

1 **MINUTES OF THE ORANGE CITY PLANNING COMMISSION MEETING**, held on
2 Wednesday, August 05, 2020, 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: Wesley Kihlmire, Amy Campbell, Gaea Nunez,
12 and Sarah Mazzie; Staff Members: Joseph Ruiz, Senior Planner, Kim Reading, Senior
13 Planner, Neysa Borkert, City Attorney, Melani Beringer, Deputy City Clerk.

14
15 **ABSENT:** Commissioner Stafford

16
17 Shall the absence of Commissioner Mazzie and Schwartz be excused from the July 1, 2020 Planning
18 Commission meeting?

19
20 The Planning Commission agreed to excuse the absences of Commissioner Mazzie and Schwartz.

21
22 **2. PLEDGE OF ALLEGIANCE**

23
24 **3. APPROVAL OF MINUTES**

25
26 A. Minutes Dated July 1, 2020

27
28 **Commissioner Kihlmire moved to approve the July 1, 2020 Planning**
29 **Commission meeting minutes, seconded by Commissioner Campbell, the motion**
30 **passed by a 5/0 roll call vote of the Planning Commission.**

31
32 **4. PUBLIC HEARINGS**

33
34 **A. NEW BUSINESS**

35
36 **1. PUD-10-19-1697:** a rezoning application for approximately 26.34 acres located
37 at 2250 State Road 472 from Mixed Use Suburban, MX-2, to Planned Unit
38 Development (PUD) for the project known as The Crossings.

39
40 Neysa Borkert, City Attorney, read rezoning application PUD-10-19-1697 into the record.

41
42 Joseph Ruiz, Senior Planner, provided a PowerPoint presentation (a copy of which is attached and
43 becomes a permanent part of these minutes) and described the proposed Planned Unit Development
44 (PUD) called the Crossings. Mr. Ruiz noted that the PUD will allow 31,187 square feet of neighborhood
45 commercial uses, 13,600 square feet of office space, a 100-room hotel, and 288 multi-family units on
46 approximately 26 acres.

47
48 Mr. Ruiz stated that the property holds a Mixed Use Activity Center (MXAC) future land use (FLU)

1 designation, which allows up to 40 dwelling units per acre and a 3.0 Floor Area Ratio of nonresidential
2 building square footage, with a 4,699 external average daily trip cap.

3
4 Mr. Ruiz noted that the MXAC FLU and the Mixed Use Suburban (MX-2) existing zoning classification
5 requires rezoning to a PUD before any development can begin. The PUD proposes subdividing the
6 property into seven parcels; six parcels for nonresidential buildings along the SR 472 frontage and one
7 parcel for the apartment buildings.

8
9 Mr. Ruiz stated that staff recommends forwarding Ordinance No. 631 to City Council for approval with
10 the amended Development Agreement attached as Exhibit C. If approved first reading will occur on
11 September 9, 2020.

12
13 Chair Laputka requested clarity regarding the proposed Kentucky Ave. entrance.

14
15 Mr. Ruiz replied that the applicant will coordinate entrance plans with Volusia County.

16
17 A question and answer forum ensued that pertained to school bus stop locations, site plan changes, and
18 improvements to Graves Ave.

19
20 The applicant came forward to address the Commissioners concerns regarding traffic and the trees located
21 on the property.

22
23 Commissioner Campbell voiced concerns that pertained to the historic trees located on the property.

24
25 A discussion ensued between the Commissioner and Ms. Mendez regarding the historic trees located on
26 the property.

27
28 Chair Laputka opened the public hearing, seeing no one the Chair closed the public hearing.

29
30 Commissioner Nunez voiced her concerns regarding safety and traffic pertaining to bus stops and school
31 children.

32
33 **Commissioner Campbell moved to forward Ordinance No. 631 to City Council for**
34 **approval with a modification to the draft Development Agreement, Exhibit C, to**
35 **include authorization for the removal of historic tree one, based on the arborist**
36 **recommendation, but require historic tree two to be preserved unless preservation**
37 **is not possible and therefore removal of historical tree number two will be contingent**
38 **on City Council approval, pursuant to the Land Development Code Section 11.2.7,**
39 **seconded by Commissioner Nunez, the motion passed by a 5/0 roll call vote of the**
40 **Planning Commission.**

41
42 **2. COND-06-20-2070: an application for a Conditional Use to allow a 130-unit**
43 **multi-family development on a 15-acre parcel located at 2481 Enterprise**
44 **Road in the General Commercial (CG-2) zoning classification.**

45
46 Ms. Borkert read conditional use application COND-06-20-2070 into the record.
47

1 Kimberly Reading, Senior Planner, provided a PowerPoint presentation (a copy of which is attached and
2 becomes a permanent part of these minutes). Ms. Reading described a Conditional Use application for a
3 proposed 130-unit multi-family development on 15-acres located at 2841 Enterprise Road.
4

5 Ms. Reading advised that the conceptual plan proposes construction of 27 multi-story buildings of six
6 different styles. She stated that the total building area is 200,263 square-feet and the site improvements
7 include a club house, parking garages and dumpster enclosure to serve the complex. Ms. Reading stated
8 that the property has a General Commercial (CG) future land use designation and a General Commercial
9 (CG-2) zoning classification. She noted that multiple family dwellings require conditional use approval
10 in the CG-2 zoning classification.
11

12 Ms. Reading stated that the subject development is more than 5 acres in area; therefore, the Planning
13 Commission will forward a recommendation to City Council for final action, if approved.
14

15 Ms. Reading stated that staff recommends the Commission find that with applicable conditions, the
16 proposed conditional use meets the criteria of a conditional use, and recommends that the Planning
17 Commission forward Resolution No. 118-20 to City Council with a recommendation of approval. The
18 City Council public hearing is tentatively scheduled for September 9, 2020.
19

20 Chair Laputka voiced concerns regarding the fire department's access to the rear of the property.
21

22 Robert Scott, Fire Marshall, came forward to explain that access points and turning radius of the fire
23 trucks are a requirement to ensure fire safety in new construction.
24

25 Mr. Scott explained that there are grade issues impeding a secondary access. He believes they will be
26 able to achieve adequate response time through site plan review.
27

28 Commissioner Campbell inquired about joint access into adjoining properties.
29

30 Mr. Scott replied that would need to be agreed upon by both property owners.
31

32 Mike Kerns, representative of the owner applicant, came forward to answer any questions.
33

34 Commissioner Campbell asked about adding a turning lane from Enterprise Road onto the property.
35

36 Mr. Kerns replied "no" however, an option is being researched.
37

38 Chair Laputka opened the public hearing, seeing no one the Chair closed the public hearing.
39

40 Ms. Borkert advised regarding the requirements involving easements and that condition number 5
41 wording should be changed to delete "prior the issuance of the site plan development order" and add "the
42 applicant must provide a copy of the Volusia County Use Permit to the City."
43

44 **Commissioner Mazzie moved that based upon competent substantial evidence, as**
45 **presented, the Planning Commission finds COND-06-20-2070 consistent with the**
46 **Comprehensive Plan, and recommend forwarding it to the City Council with the**
47 **recommended changes by the City Attorney to condition number 5, seconded by**

Commissioner Kihlmire, the motion passed by a 5/0 roll call vote of the Planning Commission.

5. DISCUSSION ITEMS

A. Food Truck Regulations Discussion

Ms. Mendez provided a PowerPoint presentation (a copy of which is attached and becomes a permanent part of these minutes.) Ms. Mendez discussed recommended regulations for preempted Food Trucks within the City. She stated that these regulations have been presented as a discussion item to receive direction from the Commission as to how to move forward.

A discussion ensued that pertained to instilling regulations on Food Truck establishments within the City.

Ms. Mendez discussed direction regarding signage, vehicle maintenance, fire inspection fees, solicitation, and regulation input by business owners.

6. STAFF/COMMISSION COMMENTS

Ms. Mendez announced that Commissioner Schwartz has submitted a resignation letter. Council Member Mahoney is the nominating Council Member. The open position will be advertised on the City’s website.

Commissioner Nunez thanked everyone for attending the meeting.

Commissioner Kihlmire stated that it was a great meeting and thanked everyone for attending the meeting. He stated that the Crossings development will be a positive project for the City. He stated that Orange City is a wonderful place to live.

Commissioner Mazzie agreed with Commissioner Kihlmire.

Commissioner Campbell voiced concerns regarding the verbiage of the motion for agenda item 4A 1.

Chair Laputka stated that he returned from a long road trip from Washington to Florida. He noted that despite what we are told on the local news, the Country is very positive and vibrant. He stated that he has nine grandchildren and expecting two more in the near future.

7. ADJOURNMENT

There being no further business to discuss, Chair Laputka adjourned the meeting at 8:39 p.m.

RESPECTFULLY SUBMITTED:

APPROVED ON

Melani Beringer
CMC, Deputy City Clerk

09-02-2020
Date