



Staff Report

To: Planning and Zoning Board

From: Jonathan Knight, Planner I
Planning and Development Services

Date: May 15, 2024

Re: Project No. CU23-0009, Resolution No. 2024-25 Conditional Use to allow an automobile service station type A within the Retail Commercial District (C-1) for the property located at 625 Howland Boulevard.

Summary of Application:

Applicant: Peter Pensa, AICP – AVID Group

Request: Conditional Use application to allow an oil change store within the C-1 zoning.

Tax Parcel No.: 8130-62-08-0150, 8130-62-08-0160, 8130-62-08-0170, and 8130-62-08-0180.

Property Acreage: ±0.78 acres

Property Location: The property is in the northwest quadrant of the intersection of Fort Smith Boulevard and Howland Boulevard.

Legal Description: (625 Howland Boulevard) LOT 15, BLOCK “1590” DELTONA LAKES UNIT 62, ACCORDING TO THE PLAT THEREOF AS RECORDED IN MAP BOOK 28, PAGES 95 THROUGH 99, INCLUSIVE, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

(631 Howland Boulevard) LOT 16, BLOCK “1590” DELTONA LAKES UNIT 62, ACCORDING TO THE PLAT THEREOF AS RECORDED IN MAP BOOK 28, PAGES 95 THROUGH 99, INCLUSIVE, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

(637 Howland Boulevard) LOT 17, BLOCK “1590” DELTONA LAKES UNIT 62, ACCORDING TO THE PLAT THEREOF AS RECORDED IN MAP BOOK 28, PAGES 95 THROUGH 99, INCLUSIVE, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

(643 Howland Boulevard) LOT 18, BLOCK "1590" DELTONA LAKES UNIT 62, ACCORDING TO THE PLAT THEREOF AS RECORDED IN MAP BOOK 28, PAGES 95 THROUGH 99, INCLUSIVE, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

Existing Zoning:

Subject Property: C-1, Retail Commercial District

Adjacent Properties:

North: C-1, Retail Commercial District.

South: C-1, Retail Commercial District.

East: C-1, Retail Commercial District.

West: R1, Single Family Residential Classification.

Support Information:

- **Potable Water:** Deltona Water
- **Sanitary Sewer:** Sewer by Deltona Water
- **Fire Protection:** Deltona Fire Station 64
- **Law Enforcement:** Volusia Sheriff's Office (VSO)
- **Electricity:** Florida Power and Light (FPL)

Background:

The applicant is proposing to develop a 1,671 square foot, 3-bay Strickland Brothers quick oil change facility through the Conditional Use process for the properties located at 625, 631, 637, and 643 Howland Boulevard. The property is currently undeveloped and primarily wooded, excluding the periphery of the properties along Howland Boulevard. A quick service oil change facility is considered an "Automotive Service Station, Type A" per the City of Deltona Land Development Code (LDC) and requires Conditional Use approval in the Retail Commercial (C-1) zoning district.

The project proposes a right-in/right-out access onto Howland Boulevard and Fort Smith Boulevard. Two-way traffic flow is proposed through the site with the building offset to the travel lane. The flow of vehicular traffic through the building will be from west to east; bay exits will face Howland Boulevard. The applicant is requesting the Conditional Use to include a reduction in the stacking and parking required by the LDC. The intent is to effectively reduce underutilized asphalt and concrete areas.

The location of the proposed quick-service oil change facility is in an underserved area of the City of Deltona that needs auto services and is close to residential properties. The only service provided within a mile is directly south of the property and is a Walmart Auto Service Center, providing an array of vehicle services. The Strickland quick-service oil change intends to keep the consumer

in the vehicle to receive service for a 10-minute oil change. The model is intended for existing traffic from commuters going to or coming home from work that may require vehicular maintenance without taking away time from their work and home life.. There is not currently a quick-service oil change facility such as Valvoline or Take-5 in the City of Deltona. If a resident in the City desires to use this service, they would have to travel to Deland, Orange City, or Sanford to get to the nearest one, which conflicts with the intent of the Comprehensive Plan Section FLU1-1.2(a).

The intended user is a low-impact user that does not generate much traffic as can be seen in the trip generation chart, thereby the model requires fewer stacking spaces and less parking than the LDC requires. As stated before, there are no similar uses in the City of Deltona to compare the functionality of the proposed quick service oil change. By reducing the cumbersome demand for stacking spaces required by the Land Development Code (LDC), and allowing for specific use driven parking requirements, the developer can work towards meeting the intent of FLU1-1.2(d & e) and provide an efficient use of the property while minimizing the impact to open space and natural resources. The following paragraphs will discuss parking and stacking, what is required by the City, and the intended use.

Description/ ITE Code		ITE Vehicle Trip Generation Rates								
		(peak hours are of adjacent street traffic unless highlighted)								
		Weekday	AM	PM	Pass-By	AM In	AM Out	PM In	PM Out	
Quick Lubrication Vehicle Shop - 941		69.57	5.80	8.70	0%	75%	25%	42%	58%	
Units	Expected	Total Generated Trips			Total Distribution of Generated Trips					
	Units									
Independent Variable		Daily	AM Hour	PM Hour	AM In	AM Out	Pass-By	PM In	PM Out	Pass-By
KSF ²	1.671	116	10	15	7	2	0	6	8	0

Stacking Reduction: Based on LDC Section 110-829)(a), four (4) spaces per service bay of stacking are required. The applicant is requesting to reduce the stacking from four (4) spaces per bay to one (1) space per bay. Thereby, providing one (1) space on the bay exit since vehicles do not stop and wait as they exit the bay and leave once the service is complete, and one (1) space in the service bay, and one (1) space waiting for service. To meet the stacking requirement, this would require the building to be flipped to face Fort Smith Boulevard, effectively eliminating all of the pond and open space area to provide the ability to maneuver safely through the site. By doing this it would directly oppose the policy set in place in the Comprehensive Plan FLU1-1.2(d&e) and could possibly replace open space with a sea of asphalt. Additionally, the stacking would be underutilized, per the ITE standards and the number of peak hour trips served daily.

Parking Reduction: Based table 110-9 of the City's LDC parking is required to be three (3) spaces per bay. The developer is requesting to reduce the parking to seven (7) spaces or 2.33 spaces per bay, which is a reduction of 23% of the required parking. The LDC lumps together several service station uses, including retail sales of products. Each use listed operates differently, as the quick service oil change facility requires consumers to stay in their car for service and does not offer walk-up or retail services that would require a consumer to park and come inside the facility for a transaction. The parking will be utilized by employees only, the facility is staffed with a supervisor and three (3) technicians, which would only require four (4) spaces. In the case of the Deltona site, the applicant is proposing additional spaces to support double the number of technicians during peak hours to ensure stacking remains within the parameters of the stacking analysis.

Matters for Consideration:

Section 110-1102, Code of City Ordinances, states that the City shall consider the following matters when reviewing applications for Conditional Use:

1. Is the proposed use consistent with the intent of chapter 110?

"The zoning regulations are designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote public health, safety, morals, and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to retain productive agricultural areas; and to facilitate the provision of essential governmental services, such as transportation, water, sewage disposal, schools, and parks."

The proposed project provides access to services that are limited to the City of Deltona residents. The use is a low-traffic generator and minimizes the footprint and impact on the corner of Howland Boulevard and Fort Smith Boulevard. The project uses a minimal amount of water and sewer as it only contains a restroom for employees. Having two-way traffic and access to both Fort Smith Boulevard and Howland Boulevard promotes accessibility for emergency vehicles to safely traverse the site.

2. Is the proposed use consistent with the Comprehensive Plan?

The Future Land Use designation of the property is Commercial, which allows for this type of development. The current state of each parcel is not usable, as they do not meet the minimum requirements for C-1. With the exception of the parking and stacking reduction request the applicant is proposing a code-compliant plan that meets all the requirements of the Comprehensive Plan.

Policy FLU1-1.2

The City of Deltona shall utilize land development regulations that contain specific and detailed provisions required to implement the Comprehensive Plan.

- a. *Provide a balance of residential and non-residential land uses that offer opportunities to live, work and play within the City boundaries particularly in compact mixed-use developments;*
- b. *Regulate the subdivision of land;*
- c. *Regulate the use of land and water bodies consistent with this Element and ensure the compatibility of adjacent land uses;*
- d. *Provide for open space;*
- e. *Protect natural resource areas;*
- f. *Regulate areas subject to seasonal and periodic flooding and provide for drainage and stormwater management;*
- g. *Protect potable water well fields and aquifer recharge areas;*
- h. *Regulate signage;*
- i. *Ensure safe and convenient traffic flow on and off site and vehicle parking needs (i.e. access management, cross access requirements, turn lane requirements, parking ratios, etc.);*
- j. *. Provide that development orders and permits issued shall not result in a reduction below the level of services standards adopted in this Comprehensive Plan;*
- k. *Contain performance standards for protecting archaeological or historically significant properties or areas;*
- l. *Protect against adverse impacts to wildlife and their habitats;*
- m. *Appropriately manage aesthetics and design, i.e. streetscape, building design, landscaping, etc.;*
- n. *Promote an energy efficient urban development form intended to reduce greenhouse gas emissions both locally and regionally.*

The reduced parking and stacking will provide additional consistency with the Comprehensive Plan as indicated in this Policy. The proposed development is consistent with the commercial Future Land Use category as the use is a standalone use and is not part of a strip center. As indicated in other parts of this document, the use is a low-traffic generator and provides access onto both major roads while providing adequate traffic flow.

The applicant will combine the four (4) lots once the Conditional Use application is approved. This ensures the applicant will have adequate open space.

Policy FLU1-5.12

In implementing the Future Land Use Element, the City shall develop and adopt regulations to ensure to the maximum extent feasible, compatibility of use of areas and properties, including but not limited to such factors as traffic circulation, air quality and odor control, noise control, lighting and aesthetics.

To ensure there is minimal noise the oil changes occur within a building, and services are performed below the cars. The pit, below the car, is constructed by pouring in place concrete and is waterproofed with a painted-on membrane. The oil that is removed from the vehicle is stored in

tanks that are removed from the site by a company that is licensed by the state to handle the removal of used automotive oil.

Lighting on the property will follow the LDC and be reviewed during the Final Site Plan.

Policy FLU1-7.17

Consistent with Section 163.3202(1) F.S., the City of Deltona shall maintain land uses and regulations consistent with the existing Comprehensive Plan and continue to enforce the zoning ordinance and building code.

The property is currently zoned to allow commercial type uses, the Conditional Use is a special exception to allow this use in the C-1 zoning. The Conditional Use requires for public meetings with due public notice and is essentially decided by the City Commission. The Future Land Use for the property is Commercial, which would allow this type of use without having to rezone the property.

3. Will the proposal adversely affect the public interest?

The location of the proposed quick service oil change facility is underserved by automotive services. Quick service oil change facilities are not located in the City of Deltona, and if a resident in the City wants to use such a service, they would have to travel to surrounding cities for these type of services.

4. Can the applicant meet the expressed requirements of applicable City Conditional Use regulations?

Section 110-315(c) Retail Commercial District of the LDC, a Conditional Use for Automobile Service Stations Type A is permitted on sites with not less than 150 feet of frontage on all abutting streets. The smallest street frontage is along Fort Smith Boulevard, which exceeds the minimum 150 feet. The applicant will also go through the Final Site Plan process once the Conditional Use application is approved.

5. Comply with the City's Code of Ordinances, the Florida Building Code, and the Florida Fire Prevention Code.

The proposal is consistent with various sections within Chapter 110 of the City's LDC regarding zoning, landscaping, and parking requirements. The submittal of the building permit application shall also include any construction or alteration to the building in accordance with 2023 Florida Building Code, 8th Edition, Section 105 Permits, and NFPA 1, Fire Code, 2021 Ed., Section 1.12.6.

6. Protect public health, safety, and welfare to ensure basic function operation, including, but not limited to, full utilities, access management in chapter 96, off-street parking in section 110-828, and solid waste in Chapter 50.

The applicant is following LDC guidelines to protect public health, safety, and welfare. Solid waste will be handled by the WastePro. The applicant is requesting a reduction in parking spaces, since this type of use does not require customers to park at any time. The service is conducted within the car, with the driver staying in the vehicle. The applicant is providing adequate parking for staff.

7. Will the applicant be able to meet all requirements imposed by federal, state or local governments?

The applicant intends to meet all the requirements of the federal and state government (FDEP, SJRWMD, etc.) regulations as it pertains to development. The applicant has met with Volusia County and is meeting their requirements. The applicant intends to meet the required standards of the City of Deltona with the exception of the requested parking and stacking reduction above that support a more compact and less impactful site development project.

8. Will the proposed use generate undue traffic congestion?

The proposed oil change will generate 116 daily trips, with max AM peak hour trips at 10 and PM trips at 15. The C-1 zoning allows for more intense uses that would generate more traffic, including a drive-thru or a retail store. The proposed development is one of the lowest trip-generating uses that could be placed at the corner, which makes the use a good fit for the major intersection.

9. Will the proposed use create a hazard, public nuisance or be dangerous?

The applicant has provided code-compliant buffers and setbacks. The developer has made an effort to reduce any unforeseen compatibility issues by locating the building as far east as possible. While no dangers or nuisance are foreseen to be created by this development, the proposed use will undergo a formal Site Plan review by the City prior to the issuance of any building permits.

10. Will the proposed use materially alter the character of surrounding neighborhoods or adversely affect the value of surrounding land, structures, or buildings?

The proposed Strickland Oil Change is a single-story 1,671 square foot building, which is similar in size to an average home. The proposed location is on a property that is zoned for commercial type uses. The zoning encourages uses that are larger and more intense than the proposed development. Staff does not foresee adverse effects on the surrounding property values, as the new development will provide additional services for the community, promises to be aesthetically pleasing, and provide a low impact on the corner of two (2) roads.

11. Will the proposed use adversely affect the natural environment, natural resources or scenic beauty or cause excessive pollution?

The applicant has submitted their concept plan, that follows the landscape buffer regulations. The building will be located on the east side of the property, this will allow more area from the single-family homes. There is over 83 feet between the building and the alleyway, which will provide a buffer to the single-family homes to the west.

Furthermore, the proposed use minimizes the possibility of pollution as the oil changes occur within a building, and service is performed from a pit that is built below the cars. The pit is waterproof, and the oil is removed from the vehicles and stored into tanks that are emptied by a company who is licensed by the state to remove used auto oil.

Conclusion/Staff Recommendation:

Staff recommends the Planning and Zoning Board recommend the City Commission approve Resolution No. 2024-25, granting a Conditional Use for the Automobile Service Station Type A use to be located at 625 Howland Boulevard with the following conditions:

1. A Combination of Lots application is required to combine Lots 15, 16, 17, and 18.
2. A Final Site Plan application is required.