



Legislation Details (With Text)

File #: 474-2015 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 4/10/2023 **In control:** City Commission

On agenda: 5/22/2023 **Final action:** 5/22/2023

Title: Public Hearing - Ordinance No. 05-2023, amendment to the Official Zoning Map to rezone approximately 1.76 acres of land from Business Planned Unit Development (BPUD) to Retail Commercial (C-1) at first reading - Joseph Ruiz, Planning and Development Services Interim Director, (386) 878-8624.

Strategic Goal: Develop the Infrastructure and Land Need for Business Development

Sponsors: Development Review Committee, Jessica Entwistle

Indexes:

Code sections:

Attachments: 1. Staff Report, 2. Maps, 3. DA Ordinance 06-2001, 4. DA Ordinance 24-2022 Catalina Pointe RPUD, 5. Catalina Pointe TIA, 6. Ordinance 05-2023, 7. EXHIBIT A- Legal description and sketch, 8. CC Presentation 5-15-2023, 9. O-05-2023-revised ad

Date	Ver.	Action By	Action	Result
5/22/2023	1	City Commission	accept	
5/22/2023	1	City Commission	adopt	Pass

TO: Mayor and Commission

AGENDA DATE: 5/22/2023

FROM: City Manager

AGENDA ITEM: 6 - B

SUBJECT:

Public Hearing - Ordinance No. 05-2023, amendment to the Official Zoning Map to rezone approximately 1.76 acres of land from Business Planned Unit Development (BPUD) to Retail Commercial (C-1) at first reading - Joseph Ruiz, Planning and Development Services Interim Director, (386) 878-8624.

Strategic Goal: Develop the Infrastructure and Land Need for Business Development

LOCATION:

2965 Howland Boulevard; The property is generally located west of the intersection of Howland Boulevard and Catalina Boulevard and the Family Dollar, and is located generally east of the Center at Deltona and the Storaway self-storage.

COST:

N/A

SOURCE OF FUNDS:

N/A

ORIGINATING DEPARTMENT:

Planning and Development Services

STAFF RECOMMENDATION PRESENTED BY:

Joseph Ruiz, Interim Director, Planning and Development Services

POTENTIAL MOTION:

"I hereby move to approve Ordinance No. 05-2023, amending the Official Zoning Map to rezone ±1.76 acres of land from Business Planned Unit Development (BPUD) to Retail Commercial District (C-1) at first reading and schedule the second and final reading for June 19, 2023. The City Manager has the authority to make corrections of scrivener's errors and the like"

BACKGROUND:

The City of Deltona received an application to rezone approximately 1.76 acres of land located at 2965 Howland Boulevard from Business Planned Unit Development (BPUD) to Retail Commercial (C-1). The property proposed to be rezoned is currently designated as Commercial on the Future Land Use Map (FLUM). The C-1 rezoning request is consistent with the Commercial Land Use category.

In 2001, this parcel was rezoned from County A-3 (Transitional Agriculture) to BPUD (Business Planned Unit Development via Ordinance No. 06-2001). This rezoning effort produced a BPUD with commercial uses (shopping center and out-parcels) and a self-storage facility. The self-storage/mini warehouse use (98,000 square feet) was limited to a predefined tract (now developed as the Storaway self-storage center). The self-storage/mini warehouse use was transferred to different ownership under a separate parcel. The shopping center and out-parcels were never developed.

In addition to Parcel No. 8109-00-00-0064 (parcel in reference), Parcel No. 8109-00-00-0070 was part of Ordinance No. 06-2001. This parcel (8109-00-00-0070) was rezoned to C-1 (Neighborhood Commercial) in 2003. On January 17, 2023, the City Commission adopted Ordinance No. 24-2022, rezoning Parcel No. 8109-00-00-0070 from C-1 to RPUD and a large portion of Parcel No. 8109-00-00-0064 from BPUD to RPUD.

As has been mentioned, the property fronting on Howland Blvd. was earmarked for retail and service commercial uses as part of the 2001 rezoning to BPUD. The BPUD entitlements have never been utilized and the land has not developed in over 20 years.

The requested C-1 zoning represents a commercial project where the intended use is a 6,000-square-foot quality restaurant. This use will serve the existing community and the Catalina Pointe RPUD (cottages, duplex type units, and townhome buildings) to be located south and east of the proposed amendment. A pedestrian trail connection will be designed as part of the Catalina Pointe Master Development Plan (MDP) to provide a pedestrian connection to the restaurant site.

For more information see the attached staff report and supporting documentation.

On April 19, 2023, the Planning and Zoning Board heard the rezoning request. The Board voted unanimously to recommend the City Commission approve the rezoning.