

Planning and Zoning Board Meeting

August 7, 2023

Video of the meeting can be found [here](#).

Present: John Frankhouser, Brooks Weiss, Sandra Smith, Larry Wheatcraft, Kip Hulvershorn. **Absent:** Stephen Yates, Curtis Hodges.

A-13-23: ANNEXATION APPLICATION, 684 CORBIN PARK RD (.62 acres). The applicant requests voluntary annexation, small scale *Comprehensive Plan* amendment, and rezoning **from** Volusia County Future Land Use (FLU) designation of Urban Medium Intensity, and Volusia County zoning designation of R-4, Urban Single Family Residential with an “A” attached for Airport Height Notification Zone **to** City FLU designation of Medium Density Residential and City zoning designation of R-2, Single Family Residential with an “A” attached for Airport Height Notification Zone. **Motion to approve A-13-23 was unanimous.**

A-14-23: ANNEXATION APPLICATION, 579 PALM DRIVE (.22 acres). The applicant requests voluntary annexation, small scale *Comprehensive Plan* amendment, and rezoning **from** Volusia County Future Land Use (FLU) designation of Urban Medium Intensity, and Volusia County zoning designation of R-4, Urban Single Family Residential with an “A” attached for Airport Height Notification Zone **to** City FLU designation of Medium Density Residential and City zoning designation of R-2, Single Family Residential with an “A” attached for Airport Height Notification Zone. **Motion to approve A-14-23 was unanimous.**

PUD-3-21, VILLAGE SQUARE PUD MDA (6.4 acres). The applicant requested a new Planned Unit Development Master Development Agreement (PUD MDA) to replace a 2009 Village Square PUD MDA that expired in 2019. The 3 parcels, zoned PUD, are located along SR 44 south of the Colony Park Rd. intersection. Lot #2 is developed, housing the ABC Liquor store. This request is to allow the development of Lots #1 and #3. The proposed MDA is very similar to the expired version, with similar setbacks, landscape buffers, and requirement for 50% open space. A Traffic Impact Analysis, completed in 2021, was submitted and was approved by the city’s traffic engineering consultant. Currently, there is a roadway connection to SR 44 from the north side of Lot #2 (ABC Liquors). However, this is a private road within a private access easement. As part of the new MDA, there will be documented public access to this private road. Staff has recommended approval of the new PUD MDA.

Chair Smith asked why the permitted uses in the proposal were more extensive than those previously approved. Staff stated that it was to be consistent with current permitted uses. Mr. Wheatcraft noted that the original MDA included a provision that businesses could not stay open past 9:00 pm and wondered why that was not included in the new proposal. The applicant stated that the owners wanted to keep their options open, adding that many businesses are “quiet” even though they are technically open 24/7. Mr. Wheatcraft also noted that the previous agreement did not allow for drive-thru restaurants. The applicant stated that there are many other businesses that use drive-thrus, e.g., banks. Again, they did not want to limit their options and requested one drive-thru. Members noted that site plans for any project will still have to be approved, and a new traffic impact analysis will likely be required at that time.

Six citizens who reside nearby expressed many concerns about increased traffic. One resident noted that the intersection is already a problem, especially if one is jogging or biking to get to the trail behind Home Depot. Another resident stated that since there will be three businesses at the site, only one monument listing the three businesses should be allowed rather than three individual ones.

Motion to recommend approval to the City Commission for PUD-3-21 was unanimous with these conditions: car washes and convenience stores be removed from the new agreement; a stacking requirement analysis by city staff will be done for any permitted drive-thrus.

COMMENTS OR STATEMENTS BY MEMBERS OF THE BOARD

Chair Smith asked for an update on workshop planning. Ms. Doster, Planning Manager, presented two potential workshop topics for the Board: a parking analysis presentation following the conclusion of the Parking Task Force's work in October and a presentation/discussion of landscape regulations in September. Last year, the city hired a consultant to review landscape regulations; however, because of staffing shortages, the proposed changes from the consultant were just recently reviewed by staff and nothing has been finalized yet. Board members agreed that this would be a useful workshop and will be scheduled for 4:30 on September 11, prior to the regular P&Z meeting.

Mr. Weiss shared information about a free web resource called "Risk Factor," developed by a non-profit foundation to assess risks from climate change. You can input any street address, and the program will calculate the risk of flooding, fire, wind damage, and extreme heat over time.