

1 **MINUTES OF THE ORANGE CITY PLANNING COMMISSION MEETING**, held on
2 Wednesday, December 04, 2019, at 6:00 p.m. in Council Chambers, 201 N. Holly Avenue, Orange City,
3 Florida.

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5 **1. CALL TO ORDER**

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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: Fran Schwartz, Gaea Nunez, Wesley Kihlmire and
12 Sarah Mazzie; Staff Members: Rebecca Mendez, Development Services Director, Carol
13 McFarlane, City Planner, Neysa Borkert, City Attorney, Melani Beringer, Deputy City
14 Clerk.

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16 **ABSENT:** Commissioner Stafford and Commissioner Campbell

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18 **2. PLEDGE OF ALLEGIANCE**

19
20 **3. APPROVAL OF MINUTES**

21
22 A. Minutes Dated November 6, 2019

23
24 **Commissioner Nunez moved to approve the November 6, 2019 Planning**
25 **Commission meeting minutes, seconded by Commissioner Schwartz, the motion**
26 **passed by a 5/0 roll call vote of the Planning Commission.**

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28 **4. PUBLIC HEARINGS**

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30 A. NEW BUSINESS

31
32 B. OLD BUSINESS

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34 **1. ORDINANCE NO. 622:** An Administrative rezoning request for the 9.5 acre
35 property located at 1351 N. Volusia Avenue, and identified as parcel number
36 8003-00-00-0700, changing the zoning classification from Volusia County
37 Commercial General (B-4) and Urban Single Family Residential (R-4) to Orange
38 City Commercial General Restricted (CG-1) and Low Density Residential (R-1).

39
40 Neysa Borkert, City Attorney, read the title of Ordinance No. 622 into the record. She advised that this
41 was a quasi-judicial public hearing and asked the Commissioners to disclose any ex-parte
42 communications on this matter. She noted, for the record, there were no disclosures.

43
44 Ms. McFarlane, City Planner, provided a PowerPoint presentation (a copy of which is attached and
45 becomes a permanent part of these minutes). Ms. McFarlane reported that the City is required to change
46 the above property from a County zoning to a City zoning classification. The Ordinance has been
47 previously presented to City Council and the Planning Commission requiring the final zoning
48 classification. Council previously voted to change the Future Land Use Ordinance No. 621, creating a

1 split in the property with the east half designation as Commercial General and the west half as Residential
2 Low Density. Ms. McFarlane provided a brief history of Ordinance No. 622.

3
4 Ms. Borkert clarified the previous public hearings pertaining to the Ordinance.

5
6 Ms. McFarlane explained that staff previously recommended the MX-2 zoning as opposed to the CG-1
7 or R-1 when Ordinance 621 proposed Commercial General Future Land Use for the entire property.
8 However, City Council applied a Future Land Use designation of half commercial and half residential,
9 and the rezoning must be consistent with the Future Land Use.

10
11 A discussion ensued between Commissioner Nunez and staff pertaining to Council's decision and
12 recommendation, building homes on the property and the impact to the City, zoning designations, and
13 clarification of the zoning areas.

14
15 Ms. McFarlane stated that staff recommends the Planning Commission find the Official Zoning Map
16 amendment consistent with the rezoning review criteria and forward Ordinance No. 622 to the City
17 Council with a recommendation of approval, with the following condition:

18 1. Ordinance 622 cannot be finalized until Ordinance 621, amending the Future Land Use of the property
19 to Commercial General, CG, and Residential Low, RL, is also approved. First reading tentatively
20 scheduled for January 14, 2020.

21
22 Chair Laputka opened the floor to public comments.

23
24 Robert Wilkinson came forward to voice concerns about the conditions of the property, and the impact
25 on the environment that potential development could cause.

26
27 Sarah Schwartz, 317 W. Wisconsin Ave., came forward to voice concerns about development throughout
28 the City.

29
30 Amy Briggs, 245 W. Wisconsin Ave., came forward to voice concerns about all the development in the
31 City. She also inquired about the land use requirement for the front part of the property that faces 17-92.

32
33 Ms. Mendez clarified the Future Land Use.

34
35 Valerie Dunton-Grube came forward to petition the Planning Commission to approve a zoning that would
36 create a zoning designation desirable to buyers. She noted that decision would ease the pressure off of
37 the family.

38
39 Commissioner Mazzie asked for clarification of the current zoning designation.

40
41 A discussion ensued addressing the resident's questions and concerns.

42
43 **Commissioner Kihlmire moved that based upon competent substantial evidence as**
44 **presented, the Planning Commission finds Ordinance No. 622 consistent with the**
45 **Comprehensive Plan with the condition outlined by staff, and recommends**
46 **forwarding to the City Council, seconded by Commissioner Mazzie, the motion**
47 **passed by a 4/1 roll call vote of the Planning Commission with Commissioner Nunez**
48 **voting "no".**

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5. DISCUSSION ITEMS

A. 2020 Planning Commission Schedule

- i. Reschedule January meeting due to holiday conflict

Ms. Mendez presented the 2020 Planning Commission meeting schedule. She requested that the January 2020 meeting be held on the second Wednesday due to the New Year’s holiday. The Commission agreed that the January meeting will be held on January 8, 2019.

6. STAFF/COMMISSION COMMENTS

Commissioner Kihlmire stated that it has been a good year.

Commissioner Nunez thanked staff and the Commission for the past year, she thanked Commissioner Schwartz for the cookies. Commissioner Nunez wished everyone a Merry Christmas and a Happy New Year.

Commissioner Mazzie wished everyone a Happy New Year and thanked Commissioner Schwartz for the cookies. She thanked everyone who was in attendance.

Commissioner Schwartz stated that it is hard to determine what future development may occur when purchasing a home. She noted that it is important to do the due diligence before purchasing a home. Commissioner Schwartz wished everyone a Happy New Year and Merry Christmas.

Chair Laputka reported a fallen police officer’s memorial service on Friday 5:00 p.m. at the Journey Church on Graves Ave.

Ms. Borkert commended the Commissioners on deliverance of the motions during the meeting.

Ms. Mendez stated that construction surrounding Mill Lake Park is anticipated to be completed March, 2020.

8. CITIZEN COMMENTS

9. ADJOURNMENT

There being no further business to discuss, Chair Laputka adjourned the meeting at 7:02 p.m.

RESPECTFULLY SUBMITTED:

APPROVED ON

Melani Beringer
CMC, Deputy City Clerk

02-05-2020
Date