THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

ORDINANCE NO. 51 -24: CONDUCT THE SECOND READING AND PUBLIC HEARING OF AN ORDINANCE, WHICH IF ADOPTED, WOULD REZONE APPROXIMATELY 1,618 ACRES OF LAND LOCATED SOUTH OF STATE ROAD 44 AND WEST OF I-95, KNOWN AS THE DEERING PARK INNOVATION CENTER (DPIC), TO PLANNED UNIT DEVELOPMENT (PUD) FROM THE CURRENT ZONING CLASSIFICATIONS OF A-1 PRIME AGRICULTURE, FORESTRY RESOURCE (FR), AND CONSERVATION (C).

May 13, 2025

Background:

A. Applicant: David Fuechtman, P. O. Box 70, Edgewater Florida 32132

B. Property Owner: Farmton North LLC, P. O. Box 70, Edgewater Florida 32132

C. Request: Proposed Rezoning from A-1 Prime Agriculture (currently 93 acres), Forestry Resource (currently 948 acres), and Conservation (currently 577 acres), to Planned Unit Development (PUD) for the entire 1,618 acre site

D. Recent History: The city's current Economic Development Strategic Plan that was approved by the City Commission in December 2019 outlines strategies and targets the specific following industries:

1. Aviation and Aerospace
2. Creative Class, including High Tech
3. Light Industry, including Manufacturing
4. Recreation
5. Medical
6. Professional Office, including Corporate Headquarters

In October 2021 the City of New Smyrna Beach Economic Development Advisory Board hosted a public workshop at the Brannon Center for the purpose of collecting input from the community concerning the economic development strategic plan and future plans, actions, and decisions. Three major priorities were concluded in that workshop, which included approximately 45 attendees of elected officials, local business owners, and

concerned citizens, as follows:
1. Diversify the tax base.
2. Enhance utilities infrastructure.
3. Ensure a quality labor pool.

The Southeast Chamber of Commerce also conducted two leadership summits, with the first summit in May 2021 and the second in February 2022. These two summits looked into regional strengths, challenges, and opportunities, and included the Southeast Volusia Cities, SEV Chamber of Commerce, Volusia County Staff, Team Volusia, the Southeast Volusia Manufacturing and Technology Coalition (SEVMTC), the Southeast Volusia Advertising Authority, elected officials, local business owners, and the East Central Florida Planning Council. The proposed Deering Park Innovation Center at New Smyrna Beach site was officially identified and recommended as an industrial mixed-use area during the second of these two leadership summits.

The City Commission approved Ordinance Number 07-22 on June 14, 2022, for a text amendment to the Future Land Use Element of the City's Comprehensive Plan, which established a new Commercial Space Industry Opportunity Overlay. This Amendment to the City Comprehensive Plan was to help identify areas within the City that are appropriate for commercial and light industrial development.

The City Commission then approved the Southeast Volusia Regional Economic Development Strategic Plan on October 25, 2022. That plan presents a regional analysis of SEV's demographic and occupational characteristics, employment profile, industry competitiveness, economic clusters, and challenges and opportunities.

During a public City Commission workshop on December 14, 2023, City Development Services Director Shane Corbin and Attorney Glenn Storch presented a proposed innovation park to be located west of I-95 and south of State Road 44. This presentation outlined the history of the property, required PUD zoning, required Large Scale Comprehensive Plan amendment changing the Future Land Use to Industrial Mixed Use, and benefits to the city.

E. Site Information:

- **Size:** 1,618 ± acres
- **Location:** South of State Road 44, west of I-95
- **Parcel Numbers:** 7321-00-00-0010, 7328-00-00-0010, 7327-00-00-0024, 7333-00-00-0010, 7334-00-00-0010, and 7335-00-00-0100
- **Site Data:** The 1,618 acre undeveloped site is located south of State Road 44 and west of Interstate 95, extending south from its northern frontage on SR 44 to the City Limits of Edgewater. The site is also wooded and currently used for agricultural

purposes of timbering and pasture. The current zoning designations within the site that are requested to be changed were previously matched by its prior Future Land Use (FLU) designations of Agriculture (93 acres), Forestry Resource (948 acres), and Conservation (577 acres), all of which have now been changed by a companion application (CPA-1-24) that was recently approved, to now all be the Industrial Mixed Use (IMU) FLU, to then allow for this proposed PUD rezoning and its proposed uses. Site Location and Aerial Maps are attached as Exhibits A & B. Existing Zoning and Proposed Zoning Maps are attached as Exhibits C & D, showing all adjacent zoning designations and surrounding development, and a Site Survey Sketch is attached as Exhibit E.

F. Exhibits:

Exhibit A: Location Map

Exhibit B: Aerial Map

Exhibit C: Existing Zoning Map

Exhibit D: Proposed Zoning Map

Exhibit E: Site Survey Sketch and Legal Description (Ex A. of MDA)

Exhibit F: PUD Master Development Agreement (MDA), Proposed

Exhibit G: PUD Conceptual Plan Exhibits, Proposed (consists of 6 different documents to be included within the MDA):

- MDA Ex. B Master Plan, 2 sheets;
- MDA Ex. C Residential Gradation Plan, 1 sheet;
- MDA Ex. D Roadway Sections, 8 sheets;
- MDA Ex. E Design Guidelines, 4 pages;
- MDA Ex. F Illustrative Examples of Community Features, 3 pages; and
- MDA Ex. G Venetian Bay and NSBU Area Boundaries, 1 sheet.

Exhibit H: Area Master Plan (Provided by Applicant; not to be included within MDA document)

Exhibit I: Wildlife Corridor and Trail Map (Provided by Applicant; not to be included within MDA document)

Exhibit J: Environmental Assessment Report (Provided by Applicant; not to be included

within MDA document)

Exhibit K: Southeast Volusia Economic Development Strategic Plan 2022
Exhibit L: Letter from Applicant outlining history of specific MDA revisions (7-10-24, 5 pgs.)
Exhibit M: MDA Final Version showing all Redline Revisions made to the 4-3-25 Draft since First Reading.pdf

Findings:

A. The proposed Planned Unit Development (PUD) would create the Deering Park Innovation Center (DPIC), a mixed-use 1,618 + acre development proposed to provide a maximum of 6,000,000 square feet (SF) of non-residential uses and 2,150 residential units, with at least 400 acres to be designated and preserved as Natural Vegetation Area (NVA). This rezoning application was submitted with two other companion applications, which have since been reviewed and approved on all levels. A Large-Scale Comprehensive Plan Amendment application (CPA-1-24) was submitted and approved to change the Future Land Use (FLU) of the site from its prior City Agriculture, Forestry Resource, and Conservation FLU designations to now instead be the Industrial Mixed-Use FLU designation for the entire 1,618 acre site. Another companion application (CPA-2-24) that was approved proposed a Comprehensive Plan text amendment and policy change for the Industrial Mixed Use (IMU) Future Land Use (FLU) that now applies to this site.

B. The City Comprehensive Plan Future Land Use (FLU) Element specifies the intent of that requested Industrial Mixed-Use (IMU) FLU designation for this site is "to promote the sustainable development or redevelopment land near railways and/or major highways and in close proximity to the Canal Downtown Neighborhood, by providing maximum opportunity for innovative site planning for living, shopping, and working environments. Areas designated as Industrial Mixed-Use are intended to accommodate a mix of light industrial/research, office, retail and medium- to high-density residential uses. Areas designated as Industrial Mixed-Use are required to develop using the planned unit development format." The two other companion applications noted above, for Comprehensive Plan Map and Text Amendments to the current Industrial Mixed Use Future Land Use now include this DPIC site area within the geographic limits of this IMU FLU designation and as part of its current intent. As noted above, the IMU FLU requires PUD rezoning application and approval, and this PUD rezoning request thus is consistent with the two companion CPA applications that were previously approved.

C. The proposed Deering Park Innovation Center (DPIC) is a mixed-use in-fill project between other similar surrounding large scale PUD's that are within both the City and the City of Edgewater to the south. Those PUD's include the 1,365 acre South Village mixed use PUD immediately adjacent to the west and north of DPIC, and the 180 acre Ocean Gate commercial PUD to the northeast, at the southwest intersection of SR 44 and Interstate 95, both of which are within the City limits. Immediately to the south of this proposed DPIC site is the City of Edgewater, and two associated and approved developments proposed by the same applicant as DPIC. These developments also center around the pending alignment and future construction of Williamson Boulevard, from SR 44 south to ultimately connect with SR 442/Indian River Boulevard within Edgewater.

D. The City of Edgewater has approved these two planned developments immediately to the south of the proposed DPIC site, as noted on their website and provided below, and as shown on the attached Exhibit H Area Master Plan provided by the Applicant:

Deering Park North (formerly known as Restoration DRI) - *The 5,187-acre Deering Park North project will include 6,600 housing units and 2.8 million square feet of office, industrial, and commercial space, with that development proposed over a 20 to 30 year time period. The plan also includes 3,732 acres of land that will be required to be set aside for perpetual conservation. As proposed, Deering Park North is intended to provide a flexible approach to encourage mixed use, innovative land use techniques, creative urban design, environmental protection, employment centers, while utilizing sustainable development practices and principles for large scale master-planned communities. Approval and start-up of the project will require and trigger several major road improvements, including extending SR 442 west of I-95 and extending Williamson Boulevard south to Edgewater at SR 442. Infrastructure such as roads, water, sewer, trails, parks, etc. are included with the development agreement and will be paid for by the developer.*

Deering Park Center - *Deering Park Center is located on almost 900 acres at the "gateway" to Edgewater, at the southwest corner of I-95 and SR 442. The project is envisioned to provide a mix of uses, including single and multi-family residential developments, medical facilities, hotel accommodations, shopping and dining, as well as industrial areas that will facilitate distribution areas that are compatible with the surrounding environment. A significant portion of this proposed development is proposed to be within picturesque lake-front settings with dedicated public spaces, parks and other*

civic facilities. Upon completion, Deering Park Center could have up to 1.5 million square feet of non-residential space and a maximum of 1,362 residential units, using a responsible approach to planning, with large, environmentally sensitive portions of the property planned for conservation and appropriate public use. In addition, a Community Development District (CDD) has been established so that only developers and property owners within Deering Park Center will be responsible for funding the required infrastructure, as opposed to the city at-large. Deering Park Center is poised to become a model for responsible, environmentally-conscious, mixed-use development that will spur economic growth and improve quality of life throughout the City of Edgewater and beyond.

E. The proposed PUD Master Development Agreement (MDA) and its attached Conceptual Master Plan (CMP) Exhibits are based on a variety of proposed Development Districts within the 1,618 acre DPIC site, which are listed and described under MDA Section 3. Development Plan, and are annotated here:

1. Mixed Use/Commercial is a mixed-use designation designed for commercial, retail, hotel, restaurant and entertainment uses, along major arterial corridors, and some medium-density or high-density residential uses to encourage pedestrian and bicycle access. The mixed-use area adjacent to the northernmost roundabout, as shown on the Conceptual Master Plan (Exhibit G; aka MDA Exhibits B & C), shall encourage neighborhood commercial and services to provide for the residents of DPIC.

2. Innovation Park is a mixed-use designation designed for corporate headquarters, light industrial, research, hotel (150 room maximum), small non-retail business, and office uses, balanced with no more than twenty (20) percent of net usable acreage allowed for medium-density or high-density residential, to encourage pedestrian and bicycle access for job producing area. The intent is for the City and Applicant/Owner to work together to the extent that this site can be a catalyst for the extension of infrastructure and funding to develop “pad-ready” sites for office and light industrial uses for the project.

3. Residential Rental Village is the designation for commercial rental communities that

may include detached homes, cottages, and bungalows of no less than 800 square feet, duplex units of no less 800 square feet, townhouses, and multi-family apartments. Such commercial rental communities will be maintained as a single parcel for each project and shall not be permitted to be subdivided or sold as individual homes.

4. Residential is the designation for neighborhood residential areas that will contain a diversity of housing options, with the goal of providing pedestrian and multi modal connections to nearby job producing areas. The densities of such Residential areas shall be based on proximity to the job producing and urban commercial uses, to encourage pedestrian and bicycle access (as depicted on Exhibit G; aka MDA Exhibits B & C). Therefore, areas designated residential in the southern portion of DPIC, adjoining a large conservation area, would be reserved for low-density residential. The wavy boundaries shown between residential density categories are intended to provide a graduation of density, from the lowest density closest to conservation areas to increasingly higher density closer to job creation areas. These boundaries are approximate and provided to illustrate the concept, with actual density locations to be adjusted during future subdivision processes to come. The intent is to provide a wide range of housing types, sizes, and pricing, with higher densities closest to the intensive non-residential uses. In no event shall overall project density exceed the maximum number of 2,150 residential units within DPIC. The MDA also prohibits short term rentals, of less than six (6) months, within the Residential District and in every Homeowners Association, which shall enforce such prohibition. Accessory dwelling units (ADU) of no more than 800 square feet would also be permitted within this Residential District, with these ADU's permitted only as part of single family residential and townhouse areas, only after or as part of the primary dwelling construction, and would not count against DPIC's cumulative total density. All ADU's must also provide for one (1) additional parking space within the lot, above the principal unit's required parking count.

5. Regional Park/Sports Complex is a recreation use area intended to be dedicated to the City of New Smyrna in exchange for City Recreation/Park Impact Fee credits. This Complex site is to be a minimum of 50 acres with actual dimensions determined during the Williamson Boulevard segmental construction review(s), with the goal that its minimum width would be approximately 550 feet. The City may use this property for any recreational or community use, including but not limited to parks, sports fields, and a community center, provided such center is not

used for incompatible uses such as medical uses, drug treatment centers, transient housing, or homeless shelters. The Applicant/Owner is not obligated to improve this land prior to its dedication, and its transfer should only occur upon the ability being provided for the City to access this site via future constructed public roads or rights-of-way. The MDA text notes the goal for the City and Applicant/Owner to work together for this public site to be a catalyst, for the extension of infrastructure and funding, to develop "pad-ready" sites for office and light industrial uses in other areas of the DPIC project.

6. Police Facilities Site is a potential police station site, as shown on the Conceptual Master Plan (Exhibit G; aka MDA Exhibits B & C), is proposed to be dedicated to the City of New Smyrna Beach in return for City Police Dept. Impact Fee credits. This site would accommodate a police substation and be a minimum of 10 acres. The Applicant/Owner would not be obligated to improve the land prior to dedication, and access would be via Williamson Boulevard and a future east west two-lane road into the Innovation Park District. The City would agree to construct any structures on this site consistent with the architectural styles prevalent in Deering Park Innovation Center. Here too, the goal of the City and Applicant/Owner is stated within the MDA to work together to the extent that this site can be a catalyst for the extension of infrastructure and funding, to assist developing "pad-ready" sites for office and light industrial uses in other areas of the DPIC project. An 8 acre area is also proposed to be located near this Police site, to be dedicated to the New Smyrna Beach Utilities (NSBU) for future utility infrastructure purposes.

F. The above Residential Unit mix proposed at this time, and as detailed within the MDA for the 2,150 maximum residential units, is currently proposed to comprise of 925 Single Family (SF) detached lots/homes, 600 Multi-Family (MF) Apartments, 250 Build to Rent Condominium units, and 375 Townhouses. Also proposed are a maximum of 600 Hotel rooms. Prior to the start of any construction, the Applicant/Owner agrees to provide and record a restrictive covenant over the entirety of the DPIC PUD area to conform to the PUD restrictions that limit the maximum number of 2,150 residential units permitted within DPIC as a whole.

G. The approximate acreages of the mix of various Development Districts/Land Use Areas (as described in Section 6.0 of the MDA) are the following:

- Innovation Park, 423 acres
- Mixed Use/Commercial Corridor, 136 acres
- Mixed Use/Residential Village Commercial, 26 acres
- Residential Rental Village, 343 acres
- Residential, 452 acres
- Regional Park/Sports Complex, 60 acres
- City Police and NSBU Facilities, 18 acres
- Natural Vegetation Areas, 413 acres

H. The variously listed SITE DEVELOPMENT CRITERIA for the above Development Districts/Land Use Areas are provided in the Exhibit F MDA text (starting on Page 11 through Page 15) for the typical development/zoning aspects of minimum lot areas, maximum building heights and coverage %'s, minimum setbacks, etc. The proposed PERMITTED USES within these same above Development Districts/Land Use Areas are listed in MDA Section 7.0 (Pages 18 to 21). It should be noted that Section 7. d. Bona Fide Agricultural Uses allows for agriculture (including silviculture and cattle pasture uses) to remain a Permitted Use (as now currently exists), while neighboring areas proposed and/or developed for any of these other proposed/future Residential and Non-Residential Uses. In addition, as long as the Applicant/Owner continues to use the Property for these bona fide commercial agriculture uses, they shall remain Permitted Uses under the terms of this PUD. However, any of these bona fide commercial agricultural activities would be required to maintain a minimum 200-foot separation from all future permitted non-agricultural uses.

I. As stated in the MDA, the future phasing of development within the proposed DPIC PUD is highly dependent on the timing of development of the proposed Williamson Boulevard limited access "by-pass" public road and right-of-way, through the DPIC site and further south to and within the City of Edgewater to SR 442. The MDA text requires all future segments of Williamson Boulevard which will ultimately link and/or connect to State Road 44 to be constructed and in place before any of those other surrounding proposed DPIC improvements, within and around those segment areas, would be able to be constructed.

J. Right-of-Way will also be provided to Volusia County for each segment of Williamson Boulevard that is sufficient to accommodate the accompanying stormwater retention areas required, with these areas to be dedicated subsequent to design, permitting

and/or construction, and consistent with Volusia County standards and agreements between the Applicant/Owner and Volusia County.

l. The MDA, Development Plan text requires all projects adjacent to DPIC to provide roadway connections to access Williamson Boulevard through this DPIC site, which would be especially critical for the publicly funded Williamson Blvd. "by-pass"/limited access roadway. In addition, the MDA and CMP anticipate potential roadway connection(s) to the east using a future overpass crossing Interstate 95, with the MDA stating DPIC shall be responsible for the construction of the connecting road from Williamson Boulevard to the west landing of any such future I-95 overpass that would ultimately be built by Volusia County.

M. The MDA text provides numerous references for the Applicant/Owner to work together with the City to recruit investment in the appropriate areas by job producers, along with County Economic Development departments to recruit and facilitate such uses, noting the goal to develop "shovel ready" industrial and/or office sites, all of which would also include permitting and development of stormwater and transportation infrastructure and pursuit of grants and economic development funding. The City's role in the MDA is noted to utilize all available resources to attract and recruit users for DPIC, including a collaborate effort to create an economic development strategic plan for those non-residential uses within the DPIC.

N. The City and Applicant/Owner agree in the MDA to these following additional limitations on the issuance of building permits, among others, for single-family residential development within DPIC:

1. No building permit for single family residential will be issued earlier than 3 years after the approval and recording of this Agreement.
2. Each phase of single family residential shall require non-residential development, at a ratio of 300 square feet of non-residential for each single family residential unit.
3. The MDA notes that the development of "pad ready" sites within the Innovation Park area shall be considered to count toward the above requirement, so that each phase of single family residential development shall require corresponding non-residential development at a ratio of 300 non-residential square feet for each single family residential unit.

O. The MDA text (Section 3.p., Page 4) also provides that prior to any vertical construction within DPIC, the applicant will work with the City to complete a Fire Department Service Concurrency Evaluation, which may require an independent third party evaluation of said evaluation at the expense of the Applicant/Owner.

P. In terms of existing wetlands within the DPIC site and any proposed wetland impacts, there has been no field work yet performed for jurisdictional wetland determinations within this 1,618 acre DPIC site. The MDA notes the Applicant/Owner, in working with planners and city staff, have used the best available information to determine appropriate planning areas and uses. Site-specific agency jurisdictional determinations and wetland line approvals would instead be determined as part of the permitting, site plan and/or plat processes for each future development within the DPIC site. With no actual field work yet done for that and/or any agency review or approval of those wetland areas, wetland mapping done in the "desktop" Preliminary Environmental Assessment (attached **Exhibit J**) indicates the 1,618 acre site total may contain 662 total acres of existing wetlands, or just under 41% of the total site area. Of those 662 projected wetland acres, 327 acres are noted to be impacted by the development now proposed, which would appear to be just over 20% of the existing site area and just under 50% of the existing wetlands.

Q. Conversely, it also appears from the information submitted that the 1,618 acre site total may contain 956 total acres of existing uplands, or just over 59% of the total site area, with those area figures and that mapping also done in the "desktop" Preliminary Environmental Assessment method only at this time. Of those 956 upland acres, 822 acres of those uplands would now appear to be impacted by the development now proposed, which would be just over 50% of the existing site area, with almost 74 upland acres instead now proposed to remain as preserved uplands.

R. In terms of Open Space, the City LDR requires the Minimum Open Space for any PUD within this geographic area to be a minimum 50% of the entire site. Along with that PUD requirement, Residential PUD areas are required by the LDR to contain a minimum total Common Open Space area(s) equivalent to at least 35% of the designated Open Space area, also stating those Common Open Space areas "accessible to and usable by all PUD residents". The currently proposed MDA notes these PUD Common Open Space

requirements, to be fulfilled with each future development phase. The MDA text also specifies the overall PUD area shall include 50% open space, and that individual phases within DPIC may have less than 50% open space, provided the entire PUD area provides for a minimum of 50% open space. It should also be noted the minimum 400 acres required to be dedicated as Natural Vegetation Areas (NVA) will assist in providing the minimum Common Open Space areas required, as well as providing a large portion of the total Open Space needed.

S. Along with Open Space, the MDA Development Plan text notes "Planning for DPIC shall include connection of wildlife corridors and multi-use trails to existing wildlife corridors and multi-use trails south of DPIC." These wildlife corridors are within both the DPIC site and adjacent vacant and undeveloped lands also owned by the applicant, immediately to the south and west of and contiguous to the subject 1,618 acre DPIC site. These conceptual locations are shown on the attached **Exhibit I** Wildlife Corridor and Trail Map provided by the Applicant.

T. MDA Section 5. Traffic Management notes there are no timelines for construction within DPIC, with this MDA now providing only for long term planning. A current general traffic impact analysis, or Comprehensive Plan Amendment/Rezoning Traffic Study has been provided to determine existing background traffic and general impact of these proposed new plans and construction, based on the maximum entitlements included in this proposed PUD MDA. That Rezoning Traffic Impact Analysis (RTIA) was submitted with this PUD rezoning application and has been reviewed by City's Traffic Engineering consultant. That document is also reviewed by both Volusia County and the Florida Department of Transportation (FDOT), with the results of those reviews expected to be done in accordance with the concurrent/companion CPA FLU Amendment also being requested for the DPIC site, and with all review comments then collected and addressed in a future and revised RTIA version. In addition, the MDA provides that separate and more specific Traffic Impact Analysis (TIA) will be individually conducted within DPIC for each separate development phase, as those are submitted for development review and approval. Those future TIAs will be conducted according to TPO guidelines in place at that time and will include cumulative development within DPIC approved as of each successive study. Per the MDA, it also can be assumed that Williamson Blvd. will be constructed in segments between intersections, consistent with Volusia County standards, as each new development occurs beyond previously approved phases. The MDA notes that the City recognizes that actual development impacts of the project may change due to the mixed-use nature of the project, projected non-residential buildout

horizons, and future growth of the area. Therefore, in order to accommodate unanticipated development changes within the project, traffic calculations to substantiate internal capture shall be provided as part of each future TIA included with each future DPIC site plan and/or subdivision plat submittal to the City.

U. The MDA text also includes general provisions for Architectural & Design Standards, Water and Energy Conservation, Environmental Considerations, and Signage (in Sections 10, 11, 12 and 13, respectively), some of which has been discussed above, and with the remainder deferring to be more specifically determined as part of future site-specific development application processes, and/or in compliance with provisions of the City LDR at that time. In response to comments and requests by City Staff, the Design Standards Section has been supplemented with recent additions to the **Exhibit G** PUD Conceptual Plan, to now include both textual Design Standards and Illustrative Examples of Community Features.

V. The MDA is noted (in Section 16, Page 27) to be valid for a period of 30 years from its execution, and its vesting contingent on completion of construction, and dedication and acceptance by Volusia County, of the first segment of Williamson Boulevard within the DPIC PUD boundaries.

W. At the May 6, 2024, Planning and Zoning Board meeting, the Board voted to continue this Item to their June 3, 2024 meeting. The Planning and Zoning Board then voted 6-1 at their June meeting to recommend approval to City Commission with the following conditions:

1. 500,000 sq ft of non-residential shall be constructed and an additional 500,000 sq ft of non- residential shall have site plan approval prior to approval of any residential development subdivision plat.
2. 85% of the land dedicated to the City of New Smyrna Beach, for municipal purposes, shall be determined to be buildable uplands.
3. Conditional Use conditions need to be added, and the language “Conditional Uses as defined in the LDR” removed.
4. Energy and water conservation standards shall be added to the PUD.
5. PUD language in Section 3.d shall be modified as follows. *The 2,150 total units ~~would~~ shall be comprised of a mix of 925 sf detached, 600 MF apartments, 250 build to rent, and 375 townhomes.*
6. The Board recommended the developer have a discussion with the property owner regarding a stormwater bond.
7. Ensure the text and associated maps of the PUD match in all areas referring to

acreage.

8. And any other verbally agreed upon items.

The currently attached MDA Exhibits have now been revised to address the above conditions. In addition, the Applicant prepared and submitted a Letter (attached as **Exhibit L)** that documents all revisions that were made to the PUD MDA materials, as suggested by the Planning and Zoning Board members, City Staff and City Attorney, City Commission, and Volusia County School Board as a result of various prior meetings and hearings on this application and/or concurrent ones. In addition, a new **Exhibit M** has been added since the First Reading that shows all revisions made to the MDA text since that First Reading, in response to Commission and public comments. Among those revisions is the addition of a single one page map, as **Exhibit G** of the MDA Exhibits, to clarify the Venetian Bay Community and NSBU parcel boundaries.

III. Recommendation:

The Development Services Department recommends that the City Commission approve the requested rezoning application, to create the Deering Park Innovation Center (DPIC) Planned Unit Development (PUD) under the attached Master Development Agreement (MDA) and its Conceptual Master Plan (CMP), to then be consistent with the companion applications recently approved which changed both the Future Land Use (FLU) designation to Industrial Mixed Use (IMU) FLU and the IMU FLU Text Amendment that were also approved by the City and all applicable reviewing agencies.

Fiscal Analysis:

N/A

Strategic Plan Item:

No

Staff Report Created By: Shane Corbin - Developmental Services Director

Attachments:

Exhibit A - Location Map.pdf
Exhibit B -Aerial Map.pdf
Exhibit C - Existing Zoning Map.pdf
Exhibit D - Proposed Zoning Map.pdf
Exhibit E - Survey Sketch and Legal Description (Ex. A of MDA).pdf
Exhibit F - PUD Master Development Agreement (MDA), Proposed Final Version.pdf
Exhibit G - Conceptual Master Plan 1 of 2 (Ex. B of MDA).pdf
Exhibit G Conceptual Master Plan 2 of 2 (Ex. B of MDA).pdf

Exhibit G - Conceptual Residential Gradation Plan (Ex. C of MDA).pdf
Exhibit G - Roadway Sections (Ex. D of MDA) 4-16-24 V 4.1.pdf
Exhibit G - Design Guidelines (Ex. E of MDA) revised 7-12 (002).pdf
Exhibit G - Illustrative Examples of Community Features (Ex. F of MDA) 003.pdf
Exhibit G - Ven. Bay and NSBU Area Boundaries (Ex. G of MDA).pdf
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Ord 51-24 Rezoing and MDA DPIC.pdf
Business Impact Estimate - Ord 51-24 Deering Park Rezoning.pdf