

**CITY OF DELTONA, FLORIDA
PLANNING & ZONING BOARD MEETING
WEDNESDAY, APRIL 24, 2013**

A Regular Meeting of the Deltona Planning and Zoning Board was held on Wednesday, April 24, 2013, in the 2nd Floor Conference Room, 2345 Providence Boulevard, Deltona, Florida.

1. CALL TO ORDER:

The meeting was called to order at 7:00 p.m. by Chairman McKnight.

2. ROLL CALL:

Chairman	David McKnight	Present
Vice-Chairman	Victor Ramos	Present
Member-Secretary	Heather Mulder	Absent
Member	Adam Walosik	Present
Member	Noble Olasimbo	Present
Member	Herb Zischkau	Present
Member	Michael Kiepert	Present

Also present: Planning & Development Services Director Chris Bowley; Planning & Development Services Assistant Director Ron Paradise; City Attorney Becky Vose; Assistant Public Works Director Gerald Chancellor; and Administrative Assistant, Traci Houchin.

3. APPROVAL OF MINUTES:

A. Minutes:

1. Meeting – March 20, 2013.

Motion by Member Kiepert, seconded by Member Olasimbo, to adopt the minutes of the Planning & Zoning Board Meeting of March 20, 2013, as presented.

Motion carried with members voting as follows: Member Kiepert, for; Member Olasimbo, for; Member Walosik, for; Member Zischkau, for; Member Ramos, for; and Chairman McKnight, for.

4. PUBLIC COMMENTS: None

5. OLD BUSINESS: None

6. NEW BUSINESS:

A. Ordinance No. 10-2013, an amendment to the Bella Vista Business Planned Unit Development Agreement (BPUD).

Mr. Bowley explained that this is an amendment to an existing BPUD Development Agreement

that was done in 2008. Mr. Bowley referred to the exhibits attached to the back of the staff report that show a very detailed development program. However, at that time, it did not generate very much interest. The owner of the property is now asking for the Development Agreement to be amended to remove the design and will update the Master Development Plan in going forward.

Mr. Zischkau asked if this project would be impacted by the Joint Planning Agreement (JPA) and Mr. Bowley stated that it is not as it is outside of the Osteen Local Plan. Mr. Zischkau then asked if things outside of the Osteen Local Plan are affected by the County's view and Mr. Bowley explained that it is not.

Mr. Kiepert asked if they would still have the opportunity to go back to this and Mr. Bowley explained that because this is a PUD, and is driven by a Master Development Plan, it would need to be updated at the time that a Final Site Plan is submitted. He also mentioned that at this same time it would have to come before the Planning & Zoning Board.

Mr. Olasimbo asked for clarification on the mast arm signal near Howland Blvd. and Mr. Bowley explained that at this time 3 out of 4 arms are constructed and the 4th would be predicated upon development of this site. Mr. Bowley confirmed that the Agreement (Page 10, Item L) states that the developer will be responsible for construction of the 4th mast arm and any off site impacts.

Mr. McKnight asked if there will be a signal in place on SR 415, due to increased traffic, and Mr. Bowley said that as a part of the design for SR 415, yes, there will be a signal in place.

Mr. Zischkau asked if this project is entirely private and Ms. Vose stated that it is. Mr. Zischkau then asked why the language is written as it is on Page 10, Section K (the first sentence) and Mr. Bowley explained that in the old agreement, Deltona was going to be included in the Property Owner Association (POA).

Mr. Zischkau referred to Page 18, and asked Mr. Bowley if the interior lots, numbered 6 and 7 are the same size as the permitted buildings and Mr. Bowley explained that once this has been amended, it will be shown as a bubble plan. He also said that they have added perimeter setbacks to the amended Development Agreement.

Mr. Kiepert asked if this is a glorified bubble plan and Ms. Vose said that it is in place until they actually get someone to go in to the center. Mr. Bowley said that at this time it is conceptual.

Mr. Walosik asked if the property is platted and Mr. Bowley said that it is not yet platted. Ms. Vose said that at this time, the lots are not yet a reality.

Motion by Member Kiepert, seconded by Member Olasimbo, to the City Commission approval of Ordinance No. 10-2013, to amend the Bella Vista Business Planned Unit Development (BPUD) Development Agreement, as provided.

Lastly, Mr. Zischkau asked if the definitions in the document are efficiently defined in the City's

Code of Ordinances when referring to a hotel or a motel and Ms. Vose assured him that they are.

Motion carried with members voting as follows: Member Kiepert, for; Member Olasimbo, for; Member Walosik, for; Member Zischkau, for; Member Ramos, for; and Chairman McKnight, for.

B. RZ13-001, IPUD Rezoning for 301 11th Avenue (Ordinance No. 09-2013).

Mr. Bowley said that this item is regarding an essential public utility that will provide the City with a second facility and has the capacity for 4.5 million gallons per day. He said that this creates a two-fold benefit to the City in that it creates the need for capacity in order for the City to meet sustainability and it frees up capacity at the current Fisher Plant. He said that this facility is within the Osteen Local Plan and that this application is to rezone the property for a zoning amendment to an Industrial Planned Unit Development (IPUD) that is consistent with the Osteen Local Plan, the Comprehensive Plan and the Zoning regulations.

Chuck Marshall, 188 Eastside Lane, said that he recently purchased property adjacent to this site and was unaware that this type of facility was being built. Mr. Marshall stated that he had several questions such as: 1) will this have any effect on him as a homeowner and 2) how much of the property will be protected lands? Mr. Paradise stated that there will be 37 acres that are protected. Mr. Bowley said that the site is buffered naturally to the west, north and east and that landscaping will be added along the south property line. Ms. Vose said that from a personal experience, the Orange County Wastewater Treatment Facility is directly across the street from her property and that in her experience; there are no side effects in having this type of facility across the way from you.

Motion by Member Kiepert, seconded by Member Ramos, to recommend that the City Commission adopt Ordinance No. 09-2013, changing the Zoning classification of Agriculture (A-1) and Resource Corridor (RC) to Industrial Planned Unit Development (IPUD).

Motion carried with members voting as follows: Member Kiepert, for; Member Olasimbo, for; Member Walosik, for; Member Zischkau, for; Member Ramos, for; and Chairman McKnight, for.

C. Ordinance No. 04-2013, amending the Code of Ordinances of the City of Deltona by revising Chapter 86, Concurrency Management to reflect how the City manages concurrency and to be consistent with changes to Section 163.3180, F.S.

Mr. Paradise said that this is a part of the effort on the City's rewrite of the Land Development Code (LDC), but that this particular chapter is a standalone item from the remainder of the LDC. He said that the reason for this is because of the scope of the changes. He said that the purpose and intent of this is to ensure that the City of Deltona's level of service is tracked on a project by project basis so its public service capacity exists to serve new development concurrently as it comes in.

Mr. Zischkau asked if this re-write is bringing back concurrency requirements for anything that's

been abolished by the state, such as transportation, parks or schools. Mr. Paradise confirmed that transportation concurrency has been a long-standing issue with the City and that this is now an optional concurrency item. He said that the City still has a level of service standard for transportation and it is still treated as a concurrency item, along with parks. With regard to schools, Mr. Paradise explained that the City is still engaged with concurrency due to the fact that it is associated with the County's Charter. Mr. Paradise stated that this re-write maintains these items.

Mr. Zischkau asked if Deltona is the only one that controls these concurrency issues for new development and Mr. Paradise said that the School Board (County) also enforces concurrency. He said that the City relies on the School Board for this enforcement, but that the City helps.

Motion by Member Kiepert, seconded by Member Ramos, to recommend that the City Commission adopt Ordinance No. 04-2013, amending the Code of Ordinance of the City of Deltona, by revising Chapter 86, Concurrency Management, to reflect how the City manages concurrency and to be consistent with the changes to Section 163.3180, of the Florida Statutes.

Motion carried with members voting as follows: Member Kiepert, for; Member Olasimbo, for; Member Walosik, for; Member Zischkau, for; Member Ramos, for; and Chairman McKnight, for.

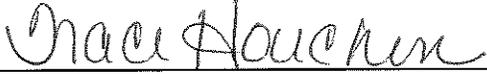
7. DISCUSSION:

- A. By the Board: None
- B. By the City Attorney: None
- C. By Planning & Development Staff: None

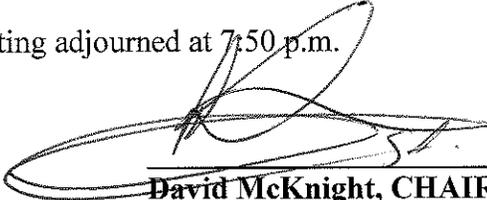
8. ADJOURNMENT:

There being no further business, the meeting adjourned at 7:50 p.m.

ATTEST:



Traci Houchin, RECORDING SECRETARY



David McKnight, CHAIRMAN