

Planning and Zoning Board Meeting June 1, 2020

All members were present except Susan Neylon. Minutes for the March 2, 2020 meeting were read and approved with one correction.

Public Participation: One resident commended city staff for their local leadership and working on matters that are important to us as a community during these difficult times.

These items came before the Board which are of interest to the Coalition:

V-1-20 105 Via Almafí. Applicant requested a code variance to allow an aluminum dock handrail as an upgrade to the current code requirement of a stainless steel cable system, due to the known maintenance issue with the cable to rust and to match the railing currently on the house. It was brought to the Board's attention, that another deck in the area, about two blocks away, has the same railing and was approved in 2014; however, the Board responded that this past decision did not set a precedent. The Board also stated that the current variance application does not meet the five criteria required for approval and that the original building permit included cable, not aluminum which is what triggered the code violation. After much discussion, it was decided that even though this design was safer and more aesthetically pleasing, it still didn't follow the dock code that was written, 6-7 years ago when cable was thought to be the best available option for a dock railing. However, since City staff is currently updating dock designs and material, it was stated that this should be brought to their attention, so the code could be amended, making it easier for future design planning. The Board recommended that the contractor amend the permit application with revised drawings and specifications for the dock rail.

Motion to approve an aluminum dock rail with a recommendation/notification for the City Commission to change the railing code was 4-2 in favor, with Smith and Arvidson voting NO.

PUD-1-20: 2nd Amendment – Ocean Way Village MDA (16 acres southeast of the intersection of SR 44 and South Glencoe Rd). Applicant requested a 2nd amendment to the original 2015 approval of the PUD to add one more permitted use not currently included in the MDA and to occupy two lots. Originally, there was to be a theater and a fast food restaurant; that was then changed to a self-storage facility in the 1st amendment, but over time, the market kept changing, so the new PUD request is for a service station type B (Firestone Tire Service Center) for Lot 3, the eastern most lot on SR44 which will use the same accesses and storm water system as the Circle K. The applicant stated there would be less impact due to limited business hours as it would close at 7pm Monday-Friday, 5pm on Saturday, and 4pm on Sunday. Applicant indicated Lot 1 on the corner of SR44 and Glencoe is still unsold and is difficult to sell because of the utility easement located there. Two concerns were building design and noise. Mr. Glen Storch, attorney, referred to the stand-alone Firestone store in Port Orange in the Pavilions, indicating "ours will be better" as it is designed following NSB architectural standards and will also have additional landscaping, as required by ordinance.

The Board indicated there is a noise ordinance for this type of business and it would apply, given it will be within 200 ft. of an occupied residential community, and wondered if it had a decibel noise level rating. The developer, Mr. Lane of Concept Companies, stated the exterior measured decibels for a

type B service station is 40, which the industry standard considers to be a low sound level (was discovered to be like in a library or bird calls).

Public Participation: One resident asked if there will be right-turn lane, and it was stated that a deceleration lane is planned on SR44 at the entrance to Circle K.

One last question by the Board was about the queuing of vehicles i.e. stacking for the Firestone Service Center and the congestion due to newly constructed apartments and the Circle K, to which the applicant responded that the type B service center averages 25-38 cars per day which is much lower than other allowed out-parceled businesses for that development area.

Motion to approve the Permitted Use Development (PUD) was passed by unanimously.

S-8-18 Copper Creek Plat and Development Plan (48.4 acres on the northwest corner of Sugar Mill and Pioneer Trail). Applicant requested approval of the Final Plat and Development Plans for a residential subdivision to be platted and subdivided into 73 (7,500 sq. ft. each) lots for single family homes with open space. Applicant has voluntarily restricted the density to 48.4 acres from the original 55 acres. There will be no entrance on Pioneer Trail and a gated entrance on Sugar Mill. Historic and large trees will be preserved (68" diameter being the largest oak) meeting all environmental concerns. Also, 193 trees will be replaced, and four trees per lot will be planted according to the land development code requirement, in addition to the replaced trees.

Concerns about wetland mitigation were raised. The applicant indicated most wetlands are heavily treed and will remain untouched. Even though 11 acres of wetlands are included in the 48.4 plat, the density calculation meets the 2 units zoning restriction. The Board inquired about mailbox kiosks, which will be found in 2-3 clusters and recreational facilities. Planned are sidewalks and passive use of conservation areas. The Board then asked about plans for filling areas located in the flood plain areas. Applicant attorney, Glen Storch, reiterated that wetland was not the #1 concern, tree preservation was, and they have met all code, zoning, and master plan requirements. He went on to state that these will be premium home sites, fronting on wooded areas.

There was one final comment about increased traffic on Sugar Mill and management on that corner. The applicant presented a traffic impact analysis (TIA) by engineer Harry Newkirk indicating no offset improvement requirements were indicated, and both city staff and the county recently approved it. (Note that there were no questions asked about storm water or sewer service management.)

Motion to approve the Final Plat was unanimous.

SP 13-18 and SP 24-18 Village Center East Phase I and Phase II Village - Venetian Bay. Applicant requested Final Site Plan approval for the Village Center East Phase I and Phase II mixed use project. Phase I is centrally located, with commercial/entertainment on 1st floor and residential units located on floors 2-4. This will finish the central urban development that started 17 years ago and will include 76 apartments. Phase II plans 220 residential condo units. Parking was reduced to 75% due to the close proximity to the commercial areas.

The Board asked why they didn't combine the two phases into one, and Mr. Powell, Geosam's representative, stated it was due to excessive costs and capital issue limits. The Board also inquired

about landscaping plans for the residential area, to which the response was there will be “heavy” landscaping, mainly palm trees, and 12 ft. sidewalks matching that found in previously constructed buildings.

Public Participation: One resident asked, given the large increase in density, are there any plans for additional parks and how does it affect the contribution to schools. The applicant answered that there are many parks and amenities included in original plans that can be used by the new residents. Also, there is land set aside to construct a school. The school board will decide when a new school should be constructed.

Motion to approve the Final Site Plan was unanimous.

ZT-4-20; Sandwich Board Signs. Background: In October 2019, an application was made to approve a pilot program to allow sandwich board advertisement off business property. It was approved November 2019, for a six- month trial period to end June 23, 2020. The city has received no complaints from business owners or residents and there was no code violation enforcement reported, so a request was made to amend the City’s Land Development Regulations (LDR) to allow sandwich board advertisement.

Motion to allow sandwich board usage in mixed R-2 zones and a motion to recommend the City Commission adopt this as permanent ordinance was passed 5-1, with Wheeler voting NO.

Due to the July 4th Holiday, the next meeting will be July 13th.