



City of Deltona

2345 Providence Blvd.
Deltona, FL 32725

Minutes Planning and Zoning Board

Wednesday, August 19, 2015

7:00 PM

Deltona Commission Chambers

1. CALL TO ORDER:

2. ROLL CALL

Also present: Planning & Development Director, Chris Bowley, AICP; Planning & Development Assistant Director, Ron Paradise and Administrative Assistant, Kathrine Kyp.

Present: 7 - Member Tom Burbank
Member Adam Walosik
Member Wendy Hickey
Member Victor M. Ramos
Member Noble Olasimbo
Member Herb Zischkau
Member Stony Sixma

3. APPROVAL OF MINUTES & AGENDA:

Approval of Minutes for July 15, 2015

Motion by Member Olasimbo, seconded by Member Hickey, to approve the Minutes for July 15, 2015. The motion carried by the following vote:

For: 7 - Member Burbank, Member Walosik, Member Hickey,
Member Ramos, Member Olasimbo, Member Zischkau and
Member Sixma

4. PRESENTATIONS/AWARDS/REPORTS:

5. PUBLIC FORUM:

6. OLD BUSINESS:

7. NEW BUSINESS:

a. Rezoning Application, RZ15-003, Deltona Welcome Center, Ordinance No. 14-2015

Mr. Paradise presented a brief summary regarding Ordinance No. 14-2015, Deltona Welcome Center Business Planned Unit Development (BPUD) a zoning amendment to the existing

Development Agreement to allow more than one convenience store with fuel pumps and to allow greater access via the allowance of a driveway cut on both Deltona Boulevard and Dirksen/DeBary Avenue. The request is submitted on behalf of the RaceTrac Corporation, who intends to build a nearly 6,000 square feet convenience store with 20 fuel pumps.

Member Olasimbo and Mr. Paradise discussed the safety concerns for the traffic regarding DeBary Ave. Member Olasimbo stated that the commercial locations in the surrounding area do not have access to DeBary Ave. Mr. Paradise stated; the applicant will need to follow the Land Development Code and Volusia County approval to afford the access.

Member Walosik noted that his review of the maneuverability and circulation on the site doesn't show a need for full access on DeBary Ave. and Deltona Blvd. Deltona Blvd and DeBary Ave. should be a right in only with connection to Welcome Center Blvd.

Member Zischkau and Mr. Paradise discussed the wetlands to the north, the stormwater drainage and sewer capacity.

Member Hickey agreed with Member Walosik regarding the right in only access points into the site and directing the exit access to Welcome Center Blvd. Member Walosik stated that, access to Deltona Blvd. will be difficult to enforce without a concrete median in place.

Member Burbank and Mr. Paradise discussed the RaceTrac's impact on the existing gas station. Mr. Paradise stated that numerous gas stations can be seen next to each other in many areas. Member Burbank and Member Sixma both stated that they feel RaceTrac will push out the existing gas station.

Member Burbank questioned the impervious surface calculations. Mr. Paradise stated that applicant needs to comply with the 65% maximum impervious service requirement as approved in the original development order, which is the Enterprise Overlay standard. This amendment is only to add a second fueling station use.

Thomas Sullivan, Gray Robinson Law Firm, 301 E. Pine St. Orlando, FL spoke on behalf of the applicant regarding the rezoning amendment, access and demand. He stated that the DeBary Avenue access would be going through the Use Permit process with Volusia County.

Mikal Hale, Traffic Engineering Data Solutions, 80 Spring Vista Dr., DeBary Avenue spoke regarding the impervious ratio and parking for the property that would be part of the site plan process.

Chairman Burbank opened the public hearing.

Kevin Patel, 890 Deltona Blvd. Deltona, FL spoke regarding the traffic safety concerns, accidents, and the numerous gas stations in the surrounding area. He submitted into record a petition which contains over 600 signatures against the development.

Chairman Burbank closed the public hearing.

Discussion between board members regarding the location of the site compared to other cities.

Motion by Member Olasimbo, seconded by Member Walosik, to approve the Rezoning Application, RZ15-003, Deltona Welcome Center, Ordinance No. 14-2015. The motion carried by the following vote:

For: 5 - Member Walosik, Member Hickey, Member Ramos, Member Olasimbo and Member Zischkau

Against: 2 - Member Burbank and Member Sixma

b. Rezoning Application RZ15-004, Gold Choice, Ordinance No. 15-2015

Mr. Paradise provided a summary regarding the application to amend the official zoning map from R1-AA to Mixed Use Planned Unit Development (MPUD) for a +/- 9.23 acre area of the Deltona Activity Center. He stated that recent modification to the Development Agreement include dimensional requirements, land uses, architectural elements, access and affordance of common open space. He stated that city staff is suggesting that the entire parcel be restricted to a 35% building coverage and that a 10 foot setback for the back property line on Lot 2 be included

Harry Newkirk, P.E., Newkirk Engineering, 1370 N US Highway 1, Ormond Beach, FL, spoke regarding the application. He discussed access, parking, stormwater and lighting.

David Butler, 2306 Normandy, LLC, P.O. Box 3120, Winter Park, FL, applicant, spoke regarding the minimal impact the assisted living facility would have on the school system and transportation network. He noted that there are three lots already permitted with three access points and therefore not requesting any additional access points than what is already permitted by zoning. He stated that the lighting will be skirted and approximately 90 feet away from the residents and noted that there is a line of trees bordering the residential neighborhood for light mitigation.

Derrick Deeter, 283 Agnes Ave, Longwood, FL, applicant, spoke regarding his professional experience at these facilities and the affordability of the facility to the residents. He stated the project is projected to serve approximately 80% of the area population.

Chairman Burbank opened the public hearing.

Iraida Vega, 510 N. Firwood Dr., Deltona, FL. She stated that she lives near the City water plant and the noise can be heard daily. She asked if the lighting would come into her house and what can be used to block it. She asked if there would be a noise wall between the site and her property. Member Burbank stated that the self storage facility would act as the barrier.

Chairman Burbank closed the public hearing.

Motion by Member Olasimbo, seconded by Member Walosik, to approve the Rezoning Application, RZ15-004, Gold Choice, Ordinance No. 15-2015. The motion carried by the following vote:

For: 6 - Member Burbank, Member Walosik, Member Hickey, Member Ramos, Member Olasimbo and Member Sixma

Against: 1 - Member Zischkau

c. Ordinance No. 16-2015, Amending Section 110-311, RM-2, Multiple Family Residential Dwelling District, of the City Land Development Code.

Mr. Paradise provided a brief summary of the amendment to Ordinance No. 16-2015. To correct this Scrivener's errors, the Medium Density Residential text should be changed to High Density Residential. Mr. Bowley added that the proposed correction makes the Land Development Code consistent with the City's Comprehensive Plan.

Motion by Member Olasimbo, seconded by Member Zischkau, to approve Ordinance No. 16-2015, amending Section 110-311, RM-2, Multiple Family Residential Dwelling District, of the City Land Development Code. The motion carried by the following vote:

For: 7 - Member Burbank, Member Walosik, Member Hickey, Member Ramos, Member Olasimbo, Member Zischkau and Member Sixma

8. STAFF COMMENTS:

9. BOARD/COMMITTEE MEMBERS COMMENTS:

10. ADJOURNMENT:

The meeting was adjourned at 8:37 pm.

ATTEST:

Tom Burbank, CHAIRMAN

Kathrine Kyp, RECORDING SECRETARY