



The Department of Planning and Development Services

City Hall | 16 Colomba Road | DeBary, FL 32713

Development Review Committee (DRC) Meeting

Tuesday, November 7th, 2023 – 9:30 AM

DRC AGENDA

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF MINUTES
 - DRC meeting on October 17th, 2023
4. NEW BUSINESS
 - **Case # 23-03-MAJPUD-Tailwinds Commercial**; *First Review*, Applicant is requesting a recommendation for a Major PUD Amendment for part of the Glen Abbey PUD, located on the southeast corner of U.S. Highway 17-92 and North Pine Meadow Drive, to permit a self-storage facility, a restaurant, and a drive-through oil change, and to provide for development standards therein.
5. ADDITIONAL BUSINESS:
6. DISCUSSION:
7. ADJOURNMENT:

DISTRIBUTION:

Technical Review Staff:

- Steven Bapp, AICP, *Growth Management Director - Planning and Zoning (SBapp@DeBary.org)*
- Joseph Barker, AICP, *Senior Planner - Planning and Zoning (JBarker@DeBary.org)*
- Kayla Burney, *Planning Technician - Planning and Zoning (KBurney@DeBary.org)*
- Kevin Hare, *Construction Manager (KHare@DeBary.org)*
- Amy Long, *Deputy Public Works Director (ALong@DeBary.org)*
- Chad Qualls, *Public Works Superintendent (CQualls@DeBary.org)*
- Robert Scott, *Orange City Fire Department (RScott@ourorangecity.com)*
- Merylene Thomas, *CNU-A, Senior Planner - Planning and Zoning (MThomas@DeBary.org)*
- Richard Villasenor, *City Engineer (RVillasenor@DeBary.org)*
- Steve Wood, *Building Inspector (Buildingofficial@DeBary.org)*
- E-Sciences, *Environmental Management Consultant (troberts@res.us)*
- Fishback Dominick, *Legal Consultant (DLangley@fishbacklaw.com)*
- Stanley Group, *Transportation Consultant (KingTanya@stanleygroup.com)*
- SurvTech Solutions, *Surveying Consultant (rfowler@survtechsolutions.com)*
- Volusia County Utilities, *Utilities (ErinReed@volusia.org)*

PLEASE NOTE: Each DRC project on the agenda will take approximately 30 minutes unless otherwise noted.

APPLICANT(S): Please plan to attend the DRC meeting to discuss your project and review the comments with reviewers. Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at least three (3) working days in advance of the meeting date and time at (386) 601-0219.



**City of DeBary
Development Review Committee Meeting
October 17, 2023 - MINUTES**

CALL TO ORDER:

The meeting of the City of DeBary Development Review Committee was called to order by Richard Villasenor, City Engineer, at 9:33 am.

DRC MEMBERS PRESENT:

Richard Villasenor, City of DeBary
Joseph Barker, City of DeBary
Christopher Karl, Orange City Fire Department

OTHERS PRESENT:

Kayla Burney, City of DeBary
Phyllis Butlien, City of DeBary
Shari Simmans, City of DeBary
Mark Watts, Cobb-Cole

APPROVAL OF MINUTES:

Joseph Barker made a motion to approve the October 3, 2023 DRC Meeting Minutes, seconded by Christopher Karl. The motion was approved by a 3-0 vote.

NEW BUSINESS:

Tailwinds Residential PUD Amendment Project # 23-04-MAJPUD-Tailwinds Residential

Mark Watts of Cobb-Cole, a representative for the applicant, Kimaya, LLC, came forward to speak.

Mr. Watts asked for further information about what the City desires in regard to capital improvements in the project's vicinity. Chairman Villasenor stated this comment is in regard to the East Highbanks Road right-turn lane. Mr. Watts stated the right-of-way has been set aside. Mr. Villasenor stated the City can manage the improvements in the existing right-of-way, but that surveys of the area will need to be done for this to be confirmed. Mr. Watts stated these improvements can be part of the proportionate fair share agreement.

Mr. Villasenor also noted a project to extend an 8-foot sidewalk along East Highbanks Road.

Mr. Watts made note of the existing Future Land Use boundary, where part of the tract of land is designated Residential/Low-Density without falling any discernible boundaries. He stated he believes the discrepancy does not exceed the 600-foot buffer prescribed in the Comprehensive Plan's Future Land Use Element. Joseph Barker stated Staff's study of the boundary indicates the project is within that 600-foot buffer.

Mr. Watts asked if the City desires the applicant to coordinate with VOTRAN with regard to a bus stop in the area. Mr. Villasenor stated some coordination will be necessary to confirm what facilities, if any, are needed for this project.

Mr. Watts stated he believes they have submitted a preliminary concurrency review to the Volusia County School Board.

Mr. Watts stated they will create specific development standards for the project since it does not meet the development standards of the R-7 zoning classification.

Mr. Watts asked if the City would prefer a development agreement be drafted for this PUD amendment. Mr. Barker stated they will reach out to the City Attorney.

Christopher Karl had no comments.

Mr. Villasenor had no additional comments.

Mr. Barker made note of the City Attorney's comments.

The item was continued to a future DRC meeting.

ADJOURNMENT:

The meeting was adjourned at 9:49 AM.



DRC 11/7/2023

Subject Case # 23-03-MAJPUD-Tailwinds Commercial

Applicant: Kimaya, LLC

Application Summary:

The applicant is requesting review of a major PUD amendment to the Swallows Golf and Country Club (Glen Abbey) PUD, located on the southeast corner of U.S. Highway 17/92 and North Pine Meadow Drive. The proposed amendment amends the permitted uses for the subject property to include a drive-through oil change, a restaurant, and a self-storage facility, and provides for development standards.

Planning & Zoning

Joseph Barker, AICP, Senior Planner

Comprehensive Plan Review:

In reviewing the application (proposed project), staff has reviewed it against the policies contained within the City's Comprehensive Plan (Plan) to determine whether or not the proposed project is consistent with the Plan, as required by Florida Statute 163.3194, and Section 1-2(b)(1) of the City's Land Development Code.

Economic Development

The goal of the City's Economic Development element is to facilitate the stable, on-going development of the economy of the City, while making wise use of resources, including man-made resources, natural resources, and human resources.

Objective 3.3 requires the City to carry out certain policies to help achieve its development and redevelopment objectives by directing community facility improvements to serve employment areas and non-residential uses.

The City will ensure that streets and roads serving employment areas are constructed to standards sufficient to safely serve trucks. Where necessary, consideration will be given to adequate pavement thickness and width, curves, setbacks to pedestrian areas and landscaping,





accessibility to parking and loading areas, and similar issues. **Consideration must be given to the impact the proposed project will have on these elements.**

Management of Natural Resources

The goal of the City's Management of Natural Resources element is to facilitate the proper management of natural resources through their appropriate conservation, protection and use, consistent with the desired growth and development of the community to ensure the highest environmental quality possible.

Objective 4.2 requires the City to carry out a program of activities to properly manage wetlands so as to maintain the natural functions of wetlands while ensuring the appropriate growth and development of the community. **Please see comments from Environmental Management.**

Objective 4.4 requires the City to carry out a program of activities to properly manage habitats and vegetative communities so as to maintain these resources and their natural functions while ensuring the appropriate growth and development of the community.

Policy 4.402 states the City, in reviewing land development activities and managing habitat areas for threatened and endangered species, will consider special measures which may be necessary to prevent adverse impacts. **Please see comments from Environmental Management.**

Future Land Use

The goal of the City's Future Land Use element of the Plan is to facilitate the development and use of land, including permanent open space, in an organized arrangement which supports the appropriate development of the overall community, including an efficient multi-modal transportation system that enhances the well-being of the City's residents and businesses.

Objective 5.4 requires the City to base land use and development decisions on its adopted Future Land Use Map.

The subject property is classified as Commercial/Retail (C/R). This classification provides for commercial retail and service uses, as well as the uses and activities permitted in the Commercial/Office (C/O) classification. The purpose and intent of this land use is to identify locations for a variety of commercial uses including neighborhood and community shopping centers, convenience stores, retail sales, highway oriented commercial and other commercial



services. **There is an outparcel between the storage building and the restaurant. What is the intended use for this outparcel?**

Policy 5.403(b)(3) states areas in this land use classification will be well designed from the perspective of pedestrians and bicyclists. **The Valvoline may conflict with this policy, due to its auto-centric nature, as it abuts the corner of the intersection and the meandering trail along North Pine Meadow Drive. A use more beneficial to pedestrians would better meet the requirements of this policy.**

Policy 5.403(b)(4) states commercial developments in close proximity to residential areas will be buffered from them so as to reduce the adverse impacts of noise and unsightliness. Internal areas will also be well landscaped and signage will be maintained in a modest and coordinated manner. Pedestrian and bicycle connections between new retail commercial development and redevelopment and adjacent residential land uses commercial land uses shall be encouraged. **This development will need to be buffered from the residential portions of the Swallows Golf & Country Club to the east. Please note the landscaping and signage will need to be able to meet the standards of the Land Development Code. Will there be any pedestrian and bicycle connections between this development and the adjacent residential area?**

Objective 5.5 states the City has established a set of land development regulations to implement and support the provisions of the Plan.

Policy 5.505 requires the City, when making any decision regarding the approval of a development, to consider certain elements, including how a development will affect the appearance of the overall community, vis-à-vis good design, orderly pattern of development, and compatibility with the development of nearby areas. **A Valvoline being on the southeast corner of U.S. Highway 17-92 and North Pine Meadow Drive may negatively affect the appearance of the area. Near the intersection there is an existing monument sign for Glen Abbey, which may not contrast well with the Valvoline being seen behind it as opposed to the trees it is currently back dropped against. The appearance of the North Pine Meadow streetscape adjacent to the Valvoline could also be negatively affected if proper mitigation measures are not taken.**

Transportation

The goal of the City's Transportation element is to facilitate the development of a safe, cost-effective, coordinated, connected, energy efficient, multimodal transportation system for the





movement of people and goods to benefit the social, economic and physical development of the City and to reduce greenhouse gas emissions and vehicle miles of travel.

Objective 6.1 requires the City to carry out a program of activities to facilitate the provision of a cost-effective, safe, convenient, and energy efficient multimodal transportation system.

Policy 6.103 establishes a regulatory level of service (LOS) to be used to determine whether facilities are adequate to serve new development. U.S. Highway 17-92's minimum LOS is as determined by the Florida Department of Transportation (FDOT), and the local street system's (e.g., North Pine Meadow Drive) LOS is a D as defined by FDOT. **In order for a final development order to ultimately be issued for the proposed project, the current LOS for the affected roadways and how this project will affect the LOS must be determined. Please note that if the proposed major PUD amendment is approved, that will not act as a guarantee that existing facilities will be adequate at the time a final development order application is submitted. Please see Policy 6.704 for potential remedies if the LOS is insufficient.**

Objective 6.2 requires the City to carry out a program of activities to coordinate the transportation system with the future land uses policies on this Plan, and to ensure that population densities, housing and employment patterns, land use patterns, and the management of important natural features are consistent with transportation modes and services proposed to serve these areas.

Policy 6.201 states the City, when making zoning changes, will consider the need for new transportation facilities necessitated by the potential development, as well as the resources which can be reasonably expected to support new facilities not previously contemplated. **Please see comments from Transportation.**

Objective 6.7 requires the City to reduce emphasis on transportation system improvements that favor the use of single-occupancy vehicles as the primary means of transportation.

Policy 6.709 suggests locating and configuring parking in ways that will not interrupt street frontages. **Consideration should be given to this policy in the design of the site layout.**

Public Facilities Infrastructure

The goal of the City's Public Facilities Infrastructure element is to facilitate the development of adequate public infrastructure to serve the appropriate growth and development of the City, and with appropriate consideration to managing important natural resources. **Please see comments from Volusia County Utilities and Environmental Management.**





For all other elements of the Plan not discussed in this report, the project has been determined to be consistent with those elements.

Land Development Code Review:

The proposed project has been reviewed against the provisions of the City's Land Development Code (LDC).

Zoning

The subject property is zoned PUD (Swallows Golf and Country Club). Thus, the project is subject to the zoning regulations prescribed in Volusia County Resolution # 1978-96, specifically the Swallows Golf and Country Club Development Agreement (DA). This PUD is commonly referred to as "Glen Abbey" and will be referenced as such herein.

Section 1 of the DA requires Glen Abbey to be developed in accordance with the Community Development Plan (CDP). The subject property is Commercial Area # 2 in the DA. Currently, the only uses permitted in Commercial Area # 2 are retail sales and services, hence the proposed amendment. The development regulations being proposed for this project are those of the B-4 (General Commercial) zoning classification, as provided for in LDC Chapter 3, Article III, Division 3, Section 3-102(d). **Compliance with these regulations will need to be confirmed during review for any final development orders.**

PUD Regulations

LDC Chapter 3, Article III, Division 3, Section 3-108 provides for regulations and standards for PUDs.

Section 3-108(b)(5)c.1 provides for information required to be provided for in the PUD preliminary plan. **Please provide the following information on the conceptual plan:**

- **Name, address, and telephone number of the developer, professional project engineers, architects and planners;**





- **Approximate location, size and description of open spaces, landscaped areas, or buffers; and**
- **The general topography and physical conditions of the site, including features such as water bodies, wooded areas, wetland areas, vegetation types, soils, 100-year floodplain areas, and steep grades or depressions on the site.**

Section 3-108(b)(5)c.2 provides for information required to be provided in the DA. Because the proposed amendment is a major PUD amendment, it must be reviewed and processed in the manner provided for new PUDs, which includes a DA. **Please draft and submit a DA.**

Supplementary Regulations

In addition to the development standards of the proposed amendment, LDC Chapter 3, Article III, Division 4 contains supplementary regulations.

Section 3-129(5) provides for minimum off-street parking. Automobile service stations require 2 parking spaces for each grease rack/working bay. Restaurants (Types A and B) require 1 space per 4 seats or 1 for each 200 square feet of gross floor area (GFA), plus 1 space for each employee on the largest shift. Self-storage facilities require 1 space for every 10 storage cubicles/units. **In order to determine compliance with Section 3-129(5), the applicable data must be provided.**

Section 3-129(8) provides for minimum off-street loading spaces. Restaurants and commercial storage facilities both require off-street loading spaces. **Please delineate the location of these loading spaces on the conceptual plan.**

Section 3-129(1) provides for required bicycle parking. Restaurants are required to provide parking spaces for bicycles. **Please delineate the location of these spaces on the conceptual plan.**

Landscaping and Buffer Standards

LDC Chapter 5, Article I provides for landscaping and buffer standards. These regulations are intended to promote the health, safety, and welfare of existing and future residents and visitors of the City by establishing minimum standards for the design, installation, and maintenance of landscaping, and by establishing standards for the development of adequate buffers between adjacent or nearby dissimilar uses within the corporate limits of the City.





Section 5-4(2), Table I provides for minimum buffer yards and screening. Commercial uses adjacent to single-family residential use/zoning must have a buffer width of 30 feet, with the screening being masonry wall and landscaping. **The design shown in the conceptual plan would fail to meet this requirement.**

Gateway Corridor Standards

LDC Chapter 5, Article V provides for standards for the development of the Gateway Corridor, which includes U.S. Highway 17-92.

Section 5-123 provides for architectural standards in the Gateway Corridor. **Please note these standards must be met for a development order to be issued for any structures.**

Section 5-124 provides for a minimum 20-foot landscape buffer along the Gateway Corridor. **It would appear parts of the project's frontage fails to meet this requirement, including the storage building.**

Section 5-128(1) provides for site and building standards for self-storage facilities fronting the Gateway Corridor. **Please note self-storage facilities shall be a mixed-use development with a portion of the first floor being an additional office, restaurant, or retail and sales. The entrance of the additional use(s) shall be from the front façade of the principal structure. Access to the individual storage units are only to be provided from interior spaces. Last, there shall be no outdoor storage allowed.**

Public Works Department
Amy Long, Deputy Public Works Director

No comments have been received.

Fire Services
Robert Scott, Fire Marshal

No comments have been received.





Engineering
Richard Villaseñor, P.E., City Engineer

No comments.

Building Department
Steve Wood, Building Official

No comments have been received.

Volusia County Utilities
Erin Reed, PhD, P.E., Water & Utilities Senior Engineer

VCU has reviewed the submittal and has the following comments:

1. Adjacent to the site, Volusia County Utilities owns and maintains a 10” diameter potable water main along the southern right-of-way of N. Pine Meadow Drive, a 6” diameter force main along the northern right-of-way of N. Pine Meadow Drive, and an 8” diameter reclaimed water main within 150-feet feet from the subject site. The reclaimed water main currently terminates at the intersection of N. Pine Meadow Drive and Spring Glen Drive.
2. Please visit Volusia County Water Resources & Utilities’ website to obtain the most recent (2023) Standard Details, Specifications, and a list of approved materials including piping, fittings, valves, meters, etc. for water, sewer, and reclaimed infrastructure. <https://www.volusia.org/services/public-works/water-resources-and-utilities/utility-engineering.shtml>
3. Payment of the county’s utility development fees is required before utility service will be provided. The county’s impact fee schedule and commercial water/sewer service application are available online at: <https://www.volusia.org/services/public-works/water-resources-and-utilities/utility-engineering.shtml>





Legal Review

Dan Langley, Fishback-Dominick

Please see redline version of proposed ordinance.

Environmental Management

Tom Roberts, Regional Science Manager, RES

1. Per the proposed Concept Plan by Kimley Horn, this project may impact jurisdictional wetlands and will require an Environmental Resource Permit from the St. John's River Water Management District. If wetlands are impacted, a 404 Permit from the Florida Department of Environmental Protection and a wetland alteration permit from the City of DeBary may be required. Please provide a Biological Report that addresses these issues.
 2. This site has the potential for the occurrence of state and federal listed species. Please address the potential for protected species in the Biological Report.
 3. The tree survey prepared by Charles Rob Defoor does not identify trees that meet specimen or historic classification. Please provide a table in the landscape plan that identifies trees which meet specimen or historic classification. Additionally, please provide the proposed tree mitigation calculations.
 4. Please provide a landscape plan which clearly labels which trees are slated for removal or preservation, where the vegetative buffer is to be located, as well as any planting and irrigation plans.
-

Transportation

Tanya King, PE, Senior Transportation Engineer, Stanley Group

1. In Table 1, Trip Generation, the Unit column for the Retail use should be KSF and DU. Please make this correction.
2. In Table 1, Trip Generation, the PM peak hour trip generation for Retail (LUC 8220) is incorrect. Please appropriately apply the trip generation equation or the trip average rate based on the R-squared value. If the R-square value is 0.70 or higher, then use the equation, but if it is less than 0.70 then use the average rate. The Daily Trip generation is correct.



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3. In Table 1, Trip Generation, the LUC used for the Quality Service Restaurant (QSR) is incorrect. The LUC used 973 is for a Coffee/Donut Shop with Drive-Through. This use does not fall under the category of (QSR). Please revise.
4. In Table 1, Trip Generation, the PM peak hour trip generation is incorrect based on LUC 937. Please appropriately apply the proper LUC for the restaurant designation and appropriately apply the trip generation equation or the trip average rate based on the R-squared value; if the R-square value is 0.70 or higher, then use the equation, but if it is less than 0.70 then use the average rate if appropriate.
5. In Table 1, Trip Generation, the PM peak hour trip generation is incorrect for LUC 151 Mini Warehouse. Please appropriately apply the trip generation equation or the trip average rate based on the R-squared value; if the R-square value is 0.70 or higher, then use the equation, but if it is less than 0.70 then use the average rate if appropriate.
6. Please provide the ITE Trip Generation sheets for the restaurant and Retail uses and revise the analysis based on these changes.

END OF COMMENTS

A written response to each of the above comments will be required when revisions are re-submitted to the City. Please be advised that additional comments may be forthcoming after a review of the revised plan set has been completed.

If you should have any questions, please feel free to contact me at 386-601-0203.

Steven Bapp, AICP
Sbapp@debary.org
Director of Growth Management
City of DeBary



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ORDINANCE __-2023

AN ORDINANCE OF THE CITY OF DEBARY, FLORIDA, APPROVING A MAJOR AMENDMENT TO THE GLEN ABBY PLANNED UNIT DEVELOPMENT (A/K/A SWALLOWS PUD) GOVERNING AN APPROXIMATELY 18.31+/- ACRES OF LAND LOCATED ON THE SOUTH SIDE OF N. PINE MEADOW DRIVE EAST OF US HIGHWAY 17-92 WITH VOLUSIA COUNTY PROPERTY TAX IDENTIFICATION NUMBERS OF 8027-00-00-0048 AND 8027-11-00-1151 AND OWNED BY KIMAYA, LLC; AMENDMING THE PLANNED UNIT DEVELOPMENT AGREEMENT TO PERMIT CERTAIN SPECIFICED USES ON THE PROPERTY AND UPDATING THE CONCEPTUAL DEVELOPMENT PLAN TO SHOW THE PLANNED DEVELOPMENT OF THE PROPERTY; PROVIDING FOR SEVVERABILITY, RECORDING AND AN EFFECTIVE DATE.

WHEREAS, the 18.31 +/- acre parcel of land located in the City of DeBary, Florida and having Volusia County Tax Parcel Identification Numbers 8027-00-00-0048 and 8027-11-00-1151, and legally described on attached Exhibit "A" (the "Subject Property") is part of and included in the Planned Unit Development known as the Glen Abby Planned Unit Development (A/K/A Swallows Planned Unit Development); and

WHEREAS, on September 18, 1972, the County Council of Volusia County, Florida rezoned the Subject Property as part of the Community Development Plan for the Glen Abby Development (A/K/A Swallows Planned Unit Development) and other subsequent amendments to other portions of the development have been approved; and

WHEREAS, the Subject Property was originally identified on the Community Development Plan for the Glen Abby Development (A/K/A Swallows Planned Unit Development) as a portion of the area labelled Commercial #2 located south of Pine Meadows Drive and adjacent to U.S. 17-92; and

WHEREAS, the Subject Property was originally assigned the use of "retail sales and services" with development standards based on the then existing C-1 zoning regulations of Volusia County, Florida; and

WHEREAS, Mark A. Watts, Esq., has submitted an application on behalf of Kimaya, LLC, a Florida limited liability company, as owner of the Subject Property, that requests a major amendment to the Glen Abby Planned Unit Development (A/K/A Swallows Planned Unit Development) that seeks to update the Conceptual Development Plan with the plan attached as Exhibit "B" and add certain additional permitted uses for the Subject Property; and

WHEREAS, this Ordinance has been advertised and noticed in accordance with the requirements of state law and Section 1-10 of the City of DeBary Land Development Code; and

WHEREAS, the Ordinance meets the requirements for zoning pursuant to Section 1-6 of the City of DeBary Land Development Code, is consistent with Policy 5.505 of the City of DeBary Comprehensive Plan and the City Council has determined that the amendments to the Glen Abby Planned Unit Development (A/K/A Swallows Planned Unit Development) proposed herein are consistent with the City of DeBary Comprehensive Plan;

NOW THEREFORE, IT IS HEREBY ORDAINED BY THE CITY OF DEBARY AS FOLLOWS:

SECTION 1. **Recitals.** The City Council finds that the above recitals are true and correct.

SECTION 2. **Major Amendment.** A major amendment to the Glen Abby Planned Unit Development (A/K/A Swallows Planned Unit Development) and the corresponding Community Development Plan and Development Agreement is hereby approved to modify the permitted uses for the Subject Property to allow for the following principle permitted uses:

1. Retail Sales and Services
2. Restaurants, Type A and B
3. Self-storage facilities and Miniwarehouse, subject to the regulations enacted by Ordinance 04-2023

Development criteria for the proposed uses of the Subject Property shall be consistent with those set forth in the City of DeBary B-4 zoning classification. In addition, the Gateway Corridor standards in Chapter 5, Article V of the City Land Development Code will apply to the development of the Subject Property. Except as specifically amended herein with regard to the Subject Property, this Ordinance is not altering the permitted uses or development criteria for any other portion of the Glen Abby Planned Unit Development (A/K/A Swallows Planned Unit Development).

Section 3. **Recording.** The City Clerk is hereby directed to record this Ordinance in the Public Records of Volusia County, Florida. This Ordinance affecting the Subject Property shall run with the land and shall be applicable to and bind on all successors and assigns.

Section 4. **Severability.** If any portion of this Ordinance is determined by a court of competent jurisdiction to be invalid, unconstitutional, unenforceable or void, the remaining portions not invalidated shall continue in full force and effect.

Section 5. **Effective Date.** This Ordinance shall take effect immediately upon its adoption.

First reading and public hearing occurred on _____.

Second reading and public hearing occurred on _____.

ADOPTED BY the City Council of the City of DeBary, Florida this ____ day of _____, 2023.

CITY COUNCIL

CITY OF DEBARY, FLORIDA

BY: _____

KAREN CHAZES, MAYOR

ATTEST:

BY: _____

_____, City Clerk

Attachments:

Exhibit A – Legal Description of Subject Property

Exhibit B – Updated Conceptual Development Plan for Subject Property

EXHIBIT "A"

LEGAL DESCRIPTION

PARCEL 1:

A PARCEL OF LAND BEING A PORTION OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION 27, TOWNSHIP 18 SOUTH, RANGE 30 EAST, VOLUSIA COUNTY, FLORIDA, LYING SOUTH OF THE SOUTH RIGHT-OF-WAY LINE FOR PINE MEADOWS DRIVE A 100.00 FOOT WIDE PUBLIC RIGHT OF WAY PER OFFICIAL RECORDS BOOK 2136, PAGE 1262, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; LYING EAST OF THE OLD EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 17-92, A 100 FOOT WIDE PUBLIC RIGHT-OF-WAY, LYING WEST OF A LINE THAT IS PARALLEL AND 500 FEET EASTERLY OF THE OLD RIGHT-OF-WAY LINE OF U.S. HIGHWAY 17-92 AND NORTH OF DEBARY CORNERS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 55, PAGES 21-23, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA

LESS AND EXCEPT:

CERTAIN PARCELS OF LAND TAKEN AS ADDITIONAL RIGHT-OF-WAY AND DRAINAGE RETENTION AREA FOR STATE ROAD $\frac{15}{600}$ (U.S. 17-92) ACCORDING TO THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FOR STATE ROAD $\frac{15}{600}$, SECTION NUMBER 79040-2503, SHEETS 3, 4, 5 AND 12 OF 16, MORE PARTICULARLY DESCRIBED IN FINAL JUDGEMENT RECORDED IN O.R. BOOK 4401, PAGE 2212, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

PARCEL 2:

A PARCEL OF LAND BEING A PORTION OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION 27, TOWNSHIP 18 SOUTH, RANGE 30 EAST, VOLUSIA COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE EAST SECTION LINE 25 FEET NORTHERLY OF THE SOUTHEAST CORNER OF SAID SECTION 27, RUN THENCE SOUTH 89 DEG. 41' 25" WEST, ALONG THE NORTH RIGHT-OF-WAY LINE OF Highbanks Road A DISTANCE OF 2576.00 FEET TO THEIR INTERSECTION OF THE NORTH RIGHT-OF-WAY OF Highlands Road AND THE EAST RIGHT-OF-WAY OF U.S. HIGHWAY 17-92, AS IT EXISTED ON MAY 28, 1974, THENCE NORTH 12 DEG. 30' 50" EAST, ALONG THE SAID EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 17-92, A DISTANCE OF 928.14 FEET, THENCE NORTH 89 DEG. 41' 25" EAST, A DISTANCE OF 512.79 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89 DEG. 41' 25" EAST, A DISTANCE OF 340.96 FEET TO A POINT ON A LINE THAT IS PARALLEL WITH THE EAST LINE OF SAID SECTION 27; THENCE RUN SOUTH 00 DEG. 29' 32" EAST, FOR A DISTANCE OF 400.00 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 530 FEET OF THE SOUTHEAST $\frac{1}{4}$ OF SAID SECTION 27 (WHICH LINE IS THE SAME LINE DEPICTED AS THE SOUTH LINE OF LOT 116 OF SPRING GLEN UNIT 2, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 47, PAGES 103 THROUGH 107, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA); THENCE RUN SOUTH 89 DEG. 41' 25" WEST, ALONG SAID NORTH LINE OF THE SOUTH 530 FEET OF THE SOUTHEAST $\frac{1}{4}$ (WHICH LINE IS DEPICTED AS THE SOUTH LINE OF LOT 116 AND 115 ON SAID PLAT OF SPRING GLEN UNIT 2), FOR A DISTANCE OF 433.29 FEET TO A LINE 500 FEET EASTERLY OF AND PARALLEL WITH THE SAID EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 17-92 (TO A POINT WHICH IS

DEPICTED AS THE SOUTHWEST CORNER OF LOT 115 ON THE PLAT OF SAID SPRING GLEN UNIT 2); THENCE RUN NORTH 12 DEG. 30' 50" EAST, ALOMNG SAID PARALLEL LINE(WHICK LINE IS DEPICTED AS, THE WEST LINE OF LOT 115 ON THE PLAT OF SAID SPRING GLEN UNIT 2) FOR A DISTANCE OF 410.23 FEET TO THE POINT OF BEGINNING.

TAILWINDS DEVELOPMENT, LLC - DEBARY, FLORIDA

ZONING: PUD

PARCELS:	
VALVOLINE:	±0.54 AC
STORMWATER AREA:	±2.01 AC
RESTAURANT:	±1.80 AC
OUTPARCEL #1:	±1.70 AC
STORAGE:	±1.88 AC
TOTAL:	±7.93 AC

BUILDING AREA:	
STORAGE BUILDING:	34,000 SF
RESTAURANT:	5,492 SF
VALVOLINE:	2,200 SF
TOTAL:	41,692 SF

PARKING:	
STORAGE BUILDING:	23 SPACES
RESTAURANT:	96 SPACES
VALVOLINE:	6 SPACES
TOTAL:	125 SPACES

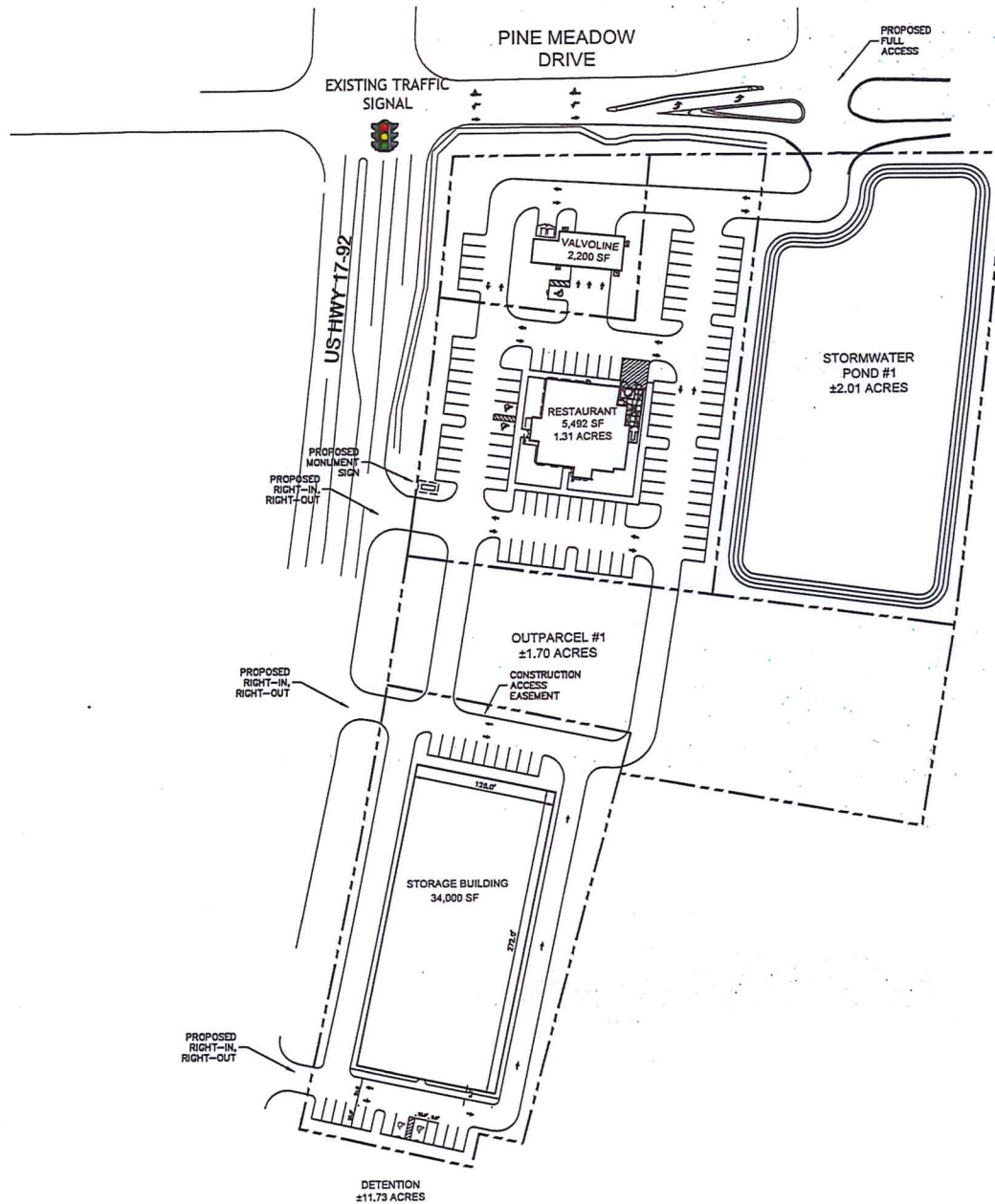
LEGAL DESCRIPTION

PARCEL:

A PARCEL OF LAND BEING A PORTION OF THE SOUTHEAST 1/4 OF SECTION 27, TOWNSHIP 18 SOUTH, RANGE 30 EAST, VOLUSIA COUNTY, FLORIDA, LYING SOUTH OF THE SOUTH RIGHT-OF-WAY LINE FOR PINE MEADOWS DRIVE A 100.00 FOOT WIDE PUBLIC RIGHT OF WAY PER OFFICIAL RECORDS BOOK 2136, PAGE 1262, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; LYING EAST OF THE OLD EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 17-92. A 100 FOOT WIDE PUBLIC RIGHT-OF-WAY, LYING WEST OF A LINE THAT IS PARALLEL AND 500 FEET EASTERLY OF THE OLD RIGHT-OF-WAY LINE OF U.S. HIGHWAY 17-92 AND NORTH OF DEBARY CORNERS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 55, PAGES 21-23, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA

LESS AND EXCEPT:

CERTAIN PARCELS OF LAND TAKEN AS ADDITIONAL RIGHT-OF-WAY AND DRAINAGE RETENTION AREA FOR STATE ROAD 17 (U.S. 17-92) ACCORDING TO THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FOR STATE ROAD 17, SECTION NUMBER 79040-2503, SHEETS 3, 4, 5 AND 12 OF 16, MORE PARTICULARLY DESCRIBED IN FINAL JUDGEMENT RECORDED IN O.R. BOOK 4401, PAGE 2212, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.



K:\GDL_CAD_Proposal and Marketing\Marketing\Break Station\Tehach\Debary FL - Pine Meadows Dr\CAD\CONCEPT\SKETCH Y-BR4.dwg

TAILWINDS DEVELOPMENT, LLC

CONCEPTUAL SKETCH "Y"

12/13/2022 - CONTACT BROOKS A. STICKLER, P.E. (407) 427-1877

Kimley Horn

TREE IDENTIFICATION TABLE

1	14" OAK	101	14" PALM	201	18" PINE	301	30" OAK	401	12" OAK	501	13" OAK	601	14" PINE	701	14" OAK	801	8" OAK	901	15" PINE	1001	10" OAK	1101	10" PINE	1201	8" OAK
2	14" OAK	102	14" OAK	202	12" PALM	302	32" OAK	402	11" OAK	502	13" OAK	602	7" OAK	702	13" OAK	802	8" OAK	902	14" PINE	1002	10" OAK	1102	17" PINE	1202	8" OAK
3	14" OAK	103	14" OAK	203	14" OAK	303	20" OAK	403	14" OAK	503	34" OAK	603	10" OAK	703	14" OAK	803	22" PINE	903	29" PINE	1003	8" OAK	1103	10" PINE	1203	11" OAK
4	14" OAK	104	14" OAK	204	14" PINE	304	25" OAK	404	11" OAK	504	16" OAK	604	21" PINE	704	19" PINE	804	25" PINE	904	6" OAK	1004	8" OAK	1104	7" OAK	1204	11" OAK
5	18" OAK	105	14" OAK	205	16" PINE	305	22" OAK	405	9" OAK	505	15" PINE	605	12" PINE	705	15" OAK	805	7" PINE	905	8" PINE	1005	8" OAK	1105	8" OAK	1205	8" OAK
6	15" OAK	106	12" OAK	206	15" OAK	306	15" OAK	406	12" OAK	506	7" OAK	606	12" OAK	706	12" PINE	806	16" PINE	906	22" PINE	1006	16" PINE	1106	8" OAK	1206	12" PALM
7	8" OAK	107	10" OAK	207	7" OAK	307	19" OAK	407	8" OAK	507	13" PINE	607	13" PINE	707	13" PINE	807	13" PINE	907	6" OAK	1007	13" OAK	1107	9" OAK	1207	16" PINE
8	10" OAK	108	14" OAK	208	16" OAK	308	14" OAK	408	10" PINE	508	12" OAK	608	14" PINE	708	12" PINE	808	8" OAK	908	10" OAK	1008	10" OAK	1108	8" OAK	1208	8" OAK
9	14" OAK	109	12" OAK	209	16" OAK	309	21" OAK	409	8" OAK	509	12" PINE	609	22" PINE	709	12" PINE	809	11" PINE	909	7" OAK	1009	22" PINE	1109	9" OAK	1209	12" OAK
10	14" OAK	110	12" PINE	210	6" OAK	310	14" OAK	410	9" OAK	510	14" PINE	610	16" PINE	710	12" PINE	810	11" OAK	910	18" OAK	1010	12" OAK	1110	9" OAK	1210	8" OAK
11	8" OAK	111	8" OAK	211	12" OAK	311	16" OAK	411	12" PINE	511	16" PINE	611	16" PINE	711	12" PINE	811	11" OAK	911	10" OAK	1011	16" PINE	1111	9" OAK		
12	10" OAK	112	10" OAK	212	16" OAK	312	18" OAK	412	12" PINE	512	8" OAK	612	16" PINE	712	19" PINE	812	16" PINE	912	12" OAK	1012	6" OAK	1112	9" OAK		
13	8" OAK	113	10" OAK	213	8" OAK	313	28" PINE	413	8" OAK	513	8" OAK	613	16" PINE	713	14" PINE	813	22" PINE	913	12" OAK	1013	8" OAK	1113	12" OAK		
14	6" BLACK CHERRY	114	10" OAK	214	10" OAK	314	17" OAK	414	7" OAK	514	16" PINE	614	16" PINE	714	18" OAK	814	11" OAK	914	12" OAK	1014	8" OAK	1114	7" OAK		
15	8" OAK	115	14" OAK	215	18" OAK	315	15" OAK	415	9" OAK	515	18" PINE	615	16" PINE	715	24" OAK	815	8" OAK	915	9" OAK	1015	8" OAK	1115	7" OAK		
16	18" PINE	116	8" OAK	216	6" OAK	316	20" OAK	416	12" OAK	516	12" OAK	616	16" PINE	716	18" PINE	816	8" OAK	916	8" OAK	1016	8" OAK	1116	14" PINE		
17	16" PINE	117	12" OAK	217	6" OAK	317	15" PALM	417	10" OAK	517	12" PINE	617	16" PINE	717	25" OAK	817	19" PINE	917	8" OAK	1017	8" OAK	1117	12" PINE		
18	14" PINE	118	12" OAK	218	13" PINE	318	13" PALM	418	10" OAK	518	7" PINE	618	16" PINE	718	22" OAK	818	7" OAK	918	8" OAK	1018	18" PINE	1118	8" OAK		
19	12" PINE	119	12" OAK	219	13" OAK	319	26" OAK	419	8" OAK	519	13" PINE	619	16" PINE	719	16" OAK	819	6" OAK	919	7" PINE	1019	6" OAK	1119	10" OAK		
20	15" PINE	120	8" OAK	220	13" OAK	320	13" PALM	420	8" OAK	520	14" PINE	620	12" OAK	720	12" OAK	820	8" OAK	920	7" OAK	1020	8" OAK	1120	8" OAK		
21	16" PINE	121	8" OAK	221	13" OAK	321	18" OAK	421	8" OAK	521	14" PINE	621	12" OAK	721	12" PALM	821	7" OAK	921	7" OAK	1021	8" OAK	1121	8" OAK		
22	14" PINE	122	12" OAK	222	18" OAK	322	22" OAK	422	7" OAK	522	14" PINE	622	14" OAK	722	12" PALM	822	8" OAK	922	11" OAK	1022	10" OAK	1122	8" PINE		
23	16" PINE	123	14" OAK	223	8" OAK	323	21" OAK	423	9" OAK	523	14" PINE	623	14" PINE	723	12" PALM	823	24" PINE	923	8" OAK	1023	7" OAK	1123	20" PINE		
24	13" PINE	124	12" OAK	224	8" OAK	324	23" OAK	424	8" OAK	524	16" PINE	624	14" PINE	724	14" OAK	824	8" BLACK CHERRY	924	8" OAK	1024	10" OAK	1124	8" OAK		
25	16" PINE	125	16" PINE	225	8" OAK	325	13" PALM	425	7" OAK	525	18" PINE	625	18" PINE	725	12" PALM	825	20" PINE	925	9" OAK	1025	8" OAK	1125	8" OAK		
26	13" PINE	126	8" OAK	226	8" OAK	326	13" PALM	426	10" PINE	526	16" PINE	626	20" PINE	726	18" OAK	826	8" OAK	926	8" OAK	1026	8" OAK	1126	9" PINE		
27	13" PINE	127	7" OAK	227	12" OAK	327	24" OAK	427	7" OAK	527	10" PINE	627	16" PINE	727	10" OAK	827	8" OAK	927	18" PINE	1027	8" OAK	1127	15" PINE		
28	19" OAK	128	14" OAK	228	10" PINE	328	17" OAK	428	18" PINE	528	16" PINE	628	16" PINE	728	10" OAK	828	6" OAK	928	18" PINE	1028	18" PINE	1128	15" PINE		
29	21" OAK	129	12" OAK	229	8" OAK	329	14" PINE	429	10" OAK	529	16" PINE	629	16" PINE	729	10" OAK	829	8" OAK	929	15" PINE	1029	8" OAK	1129	8" OAK		
30	13" PINE	130	12" OAK	230	8" OAK	330	14" OAK	430	8" OAK	530	12" PINE	630	16" OAK	730	16" OAK	830	20" PINE	930	14" PINE	1030	11" OAK	1130	10" OAK		
31	14" PALM	131	14" OAK	231	15" PINE	331	30" OAK	431	9" OAK	531	15" PINE	631	14" OAK	731	16" OAK	831	8" OAK	931	7" OAK	1031	10" OAK	1131	7" OAK		
32	12" OAK	132	10" OAK	232	10" OAK	332	15" OAK	432	9" OAK	532	16" PINE	632	8" PINE	732	12" OAK	832	25" PINE	932	7" OAK	1032	20" PINE	1132	11" OAK		
33	10" OAK	133	10" BLACK CHERRY	233	15" PINE	333	11" BLACK CHERRY	433	7" OAK	533	13" PINE	633	8" PINE	733	10" OAK	833	15" OAK	933	12" OAK	1033	8" OAK	1133	9" OAK		
34	8" OAK	134	16" PINE	234	12" OAK	334	11" PALM	434	6" OAK	534	14" PINE	634	10" OAK	734	10" OAK	834	7" OAK	934	12" OAK	1034	8" OAK	1134	14" PINE		
35	14" OAK	135	10" OAK	235	8" PINE	335	10" BLACK CHERRY	435	12" PINE	535	13" PINE	635	22" PINE	735	14" OAK	835	22" PINE	935	8" OAK	1035	8" OAK	1135	12" PINE		
36	12" OAK	136	10" OAK	236	6" PINE	336	7" OAK	436	7" OAK	536	20" PINE	636	20" PINE	736	14" OAK	836	8" OAK	936	15" PINE	1036	10" OAK	1136	7" OAK		
37	14" PALM	137	14" PALM	237	15" OAK	337	12" PALM	437	14" PINE	537	13" PINE	637	14" PINE	737	15" OAK	837	18" PINE	937	11" OAK	1037	12" OAK	1137	13" OAK		
38	8" OAK	138	10" OAK	238	20" OAK	338	12" PALM	438	12" PINE	538	7" PINE	638	17" PINE	738	16" PINE	838	7" OAK	938	12" OAK	1038	10" OAK	1138	10" OAK		
39	18" CEDAR	139	8" OAK	239	7" OAK	339	7" BLACK CHERRY	439	12" PINE	539	12" PINE	639	8" PINE	739	10" OAK	839	7" OAK	939	10" OAK	1039	18" PINE	1139	10" OAK		
40	34" OAK	140	8" OAK	240	13" PALM	340	13" PALM	440	12" PINE	540	8" OAK	640	16" PINE	740	8" OAK	840	9" OAK	940	11" OAK	1040	18" PINE	1140	22" PINE		
41	14" OAK	141	8" OAK	241	9" BLACK CHERRY	341	6" BLACK CHERRY	441	7" OAK	541	8" OAK	641	8" PINE	741	10" OAK	841	8" OAK	941	12" OAK	1041	8" OAK	1141	11" OAK		
42	16" OAK	142	14" PINE	242	14" OAK	342	11" BLACK CHERRY	442	7" OAK	542	16" PINE	642	10" OAK	742	12" OAK	842	9" OAK	942	18" PINE	1042	18" PINE	1142	11" OAK		
43	16" OAK	143	14" PINE	243	11" OAK	343	11" BLACK CHERRY	443	7" OAK	543	8" OAK	643	14" PINE	743	12" OAK	843	12" OAK	943	18" PINE	1043	7" OAK	1143	11" OAK		
44	18" OAK	144	10" OAK	244	14" OAK	344	14" OAK	444	15" OAK	544	8" OAK	644	10" OAK	744	14" OAK	844	8" OAK	944	10" OAK	1044	6" OAK	1144	11" OAK		
45	12" OAK	145	10" OAK	245	10" PINE	345	12" OAK	445	12" PINE	545	12" PINE	645	16" PINE	745	12" OAK	845	20" PINE	945	6" OAK	1045	10" OAK	1145	11" OAK		
46	14" OAK	146	10" PINE	246	7" PINE	346	15" OAK	446	13" OAK	546	8" OAK	646	22" PINE	746	17" OAK	846	18" PINE	946	8" OAK	1046	18" PINE	1146	7" OAK		
47	11" OAK	147	10" OAK	247	8" OAK	347	13" OAK	447	17" PINE	547	8" OAK	647	18" OAK	747	12" OAK	847	18" PINE	947	7" OAK	1047	8" OAK	1147	7" OAK		
48	11" OAK	148	8" OAK	248	19" PINE	348	18" OAK	448	17" PINE	548	14" PINE	648	12" PINE	748	12" OAK	848	12" PINE	948	7" OAK	1048	7" OAK	1148	12" PINE		
49	11" OAK	149	8" OAK	249	12" OAK	349	14" PINE	449	16" PINE	549	16" PINE	649	16" PINE	749	12" OAK	849	16" PINE	949	9" OAK	1049	10" OAK	1149	10" OAK		
50	8" OAK	150	16" OAK	250	12" OAK	350	8" OAK	450	14" PINE	550	11" PINE	650	22" PINE	750	8" OAK	850	14" PINE	950	12" PINE	1050	14" OAK	1150	11" PINE		
51	12" PALM	151	16" OAK	251	18" PINE	351	13" OAK	451	9" OAK	551	14" PINE	651	12" PINE	751	8" OAK	851	16" PINE	951	7" OAK	1051	10" OAK	1151	9" OAK		
52	12" PALM	152	16" OAK	252	8" PINE	352	8" OAK	452	16" OAK	552	13" PINE	652	10" OAK	752	12" OAK	852	16" PINE	952	7" OAK	1052	13" OAK	1152	8" OAK		
53	18" OAK	153	14" PINE	253	6" BLACK CHERRY	353	16" OAK	453	16" PINE	553	14" PINE	653	10" OAK	753	18" PINE	853	24" PINE	953	7" OAK	1053	8" OAK	1153	8" OAK		
54	15" OAK	154	18" PINE	254	7" OAK	354	15" PALM	454	14" PINE	554	12" PINE	654	20" PINE	754	12" OAK	854	12" PINE	954	14" PINE	1054	8" OAK				