

1 **MINUTES OF THE ORANGE CITY PLANNING COMMISSION MEETING**, held on
 2 Wednesday, May 02, 2018 at 6:00 p.m. in Council Chambers, 201 N. Holly Avenue, Orange City,
 3 Florida.

4
 5 **1. CALL TO ORDER**

6
 7 The meeting was called to order at 6:00 p.m. by Chair Laputka and roll call was taken.

8
 9 **ROLL CALL:**

10
 11 **PRESENT:** Chair: Tom Laputka; Commissioners:, Martin Harper, Fran Schwartz, Amy Campbell,
 12 Vernon Stafford, Sarah Mazzie, Staff Members: Carol McFarlane, City Planner, Joseph
 13 Ruiz Senior Planner, William Reischmann, City Attorney, Melani Brown, Deputy City
 14 Clerk.

15
 16 Absent: Michelle Polgar

17
 18 **2. PLEDGE OF ALLEGIANCE**

19
 20 **3. APPROVAL OF MINUTES** April 04, 2018

21
 22 **Commissioner Schwartz moved to approve the minutes of the April 04, 2018**
 23 **Planning Commission meeting, seconded by Commissioner Campbell and**
 24 **passed by a 6/0 roll call vote of the Planning Commission.**

25
 26 **4. PUBLIC HEARINGS**

27
 28 **A. ORDINANCE NO. 601:** A rezoning request by Christopher Garris of Lakeworth-
 29 Land O'Lakes MHP, LLC for approximately 19.69 acres of property known as Land
 30 O Lakes Mobile Home Park located at 1800 East Graves Ave, identified as parcel
 31 number 8012-00-00- 0170 from Mixed Use Suburban (MX-2) to the Planned
 32 Unit Development (PUD) zoning classification.

33
 34 William Reischmann, City Attorney, read the title of Ordinance No. 601 into the record. Mr.
 35 Reischmann advised that this is a quasi-judicial public hearing and asked that any ex-parte
 36 communication on this topic be disclosed at this time. He noted for the record there were no disclosures.

37
 38 Carol McFarlane, City Planner, presented a detailed PowerPoint presentation (a copy of which is
 39 attached and becomes a permanent part of these minutes). Ms. McFarlane reported that this is a rezoning
 40 request from Mixed Use Suburban (MX-2) to a Planned Unit Development (PUD) zoning classification
 41 for the property known as the Land O' Lakes Mobile Home Park. Ms. McFarlane stated that the park
 42 consists of 175 mobile home units, including 3 RV sites, and a single-family residence that is used as a
 43 manager's home/sales office. She noted that neither mobile home dwelling units nor RV lot rentals are
 44 allowed in the MX-2 zoning classification. Therefore, the park is currently a nonconforming use, and is
 45 not eligible for building permits for new or replacement structures. The owner of the park wishes to
 46 rezone the property to make it compliant with the Land Development Code and to make certain

1 improvements to the site.

2
3 Ms. McFarlane stated that staff recommends the Planning Commission find the Official Zoning Map
4 amendment consistent with the comprehensive plan and forward Ordinance No. 601 to the City Council
5 for approval, with the following 3 conditions:

- 6 1. Approve the Development Agreement, as drafted.
- 7 2. The Development Agreement shall be executed and recorded in the Volusia County Official Records,
8 with recommended changes, as well as any changes requested by the City Council, within 6 months
9 of approval.
- 10 3. Unit 166 is an unsafe structure and must be removed within 30 days of this rezoning approval.

11
12 Chair Laputka opened the public hearing.

13
14 Suzanne Barberson, Regional Manager for Land O'Lakes came forward and reported that a mail kiosk
15 has been applied for and that Unit 166 is scheduled for demolition within 30 days.

16
17 Gil Odjick, 1800 E. Graves Ave., Lot No. 167, reported that he is having issues trying to sell his home
18 due to the rat infested property on Lot No. 166.

19
20 **Commissioner Harper moved based upon competent substantial**
21 **evidence as presented, the Planning Commission recommends that the**
22 **City Council of the City of Orange City adopt Ordinance No. 601 with**
23 **the conditions presented, seconded by Commissioner Mazzie and**
24 **passed with a 6/0 roll call vote of the Planning Commission.**

25
26 **B. ORDINANCE NO. 602:** A rezoning request by David Eastman, attorney for owners
27 Ann and Mario Mazzola of Candlelight Mobile Home Park, LLC, for approximately 20
28 acres of property known as Candlelight Mobile Home Park located at 2000 North
29 Volusia Avenue, identified as parcel number 8002-00-00-0190 from General
30 Commercial Restricted (CG-1) to the Planned Unit Development (PUD) zoning
31 classification.

32
33 Mr. Reischmann read the title of Ordinance No. 602 into the record. Mr. Reischmann advised that this
34 is a quasi-judicial public hearing and asked that any ex-parte communication on this topic be disclosed
35 at this time. He noted for the record there were no disclosures.

36
37 Ms. McFarlane presented a detailed PowerPoint presentation (a copy of which is attached and becomes
38 a permanent part of these minutes). Ms. McFarlane reported that this matter is a rezoning request for
39 the property known as the Candlelight Mobile Home Park. If approved, the property will be rezoned
40 from a General Commercial Restricted (CG-1) to a Planned Unit Development (PUD) zoning
41 classification. The property consists of a mobile home park with 108 mobile home units and the Tropi-
42 Shack restaurant.

43
44 Ms. McFarlane advised that the mobile home park is currently a non-conforming use and is not eligible
45 for building permits for new or replacement structures. The owner of the property wishes to rezone the
46 property to make it compliant with the Land Development Code and to make certain improvements to

1 the site.

2

3 Ms. McFarlane stated that staff recommends the Planning Commission find the Official Zoning Map
4 amendment consistent with the Comprehensive Plan and forward Ordinance No. 602 to the City Council
5 for approval, with the following 2 conditions:

6 1. Approve the Development Agreement, as drafted.

7 2. The Development Agreement shall be executed and recorded in the Volusia County Official records,
8 with recommended changes, as well as any changes requested by the City Council, within 6 months
9 of approval.

10

11 Commissioner Mazzie asked if the rezoning would be limited to the 108 sites on the property or only
12 allow additional development on the existing 10 acres. Ms. McFarlane replied that it would not be
13 limited because of the way the development agreement reads.

14

15 Mr. Reischmann clarified that as the Code reads, future development of mobile homes on the 10 acres
16 property is prohibited however development of anything else is not.

17

18 Mario Mazola, the owner of Candlelight Mobile Home Park, provided a brief history of the park. He
19 reiterated what Ms. McFarlane reported.

20

21 Chair Laputka opened the public hearing.

22

23 William Brain, resident of Candle Light Mobile Home Park, came forward and spoke in favor of
24 Ordinance 602. Mr. Brain stated that if Ordinance 602 passes, the residents of the park will feel more
25 comfortable knowing they will be able to obtain permits to build improvements to their homes.

26

27 Robert Perez, 590 E. New York Ave., came forward and spoke in opposition of Ordinance 602. Mr.
28 Perez voiced his concern about the back 10 acres being developed should the Ordinance pass. He noted
29 this would interfere with the country life style of the residents whose homes back up to the 10 acres.

30

31 Henry Babin, 1200 N. Thorpe Ave., came forward and spoke in opposition of Ordinance 602. Mr. Babin
32 voiced his concern about an apartment complex being built on the 10 acres behind the park should this
33 Ordinance pass.

34

35 Dick Darling, 1103 N. Thorpe Ave., came forward and spoke in opposition of Ordinance 602. Mr.
36 Darling voiced his concern about the sewer treatment plant being enlarged in his neighborhood should
37 this Ordinance pass.

38

39 Mark Higbee, 1205 N. Thorpe, came forward and spoke in opposition of Ordinance 602. Mr. Higbee
40 noted that the property is 20 acres. He stated that he enjoys the rural atmosphere of the neighborhood
41 and is concerned about development of the property changing the environment should this Ordinance
42 pass.

43

44 John Cimperman, 1150 N. Thorpe Ave., came forward and spoke in opposition of Ordinance 602. Mr.
45 Cimperman stated that he moved from Pennsylvania to Orange City and loves the country environment.
46 He stated that if an apartment complex is built on the 10 acres he will move back to Pennsylvania.

1 Chair Laputka closed the public hearing.
2

3 Mr. Reischmann clarified that the current zoning of the entire property is CG-1. He noted that if the
4 Planning Commission denies Ordinance 602 the property owner could still develop on the back 10 acres
5 consistent with the Land Development Code as CG-1. Mr. Reischmann stated that the proposal allows
6 the developer to have PUD zoning which allows repairs and replacements to be made to the front 10
7 acres. This rezoning to PUD does not issue any new development orders for development of the back
8 10 acres. He noted that Ordinance 602 does not change the development rights or change the back 10
9 acres.
10

11 A discussion ensued between Mr. Reischmann and the Commission that clarified the current zoning
12 and Ordinance 602 proposal.
13

14 **Commissioner Mazzie moved based upon competent substantial**
15 **evidence as presented, the Planning Commission recommends that the**
16 **City Council of the City of Orange City adopt Ordinance No. 602,**
17 **seconded by Commissioner Harper and passed with a 6/0 roll call vote**
18 **of the Planning Commission.**
19

20 Commissioner Harper requested a 5 min recess. Chair Laputka reconvened the meeting at 7:40 p.m.
21

22 **C. PPLT-12-17-1306:** A preliminary plat application by Geoff Summit of G L Summitt
23 Engineering, Inc. for the Parc Hill Phase 2 Residential subdivision, a 185-lot single-
24 family residential subdivision on a 61.86-acre property identified as parcel number
25 8014-35-00-0040 in the PD, Planned Unit Development zoning classification.
26

27 Mr. Reischmann read the title of PPLT-12-17-1306 into the record. Mr. Reischmann advised that this is
28 a quasi-judicial public hearing and asked that any ex-parte communication on this topic be disclosed at
29 this time. He noted for the record there were no disclosures.
30

31 Joseph Ruiz, Senior Planner, presented a PowerPoint presentation (a copy of which is attached and
32 becomes a permanent part of these minutes). Mr. Ruiz reported that this is a preliminary plat application
33 for the Parc Hill Phase 2 residential subdivision. Mr. Ruiz reported that roads will be dedicated to the
34 City, and a homeowner's association will be formed for the maintenance of the common areas. He noted
35 that potable water, sanitary sewer, and reclaimed water service will be provided by Volusia County.
36

37 Mr. Ruiz stated that staff recommends that the Planning Commission forward Resolution Number 903-
38 18 to the City Council with a recommendation of approval with the following conditions:
39

- 40 1. The preliminary plat and construction drawings shall be revised to comply with the TRC comments
41 dated April 3, 2018.
- 42 2. The Applicant shall submit a copy of the Gopher Tortoise Relocation Permit approved by the Florida
43 Fish and Wildlife Conservation Commission prior to the issuance of a development order for the Parc
44 Hill Phase 2 Residential.
- 45 3. A Utility Service Agreement shall be approved and executed by Volusia County prior to issuance of
a development order.

1 4. Prior to any Certificate of Occupancy, either a Wholesale Water Agreement or a revised Utility
2 Service Boundary Agreement between Volusia County and Orange City must be approved.

3
4 Chair Laputka voiced his concern about school traffic safety measures. His specific concern was for
5 sidewalks and safety for the students living in the new development who would walk to school. Chair
6 Laputka noted that in prior years the City did not prepare for the increase in school traffic and the
7 children suffered the consequences of that poor planning.

8
9 Mark Watts, Representative for the law firm of Cobb Cole, came forward to address the Commissions
10 concerns about pedestrian elements of the project and school traffic.

11
12 A discussion ensued between Mr. Watts and the Commission concerning Parc Hill Blvd construction,
13 Junior St. connection, Harley Strickland improvement and Veterans memorial outlets.

14
15 **Commissioner Mazzie moved based upon competent substantial**
16 **evidence as presented, the Planning Commission recommends that the**
17 **City Council of the City of Orange City adopt Ordinance No. 602,**
18 **seconded by Commissioner Schwartz and passed with a 6/0 roll call**
19 **vote of the Planning Commission.**

20
21 **5. DISCUSSION ITEMS**

22
23 None at this time

24
25 **6. PRESENTATIONS**

26
27 **A. Kathaline Salzano Public Service Recognition**

28
29 Agenda item 6A will be postponed to the June Planning Commission meeting.

30
31 **6. DISCUSSION ITEMS**

32
33 None at this time

34
35 **7. STAFF/COMMISSION COMMENTS**

36
37 Commissioner Harper stated that staff did an excellent job on the presentations.

38
39 **8. CITIZEN COMMENTS**

40
41 **9. ADJOURNMENT**

42
43 There being no further business to discuss, Chair Laputka adjourned the meeting at 8:13 p.m.

44
45 **RESPECTFULLY SUBMITTED:**

APPROVED ON

46

1
2 _____
3 Melani Brown
4 Deputy City Clerk

06-06-2018
Date