

1 **MINUTES OF THE ORANGE CITY PLANNING COMMISSION MEETING**, held on
 2 Wednesday, August 07, 2019, 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: Amy Campbell, Gaea Nunez, Wesley Kihlmire,
 12 Vernon Stafford, Fran Schwartz. Staff Members: Rebecca Mendez, Development
 13 Services Director, Carol McFarlane, City Planner, Joe Ruiz, Senior Planner, Neysa
 14 Borkert, City Attorney, Melani Beringer, Deputy City Clerk.

15
 16 **ABSENT:** Commissioner Mazzie

17
 18 **2. PLEDGE OF ALLEGIANCE**

19
 20 **3. APPROVAL OF MINUTES July 3, 2019**

21
 22 **Commissioner Nunez moved to approve the minutes of the July 03, 2019 Planning**
 23 **Commission meeting, seconded by Commissioner Campbell, the motion passed by**
 24 **a 6/0 roll call vote of the Planning Commission.**

25
 26 **4. PUBLIC HEARINGS**

27
 28 **A. SITE-04-19-1435:** A final site plan application by Paul Missigman of Southern
 29 Investment Group, L.L.L.P. to construct a 246-unit multi-building apartment complex
 30 on an 11.62-acre parcel within the Parc Hill Planned Unit Development.

31
 32 Neysa Borkert, City Attorney, read the title of SITE-04-19-1435 into the record.

33
 34 Joe Ruiz, Senior Planner, provided a PowerPoint presentation (a copy of which is attached and becomes
 35 a permanent part of these minutes). Mr. Ruiz provided a brief history of the Parc Hill Planned Unit
 36 Development. He stated that this was an application for a 246 unit apartment complex within the Parc
 37 Hill development.

38
 39 Mr. Ruiz provided the apartment complex site plan, the architectural renderings as well as the
 40 concurrency report.

41
 42 Mr. Ruiz stated that staff recommends the Planning Commission forward Resolution 960-19 to the City
 43 Council with a recommendation of approval with the following conditions:

- 44 1. The site plan and construction drawings shall be revised to comply with the Technical Review
 45 Committee's (TRC) comments dated July 2, 2019, except as otherwise amended by this resolution.
 46 2. The Applicant shall provide architectural building elevations for the TRC to review for compliance

- 1 with the Development Agreement and Chapter 10 of the Land Development Code. Staff may issue a
2 waiver to the 300 linear feet maximum building length development agreement requirement, if the
3 Building one elevation proposes a substantial horizontal building offset.
- 4 3. The Applicant shall submit a copy of the Gopher Tortoise Relocation Permit approved by the Florida
5 Fish and Wildlife Conservation Commission prior to the issuance of a development order.
- 6 4. The developer shall pay sewer impact fees (\$3,100 per Equivalent Residential Unit -ERU) to the City
7 prior to issuance of a site plan development order to reserve wastewater capacity. All other required
8 City impact fees (water, parks, police, fire and transportation) shall be paid prior to issuance of each
9 building permit.
- 10 5. The Cadence at Parc Hill plat, Case FPLT-10-18-1348, shall be recorded prior to site plan development
11 order issuance.

12
13 Commissioner Schwartz referred to the concurrency report stating that the project will generate 32
14 students. She inquired about the generation of that figure.

15
16 Mr. Ruiz replied that the calculation was based on the Volusia County School Board capacity reservation
17 rule approved June 05, 2019.

18
19 Chair Laputka asked for a review of condition number two.

20
21 Mr. Ruiz stated that the development agreement presented to City Council was approved with that
22 wording. He explained that no building could be longer than 300 linear feet. The applicant has proposed
23 a building that is approximately 400 linear feet. Therefore, staff requested the applicant change the design
24 in order to provide a different appearance to the building that would encourage compliance.

25
26 A discussion ensued between the Commission and Mr. Ruiz that included the number of parking spaces,
27 the technical review memorandum letter, the remaining number of multi-family units and the removal of
28 the gopher tortoises.

29
30 Michael Woods, Representative from Cobb Cole, came forward to provide a descriptive explanation
31 about the construction of the apartment complex buildings. He stated that he was available for any
32 questions that the Commission may have.

33
34 Chair Laputka opened the public hearing.

35
36 Steve Sanders, 623 Swan Range Road, came forward and stated concerns about the number of students
37 quoted and safety issues with students walking to school from the property.

38
39 Ms. Mendez responded that the school concurrency determination from the school district is included in
40 this agenda packet. She stated that the student generation rate has recently been re-analyzed. Ms. Mendez
41 reported that single family dwelling units have a student generation rate of .273 per unit and multi-family
42 units have a student generation rate of .127 per unit.

43
44 Chair Laputka closed the public hearing.

45
46 Mr. Ruiz stated that the development is just outside of the two mile radius from Orange City Elementary.

1 Commissioner Nunez commented that at times the school board student formula does not match the
2 actual number of children living in each unit. She noted that if the numbers do not match it creates more
3 pressure on the surrounding schools.
4

5 **Commissioner Kihlmire moved that based upon competent substantial evidence**
6 **as presented, the Planning Commission finds Resolution 903-18 consistent with**
7 **the Comprehensive Plan and recommends forwarding to the City Council with a**
8 **recommendation of approval, with the five conditions outlined by staff, seconded**
9 **by Commissioner Nunez, the motion passed by a 6/0 roll call vote of the Planning**
10 **Commission.**
11

12 B. **ORDINANCE NO. 617:** An administrative rezoning request for the recently
13 annexed U-Haul business from Volusia County Planned Unit Development (PUD) to
14 the Orange City Planned Unit Development (PUD) zoning classification.
15

16 Ms. Borkert read the title of Ordinance No. 617 into the record.
17

18 Ms. McFarlane provided a PowerPoint presentation (a copy of which is attached and becomes a
19 permanent part of these minutes.) She stated that this property was annexed into the City via the
20 Interlocal Agreement between Volusia County and Orange City. Ms. McFarlane noted that the property
21 has a Business Planned Unit Development (BPUD) zoning that must be approved by separate Ordinance.
22

23 Ms. McFarlane stated that previous Ordinance No. 614 will change the future land use from Volusia
24 County Commercial to the Orange City Commercial general designation. This Ordinance will be
25 presented to City Council at the August 13, 2019 meeting.
26

27 Ms. McFarlane reviewed the rezoning criteria and stated that staff recommends that the Planning
28 Commission forward Ordinance No. 617 to City Council for approval with the following condition:
29 Approval is conditioned upon approval of Ordinance 614, amending the future land use of the subject
30 property to City Commercial General, CG.
31

32 Chair Laputka opened the public hearing, seeing no one the Chair closed the public hearing.
33

34 **Commissioner Campbell moved that based upon competent substantial evidence**
35 **as presented, the Planning Commission finds Ordinance No. 617 consistent with**
36 **the Comprehensive Plan and recommends forwarding it to City Council with a**
37 **recommendation of approval, with the added condition that Ordinance No. 617**
38 **cannot be finalized until Ordinance No. 614 is approved, seconded by**
39 **Commissioner Schwartz, the motion passed by a 6/0 roll call vote of the Planning**
40 **Commission.**
41

42 5. DISCUSSION ITEMS

43

44 None at this time.
45

46 6. STAFF/COMMISSION COMMENTS

1 Commissioner Nunez wished everyone a great summer and thanked those who attended the Women's
2 Village Improvement Association (VIA) Gala. She reported that over \$2,500 was raised which will
3 allow Operation Smile to provide ten surgeries to children suffering from clef pallets.

4
5 Commissioner Campbell stated that the formula of school age children provided by the Volusia County
6 School Board is understandable.

7
8 Commissioner Schwartz complimented the VIA Gala.

9
10 Commissioner Stafford commented on a statute in New York City called The Teardrop. The statute was
11 gifted from Russia to the city as a monument after the 911 attacks. He noted that not much has been
12 reported about the statute.

13
14 Chair Laputka voiced his concerns about the lack of knowledge for the Teardrop statute.

15
16 Chair Laputka reported that he will soon have a seventh grandchild.

17
18 **8. CITIZEN COMMENTS**

19
20 **9. ADJOURNMENT**

21
22 There being no further business to discuss, Chair Laputka adjourned the meeting at 7:10 p.m.

23
24 **RESPECTFULLY SUBMITTED:**

25
26 _____
27 Melani Beringer
28 CMC, Deputy City Clerk

APPROVED ON

9-23-2019

Date