

1 **MINUTES OF THE ORANGE CITY PLANNING COMMISSION MEETING**, held on
2 Wednesday, July 01, 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, Vernon Stafford, Amy
12 Campbell, and Gaea Nunez; Staff Members: Joseph Ruiz, Senior Planner, Kim Reading,
13 Senior Planner, Jennifer Nix, City Attorney, Melani Beringer, Deputy City Clerk.

14
15 **ABSENT:** Commissioners Sarah Mazzie and Fran Schwartz.

16
17 **2. PLEDGE OF ALLEGIANCE**

18
19 **3. APPROVAL OF MINUTES**

20
21 A. Minutes Dated March 04, 2020

22
23 **Commissioner Kihlmire moved to approve the March 04, 2020 Planning**
24 **Commission meeting minutes, seconded by Commissioner Nunez, the motion**
25 **passed by a 5/0 roll call vote of the Planning Commission.**

26
27 **4. PUBLIC HEARINGS**

28
29 A. NEW BUSINESS

- 30
31 1. **COND-03-20-1937:** An application for a Conditional Use to allow continued use
32 of a KFC restaurant with a drive-through (automobile-oriented use), located at
33 914 Saxon Boulevard. The property is 0.80 acres and is zoned General
34 Commercial, Restricted (CG-1).

35
36 Jennifer Nix, City Attorney, read COND-03-20-1937 into the record.

37
38 Joseph Ruiz, Senior Planner, provided a PowerPoint presentation (a copy of which is attached and
39 becomes a permanent part of these minutes) that described a conditional use application for 914 Saxon
40 Blvd. Mr. Ruiz stated that the property and the business have come under new ownership and
41 management, and the applicant proposes to continue the same business within the existing 3,319 square-
42 foot building. He noted that the zoning code requires that restaurants with drive-through uses in General
43 Commercial, Restricted (CG-1) districts be approved as a conditional use upon change of ownership in
44 accordance with Section 3.7.6.A.

45
46 Mr. Ruiz stated that staff recommends the Planning Commission approve the conditional use with the
47 following condition:

- 48 1. The approval shall comply with the survey dated February 4, 2020, which complies with the

1 original supplemental use site plan approved on September 4, 2002.

2
3 Chair Laputka requested clarification of the one condition.

4
5 Mr. Ruiz replied that the applicant is to comply with the original supplemental plan.

6
7 Chair Laputka opened the public hearing, seeing no one the Chair closed the public hearing.

8
9 **Commissioner Campbell moved that based upon competent substantial evidence as**
10 **presented, the Planning Commission finds COND-03-20-1937 consistent with the**
11 **Comprehensive Plan with the one condition outlined by staff, seconded by**
12 **Commissioner Kihlmire, the motion passed by a 5/0 roll call vote of the Planning**
13 **Commission.**

- 14
15 1. **ORDINANCE NO. 629:** An ordinance of the City of Orange City, Florida, providing for
16 adoption of a small scale Comprehensive Plan amendment changing the Future Land Use
17 Map designation of the property located at 2240 North Volusia Avenue (Parcel Number
18 8002-00-00-0300) from Volusia County Commercial (COM) and Urban Medium
19 Intensity (UMI), to Orange City Commercial General (CG) and Residential Medium
20 (RM); providing for conflict, providing for severability, and providing for an effective
21 date.

22
23 Ms. Nix read Ordinance No. 629 into the record.

24
25 Kimberly Reading, Senior Planner, provided a PowerPoint presentation (a copy of which is attached and
26 becomes a permanent part of these minutes). Ms. Reading described an administrative small scale future
27 land use map amendment of 1.18 acres from Volusia County Commercial and Urban Medium Intensity
28 to Orange City General Commercial and Residential Medium.

29
30 Ms. Reading stated that with this map amendment staff is proposing to change the Volusia County land
31 Use to corresponding Orange City Future Land Use in accordance with the County to City Future Land
32 Use Correlation table.

33
34 Ms. Reading stated that staff recommends the Planning Commission finds the amendment consistent with
35 the Comprehensive Plan and forward Ordinance No. 629 to the City Council for approval. First reading
36 is tentatively scheduled for July 28, 2020. If approved, staff will transmit to VGMC for consistency
37 review and certification.

38
39 Chair Laputka requested that staff describe the word “assumed” as it refers to the County correlation
40 table.

41
42 Ms. Reading referred to page 4 of 21 Table 2-4 County-to-City Future Land use Correlation Table. She
43 replied that it is assumed based on this approved policy.

44
45 Chair Laputka opened the public hearing, seeing no one the Chair closed the public hearing.

46
47 **Commissioner Nunez moved that based upon competent substantial evidence as**
48 **presented, the Planning Commission finds Ordinance No. 629 consistent with the**

1 **Comprehensive Plan, and recommend forwarding it to the City Council, seconded**
2 **by Commissioner Kihlmire, the motion passed by a 5/0 roll call vote of the Planning**
3 **Commission.**
4

- 5 2. **ORDINANCE NO. 630:** An ordinance of the City of Orange City, Florida, amending the
6 Official Zoning Map of the property located at 2240 North Volusia Avenue (Parcel
7 Number 8002-00-00-0300) from Volusia County General Commercial (B-4) and Urban
8 Single-Family Residential (R-4), to Orange City General Commercial Restricted (CG-1)
9 and Low Density Residential (R-1); providing for conflict, providing for severability and
10 providing for an effective date.
11

12 Ms. Nix read Ordinance No. 630 into the record.
13

14 Ms. Reading provided a PowerPoint presentation (a copy of which is attached and becomes a permanent
15 part of these minutes). Ms. Reading reported that Ordinance No. 630 is an administrative rezoning 2240
16 Volusia Avenue to change the rezoning Future Land Use Map (FLUM) amendment.
17

18 Ms. Reading advised that the City proposes this “like-for-like” administrative official zoning map
19 amendment from Volusia County General Commercial to Orange City General Commercial, Restricted,
20 and from Volusia County Urban Single Family (R-4) to Orange City Low Density Residential. She noted
21 no increase in density or intensity occurs with this rezoning.
22

23 Chair Laputka opened the public hearing, seeing no one the Chair closed the public hearing.
24

25 Ms. Reading stated that staff recommends the Planning Commission find the Official Zoning Map
26 amendment consistent with the rezoning review criteria and forward Ordinance No. 630 to the City
27 Council with a recommendation of approval. She noted that the rezoning cannot take effect unless the
28 companion FLUM is adopted. First reading is tentatively scheduled for July 28, 2020.
29

30 Chair Laputka opened the public hearing, seeing no one the Chair closed the public hearing.
31

32 **Commissioner Kihlmire moved that based upon competent substantial evidence as**
33 **presented, the Planning Commission finds Ordinance No. 630 consistent with the**
34 **Comprehensive Plan, and recommend forwarding it to the City Council, seconded by**
35 **Commissioner Nunez, the motion passed by a 5/0 roll call vote of the Planning**
36 **Commission.**
37

- 38 3. **COND-03-20-1971:** An application for a Conditional Use to allow the sale and
39 installation of automotive parts and equipment entirely within a building, located at 2240
40 North Volusia Avenue. The property is 1.18 acres and is zoned Volusia County General
41 Commercial (B-4) and Low Density Residential (R-4), but is subject to a concurrent
42 rezoning to Orange City CG-1 and R-1.
43

44 Ms. Nix read Ordinance No. COND-03-20-1971 into the record.
45

46 Ms. Reading Senior Planner, provided a PowerPoint presentation (a copy of which is attached and
47 becomes a permanent part of these minutes) that described a conditional use application for 2240 North
48 Volusia Avenue.

1 Ms. Reading stated that this is a conditional use application to allow a car audio and window tint business
 2 to operate from an existing commercial building located at 2240 North Volusia Avenue. She noted that
 3 the property is currently undergoing concurrent review of a Future Land Use Map Amendment, Official
 4 Zoning Map Amendment and Minor Subdivision after its recent annexation into the City.

5
 6 Ms. Reading stated staff recommends the Planning Commission approve the conditional use application
 7 COND-30-20-1971 and allow sales and installation of automotive parts and equipment entirely within a
 8 building at 2240 North Volusia Avenue, with the following conditions:

- 9
 10 1. The applicant shall submit a revised landscape plan indicating the type, size and location
 11 of at least four trees and hedgerow within the front buffer, and plant material adjacent to
 12 a new dumpster enclosure in accordance with the LDC for review and approval within
 13 30 days of rendition. The applicant has 30 days from landscape plan approval to install
 14 required material.
- 15
 16 2. The applicant shall apply for a building permit to install a dumpster enclosure to visually
 17 screen it from view. A dumpster enclosure with landscaping shall be installed within 60
 18 days of rendition.

19
 20 Thomas Masselink, the applicant came forward to explain the intentions of the new business.
 21 He stated that he anticipates moving into the location.

22
 23 Martin Harper, 970 Citrus Tree Dr., came forward to state that he has no objections to this
 24 business expanding into the City.

25
 26 Commissioner Nunez thanked the applicant for moving into the City. She stated that she is
 27 anticipating the opening of the new business.

28
 29 **Commissioner Nunez moved that based upon competent substantial evidence as**
 30 **presented, the Planning Commission finds COND-03-20-1971 consistent with the**
 31 **Comprehensive Plan with the two conditions outlined by staff, seconded by**
 32 **Commissioner Stafford, the motion passed by a 5/0 roll call vote of the Planning**
 33 **Commission.**

34
 35 **5. DISCUSSION ITEMS**

36
 37 None at this time.

38
 39 **6. STAFF/COMMISSION COMMENTS**

40
 41 Ms. Mendez reported that Governor DeSantis has vetoed the Growth Management Bill that required any
 42 private property price element to be added into the Comprehensive Plan. Ms. Mendez stated that staff
 43 has been following a business license act, to reduce regulation on certain types of occupational licenses
 44 including food trucks.

45
 46 Ms. Mendez stated that food trucks are allowed within the City with regulation. Staff plans to bring forth
 47 this item at the next Planning Commission meeting.

1 Ms. Mendez stated that a discussion for accessory residential uses will be presented in the upcoming
2 Planning meetings. She commented on some of the items that will be brought forth at the next meeting.

3
4 Ms. Beringer advised that the Commission be sure to submit the Form 1 by midnight tonight to forego
5 any assessed fees.

6
7 Commissioner Nunez wished everyone well. She reported that she attended the Volusia County
8 Schoolboard Oversight Committee on behalf of the City. Commissioner Nunez reported that the child
9 per school formula was discussed.

10
11 Commissioner Campbell commented that she is glad business is moving along.

12
13 Commissioner Kihlmire stated that it was good to see everyone healthy.

14
15 Commissioner Stafford commented on the Holly Ave street scape.

16
17 Chair Laputka thanked everyone who attended the meeting. He reported that his tenth grandchild is on
18 the way.

19
20 **7. ADJOURNMENT**

21
22 There being no further business to discuss, Chair Laputka adjourned the meeting at 7:04 p.m.

23
24 **RESPECTFULLY SUBMITTED:**

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

APPROVED ON

08/01/2020
Date