



**CITY OF DELAND
REGULAR MEETING OF THE PLANNING BOARD
AUGUST 9, 2023 AT 5:00 PM
CITY HALL, COMMISSION CHAMBERS
120 SOUTH FLORIDA AVENUE**

AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

VERBAL REPORT ON CITY COMMISSION MEETINGS

MINUTES

1. Approval of the minutes from the May 17, 2023 meeting.
2. Approval of the minutes from the June 21, 2023 meeting.

VARIANCE OLD BUSINESS

VARIANCE NEW BUSINESS

1. Applicant Name: Mark Brenchley
Project Number: V23-147 – Variance
Project Location: 1712 N. Woodland Blvd.
Project Description: Variance to (1) increase the maximum height of a proposed ground sign from 8' to 12 in the Emerging Gateway Overlay'; and (2) increase the maximum area of combined wall signage from 45.75 s.f., to 347.5 s.f.
Staff Planner: Kendall Story

PUBLIC PARTICIPATION PROCEEDINGS

PLANNING - OLD BUSINESS

PLANNING - NEW BUSINESS

1. Applicant Name: City of DeLand
Project Number: LDR23-139 – LDR Text Amendment
Project Location: N/A
Project Description: Ordinance to modify the conditional use requirements for Tattoo Establishments.
Staff Planner: Carol Kuhn
2. Applicant Name: City of DeLand
Project Number: LDR23-148 – LDR Text Amendment
Project Location: N/A
Project Description: Ordinance to remove the minimum acreage for Planned Developments in the

Core Gateway Overlay District.

Staff Planner: Carol Kuhn

3. Applicant Name: City of DeLand
Project Number: Z23-152 – Amendment to Park Lake Estates Planned Development
Project Location: 198.02 acres generally located on the north side of Martin Luther King Blvd. and E. Beresford Ave.
Project Description: Amend +/-198.02-acre PD to remove a 6.105-acre parcel, designated as right-of-way and Tree Protection Area, from the overall PD to accommodate modified right-of-way dedication requirements
Staff Planner: Carol Kuhn
4. Applicant Name: City of DeLand
Project Number: SMLU23-153 – Comprehensive Plan Amendment
Project Location: 6.105 acres generally located at the SW intersection of State Road 44 and N. Summit Ave., on the northern side of the future Beresford Ave. extension
Project Description: Land use change 6.105 acres from Low Density Residential to Educational
Staff Planner: Carol Kuhn
5. Applicant Name: City of DeLand
Project Number: Z23-154 – Rezoning for Park Lake Estates Planned Development
Project Location: 6.105 acres generally located at the SW intersection of State Road 44 and N. Summit Ave., on the northern side of the future Beresford Ave. extension
Project Description: Rezone +/-6.105 acres located within the Park Lake Estates PD from PD to E-1 (Educational).
Staff Planner: Carol Kuhn

OTHER BUSINESS

ADJOURNMENT



**CITY OF DELAND
PLANNING BOARD REGULAR MEETING
MINUTES
WEDNESDAY, MAY 17, 2023 - 5:00 P.M.
CITY HALL**

CALL TO ORDER

The meeting began at 5:00 p.m.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance – Mr. Owens, Chairperson

ROLL CALL

Nora Lewis	Present
Don Liska	Present
Buz Nesbit	Absent
Albert Neumann	Absent
Virginia Comella	Present
Harper Hill, <i>Vice Chairperson</i>	Present
Jeremy Owens, <i>Chairperson</i>	Present

Quorum: Yes

Present – Carol Kuhn, Planning Director; Deborah Glick, Deputy Planning Director; Rick Werbiskis, Community Development Director; Ariel McCann, City Attorney; Belinda Williams-Collins, Senior Planner; Melissa Winsett, Senior Planner; Sam Nelson, Planner I; Vivian Ford, Administrative Coordinator; applicants; and members of the public.

VERBAL REPORT ON CITY COMMISSION MEETINGS

Ms. Kuhn provided a verbal report.

MINUTES

1. Ms. Lewis moved to approve the May 17, 2023 Meeting Minutes. Mr. Hill seconded the motion. The motion passed unanimously.

VARIANCE OLD BUSINESS

None.

VARIANCE NEW BUSINESS

1. Applicant Name: Jerome Taru Berryhill
Project Number: V23-064 – Variance
Project Location: 212 S. Chandler Ave.
Project Description: Variance to reduce the required interior parking spaces from 2 to 1
Staff Planner: Samuel Nelson

Public Participation: Applicant, Jerome Berryhill, answered questions from the board.

Mr. Hill moved to approve the request. Ms. Comella seconded the motion. The motion to approve passed unanimously.

PUBLIC PARTICIPATION PROCEEDINGS

Mr. Owens read the Public Participation procedures.

PLANNING – OLD BUSINESS

1. [CONTINUED]
Applicant Name: Michael Radcliffe
Project Number: SP22-211 – Site Plan for Meadowlea Village Phases 4-5
Project Location: 22.11 acres located at 1004 Overlook Dr.
Project Description: Expand existing mobile home park in 2 phases, to develop 103 mobile home spaces.

Applicant has requested a continuance to a future date, and has waived the 180-day application requirement.

Ms. Lewis moved to continue the request until a future meeting of uncertain date. Mr. Liska seconded the motion. The motion to continue passed unanimously.

PLANNING – NEW BUSINESS

None.

OTHER BUSINESS

1. Rescheduling of monthly Planning Board meeting.

Ms. Kuhn proposed moving the monthly Planning Board meeting to either the 2nd or 4th week of the month.

Mr. Hill moved to reschedule the monthly Planning Board meeting to the 2nd Wednesday of the month, beginning in August, 2023. Ms. Lewis seconded the motion. The motion to reschedule the meeting to the 2nd Wednesday of every month, starting August, 2023, passed unanimously.

2. Ms. Lewis requested an update on the Planning Board terms, as a few members will have maxed out their term limits in November, 2023. Ms. Kuhn will provide an update at the next meeting.
3. Ms. Comella requested a briefing on legislative changes. Ms. Kuhn announced there are future workshops being planned regarding these changes.

ADJOURNMENT

The meeting ended at 5:26 p.m.



**CITY OF DELAND
PLANNING BOARD REGULAR MEETING
MINUTES
WEDNESDAY, JUNE 21, 2023 - 5:00 P.M.
CITY HALL**

CALL TO ORDER

The meeting began at 5:01 p.m.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance – Mr. Owens, Chairperson

ROLL CALL

Nora Lewis	Present
Don Liska	Present
Buz Nesbit	Present
Albert Neumann	Present – Late, Arrived 5:23p.m.
Virginia Comella	Absent
Harper Hill, <i>Vice Chairperson</i>	Present
Jeremy Owens, <i>Chairperson</i>	Present

Quorum: Yes

Present – Carol Kuhn, Planning Director; Deborah Glick, Deputy Planning Director; Rick Werbiskis, Community Development Director; Darren Elkind, City Attorney; Belinda Williams-Collins, Senior Planner; Kendall Story, Senior Planner; Sam Nelson, Planner I; Vivian Ford, Administrative Coordinator; applicants; and members of the public.

VERBAL REPORT ON CITY COMMISSION MEETINGS

Ms. Glick provided a verbal report.

MINUTES

1. May 17, 2023 minutes are continued to the next meeting.

VARIANCE OLD BUSINESS

None.

VARIANCE NEW BUSINESS

1. Applicant Name: Dvonne Hernandez
Project Number: V23-113 – Variance
Project Location: Located on the south side of E. Taylor Rd., east of Shaelyn Pl. and west of Victoria Oaks Blvd.
Project Description: Variance to allow crushed gravel to be used as a driveway surface material.
Staff Planner: Samuel Nelson

Public Participation: Applicant, Luis Hernandez, answered questions from the board.

Ms. Lewis moved to approve the request with the condition that it include paving for at least 50' from the property, as recommended by staff. Mr. Liska seconded the motion. Mr. Harper moved for a friendly amendment to reduce the minimum paving requirement to 40' from property line. Ms. Lewis declined the amendment as it would go against staff and the City engineer's recommendation. The motion to approve with a 50' paving requirement from the property line passed unanimously.

PUBLIC PARTICIPATION PROCEEDINGS

Mr. Owens read the Public Participation procedures.

PLANNING – OLD BUSINESS

1. Applicant Name: Michael Radcliffe
Project Number: SP22-211 – Site Plan for Meadowlea Village Phases 4-5
Project Location: 22.11 acres located at 1004 Overlook Dr.
Project Description: Expand existing mobile home park in 2 phases, to develop 103 mobile home spaces.

Public Participation: Applicant, Chris Gwin, answered questions from the board.

Mr. Hill moved to approve the request. Ms. Lewis seconded the motion. The motion to approve passed unanimously.

PLANNING – NEW BUSINESS

1. Applicant Name: City of DeLand
Project Number: AN23-105 – Annexation of city owned property consisting of parcels 2 and 4 of the Hiram Waters Grove Plat, to include the southern half of the adjacent E. Haven Rd. right of way
Project Location: 2.2793 acres located on the south side of E. Haven Rd., east of S. Amelia Ave. and west of S. Garfield Ave.
Project Description: Annex 2.2793 acres
Staff Planner: Kendall Story

Staff presented and answered questions from the board.

Mr. Liska moved to approve the request. Mr. Hill seconded the motion. The motion to approve passed unanimously.

2. Applicant Name: City of DeLand
Project Number: AN23-106 – Annex a portion of Pine Street
Project Location: 0.2927 acres located at 1630 Parade Circle
Project Description: Annex 0.2927 acres
Staff Planner: Belinda Williams-Collins

Staff presented and answered questions from the board.

Mr. Hill moved to approve the request. Ms. Lewis seconded the motion. The motion to approve passed unanimously.

3. Applicant Name: City of DeLand
Project Description: 2050 Vision
Staff Planner: Kendall Story

Staff presented and answered questions from the board. There was no vote

OTHER BUSINESS

1. Ms. Lewis requested an update on the Planning Board terms. Ms. Glick provided an update, 4 board member terms will expire in November, 2023, 3 of which will be eligible for renewal. The clerk's office will be advised so as to advertise for the vacancy.

ADJOURNMENT

The meeting ended at 6:10 p.m.

**PLANNING STAFF
REPORT TO
CITY OF DELAND PLANNING
BOARD
August 9, 2023**

A. APPLICATION NO: V23-147

APPLICANT: Mark Brenchley, for Waters Car Wash

REQUEST: 1. Increase the allowed building sign area from 45.75 sq. ft. to 347.5 sq. ft.
2. Increase the allowed height for a ground sign from 8 ft to 12 ft in the Emerging Gateway Overlay

APPLICABLE ORDINANCES: *Sec. 33-75. Permitted permanent accessory signs; Sec. 33-36. Gateway overlay districts.*

B. SITE FACTORS:

LOCATION: 1712 N. Woodland Blvd.

PARCEL SIZE: +/- 1.10 acres

BUILDING FRONTAGE: 30.5 LF

AREA CALCULATIONS: Multiply the building frontage by a factor of 1.5 feet; maximum height of monument sign is 8 feet

EXISTING ZONING/USE: Woodland Crossings PD, Vacant

	SURROUNDING USE:	SURROUNDING ZONING:
NORTH:	(VC) Commercial; (VC) Residential	(VC) B-4AC, General Commercial
SOUTH:	Business Retail	PD, Planned Development
EAST:	Highway Commercial	C-2, General Commercial
WEST:	Business Retail	PD, Planned Development

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

C. LAND USE PLAN DESIGNATION: Business Retail

D. CHRONOLOGY: In anticipation of a future car wash on Lot 2 (Woodland Crossings

Planned Development), the applicant applied for an amendment to the Planned Development. On May 18, 2022, the City Commission approved an amendment to the Woodland Crossings PD to add “automobile service stations” to the list of permitted uses (Woodland Crossings PD Amendment, Z22-057). A car wash is considered an automobile service station use in the Land Development Regulations.

On April 17, 2023, the City Commission approved a replat of the subject property (Replat of Lot 2 Woodland Crossings, FSB22-218). The purpose of the replat was to reallocate the Tree Protection Areas (TPA) to increase the buildable area on Lot 2. Following the replat, a site plan for a new car wash was approved for the subject property.

- E. **ANALYSIS:** The subject property is Lot 2 of the Woodland Crossings Plat and is part of the Woodland Crossings Planned Development (PD). The PD agreement does not address signage standards, and therefore, defaults to the code. According to Sec. 33-36 of the Land Development Regulations, the subject property is within the Emerging Gateway Overlay District. This overlay restricts the height of all ground signs to a maximum height of 8’. However, the applicant is requesting a variance to allow a 12-foot tall ground sign, 150% larger than the allowed monument sign height.

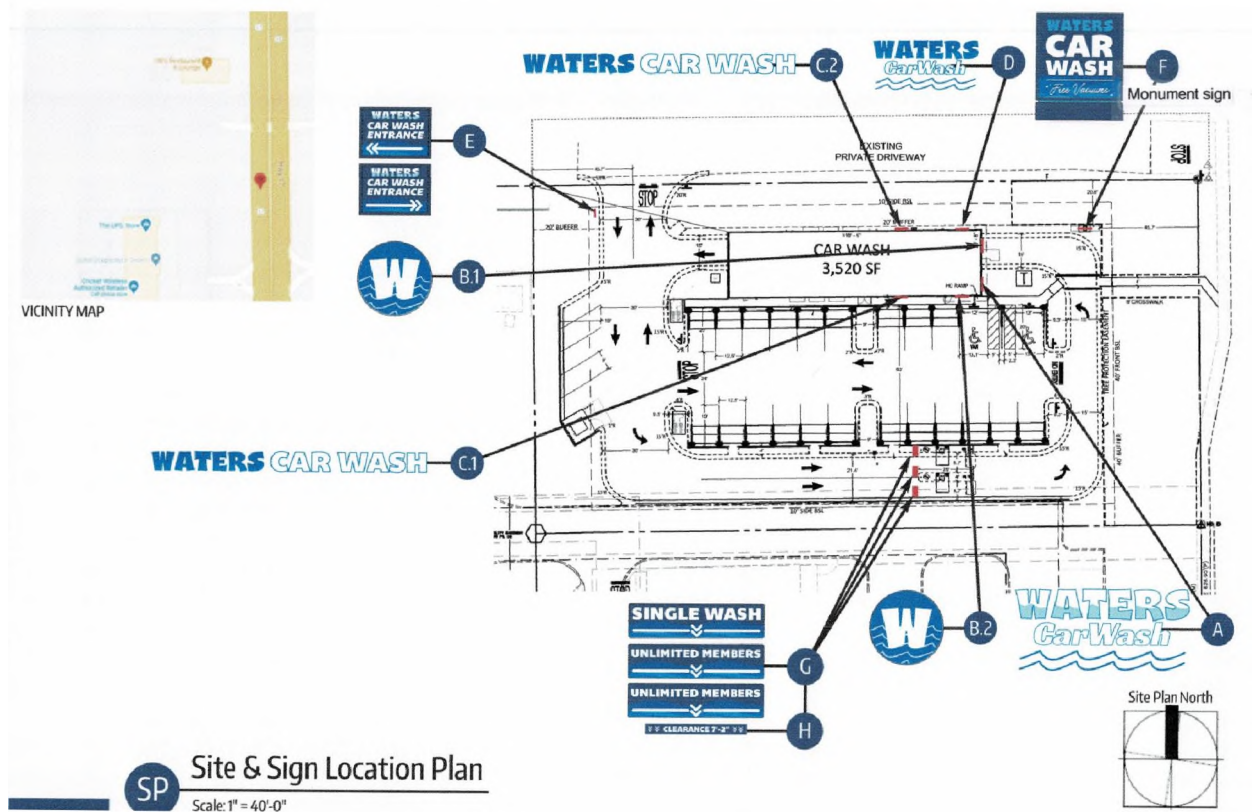
Emerging Gateway Overlay	
<i>Ground Signs</i>	
Max. Height	8’
Proposed Height	12’

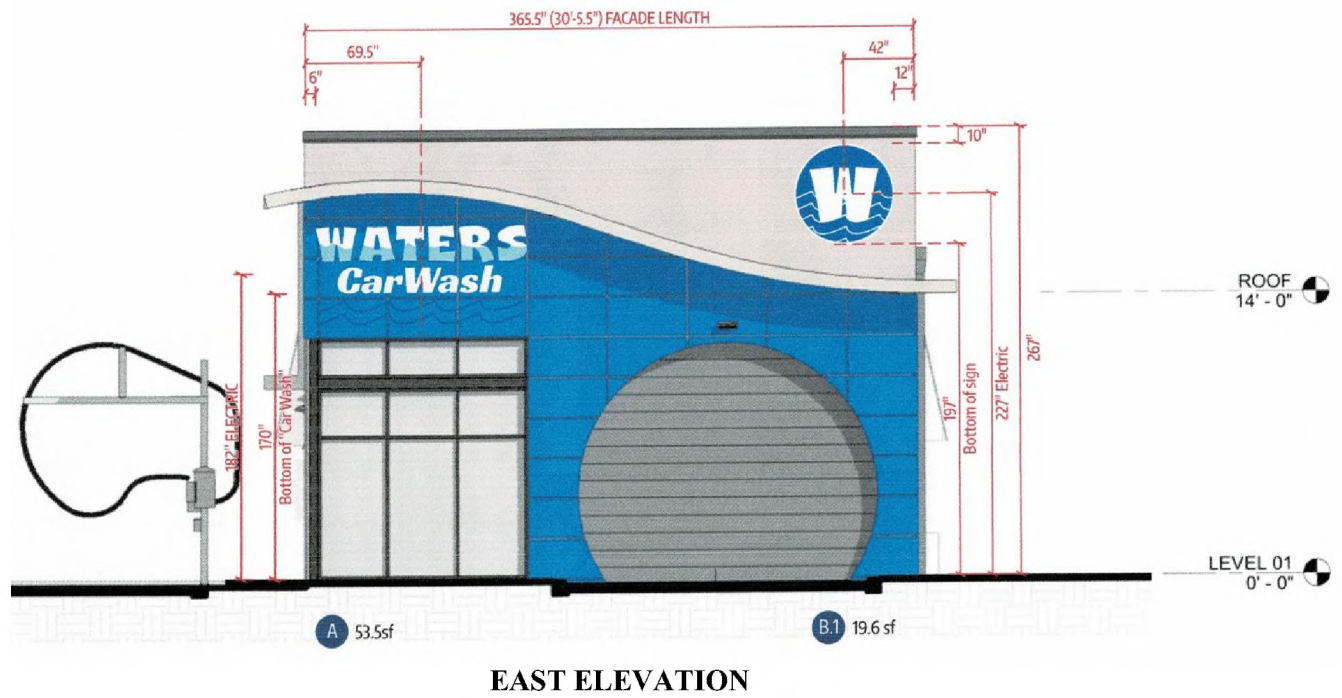
<i>Wall Signs</i>	
Max. Area	45.75 sq. ft.
Proposed Area	347.5 sq. ft.

For building wall signage, the maximum allowable area is determined by Sec. 33-75. In this section, for buildings that have 50 feet or less of building frontage, the maximum sign area is calculated by multiplying the building front foot (length of building that faces the street) by a factor of 1.5 feet. The new Waters Car Wash building will have approximately 30.5 feet of building frontage, therefore the maximum wall sign area permitted would be 45.75 sq. ft., total. However, the applicant is requesting a variance to increase the sign area to 347.5 sq. ft. of building signage, 759.56% larger than the allowed sign area.

Allocation of the Proposed Wall Signs:

53.5 sq. ft.	Sign A
25.0 sq. ft.	Sign B1
25.0 sq. ft.	Sign B2
83.5 sq. ft.	Sign C1
83.5 sq. ft.	Sign C2
77.0 sq. ft.	Sign D
347.5 sq. ft.	TOTAL





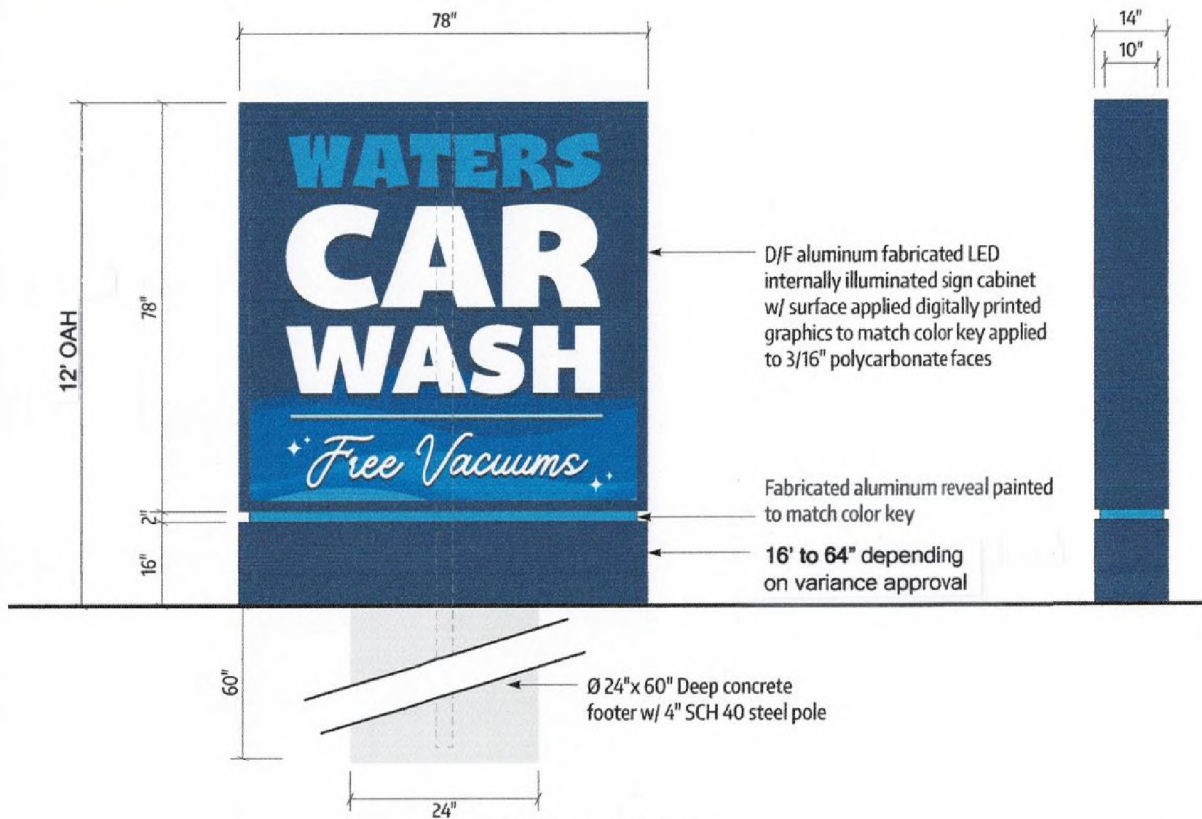
Square Footage Calculation:

Code: Less than 2.5 acres (1.1) allowed
(1) sign 8 feet max in height; 48 square feet maximum.

Allowed: 48 sf

Used: 42.3 sf

Sign C: 42.3 sf



MONUMENT SIGN

Square Footage Calculation:

Code: 1 sf for each LF of building frontage along the primary street frontage.

Calculation: $1 * 30.5' = 30.5 \text{ sf}$

Allowed: 30.5 sf

Used Total: 336.1 sf

Sign A: 53.5 sf

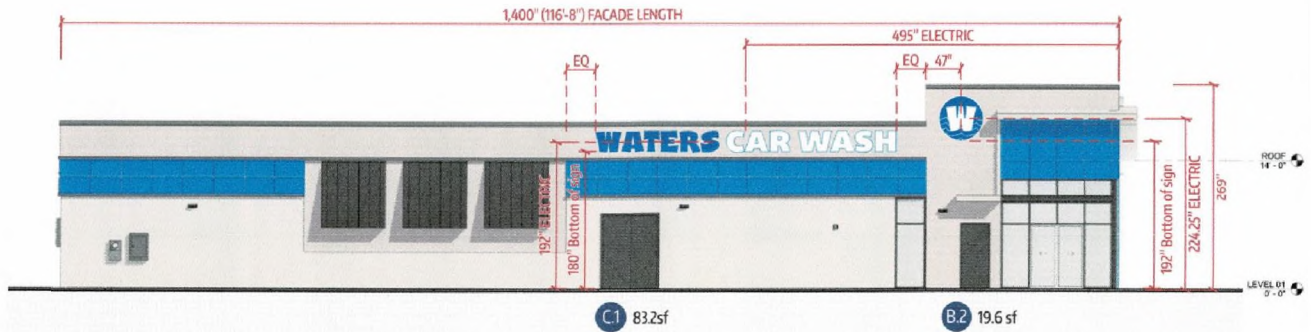
Sign B.1: 19.6 sf

Sign B.2: 19.6 sf

Sign C.1: 83.2 sf

Sign C.2: 83.2 sf

Sign D: 77 sf



SOUTH ELEVATION

Square Footage Calculation:

Code: 1 sf for each LF of building frontage along the primary street frontage.

Calculation: $1 * 30.5' = 30.5 \text{ sf}$

Allowed: 30.5 sf

Used Total: 336.1 sf

Sign A: 53.5 sf

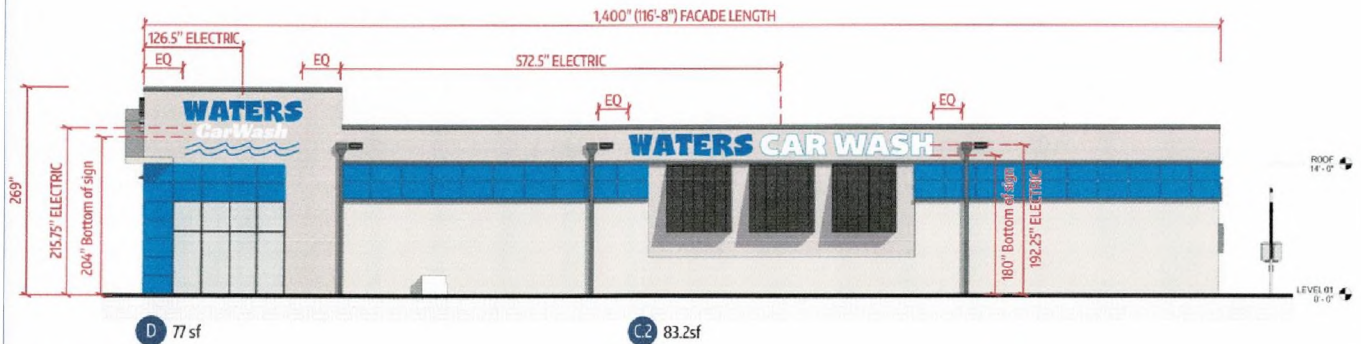
Sign B.1: 19.6 sf

Sign B.2: 19.6 sf

Sign C.1: 83.2 sf

Sign C.2: 83.2 sf

Sign D: 77 sf



NORTH ELEVATION

F. VARIANCE CRITERIA: Per Section 33-103.03, as amended, the Planning Board will consider the following criteria when deciding whether or not to grant or deny the requested variance:

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

buildings in the same zoning district.

There is nothing peculiar about the rectangular shape of the land or structure involved which would be considered unique to the subject property. In fact, the recent replat expanded the buildable area in anticipation of a future car wash on Lot 2. This lot directly fronts Woodland Boulevard, and the car wash will be visible from the right-of-way. The applicant would be allowed 45.75 sq. ft. of building signage and an 8-foot monument sign. Buildings similar in size and orientation can be found along Woodland Boulevard and these buildings

Business Name	Linear Frontage of Building	Signage
Waffle House	24 LF	14.25 sq. ft.
Insight Credit Union	60 LF	26.1 sq. ft.
Woodland Dental	42.6 LF	42.5 sq. ft.
Tropical Café	24.4 LF	29 sq. ft.
KFC	30 LF	35 sq. ft.

comply with the allowed sign area (see table below).

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

The applicant is requesting an increase in wall signage that exceeds that of a big box retail store. For example, Walmart recently received a variance for the building signage based on the setbacks from the right-of-way and their 615 linear feet of frontage. The variance allowed for a maximum of 325 sq. ft. of building signage. The Waters Car Wash would be allowed 45.75 sq. ft. of signage, based on the 30.5 linear feet.

The height of monument (ground) signs for properties that are situated on one of the city's gateway overlay districts is described in Sec. 33-36 Gateway Overlay Districts of the city's Land Development Regulations. According to this section, the subject property is situated on one of the city's gateway roads, known as the Emerging Gateway Overlay district. For such properties, the maximum height of a monument sign is 8' tall. Granting a variance to increase the height to 12' tall would be a special privilege granted to the applicant that is not enjoyed by others within the same gateway overlay.

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

The request for additional signage is not justifiable because an increase in the permitted signage is not a common right enjoyed by others within the overlay, or with buildings with similar building frontage. According to the city's Land Development Regulations, the applicant is permitted to build a monument sign up to 8' tall.

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

Approval of the variance would negatively impact the Emerging Gateway area and would not be in harmony with the surrounding properties. The intent of the overlay district Sec. 33-36 is ensure that the main streets and entryways to the city are developed in a uniform design and promote the city's historic character. A 12-foot sign would be out of character with the Emerging Gateway Corridor.

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

Reasonable use of the land can be achieved with strict adherence to standards that were written into the city's code. Without the variance for wall signage, the business is able to have up to 45.75 sq. ft. of building signage. Additionally, the code allows reallocation of the signage area on the sides of buildings as well, as long as the maximum area is not exceeded.

A variance to allow a 12' tall monument sign is not needed to make reasonable use of the land. Based on the approved site plan, the building will be highly visible from the right-of-way, and the 8-foot monument sign will further draw attention to the business.

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

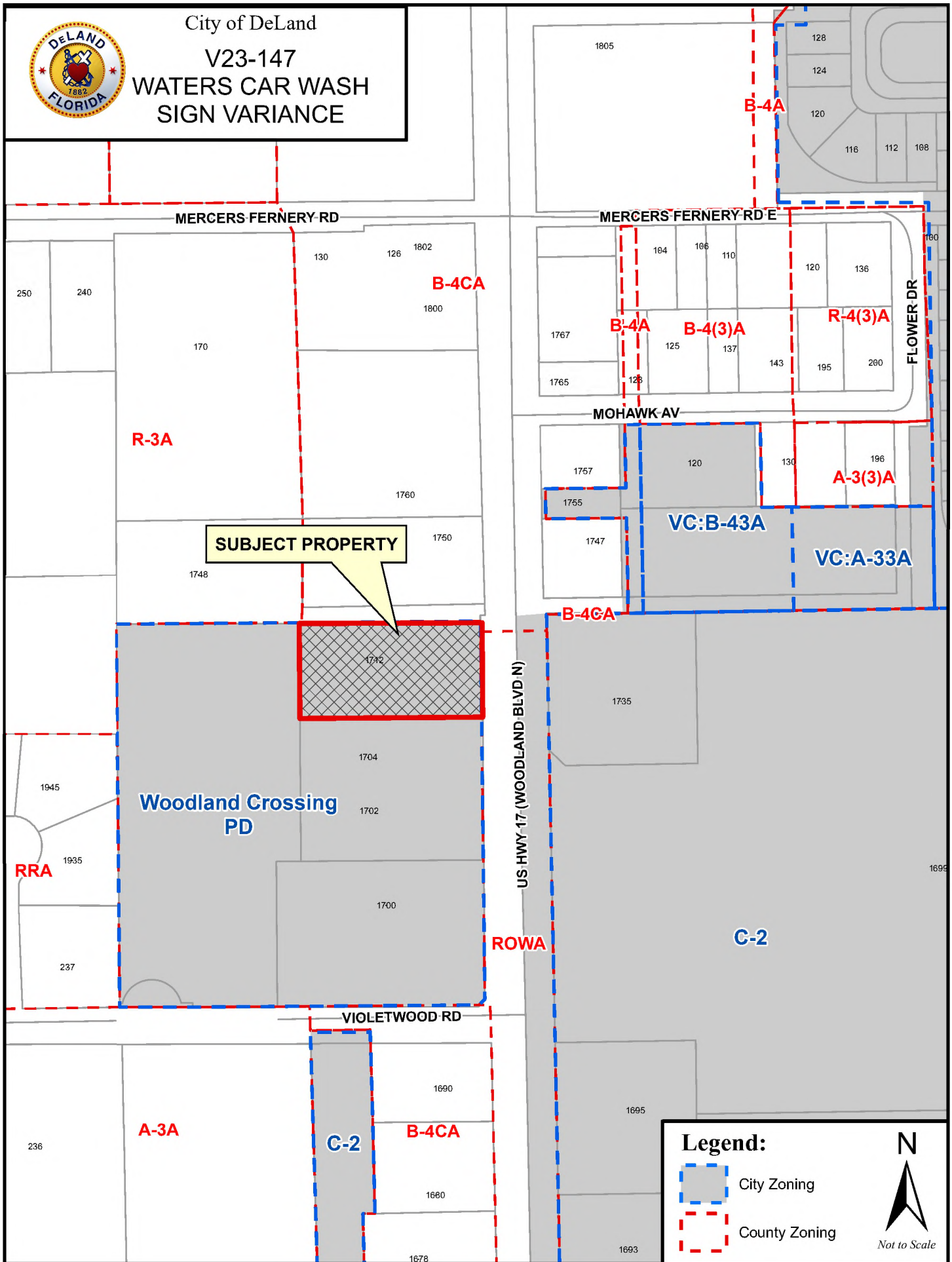
The building site, which was chosen by the applicant, is a highly visible parcel and the car wash use was anticipated at the time of the recent PD amendment and replat to increase the buildable area.

- G. STAFF SUMMARY:** There is no hardship in this case, as defined by the Land Development Regulations. Since the variance request must be evaluated on its own merits, the proposed signage would result in an additional 301.75 sq. ft. of wall signage. The applicant's request for 347.5 square feet of building signage is 759.56% more than what is allowed by the Land Development Regulations, and an additional 4' to the height of the monument sign, which is 50% beyond that of which is allowed.

Staff does not support the variance request, as it results in an unnecessary and substantial increase to what is permitted by code, and said increases are not justifiable, based on the variance criteria described above.



City of DeLand
V23-147
WATERS CAR WASH
SIGN VARIANCE





City of DeLand
V23-147
WATERS CAR WASH
SIGN VARIANCE





APPROVED
SP22-183
3/17/2023

CONSTRUCTION DOCUMENTS FOR:

WOODLAND CROSSINGS CAR WASH

1702 N WOODLAND BLVD
DELAND, FL 32720

A PORTION OF SECTION 33, TOWNSHIP 16 SOUTH, RANGE 30 EAST
CITY OF DeLAND, VOLUSIA COUNTY, FLORIDA

OWNER/DEVELOPER:

EXPRESS CAR WASH OF FLORIDA

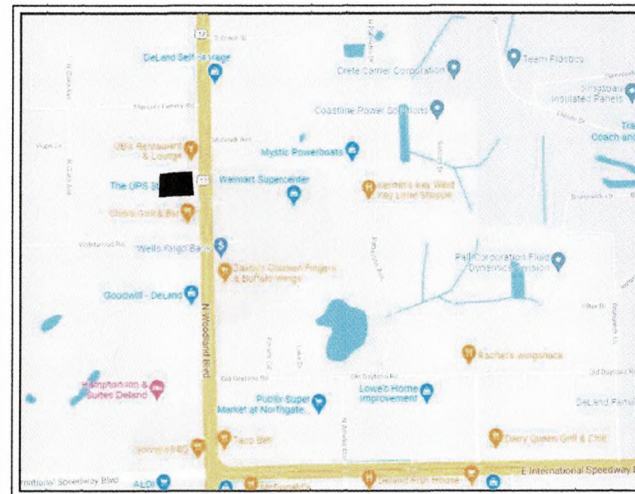
3801 PGA BLVD, SUITE 600
PALM BEACH GARDENS, FL 33410

ENGINEER:
CIVILOGISTIX, LLC
500 SUN VALLEY DR, STE H3
ROSWELL, GA 30076
TELEPHONE: (404) 594-4403
EMAIL: permits@civilogistix.com

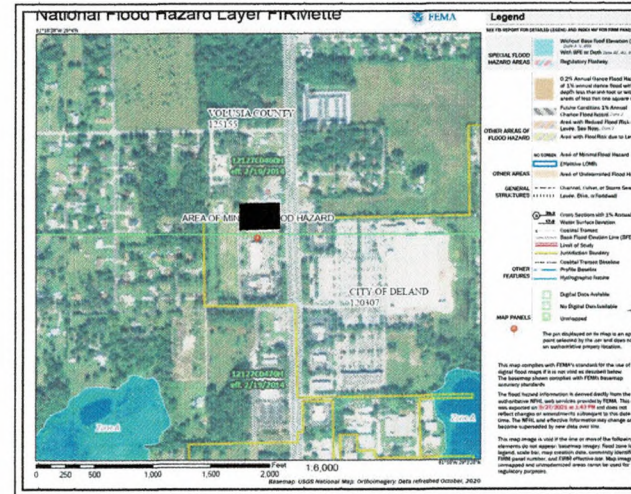


FL CoA#F18000003456, CA#32830
civilogistix
500 SUN VALLEY DRIVE, STE H3, ROSWELL, GA 30076
(404) 594-4403 - civilogistix.com

Building - Larry Hites - Completed - 3/1/2023
Fire - Jamie Lunsford - Completed - 3/1/2023
Engineering - Tuan Huynh - Completed - 3/1/2023
Utilities - Jim Ailes - Completed - 3/1/2023
Planning - Kendall Story - Completed - 3/2/2023
Forestry - Mariellen Calabro - Completed - 3/16/2023



VICINITY MAP



FLOOD MAP

24 HOUR CONTACT

MATT BRUGGEMAN
561-670-1350
EXPRESS CAR WASH OF FLORIDA
3801 PGA BLVD
SUITE 600
PALM BEACH GARDENS, FL 33410

ANTICIPATED ACTIVITY SCHEDULE

ACTIVITY	1	2	3	4	5	6	7	8	9	10	11	12
1. INSTALL SEDIMENT CONTROLS												
2. CLEARING AND GRADING												
3. STORM DRAIN INSTALLATION												
4. SANITARY SEWER INSTALLATION												
5. GRASS (TEMP.) (PERM.)												
6. UTILITY INSTALLATION												
7. MAINTAIN EROSION CONTROL												
8. BLDG. CONST. AND PAVING												
9. FINAL LANDSCAPING												
10. CLEAN UP												

EROSION CONTROL MEASURES AND PRACTICES SHALL BE INSTALLED PRIOR TO OR CONCURRENT WITH LAND DISTURBING ACTIVITIES.

TOTAL SITE AREA = 1.10 ACRES
LIMITS OF LAND DISTURBANCE = 0.84 ACRES
EROSION PHASE I DISTURBANCE = 0.11 ACRES

GENERAL NOTES

1. LOCAL JURISDICTION: CITY OF DELAND
2. PROPERTY AREA: 1.10AC
3. ZONING: PD
4. PROPOSED USE: CARWASH
5. FLOOD MAP #12127C0460H
6. THERE ARE NO STATE WATERS LOCATED ON SITE
7. THERE ARE NO WETLANDS LOCATED ON SITE
8. PARCEL ID (PIN): 603315000020

INTENDED USE

DRIVE-THROUGH CAR WASH FACILITY WITH VACUUM PARKING STATIONS, CAR WASH EQUIPMENT, AND ASSOCIATED UTILITIES AND STORMWATER STRUCTURES

SHEET LEGEND

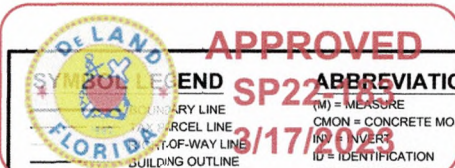
SHEET #	SHEET TITLE	1	2	3
C001	COVER SHEET	✓	✓	
C002	SURVEY		✓	
C201	SITE PLAN		✓	
C202	STRIPING PLAN		✓	
C301	GRADING		✓	
C401	UTILITY PLAN		✓	
C501	PHASE 1 EROSION		✓	✓
C502	PHASE 2 EROSION		✓	✓
C503	PHASE 3 EROSION		✓	
C504	EROSION CONTROL NOTES		✓	
C505	EROSION CONTROL NOTES		✓	
C701	CONSTRUCTION DETAILS	✓		
C702	CONSTRUCTION DETAILS		✓	
C703	CONSTRUCTION DETAILS			
C704	CONSTRUCTION DETAILS	✓		
C705	CONSTRUCTION DETAILS			
L101	TREE SURVEY & LANDSCAPE PLAN	✓	✓	✓
P201	PHOTOMETRIC PLAN	✓	✓	✓

COVER SHEET
WOODLAND CROSSINGS CAR WASH
1702 N. Woodland Blvd.
DELAND, FL 32720

C001
21328

SEPTEMBER 15, 2022

REVISIONS
1 12-19-22 CITY COMMENTS
2 01-31-23 CITY COMMENTS
3 02-28-23



APPROVED

SP27-25

2/17/2023

ABBREVIATIONS

(M) = MEASURE
CMON = CONCRETE MONUMENT
IR = IRON ROD
ID = IDENTIFICATION
IRC = IRON ROD - CAPPED
JBPRO = J.BROWN PROFESSIONAL GROUP
LB = LICENSED SURVEYING BUSINESS
LS = LICENSED SURVEYOR
NAD83(2011) = NORTH AMERICAN DATUM OF 1983, 2011 ADJUSTMENT
NAVD88 = NORTH AMERICAN VERTICAL DATUM OF 1988
P.B. = PLAT BOOK
O.R.B. = OFFICIAL RECORDS BOOK
PG. = PAGE
PLS = PROFESSIONAL LAND SURVEYOR
R/W = RIGHT-OF-WAY

— — — — — DRAINAGE EASEMENT LINE
(ORB 6286, PAGE 329)
(PB. 55 PG 112)

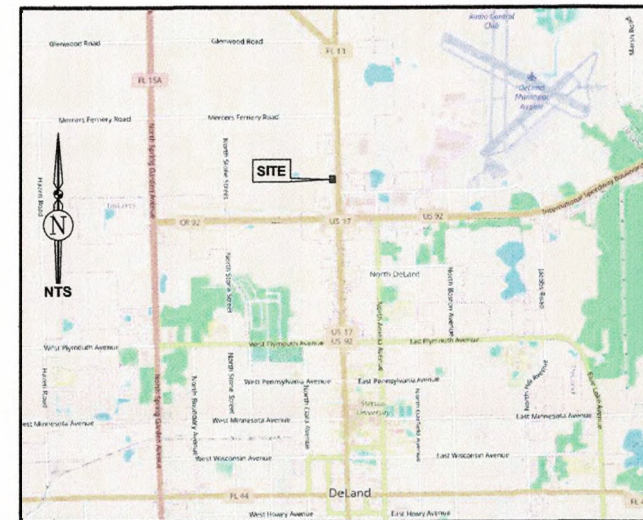
— — — — — SEWER EASEMENT LINE
(ORB 6286, PAGE 329)
(PB. 55 PG 112)

CONCRETE MONUMENT
IRON ROD - CAPPED
NAIL AND DISK
STORM SEWER MANHOLE
WASTEWATER MANHOLE
CLEANOUT
FIRE HYDRANT
TRANSFORMER
LIGHT POLE
SINGLE POLE SIGN
WIRE PULL BOX
GUY-WIRE ANCHOR
ASPHALT SURFACE
CONCRETE SURFACE
BENCHMARK

ALTA/NSPS LAND TITLE SURVEY

IN SECTION 33, TOWNSHIP 16 SOUTH, RANGE 30 EAST, VOLUSIA COUNTY, FLORIDA

LOCATION MAP



PROPERTY DESCRIPTION

LOT 2, WOODLAND CROSSINGS, A SUBDIVISION ACCORDING TO THE MAP OR PLAT THEREOF RECORDED AT MAP BOOK 55, PAGE 112 THROUGH 116, INCLUSIVE, IN THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

SCHEDULE B-II ITEMS

Taken from Schedule B-II of a COMMITMENT FOR TITLE INSURANCE, issued by PROVIDENCE TITLE COMPANY, LLC., File No: 2076-5657596, with an effective date of September 23, 2021 @ 8:00 AM

Exception 1 and 2 are not a matter of survey.

Exception 3: See survey shown hereon.

Exceptions 4-8 are not a matter of survey.

Exception 9 is Ordinance No. 2006-33 recorded in Official Records Book 5891, Page 1485, and is blanket in nature.

Exception 10 is a Maintenance Agreement recorded in Official Records Book 6042, Page 3543 for a section of Violetwood Road lying south of the subject parcel and outside of the area plotted on this survey.

Exception 11 is Ordinance No. 2006-35 recorded in Official Records Book 6042, Page 3550, and is blanket in nature.

Exception 12 is a Distribution Easement to Florida Power Corporation doing business as Progress Energy Florida, Inc., recorded in Book 6163, Page 3193 whose location could not be determined based on the supplied documentation.

Exception 13 is the Declaration of Covenants, Conditions, Restrictions and Easements, recorded in Official Records Book 6286, Page 329, and contains the following matters of survey:

- Access Easement Area (exhibit 'C') is plotted hereon.
- Retention Easement Area (exhibit 'E') is offsite.
- Drainage Easement Area (exhibit 'F') is plotted hereon.
- Construction Easements are blanket in nature.
- Self-Help Easements are blanket in nature.
- Utility Easements are plotted hereon.
- Sewer Easement Area (exhibit 'G') is plotted hereon.
- Tree Easement Area (exhibit 'H') is plotted hereon.

Exception 14 is the Restrictions, dedications, conditions, reservations, easements and other matters shown on the plat of WOODLAND CROSSINGS, as recorded in Map Book 55, Page(s) 112. All plottable items contained within said plat are shown hereon.

PARKING SPACES

(PARCEL IS VACANT)

- TOTAL = 0
- REGULAR = 0
- HANDICAPPED = 0

SURVEYOR'S NOTES

- ALL DISTANCES AS SHOWN HEREON ARE EXPRESSED IN U.S. SURVEY FEET AND DECIMAL PARTS THEREOF.
- BEARINGS ARE BASED ON THE EAST LINE OF THE SUBJECT PARCEL, HAVING A MEASURED BEARING OF S01°01'08"E UTILIZING STATE PLANE NAD83 FLORIDA EAST ZONE PROJECTION.
- STATE PLANE COORDINATES ARE REFERENCED TO THE NORTH AMERICAN DATUM OF 1983, 2011 ADJUSTMENT, FLORIDA EAST COORDINATE ZONE AND BASED ON MULTIPLE GPS OBSERVATIONS REFERENCING THE FLORIDA DEPARTMENT OF TRANSPORTATION PERMANENT REFERENCE NETWORK (FPRN).
- ELEVATIONS ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88) AND BASED ON MULTIPLE GPS OBSERVATIONS REFERENCING THE FLORIDA DEPARTMENT OF TRANSPORTATION PERMANENT REFERENCE NETWORK (FPRN).
- EXCEPT AS NOTED OR SHOWN HEREON THIS ALTA/NSPS LAND TITLE SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS, EXCEPT THOSE THAT WERE FURNISHED TO THE LAND SURVEYOR AND LISTED IN SCHEDULE B-II OF THE COMMITMENT FOR TITLE INSURANCE; BUILDING SETBACK LINES; RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS; ZONING OR OTHER LAND-USE REGULATIONS; AND ANY OTHER MATTERS THAT THE PROVIDED COMMITMENT FOR TITLE INSURANCE DOES NOT DISCLOSE.
- THE SIGNING LAND SURVEYOR HAS BEEN PROVIDED A CURRENT TITLE COMMITMENT OF MATTERS AFFECTING TITLE TO THE SUBJECT PROPERTY. THERE MAY EXIST DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS OR OTHER MATTERS NOT SHOWN IN THE REFERENCED TITLE INSURANCE COMMITMENT, THAT COULD AFFECT THE BOUNDARIES OR TITLE TO THE SUBJECT REAL ESTATE.
- PER ORDINANCE 2006-35 RECORDED IN OFFICIAL RECORDS BOOK 6042, PAGE 3554, THE SUBJECT PARCEL IS ZONED "CITY OF DELAND PD" AND DEVELOPERS THEREOF SHOULD ADHERE TO THE MINIMUM SETBACK AND LANDSCAPE BUFFER REQUIREMENTS SET FORTH IN THE CITY OF DELAND LAND DEVELOPMENT CODE. THE SIGNING SURVEYOR IS NOT A ZONING EXPERT.
- THIS SURVEY IS BASED ON MEASUREMENTS CONDUCTED ON MAY 24, 2022.
- NO UNDERGROUND UTILITIES WERE LOCATED IN THE COURSE OF THIS SURVEY. UNDERGROUND UTILITY LINE LOCATIONS ARE APPROXIMATE.
- ADDITIONAL ENCUMBRANCES MAY AFFECT THE SUBJECT PARCEL THAT DO NOT APPEAR ON THIS MAP.
- EASEMENTS DEPICTED ON THIS SURVEY WERE PROVIDED BY THE CLIENT OR ARE RECORDED IN AN ASSOCIATED PLAT. NO EASEMENT RESEARCH WAS CONDUCTED DURING THE COURSE OF THIS SURVEY.
- REPRODUCED COPIES THAT ARE NOT AT 24"x36" MAY NOT BE TO SCALE.
- UNLESS OTHERWISE NOTED, CORNER MARKERS SHOWN HEREON WERE FOUND DURING THE COURSE OF THIS SURVEY.



3530 NW 43rd Street | Gainesville, Florida 32606
4420 US-1 S. Suite 1 | St. Augustine, Florida 32086
Gainesville: (352) 375-9999 | St. Augustine: (904) 769-9999
Toll Free: (844) Go-JBPro | E-mail: central@jbpro.com

CERTIFICATION

To: First American Title Insurance Company; Providence Title Company, LLC; Express Car Wash of Florida, LLC

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 8-9, and 13 of Table A thereof. The fieldwork was completed on 24 May 2022.

THE MAP OF THE PROPERTY DESCRIBED HEREON WAS MADE UNDER MY SUPERVISION AND THIS MAP OF SURVEY FURTHER MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE STATE OF FLORIDA BOARD OF PROFESSIONAL SURVEYORS & MAPPERS IN CHAPTER 54-17.05, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, AND THE MAP OF SURVEY SHOWN HEREON IS A TRUE AND ACCURATE REPRESENTATION THEREOF TO THE BEST OF MY KNOWLEDGE, BEING SUBJECT TO NOTES AND NOTATIONS SHOWN HEREON.

Florida License No. L57210
Certificate of Authorization No. LB8031
NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR & MAPPER OR VALID DIGITAL SIGNATURE IN ELECTRONIC FORM

Troy V Wright

Troy V. Wright, PSM
Professional Surveyor and Mapper



NORTH WOODLAND BLVD.
DELAND, FLORIDA

ALTA/NSPS LAND TITLE SURVEY

CERTIFIED TO:	Scale: 1"=20'
SEE ALTA CERTIFICATION AT LEFT	Proj. No.: 176-22-01
	Drawn: J. Trahan
	Checked: R. White
	Dwg. Name: 176-22-01-BA1
	Dwg. Date: 2-14-2023
	Field Book: N/A
	Pages: N/A
	Sheet: 1 of 1



APPROVED
SP22-183
3/17/2023

FDOT NOTE

ALL CONSTRUCTION IN THE FDOT ROW SHALL CONFORM TO THE LATEST EDITIONS OF THE FDOT DESIGN STANDARDS (INDEXES), THE FDOT STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION, AND THE FDOT UTILITY ACCOMMODATION MANUAL.

BENCHMARKS

1. TBM #1: NAIL & DISK CUMMINS PSM 5592, N: 1719263.91', E: 558829.98', ELV: 88.87, (NADV 88), SOUTHEASTERLY SIDE OF NORTH ACCESS EASEMENT WAY.
2. TBM #2: 5/8" ROD & CAP CUMMINS PSM 5592, N: 1719259.81', E: 558526.32', ELV: 88.23, (NADV 88), SOUTHEASTERLY SIDE OF NORTH ACCESS EASEMENT WAY.

CONCRETE PAVING SYMBOLS LEGEND

CONCRETE PAVING HEAVY DUTY
PORTLAND CEMENT CONCRETE PAVEMENT SHALL BE 4,000 PSI (28 COMPRESSIVE STRENGTH) & 8" THICK
W/ 2" W/ 2" WELDED WIRE FABRIC
24" SUB-BASE COMPACTED AT LEAST 98% MODIFIED PROCTOR

NOTES:
1. AGGREGATE BASE PER FDOT STANDARDS.
2. PORTLAND CEMENT CONCRETE PER FDOT STANDARDS.
3. GEOTECHNICAL REPORT MAY SUPERSEDE REQUIREMENTS LISTED ABOVE.

CURB & GUTTER LEGEND

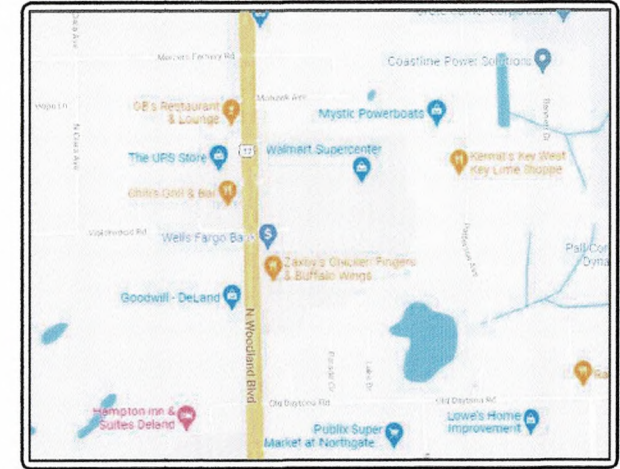
24" ROLLED CONCRETE CURB
STANDARD 24" CONCRETE CURB & GUTTER

TREE PROTECTION AREA CALC

TOTAL SITE AREA = 47,705 S.F.
TREE PROTECTION AREA PROVIDED = 7,279 S.F. (15.25%)
TREE PROTECTION AREA REQUIRED = 7,156 S.F. (15.0%)

IMPERVIOUS AREA CALC

PERVIOUS AREA = 0.38 AC = 34.5%
IMPERVIOUS AREA = 0.72 AC = 65.5%
TOTAL SITE AREA = 1.10 AC
PRE IMPERVIOUS ESTIMATE = 70%



GENERAL NOTES

1. ALL WORK AND MATERIALS SHALL COMPLY WITH THE CITY OF DELAND, STATE OF FLORIDA REGULATIONS AND CODES, AS WELL AS ALL O.S.H.A. STANDARDS.
2. SITE BOUNDARY, TOPOGRAPHY, UTILITY AND ROAD INFORMATION TAKEN FROM A SURVEY BY JB PRO, ADDRESS 3530 NW 43RD STREET, GAINESVILLE, FLORIDA 32606, DATED 05-24-2022.
3. THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA AS INDICATED ON F.I.R.M. NO. 12127C0460H, DATED 02-19-2014.
4. BUILDING DIMENSIONS SHOWN ON THIS PLAN ARE "LEASE" DIMENSIONS. FOR ACTUAL DIMENSIONS, SEE ARCHITECTURAL PLANS. DIMENSIONS TO CONC. CURB & GUTTER ARE TO "FACE OF CURB".
5. SITE WORK CONTRACTOR IS RESPONSIBLE FOR WORK TO WITHIN 5'-0" OF THE BUILDING.
6. EXISTING STRUCTURES WITHIN CONSTRUCTION LIMITS ARE TO BE ABANDONED, REMOVED, OR RELOCATED AS INDICATED ON THE PLANS AND IN THE SPECIFICATIONS.
7. CONTRACTOR IS TO NOTIFY CITY INSPECTORS 72 HOURS PRIOR TO THE START OF CONSTRUCTION.
8. CONTRACTOR SHALL OBTAIN ALL PERMITS BEFORE CONSTRUCTION BEGINS. ALL PRODUCT AND MATERIAL SUBSTITUTIONS AND PLAN DEVIATIONS MUST BE PERMITTED BY THE CONTRACTOR PRIOR TO INSTALLATION. ALL (INCLUDING DOT UTILITY ENCROACHMENT PERMIT).
9. ALL SIGNAGE SHALL COMPLY WITH THE CITY OF DELAND ZONING ORDINANCE. A SEPARATE SIGN PERMIT IS REQUIRED.
10. CONSTRUCTION TRAILER USED ON-SITE SHALL BE PERMITTED THROUGH THE CITY OF DELAND PLANNING AND ZONING DEPARTMENT.
11. CONSTRUCTION EQUIPMENT SHALL NOT BE PARKED IN REQUIRED RIGHT-OF-WAY, AND MUST BE STORED WITHIN THE SITE. CONSTRUCTION EQUIPMENT SHALL NOT BE PARKED IN AREAS WHICH RESTRICT SIGHT DISTANCE.
12. THE EXACT LOCATION OF HANDICAP RAMPS SHALL BE COORDINATED WITH THE ARCHITECTURAL DRAWINGS AND SHALL BE PROVIDED AT THE INTERSECTIONS OF EACH APPLICABLE SIDEWALK, ACCESSIBLE ROUTE, AND ENTRANCE DRIVES.
13. ALL SIDEWALKS ARE TO BE INSTALLED PER ADA STANDARDS. SIDEWALKS TO HAVE MAX SLOPE OF 5% AND MAX CROSS SLOPE OF 2%.
14. CONTRACTOR SHALL NOTIFY ENGINEER SHOULD ANY FIELD CONDITIONS BE NOTED THAT DIFFER FROM THE SURVEY.
15. SITE CONTRACTOR SHALL FURNISH "AS-BUILT" DRAWINGS INDICATING ALL CHANGES AND DEVIATIONS.
16. BUILDING LOCATION IS TO THE OUTSIDE FACE OF BLOCK. CONTRACTOR TO COORDINATE AND VERIFY EXACT BUILDING LOCATION & DIMENSIONS WITH ARCHITECTURAL DRAWINGS.
17. ACCORDING TO CITY OF DELAND REGULATIONS, ALL ROOFTOP EQUIPMENT MUST BE SCREENED.
18. GROUND SIGNAGE SHALL FOLLOW CITY OF DELAND STANDARD SECTION 33-36.04 EMERGING AREA.

SITE DATA

LOCAL JURISDICTION	CITY OF DeLAND
ZONING/OVERLAY DISTRICT	PLANNED DEVELOPMENT (PD)
OVERLAY DISTRICT	EMERGING GATEWAY DISTRICT
FUTURE LAND USE (FLU)	BR - BUSINESS RETAIL
PARKING REQUIRED	N/A
PARKING PROVIDED	28 SPACES
PARKING RATIO	8.3 SPACE/M.S.F.
MIN PARKING/AISLE (JURISDICTION)	9'X19' / 24'
TOTAL LANDSCAPE	34.5%
IMPERVIOUS SURFACE RATIO	65.5%
MAX. ALLOWABLE IMPERVIOUS AREA PER SJRWMD ERP PERMIT# 107710-1	70%
BUILDING GROSS AREA	3,520 S.F.
BUILDING NET AREA	3,237 S.F.
BUILDING HEIGHT	18' LOWER PARAPET 22' UPPER PARAPET
TOTAL LAND AREA (AC)	1.10 AC

SCALE: 1" = 20'



FL Co#A#18000003456, CA#32830

civilogistix
500 SUN VALLEY DRIVE, STE H3, ROSWELL, GA 30076
(404) 594-4403 - civilogistix.com

SITE PLAN

WOODLAND CROSSINGS CAR WASH
1702 N Woodland Blvd.
DeLand, FL 32720

C201

21328

SEPTEMBER 15, 2022

REVISIONS

12-19-22

CITY/FDOT COMMENTS

01-31-23

WATERS CARWASH VARIANCES (WOODLAND CROSSINGS PD) – V23-147

PLANNING BOARD AUGUST 9, 2023

Variances Requested:

*Wall Sign **Area** Variance:*

- a. Building frontage (Woodland): 30.5 LF
- b. Building length: 116.6 LF
 - b.i. *Permitted* wall signage: 45.75 sf
 - b.ii. *Proposed* wall signage: 347.5 sf

*Monument Sign **Height** Variance:*

- c. Permitted height: 8'
- d. Proposed height: 12'

Hardship:

Applicant's Description of Hardship:

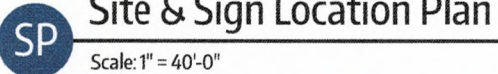
- a. The Property Owners and the operator of the proposed carwash; Summit Wash Holdings declare that Deland's sign ordinance, which limits a maximum sign area to 1.5 SF of sign area to one linear foot of building frontage facing the street, creates a hardship for this very narrow building. The maximum sign area imposed on this very narrow commercial building does not "promote a balanced system of sign control that accommodates both the need for a well-maintained, safe and attractive community and the need for effective business identification, advertising and communication." as is the Intent of the sign code 33.71.02 (b).
- b. Additionally, it is the Intent of the code 33.71.02 (c) "to permit signs that are...": Compatible with their surroundings. Designed, constructed, installed and maintained in a manner which does not endanger public safety or unduly distract motorists.
- c. Appropriate to the type of activity to which they pertain.
- d. Large enough to convey sufficient information about the owner or occupants of a particular property, the products or services available on the property, or the activities conducted on the property and small enough to satisfy the needs for regulation.
- e. "Reflective of the identity and creativity of individual occupants."

Narrative:

Applicant's Narrative:

The above findings are self-evident with regard to this parcel and proposed use and exactly comply with the 33-71 General Provisions...specifically 33.71.10 Findings and 33.71.02 Intent.

Installation of wall signage on the side elevations is important for use identification and way finding purposes, especially the south elevation which faces a retail shopping center and parking lot which is indirectly connected to this use by a 24' private access easement and associated PD planned development considerations.



EGAN SIGN

Page 24 of 69

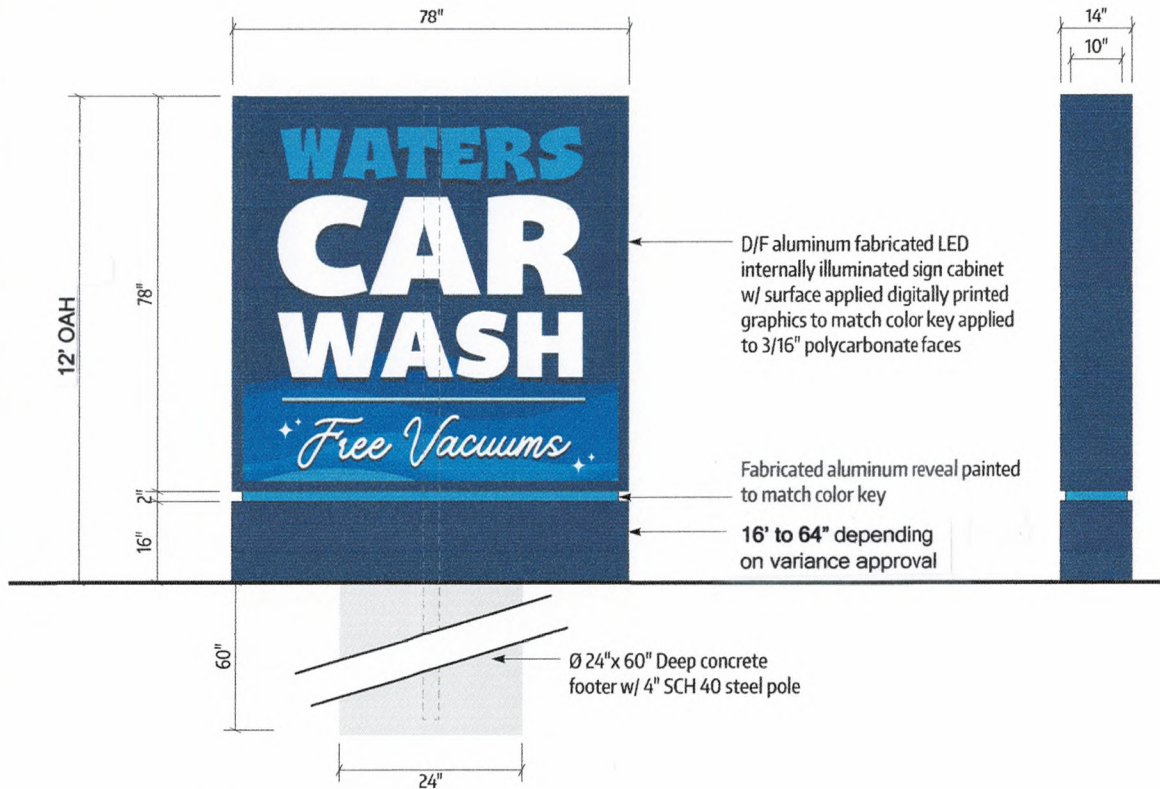
Square Footage Calculation:

Code: Less than 2.5 acres (1.1) allowed
(1) sign 8 feet max in height; 48 square
feet maximum.

Allowed: 48 sf

Used: 42.3 sf

Sign C: 42.3 sf



F Illuminated Monument Sign

Scale: 1/2" = 1'-0"

NIGHT RENDERING



Client:

Summit Wash Holdings
3801 PGA Blvd.
Suite 600
Palm Beach Gardens, FL 33410

Location Address:

Waters Car Wash
1740 N. Woodland Blvd.
DeLand, FL 32720

Description:

D/F Monument Sign
(42.3 Sq Ft)

Qty: 1

Provide D/F illuminated monument
sign with vinyl graphics to match
color key.

Color Key:

- ☐ White
- ☒ CMYK: 100 | 91 | 32 | 21
PMS 540 C "Dark Blue"
- ☒ Black
- ☐ Digitally Printed Graphics

Layout Date:

04/24/2023 - JG

Revision Date:

06/05/2023 - JG

06/14/2023 - SK

EGAN
SIGN

222 North Kenhorst Boulevard, Reading, PA 19607 | (Toll Free): 844.460.6631 | (Fax): 610.478.1332 | www.egansign.com

This design/engineering proposal will remain the exclusive property of Egan Sign until
approved and accepted through purchase by client named directly on drawing and
may not be duplicated by other parties or design fee will apply @ \$95 per hour.

Sign Management Made Simple

File Name:
30660_DeLand.pdf
Project Number: 30660

Square Footage Calculation:

Code: 1 sf for each LF of building frontage along the primary street frontage.

Calculation: $1 \times 30.5' = 30.5 \text{ sf}$

Allowed: 45.75 SF

Used Total: 336.1 sf

Sign A: 53.5 sf

Sign B.1: 19.6 sf

Sign B.2: 19.6 sf

Sign C.1: 83.2 sf

Sign C.2: 83.2 sf

Sign D: 77 sf



EL.1

East Elevation

Scale: 3/16" = 1'-0"



Client:

Summit Wash Holdings
3801 PGA Blvd.
Suite 600
Palm Beach Gardens, FL 33410

Location Address:

Waters Car Wash
1740 N. Woodland Blvd.
DeLand, FL 32720

Description:

Color Key:

Layout Date:

04/24/2023 - JG

Revision Date:

06/05/2023 - JG

06/14/2023 - SK

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Sign Management Made Simple

File Name:
30660_DeLand.pdf
Project Number: 30660

Square Footage Calculation:

Code: 1 sf for each LF of building frontage along the primary street frontage.

Calculation: $1 * 30.5' = 30.5 \text{ sf}$

Allowed: 30.5 sf

Used Total: 336.1 sf

Sign A: 53.5 sf

Sign B.1: 19.6 sf

Sign B.2: 19.6 sf

Sign C.1: 83.2 sf

Sign C.2: 83.2 sf

Sign D: 77 sf

**Client:**

Summit Wash Holdings
3801 PGA Blvd.
Suite 600
Palm Beach Gardens, FL 33410

Location Address:

Waters Car Wash
1740 N. Woodland Blvd.
DeLand, FL 32720

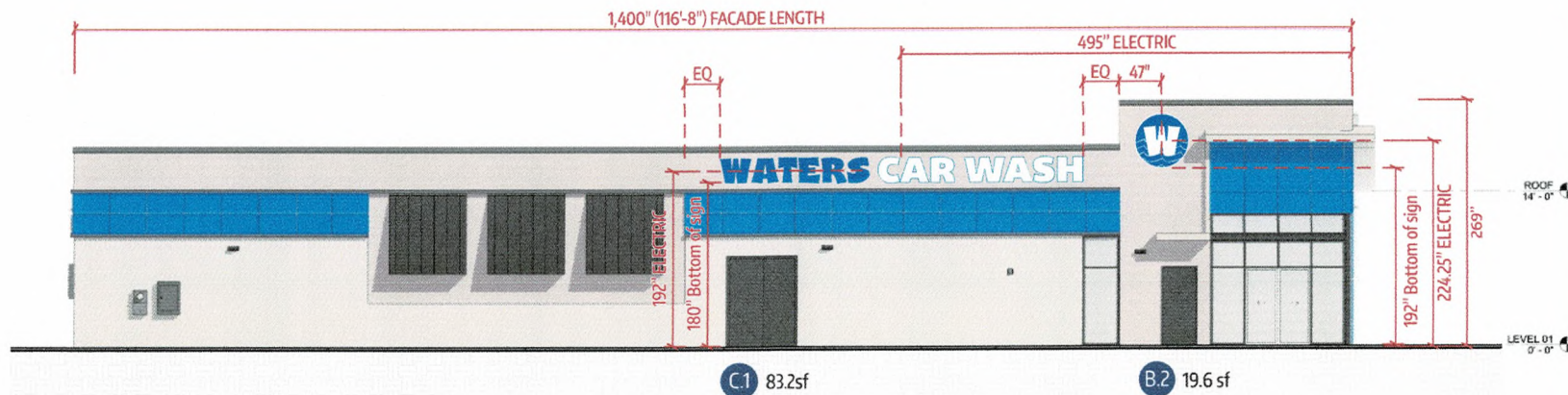
Description:**Color Key:****Layout Date:**

04/24/2023 - JG

Revision Date:

06/05/2023 - JG

06/14/2023 - SK



EL.3 South Elevation

Scale: $3/32" = 1'-0"$

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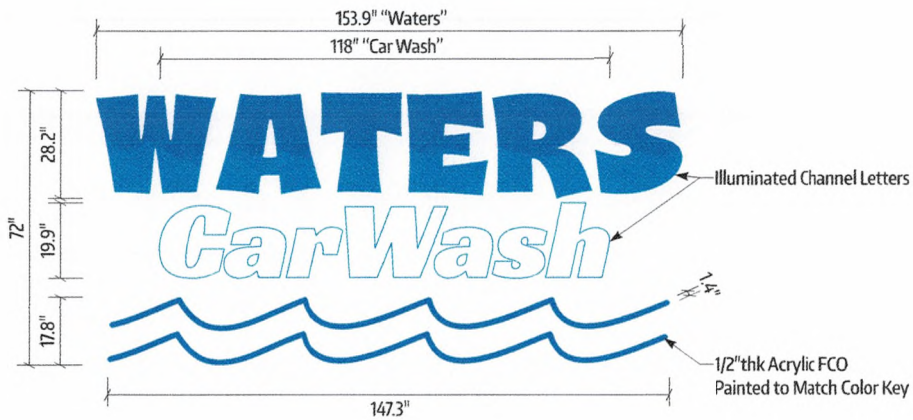
File Name:
30660_DeLand.pdf
Project Number: 30660

Sign D: 77 sf



Scale: $3/32'' = 1'-0''$

File Name:
30660_DeLand.pdf
Project Number: 30660



Electrical Notes:

Sign company will make final connection to existing sign circuits when available, within 6' of sign which falls within the scope of ES license provided. If the circuit is further than 6', the installing sign company can mount a UL approved remote transformer enclosure at the final connection point & run secondary wire to sign. If no circuit is available, the customer is responsible for contracting a licensed electrician or contractor for a dedicated 20 amp circuit to connect within 6' of the sign & have a visible marked breaker in the service panel

Signs must have:

- 1.) A minimum of 1 dedicated single phase 120V 20A circuit
- 2.) Junction box installed within 6' of sign
- 3.) 3 wires: line, ground & neutral



Client:

Summit Wash Holdings
3801 PGA Blvd.
Suite 600
Palm Beach Gardens, FL 33410

Location Address:

Waters Car Wash
1740 N. Woodland Blvd.
DeLand, FL 32720

Description:

Illuminated Channel Letters & FCOs
(77 Sq Ft)

Qty: 1

Provide LED illuminated channel letters & 1/2"thk acrylic FCOs per detail; flush mounted to facade.

Color Key:

- White
- CMYK: 58 | 14 | 0 | 0
PMS 298 C
- CMYK: 100 | 91 | 32 | 21
PMS 540 C
- CMYK: 90 | 65 | 0 | 10
PMS 3506 C
- Digitally Printed Graphics

Layout Date:

04/24/2023 - JG

Revision Date:

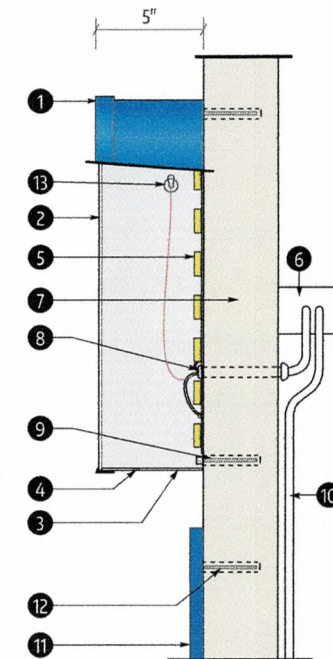
06/05/2023 - JG
06/14/2023 - SK

CROSS SECTION OF UL LISTED CHANNEL LETTERS w/ LEDS

- (1) 1" PLASTIC TRIM CAP
- (2) 3/16" THK POLYCARBONATE FACE W/ DIGITALLY PRINTED GRAPHICS
- (3) .040 ALUMINUM RETURN (.063 BACK) PAINTED TO MATCH TRIM
- (4) 1/4" DRAIN HOLES (Min. 2 per letter)
- (5) LED ILLUMINATION
- (6) LED POWER SUPPLY
- (7) FACADE (BRICK)
- (8) LOW VOLTAGE CLASS 2 POWER LINE
- (9) MOUNTING HARDWARE (1/4"x5" ANCHORS)
- (10) EXISTING 120 VOLT SERVICE
- (11) 1/2" THK ACRYLIC FCOs; PAINTED TO MATCH RETURN
- (12) 3/16"Ø 3" ALUM. STUDS DRILLED & TAPPED; HOLES PRE-DRILLED & FILLED W/ SILICONE
- (13) TOGGLE DISCONNECT SWITCH

This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes.

This includes proper grounding and bonding of the sign.



NIGHT RENDERING



D

Illuminated Channel Letters & FCOs

Scale: 3/8" = 1'-0"

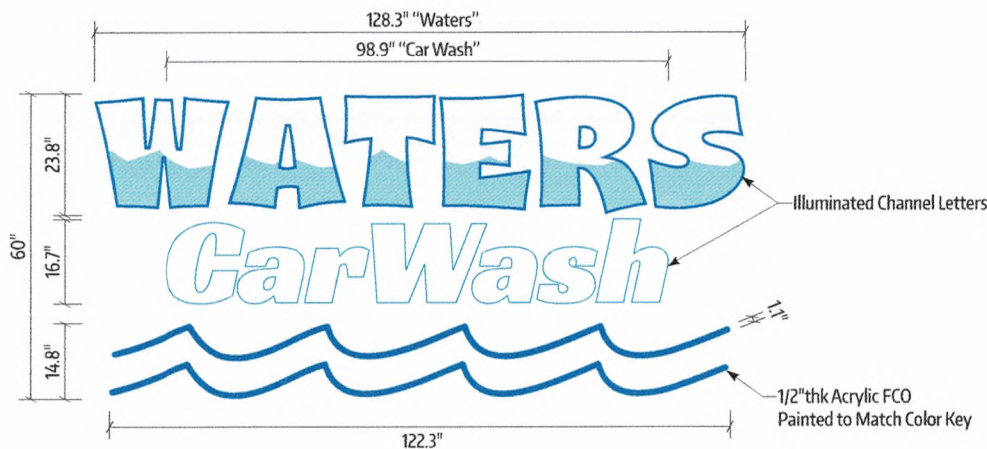
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SIGN

222 North Kenhorst Boulevard, Reading, PA 19607 | (Toll Free): 844.460.6631 | (Fax): 610.478.1332 | www.egansign.com

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Sign Management Made Simple

File Name:
30660_DeLand.pdf
Project Number: 30660



Electrical Notes:

Sign company will make final connection to existing sign circuits when available, within 6' of sign which falls within the scope of ES license provided. If the circuit is further than 6', the installing sign company can mount a UL approved remote transformer enclosure at the final connection point & run secondary wire to sign. If no circuit is available, the customer is responsible for contracting a licensed electrician or contractor for a dedicated 20 amp circuit to connect within 6' of the sign & have a visible marked breaker in the service panel

Signs must have:

- 1.) A minimum of 1 dedicated single phase 120V 20A circuit
- 2.) Junction box installed within 6' of sign
- 3.) 3 wires: line, ground & neutral



Client:

Summit Wash Holdings
3801 PGA Blvd.
Suite 600
Palm Beach Gardens, FL 33410

Location Address:

Waters Car Wash
1740 N. Woodland Blvd.
DeLand, FL 32720

Description:

Illuminated Channel Letters & FCOs
(53.5 Sq Ft)

Qty: 1

Provide LED illuminated channel letters & 1/2"thk acrylic FCOs per detail; flush mounted to facade.

Color Key:

- White
- CMYK: 58 | 14 | 0 | 0
PMS 298 C
- CMYK: 100 | 91 | 32 | 21
PMS 540 C
- CMYK: 90 | 65 | 0 | 10
PMS 3506 C
- Digitally Printed Graphics

Layout Date:

04/24/2023 - JG

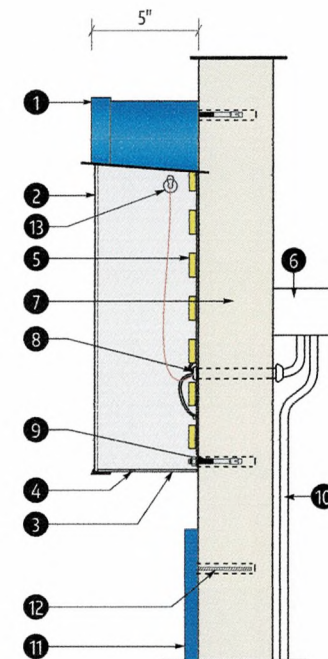
Revision Date:

06/05/2023 - JG
06/14/2023 - SK

CROSS SECTION OF UL LISTED CHANNEL LETTERS w/ LEDS

- (1) 1" PLASTIC TRIM CAP
- (2) 3/16" THK POLYCARBONATE FACE W/ DIGITALLY PRINTED GRAPHICS
- (3) .040 ALUMINUM RETURN (.063 BACK) PAINTED TO MATCH TRIM
- (4) 1/4" DRAIN HOLES (Min. 2 per letter)
- (5) LED ILLUMINATION
- (6) LED POWER SUPPLY
- (7) FACADE (BRICK)
- (8) LOW VOLTAGE CLASS 2 POWER LINE
- (9) MOUNTING HARDWARE (1/4"x5" ANCHORS)
- (10) EXISTING 120 VOLT SERVICE
- (11) 1/2" THK ACRYLIC FCOS
- (12) 3/16"Ø 3" ALUM. STUDS DRILLED & TAPPED; HOLES PRE-DRILLED & FILLED W/ SILICONE
- (13) DISCONNECT SWITCH

This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes.
This includes proper grounding and bonding of the sign.



NIGHT RENDERING



A

Illuminated Channel Letters & FCOs

Scale: 1/2" = 1'-0"

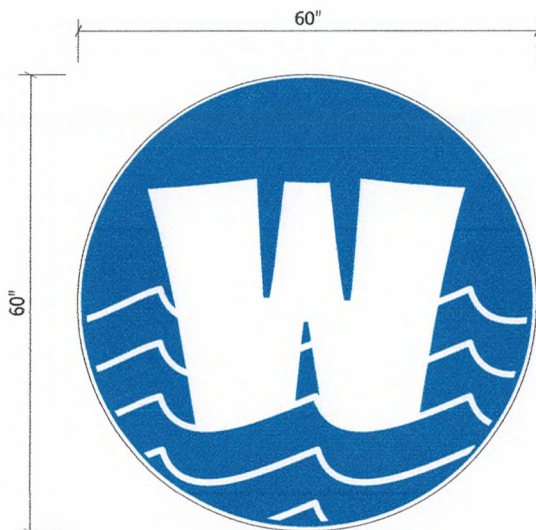
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Sign Management Made Simple

File Name:
30660_DeLand.pdf
Project Number: 30660



NIGHT RENDERING



B

Illuminated Sign Cabinet

Scale: 3/4" = 1'-0"

EGAN
SIGN

222 North Kenhorst Boulevard, Reading, PA 19607 | (Toll Free): 844.460.6631 | (Fax): 610.478.1332 | www.egansign.com

This design/engineering proposal will remain the exclusive property of Egan Sign until approved and accepted through purchase by client named directly on drawing and may not be duplicated by other parties or design fee will apply @ \$95 per hour.

CROSS SECTION OF UL LISTED SIGN CABINET w/ LEDS

- (1) 1" to 1.5" METAL RETAINER; PAINTED WHITE
ATTACHED w/ COUNTERSINK SCREWS
- (2) 3/16" THK WHITE POLYCARBONATE FACE w/
DIGITALLY PRINTED GRAPHICS
- (3) EXTRUDED ALUM. SIGN CABINET w/
.080" BACK; PAINTED WHITE
- (4) 1/4" DRAIN HOLES (Min. 2 per letter)
- (5) WHITE LEDS
- (6) LED POWER SUPPLY
- (7) FACADE (BRICK)
- (8) LOW VOLTAGE CLASS 2 POWER LINE
- (9) MOUNTING HARDWARE(1/4"x5" ANCHORS)
- (10) EXISTING 120 VOLT SERVICE
- (11) TOGGLE DISCONNECT SWITCH

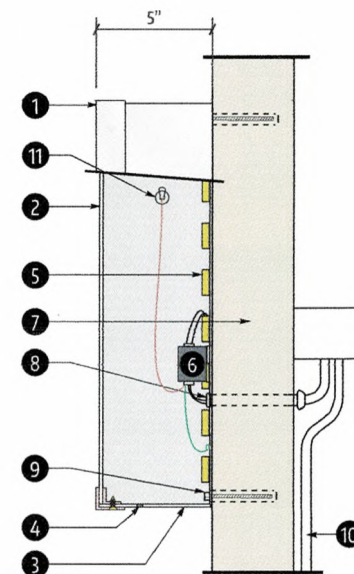
This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes.
This includes proper grounding and bonding of the sign.

Electrical Notes:

Sign company will make final connection to existing sign circuits when available, within 6' of sign which falls within the scope of ES license provided. If the circuit is further than 6', the installing sign company can mount a UL approved remote transformer enclosure at the final connection point & run secondary wire to sign. If no circuit is available, the customer is responsible for contracting a licensed electrician or contractor for a dedicated 20 amp circuit to connect within 6' of the sign & have a visible marked breaker in the service panel

Signs must have:

- 1.) A minimum of 1 dedicated single phase 120V 20A circuit
- 2.) Junction box installed within 6' of sign
- 3.) 3 wires: line, ground & neutral



Client:

Summit Wash Holdings
3801 PGA Blvd.
Suite 600
Palm Beach Gardens, FL 33410

Location Address:

Waters Car Wash
1740 N. Woodland Blvd.
DeLand, FL 32720

Description:

Illuminated Sign Cabinet
(19.6 Sq Ft)

Qty: 2

Provide S/F LED internally
illuminated aluminum cabinet and
white polycarbonate faces w/
digitally printed graphics to match
color key; flush mounted to facade.

Color Key:

□ White
■ CMYK: 90 | 65 | 0 | 10
PMS 3506 C

Layout Date:

04/24/2023 - JG

Revision Date:

06/05/2023 - JG
06/14/2023 - SK

File Name:

30660_DeLand.pdf
Project Number: 30660

Sign Management Made Simple

400"

30"
WATERS CAR WASH

Electrical Notes:

Sign company will make final connection to existing sign circuits when available, within 6' of sign which falls within the scope of ES license provided. If the circuit is further than 6', the installing sign company can mount a UL approved remote transformer enclosure at the final connection point & run secondary wire to sign. If no circuit is available, the customer is responsible for contracting a licensed electrician or contractor for a dedicated 20 amp circuit to connect within 6' of the sign & have a visible marked breaker in the service panel

Signs must have:

- 1.) A minimum of 1 dedicated single phase 120V 20A circuit
- 2.) Junction box installed within 6' of sign
- 3.) 3 wires: line, ground & neutral

NIGHT RENDERING

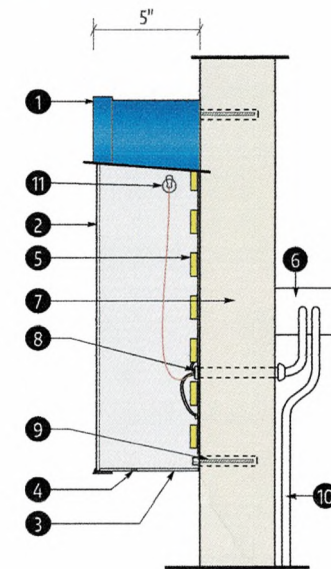
WATERS CAR WASH

CROSS SECTION OF UL LISTED CHANNEL LETTERS w/ LEDS

- (1) 1" PLASTIC TRIM CAP
- (2) 3/16" THK POLYCARBONATE FACE W/ DIGITALLY PRINTED GRAPHICS
- (3) .040 ALUMINUM RETURN (.063 BACK) PAINTED TO MATCH TRIM
- (4) 1/4" DRAIN HOLES (Min. 2 per letter)
- (5) LED ILLUMINATION
- (6) LED POWER SUPPLY
- (7) FACADE (BRICK)
- (8) LOW VOLTAGE CLASS 2 POWER LINE
- (9) MOUNTING HARDWARE (1/4"x5" ANCHORS)
- (10) EXISTING 120 VOLT SERVICE
- (11) TOGGLE DISCONNECT SWITCH

This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes.

This includes proper grounding and bonding of the sign.



Client:

Summit Wash Holdings
3801 PGA Blvd.
Suite 600
Palm Beach Gardens, FL 33410

Location Address:

Waters Car Wash
1740 N. Woodland Blvd.
DeLand, FL 32720

Description:

Illuminated Channel Letters
(83.3 Sq Ft)

Qty: 2

Provide LED illuminated channel letters per detail; flush mounted to facade.

Color Key:

- ☐ White
- ☒ CMYK: 58 | 14 | 0 | 0
PMS 298 C
- ☒ CMYK: 100 | 91 | 32 | 21
PMS 540 C
- ☒ CMYK: 90 | 65 | 0 | 10
PMS 3506 C
- ☐ Digitally Printed Graphics

Layout Date:

04/24/2023 - JG

Revision Date:

06/05/2023 - JG
06/14/2023 - SK



Illuminated Channel Letters

Scale: 3/8" = 1'-0"

**EGAN
SIGN**

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Sign Management Made Simple

File Name:
30660_DeLand.pdf
Project Number: 30660

**PLANNING STAFF
REPORT TO
CITY OF DELAND PLANNING
BOARD
August 9, 2023**

APPLICATION NO: LDR23-139

APPLICANT: City of DeLand

REQUEST: City-Initiated Land Development Regulations Text Amendment to Modify the Conditional Use Requirements Pertaining to Tattoo Parlors

APPLICABLE ORDINANCES: *Sec. 33-135. Procedure for text amendments.*

33-135.01(a) Amendments to the text of this chapter may be initiated by the city or upon application of any interested person.

33-135.12(b) The Planning board shall review proposed changes in this chapter, which shall make a recommendation to the city commission prior to final action adopting or not adopting the amendment. However, at the request of the planning board or the city commission, or in the discretion of the city manager, proposed amendments may be taken directly to the city commission for action.

LOCATION: City-wide

The City Commission directed staff to revise the City's conditional use criteria related to Tattoo Parlors. The current regulations allow Tattoo Parlors in the C-2, General Commercial Zone District and require a Class D landscape buffer along all arterial, collector, and local roadways. Depending on the area within the City, Buffer Standard D can range from a minimum of 30 to 60 feet in width (see table below). This large buffer requirement can make it difficult for new tattoo establishments to lease existing retail space within the C-2 zone district.

Buffer Standard "D"				
<i>Required Plant Material</i>				
Width of Buffer	60 feet	50 feet	40 feet	30 feet
Canopy	8.0 (2" dbh)	7.6 (3" dbh)	7.2 (4" dbh)	6.8 (5" dbh) 7.6 (3" dbh)
Understory	3.0	3.5	4.0	4.5
Shrubs	24.0	27.0	30.0	33.0
Redevelopment Gateway District—Buffer Standard "D" Superseding Requirements				
Minimum buffer width				30 feet
Tree minimum diameter				4" dbh
Tree minimum height				14 feet
See also: Section 33-36.05, Landscaping in the Gateway Overlay Districts				

Buffer Standard "D"	
Emerging Gateway District—Buffer Standard "D" Superseding Requirements	
Minimum buffer width	40 feet
Tree minimum diameter	4" dbh
Tree minimum height	14 feet
See also: Section 33-36.05, Landscaping in the Gateway Overlay Districts	

STAFF SUMMARY: In order to update the regulations, provide additional opportunities for tattoo establishments within the City, and be consistent with case law established in 2015 and 2010 pertaining to tattooing as a protected form of artistic expression under the First Amendment, staff has proposed the following revisions:

1. Revise the name from Tattoo Parlor to Tattoo Establishment.
2. Include Body Piercing. Previous Planning Director interpretations included body piercing under “tattoo parlors and related land uses.” Staff has clarified this previous interpretation with this amendment.
3. Update definitions.
4. Clarify that permanent makeup is a separate use from Tattoo Establishment and is regulated separately by the State of Florida.
5. Expand where allowed by including Tattoo and Body Piercing Establishment as a Conditional Use in C-2A.
6. Add 1,000-foot spacing requirement between tattoo establishments.
7. Add provisions regarding location of artist work areas.
8. Add restrictions to maintain transparency for storefronts.

Staff shared the draft regulations with the City of DeLand Mainstreet Association and did not receive any formal comments. The public notice for this text amendment has been published in a newspaper of general circulation.

Specific revisions are provided below:

33-12 – Definitions

Body Piercing Establishment A business engaged in the act of penetrating the skin to make, generally permanent in nature, a hole, mark, or scar. Body piercing does not include the use of a mechanized, pre-sterilized ear-piercing system that penetrates the outer perimeter or lobe of the ear or both.

Tattooing means the act of impregnating the skin with pigment(s) and/or producing scars upon the human body for the purpose of ornamentation, including the application of permanent makeup. The definition of tattooing shall not include the topical application to the skin of pigments, pictures or other representations.

Tattoo parlors and related land uses means those businesses and establishments engaged in the

~~act of tattooing, as defined in this section.~~ *Tattoo Establishment.* A business engaged in any method of placing designs, letters, scrolls, figures, symbols or any other marks under the skin of a person with pigment, ink or color by the aid of needles or other instruments. The term “tattoo establishment” does not include permanent makeup facility.

Permanent Makeup. Also known as permanent cosmetics, derma-pigmentation, micro-pigmentation, and cosmetic tattooing, is a cosmetic technique which employs tattoos (permanent pigmentation of the dermis) as a means of producing designs that resemble makeup, such as eye-lining and other permanent enhancing colors to the skin of the face, lips, and eyelids.

33-17.23. Allowed uses in commercial and industrial zoning districts.

PERSONAL SERVICES									
	P-1	BR	C-1	C-2	C-2A	C-2AC	C-3	C-4	M-1
Beauty salons, barbershops and day spas		P	P	P	P	P			
Day care facilities, adult or child	P	P	P	P	P		E ¹⁰	C ²	C ² E ¹⁰
Dry cleaning and laundry, industrial						P		P	P
Dry cleaning and laundry, retail		P	C ³	P	P	P		P	
Dry cleaning and laundry, self-service		P		P	P				
Mortuary, funeral homes and crematoriums		P		P	P				P
Pet shops and pet grooming with no overnight boarding of animals		C	C	C	C				
Tailor shops and shoe repair		P		P	P				
Tattoo parlors and related uses body piercing establishment Per 33-19.09				C*	C*				

33-19.09. Tattoo and Body Piercing parlors and related uses. Establishments

- (a) ~~Compliance with relevant state regulations.~~ Only tattoo parlors and related land uses that comply with the provisions of section 877-.04, Florida Statutes; Rule 59R-2.002, Florida Administrative Code; and/or other relevant regulations shall be issued an occupational license and permitted to operate within the City of DeLand. A tattoo establishment shall be subject to all requirements of 381.00779, Florida Statutes and all other applicable state regulations. 381-0075
- (b) ~~Hours of operation.~~ Tattoo parlors and those land uses engaged in the act of tattooing shall be permitted to operate within the hours of 8:00 a.m. to midnight.
- (c) ~~Landscape buffers.~~ Parcels of land containing land uses engaged in the act of tattooing shall have a minimum Class D landscape buffer along its frontage with all arterial, collector and local roadways. The minimum landscape buffer between parcels of land containing land uses engaged in tattooing and other land uses shall be determined by Table 33-92.02(b); however, in addition to the widths and minimum plant materials listed, the landscape buffer shall also comply with the requirements for an opaque screen, as noted by the asterisk (*).

- (d) ~~Signage.~~ The number, placement and square footage of permanent accessory ground signs and building signs shall be determined by section 33-75.09 of chapter 33 of the Code of Ordinances.
- (b) A tattoo and body piercing establishment shall not operate on any parcel adjacent to or across the right-of-way from a single-family residential zoning district.
- (c) A tattoo and body piercing establishment shall not operate between the hours of 12:00 a.m. and 8:00 a.m.
- (d) A tattoo and body piercing establishment shall not be located within 1,000 feet of an existing tattoo establishment, as measured by following the shortest route from door to door.
- (e) Active tattoo or body piercing work and artist studio areas shall not be visible from public view or otherwise outside of the building exterior.
- (f) Windows in a tattoo and body piercing establishment shall not be obscured by the placement of window tinting, shelving, racks or similar obstructions.
- (g) ~~Compliance with other relevant city regulations.~~ In addition to the regulations specifically addressed in this section, tattoo parlors and body piercing establishments and related land uses shall comply with all other relevant provisions of chapter 33 of the Code of Ordinances.

STAFF RECOMMENDATION: Staff recommends that the Planning Board forward this proposed text amendment, project number LDR23-139, Text Amendment Text Amendment to Modify the Conditional Use Requirements Pertaining to Tattoo Parlors, to the City Commission for review and approval.

**PLANNING STAFF
REPORT TO
CITY OF DELAND PLANNING
BOARD
August 9, 2023**

APPLICATION NO: LDR23-148

APPLICANT: City of DeLand

REQUEST: **City-Initiated Land Development Regulations - Text Amendment to Modify the Minimum Acreage for Planned Developments in the Core Gateway Overlay District**

APPLICABLE ORDINANCES: *Sec. 33-135. Procedure for text amendments.*

33-135.01(a) Amendments to the text of this chapter may be initiated by the city or upon application of any interested person.

33-135.12(b) The Planning board shall review proposed changes in this chapter, which shall make a recommendation to the city commission prior to final action adopting or not adopting the amendment. However, at the request of the planning board or the city commission, or in the discretion of the city manager, proposed amendments may be taken directly to the city commission for action.

LOCATION: City-wide

BACKGROUND: The City's current Land Development Regulations provide limited options for redevelopment of existing properties; the majority of the development regulations were focused on greenfield development rather than infill. As the City has grown and changed over the years, property owners within the Core Gateway Overlay District have expressed concerns regarding the lack of flexibility for infill projects.

In order to seek relief from the standards for infill or redevelopment projects, two options exist: a Planned Development (PD) or a Variance. Within the Downtown Commercial land use designation, applicants may seek PD zoning on any size parcel. However, outside of the Downtown Commercial District, the minimum size for a PD is 1 acre, leaving a variance as the only option. Often, the opportunities for infill and redevelopment can be found on lots smaller than 1 acre in area.

In order to provide additional opportunities for redevelopment and infill projects, staff is proposing to expand the options for PD's by removing the minimum 1 acre size for properties within the Core Gateway Overlay District. Further, Staff has revised the setback requirements for PD's within the Core Gateway to allow for the setbacks of the adjacent properties to be used as a guide for the PD standards.

Understanding that PD's can present additional costs for the developers, staff will be drafting

infill and redevelopment standards as part of the overall, full code update. These proposed infill and redevelopment standards would include performance standards and criteria that would enhance or replace the new, proposed PD option within the Core Gateway Overlay District.

STAFF SUMMARY: In order provide additional options for infill and redevelopment within the Core Gateway Overlay District, staff has proposed the following revisions:

33-32.02. *Criteria and standards for approval.*

- (a) *Minimum conditions for approval.* The approval of Planned Development rezoning or development plan may not be approved unless the following minimum conditions are met:
1. Except in the ~~Downtown Commercial land use designation~~ Core Gateway Overlay District, the minimum size of the proposed development shall be one acre for both residential and nonresidential development. Planned Developments in the ~~Downtown Commercial land use designation~~ Core Gateway Overlay District have no minimum size.
 2. Minimum setbacks established in the PD at the perimeter of the development shall be consistent with those of the abutting zone districts, except in the ~~Downtown Commercial land use designation~~ Core Gateway Overlay District, where the minimum setback established in the PD shall be compatible with the setbacks of the adjacent properties.
 3. ~~The development shall be consistent with the DeLand Comprehensive Plan, unless a corresponding amendment to the Comprehensive Plan is also adopted.~~

The public notice for this text amendment has been published in a newspaper of general circulation.

STAFF RECOMMENDATION: Staff recommends that the Planning Board forward this proposed text amendment, project number LDR23-148, Text Amendment to Modify the Minimum Acreage for Planned Developments within the Core Gateway Overlay District, to the City Commission for review and approval.

**PLANNING DEPARTMENT STAFF REPORT
TO
PLANNING BOARD**

August 9, 2023

APPLICATION NO.: Z23-152

APPLICANT: City of DeLand

PROPERTY OWNER: City of DeLand

REQUEST: Amendment to the existing Park Lake Estates Planned Development to remove 6.105 acres from the PD, reduce the required amount of Tree Protection Area from 15% to 10.83%, and add a trailhead to allow public access to Lake Moore. These modifications are associated with Volusia County's future extension of Beresford Avenue between Martin Luther King, Jr. Blvd and SR 44/Summit Avenue:

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:	East of Martin Luther King Blvd & North of Beresford Ave extension to SR 44/Summit Avenue
Parcel Size:	198.02 ± acres
Land Use:	Low Density Residential
Existing Zoning:	Park Lake Estates PD
Existing Use:	Portions Developing, Portions Vacant Awaiting Development

	SURROUNDING LAND USE:	SURROUNDING ZONING:
North:	City: Low Density Residential, Educational, Gateway; VC: Urban Low Intensity	City: R-R (Rural Residential), C-2 (General Commercial), E-1 (Educational), Royal Oaks PD; VC: R-3/R-3C (Urban Single-Family)
South:	City: Educational, Low Density Residential, New Community Development	City: R-1A (Single Family Residential) Victoria Park PD, VC: A-2 (Agriculture)
East:	VC: Public/Semi-public Educationa	VC: Public/Semi-Public
West:	City: Low Density Residential	City: C-2 (General Commercial), The Reserve at Victoria PD

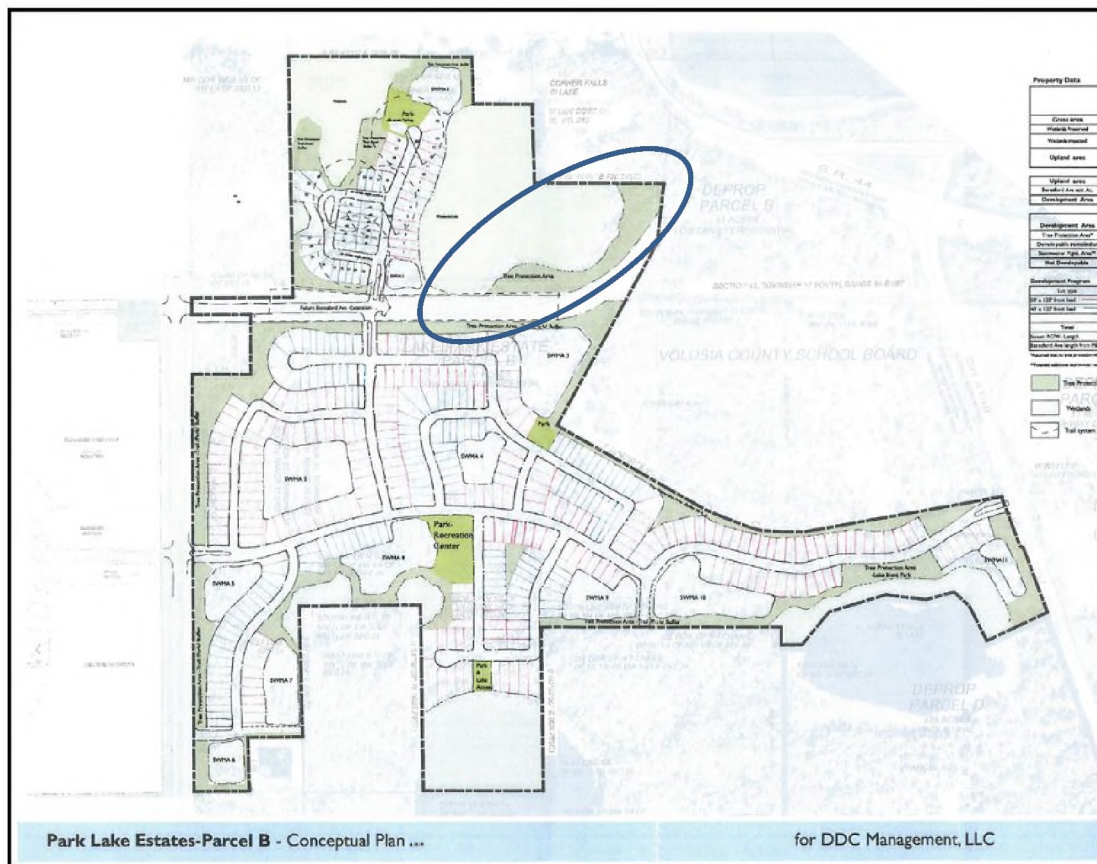
B. ANALYSIS:

The existing Park Lake Estates Planned Development consists of 198.02 acres, formerly part of the proposed Royal Oaks Planned Development and presently called Lakewood Park, which is now in the midst of phasing and development. The development is located to the east of Martin Luther King Jr. (MLK) Blvd and north of Beresford Avenue Extension. As part of the PD, the western ~1,000 feet of the Beresford Avenue extension is planned to be constructed by the Lakewood Park development. The remainder of Beresford Avenue extension is planned to be built by Volusia County and will connect Beresford Avenue to SR 44 at the current intersection of SR 44/Summit Avenue. Summit Avenue will be re-aligned and intersect Beresford Avenue. This capital improvement will provide an alternative route for east-west traffic on SR 44 and relieve congestion at the SR 44/Kepler Road intersection, which fails during peak hours.

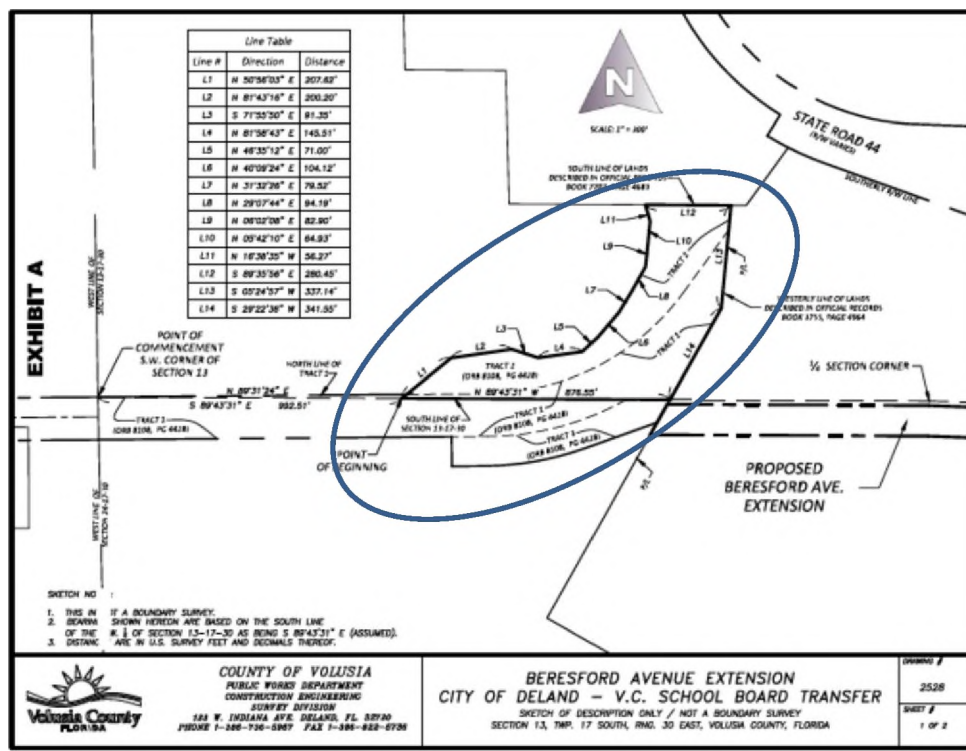


The Lakewood Park developer deeded 6.105 acres to the City so that the City can in turn transfer this property to the Volusia County School Board, pursuant to an interlocal agreement between the City, the Volusia County School Board and the County of Volusia relating to the construction of the Beresford Avenue Extension from the Dr. Martin Luther King, Jr. Beltway to Summit Avenue. This PD amendment is necessary not only to reduce the size of the PD from 198.02 acres to 191.915 acres, but also reduce the Tree Protection Area (TPA) from 15% developable area (21.59 acres) to 10.83% (15.485 acres). The existing TPA is located in the northeast portion of the PD, as circled on the approved PD's conceptual plan (See below). The need to avoid Lake Diamond left few options to avoid impacts to the TPA. Since the TPA is proposed to be reduced, the city is requiring the PD to be amended to require the developer to construct a trailhead adjacent to Lake Moore to provide public access.

Since the amendments are being generated administratively, the PD amendment application did not go before the Technical Review Committee. Related to this amendment are two companion amendments for future land use and zoning on the 6.105-acre property. The future land use is proposed to be amended from Low Density Residential to Educational (SMLU23-153), and the zoning is proposed to be amended from Park Lake Estates Planned Development (PD) to Educational (E-1) (Z23-154).



Park Lake Estates PD – Circled Proposed 6.105-Acreage Removal



Right-of-way Transfer Property

Section 33-135 of the Land Development Regulations provides the following criteria, which the Planning Board and 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 amendment to the existing Park Lake Estates PD is consistent with the Comprehensive Plan with the exception of the reduced TPA from 15% to 10.83%. Because of the economic significance and benefits to the public's health, safety, and welfare associated with the roadway's extension, the respective inconsistency is outweighed by the public benefit brought by the roadway extension.

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

Due to the location of the proposed Beresford Avenue extension and Lake Diamond constraints, the zoning changes proposed under the current request will impact the Park Lake Estates PD's TPA by reducing it from 15% developable area (21.59 acres) to 10.83% (15.485 acres). Because of the economic significance and benefits to the public's health, safety, and welfare associated with roadway's extension, the respective impact upon the environment or natural resources is viewed as negligible. Since the TPA was reduced, the city is requiring the PD to be amended to require a trailhead adjacent to Lake Moore provide public access.

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

The proposed amendment is associated with Volusia County's ability to plan and construct the Beresford Avenue extension, which will provide an additional east-west roadway connection between SR 44, near I-4, and Kepler Road/MLK Blvd (West Volusia Beltway) and relieve peak hour congestion at SR 44/Kepler Road intersection. The additional roadway connection will subsequently improve the area's economy by increasing the transportation system's ability to accommodate trips from new development.

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. The proposed amendment, which removes 6.105 acres, will not adversely impact these services. The Beresford Avenue extension, once constructed, will have a beneficial impact on government emergency services by enabling faster response times associated with reduced traffic congestion and alternative routes.

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

When the Park Lake Estates PD was under review and approved, Volusia County had not yet determined the Beresford Avenue extension alignment. The alignment, approved by Volusia County Council in November of 2022, has mandated ROW acreage and a TPA reduction from what was originally approved in the PD.

6. Was there a mistake in the original classification?

The approved PD included two possible locations for the Beresford Avenue extension. The final alignment was approved in late 2022 and the PD amendment addresses the new roadway alignment.,

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

The proposed amendment will not have an affect upon the value of the affected area beyond that of the original PD and, as part of the agreement, will provide a trailhead to Lake Moore

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

The Beresford Avenue extension will provide an alternative route for east-west traffic on SR 44 and relieve congestion at the SR 44/Kepler Road intersection, which fails during peak hours. The reduction in congestion will reduce the likelihood for crashes and increased emissions' impact on air quality.

C. CONCLUSION:

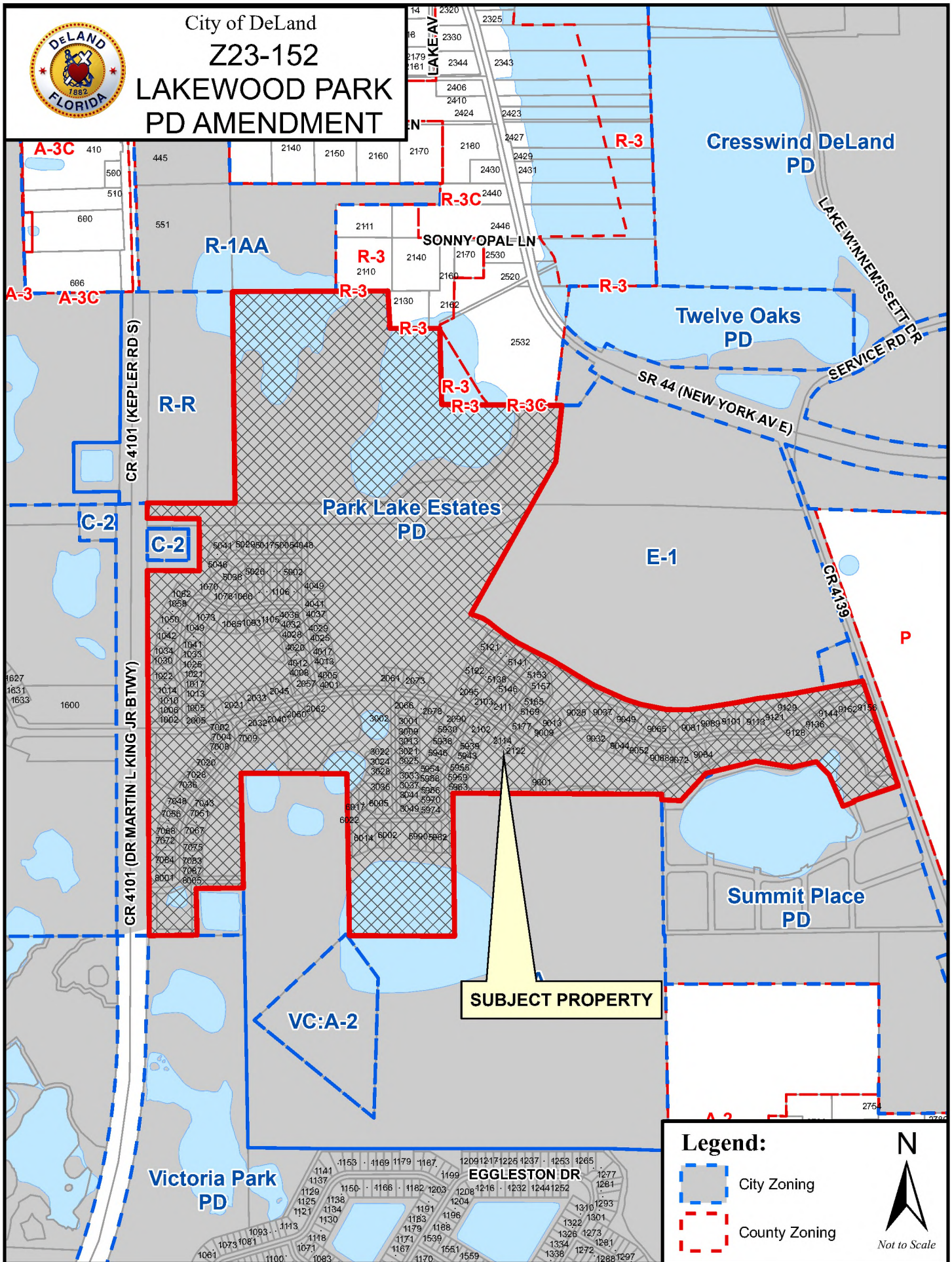
The City of DeLand is proposing an amendment to the Park Lake Estates PD associated with the developer reducing the PD's size by 6.105 acres to accommodate the future Beresford Avenue extension ROW needs. Additionally, the PD amendment ordinance would allow for a reduction to the minimum required TPA from 15% to 10.83% and would include a trailhead to be constructed by the developer to provide public access to Lake Moore.

D. STAFF RECOMMENDATION:

Staff recommends that the Planning Board advance the request to the City Commission with a recommendation for approval, subject to addressing remaining Staff comments.

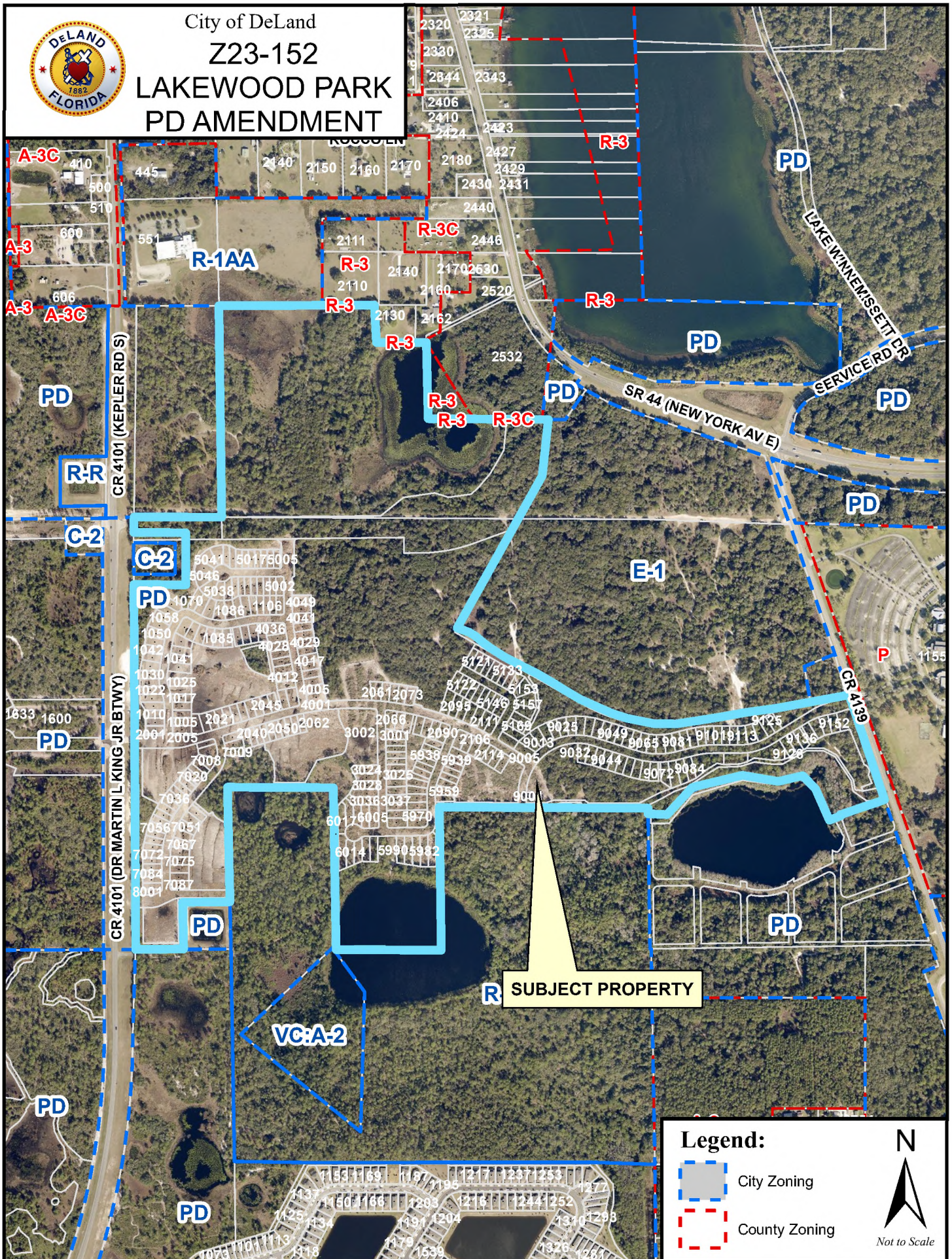


City of DeLand
Z23-152
LAKEWOOD PARK
PD AMENDMENT





City of DeLand
Z23-152
LAKEWOOD PARK
PD AMENDMENT



ORDINANCE NO. 2023 -

**AN ORDINANCE OF THE CITY COMMISSION OF DELAND, FLORIDA,
AMENDING THE PARK LAKE ESTATES PD FOR THE PURPOSE OF
REMOVING PROPERTY FROM THE PLANNED DEVELOPMENT AND
AMENDING THE TREE PRESERVATION AREA REQUIREMENTS
RELATED THERETO; PROVIDING FOR CONFLICTS, CODIFICATION,
SEVERABILITY AND AN EFFECTIVE DATE.**

WHEREAS, the City of DeLand (the “City”) adopted Ordinance 2019-38, which is recorded in Official Records Book 7933, Page 3590 *et. seq.* of the Public Records of Volusia County, Florida which ordinance approved the planned development zoning for Park Lake Estates Planned Development (the “Park Lake Estates PD”); and

WHEREAS, a portion of the property which comprises the Park Lake Estates PD, measuring 6.105 acres in area and more particularly described in the attached Exhibit A (the “School Board Property”), has been deeded by the developer thereof to the City so that the City can in turn transfer this property to the Volusia County School Board pursuant to an interlocal agreement between the City, the Volusia County School Board and the County of Volusia relating to the construction of the Beresford Avenue Extension from the Dr. Martin Luther King, Jr. Beltway to Summit Avenue; and

WHEREAS, it is necessary to administratively remove the School Board Property from the Park Lake Estates PD; and

WHEREAS, contemporaneously with the removal of the School Board Property from the Park Lake Estates PD, the City will administratively amend the future land use designation of the School Board Property in the City’s Comprehensive Plan and rezone the School Board Property; and

WHEREAS, a portion of the School Board Property comprises a portion of the required tree preservation area for the Park Lake Estates PD and it is therefore necessary to amend the tree preservation requirements of the Park Lake Estates PD to account for the removal of the School Board Property; and

WHEREAS, the City Commission also desires to allow for the potential of locating trail heads or other public infrastructure within the tree preservation area of the Park Lake Estates PD to afford public access to the Lake Moore public property; and

WHEREAS, the City Commission finds that these administrative changes to the Park Lake Estates PD is in the public interest and otherwise supports the health, safety, and welfare of the citizens of the City of DeLand and the traveling public.

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

Section 1. The Park Lake Estates PD is hereby amended by removing therefrom the School Board Property, more particularly described in the attached Exhibit A. The School Board Property shall no longer be subject to the provisions of the Park Lake Estates PD or otherwise be a part of the development related thereto.

Section 2. The tree preservation requirements of the Park Lake Estates PD, referenced in Section F and Exhibit B thereof, are hereby modified such that the required amount of tree preservation area is reduced by the amount of tree preservation area located within the School Board Property.

Section 3. The tree preservation requirements of the Park Lake Estates PD, referenced in Section F and Exhibit B thereof, are hereby modified to provide that if ownership of any other property which is located within the tree preservation area of the Park Lake Estates PD is transferred to and accepted by the City of DeLand to support public infrastructure projects, including but not limited to the activation of the Lake Moore public property, then the tree preservation area requirements shall be reduced based upon the acreage of the property so transferred.

Section 4. Conflicts. All Ordinances or parts of Ordinances and other actions of the City Commission in conflict with this Ordinance are hereby repealed.

Section 5. Severability. If any section, sentence, phrase, word or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

Section 6. Effective Date. This Ordinance shall become effective immediately upon its adoption.

PASSED AND DULY ADOPTED this ____ day of _____, 2023.

Christopher M. Cloudman
Mayor – Commissioner

ATTEST:

Julie A. Hennessy
City Clerk - Auditor

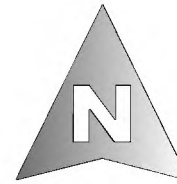
Passed on first reading:
Adopted on second reading:

APPROVED AS TO FORM AND LEGALITY:

Darren J. Elkind, City Attorney

EXHIBIT A

Line Table		
Line #	Direction	Distance
L1	N 50°56'03" E	207.62'
L2	N 81°43'16" E	200.20'
L3	S 71°55'50" E	91.35'
L4	N 81°58'43" E	145.51'
L5	N 46°35'12" E	71.00'
L6	N 40°09'24" E	104.12'
L7	N 31°32'26" E	79.52'
L8	N 29°07'44" E	94.19'
L9	N 06°02'08" E	82.90'
L10	N 05°42'10" E	64.93'
L11	N 16°38'35" W	56.27'
L12	S 89°35'56" E	280.45'
L13	S 05°24'57" W	337.14'
L14	S 29°22'36" W	341.55'



SCALE: 1" = 300'

SOUTH LINE OF LANDS
DESCRIBED IN OFFICIAL RECORDS
BOOK 7707, PAGE 4683

STATE ROAD 44
(R/W VARIES)

SOUTHERLY R/W LINE

WESTERLY LINE OF LANDS
DESCRIBED IN OFFICIAL RECORDS
BOOK 3755, PAGE 4964

1/4 SECTION CORNER

PROPOSED
BERESFORD AVE.
EXTENSION

WEST LINE OF
SECTION 13-17-30

WEST LINE OF
SECTION 24-17-30

POINT OF
COMMENCEMENT
S.W. CORNER OF
SECTION 13

NORTH LINE OF
TRACT 1

TRACT 1
(ORB 8108, PG 4428)

POINT
OF BEGINNING

TRACT 2
(ORB 8108, PG 4428)

TRACT 1
(ORB 8108, PG 4428)

TRACT 3
(ORB 8108, PG 4428)

SKETCH NO :

1. THIS IS NOT A BOUNDARY SURVEY.
2. BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF THE W. 1/4 OF SECTION 13-17-30 AS BEING S 89°43'31" E (ASSUMED).
3. DISTANCES ARE IN U.S. SURVEY FEET AND DECIMALS THEREOF.



COUNTY OF VOLUSIA
PUBLIC WORKS DEPARTMENT
CONSTRUCTION ENGINEERING
SURVEY DIVISION
123 W. INDIANA AVE. DELAND, FL 32720
PHONE 1-386-736-5967 FAX 1-386-822-5736

BERESFORD AVENUE EXTENSION
CITY OF DELAND - V.C. SCHOOL BOARD TRANSFER

SKETCH OF DESCRIPTION ONLY / NOT A BOUNDARY SURVEY
SECTION 13, TWP. 17 SOUTH, RNG. 30 EAST, VOLUSIA COUNTY, FLORIDA

DRAWING #

2528

SHEET #

1 OF 2

EXHIBIT A

Legal Description:

A portion of Tract 1 and all of Tract 2 being described as part of those lands described in Official Records Book 8108, Page 4428 of the Public Records of Volusia County, Florida, said lands also being a portion of Section 13, Township 17 South, Range 30 East, Volusia County, Florida and being more particularly described as follows:

Commence at the Southwest corner of aforesaid Section 13; thence run S 89°43'31" E, along the South line of said Section 13, a distance of 992.51 feet to the POINT OF BEGINNING; thence, departing said South line, run N 50°56'03" E, a distance of 207.62 feet; thence N 81°43'16" E, a distance of 200.20 feet; thence S 71°55'50" E, a distance of 91.35 feet; thence N 81°58'43" E, a distance of 145.51 feet; thence N 46°35'12" E, a distance of 71.00 feet; thence N 40°09'24" E, a distance of 104.12 feet; thence N 31°32'26" E, a distance of 79.52 feet; thence N 29°07'44" E, a distance of 94.19 feet; thence N 06°02'08" E, a distance of 82.90 feet; thence N 05°42'10" E, a distance of 64.93 feet; thence N 16°38'35" W, a distance of 56.27 feet to a point of intersection with the South line of those lands described in Official Records Book 7707, Page 4683 of the aforementioned Public Records; thence run S 89°53'56" E, along said South line, a distance of 280.45 feet to the point of intersection with the Westerly line of those lands described in Official Records Book 3755, Page 4964 of said Public records; thence run S 05°24'57" W (S 05°14'52" W, deed), along said Westerly line, a distance of 337.14; thence S 29°22'36" W (S 29°12'12" W, deed), a distance of 341.55 feet to its intersection with the South line of aforesaid Section 13; thence run N 89°43'31" W, along said South line, a distance of 876.55 feet to the Point of Beginning.

The above-described parcel contains 6.105 acres more or less.

REVISED: 10/11/22 (MEM)

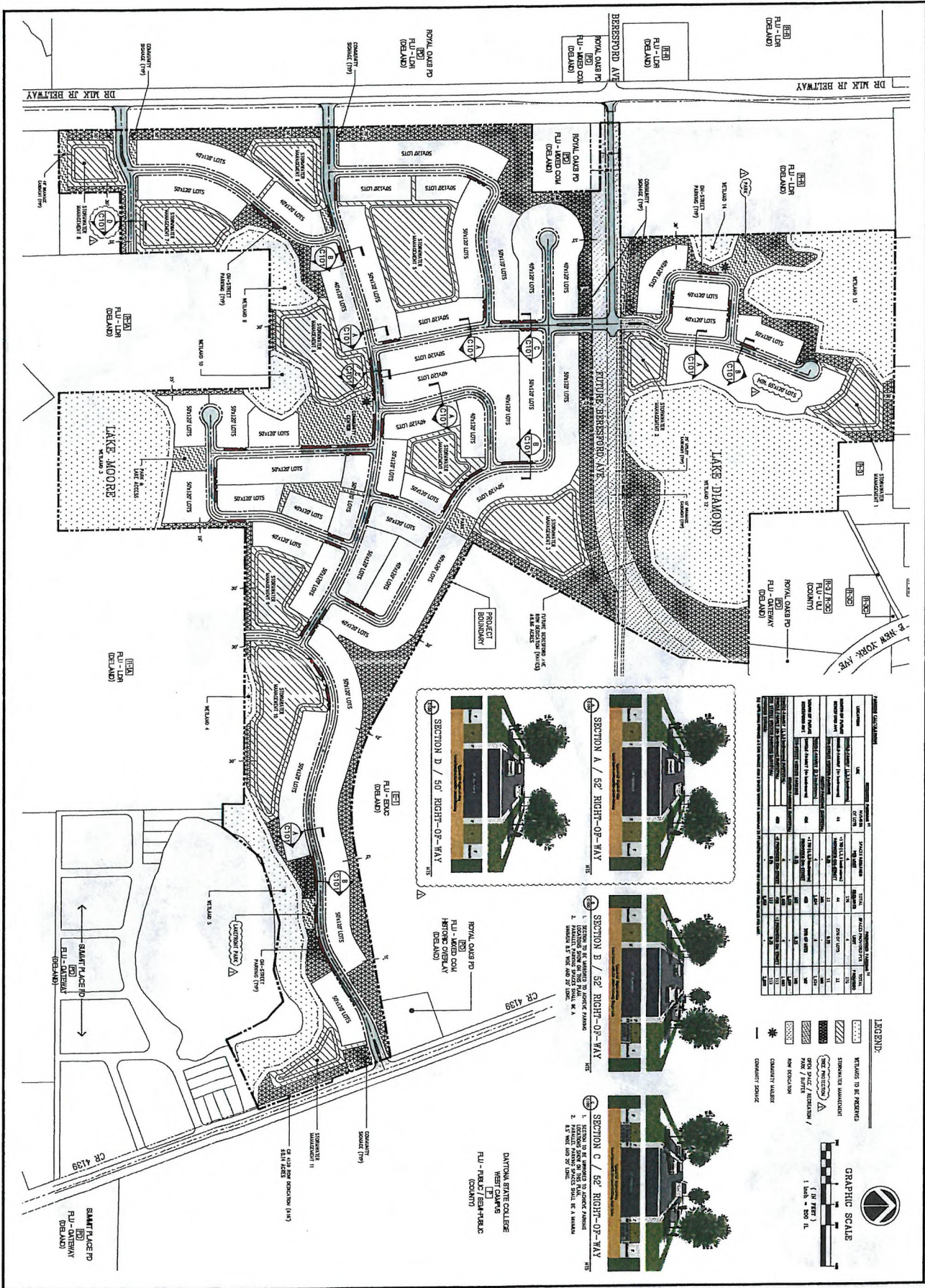
BERESFORD AVENUE EXTENSION CITY OF DELAND – V.C. SCHOOL BOARD TRANSFER

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NAME	DATE	PLOT DATE:	DRAWING #
CADD	MEM	10/22	2528
SURVEY DATE	N/A	N/A	
CHECKED	EAB	10/22	
PROJECT #		FIELD BOOK	SHEET #
T.B.D.		N/A	2 OF 2



SECTION A / 52' RIGHT-OF-WAY		SECTION B / 52' RIGHT-OF-WAY		SECTION C / 52' RIGHT-OF-WAY		SECTION D / 50' RIGHT-OF-WAY	
LOT	AREA	LOT	AREA	LOT	AREA	LOT	AREA
1	0.15	1	0.15	1	0.15	1	0.15
2	0.15	2	0.15	2	0.15	2	0.15
3	0.15	3	0.15	3	0.15	3	0.15
4	0.15	4	0.15	4	0.15	4	0.15
5	0.15	5	0.15	5	0.15	5	0.15
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48	0.15	48	0.15	48	0.15	48	0.15
49	0.15	49	0.15	49	0.15	49	0.15
50	0.15	50	0.15	50	0.15	50	0.15

LEGEND:

- WETLANDS TO BE PRESERVED
- STORMWATER MANAGEMENT
- NEW PAVED / EXISTING /
- NEW EXISTING
- COMMITTEE MARKER

GRAPHIC SCALE

1" = 100'

1" = 200'

DATE: 07-28-2018

SCALE: 1" = 200'

DESIGNED BY: [Signature]

CHECKED BY: [Signature]

APPROVED BY: [Signature]

ENGINEER IN CHARGE:

CERTIFICATE OF AUTHORIZATION NO. EB-0007733

DDC MANAGEMENT, LLC

1233 BROADWAY

ORLANDO, FL 32803

(407) 924-2846

AGMC

PD CONCEPT PARKING PLAN

FOR

PARK LAKE ESTATES

CITY OF DELAND

FLORIDA

MADDEN

CIVIL ENGINEERS

431 E. HIGHLAND AVENUE

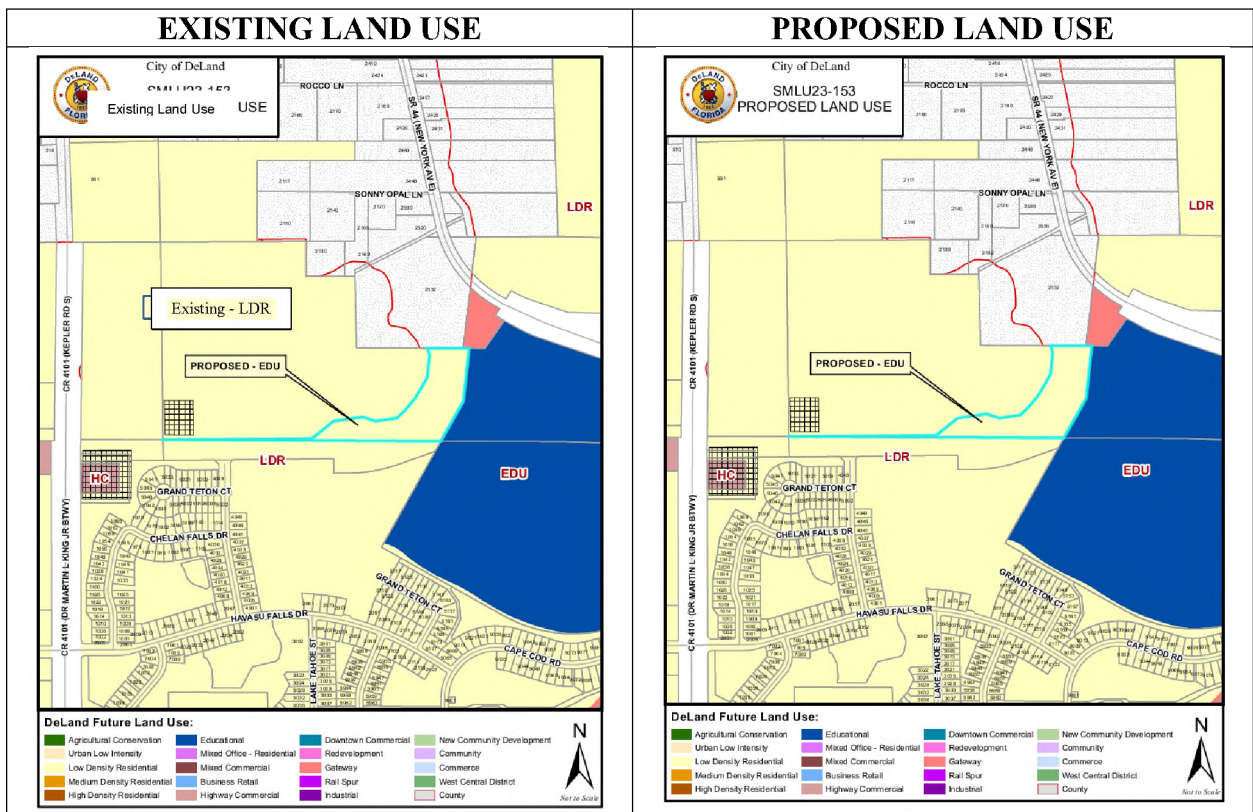
ORLANDO, FL 32803

(407) 628-8335

PLANNING DEPARTMENT STAFF REPORT TO THE CITY OF DELAND PLANNING BOARD

August 9, 2023

- A. APPLICATION NO.:** SMLU23-153 School Board Transfer from Park Lake Estates PD
- APPLICANT:** City of DeLand
- PROPERTY OWNER:** City of DeLand
- REQUEST:** To amend the future land use designation from City Low Density Residential (LDR) to City Educational (E)
- B. SITE FACTORS:**
- Location: East of Martin Luther King Blvd & North of Beresford Ave extension to Summit Avenue
 - Parcel ID #: 7013-00-00-0015
 - Total Size Parcels: ± 6.105 acres
 - Land Use: Low Density Residential
 - Existing Use: Undeveloped



Surrounding Land Use & Zoning:

	SURROUNDING LAND USE:	SURROUNDING ZONING:
North:	City: Low Density Residential, Educational, Gateway; VC: Urban Low Intensity	City: R-R (Rural Residential), C-2 (General Commercial), E-1 (Educational), Royal Oaks PD; VC: R-3/R-3C (Urban Single-Family)
South:	City: Educational, Low Density Residential, New Community Development	City: R-1A (Single Family Residential) Victor Park PD, VC: A-2 (Agriculture)
East:	VC: Public/Semi-public Educational	VC: Public/Semi-Public
West:	City: Low Density Residential	City: C-2 (General Commercial), The Reserve at Victoria PD

C. REQUESTED ACTION & HISTORY:

The applicant is requesting a future land use designation amendment for 6.105 acres of land, located on the north side of the future Beresford Avenue extension west of MLK Blvd, from City Low Density Residential to City Educational. The subject parcel, which currently resides within the Park Lake Estates Planned Development, is vacant and undeveloped. Two related amendments are proposed that would amend the PD to remove the 6.105 acres from the project, and the other would amend the zoning on the 6.105 acres to E-1.

The parcel has a current future land use of City Low Density Residential, which has a maximum residential density of 5.8 units per acre, allows clustering, and requires convenient access to recreation, shopping, schools and public amenities. Theoretically, the 6.105-acres could develop a maximum of 35 single-family residential units.

Per the city's Comprehensive Plan –

...Low Density Residential “land use is typified by detached single-family dwelling units and both agricultural and conservation land uses. A maximum density of 5.8 dwelling units per gross acre shall be permitted.”

If developed under the proposed Educational land use, the site could yield a one-story 132,967 square-foot or two-story 265,934 square-foot school – most likely elementary level. Larger schools and higher-level schools, such as a high-school, are unlikely due to the size of the property.

Per the city's Comprehensive Plan --

...Educational “land use designation applies to all public and private schools. This designation also applies to higher education institutions within the greater DeLand area.”

The land use of the subject property has not recently been changed. According to the city's 2050 Vision, this area is within the Retaining Existing Zoning (Category 1), which is where the majority of newer, higher intensity growth is envisioned to “further in the future.” This is likely due to the Beresford Avenue extension not having an approved alignment or funding until 2022, long before the 2050 Vision was written. Since the 2050 Vision was adopted, multiple large residential developments have been approved and are developing.

D. ALTERNATIVES & ANALYSIS:

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

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

Existing City infrastructure and service availability were analyzed as part of this review:

- The city's Utilities Department services the developed sections of the Lakewood Park; therefore, water and sewer service is available for development on the 6.105 acres. Water and sewer capacity availability would depend on the potential future development's use and demand. As with all development, concurrency requirements would need to be met during the final site plan phase.
- Because the city is able to serve Lakewood Park, the City would be able to provide adequate Police and Fire/Rescue levels-of-service
- The change in designation will not generate a new demand for recreation.

Existing City/County/State infrastructure and service availability was also analyzed as part of this review:

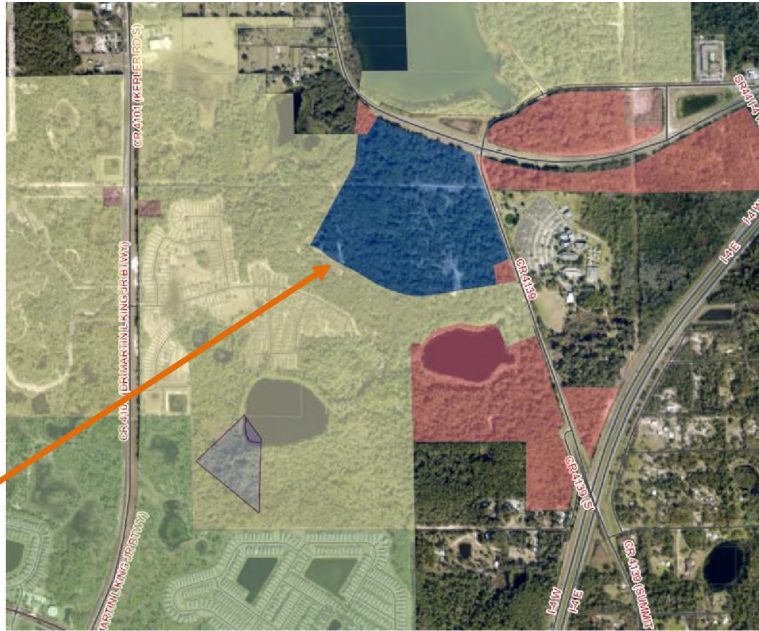
- Volusia County provides a sanitary landfill for the disposal of solid waste. The county's landfill has adequate capacity at this time.
- A Trip Generation Summary was not submitted by the applicant; however, a theoretical maximum trip generation estimate ("worst case") for the existing land use (35 residential units) would generate 33 PM peak hour and 330 daily trips. A theoretical maximum PM peak-hour trip generation estimate for the proposed land use (750 student elementary school) would generate 120 PM peak hour and 1,680 daily trips. Though the school trip generation estimates are significantly higher than those of the residential, the transportation impacts would not be as significant. If a new school were constructed on the proposed 6.105 acres, it would serve students from the immediate area – mostly from new residential areas on both sides of MLK Blvd and Beresford Avenue. Without a school in place, absorbing trips produced from residential uses, school trips would still occur – but bus trip and parent trip lengths would be longer because of the need to travel longer distances to schools further away.

2. Compatibility with Land Use and Other Elements: The Future Land Use element requires that the subject property be consistent with surrounding development. The general area is a mix of vacant and developing Low Density Residential, Gateway, and Educational designated land uses. The proposed land use amendment would be adjacent to a larger area of Educational land use, and would enable the respective larger area to have direct access to the Beresford Avenue extension.

FLU

Future Land Use

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



Future Land Use Map – Area Designations

3. **Future Land Use Map:** The change in land use designation to Educational will be shown on the revised Future Land Use Map, if approved.
4. **Location of Lakes, Floodplains, and Wetlands:** According to Volusia County's interactive map, a portion of the property is located within the 100-year floodplain and does not contain any wetlands.
5. **Analysis of Natural Resources:**
 - a. *Soil types:*
Cassia Fine Sand
 - b. *Presence of Endangered Species:*
None known of at this time; however, the applicant will be required to submit an environmental report prior to construction.
6. **Existing and Future Impact upon Infrastructure Capacity:**
 - a. *Water* – Consistent with utility availability associated with the Park Lake Estates PD approval, the City's Utility Department indicates sufficient water supply is available for the proposed use. Water capacity availability would depend on the potential future development's use and demand. As with all development, the developer will be required to meet concurrency requirements during the final site plan phase.
 - b. *Sewer* – Consistent with utility availability associated with the Park Lake Estates PD approval, the City's Utility Department has indicated sufficient existing capacity. Sewer capacity availability would depend on the potential future development's use and demand. As with all development, the developer will be required to meet concurrency requirements during the final site plan phase.

- c. *Drainage* – The City adheres to the County’s 100-year frequency, 24-hour storm event standard for landlocked basins. Stormwater capture would be addressed on-site.
- d. *Solid Waste* – Consistent with utility availability associated with the Park Lake Estates PD approval, solid waste services are available for the property.
- e. *Transportation* - A theoretical maximum PM peak-hour trip generation estimate for the proposed land use (750 student elementary school) would generate 120 PM peak hour and 1,680 daily trips. Though the trip generation estimates for a school are significantly higher than those of the residential, the transportation impacts would not be as significant. If a new school were constructed on the proposed 6.105 acres, it would serve students from the immediate area – mostly from new residential areas on both sides of MLK Blvd and Beresford Avenue. Without a school in place, absorbing trips produced from residential uses, school trips would still occur – but bus trip and parent trip lengths would be longer because of the need to travel longer distances to schools further away.

As with all development plans, site access needs, including bus and parent loop turn lanes and on-site queue storage, would be assessed and determined during the site plan review process. Also, a transportation impact analysis (TIA) and concurrency would be required.

- f. *Fire/Rescue Service* - Consistent with utility availability associated with the Park Lake Estates PD approval, the Fire Department states that adequate fire protection can be provided and response time is under 5 minutes.
- g. *Police Service* - Consistent with utility availability associated with the Park Lake Estates PD approval, the Police Department states that adequate police protection can be provided and response time is approximately 5 minutes.

7. **Impact upon Recreation and Open Space:** No need for new recreational facilities is anticipated. As part of the land agreement between the City, the Developer of Park Lake Estates PD, and the Volusia County School District, the developer will construct a trailhead and provide public access to Lake Moore.

8. **New Public Facilities Needed to Serve Land Use:** No need for new public facilities is anticipated.

9. **Impact Upon Existing Deficiencies:**

As identified in the City's Comprehensive Plan, drainage is an existing deficiency within the City. Any development on this site will be required to manage its own stormwater.

10. **Impact upon Ability of the City to Fund Capital Improvements:** The development should not create an additional impact upon the City's ability to fund the projects listed in the adopted Five-Year Capital Improvement Program.

11. **Impact upon Adopted Five-Year Schedule in Capital Improvements Element:** The proposed land use amendment will not require revision to the City's adopted Five-Year Capital Improvement Program.

12. **Compatibility with Existing Zoning Classification:** The existing zoning classification will be amended only if the subject land use amendment is approved and the classification is permitted by the new land use designation.
13. **Will the proposed land use change impact schools?** No impacts to schools are anticipated with the non-residential uses.
14. **How does this proposal fit with the guidelines developed for DeLand 2050 and the City's Strategic Plan?**

a. Located in the Retaining Existing Zoning (Category 1)* – *Inconsistent*.

b. DeLand 2050 Land Use Guidelines:

“Concentrate development at the core of the city or at transit-oriented sites and corridors. The urban core is the key area to focus development, maintaining a strong job base and taking advantage of existing infrastructure. Locating higher intensity along select corridors or major centers will encourage transit and lessen traffic congestion.” Highway Commercial –*Inconsistent**

**The 2050 Vision Plan is outdated, and was written prior to the approval of the Beresford Avenue extension alignment and multiple large residential developments were approved.*

E. **CONCLUSION:** The Applicant is proposing an amendment to the future land use map with a concurrent rezoning application to amend the zoning from PD (Planned Development) to E-1 (Educational). Development plans for the property are unknown at this time. The proposed designation is consistent with the development pattern of the surrounding area.

F. **STAFF RECOMMENDATION:** Staff recommends approval to amending the subject property's future land use designation to Educational.

G. **VGMC INFRASTRUCTURE IMPACT ASSESSMENT**

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

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

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

Table 4. Impact Analysis (Theoretical Maximum)

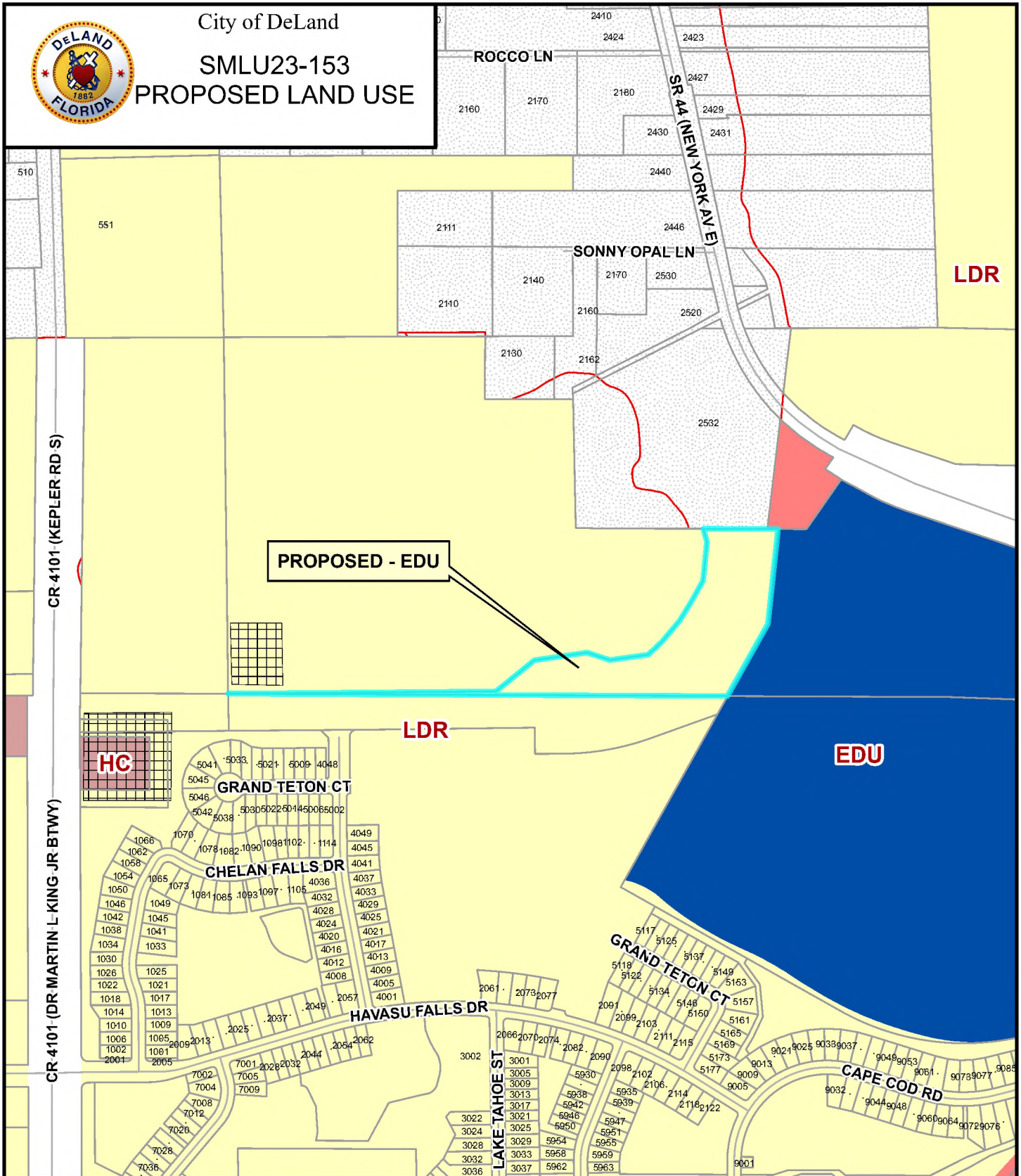
Development Variable	Future Land Use	Proposed Future Land Use	Net Increase
	(Theoretical Maximum)		
Dwelling Units	35	0	-35
Non-residential (Commercial)	0	200,000 SF (750 student) elementary school	0
1. Population	85	0	-85
2. P.M. Peak Hour Trips/Daily Trips	33/133	120/1680	0 /0
3. Sanitary Sewer (gallons per day)	7,000 Res.	13,199 Com.	-3,200 Res./+8199 Com.
4. Potable Water (gallons per day)	10,500 Res.	13,199 Com.	-4,800 Res./+8199 Com.
5. Solid Waste (pounds)	273 Res	2,000 Non-Res.	-273 Res./+2,000 Com.
6. Stormwater Drainage	TBD	TBD	TBD
7. Rec. & Open Space (per person)	.60 Res.	0 Com.	-.60 Res./0 Com.

Notes:

1. Population: 2.44 persons per household (per 2020 Census)
2. Transportation: ITE *Trip Generation Manual*, 11th Edition:
3. Sanitary Sewer: 200 GPD per Equivalent Residential Unit; 0.10 GPD per SF commercial use
4. Potable Water: 300 GPD per Equivalent Residential Unit; 0.10 GPD per SF commercial use
5. Solid Waste 3.21 pounds per person per day; 10 lbs. per 1,000 SF non-residential development per day
6. Stormwater Drainage: LOS standard = 25-year, 24-hour event. Drainage system is required to be designed to meet the requirements of the Land Development Code during subdivision or site plan review.
7. Rec. & Open Space: 7 acres per 1,000 persons (0.007 acres/person)



City of DeLand
SMLU23-153
PROPOSED LAND USE



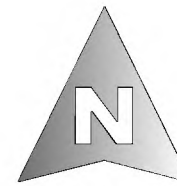
DeLand Future Land Use:

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



EXHIBIT B

Line Table		
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WESTERLY LINE OF LANDS
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1/4 SECTION CORNER

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WEST LINE OF
SECTION 13-17-30

WEST LINE OF
SECTION 24-17-30

SKETCH NO :

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123 W. INDIANA AVE. DELAND, FL 32720
PHONE 1-386-736-5967 FAX 1-386-822-5736

BERESFORD AVENUE EXTENSION
CITY OF DELAND - V.C. SCHOOL BOARD TRANSFER
SKETCH OF DESCRIPTION ONLY / NOT A BOUNDARY SURVEY
SECTION 13, TWP. 17 SOUTH, RNG. 30 EAST, VOLUSIA COUNTY, FLORIDA

DRAWING #
2528
SHEET #
1 OF 2

EXHIBIT B

Legal Description:

A portion of Tract 1 and all of Tract 2 being described as part of those lands described in Official Records Book 8108, Page 4428 of the Public Records of Volusia County, Florida, said lands also being a portion of Section 13, Township 17 South, Range 30 East, Volusia County, Florida and being more particularly described as follows:

Commence at the Southwest corner of aforesaid Section 13; thence run S 89°43'31" E, along the South line of said Section 13, a distance of 992.51 feet to the POINT OF BEGINNING; thence, departing said South line, run N 50°56'03" E, a distance of 207.62 feet; thence N 81°43'16" E, a distance of 200.20 feet; thence S 71°55'50" E, a distance of 91.35 feet; thence N 81°58'43" E, a distance of 145.51 feet; thence N 46°35'12" E, a distance of 71.00 feet; thence N 40°09'24" E, a distance of 104.12 feet; thence N 31°32'26" E, a distance of 79.52 feet; thence N 29°07'44" E, a distance of 94.19 feet; thence N 06°02'08" E, a distance of 82.90 feet; thence N 05°42'10" E, a distance of 64.93 feet; thence N 16°38'35" W, a distance of 56.27 feet to a point of intersection with the South line of those lands described in Official Records Book 7707, Page 4683 of the aforementioned Public Records; thence run S 89°53'56" E, along said South line, a distance of 280.45 feet to the point of intersection with the Westerly line of those lands described in Official Records Book 3755, Page 4964 of said Public records; thence run S 05°24'57" W (S 05°14'52" W, deed), along said Westerly line, a distance of 337.14; thence S 29°22'36" W (S 29°12'12" W, deed), a distance of 341.55 feet to its intersection with the South line of aforesaid Section 13; thence run N 89°43'31" W, along said South line, a distance of 876.55 feet to the Point of Beginning.

The above-described parcel contains 6.105 acres more or less.

REVISED: 10/11/22 (MEM)

BERESFORD AVENUE EXTENSION CITY OF DELAND – V.C. SCHOOL BOARD TRANSFER

SKETCH OF DESCRIPTION ONLY / NOT A BOUNDARY SURVEY
SECTION 13, TWP. 17 SOUTH, RNG. 30 EAST, VOLUSIA COUNTY, FLORIDA



COUNTY OF VOLUSIA
PUBLIC WORKS DEPARTMENT
CONSTRUCTION ENGINEERING
SURVEY DIVISION
123 W. INDIANA AVE. DELAND, FL. 32720
PHONE 1-386-736-5967 FAX 1-386-822-5736

NAME	DATE	PLOT DATE:	DRAWING #
CADD	MEM	10/22	10/11/22
SURVEY DATE	N/A	N/A	SCALE:
CHECKED	EAB	10/22	N/A
PROJECT #	FIELD BOOK		SHEET #
T.B.D.	N/A		2 OF 2

**PLANNING DEPARTMENT STAFF REPORT
TO
PLANNING BOARD**

August 9, 2023

APPLICATION NO.: Z23-154 School Board Transfer from Park Lake Estates PD

APPLICANT: City of DeLand
PROPERTY OWNER: City of DeLand

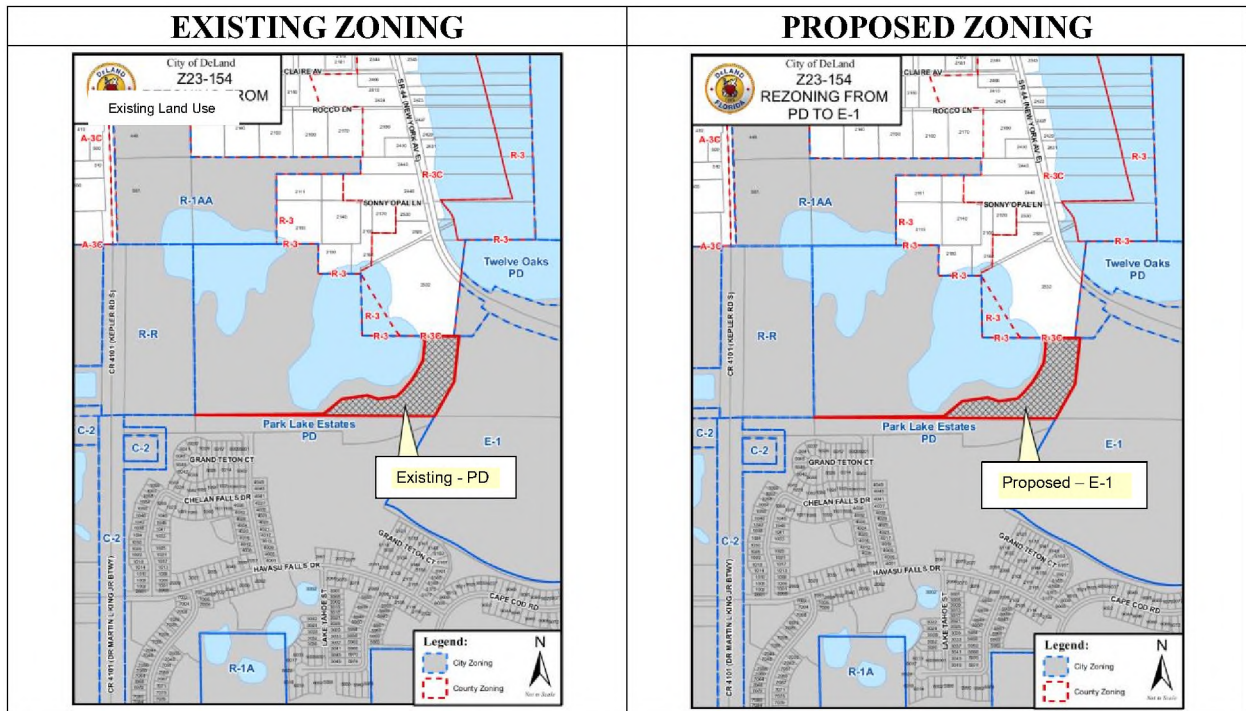
REQUEST: To amend the Zoning District from Park Lake Estates Planned Development (PD) to E-1 (Educational)

APPLICABLE REGULATIONS:

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

A. SITE FACTORS:

Location:	East of Martin Luther King Blvd & North of Beresford Ave extension to Summit Avenue
Parcel ID #:	7013-00-00-0015
Total Size Parcels:	± 6.105 acres
Land Use:	Low Density Residential
Zoning:	Park Lake Estates PD
Existing Use:	Undeveloped

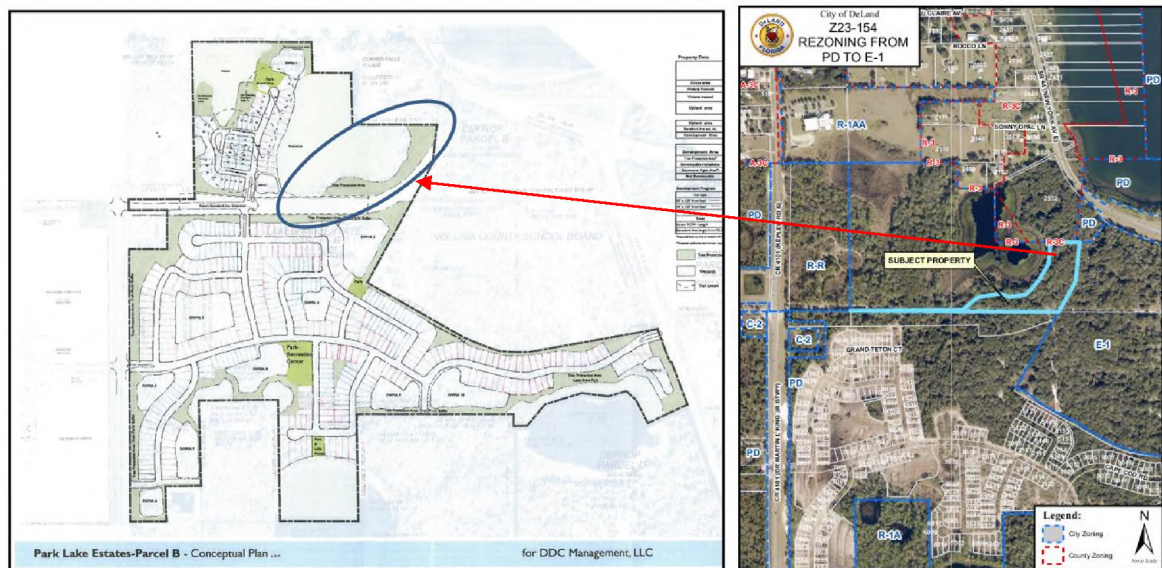


Surrounding Land Use & Zoning:

	SURROUNDING LAND USE:	SURROUNDING ZONING:
North:	City: Low Density Residential, Educational, Gateway; VC: Urban Low Intensity	City: R-R (Rural Residential), C-2 (General Commercial), E-1 (Educational), Royal Oaks PD; VC: R-3/R-3C (Urban Single-Family)
South:	City: Educational, Low Density Residential, New Community Development	City: R-1A (Single Family Residential) Victoria Park PD, VC: A-2 (Agriculture)
East:	VC: Public/Semi-public Educational	VC: Public/Semi-Public
West:	City: Low Density Residential	City: C-2 (General Commercial), The Reserve at Victoria PD

B. ANALYSIS:

The proposed rezoning application consists 6.105 acres located on the north side of the future Beresford Avenue extension east of Martin Luther King Jr. (MLK) Blvd. (See location maps below.) The property is part of the Park Lake Estates PD, which is in the midst of phasing and development. The property has been conveyed to the City of Deland so that the City can in turn transfer this property to the Volusia County School Board pursuant to an interlocal agreement between the City, the Volusia County School Board and the County of Volusia relating to the construction of the Beresford Avenue Extension from the Dr. Martin Luther King, Jr. Beltway to Summit Avenue and will be It is the intent that this parcel will be conveyed and combined with adjacent land currently owned by the Volusia County School Board. The applicant is requesting to rezone the subject property from Park Lake Estates PD to E-1 (Educational) zoning district to facilitate the transfer of ownership. The property is currently vacant/undeveloped.



Location Map–Subject property (right map) & Approximate location within Park Lake Estates PD (left map)

The applicant is requesting a concurrent application for a small-scale land use amendment (SMLU23-153). To date, no associated development plans for the 6.105 acres have been discussed or shared with the city.

Section 33-135 provides the following criteria, which the Planning Board and 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 existing zoning designations are described as follows:

33-17.22. PD—Planned Development District.

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

The proposed zoning designation is described as follows:

33-17.12. E-1—Educational District.

(a) Statement of intent: “The purpose and intent of this district is to provide the varied land uses associated with public and private primary and secondary schools and institutions of higher learning.”

The property currently has a Low-Density Residential land use designation, which permits up to 5.8 residential units per acre. Along with an application for rezoning of this site, there is a request for a small-scale land use amendment that would change the land use designation to Educational. Approval of the land use change is required to enable the proposed rezoning. This rezoning is consistent with the proposed/pending Educational land use designation.

Below is a description of the three parcels’ surrounding areas:

- North, south, and west of parcel #7013-00-00-0015 resides Park Lake Estates PD and the development of Lakewood Estates residential community, which is approved for a maximum of 450 single-family dwelling units and is currently in the midst of phasing and developing. The Beresford Avenue extension, a proposed east-west county thoroughfare roadway, is planned to cross the area between MLK Blvd and SR 44/Summit Avenue toward the northeast.
- Directly east of parcel #7013-00-00-0015 is an undeveloped 50-acre property owned by Volusia County School Board.

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

Rezoning of the property would amend the property’s permitted use(s), however, would not impact the environment or natural resources. The property is currently undeveloped, with only grass and trees.

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

If the rezoning were approved, the property could be developed as an educational-related use. The rezoning action would likely have a positive impact on the economy compared to what currently exists since the properties are vacant. Development under the proposed zoning could provide jobs for teachers, paraprofessionals, administration, support services, etc.

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

The proposed rezoning would not negatively impact governmental services such as potable water, sewer, and transportation. The property is located within a developing area where development has been planned and approved. The proposed rezoning would not require any new services or facilities – just extensions from Park Lake Estates PD and/or Summit Place

Z23-154 (MW)

3 of 4

PD. If approved, any development(s) on the parcels would be required to meet the city's concurrency requirements at the time of final site plan.

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

The proposed rezoning is associated with 6.105 acres of the Park Lake Estates PD being deeded to Volusia County Schools as part of an agreement pertaining to Beresford Avenue extension ROW needs. When Park Lake Estates PD was planned in 2019-2020, the exact location of the Beresford Avenue extension was unknown.

6. Was there a mistake in the original classification?

The approved PD included two possible locations for the Beresford Avenue extension. The final alignment was approved in late 2022 and the associated PD amendment addresses the new roadway alignment.,

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

The proposed rezoning will not have an effect on the use or negatively affect the value of the area since the proposed rezoning is consistent with the City's long-range plans. The proposed rezoning will approve educational uses on 6.105-acres. Schools and educational uses are overall consistent, and often desired, in residential areas.

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

The rezone request will not adversely impact health, safety or welfare.

C. CONCLUSION:

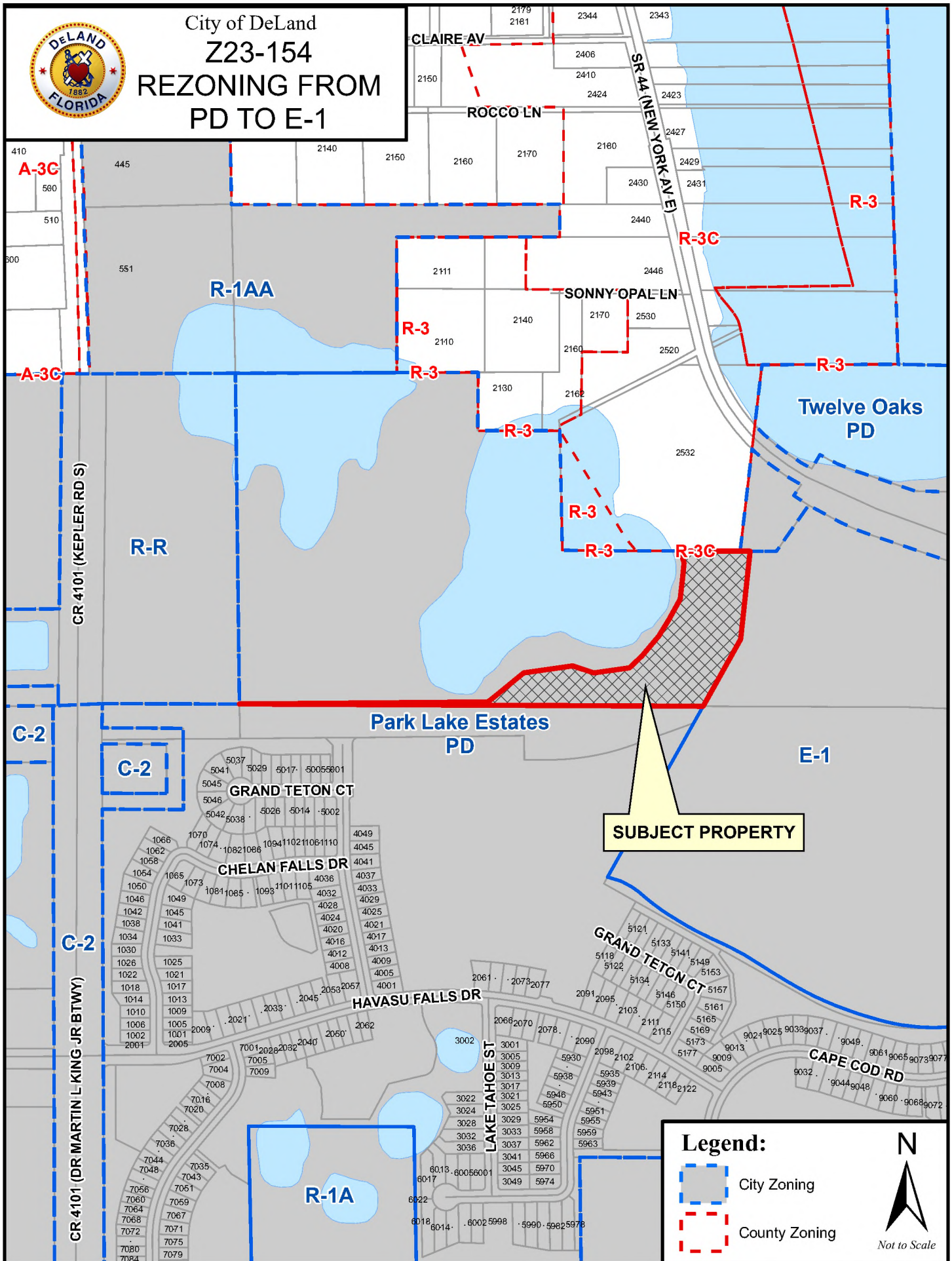
The proposed zoning amendment is consistent with the surrounding properties and would not have a negative impact on property values or planned infrastructure and services. A concurrent small-scale land use amendment application has also been submitted for the property. Thus, the subject zoning amendment is contingent upon the approval of that proposed land use amendment.

D. STAFF RECOMMENDATION:

Staff recommends that the Planning Board forward to the City Commission a recommendation of approval for the rezoning request.



City of DeLand
Z23-154
REZONING FROM
PD TO E-1



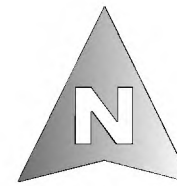


City of DeLand
Z23-154
REZONING FROM
PD TO E-1



EXHIBIT B

Line Table		
Line #	Direction	Distance
L1	N 50°56'03" E	207.62'
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L3	S 71°55'50" E	91.35'
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L10	N 05°42'10" E	64.93'
L11	N 16°38'35" W	56.27'
L12	S 89°35'56" E	280.45'
L13	S 05°24'57" W	337.14'
L14	S 29°22'36" W	341.55'



SCALE: 1" = 300'

SOUTH LINE OF LANDS
DESCRIBED IN OFFICIAL RECORDS
BOOK 7707, PAGE 4683

STATE ROAD 44
(R/W VARIES)

SOUTHERLY R/W LINE

WESTERLY LINE OF LANDS
DESCRIBED IN OFFICIAL RECORDS
BOOK 3755, PAGE 4964

1/4 SECTION CORNER

PROPOSED
BERESFORD AVE.
EXTENSION

POINT OF
COMMENCEMENT
S.W. CORNER OF
SECTION 13

NORTH LINE OF
TRACT 1

TRACT 1
(ORB 8108, PG 4428)

POINT
OF BEGINNING

TRACT 2
(ORB 8108, PG 4428)

TRACT 1
(ORB 8108, PG 4428)

TRACT 3
(ORB 8108, PG 4428)

WEST LINE OF
SECTION 13-17-30

WEST LINE OF
SECTION 24-17-30

SKETCH NO :

1. THIS IS NOT A BOUNDARY SURVEY.
2. BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF THE W. 1/4 OF SECTION 13-17-30 AS BEING S 89°43'31" E (ASSUMED).
3. DISTANCES ARE IN U.S. SURVEY FEET AND DECIMALS THEREOF.



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DRAWING #

2528

SHEET #

1 OF 2

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SURVEY DATE	N/A	N/A	
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PROJECT #		FIELD BOOK	SHEET #
T.B.D.		N/A	2 OF 2