



CITY OF DELAND
SPECIAL MEETING OF THE CITY COMMISSION
JULY 25, 2022 AT 7:00 PM
CITY HALL, COMMISSION CHAMBERS
120 SOUTH FLORIDA AVENUE

AGENDA

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

OLD BUSINESS

1. Second Reading of Ordinance No. 2022-13, Changing the Zoning of Approximately 167.65 Acres of Property, Located North of East Beresford Avenue (C.R. 4112), East of South Boston Avenue and West of South Hill Avenue (C.R. 4105), from R-1A (Single Family) to Beresford Reserve Planned Development.

Staff recommends approval subject to any changes requested by the City Commission.

ADJOURNMENT

CITY OF DELAND
Request for Commission Action
July 25, 2022

SUBJECT: Second Reading of Ordinance No. 2022-13, Changing the Zoning of Approximately 167.65 Acres of Property, Located North of East Beresford Avenue (C.R. 4112), East of South Boston Avenue and West of South Hill Avenue (C.R. 4105), from R-1A (Single Family) to Beresford Reserve Planned Development.

DEPARTMENT: Community Development

PREPARED BY: Rick Werbiskis, Community Dev. Director

ATTACHMENTS: ORD-2022-13, Exhibit A- Legal Description, Exhibit B - Beresford Reserve PD, PD Exhibit A, PD Exhibit B, PD Exhibit C, PD Exhibit D, Density Analysis Map, Beresford Reserve Site Assessment Work Plan, Staff Report to Planning Board, Zoning and Location Map, Aerial

APPROVED BY: Michael Pleus, City Manager, July 11, 2022

SUMMARY/HIGHLIGHT:

The applicant, Mark Watts, Esq., Cobb Cole (for, Sandhill Enterprises, LLC, owner), has requested to amend the current zoning, from R-1A to Beresford Reserve (FKA Beresford Springs) PD. The name change was requested by the applicant after the Planning Board meeting. The property contains 167.65 acres located north of E. Beresford Avenue (C.R. 4112), east of S. Boston Avenue and west of S. Hill Avenue (C.R. 4105). The applicant wishes to amend the existing R-1A zoning to Beresford Reserve PD (Planned Development) to accommodate a new residential development with a mix of single-family detached, and single-family attached (town homes), with a public park in the northwest corner. The current zoning of R-1A allows for the development of single-family dwellings on 8,250 square foot lots.

After several continuations of First Reading, at the January 31, 2022 Commission meeting, the application was approved on first reading to allow the applicant to work with staff to update the Development Agreement to incorporate the comments from the City Commission and at the same time wait for the review by FDEP of the environmental testing methodology. Through this review, the Site Assessment Work Plan was developed (attached). The Background section provides a summary of the development agreement components.

The application has been re-noticed to notify the public of this date that the project will be presented for City Commission consideration.

STRATEGIC PLAN FOCUS AREA/ACTION STEP:

Institute Smart Growth Principles - Encourage redevelopment and quality growth that preserves the character of the city.

SUSTAINABILITY:

Florida Friendly plantings and Low Impact Development standards are incorporated into the project.

FISCAL IMPACT:

N/A

RECOMMENDATION:

Staff recommends approval subject to any changes requested by the City Commission.

BACKGROUND/DISCUSSION:

Development Agreement Summary

Since the first reading, the applicant has revised the agreement as summarized below:

1. Total number of residential units is 597 (254 SF units; 154 fee simple townhomes & 189 rental townhomes).
2. HOA maintained pool amenity is located southerly of the proposed public park.
3. Commercial area is no longer part of the proposed project.
4. Requires the main park to be constructed, including all required environmental remediation work, to be completed in the first phase of development.
5. References that the entire project will comply with the approved Brownfield Redevelopment Program
4. Provides that any costs associated with environmental clean-up on the park will not be considered in calculating the parks and recreation impact fee credit due the developer.
5. All quarterly reports submitted to FDEP will also be submitted to the City.
6. Low Impact Development specifics are now provided in the Development Agreement under section F. Environmental Considerations.

General Information

The subject property is located in the portion of the City that has been discussed as an appropriate area for infill type of development. The proposed mix of uses (residential and park land) are intended to complement the current mix of uses that are located throughout the surrounding area. The proposed rental style town homes help to address the housing availability issues facing the DeLand region.

The subject property is designated Low Density Residential on the Future Land Use map with a maximum density of 5.8 dwelling units per acre. The rezoning application, as revised (January 2022 version), is consistent with this category, with a proposed density of 3.53 units per acre. The existing zoning of R-1A allows for a density of 5.28 units per acre. The request is also inside the Urban Core Area of the 2050 Vision Plan which is the area recommended for the city's future infill growth.

An attachment to this agenda item provides a map of the residential dwelling unit densities for areas adjacent to the proposed project. These areas consist of residential development within both the city and the county. In addition, adjacent multi-family projects have also been identified.

ORDINANCE NO. 2022 - 13

AN ORDINANCE OF THE CITY COMMISSION OF DELAND, FLORIDA, CHANGING THE ZONING FROM CITY OF DELAND'S R-1A, SINGLE-FAMILY TO BERESFORD RESERVE PLANNED DEVELOPMENT (PD), ON PROPERTY LOCATED NORTH OF EAST BERESFORD AVENUE (C.R. 4112), EAST OF SOUTH BOSTON AVENUE AND WEST OF SOUTH HILL AVENUE (C.R. 4105); APPROVING A PLANNED DEVELOPMENT PLAN CONSISTING OF APPROXIMATELY 167.65 ACRES OF PROPERTY; MAKING FINDINGS OF CONSISTENCY WITH THE COMPREHENSIVE LAND USE PLAN FOR THE CITY OF DELAND; DIRECTING CHANGE IN THE COMPREHENSIVE ZONING MAP; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Applicant, Mark Watts, Esq., on behalf of Sandhill Enterprises (hereinafter referred to as "Applicant"), the owner of approximately 167.65 +/- acres of land located north of east Beresford Avenue (C.R. 4112), east of south Boston Avenue and west of south Hill Avenue (C.R. 4105), which is more particularly described in the legal description attached hereto as Exhibit "A" and by this reference made a part hereof; and

WHEREAS, the Applicant has applied for a change of zoning designation from City of DeLand's R-1A, Single Family to Beresford Reserve Planned Development (PD); and

WHEREAS, the Applicant wishes to amend the zoning to planned development to accommodate a new residential development with a mix of single-family detached and single-family attached (town homes), with a public park in the northwest corner; and

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

WHEREAS, the Applicant has submitted an application for the approval of a development plan in order to amend the property zoning designation so as to change certain development standards for the property described in Exhibit "A" (hereinafter the "Property" or the "Project"); and

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

WHEREAS, the proposed development plan is consistent with the Low Density Residential land use designation.

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

Section 1. The City Commission has held a public hearing to approve the change of zoning from City of DeLand's R-1A, Single-Family to Beresford Reserve Planned Development (PD) on the property located north of east Beresford Avenue (C.R. 4112), east of south Boston Avenue, and west of south Hill Avenue (C.R. 4105), consisting of approximately 167.65 +/- acres.

Section 2. Pursuant to the determination made at public hearing, the City Commission hereby amends the Comprehensive Zoning Map of the City to include the land described in Exhibit "A" as Beresford Reserve PD, Planned Development District.

Section 3. The zoning of the Property as PD, Planned Development District, is made pursuant to Section 33-32 of the Code and the development of the Property shall take place in accordance with that

Section and in substantial compliance with the Development Plan Agreement, Maps and other supporting documentation submitted by Applicant which shall be filed and retained for public inspection in the office of the City Planning Department and constitute a supplement to the official Zoning Map of the City.

Section 4. The approved Development Plan for Beresford Reserve PD, Planned Development District, including the Development Plan Agreement, Map and other supporting documentation (on file with the City Planning Department), are attached hereto as Exhibit “B” and by this reference made a part hereof.

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

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

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

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

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

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

PASSED AND DULY ADOPTED this 25th day of July, 2022.

Robert F. Apgar
Mayor - Commissioner

ATTEST:

Julie A. Hennessy
City Clerk - Auditor

Passed on first reading: January 31, 2022
Adopted on second reading: July 25, 2022

APPROVED AS TO FORM AND LEGALITY:

Darren J. Elkind
City Attorney

ATTACHMENT A

LEGAL DESCRIPTION

DESCRIPTION FOR SOUTHRIDGE GOLF COURSE:

A PORTION OF BLOCKS 174, 175, 176, 177, 187, 188, 189, 190, 191, 192, 194, 215, 216, 217 and 218 OF THE "CORPORATION MAP OF THE CITY OF DELAND" RECORDED IN MAP BOOK 2, PAGE 45 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, AND LOTS 1 THROUGH 60, SUNNYVIEW ADDITION, BEING A SUBDIVISION OF BLOCK 193, DELAND, FLORIDA, ACCORDING TO THE PLAT THEREOF, RECORDED IN MAP BOOK 4, PAGE 111, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 15, TOWNSHIP 17 SOUTH, RANGE 30 EAST, RUN THENCE ALONG THE SOUTH LINE OF SAID SECTION 15, N 89°06'33" E, A DISTANCE OF 30.00 FEET, RUN THENCE N 01°16'11" W, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING, POINT ALSO BEING ON THE EAST RIGHT OF WAY LINE OF SOUTH BOSTON AVENUE, THENCE RUN N 01°16'11" W ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 2437.96 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF EAST EUCLID AVENUE, THENCE RUN N 87°37'11" E ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 2565.52 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF SOUTH HILL AVENUE, THENCE RUN S 01°38'23" E ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 320.74 FEET, THENCE RUN S 89°06'19" W, A DISTANCE OF 115.00 FEET, THENCE RUN S 01°38'23" E, A DISTANCE OF 355.06 FEET, THENCE RUN S 89°06'19" W, A DISTANCE OF 10.00 FEET, THENCE RUN S 01°38'23" E, A DISTANCE OF 1829.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF EAST BERESFORD AVENUE, THENCE RUN S 89°06'33" W ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 566.28 FEET, THENCE RUN N 01°31'33" W, A DISTANCE OF 226.00 FEET, THENCE RUN S 89°06'33" W, A DISTANCE OF 208.00 FEET, THENCE RUN S 01°31'33" E, A DISTANCE OF 226.00 FEET, THENCE RUN S 89°06'33" W ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 1681.99 FEET TO THE POINT OF BEGINNING.

SAID DESCRIBED PARCEL CONTAINING 138.72± ACRES.

TOGETHER WITH

(O.R. 6392 PAGE 0352)

ALL OF BLOCK 170 EXCEPT THE WESTERLY 440 FEET OF THE NORTH ONE-HALF AND EXCEPT THE WESTERLY 40 FEET OF THE SOUTH ONE-HALF AND EXCEPT THE SOUTHERLY 30 FEET; AND ALL OF BLOCK 171, EXCEPT THE WESTERLY 200 FEET OF THE SOUTHERLY 250 FEET AND EXCEPT THE SOUTHERLY 30 FEET, MAP OF THE CORPORATION OF THE CITY OF DELAND ACCORDING TO MAP IN MAP BOOK 2, PAGE 45, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

AND

(O.R. 6392 PAGE 0352)

WEST ½ OF BLOCK 172 OF DELAND, FLORIDA AS SHOWN IN MAP BOOK 2, PAGE 45 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

AND

(O.R. 4157 PAGE 0210)

EAST ½ OF BLOCK 172, CORPORATION MAP OF CITY OF DELAND ACCORDING TO MAP IN MAP BOOK 2, PAGE 45, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; AND LESS AND EXCEPT THE SOUTH 25 FEET THEREOF.

PLANNED DEVELOPMENT AGREEMENT

IN THE CITY COMMISSION OF THE

CITY OF DELAND, FLORIDA

IN RE: Z-20-105, Application of

ELEVATION SANDHILL, LLC

ORDINANCE # 2022-__

ORDER AND RESOLUTION

GRANTING A REQUEST FOR CHANGE OF ZONING FROM R-1A SINGLE-FAMILY

DWELLING DISTRICT TO BERESFORD RESERVE PD

The application of Elevation Sandhill, LLC, hereinafter, "Applicant", for rezoning was heard by and before the City Commission, DeLand Florida, on _____, 202_. Based upon the verified Application and other supporting documents, maps, charts, overlays, other evidence and instruments; the advice, report, and recommendations of the Community Development, and other Departments and agencies of DeLand, Florida; and the testimony adduced and evidence received at the Public Hearing on this Application by the Planning Board on March 17, 2021, and otherwise being fully advised, the City Commission does hereby find and determine as follows:

GENERAL FINDINGS

A. That the application of Elevation Sandhill, LLC was duly and properly filed herein on July 22, 2020, 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 167.36 +/- 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 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 owner of the property, Sandhill Enterprises, LLC, agrees 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 R-1A Single-Family Dwelling District to Beresford Reserve 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., 2022, AS FOLLOWS:

A. That the Application of Elevation Sandhill, 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 R-1A Single-Family Dwelling District to Beresford Reserve PD as described in Article VII of the City of DeLand, Land Development Regulations Ordinance No. 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 Beresford Reserve PD.

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

9 E. Unless otherwise provided for herein the City of DeLand, Land
10 Development Regulations Ordinance No. 2013-11, as amended, shall apply to the PD in
11 the same manner as the R-1A, Single-Family Dwelling zoning classification.

12 F. Nothing in this Ordinance shall abridge the requirements of any City of
13 DeLand Ordinance other than Ordinance No. 2013-11, as amended. Timing and review
14 procedures contained in this Order and Resolution may be modified to comply with the
15 City of DeLand Land Development Regulations, Ordinance No. 2013-11, as amended.
16 Further, nothing in the Development Agreement is intended to abridge the requirements
17 of 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 for Beresford Reserve shall consist of the PD Concept Plan Map dated January 6, 2022 and this Development Agreement. The PD Concept Plan Map is hereby approved and incorporated 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. Minor modifications to this Planned Development Plan may be approved by the City Staff to accommodate issues that arise during the platting or site plan process so long as the modification does not add a new use nor increases the density or intensity permitted by this Development Agreement and Planned Development Plan.

3. Subdivision Approval. After the Planned Development Plan is recorded, and prior to any construction, including clearing and fill, a preliminary and/or a final plat of the area to be subdivided 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. The PD Concept Plan Map shall constitute a Sketch Plan for purposes of the Land Development Regulations of the City of DeLand.

4. Final Site Plan Approval. After the Planned Development Plan is recorded, and prior to issuance of any permits for construction, including clearing and fill, a final site plan shall be prepared and submitted for review and approval in the manner required by Article 12 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 plat.

C. Phases of Development. The project may be developed in one or more phases. Phasing for the project may generally be provided per the attached Exhibit "C". Phases may be developed in any order. Mass-grading of the site may only occur over the development area included in a particular phase, as approved by the City during the subdivision review process, but not over the Tree Preservation Areas or any portion of the parcel not included within an approved phase. Clearing and grading may occur over areas not included within a particular phase if such clearing and grading activity is completed as part of the implementation of the Brownfield Site Rehabilitation Agreement (as defined below). Mass-graded areas will be stabilized with vegetative cover.

Sales center, design center, model homes and construction trailers may commence construction upon approval of a preliminary plat and final construction plans and completion of a stabilized access to the sales center area for emergency vehicles and the provision of acceptable water supply for fire protection, and one of the following two options as approved by the City's Chief Building Official and the City Engineer where a temporary or final Certificate of Occupancy is requested prior to full City approval and

acceptance of the infrastructure:

1. There shall be potable water and a sewer tie-in as approved by the City Engineer for the buildings (this does not authorize a well or septic tank), or an ADA compliant fully self-contained temporary bathroom facility on site for each building to be used short term as determined by the Chief Building Official.

2. The public infrastructure serving the buildings has been accepted by the City Engineer and the utilities have been permanently connected.

Applicant may develop a central sales center area to be used during the life of the project. The sales center shall consist of the following temporary facilities to be located within homes to be built on 1 or more platted lots:

Sales Office (converted model home)

Design Center (converted model home)

Up to 4 Model Homes

Temporary Parking Lot

Temporary construction trailer(s) (may be converted model home)

Any temporary structurally supported covered entry to either the sales office or design center or construction trailer to facilitate entry into the side of either building shall not be subject to side yard setbacks provided the adjoining area is a vacant lot, right-of-way or temporary parking lot. Unless otherwise approved by the City, once the sales center and design center are done being used, the Applicant shall remove all temporary structures and convert the remaining model to comply with the requirements of this Development Agreement and the City building code. All sales office, model homes, and construction trailers shall be approved by the applicable regulatory authorities per the City's LDR's.

D. Land Uses Within the PD. The development of the parcel shall be consistent with the uses prescribed for each area within the proposed BERESFORD RESERVE PD. The approximate location and size of said land use areas are shown on the PD Concept Plan Map, Exhibit "B", subject to minor revisions during preliminary and final site design. The following land uses shall be allowed as permitted principal uses and structures along with their customary accessory uses and structures:

Permitted Uses within Residential Areas:

1. Single-Family Residences:

Single-family dwellings, except mobile homes.

Family day care home.

Mini and neighborhood parks.

Community uses including but not limited to clubhouse, cabana, community garden, public art displays, and sports courts.

2. Townhome Residences:

Two-family dwellings and duplexes.

Multiple-family dwellings and duplexes.

Family day care home.

Mini and neighborhood parks.

Community uses including but not limited to clubhouse, cabana, community garden, public art displays, and sports courts.

E. Development Standards.

1. Single-Family Residences:

	40' Lots (Rear entry only)	50' Lots	60' Lots	70' Lots
1. Minimum lot area:	5,200 sq. ft.	6,000 sq. ft.	7,200 sq. ft.	8,400 sq. ft.
2. Minimum lot width:	40 ft.	50 ft.	60 ft.	70 ft.
3. Minimum lot length:	130 ft.	120 ft.	120 ft.	120 ft.
4. Minimum building setbacks:				
a. Front yard to garage face/door:	N/A	25 ft.	25 ft.	25 ft.
b. Front yard to structure:	15 ft.	15 ft.	15 ft.	15 ft.
c. Rear yard:	25 ft.	20 ft.	20 ft.	20 ft.
d. Rear yard screen enclosure	3 ft.	3 ft.	3 ft.	3 ft.
e. Side yard screen enclosure	5 ft.	5 ft.	5 ft.	5 ft.
f. Side yard:	5 ft.	5 ft.	5 ft.	5 ft.
g. Side street:	15 ft.	15 ft.	15 ft.	15 ft.
h. Waterfront rear yard:	N/A	25 ft.	25 ft.	25 ft.
i. Side setback for pools and accessory structures	Per Land Development Regulations	Per Land Development Regulations	Per Land Development Regulations	Per Land Development Regulations
j. Rear setback for pools and accessory	Per Land Development Regulations	Per Land Development Regulations	Per Land Development Regulations	Per Land Development Regulations

structures				
5. Minimum floor area:	1,000	1,000 sq. ft.	1,000 sq. ft.	1,000 sq. ft.
6. Maximum lot coverage:	73%	73%	73%	73%
7. Maximum building height:	35 ft.	35 ft.	35 ft.	35 ft.
8. Maximum single family unit count - 254	45	116	32	61

2. Townhomes:

- a) Minimum Lot Area of 1,800 sq. ft.
- b) Minimum Lot Width of 20 feet
- c) Minimum Lot Depth of 90 feet
- d) Minimum Individual Unit Size of 750 sq. ft.
- e) Maximum Height of 35 ft.
- f) Minimum Spacing Between Townhome Buildings: 15 feet
- g) Minimum Setbacks: internal side 0 ft.; building side 7.5 ft.; front 25 ft.; rear 25 ft.; street side 15 ft.; accessory structure 5 ft.
- h) Specialty Setbacks
 - 1. i. Air Conditioning/Heating Units: 5 ft.
 - 2. ii. Patio: 5 ft.
 - 3. iii. Generators/Other Mech. Equip.: 5 ft.
 - 4. iv. Eaves: 5 ft.
- i) Maximum Impervious Surface Area: 50%
- j) Maximum Unit Count: 154 units in the southern section and an additional 189 rental units under unified ownership in the northern section above Euclid Avenue.

3. Perimeter Landscape Buffer Requirements: The minimum perimeter buffer width shall be as follows:¹

20' buffer	Adjacent to East Euclid Avenue Adjacent to Beresford Avenue
30' buffer	All other boundaries
60' buffer	Adjacent to South Boston Avenue and South Hill Avenue

In addition, the eastern perimeter buffer shall include a six-foot (6 ft.) opaque fence on the boundary line between the Beresford Reserve PD and the adjacent Southridge Home Owners Association property. The opaque fence may be constructed as a masonry wall if the Southridge Home Owners Association contributes half of the total cost of the masonry wall in lieu of an opaque fence. The fence or wall shall be installed as part of the development infrastructure for the phase of the development adjacent to the Southridge Home Owners Association property.

4. Maximum number of single family/townhome units: 597

5. Parking Standards

In order to accommodate visitors and any demand for parking beyond spaces per residential lot, on-street parking shall be provided in various locations within the Property.

a. 40' Rear Entry Lots

Each parcel shall be designed to accommodate no less than two (2) parking spaces via use of on-parcel driveway and two (2) spaces in an internal garage. In addition, on-street parking shall be provided along the street frontages in front of all 40' rear entry lots or along adjacent park or open space tracts. On street parking spaces shall be located outside of the

¹ Except as otherwise specified on the PD Concept Plan Map.

travel way. No less than 0.25 spaces per lot of on-street parking spaces shall be provided. Said parking shall not encroach into the travel lanes and said travel lanes shall be no less than a combined 20 ft. wide.

b. 50', 60', and 70' Lots

Each parcel shall be designed to accommodate no less than two (2) parking spaces via use of on-parcel driveway which shall be a minimum of eighteen feet (18') wide and two (2) spaces in an internal garage. Parking bays along the street outside of the travel way shall be provided. No less than 0.25 spaces per lot of on-street parking spaces shall be provided. Said parking shall not encroach into the travel lanes and said travel lanes shall be no less than a combined 20 ft. wide.

c. Townhomes

Each parcel shall be designed to accommodate no less than one (1) parking spaces via use of on-parcel driveway and one (1) space in an internal garage. Designated parking areas within the townhome sections of the development shall be provided for guest and overflow parking at a rate of 0.25 spaces per townhome, as shown on the PD Concept Plan Map.

6. Signage: Signage for the subdivision shall be provided in accordance with the sign plan attached as Exhibit "D".

7. Open Space: Open space and/or common area requirements shall meet the Land Development Regulations Ordinance No. 2013-11. Amenity areas and green spaces may provide for the following uses which are permitted, but not required: conference meeting spaces, office space, computer lab, shade trees, benches, community garden, picnic area, community fire pit,

1 pavilion, BBQ area, pool and cabana area, playground equipment, sports
2 courts: basketball, volleyball, pickleball, shuffleboard, and similar uses and
3 activities.

4 A central park that will be open to the general public will be established in
5 the northeast quadrant of the development, as shown on the PD Concept
6 Plan Map (the "Central Park"). The Central Park may include a disc golf
7 course, putting green, volleyball and pickleball courts, picnic areas and
8 pavilions, open play fields and multi-purpose trails, and will be programmed
9 in coordination with the City's parks department. In addition, public pocket
10 parks shall be provided throughout the development, as depicted on the PD
11 Concept Plan Map, and may include sculptures and similar art displays for
12 the benefit of the public. The Applicant or then owner of the subject property
13 shall offer to convey to the City the Central Park, either in fee or as a public
14 dedication, upon completion of all improvements in the Central Park. If
15 accepted by the City, the Developer or a maintained by a community
16 development district ("CDD"), if one is approved by the City, will fund a pre-
17 paid maintenance reserve in an amount determined by the City and
18 Developer prior to the City's acceptance of the Central Park dedication. If
19 the City does not accept the Central Park, then the Central Park shall be
20 owned by a CDD established for the Beresford Reserve PD if one is
21 established, which CDD shall also own and maintain all other public parks
22 on the subject property. If a CDD is not established, the established
23 homeowners' association shall own and maintain the Central Park, if not
24 accepted by the City, and shall own and maintain all other public parks on

1 the subject property. The Central Park and its improvements provided in
2 connection with the project shall serve to offset the parks that would
3 otherwise be funded from the City's park impact fees, but the cost of
4 environmental remediation shall not be included in the valuation of the
5 offset. The Central Park improvements, including any environmental
6 activities, must be completed in the first phase of development.

7 The townhome parcel north of Euclid Avenue, shall also include community
8 uses and common amenities limited to use by residents of the townhome
9 rental units.

10
11 F. Environmental Considerations. The development shall comply with the
12 requirements for preservation of environmental resources as set forth in the Land
13 Development Regulations Ordinance No. 2013-11, as amended. The development has
14 been laid out in a manner to best accommodate the existing topography, drainage, and
15 known environmental conditions identified on the property through the preliminary
16 environmental testing conducted under the State of Florida Brownfields Redevelopment
17 Program.

18
19 However, the actual location and layout of the developed areas within the
20 development shall be determined during subdivision review and may be modified from
21 the development areas shown on the PD Concept Plan Map based on environmental
22 conditions identified during the brownfield remediation process and required for
23 implementation of the Brownfield Site Rehabilitation Agreement executed for Brownfield
24 Site ID BF642001001 (the "Brownfield Site Rehabilitation Agreement"). All amendments

1 of the Planned Development Plan, other than those deemed by the Planning Department
2 to be minor amendments as set out in Ordinance No. 2013-11, as amended, shall require
3 the review and recommendation of the Planning Board and action by the City Commission
4 in the same manner as a rezoning of the property. Prior to beginning subsurface site
5 development activities under an approved development order in an area with documented
6 soil impacts above the applicable residential soil cleanup target level (as set forth in 62-
7 777 of the Florida Administrative Code) ("Area of Concern"), the Person Responsible for
8 Brownfield Site Rehabilitation (as said term is defined in the Brownfield Site Rehabilitation
9 Agreement) (the "PRFBSR"). The PRFBSR shall obtain Florida Department of
10 Environmental Protection approval of a cleanup plan for the Area of Concern (e.g.,
11 remedial action plan or soil management plan). The remedial action plan or soil
12 management plan may include off-site removal, on-site soil management, and/or the use
13 of institutional controls and engineering controls in accordance with the requirements of
14 Chapter 62-780 of the Florida Administrative Code. The PRFBSR shall implement the
15 approved Florida Department of Environmental Protection remedial action and/or soil
16 management plan, complete all required post-remedial action and/or soil management
17 activities, and comply with the terms of PRFBSR's Brownfield Site Rehabilitation
18 Agreement until the Florida Department of Environmental Protection issues a Site
19 Rehabilitation Completion Order. Compliance with the Brownfield Site Rehabilitation
20 Agreement shall include use of the following: (1) a health and safety plan and proper site
21 controls during remedial activities to control dust and airborne movement of particles; and
22 (2) clean fill that has been tested in accordance with Florida Department of Environmental
23 Protection guidance for any pervious engineering controls (e.g., two feet of clean fill). In
24 addition, the PRFBSR shall provide the City of DeLand with copies of all technical reports

1 required to submitted to the Florida Department of Environmental Protection under the
2 Brownfield Site Rehabilitation Agreement, and provide the City Commission with quarterly
3 updates on the status of the implementation of the Brownfield Site Rehabilitation
4 Agreement. As the development may occur in phases, the City of DeLand and the
5 PRFBSR recognize that the Florida Department of Environmental Protection cannot issue
6 a Site Rehabilitation Completion Order until all phases of the development and Area(s) of
7 Concern meet the applicable requirements for regulatory closure. The City of DeLand
8 may contract with an independent environmental consultant to review any submissions
9 made by the PRFBSR's environmental consultant to the Florida Department of
10 Environmental Protection. The City's costs associated with the independent review shall
11 be reimbursed to the City of DeLand by the PRFBSR.

12
13 In addition, all landscaping, including buffers, shall predominantly utilize Florida-
14 Friendly Landscaping, as defined by the University of Florida/Institute of Food and
15 Agricultural Sciences ("UF/IFAS") Center for Landscape Conservation and Ecology,
16 native, or low-water plant material. The Planned Development Plan encourages
17 environmental preservation and sustainable development through the provision of
18 substantial perimeter buffers, natural areas, open space, the incorporation of Low Impact
19 Development ("LID") stormwater strategies, as developed by the UF/IFAS, Center for
20 Landscape Conservation and Ecology, and use of Florida-Friendly Landscaping. The
21 proposed buffers will add Florida-Friendly vegetation where needed to screen adjoining
22 residential properties. The development shall include landscape designs such that plants
23 will serve environmentally friendly functions including, but not limited to, cooling, privacy
24 screening, shade, aesthetics, wildlife habitat, runoff pollution prevention, and directing

1 traffic flow onto and within the community. All mulching will be conducted in accordance
2 with the most current version of the Florida Green Industries Best Management Practices
3 (BMPs) handbook guidelines. Mowing in common areas shall be done in accordance with
4 the most current version of the Florida Green Industries BMPs handbook and by certified
5 landscaping contractors. Mowing adjacent to swales shall be performed such that no
6 clippings are deposited into any swales or water bodies. All clippings that may have been
7 deposited on impervious surfaces will be swept back into the vegetated area. All pesticide
8 applications in common areas shall be done by a certified professional in accordance with
9 the most current version of the Florida Green Industries BMPs handbook.

10
11 G. Sewage Disposal, Potable Water and Reclaimed Water. Provision for
12 sewage disposal, potable and reclaimed water needs of the PD will be provided in
13 accordance with the Comprehensive Plan, Ordinance No. 1990-04, as amended, the
14 Land Development Regulations Ordinance No. 2013-11, as amended, and State of
15 Florida Administrative Code 64E-6. No potable water, irrigation or wells of any type shall
16 be allowed on the subject property, other than as may be required for implementation of
17 Brownfield Site Rehabilitation Agreement, including but not limited assessment,
18 implementation of the remedial action plan, post remedial monitoring, and testing.

19
20 H. Stormwater Drainage. Provision for stormwater retention shall be in
21 accordance with the Land Development Regulations Ordinance No. 2013-11, as
22 amended. All stormwater retention systems will be designed to meet all required
23 governmental regulations. Low Impact Development features such as bioswales, rain
24 gardens and other similar features intended to encourage natural uptake of stormwater

1 within the natural areas of the Planned Development shall be incorporated as elements
2 in the stormwater system. A central bioswale is planned in the center of the boulevard
3 connecting Beresford Avenue and Euclid Avenue, as shown on the PD Concept Plan
4 Map.

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

10 1. Access. Access to the site will be from East Beresford Avenue, East
11 Euclid Avenue, East Walts Avenue, and South Boston Avenue. The PD Concept Plan
12 Map indicates the anticipated connection locations; however, the final locations may vary
13 due to final engineering design and permitting considerations.

14 2. Transportation System Improvements. Transportation system
15 improvements will be provided as required by permitting agencies and as needed
16 according to the Traffic Impact Analysis (TIA) for the project.

17 3. Public Sidewalks and Multi-use Trails. Five-foot (5 ft.) sidewalks
18 shall be provided adjacent to all internal roadways within the development. In addition, a
19 twelve-foot (12 ft.) wide multi-use trail shall be constructed along the northern right of way
20 of Beresford Avenue as part of the development of the property. A ten-foot (10 ft.) wide
21 multi-use trail will also connect Beresford Avenue to the central park area and Euclid
22 Avenue along the central boulevard shown on the PD Concept Plan Map. The trails shall
23 be owned and maintained by the proposed CDD. If a CDD is not established, the trails
24 shall be maintained by the homeowners' association or the City and dedicated to the

public.

J. Internal Roadways.

Internal roadways for the property shall be provided in accordance with the Land Development Regulations Ordinance No. 2011-13, as amended. In order to limit the amount of impervious area within the Planned Development, the width of all paved streets may be twenty (20) feet, rather than twenty-four (24) feet as typically required by the City's Land Development Regulations, subject to review by the City of DeLand Fire Department, except at entryways into the project where wider pavement is required by the City for ingress and egress of emergency or service vehicles. Sidewalks shall be maintained free and clear of all tripping hazards in accordance with sidewalk maintenance industry best practices. Street trees shall be pruned in such a fashion to maintain the health of the trees and to maintain the appropriate vertical clearance for garbage trucks and fire engines. The City is hereby granted an irrevocable license to enter upon the property to conduct any work which is required to maintain the streets or sidewalks which has not been performed by the homeowners' association or CDD, if established, and said association shall be liable for any costs incurred by the City in connection therewith unless an interlocal agreement between the City and CDD provides for payment of such costs and reimbursement is received by the City. Typical roadway cross sections shall be in accordance with those shown on the PD Concept Plan Map.

All rights-of-way will be a minimum of fifty (50) feet wide and any rights-of-way with on-street parking will be a minimum of fifty-two (52) feet wide. All internal roads will be dedicated to the public and owned and maintained by the proposed CDD or, if one is not created, maintained by the HOA or the City of DeLand and dedicated to the public.

K. Home or Property Owners Association. The Applicant shall create a

homeowners' association. The charter and by-laws of said association and any other agreements, covenants, easements or restrictions shall be furnished to the City of DeLand at the time of creation. The Applicant shall be responsible for recording said information in the Public Records of Volusia County, Florida. Also, the applicant shall bear and pay all costs for recording all of the aforementioned documents. The Applicant may petition for the creation of a Community Development District (CDD) subject to the applicable petition requirements and separate approval by the City.

The City shall encourage a mixture of design facades within the development, and the Applicant shall avoid a repeating sequence of designs and shall not utilize the same design on lots within 3 single-family lots of each other on the same side of the street. The homeowners' association shall ensure that an individual lot owner seeking building permits shall demonstrate compliance with this Section as part of the construction permit submittal for the lot.

With respect to the enforcement of said agreements, covenants, easements or restrictions entered into between the Applicant and the owners or occupiers of property within the BERESFORD RESERVE PD, the City of DeLand shall only enforce the provisions of the "Development Agreement" and City of DeLand Land Development Regulations Ordinance No. 2013-11, as amended, whichever is applicable, and not the private agreements entered into between the aforementioned parties.

L. Community Development District. The Applicant may petition the City to establish a CDD to finance, own and maintain certain public infrastructure improvements required in connection with the development of the Beresford Reserve PD. If a CDD petition is submitted, the Applicant shall comply with all requirements regarding formation of CDDs in the City of DeLand. Nothing herein is intended to bind the City in any way

related to the approval of a petition for establishment of a CDD.

M. Reverter Provision: The terms of this Development Agreement shall be vested for each phase of development upon approval of a final plat for the first phase of the development, which shall occur within five (5) years from the effective date of the ordinance adopting this Development Agreement. Each subsequent phase shall be vested upon issuance of a final plat issued within three (3) years after the approval of the final plat for the prior phase. If any portion of the subject property is not vested in accordance with this paragraph, the City Commission may rezone the property as may be necessary or appropriate to protect adjoining properties or the public health, safety and welfare, unless the City Commission, for good cause shown, shall extend the time period indicated in this paragraph.

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

This Ordinance and all subsequent amendments shall be filed with the Clerk of the Court and recorded within forty-five (45) days following execution of the document by the City Commission, in the Official Records of Volusia County, Florida. One copy of the document, bearing the book and page number of the Official Record in which the document was recorded, shall be submitted to the Planning Department for placement in the public file. The date of recording of this document shall constitute the effective date

of the BERESFORD RESERVE PD or its subsequent amendments. The applicant shall pay all filing 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: _____

WITNESSES:

_____	_____
	<i>Elevation Sandhill, LLC, Applicant</i>
_____	_____
	<i>Title</i>

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

NOTARY PUBLIC, STATE OF FLORIDA
Type or Print Name: _____
Commission No.: _____
My Commission Expires: _____

Revised July 11, 2022 u/p/zone/pd_doc

WITNESSES:

Sandhill Enterprises, LLC, Property Owner

Title

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization this _____ day of _____ (mo/yr), by (_____), property owner, who is personally known to me or who has produced _____ as identification.

NOTARY PUBLIC, STATE OF FLORIDA
Type or Print Name:

Commission No.: _____

My Commission Expires: _____

Revised July 11, 2022 u/p/zone/pd_doc

ATTACHMENT A

LEGAL DESCRIPTION

DESCRIPTION FOR SOUTHRIDGE GOLF COURSE:

A PORTION OF BLOCKS 174, 175, 176, 177, 187, 188, 189, 190, 191, 192, 194, 215, 216, 217 and 218 OF THE "CORPORATION MAP OF THE CITY OF DELAND" RECORDED IN MAP BOOK 2, PAGE 45 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, AND LOTS 1 THROUGH 60, SUNNYVIEW ADDITION, BEING A SUBDIVISION OF BLOCK 193, DELAND, FLORIDA, ACCORDING TO THE PLAT THEREOF, RECORDED IN MAP BOOK 4, PAGE 111, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 15, TOWNSHIP 17 SOUTH, RANGE 30 EAST, RUN THENCE ALONG THE SOUTH LINE OF SAID SECTION 15, N 89°06'33" E, A DISTANCE OF 30.00 FEET, RUN THENCE N 01°16'11" W, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING, POINT ALSO BEING ON THE EAST RIGHT OF WAY LINE OF SOUTH BOSTON AVENUE, THENCE RUN N 01°16'11" W ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 2437.96 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF EAST EUCLID AVENUE, THENCE RUN N 87°37'11" E ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 2565.52 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF SOUTH HILL AVENUE, THENCE RUN S 01°38'23" E ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 320.74 FEET, THENCE RUN S 89°06'19" W, A DISTANCE OF 115.00 FEET, THENCE RUN S 01°38'23" E, A DISTANCE OF 355.06 FEET, THENCE RUN S 89°06'19" W, A DISTANCE OF 10.00 FEET, THENCE RUN S 01°38'23" E, A DISTANCE OF 1829.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF EAST BERESFORD AVENUE, THENCE RUN S 89°06'33" W ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 566.28 FEET, THENCE RUN N 01°31'33" W, A DISTANCE OF 226.00 FEET, THENCE RUN S 89°06'33" W, A DISTANCE OF 208.00 FEET, THENCE RUN S 01°31'33" E, A DISTANCE OF 226.00 FEET, THENCE RUN S 89°06'33" W ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 1681.99 FEET TO THE POINT OF BEGINNING.

SAID DESCRIBED PARCEL CONTAINING 138.72± ACRES.

TOGETHER WITH

(O.R. 6392 PAGE 0352)

ALL OF BLOCK 170 EXCEPT THE WESTERLY 440 FEET OF THE NORTH ONE-HALF AND EXCEPT THE WESTERLY 40 FEET OF THE SOUTH ONE-HALF AND EXCEPT THE SOUTHERLY 30 FEET; AND ALL OF BLOCK 171, EXCEPT THE WESTERLY 200 FEET OF THE SOUTHERLY 250 FEET AND EXCEPT THE SOUTHERLY 30 FEET, MAP OF THE CORPORATION OF THE CITY OF DELAND ACCORDING TO MAP IN MAP BOOK 2, PAGE 45, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

AND

(O.R. 6392 PAGE 0352)

WEST ½ OF BLOCK 172 OF DELAND, FLORIDA AS SHOWN IN MAP BOOK 2, PAGE 45 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

AND

(O.R. 4157 PAGE 0210)

EAST ½ OF BLOCK 172, CORPORATION MAP OF CITY OF DELAND ACCORDING TO MAP IN MAP BOOK 2, PAGE 45, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; AND LESS AND EXCEPT THE SOUTH 25 FEET THEREOF.

LEGEND

- Ⓐ AMENITY (1.5 ACRES)
- Ⓑ PARK
- Ⓒ RECREATION AREA
- Ⓓ DRY RETENTION POND
- Ⓔ EXISTING TREES

PARK/RECREATION = ~40 ACRES
TOTAL GREEN SPACE = ~50 ACRES

KEY

- 40' SINGLE FAMILY LOTS REAR LOADED (45 LOTS) 40'x130'
- 50' SINGLE FAMILY LOTS (116 LOTS) 50'x120'
- 60' SINGLE FAMILY LOTS (32 LOTS) 60'x120'
- 70' SINGLE FAMILY LOTS (61 LOTS) 70'x120'
- RENTAL UNITS (189 UNITS)
- TOWNHOMES (154 UNITS)
- POCKET PARKS - HISTORIC TREE SAVES
- STREET PARKING (320 SPACES)



Exhibit "B"



MASTER PLAN 1"=200'

Beresford Reserve

Phasing Plan

Phasing Lot Breakdown

Phase 1:	
Townhomes:	72
40' Lots:	9
50' Lots:	94
60' Lots:	6
70' Lots:	16
Total Phase 1:	197

Phase 2:	
Townhomes:	82
40' Lots:	36
70' Lots:	6
Total Phase 2:	124

Phase 3:	
Rental Units:	189
Total Phase 3:	189

Phase 4:	
50' Lots:	22
60' Lots:	26
70' Lots:	39
Total Phase 4:	87

Total Units:	597
---------------------	------------

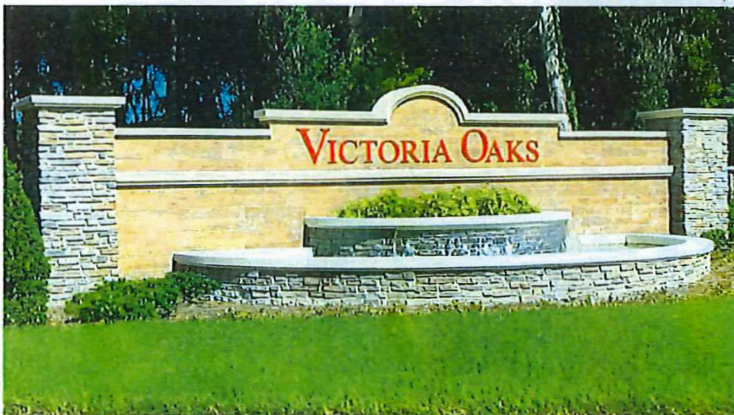
EXHIBIT "C"



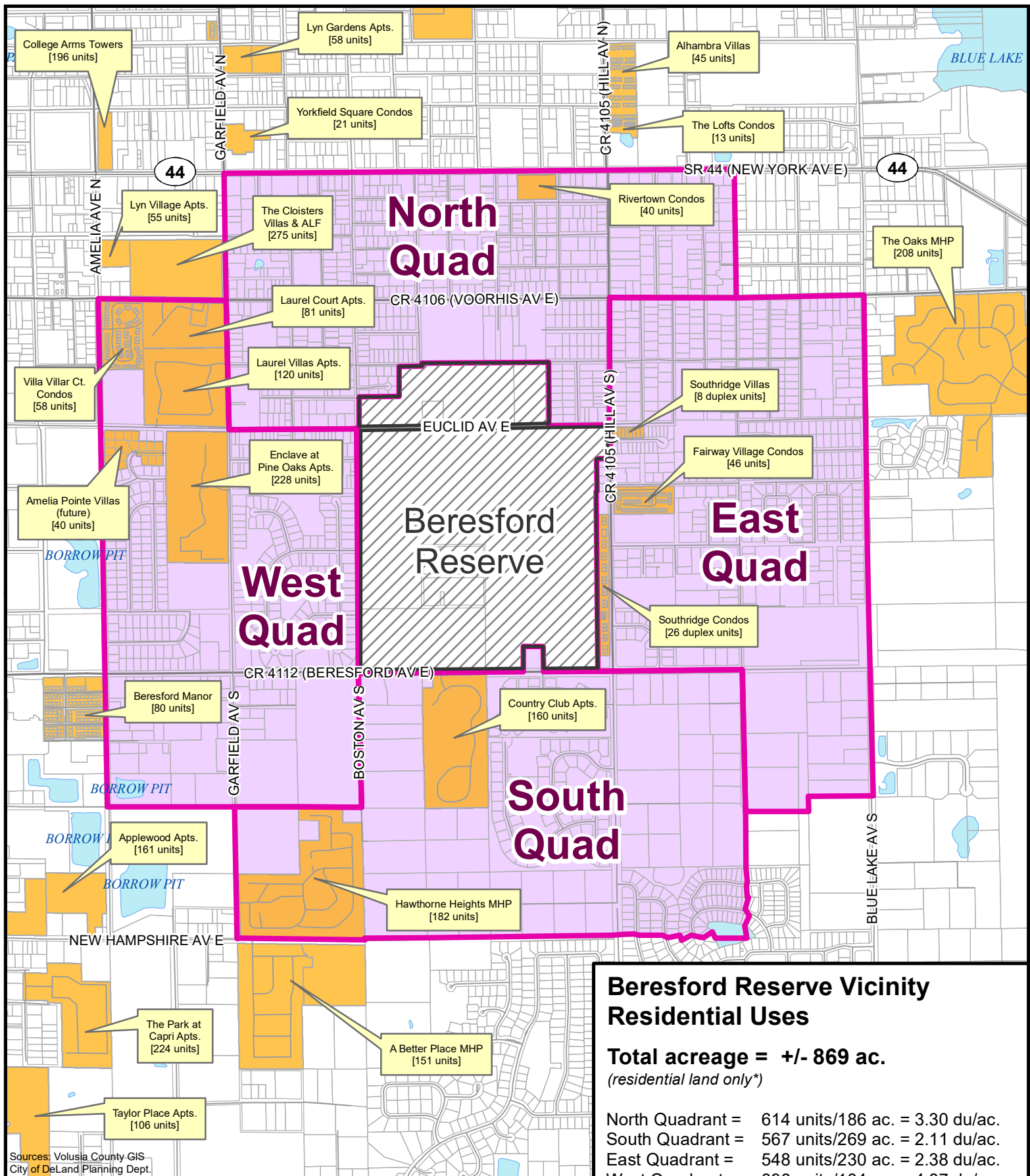
Beresford Springs



Residential Sign Concepts



Signs demonstrate design concepts and elements being considered.



Beresford Reserve Density Study



Prepared by:
City of DeLand Planning Dept.
April 27, 2021

This map is a graphic representation and is not intended to be used for any engineering or surveying purposes. The City of DeLand is not liable for any decisions made on the basis of this map or on the information contained within the map.

- Study Quadrant
- Medium - High Density Community
- Beresford Reserve Project Boundary



*Note: Not all lots may currently be developed. Vacant parcels are counted as 1 dwelling unit, unless development is pending. Existing commercial businesses or institutional uses are not included in lot or acreage count. (Proposed Beresford Reserve PD is not included in unit or acreage count.)



July 6, 2022

Maria Labrador
Permitting and Waste Cleanup Program
Florida Department of Environmental Protection – Central Division
3319 Maguire Boulevard, Suite 232
Orlando, FL 32802-3767

**RE Site Assessment Work Plan
 Beresford Springs Site
 800 East Beresford Avenue, Deland, Volusia County, Florida
 Site ID: ERIC_15328, BF642001001**

Dear Mrs. Labrador:

Kimley-Horn and Associates, Inc. (Kimley-Horn) has prepared this *Site Assessment Work Plan* on behalf of Elevation Sandhill, LLC (Elevation) for the Beresford Springs Site (the “Site”). This Work Plan was prepared in response to the Florida Department of Environmental Protection’s (FDEP) March 23, 2022 Memorandum regarding Kimley-Horn’s December 27, 2021 *Site Assessment Report – Volume I* prepared for the Site. Additional site assessment activities are proposed for the Site, which are outlined herein.

EXECUTIVE SUMMARY

Elevation intends to redevelop the Beresford Site for mixed uses, including single-family residential, multi-family residential, and open space/recreational uses. Previous environmental sampling conducted on the Subject Property confirmed the presence of soil and groundwater contamination along with buried solid waste. Additional site assessment is being performed to define the nature and extent of the contamination present on-site relative to the proposed future use of the Subject Property. This *Site Assessment Work Plan*, which outlines the additional site assessment procedures and methodologies, is being submitted to the FDEP for review and approval. Elevation will commence the additional site assessment activities described herein once the FDEP has approved the *Work Plan*.

The assessment activities presented in this *Work Plan* include multiple sampling techniques to obtain a complete and conservative investigation of the areas of concern at the Subject Property. Discrete soil sampling is proposed to delineate the extent of soil contamination exceeding the direct-contact residential and commercial/industrial soil cleanup target levels (SCTL). Incremental sampling methodology (ISM) is proposed to evaluate the presence of lower-level contaminants in the soil exceeding the groundwater leachability SCTLs. Deep and shallow monitoring wells will be installed on-site to assess the horizontal and vertical extents of groundwater contamination.

The assessment and characterization of contaminated properties is an iterative process. It may be necessary to perform multiple sampling events to fully assess the extent of the contamination in soil and groundwater. Therefore, the preliminary data collected under this *Work Plan* will be submitted to the FDEP for review. Once the FDEP approves the data and determines that the site assessment is complete, a *Site Assessment Report* will be prepared on behalf of Elevation and submitted to the FDEP.

BACKGROUND

In 2018, Bechtol Engineering and Testing, Inc. (Bechtol) completed soil and groundwater sampling at the Subject Property on behalf of a prospective purchaser. For their investigation, Bechtol divided the Site into three areas: 1) the former golf course playing area, 2) the former maintenance and storage area, and 3) the former sandhill mine and dump. Bechtol's investigation of the golf course playing area included the installation of 38 soil borings. Arsenic and dieldrin were reported in the soil above the default direct contact soil cleanup target levels (SCTL)¹. Additionally, Bechtol sampled three new and five existing monitoring wells. Dieldrin was reported in the groundwater above the default groundwater cleanup target level (GCTL). Bechtol's evaluation of the former maintenance and storage area did not reveal elevated concentrations of arsenic or organochlorine pesticides in soil. However, dieldrin was reported in the groundwater above the default GCTL.

Bechtol completed eleven test pits within the former sand mine and dump area. The test pits ranged in depth from 4 to 10 feet below land surface (bls). The buried debris observed in the test pits consisted primarily of construction and demolition debris. Bechtol reported observing concrete, wood, glass, metal and rock mixed with soil.

In June 2020, Kimley-Horn completed a Phase I Environmental Site Assessment (ESA) for the Site on behalf of Elevation. The Phase I ESA identified evidence of several recognized environmental conditions (REC) in connection with the Subject Property. The identified RECs included the following:

- Historical golf course operations
- Golf course maintenance area
- Former Sandhill mine and dump
- Aboveground storage tanks (AST) and underground storage tanks (UST) at the golf course maintenance area.
- Use of reclaimed water for golf course irrigation

Based on the results of the Phase I ESA, Kimley-Horn conducted an initial Phase II ESA in July 2020. The initial Phase II ESA took into consideration the findings of Bechtol's previous investigations. Subsequent Phase II ESA sampling was performed by Kimley-Horn between September 2020 and October 2021. The intent of the Phase II ESA sampling was to screen soil and groundwater for the presence of contamination associated with the identified RECs. This initial sampling was not intended to characterize the horizontal or vertical extents of contamination that may be present on-site. Kimley-Horn assumes that subsequent sampling and site characterization will be undertaken under Florida's Brownfields Program if Elevation intends to proceed with the purchase and redevelopment of the Subject Property.

Kimley-Horn's approach to the Phase II ESA sampling was to evaluate each REC based on the suspected contaminants of concern and the likely impacted media. The application of herbicides and pesticides on the former golf course in addition to the use of reclaimed water for irrigation have the greatest potential to impact surficial soils from 0 to 2 feet bls. Similarly, incidental spills of petroleum products, pesticides and herbicides within the former maintenance and storage area would impact the

¹ Rule 62-777, Florida Administrative Code (FAC).

upper 2 feet of the surficial soils. As such, the sampling conducted within these areas was limited to the upper two feet of the soil column. Any identified impacts in the upper 2 feet would be investigated subsequent to the Phase II ESA.

Each of the identified RECs have the potential to impact the localized groundwater quality. As such, groundwater sampling was undertaken in the areas of the identified RECs during the Phase II ESA. Both new and existing monitoring wells were sampled to evaluate the localized groundwater quality.

With respect to the former sandhill mine and dump, the contamination concerns include the soil quality of the cap material as well as the soil quality beneath the buried waste. As such, Kimley-Horn's Phase II ESA included collecting and analyzing soil samples from above and below the buried waste material. Kimley-Horn further evaluated the former dump area using geophysical techniques as well as test pits to assess the limits and contents of the buried debris. Five test pits were excavated within the footprint of the former dump to characterize the buried waste material. Soil samples were collected from beneath the waste material at the bottom of each of the test pits.

The soil and groundwater samples collected by Kimley-Horn during the Phase II ESA were analyzed for one or more of the following analytes:

- Arsenic, barium, cadmium, chromium, lead, mercury, selenium and silver (USEPA Method 6010)
- Volatile organic compounds (USEPA Method 8260)
- Semi-volatile organic compounds (USEPA Method 8270)
- Organophosphorus Pesticides (USEPA Method 8141)
- Organochlorine Pesticides (USEPA Method 8141)
- Chlorinated Herbicides (USEPA Method 8151)
- Nitrate (USEPA Method 9056)
- Glyphosate (USEPA Method 547)
- Per- and Polyfluoroalkyl Substances (USEPA Method 537M)
- Polychlorinated Biphenyls (USEPA Method 8082)

Due Diligence Results

The environmental sampling completed at the Site by Kimley-Horn culminated in the collection and analysis of approximately 160 soil samples and 60 groundwater samples. Additionally, fourteen test pits were excavated to document the contents of the buried debris in the former sand mine/dump. The analytical results suggest that the principal contaminants of concern (COC) are commensurate with property's historical use as a golf course and former construction and demolition dump. The COCs identified in soil and groundwater are summarized on **Table 1** (below). **Figure 1** depicts the soil borings where one or more contaminants were reported above the default soil cleanup target levels (SCTL)². Similarly, **Figure 2** depicts the monitoring well locations where one or more analytes are were reported above the default groundwater cleanup target levels (GCTL). The areas on-site where the reported soil analytical results exceed the default groundwater leachability SCTL are shown on **Figure 3**. Detailed analytical data for these sample locations is provided in the *Site Assessment Report – Volume 1* submitted to the Department in December 2021.

² Rule 62-777, Florida Administrative Code (FAC).

TABLE 1
CONTAMINANTS OF CONCERN
Beresford Springs

REC/Source Area	Contaminants of Concern	
	Soil	Groundwater
Former Golf Course Fairways, Greens, Tees and Rough	Arsenic Chlordane Dieldrin Toxaphene Beta-BHC	Arsenic Dieldrin Nitrate
Former Maintenance Area	Arsenic Barium Dieldrin Tetrachloroethene	Arsenic Chromium Lead Dieldrin Bromodichloromethane Dibromochloromethane
Former Sand Mine and Dump	Arsenic Barium Chromium Dieldrin Lead Tetrachloroethene	Bromodichloromethane Dibromochloromethane
Reclaimed Water Use	NA	Arsenic Dieldrin Nitrate

Concentrations of one or more COCs were reported above the direct contact SCTLs at 29 soil boring locations. Similarly, dieldrin was reported above the default groundwater leachability SCTL at 32 soil borings. Analyte concentrations were reported above the default GCTLs at 13 of the 22 monitoring wells on-site. The COC in the soil and groundwater at the golf course are consistent with the historical use of arsenides, herbicides and pesticides associated with cultivating and maintaining turf grass. Similarly, the contaminants reported in soil and groundwater at the maintenance area are consistent with the use and storage of pesticides. The investigation completed in the maintenance area did not identify evidence of significant petroleum contamination in conjunction with the USTs and ASTs in this area.

Exploration of the former sand mine/dump concluded that buried soil waste is present at depths ranging from 1.5 to 6 feet bls. Debris was observed as deep as 10 feet bls. At four of the five test pit locations, elevated concentrations of arsenic, lead and barium were reported above the residential SCTLs in the soil samples collected from beneath the buried debris. Concentrations of pesticides, herbicides, volatile organic compounds, semi-volatile organic compounds, cadmium, chromium, mercury, selenium and silver were not reported above the default SCTLs in the five test pit soil samples.

Previous investigations, as well as Kimley-Horn's recent investigation, of the former sand mine/dump did not reveal evidence that the area was used for the disposal of waste from industrial or military operations. The waste consisted primarily of construction and demolition debris and household waste. The observed buried debris consists primarily of wood, concrete, brick, metal, glass, paper and plastic.

No liquid waste or free product was observed within the dump area. The depth to groundwater at the former dump is approximately 13 feet bls. Buried debris and trash was not observed within or below the water table.

At the conclusion of Kimley-Horn's Phase II ESA activities, we recommended that further investigation be conducted if Elevation proceeds with the purchase and redevelopment of the Subject Property. We further recommended that Elevation consider redeveloping the property under the State's Brownfield program. In December 2020, Elevation Sandhill, LLC executed a Brownfield Site Rehabilitation Agreement (BSRA) with the FDEP for the Beresford Springs Redevelopment Brownfield Site.

PROPOSED REDEVELOPMENT

The proposed development plan for Beresford Reserve is provided in **Attachment A**. The portion of the proposed development that will occupy the former golf course area may include up to 254 single-family residential lots and 154 townhome units. Additionally, the development will include approximately 40 acres of parks and recreational areas. Five dry retention ponds will be constructed on-site for stormwater management.

The area of the former sand mine and dump will be converted to a 21.3-acre park that will include recreational amenities. Smaller pocket parks will be located throughout the residential development.

The land surface topography varies across the entire Site, which was a product of the golf course development. Significant earthwork will be undertaken to grade the Site to accommodate the proposed redevelopment. This includes the excavation of the five proposed stormwater detention ponds. As such, the proposed redevelopment and corresponding earthwork will disturb the areas where contamination is present in the soil at or near the land surface and a management plan for impacted soil will be developed.

REGULATORY BACKGROUND

The site assessment activities being undertaken at the Beresford Reserve Site are being performed pursuant to Florida's Contaminated Site Cleanup Criteria, Rule 62-780, FAC. Furthermore, the Site is being redeveloped under Florida's Brownfields Program. The goal of the site assessment and subsequent site rehabilitation is to facilitate the redevelopment and reuse of the Subject Property in a manner that is protective of human health and the environment while simultaneously obtaining a Site Rehabilitation Completion Order from the Site from the FDEP.

Rule 62-780, FAC does not require FDEP approval of a *Work Plan* prior to the commencement of site assessment activities. Nevertheless, this *Work Plan*, was prepared at the request of the City of DeLand and is being submitted to the FDEP for approval. The site assessment procedures discussed herein are in conformance with the requirements outlined in Rule 62-780.600, FAC.

Site characterization is an iterative process that requires multiple sampling events to assess the nature and extent of the impacted media at the Subject Property. Once the extent of contamination has been characterized to the satisfaction of the FDEP, a *Site Assessment Report (SAR)* will be prepared and submitted to the Department. Upon FDEP approval of the *SAR*, a *Remedial Action Plan (RAP)* will be developed for the Site. The *RAP* will specify the procedures for remediating the soil and groundwater contamination on the Subject Property, pursuant to Rule 62-780.700, FAC. The remedial solutions developed for the Site will be protective of human health and the environment and will account for the

proposed uses of the Subject Property. Separate remedial alternatives will be developed for both the residential and non-residential portions of the Site.

Elevation intends to implement the FDEP-approved *RAP* concurrent with the redevelopment of the Site. Additionally, Elevation will be responsible for submitting *Remedial Action Status Reports* to the FDEP during development of the Site and implementation of the *RAP* (Rule 62-780.700(12)). The purpose of the *Status Report* is to document the progress of the site remediation activities. The Status Reports will also provide the FDEP with assurance that site rehabilitation is being performed in accordance with Rule 62-780, FAC.

Since groundwater contamination is present on-site, following the implementation of the *RAP*, Post Active Remediation Monitoring (PARM) of the groundwater monitoring well network will be required to demonstrate that the groundwater meets criteria for No Further Action (NFA). A minimum of four consecutive quarters of groundwater monitoring will be performed under the PARM. If required by the FDEP, the groundwater monitoring wells will be sampled on a quarterly basis. The results of the groundwater sampling will be submitted to the Department in *Quarterly Groundwater Monitoring Reports*.

Elevation intends to develop the Subject Property in phases. As such, certain portions of the Site may be developed and occupied while other portions of the Site are undergoing site rehabilitation. Therefore, individual *No Further Action Proposals* will be prepared for those portions of the Site and submitted to FDEP for review where site rehabilitation has been completed. The *NFA Proposals* prepared for each individual area will document the completed remedial activities and verify that the contaminated media therein no longer pose a threat to human health and the environment, and meet FDEP's requirements for regulatory closure under Rule 62-780, FAC. Upon approval of the *NFA Proposal*, the FDEP will issue a letter granting NFA status to the corresponding phase of the property. The NFA approval will allow the corresponding area to be used for its intended purpose whether that may be residential or non-residential land use.

Once remediation of the soil and groundwater contamination has been completed for the entire Site, Elevation will prepare and submit a *Site Rehabilitation Completion Report (SRCR)* to the FDEP. The purpose of the *SRCR* is to document completion of the site-specific remedial activities and provide justification for the FDEP to issue a Site Rehabilitation Completion Order (SRCO). It will include a compendium of all the NFAs granted for the individual parcels that make up the Site. The SRCO will not be issued until both soil and groundwater have been remediated on-site to the satisfaction of the FDEP. It is important to note, that issuance of the SRCO is not required before the Subject Property may be used for residential or non-residential purposes.

SITE ASSESSMENT APPROACH

The purpose of the additional site assessment activities is to further delineate the nature and extent of soil and groundwater impacts identified at the Site during the previous due diligence activities. The additional data will be used to develop a strategy for site rehabilitation. The proposed site rehabilitation will be outlined in a *Remedial Action Plan (RAP)* that will be prepared following the completion of the site assessment. As noted previously, significant earth work will be undertaken to redevelop the Site. The *RAP* will outline procedures for soil management, including but not limited to addressing the contaminated media prior to and during site construction and the corresponding mass grading.

Due to the mass grading contemplated for the Site, additional sampling will be undertaken after the completion of the earthwork activities. The sampling will be undertaken to confirm soil quality with

respect to the proposed redevelopment, including residential lots, parks and stormwater ponds. The detailed specifications for the confirmatory sampling will be outlined in the *RAP* prepared for the Site.

DATA QUALITY OBJECTIVES

The objective of the supplemental soil and groundwater sampling discussed herein is collect additional data to:

1. Confirm the COCs identified during the Phase II ESA
2. Further characterize, vertically and horizontally, the nature and extent of the identified contamination pursuant to Rule 62-780, FAC
3. Support the development of a remedial strategy for the Subject Property that is protective of human health and the environment

This will be accomplished through an iterative process of installing and sampling soil borings and groundwater monitoring wells. Following each sampling event, the corresponding laboratory data will be reviewed to determine whether further data collection is warranted. The soil and groundwater quality data will be compared to the default SCTLs and GCTLs for the principal COCs. The soil and groundwater sampling will be performed in general accordance with the FDEP's Standard Operating Procedures (SOP). Analysis of the soil and groundwater samples will be performed by a laboratory certified by the State of Florida and accredited by the NELAC (National Environmental Laboratory Accreditation Conference) Institute.

ADDITIONAL SITE ASSESSMENT

Assessing the extent of contamination at the Site will be an iterative process. The additional assessment activities in this *Work Plan* constitutes the second attempt to characterize the nature and extent of contamination at the Site. We anticipate that additional sampling may be required to following a review of the data collected under this *Work Plan*. The additional site assessment activities discussed herein will include completing up to 131 soil borings and 25 monitoring wells to further delineate the horizontal and vertical extents of contamination at the Site.

The following is a concise summary of the soil and groundwater sampling methodologies to be undertaken at the Site. The drilling activities will be performed by a water well contractor licensed by the State of Florida. The soil and groundwater sampling activities will be performed under the direction of a Professional Geologist licensed in the State of Florida. Sampling will be performed in general accordance with the FDEP's Standard Operating Procedures (SOP).

Discrete Soil Sampling

Discrete soil sampling will be used to characterize the extent of soil contamination that exceeded the default direct-contact SCTLs at the Site. Direct-push technology (DPT) will be used to install soil borings to characterize the vertical and horizontal extents of contamination in soil. The soil borings will be advanced to an average depth of 12 feet below land surface (bls). Borehole depths may be deeper than 12 feet bls depending on locations or conditions observed in the field. Continuous soil samples will be collected from the land surface to the termination depth of the borehole using a MacroCore

sampler. As the MacroCore sample is advanced into the subsurface, a continuous soil core is collected into a dedicated acetate liner.

The soil collected from each borehole will be field screened for the presence of volatile organic compounds using a photoionization detector (PID). The soil will be screened on two-foot intervals from the land surface to the termination depth of the borehole.

At each borehole location, soil samples will be collected for laboratory analysis from the following depth intervals: 0.0 to 0.5 feet, 0.5 to 2.0 feet and every 2-feet thereafter to the termination depth of the borehole or the top of the water table. The soil samples will be collected in laboratory provided and preserved sample containers.

Soil boring logs will be prepared for each borehole. The lithology of each soil boring will be logged based on the Unified Soil Classification System (USCS). Additionally, the logs will note the sample intervals and PID readings.

The boreholes will be backfilled and abandoned following sample collection. Portland cement or hydrated bentonite will be used grout the holes from the bottom to the land surface.

Soil cuttings generated during the drilling and soil sample collection will be containerized in 55-gallon drums. The drums will be staged on-site at a centralized location.

ISM Soil Sampling

Incremental sample methodology (ISM) will be used to evaluate those areas where soil exceeds the default groundwater leachability SCTL for dieldrin. The site assessment activities discussed under the Work Plan will not incorporate ISM sampling to evaluate “hot spot” contamination where impacts exceed the applicable direct-contact residential and commercial/industrial SCTLs. ISM was originally developed by the US Army Corps of Engineers Cold Region Research and Engineering Laboratory as a method for determining the concentrations of contaminants in soil with a higher degree of confidence. It is a structured sampling protocol designed to reduce data variability and increase sample representativeness. According to the US Environmental Protection Agency, “ISM provides representative samples through collection of numerous increments of soil that are combined, processed, and subsampled according to specific procedure in order to reduce the deleterious effects that soil heterogeneity has on environmental data.” The Florida Department of Environmental Protection (FDEP) approved ISM as an acceptable method for site characterization under Rule 62-780, FAC. The Interstate Technology & Regulatory Council (ITRC) established protocols³ for ISM. The ITRC protocols along with the FDEP SOPs will be followed during the ISM sampling.

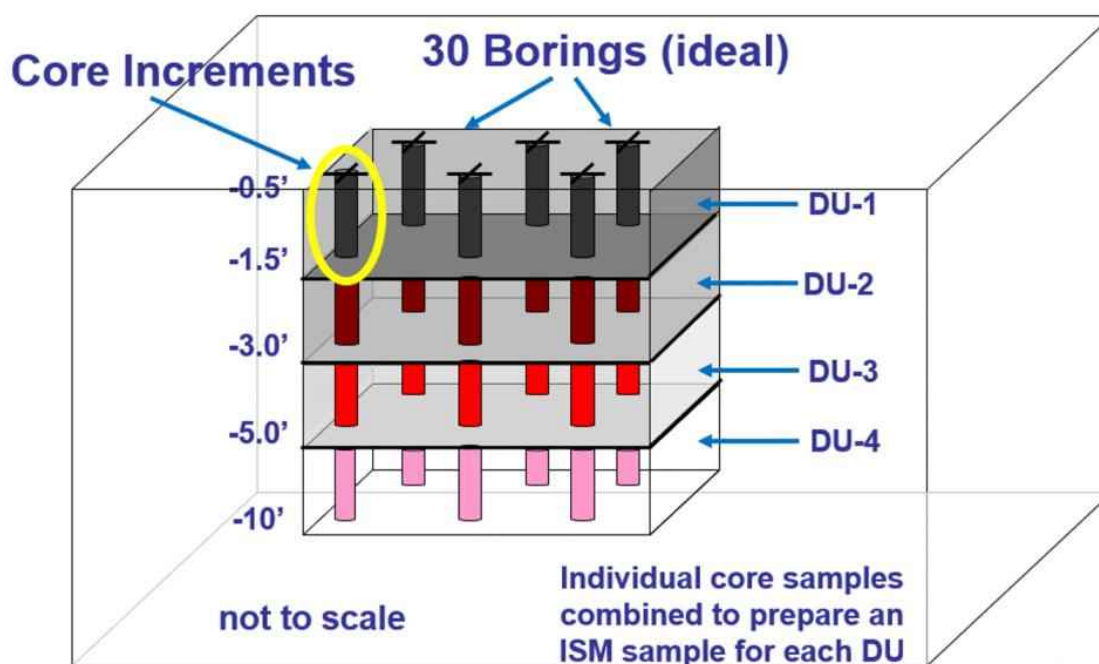
Pursuant to the ISM protocols, the purpose of the sampling methodology is to estimate the mean contaminant concentration within a designated decision unit (DU). A DU is the smallest volume of soil for which a decision will be made based on the ISM sampling. The objective of ISM sampling is to obtain a single sample that has an analyte concentration representative of the corresponding DU. The existing data suggest that elevated dieldrin concentrations above the leachability SCTL extend both horizontally and vertically across the Site. Therefore, the DUs will extend horizontally based on the

³ ITRC, 2012, *Technical and Regulatory Guidance, Incremental Sampling Methodology*, Interstate Technical & Regulatory Council, Washington, DC.

extent of the dieldrin contamination delineated through the discrete soil sampling. Each DU will extend vertically on 2-foot intervals, based on the depth at which dieldrin contamination is present in the subsurface. For instance, if dieldrin contamination extends to a depth of 6 feet bls, individual DUs will be identified that correspond to depths 0 to 2 feet, 2 feet to 4 feet, and 4 to 6 feet bls.

Each DU will be split into 30 sample units (**Exhibit 1**). The horizontal area of each sample unit will be roughly the same size (area). One soil sample will be collected from a soil boring advanced at a random location within each sample unit. The 30 soil samples collected from the DU will be combined to produce one "ISM Sample" for the corresponding DU. Thus, each ISM Sample will be comprised of soil from 30 locations. For each DU, the ISM sampling process will be conducted a total of three times to result in one ISM Sample and two replicate ISM Samples. Thus, a minimum of 90 sample units will be collected from each DU. The samples will be submitted to the laboratory for analysis for the COCs.

EXHIBIT 1
ISM SAMPLING EXAMPLE FOR SUBSURFACE INTERVAL SAMPLING



From: Incremental Sampling Methodology (ISM) Update, October 2020, The Interstate Technology & Regulatory Council (ITRC), https://ism-2.itrcweb.org/wp-content/uploads/2020/11/itrc_ism_compiled_508_011921.pdf

Since the ISM sampling will be contingent upon the extent to which dieldrin is present in the soil above the leachability SCTL, the corresponding sampling will be undertaken after the discrete soil sampling has been completed. The discrete soil analytical data will be used to identify the individual DUs. Kimley-Horn will use the discrete soil analytical data to identify the individual DUs. The limits of the DUs will be presented to the FDEP for approval prior to initiating the ISM sampling.

Monitoring Well Installation

Additional monitoring wells will be installed on-site to facilitate the collection of representative groundwater samples and to characterize the extent of contamination. The monitoring wells will be installed using sonic drilling techniques. Both shallow and deep monitoring wells will be installed on-site. Each monitoring well will be constructed of 2-inch diameter, schedule 40 PVC casing with a nominal length of 0.010-inch machine slotted well screen. The shallow monitoring wells will be constructed with 10-feet of well screen whereas the deep monitoring wells will be constructed with 5-feet of well screen. The annular space between the well screen and the borehole wall will be backfilled with clean quartz sand (20/35-grade). The top of the sand pack will extend approximately 2-feet above the top of the well screen. A 2-foot thick seal of hydrated bentonite will be placed above the top of the well screen. The monitoring wells will be completed above land surface. The PVC riser will extend approximately 2 to 3 feet above land surface at each monitoring well location. The monitoring wells will be fitted with a pressure cap and a lockable, protective cover.

The depth of the monitoring wells will be based on the depth at which groundwater is encountered at each location. The monitoring wells will be constructed such that the well screens are split by the water table.

The water well contractor will develop the monitoring wells following installation. Well development will be performed to facilitate the removal of sediment that accumulated within the well screen and sand pack during installation as well as to promote sorting of the sand pack material. The monitoring wells will be surged followed by over pumping to remove sediment from the well. The iterative process of surging and over pumping will be performed until the discharge water is relatively turbid free. The development water will be containerized in 55-gallon drums.

Groundwater Sampling

Groundwater samples will be collected from the new and existing monitoring wells. Each monitoring well will be purged prior to sampling using a peristaltic pump and low-flow techniques. Purging of the monitoring wells will be performed to facilitate the collection of representative groundwater samples. Dedicated tubing will be used to purge and sample each monitoring well. A minimum of three well volumes will be purged from each monitoring well. The end of the sample tubing will be placed in the approximate center of the well screen for purging and sampling. The monitoring well will be purged at low-flow rates to preclude excess drawdown of the water level in the monitoring well. The depth to groundwater will be measured in the monitoring well at regular intervals during the purging process. Field parameters including pH, specific conductance, temperature, dissolved oxygen, oxidation/reduction potential and turbidity will be measured and recorded throughout the purging process on groundwater sampling logs. Groundwater samples will be collected once the field parameters have stabilized pursuant to FDEP SOPs. The purge water will be collected in 5-gallon buckets and then transferred to 55-gallon drums for characterization and disposal.

The groundwater samples will be collected in laboratory provided and preserved containers. The samples will be placed in an iced cooler and delivered to the designated laboratory under chain-of-custody protocol.

QA/QC Sampling

Quality assurance and quality control (QA/QC) samples will be collected to validate the laboratory data and the field sampling techniques. The QA/QC samples will include blind duplicate samples, matrix

spike/matrix spike duplicate samples, equipment blanks, and rinsate blanks. One in 20 samples will be collected as duplicates. Rinsate and equipment blanks will be collected one a day during sampling activities. Matrix spike and matrix spike duplicate samples will be collected at the recommendation of the laboratory.

Survey

The northing and easting coordinates will be surveyed for the soil boring locations using a hand-held GPS unit. The GPS unit will be used to establish the relative land surface elevation at each soil boring location.

The northing and easting coordinates and casing elevations for the new and existing monitoring wells will be surveyed by a Professional Land Surveyor licensed by the State of Florida. The land surface and top of casing elevations will be surveyed to one-one hundredth of a foot (0.01-feet).

SOIL SAMPLE LOCATIONS

The following is a concise summary of the additional soil sample locations.

Former Golf Course

Discrete soil sampling will be undertaken to delineate the vertical and horizontal extent of contaminants in the soil within the former golf course area that exceed the default direct-contact SCTLs. There are 22 areas within the former golf course area where one or more of the reported analyte concentrations exceed the direct contact SCTL. Additional soil borings will be advanced around each of these areas as shown on **Figure 4**. As noted previously, the soil borings will be advanced to a depth of 12 feet bls or to the top of the water table. The soil samples will be analyzed for the following parameters: arsenic, beta-BHC, chlordane, dieldrin, and toxaphene.

Former Maintenance Area

There are six areas within the former Maintenance Area where analyte concentrations exceed the default direct-contact SCTLs. Additional soil borings will be advanced around each of these areas as shown on **Figure 5**. The corresponding soil samples will be analyzed for: arsenic, barium, dieldrin and tetrachloroethene.

Former Sandhill Mine and Dump

Two types of soil sampling will be completed in the former sand mine and dump. First, sampling will be performed to characterized and delineate the extent of soil impacts exceeding the direct contact SCTLs in the cap and cover material. Second, deep soil borings will be advanced around the outside of the sand mine/dump footprint to confirm the extent of buried waste.

Twenty-one additional soil borings will be advanced inside the footprint of the former sand mine and dump. There are four areas within the former Sandhill Mine and dump where analyte concentrations exceed the default direct-contact SCTLs. Additional soil borings will be around each of these areas to further characterize the extent of contamination with respect to the identified impacts (**Figure 4**). Five additional soil borings will be advanced across the extent of the landfill to confirm the soil quality of the cap material. The soil cap over the buried solid waste appears to be approximately 2 to 4 feet thick. As

such, the 21 soil borings within the limits of the landfill will be advanced to the top of the buried waste, approximately 4 feet bls.

Seven deep soil borings will be advanced around the perimeter of the former sand mine and dump (**Figure 6**). Four of the seven soil borings will coincide with nested monitoring well clusters (see Groundwater Sample Locations below). Each boring will be completed to a depth of approximately 15 feet bls. The purpose of these borings will be two-fold. First, the borings will be used to confirm the extent of the buried waste material. Second, continuous soil samples will be collected from the soil boring locations, which will be used to confirm the soil quality along the limits of the dump.

Investigative Derived Waste

Investigative derived waste (IDW) including soil cuttings, well development water and purge water will be containerized and characterized for disposal. The IDW will be containerized in open-top, DOT⁴ approved 55-gallon drums. The contents of each drum will be sampled for the site-specific COCs to determine the appropriate disposal methodology. If the contents of a drum do not exceed the applicable CTLs, the drum will be emptied on-site. In the case of a drum containing soil cuttings, the soil will be dumped on-site and graded in a manner that precludes runoff or windborne dispersion. Similarly, if the drum contains water, the drum will be emptied on-site, and the water will be allowed to infiltrate into the subsurface or evaporate.

If the IDW exceeds applicable CTLs, Kimley-Horn will coordinate with a waste hauler to arrange for disposal of the corresponding drum(s) at a licensed disposal or treatment facility. Copies of the IDW disposal documentation and manifests will be retained and included with the corresponding Site Assessment Report.

GROUNDWATER SAMPLE LOCATIONS

The following is a concise summary of the additional groundwater sampling to be conducted at the Subject Property.

Former Golf Course

Kimley-Horn will contract with a licensed well driller to install six (6) shallow groundwater monitoring wells and seven (7) deep wells at the property boundaries, as depicted on **Figure 7**. The shallow monitoring wells will be installed to depths ranging from 30-60 feet bls, depending on the land surface elevation and the depth to groundwater. The deeper monitoring wells will be nested with the shallow wells, except for the monitoring well proposed for the southwestern portion of the Site. The deep monitoring wells will be installed to depths of approximately 20-30 feet below the bottom of the shallow monitoring wells, as lithology allows. The site is underlain by a clay confining unit. The deep monitoring wells will be installed above the clay confining unit. Precautions will be taken to prevent penetrating the confining unit during installation of the deep monitoring wells.

All newly installed wells, along with KHMW-4R, KHMW-8, and TMW-2R will be analyzed for arsenic and organochlorine pesticides.

⁴ US Department of Transportation

Former Sandhill Mine and Dump

Historically, Kimley-Horn has collected groundwater samples from CW-1 and KHMW-7 from within the footprint of the former sump. Sampling parameters have included VOCs, SVOCs, RCRA 8 metals, PFAS, OCPs, PCBs, mercury, nitrogen/nitrate, and glyphosate. Previous results have only identified nitrate in CW-1 and bromodichloromethane and dibromochloromethane in KHMW-7.

To complete site assessment of the former dump area, and based on the depth of KHMW-7, Kimley-Horn will contract with a licensed well driller to install five (5) nested groundwater monitoring wells around the former dump at the locations depicted **Figure 6**. Similar to the former golf course area, the shallow monitoring wells will be installed to depths ranging from 30 to 60 feet bls, depending on the depth at which groundwater occurs. The deep monitoring wells will be installed to depths of approximately 20-30 feet below the bottom of the shallow monitoring wells, as lithology allows. The five nested deep and shallow monitoring wells, along with KHMW-7 and KHMW-8, will be sampled for the following parameters: volatile organic compounds (VOC), polynuclear aromatic hydrocarbons (PAH), VOCs, PAHs, arsenic, cadmium, chromium, lead, organochlorine pesticides, and nitrogen/nitrate.

Former Maintenance Area

Historically, Kimley-Horn has collected groundwater samples from KHMW-1/1R, KHMW-2 and TMW-1 from within the former golf course maintenance area. Sample parameters included VOCs, PAHs, RCRA 8 metals⁵, organochlorine pesticides, herbicides, and nitrogen/nitrate. Previous results have only identified arsenic, chromium, lead, dieldrin, bromodichloromethane and dibromochloromethane at concentrations exceeding the GCTLs. Dieldrin was detected in TMW-1 at concentrations exceeding the natural attenuation default criteria (NADC).

To complete site assessment within the maintenance area, Kimley-Horn will sample KHMW-1R, TMW-1 and a newly installed well along the northern property boundary (detailed above) for the following parameters: arsenic, cadmium, chromium, lead, dieldrin, bromodichloromethane, and dibromochloromethane.

Reclaimed Irrigation Water Use

The new and existing monitoring wells will be sampled for nitrogen/nitrate and total Kjeldahl nitrogen to evaluate the localized groundwater quality relative to the use of reclaimed water for golf course irrigation.

DATA EVALUATION

Completing a site assessment pursuant to Rule 62-780, FAC is an iterative process. Data is collected and evaluated then used to determine whether additional data collection is warranted. Kimley-Horn will provide copies of the preliminary data collected under this *Work Plan* to the FDEP for review. We anticipate that a subsequent meeting will be held with the FDEP to discuss the preliminary results and next steps. If the FDEP determines that additional sampling is necessary, we will coordinate with the Department to identify additional data collection needs and sample locations. Site assessment data

⁵ Arsenic, barium, cadmium, chromium, lead, mercury, selenium and silver

will be collected and evaluated until the FDEP approves that the extents of the soil and groundwater contamination.

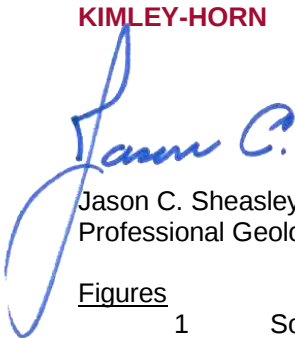
CERTIFICATION

I, Jason C. Sheasley, P.G., No. 2236, certify that I currently hold an active license in the state of Florida and am competent through education or experience to provide geology services in the geology and hydrogeologic disciplines contained in this report. I further certify that this report was prepared by me or under my responsible charge as defined in Chapter 492, Florida Statutes, and Chapter 61G16-2.005 F.A.C.

Kimley-Horn and Associates, Inc., on Elevation Sandhill, LLC appreciates your continued cooperation regarding this project. If you have any questions regarding the information being provided, please do not hesitate to contact me at (904) 828-3900. I may also be contacted via email at jason.sheasley@kimley-horn.com.

Sincerely,

KIMLEY-HORN

Jason C. Sheasley, P.G.
Professional Geologist No. 2236

Figures

- 1 Soil Exceedance Map
- 2 Groundwater Exceedance Map
- 3 Groundwater Leachability Areas
- 4 Proposed Soil Boring Locations Golf Course/Dump Areas
- 5 Proposed Soil Boring Locations Former Maintenance Area
- 6 Proposed Soil Boring and Monitoring Well Locations at Sand Mine/Dump
- 7 Proposed Monitoring Well Locations

Attachments

- A Beresford Reserve Development Plan

FIGURES











ATTACHMENT A

LEGEND

- Ⓐ AMENITY (1.5 ACRES)
- Ⓑ PARK
- Ⓒ RECREATION AREA
- Ⓓ DRY RETENTION POND
- Ⓔ EXISTING TREES

PARK/RECREATION = ~40 ACRES
TOTAL GREEN SPACE = ~50 ACRES

KEY

- 40' SINGLE FAMILY LOTS REAR LOADED (45 LOTS) 40'x130'
- 50' SINGLE FAMILY LOTS (116 LOTS) 50'x120'
- 60' SINGLE FAMILY LOTS (32 LOTS) 60'x120'
- 70' SINGLE FAMILY LOTS (61 LOTS) 70'x120'
- RENTAL UNITS (189 UNITS)
- TOWNHOMES (154 UNITS)
- POCKET PARKS - HISTORIC TREE SAVES
- STREET PARKING (320 SPACES)



MASTER PLAN 1"=200'



Planning Department

Memorandum

TO: Planning Board

DATE: March 17, 2021

FROM: Belinda Williams-Collins, Sr. Planner

SUBJECT: Z20-105 – Beresford Springs PD

=====

At the February 17, 2021 meeting of the Planning Board, a request continued from the November 19, 2020 meeting to rezone property from R-1A to Beresford Springs PD was heard. The applicant responded to changes that were requested by the members of the Planning Board and the public. The corresponding documents were provided, however, the version of the PD that was provided to the board members did not include the updates that were made.

Once again, the board voted to continue the request for an additional month in order to provide the documents with the suggested changes. The attached documents include those changes in the final formats as well as in strikethrough and underline format to highlight the changes.

These are presented for consideration of approval by the board.



Planning Department

Memorandum

TO: Planning Board

DATE: February 10, 2021

FROM: Belinda Williams-Collins, Sr. Planner

SUBJECT: Z20-105 – Beresford Springs PD

=====

At the November 18, 2020 meeting of the Planning Board, a request to rezone property from R-1A to Beresford Springs PD was heard. The board recommended a continuance to the January meeting of the board. The item was placed on the January 20, 2021 agenda; however, a continuance was requested by the applicant to the February 17, 2021 Planning Board meeting. The original staff report provides the background information, but many of the comments have been addressed.

The applicant requested the continuance in order to update the original request to address concerns brought forward by city staff and during public hearings before the Planning Board by board members and residents in the neighboring area. In the time since, the applicant has provided an updated development agreement and exhibits that address those issues and concerns with the original proposal.

Changes in the concept plan from the original plan:

- Adding 32' wide lots that open onto alleys
- Adding a second group of townhomes north of Euclid Ave.
- Shifting the central park area to northeast section of the development

Current changes being requested by staff to the agreement and the masterplan include:

- Creating a pedestrian connection to the 2-acre commercial area proposed
- Adding commercial uses and standards to the PD
- Providing adjustments to the TIA due to the overall reduction to the number of lots from 861 to 790

The specific details highlighting the changes to the text of the development agreement are attached. The applicant anticipates the continued review of the proposal during this meeting and a recommendation to the City Commission who will grant final approval.

**PLANNING DEPARTMENT STAFF REPORT
TO
PLANNING BOARD**

November 18, 2020

APPLICATION NO.: Z20-105

APPLICANT: Mark Watts, Esq., Cobb Cole, LLC (for Sandhill Enterprises, LLC)

REQUEST: Amend the existing zoning designation from R-1A to Beresford Springs (Planned Development).

APPLICABLE REGULATIONS:

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

A. SITE FACTORS:

Location:	North of E. Beresford Avenue (C.R. 4112) east of S. Boston Avenue and west of S. Hill Avenue (C.R. 4105)
Parcel Size:	±167.65 ac.
Land Use:	Low Density Residential
Existing Zoning:	R-1A (Single-Family)
Existing Use:	Vacant, former golf course

	SURROUNDING USE:	SURROUNDING ZONING:
North:	Medium Density Residential	R-1, R-1B
South:	Low Density Residential, Medium Density Residential, Rural (VC)	PD, R-8, VC: R-4
East:	Medium Density Residential, Low Density Residential	PD, R-1B
West:	Low Density Residential, Medium Density Residential	R-1, PD

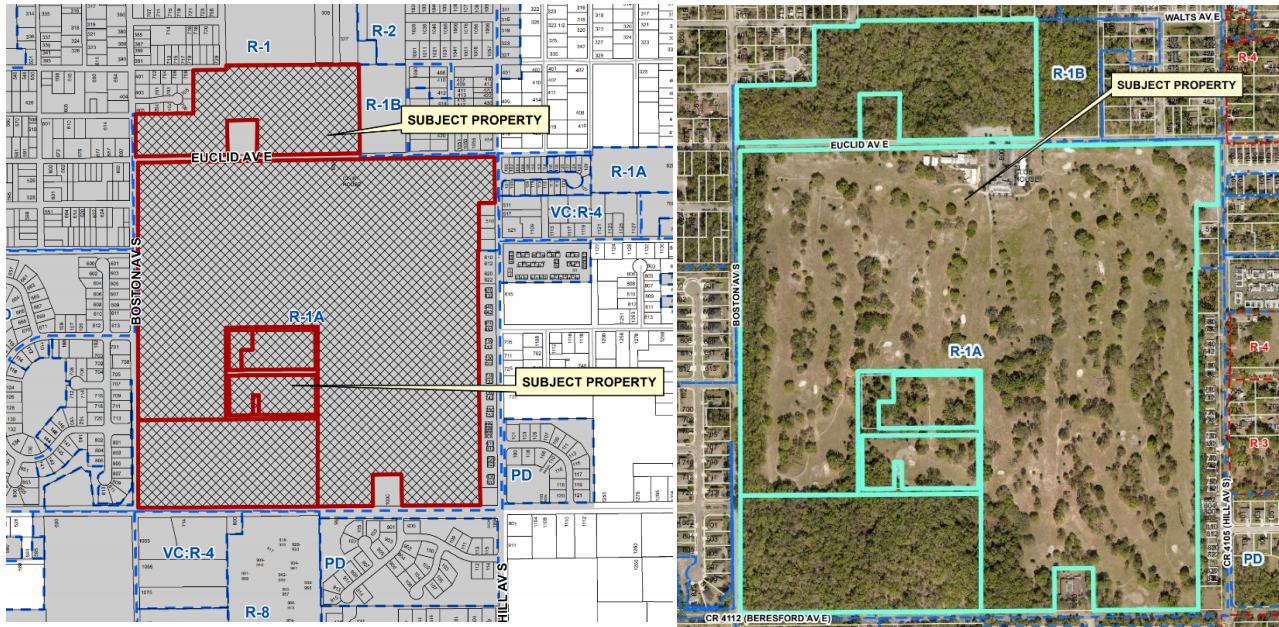
B. ANALYSIS:

The applicant is requesting the zoning be amended for six (6) parcels for a total of approximately 167.65 acres, located north of E. Beresford Avenue, east of S. Boston Avenue, and west of S. Hill Avenue. Many of the subject properties comprised the former Sandhill Golf Course, which is no longer in operation.

The subject properties are predominantly vacant due to the former use as a golf course, but do contain ancillary golf course uses, including the former clubhouse. The northern-most and southwest parcels are heavily wooded. The applicant wishes to amend the zoning to PD (Planned Development) to accommodate a new 861-unit residential development with a mix

of single-family detached, single-family attached and/or multi-family units. As part of the PD rezoning request, the applicant's PD Plan proposes a development program of the following:

Development Type	Number of Lots/Units
40' single-family lots	301
50' single-family lots	226
60' single-family lots	14
Multi-Family/Townhomes	320



The Technical Review Committee recommended at their August 20, 2020 meeting that the proposed Planned Development Agreement be forwarded on to the Planning Board subject to addressing remaining Staff comments.

The following TRC comments remain:

The following remaining comments were generated by the Planning Department:

1. Please include the width (and buffer type to be provided along the project perimeter), or a statement indicating its compliance with the appropriate landscape requirements of the landscape code.
2. Include a provision that provides an option that allows for single-family residential units, located along the project perimeter, may front existing residential streets (such Euclid Avenue). If these perimeter single-family residences do, in fact, front public right-of-way, the above-mentioned buffer would not be required.
3. The Off-Street Parking Requirements section on Pg. 10 of the Development Agreement addresses only the parking ratio for conventional detached and duplex residential uses. Please revise the off-street standards provided to include off-street parking standards for multi-family units, consistent with Sec. 33-91.03(f) of the Land Development Regulations.
4. Include a provision, consistent with Resolution 2019-34, that indicates how off-street visitor parking (or for homes with extra cars) will be provided; options may include:
 - a. Parking bays alongside street out of travel way;
 - b. Parking lots located within a reasonable distance from homes served; or

- c. Parking at recreational amenities that provide parking
- 5. In addition to the type of tree species provided in the landscape standards, include the number of trees (per X number of linear feet), shrubs and other required landscaping, or reference the applicable LDR landscape section that will be met.
- 6. Consistent with Resolution 2019-34, please include a provision that indicates that one of the following will be met for usable open space:
 - a. 10% usable land area of total site;
 - b. Size depend upon lot size difference between current zoning and requested lot size(s);
 - c. 0.5 acres per 50 lots (based on Comprehensive Plan ratio of 4.6 acres/1000 residents;
 - d. Construct (or redevelop) amenity center and recreational facilities, such as play fields and trails.
 - e. Provide open space phasing that describes when it will be provided and who will perform the maintenance.

The following remaining comments were generated by the Forestry Department:

- 1. Limited tree survey information has been provided. Additional information will be required at later stages.
- 2. Page 11 of 21, Line 22: Change “platted” to “planted.”

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 development is abutted on all sides by single-family detached residential lots of varying sizes, including larger lots to the west. Directly adjacent to east and south are smaller, multi-family residential units.

The proposed development, with single-family residential lots ranging from 40-60 ft. in width, while smaller than some of the existing single-family residential lots nearby, are generally consistent with the varying lot sizes. Additionally, the proposed development program – which also includes multi-family/townhome units – is consistent with the different residential development styles and compatible with the general character of the surrounding neighborhood.

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

An environmental analysis, dated January 2018, was performed by Biological Consulting Services, Inc. This analysis shows that the site has several vegetative and land uses on site, including, Golf Courses, Dry Prairies, Pine Flatwoods, and Live Oak. Additionally, the analysis utilized the National Wetlands Inventory (NWI) and National Resource Conservation Services web soil survey and found that there are no wetlands, surface water systems or hydric soils are present on the subject site. The environmental analysis also studied the site for the potential of any endangered species or habitats. Aside from noting the presence of one Florida Sandhill Crane foraging on the subject property during the on-site analysis, the analysis found no Sandhill Crane nesting activity, nor was any other listed fauna or flora species or habitats were found on-site.

As noted above, a large portion of the site comprised the former Sandhill Golf Course. Golf courses often may contain uses or utilize chemicals or pesticides that have adverse environmental impacts. The City Commission on Nov. 2, 2020, approved resolution to assign a brownfield designation to the subject site. This will allow the applicant to work with the city, the State Brownfield Redevelopments Program and other environmental agencies to assess the potential for any environmental contamination and lead to remediation of any potential adverse impacts of the former uses on-site. This will have a positive environmental impact.

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

If appropriate mitigation is provided for critical roadway segments (see #4 below), the development of the subject properties should have an overall positive impact on the general area. The proposed development will lead to the redevelopment of the now-vacant and defunct Sandhill golf course, which will result in residential infill development in the urban core, as well as lead to any potential environmental remediation from potentially adverse uses from the former golf course (as noted above).

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 and will be provided by the City.

Due to the size of the proposed development, a Traffic Impact Analysis is required. At build-out, the project's calculated net new daily vehicle trips are estimated at **7,296**, with **680** new P.M. peak hour vehicle trips. The submitted TIA compiled by Kimley Horn, September 2020, analyzed major roadway segments and intersections within a 3-mile radius of the project. All but two of the roadway segments in the study area currently operate at acceptable levels of service. (Portions of US17-92 between Euclid and Beresford Aves.; McGregor/Orange Camp Road between MLK Jr. Blwy. and Interstate 4; SR-44/Kepler Rd.; and SR-44 between Summit Ave. and Interstate 4 currently operate over capacity with existing traffic volumes.) This increases to 11 roadway segments within the study area at time of projected project build-out. (2024). S. Hill Avenue (between Voorhis Ave. & Beresford Ave.) will be significantly impacted by the proposed development's number of trips (by 11.8%). The Transportation Impact Analysis recommended that, in addition to the applicable proportionate share contribution towards off-site improvements, additional improvements are needed to handle the project traffic at the Beresford Avenue access point. The TIA proposed an eastbound left-turn lane of at least 170 feet in length.

Staff has requested a third-party transportation engineering review of the TIA, analyzing the report findings and proposed traffic impacts on adjacent roadway segments to ensure accuracy, as well as assess whether the proposed improvements are adequate (or necessary) to accommodate the transportation impacts of the proposed development.

Volusia County Schools provided a Finding of Adequate Capacity Letter, dated October 14, 2020, to the applicant, which stated that while the development will generate students that will increase the student population above 100% at the elementary and high school

levels, the new student increase will not increase the planning area over 115% at the elementary or middle school, or 120% at the high school level.

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

New residential growth, as well as existing residential development patterns, make the proposed residential PD zoning standards compatible with the surrounding area, as noted above, and support the proposed zoning.

6. Was there a mistake in the original classification?

There was no mistake in the original zoning classification.

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

The proposed development, at a maximum of 861 units, has a proposed density of approximately 5.13 du/ac., below the 5.8 du/ac. maximum allowed under the existing Low Density Residential land use category, which could yield a maximum of 972 units.

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

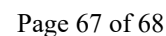
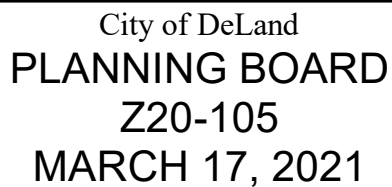
With appropriate mitigation methods (see #'s 3 & 4 above) the proposed rezoning is not anticipated to negatively impact public health, safety, and welfare.

C. CONCLUSION:

The Applicant is proposing a rezoning from R-1A to (PD) Planned Development in order to develop the subject property for a maximum of 861 single-family and multi-family/townhome units. Submittal of a plat will be required to ensure the provisions of the Planned Development Agreement are satisfied, as determined by TRC Staff.

D. STAFF RECOMMENDATION:

Staff recommends that the Planning Board forward the application to the City Commission with a recommendation of approval of the PD (Planned Development) zoning, subject to the applicant addressing the outstanding Technical Review Committee comments.





City of DeLand
PLANNING BOARD
Z20-105
MARCH 17, 2021

