

M I N U T E S
ORMOND BEACH PLANNING BOARD
Regular Meeting

July 14, 2011

7:00 PM

City Commission Chambers

22 South Beach Street
Ormond Beach, FL 32174

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE PLANNING BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THIS PUBLIC MEETING, THAT PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, SAID PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, INCLUDING THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

PERSONS WITH A DISABILITY, SUCH AS A VISION, HEARING OR SPEECH IMPAIRMENT, OR PERSONS NEEDING OTHER TYPES OF ASSISTANCE, AND WHO WISH TO ATTEND CITY COMMISSION MEETINGS OR ANY OTHER BOARD OR COMMITTEE MEETING MAY CONTACT THE CITY CLERK IN WRITING, OR MAY CALL 677-0311 FOR INFORMATION REGARDING AVAILABLE AIDS AND SERVICES.

I. ROLL CALL

Members Present

Rita Press
Harold Briley
Lewis Heaster
Al Jorczak

Staff Present

Randy Hayes, City Attorney
Lauren Kornel, AICP, Senior Planner
Chris Jarrell, Recording Technician

II. INVOCATION

Mr. Jorczak led the invocation.

III. PLEDGE OF ALLEGIANCE

IV. NOTICE REGARDING ADJOURNMENT

NEW ITEMS WILL NOT BE HEARD BY THE PLANNING BOARD AFTER 10:00 PM UNLESS AUTHORIZED BY A MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. ITEMS WHICH HAVE NOT BEEN HEARD BEFORE 10:00 PM MAY BE CONTINUED TO THE FOLLOWING THURSDAY OR TO THE NEXT REGULAR MEETING, AS DETERMINED BY AFFIRMATIVE VOTE OF THE MAJORITY OF THE BOARD MEMBERS PRESENT (PER PLANNING BOARD RULES OF PROCEDURE, SECTION 2.7).

V. APPROVAL OF THE MINUTES

Chair Jorczak asked for approval of the meeting minutes from the June 9, 2011 Planning Board meetings.

Mr. Briley moved for the approval of the minutes from the June 9, 2011 meeting as amended. Mr. Lewis seconded the motion, which were unanimously approved.

VI. PLANNING DIRECTOR'S REPORT

Ms. Kornel reported that Ric Goss, Planning Director, is working on a growth management workshop to summarize recent changes in state law and requested Board members to e-mail staff a meeting date. The Planning Board members stated that they would prefer to do the workshop at a regular meeting and requested it at the August meeting.

VII. PUBLIC HEARINGS

A. LUPA 06-35: 1287 West Granada Boulevard, Brown/Thompson Commercial Site, Planned Business Development

Ms. Kornel stated this is a request for rezoning from SR (Suburban Residential) to PBD (Planned Business Development) to allow the development of a 9,225 square foot building on a 2.53-acre parcel. The property is located at 1287 West Granada Boulevard. Ms. Kornel discussed the property and the surrounding uses, land uses, and zoning designations. Ms. Kornel said the subject property has an "Office/Professional" land use designation which was approved in 2008 with some conditions. Ms. Kornel reviewed the land use conditions and said the overall purpose of the conditions were to ensure that there was adequate infrastructure to serve this project, plan for future development in this area, and allow a public review of the site plan for construction. Ms. Kornel stated the change in the land use designation required a rezoning to make the zoning consistent with the land use.

Ms. Kornel reviewed the site plan for the project and called out the building location, landscaping, stormwater location, site access and parking areas. Ms. Kornel stated that there was a phase 2 of the project which was not included in the current application and would require an amendment to be constructed. Ms. Kornel concluded that the zoning application was consistent with the land use and that staff recommended approval of the project.

Mr. Briley stated that he noticed that the stormwater was not on-site. Ms. Kornel confirmed that the stormwater for the project was on the abutting property owned by the applicant. Mr. Briley inquired why the stormwater was not included as part of the land considered for the PBD zoning. Ms. Kornel stated that was part of the PBD to allow this flexibility.

Mr. Heaster asked if the stormwater area proposed is the same owner as the PBD application. Ms. Kornel confirmed that it was the same property owner.

Mr. Heaster inquired to the family member that is west of proposed PBD, Ms. Schmidt, who agreed not to have a wall between her property and the development. Mr. Heaster asked about the site access for the area. Ms. Kornel discussed the master plan of the roadway improvements for this project and other properties in the area.

Mr. Heaster stated that he believed that written documentation should be provided from Ms. Schmidt regarding the wall and the site access as the abutting property owner.

Danny Johns, 3869 South Nova Road, project engineer stated that the development review staff has outstanding comments and conditions that need to be completed prior to any permits, including the provision of the road access. Mr. Johns stated he advised his clients not to execute any documents regarding the road access or stormwater area until there is a final approval and the project is going to move towards construction.

Mr. Johns confirmed for Mr. Briley that the City would be included in the stormwater easement and that the property owner would be required to maintain the stormwater area.

Ms. Press asked if the PBD sought would allow a variety of uses such as retail, office and restaurants. Ms. Kornel stated that the designation would allow office or a percentage of specialty retail, but not all retail uses.

Ms. Press recalled the property at 500 West Granada Boulevard had to go through several hearings to obtain the percentage of retail that they desired. Ms. Press inquired if uses such as a nail salon or a restaurant would be allowed. Ms. Kornel stated that the primary use would be office and professional uses with limited retail.

Ms. Press stated that she did not have a problem with allowing this development to have the ability to allow a variety of uses to ensure it can survive. Ms. Press wondered if limiting the project to solely office professional uses would result in a future zoning amendment to ask for additional retail square footage.

Mr. Briley asked what uses were considered in the traffic study. Mr. Johns responded that office/professional uses with a limited amount of retail uses were used.

Ms. Press asked the status of the Dr. Landau property to the north of the subject property and why the property would be required to obtain a Planned Business Development rezoning. Ms. Kornel responded that she would check into this but believed the land use approval required a PBD zoning designation.

Ms. Press said she thought the Site Plan Review Committee comments and the inclusion of the public benefit section of the staff report were two good things to include in the application packet.

Chairman Jorczak asked if the building floor plan was adjustable or if this was the plan for construction. Mr. Johns stated that the floor plan was flexible and could be adjusted based on how the building was leased to individual tenants.

Chairman Jorczak inquired about the single-family residential properties to the west of the project area. Ms. Kornel responded that these properties were part of a subdivision and that future development abutting these homes would require separate approvals.

Mr. Heaster stated he believed that Ms. Schmidt should provide a letter or testimony stating that she does not desire a wall for the City Commission review of the project.

Chairman Jorczak asked if there were any members of the public that would like to speak on the application. There were no members of the public that addressed the Board.

Mr. Briley made a motion to recommend approval of RZ 06-035 subject to the outstanding comments of the SPRC, Mr. Heaster seconded the motion, which was approved by a unanimous vote of the Board.

Chairman Jorczak closed the public hearing.

VIII. OTHER BUSINESS

There was no other business.

IX. MEMBER COMMENTS

There were no member comments.

X. ADJOURNMENT

The meeting was adjourned at 7:30 p.m.

Respectfully submitted,

Laureen Kornel, AICP, Senior Planner

ATTEST:

Al Jorczak, Acting Chair