

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

April 14, 2022

6:00 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

Harold Briley, Vice Chair
G.G. Galloway
Al Jorczak
Mike Scudiero
Angeline Shull
Lori Tolland
Doug Thomas, Chair

Staff Present

Steven Spraker, Planning Director
Robin Gawel, Senior Planner
Randy Hayes, City Attorney
Marcella Miller, Recording Technician

II. INVOCATION

Chairman Thomas led the invocation.

III. PLEDGE OF ALLEGIANCE

IV. NOTICE REGARDING ADJOURNMENT

NEW ITEMS WILL NOT BE HEARD BY THE PLANNING BOARD AFTER 9:00 PM UNLESS AUTHORIZED BY A MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. ITEMS WHICH HAVE NOT BEEN HEARD BEFORE 9:00 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 MINUTES

March 10, 2022

Mr. Briley moved to approve the March 10, 2022 Minutes. Ms. Tolland seconded the motion. The minutes were unanimously approved.

VI. PLANNING DIRECTOR'S REPORT

No report.

Chairman Thomas opened the public hearing for PRD 2021-101 – Plantation Oaks subdivision.

VII. PUBLIC HEARINGS

A. **PRD 2021-101 - Plantation Oaks Subdivision, Planned Residential Development Amendment**

Mr. Steven Spraker, Planning Director, stated that PRD 2021-101 is a request from Mr. Parker Mynchenberg, P.E., R.L.A., Manager of Plantation Oaks of Ormond Beach, LLC., for a Planned Residential Development (PRD) amendment to add 291 single-family homes within the Plantation Oaks development, approved for 1,577 residential units, on land previously identified for a public-school site and a golf course. The property is currently zoned as Planned Residential Development (PRD).

Mr. Spraker displayed the map of the property and provided the location of the property.

Mr. Spraker explained the project history and key actions starting with the Development of Regional Impact (DRI). DRIs are large-scale approvals that involve state agencies, local jurisdictions, which have been around since the 1980s. In 1986, Volusia County approved 3,930 residential units on approximately 2,000 acres. Mr. Spraker continued that in 1990 the area that is now Ormond Lakes separated from the National Gardens DRI and had its own development order. In 2001, Volusia County reduced the density of 3,930 residential units to 2,115 residential units for the National Gardens DRI. He continued in 2004, the areas of Tall Pines and Mission Pines, located along Old Dixie Highway were sold to the State of Florida for preservation. The DRI allows 2,115 residential units.

Mr. Spraker reviewed the project history for Volusia County zoning for the project, explaining that in 2002 the zoning allowed 1,577 residential units and required the homes to be site-built, and required an adult-community with 80 percent of the lots to be age 55 and older and established development standards and the requirements for Plantation Oaks Boulevard. He continued that in 2007 there was a minor amendment to decrease the conservation land buffer along Old Dixie Highway to 175 feet. In 2012, there was a major amendment that allowed either manufactured homes or site built homes on the property. Mr. Spraker added that in 2015 there was a minor amendment that allowed the option of constructing the lakes and open space in lieu of the golf course that was being proposed and identified the City of Ormond Beach as the utility provider. Lastly in 2016, there was a minor amendment that provided an alternative school site and a Memorandum of understanding that was developed with Volusia County Schools.

Mr. Spraker stated that the Ormond Beach project history with this property started in 2015 when there was an identification as Ormond Beach to be the utility provider. In 2019, the Interlocal Service Boundary Agreement (ISBA) was amended which led to annexation in 2019 and 2020. He continued that in 2020, a comprehensive plan amendment was done. Based on the land use in Volusia County, the city land use allowance was set at 1,947 residential units. Mr. Spraker explained that the city amended the zoning from the Volusia County Planned Development to Ormond Beach in 2021. As part of the zoning action, the development orders that Volusia County approved were incorporated and a deletion of the age restriction for Phase 1 and required site built homes with no option for manufactured homes was approved. In 2021, a minor amendment occurred with Volusia County purchasing 33 acres at Plantation Oaks Boulevard and Old Dixie Highway and 76 lots that were previously planned in the land area purchased were moved into the remainder of Phase 1.

Mr. Spraker explained the development application steps beginning with the Development of Regional Impact (DRI), and the zoning that exists for the property (which allows 1,577 residential units), as part of the application then went through the Site Plan Review Committee (SPRC), a neighborhood meeting was held on the matter December 06, 2021., today's Planning Board, which will lead to a recommendation to the City Commission. City Commission meetings on May 17 and June 7, 2022. Mr. Spraker then explained the process that individual phases of the project have to go through with SPRC review, back to Planning Board and City Commission for the preliminary plat, back to the SPRC for final approval, then the project goes to construction, inspection and completion before the final plat is approved from the City Commission. He concluded that whether or not any additional units are approved, this is how the development process occurs for site development.

Mr. Spraker displayed the approved overall master plan of the 1,577 units for Phase 1, the unchanged manufactured home community for Phase 2 of 427 lots established, Phase 3, the area south of Plantation Oaks Boulevard, and Phase 4, the original school site prior to it being emended in 2016. He displayed and explained in detail the proposed plan that was included in the Board packet phase-by-phase.

Mr. Spraker noted that the park is proposed to be removed as one of the items in Phase 1. Phase 2 remains the same. Phase 3 seeks to add additional lots. Phase 4 is proposed with additional lots. He stated that there are seven items that the application is requesting with each item as a stand alone item for the Planning Board to approve, approve with conditions, or deny.

Mr. Spraker presented PowerPoints slides that detailed the application as follows:

- Item 1: Phase 1, request to add 80 units to go from 669 to 747 residential units. Phase 1A is currently under construction.
- Item 2: Phase 3, request to add 86 units where the former golf course was proposed.
- Item 3: Phase 3, lift age restriction.
- Item 4: Phase 3, prohibit manufactured homes, only allowing site-built homes in this phase.
- Item 5, Phase 4 was previously identified in the Development of Regional Impact as a school site and it is now being proposed to take the school site

land and incorporate 125 lots. In 2016 the Volusia County Schools and the developer reached a memorandum of understanding with a decision by the Volusia County School Board that there was no longer a need for a school at this location. They exchanged a 14-acre site next to Westside Elementary School to Volusia County Schools. Mr. Spraker noted that the developer also agreed to pay \$500,000 in residential school impact fees for the age-restricted lots and the School Board released the land area back to the developer in 2016 in which the County ratified with their minor amendment.

- Item 6, Phase 4, to allow public streets. One of the development order conditions from 2002 was that all of the streets within Plantation Oaks are private. He displayed the outparcels on the map overhead, explaining that they are not owned by the developer so would need to be public as well, therefore the request is to allow public streets in this phase.
- Item 7, Volusia County park land. There are 33 acres of Volusia County park land which was purchased by Volusia County and the request is to remove the land area with a separate land use and zoning amendment. Volusia County has submitted an application to amend the land use and zoning for the park land.

Mr. Spraker delivered an overview of information on Plantation Oaks subdivision stating that the land area of the amendment is 1,015.47 ± acres. The gross density of the proposed amendment is 1.84 units per acre. He continued that 109.45 acres are wetlands and 59.11 acres are wetland buffers, totaling 168.56 acres. The area preserved for the project is 198.56 acres or 19.55 percent. The net density (land area minus the wetlands) would be 2.06 units per acre for the proposed development order. The project has a natural buffer of 50' along Plantation Oaks and a Greenbelt buffer along Interstate 95. Mr. Spraker added that the project has approximately 210 acres of stormwater ponds, with the Comprehensive Plan limiting the residential density to 1,947 residential units. The Development of Regional Impact (DRI) is the vested document that allows 2,115 units. The existing approvals at the current time for zoning is Plantation Oaks which is capped at 1,577 units. He stated that there are two actions that are seeking to increase the density within the National Gardens Development of Regional Impact (DRI): 1) the amendment before the Board of 291 units, and 2) the proposed Volusia County project Dixie Ridge of 144 proposed units. If both projects are approved there would be 103 units left in the entire Development of Regional Impact (DRI). Both projects comply with the DRI density levels.

Mr. Spraker reviewed the infrastructure of the Plantation Oaks subdivision detailing that Plantation Oaks Boulevard has been constructed providing access to the property. Also, sidewalks have been provided along the Plantation Oaks Boulevard roadway and internal to the subdivision. He added that a determination of adequate school capacity has been issued and was included in the Board packet. There is a school concurrency review for each phase. The project traffic is vested through the Development of Regional Impact (DRI). A traffic study of the entire development was performed and roadways and intersections comply with adopted Level of Service standards at buildout. Mr. Spraker explained that recreation is provided within each phase of the project.

Mr. Spraker delivered an overview of residential development. The average annual single-family house permits issued since 2010 is 98.3. He stated that Pineland and Cypress Trails are completing construction of their houses so there are no active

subdivisions that someone can pull a single-family permit as part of a master subdivision at this time. He reiterated that Plantation Oaks 1A is under construction for 121 lots where single-family house permits can be issued within a residential subdivision.

Mr. Spraker continued that as part of the application process, staff received three e-mails that were included in the Board packet. After the packet was issued, three additional e-mails were received which were e-mailed to the Board and placed at the Board dais this evening. Concerns expressed in the previous application as well as this application are that there should not be any additional development on the loop, impacts to users of the loop and animals in the corridor, the amendment to delete the age restriction possibly resulting in higher traffic, out of character for the community, school site should not be built upon, close access to Old Dixie Highway at Plantation Oaks Boulevard, and a suggestion for the golf course area to be considered open-space and used for recharge of the aquifer and as an area for wildlife and not to be converted to more density.

Mr. Spraker concluded that staff recommends that the seven items be voted on individually. He suggested that the items can be approved as presented, approved with conditions or denied. The next public hearing for the items will be May 17, 2022 and June 7, 2022 before the City Commission.

Mr. Parker Mynchenberg, P.E., Parker Mynchenberg & Associates, Developer, stated that he is 50 percent owner of the property as well as the Engineer and Landscape Architect. Mr. Mynchenberg commented that when he was a young Engineer that he was involved in the original DRI for the National Gardens Trust in which at that time was permitted for 4,000 units. During the process, the property owner of National Gardens Trust donated 2,000 acres to Volusia Land Trust (VOLT), which was the connection to Tomoka State Park and Bulow State Park, leaving a 10,000-acre park between the two. Additionally, there was another 406 acres that the State purchased adjacent to Old Dixie Highway. He continued that recently he was approached by the environmental community and Mr. Jeff Brower, Chair of the County Council, and was asked if he would be willing to sell the nicest lots, which are the heavily wooded oak treed lots next to Old Dixie Highway, in which he discounted and sold for half of the price he will be getting for the other lots.

Mr. Mynchenberg added that his partner at the time, Mr. Ronnie Bledsoe, and he developed the project, with the DRI were required to provide the school site on approximately 24 acres, as well as a 25-acre borrow pit that supplies the stormwater retention. He explained that he secured the St. Johns Water Management District ERP permit for the school and the borrow pit provided the stormwater treatment. They had a project called Fifth Street Commerce Center on Jimmy Ann Drive in Daytona Beach. At the time, Volusia County Schools expressed interest in expanding Westside Elementary and inquired what the plans were for the 14 acres next door to it. In negotiations it was decided to trade this site plus pay \$500,000 impact fee and Volusia County Schools would release the site in Plantation Oaks. Mr. Mynchenberg continued that the intent now is to come before the Planning Board and take where the school site was and do a rezoning. On Phase 4 where the old school site was planned, it's planned now to go with public streets. At the corner of the borrow pit there is a 1-acre outparcel, therefore that road needs to remain public, otherwise gating it may need to be considered. The outparcel will provide perpetual access through a public right-of-way. He continued regarding the inquiry on

additional lots, there was 140-acre, 19-hole championship golf course planned initially that had a cart barn, maintenance building, full-service clubhouse and restaurant that was planned to be open to the public and since the recession has gone out of favor. Many golf courses are not doing well with green-fees less than they were 20 years ago. A minor amendment was coordinated with the County before the annexation that allowed for a park with a linear trail in Phase 2, the mobile home park portion. He added that lakes and curves will not be a part of this phase.

Mr. Mynchenberg stated that 80 percent of the lakes have been excavated. He stated 80 additional lots are proposed in Phase 1, as well as 86 additional lots in Phase 3, in what used to be the golf course and clubhouse corridor. Mr. Mynchenberg added that they built an eight (8) million dollar road, required as part of the DRI. He stated that he did not receive impact fee credits as the developer for the major road and turn lanes with DOT. It is now a City of Ormond Beach road with the Plantation Oaks responsible for the maintenance of the landscaping. There were concerns expressed that the non-residents are allowed to use the manufactured home clubhouse amenities, and Mr. Mynchenberg emphasized that the 427 age-restricted lots are the only ones permitted to utilize the 10,000 square foot clubhouse with multiple amenities including pickleball, an olympic sized pool, two covered spas, and horseshoes. He continued that as discussed last year in the other section of Phase 1, it was agreed upon to lift the age restriction in Phase 1 and it was agreed to not build manufactured homes. Today's inquiry and proposal is to lift the age restriction in Phase 3, where the houses will be stick built, fee simple, regular subdivisions. The only manufactured homes in the development will be in Phase 2, 427 lots, that are fully permitted with the City of Ormond Beach. The infrastructure has been approved for it, where ten (10) million dollars of infrastructure improvements have been made and are going to local contractors for underground utilities, extensive landscaping, and a clubhouse facility will be built. Mr. Mynchenberg stated that all of it is income for local contractors, masons, concrete workers, etc.; and provides them a place to work. He added that all of the materials are purchased locally as well.

Chairman Thomas informed anyone wishing to speak of the three-minute time limit.

Audience Comments

Mr. Lawrence Edson, 43 Village Drive, stated that he recently moved to the Ormond Beach area and has been a long-time Florida resident and moved from the south to get away from traffic. He continued that they live behind the Phase 3 area and moved to the Pineland area to have more space and see more wildlife as opposed to moving to Palm Coast. Mr. Edson commented that when you start adding construction and talk about adding 86 to 100 more houses it is going to force the wildlife into their neighborhood and expressed concern with the buffer-zone being reduced in Phase 3 and asked the Board to take into consideration. He concluded that Ormond Beach is special because of the open-space and wildlife and is not congested with houses on top of each other with zero lot lines.

Ms. Suzanne Scheiber, 548 Sandy Oaks Boulevard, noted that there are four scenic highways in Volusia County in which three of them run through Ormond Beach. She continued that scenic highways are not viewed as stakeholders in the community and are left out of discussions pertaining to development, trails, roads, parks and more. She commented that it needs to be changed in the city. Ms. Scheiber spoke on the Ormond Scenic Loop, and added that a new petition started two months ago addressing what should have been in place from the day the Ormond Scenic Loop

was designated as a scenic highway. There are currently 600 signatures. The petition states that there should be established buffers in place. When driving the loop there are varying buffers sizes with houses built right on the road at the Toscana development with no buffer which should have been addressed. Ms. Scheiber commented that every remaining privately-owned property should be called regarding the Volusia Forever program. She expressed the importance of conservation and the scenic highway. Ms. Scheiber asked why Ormond Beach has not implemented principles of low-impact development established by the University of Florida. She stated in 2018 she attended a green Volusia workshop attended by Mr. Spraker as well and now four years later there isn't Low Impact Development implemented in the city. She continued that the residents repeatedly show that they care about the Loop but the City continues to ignore it. Just saying I love the Loop, is not an action item. Ms. Scheiber continued by stating, show us you care with your votes. Ms. Scheiber stated 76,000 people signed the petition for conservation and 600 yard signs were handed out and citizens put their own money up to conserve land deemed historic. She thanked Mr. Mynchenberg for selling the land to the County, and noted that he was paid. The DRI for the gardens that was created 36 years ago and she commented that she is not sure anyone understands all that has actually happened over the course of the 36 years. Ms. Scheiber stated, please say no to the density increase and ask what happens long-term to the road that floods when the tide changes – you have your own voices and are residents of this city too.

Mr. Tom Fitzgibbon, 51 S. St. Andrews, Tomoka Oaks, stated that prior to the recent bout of inflation, property taxes, utility costs for garbage and water have increased. He commented that he is paying for more traffic, more houses, safety issues, jet-traffic, sewage-treatment plants, more schools and recreation center, and a lot of other things that he is not happy about. He asked the Board and community if they are sure they are protecting the city and current residents or dangerously building out the city to the point where city-services cannot make adequate delivery.

Mr. Jerry Valcik, 236 Ormwood Beachside, inquired about Pennsylvania Avenue, the unpaved road on the western side of the project. He asked if and when Pennsylvania Avenue will be paved and asked what utilities will be in the development.

Ms. Jeanine Foray, 3972 S. Chinook Lane, commented that she heard what the developer has to say and stated that the issue has been going on for many years and stated that they are not against development but for responsible development. She explained that her concern is about the school issue. Westside Elementary is in Daytona Beach off of Jimmy Ann Drive and is a long way to bus children from Plantation Oaks down to Daytona Beach. Ms. Foray commented that there is going to be a major overcrowding issue and suggested that the Board to take the time to drive down Jimmy Ann Drive along Clyde Morris Boulevard and Tanger Outlets where thousands of apartment buildings are going up and numerous children in them that will also be accessing Westside Elementary as well. She stated that she spoke to Mr. Spraker who told her that they were going to be accessing the elementary school Pine Lakes, closest to the development, where they are using portable classrooms due to being overcrowded. Ms. Foray pleaded for the Board to consider the school issue.

Ms. Rita Press, 875 Wilmette Avenue, inquired about Plantation Oaks being approved for 1,577 units, and if the DRI in its current state limit the number of residential homes to be built on Old Dixie Highway and if it does, how close is the city to the limit. She also mentioned in 2004 the Trust For Public Lands purchased

407 acres plus the other acreage purchased by the County and added this property to the state park, in which the land was removed from the DRI and asked how it affected the number of units allowed on the Loop. Ms. Press continued that Plantation Oaks agreed to pay \$500,000 in school impact fees for the age-restricted residential lots and asked with the building of the site-built homes when are school impact fees paid, at the end of the build-out or has another arrangement been made. She then asked if there is a timetable in which the development of the phase must be completed and asked what completion looks like before a Certificate of Occupancy can be issued. Ms. Press stated, the word amendment when used in Planning parlance means making a change, the original DRI from 1986 has gone through many amendments. Plantation Oaks, part of this DRI has gone through so many changes that it seems as a friend of mine uses, "is a development that does not know what it wants to be". Of course there are reasons why that has changed and tonight here we are again being asked for additional changes. Adding almost 300 more units means perhaps 900+ more people and hundreds of more cars on U.S. Highway 1 and Beach Street and increases the overall density per acre. From a planning perspective, adding the additional 291 homes to the 1,577 approved is not smart planning and a developer's want should never be an automatic given.

Mr. Andrew Green, 11921 Tee Time Circle, New Port Richey, stated that he has lived in Ormond Beach and Daytona Beach for 23 years and has considered coming back to the area. He added that he has known Mr. Parker Mynchenberg and Associates for the 20+ years of this development and commented there must be a reason why it is not being developed. He remarked that the developer changes things as he pleases and has never built out of the development. He continued that Mr. Mynchenberg commented that he owns 50 percent of the development and inquired who owns the other half. He commented that the National Gardens Trust owned it back in 1986. Mr. Green stated that there are a lot of questions for the developer including why he never brought up plans from the golf course that he okayed to widen the road at Hammond Street onto his property, thus giving up a tenth of an acre of his property, leaving one acre left and asks if he gets .1 acre back, making it 1.1 acres. Originally in the National Gardens Trust, they never gave any acreage less than 1.1 acre in that development. Mr. Green urged the Board to look into the matter and discrepancies. The school site was to be at 24 acres in which 26 acres was deeded to that school site property. Mr. Green stated that the housing developments are not going to be local housing but an outside housing major developer where they bring their own people and construction material in to build the houses. He concluded that he has been down this road before with Mr. Mynchenberg and it does not work out and is not in favor of him.

Mr. Ben Fitzpatrick, 3317 Glenshame Way, expressed his concerns with the traffic on Old Dixie Highway and the noise from it and asked how much of it will increase going north on Old Dixie Highway up to Interstate 95. He commented that he moved there because it used to be a quiet road and will move away if there are not any changes as it is changing to a public highway. Another concern expressed is the one access through to Old Dixie Highway and U.S. Highway 1 for 1,868 homes. Mr. Fitzpatrick inquired if the utilities would be provided by the City of Ormond Beach. Chairman Thomas confirmed that yes, the City would be providing the utilities. Mr. Fitzpatrick asked how the capacity can be expanded. He commented that the St. Johns Water Authority is struggling with finding additional water with the number of people moving to Florida. He expressed concerns with Real Estate Investment Trusts

(REIT) coming in and buying whole subdivisions for rental homes. 30 percent of all new developments are going into REIT, Wall Street investment for rentals, according to Mr. Fitzpatrick, which he claims is a 'bad deal', commenting that renters have a very different approach to their community compared to people that buy. He remarked that it is a long way to transport school-aged children to school with school buses going down U.S. Highway 1 or down Old Dixie Highway, in which he said will have enough traffic for a four-lane highway.

Mr. William Lindroth, 1481 Kilrush Drive, Halifax Plantation, stated that he came down to Florida from Long Island, New York and planned to move down to Ponce Inlet until he discovered the ridiculous traffic. He then said that he found this area and remarked how beautiful Highbridge Road is and liked the low amount of traffic. Mr. Lindroth continued that the impact study for the project has to be revised if this goes through for water, traffic and congestion as if there was an emergency there are only two ways out. He asks how they are going to evacuate. He commented on the amendment to lift the age restriction, and stated that it means there will be more school-aged children and more money for schools, "\$500,000 is alright for a few years, what will happen down the road and who will be paying, footing the bill for those kids that are going to school?" He added that it will not get any easier with inflation and with people pinching pennies. Mr. Lindroth remarked on the water treatment and concluded that he loves the area and the Loop and hates to see any of it getting destroyed with construction or too much traffic.

Ms. Carol Taylor, 19 Village Drive, stated that her property backs up to Phase 3 of the site and has chickens and pigs and is concerned with the amount of trees that have been cleared and the oxygen in the area from it. She asked if more trees will be cleared in the development and commented that oxygen for four people comes from one tree. Ms. Taylor expressed her concern with the several plants and animals in the area. She commented on the beneficial and medicinal saw palmettos and delivered information on the importance of the plant from treating migraines, prostate cancer, urinary issues, hair loss and her concern with the massacring of them. She stated that she does cycling there and has visualized many species of birds on her bike-rides and has witnessed an Indian artifact arrowhead discovered from a utility company employee when working in Plantation Oaks. She brought up the different turtles there, including the gopher, box and alligator turtles and expressed her concern of their protection. Ms. Taylor added that there are 60+ animal species in the area and within 50 percent of the animals and implants will be extinct within 10 years. She concluded stating that she has a photograph of a tree across from the property with the grim reaper on it and passed it around for the Board to see.

Ms. Missy Herrero, 111 N. St. Andrews Drive, questioned if the development is right for the area and inquired how the development can be shaped moving forward. She continued that she has been following the project and wonders if when the project initially came through if it was presented without a golf course and school with the density, if the Board would have approved it then or if the Board would have thought it was 'too much'. She expressed concern with the initial total of homes at 1,150 with the school and the golf course and are now up to 1,441 as well as 427 manufactured homes in a hurricane-prone area. Ms. Herrero remarked that it is a beautiful area with a lot of natural resources and is concerned with the changes. Her last comment references the sport of golf, and commented that Ormond Beach does not have a golf course and how all of the golf courses are packed in town, "golf is not dead", especially with the number of people moving into the state including retirees. Ms.

Herrero concluded that just because the developer does not want a golf course does not mean filling that land with houses should automatically be approved.

Mr. Bill Lawson, 115 Oak Lane, stated that they bought their existing house 35 years ago and echoes the sentiments on tax-increase concerns. He added that the development has changed in the last few years including half of the acreage is gone. The fill has been sold with only water left. There was a decent amount of housing planned prior and now the development has mobile homes. Mr. Lawson continued that he feels that the Loop could have been left alone and now the exit is a quarter of a mile long with bricks when only flashing lights would have been sufficient. He concluded expressing concerns with the development.

Mr. Phillip Weidner, 831 Oleander Avenue, Daytona Beach, remarked that he is a lifetime residence growing up in Woodmere, the second subdivision built in Ormond Beach. He said as a child he used to fish at the point every day and the Loop is very personal to him. He explained that he loves the scenery there but thinks the damage is already done with the development and is concerned with what developments are going to do to the Loop as well as with the traffic. Mr. Weidner added that 200' away he awaits through three or four traffic lights to get through Granada Boulevard, therefore the impact of traffic needs to be reviewed. He referenced the traffic study that was done and expressed concern with whether or not it was done on the three to four mile radius going down on Jacobs Road coming down Beach Street. Mr. Weidner questioned the eight (\$8) million dollar- road Mr. Mynchenberg paid for and asked if that was agreed upon how many houses were going to be in there and remarked the entrances onto the Loop need to be looked at. Mr. Weidner brought up an article Mr. Mynchenberg was quoted in regarding the school buses being routed down U.S. Highway 1 and suggests seeing if he will hold up to that to protect the scenic Loop.

Ms. Sally Arnolf, 24 Audobon Lane, Sugarmill Plantation, Flagler Beach, commented that Mr. Mynchenberg has done a fine job with donating the land and lowering the price and called attention to those who think there are too many homes. She suggested to consider the amount of acreage that he is building out and remarked that in Flagler Beach they are fighting a high density of 1200+ homes on less than 600 acres. He has that in twice as many acres. Ms. Arnolf expressed concern in the added traffic that is going to go on Old Dixie Highway. The road cannot absorb that type of traffic and she recommends that the Board consider closing the entrance of Plantation Oaks Boulevard at Old Dixie Highway as there is a blind curb on both sides of the road where adding the traffic will be a dangerous situation. She also suggested having the traffic from Plantation Oaks go down to U.S. Highway 1 as the intersection was recently approved and is signalized and is the first traffic light off of the interstate. Ms. Arnolf also requested putting in an additional north to south road from Plantation Oaks coming out at the Publix Supermarket on Old Dixie Highway which would relieve the stress on the Loop road part of Old Dixie Highway. Roscommon can be extended south as well as Utility Drive, which is now a dirt road and can be paved and comes out at the same location. She stated that when she speaks to Mr. Mynchenberg on her suggestions she is told that the roads would go through wetlands. She said that her response to him is that he is building on the current roads in wetlands.

Mr. Parker Mynchenberg, P.E., Parker Mynchenberg & Associates, applicant, in response to the inquiries and statements replied that he appreciates the public and

notes there is confusion on the Westside Elementary school swap and clarified that they are not busing anyone to Westside Elementary in Daytona Beach. The School Board needed the property to do the expansion. He reiterated that no one is being bused from Plantation Oaks to Westside Elementary in Daytona Beach.

Mr. Mynchenberg replied to the notes that Chairman Thomas recorded starting with DRI, and replied that with this change and the Volusia County Dixie Ridge project, a parcel of land between Plantation Oaks and Halifax Plantation, Plantation Oaks is 110 lots below what the DRI allowed if it passed. He confirmed that they are within the DRI requirements and within the total number below the total number that are in the Comp Plan for the City of Ormond for Plantation Oaks and are not exceeding any of the numbers with the request.

Mr. Mynchenberg replied to the inquiry regarding the 2004 Trust for Public Lands that purchased 407 acres and then added the property to the state park, then was removed from the DRI, and how it affected the number of units allowed on the Loop, stating there were approximately 4,000 units in the original DRI which consisted of Ormond Lakes and the 427 acres. When the property was purchased, there were amendments done to the DRI and once Ormond Lakes was built out it was removed from the DRI. Mr. Mynchenberg continued that currently the DRI allows another 110 units after this development and if Dixie Ridge gets approved then there is nothing else to develop. He commented that he is proud of the subdivisions that he has designed in the area from Plantation Oaks mobile home community in Flagler, to Wexford Preserve, to the roads in Halifax Plantation, Ormond Lakes and Plantation Oaks. He concluded that he has a lot of history with designing subdivisions in that area.

Mr. Mynchenberg replied to the inquiry regarding when the \$500,000 school impact fees for the age-restricted residential lots, with the building of site-built homes are paid and said that the original approval was for 1,577 age-restricted no-school kids and the County Council agreed to pay \$1,100 per lot in school impact fees even without having impact on the school. As part of it, with the DRI, they had the 24-acre school site and the original development order required at the time the school site was dedicated that there would be an appraisal with impact fee credit for the site against the \$1,100 per lot that was committed even though Aberdeen just settled a lawsuit where they did not have to pay school impact fees, because if your age 55 and over, you are not allowed to have school-kids reside. He continued that when the age restriction was lifted in Phase 1, the lots have to pay the school impact fee if successful with lifting the age restriction in Phase 3, those lots will have to pay the school impact fee which is \$3000 per lot multiplied times the number of lots, which is \$2 million. Mr. Mynchenberg added that school impact fees and traffic impact fees are the only two impact fees that get paid at building Certificate of Occupancy (CO). With water impact fees and sewer you pay to get a meter, but with this project, before a house gets CO' d payment is required for the school impact fee.

Chairman Thomas inquired about the manufactured housing and if they are tax exempt up to a certain value and asked if it is a sizeable tax difference between what is paid. Mr. Mynchenberg answered no and that with manufactured housing, a double-wide has two tags, a triple-wide has three tags and annually you pay tax on it. The owner of the manufactured community gets assessed and pays taxes based on the value of the business which is not as much money as if it were stick-built fee simple. He mentioned that this is some of the downside when rezoning to manufactured

housing. People that oppose, bring up that they do not pay as much ad valorem tax. Mr. Mynchenberg remarked that it is a big differential and lifting the age restriction in Phase 3, is similar to what was done in Phase 1. There is a demand for stick-built fee simple single-family housing which pays a lot more ad valorem tax and with the age restriction being lifted will pay more school impact fees. Regarding the school inquiry, he added that he resented the comments to the Volusia County School Board and they have indicated that they are at sufficient capacity. Mr. Mynchenberg mentioned that Halifax Plantation is not age-restricted, it is more for age-targeted retirees without kids which is suspected for Plantation Oaks.

Chairman Thomas asked if there is a school site included in the Ormond Crossings development future plans. Mr. Spraker answered that they would need to go back to the original development order to research that requirement. There was a school analysis but it is not known at this time if the site was preserved. Mr. Mynchenberg replied that there is a school site in Halifax Plantation which is in Volusia County. Mr. Galloway added that there will be a school site planned for Ormond Crossings with the number of houses that are proposed there over the span of a 30+ year project.

Chairman Thomas inquired about the aforementioned question on if there is a timetable in which a phase must be completed and what would completion look like before a Certificate of Occupancy can be issued. Mr. Mynchenberg stated that in Phase 2, the manufactured home community, there is currently 97 developed lots with 53 residents and he is in the process of completing Phase 2B which is another 125 lots. He continued that in the manufactured home business, two years ago, a manufactured home would arrive within 60 days of the order, and now it takes 11 months. It is a challenge to get houses from the manufacturers. He stated that in the housing development in approximately two to three months he will be before the City for the final plat for the first phase of 121 lots in Phase 1 and there will be houses built and CO'd one at a time and then will be in Phase 2B. He continued that he is working on designing 1B. They will be built in approximate hundred lot increments by phase.

Chairman Thomas referenced Ms. Herrero's inquiries regarding the golf course and remarked that Ormond Beach closed its golf course. Mr. Mynchenberg added that Indigo and Tomoka Oaks golf courses have also closed.

Mr. Mynchenberg touched on the utilities inquiry and said that originally when the initial rezoning was done, starting with Halifax Plantation, Volusia County wanted to get into the utility business. Mr. Mynchenberg stated 20 years ago the City had a force main and a waterline that ran up along North U.S. 1, north of Plantation Oaks which was a lot closer then trying to get utilities from a water plant at Halifax Plantation. The property annexed and they negotiated with the County to allow the City of Ormond Beach to serve Plantation Oaks with water and sewer. An analysis was done and at the time they were permitted for 400 homes without any offsite extensions and since then the City recently extended a potable waterline and a force main of sufficient size to handle development up in the area for Ormond Crossings as well as Plantation Oaks.

In replying to Mr. Green's inquiry regarding when Pennsylvania Avenue will be built out, Mr. Mynchenberg stated that Mr. Green owns that outparcel by the lake which is in Phase 4. He commented that there is a gentleman that owns two lots on Pennsylvania, as part of the Phase 4 improvements, Pennsylvania Avenue will be paved and a city lift station will be built and water and sewer will be extended. There

are currently force main and potable water stubs to Pennsylvania Avenue. Mr. Mynchenberg stated that the timing on it will be market-driven. The current focus is now on Phase 1 and soon to be Phase 3, then Phase 4 may be a year or two from now.

In reply to Ms. Taylor's inquiry regarding the clearing of the trees and lack of oxygen, Mr. Mynchenberg stated that a lot of clearing has been done and part of the 400 acres of the west side of Plantation Oaks was burned down during the 1998 wildfires. The vegetation that has been cleared is the secondary growth. With concern with wildfires for the residents, a permit was obtained for some clearing. Mr. Mynchenberg continued that clearing has not been done next to the Village of Pine Run area but as Phase 3 develops clearing will be done there. In referencing the inquiry about being right next to Old Dixie Highway, with the County owning the park, they do not own any property on Old Dixie Highway. Regarding the buffer inquiry, in the design for Halifax Plantation in the time that it was permitted, most buffers along the road were 25', Halifax Plantation agreed to do 50' with the County. When Plantation Oaks was permitted, it was agreed to do a 175' buffer in a conservation easement. Now the County owns that property but the conservation easement goes with it.

Ms. Tolland commented on Ms. Arnolf's suggestion on the entrance onto Old Dixie Highway and the possibilities of other access roads. Mr. Mynchenberg replied that a cul-de-sac was discussed prior and not a connection to Old Dixie Highway. He added that he lives on Old Dixie Highway and lives next to wetlands and the road from Tomoka State Park goes under water when the wind and moon are right. Pine Tree Road occasionally has water over it. Plantation Oaks Boulevard does not flood and provides an emergency outlet for the south end of Halifax Plantation and those living in Sanctuary on the waterfront and surrounding subdivisions. There was initially a 200' right-of-way when Plantation Oaks was contemplated and it was envisioned that Old Dixie Highway would be four-laned all the way up to Halifax Plantation as seen in the original first phases elevations of that subdivision. At the time it was also envisioned that Old Dixie Highway would be four-laned and Plantation Oaks Boulevard would be four-laned but the locals were opposed to removing the oak trees on Old Dixie Highway. Mr. Mynchenberg remarked that his opinion is that it provides a connection at all times, and in that area due to the low elevation of the existing roads is the only way out during high tides or hurricanes.

Mr. Jorczak touched on the traffic study in the staff report, and commented on the primary data being three years old and the significant traffic on Old Dixie Highway and Beach Street. He inquired about the trip generation today and remarked that it takes multiple traffic lights to get onto Granada Boulevard from Beach Street due to the back up on Beach Street at all times of the day. The impacts of the additional homes need to be sufficiently analyzed on the potential impact with the build-out. Mr. Jorczak explained that it is a problem today that is going to get worst with no other relief on the north-south corridor for the amount of houses. Beach Street and U.S. Highway 1 are the only routes, with the majority going down Beach Street. Mr. Mynchenberg replied that in November or December a neighborhood meeting was held and the Planning Department required that an updated traffic study be done with TEDS and Mynchenberg and Associates traffic consultant and a methodology was put together that the City's traffic consultant provided to Volusia County and it was asked to do additional counts. Diagrams were provided in the traffic study that shows how much traffic is from Plantation Oaks and how much traffic goes to U.S. Highway 1 and Old Dixie Highway. The majority goes out U.S. Highway 1. Mr. Mynchenberg referenced the comment about studying intersections, and said that there were quite

a few additional intersections north and south of Plantation Oaks Boulevard and U.S. Highway 1 that went through the methodology approval with the County and the City's traffic consultant to be studied, therefore they were studied. Mr. Jorczak commented that he will work with Mr. Spraker to see that information is included in the report. Mr. Mynchenberg mentioned the reason people did DRIs initially was to vest their trips. Once the DRI was approved, it was said that National Gardens trips were vested and there before the development down the road comes in. The trips being proposed for Plantation Oaks have been approved for a long time. Mr. Jorczak remarked what was done in the past and where we are today are two different elements including not only Plantation Oaks but the other developments going in that are an impact to the area.

Chairman Thomas expressed that there are alternate routes to take during different times of the day and during different seasonal area events.

Ms. Shull asked what size the lots are. Mr. Mynchenberg answered that the 1,577 lots in Plantation Oaks that are approved are 50' x 100' with 7.5' side yard and 20' front and 20' rear yards. Looking at the current major amendment plan, all of the lots in the manufactured home community are a minimum of 65' wide by 110' minimum and are all fully permitted with approved construction plans. Initially Plantation Oaks was intended to be a manufactured home community. He continued that Plantation Oaks – Flagler, are 50' by 100' lots and would not fit triple-wides so then opted for 65' width. The zoning allows a 50' by 100' minimum. Mr. Mynchenberg added that there are no lots smaller than 50' by 110' and in Phase 1 there is diversification with the lots closer to Interstate 95 at 55' minimum with some at 110' where the lakes are dug. 70 percent of them are 125' deep, as well as in Phase 3. In Phase 1 some are 55' by 125' and others 65' by 125'. The wider lots are next to Halifax Plantation. The narrower lots are next to Interstate 95. Mr. Mynchenberg added that in Phase 4 which is by public streets, next to Interstate 95 are 50' by 110' minimum but have been drawn up to be 50' by 125'.

In reference to a question on Ormond Beach minimum lot size standards, Mr. Spraker responded that dependent on the zoning district, there are zoning districts that allow 50' to 100' wide lots. He reiterated that this project was approved in Volusia County and came into the City of Ormond Beach with the standards in the Volusia County development orders, therefore with this amendment there are 'tweaks' that would expand some of the lot widths and depths. The 2002 development order established the conditions.

There was discussion on the 50' lot houses in Daytona Beach with 5' side yards, 40' lot houses in LPGA with 5' side yards and 50' lots with 5' side yards in Edgewater. Mr. Mynchenberg explained this is the reason he has designed 55' minimum width with 15' between homes with a 40' wide development pad.

Chairman Thomas closed the public hearing and opened it up for Board discussion.

Mr. Scudiero commented that there are things that he does and does not like starting with that going back 36 years it could be allocated for higher than it is and likes that there is some still being left on the table, with 79 (1,577 + 291 = 1,868) leaving 79 short of what is in the Comprehensive Plan. He continued that he does not love the school and the golf course issues with them originally being planned on and now not being followed through, although expressed understanding in the circumstances behind it that determine the changes. Mr. Scudiero stated that in 2019 the Planning Board adopted the Comprehensive Plan from the County for the 1,947 potential units,

and no one spoke against it, other than the concerns about the actual road, not the lots. He remarked that he will be a reluctant yes with concerns and hopes that good plans will be presented.

Ms. Tolland applauded Mr. Spraker for putting together the history of the land. She explained her thought process on the project's original design and when pondering she said that she ensures that the requirements of the Land Development Code (LDC) are met in which in this case, they were. She reviewed a synopsis she put together on the project and remarked that the originally 1,577 residential units were planned to be site-built, single-family development with 80 percent residents 55 and over, school impact fees, a land area for a golf course, 100' right-of-way on U.S Highway 1 to Old Dixie Highway with internal roads to be private. She continued that in 2006 was the utility service agreement. In 2007, there was the 175' buffer required off of Old Dixie Highway which 33 acres were purchased by Volusia County. In 2012, mobile homes were allowed as well as a central clubhouse for the manufactured homes. In 2015, options were given of constructing lakes in open-space instead of the golf course. In 2016, no school site and prepaid the school impact fees and donated to the school site at Westside. In 2019, eliminated the 100' right-of-way and added four specific medium landscape plans. Open-space can be unplanted for view of the lakes but can be planted later during the development phase. In 2015 was the annexation agreement to serve utilities that would run through any not contiguous with agreement for Ormond Beach to provide the utilities. In 2019 the 1,055 acres were annexed, 427 units were available to be built. 2020, ½ acre was annexed in. 2021, the Future Land Use Transportation and Intergovernmental Comp Plan was amended to 1,947 units. In 2021, the age restriction was deleted. In Phase 1, allowed only single-family construction and moved to relocate the 76 lots due to the acreage that is being sold to Volusia County. Ms. Tolland summed up the bottom line and how it has gone through a lot of changes and demands a lot of effort and consideration.

She continued that the original plan from Volusia County was supposed to be a self-contained community with private roads, a commercial piece, school, golf course and firehouse, having less impact. The golf course was amended to open space and lakes. Ms. Tolland expressed her concerns of reaching close to the city's maximum impact of development considering the potential Dixie Ridge property in the County as well. The open spaces are being limited and their potential uses, according to Ms. Tolland. She mentioned that the water impact has not been discussed of another development and is a concern of hers. Ormond Lakes recently brought up the water going over U.S. Highway 1 and into their lakes. Ms. Tolland stated that every development that is built is responsible for self-containing their water. Plantation Oaks was originally planned to be self-contained and has now morphed into something different and suggests that the Board consider the request with caution. She commented that she is not comfortable with all of the building on the golf course and school site.

Ms. Shull added that she has many of the same concerns as Ms. Tolland and expressed concern with it affecting and impacting the traffic, flooding and utilities. She inquired if the development could put their own sewage plant in like other neighborhoods. Ms. Shull stated that she is concerned about the lot sizes and the traffic study. She understands that there is going to be development and commented that Ormond Beach is such a cool community with not all of the neighborhoods being packed together. She remarked that she loves the water in the project but wishes

more trees would have been protected. Ms. Shull appreciates the land that was sold for the park land but feels that it is too much.

Mr. Galloway stated for the record that he does not sell houses but is in real estate and has only sold three houses in 40 years and commented that whether or not they build houses or not does not affect his business. He travels Beach Street and knows that it is a 'given' and that it floods at the bridge when there is a full moon. Mr. Galloway apprised everyone that Florida is growing by 80,000 people per day and knows that it is a special place. Only 14 buildable lots exist on the beachside, according to Mr. Galloway. People are tearing down houses on the beachside to live there since it is built up. He claimed he is a big believer of controlled and quality growth. Interest rates are at 5 percent and the average price of a house is \$390,000. Mr. Galloway remarked that his kids work in Charlotte, North Carolina and Charleston, South Carolina and the majority of his friends' kids work outside of this area because of jobs.

On the subject of taxation that was aforementioned, Mr. Galloway noted that 10 to 20 years ago the citizens of Volusia County voted on the ECHO Grants and Volusia County Forever and it was supposed to sunset and suggested to look at all of the items paid in Volusia County. The highest property taxes are in Alachua County in the State of Florida due to Shands Hospital and the University of Florida, with the second highest being Volusia County. Ormond Beach has the second lowest millage rate as well. With taxes going up, he urges not to blame the City of Ormond Beach and suggests looking at the 14 items being paid and taking their trim notices to Volusia County, and look at what was going to sunset where taxes could have been dropped and went to the polls and added additional taxes with Volusia Forever and the ECHO Grants.

Mr. Galloway stated that he used to ride his bike on off numbered days 26 miles and on odd numbered days would ride 52 miles and go up Old Dixie Highway to Flagler and back down. Within the last several years he claims to have quit riding due to being brushed back twice on the Loop. He mentioned that growth in Halifax Plantation was the beginning of what is happening to the Loop. Mr. Galloway touched on the number of apartment complexes being built in the area and how the parking lots are full with rent prices at \$1,700 to \$2,200. Once taxes and insurance are added to a house, people cannot afford to buy a house. The home builders are now competing with the apartment builders as people would rather raise their kids in a house than an apartment complex, therefore there are huge companies building houses for rent only and will be the way of the future. Mr. Galloway referenced the lot size concerns and explained that there are two ways to drop the value of a house, one of them being to go to smaller lot sizes. He reiterated how following World War II, Mr. William Levitt developed the Levitt-built homes which were 700 square feet with two bedrooms and one bathroom and urges to mentally prepare to go to smaller lots approximately 40' houses with no hallways, as built in the late 1700s and 1900s and remarked that we have to physically change the image of what the American Dream is believed to be, to own a little house at the top of a hill with a picket-fence around it. Mr. Galloway stated your house is your castle, it does not matter if it is 5,000 square feet or 750 square feet. Mr. Galloway commented that there are opportunities to grow this community with only 650 homes available in inventory in the city. With Florida being a state that does not have a state income tax, it is a lovely state to die in because of your inheritance, according to Mr. Galloway. He remarked that it is easy for those who have housing to say that they do not want anymore

housing, but for those young people that do not have housing, they are leaving the state. He expressed he feels mixed-emotions about the proposal and thinks that it needs to be tweaked with a density adjustment. Mr. Galloway concluded that there is a housing-shortage and that the bottom line is that the City Commission makes the decision and the Planning Board is a sounding board.

Mr. Jorczak expressed mixed emotions as well with the fundamental problems with the growth of Ormond Beach, there are issues that continue to come up with the respect of how a particular development is in a particular area. He has spoken with employees of fast-food restaurants and has heard how affordable housing in Ormond Beach is a problem today. There are a couple of developments put in of subsidized housing and they fill up instantly before the units are built. Mr. Jorczak added that he would prefer this development to look more like Ormond Lakes with their layout, lakes and amenities. He suggests more discussion and is favor of lower density. Mr. Jorczak questions the impact of the density tomorrow and ten years from now.

Mr. Briley commented that it is important to remember that the development was a DRI and recommended 35+ years ago and has vested development rights, traffic and vested trips in the development. He reiterated that the development was approved in the County and annexed into the City. Mr. Briley commended Mr. Mynchenberg on his quality developments in the County. He continued that the school situation is of concern. Ormond Beach Middle School is not at full capacity, and he stated that he is not sure about Pathways Elementary and Pine Trail Elementary. He remarked that he is not certain of the requirement for the school. Once Phase 1 and Phase 3 are complete then it should be known if the school is required if Volusia County does not have an issue with the school concurrency. Mr. Briley commented that there are not many golf courses left in Ormond Beach, other than Oceanside Country Club. They are not the best for the environment with the amount of pesticides and fertilizers on them. He touched on future developments in the area and said that this development has vested development rights and trips and there is concern about the traffic. He touched on access, and remarked that the County would not let the road be cut off at Old Dixie Highway with that many homes in there with the possibilities of any emergencies. That would only allow one-way in and one-way out. Mr. Briley concurs with Mr. Jorczak and expressed interest in a more comprehensive traffic study. He suggests taking it item-by-item as well.

Chairman Thomas remarked that people moved here because it is a wonderful place to live. He said that he moved here in 1973 and grew up in Florida. He stated that it is his 32nd year on the Planning Board. He expressed that Ormond Beach is such a desirable place with everything that the Planning Board and City Commission has done and has created a problem with everyone wanting to be here and do not have the where with all to keep our children here. He added that he wants more open space, less lots and to come up with something that is good for everybody. Chairman Thomas states when a town or city stops growing, that is when they start to die. He expressed that he is hopeful that something can be worked out with Mr. Mynchenberg in a compromise that can give more open space and a few less lots.

Chairman Thomas announced that tonight is his last night as Chairman of the Planning Board due to prioritizing his wife's health issues.

There was Board discussion with the Planning Director and City Attorney on the options of tabling the item, approving the request as presented, denying it or approving the request with reasonable conditions. It was explained that the

Development of Regional Impact conditions were vested and approved by Volusia County. Attorney Hayes advised that if there is a request with conditions it requires resubmittal of new plans then the applicant will need to work that out and bring it back. If the applicant wants to keep their proposal as-is, it was explained that the Board would need to vote it up or down and move on to City Commission.

Chairman Thomas expressed his concern with open-space and recreation areas.

Following a discussion of the concerns, Mr. Mynchenberg stated that each of the phases have a clubhouse and recreation area. Phase 3 has a 5,000+ square foot clubhouse and courts. Phase 1 has a clubhouse and a pickleball court, and Phase 2, the lifestyle community, has a 10,000 square foot clubhouse. He stated that the school site is done and the School Board has no right to the site now. A deal was made with them for another site. Regarding open-space, there is over 200 acres of open-space and 50' buffers on both sides along the 2-mile main road. Mr. Mynchenberg added that there is a minimum 50' buffer along Interstate 95 that is treed. He suggested looking at Phase 4 and making a recommendation to the City Commission of something less than 125. The portion of the golf course that was in Phase 2 was converted to a park and a lake. Mr. Mynchenberg advised that in Phase 2 there is more park area than previously. Regarding the ask on the 80 additional units, in Phase 1, the golf course corridor, approximately 50 acres, he expressed he would be okay with going down to 60 or 40. In Phase 3 where the ask is for 86 additional units where the golf course used to be, he added that he would be open for a positive recommendation. Mr. Mynchenberg continued that interest rates are going up and expressed the importance on getting it done today.

Chairman Thomas reiterated the need for more recreation space inside the neighborhood stating that he wants them off of the games and outside.

Mr. Mynchenberg stated that there is a public park as part of the development, and the mobile home park has adequate recreation facilities. Phase 3 has a 5,400 square foot clubhouse facility with a pool, play area and courts. There is a 2,500 square foot clubhouse facility in Phase 1 and could be doubled in size if requested. He suggested dropping 30 lots for Phase 2 and will commit the acreage toward recreation.

It was discussed that 50 percent of Phase 4 is cleared, Phase 1 is cleared, and Phase 3 is not all cleared other than the lakes being dug.

Attorney Hayes suggested working through each item for a recommendation consensus agreement between the Board and what Mr. Mynchenberg is looking for, and then take those conditions to the City Commission with the changes that Mr. Mynchenberg will make to the overall master plan which will be included with the packet that goes to the City Commission.

Mr. Scudiero stated that one of the concerns in Phase 3 is the buffer along Pine Run and asked if it could be accommodated in the acreage that would be spared. Mr. Mynchenberg agree that it could be and suggested taking some lots out of Phase 3 and have them be adjacent to Pine Run. There is an open buffer along Pine Run as well as an open swale that runs through there. He offered to eliminate 30 lots next to the Village of Pine Run and put open-space or recreation of a play field there.

Discussion ensued between the Board and Mr. Mynchenberg on abutting properties, Halifax Plantation and the Volusia County project of Dixie Ridge. The Dixie Ridge project in the process of rezoning the property and have agreed that the County purchased all of the property east of the powerline and are donating 13.5 acres east

of the powerline to the County to be a continuation of their park. Instead of a 50' buffer, it will be 300' to 500' next to Old Dixie Highway.

Mr. Jorczak asked for information regarding the number of units. Mr. Mynchenberg replied the more units, the better. He explained that he went from the 50' by 100' lots to 55' to 65' lots by 125' deep. He noted that he has not made any money from the development. There was discussion on the differences between Ormond Lakes and Plantation Oaks. Mr. Parker concluded that he is happy to put a revised plan together over the next week or so and is willing to compromise.

There was additional conversation amongst the Board regarding tabling the item versus voting with conditions this evening.

Mr. Scudiero motioned to approve PRD 2021-101 – Plantation Oaks Subdivision, Planned Residential Development Amendment item #1, to convert a portion of the golf course within Phase 1 and modify the request of adding 80 non-age restricted, fee simple lots to 40 lots and include half open space and half recreation at the north end. Mr. Galloway seconded it. Vote was called, and the motion was approved (5-2), with Ms. Shull and Ms. Tolland voting against.

Mr. Galloway motioned to approve PRD 2021-101 – Plantation Oaks Subdivision, Planned Residential Development Amendment item #2, to convert a portion of the golf course in Phase 3 and modify the request of 86 non-age restricted, fee simple lots to 43 lots and add open-space recreation next to the Village of Pine Run. Mr. Scudiero seconded it. Vote was called, and the motion was approved (4-3), with Ms. Tolland, Ms. Shull and Mr. Jorczak voting against.

Mr. Briley motioned to approve PRD 2021-101 – Plantation Oaks Subdivision, Planned Residential Development Amendment item #3, to lift the age restriction for Phase 3. Ms. Shull seconded it. Vote was called, and the motion was approved (7-0).

Mr. Jorczak motioned to approve PRD 2021-101 – Plantation Oaks Subdivision, Planned Residential Development Amendment item #4, to prohibit manufactured homes for Phase 3. Ms. Tolland seconded it. Vote was called, and the motion was approved (7-0).

Mr. Thomas stepped down as Chair and motioned to approve PRD 2021-101 – Plantation Oaks Subdivision, Planned Residential Development Amendment item #5, to reduce the 125 proposed lots for the school site to 90 lots, with no manufactured housing in Phase 4. Mr. Galloway seconded it. Vote was called, and the motion was denied (3-4), with Ms. Tolland, Ms. Shull, Mr. Jorczak and Mr. Briley against.

Mr. Galloway motioned to approve PRD 2021-101 – Plantation Oaks Subdivision, Planned Residential Development Amendment item #5, to approve the originally requested 125 proposed lots for the school site in Phase 4. The motion died for lack of a second and the item was denied.

Mr. Briley motioned to approve/deny PRD 2021-101 – Plantation Oaks Subdivision, Planned Residential Development Amendment item #6, to allow

public streets in Phase 4. Mr. Scudiero seconded it. Vote was called, and the motion was approved (7-0).

Mr. Briley motioned to approve PRD 2021-101 – Plantation Oaks Subdivision, Planned Residential Development Amendment item #7, to remove the 33.10 acres of land purchased by Volusia County from the Plantation Oaks Planned Residential Development. Mr. Jorczak seconded it. Vote was called, and the motion was approved (7-0).

With the time in mind, after 9:00 PM, The Board unanimously approved continuing to the next agenda item.

B. LDC 2022-037 - Land Development Code (LDC) Amendment, Additional Front and Waterbody Yard Setbacks

Ms. Robin Gawel, Senior Planner, explained the administrative request LDC 2022-037, that was presented at the March 10th Planning Board meeting as a discussion item, to amend front and waterfront yard setbacks of Chapter 2, District and General Regulations, Article II, District Regulations, for the following Sections: 2-09, Rural Estate Agriculture (REA) Zoning District; 2-10 Rural Residential (RR) Zoning District; 2-12, Residential Estate Zoning (R-1) District; 2-13, (R-2), Single-Family Low Density Zoning District; Section 2-40, Exceptions and Supplemental Standards to provide consistency of language between zoning districts, clarification for existing criteria and new review criteria under the Waterbody Setbacks that will protect the view corridor of abutting properties along the Tomoka and Halifax River and reduce the necessity for most variances.

Ms. Gawel stated that no changes or recommendations were presented at the March 10th Planning Board meeting and when discussed at the Board of Adjustment and Appeals (BOAA) meeting, it was suggested by one BOAA Board member to consider removing the calculated average setback criteria making the viewing angle the only setback criteria, however staff believes that both criteria should be included. Ms. Gawel concluded that it is recommended that the Planning Board approve the request to amend the LDC as proposed with the amendment set to be reviewed by the City Commission tentatively on May 17, 2022 (1st reading), and June 7, 2022 (2nd reading).

Mr. Briley motioned to approve LDC 2022-037: Land Development Code (LDC) Amendment, Additional Front and Waterbody Yard Setbacks. Mr. Jorczak seconded it. Vote was called, and the motion was approved (7-0).

VIII. OTHER BUSINESS

None.

XI. MEMBER COMMENTS

Mr. Jorczak recognized his friend, a local citizen, Mr. Mike Jiloty, whom recently passed away of cancer, expressing that he will be missed. He donated a lot of his time and did a lot for the community.

Mr. Briley thanked staff for the comprehensive Board packet.

Ms. Shull expressed appreciation for the Board and their opinions.

Ms. Tolland stated that she appreciates the Board and their banter and pointed out that they may not always agree. She explained why she did not feel comfortable making a 100 percent decision tonight, the reason she voted no. She expressed appreciation for the Board.

Mr. Scudiero commented that he enjoys his time on the Board and spent more time on the first agenda item than any prior.

Chairman Thomas remarked that it his last night as Chairman of the Planning Board and stated that in two days he celebrates his 50th wedding anniversary to his wife. She is having challenges in her recovery after an accident and is the most important thing to him, therefore it is of importance to take her home to their place in Pennsylvania to relax. He concluded that he has enjoyed being Chair but there are higher priorities in his life and thanked the Board.

XII. ADJOURNMENT

The meeting was adjourned at 9:53 p.m.

Respectfully submitted,

Steven Spraker, Planning Director

ATTEST:

Doug Thomas, Chairman

Minutes transcribed by Marcella Miller.