



**GROWTH AND RESOURCE MANAGEMENT DEPARTMENT**  
**PLANNING AND DEVELOPMENT SERVICES DIVISION**  
**CURRENT PLANNING ACTIVITY**  
 123 W. Indiana Avenue, DeLand, FL 32720  
 (386) 736-5959

**PUBLIC HEARING:** August 11, 2015 – Planning and Land Development Regulation Commission (PLDRC)

**CASE NO:** V-15-052

**SUBJECT:** Variance to the maximum off-street parking requirement on Heavy Commercial with Thoroughfare Overlay Zone (B-5C) and Heavy Commercial (B-5) zoned property.

**LOCATION:** South of the intersection of Woodland Boulevard and Beresford Avenue

**APPLICANT:** F.A. (Alex) Ford, Jr. Esquire

**OWNER:** F.A. Ford et al, Levi Swallows, Charles and Tricia Kitchen, and George and Jane Demattio

**STAFF:** Carol McFarlane, AICP, Planner II

---

## I. SUMMARY OF REQUEST

The applicant is requesting a variance to the maximum amount of off-street parking spaces allowed for a shopping center development. A portion of the property is currently used for a weekend flea market, used furniture store, auto salvage yard and woodland area, and the applicant is seeking site plan approval for a shopping center including a 41,117 square foot grocery store, 14,000 square-foot retail building, and a 754 gas station with 12 gas pumps.

Specifically, the applicant is requesting the following variances:

A variance to Section 72-286(6), Maximum off-street parking, from the maximum allowed of 125% of the minimum required (or 190 parking spaces) to 178% of the minimum required (or 223 parking spaces) for a proposed shopping center on Heavy Commercial/Thoroughfare Overlay Zone (B-5C) and Heavy Commercial (B-5) zoned property.

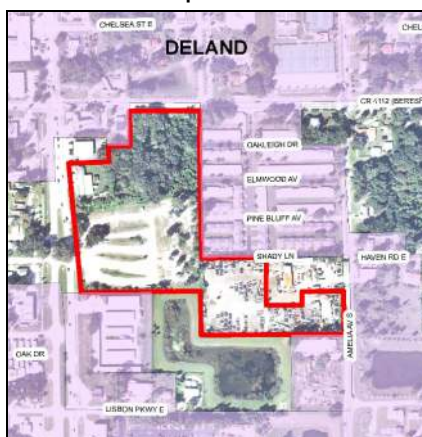
*Staff recommendation:* Denial, as the application does not meet the five criteria required for the granting of a variance.

## II. SITE INFORMATION

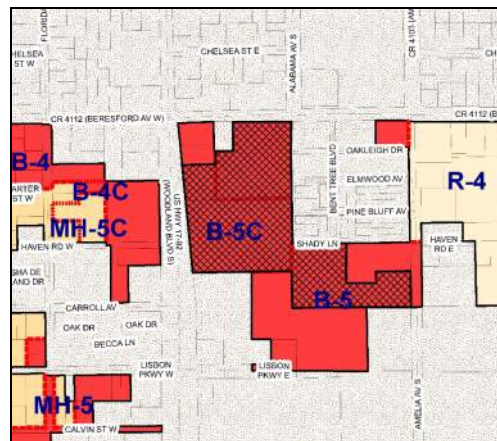
1. Location: The property is located at the southeast corner of Woodland Boulevard and Beresford Avenue and bounded by Amelia Avenue, in the DeLand area.
2. Parcel No(s): 7021-00-00-0650, 7021-00-00-0490, 7021-00-00-0601, and 7021-00-00-0630
3. Property Size: ± 12.57 acres
4. Council District: 1
5. Zoning: B-5C and B-5
6. Future Land Use: Commercial
7. ECO Overlay: No
8. NRMA Overlay: No
9. Adjacent Zoning and Land Use:

DIRECTION	ZONING	FUTURE LAND USE	CURRENT USE
North	City: C-2AC, R-1B	City: Mixed Commercial, Low Density Residential	Bank and City Retention Pond
East	City: R-12 and R-1	City: Low Density Residential and Medium Density Residential	Single-Family Residential
South	City: C-2 and C-2AC	County: Commercial City: Redevelopment	County: Service Shop and FDOT Retention Pond City: Mini-Warehouses
West	County: B-5C City: C-2AC	County: Commercial City: Redevelopment	County: Mobile Home Park City: Retails Shops and Church

### 10. Location Maps:



**AERIAL MAP**



**ZONING MAP**

### III. BACKGROUND AND PREVIOUS ACTIONS

#### Variance Site Plan

The subject property is comprised of four parcels totaling 12.57 acres in size. The four parcels are currently used as vacant land, a furniture store, a junkyard, and a flea market. The owners of these properties have submitted a final site plan application for a proposed shopping center on the combined properties. The proposed shopping center consists of a 41,117 square-foot grocery store, with a separate 14,000 square-foot retail building and a 754 square-foot gas station with 12 fuel pumps. Access will be provided on both Woodland Boulevard (US Hwy 17-92) via a proposed left turn lane in the southbound lane and East Beresford Avenue. A stormwater retention pond will be in the rear of the building, facing Amelia Avenue. The submitted site plan does not meet Section 72-286(6) of the zoning code, which states:

*“The maximum number of parking spaces may not exceed 125 percent of the minimum spaces required by this section, except for a single-family residential dwelling unit, and as otherwise modified in accordance with subsection 72-286(5).”*

Per the county’s off-street parking requirements, this shopping center project requires a minimum of 152 parking spaces, and therefore a maximum of 190 parking spaces is allowed based on the following calculations:

**County Parking Calculations:** A shopping center requires 2.5 parking spaces per 1,000 square feet ( $55,117/1,000 * 2.5 = 137.7$ , rounds up to 138); and the gas station kiosk requires 2 spaces per 1,000 square feet of gross floor area ( $754/1,000 * 2 = 1.5$ , rounds up to 2), plus one parking space per pump (12), for a total of 152 parking spaces. Therefore, the maximum is 190 ( $152 * 1.25 = 190$ ) parking spaces.

The applicant has submitted a parking justification study along with this application for review. The study demonstrates that based on the Institute of Transportation Engineers, *Parking Generation, 4<sup>th</sup> Edition*, shopping centers have a range of parking demand from 1.89 to 7.59 vehicles per 1,000 square feet of gross floor area. The study states that based on demand for the 85<sup>th</sup> percentile, (5.05 parking spaces per 1,000 square feet) the total parking demand for this project is 278 parking spaces, which is well above the county’s code requirement of 190 parking spaces. Volusia County Traffic Engineering staff has determined that as long as the internal capture rate of 21%, which was applied to the site’s trip generation calculation is used, instead of a total parking demand of 278, the rate would decrease to 220 parking spaces.

Notwithstanding the applicant’s parking information, the county council approved the maximum parking requirement for non-residential developments as part of a major code amendment in 2004. Further, the council adopted a code amendment that reduced minimum parking requirements and applied the maximum parking standard to all development in 2012 as a Smart Growth strategy. The purpose of these regulations is to reduce excessive impervious surface areas with the goal of minimizing impacts to the

environment and neighborhood aesthetics. A lower amount of parking should result in a reduction of land clearing, stormwater system designs, and the preservation of more existing on-site vegetation plus decrease the need for irrigation.

#### **IV. REVIEW CRITERIA AND ANALYSIS**

##### Final Site Plan Review

At this time, the final site plan application has not received approval from the Development Review Committee (DRC). The DRC cannot take action on the site plan application until this variance request is resolved, and the county council votes on removal of one or two historic trees. There are also a number of county staff comments that must be addressed before a development order can be issued. The last set of staff comments dating June 10, 2015, has been attached to this staff report for review. Typically, staff comments can be resolved during the site plan review process. However, since this proposal is before the PLDRC prior to the DRC, this variance application must be addressed prior to resolving site functionality issues.

More specifically, the most pressing design issue with the site is the project's impact on the local transportation network. The proposed project requires improvements to Beresford Avenue that are not shown on the latest site plan and have not been coordinated with county engineers. On Woodland Boulevard, the plans show a southbound left turn lane going into the project, and (according to the county's traffic engineering staff) the turn lane shown is substandard and design safety concerns have not been coordinated or addressed with FDOT staff. FDOT approval is required to ensure that traffic coming from Woodland Boulevard will have safe turning maneuvers into the site.

Access from Beresford Avenue is also problematic. During previous design meetings with the applicant, the county had expressed the need for a westbound left-in turn lane off Beresford Avenue. There are stacking issues westbound on Beresford due to the proximity of the traffic signal on Woodland Boulevard, and this project would create additional impact to the road segment that would require additional turn lanes. However, the potential for additional right-of-way on Beresford Avenue is limited because the applicant does not own all of the property at the southeast corner of the intersection.

The applicant submitted an application for historic tree removal on July 10, 2015. Historic tree removals are approved by the county council, and the hearing for the tree removal has not yet been scheduled as of the time of writing this staff report. The historic tree in question is located where the retail building is proposed. It is county staff's opinion (see Environmental Permitting staff review comments) that if the project layout could be redesigned and the number of parking spaces reduced, then the historic tree on the site could be saved. County staff is concerned about approving a variance to parking standards prior to the county council approving removal of the historic tree.

Section 72-379 (1) a. 4 *Variances* of the zoning code contains five applicable criteria by which the PLDRC may grant a variance. Staff bases its evaluation on these criteria:

**i. *Special conditions and circumstances exist which are peculiar to the land, structure, sign, or building involved and which are not applicable to other lands, structures, signs, or buildings in the same zoning classification.***

The county maximum parking requirements are applicable to all other projects that develop within the unincorporated county, except for a single-family residential unit.

Staff finds that the variance request does not meet this criterion.

**ii. *The special conditions and circumstances do not result from the actions of the applicant.***

Since staff could not find a special condition in the above criterion, this criterion cannot be met.

Staff finds that the variance request does not meet this criterion.

**iii. *Literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification, under the terms of the ordinance, and would work an unnecessary and undue hardship on the applicant.***

Literal interpretation of the zoning code would require that the proposed shopping center be redesigned to either reduce the amount of the proposed off-street parking or the size of the retail building and/or gas station. Another option for development would be for the properties to annex into the City of DeLand. As noted by the applicant's written petition, this property abuts the city limits of DeLand, and the property will likely be annexed by the city in the future. The city code will allow the requested amount of parking as their regulations do not mandate a maximum parking. Therefore, a variance is not necessary if the property would be annexed.

Staff finds that the variance request does not meet this criterion.

**iv. *The variance granted is the minimum variance that will make possible the reasonable use of the land, building, structure, or sign.***

The attached memo from the county's traffic engineering staff states that they can support an increase to 220 parking spaces based on the general parking justification study provided by the applicant (based on the demand for 278 parking spaces, and reducing that number by 21%, which is the internal trip capture that has been stated in previously submitted traffic studies).

However, shopping center developments generally consists of vast parking areas that do not reach their capacity except for a few days of the year. Therefore, the variance is not the minimum necessary for the reasonable use of the land, but based on the wants of the applicant.

Staff finds that the variance request does not meet this criterion

***v. The grant of the variance will be in harmony with the general intent and purpose of this ordinance and the Volusia County Comprehensive Plan Ordinance No. 90-10, as amended, and that such variance will not be injurious to the area involved.***

The county has adopted a maximum parking standard in an effort to preserve community aesthetic qualities and to protect the environment. Allowing too much parking is contrary to Smart Growth principles in that it can be unsightly and difficult for pedestrians to traverse. Additionally, designing parking lots based on a higher demand than the average demand can lead to the development of impervious surface coverage that may not be necessary, and could be better used for environmental resource protection, such as stormwater drainage or tree protection.

Staff finds that the variance request does not meet this criterion.

## **V. STAFF RECOMMENDATION**

Staff finds that the application does not meet the five criteria for approval of a variance, and therefore recommends denial of a variance to Section 72-286(6), Maximum off-street parking, from the maximum allowed of 125% of the minimum required (or 190 parking spaces) to 178% of the minimum required (or 223 parking spaces) for a proposed shopping center on Heavy Commercial/Thoroughfare Overlay Zone (B-5C) and Heavy Commercial (B-5) zoned property.

However, if the PLDRC finds that the requested variance application does meet all five of the criteria to grant a variance, staff has provided the following conditions for consideration:

1. Approval of this variance is limited to a maximum 220 off-street parking spaces for the project depicted on a site plan dated 9/17/14, prepared by CPH Inc., attached hereto, which shall be revised as modified by this condition and/or modified by further county review and/or other permitting requirements.
2. Approved and implementation of the requested variance shall be subject to county site plan approval of the proposed shopping center project.

## **VI. ATTACHMENTS**

- Written Petition
- Variance Site Plan
- Parking Justification Study
- County Staff Comments June 10, 2015
- Reviewer Comments
- Site Photographs
- Map Exhibits

## **VII. AUTHORITY AND PROCEDURE**

The commission may, except as otherwise provided in Section 72-379 of the zoning code, authorize, after due public notice upon application on a form prescribed by the zoning enforcement official, such variance or variances from the terms of this ordinance as will not be contrary to the public interest when, owing to special conditions, a literal enforcement of the provision of this ordinance would result in unnecessary and undue hardship. Said variance application shall be heard only if it is presented by the person owning 51 percent or more of the specific area of land involved or upon an administrative application by the county council.

Any new information to be presented at the planning and land development regulation commission meeting for any application will be grounds to continue an application to the next planning and land development regulation commission meeting. Applicants shall inform and provide staff with the new information prior to the planning and land development regulation commission meeting.

**VOLUSIA COUNTY  
WRITTEN PETITION FOR A VARIANCE**

Section 72-379(1)(a)(4) of the Zoning Ordinance of Volusia County, as amended, requires that each applicant for a Variance submit a written petition as part of the application. The written petition must clearly describe how the Variance request satisfies all of the specific conditions necessary for the granting of the Variance, as listed in the Ordinance.

The following items must be completed in sufficient detail to allow Current Planning to determine if the application complies with the Ordinance (use additional sheets if necessary):

- A. What special condition(s) and circumstance(s) exist which are peculiar to your land, structure, building, or sign and are not applicable to other lands, structures, buildings, or signs in the same zoning classification? Were these special condition(s) and circumstance(s) the result of actions by you?

SEE ATTACHED

---

---

---

---

---

- B. How would literal interpretation of the Zoning Ordinance deprive you of rights commonly enjoyed by other properties in the same zoning classification and be an unnecessary and undue hardship on you?

SEE ATTACHED

---

---

---

---

---

- C. Explain how the Variance(s) you are requesting is/are the minimum Variance(s) that will make it possible for you to make reasonable use of your land, building, structure or sign:

SEE ATTACHED

---

---

---

---

---

D. The general intent and purpose of the Zoning Ordinance and the Volusia County Comprehensive Plan Ordinance No. 90-10 is to lessen congestion in the streets; to promote public health, safety, morals, and the general welfare; to properly provide for the use of land and governmental services; and to preserve the character, appearance, and aesthetic qualities of Volusia County by regulating signs.

1. Is your request for Variance(s) consistent with this intent and purpose?

SEE ATTACHED

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

and

2. Explain how your request for Variance(s) will not be injurious to the surrounding area:

SEE ATTACHED

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

## STATEMENT OF JUSTIFICATION

Applicant seeks a variance to Section 72-286 of the Zoning Ordinance of Volusia County (the "Ordinance"), in order to allow it to have 223 parking spaces plus one space at each fueling position, in lieu of 191 spaces as Applicant believes is permitted by the Ordinance. The intent is for this property to be developed as a commercial shopping center, as generally shown on the attached conceptual site plan.

The requested variance is for three primary reasons:

First, the subject property adjoins the City of DeLand along a large portion of its boundaries, and will eventually have to be annexed into the City of DeLand in order to obtain necessary utility services as provided by that jurisdiction. While the Ordinance provides for maximum parking allowances, the City of DeLand's land development code provides for minimum parking requirements. In this situation, the Ordinance's maximum allowance is less than the City's minimum requirement. Even with the requested variance, there will still probably be a slight shortage in spaces as required by the City of DeLand's land development code, once the property is annexed. Without the requested variance, the project will be in noncompliance with the City's requirements, once annexed. (Note: Applicant is aware that later on it might still have to supplement its parking to meet the City's minimum requirements, or seek a variance or other relief from the City in order to meet City requirements. But, the additional number of required spaces would be de minimis, and would not require major redevelopment of the site. Applicant is confident that the City's requirements could be met through either a variance or constructing a few additional spaces.)

Second, as demonstrated by the attached traffic study ("Technical Memorandum"), with the intended use of Grocer-Retail Development, the Ordinance's parking allowance is understated based upon the parking demand, calculated using the parking generation rates published by the Institute of Transportation Engineers (ITE).

Third, the Ordinance applies a "default rate" parking requirement, and does not take into account the specific characteristics of the intended use of the property. Without the requested variance the property will not be able to adequately provide the customers of this commercial development with parking. A condition of under-parking will result, leading to negative impacts to surrounding properties, excessive onsite vehicle circulation as motorists search for open parking spaces, and frustrated motorists.

The Applicant does not find itself in this situation due to its own actions. The location of the property, adjacent to the City of DeLand and in an area where the City provides utility services, is outside of Applicant's control. Further, the Ordinance does not adequately provide for end users, such as Grocer - Retail Development, as noted above.

Applicant has requested the minimum variance necessary to get reasonable relief from the Ordinance. A lesser variance would not serve the public interest, for reasons as stated above. Further, as mentioned above, even with the requested variance, there will still probably be a slight shortage in spaces as required by the City of DeLand, once the property is annexed.

This request is consistent with the general intent and purpose of the Zoning Ordinance of Volusia County and the Volusia County Comprehensive Plan, and will not be injurious to the surrounding area. Because the property adjoins City property, and will eventually be annexed, it is clearly consistent with the surrounding area. Further, the request supports avoidance of the pitfalls of under-parking, as noted above. Moreover, given the nature of the existing use of a portion of the property (the flea market without a paved parking lot, and a junkyard), this development will accommodate an improvement over the existing conditions.



JUN 26 2015

RECEIVED



Via E-Mail: (jcheney@volusia.org)

Ref: 3941.05

## TECHNICAL MEMORANDUM

**To:** Jon Cheney, Volusia County Traffic Engineer  
**From:** Daniel M. D'Antonio, PE, PTOE  
**Subject:** DeLand Grocery-Retail Neighborhood Center – Parking Justification Study  
**Date:** October 30, 2014

This technical memorandum provides parking justification for the proposed Grocery-Retail Development located in the southeast quadrant of the US 17-92 (Woodland Boulevard) and Beresford Avenue intersection in unincorporated Volusia County, Florida. The proposed project consists of a 41,117-square foot grocery store, 14,000 square feet of retail space, and an 8-fueling position gasoline/service station. Figure 1 shows the location of the project relative to the surrounding road network. Build-out of the project is anticipated in 2016. A concept plan is attached as Exhibit A.

The County's Land Development Code (LDC) establishes parking ratios for minimum and maximum number of parking spaces dependent on use and size of each development. Since these ratios apply a default parking requirement for each use and do not take into account the specific characteristics of the project or the location of the project, it is believed that the LDC parking ratios are understated in this specific instance. The minimum and maximum parking allowance calculations, as dictated by Volusia County guidelines, are shown in Table 1 below.

**Table 1**  
**County Parking Allowance**  
**DeLand Grocery-Retail Neighborhood Center**

Land Use	Allowed	Parking Rate	Units (X)	Total Spaces
Grocery Store	Minimum	P = 3.0(X)	55.12 ksf	165
	Maximum	125% of Minimum Spaces	55.12 ksf	207

Alternatively, the parking demand for the proposed development was calculated using the parking generation rates published by the Institute of Transportation Engineers (ITE) in the document *Parking Generation, 4<sup>th</sup> Edition*. This particular reference manual reports parking demand based on surveys at 17 other similar sites and is the national industry standard for determining parking demand. Excerpts from the manual are attached as Exhibit B. The parking demand was calculated based on the total square footage of the retail uses and is presented in Table 2.

**TECHNICAL MEMORANDUM**

Jon Cheney, PE  
 October 31, 2014  
 Page 2

**Table 2  
 Parking Demand  
 DeLand Grocery-Retail Neighborhood Center**

ITE LU Code	ITE Land Use	Parking Rate	Units (X)	Total Parking
850	Supermarket (Suburban Location)	P = 5.05(X)	55.12 ksf	278

As indicated in Table 2, using nationally accepted data, the parking demand for the proposed project equates to 278 parking spaces for the development.

A successful development requires adequate parking supply to meet the project's demand. Underparking at a site leads to negative impacts to surrounding properties, excessive on-site vehicle circulation and, ultimately, frustrated motorists. Therefore, it is recommended that the allowable number of parking spaces be increased beyond the County defaults for this development.

## Attachments:

Exhibit A – Conceptual Plan

Exhibit B – ITE Parking Generation Excerpts

c: Larry Wray, PE (CPH, Inc.)  
 Kurt Luman, PE (CPH, Inc.)  
 Mike Holmes (City of DeLand)

---

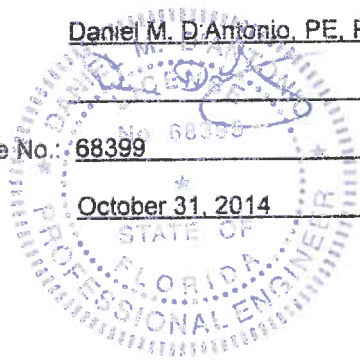
I affirm, by affixing my signature and seal below, that the findings contained herein are, to my knowledge, accurate and truthful and were developed using current procedures standard to the practice of professional engineering.

Name: Daniel M. D'Antonio, PE, PTOE \_\_\_\_\_

Signature: \_\_\_\_\_

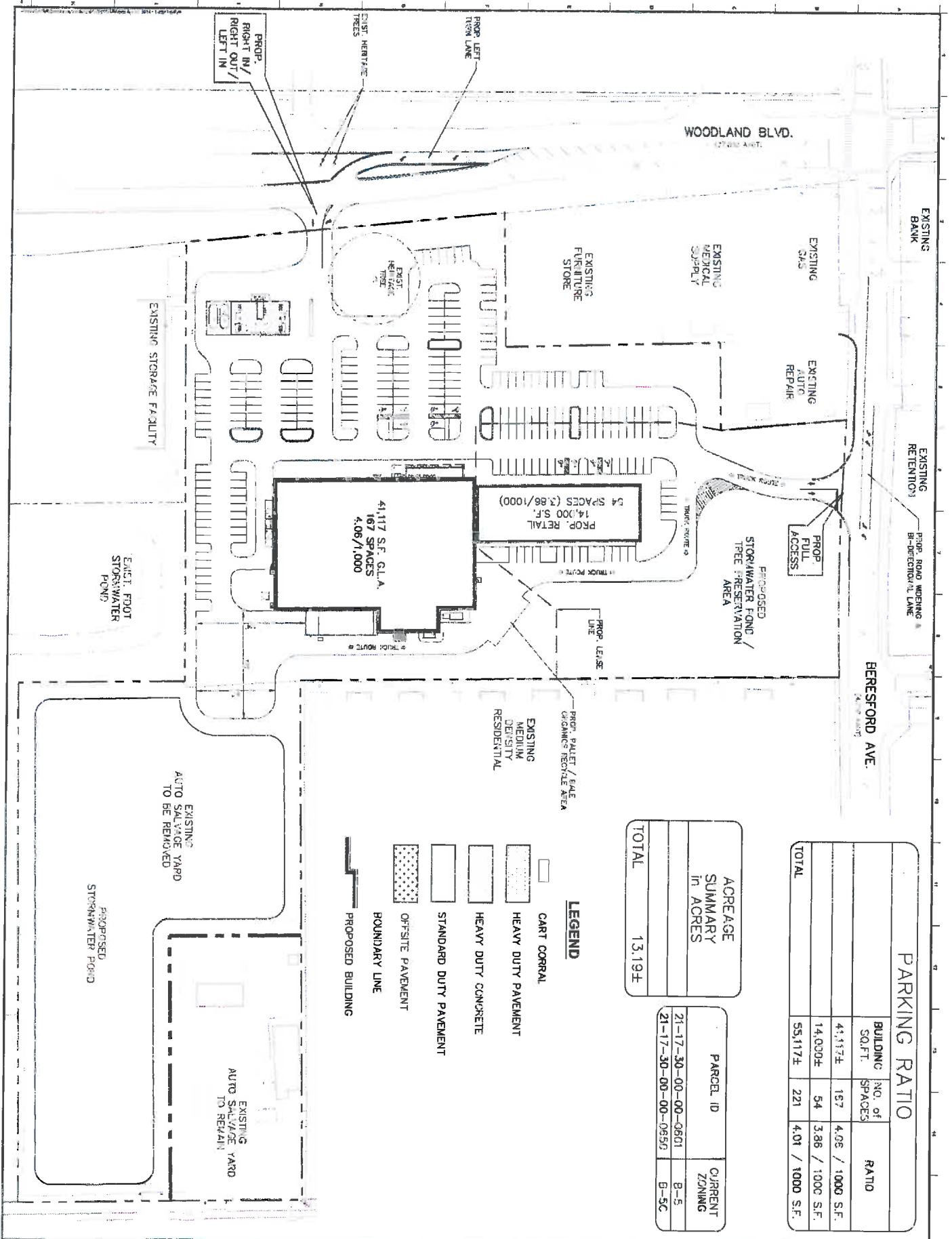
Florida PE License No.: 68399 \_\_\_\_\_

Date: October 31, 2014 \_\_\_\_\_



# **EXHIBIT A**

## **CONCEPTUAL PLAN**



**ACREAGE SUMMARY IN ACRES**

TOTAL	13.19±
-------	--------

**PARCEL ID**

21-17-30-00-00-0601	B-5
21-17-30-00-00-0650	B-5C

**PARKING RATIO**

BUILDING SQ.F.T.	NO. of SPACES	RATIO
41,117±	167	4.08 / 1000 S.F.
14,000±	54	3.86 / 1000 S.F.
<b>TOTAL</b>	<b>221</b>	<b>4.01 / 1000 S.F.</b>

**PRELIMINARY SITE PLAN - ACCESS 1  
#2944 - DELAND, FLORIDA**

**gph**  
 GUYSON PARTNERSHIP  
 10000 W. BOULEVARD  
 SUITE 100  
 BOCA RATON, FL 33433  
 TEL: 561-993-8800  
 FAX: 561-993-8801  
 WWW.GUYSON.COM

**DESIGNED BY:** P.J.B.  
**DATE:** 7/1/10  
**SCALE:** AS SHOWN  
**PROJECT:** P.L.A.  
**NO.:** 17-14  
**DATE:** 7/1/10  
**BY:** P.J.B.  
**CHECKED BY:** P.J.B.  
**DATE:** 7/1/10

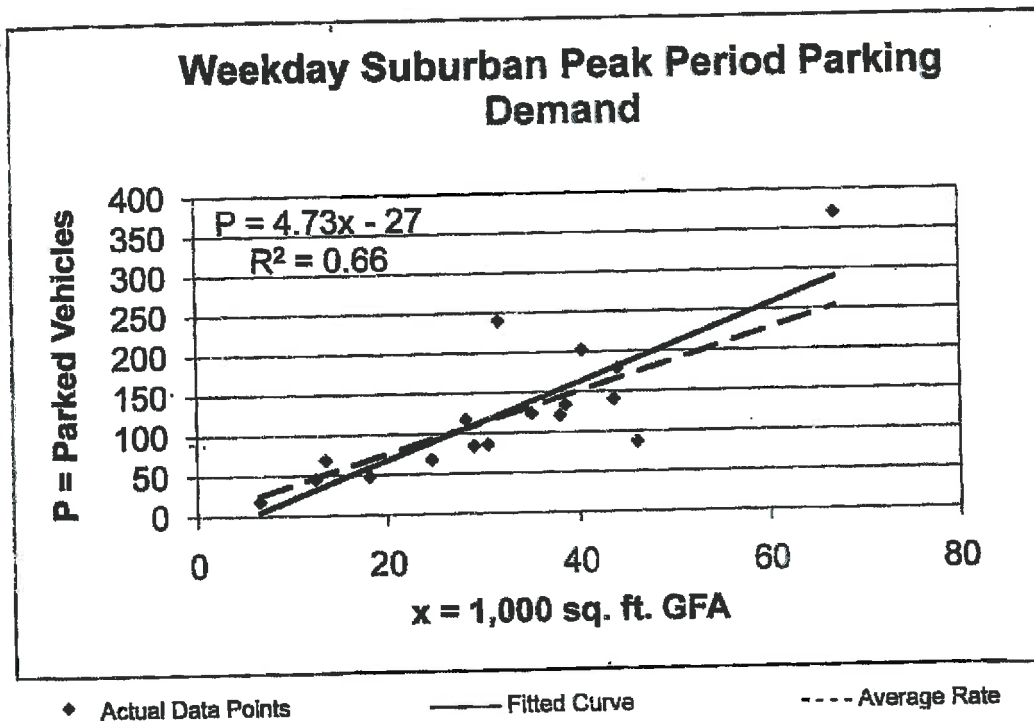
# **EXHIBIT B**

## **ITE PARKING GENERATION EXCERPTS**

## Land Use: 850 Supermarket

**Average Peak Period Parking Demand vs. 1,000 sq. ft. GFA**  
**On a: Weekday**  
**Location: Suburban**

Statistic	Peak Period Demand
Peak Period	12:00-8:00 p.m.
Number of Study Sites	17
Average Size of Study Sites	32,000 sq. ft. GFA
Average Peak Period Parking Demand	3.78 vehicles per 1,000 sq. ft. GFA
Standard Deviation	1.38
Coefficient of Variation	37%
Range	1.89-7.59 vehicles per 1,000 sq. ft. GFA
85th Percentile	5.05 vehicles per 1,000 sq. ft. GFA
33rd Percentile	2.98 vehicles per 1,000 sq. ft. GFA



**STAFF REVIEW COMMENTS**

**Staff Meeting Date: June 10, 2015  
Grocery Store, Gas Station and Retail @ Woodland Blvd., DeLand  
2014-F-FSP-0219, RSN 798190**

\* \* \* \* \*

**CITY OF DELAND - UTILITY**

**Keith D. Riger, P.E., Public Services Director**

**Grocery Store, Gas Station and Retail @ Woodland Blvd., DeLand                      2014-F-FSP-0219**

Staff has reviewed the requested submittal and provides the following comments:

1. Repeat Comment: Provide the City of DeLand Water & Wastewater Details. Revised plans did not include utility details.
2. Repeat Comment: No Lift Station details or calculations were provided. Revise Sanitary Sewer Schedule "I" to read, "Proposed lift station in accordance with the City of Deland requirements". Not provided.
3. Repeat Comment: Reclaimed line extension is required from Amelia and Beresford or Alabama Ave. No reclaimed lines are shown on the revised plans.
4. Repeat Comment: Utility Keynote Legend, #13, proposes conduits for power and monitoring for lift station from building if privately owned. Utility Keynote Legend # 13 could not be located in the revised plans.
5. Repeat Comment: Provide easement for lift station and/or all utilities to be dedicated to the City of DeLand. Not provided.
6. Repeat Comment: Provide water and wastewater demand calculations. Not provided.
7. Repeat Comment: Provide hydraulic water modeling for both fire and potable water demand to make sure there is enough pressure and capacity in the system for this development. Not provided.

\* \* \* \* \*

## CURRENT PLANNING

**Carol McFarlane, AICP, Planner II**

**Grocery Store, Gas Station and Retail @ Woodland Blvd., DeLand**

**2014-F-FSP-0219**

Staff has reviewed the requested submittal and provides the following comments:

1. This project is almost wholly surrounded by the City of DeLand and is eligible for annexation. The location is an important part of the city's gateway to their downtown area. County staff maintains that the best scenario for this project would be to annex into the City of DeLand so that the project is reviewed and permitted through the City.
2. This project still has an incomplete application for a planned unit development (PUD-15-001) on hold. The applicant, Alex Ford, must submit in writing to cmcfarlane@volusia.org stating whether the PUD application will be withdrawn.
3. Your transmittal letter states that a variance to the maximum parking standards is requested. Such a variance requires a separate application for consideration in front of the Planning and Land Development Regulation Commission (PLDRC). Please contact Sara Payne at 386-736-5959, extension 12735, to schedule a pre-application meeting with a planner.
4. There is what appears to be a parcel delineation line between the grocery store and the retail building. Is this showing where a future subdivision may be? Clearly indicate on the plans if this project is to be subdivided.

***Comment #4 was amended on June 8, 2015, to add the following:***

***This would change our comments as a 10-foot wide landscape buffer would be required along property boundaries, plus cross access easements and other design issues would need to be addressed.***

5. Revise the parking calculations on sheet C-5 to use the county's minimum and maximum parking calculations. If a variance is granted, the amount of parking granted shall also be referenced on the plans.
6. Per previous comments, the proposed amount of off-street parking spaces exceeds the maximum allowed by code. The development is a shopping center as defined under Article I, Chapter 72 Code of Ordinances. The zoning code requires a parking ratio of the following: 2.5 spaces per 1,000 square feet for a 55,117-square foot shopping center (total of 138 spaces), and 2 spaces per 1,000 GFA for the gas station kiosk plus one space per pump (total of 14 spaces, assuming there are 12 pumps). The plan must provide a minimum of 152 spaces and cannot exceed 125% of the minimum (which in this case is 190 spaces). The plan contains 220 parking spaces, which does not comply with Section 72-286(6) of Article II Zoning, Chapter 72 Code of Ordinances (ZC). The applicant shall submit a revised

development plan depicting the allowable number of parking spaces or shall make application for a variance to the applicable maximum amount of parking (see comment #3).

***Comment #6 was amended on June 8, 2015, to add the following:***

***The plan states 223 parking spaces are provide, not 220.***

7. Provide a typical detail for the handicap parking spaces.
8. Revise sheet C-13 so that the sign for the handicap parking spaces indicate there is a \$250 fine for illegal parking.
9. On the plans, indicate the number of gas pumping stations. Staff counted 12 spaces and used that number for parking calculations.
10. Section 72-284(11) of the ZC requires six (6) bicycle parking spaces plus one (1) for each 20 automobile parking spaces over 100, provided that the maximum number of required bicycle spaces shall not exceed 20. Revise the plans to show the required bicycle parking and include the number of bicycle spaces in the parking calculations.
11. Per Section 72-286(9) of the ZC, the grocery store requires three off-street loading spaces. Clearly identify the individual spaces on the plan. The retail building requires two off-street loading spaces. Revise sheet C-5 to show two loading spaces for the retail building.
12. County staff is concerned about the excessive amount of parking spaces provided in front of the building, in plain view of the travelling public along the gateway into Downtown DeLand. Staff's first suggestion would be to redesign the layout so that the parking is in the rear or sides of the buildings.
13. Revise sheet L-1 to provide a callout box for the landscape buffer requirements on the eastern property boundary and the boundary of the property abutting the church.
14. On sheet L-1, the callouts for the landscape buffers abutting the gas station and the church are incorrectly labeled: what should be 110 LF is labeled as 65 LF and vice versa.
15. Per Section 72-284(3) of the ZC, a minimum of 35 square feet of landscaping for each parking space shall be provided within the interior of an off-street parking area. Revise sheet L-1 so that the calculations for the internal landscaping is demonstrated.
16. On sheet L-1, the landscape buffer along Beresford Avenue consists of 14 crepe myrtles (type B) and three Sabal palmettos (type A). Yet the table states there are 10 type A and 10 type B trees. Revise the plan to meet the requirements stated in the table. Trees planted outside of the 20-foot buffer do not count towards the requirement.
17. Per Section 72-284(1)b of the ZC, revise sheet L-1 so that the height of all shrubs is 24 inches, instead of 18 inches.
18. Revise the plans to include details on the solid waste dumpster enclosure area per Section 72-284(8) of the ZC.

- 19. Per previous comments, the applicant is required to submit a landscape irrigation plan for review and approval. However, an irrigation plan has not been provided. Further, the plan must meet the standards of the county's Water Wise Ordinance as administered by the health department (Section 72-284 of the ZC).
- 20. Staff suggests using Bahia sod or another drought tolerant sod instead of Saint Augustine grass as indicated on sheet L-1. This would be in keeping with the county's Water Wise Ordinance as required in Section 72-284 of the ZC.
- 21. Additionally, many plan details cannot be verified, as architectural plans were not submitted for staff review. Therefore, new staff comments and responses may be provided upon review of more detailed plans.
- 22. On sheet C-5, label the underground gas tanks clearly.
- 23. Revise sheet C-11 by adding a note that all lights will be shielded and pointed down to reduce glare to adjacent property owners and the traveling public.
- 24. A separate sign permit must be issued for any signs located on the property. Sign permits for this project will be reviewed by both city of DeLand and county staff.
- 25. Per Section 72-298(2)d and (9) of the ZC, if the project is to be subdivided, then the sign on Beresford Avenue cannot advertise for the grocery store, and the sign on 17-92 cannot advertise the retail store.
- 26. County staff suggests that communication with VOTRAN be maintained throughout the design process to discuss options for bringing multi-modal transportation to the site.

***Comment #26 was amended on June 8, 2015, to add the following:***

***Staff also suggests that a pedestrian walkway be provided for more direct access from the VOTRAN stop to the south to the grocery store.***

\* \* \* \* \*

**DEVELOPMENT ENGINEERING**

**Joe Spiller, Civil Engineer II**

**Grocery Store, Gas Station and Retail @ Woodland Blvd., DeLand**

**2014-F-FSP-0219**

Staff has reviewed the requested submittal and provides the following comments:

- 1. The existing parcels need to be combined into one unified building site.
- 2. The portion of S. Woodland Boulevard abutting the proposed project is classified as a State maintained thoroughfare arterial roadway. The site falls within an Urban Land Use category and is less than 1 mile of a school.

- a. The proposed access to the site from S. Woodland Boulevard does not appear to meet the State minimum standards for design. The understanding of this office is that the design as presented to the county has not been coordinated with the FDOT. Review of the proposed improvements in the State right-of-ways cannot be completed at this time.
  - b. The access from S. Woodland Boulevard may need to be constructed as a major driveway requiring a minimum of 100 foot of separation from the right-of-way line to any interior drive or parking space per Section 72-619(e)(2)c of Article III *Land Development*, Chapter 72 Code of Ordinances (LDC).
3. The portion of Beresford Avenue abutting the proposed project is classified as a county maintained thoroughfare collector roadway. The site falls within an Urban Land Use category and is less than 1 mile of a school.
- a. The plans do not include Traffic Engineering requirements for a bi-directional turn lane previously provided to the engineer of record. Review of the proposed improvements in the county right-of-ways cannot be completed at this time.
  - b. Plan Sheet C-9 indicates that the applicant proposes to core drill into the sanitary manhole located within the Beresford Avenue paved roadway section. The applicant is requested to confirm that open cutting of the county roadway is not proposed.
  - c. Additional detail needs to be provided on the plans for the proposed construction entrance.
4. The driveway profiles shown on Sections A-A and B-B on Sheet C-7 need to be revised for consistency with FDOT Standard Index 515, Sheet 7.
5. The Placement of Guard Rail Detail on Sheet C-6 indicates that the applicant proposes to construct the face of the guardrail at the curb face. A four foot level area at the back of curb is recommended with the guardrail face set out of the typical clear zone offset, a minimum of 1 ½ feet back from the curb face.
6. A minimum 4 foot level area at back of curb is recommended for all perimeter areas of the proposed parking lot. There should be no raised obstruction nor backslope dropoff within the level area. Dimensions need to be provided on the plans demonstrating that the recommendation has been provided for the site. The alternative is to provide greater detail in the plans to review the locations of fences, pond embankments, retaining walls, back slopes, etc.
7. Section D-D on Sheet C-7 has a callout note referencing retaining wall plans. Where are the retaining wall plans? As discussed above, there is a lack of detail in the plans for review. Scaling of the section detail indicates that the engineering proposes to construct a retaining wall, fence, guardrail, and two foot wide curb all within an area of slightly over 4 foot in width. Furthermore, the section does not include the five (5)-foot wide sidewalk which would obviously not fit within the four (4)-foot width shown in the section view.

8. Per Section 72-618(a)(3)c of the LDC, the minimum distance from a driveway to a structure or property line shall be five feet. The five (5)-foot minimum offset needs to also consider separation of the drive aisle from all above ground obstructions such as the exterior doorways, fences, bollards, etc.
9. A raised curb needs to be provided along the north side of the grocery building to provide the 5 foot separation between the drive aisle curb face and the building wall. Raised curbs at the pharmacy drive-up window service will need to be provided. The offset from the face of curb to any raised obstruction at the drive-up service area shall be at least 1 ½ feet.
10. For closed basins and per Section 72-779(a)(3)c of the LDC, the discharge hydrograph produced for the developed or redeveloped site shall not exceed, in terms of peak flow and total volume, the hydrograph produced by conditions existing before any development occurred on site for a 24-hour, 100-year frequency storm. Offsite discharge of any differential volume is not acceptable.
  - a. As stated above, the pre-development condition in the stormwater calculations shall be based upon undeveloped conditions. The CN values need to be revised to delete the existing impervious coverages. In addition, the CN values need to consider the existing soils and HSG.
  - b. Per Section 72-779(a)(1)f of the LDC, runoff from higher adjacent lands shall be considered and provisions for conveyance of such runoff shall be included in the drainage plan. The Pre Basin Map in the Stormwater Management Report identifies 4 offsite areas that have not been included in the analysis. Site review indicates that Area 1 sheet flows to the existing onsite depression Area A. Areas 2 through 4 appear to overflow from the existing inlet culvert system at Oakleigh Drive to the existing onsite depression Area A.
  - c. The remnant portion of the onsite depression (Post Depr A) in the post-development condition is interconnected to proposed ponds 1 and 2. Although the storage volume was not considered in the calculation of pollution abatement, Post Depr A is not separate from the proposed stormwater infrastructure and attenuates runoff in the proposed design. Based upon the design as proposed, a minimum of one foot of freeboard needs to be provided between the peak 100YR/24HR stage and lowest elevation of the adjacent private properties.
  - d. Provide 100YR/24HR pre development and post development hydrograph output results that identify the total pre development volume and post development volume. If the pre vs post differential volume is greater than the pollution abatement volume, the greater volume must be retained within the system.

The above comments may result in a lower pre development 100YR/24HR runoff volume and peak stage which would require revisions to the post development design. The applicant may wish to consider replacing the equalizer pipe connecting the remnant depression to the Ponds 1 and 2 with a weir set at the 100YR/24HR DHW which would act as an emergency overflow. Regardless, review of the stormwater calculations indicate that the ponds will most likely need to be increased in size.

- 11. The existing inlet within the Beresford Avenue right-of-way and the location of the proposed driveway will need to be replaced with a manhole structure and the inlet relocated outside of the driveway section.
- 12. A County Use Permit and Stormwater Permits are required for the proposed development.
- 13. Additional comments may be required once revised a Final Site Plan with revised stormwater calculations have been provided for review.

\* \* \* \* \*

**ENVIRONMENTAL PERMITTING**

**Danielle Dangleman, Environmental Specialist III**

**Grocery Store, Gas Station and Retail @ Woodland Blvd., DeLand                      2014-F-FSP-0219**

Staff has reviewed the requested submittal and provides the following comments:

- 1. The plans show the 44 DBH historic live oak is to be removed due to the proposed retail store location. Environmental Permitting (EP) commented from the September 2014 FSP submittal that this tree cannot be removed without county council approval and discussed verbally several times that we would like to see if other designs could be done in order to save the tree. The applicant response in writing was that ...”After multiple design iterations, it was determined to be impossible to save the historic tree ...”. EP has not seen these multiple design iterations. The only layout we have seen is the one submitted. Eliminating the retail building, moving it, redesigning it, decreasing its size or reducing parking may help save the historic tree. Provide the multiple designs to staff.

***Comment #1 was amended on June 8, 2015, to correct the DBH of the historic tree as follows:***

***“...45 inches at DBH historic live oak is to be removed...”***

For the applicant’s information, the following excerpt from the LDC must be done in order to consider the removal of a historic tree:

*“Section 72-843. Historic and specimen trees.*  
*(a) Historic trees shall only be removed or relocated upon approval of a permit granted by the county council. However, if said trees are deteriorated, dying, or considered to be a hazard, the county forester upon prior review, may grant approval for removal under terms of subsection 72-835(c) of this article.*  
*(1) For historic tree removal, a tree permit application shall be filed, processed and reviewed in accordance with section 72-840 of this article. For historic tree relocation, a permit application shall be filed, processed and reviewed in accordance with section 72-840 and section 72-841 of this article.*  
*(2) The county forester shall send a report and recommendation on the application to the land development division within 15 working days of receipt of the application from the land development division.*

- (3) *The land development manager shall prepare and submit a report on the application, including the county forester's recommendation, to the county manager's office for inclusion on the next available county council agenda.*
- (4) *The county council shall consider the report and shall approve, approve with conditions, or deny the application. The report of the county council action shall be transmitted back to the land development division, stating any reasons for denial or conditions.*
- (5) *Upon receipt of the county council actions the land development division shall immediately act concerning issuance of the permit.”*
2. The applicant has submitted a submittal letter with request to deviate from the LDC. One is the historic tree mentioned in number 1. The second is the specimen tree (ST) requirement, Section 72-843 of the LDC. The letter states they are saving 19 ST and that they are only required to save 22. The last submittal the applicant was told that the project requires 26 STs to be retained within the project to comply with this code. This number was determined by using the acreage of the project, which with the previous submittal was 11.85 acres. Now, the project has expanded to 12.57 acres – increasing the ST count required to 28. The applicant came up with a smaller ST count required by breaking down the ST per parcel, not per the project area. ST calculations are typically done per the project area. Using the calculation methodology by parcel has not been discussed with EP staff to this point. Staff is willing to discuss the calculation methodology regarding the ST count with the applicant to come up with an agreed upon method. Modifications will need to be made to the site plan and the submittal letter if this is not discussed and a different methodology approved by EP. EP would not support a waiver of this code based on the information provided. Also staff will not support it at this time because we have asked verbally several times to please show different alternatives to the site to possibly save more STs. This has not been seen. The only layout we have seen is the one submitted. Eliminating the retail building, moving it, redesigning it, decreasing its size or eliminating parking may help save additional STs.
  3. The ST count differs on the submittal letter with request to deviate from the LDC and the plan set. The plans state 44 ST are within the project area and the letter states 41. It appears from reviewing the plan set and the tree table, there are 44 ST. Historic trees are counted as STs. This needs to be rectified. One issue may be that on the site plan it shows tree # 2279b as a ST, it is not. Also, the tree chart on TR-2 shows tree # 2621 as being saved, but sheet TR-1 shows it as removed. This needs to be clarified.
  4. Per Section 72-837 of the LDC, fifteen (15) percent of the total site shall be designated for the protection of existing trees. The tree preservation areas displayed on the plan set does not show the preservation of many existing trees. The county forester considers standards under Section 72-840a(1) of the LDC states, “...applicant has made every reasonable effort to incorporate existing trees into the project...”. This is a repeat statement from the prior submittal in September 2014. EP staff still does not feel this has been done. Especially since we have not seen any other site layouts.
  5. The rear of parcel ID 21-17-30-00-00-0650 has been cleared without tree removal permits. This situation needs to be rectified. The fact that DeLand Retail Investment, LLC did not own the property at the time of the clearing is not relative in this matter. The tree violation will need to be taken care of by the current property owner. EP staff will be happy to sit down and discuss how to rectify this. It is understood that the property was cleared between 2004 and 2005 without a Volusia County Tree permit.

**Informational:**

- 1. Tree protection must be installed properly and inspected by EP staff prior to releasing the tree clearing permit. The tree clearing permit will not be issued until the Final Site Plan has been approved.

\* \* \* \* \*

**FIRE SAFETY**

**Michael Garrett, Fire Safety Inspector**

**Grocery Store, Gas Station and Retail @ Woodland Blvd., DeLand                      2014-F-FSP-0219**

Staff has reviewed the requested submittal and has no comments. Revisions to plans are acceptable.

\* \* \* \* \*

**HEALTH**

**James McRae, Environmental Supervisor  
DOH/Volusia County Public Health Unit**

**Grocery Store, Gas Station and Retail @ Woodland Blvd., DeLand                      2014-F-FSP-0219**

Staff has reviewed the requested submittal and provides the following comments:

- 1. Potable water to be supplied by City of DeLand Utility.
- 2. Sewage disposal to be supplied by City of DeLand Utility.
- 3. Obtain Lawn irrigation permit from Health Department prior to construction of irrigation system.

\* \* \* \* \*

## LAND DEVELOPMENT

**John G. Thomson, AICP, Land Development Manager**

**Grocery Store, Gas Station and Retail @ Woodland Blvd., DeLand**

**2014-F-FSP-0219**

Staff has reviewed the requested submittal and provides the following comments:

1. As noted with the previous submittal, Parcels 7021-00-00-0490 and 7021-00-00-0650 were created prior to 1978 per the 1978 tax rolls. The subject parcels have legal standing status under the county's subdivision regulations. Parcel 7021-00-00-0601 included a parcel per the 1978 tax rolls that is now within the City of DeLand. Therefore, this parcel also has legal standing status.
2. An additional Parcel 7021-00-00-0630 is now incorporated into the revised site plan submittal, and this parcel also has legal standing status.
3. Our previous comment noted that the site plan excludes a portion of Parcel 7021-00-00-0490, which is currently used as an auto salvage yard. If this portion of 7021-00-00-0490 is to be retained in ownership by the current owner, subdivision review will be required. If this is the case, the same comment applies that the applicant has the option of submitting a subdivision exemption application or a plat for the division.
4. The applicant is further proposing to subdivide the remainder of the site into two lots, excluding the remnant for the salvage yard, as indicated above. The applicant has the option to submit a subdivision exemption application or a plat for the divisions pursuant to Division 2, of the LDC. Each parcel must stand on its own under the B-5 zoning classification including lot size and width, setbacks, and buffers. In addition, easements or tracts will need to be provided for the shared parking and infrastructure serving the site, including the stormwater management system and utilities. The entity responsible for maintaining the shared infrastructure and landscaping will need to be identified. A plat is preferred for creating the easements and tracts, rather than by separate instrument using the subdivision exemption process.

\* \* \* \* \*

**PUBLIC WORKS – ROAD IMPACT**

**Scott Martin, P.E., Engineering Section Manager**

**Grocery Store, Gas Station and Retail @ Woodland Blvd., DeLand                      2014-F-FSP-0219**

Staff has reviewed the requested submittal and provides the following comments:

1. We support Volusia County Traffic Engineering's and Development Engineering's comments
2. Beresford Ave. is classified as an urban collector road. Eighty (80)-foot of right-of-way is required (Section 72-612 Table II of the LDC). The existing right of way varies at this parcel.

***Comment #2 was amended on June 9, 2015, to clarify the right-of-way as follows:***

***“A minimum of eighty (80)-foot of right-of-way is required...”***

\* \* \* \* \*

**PUBLIC WORKS – NPDES REVIEW**

**Robert Loveless, Senior Engineering Inspector**

**Grocery Store, Gas Station and Retail @ Woodland Blvd., DeLand                      2014-F-FSP-0219**

Staff has reviewed the requested submittal and provides the following comments:

1. Include 2010 FDOT Design Standard, Index number 106 for Soil Tracking Prevention Device, Type A.
2. Provide the following notes on the Use Permit plans:
  - Notify Volusia County Development Engineering Division at 386-736-5926 24 hours prior to the start of construction.
  - Volusia County Traffic Engineering is not a member of Sunshine One Call. All traffic signal locates shall be requested from Traffic Engineering at 386-736-5968.
  - Driving and/or staging of construction vehicles is not permitted on any sidewalks in the right-of-way. Any damage to sidewalks will be repaired and/or replaced in like kind by the contractor.
  - Any sidewalk, lane or road closure (including flagging operations) requires review and approval in advance and a seven (7) day minimum notice to Volusia County Traffic Operations (386-239-6535).
  - All existing sidewalks within county rights-of-way shall remain open or provision of a temporary walkway shall be provided in accordance with the current version of the Florida Department of Transportation Standard Index #660 ‘Mid Block Closure with Temporary Walkway’ unless otherwise approved by the County Traffic Engineer. Please note that Index #660 must be shown on the Use Permit plans.
3. As specified in Section 72-704 of the LDC, provide a Maintenance of Traffic (MOT) detail for the proposed work on based on the location of the work proposed and its relationship to the roadway. Please note that the MOT must be shown on the Use Permit plans.

\* \* \* \* \*

## SURVEY

**Mark McClain, Engineering Assistant**

**Grocery Store, Gas Station and Retail @ Woodland Blvd., DeLand**

**2014-F-FSP-0219**

Staff has reviewed the requested submittal and provides the following comments:

1. The previous comments have been addressed.
2. The revised boundary survey submitted to this office is not signed and sealed and shall be submitted prior to issuance of the Development Order.

\* \* \* \* \*

## TRAFFIC

**Stephanie McClain, Engineering Assistant**

**Grocery Store, Gas Station and Retail @ Woodland Blvd., DeLand**

**2014-F-FSP-0219**

Staff has reviewed the requested submittal and provides the following comments:

1. The southbound left directional access on US 17/92 does not appear to be standard, and we are aware that FDOT has concerns. According to our correspondence from FDOT, we understand that access has not been coordinated with FDOT since mid-March and is therefore not approved. Please coordinate FDOT driveway permitting with Thomas Russ, (386) 740-3404, prior to submitting a revised site plan. Due to the lack of coordination thus far, we strongly recommend scheduling a meeting with the City of DeLand, Volusia County, FDOT and the Engineer to discuss the outstanding issues that could be delaying the project.
2. Please show dimensions on the plans for parking bays, turn out radius returns, sidewalks, lane widths, drive aisle offsets from buildings, etc.
3. Please show complete pavement and striping detail on the plans.
4. The sidewalk on East Beresford Avenue, moving westerly from the entrance, needs to extend to the property line.
5. The sidewalk along the west side of the entrance off of East Beresford Avenue is not reflected on the cross section on sheet C-7 section "D".
6. What happened to the bi-directional turn lane design on Beresford Avenue between US 17/92 and Alabama Avenue? This was shown and discussed several months ago with the previous submittal.

7. Please demonstrate vehicular circulation within the site for deliveries. Utilize design vehicle WB-62 for delivery movement detail from East Beresford Avenue to the proposed locations at the back of the proposed grocery store for delivery and then returning back to the exit onto East Beresford Avenue.
8. The application did not include a complete Traffic Input Analysis (TIA), TIA PDF, TIA checklist, or TIA computer input files. We cannot start our TIA review without a complete package. The resubmittal will need to include this information since this may influence/require additional offsite improvements. Please note that we contacted the project traffic engineer to coordinate receiving the complete TIA in an effort to keep the review moving forward even though comments cannot be provided at this time.
9. Based on the site plan submitted, according to Table VI of the LDC, the northbound right turn lane length shall be a total of 255 feet, which includes the turn lane, taper, and queue storage for the proposed driveway on US 17/92.
10. Additional comments may be required once a revised Final Site Plan, with complete TIA and FDOT coordination is provided for review.

\* \* \* \* \*

**UTILITIES**

**Scott Mays, P.E., Utilities Engineer**

**Grocery Store, Gas Station and Retail @ Woodland Blvd., DeLand                      2014-F-FSP-0219**

Staff has reviewed the requested submittal. The proposed development is located within the City of DeLand's Utility Service Area, with central water and wastewater service to be provided by the City. Therefore, this office has no comments.

\* \* \* \* \*

**Inter-Office  
Memorandum**



**TO:** Carol McFarlane, Planner II   **DATE:** August 3, 2015

**FROM:** Danielle Dangleman, Environmental Specialist III

**SUBJECT:** Planning & Land Development Regulation Commission meeting for  
Date: August 11, 2015  
Parcel #: 7021-00-00-0490, 7021-00-00-0601,  
7021-00-00-0630, and 7021-00-00-0650  
Case #: V-15-052


Environmental Permitting (EP) has reviewed the variance application and conducted a site visit. The applicant is in the Final Site Plan process for a grocery store, retail store and gas station. At the time of this memo, the applicant's FSP does not meet the Specimen Tree standards and is requesting the removal of a historic live oak through the County Council. The request for the removal of this historic tree is on the County Council agenda for August 20<sup>th</sup>. This tree is on parcel 7021-00-00-0601, which is the only wooded parcel within the project. The applicant provided different iterations of site plans showing they tried to save the historic tree, but cannot. The iterations provided with the tree removal permit showed the retail store in approximately the same place, on top of the historic tree. EP feels that this is not a sufficient effort to save the tree. However, reducing the number of parking spaces versus increasing them would provide the applicant with more room within the project area to save the historic tree and possibly even other protected trees. Increasing the number of parking spaces is not recommended by EP.

## INTER-OFFICE MEMORANDUM



TO: Carol McFarlane, AICP  
Planner II

DATE: July 15, 2015

FROM: Melissa Winsett   
Transportation Planner

SUBJECT: DeLand Grocery – Parking Justification Study

LOCATION: Southeast quadrant, US 17-92/Beresford Avenue

The applicant's traffic engineer submitted a technical memorandum dated October 30, 2014 to support a parking standards/number of parking spaces variance application. The applicant is requesting 223 parking spaces.

#### County Parking Allowance

Table 1 of the applicant's traffic engineer's report does not reflect the current standard of 2.5 parking spaces per 1,000 square feet of grocery store land use. According to the county's parking standards, a minimum amount of 152 spaces is allowed with a maximum of 190 spaces for a 55,120 square foot grocery store.

#### Parking Demand Analysis

Table 2 of the report uses the Institute of Transportation Engineers (ITE) *Parking Generation, 4<sup>th</sup> Edition* to calculate the parking need for a 55,120 square foot grocery store, which includes 14,000 square feet of retail space separate from the grocery store. The 85<sup>th</sup> percentile rate of 5.05 needed vehicle spaces per 1,000 square feet of grocery store/supermarket land use was applied in the report, which yielded 279 needed parking spaces for the development. That calculation did not consider internal capture between the two uses.

It should be noted that the average peak period parking demand rate (3.78 spaces per 1,000 square feet) was not used in the applicant's report. If that rate were applied, 208 spaces would be needed. This number is significantly different from the memorandum's finding of 279 needed parking spaces (71 parking spaces).

County Traffic Engineering would not object to the applicant's traffic engineer's findings, which are based on the 85<sup>th</sup> percentile rate, as long as the site's internal capture rate, of which was used in the Traffic Impact Analysis to reduce the external trip impacts, was applied. Internal capture is the portion of trips generated by a mixed-use development that both begin and end within the same development. These are the trips that stay on site and do not create impacts external to the site. Considering this, the additional parking spaces associated with internal capture would not be needed since shoppers are likely to make trips to both shopping destinations during one visit to the development. Considering the 21% internal capture rate application, a total of 220 parking spaces would be needed for the development application's 55,120 square feet.

#### Conclusion

The variance should allow for a maximum of 220 parking spaces considering the applicant's calculated parking space generation and applying the applicant's internal capture rate

Attachments: Technical Memorandum: Parking Justification Study, Lassiter Transportation Group  
DeLand Grocery /Retail Development TIA, June 2015 Revised Edition, Internal Capture Summary  
DeLand Grocery /Retail Development TIA, June 2015 Revised Edition, Table 5

CURRENT PLANNING  
ACTIVITY

JUN 26 2015

RECEIVED

Via E-Mail: (jcheney@volusia.org)

Ref: 3941.05

**TECHNICAL MEMORANDUM**

**To:** Jon Cheney, Volusia County Traffic Engineer

**From:** Daniel M. D'Antonio, PE, PTOE

**Subject:** DeLand Grocery-Retail Neighborhood Center – Parking Justification Study

**Date:** October 30, 2014

This technical memorandum provides parking justification for the proposed Grocery-Retail Development located in the southeast quadrant of the US 17-92 (Woodland Boulevard) and Beresford Avenue Intersection in unincorporated Volusia County, Florida. The proposed project consists of a 41,117-square foot grocery store, 14,000 square feet of retail space, and an 8-fueling position gasoline/service station. Figure 1 shows the location of the project relative to the surrounding road network. Build-out of the project is anticipated in 2016. A concept plan is attached as Exhibit A.

The County's Land Development Code (LDC) establishes parking ratios for minimum and maximum number of parking spaces dependent on use and size of each development. Since these ratios apply a default parking requirement for each use and do not take into account the specific characteristics of the project or the location of the project, it is believed that the LDC parking ratios are understated in this specific instance. The minimum and maximum parking allowance calculations, as dictated by Volusia County guidelines, are shown in Table 1 below.

**Table 1**  
**County Parking Allowance**  
**DeLand Grocery-Retail Neighborhood Center**

Land Use	Allowed	Parking Rate	Units (X)	Total Spaces
Grocery Store	Minimum	$P = 3.0(X)$	55.12 ksf	165
	Maximum	125% of Minimum Spaces	55.12 ksf	207

Alternatively, the parking demand for the proposed development was calculated using the parking generation rates published by the Institute of Transportation Engineers (ITE) in the document *Parking Generation, 4<sup>th</sup> Edition*. This particular reference manual reports parking demand based on surveys at 17 other similar sites and is the national industry standard for determining parking demand. Excerpts from the manual are attached as Exhibit B. The parking demand was calculated based on the total square footage of the retail uses and is presented in Table 2.

**TECHNICAL MEMORANDUM**

Jon Cheney, PE  
 October 31, 2014  
 Page 2

**Table 2  
 Parking Demand  
 DeLand Grocery-Retail Neighborhood Center**

ITE LU Code	ITE Land Use	Parking Rate	Units (X)	Total Parking
850	Supermarket (Suburban Location)	P = 5.05(X)	55.12 ksf	278

As indicated in Table 2, using nationally accepted data, the parking demand for the proposed project equates to 278 parking spaces for the development.

A successful development requires adequate parking supply to meet the project's demand. Underparking at a site leads to negative impacts to surrounding properties, excessive on-site vehicle circulation and, ultimately, frustrated motorists. Therefore, it is recommended that the allowable number of parking spaces be increased beyond the County defaults for this development.

**Attachments:**

Exhibit A – Conceptual Plan  
 Exhibit B – ITE Parking Generation Excerpts

c: Larry Wray, PE (CPH, Inc.)  
 Kurt Luman, PE (CPH, Inc.)  
 Mike Holmes (City of DeLand)

---

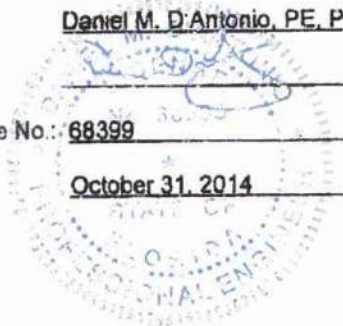
I affirm, by affixing my signature and seal below, that the findings contained herein are, to my knowledge, accurate and truthful and were developed using current procedures standard to the practice of professional engineering.

Name: Daniel M. D'Antonio, PE, PTOE

Signature: \_\_\_\_\_

Florida PE License No.: 68399

Date: October 31, 2014



# **EXHIBIT A**

## **CONCEPTUAL PLAN**



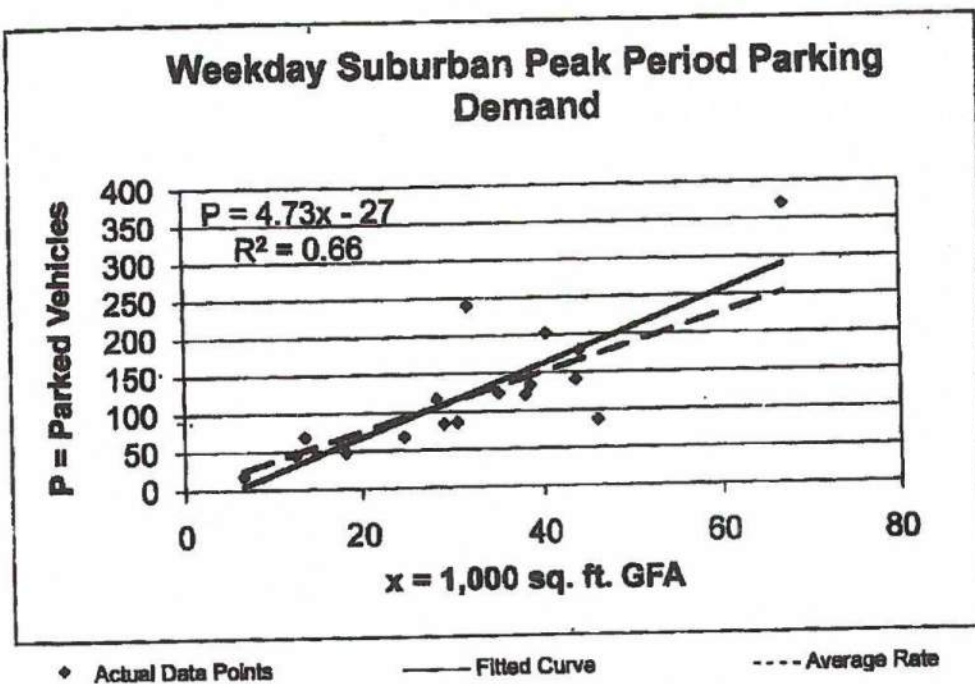
# **EXHIBIT B**

## **ITE PARKING GENERATION EXCERPTS**

## Land Use: 850 Supermarket

**Average Peak Period Parking Demand vs. 1,000 sq. ft. GFA  
On a: Weekday  
Location: Suburban**

Statistic	Peak Period Demand
Peak Period	12:00-8:00 p.m.
Number of Study Sites	17
Average Size of Study Sites	32,000 sq. ft. GFA
Average Peak Period Parking Demand	3.78 vehicles per 1,000 sq. ft. GFA
Standard Deviation	1.38
Coefficient of Variation	37%
Range	1.89-7.59 vehicles per 1,000 sq. ft. GFA
85th Percentile	5.05 vehicles per 1,000 sq. ft. GFA
33rd Percentile	2.98 vehicles per 1,000 sq. ft. GFA



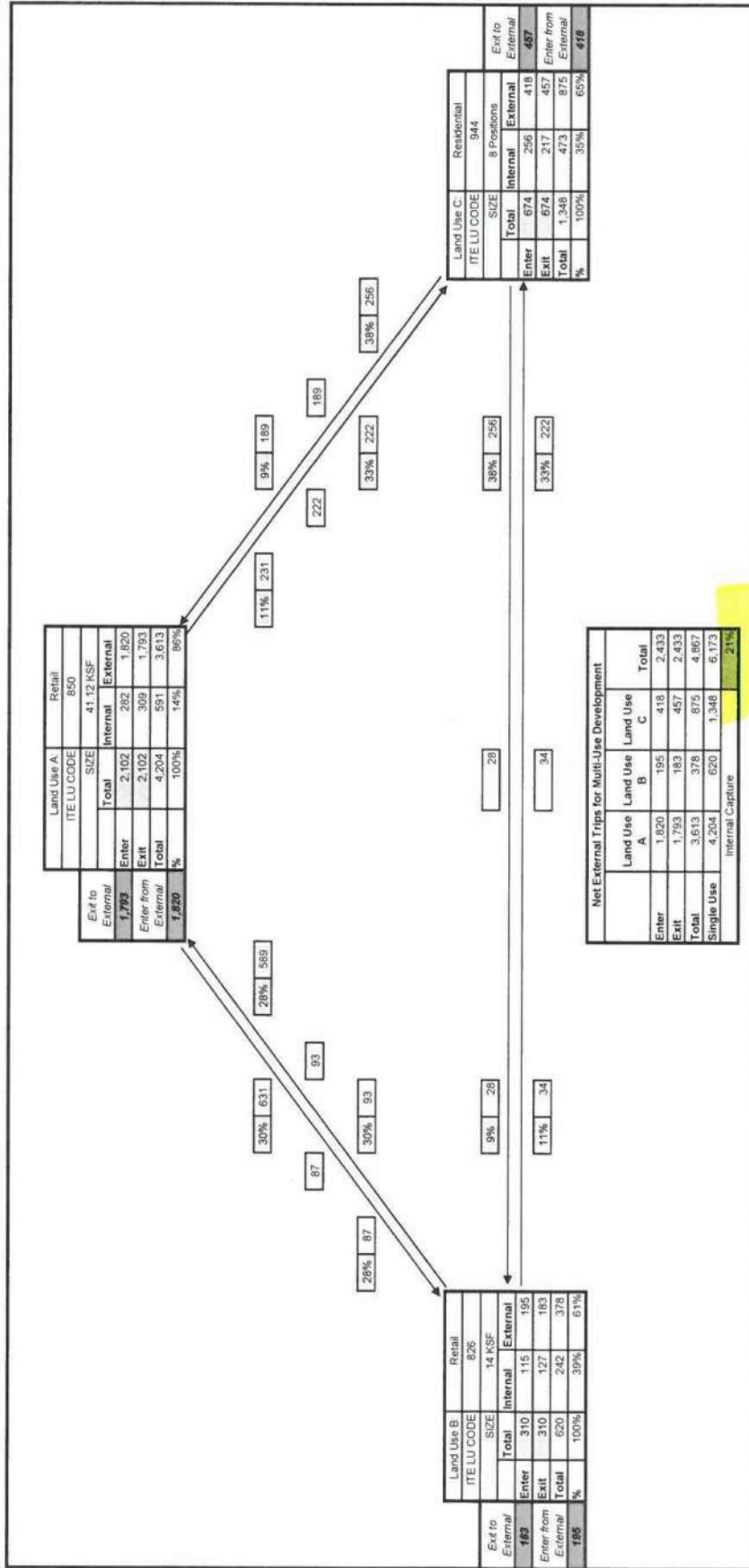
**MULTI-USE TRIP GENERATION AND INTERNAL CAPTURE SUMMARY**

Analyst: CAM

Date: 7/24/2014

Name of Development: DelLand Grocery/Retail Development

Time Period: Daily



**Table 5**  
**Net New A.M., Mid-Day, and P.M. Peak-Hour Trip Generation**  
**DeLand Grocery/Retail Development**

Time Period	Land Use	Total Trips			Internal Trips			Pass-By Trips			Net External Trips		
		Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total
Daily	Supermarket	2,102	2,102	4,204	282	318	600	655	642	1,297	1,165	1,142	2,307
	Specialty Retail	310	310	620	115	127	242	0	0	0	195	183	378
	Gasoline/Service Station	1,012	1,012	2,024	265	217	482	314	334	648	433	461	894
<b>Total:</b>		<b>3,086</b>	<b>3,086</b>	<b>6,172</b>	<b>662</b>	<b>662</b>	<b>1,324</b>	<b>969</b>	<b>976</b>	<b>1,945</b>	<b>1,793</b>	<b>1,786</b>	<b>3,579</b>
A.M. Peak-Hour	Supermarket	87	53	140	0	0	0	0	0	0	87	53	140
	Specialty Retail	9	6	15	0	0	0	0	0	0	9	6	15
	Gasoline/Service Station	63	60	123	0	0	0	37	35	72	26	25	51
<b>Total:</b>		<b>159</b>	<b>119</b>	<b>278</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>37</b>	<b>35</b>	<b>72</b>	<b>122</b>	<b>84</b>	<b>206</b>
Mid-Day Peak-Hour	Supermarket	188	154	342	27	33	60	58	43	101	103	77	180
	Specialty Retail	28	23	51	12	10	22	0	0	0	16	13	29
	Gasoline/Service Station	136	111	247	32	28	60	44	35	78	60	48	108
<b>Total:</b>		<b>352</b>	<b>288</b>	<b>640</b>	<b>71</b>	<b>71</b>	<b>142</b>	<b>101</b>	<b>78</b>	<b>180</b>	<b>179</b>	<b>138</b>	<b>317</b>
P.M. Peak-Hour	Supermarket	199	191	390	23	22	45	63	61	124	113	108	221
	Specialty Retail	24	31	55	10	12	22	0	0	0	14	19	33
	Gasoline/Service Station	83	83	166	23	22	45	25	26	51	35	35	70
<b>Total:</b>		<b>306</b>	<b>305</b>	<b>611</b>	<b>56</b>	<b>56</b>	<b>112</b>	<b>88</b>	<b>87</b>	<b>175</b>	<b>162</b>	<b>162</b>	<b>324</b>

<sup>1</sup> Pass-By Trips do not exceed 14 percent of the adjacent street traffic. Per Table 8, 14% of future adjacent street traffic on US 17-92 and Beresford Avenue = 472 p.m. peak-hour two-way trips ((895 + 2,479) X 0.14).

### Trip Distribution

The process of determining the directional flow of traffic associated with a new development is called trip distribution. The Central Florida Regional Planning Model (CFRPM) was used to determine the trip distribution for this project. The process required editing the network to add a traffic analysis zone (TAZ) to represent the location of the project and its general orientation to the adjacent road network. The next step involved converting the land use data for the project to socio-economic (S/E) data which the model uses in trip generation and distribution. The model structure was then run which resulted in trip productions and attractions (trip generation) which were then matched with complementary attractions and productions according to statistically determined trip lengths by trip purpose. The resultant distribution, which is consistent with that approved in the methodology submittal, is shown on Figure 5. Please note that the pass-by trip distribution was determined using the existing travel patterns as calculated using the TMCs. Pass-by trips follow the same distribution pattern as the background traffic.

### Trip Assignment

The final step in the analysis was to assign the project traffic to the road network. Figures 6A and 6B graphically depict the a.m. peak-hour project trip assignment for the study area intersections. Figures 7A and 7B graphically depict the mid-day peak-hour project trip assignment for the study area intersections. And Figures 8A and 8B graphically depict the p.m. peak-hour project trip assignment for the study area intersections.

**From:** Belinda Williams-Collins <Collinsb@deland.org>  
**To:** Carol McFarlane <cmcfarlane@volusia.org>  
**CC:** Mike Holmes <Holmesm@deland.org>, Joanie Keeler <Keelerj@deland.org>  
**Date:** 7/10/2015 9:36 AM  
**Subject:** RE: Grocery Store and the corner of Beresford Ave. and Woodland Blvd.  
**Attachments:** Parking calc.docx

Carol,

These are the numbers we provided in November:

RETAIL GENERAL: 3 spaces/300 square feet of net floor area and 1 space/every additional 250 sq. ft.

41,117 Grocery store

- 300 = 3 spaces  
40,817 / 250 = 163 spaces  
166 spaces

14,000 Retail building 224 spaces total  
- 300 = 3 spaces  
13,700 / 250 = 55 spaces  
58 spaces

-----Original Message-----

From: Carol McFarlane [mailto:cmcfarlane@volusia.org]  
Sent: Thursday, July 09, 2015 2:24 PM  
To: Belinda Williams-Collins; Joanie Keeler  
Subject: Fwd: Grocery Store and the corner of Beresford Ave. and Woodland Blvd.

Joanie or Belinda:

I sent this to Mike and apparently he is on vacation. Can someone please help with this?

Thank you,

Carol McFarlane, AICP, Planner II  
County of Volusia, Growth and Resource Management  
123 W. Indiana Ave., Room 202  
DeLand, FL 32720  
office: 386-736-5959 ext. 12025  
fax: 386-626-6551  
cmcfarlane@volusia.org

>>> Carol McFarlane 7/9/2015 2:10 PM >>>  
Mike:

Would you (or your staff) be able to email me clearly stating the parking requirements for the attached plan would be if it developed in the City? They have submitted for a variance to parking requirements and are stating that the city would let them do more parking than in the county.

This will be going to planning board in August, and I would like to get a written statement from you

sometime next week if that is at all possible (by July the 17th).

Please feel free to call or email me if you have any additional questions.

Thank you,

Carol McFarlane, AICP, Planner II  
County of Volusia, Growth and Resource Management  
123 W. Indiana Ave., Room 202  
DeLand, FL 32720  
office: 386-736-5959 ext. 12025  
fax: 386-626-6551  
cmcfarlane@volusia.org

**BERESFORD MANOR HOMES ASSOCIATION, INC.**  
**229 Pine Bluff Ave.**  
**DeLand, FL 32724**

July 30, 2015

Kevin Rogers  
WRS, Inc.  
550 Long Point Road  
Mt. Pleasant, SC 2946

Re: The proposed new grocery shopping center at the southeast corner of Beresford Ave. and South Woodland Blvd.

Dear Kevin,

We, the Board of Directors of Beresford Manor, want to encourage you and your project with the Wal-Mart Neighborhood Market. We have 80 units, with approximately 150 residents and as we are a 55 and over community with the majority of our residents in their 70's, it will be a tremendous convenience to be able to walk to your new facility. We will be very pleased to have a nearby place to shop for groceries, pharmacy and other retail services.

Currently the area on which you will be building is occupied by some undesirable businesses and one area has become a refuge for a group of uncomfortable characters and we find that we are looking forward to this area being cleared out, redeveloped and put to a productive use.

We wish you the best of luck.

Very truly yours,  
Beresford Manor Board of Directors,

Kathleen McCormick, president  
Kathleen McCormick

Thomas Anthony, vice president  
Thomas Anthony

Edward Eberl, secretary  
Edward Eberl

Helen Romph, treasurer  
Helen Romph

Mable Van Sickle, member at large  
Mable Van Sickle

Street View Photos  
V-15-052  
July 17, 2015



View of Woodland Boulevard, looking south. The furniture store at 911 W. Woodland Boulevard is on the left.



View of Woodland Boulevard, looking south. The area where the flea market operates is on the left. On the right, there is a historic tree in the median on the FDOT right-of-way.



View of Woodland Boulevard, looking north. The area where the flea market operates is on the right side of the right-of-way.

Street View Photos  
V-15-052  
July 17, 2015



View of Beresford Avenue, looking east. The church at 106 Beresford Avenue is on the right.



View of Beresford Avenue, looking west. The subject property is vacant and wooded.



View of Amelia Avenue, looking south. The junkyard at 1030 Amelia Avenue is on the right side of the road.

Street View Photos  
V-15-052  
July 17, 2015



View of Woodland Boulevard, looking south. The furniture store at 911 W. Woodland Boulevard is on the left.



View of Woodland Boulevard, looking south. The area where the flea market operates is on the left. On the right, there is a historic tree in the median on the FDOT right-of-way.



View of Woodland Boulevard, looking north. The area where the flea market operates is on the right side of the right-of-way.

Street View Photos  
V-15-052  
July 17, 2015



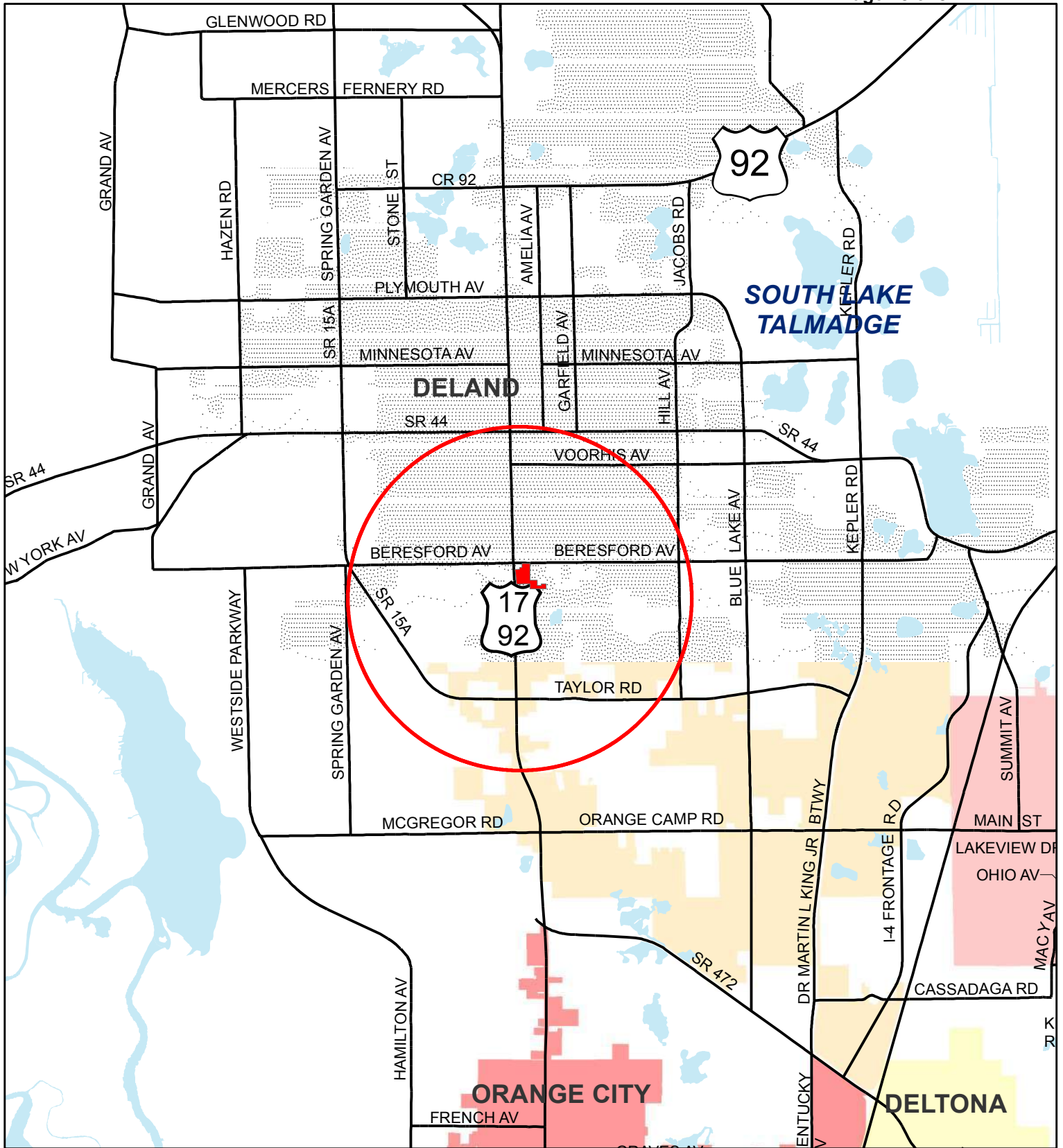
View of Beresford Avenue, looking east. The church at 106 Beresford Avenue is on the right.



View of Beresford Avenue, looking west. The subject property is vacant and wooded.



View of Amelia Avenue, looking south. The junkyard at 1030 Amelia Avenue is on the right side of the road.



# REQUEST AREA LOCATION

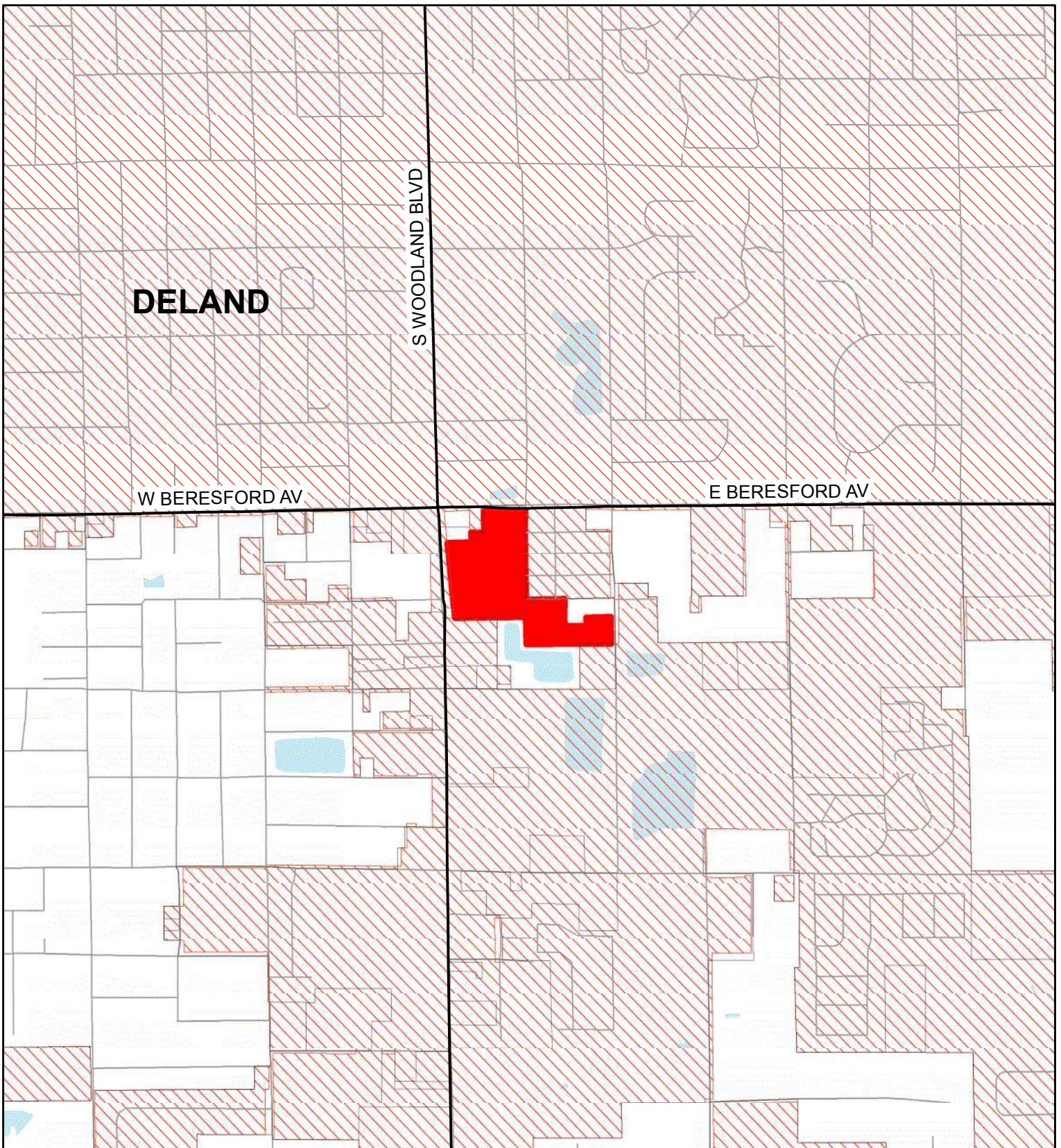
1" = 1 MILE



# VARIANCE CASE NUMBER

REQUEST AREA

V-15-052



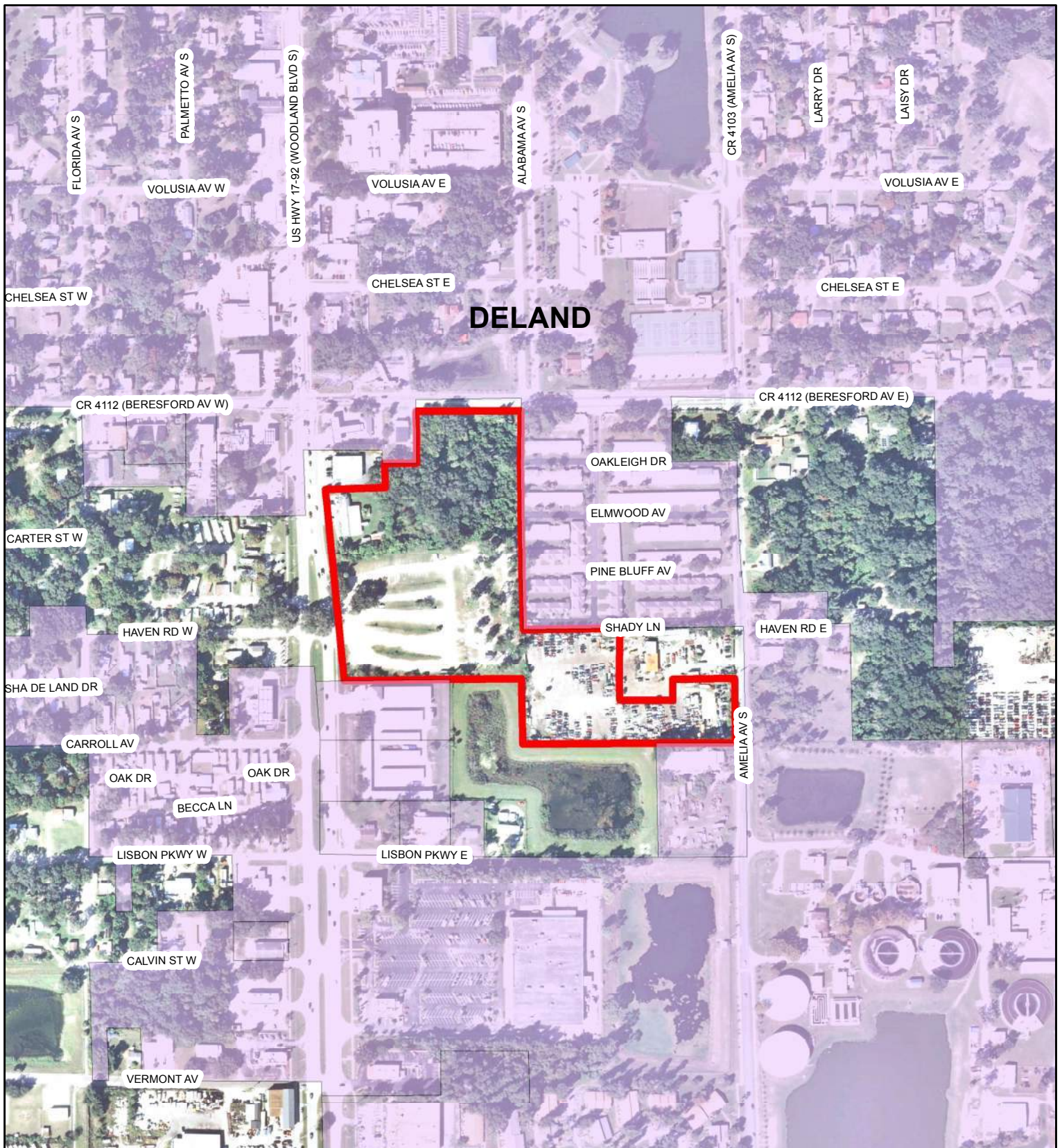
**ECO/NRMA**

 REQUEST AREA  ECO  NRMA

1 inch = 1,000 feet




**VARIANCE  
CASE NUMBER  
V-15-052**



**AERIAL 2012**

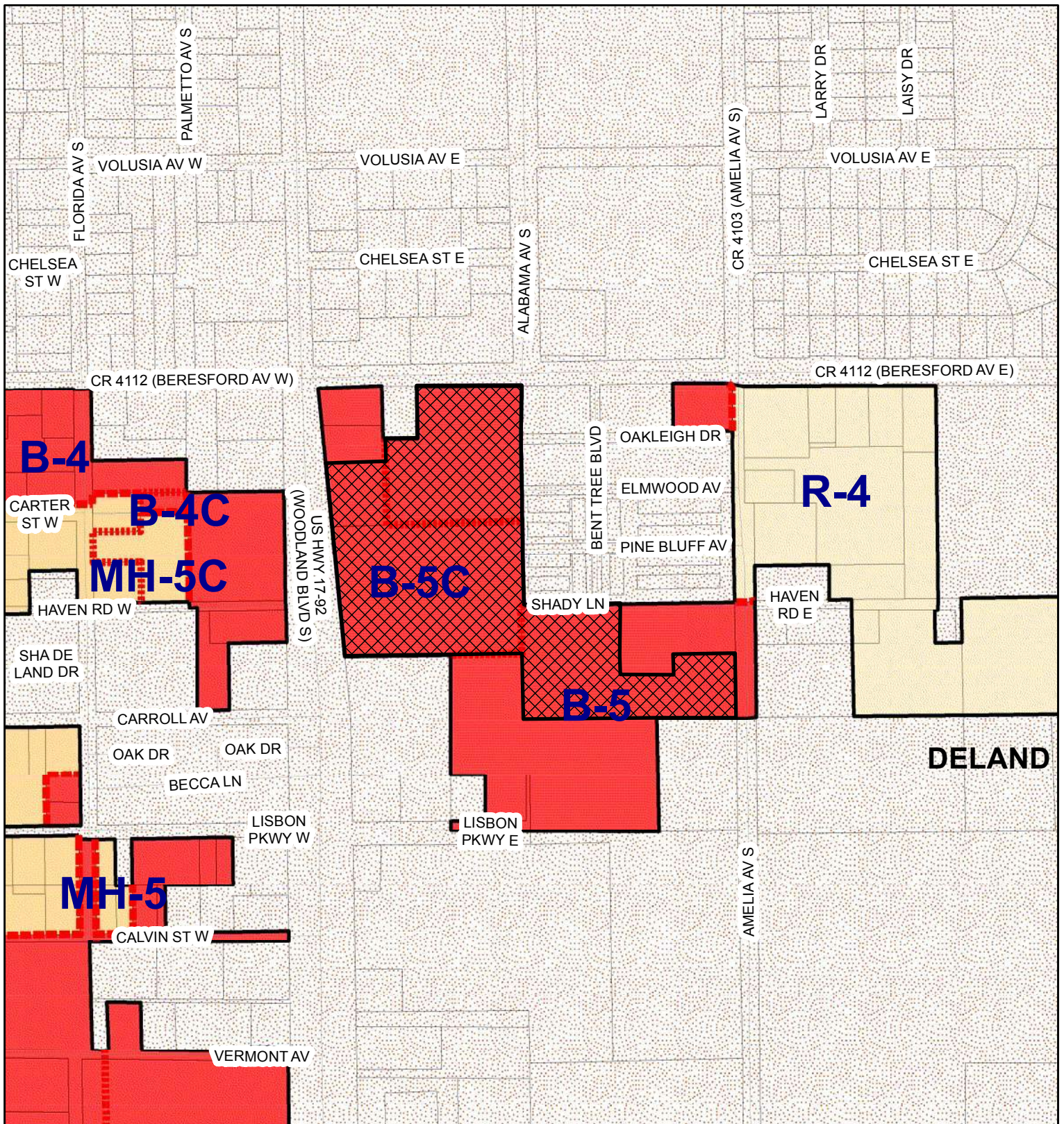
1 inch = 400 feet

 REQUEST AREA








**VARIANCE  
CASE NUMBER**

**V-15-052**



**ZONING CLASSIFICATION**

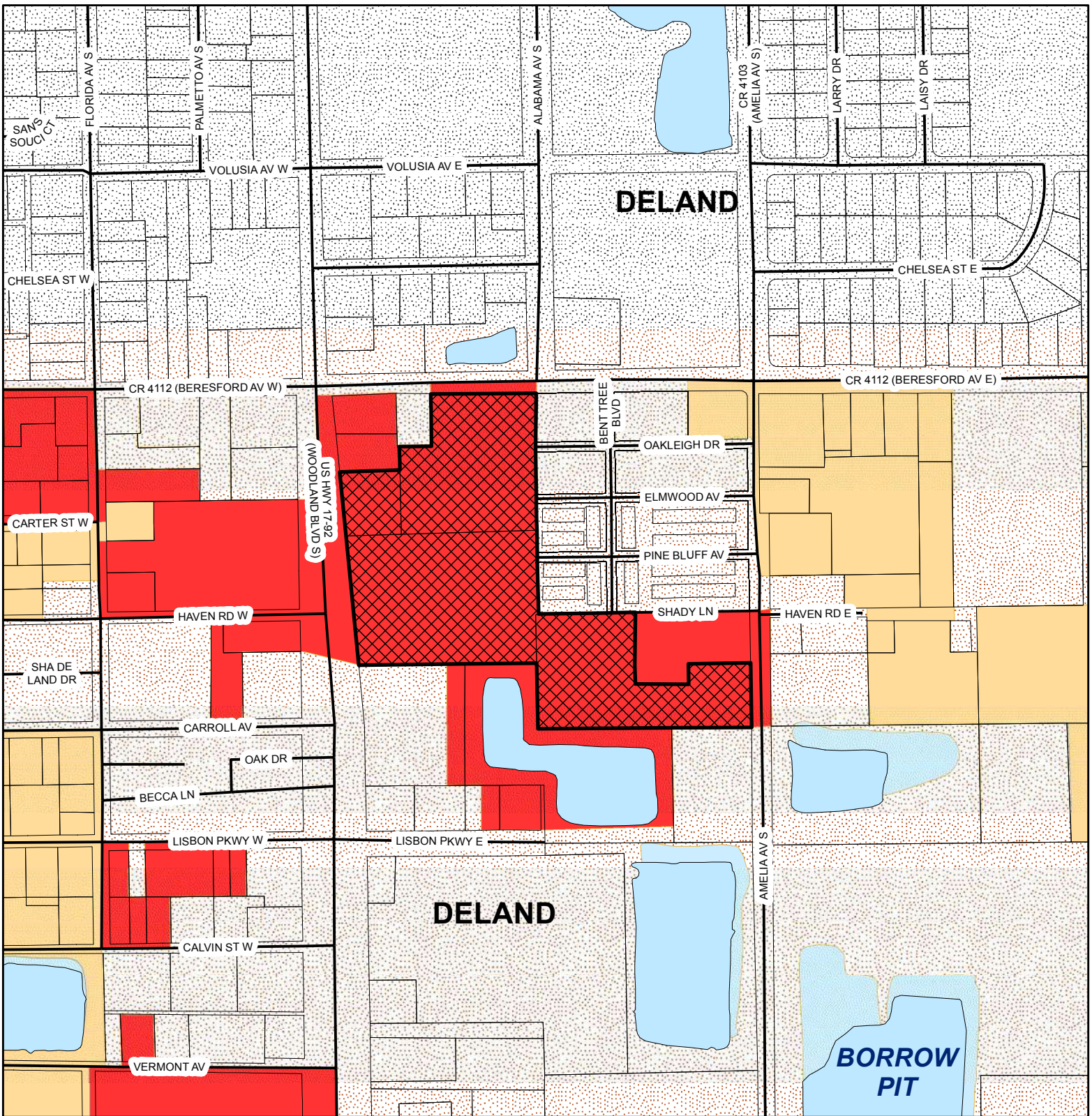
1 inch = 400 feet

-  INCORPORATED
-  COMMERCIAL
-  REQUEST AREA
-  RESIDENTIAL
-  MOBILE HOME



**VARIANCE  
CASE NUMBER**

**V-15-052**



**FUTURE LAND USE DESIGNATION**

1 inch = 400 feet

- COMMERCIAL
- URBAN MEDIUM INTENSITY
- INCORPORATED
- WATER
- REQUEST AREA

**VARIANCE CASE NUMBER**



V-15-052