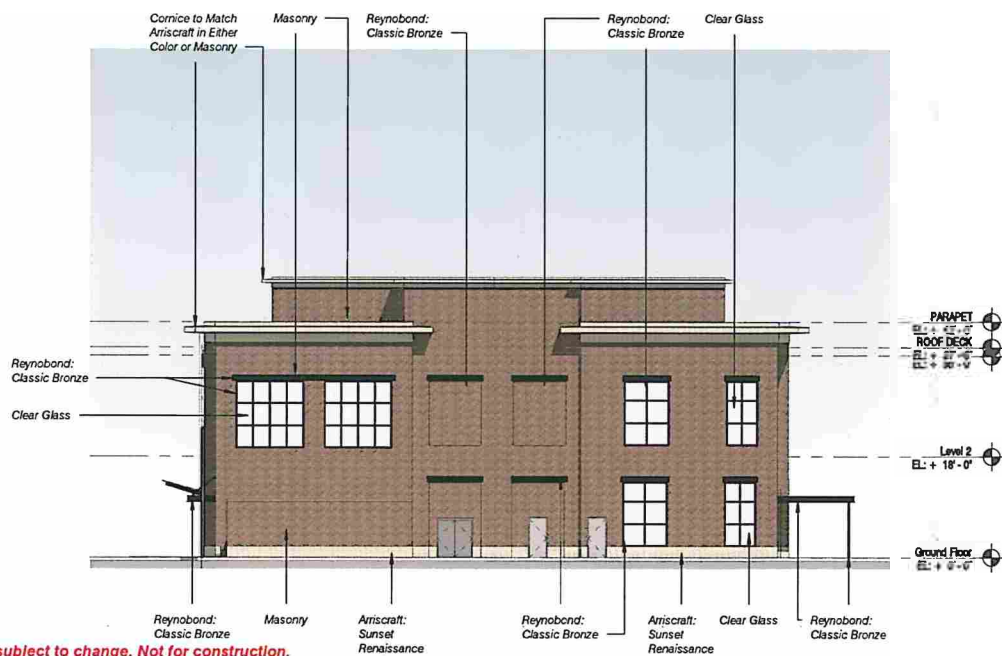
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WEST ELEVATION

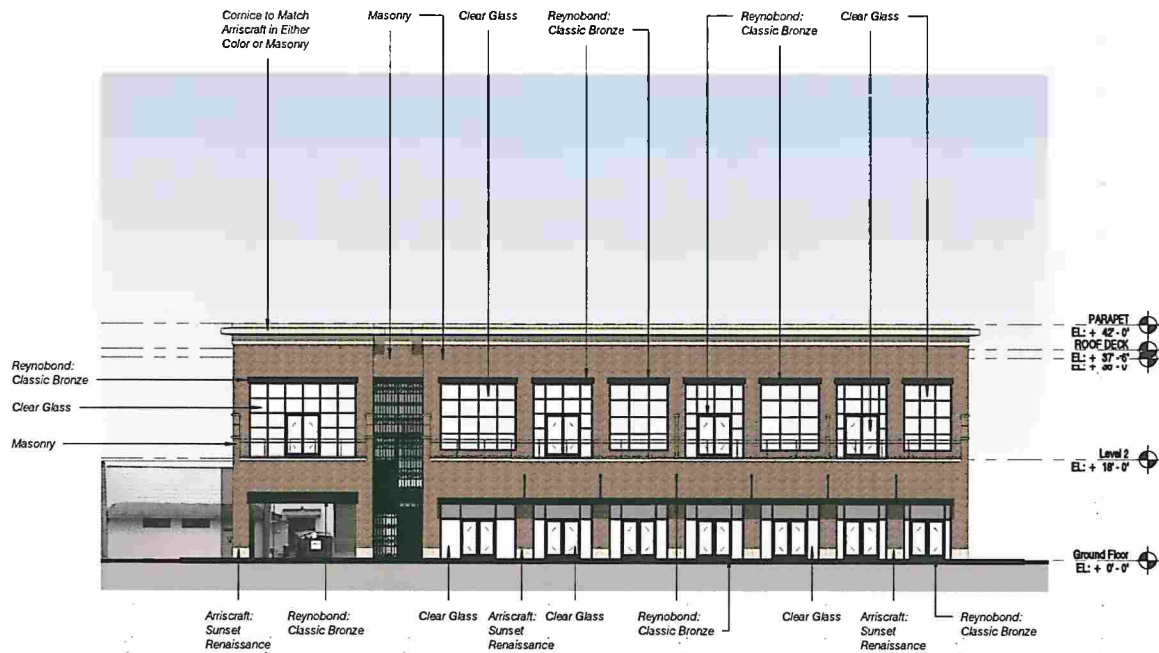
1/16" = 1'-0"

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NORTH ELEVATION - B

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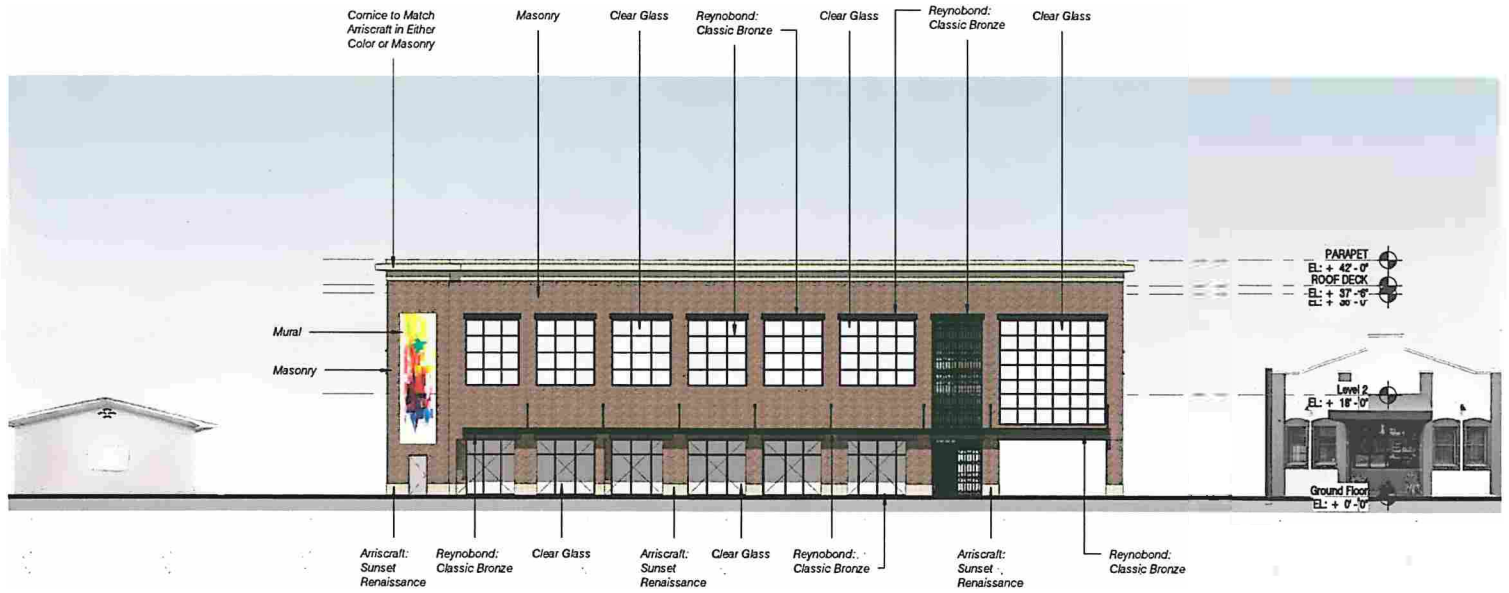
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SOUTH ELEVATION - B

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TOTAL SIGN / COPY AREA = 0.5 SF PER 1 LINEAR FT OF BUILDING FRONTAGE
 114.54 LIN FT X 0.5 SF = 57.27 SF OF COPY AREA

DELTRAN BUILDING SIGN = 26.99 SF
 (4) FUTURE SIGNS = 7 SF EACH = 28 SF



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North Elevation Copy Area

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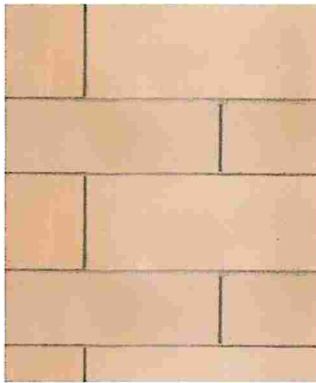
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SUNSET RENAISSANCE
(CORNICE'S AND TRIMS WILL
MATCH IN EITHER COLOR OR
MASONRY)



CLASSIC BRONZE REYNOBOND
(STOREFRONTS AND CANOPIES)



ELDORADO STONE: BRACCIANO
ROMABRICK



COLOMBUS BRICK COMPANY:
BURLINGTON QUEEN

GROUT: AMERIMIX. DANDELION



CLEAR GLASS: VIRACON

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Material Board

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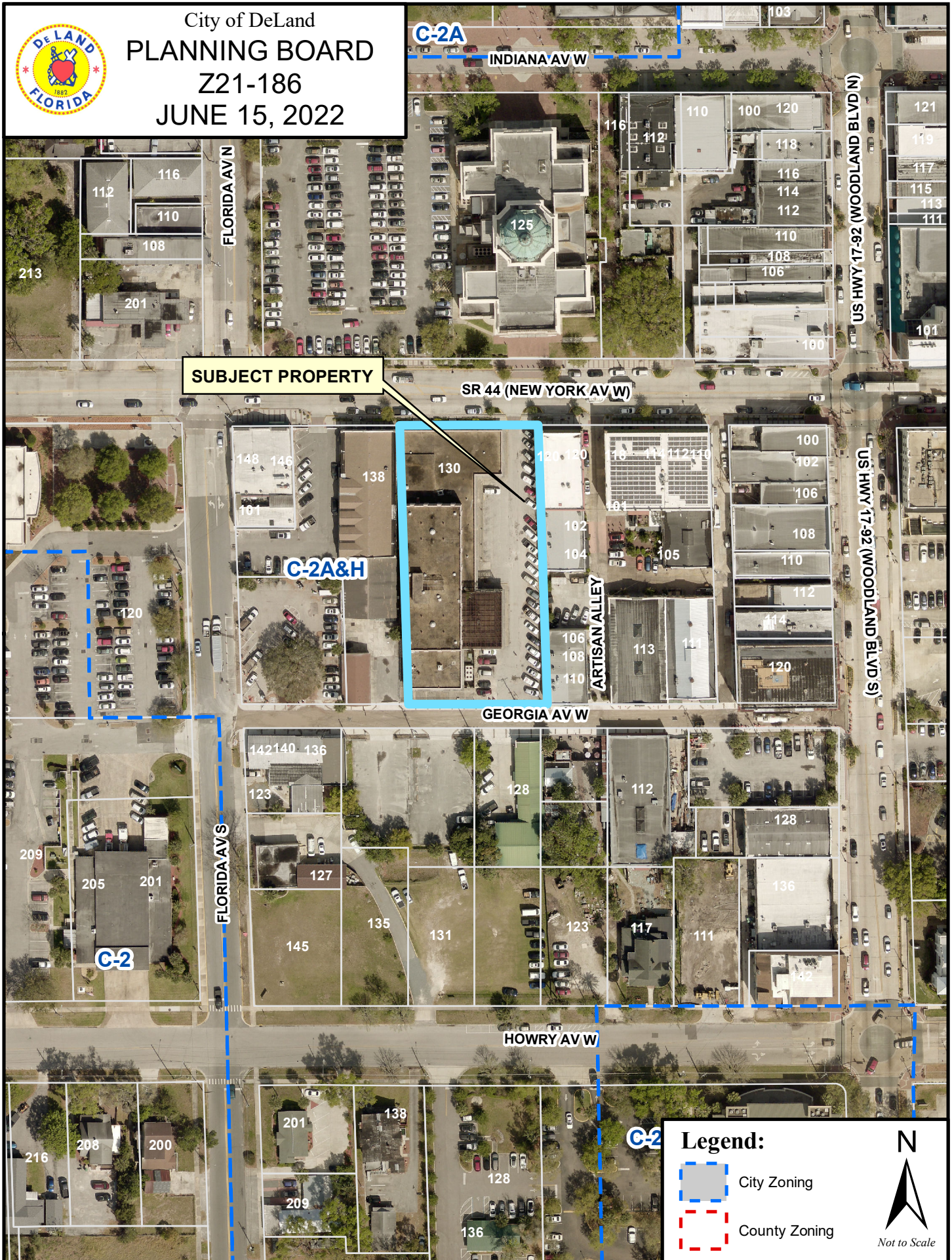
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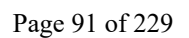
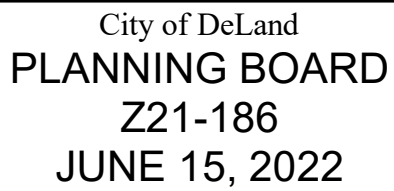
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Z21-186
JUNE 15, 2022





BY JUSTIN M. SPIVEY

Senior Associate
Wiss, Janney, Elstner Associates, Inc.

BY ALEXANDAR J. MLYNARCZYK

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Planning for new building projects should consider the impacts of demolition, excavation, dewatering, and construction on adjacent buildings.

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An Overview of Risks in Adjacent Demolition and Construction

With effective planning and communication, the risks of demolition and construction next to existing buildings can be evaluated and managed, reducing the likelihood of damage and disputes between adjacent property owners. Many of the same physical risks also apply where a building is demolished or constructed next to an existing one with the same owner.

Construction activities next to existing buildings are a common occurrence, not only in urban environments where buildings adjoin property lines or share party walls, but also in many projects involving building additions. Demolition, excavation, dewatering, and construction carry greater risk of causing damage when performed close to existing buildings (Figure 1), especially if the new building is taller or extends deeper into the ground than its predecessor. New buildings can also move differently in response to wind or earthquake loading, redirect the flow of water from precipitation, or alter the pattern of snow drift formation, creating new demands that existing buildings might not have the capacity to accommodate.

The Need for Communication

The risk of damage to existing buildings is typically lower on projects where adjacent property owners proactively communicate, where experienced design professionals are engaged to evaluate risks and develop mitigation strategies, and where qualified contractors are hired to implement them. A peer review of the proposed adjacent design can identify potential risks to the adjacent property. Mitigation strategies often include monitoring of building movement and/or ground vibration, which could be performed by a design professional, subcontractor, or

third-party consultant. It is recommended that owners of existing buildings retain their own consultants for an independent review of the risk mitigation strategies proposed by the new building design team and any issues that arise during project execution.



Figure 1. Cracking and displacement of existing stone arches due to foundation settlement associated with adjacent construction. New floor slabs also extend into a required seismic gap, where they can apply damaging earthquake loads to the existing building.

An Overview of Risks in Adjacent Demolition and Construction (CONTINUED)



Figure 2. Inadequately secured sheets of plywood, intended for roof protection, can be dislodged by wind. This city's building code requires the plywood to be fastened over a layer of scaffold plank.



Figure 3. Installation of seismograph (at right) and monitoring data logger (at left) in progress at foundation wall of existing building.

The property owner and design team for the new building should be aware of the vulnerabilities of existing buildings and minimum building code requirements for protection of adjacent properties (Figure 2). Experienced consultants and knowledgeable attorneys can help inform existing building owners about their rights to protection and their duties to provide access for installing monitoring and protection measures. These rights and duties are established in the building code and can be further defined through legal contracts such as a license or access agreement between adjacent property

owners. In some instances, these agreements include payment of a license fee by the developer for use of an adjacent property.

Although consultants and attorneys should remain involved throughout the duration of a project, it is critical to engage them during the planning phase to help set expectations, limit miscommunication, and mitigate risks posed by demolition, excavation, dewatering, and construction.¹ Negotiating an access agreement requires adjacent property owners to achieve compromise on the scope of monitoring and protection measures, which may increase project cost but reduce the risk of even greater expenditures in the event of damage or collapse. Access agreements should include provisions for independent review of all proposed construction details affecting the existing building, including those discussed in the following sections. Failure to reach an agreement may result in litigation, with the new building project proceeding without communication between parties. In some cities, failure to reach an agreement can result in the responsibility for underpinning and other protections being assigned to the owners of existing adjacent buildings.

If the opportunity for communication is missed during project planning, e.g., due to adversarial relationships or limited knowledge of building code requirements, schedule and budget pressures may discourage consideration of risk mitigation measures, or make them more challenging or costly to implement, once work is under way. Also, the rising new building can obstruct access to existing walls along property lines, making it significantly more difficult and expensive to perform needed bracing or weatherproofing work. Although

it may still be possible to mitigate risks to existing buildings later in the project, this often comes at an increased cost due to litigation, work stoppage or delay, and inefficient out-of-sequence work.

Typical Risks and Mitigation Strategies

Project plans should anticipate how the new building could impact adjacent properties, not only during demolition, excavation, and construction, but also in its completed state. Typical risks and mitigation strategies to be considered by the new building design team, and the adjacent property owners and consultants reviewing their work, include the following:

Preparation: Before starting work, monitoring of background (ambient) vibrations, pre-construction condition assessments of existing buildings, installation of crack width gauges or monitors, and optical surveying or laser scanning can identify vulnerabilities and set a baseline for evaluation of any subsequent reports of adjacent building movement or damage. Some building codes include limits on building movement and vibration. For existing buildings of exceptional sensitivity or significance, preemptive stabilization or bracing, temporary removal of fragile contents, or lower-than-typical movement and vibration limits may be appropriate.² Access should be arranged for installing monitoring and protection measures before work begins (Figure 3).

Demolition: Where demolition is necessary to clear the site for the new building, plans should consider limiting vibration from demolition equipment and falling material, protecting lower roof surfaces and adjacent areas from uncontrolled debris, carefully removing joists from party walls and filling the resulting pockets, and preventing collapse due to structural instability

An Overview of Risks in Adjacent Demolition and Construction (CONTINUED)



Figure 4. Timber sheeting at underpinning approach pit with adjacent areas improperly excavated alongside the existing foundation, increasing the risk of soil movement.

as bracing elements are removed. If temporary backfill of the basement or cellar is required after demolition, existing adjacent foundation walls should be evaluated and braced as necessary to resist lateral earth pressure imposed by the backfill. Water management measures, such as pumps with backup power, should be considered to prevent water from precipitation, dust control, or other construction operations from collecting in open cellars and infiltrating through foundation walls of adjacent buildings. Existing wall surfaces and roof edges exposed by demolition should be assessed for air and water penetration resistance and weatherproofed, at least for the duration of temporary exposure, if not also to provide a continuous weathertight building envelope for each adjacent building.

Excavation and Foundations: Removal of soil from beneath an existing foundation (undermining) is generally unacceptable, except in controlled underpinning operations. Excavating vertically downward alongside an existing foundation (Figure 4) should also be avoided, as it removes lateral support provided by the soil beneath or adjacent to the foundation, which may slide downward or buckle outward into the excavation. Excavation support systems (e.g., sequential underpinning with concrete piers, soldier piles with timber lagging, secant piles, and soil berms or benches) and associated dewatering schemes should be selected to keep vertical and lateral soil movement within acceptable limits. Equipment for installing excavation support systems, drilling or driving deep foundation elements, and removing rock should be selected to prevent excessive vibrations from damaging adjacent buildings. Water management measures should be considered to prevent precipitation, groundwater, drilling fluids, and water leaking from utility lines from infiltrating through foundation walls of adjacent buildings, promoting settlement of supporting soil, or causing erosion of soil berms or benches within the excavation.

Superstructure Construction: The risks of adjacent building movement and damage due to foundation settlement or lateral displacement may decrease once the new building's foundation walls are braced by the permanent structure of the first floor, allowing monitoring to be reduced or discontinued. However, it may be prudent to continue some monitoring until after the new building is "topped out," as the increasing dead load on its foundations may cause additional settlement of soil supporting the foundations of adjacent buildings. Building code may also require horizontal separations, also called seismic

gaps, to allow new and existing buildings to displace independently in response to wind and earthquake forces without impacting each other or transferring loads between lateral force-resisting systems. Required separations may be filled with compressible material but should be clear of rigid protrusions that reduce their width. As in the demolition phase, the need to protect lower roof surfaces and adjacent areas from falling material should be considered.

Building Interfaces: Vertical and skyward-facing interfaces between new and existing buildings should be detailed to exclude water and vermin. Where the new building rises above adjacent buildings, existing roof drainage systems should be evaluated for additional flow from precipitation running down rising walls onto lower roof surfaces (Figure 5). Existing roof structures should be evaluated for the additional weight of snow sliding from higher roof surfaces or forming drifts against rising walls. The need for extending or redirecting existing chimney flues, exhaust ducts, plumbing vents, fire escapes, means of egress, and similar items should also be evaluated. Openings in walls covered by the new building typically require infill; fire resistance considerations may apply to the detailing of infill or to the protection of existing openings in adjacent walls.



Figure 5. This interface between a rising wall and an existing roof will require careful detailing to exclude water. Any active chimney flues will also need to be extended above the new, higher roof line.

An Overview of Risks in Adjacent Demolition and Construction (CONTINUED)



Figure 6. Former shared wall following demolition of existing building, with short lengths of steel channel attached to anchors bracing the masonry to floor structure at each level.

Additional Considerations for Party Walls

Party walls, also known as shared walls, are located along property lines and provide support shared by the buildings on either side. If the building on one side is demolished, the party wall must be maintained in good condition to provide continuing support to the adjacent building (Figure 6). Responsibilities related to party walls may be defined in the building code, property easements, and/or access agreements.

Party walls are common in rows of homes or small commercial buildings that were built concurrently and intended to function together as one structure. As with many structures constructed prior to the development of modern building codes, row structures were not designed to resist wind pressure and other lateral loads. Instead, designers or builders chose wall thicknesses and floor and roof joist sizes and spacings based on empirical rules, which would allow relatively slender party

walls with as little as two wythes (vertical layers) of brick masonry between adjacent buildings in a row.

In row structures, party walls carry primarily gravity loads, are not exposed to wind pressure, and are braced against buckling by the floor and roof joists on both sides. The combined length of the front and rear facades helps compensate for the lateral resistance lost to door and window openings and gives the group a greater lateral resistance than the sum of its parts, which is known as the “bookend effect.”

The demolition of one or more buildings in a row structure can have several negative impacts on structural stability.³ The removal of floor and roof joists from one side of a party wall often means that the wall is no longer effectively braced against buckling in that direction, unless joist-to-wall anchors are installed as demolition proceeds. The resulting discontinuity in the front and rear facades disrupts the “bookend effect,” reducing the overall lateral resistance of the buildings that remain.

Disruption of the “bookend effect” can occur even when a building is removed from the end of a row structure, as the connections between front and rear facades and party walls at the interior of a row are typically not as strong as the exterior wall corners of end units. Disturbance of masonry at facade-to-party wall intersections during demolition can also reduce the bracing of party walls against buckling. Given that party walls were typically built of lower-quality materials not intended for exposure to weather, exposure by demolition can result in rapid deterioration of masonry, deterioration of wood framing embedded in masonry, moisture infiltration, and damage to interior finishes.

Bracing and waterproofing are typically recommended when existing party walls are exposed, especially if the new building is structurally independent and separated from adjacent buildings. If a former party wall is not properly anchored to the remaining floor and roof joists after the corresponding joists are removed from the opposite side, it could buckle into the gap between the buildings and/or collapse. While it may be less disruptive to install joist-to-wall anchors from the exposed face of a former party wall, they can also be installed from the interior, even after the exposed face is obstructed by the new building. Connections between front and rear facades and exposed party walls should also be reviewed and reinforced if necessary. If waterproofing of the exposed face is either temporary or omitted, it will be particularly critical to ensure that interfaces between new and existing buildings are properly sealed in accordance with details developed and reviewed by qualified design professionals.

Conclusions

Planning for new building projects should consider the impacts of demolition, excavation, dewatering, and construction on adjacent buildings. New buildings that rise above or extend below adjacent ones present additional risks and increase the need for evaluation. Where a new building replaces a demolished portion of a row structure, there are additional considerations related to bracing and weatherproofing of former party walls. In all cases, communication between adjacent property owners and independent review of proposed monitoring and protection measures by a qualified consultant can help limit the risk of damage to existing buildings.

An Overview of Risks in Adjacent Demolition and Construction (CONTINUED)

¹ For a more detailed discussion focused on historic buildings, see Chad Randl, *Preservation Tech Note 3: Protecting a Historic Structure During Adjacent Construction* (Washington, D.C.: National Park Service, 2001), <https://www.nps.gov/tps/how-to-preserve/tech-notes/Tech-Notes-Protection03.pdf>

² See Arne P. Johnson and W. Robert Hannen, "Vibration Limits for Historic Buildings and Art Collections," *APT Bulletin* 46:2-3 (2015), pp. 66-74, https://www.apti.org/assets/docs/Johnson-HannenHiRes_SampleArt_46.2-3.pdf

³ See Dan Eschenasy, "Cases of Failure of Unreinforced Brick Walls Due to Out-of-Plane Loads," *Structure* (May 2011), pp. 14-17, <https://www.structuremag.org/wp-content/uploads/2014/08/C-StrucForensics-Eschenasy-May111.pdf> ; Dan Eschenasy, "Development Along Old Party Walls," *Structure* (June 2017), pp. 12-15, <https://www.structuremag.org/wp-content/uploads/2017/05/C-StrucPractices-Eschenasy-Jun17.pdf>

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TEMPORARY PROTECTION

NUMBER 3

Protecting a Historic Structure during Adjacent Construction

Chad Randl

Technical Preservation Services
 National Park Service

IDENTIFYING AND AVOIDING RISKS FROM ADJACENT CONSTRUCTION

Valued for their ability to convey the past through existing materials and features, historic buildings must also survive in an ever-changing present. That change is often characterized by new building construction and demolition activities on neighboring sites. Whether it is the modest renovation of an existing building or the demolition of an existing structure and construction of a new high rise, physical damage to an adjacent historic building may occur. It is important for both the historic property owner and those responsible for the neighboring work to give careful consideration to the potential risks. Early planning offers the opportunity to identify these risks and to determine successful ways to avoid them.

Problem

The forces that contribute to the deterioration of a historic building, from atmospheric pollutants to the footsteps of visitors, often take decades and even centuries to exact their toll. Demolition activities and new construction on neighboring sites, however, can cause immediate harm to the physical integrity of a historic structure. In the instant it takes an improperly planned excavation blast to crack the foundation of an adjacent historic structure, or for a

steel beam to be dropped from a construction crane onto its roof, significant damage may occur. Additionally, adjacent construction work can expose the neighboring historic building to concentrations of dust, vibration and fire hazards that would normally be experienced only over the course of many years.

These concerns are often overlooked when a project is undertaken next to historic resources. In some situations, the historic property manager may be unaware of the nature and extent of work at an neighboring site. In other cases, the new construction team is not familiar with the particularly fragile character of the neighboring historic structure or decides to repair any damage after the fact rather than avoiding it from the beginning.

Solution

Effective planning and protective measures initiated before construction takes place can prevent most of the damage that may occur to adjacent historic buildings. Depending upon the nature of the project, protective measures may be limited to documenting and monitoring the historic structure or may encompass a broader plan that includes encasing windows, indepen-

When historic structures are exposed to adjacent construction or demolition work, a protective plan including documentation, monitoring and specific safeguards should be implemented to prevent damage and loss of historic fabric.

dent review of excavation procedures and a range of other precautions. Cooperation between all parties can help to ensure that construction activity continues without interruption and that the neighboring historic building is preserved unharmed.

The information provided in this *Tech Note* can serve as a basis for discussions between the historic property manager and the developer of the adjacent site aimed at ensuring the protection of the historic building in a cost-effective manner. This guidance is also applicable where new construction is undertaken on the same site as the historic structure.

Although adjacent construction work often poses a more immediate threat than the incremental impacts of weather or pollution, the best defense for both situations is that buildings be in good condition. A well maintained structure with tight mortar joints, strong connections between interior and exterior walls, solid foundations and sound plaster is at less risk from neighboring activity than a neglected structure.

Providing adequate protection involves the following steps: 1. consultation between the historic building owner and development team to identify potential risks, negotiate changes and agree upon protective measures; 2. documentation of the condition of the historic building prior to adjacent work; 3. implementation of protective measures at both the construction site and the historic site; and 4. regular monitoring during construction to identify damage, to evaluate the efficacy of protective measures already in place, and to identify and implement additional corrective steps.

Consultation

Early consultation between the historic property owner and the developer of the neighboring construction site is the first and often most important step. Establishing such contact has many advantages. Consultation provides the foundation for a mutually beneficial relationship that is cooperative rather than adversarial. The process gives the historic site owner an opportunity to become familiar with the scope of the impending project and for the development team to understand the historic structure's vulnerabilities. Consultation permits all parties a chance to propose, discuss, and negotiate changes to the construction plan that reduce the risk of damaging adjacent historic

resources. The ultimate goal is to draft a protection plan acceptable to both parties.

Resolving concerns before construction is underway can save time and money, as well as the need to repair damaged historic fabric. It is crucial that such discussions take place during the paper stage of the project, before final decisions are made. If not, the developer may conclude that changes would be cost prohibitive and that it is preferable to repair damage after it takes place. Early consultation also provides information that can be used to assess whether the level of insurance coverage is sufficient to meet the specific project risks.

The owner of a historic property cannot in most cases compel the support and cooperation of the development team. If, after consultation has been attempted, the level of protection provided is not sufficient, the aid of local building officials should be sought. Local building officials, through the permitting process, can often insist that changes be made to development plans to ensure that adjacent properties are protected. Local building codes may also provide safeguards by establishing certain conditions such as maximum vibration levels.

Other parties can also participate in and contribute to the consultation

process. The support of neighborhood committees, local non-profit preservation organizations, independent engineers and the historic district commission (if applicable) may be enlisted to ensure that protection concerns are fully addressed. The developer will benefit from the assembly of a team, including or representing the general contractor, architect, structural engineer, construction manager, and subcontractors, who can be present at consultation meetings and play a continuing role in balancing protection efforts with development interests.

Preconstruction meetings should address several issues. Most important, the parties should reach an understanding about what steps will be taken to protect the historic structure (see figure 1). Responsibility for implementing the agreed upon protections should be established among the developer, the general contractor and relevant subcontractors, and the historic property owner. Such decisions should be listed in performance specifications that accompany agreements between the contractor and the developer. A walk-through of the historic building by the development team is also advisable. Finally, schedules for major work such as excavation, and requirements for materials delivery, site storage, and other use of the premises by the con-

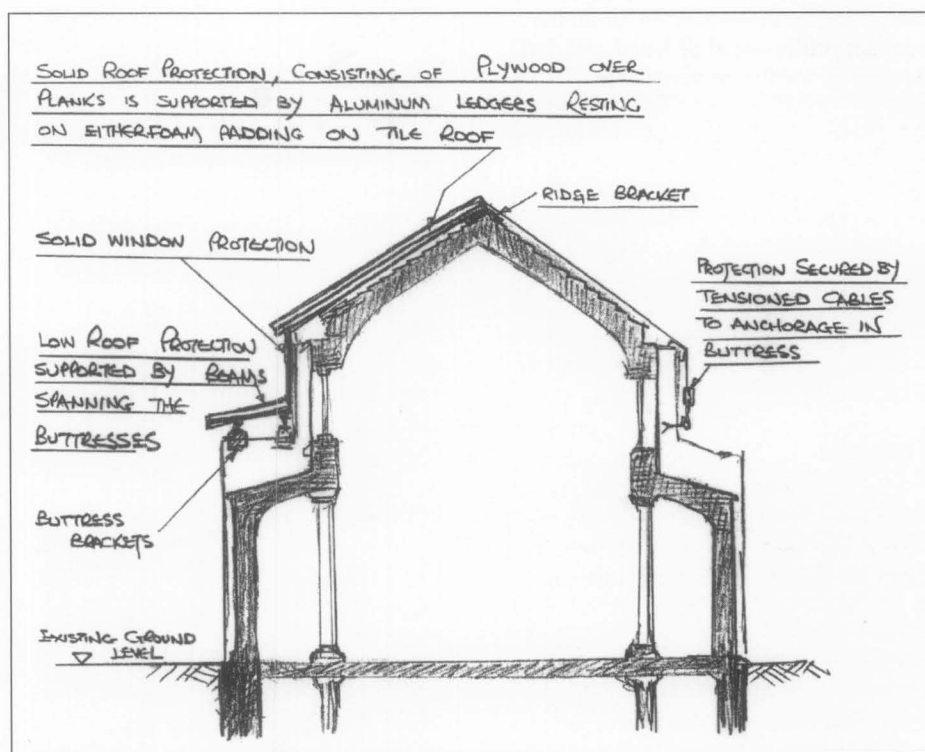


Figure 1. Before new construction was undertaken to the left of this church, a subcontractor was hired to design a protective system for the tile roof and clerestory windows. Drawing: Alan Shalders, Universal Builders Supply, Inc.

tractor should be discussed and arranged to minimize disruptions to the historic site.

Documentation

A crucial step following consultation with the developer is to document the existing condition of the historic structure. Such an investigation provides a "baseline" from which changes to the building during the adjacent construction can be identified, monitored and assessed. Like the consultation process, thorough documentation benefits both the historic property owner and the developer. For the former, it may be used to substantiate claims that damage occurred as a result of the neighboring construction work by illustrating the previously sound condition of the historic building. If the damage existed prior to construction work, the record can show that it was not caused by the developer's negligence. In the case of future litigation, the documentation record can serve as evidence along with the testimony of the professional who undertook the assessment.

Both parties should ensure that the documentation is objective and accurate. Joint surveys, in which both the developer and the historic property owner participate or sign off on noted conditions, are most likely to ensure that the resulting data are not in dispute. When the developer pays for the assessment, it is advisable that an independent professional be hired and that the survey results be accessible.

Information obtained through documentation can also be used in formulating a protection plan for the historic building. By characterizing existing damage and exposing potential weaknesses, the documentation process identifies areas of the structure that may require additional protection as well as appropriate locations for monitoring equipment. Features that should receive particular attention during visual inspections would also be highlighted. Although a formal building condition survey including analysis, repair proposals and cost estimates is not necessary, the property owner may find that the disruptive period during adjacent work provides an opportune time for a thorough survey program.

Documentation of existing conditions should take the form of written descriptions, 35mm color photographs and/or a videotape recording. Photographs should show both the interior and exterior of the building, with

close-up images of cracks, staining, indications of settlement or other fragile conditions. A complete interior and exterior crack survey should be undertaken to identify and characterize existing cracks (see figure 2). Their locations can then be plotted on a drawing of each wall or ceiling surface. While identifying every hairline crack may be impractical in a large building or one that exhibits a great deal of preexisting damage, the more thorough the documented record, the better. The condition of features such as arches, chimney stacks and parapet walls determined by the engineer to be particularly susceptible to distress should also be recorded even when no damage is apparent.

Common Risks and Protective Measures

Each instance of new construction or demolition next to an existing historic structure will involve varying risks to that structure. The proximity of the historic site to the project and the scope of the project are two of the most significant variables. Construction of a high rise building with deep foundations is more likely to affect a neighboring structure than the rehabilitation of a nearby rowhouse. However, the converse may be true if the rowhouse is

directly adjacent to and sharing a wall with the historic structure. Other factors influencing the degree of likely impact include the age, construction type and structural integrity of the historic building, as well as the depth and makeup of its foundation and its surrounding soil types.

Owners should also anticipate the effect increased dust, vibration and fire risk will have upon interior architectural features and furnishings. For the most sensitive objects, such as chandeliers, paintings and glassware, temporary removal to an off-site location may be the safest course. Those features that cannot be easily removed, including plaster ceiling medallions and cornices, can be cushioned and buttressed by padded wood supports. Additional information concerning the safeguarding of interior features can be found in the preceding *Tech Note* in this series, "Temporary Protection, Number 2. Specifying Temporary Protection of Historic Interiors During Construction and Repair."

The remainder of this section addresses some of the more common dangers to historic structures when new construction or demolition activities occur nearby. The description of each potential impact is accompanied by suggested approaches for reducing or eliminating those risks.

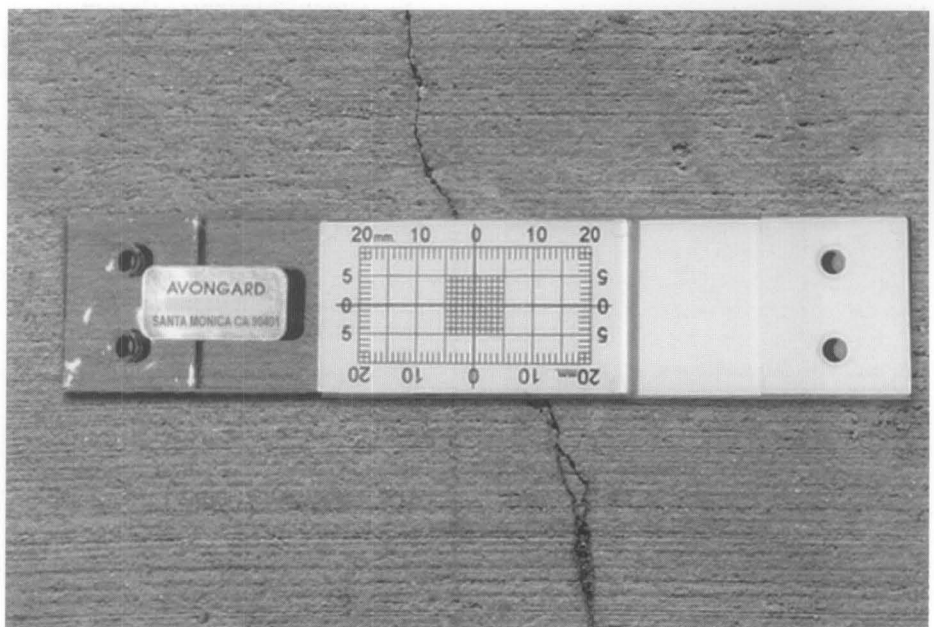


Figure 2. With advanced notice of adjacent construction activity, a crack monitor can be used to determine whether existing cracks in the historic building are stable or still experiencing movement. Compared with measurements taken during the monitoring phase, such information can help determine if subsequent movement resulted from work on the neighboring site. Photo: Avongard Products U.S.A., Ltd.

Vibration

Demolition and new foundation work are common sources of vibrations that can affect adjacent structures. The tools and methods used in demolition, such as impact hammers, wrecking balls, pavement breakers and implosion blasting, produce vibrations that may be transmitted to the historic structure. Similarly, techniques used to prepare new foundations (pile driving and blasting) create potentially dangerous vibrations. Vibrations may also be caused by increased truck traffic accompanying new construction or demolition work. In all cases, the force of the vibrations reaching the adjacent historic structure depends upon the activity generating the vibrations, the distance between the source and the existing structure, and the type of soil or pavement found between the two.

Historic structures may be particularly vulnerable to the effects of vibrations generated at an adjacent site. Deferred maintenance and past alterations may have produced structural weak points that are susceptible to damage. Historic finishes, such as plaster walls and ceilings, lack the flexibility to accommodate abnormal movement, while shallow foundations (common in historic buildings) may lack the rigidity to resist vibration induced movement.

Mitigating the effects of vibrations should begin during the consultation process when acceptable levels can be set and alternative processes explored. Hand demolition is an appropriate substitute when conventional demolition activities may cause excessive vibrations. If pile driving is likely to damage adjacent structures, the contractor may be able to employ non-displacement piles that are inserted in bored holes rather than driven. Lower vibration levels can also be achieved by "jacking-in" or pressing the piles into the ground. Locating delivery entry and exit points farther from the historic site may reduce vibrations caused by increased vehicular traffic. Once construction is under way, continual crack and vibration monitoring provides an effective warning system, indicating that established safe thresholds have been crossed.

Movement

Excavation and foundation work can also cause ground displacement and movement of an adjacent historic

building. New construction almost invariably calls for digging a foundation that is much deeper than the foundations of neighboring historic buildings. This is especially true for projects that include underground parking facilities. A historic structure, with a shallow masonry or stone foundation and wall footings, may experience corresponding displacement that can result in major structural damage.

Efforts to control movement should begin during the consultation phase. Whether the developer's engineer selects underpinning or strengthened excavation walls with tie backs as the means to resist movement of the adjacent structure, the historic building team should retain its own engineer to review the plans (*see figure 3*). The consulting engineer should ensure that the selected approach addresses the unique characteristics and vulnerabilities of the historic structure and that even incidental movement is restricted.

Water

A well functioning water drainage system is essential to the protection of any historic structure. This system can easily be rendered ineffective by neighboring construction or demolition work. Debris originating at the construction site often finds its way to the gutters, downspouts and drains of an

adjacent building. Drainage mechanisms may also become inoperable when excavation workers inadvertently seal off or collapse old pipes running from neighboring buildings. If blocked pipes cannot remove water from both above and below the surface of an historic site, excessive moisture levels or flooding may result.

Regular visual inspections (part of the monitoring program described later) are one of the best means of thwarting increased moisture levels. The inspection procedure should include checking gutters, valleys and exposed drains for any obstructions. Also, indications of dampness or water damage in the basement and where gutters and downspouts meet other building surfaces should be noted.

Construction site runoff from cement mixing and cleaning and dust suppression activities should not flow toward the historic property. Although placing screens and wire cages over exposed areas of the drainage system may provide some protection from obstructions, such installations need to be inspected just as frequently. Low-pressure water washes can occasionally be used to flush the system of dirt and debris. To reduce the possibility that drainpipes will be blocked at the adjacent construction site, all concealed pipes should be traced from their origins at the historic structure and the



Figure 3. Concrete pier underpinning to an existing building may be necessary when adjacent construction occurs. In this example, pits are hand dug beneath the foundation of the historic building to provide space for wood forms. After concrete is poured into the forms, the space between the top of the pier and the bottom of the original foundation is packed with a quicksetting grout. The historic building owner should retain an independent engineer to ensure that the underpinning plan adequately protects the historic structure. Photo: Professor Arpad Horvath, Department of Civil and Environmental Engineering, University of California, Berkeley.

information passed on to the appropriate contractors. Final landscaping and grading patterns on adjacent construction sites should be examined to ensure that rainwater is not routed towards the historic building.

In some cases, the lack of water beneath an historic structure can lead to damage. Buildings located in areas with a high water table were often constructed upon timber piles. When groundwater or storm water is removed from a neighboring site during foundation excavations (a process known as "dewatering"), the groundwater level beneath the historic site may also drop. Previously submerged timber piles that are exposed to air can quickly begin to undergo dryrot. If there is reason to suspect that the structure was built on such a foundation, the property manager should work with the neighboring construction team to maintain the existing water table. This can be done using watertight excavation support systems such as slurry walls which ensure that most of the water pumped out of the construction site does not come from adjacent properties. Dewatering of soft clay ground may also result in settlement of a neighboring building, as ground water pressure is reduced and the soil consolidates.

Fire and Security Concerns

The heightened possibility of fire accompanies many demolition and new construction activities. Temporary heating devices, torches, sparks, molten metal and undersized electrical utility panels are some of the most common sources of fire at construction sites. Additionally, the improper storage of fuels, cloth rags and brushes also presents opportunities for fire to ignite and spread. The *Tech Note*, "Specifying Temporary Protection of Historic Interiors during Construction and Repair," provides detailed information on reducing the likelihood of fire in situations involving work near historic structures.

The security of a historic building can be threatened when adjacent construction provides opportunities for illegal entry. Newly constructed floor levels at the building site may make the neighboring historic structure's ledges, windows and rooftops accessible to trespassers. Window openings on the historic building should be fastened and all doors from the roof to the interior should be locked. Where a historic structure is protected by an intruder

alarm system, that system should be upgraded to protect rooms that are rendered accessible from the outside. In cases where the historic structure does not directly abut new construction or demolition activity, attention should still be paid to the possibility that incidents of vandalism and theft will carry over to the historic site.

Physical Impact

Construction or demolition can cause direct physical damage to neighboring historic features and materials. Cranes, hoists and workers on upper floors of a construction site can drop building supplies and tools onto an adjacent historic structure. Misdirected debris chutes and backing vehicles may also leave their mark.

Generally, to counter these occurrences, protective barriers are placed over any area of the historic structure deemed at risk. If the new construction will rise above the historic building, plywood sheets should be placed over the roof to distribute the force of dropped materials (see figure 4). Plywood covers should also be placed over decorative roof embellishments such as finials and balustrades. Alternately, horizontal netting can be rigged to shield vulnerable rooftop features.

Facades that are directly exposed to adjacent construction sites should receive close attention. To avoid dam-

age, windows should be covered with plywood. Layers of cushioning materials can be placed between the plywood covering and particularly fragile windows, such as stained glass. If entire wall surfaces are vulnerable, scaffolding should be erected against the facade and debris netting placed on the outside of the scaffolding. Plastic sheeting can provide added protection in areas where acidic cleaning solutions may splash onto historic facades, windows and other surfaces.

The best means of protecting a historic structure from physical impact, however, is often to have adequate horizontal and vertical netting and barriers in place at the construction site. When adjacent buildings are adequately considered in the construction site netting and scaffolding plans, protective measures at the historic site can be less intrusive, and the likelihood of damage reduced even further.

Additional Dangers

Other byproducts of new construction and demolition, such as dirt and dust, can also pose threats to an adjacent historic structure. Dust suppression measures including the installation of fabric enclosure systems should first be employed at the building site (see figure 5). Despite these efforts, historic building owners will undoubtedly have to deal with raised levels of dust infiltration. Accordingly, vulnerable interi-



Figure 4. Dropped equipment, tools, and materials all present risks when new construction rises above neighboring historic structures. In this case, the historic slate roof was completely covered with sheets of exterior grade plywood. Photo: National Park Service files.

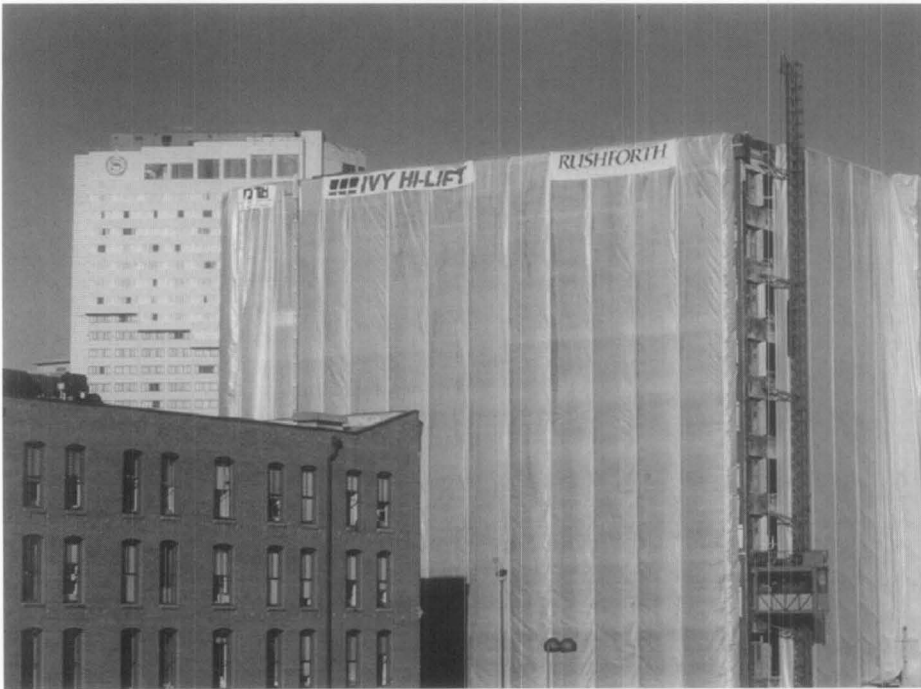


Figure 5. The historic building on the left is partially protected from debris and dust generated by the renovation of the structure to the right. Such temporary enclosure systems consist of a polyethylene or other fabric shell stretched between an aluminum frame. Photo: Walton Technology, Inc.

or objects and artifacts should be covered or temporarily moved to another location. Windows can be taped shut or temporarily sealed with clear polyethylene sheets. Additional mats or carpets near entrances can help reduce the amount of dirt tracked inside. An accelerated maintenance program that includes thorough and frequent cleaning and HVAC filter replacement, is an effective means of addressing the degraded environment surrounding a construction site. To lessen the chance of airborne asbestos infiltration, the exhaust from sealed work areas must be properly filtered and vented away from historic buildings.

The owner of a historic property should anticipate the increased rodent and pest presence that accompanies major demolition activity. Newly opened holes in old foundations are easy escape routes that should be promptly sealed. The construction or demolition site rodent control plan should include provisions for protecting adjacent historic resources. Concurrently, the historic property owner should consider securing a contract with an independent extermination company. Plans should include both preventive measures to reduce conditions favorable to infestation as well as a system of eradication such as rodenticide and traps.

Monitoring

A monitoring program should be established during the consultation and documentation phases and continued until adjacent work is finished. It is undertaken to detect, gauge, record and interpret structural movement, the effects of vibration and other changes to the historic building that result from neighboring construction or demolition work. Data collected during the monitoring program can serve as a baseline for any subsequent movement or changes to site drainage patterns that arise within the first years after construction is completed. Ultimately, monitoring shows the degree to which steps taken to protect an historic structure from adjacent construction are sufficient and successful.

Because of liability concerns, those responsible for a new development will often arrange to monitor an adjacent structure. As with a documentation program, the historic property owner may want to hire an independent engineer to review both the monitoring process and the measurements that result.

The extent of the monitoring program and the tools used will depend upon the scope of the adjacent activity. A basic plan to address concerns over vibration levels may include a single seismograph placed on the structure's

basement floor. More comprehensive measurements can be obtained by locating sensors at several points throughout the structure and the ground immediately adjacent to the historic building foundation (*see figure 6*).

Whether acceptable vibration levels are mandated by law or left to the discretion of a project engineer, thresholds should take into account surrounding soils, the makeup and condition of the adjacent foundation and the particular vulnerabilities of the historic resource. Construction projects that involve major excavation work next to historic structures should include a program of test blasting before work begins. Testing various charges, delays and blast design configurations will aid in developing a controlled program that limits blast induced damage to a neighboring property.

Structural movement as described in the preceding section is detected and recorded using a number of different tools. Electronic monitors that feed precise movement measurements to laptop computers can be placed across existing cracks (*see figure 7*). When budgets are tight or a large number of cracks are involved, inexpensive tell-tales made from two sheets of overlaid plastic with a grid can be used to track changes.

Optical survey instruments provide another means of detecting vertical and lateral movement within a historic building. Control points are established and marked by targets or reflectors on the historic structure facade and interior walls before adjacent construction begins. The location of each of these markers is precisely measured at regular intervals. Engineers then use the resulting information to determine whether the markers have shifted from their original positions and, if so, the rate and direction of movement.

A program of visual inspections undertaken by a qualified conservator or engineer is an important adjunct to technical monitoring procedures. Inspectors should look for newly opened cracks, other signs of settlement and movement, and evidence of increased dampness or water infiltration. Additionally, visual inspections should ensure that temporary protective coverings are secure, that dust and dirt are not accumulating in the historic building, and that fire and hazardous material protection provisions are being upheld. A checklist can be drawn up during the consulting and documentation phases for use during



Figure 6. A seismograph records vibrations transmitted at the ground level of an historic building. The instrument is wired to a light and siren designed to warn the excavation crew that vibration levels are approaching preset limits. Additional sensors are often installed in the basement and on sensitive features such as stained glass windows. Photo: Wilson, Ihrig & Associates, Inc.

each visual inspection. Such a systematic written record may also prove useful if disputes arise over the timing of and responsibility for damage.

Conclusion

Protecting a historic building from adjacent construction or demolition activity requires thoughtful planning and cooperation between the developer and the historic property owner. Thorough pre-construction documentation of the historic structure ensures a common understanding of present conditions and suggests appropriate damage prevention measures that can be taken at both the historic site and the construction site. A routine program of visual inspection and vibration and movement monitoring helps insure early detection of the effects neighboring construction work is having on the historic building. Early consideration of these issues, before damage takes place or worsens, can allow for the adoption of safeguards that protect the developer's schedule and budget and the physical integrity of the historic structure.



Figure 7. Electronic crack monitor and survey targets are shown installed on an existing wall. The crack monitor feeds movement data to a laptop computer. The targets are aligned and measured with optical survey equipment to determine the degree and direction of movement. Photo: McMullan and Associates, Inc.

Checklist for Historic Property Owner and Historic Site

- ☐ Consult with developer, and other parties to determine extent of work and identify necessary protective measures
- ☐ Conduct survey of existing conditions, including 35 mm photographs, crack inventory and description of other damage
- ☐ Include historic building in construction site fire plan
- ☐ Secure windows and rooftop doors that are made accessible by new construction
- ☐ Remove particularly fragile interior objects and furnishings from site
- ☐ Install temporary supports beneath fragile features that are not moved
- ☐ Place plywood coverings on openings that face construction area
- ☐ If adjacent construction rises above historic site, protect roof with plywood covering, encase rooftop embellishments
- ☐ If construction is directly adjacent, cover historic facade to protect against mortar and acidic cleaning solution
- ☐ Install temporary floor coverings at entrance and seal windows facing construction site to limit dust infiltration
- ☐ Remove dust from interior surfaces on accelerated schedule
- ☐ Clean HVAC system & filters on accelerated schedule
- ☐ Clear obstructions from gutters and drainage system regularly
- ☐ Establish monitoring program, including:
 - 1) Seismographs to ensure that effects of blasting, pile driving and other work are at acceptable levels
 - 2) Crack monitors and optical survey methods to detect movement
 - 3) Schedule of regular visual inspection

Checklist for Development Team and Construction Site

- ☐ Consult with historic property owner and other relevant parties to identify necessary protective measures
- ☐ Review and sign off on pre-construction condition survey of adjacent property
- ☐ Arrange delivery locations and times to limit disruption and possible damage to neighboring historic structure
- ☐ Explore excavation and demolition methods that produce low vibration levels
- ☐ Limit movement of adjacent building with sufficient underpinning or reinforced excavation walls
- ☐ Reduce changes to adjacent ground water level during dewatering
- ☐ Ensure water runoff is not directed toward historic structure
- ☐ Install appropriate debris nets to prevent dropped materials from impacting historic building
- ☐ Direct debris chutes away from historic structure
- ☐ Install fabric enclosure system to reduce spread of construction dust
- ☐ Include adjacent historic building fire plan and ensure fuels, rags and brushes are stored appropriately and not directly adjacent to historic site
- ☐ If asbestos or lead remediation is involved, ensure exhaust from sealed building is filtered and vented away from historic site and that lead chips are gathered and removed
- ☐ Include adjacent historic structure in rodent control program and seal openings in demolished foundation
- ☐ Participate in monitoring program at historic site to ensure that vibration levels or indications of movement are within established thresholds

This PRESERVATION TECH NOTE was prepared by the National Park Service. Charles E. Fisher, Heritage Preservation Services, serves as the Technical Editor. Special thanks go to Deborah Slaton and Michael J. Scheffler, P.E., of Wiss, Janney, Elstner Associates, Inc., Sharon Park, Kay Weeks and Michael Auer of the National Park Service's Heritage Preservation Services, and Marie Ennis of Einhorn Yaffee Prescott for their review and comments. Thanks also go to Denis McMullan, McMullan and Associates; Richard Ortega, PE, Ortega Consulting; Dorothy Richter, Hager-Richter Geoscience, Inc.; George Siekkinen and Gregory Mixon, National Trust for Historic Preservation; Suzanne Pentz, Keast & Hood Co.; Mark Richards, Moretrench American Corporation; Dr. Edward J. Cording, Department of Civil and Environmental Engineering, University of Illinois; Mark Gaudschaal, Schnabel Foundation Co.; William Stivale; Robert M. Powers, Powers and Associates; Martin P. Azola, Azola and Associates; and Margaret Gardiner and Mary Knapp at Merchant's House Museum, for their assistance. Tim Buehner, National Park Service, and Camille Martone provided initial research for this publication.

PRESERVATION TECH NOTES are designed to provide practical information on traditional practices and innovative techniques for successfully maintaining and preserving cultural resources. All techniques and practices described herein conform to established National Park Service policies, procedures and standards. This Tech Note was prepared pursuant to the National Historic Preservation Act which direct the Secretary of the Interior to develop and make available to government agencies and individuals information concerning professional methods and techniques for the preservation of historic properties.

Comments on the usefulness of this information are welcomed and should be addressed to PRESERVATION TECH NOTES, Technical Preservation Services NC200, National Center for Cultural Resources, National Park Service, 1849 C Street, NW, Washington, DC 20240.

ISSN: 0741-9023

PTN 42

July 2001

**PLANNING DEPARTMENT STAFF REPORT
TO
PLANNING BOARD**

May 18, 2022

APPLICATION NO.: Z22-063

APPLICANT: Mr. Mark Watts, Cobb Cole

REQUEST: Amend the existing zoning designation from Volusia County's R-4, A-1, A-1C, I-1, I-1C, to DeLand Tech Park PD

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:	± 142.8 acres
Land Use:	Southwest Activity Center (Commerce District/West Central District)
Existing Zoning:	Volusia County R-4, A-1, A-1C, I-1, I-1C
Existing Use:	Mostly undeveloped

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

B. ANALYSIS:

The proposed development consists of ± 142.8 acres of vacant, wooded land, located at the northwest quadrant of SR 472 and Interstate 4. The property appears to be mostly wooded and lies outside of the 100-year floodplain and is clear of any wetlands. The applicant is requesting to rezone the subject property from Volusia County's R-4, A-1, A-1C, I-1, I-1C, to DeLand Tech Park Planned Development.

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. The applicant seeks to develop the eastern side of the subject property (Parcel 1) as industrial space and the western side of the property (Parcels 2 and 3) as commercial/neighborhood retail.

THE FOLLOWING TRC COMMENTS REMAIN:

Planning Revised Comments:

Development Plan

1. Add signage and include in PD: no trucks to use Cassadaga east
2. Kirk Dr. min. 120' ROW
3. Line up access points
4. Section fl 3.6.4 sw of the SWAC Local Plan provides the maximum trip generation rates per district. Exceeding these will require a large scale land use amendment.
5. PD Agreement needs revisions
6. Additional comments pending

Forestry Revised Comments:

1. Median LS needs to be modified to smaller trees/shrubs that will be less likely to impact the adjacent roadways if this area will be the maintenance responsibility of the City.
2. NEW COMMENT 5/10/22: Update landscaping on the concept plan to reflect comments in PD document.

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 environmental or natural resources impacts on the site or the surrounding area. 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 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 from the Commerce portion of the development would calculate out to 2,804 average daily trips; for the West Central Districts portion of the development, the maximum allowable trips would be 4,470 average daily trips. In total, the SWAC allows for 7,274 average daily trips if following the proposed development plan. Based on information provided in the Trip Generation Memo provided by the applicant dated March 28, 2022, 1.39 million square feet of industrial space will generate 4,684 average daily trips, and 205,000 square feet of commercial space is projected to generate 7,587 average daily trips. This is an increase of 4,997 trips.

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

The Southwest Activity Center (SWAC) at the I-4/S.R. 472 interchange was conceived by Volusia County in 1995 as a mixed-use office, industrial, and residential development. The County and the City of Deltona initiated the Areawide Development of Regional Impact (DRI) as an attempt to implement the concept of the SWAC. This effort was later joined by the City of DeLand after a large area was annexed into the City. After the adoption of the DRI, the City adopted the Southwest Activity Center Local Plan into the Comprehensive Plan. The project was envisioned as a shared major regional employment center, encompassing adjacent portions of Orange City, Deltona, Volusia County, and DeLand. The DRI was later abandoned in 2018, however the City of DeLand adopted standards into the Comprehensive Plan in order to direct future development that would still meet the intent of the original DRI.

If approved, the proposed DeLand Tech Park PD will be the second project in the City's SWAC, furthering its development goals as originally envisioned.

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 development provides approximately 19% open space overall and 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.

C. CONCLUSION:

The Applicant is proposing a rezoning from Volusia County's R-4, A-1, A-1C, I-1, I-1C, to DeLand Tech Park PD in order to develop the subject property for a range of commercial and industrial uses located within the Southwest Activity Center (SWAC).

D. STAFF RECOMMENDATION:

Staff recommends that the Planning Board continue the request to rezone the subject property from Volusia County's R-4, A-1, A-1C, I-1, I-1C, to DeLand Tech Park PD, pending further review by the TRC and subject to addressing all Staff comments.

A. PLANNING BOARD MEETING MAY 18, 2022:

At the Planning Board meeting held on May 18, 2022, the board voted to **continue** the application until the next meeting (June 15, 2022). The board provided the following comments:

- a. Correct acreage discrepancy;
- b. Provide traffic analysis that is consistent with Comprehensive Plan; include trips for CTC DeLand project and Advent Parcel. May be trips from Company Terrace project (Community District) can be utilized for remainder of Activity Center;
- c. Revise list of uses to clearly identify which ones are allowed in industrial and commercial sections. Also state that truck stops are not permitted;
- d. Indicate which roadways will be public/private and timing of construction;
- e. Provide design standards for commercial area that will be compatible with the industrial area;
- f. If property is to be subdivided, add section to PD agreement; and
- g. Consider providing structure or signage that identifies which part of the interchange is in DeLand.

1 PLANNED DEVELOPMENT AGREEMENT

2 IN THE CITY COMMISSION OF THE

3 CITY OF DELAND, FLORIDA

4 IN RE: Case # _____, Application of

5 LONGLEAF FOUR LLC

6 ORDINANCE # _____
7

8 ORDER AND RESOLUTION

9 GRANTING A REQUEST FOR CHANGE OF ZONING FROM ____ TO

10 DELAND TECH PARK PD PLANNED UNIT DEVELOPMENT ("DeLand Tech Park PD")

11
12 The application of LONGLEAF FOUR LLC, hereinafter, "Applicant", for rezoning was
13 heard by and before the City Commission, DeLand Florida, on _____, 2022. Based
14 upon the verified Application and other supporting documents, maps, charts, overlays,
15 other evidence and instruments; the advice, report, and recommendations of the
16 Community Development, and other Departments and agencies of DeLand, Florida; and
17 the testimony adduced and evidence received at the Public Hearing on this Application by
18 the Planning Board on _____, 2022 and otherwise being fully advised, the City
19 Commission does hereby find and determine as follows:
20

GENERAL FINDINGS

A. That the application of LONGLEAF FOUR LLC was duly and properly filed herein on _____, 2022 as required by law.

B. That all fees and costs which are by law, regulation, or Ordinance required to be borne and paid by the applicant have been paid.

C. That the applicant is the contract purchaser of a 142.8 +/- acre parcel of land which is situated in DeLand, Florida. These parcel of land are described more particularly in the survey and legal description, a true copy of which is attached hereto as Exhibit "A".

D. That the Applicant has complied with the concept plan provision as required by Land Development Regulations Ordinance No. 2013-11, as amended.

E. That the Applicant has complied with the "Due Public Notice" requirements of the City Commission, Land Development Regulations Ordinance No. 2013-11, as amended.

F. That the owners of the properties: Elizabeth P.T. Zitman as Trustee of the Elizabeth P.T. Zitman Trust dated 27th day of February 2004, Pieter C. Ambachtsheer, Shannon Leigh Rottach, A-Z Poultry Farm, Inc., Stonekirk Ventures, LLC, J. Scott Kirk, W.L. Kirk Jr. as Trustees, William H Baker Trust, W.L. Kirk Jr., and Sieg & Ambachtsheer Inc., agree with the provisions of the Development Agreement.

FINDINGS REGARDING REZONING

A. That the Applicant has applied for a change of zoning from the present zoning classification of the parcel described in Exhibit "A" from Volusia County (VC) I-1, I-1c, A-1, A-1c, R-4, and R-4c to DELAND TECH PARK PD.

B. That the said rezoning to a PD is consistent with both the City of DeLand Comprehensive Plan Ordinance No. 1990-04, as amended, and the intent and purpose of the City of DeLand Land Development Regulations Ordinance No. 2013-11, as amended, and does promote the public health, safety, morals, general welfare and orderly growth of the area affected by the rezoning request.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY OF DELAND, FLORIDA, IN OPEN MEETING DULY ASSEMBLED IN THE CITY COMMISSION CHAMBERS, 120 SOUTH FLORIDA AVENUE, DELAND, FLORIDA, THIS DAY OF _____, A.D., _____, AS FOLLOWS:

A. That the Application of LONGLEAF FOUR LLC for the rezoning of the subject parcel is hereby granted.

B. That the zoning classification of the subject parcel described in Exhibit "A" attached hereto is hereby amended from Volusia County (VC) I-1, I-1c, A-1, A-1c, R-4, and R-4c to DELAND TECH PARK PD as described in Article VII of the City of DeLand, Land Development Regulations Ordinance No. 2013-11, as amended.

1 C. That the Official Zoning Map of the City of DeLand, is hereby amended to
2 show the rezoning of said parcel to DELAND TECH PARK PD.

3
4 D. That the City of DeLand Land Development Regulations Ordinance No. 2002-
5 09, as amended, is consistent with the provisions of the "Development Agreement" as
6 hereinafter set forth in this Ordinance and with respect to any conflict between Land
7 Development Regulations Ordinance No. 2013-11, as amended, and the "Development
8 Agreement", the provisions of the "Development Agreement" shall govern. Ordinance No.
9 2013-11, as amended, shall govern with respect to any matter not covered by the
10 "Development Agreement." The City of DeLand, will ensure overall compliance with this
11 Ordinance.

12
13 E. Unless otherwise provided for herein, the City of DeLand, Land Development
14 Regulations Ordinance No. 2013-11, as amended, shall apply to the PD in the same
15 manner as the M-1, Industrial District zoning classification.

16
17 F. Nothing in this Ordinance shall abridge the requirements of any City of
18 DeLand Ordinance other than Ordinance No. 2013-11, as amended. Timing and review
19 procedures contained in this Order and Resolution may be modified to comply with the City
20 of DeLand Land Development Regulations, Ordinance No. 2013-11, as amended. Further,
21 nothing in the Development Agreement is intended to abridge the requirements of
22 Ordinance No. 2013-11, as amended, and any other City Ordinances.

DEVELOPMENT AGREEMENT

A. Development Concept. The property shall be developed as a PD substantially in accordance with the Planned Development Plan. The Planned Development Plan shall govern the development of the property as a PD and shall regulate the future land use of this parcel.

1. Planned Development Plan. The Planned Development Plan shall consist of the Development Plan Map prepared Vanasse Hangen Brustlin, Inc. and dated March 18, 2022 and this development agreement. The Planned Development Plan is hereby approved and incorporated in this Ordinance by reference as Exhibit "B". The Planned Development Plan shall be filed and retained for public inspection in the Planning Department and it shall constitute a supplement to the Official Zoning Map of the City of DeLand.

2. Amendments. All amendments of the Planned Development Plan, other than those deemed by the Planning Department to be minor amendments as set out in Ordinance No. 2013-11, as amended, shall require the review and recommendation of the Planning Board and action by the City Commission in the same manner as a rezoning of the parcel.

3. Site Plan Approval. After the Planned Development Plan is recorded, and prior to any construction, including clearing and landfill, a preliminary and/or a final site plan shall be submitted for review and approval in the manner required by Article 13 of the City of DeLand Land Development Regulations, Ordinance No. 2013-11, as amended.

1 B. Unified Ownership. The Applicant or his successors shall maintain unified
2 ownership of the subject parcel until after issuance of the final site plan.

3
4 C. Phases of Development. The project may be developed in one or more than
5 one phase. Grading may occur per phase. No burning shall be permitted on site.

6
7 D. Land Uses Within the PD. The development of the parcel shall be consistent
8 with the uses prescribed for each area within the proposed DELAND TECH PARK PD. The
9 location and size of said land use areas are shown on the Development Plan Map, Exhibit
10 "B". The following land uses shall be allowed as permitted principal uses and structures
11 along with their customary accessory uses and structures.

12
13 Permitted Uses within the PD:

14 General/Professional Offices.

15 Medical Office.

16 Drugstores and pharmacies.

17 Laboratories, hospitals and clinics.

18 Medical clinics over 5,000 sq. ft.

19 Veterinary clinics allowing overnight boarding for clinical care, no outside
20 runs or kennels.

21 Copying, printing and lithography.

22 Showroom commercial.

23 Day care facilities, adult or child.

24 Hotels or motels and associated accessory uses including restaurant and
25 conference facilities, without extended stays.

1 Package sales where beer and/or wine are sold for consumption off-premises
2 with DBPR 2APS license.

3 Restaurants, including fast food and/or drive through facilities, including
4 establishments serving alcohol requiring a DBPR 2COP, 3PS or 4COP
5 license with special class.

6 Food products manufacturing or wholesale.

7 Grain blending and packaging, but not milling.

8 Milk, dairy, creamery, beverage bottling, processing and wholesale plants.

9 Automobile service station and repair.

10 Marine manufacturing, sales, and service.

11 Convenience stores with or without gas pumps.

12 Grocery.

13 Retail sales.

14 Retail and service land uses.

15 Colleges or schools.

16 Government and public land uses and buildings.

17 Music, dance, gymnasium, art school or studio excluding discotheques.

18 Outdoor recreation land use.

19 Parks, mini and neighborhood.

20 Electrical, gas, plumbing and HVAC sales/service.

21 Laboratories, research, testing and development – Pharmaceutical products,
22 drugs compounding only.

23 Manufacturing – limited, including assembly and fabrication operations.

24 Research and development facilities.

25 Utilities.

Warehousing and commercial storage.

Wholesale commercial activities.

Communication towers, Cell Towers, 5G Towers.

EV charging stations.

E. Development Standards.

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

b. Maximum building height: 65 feet

c. Minimum perimeter building setbacks:

(a) Side, Street: 30 ft.

Side, Interior: 10 ft.

(b) Front: 35 ft.

(c) Rear: 25 ft.

d. Maximum lot coverage: 70 percent ("%").

e. **Parking standards shall be in accordance with the standards on the Development Plan Map.**

[Add trip generation table]

2. **The following lot development criteria shall apply to commercial/retail or similar development within the PD:**

b. Maximum building height: 80 feet

c. Minimum perimeter building setbacks:

(a) Side, Street: 20 ft.

Side, Interior: 10 ft.

Side, abutting residential: 25 ft.

(b) Front: 20 ft.

(c) Rear: 10 ft.

Rear, abutting residential: 25 ft.

d. Maximum lot coverage: 60 percent ("%").

e. Parking standards shall be in accordance with the standards on the
Development Plan Map.

[Add trip generation table]

Site:

1. 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). If right-of-way dedications are required by Volusia County, the landscape buffers will be measured from the new right-of-way line. 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.

2. Signage: Signage shall be provided per the City's Land Development Regulations. The two existing billboards on the property shall be permitted to remain or may be consolidated into one electronic billboard.

1 3. Open Space and/or Common Area: The development shall meet the
2 Land Development Regulations Ordinance No. 2013-11.
3

4 F. Environmental Considerations. The development shall comply with the
5 requirements for preservation of environmental resources as set forth in the Land
6 Development Regulations Ordinance No. 2013-11, as amended. All landscaping, including
7 buffers, shall predominantly utilize Florida-Friendly Landscaping, as defined by the
8 University of Florida/Institute of Food and Agricultural Sciences ("UF/IFAS") Center for
9 Landscape Conservation and Ecology, native, or low-water plant material. The
10 Development Plan Map encourages environmental preservation and sustainable
11 development through the provision of substantial perimeter buffers, natural areas, open
12 space, the incorporation of Low Impact Development ("LID") stormwater strategies, as
13 developed by the UF/IFAS, Center for Landscape Conservation and Ecology, and use of
14 Florida-Friendly Landscaping. The proposed buffers will add Florida-Friendly vegetation
15 where needed to screen adjoining residential properties. The development shall include
16 landscape designs such that plants will serve environmentally friendly functions including,
17 but not limited to, cooling, privacy screening, shade, aesthetics, wildlife habitat, runoff
18 pollution prevention, and directing traffic flow onto and within the community. All mulching
19 will be conducted in accordance with the most current version of the Florida Green
20 Industries Best Management Practices (BMPs) handbook guidelines. To the extent
21 practicable, mowing shall be done in accordance with the most current version of the
22 Florida Green Industries BMPs handbook and by certified landscaping contractors. Mowing
23 adjacent to swales shall be performed such that no clippings are deposited into any swales
24 or water bodies. All clippings that may have been deposited on impervious surfaces will be
25 swept back into the vegetated area. All pesticide applications shall be done by a certified

professional in accordance with the most current version of the Florida Green Industries BMPs handbook. Additional LID options are provided as part of the Development Plan Map.

G. Sewage Disposal and Potable Water. Provision for sewage disposal, potable and reclaimed water needs of the PD will be provided in accordance with the Comprehensive Plan, Ordinance No.1990-04, as amended, the Land Development Regulations Ordinance No. 2013-11, as amended, and State of Florida Administrative Code 64E-6.

H. Stormwater Drainage. Provision for stormwater retention shall be in accordance with the Land Development Regulations Ordinance No. 2013-11, as amended.

I. Access and Transportation System Improvements. All access and transportation system improvements shall be provided in accordance with the Land Development Regulations, Ordinance No. 2013-11, as amended. The parcel shall be developed in substantial accordance with the following access and transportation system improvements:

1. Access. Access to the site will be in accordance with the Development Plan Map. The Development Plan Map indicates the anticipated connection locations; however, the final locations may vary due to final engineering design and permitting considerations.

2. Transportation System Improvements. Transportation system improvements will be provided as required by permitting agencies.

1 J. Internal Roadways. Road rights-of-way will be in accordance with the
2 Development Plan Map details. All internal roads will be public.

3
4 K. Reverter Provision: The City Commission may rezone any portion of the
5 project which has not secured a final development order on or before 7 years from the
6 effective date of this ordinance as may be necessary or appropriate to protect adjoining
7 properties or the public health, safety and welfare, unless the City Commission, for good
8 cause shown, shall extend the time period indicated in this paragraph.

9
10 L. Binding Effect of Plans; Recording; and Effective Date. The Planned
11 Development Plan, including any and all amendments shall bind and inure to the benefit of
12 the Applicant and its successor in title or interest. DELAND TECH PARK PD zoning,
13 provisions of the "Development Agreement," and all approved plans shall run with the land
14 and shall be administered in a manner consistent with Article 12 of the City of DeLand Land
15 Development Regulations Ordinance No. 2013-11, as amended.

16 This Ordinance and all subsequent amendments shall be filed with the Clerk of the
17 Court and recorded within forty-five (45) days following execution of the document by the
18 City Commission, in the Official Records of Volusia County, Florida. One copy of the
19 document, bearing the book and page number of the Official Record in which the document
20 was recorded, shall be submitted to the Planning Department for placement in the public
21 file. The date of recording of this document shall constitute the effective date of DELAND
22 TECH PARK PD or its subsequent amendments. The applicant shall pay all filing costs for
23 recording documents.

DONE and ORDERED by the City Commission, City of DeLand, Florida, this
____ day of _____ (mo/yr).

ATTEST:

City Commission of DeLand Florida

Michael Pleus
City Manager

Robert Apgar
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 Robert Apgar, 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: _____

1
2 WITNESSES:
3
4
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9

Developer:
LONGLEAF FOUR, LLC

Harry F. McNaught, Manager
LONGLEAF FOUR LLC

10
11
12
13 The foregoing instrument was acknowledged before me by means of ☐
14 physical presence or ☐ online notarization this _____ day of
15 _____ (mo/yr), by Harry F. McNaught, Manager of
16 LONGLEAF FOUR LLC, who is personally known to me or who has
17 produced _____ as identification.
18
19

20 NOTARY PUBLIC, STATE OF FLORIDA

21 Type or Print Name:

22 _____
23 Commission No.: _____

24 My Commission Expires: _____
25
26
27

1 WITNESSES:

Owner:

Elizabeth P.T. Zitman, as Trustee of the
Elizabeth P.T. Zitman Trust dated 27th
day of February 2004

8 _____
9 Elizabeth P.T. Zitman
10
11 _____
12
13
14

15 The foregoing instrument was acknowledged before me by means of ☐
16 physical presence or ☐ online notarization this _____ day of
17 _____ (mo/yr), by Elizabeth P.T. Zitman, who is
18 personally known to me or who has produced
19 _____ as identification.
20
21

22 NOTARY PUBLIC, STATE OF FLORIDA

23 Type or Print Name:

24 _____
25 Commission No.: _____

26 My Commission Expires: _____
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1 WITNESSES:

Owners:

Pieter C. Ambachtsheer and Shannon
Leigh Rottach

6 _____
7 Pieter C. Ambachtsheer
8
9 _____

12 _____
13 Shannon Leigh Rottach
14
15 _____
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18 The foregoing instrument was acknowledged before me by means of ☐
19 physical presence or ☐ online notarization this _____ day of
20 _____ (mo/yr), by _____ and
21 _____, who are personally known to me or who
22 have produced _____ as identification.
23
24

25 NOTARY PUBLIC, STATE OF FLORIDA

26 Type or Print Name:

27 _____
28 Commission No.: _____

29 My Commission Expires: _____
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1 WITNESSES:

Owner:
A-Z Poultry Farm, Inc.

6 _____
7 _____
8 Print: _____
9 _____

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13 The foregoing instrument was acknowledged before me by means of ☐
14 physical presence or ☐ online notarization this _____ day of
15 _____ (mo/yr), by _____, as
16 _____ of A-Z Poultry Farm, LLC, who is personally
17 known to me or who has produced _____ as
18 identification.

19
20
21 NOTARY PUBLIC, STATE OF FLORIDA

22 Type or Print Name:

23 _____
24 Commission No.: _____

25 My Commission Expires: _____
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1 WITNESSES:

Owner:
Stonekirk Ventures, LLC

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Print: _____

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12 The foregoing instrument was acknowledged before me by means of ☐
13 physical presence or ☐ online notarization this _____ day of
14 _____ (mo/yr), by _____, who is
15 _____ of Stonekirk Ventures, LLC and who is personally
16 known to me or who has produced _____ as
17 identification.
18
19

20 NOTARY PUBLIC, STATE OF FLORIDA

21 Type or Print Name:

22 _____
23 Commission No.: _____

24 My Commission Expires: _____
25
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1 WITNESSES:

Owners:

W. L. Kirk Jr. Trustees and Scott Kirk

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Print: _____

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10 _____

11 Scott Kirk

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13 _____

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15
16 The foregoing instrument was acknowledged before me by means of ☐
17 physical presence or ☐ online notarization this _____ day of
18 _____ (mo/yr), by _____ and
19 _____, who are is personally known to me or who have
20 produced _____ as identification.
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22

23 NOTARY PUBLIC, STATE OF FLORIDA

24 Type or Print Name:

25 _____

26 Commission No.: _____

27 My Commission Expires: _____

1 WITNESSES:

Owner:
WILLIAM H. BAKER TR

Print: _____

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12 The foregoing instrument was acknowledged before me by means of ☐
13 physical presence or ☐ online notarization this _____ day of
14 _____ (mo/yr), by _____, who is
15 _____ of the William H. Baker TR and who is personally
16 known to me or who has produced _____ as
17 identification.
18
19

20 NOTARY PUBLIC, STATE OF FLORIDA

21 Type or Print Name:

22 _____
23 Commission No.: _____

24 My Commission Expires: _____
25

1 WITNESSES:

Owner:
W.L. KIRK, JR.

Print: _____

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12 The foregoing instrument was acknowledged before me by means of ☐
13 physical presence or ☐ online notarization this _____ day of
14 _____ (mo/yr), by _____, who is
15 personally known to me or who has produced
16 _____ as identification.
17
18

19 NOTARY PUBLIC, STATE OF FLORIDA

20 Type or Print Name:

21 _____
22 Commission No.: _____

23 My Commission Expires: _____
24

1 WITNESSES:

Owner:
SIEG & AMBACHTSHEER, INC.

Print: _____

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12 The foregoing instrument was acknowledged before me by means of ☐
13 physical presence or ☐ online notarization this _____ day of
14 _____ (mo/yr), by _____, who is
15 _____ of Sieg & Ambachtsheer, Inc. and who is
16 personally known to me or who has produced
17 _____ as identification.
18
19

20 NOTARY PUBLIC, STATE OF FLORIDA

21 Type or Print Name:

22 _____
23 Commission No.: _____

24 My Commission Expires: _____
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EXHIBIT "A"
LEGAL DESCRIPTION

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**DELAND TECH PARK PD
LEGAL DESCRIPTION**

All that tract or parcel of land situate in Section 6, Township 18 South, Range 31 East, Volusia County, Florida, being more particularly described as follows:

Commence at the Northwest corner of said Section 6, thence proceed North 89°53'22" East, along said Northerly line, a distance of 312.84' to the Southwest corner of Section 36 of Township 17 South, Range 31 East; thence continue along said Northerly line, North 89°54'31" East, a distance of 1088.49'; thence departing said Northerly line, South 00°14'12" East, a distance of 1392.56' to the Southerly monumented Right of Way line of Cassadaga Road (County Road 4139) and the **Point of Beginning**; thence North 89°19'39" East, along said Southerly Right of Way line, a distance of 527.85' to the beginning of a curve concave to the Northwest, having a Radius of 300.00', a Central Angle of 25°44'19", a Chord Bearing of North 76°27'29" East, a Chord Distance of 133.64', and an Arc Length of 134.77' to a Point of Cusp of said curve; thence departing said curve, continue along said monumented Southerly Right of Way line, South 42°48'57" East, a distance of 117.98'; thence continue, South 65°48'52" East, a distance of 328.72'; thence continue, North 24°09'13" East, a distance of 279.20'; thence continue, South 72°13'09" East, a distance of 170.39' to the Point of Curvature of a curve concave to the Northeast, having a Radius of 763.41', a Central Angle of 12°48'53", a Chord Bearing of South 78°37'35" East, a Chord Distance of 170.39', and an Arc Length of 170.74' to the Point of Tangency; thence continue, South 85°02'02" East, a distance of 296.20'; thence continue North 89°17'02" East, a distance of 313.15' to the intersection of said monumented southerly Right of Way line of said Cassadaga Road and 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, thence South 15°45'27" West, along said Westerly limited Access Right of Way line, a distance of 2,426.29' to the intersection of said Westerly Limited access Right of Way line and the Southerly line of the North one-half of Government Lot 7 of said Section 6; thence departing said Westerly Limited Access Right of Way line, North 89°30'27" West, along said southerly lines of said Government Lot 7 and Government Lot 6, a distance of 802.87' to the Southeast corner of Lot 19 of 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 North 89°50'30" West, along the South lines of Lots 19 and 20 of said Plat, a distance of 617.69 feet to the Southwest corner of said Lot 20, also being the Northeast corner of Lot 27 of said Plat; thence South 00°14'50" East, along the Easterly line of Lot 27, a distance of 250.09' thence departing said Easterly line, South 35°50'28" West, a distance of 354.28' to the Northerly Right of Way line of State Road 472, as shown on said Florida Department of Transportation Right of Way Map, thence North 54°12'12" West, along said Northerly Right of Way line, a distance of 1,481.04' to the intersection of said Northerly Right of Way line, and the Easterly Right of Way line of Dr. Martin Luther King, Jr Beltway as shown on Volusia County, Florida Right of Way Map, Project 1113-3; thence departing said Northerly Right of Way line, North 00°27'52" West, along said Easterly Right of Way line, a distance of 703.97' to the Point of Curvature of a curve concave to the Southeast, having a Radius of 98.00', a Central Angle of 45°56'03", a Chord Bearing of North 22°30'10" East, a Chord Distance of 76.55' and an Arc length of 78.64' to the Point of Tangency; thence continue North 45°28'12" East, a distance of 26.79' to a Point of Cusp on a curve concave to the East, having a Radius of 5,629.58', a Central Angle of 02°41'42", a Chord Bearing of North 04°08'43" East, a Chord Distance of 264.78' and an Arc Length of 264.80'; thence departing said curve and said Easterly Right of Way, North 89°29'37" East, a distance of 362.16' to the Point of Curvature of a curve concave to the south, having a Radius of 1,440.00', a Central Angle of 07°52'25", a Chord Bearing of South

86°34'11" East, a Chord distance of 197.73', and an Arc Length of 197.89' to the Point of Compound Curvature of a curve concave Southwesterly, having a Radius of 35.00', a Central Angle of 57°30'05", a Chord Bearing of South 53°53'06" East, a Chord Distance of 33.67', and an Arc length of 35.13' to the Point of Reverse Curvature of a curve concave to the North, having a Radius of 80.00', a Central Angle of 107°25'34", a Chord Bearing of South 78°50'59" East, a Chord Distance of 128.97', and an Arc length of 149.99 feet to the Point of Reverse Curvature of a curve concave to the Southeast, having a Radius of 35.00', a Central Angle of 57°30'05", a Chord Bearing of North 76°11'07" East, a Chord Distance of 33.67', and an Arc Length of 35.13' to the Point of Reverse Curvature of a curve concave to the Northeast, having a Radius of 1,440.00', a Central Angle of 00°55'43", a Chord Bearing of South 74°36'09", a Chord Distance of 23.34' and an Arc length of 23.34' to the Point of Tangency; thence South 74°08'17" East, a distance of 122.73' to the Point of Curvature of a curve concave Northeasterly, having a Radius of 1,560.00, a Central Angle of 16°08'10", a Chord Bearing of South 82°12'22" East, a Chord Distance of 437.89', and an Arc length of 439.34' to the Point of Tangency; thence North 89°43'33" East, a distance of 19.89' to the Westerly line of Lot 17 of said Yourlando Plat; thence North 00°08'31" West, along said Westerly line, a distance of 84.03' to the Northwest corner of said Lot 17, also being the Southeast corner of Government Lot 4 of said Section 6; thence North 00°14'21" West, along the Easterly line of said Government Lot 4, a distance of 1,036.68' to the **Point of Beginning**.

Said tract or parcel contains 141.90 Acres, More or Less.

EXHIBIT "B"

PD PLAN

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Revised May 3, 2022 u/p/zone/pd_doc

SITE DATA

Project Size	143.24 AC
Wellhead Acreage	0
Future Land Use	Commercial (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

Adjacent Future Land Use

North	South	East	West
Urban Low Intensity (County)/Went Central District (City)	Crossing PUO (Orange City)	Urban Low Intensity/ Urban Medium Intensity (County)	SWAC Commerce (County)

Adjacent Zoning

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

Max Impervious Surface Ratio Permitted 80% (Commercial and mixed-use), 70%(Industrial)

DEVELOPMENT PROGRAM

Parcel NO	Land Use	Gross Acres	Development Program
5	Industrial	120.60 AC	1,500,000 ^{af}
	Commercial: Power	9.84 AC	130,000 ^{af}
5	Center/Neighborhood Retail		
	Commercial: Power	12.80 AC	110,000 ^{af}
	Center/Neighborhood Retail/ Gas Station with Convenience Store		
TOTAL		143.24 AC	1,740,000^{af}

Permitted Uses: Permitted uses shall be those described in the West Central District and Commerce District regulations in the City of DeLand Comprehensive Plan and listed in the PD Agreement.

Phase	Time
-------	------

OPEN SPACE	
LAND USE	ACREAGE PROVIDED
Commercial/Mixed Use	8.81 AC
Industrial	18.38 AC

*15% of the property shall be dedicated to the tree preservation.

NON-RESIDENTIAL DEVELOPMENT STANDARDS

Retail/Restaurant

Max Lot Coverage		80%
Max Building Height		8'
Minimum Setbacks	Front	10' (25' when abutting residential-zoned properties) (20' when abutting streets)
	Side	10'
	Rear	10' (25' when abutting residential-zoned properties)

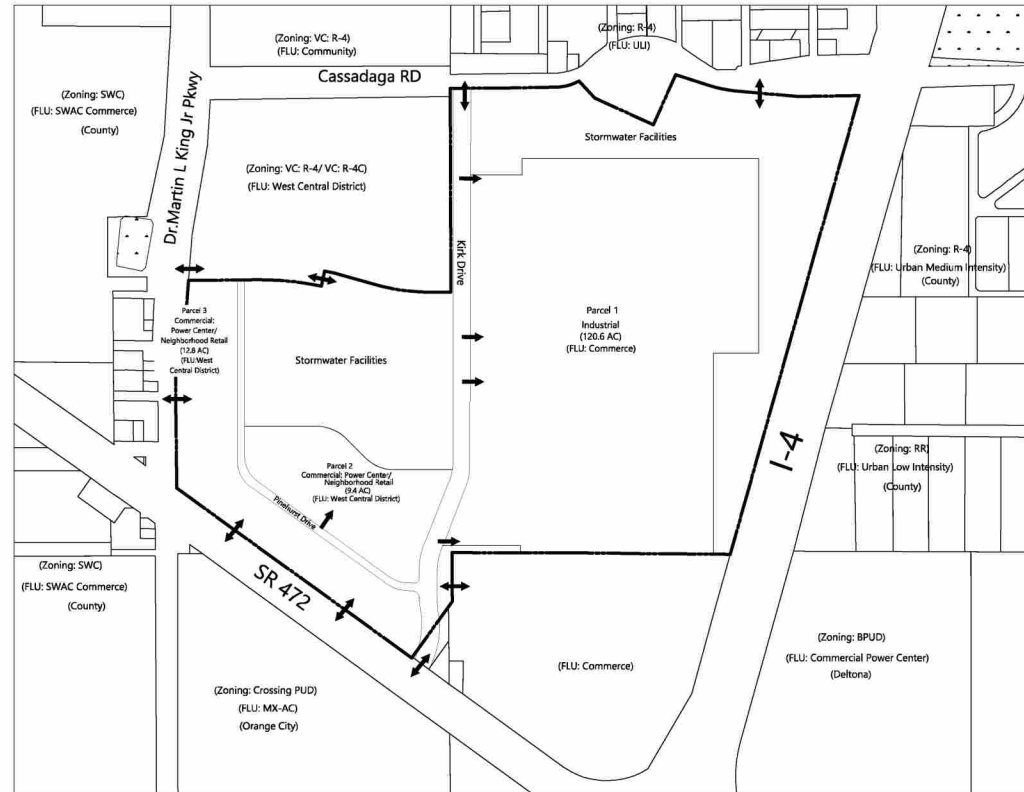
Industrial

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

PARKING

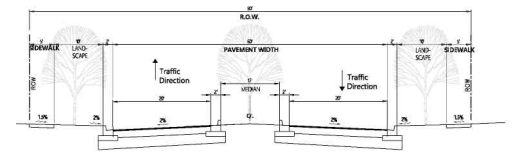
PARKING:	PARKING RATIO (SPACE/SF)	SPACE PROVIDED
Industrial	1 space/1,000 square feet of net floor area * for the first 20,000 square feet devoted to warehousing plus the required parking for square footage devoted to other uses 1 space/2,000 square feet for the second 20,000 square feet 1 space/4,000 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/very additional 250 square feet	485

* Computations per section 33-81.01(c)3.

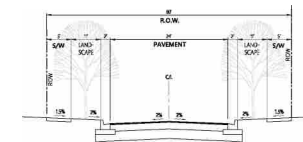


DEVELOPMENT NOTES

1. All acreages are subject to change with final engineering and final plat review and approval.
2. Per City of Deland LDC Sec 33-57, historic trees and trees needed to meet the minimum tree protection requirement or trees located inside a designated tree protection area, as defined in article VI of chapter 33, may not be removed without applicant's prior approval of a permit by the city. Classification of 15 percent of this property for tree preservation is required.
3. Per City of Deland LDC Sec 33-92, landscape buffers are required along abut frontages where are proposed per article VIII of chapter 33.
4. Per City of Deland LDC Sec 33-17, additional buffer and sign requirements apply to developments within and/or along special-use districts per article IV of chapter 33.
5. 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.
6. Unless otherwise prohibited in the list of primary, conditional or special-exemption uses for each zoning district, outdoor display of equipment, supplies, merchandise, or personal property is permitted in compliance with section 33-27.04.
7. Site and building aesthetics shall comply with the Community Design Standards in City of Deland LDC Sec 33-94.
8. Stormwater management areas shall be provided per each phase of development.
9. Low Impact Development (LID) techniques shall be implemented to reduce stormwater runoff. LID options are the following:



Neighborhood Connector Typical Road Section



Local Street Typical Road Section



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

LEGEND

-
- PROJECT BOUNDARY
 - PARCEL LIMITS
 - WETLAND
 - PROPOSED ACCESS POINT



DeLand Tech Park PD

City of DeLand, Florida

Date	Description	Debit	Credit	Bal.
Total Dr.				
Total Cr.				

March 21, 2022

Vertical Datum: NAVD 1988
 Contour Interval: 10'

Drawing Number

[illegible]

May. 03, 2022

**DELAND TECH PARK PD
LEGAL DESCRIPTION**

All that tract or parcel of land situate in Section 6, Township 18 South, Range 31 East, Volusia County, Florida, being more particularly described as follows:

Commence at the Northwest corner of said Section 6, thence proceed North 89°53'22" East, along said Northerly line, a distance of 312.84' to the Southwest corner of Section 36 of Township 17 South, Range 31 East; thence continue along said Northerly line, North 89°54'31" East, a distance of 1088.49'; thence departing said Northerly line, South 00°14'12" East, a distance of 1392.56' to the Southerly monumented Right of Way line of Cassadaga Road (County Road 4139) and the **Point of Beginning**; thence North 89°19'39" East, along said Southerly Right of Way line, a distance of 527.85' to the beginning of a curve concave to the Northwest, having a Radius of 300.00', a Central Angle of 25°44'19", a Chord Bearing of North 76°27'29" East, a Chord Distance of 133.64', and an Arc Length of 134.77' to a Point of Cusp of said curve; thence departing said curve, continue along said monumented Southerly Right of Way line, South 42°48'57" East, a distance of 117.98'; thence continue, South 65°48'52" East, a distance of 328.72'; thence continue, North 24°09'13" East, a distance of 279.20'; thence continue, South 72°13'09" East, a distance of 170.39' to the Point of Curvature of a curve concave to the Northeast, having a Radius of 763.41', a Central Angle of 12°48'53", a Chord Bearing of South 78°37'35" East, a Chord Distance of 170.39', and an Arc Length of 170.74' to the Point of Tangency; thence continue, South 85°02'02" East, a distance of 296.20'; thence continue North 89°17'02" East, a distance of 313.15' to the intersection of said monumented southerly Right of Way line of said Cassadaga Road and 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, thence South 15°45'27" West, along said Westerly limited Access Right of Way line, a distance of 2,426.29' to the intersection of said Westerly Limited access Right of Way line and the Southerly line of the North one-half of Government Lot 7 of said Section 6; thence departing said Westerly Limited Access Right of Way line, North 89°30'27" West, along said southerly lines of said Government Lot 7 and Government Lot 6, a distance of 802.87' to the Southeast corner of Lot 19 of 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 North 89°50'30" West, along the South lines of Lots 19 and 20 of said Plat, a distance of 617.69 feet to the Southwest corner of said Lot 20, also being the Northeast corner of Lot 27 of said Plat; thence South 00°14'50" East, along the Easterly line of Lot 27, a distance of 250.09'; thence departing said Easterly line, South 35°50'28" West, a distance of 354.28' to the Northerly Right of Way line of State Road 472, as shown on said Florida Department of Transportation Right of Way Map, thence North 54°12'12" West, along said Northerly Right of Way line, a distance of 1,481.04' to the intersection of said Northerly Right of Way line, and the Easterly Right of Way line of Dr. Martin Luther King, Jr Beltway as shown on Volusia County, Florida Right of Way Map, Project 1113-3; thence departing said Northerly Right of Way line, North 00°27'52" West, along said Easterly Right of Way line, a distance of 703.97' to the Point of Curvature of a curve concave to the Southeast, having a Radius of 98.00', a Central Angle of 45°56'03", a Chord Bearing of North 22°30'10" East, a Chord Distance of 76.55' and an Arc length of 78.64' to the Point of Tangency; thence continue North 45°28'12" East, a distance of 26.79' to a Point of Cusp on a curve concave to the East, having a Radius of 5,629.58', a Central Angle of 02°41'42", a Chord Bearing of North 04°08'43" East, a Chord Distance of 264.78' and an Arc Length of 264.80'; thence departing said curve and said Easterly Right of Way, North 89°29'37" East, a distance of 362.16' to the Point of Curvature of a curve concave to the south, having a Radius of 1,440.00', a Central Angle of 07°52'25", a Chord Bearing of South

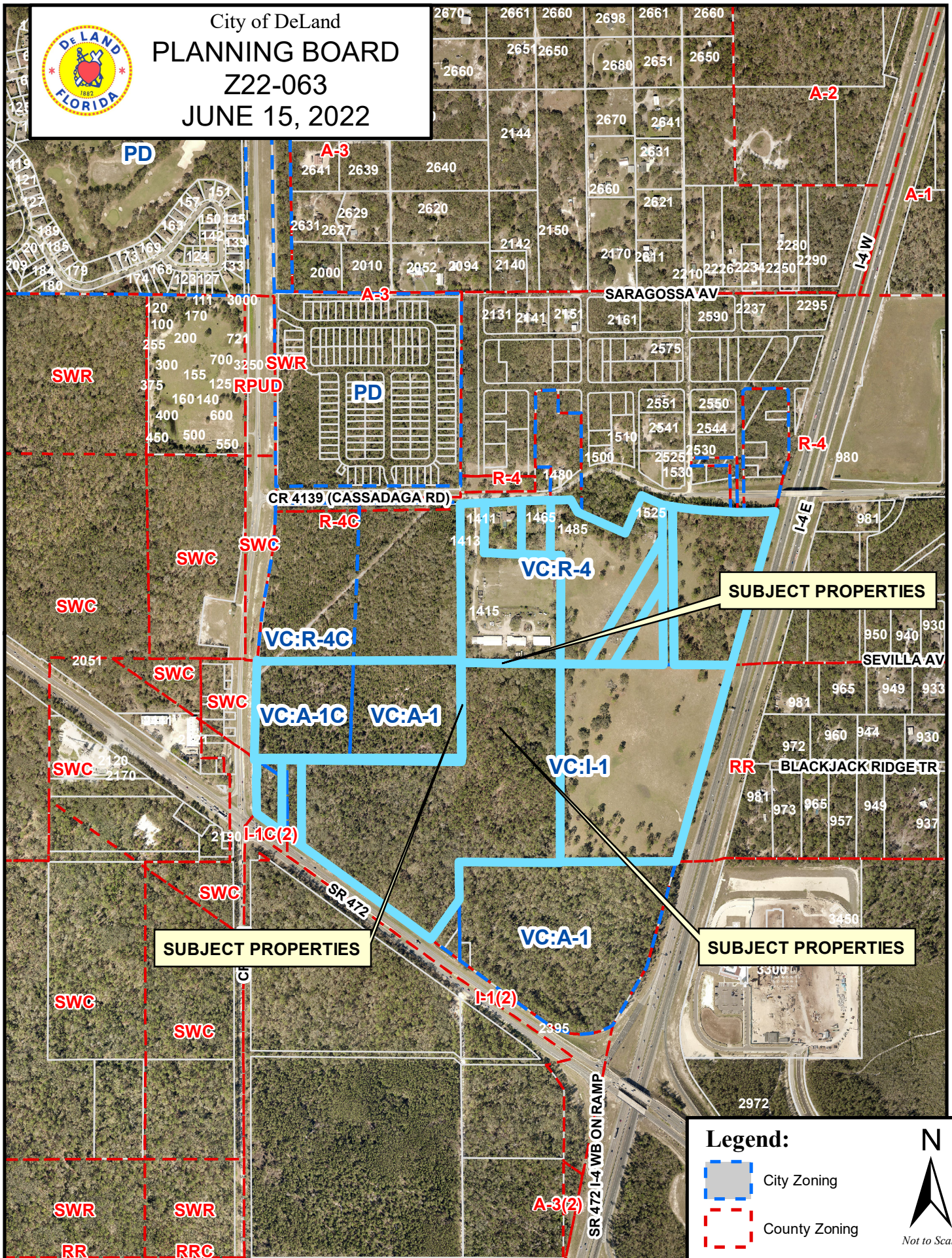
86°34'11" East, a Chord distance of 197.73', and an Arc Length of 197.89' to the Point of Compound Curvature of a curve concave Southwesterly, having a Radius of 35.00', a Central Angle of 57°30'05", a Chord Bearing of South 53°53'06" East, a Chord Distance of 33.67', and an Arc length of 35.13' to the Point of Reverse Curvature of a curve concave to the North, having a Radius of 80.00', a Central Angle of 107°25'34", a Chord Bearing of South 78°50'59" East, a Chord Distance of 128.97', and an Arc length of 149.99 feet to the Point of Reverse Curvature of a curve concave to the Southeast, having a Radius of 35.00', a Central Angle of 57°30'05", a Chord Bearing of North 76°11'07" East, a Chord Distance of 33.67', and an Arc Length of 35.13' to the Point of Reverse Curvature of a curve concave to the Northeast, having a Radius of 1,440.00', a Central Angle of 00°55'43", a Chord Bearing of South 74°36'09", a Chord Distance of 23.34' and an Arc length of 23.34' to the Point of Tangency; thence South 74°08'17" East, a distance of 122.73' to the Point of Curvature of a curve concave Northeasterly, having a Radius of 1,560.00, a Central Angle of 16°08'10", a Chord Bearing of South 82°12'22" East, a Chord Distance of 437.89', and an Arc length of 439.34' to the Point of Tangency; thence North 89°43'33" East, a distance of 19.89' to the Westerly line of Lot 17 of said Yourlando Plat; thence North 00°08'31" West, along said Westerly line, a distance of 84.03' to the Northwest corner of said Lot 17, also being the Southeast corner of Government Lot 4 of said Section 6; thence North 00°14'21" West, along the Easterly line of said Government Lot 4, a distance of 1,036.68' to the **Point of Beginning**.

Said tract or parcel contains 141.90 Acres, More or Less.

Page 139 of 229

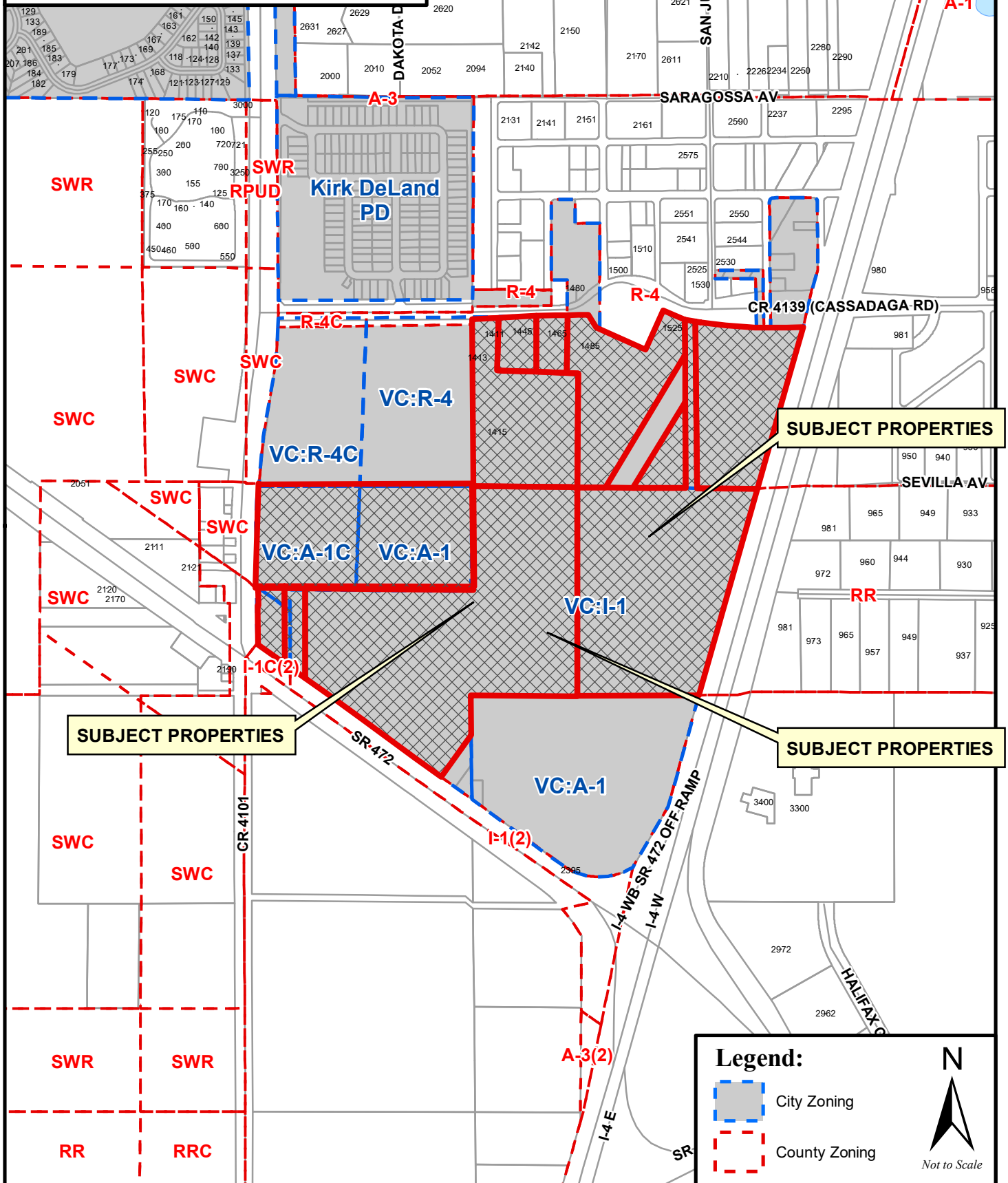


City of DeLand
PLANNING BOARD
Z22-063
JUNE 15, 2022





City of DeLand
PLANNING BOARD
Z22-063
JUNE 15, 2022





Planning Department

Memorandum

TO: Mark Watts, Cobb Cole

DATE: May 11, 2022

FROM: Belinda Williams-Collins, Sr. Planner

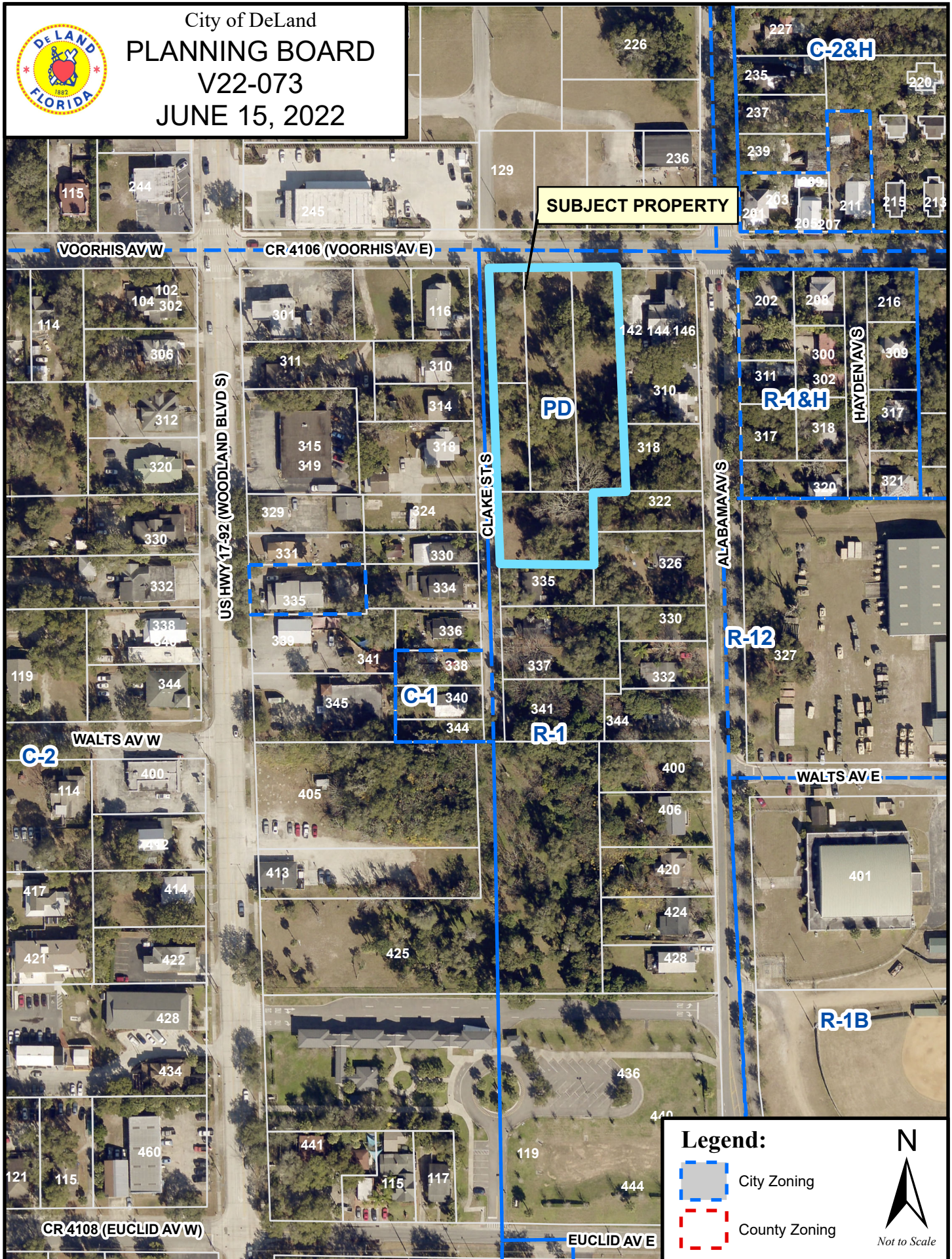
SUBJECT: Z22-073 - DeLand Commons Rezone, S. Clarke St.

It has come to the attention of Planning staff that the application to rezone the property listed above to the C-2A (Downtown Commercial) zoning designation cannot go forward because the underlying land use category has not been amended to support the rezoning. As such, staff will request a continuance of the application which was scheduled to be heard at the May 18, 2022 Planning Board meeting.

At your earliest convenience, please provide an application to amend the land use designation and it will be placed on the next available Planning Board agenda. The applications may run concurrently and be approved at the same time. Please contact the Planning Department if you have any questions or concerns.

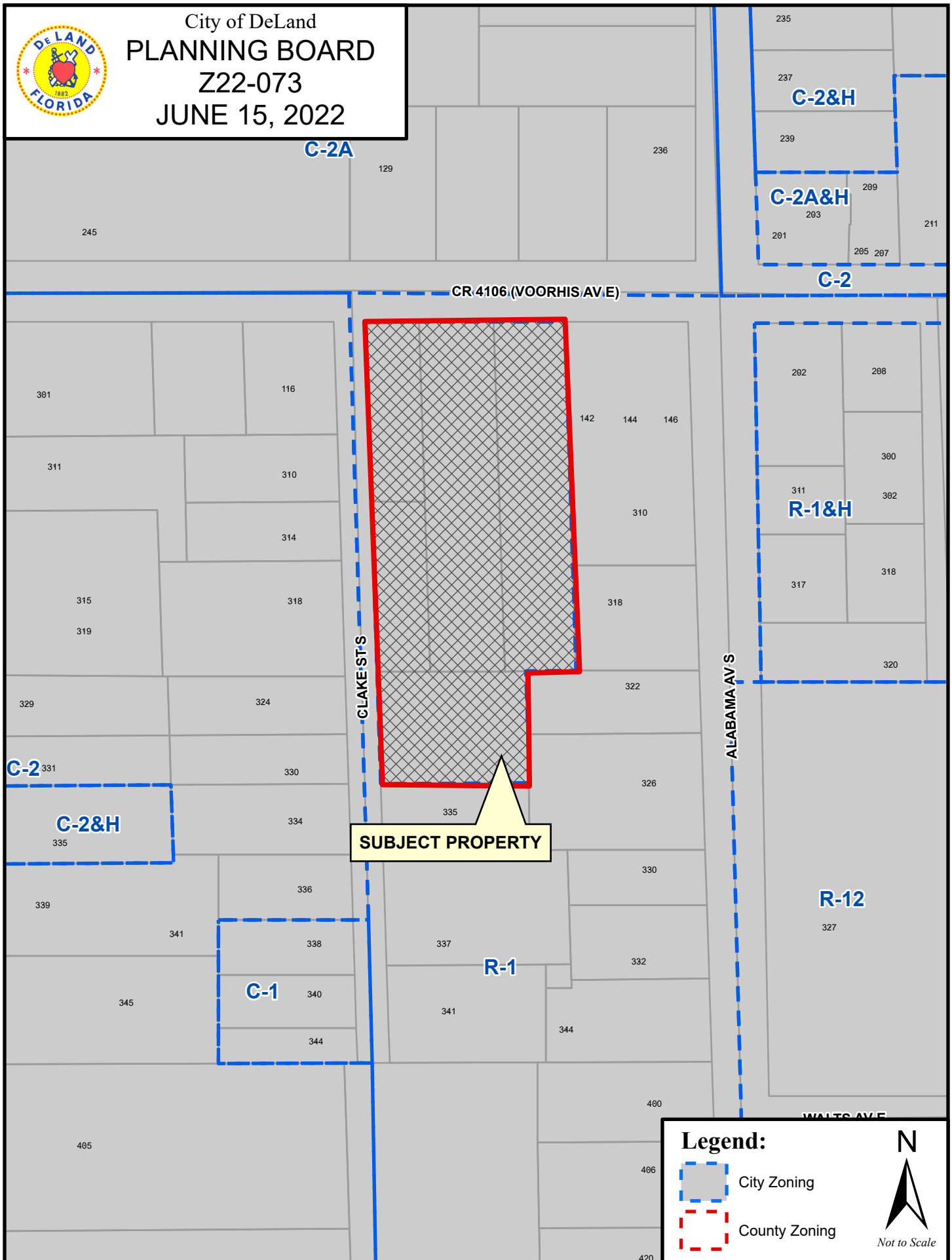


City of DeLand
PLANNING BOARD
V22-073
JUNE 15, 2022





City of DeLand
PLANNING BOARD
Z22-073
JUNE 15, 2022



PLANNING STAFF REPORT **to** **PLANNING BOARD**

June 15, 2022

APPLICATION: PSB22-038

SUBJECT: Oak Hammock

1. Location: Parcel No. 701900000150 located at the NW corner of W. Beresford Road and S. Spring Garden Ave.

2. Applicant: Oak Hammock Holdings LLC

3. Size: 37.66 ± acres

4. Existing Zoning & Land Use:

Land Use: Urban Low Intensity
Zoning: Oak Hammock Preserve PD

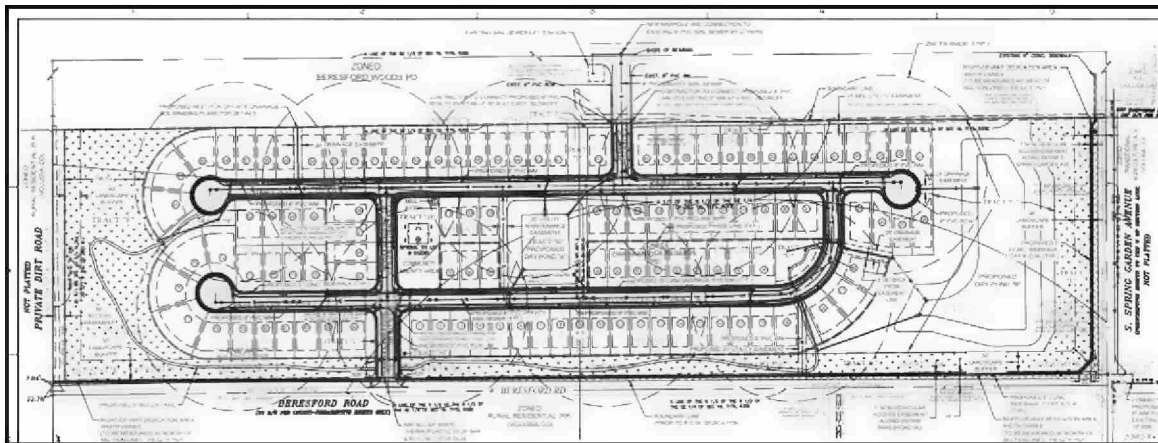
5. Surrounding Conditions:

SURROUNDING USE:

SURROUNDING ZONING:

North Urban Low Intensity
South VC: Urban Low Intensity
East VC: Urban Low Intensity
West VC: Urban Low Intensity

Beresford Woods PD
Volusia County: RR (Rural Residential)
Volusia County: Transitional Agriculture
Volusia County: RR (Rural Residential)



6. Applicable Regulations: Land Development Regulations, Article 13.
Subdivision of land Sec. 33-146.05,

7. Physical Characteristics: The heavily wooded site is vacant and undeveloped.

8. Public Utilities and Service:

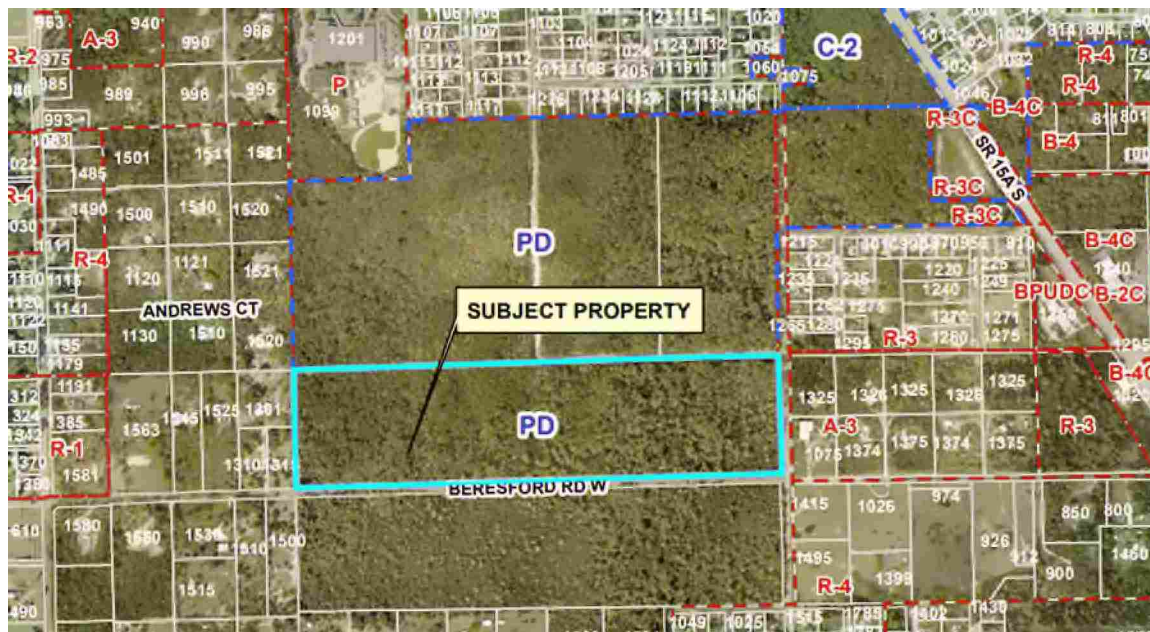
<i>Water:</i>	The proposed development will be served by City potable water facilities.
<i>Sewer:</i>	The proposed development will be served by City sanitary sewer facilities.
<i>Irrigation:</i>	The proposed development will be served by City reclaimed water facilities.
<i>Stormwater:</i>	Stormwater management will be addressed on-site.
<i>Electricity:</i>	The site is served by Duke Energy.

9. Type of Development:

The project site is vacant land located at the NW corner of W. Beresford Rd. and S. Spring Garden Ave. The applicant seeks to develop the subject property into a 110-lot single-family residential subdivision. The adopted PD agreement allows for lot 50 and 60 foot wide lots. All lots in the proposed subdivision meet the minimum dimensions and lot area standards for the PD. The subdivision is also proposed to include common areas such as a community amenity center with tot lot/gazebo & playground; mail kiosk.

10. Analysis:

The development, which is comprised of 110 single family dwelling units, is located in the northwest quadrant of South Spring Garden Avenue and West Beresford Road in the City of DeLand, Florida. Access to the development will be provided via a full access driveway on West Beresford Road. The site will also have connection to the adjacent, previously approved, Beresford Woods residential development north. Build-out of the proposed development is anticipated by 2024. Based on the results of the TIA and recommended improvements, the proposed Oak Hammock Reserve development was recommended for approval.



On March 17, 2022 the Technical Review Committee recommended to forward the Preliminary Plat to the Planning Board conditioned upon receipt of revised plans by April 4, 2022. It appears that there remain outstanding comments from city reviewers that need to be accepted by staff.

Comments generated by the City's Engineering staff reviews have not been completed as of the time for this staff report. The following comments are remaining from their prior review:

TRC Comments:

Engineering

1. Beresford Avenue and S. Spring Garden Avenue are Volusia County maintained roads. County Use Permit is required.
2. 1. Civil Engineer office phone number on Stormwater Report cover page does not match Construction Plan Cover Sheet C01. Please revise.
2. Page 1 – Project Description: Report narrative states project area as 36.63 acres in multiple places. However, the construction plans Cover Sheet C01 states project area as 38.64 acres. Please clarify different in project areas between drainage report and construction plans. Will this change the drainage analysis and calculations in sections B thru D.
3. Page 1 – Soils Table: Please add the percentage slopes (0 to 8% and 8 to 17%) under each Astatula fine sand soil type to differentiate between Soil #4 and #5.
4. Page 2 – Basin Design Methods: 1st Paragraph states, "SCS Soils Survey for Seminole County...". Please revise.
5. Page 2 – Peak Stage Comparison: Text in paragraph should say 100-year 24-hour storm after 10-year 24-hour storm.
3. 1. PRE and POST Basins Time of Concentration (Tc) calculations: Please note per National Resource Conservation Service (NRCS) the max. sheet flow length is max. 100 feet. Calculations submitted used max. 300 feet. Furthermore, SJRWMD has made comments on other City projects to limit the length to max. 100. This comment can be further discussed with staff at TRC meeting on March 17, 2022.
2. PRE Basin 1B: Please check curve number (CN) of 57 used for single family ¼ acre lot. Per TR-55 Manual, table 2-2a, CN should be 61 for Type "A" soil. Please revise spreadsheet calculations and ICPR input.
3. POST Basins Area and CN and Tc spreadsheets: Spreadsheets heading title are labeled as "Pre-Development" on multiple sheets. Please correct where applicable for all Basins and Time of concentration spreadsheets.
4. 1. PRE Basin 5: ICPR model area and CN input do not match spreadsheet calculations. Please revise.
2. PRE Basin 6: Time of concentration input in ICPR model does not match spreadsheet calculations.
3. PRE Node DEP10: ICPR initial and warning stages do not match input Time/Stage data.
4. PRE Node DEP 5: Initial stage EL. 47.0 is below the bottom depressional stage 50.0. Also, why is warning stage same as the depressional bottom stage?
5. PRE ICPR weir links: Irregular weir links are used with cross-sections. Please include the cross sections in the report so that ICPR input can be checked.
5. 1. Erosion Note No. 3. Please revise note that permit must be submitted to Orange City to City of DeLand.
6. 1. Typical Roadway Section, please add callout "SOD" for the 7' wide strip outside the roadway pavement area.
7. 1. General Grading Notes, please add, "Maximum allowable slope is 1:4 (V:H) for grass and sod areas".
2. Please show stationing grade break points (high points) along the streets with flow arrows for clarity.
3. Please move lot grading type text to be within the lots for Lot 76 and 77.
4. Lot 78 and 79 grading Type "A MOD" spot shot locations do not match lot grading detail.

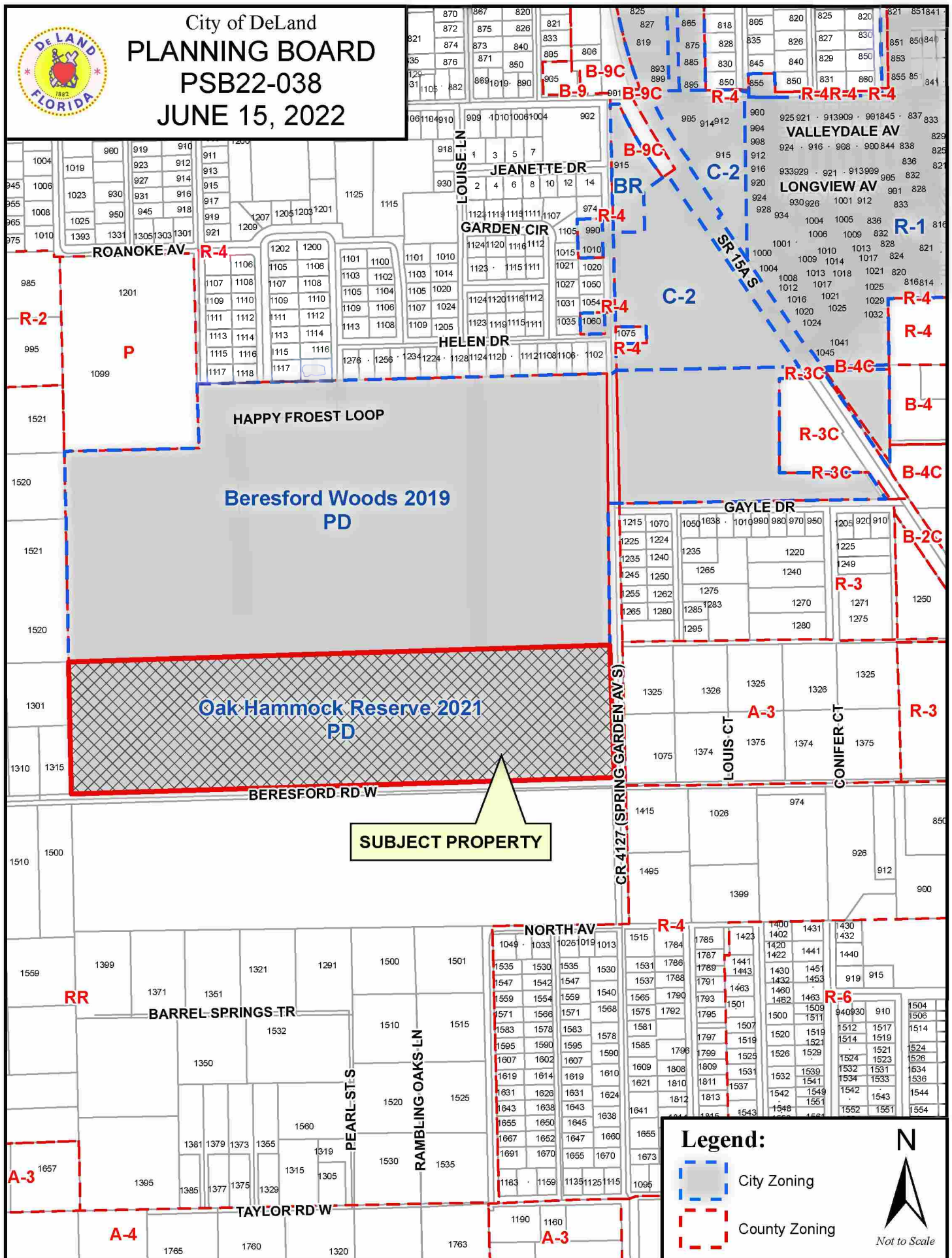
1. Is it possible to move curb inlets D-15 and D-16 away from the curb return radius and HC ramps?
2. Curb inlet D-3 is located in middle of the 25' drainage easement to Pond B. There is concerned in future that inlet top will be damaged by maintenance vehicles accessing the pond.
3. Can the drainage easement width be increased or the storm pipe move further away from Lot 22 house pad? Pipe is about 10 feet deep and located only 11 feet away from house pad. There are safety concerns.
4. Can storm pipe between Inlet D-7 and D-8 be shifted further away from Lot 20 house pad? Pipe is over 10 feet deep and located less than 10 feet away from house pad. There are safety concerns.

E. STAFF RECOMMENDATION:

Staff recommends approval of the plat by the Planning Board, subject to all comments being met (including any new comments in response to the recent resubmittal), and that the plans be forwarded to City Commission for review, after all comments have been addressed.



City of DeLand
PLANNING BOARD
PSB22-038
JUNE 15, 2022



Legend:

- City Zoning
- County Zoning





City of DeLand
PLANNING BOARD
PSB22-038
JUNE 15, 2022



A
B
C
D
E

C01	COVER SHEET
C02	GENERAL NOTES
C03	GENERAL NOTES
C04	EXISTING CONDITIONS PLAN
C05	EROSION CONTROL & TREE REMOVAL PLAN
C06	EROSION CONTROL & TREE REMOVAL PLAN
C06A	SMALL TREE MITIGATION PLAN
C07	OVERALL DEVELOPMENT PLAN
C07A	GEOMETRY PLAN
C08 - C09	UTILITY PLANS
C09A	OFF-SITE UTILITY PLANS
C10 - C11	GRADING & DRAINAGE PLANS
C12 - C17	PLAN & PROFILES
C18	CROSS SECTIONS
C19 - C20	DRAINAGE DETAILS
C21 - C23	CITY UTILITY DETAILS
C24	UTILITY MARKER BALL LOCATER DETAILS
C25	AUTOTURN PLAN

L2.00	OVERALL PLAN
L2.01	STREET TREE PLAN
L2.10	LANDSCAPE PLAN
L2.11	LANDSCAPE PLAN
L2.12	LANDSCAPE PLAN
L3.10	LANDSCAPE NOTES AND DETAILS

THE NORTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 19, TOWNSHIP 17 SOUTH, RANGE 30 EAST, VOLUSIA COUNTY, FLORIDA.

LESS AND EXCEPT THE MAINTAINED RIGHT OF WAY OF BERESFORD ROAD AND SOUTH SPRING GARDEN AVENUE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE BEGIN AT A NAIL AND DISK WITH NO IDENTIFICATION MARKING THE EAST 1/4 CORNER OF SAID SECTION 19; THENCE S88°18'39" W. ALONG THE NORTH LINE OF SAID SOUTHEAST 1/4 A DISTANCE OF 21.71 FEET TO A POINT ON THE COUNTY MAINTAINED RIGHT OF WAY OF SPRING GARDEN AVENUE AND THE POINT OF BEGINNING; THENCE SOUTHERLY ALONG SAID MAINTAINED LINE THE FOLLOWING FOUR (4) COURSES: (1) S 01°02'41" E, 248.35 FEET; (2) S 01°18'25" E, 176.89 FEET; (3) S 01°22'58" E, 183.74 FEET; (4) S 01°09'29" E, 44.29 FEET TO A POINT ON THE NORTHERLY MAINTAINED COUNTY RIGHT OF WAY OF BERESFORD ROAD; THENCE WESTERLY ALONG SAID MAINTAINED LINE THE FOLLOWING EIGHT (8) COURSES: (1) S 88°47'41" W, 202.81 FEET; (2) S 88°47'12" W, A DISTANCE OF 439.21 FEET; (3) S 88°41'47" W, 406.08; (4) S 88° 43'46" W, 491.57 FEET; (5) S 88° 48'02" W, 417.05 FEET; (6) S 88° 36'30" W, 382.42 FEET; (7) S 78°42'37" W, 64.40 FEET; (8) S 87°22'44" W, 212.96 FEET TO THE WEST LINE OF THE NORTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 19; THENCE N 01°04'28" W, ALONG SAID WEST LINE A DISTANCE OF 640.18 FEET TO THE CENTER OF SECTION; THENCE N 88°18'39" E, ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 19 A DISTANCE 2614.92 FEET TO THE POINT OF BEGINNING.

CONTAINING ±38,638 AC.

DeLand, Florida
CONSTRUCTION PLANS
PRELIMINARY PLAT

MAY 11, 2022
Parcel ID Number
17-30-19-00-00-0150

PROJECT AREA -
38.64± AC.

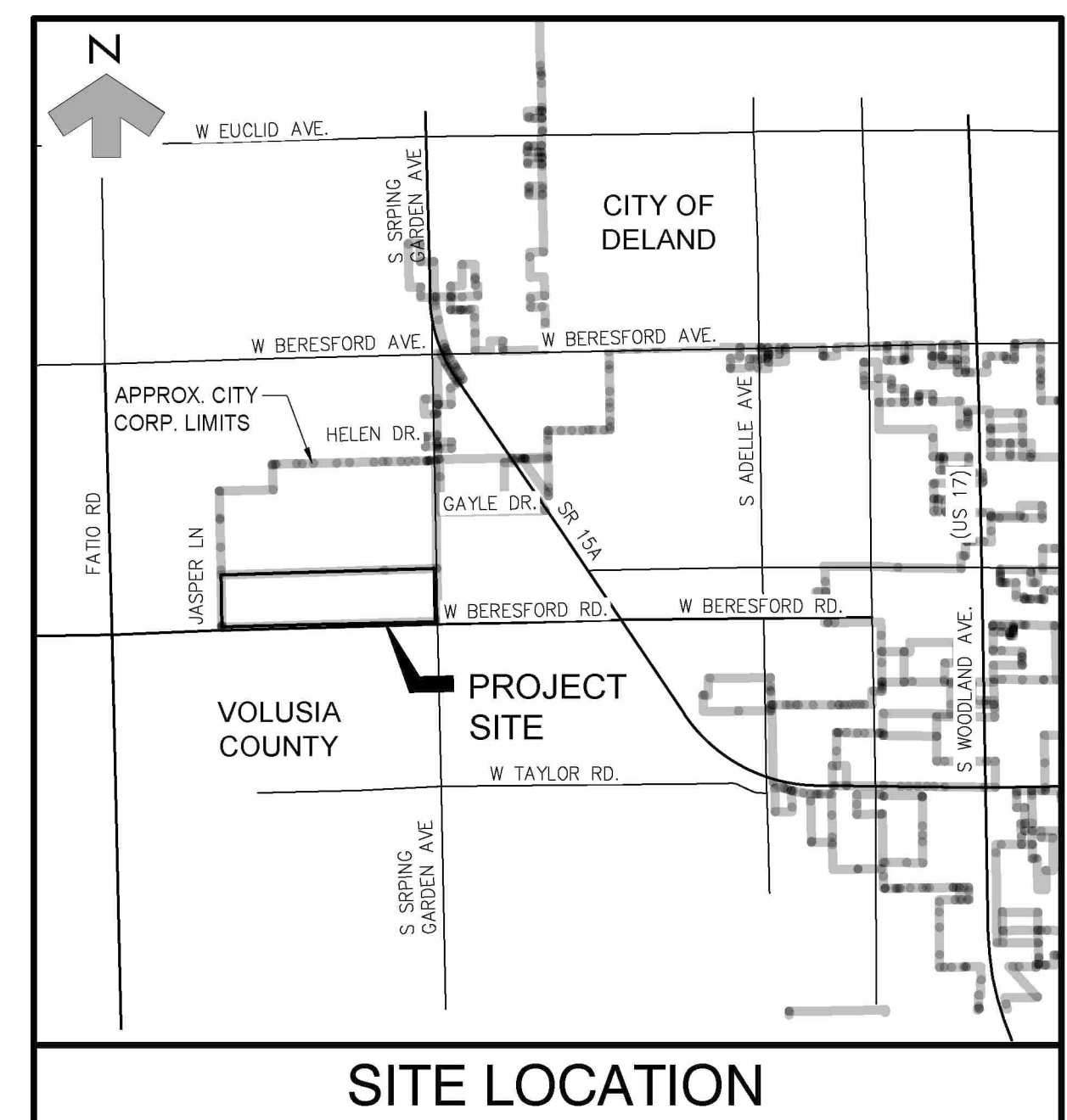
OAK HAMMOCK HOLDINGS
36 CHARMING WAY
LAKEWOOD, NJ 08701
CONTACT: MARK GOLDSCHMIDT

DEWBERRY ENGINEERS, INC.
110 WEST INDIANA AVENUE
SUITE 202
DELAND, FL 32720
PHONE: 407-354-9656
CONTACT: REINARDO MALAVE, PE

SLIGER & ASSOCIATES, INC.
3921 NOVA ROAD
PORT ORANGE, FL 32127
PHONE: 386-761-5385
CONTACT: JEFFREY BARNES, PSM

DEWBERRY ENGINEERS, INC.
800 NORTH MAGNOLIA AVE.
SUITE 1000
ORLANDO, FL 32803
PHONE: 407-843-5120
CONTACT: MICHAEL URCHUK, RLA

UNIVERSAL ENGINEERING SCIENCES
911 BEVILLE ROAD, SUITE 3
SOUTH DAYTONA, FL 32119
PHONE: 386-756-1105
CONTACT: BRIAN POHL, PE



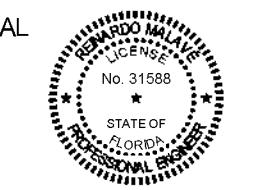
NOT TO SCALE

SECT 19, T 17 S, R 30 E



OAK HAMMOCK RESERVE

SPRING GARDEN AVE. S. (CR 4127)
& W. BERESFORD RD.
DELAND, FLORIDA 32738



Digitally signed by Reinardo Malave
Reason: This item has been digitally signed
and sealed by Reinardo Malave PE on the
date adjacent to the seal. Printed copies of
this document are not considered signed
and sealed and the signature must be
verified on any electronic copies.
Date: 2022.05.13 08:53:54 -0400'

Reinaldo Malave
FL PE # 31588
May 10, 2022

Y PLAN

SALE NORTH

[illegible]

VISIONS

AWN BY	<u>TZ</u>
PROVED BY	<u>RM</u>
CHECKED BY	<u>DC/GL</u>
DATE	<u>5/11/2022</u>

LE

COVER SHEET

PROJECT NO. 50131479

C01

EET NO.

1

2

3

4

5

GENERAL

1. Unless otherwise specified, all construction shall be performed consistent with the most recent publication of the following codes, standards and specifications as well as the latest editions of all other applicable specifications & standards:
City of Deland
Volusia County
St. Johns River Water Management District (SJRWMD)
Florida Department of Environmental Protection (FDEP)
Florida Department of Transportation (FDOT)
Americans with Disabilities Act (ADA) by U.S. Department Of Justice
"Manual On Uniform Traffic Control Devices" (MUTCD) published by the U.S. Department of Transportation, Federal Highway Administration

2. All construction is to be governed by all applicable federal, state and local laws, ordinances, building and safety codes.

3. In the event that any standards or specifications as described herein are in conflict with each other, or that shown in the plans, the more stringent criteria will apply. Contractor shall notify the engineer of record immediately and in writing should the more stringent criteria be unclear, for engineer's interpretation of the more stringent criteria to be used.

4. These plans were based on the boundary survey by Sliger & Assoc., Inc. and Topographic Survey by Leon Hampton Land Survey and Consulting and Geotechnical report provided by Universal Engineering Sciences.

5. All elevations shown on these drawings refer to North American Vertical Datum of 1988 (NAVD 88).

6. These plans were based on the geotechnical report(s) . It is the contractor's responsibility to acquire a copy of the report(s) from the geotechnical engineer, familiarize themselves with the conditions as described in the report(s), and comply with all recommendations made in the report(s) specifically for soil preparation on the site. It is the contractor's responsibility to obtain a copy all supplemental reports for this project from the owner and to follow the supplemental reports' recommendations.

7. Geotechnical recommendations or recommendations as provided in supplemental reports by others are not the responsibility of DEWBERRY, who has relied upon the referenced geotechnical report(s) in the preparation of the plans. Any conflict between information contained in the report(s) and these plans shall be reported to the engineer and owner immediately and in writing. Dewberry assumes no responsibility for the correctness, completeness, or accuracy of the report(s). When the plans and/or specifications contain the results of a soils survey, the contractor shall not assume the information is a guarantee of the depth, extent or character of material present. It is the responsibility of the contractor to make a necessary examination of the site and of any material sources indicated on the plans to be informed of the conditions under which construction is to occur.

8. The contractor shall obtain from the owner copies of permits for all agencies having jurisdiction, such as governmental, regulatory or local entities. The contractor shall be expected to review and abide by all the terms, conditions, requirements and limitations set forth in all of these permits. A copy of the permits shall be kept on the construction site and made available for review at all times.

9. The standards and specifications as listed herein, the geotechnical report(s), boundary and topographic survey(s), and required permits are hereby incorporated along with the plans by DEWBERRY as the complete "Site Civil Construction Documents."

10. If items appearing to be historical or archeological artifacts are discovered at any time during construction within the project limits, immediate notification shall be provided to the owner, the engineer, and the Bureau of Historical Preservation, Division of Historical Resources R.A. Gray Building, 500 S. Bronough St. Tallahassee, Florida 32399-0250.

11. All traffic control signs shall be fabricated in accordance with the manual of uniform traffic control devices using 3M brand "Scotchlite" diamond grade sheeting on minimum 0.080 gauge 5052 H-38 aluminum blanks. All warning signs shall be 36"x36". All stop signs shall be diamond grade 36" octagon installed on 12 ft long, 3 3/4" "U" channel posts or 3"x12" round aluminum posts. All round posts shall be installed with anchor plates to prevent post rotation. "U" channel posts may be used for all signs smaller than 36"x48". All street name signs shall be fabricated using 3M diamond grade reflective sheeting only on minimum 0.063 gauge double-blade, 5052 H-38 aluminum blanks, assembled with one ..." diameter rivet in the middle of each end through punched punched/drilled 1" from the top and bottom center edges of the street name signs to fit a 24" twist bracket. The finished street name signs shall be 9" in height with the 5" high upper and lower case white letters on a green background with a ..." outside white border. The twist for street name signs shall be 1" from the top end, ..." diameter punched/drilled holes shall be provided for the twist bracket ..." from each end; 2" from the top end and three (3) ..." diameter holes shall be punched/drilled 4" from each end; 2" from the top end and three (3) ..." diameter holes shall be punched/drilled 4", 6" and 13" from the bottom and of the twist bracket.

12. All pavement markings and striping within county right of ways and city right of ways, if applicable, will be thermoplastic and will be installed in accordance with FDOT Standard Plans, Index 711-001.

13. The contractor is required to provide for ongoing maintenance of all traffic control devices to insure that weeds, trees, shrubbery, and construction, maintenance and utility materials and equipment do not obscure the face of any sign.

CONTRACTOR RESPONSIBILITIES

1. Contractor shall familiarize himself with the site, including all surface and subsurface conditions, the work required and all other conditions that may effect the successful completion of the job prior to commencement of work.

2. The location of existing utility services, facilities, and structural features shown on these plans have been determined from the best information and are provided for the convenience of the contractor. The engineer does not guarantee the accuracy or the completeness of the location information provided. Any inaccuracy or omission in such information shall not relieve the contractor of his responsibility to protect the existing features from damage or unscheduled interruption of service. Should a discrepancy arise between these plans and actual field conditions, which would appreciably affect the execution of these plans, the contractor shall stop all construction and notify the engineer immediately.

3. The contractor shall give all notices and comply with all laws, ordinances, rules, regulations and permit conditions bearing on the conduct of the work, as drawn and specified. If the contractor observes that the drawings and specifications are at variance therewith, he shall promptly notify the engineer, in writing, and any necessary changes shall be adjusted, as provided in the agreement for changes in the work.

4. The contractor shall be responsible for the maintenance of all landscape buffers, retention and detention facilities until the project has been accepted by the owner. All disturbed areas shall be returned to equal or better condition.

5. The contractor shall be responsible to the owner and the engineer for the acts and omissions of contractor's employees and all his subcontractors and their agents and employees and other persons performing any of the work under a contract with the contractor.

6. All work and furnished materials shall be in reasonable conformity with the lines, grades, grading sections, cross sections, dimensions, material requirements and testing requirements that are specified in the contract, plans, details or specifications.

7. The contractor shall be responsible for making all necessary arrangements with governmental departments, public utilities, public carriers, service companies, and corporations owning or controlling roadways, railways, water, sewer, gas, electrical, telephone, and telegraph facilities such as pavements, tracks, piping, wires, cables, conduits, poles, guys, or other similar facilities, including incidental structures connected therewith that are encountered in the work in order that such items may be properly supported, protected or located.

8. Prior to commencing work, the contractor shall furnish, erect and maintain all barricades, lights, warning signs, and pavement markings for hazards and the control of traffic through the construction zone in conformity with the all agencies having jurisdiction standards to effectively prevent accidents at all locations where construction causes an obstruction to the normal flow of traffic or creates a hazard in any way to the public.

9. In the event the contractor discovers any errors or omissions in the plans he shall immediately notify the owner or owner's agent.

10. The contractor shall comply with all legal load restrictions in the hauling of materials on public roads beyond the limits of the work. A special permit will not relieve the contractor of liability for any damage that may result from the moving of materials and equipment.

11. The contractor shall be responsible for protecting all existing survey monumentation, such as the preservation of all permanent reference monuments, permanent control points, permanent bench marks, property corners, points or markers. In the event any monumentation is disturbed, it shall be restored by a Florida licensed surveyor and mapper selected by the owner at the contractor's expense.

12. The owner, owner's representatives and inspectors of applicable government agencies having jurisdiction, shall at all times have access to the work site wherever and whenever it is in preparation or progress. The contractor shall provide proper facilities for such access and inspections.

13. It is the contractor's responsibility to take all reasonable and prudent precautions to insure that all completed work, materials and equipment stored on site are safe and secured from unauthorized access or use. Such precautions may include installation of signs, fences, or posting of security guards.

CONTRACTOR SHALL, AT ALL TIMES, UTILIZE ALL NORMALLY ACCEPTED AND REASONABLY EXPECTED SAFETY PRACTICES AND COMPLY WITH ALL FEDERAL, STATE AND LOCAL REGULATIONS, ORDINANCES AND GUIDELINES PERTAINING TO SAFE UTILIZATION OF EQUIPMENT OR MATERIALS AS PUBLISHED BY MANUFACTURER.

Adequate traffic control, signage, barricades and flagman services shall be furnished and maintained by the contractor at all points where construction equipment engaged in work enters onto or crosses functioning traffic-carrying roadway.

Those parts of work in place that are subject to damage because of operations being carried on adjacent thereto shall be covered, boarded up or substantially enclosed with adequate protection by the contractor at contractor's expense, protecting work completed.

PAVING, GRADING & DRAINAGE

1. The contractor shall perform all work pertaining to drainage including excavation of stormwater management ponds or equivalent facilities prior to the commencement of other work included in these plans.

2. The contractor shall stake all improvements using the record plat. The contractor shall verify with the engineer that the plat is correct prior to any construction. If a plat does not exist, contractor is to verify use of the survey for layout with engineer prior to starting work. It is the contractor's responsibility to completely stake and check all improvements to insure correct positioning, both horizontal and vertical, including minimum building setbacks prior to the installation of any improvement. Any discrepancy between platted information and the plans shall be reported to the engineer immediately and in writing.

3. Prior to initiating any excavation (including but not limited to tunnels, ditches, storm water ponds, canals, artificial lakes) contractor shall install fences and take all other reasonable and prudent steps to insure that access to excavation by unauthorized personnel is prevented.

4. All drainage structures are to be traffic bearing unless otherwise noted. All precast circular structures shall be constructed with a minimum 5-inch wall thickness and have steel angle iron frame. All structures in paved areas to have steel rectilinear grates with H-20 loading.

5. All proposed paving surfaces in intersections and adjacent existing sections shall be graded to drain positively in the direction shown by the proposed grades and flow arrows on the plans and to provide a smoothly transitioned driving surface for vehicles with no sharp breaks in grade, and no unusually steep or reverse cross slopes. Approaches to intersections and entrance and exit grades to intersections may require minor local field adjustments should actual conditions vary from the surveyed information the design was based upon in order to accomplish the intent of the plans. In addition, the standard crown will have to be changed in order to drain positively in the area of intersections. It is the contractor's responsibility to accomplish the above and consult the engineer as needed to make any and all required interpretations of the plans or give supplementary instructions should the intent of the plans be unclear.

6. Construction of roadways shall meet the minimum standards and specifications of the local agency(s) having jurisdiction and the minimum suggested sections as outlined in the soils report's recommendations, unless otherwise noted.

7. The contractor is responsible for removing any excess cuts or supplying fill as necessary to grade the site to the proposed elevations as designed within the construction documents.

8. If limestone bedrock is encountered during excavation of the retention basins or a sinkhole or solution cavity forms during construction, excavation of the basin must be halted immediately, the owner, engineer, and water management district must be notified, and remedial action will be required. The permittee must inspect all permitted surface water management basins monthly for the occurrence of sinkholes and document these inspections on water management district condition compliance form number EN-33. Two copies of the completed forms must be sent to the water management district and the local agency having jurisdiction annually by May 31st. of each year. The permittee must report any sinkhole that develops within the surface water management system. The permittee must notify the water management district and local agency having jurisdiction of any sinkhole development in the surface water management system within 48 hours of its discovery and complete sinkhole repair within 10 days of such discovery using a district approved methodology.

9. After the roadway has been constructed to subgrade, it shall be proof-rolled to assure that proper compaction has been attained. The proof-rolling and compaction operations shall be inspected and tested by a Florida licensed geotechnical engineer to assure that the specified compaction is maintained and all deleterious materials have been removed.

10. The contractor shall insure that a minimum soil density of 98% compaction is achieved unless otherwise noted for placement of all headwall/endswall footings, retaining wall footings, and in general, any footing support described on these plans. It will also be the responsibility of the contractor to insure that sufficient geotechnical testing and design has been performed prior to construction.

11. Blue reflective pavement markers shall be placed in the center of the driving lane opposite each fire hydrant.

12. Storm pipe lengths shown on the plans include mitered end sections. If the contractor elects to use an approved alternate, the pipe lengths must be adjusted.

13. Inlet offsets are to the centerlines shown on F.D.O.T. design standards indexes.

14. The contractor is responsible for paving all roadways to drain positively. Intersections shall be transitioned to provide a smooth driving surface while maintaining positive drainage. If an area of poor drainage is observed, the contractor shall notify the engineer prior to paving so that a solution or recommendation for correction may be made.

15. All reinforced concrete pipe (R.C.P.) shall be minimum Class III, unless otherwise approved or noted on the plans or specifications.

16. All stormwater pipe joints shall be wrapped with filter fabric.

17. The contractor shall ensure that proper soil densities are achieved for placement of all headwall/endswall footings, retaining walls, and in general, any footing support described on these plans. It will also be the responsibility of the contractor to insure that sufficient soils testing has been performed prior to construction.

18. In other areas which will require fill material, the contractor will strip or otherwise remove all vegetation such as brush, heavy sods, heavy growth of grass, decayed vegetable matter, rubbish and any other deleterious material before embankment is started. Immediately prior to the placing of fill materials, the entire area upon which fill is to be placed, shall be scarified in a direction approximately parallel to the axis of fill. The soils engineer, working on behalf of the owner will approve the area prior to the placement of fill.

EROSION CONTROL

1. The contractor shall comply with all federal, state and local laws and all regulations controlling pollution of the environment.

2. The contractor shall develop and implement a stormwater pollution prevention plan (SWPPP) according to EPA/FDEP NPDES criteria to minimize erosion and insure proper functioning of storm water management system upon completion of construction. In addition to meeting EPA/FDEP NPDES criteria, the SWPPP shall be submitted to and comply with local agency having jurisdiction's minimum erosion control criteria.

3. Contractor shall execute all measures necessary to limit the transportation of sediments outside the limits of the project to the volume and amount as those that exist prior to commencement of construction. This condition must be satisfied until project is fully completed and accepted. Contractor shall provide routine maintenance on temporary erosion control features at his expense. Provision must be made to preserve the integrity and capacity of check weirs, sediment basins, slope drains, grading patterns, etc. Required to meet this provision through out the life of construction. Contractor shall provide silt barriers, murrat filters, temporary grasspits, etc., as required to fully comply with the intent of this specification. Contractor shall provide continuous monitoring of erosion and sediment controls taken and shall document all corrective measures. A copy of the approved SWPPP shall be kept on site at all times for review by owner's representative and by NPDES inspectors. This permit must be submitted to City of Deland by the contractor upon receipt.

4. The owner and/or contractor shall provide a notice of intent in accordance with criteria set forth in the NPDES permit requirements 48 hours prior to beginning construction, clearing, or demolition.

5. Provide effective permanent erosion control following the requirements in Section 104 of the State Dept. of Transportation standards specifications for road and bridge construction, latest edition. (F.D.O.T. Section 104)

6. Inlets and catch basins shall be protected from sedimentation resulting from surface runoff until completion of all construction operation that may cause sediment runoff. Filter fabric shall be placed and maintained under the grate and filter socks placed in front of the throat of curb inlets, during construction.

7. Turbidity barriers must be installed at all locations where the possibility of transferring sediments and suspended solids into the receiving water body exists due to construction. Turbidity barriers shall remain in place until construction is completed, soils are stabilized and vegetation has been established.

8. All slopes 5:1 or greater shall be sodded. All pond slopes and rights-of-way shall be sodded.

9. In accordance with FDEP and Water Management District permits, all disturbed areas shall be seeded and mulched within 7 days of no construction activities.

DEMOLITION AND CLEARING

1. Prior to construction, the contractor shall clearly designate the limits of construction on-site. The contractor shall not perform any work outside the limits of construction.

2. The contractor shall be extremely cautious when working near trees that are to be saved, whether shown in the plans or designated in the field.

3. All practical and necessary effort shall be taken during construction to prevent unnecessary tree removal.

4. Any proposed cut or fill material to be removed or placed within the drip line of specimen trees to remain, including trenching for proposed improvements such as utilities, will require the advanced pre-treatment of each impacted tree by a qualified arborist or at the direction of the landscape architect to minimize the potentially adverse impacts of construction.

5. Tree protection barricades or equivalent protective measures will be constructed according to the local jurisdiction's criteria for trees to remain within the limits of construction.

6. In areas requiring fill material, the contractor shall strip or otherwise remove all vegetation such as brush, heavy sods, heavy growth of grass, decayed vegetation matter, rubbish and any other deleterious material before embankment is placed. Immediately prior to the placing of fill material, the entire area upon which fill is to be placed, shall be scarified in a direction approximately parallel to the axis of fill. he geotechnical engineer shall approve the area prior to the placement of fill.

7. No onsite burning will be allowed.

PUBLIC RIGHTS-OF-WAY

1. The contractor shall coordinate all work within public rights-of-way with the respective local agency(s) having jurisdiction (city or county) Director of Public Works and the jurisdiction's engineer. In addition, any work within a state road right-of-way must be approved and coordinated with the FDOT through the local maintenance office for each district.

2. Prior to performing any work within any public or utility right-of-way, contractor shall obtain authorization and permit from all jurisdictions responsible for such right-of-way.

3. Prior to performing any work within any public right-of-way, contractor shall develop and submit a maintenance of traffic plan to the local agency having jurisdiction over said ROW for their approval. This plan must meet the minimum requirements as outlined in the "Manual On Uniform Traffic Control Devices" published by the U.S. Department of Transportation, Federal Highway Administration and the Florida Department Of Transportation design standards.

UTILITIES

UTILITY PROVIDERS:

WATER & SEWER

City of Deland

DeLand, FL. 32720

(386) -----

TELEPHONE

AT&T

1760 W. INTERNATIONAL

SPEEDWAY BLVD., #100

DAYTONA BEACH, FL 32114

(800) 778-9140

GAS

FLORIDA PUBLIC UTILITIES

450 S. HWY 17-92

DEBARY, FL 32713

(386) 624-8883

TELEPHONE, FIBER

CENTURYLINK

(801) 364-1063

CABLE

CHARTER COMMUNICATIONS

(800) 778-9140

ELECTRIC

DUKE ENERGY

400 N. SPRING GARDEN AVE.

DELAND, FL 32720

(800) 778-9140

1. The existing utilities shown are approximate. The contractor shall field locate all existing utilities as to size, location, and elevation. The contractor shall notify the engineer of any and all conflicts prior to beginning construction.

2. The contractor shall be responsible for locating and verifying size, type, location, and elevation of all existing utilities prior to construction and notifying the involved utility providers to make any necessary arrangements for relocation, disruption of service, or clarification of activity regarding said utility. The contractor shall use extreme caution when crossing an underground utility, whether shown on these plans or field located. The respective utility providers shall relocate utilities that interfere with the proposed construction and the contractor shall cooperate with the utility providers during relocation operations. Any delay or inconvenience caused by the involved utilities shall be incidental to the contract. The contractor shall conform to Florida Statute Chapter 556 and the Sunshine State One-Call of Florida.

3. Contractor shall notify all utility owners and the Sunshine Underground Utilities Notification Center at 1-800-432-4770 at least 72 hours prior to start of work. Contractor is responsible for continual maintenance of all utility locates, flags, marking, etc. cetera through the entire duration of construction.

4. Utility services to the proposed building(s) shall terminate 5 feet outside of the building unless otherwise noted. Prior to construction, the contractor shall review building architectural and plumbing plans to verify proper continuation of the proposed utilities for location, alignment and elevation(s) for each service to the building(s). Should utility service laterals shown on the site civil construction plans not correspond with building architectural or plumbing plans the contractor shall notify the engineer immediately.

5. The power distribution system shall be designed and installed by the power service provider. The contractor shall coordinate with said power service provider to insure proper construction phasing is achieved, and to allow the installation of street crossings, sleeves, conduits, poles, transformers, and other required equipment. It is the owner's responsibility to acquire any necessary easements as a result of the power service provider's design and respective installation locations.

SEAL

Digitally signed by
Renardo Malave
Reason: This item has
been digitally signed
and sealed by Renardo
Malave PE on the date
adjacent to the seal.
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Date: 2022.05.13
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Renardo Malave
FL PE # 31588
May 10, 2022

KEY PLAN

SCALE

NORTH

NO.

DATE

BY

DESCRIPTION

REVISIONS

DRAWN BY

TZ

APPROVED BY

RM

CHECKED BY

DC/GL

DATE

5/11/2022

TITLE

GENERAL NOTES

PROJECT NO.

50131479

C02

SHEET NO.

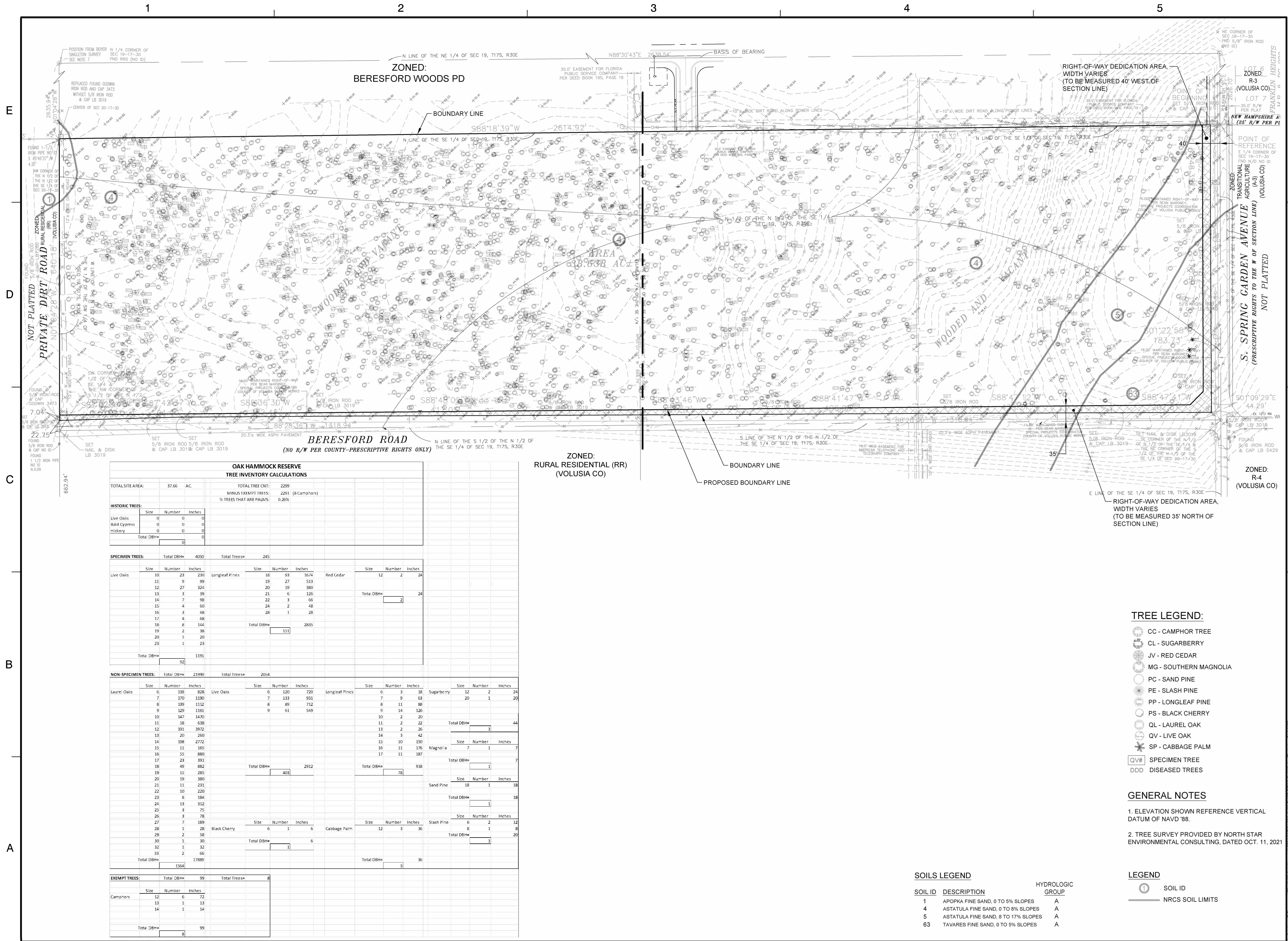
Dewberry Engineers Inc.

110 WEST INDIANA AVENUE
SUITE 202
DELAND, FLORIDA 32720
PHONE: 386.785.0468
ENGINEERING BUSINESS -8794

OAK HAMMOCK
RESERVE

SPRING GARDEN AVE. S. (CR 4127)
& W. BERESFORD RD.
DELAND, FLORIDA 32738

Page 152 of 229





Dewberry Engineers Inc.
110 WEST INDIANA AVENUE
SUITE 202
DELAND, FLORIDA 32720
PHONE: 386.785.0466
ENGINEERING BUSINESS #794

OAK HAMMOCK RESERVE

SPRING GARDEN AVE. S. (CR 4127)
& W. BERESFORD RD.
DELAND, FLORIDA 32738

SEAL

Reinaldo Malave
FL PE # 31588
May 10, 2022

Digitally signed by Reinaldo Malave
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KEYPLAN 05-13 085624-0070

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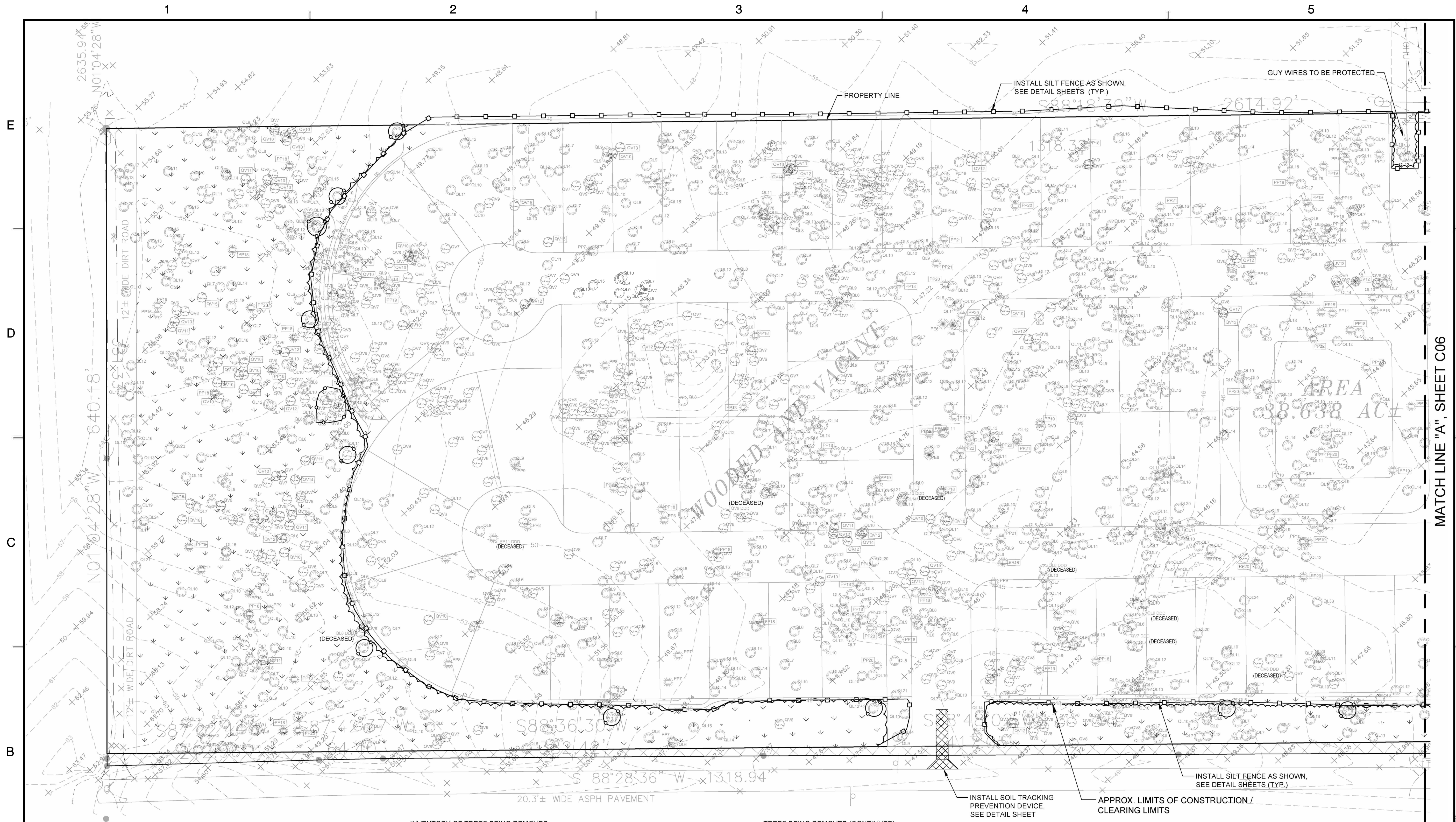
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CHECKED BY DC/GL			
DATE 5/11/2022			
TITLE			

EXISTING CONDITIONS PLAN

PROJECT NO. 50131479

C04

SHEET NO.



OAK HAMMOCK RESERVE			
TREE REMOVAL & REPLACEMENT CALCULATIONS			
Based on the Nov. 2021 plans by Dewberry.			
Site Tree Data:			
Total Construction Area:	37.66 AC.	Total Specimen on site:	245
Total Tree Cnt:	2291	(Per AC.)	6.5
Total Trees to be Removed:	1816		
Total Trees to Remain:	475		
Total DBH of Non-Specimens to Remain:	4980	Specimen to be removed:	195
% Trees that are Palms:	0.26%	% Specimen to be protected:	20%
Historic Trees on Site:	0	Total DBH of Specimens to Remain:	715
Required Replacement Amounts: (DBH)			
Non-Specimen Removed =	17010 @ 33% Replacement =	5,613	
Specimen Removed =	3335 @ 50% Replacement =	1,668	
Historic Removed =	0 @ 100% Replacement =	0	
		TOTAL =	7,281
Note: (8) Exempt Trees @ 99 DBH not included in replacement calculations.			

INVENTORY OF TREES BEING REMOVED:											
SPECIMEN TREES:				Total Trees= 195				Total Trees= 195			
Size	Number	Total DBH= 3355	Inches	Size	Number	Inches		Size	Number	Inches	
Live Oaks	10	11	110	Longleaf Pines	18	82	1476	Red Cedar	12	2	24
	11	2	22		19	24	456				
	12	21	252		20	17	340				
	13	2	26		21	6	126				
	14	6	84		22	3	66				
	15	3	45		23	2	46				
	16	1	16		24	1	24				
	17	4	68		25	1	25				
	18	5	90		26	2	52				
	19	2	38		27	3	81				
	20	1	20		28	0	0				
Total DBH=	58	771		Total DBH=	135	2540		Total DBH=	2	24	

TREES BEING REMOVED (CONTINUED):											
NON-SPECIMEN TREES:				Total Trees= 1621				Total Trees= 1621			
Size	Number	Total DBH= 10610	Inches	Size	Number	Inches		Size	Number	Inches	
Laurel Oaks	6	308	648	Live Oaks	7	94	564	Magnolia	7	1	7
	7	132	924		8	109	763				
	8	111	888		9	46	452				
	9	134	1206		10	113	1130				
	10	30	350		11	272	2664				
	11	12	156		12	165	2310				
	12	15	165		13	7	84				
	13	14	165		14	165	2310				
	14	15	165		15	7	84				
	15	16	168		16	16	168				
	16	17	174		17	17	174				
	17	18	180		18	18	180				
	18	19	190		19	19	190				
	19	20	200		20	20	200				
	20	21	210		21	21	210				
	21	22	220		22	22	220				
	22	23	230		23	23	230				
	23	24	240		24	24	240				
	24	25	250		25	25	250				
	25	26	260		26	26	260				
	26	27	270		27	27	270				
	27	28	280		28	28	280				
	28	29	290		29	29	290				
	29	30	300		30	30	300				
	30	31	310		31	31	310				
	31	32	320		32	32	320				
	32	33	330		33	33	330				
	33	34	340		34	34	340				
Total DBH=	1245	14096		Total DBH=	54	568		Total DBH=	3	36	

MINUS 1,907 DBH OF SMALL TREES WITHIN TREE PROTECTION AREA = 5,374 DBH (MINIMUM TO BE PLANTED OR MITIGATED). (SEE SHEET C06A FOR SMALL TREE MITIGATION PLAN)

CONSTRUCTION NOTE:
ALL TREES WITHIN THE CLEARING LIMITS ARE TO BE REMOVED.

TREE LEGEND

- CC - CAMPHOR TREE
- CL - SUGARBERRY
- JV - RED CEDAR
- MG - SOUTHERN MAGNOLIA
- PC - SAND PINE
- PE - SLASH PINE
- PP - LONGLEAF PINE
- PS - BLACK CHERRY
- QL - LAUREL OAK
- QV - LIVE OAK
- SP - CABBAGE PALM
- QV# - SPECIMEN TREE
- DDD - DISEASED TREES

LEGEND

- PROPOSED TREE BARRIER
- PROPOSED SILT FENCE
- TREE PROTECTION AREA

GENERAL NOTES

- ELEVATION SHOWN REFERENCE VERTICAL DATUM OF NAVD '88.
- TREE SURVEY PROVIDED BY NORTH STAR ENVIRONMENTAL CONSULTING, DATED OCT. 11, 2021

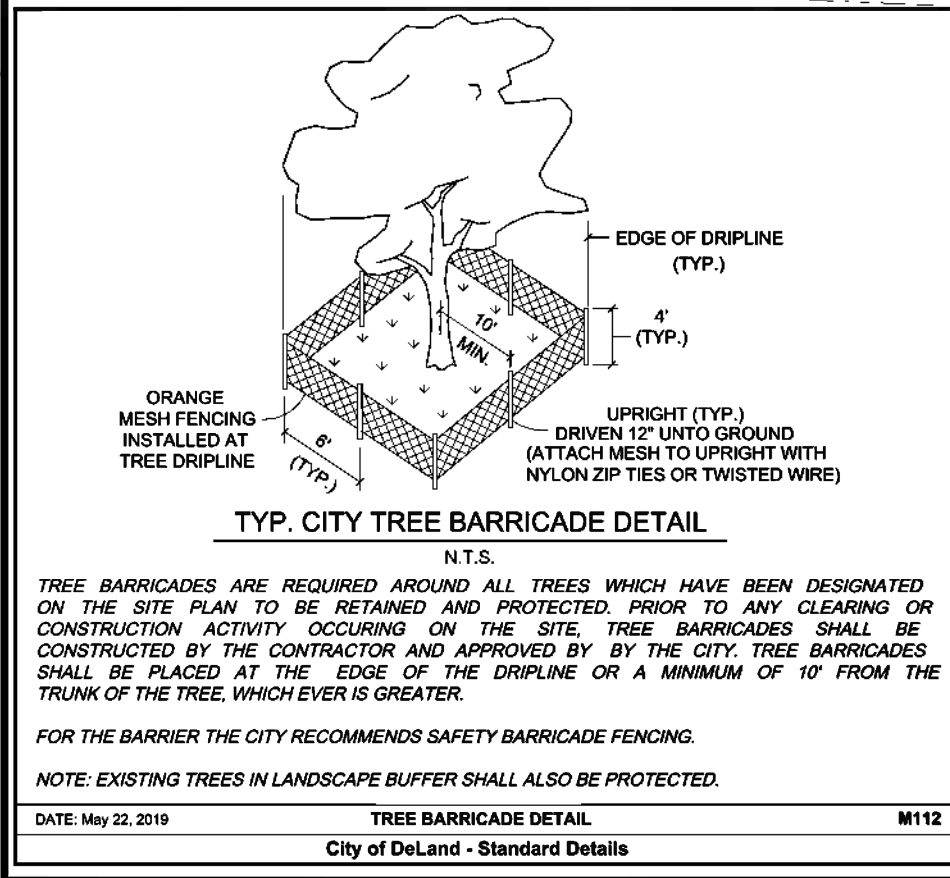
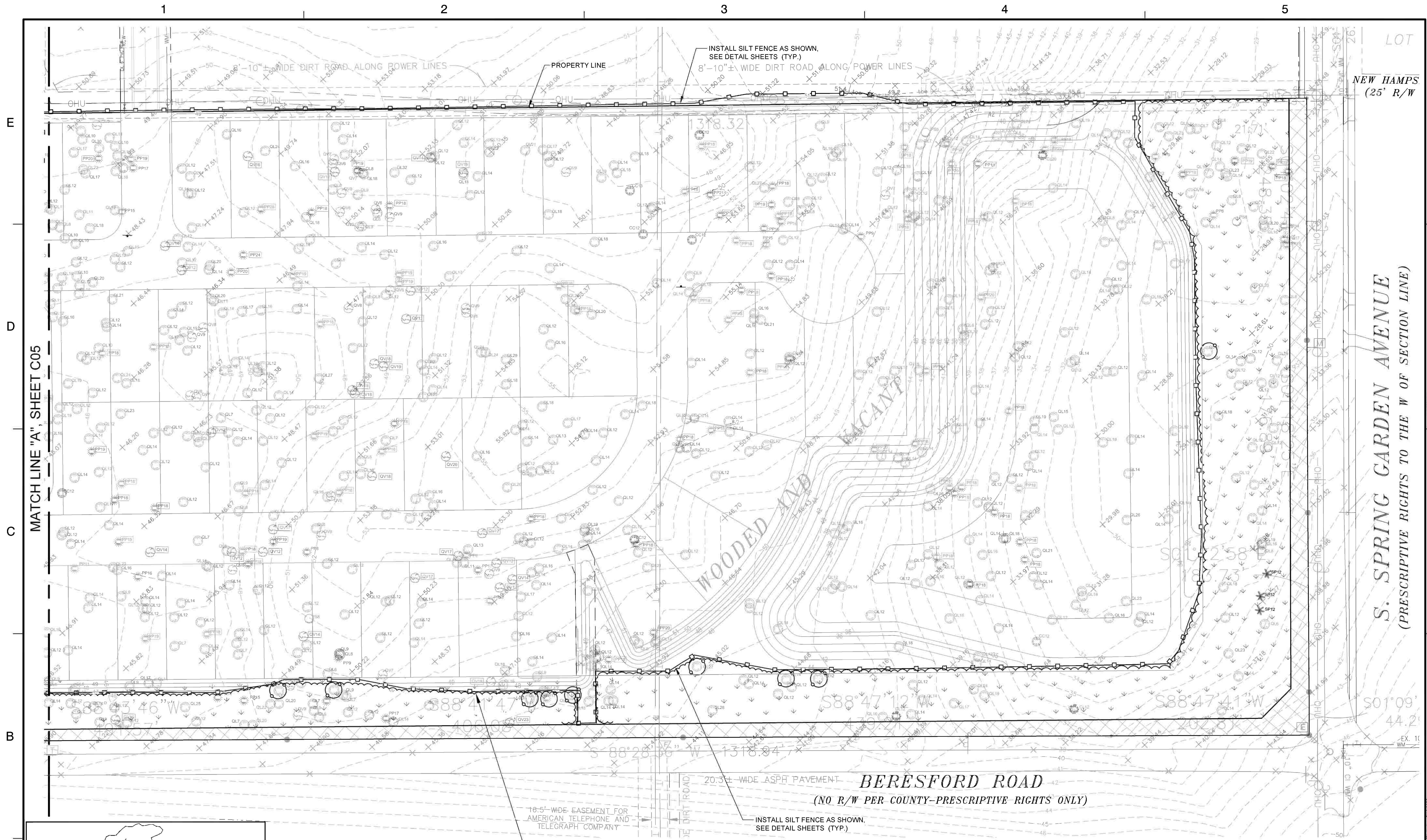
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PHONE: 386.85.0466
ENGINEERING BUSINESS #794

OAK HAMMOCK RESERVE
SPRING GARDEN AVE. S. (CR 4127)
& W. BERSFORD RD.
DELAND, FLORIDA 32738

SEAL
No. 31588
STATE OF FLORIDA
Professional Engineer
Reinaldo Malave
May 10, 2022
Digitally signed by Reinaldo Malave
Reason: This item has been digitally signed and sealed by Reinaldo Malave PE on the date adjacent to the seal. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.
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CHECKED BY DC/GL
DATE 5/11/2022
TITLE
PROJECT NO. 50131479

EROSION CONTROL & TREE REMOVAL PLAN
C05
SHEET NO.



TREE PROTECTION REQUIREMENTS

- 1. PROTECT DESIGNATED EXISTING TREES SCHEDULED TO REMAIN AGAINST:
 - UNNECESSARY CUTTING, BREAKING OR SKINNING OF ROOTS
 - SKINNING AND BRUISING OF BARK
 - SMOTHERING OF TREES BY STOCKPILING CONSTRUCTION OR EXCAVATION MATERIALS WITHIN DRIP-LINE
 - TRENCHING
 - EXCESS FOOT OR VEHICULAR TRAFFIC
 - PARKING VEHICLES WITHIN DRIP-LINE
- 2. ERECT TEMPORARY WOODEN BARRICADES AS SHOWN ON THIS SHEET (PLAN & DETAIL) BEFORE COMMENCEMENT OF ANY SITE CLEARING, GRADING, OR CONSTRUCTION. FENCE TO BE 4' HIGH MINIMUM WIDTH 2" X 4" POST SET DEEP ENOUGH IN THE GROUND TO BE STABLE WITHOUT ADDITIONAL SUPPORT. HORIZONTAL FENCE SHOULD BE AT MINIMUM PLACED AT POINTS NOT CLOSER THAN THE DRIP LINE OF ANY TREES AND SHALL FULLY ENCLOSE ALL TREES SCHEDULED TO REMAIN. NOTHING SHALL BE PLACED INSIDE OF PROTECTIVE BARRICADES INCLUDING BUT NOT LIMITED TO CONSTRUCTION MATERIAL, MACHINERY, CHEMICALS OR TEMPORARY SOIL DEPOSITS. WHEN PAVING, EXCAVATION OR HARDSCAPE MUST BE ONE WITHIN BARRICADES. BARRICADES SHALL BE MOVED BACK TO A SECONDARY LOCATION AT EDGE OF WORK. EXTRA CARE MUST BE TAKEN AT THIS TIME BY THE CONTRACTOR TO INSURE THAT NO DAMAGE TO THE TREE OCCURS.
- 3. PROVIDE WATER TO TREES AS REQUIRED TO MAINTAIN THEIR HEALTH DURING CONSTRUCTION WORK.
- 4. WHEN NECESSARY TO CUT ROOT OVER 1" DIAMETER OF TREES TO REMAIN, CUT MUST BE A CLEAN CUT. TEMPORARILY COVER EXPOSED ROOTS WITH WET BURLAP TO PREVENT DRYING AND COVER WITH EARTH AS SOON AS POSSIBLE.

- 5. NO GRADE CHANGES ARE TO BE MADE WITHIN THE BARRICADES WITHOUT PRIOR APPROVAL OF THE MUNICIPALITY'S CURRENT PLANNING MANAGER OR HIS DESIGNATED REPRESENTATIVE.
- 6. NO ATTACHMENTS OR WIRES OTHER THAN THOSE OF A PROTECTIVE OR NON-DAMAGING NATURE SHALL BE ATTACHED TO ANY TREE.
- 7. INTERFERING BRANCHES MAY BE REMOVED BY A QUALIFIED ARBORIST AT THE DIRECTION OF THE OWNER OR HIS DESIGNATED REPRESENTATIVE.
- 8. REPAIR OR REPLACE TREES INDICATED TO REMAIN, WHICH ARE DAMAGED IN THE CONSTRUCTION OPERATIONS, IN A MANNER ACCEPTABLE TO THE OWNER. EMPLOY A QUALIFIED ARBORIST TO REPAIR MAJOR DAMAGES TO TREES AND SHRUBS, PROMPTLY, TO PREVENT PROGRESSIVE DETERIORATION CAUSED BY THE DAMAGE.
- 9. GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE REPLACEMENT OF TREES DESTROYED OR SUBJECT TO MAJOR DAMAGE BEYOND REPAIR AS DETERMINED BY THE MUNICIPALITY'S CURRENT PLANNING MANAGER AND SHALL BE REPLACED BEFORE OCCUPANCY UNLESS REMOVAL HAS BEEN PERMITTED BY THE MUNICIPALITY. IF TREES ARE HARMED THROUGH LACK OF PROTECTION OR THROUGH NEGLIGENCE ON THE PART OF THE CONTRACTOR, THE CONTRACTOR SHALL BEAR THE BURDEN OF COST OF REPAIR OR REPLACEMENT.
- 10. PROTECTIVE BARRIER ZONES SHALL REMAIN IN PLACE AND INTACT UNTIL SUCH TIME AS LANDSCAPE OPERATIONS BEGIN OR CONSTRUCTION IS COMPLETE, WHICHEVER OCCURS FIRST.

- 11. THE CONTRACTOR SHALL ENGAGE A QUALIFIED ARBORIST WHO HAS SUCCESSFULLY COMPLETED TREE PROTECTION AND TREE TRIMMING WITH FIVE YEARS OR MORE EXPERIENCE, TO PERFORM THE FOLLOWING WORK:
 - A. CONTRACTOR SHALL PROTECT EXISTING VEGETATION TO REMAIN AS SHOWN ON DRAWINGS OR BY MEANS APPROVED BY THE OWNER'S REPRESENTATIVE.
 - B. CONTRACTOR TO CLEAN, PRUNE, AND SHAPE EDGES OF EXISTING VEGETATION AS DIRECTED BY OWNER'S REPRESENTATIVE. CREATE SMOOTH BED LINES AROUND EXISTING VEGETATION.
 - C. PERFORM INITIAL PRUNING OF BRANCHES AND STIMULATION OF ROOT GROWTH WHERE REMOVED TO ACCOMMODATE NEW CONSTRUCTION.
 - D. PERFORM TREE REPAIR WORK FOR DAMAGE INCURRED BY NEW CONSTRUCTION.
 - E. CONTRACTOR SHALL REPLACE (BY EQUAL SIZE AND QUALITY) ANY AND ALL EXISTING PLANT MATERIAL DISTURBED OR DAMAGED BY PLANT REMOVAL, RELOCATION, AND/OR INSTALLATION WORK.
 - F. IF TREES ARE RELOCATED, CONTRACTOR SHALL PROVIDE TEMPORARY IRRIGATION SYSTEM.

GENERAL NOTES

- 1. ELEVATION SHOWN REFERENCE VERTICAL DATUM OF NAVD '88.
- 2. TREE SURVEY PROVIDED BY NORTH STAR ENVIRONMENTAL CONSULTING, DATED OCT. 11, 2021

CONSTRUCTION NOTE:
ALL TREES WITHIN THE CLEARING LIMITS ARE TO BE REMOVED.

TREE LEGEND

- CC - CAMPHOR TREE
- CL - SUGARBERRY
- JV - RED CEDAR
- MG - SOUTHERN MAGNOLIA
- PC - SAND PINE
- PE - SLASH PINE
- PP - LONGLEAF PINE
- PS - BLACK CHERRY
- QL - LAUREL OAK
- QV - LIVE OAK
- SP - CABBAGE PALM
- QV# SPECIMEN TREE
- DDD DISEASED TREES

LEGEND

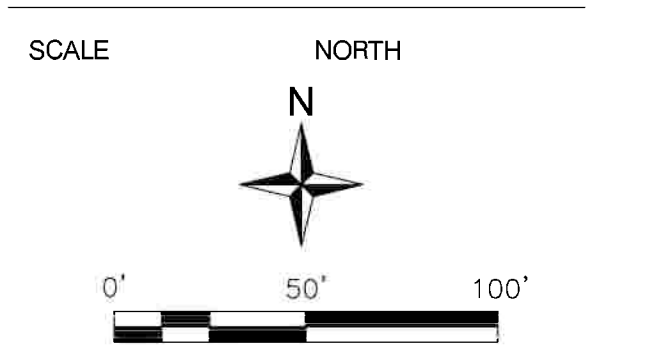
- PROPOSED TREE BARRIER
- PROPOSED SILT FENCE
- TREE PROTECTION AREA
- SPECIMEN TREE
- DISEASED TREES

Dewberry®
Dewberry Engineers Inc.
110 WEST INDIANA AVENUE
SUITE 202
DELAND, FLORIDA 32720
PHONE: 386.785.0466
ENGINEERING BUSINESS #794

OAK HAMMOCK RESERVE
SPRING GARDEN AVE. S. (CR 4127)
& W. BERESFORD RD.
DELAND, FLORIDA 32738

SEAL
Digitally signed by
Reinaldo Malave
No. 31588
FL PE # 31588
May 10, 2022

KEY PLAN



NO.	DATE	BY	DESCRIPTION

REVISIONS	
DRAWN BY	TZ
APPROVED BY	RM
CHECKED BY	DC/GL
DATE	5/11/2022
TITLE	

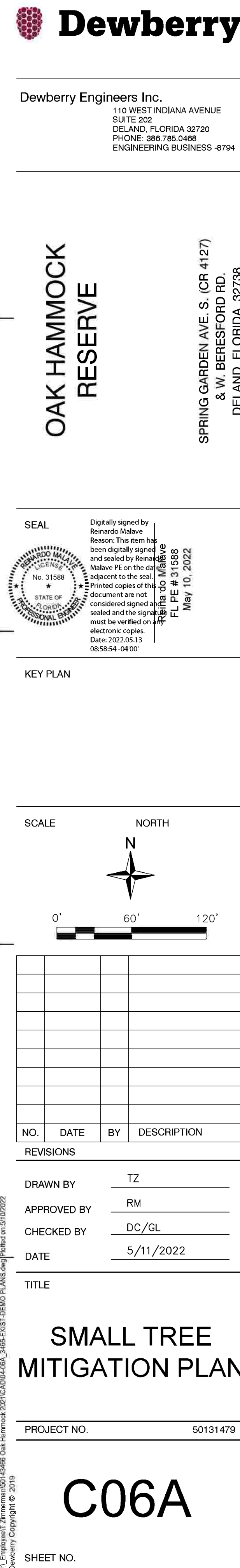
EROSION CONTROL & TREE REMOVAL PLAN
PROJECT NO. 50131479
C06
SHEET NO.

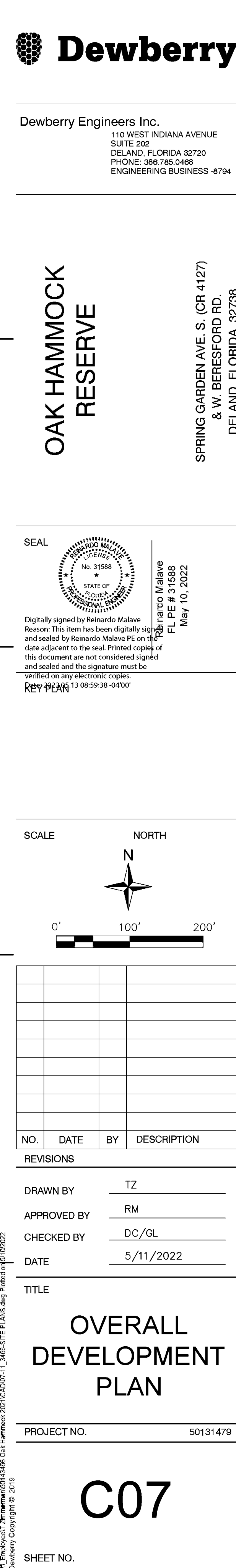
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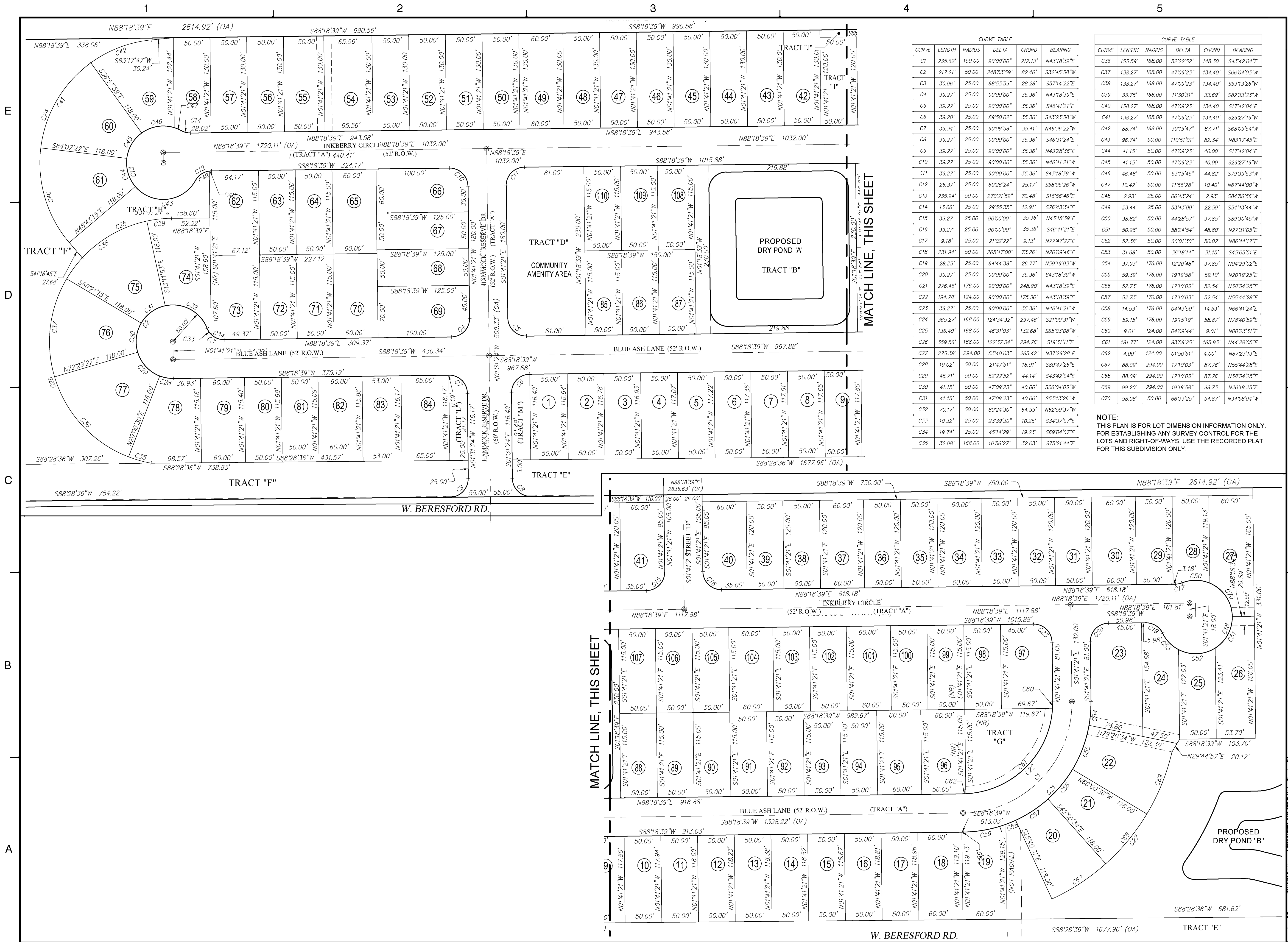
1. ELEVATION SHOWN REFERENCE VERTICAL DATUM OF NAVD '88.

2. TREE SURVEY PROVIDED BY NORTH STAR ENVIRONMENTAL CONSULTING, DATED JAN. 17, 2022

- MG - SOUTHERN MAGNOLIA
- PE - SLASH PINE
- PS - BLACK CHERRY
- QL - LAUREL OAK
- QV - LIVE OAK
- QN - WATER OAK







CURVE TABLE				
CURVE	LENGTH	RADIUS	DELTA	CHORD
C1	235.62'	150.00'	90°00'00"	212.13'
C2	217.21'	50.00'	248°53'59"	82.46'
C3	30.06'	25.00'	68°53'59"	28.28'
C4	39.27'	25.00'	90°00'00"	35.36'
C5	39.27'	25.00'	90°00'00"	35.36'
C6	39.20'	25.00'	89°50'02"	35.30'
C7	39.34'	25.00'	90°09'58"	35.41'
C8	39.27'	25.00'	90°00'00"	35.36'
C9	39.27'	25.00'	90°00'00"	35.36'
C10	39.27'	25.00'	90°00'00"	35.36'
C11	39.27'	25.00'	90°00'00"	35.36'
C12	26.37'	25.00'	60°26'24"	25.17'
C13	235.94'	50.00'	270°21'59"	70.48'
C14	13.06'	25.00'	29°55'35"	12.91'
C15	39.27'	25.00'	90°00'00"	35.36'
C16	39.27'	25.00'	90°00'00"	35.36'
C17	9.18'	25.00'	21°02'22"	9.13'
C18	231.94'	50.00'	265°47'00"	73.26'
C19	28.25'	25.00'	64°44'38"	26.77'
C20	39.27'	25.00'	90°00'00"	35.36'
C21	276.46'	176.00'	90°00'00"	248.90'
C22	194.78'	124.00'	90°00'00"	175.36'
C23	39.27'	25.00'	90°00'00"	35.36'
C24	365.27'	168.00'	124°34'32"	297.46'
C25	136.40'	168.00'	46°31'03"	132.68'
C26	359.56'	168.00'	122°37'34"	294.76'
C27	275.38'	294.00'	53°40'03"	265.42'
C28	19.02'	50.00'	21°47'51"	18.91'
C29	45.71'	50.00'	52°22'52"	44.14'
C30	41.15'	50.00'	47°09'23"	40.00'
C31	41.15'	50.00'	47°09'23"	40.00'
C32	70.17'	50.00'	80°24'30"	64.55'
C33	10.32'	25.00'	23°39'30"	10.25'
C34	19.74'	25.00'	45°14'29"	19.23'
C35	32.08'	168.00'	10°56'27"	32.03'

CURVE TABLE				
CURVE	LENGTH	RADIUS	DELTA	CHORD
C36	153.59'	168.00'	52°22'52"	148.30'
C37	138.27'	168.00'	47°09'23"	134.40'
C38	138.27'	168.00'	47°09'23"	134.40'
C39	33.75'	168.00'	11°30'31"	33.69'
C40	138.27'	168.00'	47°09'23"	134.40'
C41	138.27'	168.00'	47°09'23"	134.40'
C42	88.74'	168.00'	30°15'47"	87.71'
C43	96.74'	50.00'	110°51'01"	82.34'
C44	41.15'	50.00'	47°09'23"	40.00'
C45	41.15'	50.00'	47°09'23"	40.00'
C46	46.48'	50.00'	53°15'45"	44.82'
C47	10.42'	50.00'	11°56'28"	10.40'
C48	2.93'	25.00'	06°43'24"	2.93'
C49	23.44'	25.00'	53°43'00"	22.59'
C50	36.82'	50.00'	44°28'57"	37.85'
C51	50.98'	50.00'	58°24'54"	48.80'
C52	52.38'	50.00'	60°01'30"	50.02'
C53	31.68'	50.00'	36°18'14"	31.15'
C54	37.93'	176.00'	12°20'48"	37.85'
C55	59.39'	176.00'	19°19'58"	59.10'
C56	52.73'	176.00'	17°10'03"	52.54'
C57	52.73'	176.00'	17°10'03"	52.54'
C58	14.53'	176.00'	04°43'50"	14.53'
C59	59.15'	176.00'	19°15'19"	58.87'
C60	9.01'	124.00'	04°09'44"	9.01'
C61	181.77'	124.00'	83°59'25"	165.93'
C62	4.00'	124.00'	01°50'51"	4.00'
C63	88.09'	294.00'	17°10'03"	87.76'
C64	88.09'	294.00'	17°10'03"	87.76'
C65	99.20'	294.00'	19°19'58"	98.73'
C66	58.08'	50.00'	66°33'25"	54.67'

NOTE:
THIS PLAN IS FOR LOT DIMENSION INFORMATION ONLY.
FOR ESTABLISHING ANY SURVEY CONTROL FOR THE
LOTS AND RIGHT-OF-WAYS, USE THE RECORDED PLAT
FOR THIS SUBDIVISION ONLY.

Dewberry Engineers Inc.
110 WEST INDIANA AVENUE
SUITE 202
DELAND, FLORIDA 32720
PHONE: 386.785.0468
ENGINEERING BUSINESS #7994

OAK HAMMOCK
RESERVE

SPRING GARDEN AVE. S. (CR 4127)
& W. BERESFORD RD.
DELAND, FLORIDA 32738

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Date: 2022.05.13 09:02:22
04:07

KEY PLAN

SCALE

NORTH

NO.	DATE	BY	DESCRIPTION
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REVISIONS

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DRAWN BY: TZ

APPROVED BY: RM

CHECKED BY: DC/GL

DATE: 5/11/2022

TITLE: GEOMETRY PLAN

PROJECT NO.: 50131479

C07A

SHEET NO.

OAK HAMMOCK RESERVE

& W. BERESFORD RD.
DELAND, FLORIDA 32738

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SCALE NORTH

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APPROVED BY

CHECKED BY

DATE _____

TITLE

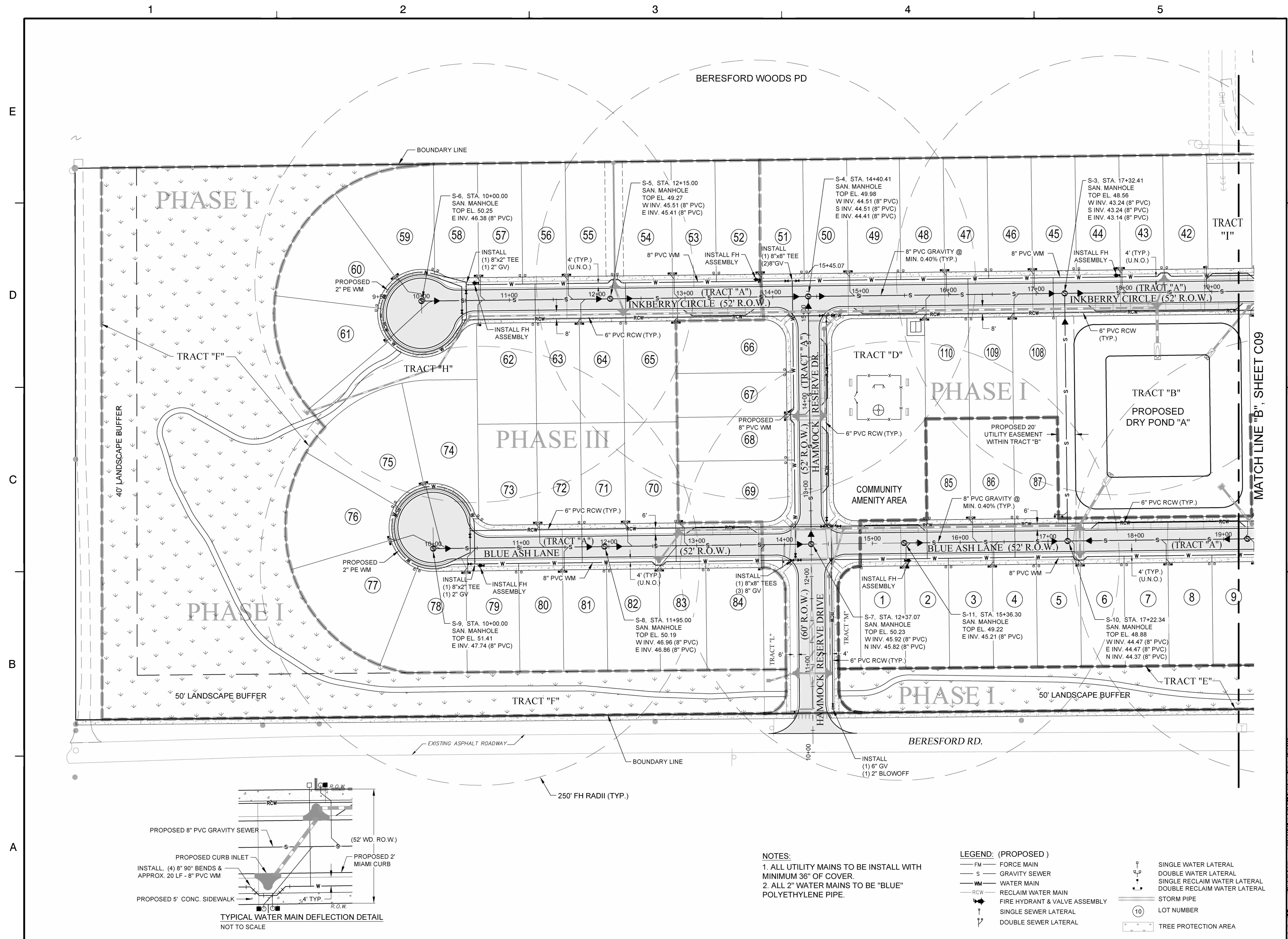
UTILITY PLAN

PROJECT NO. _____

0131479

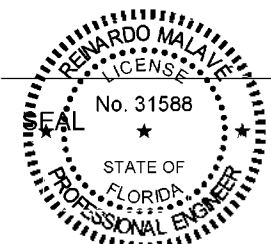
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SHEET NO.

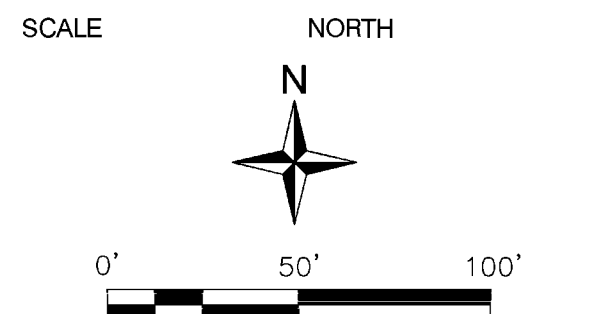


**OAK HAMMOCK
RESERVE**

SPRING GARDEN AVE. S. (CR 4127)
& W. BERESFORD RD.
DELAND, FLORIDA 32738



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KEY PLAN



NO.	DATE	BY	DESCRIPTION

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APPROVED BY	RM
CHECKED BY	DC/GL
DATE	5/11/2022

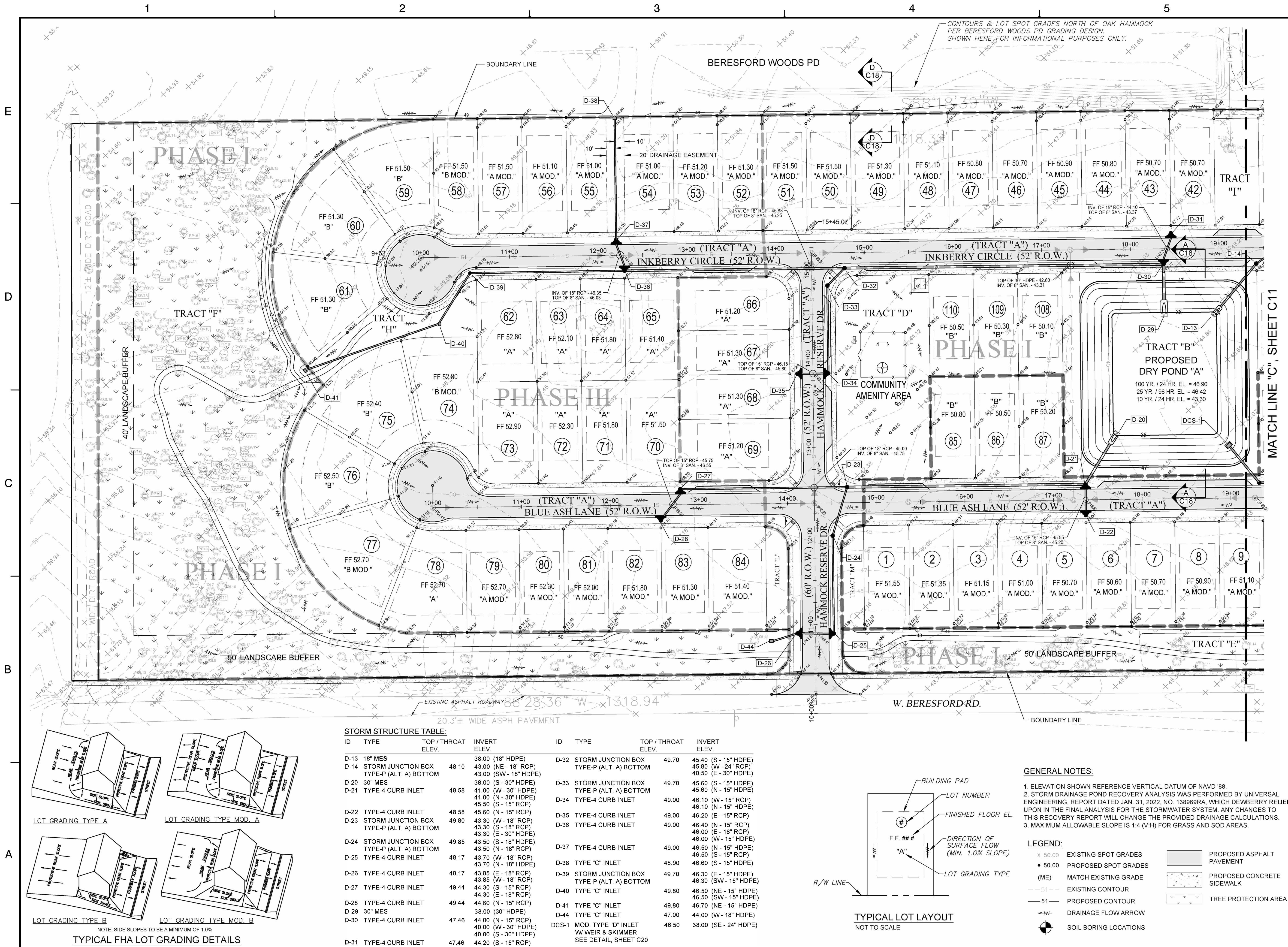
TITLE

**GRADING &
DRAINAGE
PLAN**

PROJECT NO. 50131479

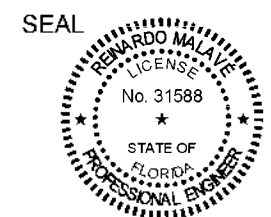
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SHEET NO.



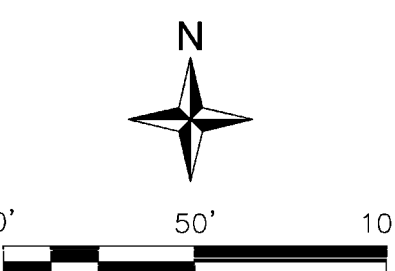
**OAK HAMMOCK
RESERVE**

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& W. BERESFORD RD.
DELAND, FLORIDA 32738



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DATE 5/11/2022

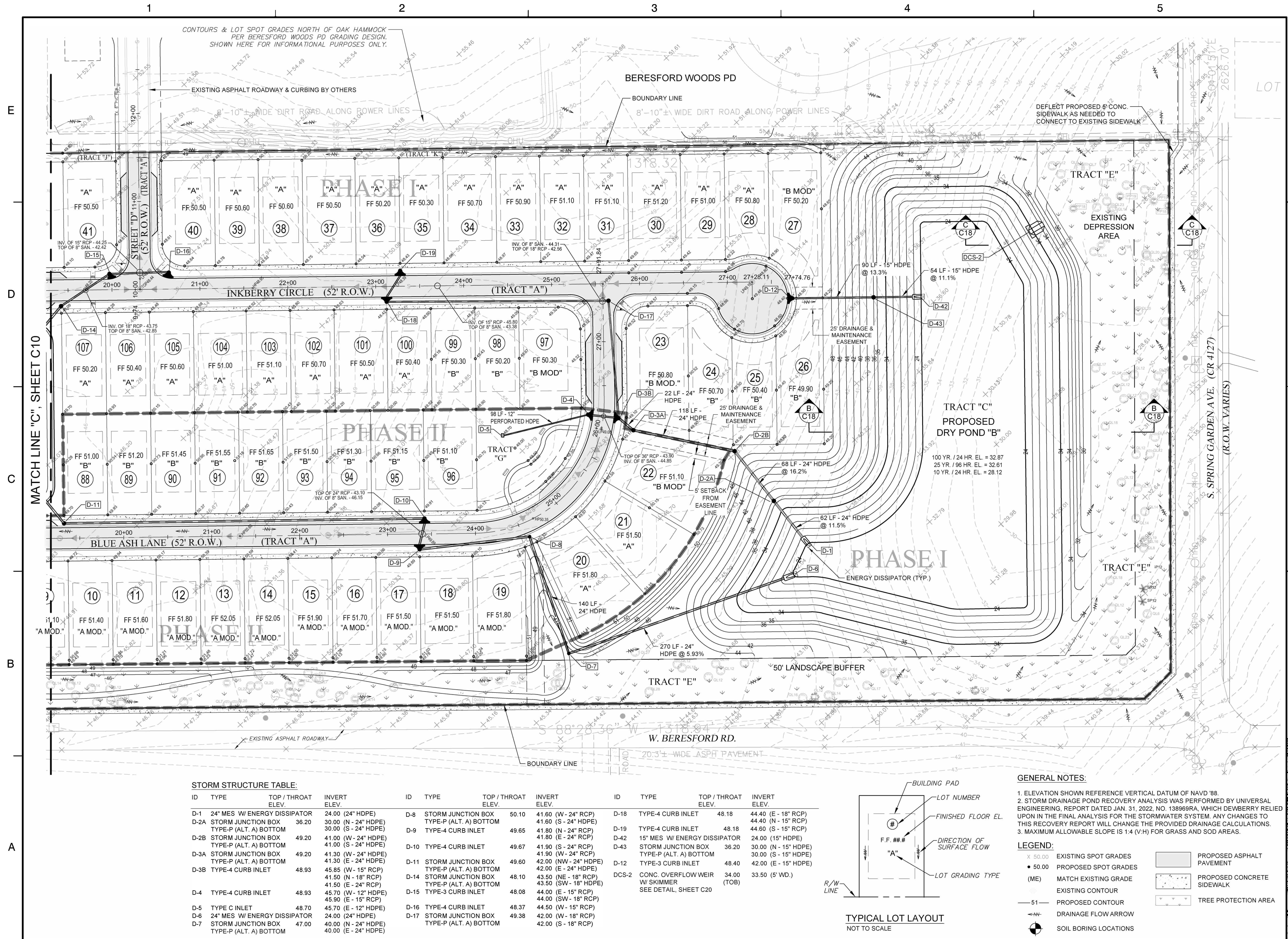
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**GRADING &
DRAINAGE
PLAN**

PROJECT NO. 50131479

C11

SHEET NO.



OAK HAMMOCK
RESERVE

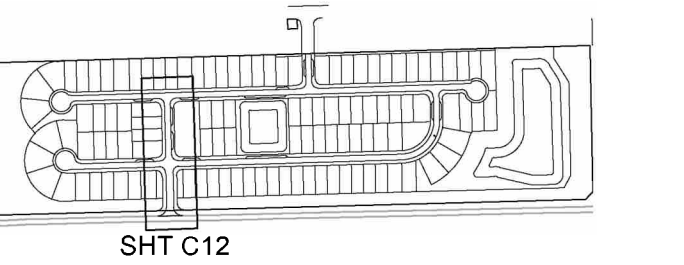
SPRING GARDEN AVE. S. (CR 4127)
& W. BERESFORD RD.
DELAND, FLORIDA 32738



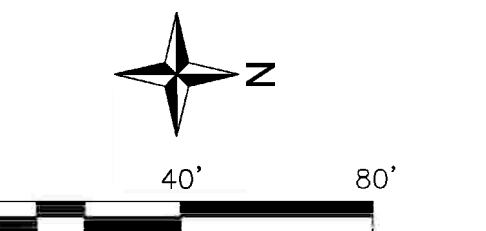
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Reinardo Malave
FL PE # 31588
May 10, 2022

KEY PLAN



SCALE NORTH



NO.	DATE	BY	DESCRIPTION

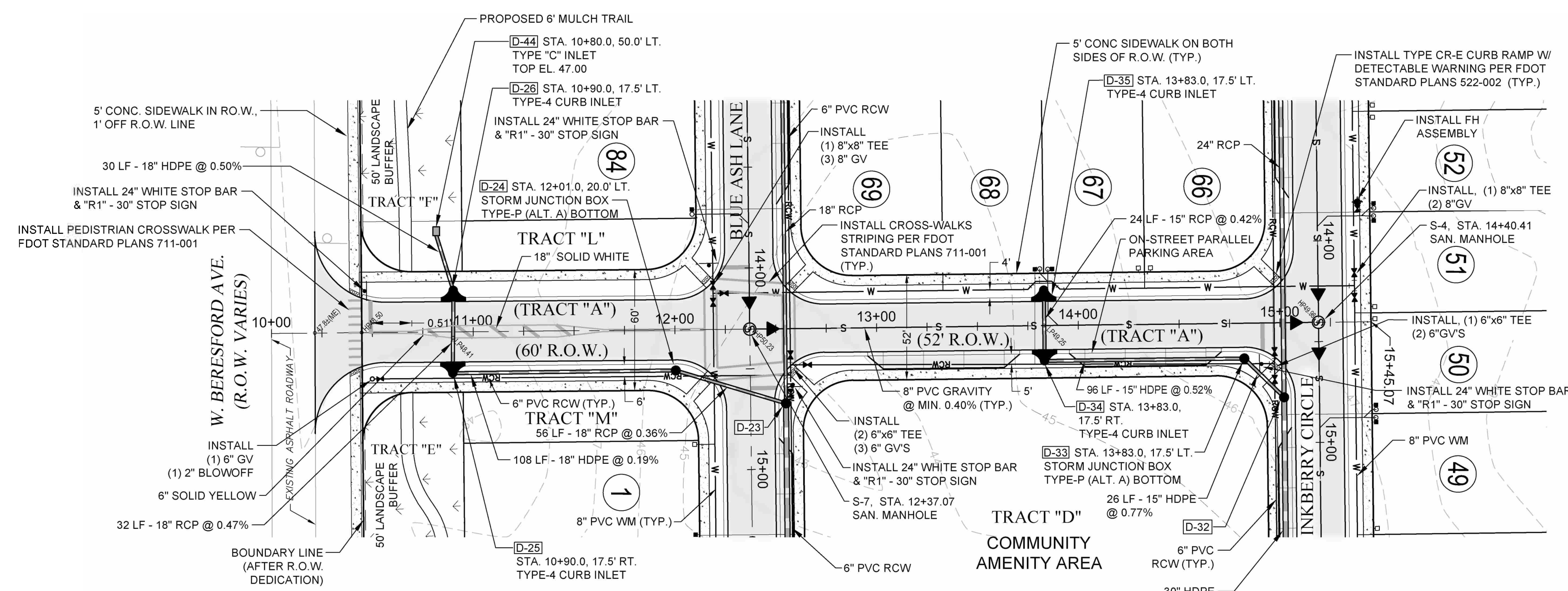
REVISIONS			
DRAWN BY	TZ		
APPROVED BY	RM		
CHECKED BY	DC/GL		
DATE	5/11/2022		

TITLE
PLAN & PROFILE
HAMMOCK RESERVE
DRIVE

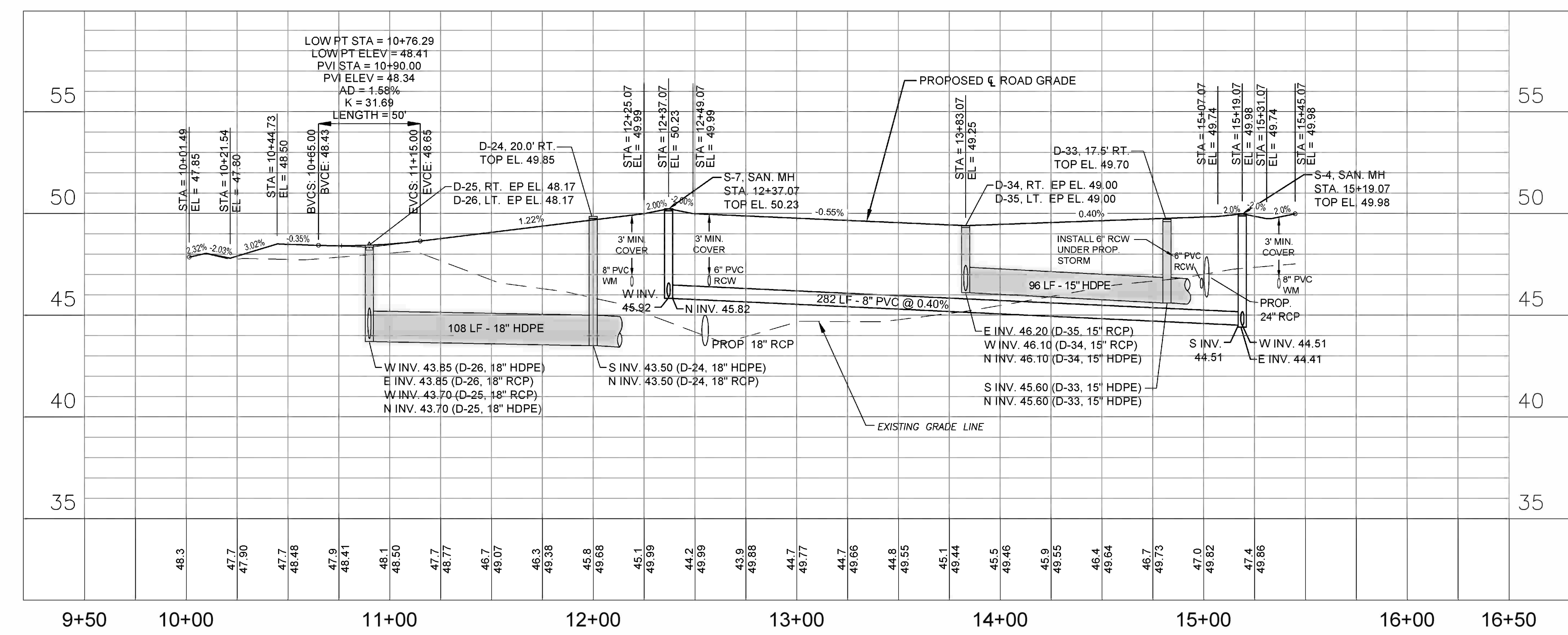
PROJECT NO. 50131479

C12

SHEET NO.



HAMMOCK RESERVE DRIVE - PLAN VIEW

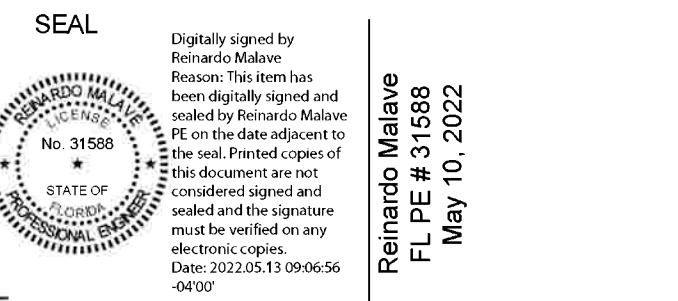


HAMMOCK RESERVE DRIVE - PROFILE VIEW

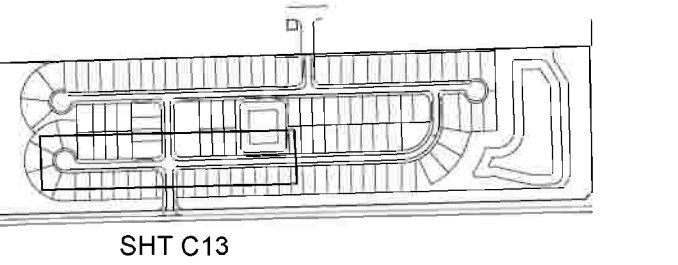
- NOTES:
1. ALL STRIPING TO BE THERMOPLASTIC.
2. ROADWAY STRIPING PER FDOT
STANDARD PLANS 711-003.
- LEGEND: (PROPOSED)
— FM — FORCE MAIN
— S — GRAVITY SEWER
— WM — WATER MAIN
— RCW — RECLAIM WATER MAIN
— Fire Hydrant & Valve Assembly
— Single Sewer Lateral
— Double Sewer Lateral
- Single Water Lateral
— Double Water Lateral
— Single Reclaim Water Lateral
— Double Reclaim Water Lateral
— Storm Pipe
— Lot Number

OAK HAMMOCK
RESERVE

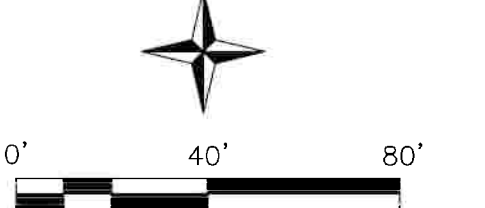
SPRING GARDEN AVE. S. (CR 4127)
& W. BERESFORD RD.
DELAND, FLORIDA 32738



KEY PLAN



SCALE NORTH



NO.	DATE	BY	DESCRIPTION

REVISIONS

DRAWN BY TZ

APPROVED BY RM

CHECKED BY DC/GL

DATE 5/11/2022

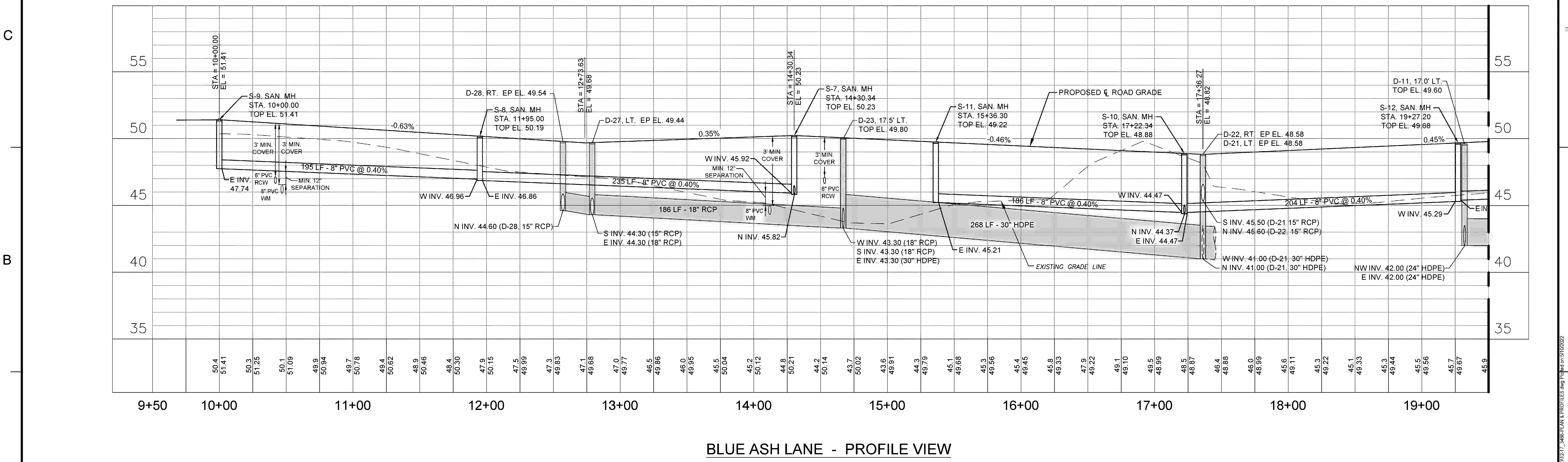
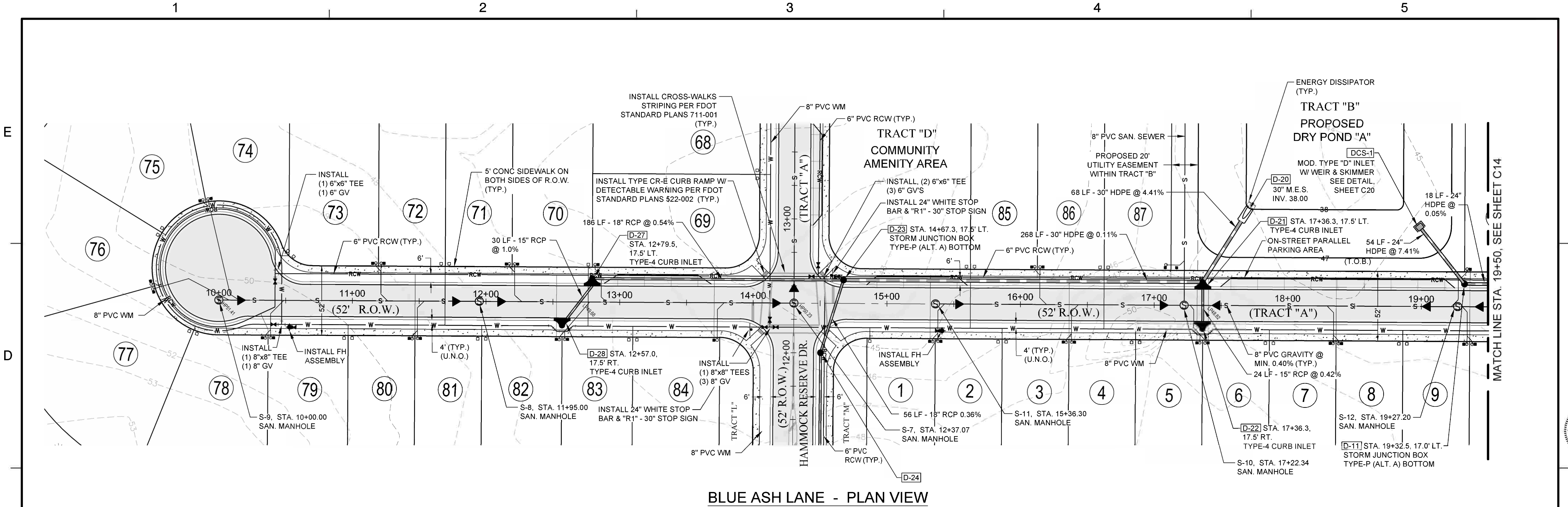
TITLE

PLAN & PROFILE
BLUE ASH LANE

PROJECT NO. 50131479

C13

SHEET NO.

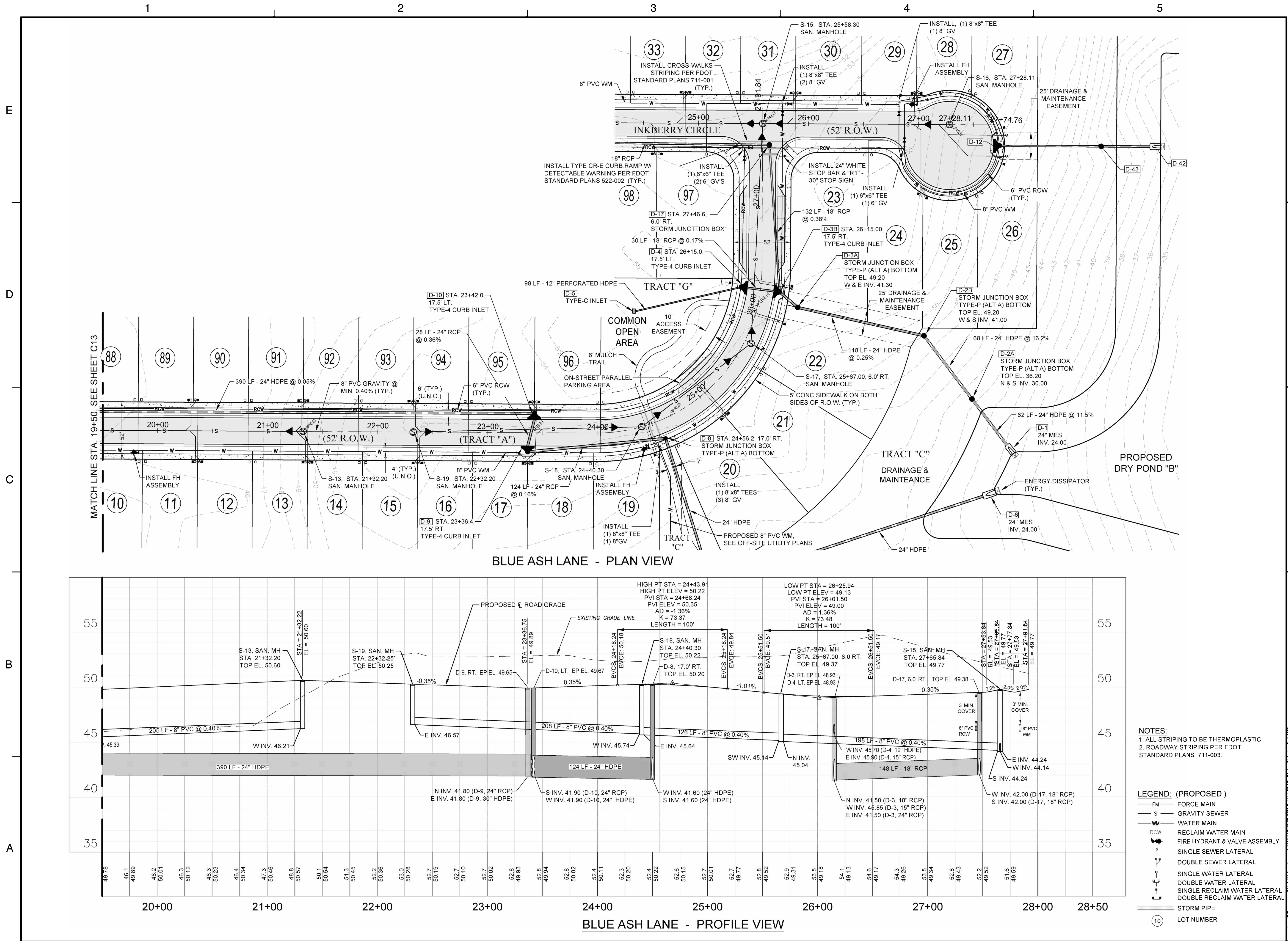


NOTES:
1. ALL STRIPING TO BE THERMOPLASTIC.
2. ROADWAY STRIPING PER FDOT
STANDARD PLANS 711-003.

LEGEND: (PROPOSED)

- FM FORCE MAIN
- S GRAVITY SEWER
- WM WATER MAIN
- RCW RECLAIM WATER MAIN
- FW FIRE HYDRANT & VALVE ASSEMBLY
- SL SINGLE SEWER LATERAL
- DL DOUBLE SEWER LATERAL

- SW SINGLE WATER LATERAL
- DWL DOUBLE WATER LATERAL
- SLW SINGLE RECLAIM WATER LATERAL
- DRLW DOUBLE RECLAIM WATER LATERAL
- SP STORM PIPE
- LOT LOT NUMBER





Dewberry Engineers Inc.
110 WEST INDIANA AVENUE
SUITE 202
DELAND, FLORIDA 32720
PHONE: 386.785.0466
ENGINEERING BUSINESS - 6794

OAK HAMMOCK
RESERVE

SPRING GARDEN AVE. S. (CR 4127)
& W. BERSFORD RD.
DELAND, FLORIDA 32738

SEAL

Digitally signed by
Reinaldo Valave
on 2022.05.13
09:57:59 -0400

Reinaldo Valave
FL PE # 31588
May 10, 2022

KEY PLAN

SHT C14

SCALE

NORTH

0' 40' 80'

NO.	DATE	BY	DESCRIPTION
1	5/11/2022	TZ	
2		RM	
3		DC/GL	

REVISIONS

DRAWN BY: TZ

APPROVED BY: RM

CHECKED BY: DC/GL

DATE: 5/11/2022

TITLE

PROJECT NO. 50131479

C14

SHEET NO.

NOTES:

1. ALL STRIPING TO BE THERMOPLASTIC.

2. ROADWAY STRIPING PER FDOT
STANDARD PLANS 711-003.

LEGEND: (PROPOSED)

FM — FORCE MAIN

S — GRAVITY SEWER

WM — WATER MAIN

RCW — RECLAIM WATER MAIN

Fire Hydrant & Valve Assembly

Single Sewer Lateral

Double Sewer Lateral

Single Water Lateral

Double Water Lateral

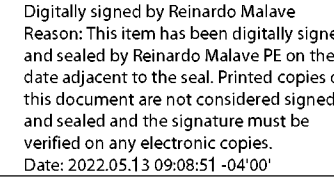
Single Reclaim Water Lateral

Double Reclaim Water Lateral

Storm Pipe

Lot Number

& W. BERESFORD RD.
DELAND, FLORIDA 32738



REVISIONS	
DRAWN BY	TZ
APPROVED BY	RM
CHECKED BY	DC/GL
DATE	5/11/2022

PLAN & PROFILE NKBERRY CIRCLE

C15

SHEET NO.



- SINGLE WATER LATERAL
DOUBLE WATER LATERAL
SINGLE RECLAIM WATER LATERAL
DOUBLE RECLAIM WATER LATERAL
STORM PIPE
LOT NUMBER

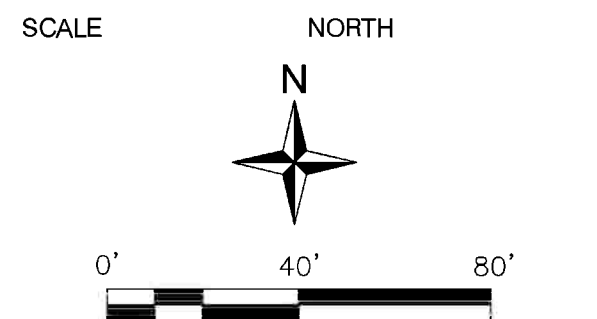
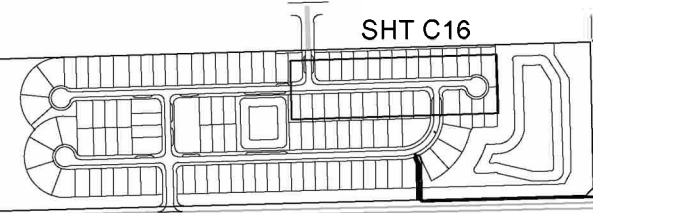
OAK HAMMOCK
RESERVE

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Reinardo Malave
FL PE # 31588
May 12, 2022



NO.	DATE	BY	DESCRIPTION

REVISIONS

DRAWN BY	TZ
APPROVED BY	RM
CHECKED BY	DC/GL
DATE	5/11/2022

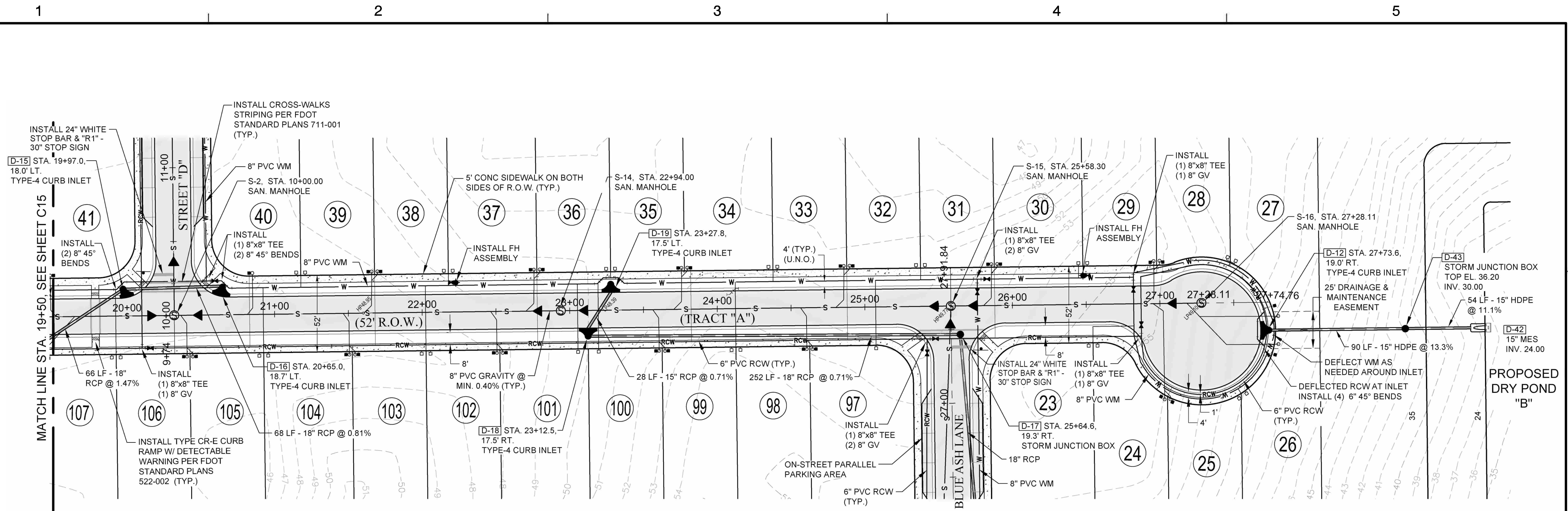
TITLE

PLAN & PROFILE
INKBERRY CIRCLE

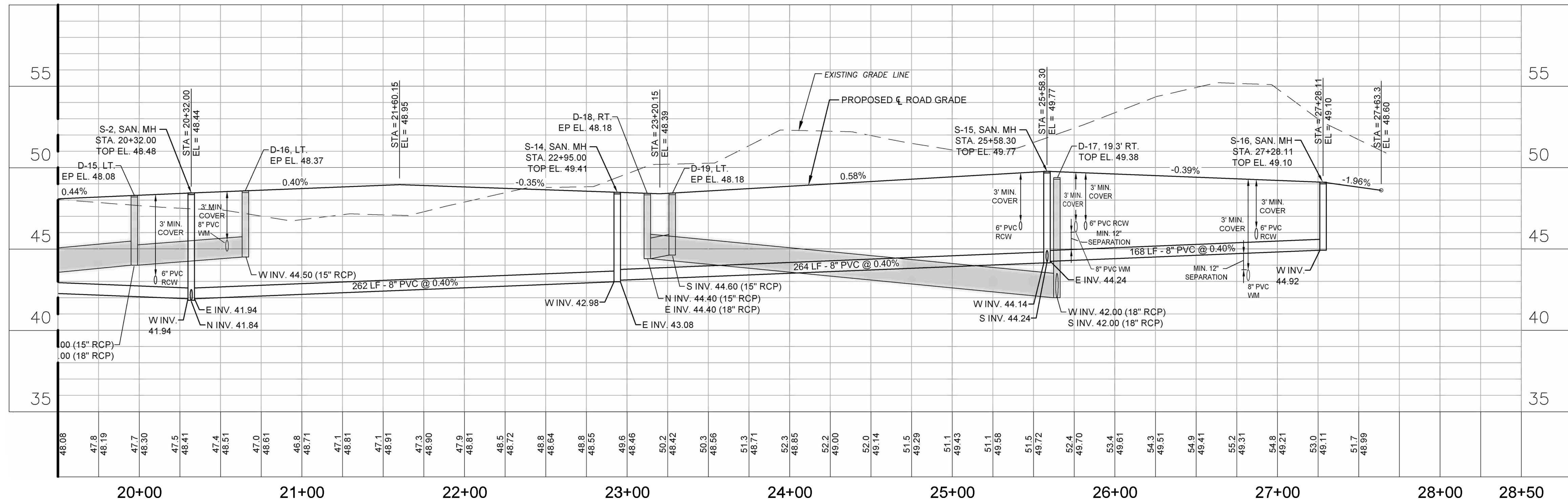
PROJECT NO. 50131479

C16

SHEET NO.



INKBERRY CIRCLE - PLAN VIEW



INKBERRY CIRCLE - PROFILE VIEW

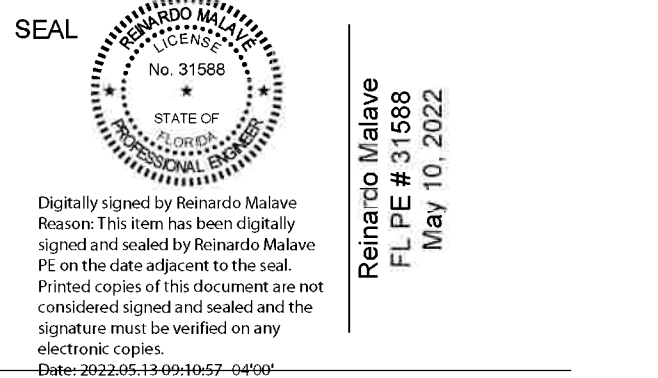
NOTES:
1. ALL STRIPING TO BE THERMOPLASTIC.
2. ROADWAY STRIPING PER FDOT
STANDARD PLANS 711-003.

LEGEND: (PROPOSED)

- FM FORCE MAIN
- S GRAVITY SEWER
- WM WATER MAIN
- RCW RECLAIM WATER MAIN
- FIRE HYDRANT & VALVE ASSEMBLY
- SINGLE SEWER LATERAL
- DOUBLE SEWER LATERAL

- SINGLE WATER LATERAL
- DOUBLE WATER LATERAL
- SINGLE RECLAIM WATER LATERAL
- DOUBLE RECLAIM WATER LATERAL
- STORM PIPE
- LOT NUMBER

**OAK HAMMOCK
RESERVE**



KEY PLAN

A key plan diagram showing a larger site layout with a rectangular box highlighting the specific area covered by the plan sheet SHT C16. The label 'SHT C16' is placed to the right of the highlighted area.

SCALE

NORTH



0' 40' 80'

NO.	DATE	BY	DESCRIPTION

REVISIONS	
DRAWN BY	TZ
APPROVED BY	RM
CHECKED BY	DC/GL
DATE	5/11/2022

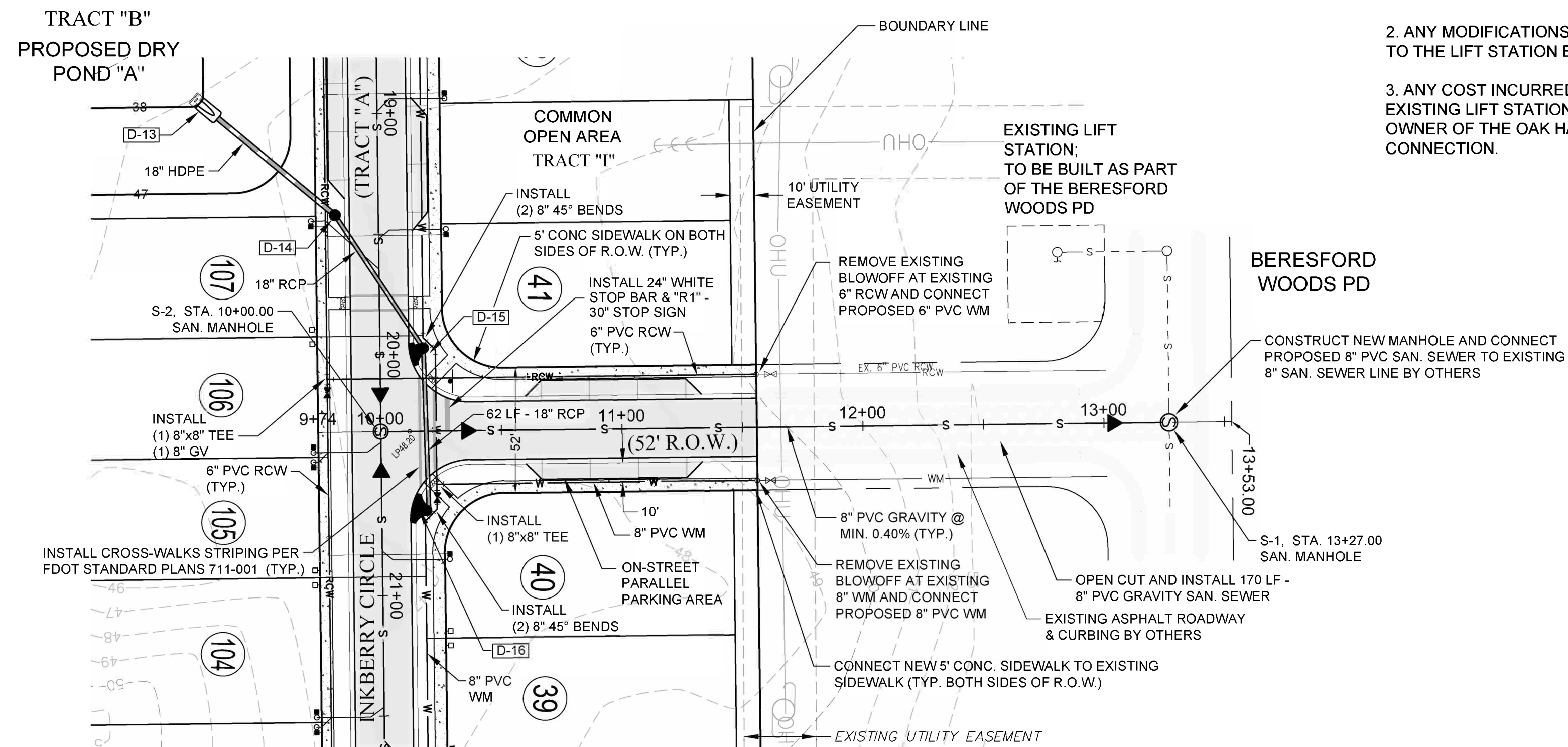
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PLAN & PROFILE STREET "D"

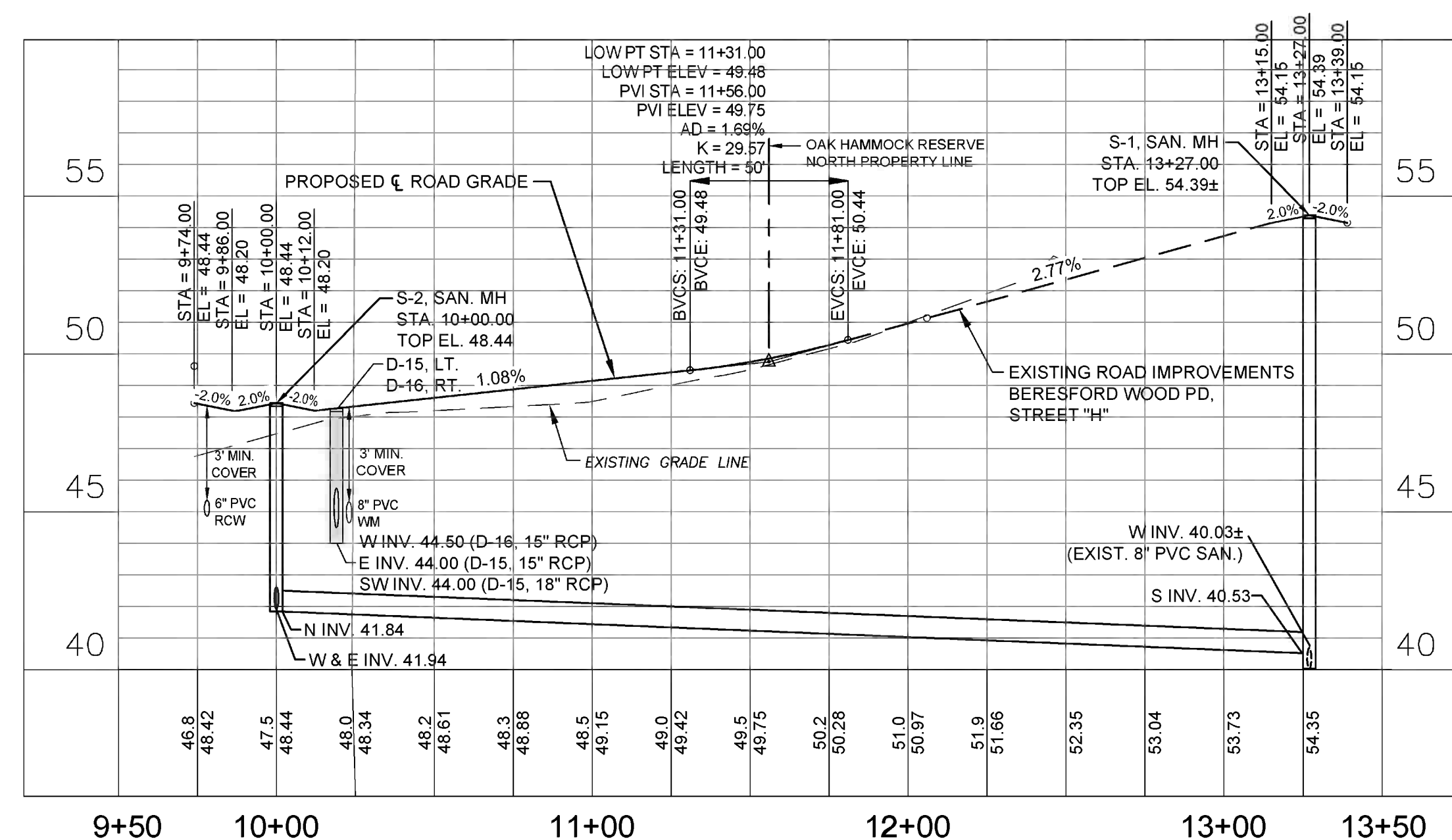
PROJECT NO.	50131479
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C17

SHEET NO.



STREET "D" - PLAN VIEW



STREET "D" - PROFILE VIEW

NOTES:
1. ALL STRIPING TO BE THERMOPLASTIC.
2. ROADWAY STRIPING PER FDOT
STANDARD PLANS 711-003.

LEGEND: (PROPOSED)

LEGEND: (NOT USED)

— FM —	FORCE MAIN
— S —	GRAVITY SEWER
— WM —	WATER MAIN
— RCW —	RECLAIM WATER MAIN
	FIRE HYDRANT & VALVE ASSEMBLY
	SINGLE SEWER LATERAL
	DOUBLE SEWER LATERAL

 SINGLE WATER LATERAL
 DOUBLE WATER LATERAL
 SINGLE RECLAIM WATER LATERAL
 DOUBLE RECLAIM WATER LATERAL
 STORM PIPE
 LOT NUMBER

SPRING GARDEN AVE. S. (CR 4127)
& W. BERESFORD RD.
DELAND, FLORIDA 32738



been digitally signed and sealed by Fernando Malave PE on the adjacent to the Printed copies of the document are not considered signed and sealed and the signature must be verified on any electronic copies.

Date: 2022.05.13
09:11:59 -0400'

KEY PLAN

SCALE NORTH

NO.	DATE	BY	DESCRIPTION

REVISIONS

DRAWN BY TZ

APPROVED BY RM

CHECKED BY DC/GL

DATE 5/11/2022

TITLE

CROSS SECTIONS

PROJECT NO. 50131479

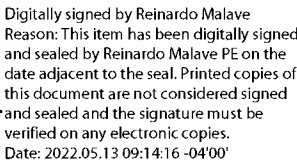
C18

SHEET NO.

GENERAL NOTES:

1. ELEVATION SHOWN REFERENCE VERTICAL DATUM OF NAVD '88.
2. STORM DRAINAGE POND RECOVERY ANALYSIS WAS PERFORMED BY UNIVERSAL ENGINEERING, REPORT DATED JAN. 31, 2022, NO. 138969RA, WHICH DEWBERRY RELIED UPON IN THE FINAL ANALYSIS FOR THE STORMWATER SYSTEM. ANY CHANGES TO THIS RECOVERY REPORT WILL CHANGE THE PROVIDED DRAINAGE CALCULATIONS.

SPRING GARDEN AVE. S. (CR 4127)
& W. BERESFORD RD.
DELAND, FLORIDA 32738



Reinardo Malave
FL PE # 31588
May 12, 2022

KEY PLAN

SCALE NORTH

REVISIONS

DRAWN BY	TZ
APPROVED BY	RM
CHECKED BY	DC/GL
DATE	5/11/2022

TITLE

DRAINAGE DETAILS

PROJECT NO.	50131479
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C20

SHEET NO.

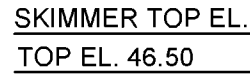


A Sidewalk, ramp, and fire escape are obvious. With a

- [illegible]

CURB RAMP NOMENCLATURE

LAST REVISION 11/01/20	DESCRIPTION	FY 2021-22 STANDARD PLANS	DETECTABLE WARNINGS AND SIDEWALK CURB RAMPS	INDEX 522-002	SHEET 1 of 7
------------------------------	-------------	--	---	------------------	-----------------



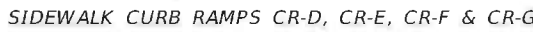
WEIR INV 41 60

SKIMMER BOT EL.

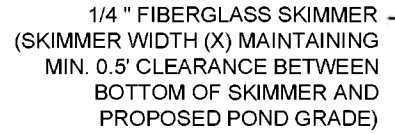
TYPE "D" INLET

FRONT VIEW

DRAINAGE CONTROL STRUCTURE DCS-1
MODIFIED FDOT TYPE "D" INLET
NOT TO SCALE



LAST REVISION 11/01/20	DESCRIPTION: FY 2021-22 STANDARD PLANS	INDEX 522-002	SHEET 4 of 7
------------------------------	--	------------------	-----------------



PLAN VIEW



TOP

BOT.

SECTION "A"-"A"



NOTE: SIDE SLOPES TO BE 4" THICK
CLASS I 3,000 PSI NON-REINFORCED
CONCRETE FROM WEIR CREST TO 2.0
ON TO TOP OF BANK EACH SIDE.

DRAINAGE CONTROL STRUCTURE DCS-2
CONCRETE OVERFLOW WEIR
NOT TO SCALE

NO.	DATE	BY	DESCRIPTION

REVISIONSDRAWN BY TZ

APPROVED BY RM

CHECKED BY DC/GL

DATE 5/11/2022

TITLE

CITY UTILITY DETAILS

PROJECT NO. 5013147

C21

SHEET NO.

1

2

3

4

5



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110 WEST INDIANA AVENUE
SUITE 202
DELAND, FLORIDA 32720
PHONE: 386.785.0468
ENGINEERING BUSINESS -8794

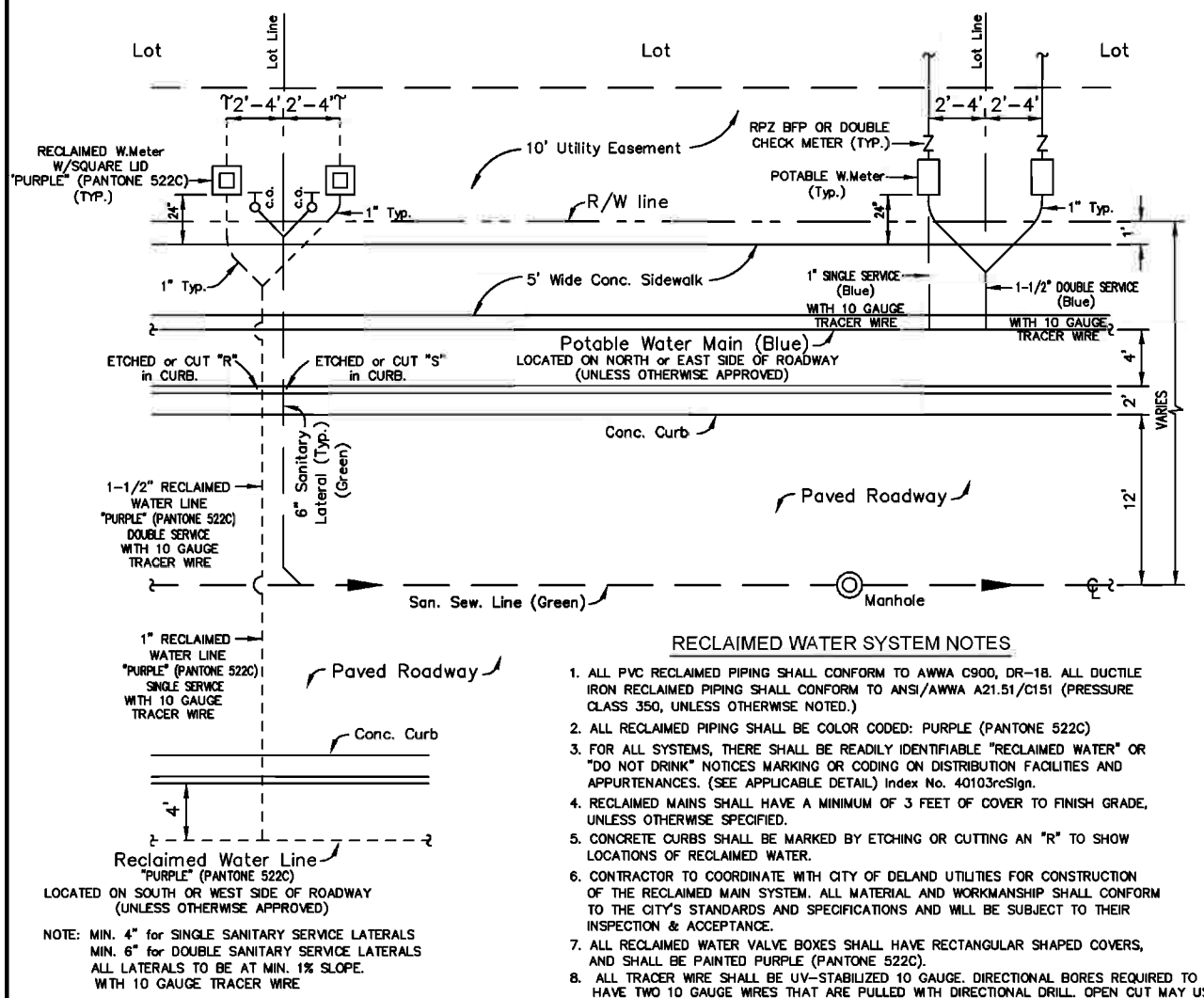
OAK HAMMOCK
RESERVE

SPRING GARDEN AVE. S. (CR 4127)
& W. BERESFORD RD.
DELAND, FLORIDA 32738

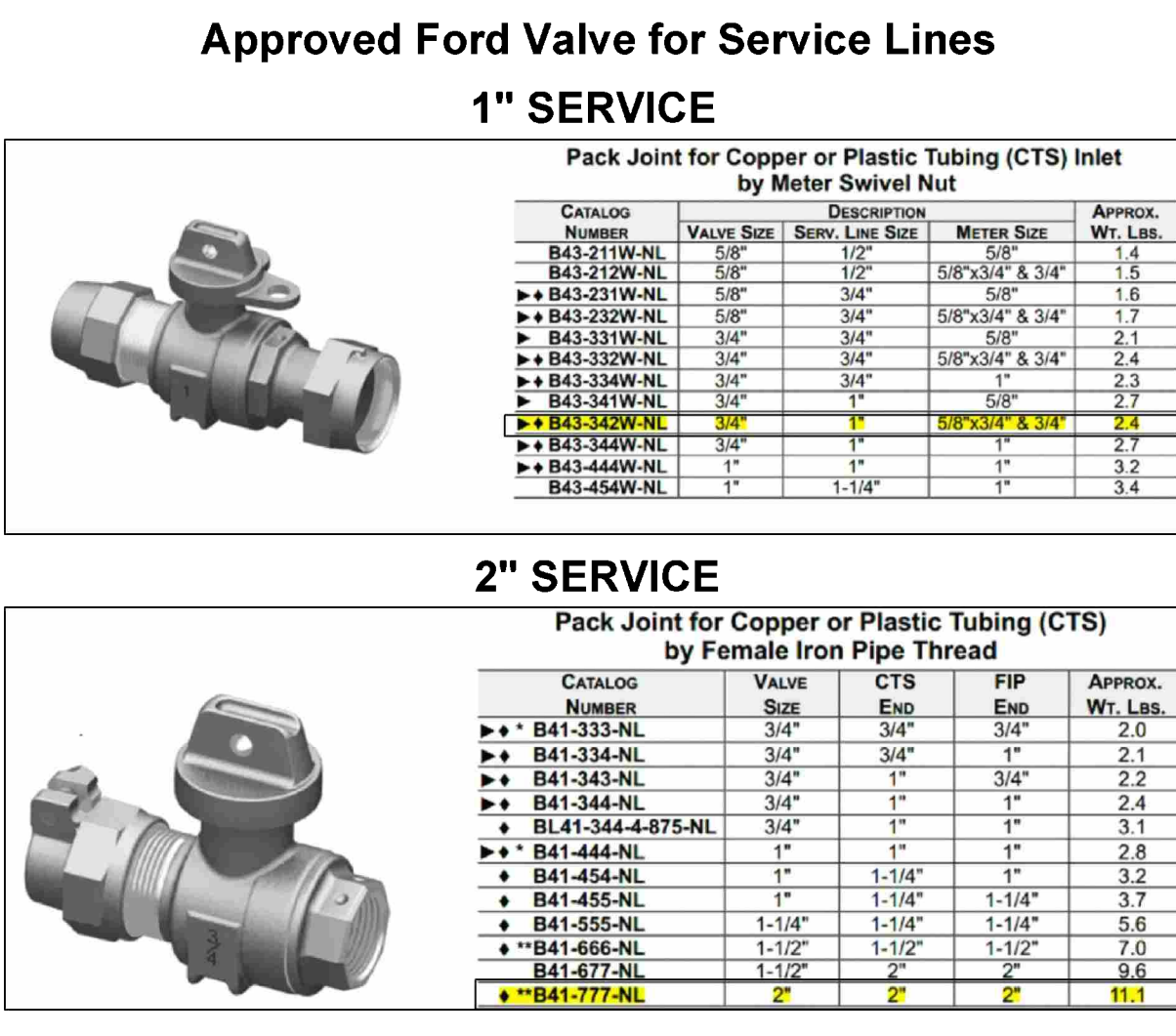
LOCATION OF PUBLIC WATER SYSTEM MAINS IN ACCORDANCE WITH F.A.C. RULE 62-555.314			
Other pipe	Horizontal Separation	Crossings (1)	Joint Spacing @ Crossing (Full Joint Centered)
Storm Sewer	3 ft. minimum	12 inches is the minimum except for storm sewer, then 6 inches is the minimum and 12 inches is preferred	Alternate 3' ft. minimum
Stormwater Force Main, Reclaimed Water (2)			
Vacuum Sanitary Sewer	10 ft. preferred 3 ft. minimum	12 inches preferred 6 inches minimum	Alternate 3' ft. minimum
Gravity Sewer, Sanitary Sewer Force Main, Reclaimed Water (4)	10 ft. preferred 6 ft. minimum (3)	12 inches is the minimum except for gravity sewer, then 6 inches is the minimum and 12 inches is preferred	Alternate 6' ft. minimum
On-Site Sewage Treatment & Disposal System(4)	10 ft. minimum		

(1) Water Main Should Cross Above other pipe. When Water Main Must Be Below Other Pipe, the Minimum Separation is 12" inches.
(2) Reclaimed Water Regulated Under Part III of chapter 62-510, F.A.C.
(3) 5 ft. for Gravity Sanitary sewer where the Bottom of the Water Main is laid at least 6 inches above the top of gravity sanitary sewer.
(4) Reclaimed water not regulated under Part III of Chapter 62-160, F.A.C.

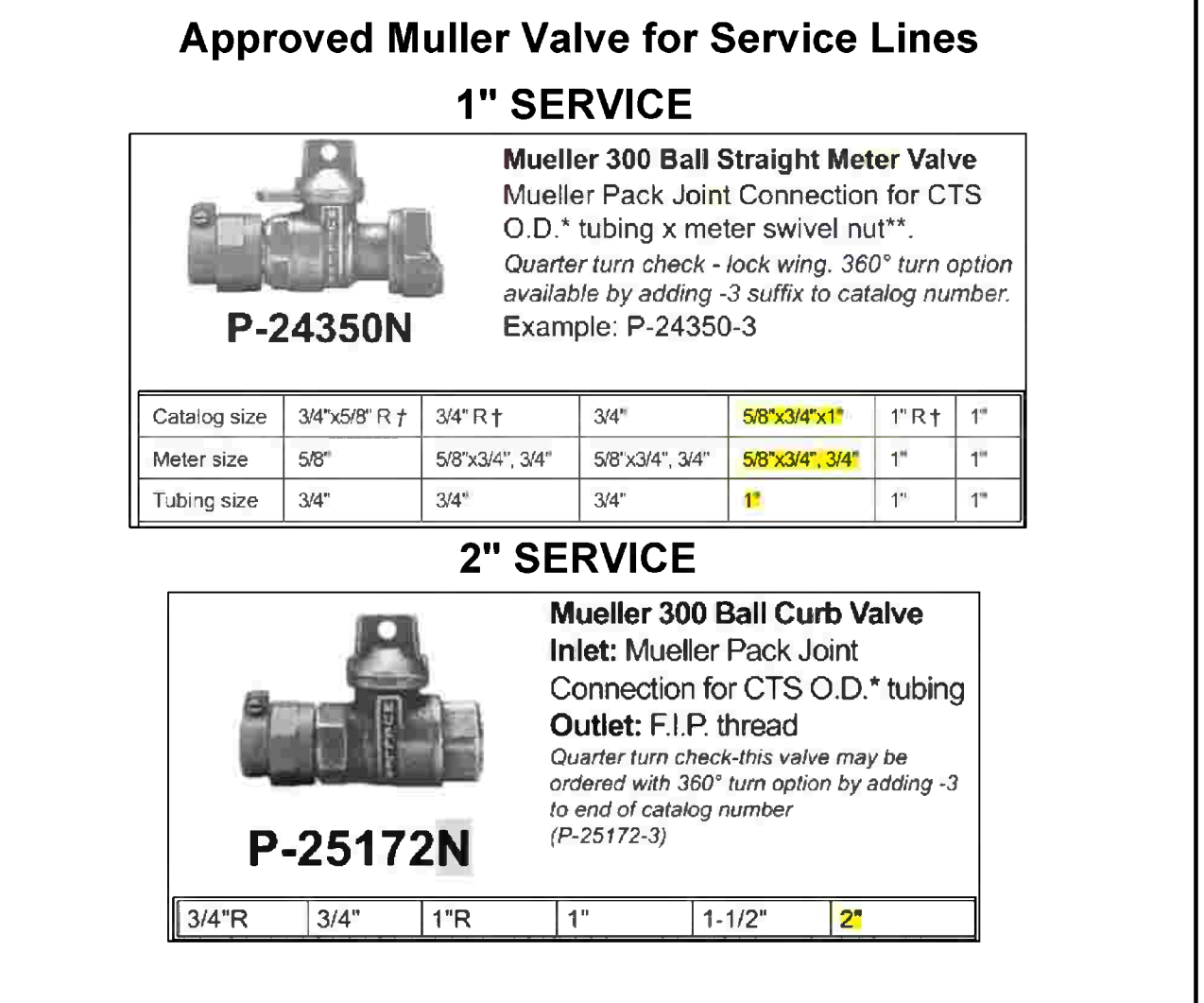
DATE: 11/05/2021
WATER PIPE SEPERATION REQUIREMENTS
City of DeLand - Standard Details



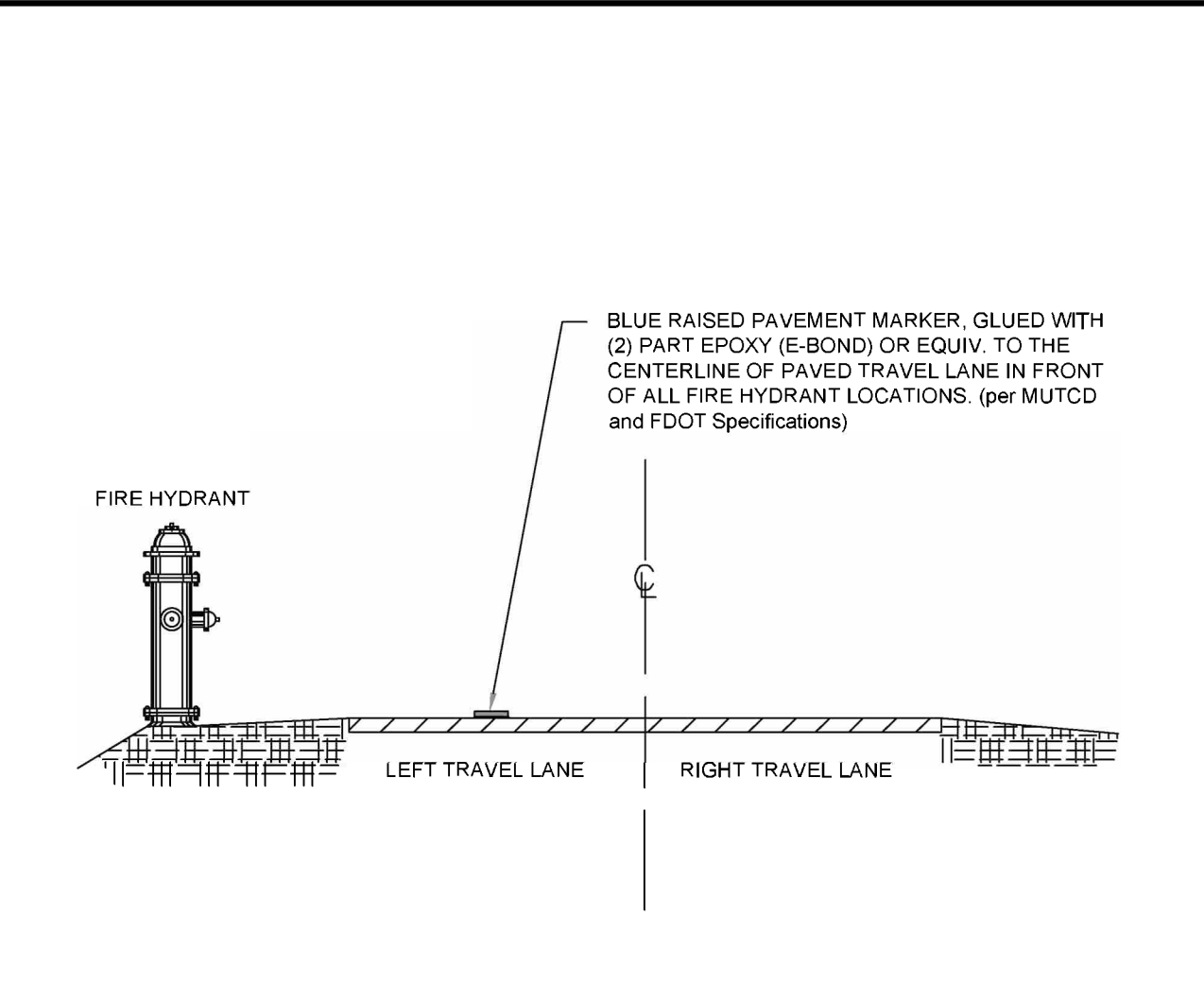
DATE: 11/05/2021
RESIDENTIAL UTILITY LAYOUT
City of DeLand - Standard Details



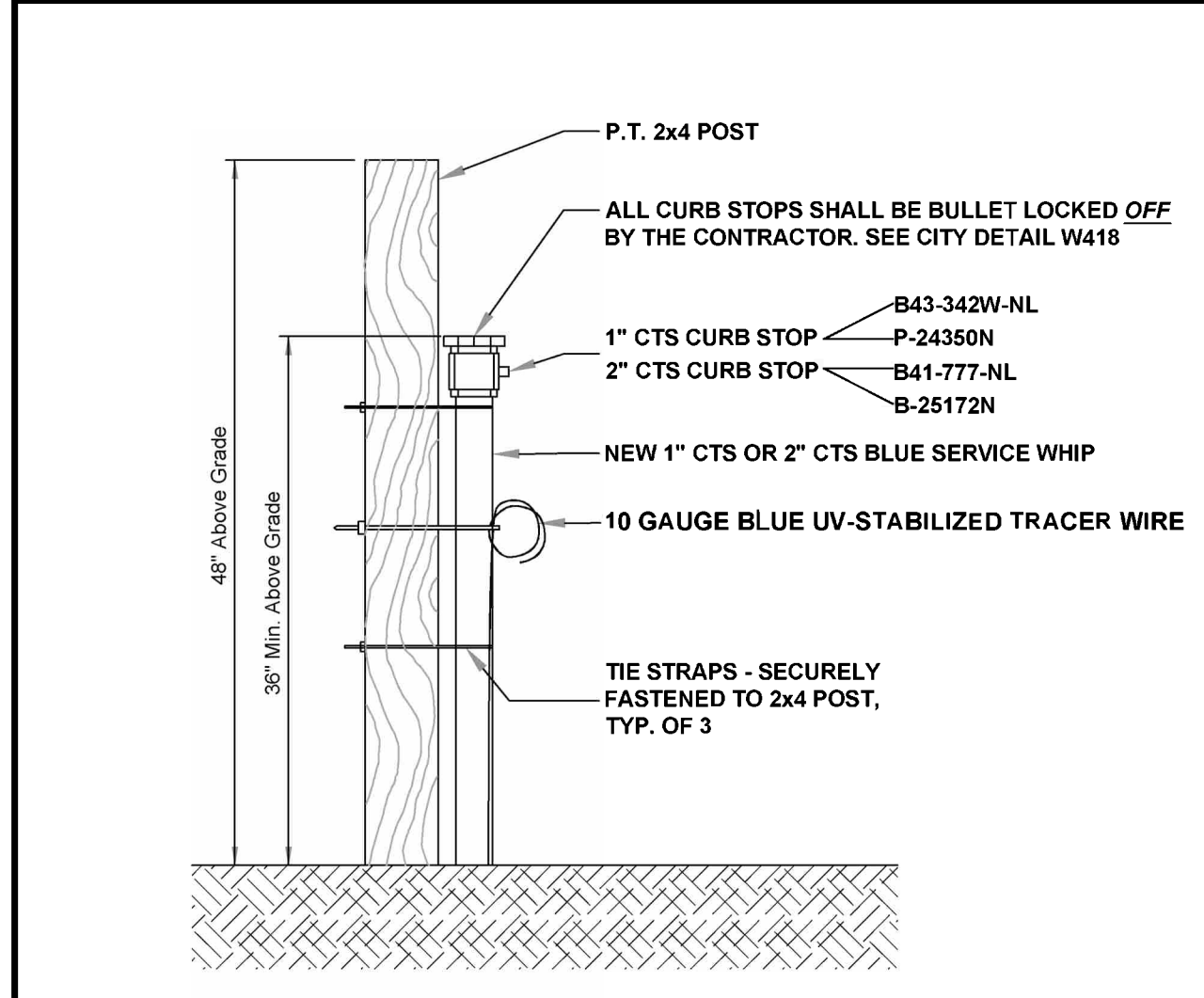
DATE: 11/05/2021
VALVE FOR WATER AND RECLAIM SERVICE LINE
City of DeLand - Standard Details



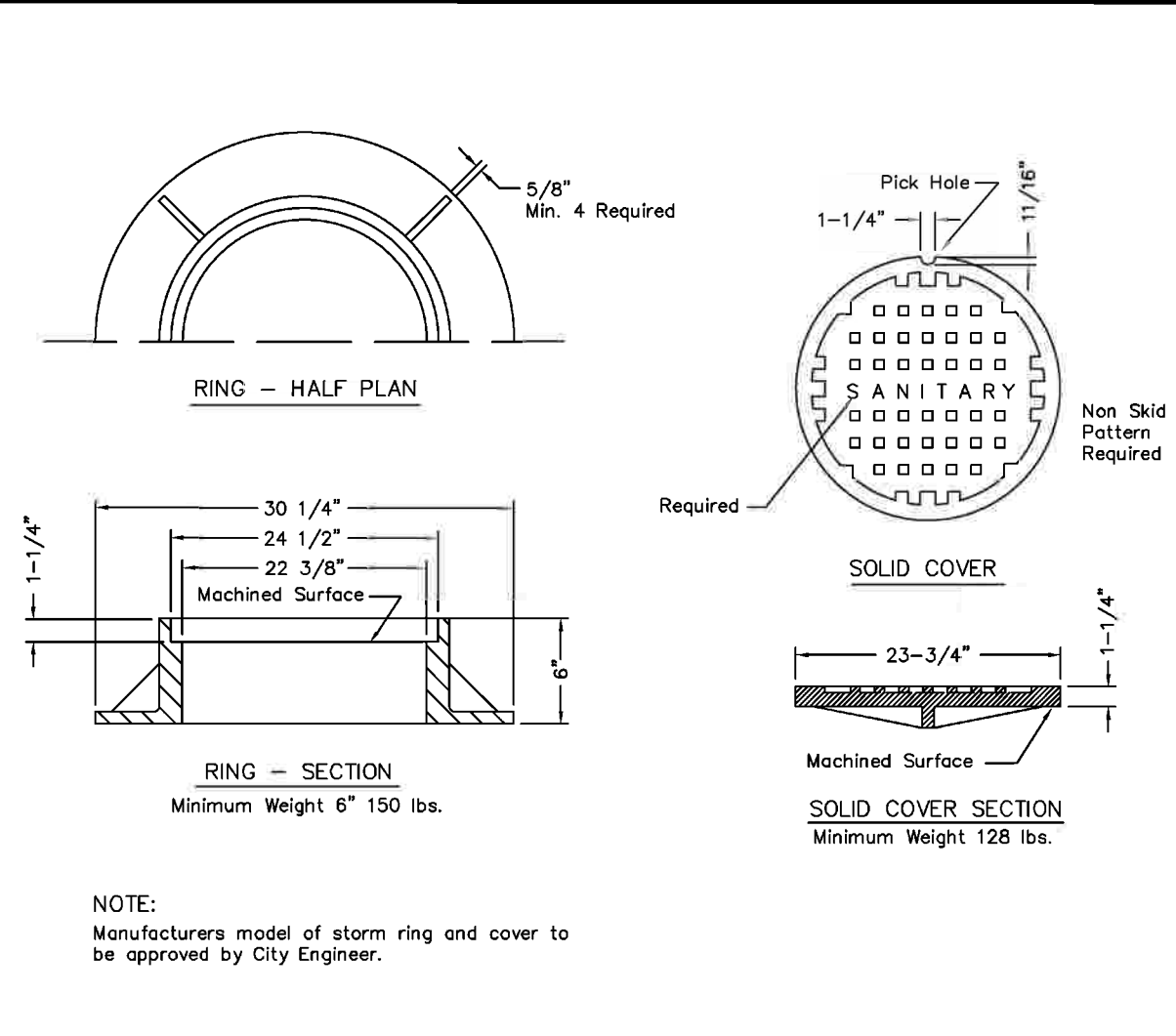
DATE: 11/05/2021
VALVE FOR WATER AND RECLAIM SERVICE LINE
City of DeLand - Standard Details



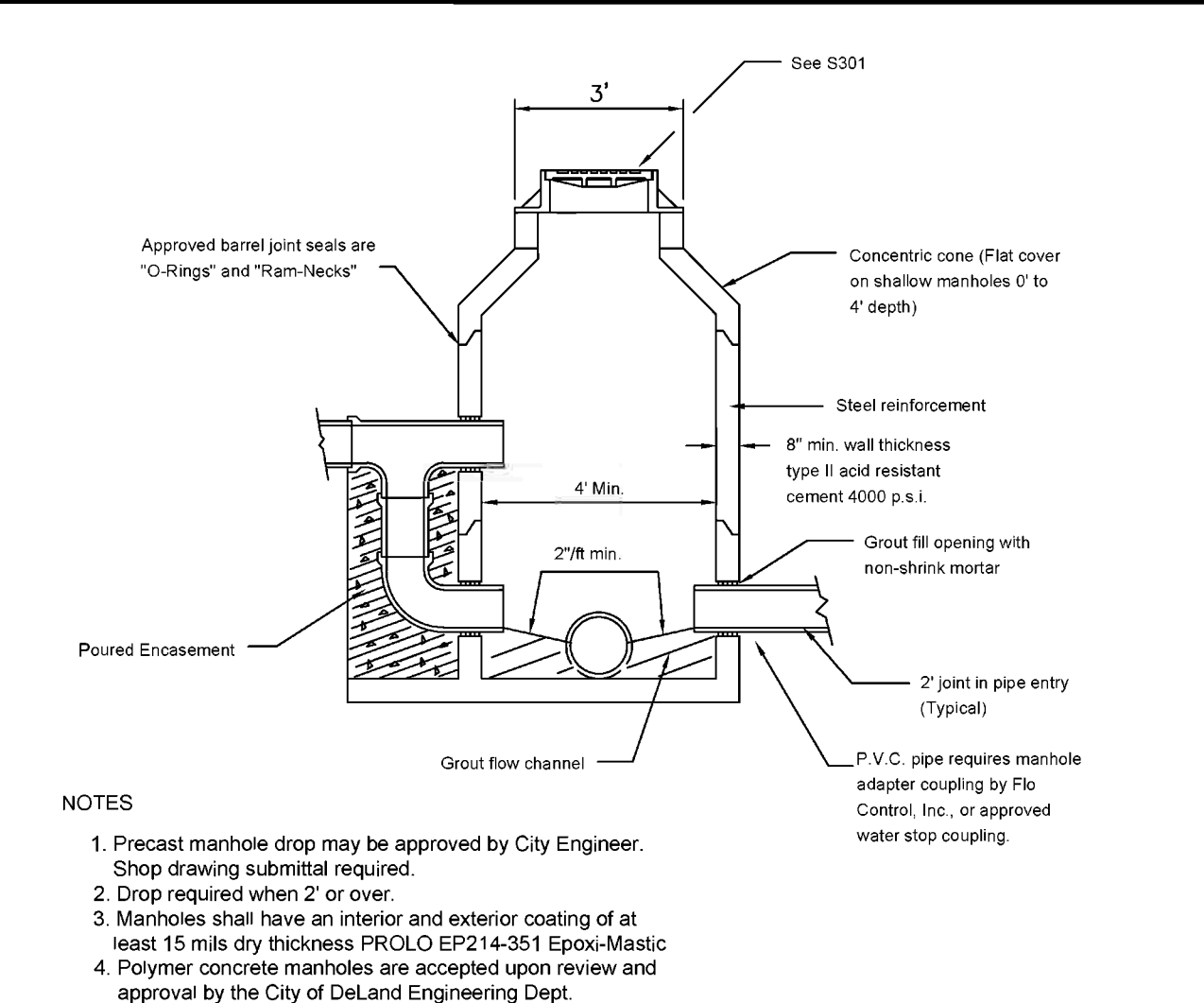
DATE: 11/05/2021
REFLECTIVE PAVEMENT MARKER FOR FIRE HYDRANT LOCATION
City of DeLand - Standard Details



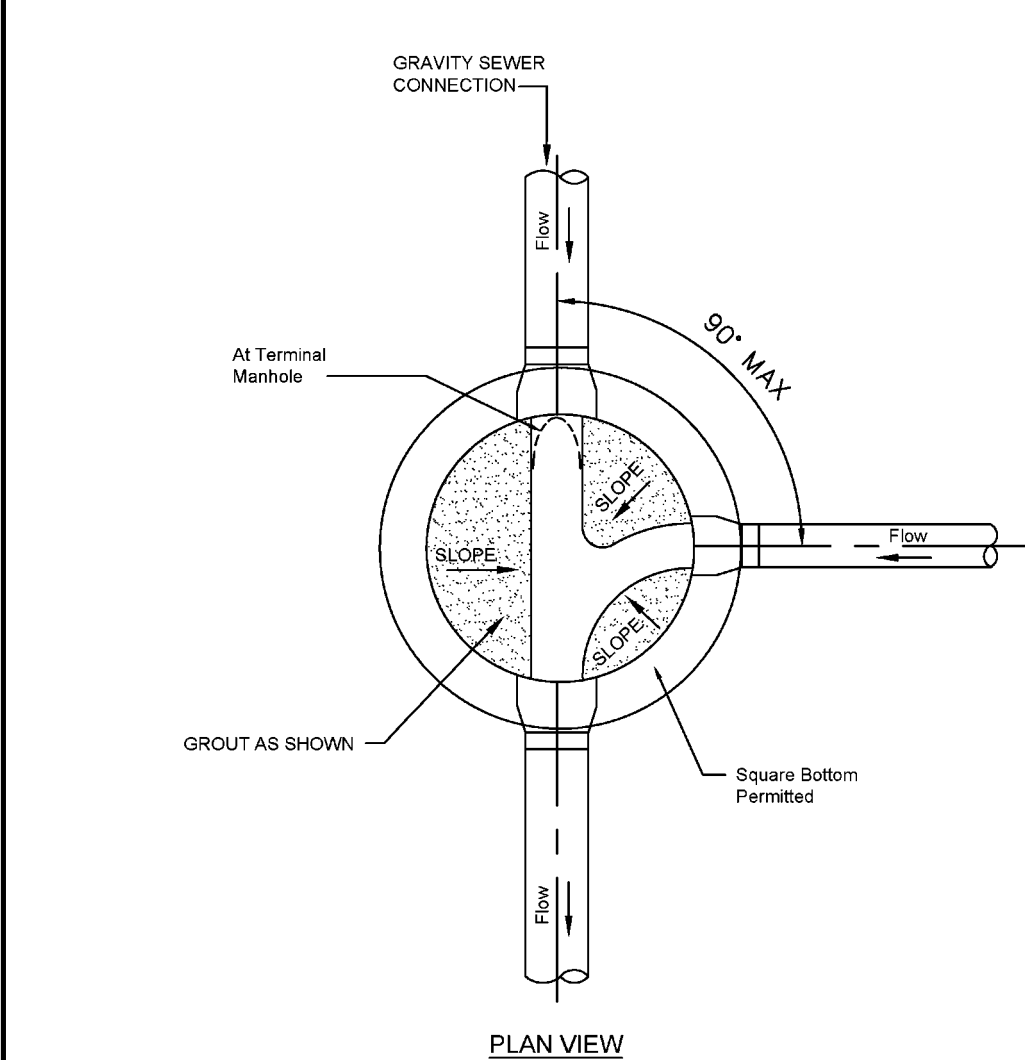
DATE: 11/05/2021
NEW POTABLE SERVICE WHIP
City of DeLand - Standard Details



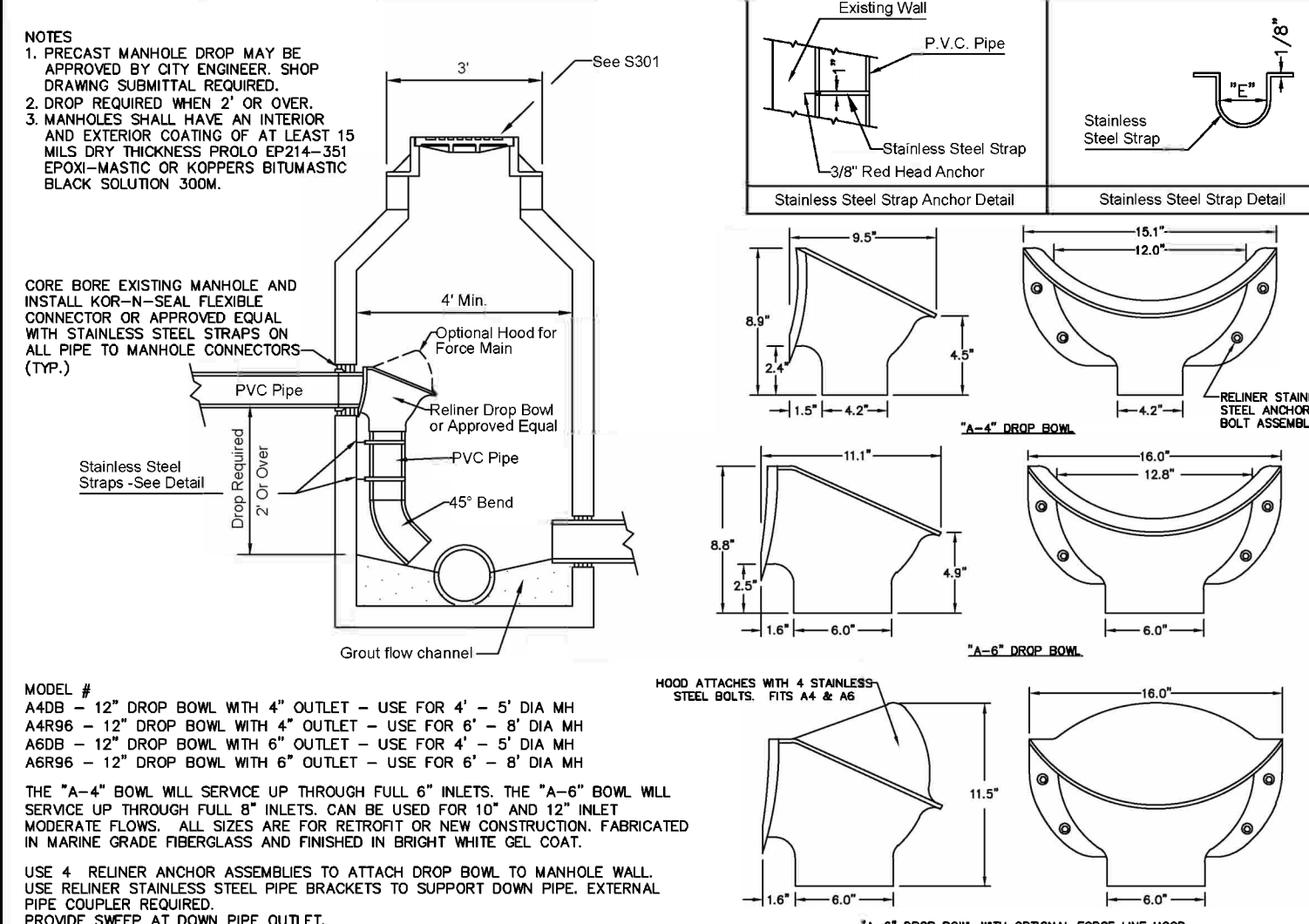
DATE: 11/05/2021
SANITARY MANHOLE COVER - USF 170-E
City of DeLand - Standard Details



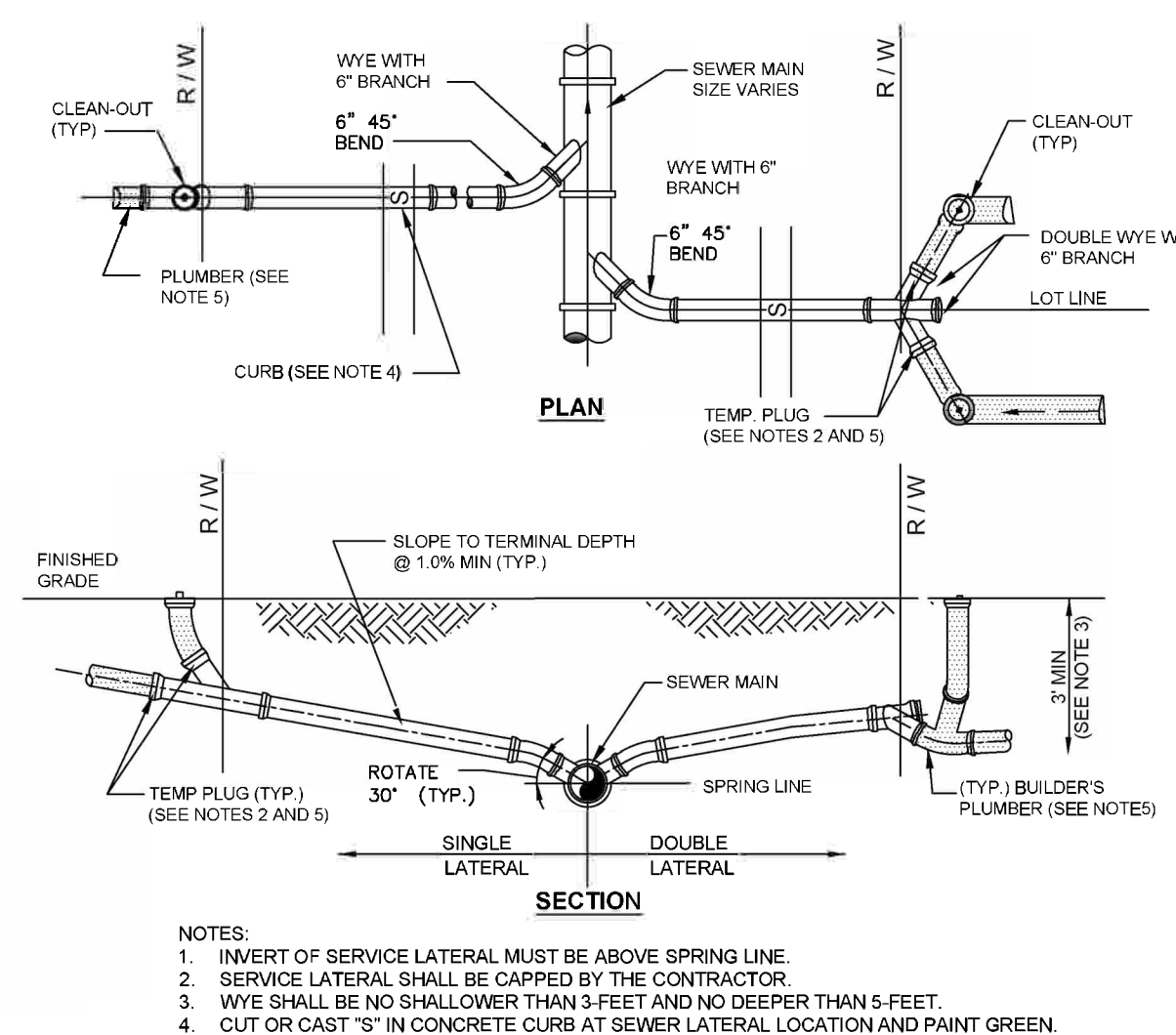
DATE: 11/05/2021
SANITARY MANHOLE
City of DeLand - Standard Details



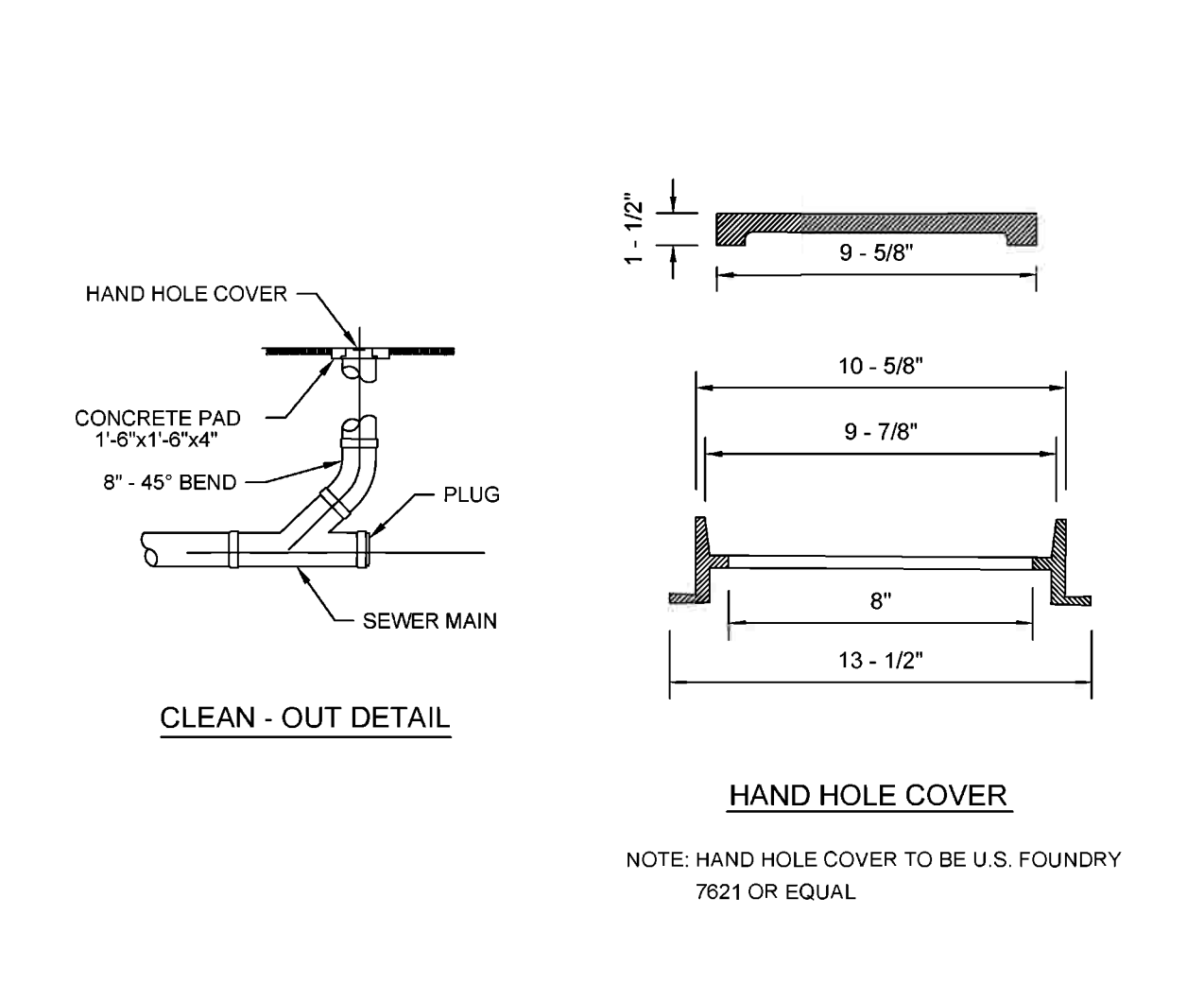
DATE: 11/05/2021
SANITARY MANHOLE
City of DeLand - Standard Details



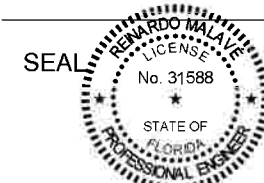
DATE: 11/05/2021
SANITARY MANHOLE - INSIDE DROP FOR GRAVITY & FORCEMAIN
City of DeLand - Standard Details



DATE: 11/05/2021
SANITARY SERVICE LATERALS
City of DeLand - Standard Details



DATE: 11/05/2021
CLEAN - OUT
City of DeLand - Standard Details



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Reason: This item has been digitally signed and sealed by Ricardo Valade on the date adjacent to the seal. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.
Date: 2022.05.11 09:16:23 -0400

KEY PLAN

SCALE NORTH

NO. DATE BY DESCRIPTION

REVISIONS

DRAWN BY TZ

APPROVED BY RM

CHECKED BY DC/GL

DATE 5/11/2022

TITLE

CITY UTILITY
DETAILS

PROJECT NO. 50131479

C22

SHEET NO.

SPRING GARDEN AVE. S. (CR 4127)
& W. BERESFORD RD.
DELAND, FLORIDA 32738

REYNOLDO MALAVE
LICENSE
No. 31588
STATE OF
FLORIDA
PROFESSIONAL ENGINEER

Digitally signed by
Reinaldo Malave
Reason: This item has
been digitally signed
and sealed by Reinaldo
Malave PE on the date
adjacent to the seal.
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electronic copies.
Date: 2022.05.13
19:19:52 -0400

Reinardo Malave
FL PE # 31588
May 12, 2022

SCALE

[illegible]

NO.	DATE	BY	DESCRIPTION
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REVISIONS

DRAWN BY TZ

APPROVED BY RM

CHECKED BY DC/GL

DATE 5/11/2022

TITLE

PROJECT NO.	50131479
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SHEET NO.



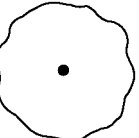
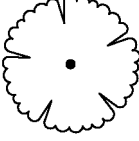
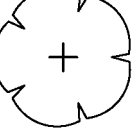
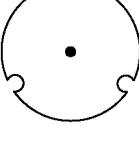
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LOCK TO LOCK TIME :	6.0
STEERING ANGLE :	40.0

© Employee of Zimmermann US0143
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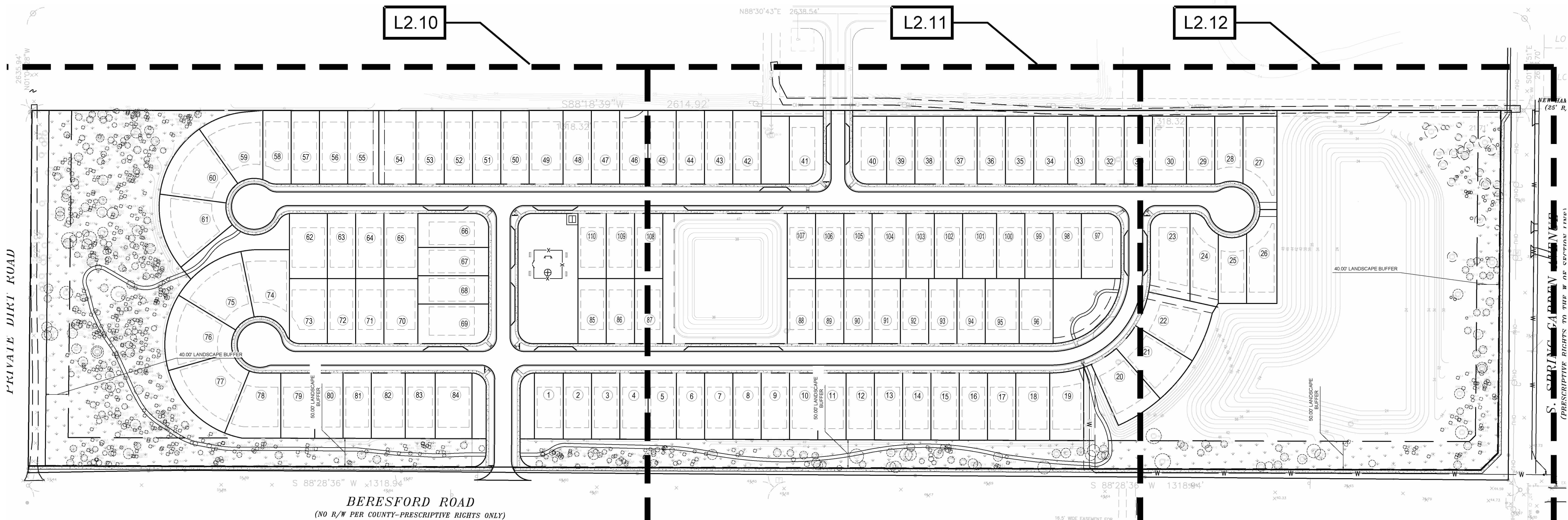
BUFFER REQUIREMENTS		
	REQUIRED	PROVIDED
NORTH - N/A		
EAST - TYPE D - 653 LF	40' REQUIRED	40' MINIMUM
CANOPY TREES - 7.2 PER 100 LF	47	111 EXISTING CANOPY TREES TO REMAIN
UNDERSTORY TREES - 3 PER 100 LF	20	
SHRUBS - 30 PER 100 LF	200	EXISTING UNDERSTORY PLANT MATERIAL TO REMAIN
WEST - TYPE D - 640 LF	40' REQUIRED	40' MINIMUM
CANOPY TREES - 7.2 PER 100 LF	46	200 PLUS EXISTING CANOPY TREES TO REMAIN
UNDERSTORY TREES - 3 PER 100 LF	20	
SHRUBS - 30 PER 100 LF	192	EXISTING UNDERSTORY PLANT MATERIAL TO REMAIN
SOUTH - TYPE D - 2556 LF	50' REQUIRED	50' MINIMUM
CANOPY TREES - 7.2 PER 100 LF	184	59 CANOPY AND 265 EXISTING CANOPY TREES TO REMAIN
UNDERSTORY TREES - 3 PER 100 LF	77	
SHRUBS - 30 PER 100 LF	767	EXISTING UNDERSTORY PLANT MATERIAL TO REMAIN

SOD AND SEEDING NOTES NOTES:
1. SOD RETENTION AREA SIDE SLOPES TO POND BOTTOM WITH BAHIA SOD.
2. SOD ALL DISTURBED AREAS UP TO RESIDENTIAL LOT LINES AND RIGHT OF WAYS WITH BAHIA SOD.
3. SOD ALL AREAS BETWEEN BACK OF CURB AND SIDEWALKS WITH BAHIA SOD.

PLANT SCHEDULE

TREES	CODE	QTY	BOTANICAL / COMMON NAME	DBH	CONT.	SIZE
	MG	26	Magnolia grandiflora / Southern Magnolia	4" Min.	Field Grown 44" Min. Rootball	14' Ht. & 54" Spr.
	PE	180	Pinus elliottii / Slash Pine	4" Min.	Field Grown 44" Min. Rootball	14' Ht. & 54" Spr.
	QV	133	Quercus virginiana / Southern Live Oak	4" Min.	Field Grown 44" Min. Rootball	14' Ht. & 8' Spr.
	TD	521	Taxodium distichum / Bald Cypress	4" Min.	Field Grown 44" Min. Rootball	14' Ht. & 54" Spr.

DBH SHALL BE MEASURED AT 4.5' ABOVE GROUND LEVEL.



OVERALL PLAN
SCALE: 1"=100'-0"



Dewberry Engineers Inc.
110 WEST INDIANA AVENUE
SUITE 202
DELAND, FLORIDA 32720
PHONE: 386.785.0468
ENGINEERING BUSINESS -8794

OAK HAMMOCK
RESERVE

SPRING GARDEN AVE. S. (CR 4127)
& W. BERESFORD RD.
DELAND, FLORIDA 32738

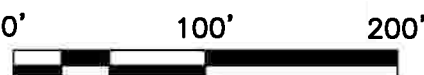
SEAL

Michael J. Litchuk
FL RLA # 6666675
May 10, 2022

KEY PLAN

SCALE

NORTH



NO.	DATE	BY	DESCRIPTION
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REVISIONS

DRAWN BY	MU
APPROVED BY	MU
CHECKED BY	MU
DATE	02/16/2022

TITLE

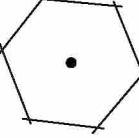
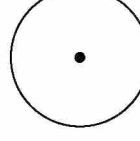
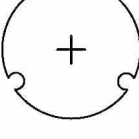
OVERALL
PLAN

PROJECT NO. 50143466

L2.00

SHEET NO.

PLANT SCHEDULE

STREET TREES	CODE	QTY	BOTANICAL / COMMON NAME	DBH	CONT.	SIZE	REMARKS
	AR2	61	Acer rubrum / Red Maple	4" Min.	Field Grown 44" Min. Rootball	14' Ht. & 8' Spr.	
	MG2	8	Magnolia grandiflora / Southern Magnolia	4" Min.	Field Grown 44" Min. Rootball	14' Ht. & 54" Spr.	
	QV2	58	Quercus virginiana / Southern Live Oak	4" Min.	Field Grown 44" Min. Rootball	14' Ht. & 8' Spr.	

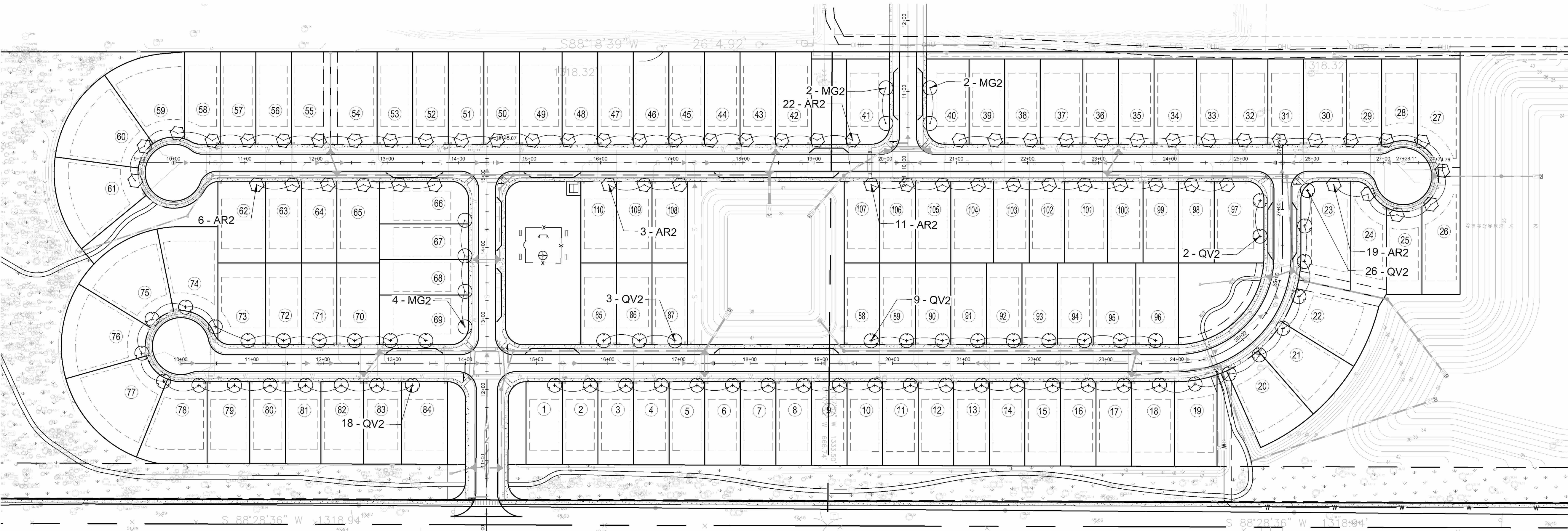
DBH SHALL BE MEASURED AT 4.5' ABOVE GROUND LEVEL.

NOTES:

- STREET TREES TO BE INSTALLED BY HOME BUILDER.
- STREET TREES TO BE INSTALLED BETWEEN 5 AND 15 FEET FROM RIGHT OF WAY.
- STREET TREE LOCATIONS ARE APPROXIMATE. FINAL LOCATIONS CAN BE ADJUSTED TO ACCOUNT FOR DRIVEWAYS.
- REQUIRED LOT TREES INSTALLED WITHIN 10 TO 20 FEET OF RIGHT OF WAY CAN BE COUNTED AS STREET TREES.

LOT TREES:

- 3 TREES PER LOT. (110 LOTS X 3 TREES = 330 TREES)
- LOT TREES ARE TO BE INSTALLED BY HOME BUILDER.
- LOT TREE SHALL BE A MIN. OF 4" DBH.
- LOT TREES SHALL BE CANOPY TREES FROM THE CITY APPROVED PLANT LIST



STREET TREE PLAN

SCALE: 1"=80'-0"



Dewberry Engineers Inc.
110 WEST INDIANA AVENUE
SUITE 202
DELAND, FLORIDA 32720
PHONE: 386.785.0488
ENGINEERING BUSINESS -8794

OAK HAMMOCK
RESERVE

SPRING GARDEN AVE. S. (CR 4127)
& W. BERESFORD RD.
DELAND, FLORIDA 32738

SEAL

Michael J. Luchuk
FL RLA # 6666075
May 10, 2022

KEY PLAN

SCALE

NORTH

0' 80' 160'

NO.	DATE	BY	DESCRIPTION
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REVISIONS

DRAWN BY --

APPROVED BY MU

CHECKED BY MU

DATE 02/16/2022

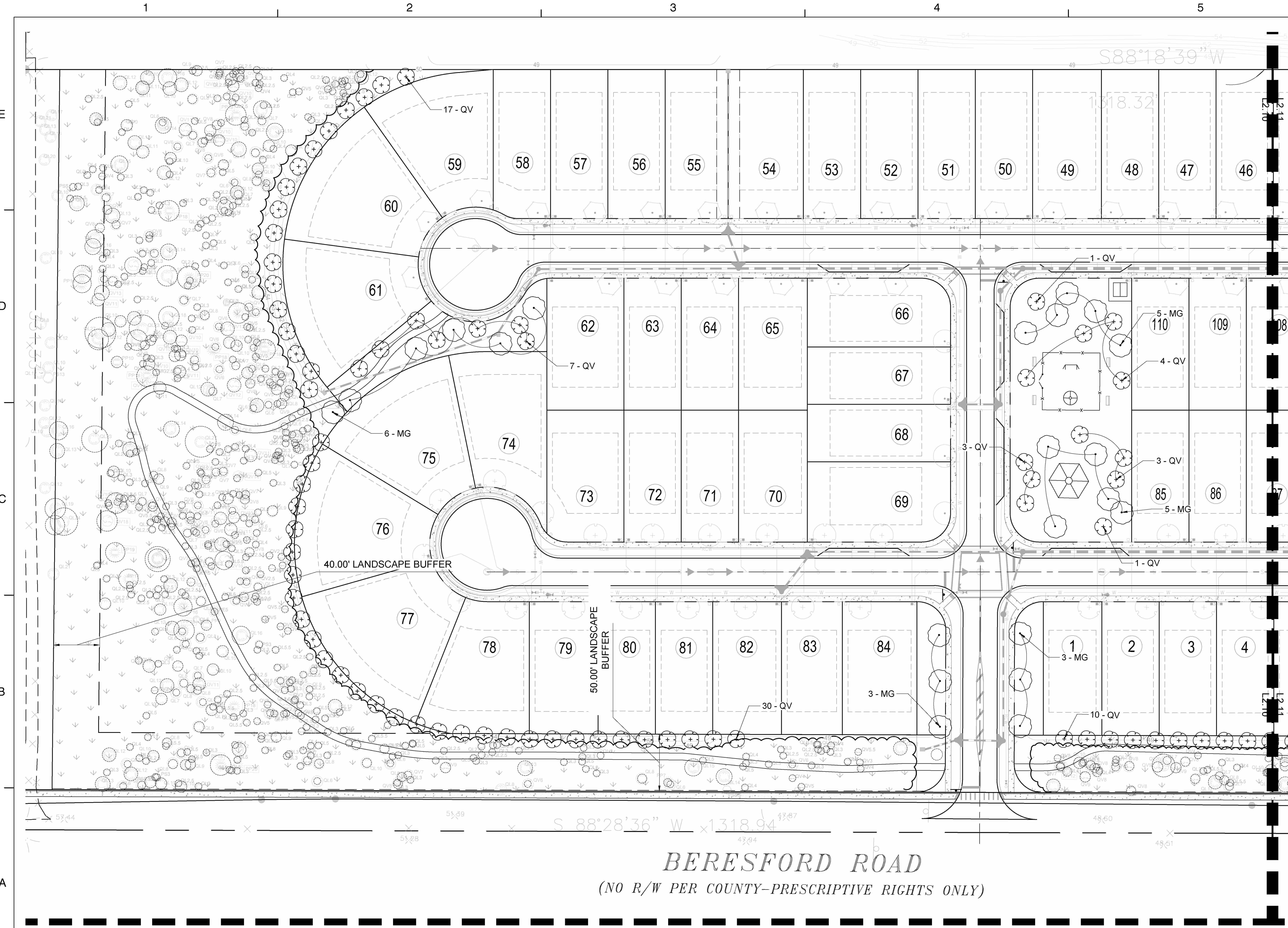
TITLE

STREET TREE
PLAN

PROJECT NO. 50143466

L2.01

SHEET NO.



LANDSCAPE PLAN
SCALE: 1"=40'-0"



Dewberry Engineers Inc.
110 WEST INDIANA AVENUE
SUITE 202
DELAND, FLORIDA 32720
PHONE: 386.785.0468
ENGINEERING BUSINESS -8794

OAK HAMMOCK
RESERVE

SPRING GARDEN AVE. S. (CR 4127)
& W. BERESFORD RD.
DELAND, FLORIDA 32738

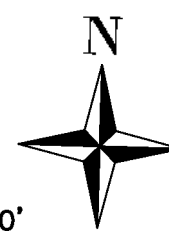
SEAL

Michael J. Luchuk
FL RLA # 6666075
May 10, 2022

KEY PLAN

SCALE

NORTH



0' 40' 80'

NO.	DATE	BY	DESCRIPTION

REVISIONS

DRAWN BY	---
APPROVED BY	MU
CHECKED BY	MU
DATE	02/16/2022

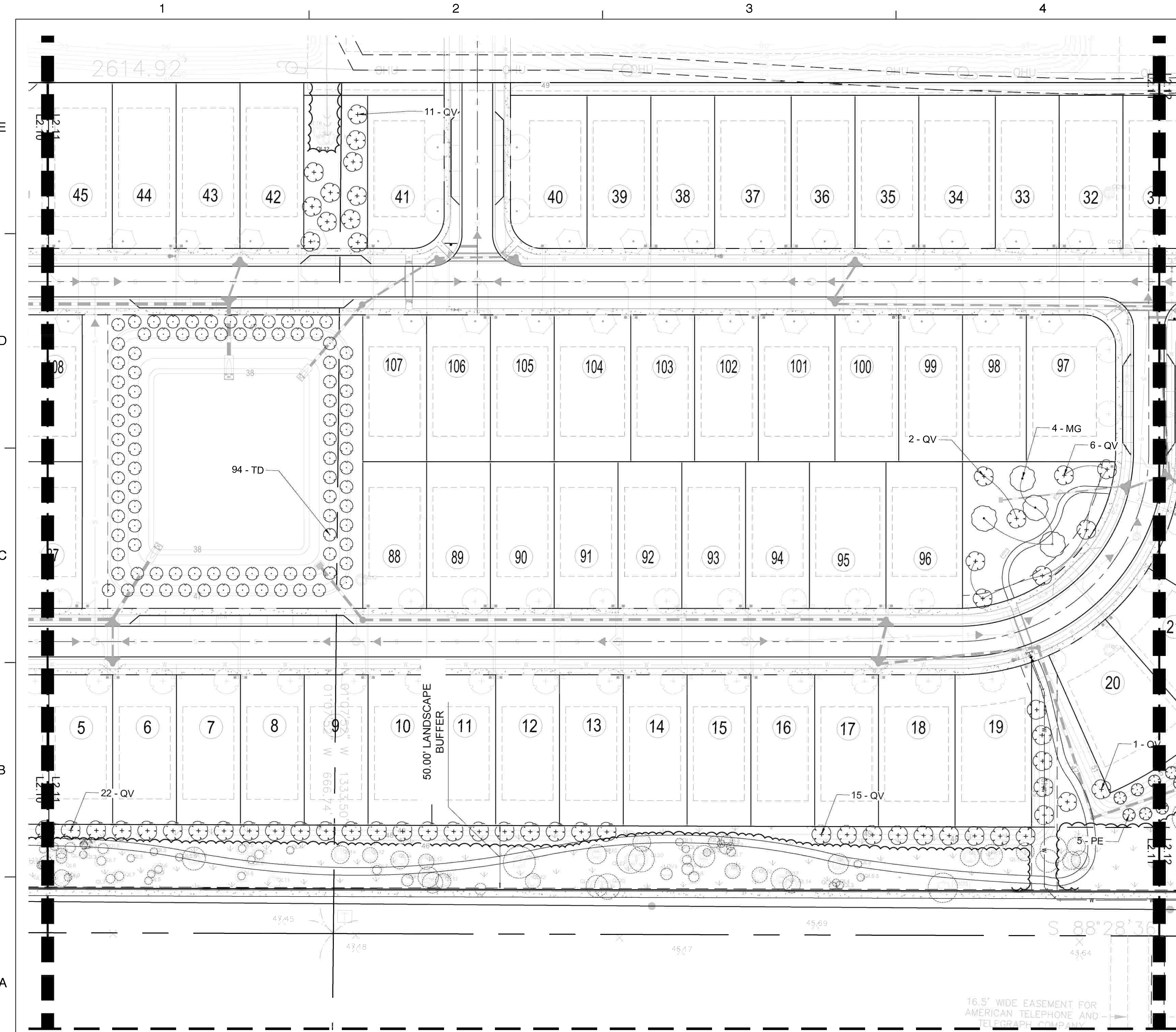
TITLE

LANDSCAPE
PLAN

PROJECT NO. 50143466

L2.10

SHEET NO.



LANDSCAPE PLAN
SCALE: 1"=40'-0"



Dewberry Engineers Inc.
110 WEST INDIANA AVENUE
SUITE 202
DELAND, FLORIDA 32720
PHONE: 386.785.0488
ENGINEERING BUSINESS -8794

OAK HAMMOCK
RESERVE

SPRING GARDEN AVE. S. (CR 4127)
& W. BERESFORD RD.
DELAND, FLORIDA 32738

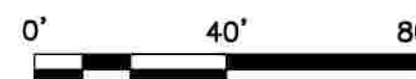
SEAL

McFae, J. Litchuk
FL RLA # 6666075
May 10, 2022

KEY PLAN

SCALE

NORTH



NO.	DATE	BY	DESCRIPTION

REVISIONS

DRAWN BY

APPROVED BY

MU

CHECKED BY

MU

DATE

02/16/2022

TITLE

LANDSCAPE
PLAN

PROJECT NO.

50143466

L2.11

SHEET NO.

\\OAK\50143466\DWG\Landscaping\OAK\50143466.dwg Plotted on: 02/16/2022
Dewberry Copyright © 2019



NO.	DATE	BY	DESCRIPTION

REVISIONS

DRAWN BY	---
APPROVED BY	MU
CHECKED BY	MU
DATE	02/16/2022

TITLE
LANDSCAPE
NOTES AND
DETAILS

PROJECT NO.	50143466
-------------	----------

L3.10

SHEET NO.

1. The Landscape Contractor shall be responsible for all materials and all work as called for in the Landscape Plans and the Landscape Specifications. In the event of variation between quantities shown on plant list and the plans, the plans shall control. The Landscape Contractor shall verify all quantities and report any discrepancies at the time of bidding.
2. The Landscape Contractor shall review architectural/engineering plans and become thoroughly familiar with surface and subsurface utilities.
3. Every possible safeguard shall be taken to protect building surfaces, equipment and furnishings. The Landscape Contractor shall be responsible for any damage or injury to person or property which may occur as a result of negligence in the execution of the work.
4. The work shall be coordinated with other trades to prevent conflicts. Coordinate the planting with the irrigation work to assure availability and proper location of irrigation lines and plants.
5. All planting shall be performed by personnel familiar with planting procedure and under the supervision of a qualified planting foreman.
6. All plant material shall be graded Florida No. 1 or better as outlined under Grades and Standards for Nursery Plants, Part I and II, published by the Florida Department of Agriculture and Consumer Services.
7. The Landscape Architect or Owner shall have the right, at any stage of the operations, to reject any and all work and materials which, in his opinion, do not meet with the requirements of these specifications.
8. Except as otherwise specified, the Landscape Contractor's work shall conform to accepted horticultural practices as used in the trade.
9. The minimum acceptable size of all plants, measured after pruning, with branches in normal positions, shall conform to the measurements specified on the plant list or as indicated on the landscape drawing. Height and spread dimensions refer to main body of the plant and not extreme branch tip to tip. The caliper of tree trunks is to be taken one foot above the ground level for trees 4" and larger and 6" above ground for trees less than 4".
10. Plants shall be protected upon arrival at the site, by being thoroughly watered and properly maintained until planted.
11. All tree pits shall be excavated to size and depth in accordance with the USDA Standard for Nursery Stock 260.1, unless shown otherwise on the drawings, and backfilled with the specified planting soil. The Landscape Contractor shall test fill all tree pits with water before planting to assure proper drainage percolation is available.
12. The Landscape Contractor shall be responsible for proper watering of all plants. All plants shall be thoroughly watered at end of planting and kept adequately watered until time of acceptance. It shall be the Landscape Contractor's responsibility to assure that plants are not over watered.
13. It shall be the Landscape Contractor's responsibility to prevent plants from falling or being blown over, to re-straighten and replant all plants which lean or fall and to replace all plants which are damaged due to lack of proper guying or staking. The Landscape Contractor shall be legally liable for any damage caused by instability of any plant material.
14. All trees and all palms shall be guyed or staked or braced. The Landscape Contractor shall determine which small or multi-trunk trees need to be guyed and staked to maintain plants. Staking of trees and shrubs, if required, shall be done as per staking and guying diagram prepared by the Landscape Architect. It shall be the responsibility of the Landscape Contractor to remove guys and stakes from the trees and job site after a period of 90 days.
15. Plants blown over by high winds, within the guaranteed period, shall not be cause for additional expense to the Owner, but shall be the responsibility of the Landscape Contractor. Damaged plants shall be replaced by the Landscape Contractor at no additional cost to the Owner.
16. Sod shall be certified to be free of the imported fire ant. Sod shall have a clean growth of acceptable grass, reasonably free of weeds with not less than 1 1/2" of soil firmly adhering to roots. It shall be the responsibility of the Landscape Contractor to measure and determine the exact amount required. This amount shall be verified with the Owner and Landscape Architect before installation.
17. The Landscape Contractor shall insure adequate vertical drainage in all plant beds, planters, and sod areas. Vertical draining through any compacted fill to native soil shall be accomplished to insure drainage. If well drained fill is necessary to assure positive drainage, this issue shall be brought up by the Landscape Contractor at time of bidding.
18. The Landscape Contractor shall insure that his work does not interrupt established or projected drainage patterns.
19. The Landscape Contractor shall prune, shape and remove dead foliage/limbs from existing plant material to remain. Conform with the Landscape Architect or Owner the extent of work required at time of bidding.

20. Mulch - All plant beds shall be top dressed with 3" shredded hardwood mulch (or approved equal).

21. MAINTENANCE PRIOR TO FINAL INSPECTION AND ACCEPTANCE

- a. Maintenance shall commence after each plant is planted and the maintenance period shall continue until the job or specific phase of the job is accepted by the Landscape Architect or Owner. Extreme care shall be taken to instruct the Owner or his representatives in the maintenance of the plants.
- b. Plant maintenance shall include watering, pruning, weeding, cultivating, mulching, lighting, and repairing of guards, replacement of sick or dead plants, resetting plants to proper grades or upright positions and restoration of the planting saucer and all other care necessary to keep the plants in proper condition.
- c. During the maintenance period and up to the date of final acceptance, the Landscape Contractor shall do all seasonal spraying, annual dosing of trees and shrubs. Upon completion of all planting, an inspection for acceptance of work will be held. The Landscape Contractor shall be responsible for the availability of the plants for inspection 10 days prior to the anticipated date of acceptance.
- d. At the time of the inspection, if all of the material is acceptable, a written notice will be given by the Landscape Architect or Owner to the Landscape Contractor. Stating the date when the Maintenance Period ends.

GUARANTEE AND REPLACEMENT:

- f. At the end of the guarantee period, any plant required under this contract that is dead or not in satisfactory growth, as determined by the Owner or the Landscape Architect, shall be removed and replaced. Replacement plants shall have an extended guarantee, as noted above, from time of replacement.
- g. All replacements shall be planted of the same kind and size as specified on the plant list. They shall be the responsibility of the Landscape Contractor.


$$1'' = 1' \cdot 0''$$

N.T.S. 329343.33-01



N.T.S. 329343.32-01



NOTE: LOCATE PLANTS IN A TRIANGULAR PATTERN AS SHOWN, SPACED EQUIDISTANT FROM EACH OTHER (AT SPACING SPECIFIED IN THE PLANT LIST).

IF SHRUB IS B & B, THEN REMOVE BURLAP &
ROPE FROM TOP 1/3 OF BALL

- MINIMUM 2" MULCH
- SOIL BERM
- MINIMUM 12" DEPTH OF PLANTING SOIL
IN GROUNDCOVER PLANTING BEDS
- 3 INCHES MULCH (SEE LANDSCAPE N
FOR TYPE OF MULCH)

- PLANTING SOIL MIXED PER SPECIFICATIONS
- UNDISTURBED SUBSOIL
- PROVIDE MINIMUM PIT CLEARANCE AROUND
ROOT BALL OF 6" SIDES AND BOTTOM.

NTS 329333.13-04

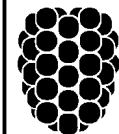


1" = 1'-0" 329343.23-03

Drawing name: S:\Oak Hammock Reserve\Platting\Surplot_Oakhammock.dwg Sheet 1 May 12, 2022 3:16pm by jplmited

LEGEND AND ABBREVIATIONS:

CCR	CERTIFIED CORNER RECORD	PI	POINT OF INTERSECTION
CB	CHORD BEARING	POB	POINT OF BEGINNING
CH	CHORD DISTANCE	POC	POINT OF COMMENCEMENT
CL	CENTER LINE	PRC	POINT OF REVERSE CURVATURE
CM	CONCRETE MONUMENT	PRM	PERMANENT REFERENCE MONUMENT
D.E.	DRAINAGE EASEMENT	PSM	PROFESSIONAL SURVEYOR MAPPER
ESMT	EASEMENT	PT	POINT OF TANGENCY
U.E.	UTILITY EASEMENT	PNT	POINT OF NON-TANGENCY
FND	FOUND	R	RADIUS
ID	IDENTIFICATION	(R)	RADIAL
IP	IRON PIPE	R/W	RIGHT OF WAY
L	ARC LENGTH	SEC	SECTION-TOWNSHIP-RANGE
LB	LICENSED BUSINESS	(TYP)	TYPICAL
M.B.	MAP BOOK	U.E.	UTILITY EASEMENT
N/D	NAIL & DISK	Δ	CENTRAL ANGLE
NO.	NUMBER	— —	BREAK LINE
(NR)	NON-RADIAL	■	SET 4"x4" CM (PRM LB 8110)
ORB	OFFICIAL RECORDS BOOK	□	FOUND 4"x4" CM (PRM LB 68)
PC	POINT OF CURVATURE	⊙	SET N/D (PCP LB8011)
PCC	POINT OF COMPOUND CURVATURE	⊙	FOUND N/D (PCP LB 68)
PCP	PERMANENT CONTROL POINT	⊙	SET 5/8" IRON ROD & CAP (LB8011)
PG(S).	PAGE/PAGES	⊙	FOUND RAIL ROAD SPIKE

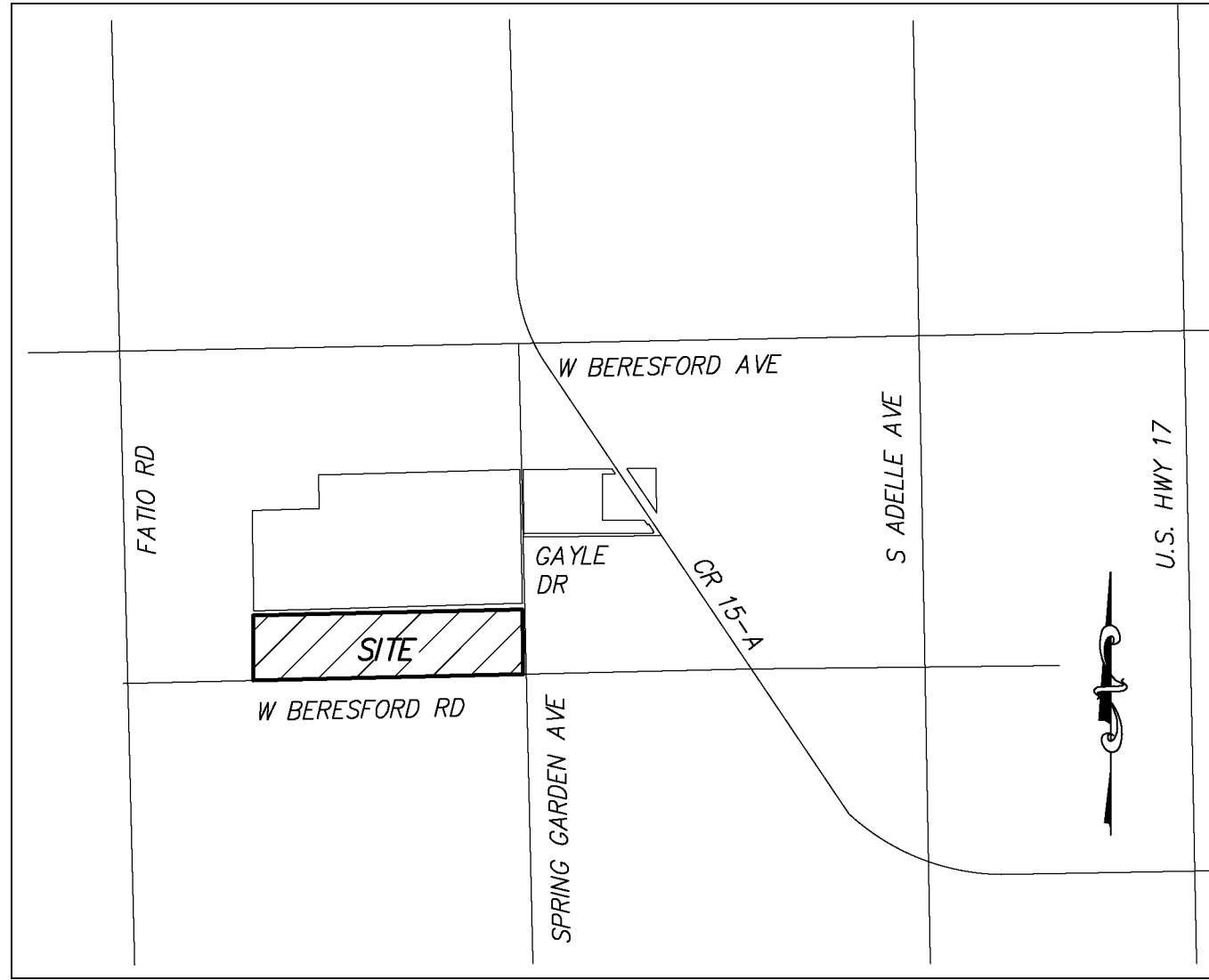


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CERTIFICATE OF AUTHORIZATION NO. LB 8011

OAK HAMMOCK RESERVE
SITUATED IN SECTION 19, TOWNSHIP 17 SOUTH, RANGE 30 EAST,
CITY OF DELAND, VOLUSIA COUNTY, FLORIDA



VICINITY MAP
(NOT TO SCALE)

LEGAL DESCRIPTION:

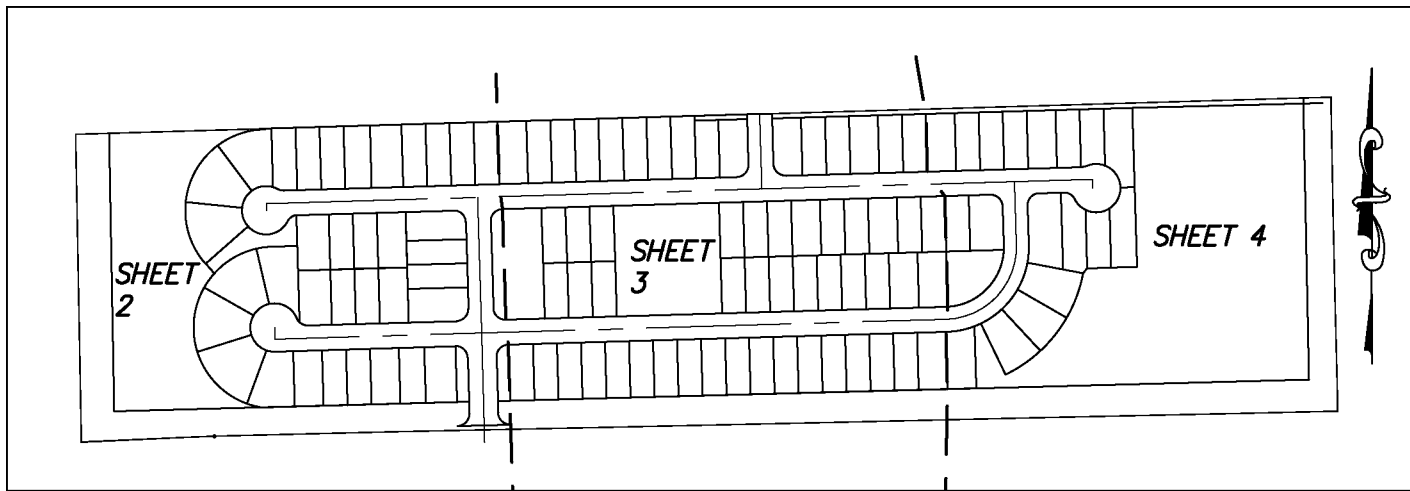
THE NORTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 19, TOWNSHIP 17 SOUTH, RANGE 30 EAST, VOLUSIA COUNTY, FLORIDA,

LESS AND EXCEPT THE MAINTAINED RIGHT OF WAY OF BERESFORD ROAD AND SOUTH SPRING GARDEN AVENUE.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE BEGIN AT A NAIL AND DISK WITH NO IDENTIFICATION MARKING THE EAST 1/4 CORNER OF SAID SECTION 19; THENCE S88°18'39"W, ALONG THE NORTH LINE OF SAID SOUTHEAST 1/4 A DISTANCE OF 21.71 FEET TO A POINT ON THE COUNTY MAINTAINED RIGHT OF WAY OF SPRING GARDEN AVENUE AND THE POINT OF BEGINNING; THENCE SOUTHERLY ALONG SAID MAINTAINED LINE THE FOLLOWING FOUR (4) COURSES: (1) S01°02'41"E, 248.35 FEET; (2) S01°18'25"E, 176.89 FEET; (3) S01°22'58"E, 183.74 FEET; (4) S01°09'29"E, 44.29 FEET TO A POINT ON THE NORTHERLY MAINTAINED COUNTY RIGHT OF WAY OF BERESFORD ROAD; THENCE WESTERLY ALONG SAID MAINTAINED LINE THE FOLLOWING EIGHT (8) COURSES: (1) S88°47'41"W, 202.81 FEET; (2) S88°47'12"W, A DISTANCE OF 439.21 FEET; (3) S88°41'47"W, 406.08 FEET; (4) S88°43'46"W, 491.57 FEET; (5) S88°48'02"W, 417.05 FEET; (6) S88°36'30"W, 382.42 FEET; (7) S87°42'37"W, 64.40 FEET; (8) S87°22'44"W, 212.96 FEET TO THE WEST LINE OF THE NORTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 19; THENCE N01°04'28"W, ALONG SAID WEST LINE A DISTANCE OF 640.18 FEET TO THE CENTER OF SECTION; THENCE N88°18'39"E, ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 19 A DISTANCE 2614.92 FEET TO THE POINT OF BEGINNING.

HAVING AN AREA OF 38.638 ACRES MORE OR LESS



KEY MAP
SCALE 1" = 400'

SHEET INDEX

SHEET 1: COVER SHEET/LEGEND
SHEETS 2 - 4: DETAIL SHEETS

NOTICE

THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

MAP BOOK: PAGE:

**OAK HAMMOCK RESERVE
DEDICATION**

KNOW ALL MEN BY THESE PRESENTS, THAT THE ENTITY NAMED BELOW, BEING THE OWNER IN FEE SIMPLE OF THE LAND DESCRIBED IN THIS PLAT ("PROPERTY") HEREBY DEDICATES AND CONVEYS SAID LANDS AND PLAT FOR THE USES AND PURPOSES THEREIN EXPRESSED AND DEDICATES AND CONVEYS: THE FEE SIMPLE TITLE TO TRACT "A" (RIGHT OF WAY), UTILITY EASEMENT AND DRAINAGE EASEMENT, TRACT "N" (RIGHT OF WAY DEDICATION) TO THE PERPETUAL USE OF THE PUBLIC AND VOLUSIA COUNTY. THE FEE SIMPLE TITLE TO TRACTS B & C (STORMWATER RETENTION AREA), TRACT "D" (COMMUNITY AMENITY AREA), TRACTS "E" & "F" (TREE PROTECTION AREA), TRACTS "G", "H", "I", "J", "K", "L" & "M" (COMMON OPEN AREA), TO OAK HAMMOCK RESERVE HOME OWNERS ASSOCIATION;

IN WITNESS WHEREOF, THE OWNER HAS CAUSED THESE PRESENTS TO BE SIGNED AND ATTESTED TO BY THE OFFICER NAMED BELOW AND ITS CORPORATE SEAL TO

BE AFFIXED HERETO ON _____, A.D. 2022.

OAK HAMMOCK HOLDINGS LLC,
36 CHARMING WAY, LAKEWOOD, NJ 08701

BY: _____
SIGNATURE

MARK GOLDSCHMIDT

TITLE; MANAGER

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:

WITNESS: _____
SIGNATURE PRINTED NAME

WITNESS: _____
SIGNATURE PRINTED NAME

STATE OF FLORIDA, COUNTY OF VOLUSIA

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY MEANS OF ☐ PHYSICAL PRESENCE OR ☐ ONLINE NOTARIZATION THIS _____ DAY OF _____, 2022, BY _____ AS AUTHORIZED PERSON OF OAK HAMMOCK HOLDINGS LLC, A FLORIDA LIMITED LIABILITY PARTNERSHIP ON BEHALF OF THE COMPANY, IN ITS CAPACITY AS GENERAL PARTNER OF _____

SAID PERSON () IS PERSONALLY KNOWN TO ME OR () HAS PRODUCED AS IDENTIFICATION: _____

[NOTARY STAMP]

NOTARY PUBLIC, STATE OF FLORIDA

**CERTIFICATE OF APPROVAL OF THE DESIGN AND
INSTALLATION OF STREETS, UTILITIES AND OTHER
REQUIRED IMPROVEMENTS**

I HEREBY CERTIFY THAT ALL STREETS, UTILITIES AND OTHER REQUIRED IMPROVEMENTS HAVE BEEN INSTALLED IN AN ACCEPTABLE MANNER AND ACCORDING TO CITY SPECIFICATIONS AND STANDARDS AND ALL APPLICABLE REGULATIONS IN THE OAK HAMMOCK RESERVE SUBDIVISION, OR THAT A GUARANTEE OF THE INSTALLATION OF THE REQUIRED IMPROVEMENTS IN A MANNER ACCORDING TO SECTION 33-147 OF THE CITY CODE HAS BEEN RECEIVED.

CITY ENGINEER _____ DATE _____

QUALIFICATION STATEMENT OF SURVEYOR AND MAPPER

KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED IS A FLORIDA REGISTERED SURVEYOR AND MAPPER, THAT THE FOREGOING PLAT WAS PREPARED UNDER HIS DIRECTION AND SUPERVISION, THAT PERMANENT REFERENCE MONUMENTS HAVE BEEN PLACED AND THAT PERMANENT CONTROL POINTS HAVE BEEN OR WILL BE PLACED AS REQUIRED BY ALL STATE AND LOCAL REGULATIONS; AND THAT THIS PLAT COMPLIES WITH ALL SURVEY REQUIREMENTS OF CHAPTER 177, PART 1, FLORIDA STATUTES. THE LAND DESCRIBED HEREON LIES IN SECTION 19, TOWNSHIP 17 SOUTH, RANGE 30 EAST, CITY OF DELAND, VOLUSIA COUNTY, FLORIDA.

William D. Donley
(SIGNATURE)

05/13/2022

DATE:

WILLIAM D. DONLEY,
PSM NO. 5381

DEWBERRY ENGINEERS, INC.
110 WEST INDIANA AVENUE, SUITE 202
DELAND, FLORIDA 32720

CERTIFICATE OF AUTHORIZATION NO. (LB) LICENSED BUSINESS 8011

CERTIFICATE OF APPROVAL

REVIEWED FOR CONFORMITY TO FLORIDA STATUTE 177, PART 1, PLATTING (SEAL)

CITY SURVEYOR: JEFF W. BARNES _____ DATE _____
PSM NO. 5576

CERTIFICATE OF APPROVAL BY THE CITY COMMISSION

THE DELAND CITY COMMISSION DOES HEREBY APPROVE THE FINAL PLAT OF:

OAK HAMMOCK RESERVE

(SEAL)

MAYOR, DELAND _____ DATE _____

CERTIFICATE OF CLERK

I HEREBY CERTIFY, THAT I HAVE EXAMINED THE FOREGOING PLAT AND FIND THAT IT COMPLIES IN FORM WITH ALL THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AND WAS FILED FOR RECORD ON _____, 2022

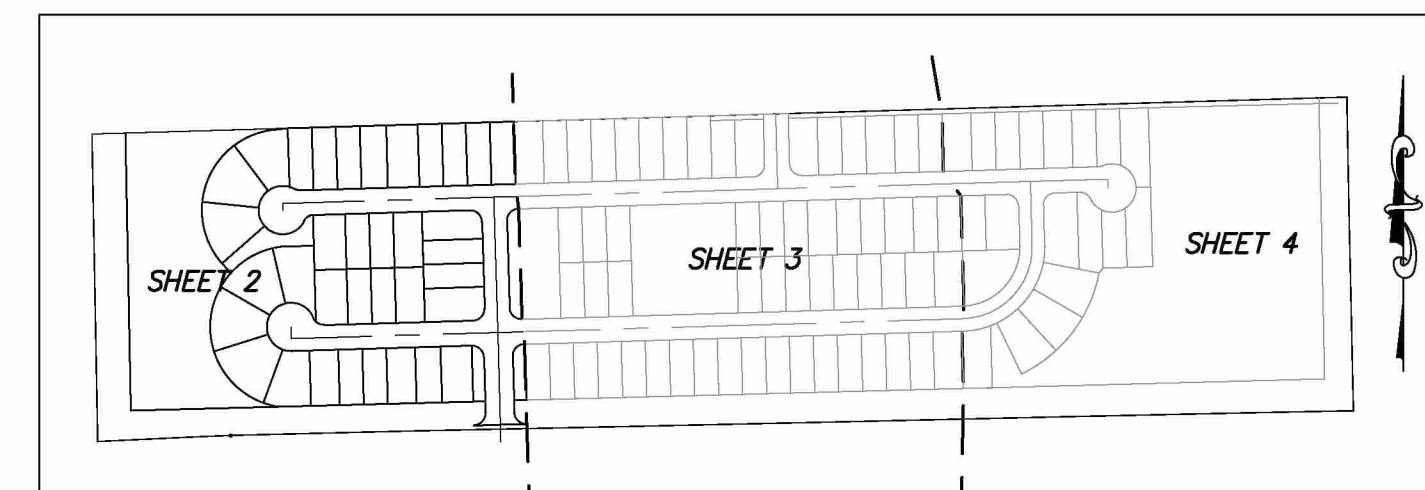
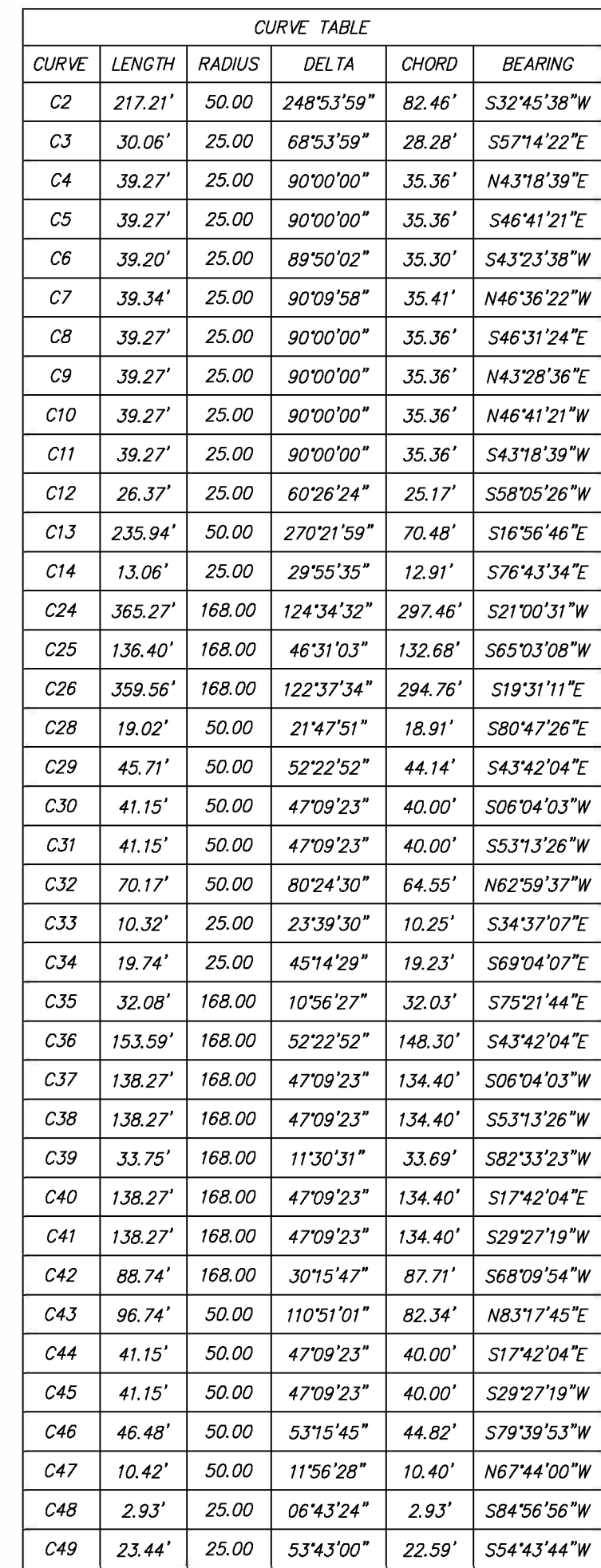
AT _____, FILE NO. _____

BY: _____
CLERK OF THE CIRCUIT COURT IN AND
FOR VOLUSIA COUNTY, FLORIDA

SHEET 1 OF 4

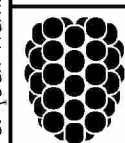
SITUATED IN SECTION 19, TOWNSHIP 17 SOUTH, RANGE 30 EAST,
CITY OF DELAND, VOLUSIA COUNTY, FLORIDA

PAGE:



KEY MAP
SCALE 1" = 400'

SHEET 2 OF 4



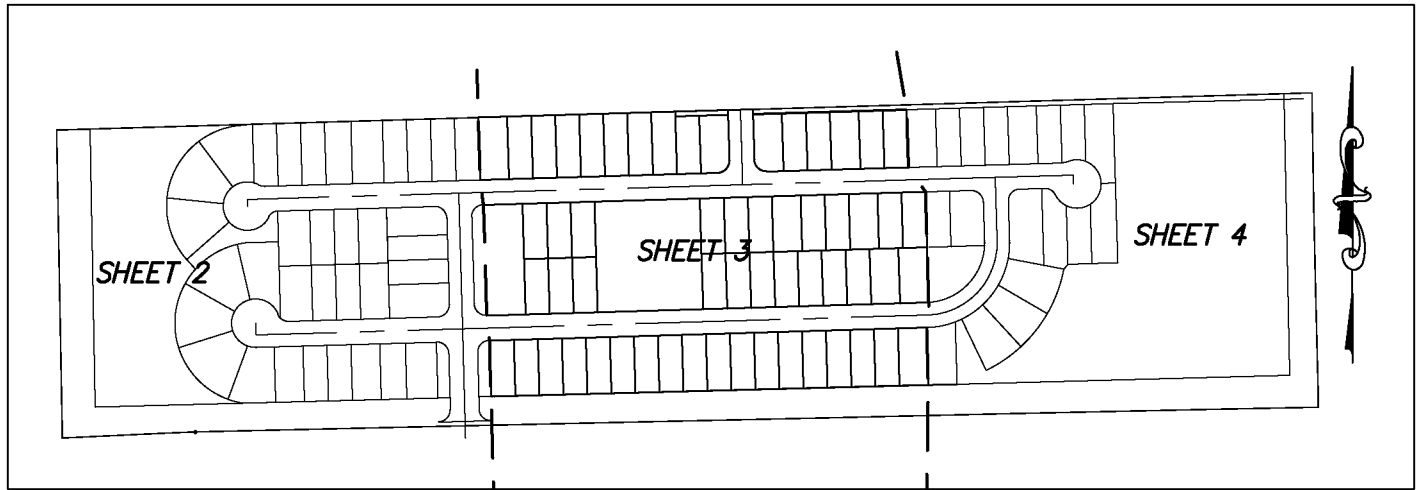
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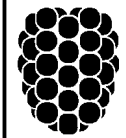
OAK HAMMOCK RESERVE
SITUATED IN SECTION 19, TOWNSHIP 17 SOUTH, RANGE 30 EAST,
CITY OF DELAND, VOLUSIA COUNTY, FLORIDA

MAP BOOK: PAGE:

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	BEARING
C15	39.27'	25.00'	90°00'00"	35.36'	N43°18'39"E
C16	39.27'	25.00'	90°00'00"	35.36'	S46°41'21"E
C62	4.00'	124.00'	01°50'51"	4.00'	N87°23'13"E



KEY MAP
SCALE 1" = 400'

**Dewberry**

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CERTIFICATE OF AUTHORIZATION No. LB 8011

Drawing name: S:\Oak Hammock Reserve\Plotting\Surplot_Oakhammock.dwg Sheet (3) May 12, 2022 3:13pm by: jalmsted

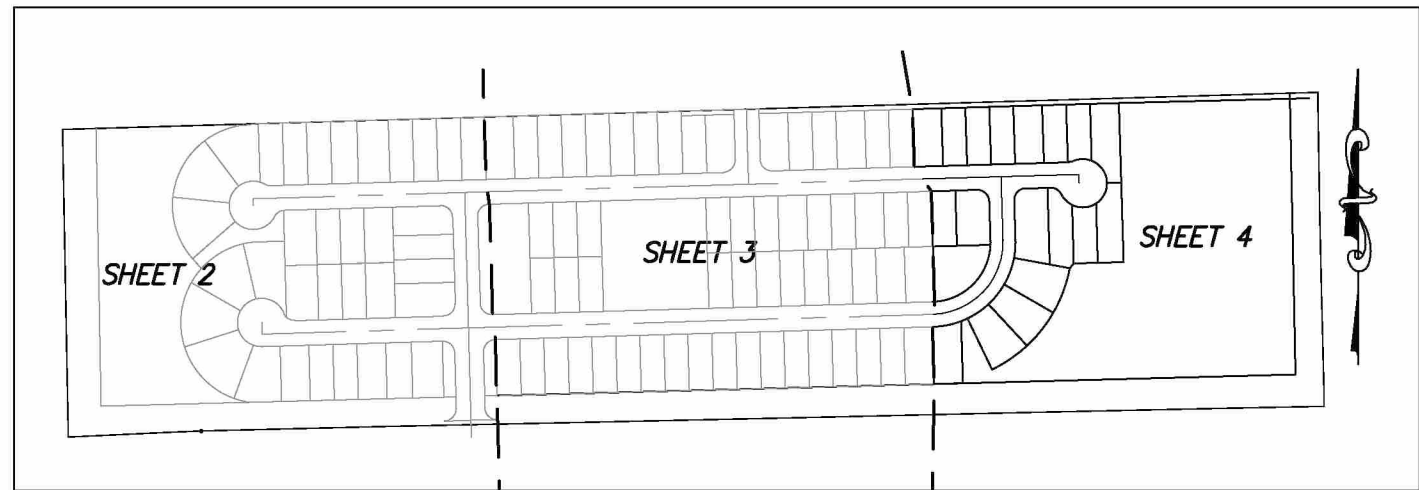
OAK HAMMOCK RESERVE

SITUATED IN SECTION 19, TOWNSHIP 17 SOUTH, RANGE 30 EAST,
CITY OF DELAND, VOLUSIA COUNTY, FLORIDA

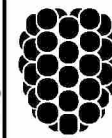
MAP BOOK:

PAGE:

CURVE TABLE				
CURVE	LENGTH	RADIUS	DELTA	BEARING
C1	235.62'	150.00	90°00'00"	212.13° N43°18'39"E
C17	9.18'	25.00	21°02'22"	9.13° N77°47'27"E
C18	231.94'	50.00	265°47'00"	73.26° N20°09'46"E
C19	28.25'	25.00	64°44'38"	26.77° N59°19'03"W
C20	39.27'	25.00	90°00'00"	35.36° S43°18'39"W
C21	276.46'	176.00	90°00'00"	248.90° N43°18'39"E
C22	194.78'	124.00	90°00'00"	175.36° N43°18'39"E
C23	39.27'	25.00	90°00'00"	35.36° N46°41'21"W
C27	275.38'	294.00	53°40'03"	265.42° N37°29'28"E
C50	38.82'	50.00	44°28'57"	37.85° S89°30'45"W
C51	50.98'	50.00	58°24'54"	48.80° N27°31'05"E
C52	52.38'	50.00	60°01'30"	50.02° N86°44'17"E
C53	31.68'	50.00	36°18'14"	31.15° S45°05'51"E
C54	32.91'	176.00	10°42'50"	32.86° N03°40'03"E
C55	64.40'	176.00	20°57'56"	64.04° N19°30'26"E
C56	52.73'	176.00	17°10'03"	52.54° N38°34'25"E
C57	52.73'	176.00	17°10'03"	52.54° N55°44'28"E
C58	14.53'	176.00	04°43'50"	14.53° N66°41'24"E
C59	59.15'	176.00	19°15'19"	58.87° N78°40'59"E
C60	9.01'	124.00	04°09'44"	9.01° N00°23'31"E
C61	181.77'	124.00	83°59'25"	165.93° N44°28'05"E
C67	88.09'	294.00	17°10'03"	87.76° N55°44'28"E
C68	88.09'	294.00	17°10'03"	87.76° N38°34'25"E
C69	99.20'	294.00	19°19'58"	98.73° N20°19'25"E
C70	58.08'	50.00	66°33'25"	54.87° N34°58'04"W

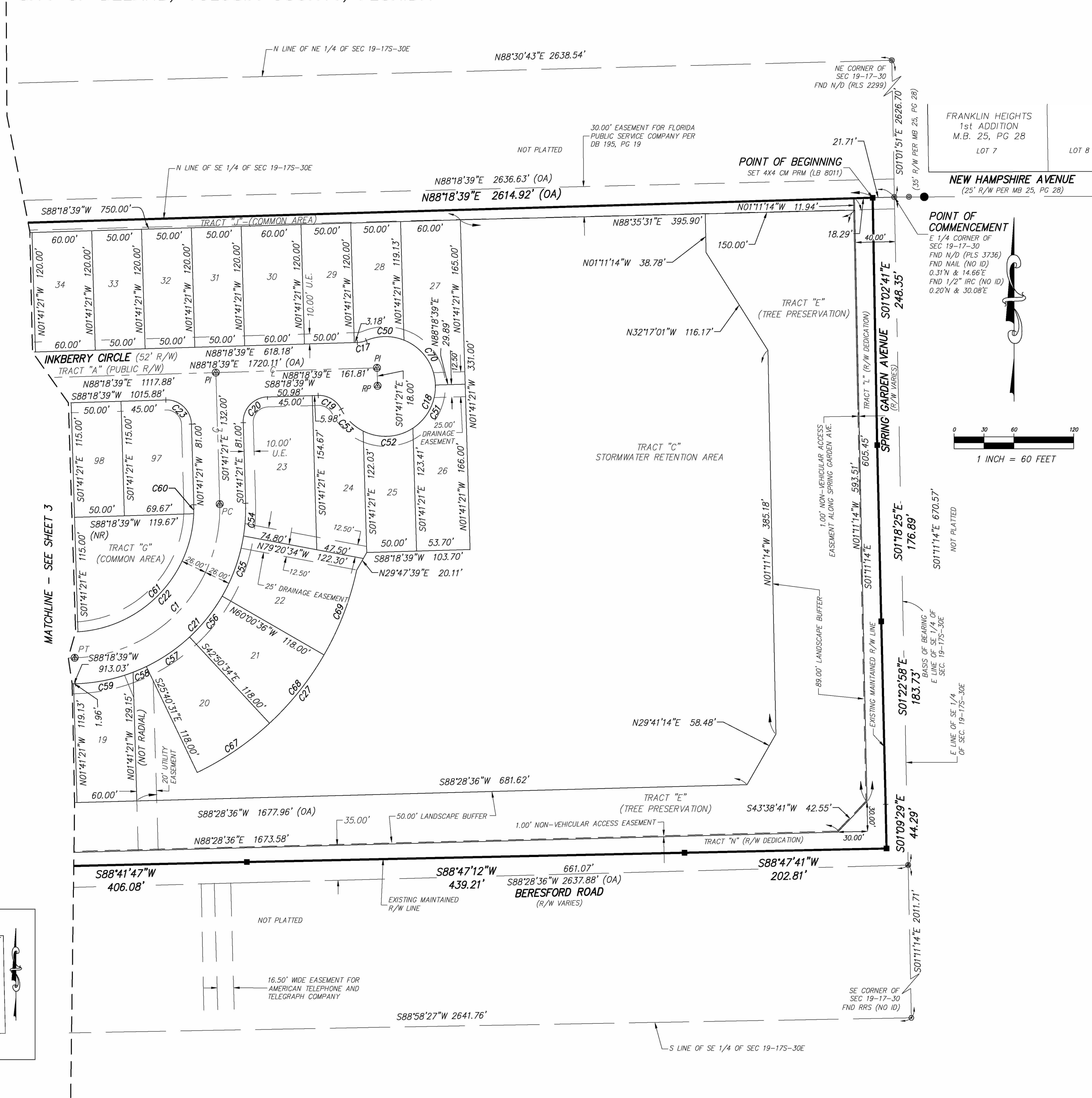


KEY MAP
SCALE 1" = 400'



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CERTIFICATE OF AUTHORIZATION NO. LB 8011



PLANNING STAFF REPORT **to** **PLANNING BOARD**

June 15, 2022

APPLICATION: PSB22-038

SUBJECT: Oak Hammock

1. Location: Parcel No. 701900000150 located at the NW corner of W. Beresford Road and S. Spring Garden Ave.

2. Applicant: Oak Hammock Holdings LLC

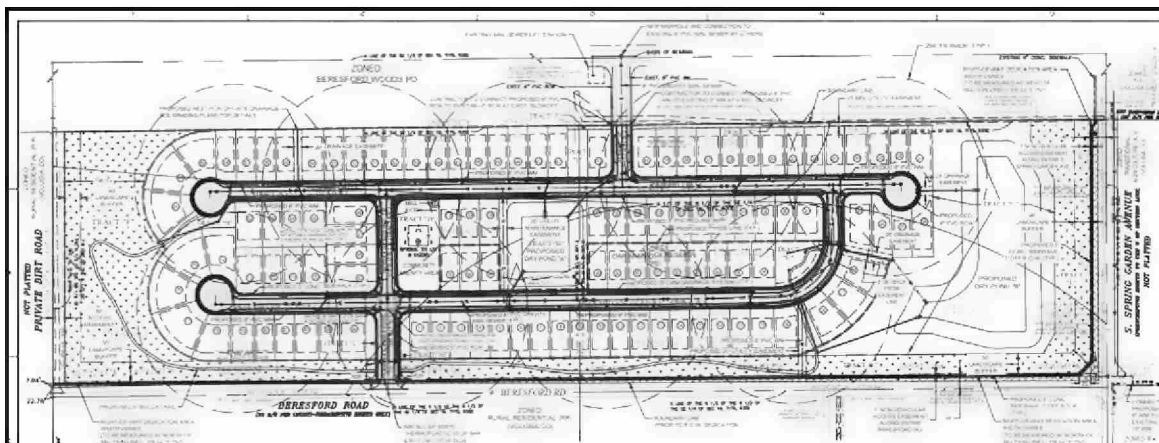
3. Size: 37.66 ± acres

4. Existing Zoning & Land Use:

Land Use: Urban Low Intensity
 Zoning: Oak Hammock Preserve PD

5. Surrounding Conditions:

	SURROUNDING USE:	SURROUNDING ZONING:
North	Urban Low Intensity	Beresford Woods PD
South	VC: Urban Low Intensity	Volusia County: RR (Rural Residential)
East	VC: Urban Low Intensity	Volusia County: Transitional Agriculture
West	VC: Urban Low Intensity	Volusia County: RR (Rural Residential)



6. Applicable Regulations: Land Development Regulations, Article 13.
 Subdivision of land Sec. 33-146.05,

7. Physical Characteristics: The heavily wooded site is vacant and undeveloped.

8. Public Utilities and Service:

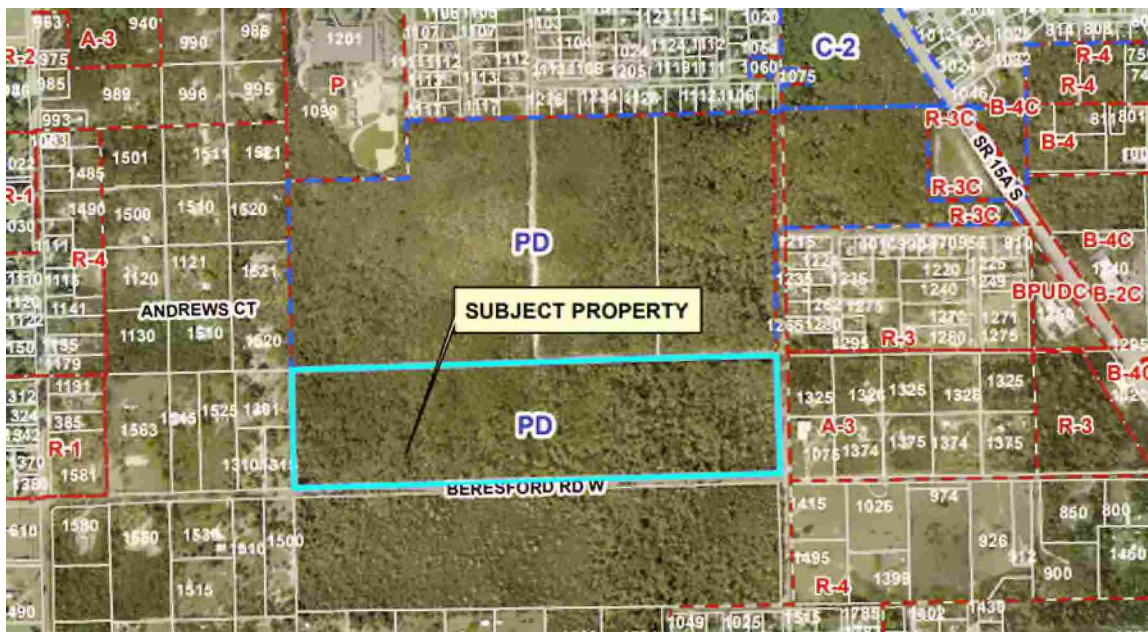
<i>Water:</i>	The proposed development will be served by City potable water facilities.
<i>Sewer:</i>	The proposed development will be served by City sanitary sewer facilities.
<i>Irrigation:</i>	The proposed development will be served by City reclaimed water facilities.
<i>Stormwater:</i>	Stormwater management will be addressed on-site.
<i>Electricity:</i>	The site is served by Duke Energy.

9. Type of Development:

The project site is vacant land located at the NW corner of W. Beresford Rd. and S. Spring Garden Ave. The applicant seeks to develop the subject property into a 110-lot single-family residential subdivision. The adopted PD agreement allows for lot 50 and 60 foot wide lots. All lots in the proposed subdivision meet the minimum dimensions and lot area standards for the PD. The subdivision is also proposed to include common areas such as a community amenity center with tot lot/gazebo & playground; mail kiosk.

10. Analysis:

The development, which is comprised of 110 single family dwelling units, is located in the northwest quadrant of South Spring Garden Avenue and West Beresford Road in the City of DeLand, Florida. Access to the development will be provided via a full access driveway on West Beresford Road. The site will also have connection to the adjacent, previously approved, Beresford Woods residential development north. Build-out of the proposed development is anticipated by 2024. Based on the results of the TIA and recommended improvements, the proposed Oak Hammock Reserve development was recommended for approval.



On March 17, 2022 the Technical Review Committee recommended to forward the Preliminary Plat to the Planning Board conditioned upon receipt of revised plans by April 4, 2022. It appears that there remain outstanding comments from city reviewers that need to be accepted by staff.

Comments generated by the City's Engineering staff reviews have not been completed as of the time for this staff report. The following comments are remaining from their prior review:

TRC Comments:

Engineering

1. Beresford Avenue and S. Spring Garden Avenue are Volusia County maintained roads. County Use Permit is required.
2. 1. Civil Engineer office phone number on Stormwater Report cover page does not match Construction Plan Cover Sheet C01. Please revise.
2. Page 1 – Project Description: Report narrative states project area as 36.63 acres in multiple places. However, the construction plans Cover Sheet C01 states project area as 38.64 acres. Please clarify different in project areas between drainage report and construction plans. Will this change the drainage analysis and calculations in sections B thru D.
3. Page 1 – Soils Table: Please add the percentage slopes (0 to 8% and 8 to 17%) under each Astatula fine sand soil type to differentiate between Soil #4 and #5.
4. Page 2 – Basin Design Methods: 1st Paragraph states, "SCS Soils Survey for Seminole County...". Please revise.
5. Page 2 – Peak Stage Comparison: Text in paragraph should say 100-year 24-hour storm after 10-year 24-hour storm.
3. 1. PRE and POST Basins Time of Concentration (Tc) calculations: Please note per National Resource Conservation Service (NRCS) the max. sheet flow length is max. 100 feet. Calculations submitted used max. 300 feet. Furthermore, SJRWMD has made comments on other City projects to limit the length to max. 100. This comment can be further discussed with staff at TRC meeting on March 17, 2022.
2. PRE Basin 1B: Please check curve number (CN) of 57 used for single family ¼ acre lot. Per TR-55 Manual, table 2-2a, CN should be 61 for Type "A" soil. Please revise spreadsheet calculations and ICPR input.
3. POST Basins Area and CN and Tc spreadsheets: Spreadsheets heading title are labeled as "Pre-Development" on multiple sheets. Please correct where applicable for all Basins and Time of concentration spreadsheets.
4. 1. PRE Basin 5: ICPR model area and CN input do not match spreadsheet calculations. Please revise.
2. PRE Basin 6: Time of concentration input in ICPR model does not match spreadsheet calculations.
3. PRE Node DEP10: ICPR initial and warning stages do not match input Time/Stage data.
4. PRE Node DEP 5: Initial stage EL. 47.0 is below the bottom depressional stage 50.0. Also, why is warning stage same as the depressional bottom stage?
5. PRE ICPR weir links: Irregular weir links are used with cross-sections. Please include the cross sections in the report so that ICPR input can be checked.
5. 1. Erosion Note No. 3. Please revise note that permit must be submitted to Orange City to City of DeLand.
6. 1. Typical Roadway Section, please add callout "SOD" for the 7' wide strip outside the roadway pavement area.
7. 1. General Grading Notes, please add, "Maximum allowable slope is 1:4 (V:H) for grass and sod areas".
2. Please show stationing grade break points (high points) along the streets with flow arrows for clarity.
3. Please move lot grading type text to be within the lots for Lot 76 and 77.
4. Lot 78 and 79 grading Type "A MOD" spot shot locations do not match lot grading detail.

1. Is it possible to move curb inlets D-15 and D-16 away from the curb return radius and HC ramps?
2. Curb inlet D-3 is located in middle of the 25' drainage easement to Pond B. There is concerned in future that inlet top will be damaged by maintenance vehicles accessing the pond.
3. Can the drainage easement width be increased or the storm pipe move further away from Lot 22 house pad? Pipe is about 10 feet deep and located only 11 feet away from house pad. There are safety concerns.
4. Can storm pipe between Inlet D-7 and D-8 be shifted further away from Lot 20 house pad? Pipe is over 10 feet deep and located less than 10 feet away from house pad. There are safety concerns.

E. STAFF RECOMMENDATION:

Staff recommends approval of the plat by the Planning Board, subject to all comments being met (including any new comments in response to the recent resubmittal), and that the plans be forwarded to City Commission for review, after all comments have been addressed.

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

June 15, 2022

A. APPLICATION NO.: SMLU22-074

APPLICANT: Steven Campisi, Evans Engineering
United Shares Real Estate LLC (owner)

REQUEST: To amend the future land use designation of 4 parcels located on N. Spring Garden Ave., from Mixed Office-Residential to High Density Residential

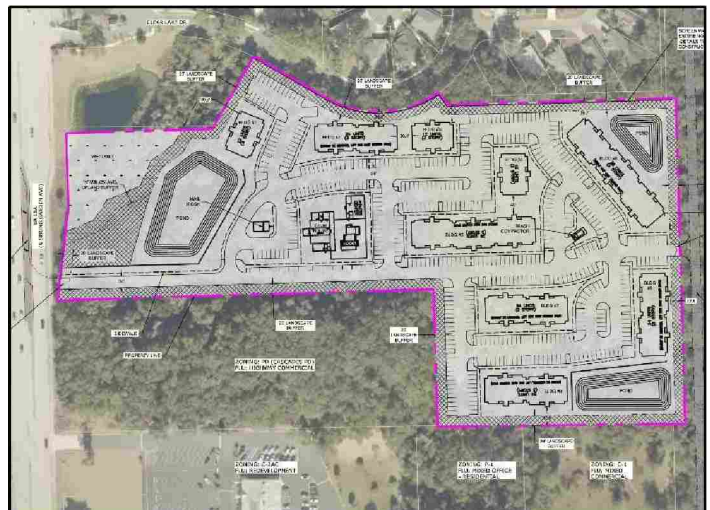
B. SITE FACTORS:

Location: Southeast of the intersection of Clear Lake Rd. and N. Spring Garden Ave.
Parcel ID #: 7005-00-00-012A; 7005-00-00-012B; 7005-00-00-0124; 7005-00-00-0125
Parcel Size: ± 14.57 acres
Land Use: Mixed Office – Residential
Existing Use: Residential/vacant land

	SURROUNDING USE:
North:	Low Density Residential
South:	Highway Commercial; Mixed Office - Residential
East:	Low Density Residential/Community Health Overlay
West:	ROW (Spring Garden Ave.)/ High Density Residential

C. REQUESTED ACTION & HISTORY:

1. REQUEST: The applicant is requesting the future land use designation be amended for four parcels, located on the east side of N. Spring Garden Ave., north of W. Plymouth Ave. and south of Clear Lake Dr., from Mixed Office – Residential (MOR), to High Density Residential (HDR). All four of the subject parcels are vacant and heavily wooded. The applicant is proposing a 204-unit apartment complex and desires to connect to city utilities, which are available.



The Mixed Office-Residential designation allows for a maximum density of 5.8 dwelling units per acre. On 14.57 acres, the property could yield no more than 85 dwelling units. Alternatively, the proposed High Density Residential designation allows for a maximum density of 16 dwelling units per acre. If the proposed land use is approved, the property could theoretically develop up to 233 dwelling units. Per the City's Comprehensive Plan, the High Density Residential land use is intended to act as a buffer between lower density uses and nonresidential uses. Developments with higher densities should be located in proximity to major transportation facilities and utility lines.

The adjacent land uses surrounding the subject property include Highway Commercial, which has a maximum density of 16 dwelling units per acre; Low Density Residential which has a maximum density of 5.8 dwelling units per acre (the same density as the existing land use); and High Density Residential, the same as what is being proposed for this project.

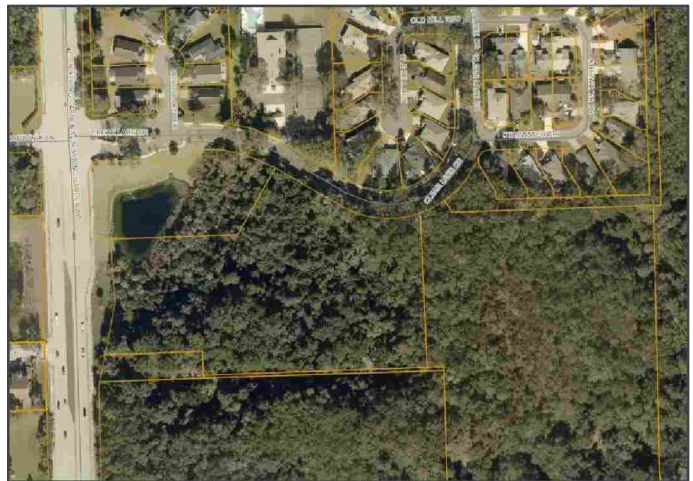
The Applicant is requesting a rezoning of the property from The Cascades PD to Pointe Grand Apartments PD. (Z22-046)

2. CHRONOLOGY OF PAST EVENTS: On June 15, 1987, The Cascades PD was adopted. The development plan included five phases, allocating uses such as single-family residential, fee-simple townhomes, multi-family units, an assisted lifecare facility (ALF), and office uses. As of current, the single-family residential Phases I & II are complete. Phases III, IV and V have remained undeveloped.

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.

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



The City's Utilities Department states that there is an 8" water main located on N. Spring Garden Ave., along the frontage; a 4" force sewer main is also located along the frontage of N. Spring Garden Ave. Water and sewer adequacy will depend on future use/demand.

A Projected Trip Generation Report submitted by the applicant shows an average daily trip count of **1,383** trips; because the trips exceed the 1,000-trip threshold, the applicant will be required to submit a Traffic Impact Analysis.

The change in designation will not generate a new demand for recreation.

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

The City can provide an adequate LOS of Fire/Rescue service.

The City can provide an adequate LOS of 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. The general area is a mix of single and multi-family residential and commercial development. A project of this type would be compatible with the other developments in the surrounding area and within close proximity to a major corridor.
3. **Future Land Use Map:** The change in land use designation to High Density Residential will be shown on the revised Future Land Use Map, if approved.
4. **Location of Lakes, Floodplains, and Wetlands:** The property slopes to the northwest, towards a depression area which will require a permit from SJRWMD; a 25' minimum buffer from any wetlands on the property is required. According to Volusia County's interactive map, the property is located outside of the 100-year floodplain.
5. **Analysis of Natural Resources:**
 - a. *Soil types:*
Astatula-Fine Sand, 0-8% slope
Apopka Fine Sand, 0-5% slope
 - b. *Presence of Endangered Species:*
None known of at this time; however, the applicant will be required to submit an environmental report prior to construction.
6. **Existing and Future Impact upon Infrastructure Capacity:**
 - a. *Water* – The City's Utility Department indicates sufficient water supply is available for the proposed use.
 - 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 will be addressed on-site.
 - d. *Solid Waste* – Solid waste services are available for the property.

- e. *Transportation* – In order to estimate traffic generation by development on the subject property, Staff must make theoretical projections based on the **most intense** uses that are allowed under the existing future land use designation versus the proposed future land use designation.

Staff estimates that development of the 14.57 acres of property under the existing land use designation (MOR), at its **maximum residential density** of 5.8 dwelling units per acre, would generate **592** calculated trips per day at build-out, according to Trip Generation by the Institute of Transportation Engineers. Alternatively, if developed as a **commercial use**, Mixed Office – Residential allows a maximum building square footage of 10,000 square feet per acre, equating to approximately **145,700 square feet** of commercial space. The commercial space would potentially generate **1,604** calculated trips per day at build-out. It is then determined that the **most intense** development that could occur under the existing land use (MOR) is based on the commercial square footage.

Theoretical adoption of the High Density Residential land use designation for 14.57 acres of property, at its **maximum residential density** of 16 dwelling units per acre, would generate **1,624** calculated trips per day at build-out. Therefore, the requested land use amendment could result in an increase of **+20** trips per day.

This area of N. Spring Garden Ave./between Plymouth Ave. and International Speedway Blvd., has a current Daily LOS of “C” per 2018 Volusia County Traffic Counts, and has an Allowable LOS of “D”.

- f. *Fire/Rescue Service* - The Fire Department states that adequate fire protection can be provided and response time is under 5 minutes.
- g. *Police Service* - The Police Department states that adequate police protection can be provided and response time is approximately 5 minutes.
7. **Impact upon Recreation and Open Space:** Per the City’s Capital Improvement Element, park facilities shall be provided at a rate of 7 acres per 1,000 residents. If approved for a land use amendment to High Density Residential, with a **maximum** of 233 new dwelling units (with the most intense scenario), anticipated population would be no more than **382** additional citizens; therefore, a need for new recreation areas is not expected.
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 development on this site will be required to manage its own stormwater.
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 Volusia County School Board must review the applicant's concurrency application and issue a finding of adequate school capacity for this project.
14. **How does this proposal fit with the guidelines developed for DeLand 2050 and the City's Strategic Plan?**
 - a. Located in Urban Core (Category 2) – i.e. “where the majority of the new, higher intensity growth will take place.” – *Consistent*
 - b. DeLand 2050 Land Use Guidelines:
 3. “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*

E. CONCLUSION: The Applicant is proposing an amendment to the future land use designation, with the intention of developing the subject property as multi-family residential. The proposed designation is acceptable as presented and is consistent with the development pattern of the surrounding area.

F. STAFF RECOMMENDATION: Staff recommends approval to amending the subject property's future land use designation to High 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
2. Sanitary Sewer
3. Potable Water
4. Solid Waste
5. Stormwater Drainage
6. Recreation
7. Schools

Table 4. Impact Analysis (Theoretical Max.)

Development Variable	Future Land Use	Proposed Future Land Use	Net Change
	(Theoretical Maximum)		
Dwelling Units	85	233	+148
Non-residential (commercial)	145,700 SF	0	-145,700 SF
1. Population	219	601	+382
2. P.M. Peak Hour Trips/Daily Trips (residential) (commercial)	(82/592) res. (217/1,604) com.	(226/1,624) res. (0/0) com.	(+144/+1,032) res. (-217/-1,604) com.
3. Sanitary Sewer (gallons per day)	17,000/14,500	46,600/0	+29,600/-14,500
4. Potable Water (gallons per day)	25,500/14,500	69,900/0	+44,400/-14,500
5. Solid Waste (pounds per person)	703/6,346	1,929/0	+1,226/-6,346
6. Stormwater Drainage	TBD	TBD	TBD
7. Rec. & Open Space (per person)	1.53	4.21	+2.68

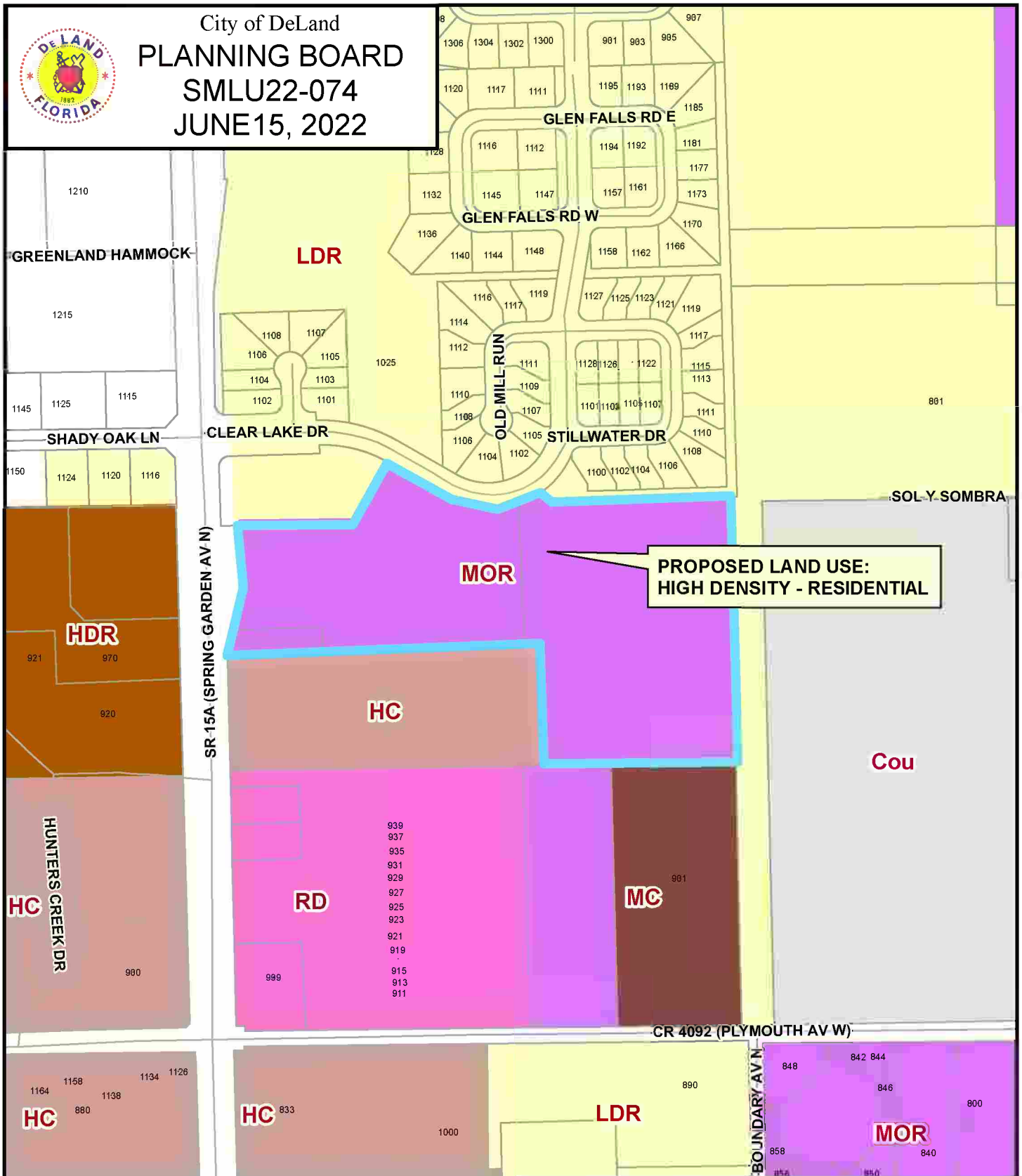
Notes:

1. Population: 2.58 persons per household (per 2010 Census)
2. Transportation: ITE Trip Generation Manual, 8th Edition:
0.97 PM peak hour trips/DU; and 6.97 daily trips/DU;
1.49 PM peak hour trips/1,000 SF office space; and 11.01 daily trips/1,000 SF office.
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-year, 24-hour event. Drainage system is required to be designed to meet the requirements of the Land Development Code during subdivision or site plan review.
7. Rec. & Open Space: 7 acres per 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
PLANNING BOARD
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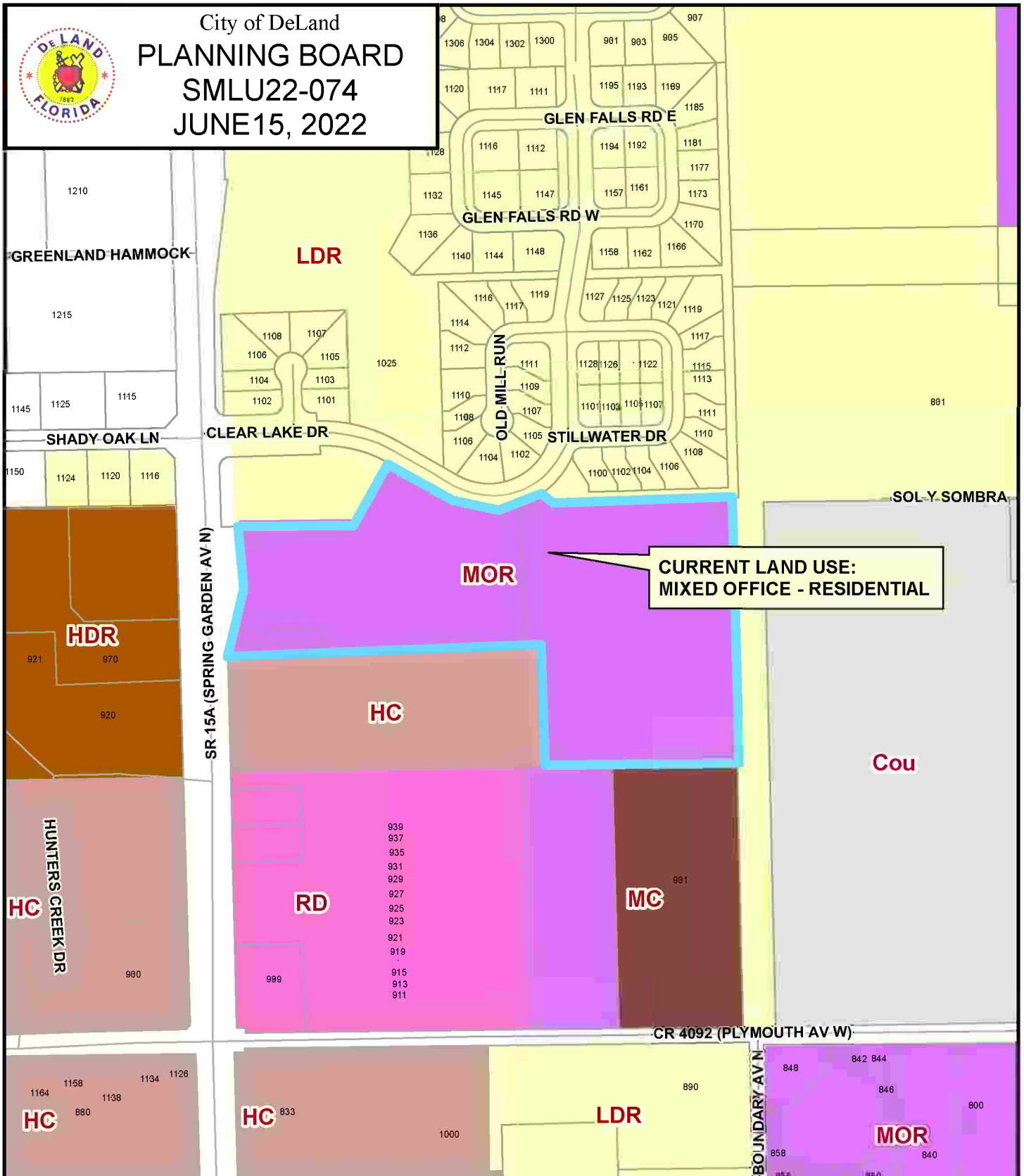
DeLand Future Land Use:

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
PLANNING BOARD
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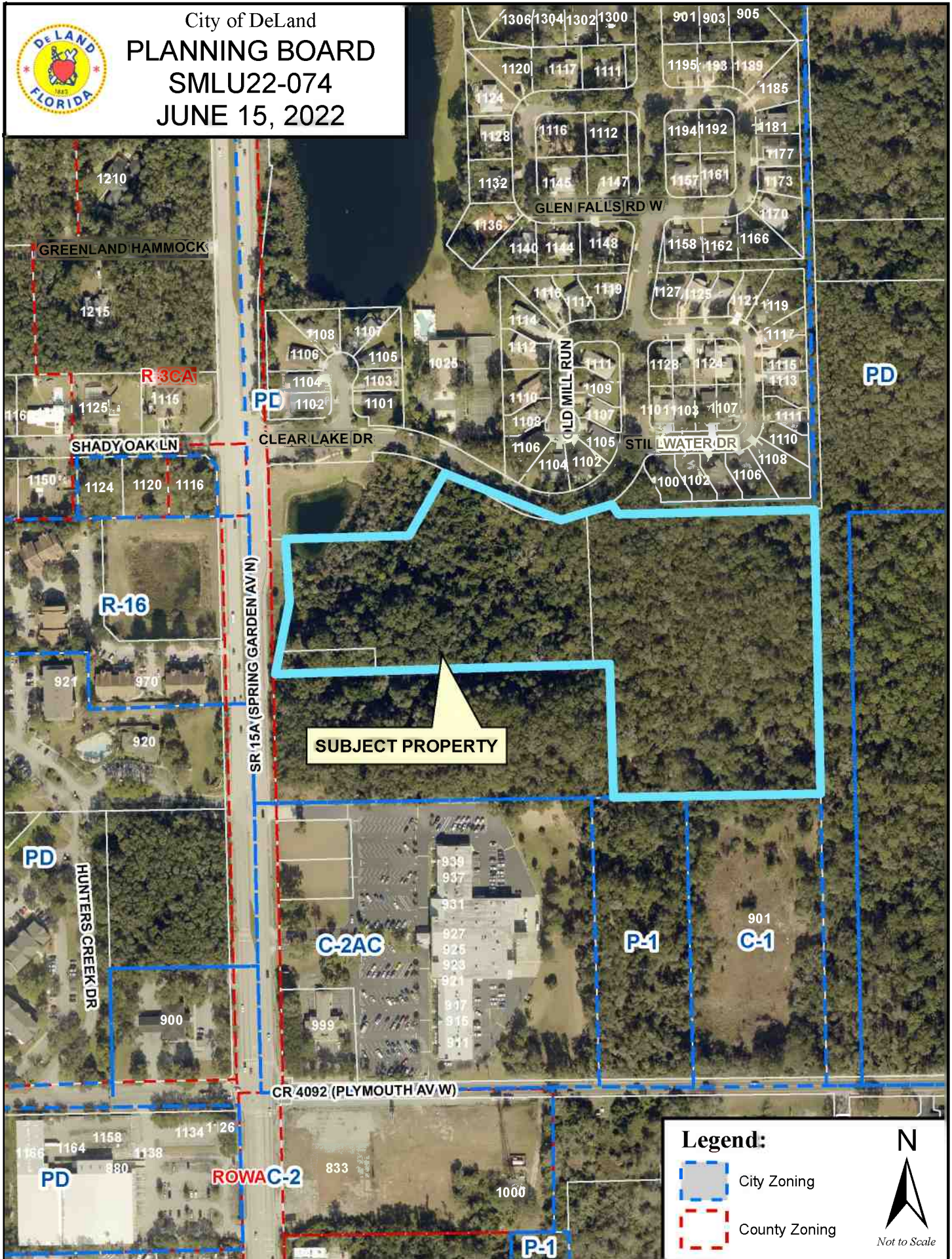
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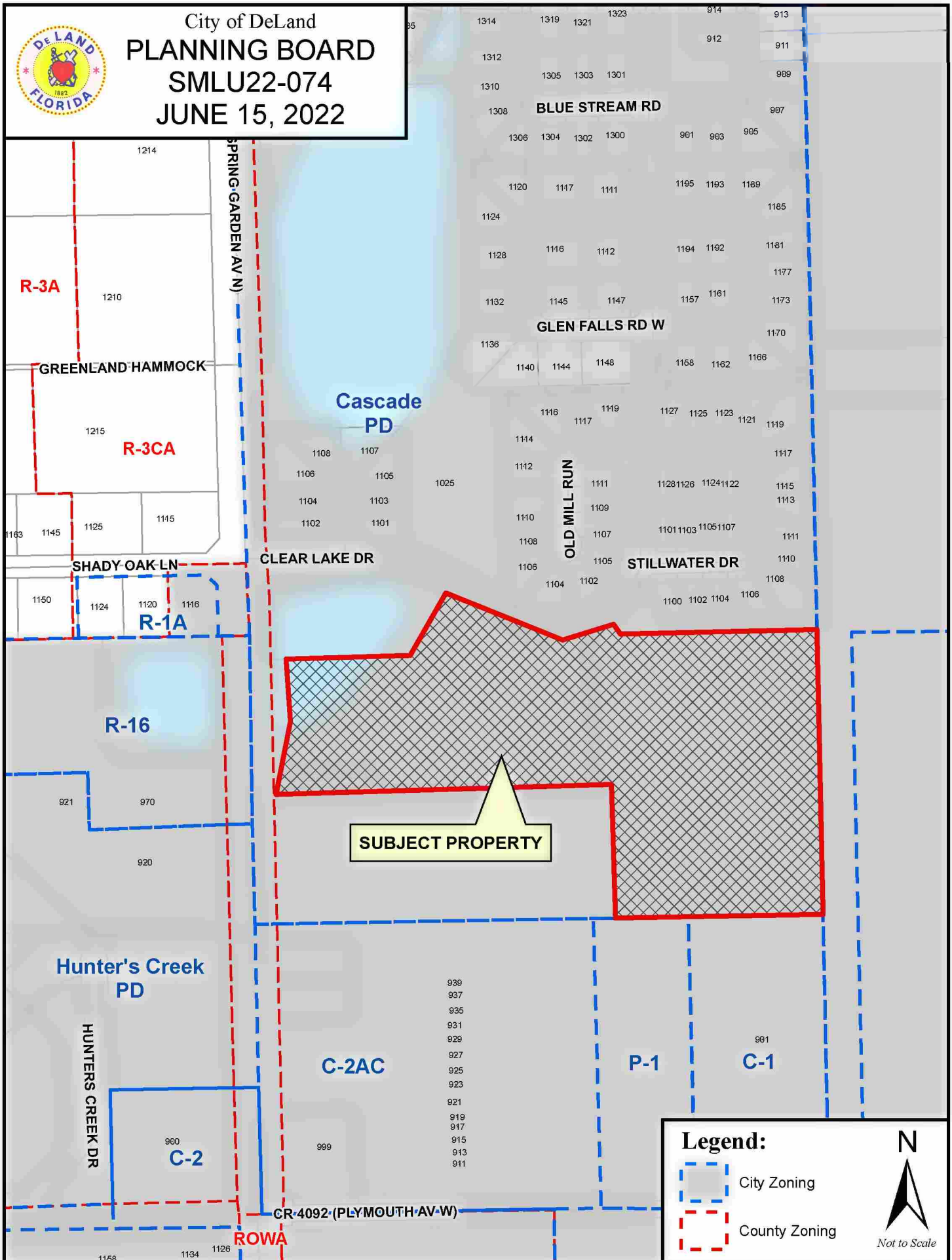


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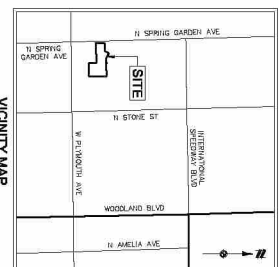
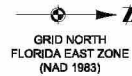


City of DeLand
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HORIZONTAL: GRID NORTH, NADES, FLORIDA STATE PLAINES, EAST ZONE
(NORTH AMERICAN DATUM OF 1983) (p. 11)
US BUREAU OF RECONSTRUCTION, FLORIDA
NAVY (NORTH AMERICAN VERTICAL DATUM OF 1983)
GEODID (CONUS)

BY GRANTING PLOTT NO. ONLY, THIS PROPERTY LIES IN ZONE "X" OF THE FLOOD INSURANCE RATE MAP (FIRM), COMMUNITY PLAN, NO. 171270CAWH, WHICH REQUIRES AN EFFECTIVE DATE OF 2/15/2012 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.



LEGEND

□ BOUNDARY
○ FORMER BOUNDARY
● FORMER BOUNDARY MAJOR
○ HIGHWAY
○

— SELECTED BOUNDARY LINE
— FORMER BOUNDARY LINE
— FORMER BOUNDARY MAJOR
— SECTION LINE
— TOWNSHIP LINE
— COUNTY LINE
— EXISTING FENCE
— QUAD B.M.
—

○ (H) TITLE DESCRIPTION NUMBER
UTAH POLES
CITY MONUMENT
B.M.

— ORIGINATED TITLE

[illegible]

**PLANNING DEPARTMENT STAFF REPORT
TO
PLANNING BOARD**

June 15, 2022

APPLICATION NO.: Z22-046

APPLICANT: Nick Everly, Evans Engineering
United Shares Real Estate LLC (owner)

REQUEST: Request to amend the existing zoning designation from Cascades PD to Pointe Grand Apartments PD

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: Southeast of the intersection of Clear Lake Rd. and N. Spring Garden Ave.
Parcel Size: ± 14.57 acres
Land Use: High Density Residential
Existing Zoning: Cascades PD
Existing Use: Residential/undeveloped

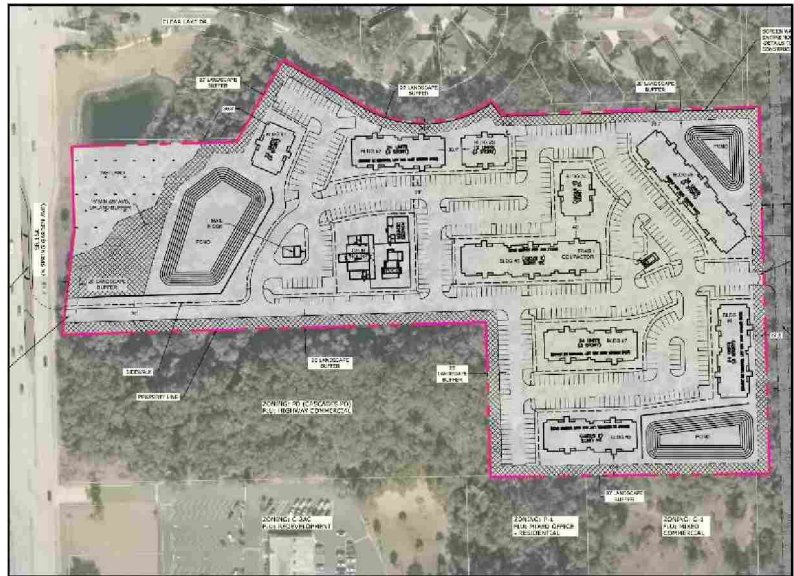
	SURROUNDING USE:	SURROUNDING ZONING:
North:	Low Density Residential	Cascades PD
South:	Highway Commercial; Mixed Office - Residential	Cascades PD
East:	Low Density Residential/Community Health Overlay	Manchester PD
West:	ROW (Spring Garden Ave.)/ High Density Residential	R-16; R-1A

B. ANALYSIS:

The location of the proposed development consists of ± 14.57 acres of vacant, wooded land, located southeast of the intersection of Clear Lake Rd. and N. Spring Garden Ave. On June 15, 1987, The Cascades PD was adopted. The development plan included five phases, allocating uses such as single-family residential, fee-simple townhomes, multi-family units, an assisted lifecare facility (ALF) and office uses. As of current, the single-family residential Phases I & II are complete.

Under the existing PD, the development plan for Phases III & IV includes multi-family uses, office uses and an Assisted Lifecare Facility. The applicant is requesting to rezone the subject property from the Cascades PD to Pointe Grand Apartments PD. The Pointe Grand Apartments PD will generally follow the standards of the R-16 zoning district, and it will include 204 units.

Access to the project will generally follow the PD's concept plan, providing access parallel to the southern property line, running east/west from N. Spring Garden Rd., however, access to the residential development to the north will not be permitted. As originally intended in the Cascades development plan, an access easement will be provided to the southern parcel, known as Phase V of the Cascades PD. If Phase V of the Cascades is ever developed, the easement would allow shared access to the driveway off of N. Spring Garden Rd. Additionally, stabilized emergency access will be provided along the eastern property line, shared between the subject property and the Manchester PD.



On May 18, 2022, the Technical Review Committee recommended that the proposed Planned Development Agreement be forwarded on to the Planning Board, subject to addressing remaining Staff comments.

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2 of 5
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THE FOLLOWING TRC COMMENTS REMAIN:

Planning Comments:

1. Wetland buffer must be at least 25' consistently (not on average) — Sec. 33-58
2. A minimum 40-foot-wide landscape buffer shall be required along the overlay street frontage. Sec. 33-36.05
3. Show the location of the walking trail as described in the PD.
4. Note the Overlay District in Site Data: Emerging Gateway Corridor
5. Show location of monument signs. Design standards in Sec. 33-36.04
6. Add a no burning condition
7. Phasing plan details must be provided in PD; add note saying no mass grading.
8. Note the # of stories also. (Per R-16 zoning: One-, two-, three-story: 50 percent)
9. State the parking requirement details.
10. State the LS requirement details (type; width).
11. West buffer should be 40' wide (Emerging Corridor)
12. Spell out details instead of referring to the concept plan. Emergency access must be to a paved or stabilized road. The road will be located on the east side of the property and will have the option to make it a full access road. Permission (easement) will be needed between Pointe Grand PD and Manchester PD to share access road.
13. Call out the location of all fencing/walls being added for LS buffering. Label on the concept plan.
14. Have you done a tree survey? Historic trees may not be removed.
15. Where will the open space be? Provide the areas of land devoted to publicly owned open space, publicly owned recreational areas, publicly owned plazas, common area, open space, common area recreational areas, and common area plazas, all expressed as percentages of the total site area. 33-133.03(e)(3)(h)
16. In the Stormwater Drainage section, add LID standards.
17. Be sure to maintain shared access to the southern parcel 700500000122 (via parcel 70050000012A)
18. Close off any access to the north subdivision

Engineering Comments:

19. Add note: Low Impact Development (LID) is recommended for the Planned Development stormwater management master plan. LID design such as bioretention swales, rain gardens, stormwater re-use and harvesting, and BMP treatment train to minimize runoff pollutant and increase stormwater recharge and natural infiltration processes.
20. Will proposed retention ponds be designed for positive discharge or closed basin? If pond has positive discharge, please show the anticipated discharge location on the plan.

21. Please show the property soil limits, type, and hydrological soil group (HSG) per the National Resource Conservation Soil (NRCS) online map.
22. What are the dark lines next to the west and southeast retention ponds represent?
23. Please call-out the circled numbers on the Roadway Typical Section at bottom right corner of sheet C-1
24. Handicap Space dimension is 12' x 20'. Please revise under Provided Parking Note and Concept Plan.

Fire Comments:

25. Land clearing – no burning is allowed.
26. A 2nd entrance or an emergency access road is required.

Forestry Comments:

25. Please change “Tree Preservation” to “Tree Protection” in notes 21 and 22.
27. Please change "Tree Preservation" to "Tree Protection Area" in Notes 21 and 22

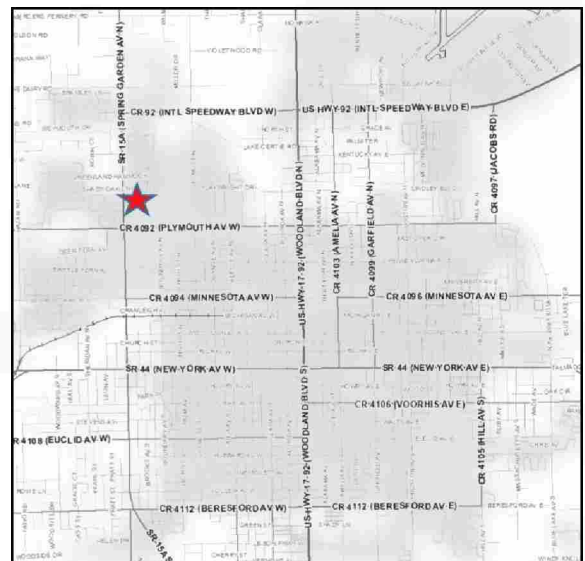
Section 33-135 of the Land Development Regulations provides the following criteria, which the City Commission shall utilize in reviewing a rezoning request:

- 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 designated as High Density Residential and is near other residential uses that vary in density.

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

The site is heavily wooded with some areas of wetlands indicated on the map. However, the developer has indicated that there are no historic trees found on site and they will receive a permit from SJRWMD for any wetland mitigation. An environmental study of the property must be submitted prior to site plan approval.



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

The property is currently vacant and contributes only marginally to the tax base. The rezoning action will permit the eventual development of the site which will have a positive impact upon the economy, once the apartments are in operation.

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

The rezoning action will not impact governmental services. The property is located within the urban area and such services are already provided. No new services are anticipated to be required because of the rezoning action itself.

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

The subject property was originally part of the Cascades PD which was adopted in June of 1987. The PD was created with 5 phases and allocated a mixture of uses that included single-family residential, multi-family residential, commercial and an Assisted Lifecare Facility. As of today, only Phases I & II have been developed, leaving the remaining property vacant.

If rezoned to the Pointe Grand Apartments PD, Phases III & IV will be consolidated into a single parcel and will no longer be part of the Cascades PD.

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 rezoning will not have a negative effect on the value of the area, as the proposed development is compatible with adjacent uses and provides more choices for housing in the area.

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 provide much-needed housing for the community.

C. CONCLUSION:

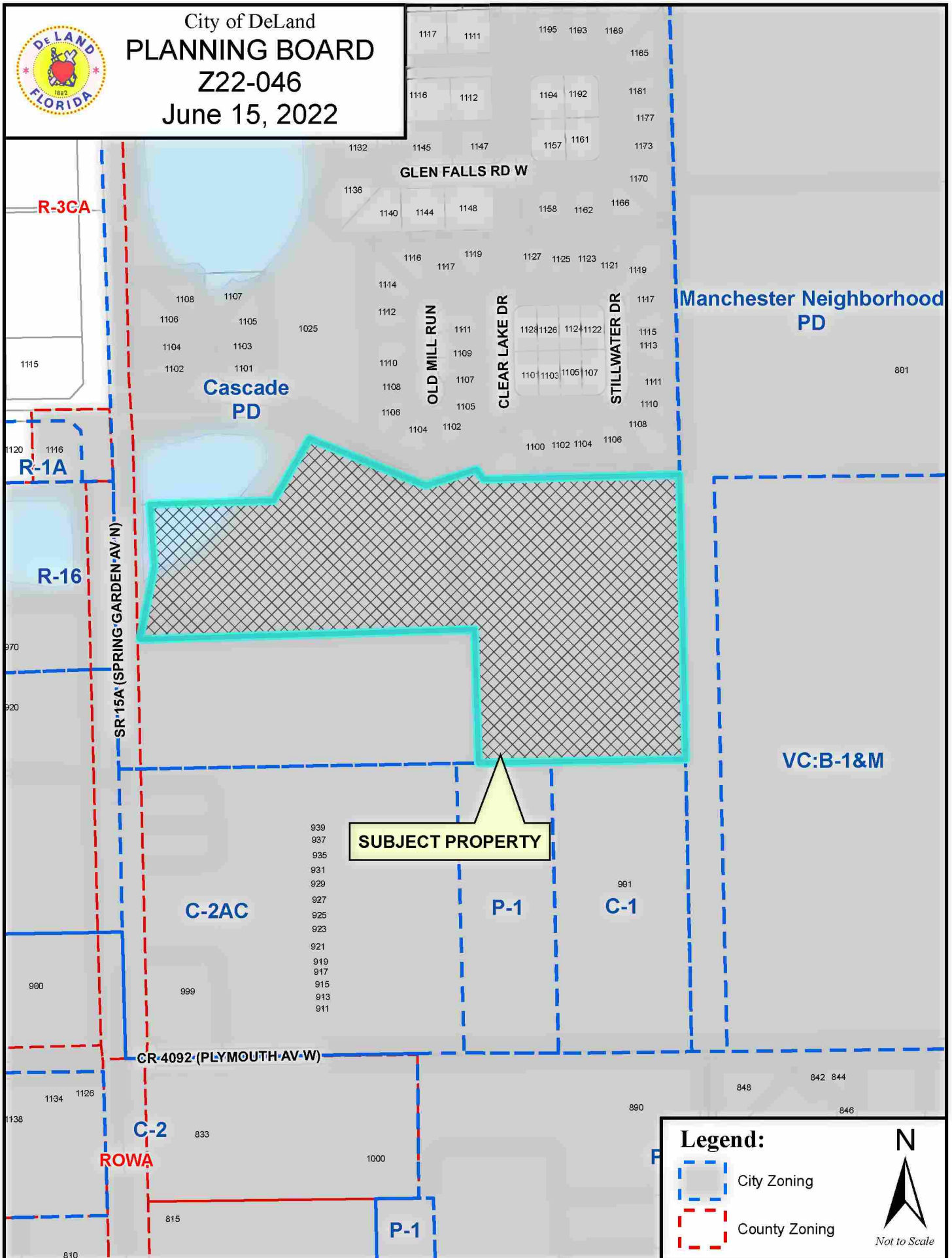
The Applicant is proposing a rezoning from Cascades PD to Pointe Grand Apartments PD in order to develop the subject property as a 204-unit apartment complex, with amenities.

D. STAFF RECOMMENDATION:

Staff recommends that the Planning Board forward the request to rezone the subject property from Cascades PD, to Pointe Grand Apartments PD, recommending approval, subject to addressing all Staff comments, and additional comments made by the Planning Board, being addressed prior to the City Commission meeting.

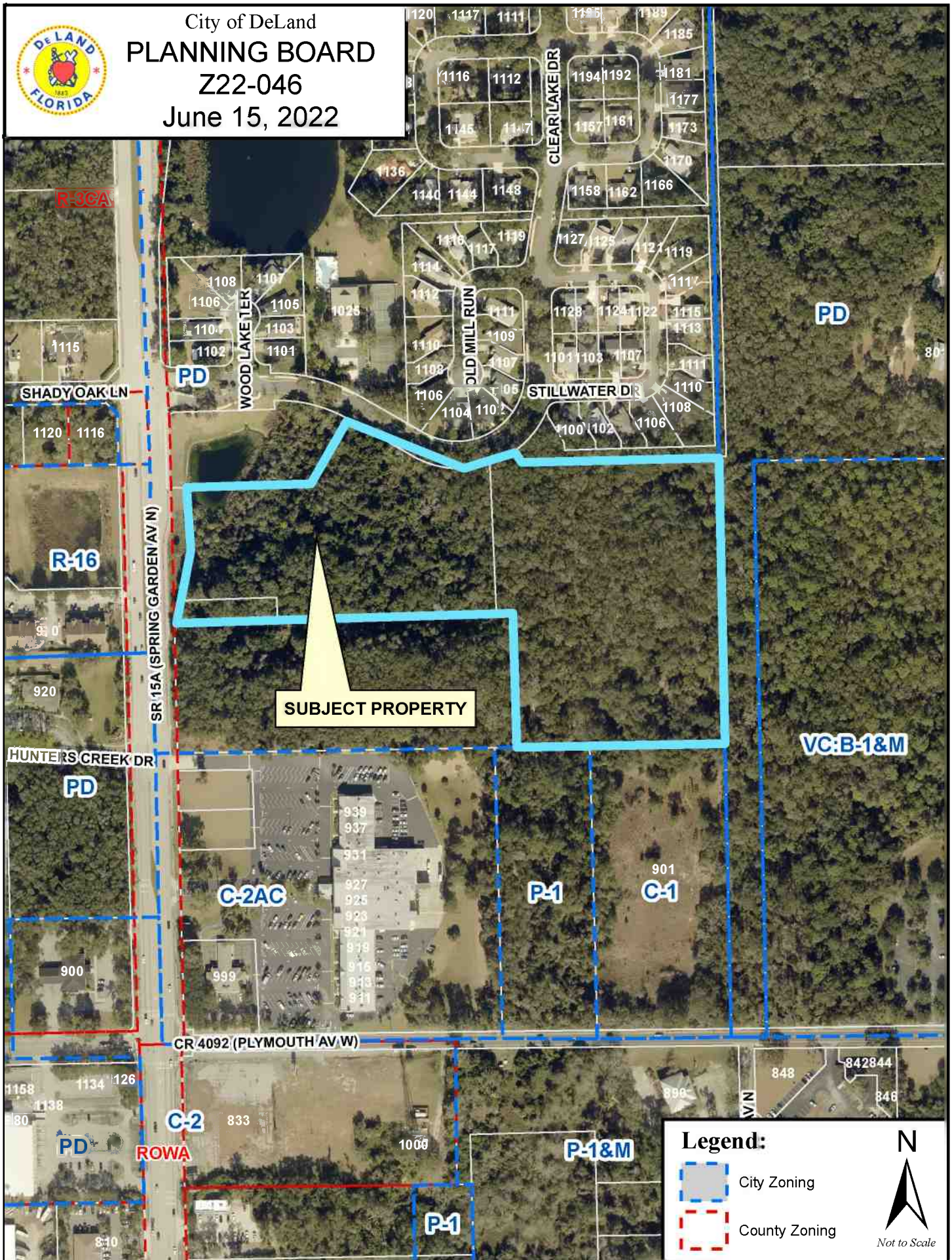


City of DeLand
PLANNING BOARD
Z22-046
June 15, 2022





City of DeLand
PLANNING BOARD
Z22-046
June 15, 2022



Legend:

-  City Zoning
-  County Zoning



1 PD PLANNED DEVELOPMENT AGREEMENT

2 IN THE CITY COMMISSION OF THE

3 CITY OF DELAND, FLORIDA

4 IN RE:____, Application of

5 HILLPOINTE, LLC

6 ORDINANCE # _____
7 ORDER AND RESOLUTION

8 GRANTING A REQUEST FOR CHANGE OF ZONING FROM CASCADES PD TO
9 POINTE GRAND APARTMENTS PD (PLANNED DEVELOPMENT)

10
11 The application of Hillpointe, LLC, hereinafter, "Applicant", for rezoning was heard by
12 and before the City Commission, DeLand Florida, on _____. Based upon the verified
13 Application and other supporting documents, maps, charts, overlays, other evidence and
14 instruments; the advice, report, and recommendations of the Community Development, and
15 other Departments and agencies of DeLand, Florida; and the testimony adduced and
16 evidence received at the Public Hearing on this Application by the Planning Board on
17 _____, and otherwise being fully advised, the City Commission does hereby find and
18 determine as follows:
19

GENERAL FINDINGS

A. That the application of Hillpointe, LLC was duly and properly filed herein on _____ as required by law.

B. That all fees and costs which are by law, regulation, or Ordinance required to be borne and paid by the applicant have been paid.

C. That the applicant is the authorized agent of a 14.16 acre parcel of land which is situated in DeLand, Florida. This parcel of land is described more particularly in the survey and legal description, a true copy of which is attached hereto as Exhibit "A".

D. That the Applicant has complied with the concept plan provision as required by Land Development Regulations Ordinance # 2013-11, as amended.

E. That the Applicant has complied with the "Due Public Notice" requirements of the City Commission, Land Development Regulations Ordinance # 2013-11, as amended.

F. That the owners of the property, _____, agree with the provisions of the Development Agreement.

FINDINGS REGARDING REZONING

A. That the Applicant has applied for a change of zoning from the present zoning classification of the parcel described in Exhibit "A" from Cascades PD to Pointe Grand Apartments PD (Planned Development).

B. That the said rezoning to a PD is consistent with both the City of DeLand Comprehensive Plan Ordinance # 1990-04, as amended, and the intent and purpose of the City of DeLand Land Development Regulations Ordinance # 2013-11, as amended, and does promote the public health, safety, morals, general welfare and orderly growth of the area affected by the rezoning request.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY OF DELAND, FLORIDA, IN OPEN MEETING DULY ASSEMBLED IN THE CITY COMMISSION CHAMBERS, 120 SOUTH FLORIDA AVENUE, DELAND, FLORIDA, THIS _____ DAY OF _____, A.D., _____, AS FOLLOWS:

A. That the Application of Hillpointe, LLC for the rezoning of the subject parcel is hereby granted.

B. That the zoning classification of the subject parcel described in Exhibit "A" attached hereto is hereby amended from Cascades PD to Pointe Grand Apartments Planned Development (PD) as described in Article VII of the City of DeLand, Land Development Regulations Ordinance # 2013-11, as amended.

C. That the Official Zoning Map of the City of DeLand, is hereby amended to show the rezoning of said parcel to Planned Development (Pointe Grand Apartments PD).

1 D. That the City of DeLand Land Development Regulations Ordinance # 2013-
2 11, as amended, is consistent with the provisions of the "Development Agreement" as
3 hereinafter set forth in this Ordinance and with respect to any conflict between Land
4 Development Regulations Ordinance # 2013-11, as amended, and the "Development
5 Agreement", the provisions of the "Development Agreement" shall govern. Ordinance No.
6 2013-11, as amended, shall govern with respect to any matter not covered by the
7 "Development Agreement." The City of DeLand, will ensure overall compliance with this
8 Ordinance.

9 E. Unless otherwise provided for herein the City of DeLand, Land Development
10 Regulations Ordinance # 2013-11, as amended, shall apply to the PD in the same manner
11 as the R-16 zoning classification.

12 F. Nothing in this Ordinance shall abridge the requirements of any City of
13 DeLand Ordinance other than Ordinance 2013-11, as amended. Timing and review
14 procedures contained in this Order and Resolution may be modified to comply with the City
15 of DeLand Land Development Regulations, Ordinance No. 2013-11, as amended. Further,
16 nothing in the Development Agreement is intended to abridge the requirements of
17 Ordinance No. 2013-11, as amended, and any other City Ordinances.

DEVELOPMENT AGREEMENT

A. Development Concept The property shall be developed as a Planned Development substantially in accordance with the Planned Development Plan. The Planned Development Plan shall govern the development of the property as a Planned Development and shall regulate the future land use of this parcel.

1. Planned Development Plan The Planned Development Plan shall consist of the PD Concept Plan prepared by Evans Engineering, Inc. and dated March 31, 2022 and this Development Agreement. The PD Concept Plan is hereby approved and incorporated in this Ordinance by reference as Exhibit "B". The Planned Development Plan shall be filed and retained for public inspection in the Planning Department and it shall constitute a supplement to the Official Zoning Map of the City of DeLand.

2. Amendments. All amendments of the Planned Development Plan, other than those deemed by the Planning Department to be minor amendments as set out in Ordinance No. 2013-11, as amended, shall require the review and recommendation of the Planning Board and action by the City Commission in the same manner as a rezoning of the parcel.

3. Site Plan Approval. Prior to any construction, including clearing and landfill, an application for preliminary and/or a final site plan of the area shall be submitted for review and approval in the manner required by Article 13 of the City of DeLand Land Development Regulations, Ordinance No. 2013-11, as amended.

B. Unified Ownership. The Applicant or his successors shall maintain unified ownership of the subject parcel until after issuance of the final development order for a site plan.

1
2 C. Phases of Development. The project shall be completed in one or more
3 phases.

4 D. Land Uses Within the Pointe Grand Apartments PD. The development of the
5 parcel shall be consistent with the uses prescribed for each area within the proposed
6 Pointe Grand Apartments PD. The location and size of said land use areas are shown on
7 the PD Concept Plan, Exhibit "B". The following land uses shall be allowed as permitted
8 principal uses and structures along with their customary accessory uses and structures:

- 9 1. Multiple-family dwellings.
- 10 2. Family day care home.
- 11 3. Mini and neighborhood parks.
- 12 4. Bed and breakfast inn, accessory.
- 13 5. Private clubs and lodges.
- 14 6. Community residential homes, multifamily.
- 15 7. Amenities / facilities.
- 16 8. Common accessory uses associated with multifamily residences.

17 E. Development Standards for Multifamily.

- 18 1. Minimum yard size (building setback):
 - 19 a. Front yard: 30 ft.
 - 20 b. Rear yard: 20 ft.
 - 21 c. Side yard: 20 ft.
- 22 2. Minimum floor area:
 - 23 Efficiency, no separate bedroom: 425 square feet.
 - 24 One bedroom: 575 square feet.
 - 25 Two + bedroom: 725 square feet plus 150 square feet per each
 - 26 additional bedroom.
 - 27

3. Maximum density: 16 du/acre
4. Maximum impervious surface area: 50%
5. Maximum building height: 45 ft.
6. Perimeter buffer area provided:
 - a. North boundary: Min. 20 ft.
 - b. East boundary: Min. 20 ft.
 - c. South boundary: Min. 20 ft.
 - d. West boundary: Min. 20 ft.
7. Minimum building separation: 25 ft.
8. Off-street parking requirements. The parking standards shall conform to the parking table as depicted on the PD Concept Plan detail.
9. Landscaping. Landscaping shall be provided in accordance with Section 33-92 of the Land Development Regulations. All landscaping, including buffers, shall predominantly utilize Florida-Friendly Landscaping, as defined by the University of Florida/Institute of Food and Agricultural Sciences ("UF/IFAS") Center for Landscape Conservation and Ecology, native, or low-water plant material. Wherever possible, landscape buffers shall coincide with tree protection areas and include native, non-invasive understory vegetation in lieu of planting new plant material. Where protection of existing native vegetation is proposed and subsequently retained, a berm will not be required, and buffers may contain fewer plants than required under Section 33-92.02(b). If the existing vegetation is removed, then a landscape buffer shall be provided for in conformity with the City's current Land Development Regulations. The northern Property line shall include a 6-foot-high fence or similar barrier as approved during site plan review on the Property boundary line,

as shown on the PD Concept Plan.

10. Open Space. Common area /open space shall meet the requirements of the Land Development Regulations Ordinance # 2013-11. Usable open space areas shall be provided for the use of residents consistent with Resolution 2019-34.

11. Site Amenities. In addition to open usable green space, the common areas shall include a variety of amenities. The community will include a primary amenity site for gathering spaces and socializing. Amenities may include a swimming pool, cabana, and natural (unpaved) trail system for hiking and walking.

F. Environmental Considerations. The minimum requirements of the Land Development Regulations Ordinance # 2013-11, as amended, shall be met.

G. Sewage Disposal and Potable Water. Provision for sewage disposal and potable water needs of the PD will be provided in accordance with the Comprehensive Plan, Ordinance No.1990-04, as amended, the Land Development Regulations Ordinance No. 2013-11, as amended, and State of Florida Administrative Code 64E-6.

H. Stormwater Drainage. Provision for stormwater retention shall be in accordance with the Land Development Regulations Ordinance # 2013-11, as amended.

I. Access and Transportation System Improvements. All access and transportation system improvements shall be provided in accordance with the Land Development Regulations, Ord. 2013-11, as amended. The parcel shall be developed in substantial accordance with the following access and transportation system improvements:

1. Access. Access shall be provided as illustrated on the PD Concept Plan.

2. Transportation System Improvements. Road improvements required to

1 ensure safe ingress and egress to the proposed development will be provided as detailed
2 in the traffic memorandum provided by _____ dated _____.

3 J. Internal Roadways. All internal roadways shall be provided in accordance
4 with the City's Land Development Regulations, Ord. 2013-11, as amended. The parcel
5 shall be developed in substantial accordance with the following internal roadway
6 improvements:

7 K. Building or Property Owners Association. The charter and by-laws of said
8 association and any other agreements, covenants, easements or restrictions shall be
9 furnished to the City of DeLand at the time of creation. The applicant shall be responsible
10 for recording said information in the Public Records of Volusia County, Florida. Also, the
11 applicant shall bear and pay all costs for recording all of the aforementioned documents.

12 With respect to the enforcement of said agreements, covenants, easements or
13 restrictions entered into between the applicant and the owners or occupiers of property
14 within the Pointe Grand Apartments PD, the City of DeLand shall only enforce the
15 provisions of the "Development Agreement" and City of DeLand Land Development
16 Regulations Ordinance # 2013-11, as amended, whichever is applicable, and not the
17 private agreements entered into between the aforementioned parties.

18 L. Reverter Provision: The City Commission may rezone any portion of the
19 project which has not secured a final development order on or before 5 years from the
20 effective date of this ordinance as may be necessary or appropriate to protect adjoining
21 properties or the public health, safety and welfare, unless the City Commission, for good
22 cause shown, shall extend the time period indicated in this paragraph.

23 M. Binding Effect of Plans; Recording; and Effective Date. The Planned
24 Development Plan, including any and all amendments shall bind and inure to the benefit of
25 the Applicant and his successor in title or interest. The Pointe Grand Apartments PD

1 zoning, provisions of the "Development Agreement," and all approved plans shall run with
2 the land and shall be administered in a manner consistent with Article 12 of the City of
3 DeLand Land Development Regulations Ordinance # 2013-11, as amended.

4 This Ordinance and all subsequent amendments shall be filed with the Clerk of the
5 Court and recorded within forty-five (45) days following execution of the document by the
6 City Commission, in the Official Records of Volusia County, Florida. One copy of the
7 document, bearing the book and page number of the Official Record in which the document
8 was recorded, shall be submitted to the Planning Department for placement in the public
9 file. The date of recording of this document shall constitute the effective date of the Pointe
10 Grand Apartments PD or its subsequent amendments. The applicant shall pay all filing
11 costs for recording documents.

DONE and ORDERED by the City Commission, City of DeLand, Florida, this
____ day of _____ (mo/yr).

ATTEST:

City Commission of DeLand Florida

Michael Pleus
City Manager

Robert Apgar
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 Robert Apgar, 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: _____

1 WITNESSES:
2
3

4 _____
5 *Applicant's Name, Title & Corporation*
6
7

8 _____
9 *Applicant's Name, Title & Corporation*
10
11

12 _____
13 *Owner of Property (if other than applicant)*
14
15
16
17

18 The foregoing instrument was acknowledged before me by means of ☐
19 physical presence or ☐ online notarization this _____ day of
20 _____ (mo/yr), by _____, who is personally
21 known to me or who has produced _____ as
22 identification.
23
24
25

26 NOTARY PUBLIC, STATE OF FLORIDA

27 Type or Print Name:

28 _____
29 Commission No.: _____

30 My Commission Expires: _____
31
32
33

Revised April 18, 2022 u/p/zone/pd_doc

Deland, North Springs Garden Ave,
First American Title Commitment Exhibit A – Legal Description
File No: 2037-5766540

Commitment Date: November 12, 2021 @ 8:00 AM

The land referred to herein below is situated in the County of Volusia, State of Florida, and described as follows:

PARCEL 1: AREA = 6.16 AC.

That part of the SW 1/4 of Section 5, Township 17 South, Range 30 East, Volusia County, Florida, described as follows:

Commence at the SW corner of Section 5, Township 17 South, Range 30 East, thence N 01 Degrees 41'25" W along the West line of said Section 5 a distance of 661.77 feet to the intersection of the West line of said Section 5 and the South line of the North 1/2 of the Southwest 1/4 of the Southwest 1/4 of said Section 5; thence N 89 Degrees 15' 51" E along said South line a distance of 50.01 feet to the intersection of said South line and the Easterly right-of-way line of State Road 15-A as shown on Florida Department of Transportation Right-of-Way Map, Section 79160-2511; thence N 01 Degrees 41' 25" W along said Easterly right-of-way line a distance of 253.71 feet; thence N 06 Degrees 50'26" E continuing along said Easterly right-of-way line a distance of 14.65 feet to the Point of Beginning; thence continue N 06 Degrees 50' 26" E along said Easterly right-of-way line a distance of 187.59 feet; thence N 01 Degrees 41' 25" W along said Easterly right-of-way line a distance of 154.51 feet to a point on the Southerly boundary of "The Cascades-Unit 1", a Subdivision recorded in Map Book 41, Page 166, Public Records of Volusia County, Florida; thence N 88 Degrees 18' 35" E along said boundary a distance of 298.18 feet; thence N 29 Degrees 48' 35" E along said boundary a distance of 170.36 feet; thence S 60 Degrees 11' 25" E along said boundary a distance of 170.00 feet to a point of curvature, said curve being concave to the North having a radius of 215.00 feet, a delta angel of 65 Degrees 00' 00" a chord bearing of N 87 Degrees 18' 35" E and a chord length of 231.04 feet; thence run along said curve and aforesaid Southerly boundary for an arc distance of 243.91 feet; thence S 35 Degrees 11' 25" E along said boundary a distance of 30.84 feet; thence N 88 Degrees 18' 35" E along said boundary a distance of 466.30 feet to the East line of the Northwest 1/4 of the Southwest 1/4 of aforesaid Section 5; thence S 01 Degrees 39' 44" E along the East line of the Northwest 1/4 of the Southwest 1/4 of said Section 5 and along the East line of the Southwest 1/4 of the Southwest 1/4 of said Section 5 a distance of 664.23 feet to the South line of the North 1/2 of said Southwest 1/4 of Southwest 1/4; thence S 89 Degrees 15' 51" W along said South line a distance of 505.56 feet; thence N 01 Degrees 41' 25" W a distance of 281.04 feet; thence S 88 Degrees 18' 35" W a distance of 768.48 feet to the Point of Beginning.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL:

A parcel of land lying in the Northwest 1/4 of the Southwest 1/4 and the North 1/2 of the Southwest 1/4 of the Southwest 1/4 of Section 5, Township 17 South, Range 30 East, Volusia County, Florida, being more particularly described as follows:

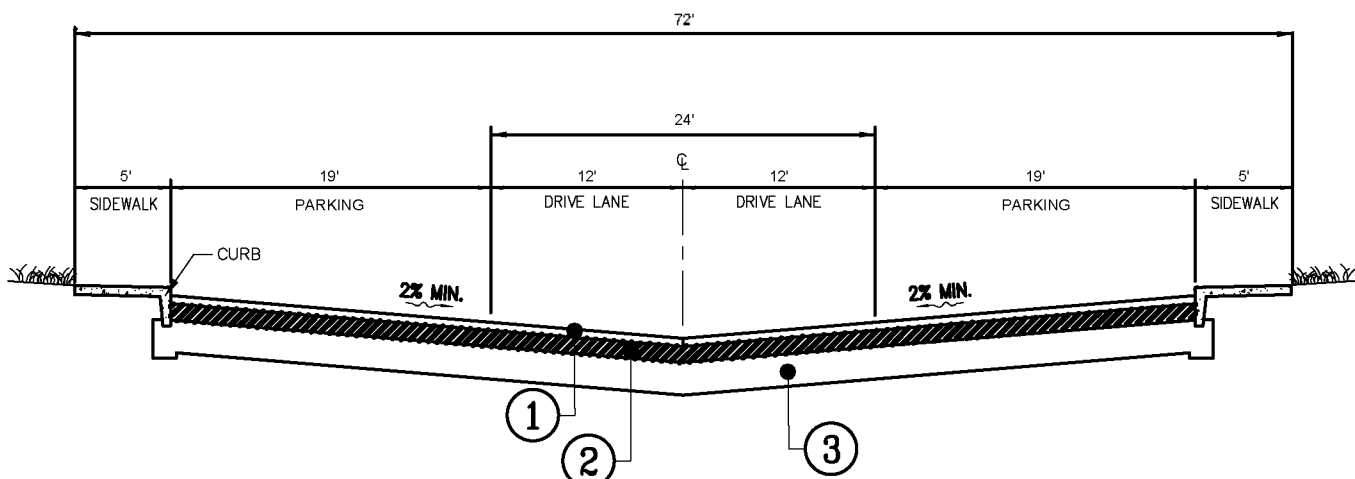
Commencing at the Southwest corner of said Section 5, run thence N 01 Degrees 41' 25" W along the West line of said Section 5 a distance of 661.77 feet to the intersection of the West line of said Section 5, and the South line of the North 1/2 of the Southwest 1/4 of the Southwest 1/4 of said Section 5; run thence N 89 Degrees 15' 51" E along said South line a distance of 820.77 feet to the Point of Beginning, run thence N 01 Degrees 41' 25" W a distance of 281.04 feet; run thence S 88 Degrees 18' 35" W a distance of 37.00 feet; run thence N 01 Degrees 41' 25" W a distance of 373.07 feet to a point on a curve on the Southerly right-of-way of Clear Lake Drive as shown on the Plat of "The Cascades-Unit 1", a Subdivision according to a map in Map Book 41, Page 166, Public Records of Volusia County, Florida, said curve being concave to the Northwest, having a radius of 215.00 feet, a delta of 17 Degrees 31' 31" and a chord bearing and distance of N 63 Degrees 34' 20" E and 65.51 feet, run thence Northeasterly along said curve and road right-of-way an arc distance of 65.76 feet; run thence S 35 Degrees 11' 25" E and along the Southerly boundary of said "The Cascades-Unit 1" a distance of 30.84 feet; run thence N 88 Degrees 18' 35" E and continuing along said boundary a distance of 466.30 feet to the Southeast corner of said "The Cascades-Unit 1", being a point on the East line of the West 1/2 of the Southwest 1/4 of said Section 5; run thence S 01 Degrees 39' 44" E along this East line a distance of 664.23 feet to the Southeast corner of the North 1/2 of the Southwest 1/4 of the Southwest 1/4 of said Section 5; run thence S 89 Degrees 15' 51" W along this South line a distance of 505.56 feet to the Point of Beginning.

PARCEL 2: AREA = 8.00 AC.

A parcel of land lying in the Northwest 1/4 of the Southwest 1/4 and the North 1/2 of the Southwest 1/4 of the Southwest 1/4 of Section 5, Township 17 South, Range 30 East, Volusia County, Florida, being more particularly described as follows:

Commencing at the Southwest corner of said Section 5, run thence North 01° 41' 25" West along the West line of said Section 5 a distance of 661.77 feet to the intersection of the West line of said Section 5, and the South line of the North 1/2 of the Southwest 1/4 of the Southwest 1/4 of said Section 5; run thence North 89° 15' 51" East along said South line a distance of 820.77 feet to the Point of Beginning, run thence North 01° 41' 25" West a distance of 281.04 feet; run thence South 88° 18' 35" West a distance of 37.00 feet; run thence North 01° 41' 25" West a distance of 373.07 feet to a point on a curve on the Southerly right-of-way of Clear Lake Drive as shown on the Plat of "The Cascades-Unit 1", a Subdivision according to a map in Map Book

41, Page 166, Public Records of Volusia County, Florida, said curve being concave to the Northwest, having a radius of 215.00 feet, a delta of $17^{\circ} 31' 31''$ and a chord bearing and distance of North $63^{\circ} 34' 20''$ East and 65.51 feet, run thence Northeasterly along said curve and road right-of-way an arc distance of 65.76 feet; run thence South $35^{\circ} 11' 25''$ East and along the Southerly boundary of said "The Cascades-Unit 1" a distance of 30.84 feet; run thence North $88^{\circ} 18' 35''$ East and continuing along said boundary a distance of 466.30 feet to the Southeast corner of said "The Cascades-Unit 1", being a point on the East line of the West 1/2 of the Southwest 1/4 of said Section 5; run thence South $01^{\circ} 39' 44''$ East along this East line a distance of 664.23 feet to the Southeast corner of the North 1/2 of the Southwest 1/4 of the Southwest 1/4 of said Section 5; run thence South $89^{\circ} 15' 51''$ West along this South line a distance of 505.56 feet to the Point of Beginning.



C-1

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF VOLUSIA, STATE OF FLORIDA,
AND DESCRIBED AS FOLLOWS:

THAT PART OF THE SW 1/4 OF SECTION 5, TOWNSHIP 17 SOUTH, RANGE 30 EAST, VOLUSIA COUNTY FLORIDA, DESCRIBED AS FOLLOWS:

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL

A PARCEL OF LAND LYING IN THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 AND THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5, TOWNSHIP 17 SOUTH, RANGE 30 EAST, VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 2:

A PARCEL OF LAND LYING IN THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 AND THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5, TOWNSHIP 17 SOUTH, RANGE 30 EAST, VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

SURVEY NOTES

- ### FLOOD NOTE

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY LIES IN ZONE "X" OF THE FLOOD INSURANCE RATE MAP (FIRM), COMMUNITY PANEL NO. 12127C0465H, WHICH BEARS AN EFFECTIVE DATE OF 2/19/2012 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.

FIRST AMERICAN TITLE INSURANCE COMPANY
COMMITMENT NO. 2037-5766540, EFFECTIVE DATE: NOVEMBER 12, 2021
SCHEDULE B SECTION II - EXCEPTIONS

1. DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, CREATED, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES FOR VALUE OF RECORD THE ESTATE OR INTEREST OR MORTGAGE THEREON COVERED BY THIS COMMITMENT.
2. ANY RIGHTS, INTERESTS, OR CLAIMS OF PARTIES IN POSSESSION OF THE LAND NOT SHOWN BY THE PUBLIC RECORDS.
3. ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND.
4. ANY LIEN, FOR SERVICES, LABOR, OR MATERIALS IN CONNECTION WITH IMPROVEMENTS, REPAIRS OR RENOVATIONS PROVIDED BEFORE, ON, OR AFTER DATE OF POLICY, NOT SHOWN BY THE PUBLIC RECORDS.
5. ANY DISPUTE AS TO THE BOUNDARIES CAUSED BY A CHANGE IN THE LOCATION OF ANY WATER BODY WHOLLY OR ADJACENT TO THE LAND PRIOR TO DATE OF POLICY, AND ANY ADVERSE CLAIM TO ALL OR PART OF THE LAND THAT IS, AT DATE OF POLICY, OR WAS PREVIOUSLY UNDER WATER.
6. TAXES OR SPECIAL ASSESSMENTS NOT SHOWN AS LIENS IN THE PUBLIC RECORDS OR IN THE RECORDS OF THE LOCAL TAX COLLECTING AUTHORITY, AT DATE OF POLICY.
7. ANY MINERALS OR MINERAL RIGHTS LEASED, GRANTED OR RETAINED BY CURRENT OR PRIOR OWNERS.
8. TAXES AND ASSESSMENTS FOR THE YEAR 2022 AND SUBSEQUENT YEARS, WHICH ARE NOT YET DUE AND PAYABLE.
9. COVENANT TO SUPPORT ANNEXATION AS SET FORTH IN INSTRUMENT RECORDED APRIL 3, 1987 IN BOOK 2960, PAGE 1590. (AS TO PARCELS 1 AND 2)
- DOES NOT AFFECT PROPERTY
10. ORDINANCE NO. 87-22 AS SET FORTH IN INSTRUMENT RECORDED JUNE 22, 1987 IN BOOK 2997, PAGE 970 AND AMENDED IN ORDINANCE NO. 97-36 RECORDED AUGUST 28, 1997 IN BOOK 4230, PAGE 698. (AS TO PARCELS 1 AND 2)
- DOES NOT AFFECT PROPERTY
11. UTILITY EASEMENT IN FAVOR OF THE CITY OF DELAND, A MUNICIPAL CORPORATION OF THE STATE OF FLORIDA RECORDED AUGUST 4, 1988 IN BOOK 3175, PAGE 1781. (AS TO PARCEL 1)
- DOES NOT AFFECT PROPERTY
12. DISTRIBUTION EASEMENT IN FAVOR OF FLORIDA POWER CORPORATION RECORDED NOVEMBER 6, 1991 IN BOOK 3707, PAGE 1390, AS AFFECTED BY THAT CERTAIN SUBORDINATION OF UTILITY INTERESTS RECORDED JANUARY 14, 1994 IN BOOK 3890, PAGE 4732. (AS TO PARCEL 1)
- DOES NOT AFFECT PROPERTY
13. THE CASCADES PLANNED DEVELOPMENT NARRATIVE RECORDED APRIL 27, 1998 IN BOOK 4299, PAGE 2286. (AS TO PARCELS 1 AND 2)
- DOES NOT AFFECT PROPERTY
14. MORTGAGE RECORDED DECEMBER 9, 2019 IN BOOK 7784, PAGE 2104, TOGETHER WITH ASSIGNMENT OF RENT, INCOME AND RECEIPTS RECORDED IN BOOK 7784, PAGE 2114 WHICH APPEARS OF RECORD TO BE ORIGINALLY HELD BY JANET TRAM AND THE EFFECT OF A DOCUMENT PURPORTING TO BE RELEASE THEREOF RECORDED IN BOOK 7902, PAGE 4057. NOTE THE COMPANY WILL REQUIRE SATISFACTORY PROOF OF FULL PAYMENT OF THE DEBT SECURED BY THE SAID MORTGAGE PRIOR TO THE RELEASE THEREOF. THE COMPANY IS CONTEMPLATING TRANSACTION. THIS EXCEPTION MAY BE REMOVED UPON SATISFACTION OF THE REQUIREMENT FOR VERIFICATION OF THE ABOVE-DESCRIBED RELEASE. (NOTE: SEE SCHEDULE B-I REQUIREMENT NUMBER 9)
- DOES NOT AFFECT PROPERTY
15. SUBJECT TO ANY AND ALL LIENS PROVIDED FOR BY SECTION 30-8(c)(1) OF THE CODE OF ORDINANCES OF THE CITY
- DOES NOT AFFECT PROPERTY
16. ANY LIEN AS PROVIDED FOR BY CHAPTER 159 OR 170, SIMILAR FLORIDA STATUTES, IN FAVOR OF ANY CITY, TOWN, VILLAGE, OR PORT AUTHORITY FOR UNPAID SERVICE CHARGES FOR SERVICE BY ANY WATER, SEWER, GAS OR SANITARY SUPPLYING THE LANDS DESCRIBED HEREIN.
- DOES NOT AFFECT PROPERTY
17. THIS POLICY DOES NOT INSURE TITLE TO ANY PART OF THE LAND LYING BELOW THE ORDINARY HIGH-WATER MARK OF ANY ADJUTING BODY OF WATER. (AS TO PARCEL 1)
- DOES NOT AFFECT PROPERTY
18. RIPARIAN AND/OR LITTORAL RIGHTS ARE NOT INSURED. (AS TO PARCEL 1)
- DOES NOT AFFECT PROPERTY
19. TERMS AND CONDITIONS OF ANY EXISTING UNRECORDED LEASE(S), AND ALL RIGHTS OF LESSEE(S) AND ANY PARTIES CLAIMING THROUGH THE LESSEE(S) UNDER THE LEASE(S).
- DOES NOT AFFECT PROPERTY

TO: HILLPOINTE, LLC; FIRST AMERICAN TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6(A)(B), 7(A)(B), 8, 9, 11(A), 13, 14, 16, & 17 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON APRIL 05, 2022.

DATE OF MAP OR PLAT: APRIL 12, 2022

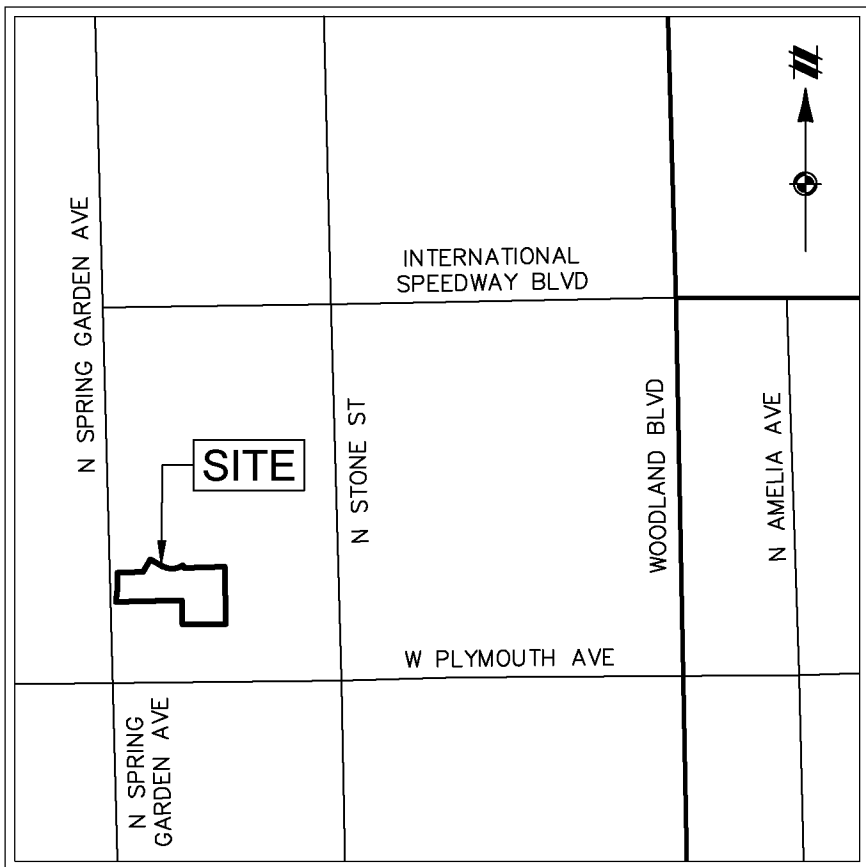
FOR REVIEW

I, HEREBY CERTIFY THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE MINIMUM TECHNICAL STANDARDS FOR SURVEYING IN THE STATE OF FLORIDA, 5J-17, TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

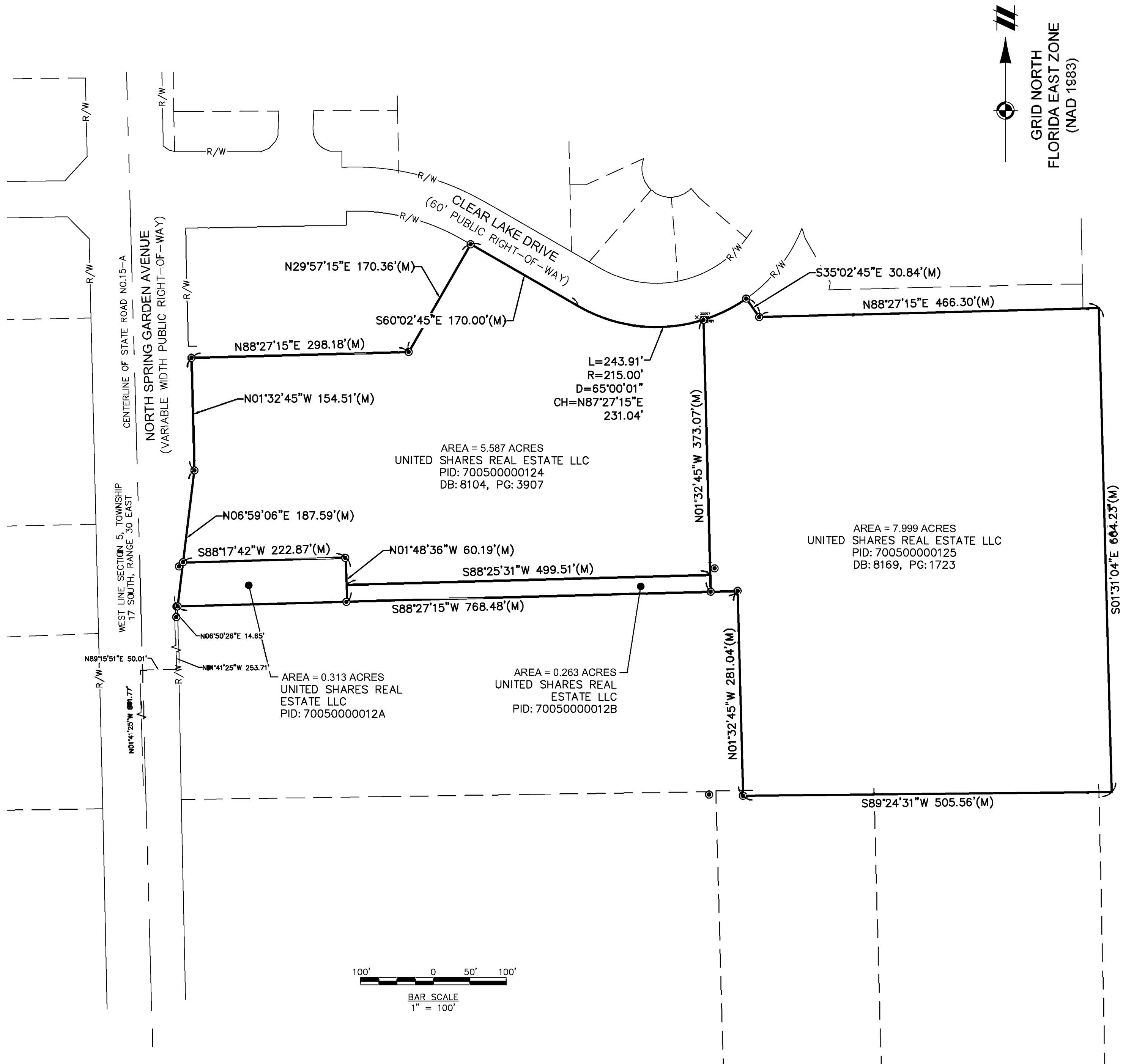
CLYDE R. ELDRIDGE
FLORIDA PROFESSIONAL SURVEYOR AND MAPPER #7076
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL
OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

HORIZONTAL: GRID NORTH, NAD83, FLORIDA STATE PLANES, EAST ZONE
 (NORTH AMERICAN DATUM OF 1983) (2011)
 US SURVEY FOOT, ORANGE COUNTY, FLORIDA
 VERTICAL: NAVD88 (NORTH AMERICAN VERTICAL DATUM OF 1988)
 GEOID: GEOID18 (CONUS)

1. PLAT ENTITLED "THE CASCADES-UNIT 1" DATED JUNE 23, 1987, PREPARED BY FERARRA SURVEYING. SECTION 5, TOWNSHIP 17 SOUTH, RANGE 30 EAST, VOLUSIA COUNTY, FLORIDA
2. WARRANTY DEED, INSTRUMENT #2021198722, DEED BOOK 8104, PAGE 3907, DATED AUGUST 20, 2021.



NOT TO SCALE



Know what's **below**.
Call before you dig.

THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

NOTICE:
CONSTRUCTION SITE SAFETY IS THE
SOLE RESPONSIBILITY OF THE
CONTRACTOR; NEITHER THE OWNER
NOR THE ENGINEER SHALL BE
EXPECTED TO ASSUME ANY
RESPONSIBILITY FOR SAFETY OF
THE WORK, OF PERSONS ENGAGED
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770.423.0807
FLORIDA SURVEY CO.# LB7832

HILLPOINTE, LLC EXHIBIT OF PROPERTY DELAND APARTMENTS NORTH SPRING GARDEN AVENUE	LOCATED IN SECTION 5, TOWNSHIP 17 SOUTH, RANGE 30 EAST CITY OF DELAND VOLUSIA COUNTY, FLORIDA
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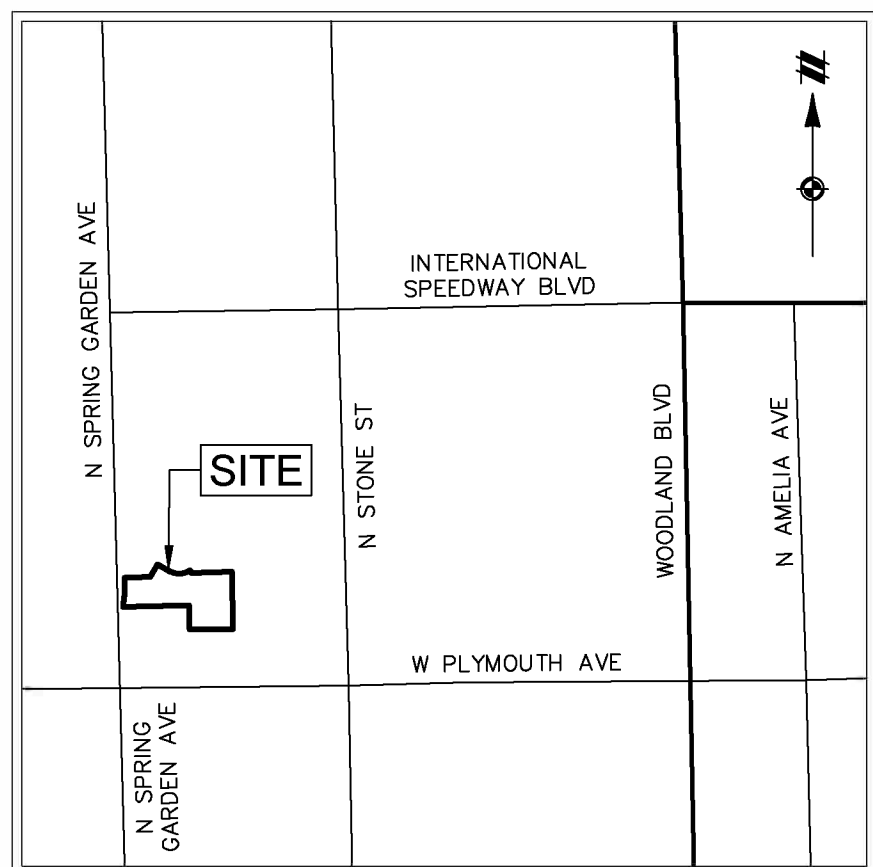
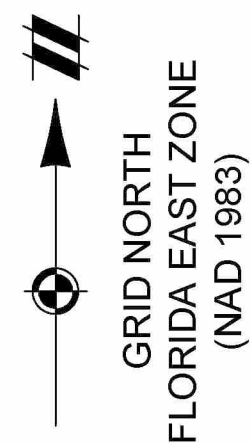
DATE 04/12/2022

[illegible]

DWG.	STH	CH.	KMK
P.M. CRE			
CODE	AS		
JOB	22001649		
SHEET NO.			
1 OF 2			

HORIZONTAL: GRID NORTH, NAD83, FLORIDA STATE PLANES, EAST ZONE
(NORTH AMERICAN DATUM OF 1983) (2011)
US SURVEY FOOT, ORANGE COUNTY, FLORIDA
VERTICAL: NAVD88 (NORTH AMERICAN VERTICAL DATUM OF 1988)
GEOID: GEOID18 (CONUS)

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY LIES IN ZONE "X" OF THE FLOOD INSURANCE RATE MAP (FIRM), COMMUNITY PANEL NO. 12127C0465H, WHICH BEARS AN EFFECTIVE DATE OF 2/19/2012 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.



VICINITY MAP
NOT TO SCALE



Know what's **below**.
Call before you dig.

THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY. ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

NOTICE:
CONSTRUCTION SITE SAFETY IS THE
SOLE RESPONSIBILITY OF THE
CONTRACTOR; NEITHER THE OWNER
NOR THE ENGINEER SHALL BE
EXPECTED TO ASSUME ANY
RESPONSIBILITY FOR SAFETY OF
THE WORK, OF PERSONS ENGAGED
IN THE WORK, OF ANY NEARBY
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PERSONS.

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LOCATED IN SECTION 5,
TOWNSHIP 17 SOUTH, RANGE 30 EAST
CITY OF DELAND
VOLUSIA COUNTY, FLORIDA

CLIENT

HILLPOINTE, LLC

EXHIBIT OF PROPERTY
DELAND APARTMENTS

NORTH SPRING GARDEN AVENUE

DATE 04/12/2022

REVISIONS

DWG.	STH	CH.	KMK
P.M. CRE			
CODE		AS	
JOB		22001649	
SHEET NO.			
2 OF 2			

	BENCHMARK
	FOUND MONUMENT
	FOUND BOUNDARY MARKER
	IRON PIN SET
	SUBJECT BOUNDARY LINE
	ADJACENT BOUNDARY LINE
	RIGHT OF WAY LINE
	SECTION LINE
	EASEMENT LINE
	EXISTING FENCE
	GUARD RAIL
	TITLE EXCEPTION NUMBER
	UTILITY POLE
	GUY ANCHOR
	SIGN
	OVERHEAD UTILITY