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**CITY OF DELTONA, FLORIDA  
PLANNING & ZONING BOARD MEETING  
WEDNESDAY, MARCH 19, 2014**

A Regular Meeting of the Deltona Planning and Zoning Board was held on Wednesday, March 19, 2014, in the City's Commission Chambers located at 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
Member	Victor Ramos	Present
Vice-Chairman	Tom Burbank	Present
Member	Wendy Hickey	Present
Member	Noble Olasimbo	Present
Member	Adam Walosik	Absent-Excused
Member	Herb Zischkau	Present

Also present: Planning & Development Director, Chris Bowley, AICP; Assistant Director of Planning and Development, Ron Paradise; City Attorney, Becky Vose; Administrative Assistant, Kathrine Kyp.

**3. APPROVAL OF MINUTES:**

**A. Minutes:**

**1. Meeting – February 19, 2014.**

**Motion by Member Burbank, seconded by Member Ramos to adopt the minutes of the Planning & Zoning Board Meeting of February 19, 2014, as presented.**

**Motion carried unanimously.**

**4. PUBLIC COMMENTS: None**

**5. OLD BUSINESS: None**

**6. NEW BUSINESS:**

**A. RZ13-009, Amendment to the Official Zoning Map (Ordinance No. 04-2014).**

Mr. Paradise provided a brief summary of the rezoning application. The proposal of the rezoning application is to rezone ±3.9 acres of land from Office Residential (OR) to the General

1 Commercial (C-2). He spoke regarding the level of service (LOS) of Saxon Boulevard, located  
2 around the proposed rezoning, which is currently at an LOS F and the access that this application  
3 proposes. He stated that the access does not comport with the spacing requirements set forth  
4 within the City's Land Development Code. He said the information regarding traffic and access  
5 was mentioned only to inform the public and appointed officials, but it cannot be used to condition  
6 the rezoning, since this is a straight rezoning application request. Ms. Vose confirmed.

7  
8 Member Zischkau and Ms. Vose discussed exaction of the rights of way and whether it could be  
9 imposed at this point. Ms. Vose explained that only during the land development stage, exaction  
10 could be imposed, not during a rezoning.

11  
12 Member Burbank asked Mr. Paradise, if he was aware of the sinkhole being used as an active  
13 stormwater retention area. Mr. Paradise confirmed and explained the description, sinkhole, was  
14 used as a natural resource description only. Member Burbank asked, regarding the current LOS on  
15 Saxon Boulevard, how will this project and the traffic projected, affect the Saxon Sterling Silver  
16 approval, if the LOS is currently at F +7% with the allowance of up to 20%. Mr. Paradise stated  
17 the traffic impact analysis for the rezoning took the Saxon Sterling Silver project into account.

18  
19 Brief discussion commenced amongst the Board and staff, regarding St. Johns River Water  
20 Management District permits and pre and post conditions for stormwater management located at  
21 the site. Mr. Bowley stated that the project would have to be designed, engineered, and permitted  
22 for pre and post drainage conditions with the SJRWMD. This will address current conditions at  
23 Finland Drive and likely result in an urban cross-section of Finland Drive with curb and gutters.

24  
25 Chairman McKnight asked Ms. Vose for clarification regarding the rezoning application; the  
26 Board is not to look at what the development is intended to be, but that it is before them as a  
27 rezoning application only? Ms. Vose concurred.

28  
29 Tom Sullivan, Esq. attorney for the Gray Robinson Law Firm, on behalf of the applicant,  
30 RaceTrac, spoke briefly regarding the rezoning application. Chairman McKnight asked if any of  
31 the homeowners in the area have been approached to purchase the homes. Mr. Sullivan stated that  
32 they are under contract with the homes within the project and no additional property owners have  
33 been contacted for purchase. Member Zischkau asked Mr. Sullivan, if the applicant for the  
34 rezoning owned all the property listed within the application. Mr. Sullivan, stated that the property  
35 is under contract for purchase at this time.

36  
37 Member Olasimbo discussed with the applicant's Traffic Engineer, Chris Walsh, P.E., Traffic  
38 Engineering Data Solutions, 80 Spring Vista Dr. DeBary, FL 32713 the traffic study and areas of  
39 concern within the study, such as proper methods for the area, as well as other models that could  
40 be used.

41  
42 Chairman McKnight opened the Public Hearing.

43  
44 Richard Peach, 529 S. Clancy Dr. Deltona, FL spoke in regards to the residential area surrounding  
45 the rezoning site showing gopher tortoise activity coming through his backyard towards the site.  
46 He spoke on his concerns regarding the water retention area that accumulates on the north side of

1 the power lines and the current congested traffic during the work commute on Finland Drive  
2 heading toward Saxon Blvd.

3  
4 Lisa Rivera, 560 N. Apache Cir. Deltona, FL spoke in regards to the residential lots abutting the  
5 commercial rezoning application. She asked the Board if they were to consider the proposed  
6 development of a gas station, to mirror the Orange City location, with a one-way in and one-way  
7 out from Finland Drive.

8  
9 Chairman McKnight closed the Public Hearing.

10  
11 Member Burbank discussed the sale of Track K, which included a drainage right of way. He also  
12 stated his other concerns regarding the drainage patterns among Finland Drive and Saxon  
13 Boulevard. He discussed imposing conditions on the approval, the Owner/Developer grant to the  
14 City of Deltona a drainage and maintenance easement on the property currently platted as a  
15 drainage right of way and that the Owner/Developer grant to the City of Deltona an ingress and  
16 egress easement encompassing that portion of the final development to be set aside for stormwater  
17 retention.

18  
19 Discussion ensued between the Board and staff regarding elevation requirements, fencing and  
20 buffering. Mr. Bowley stated that the site would be graded in relation to the existing topography to  
21 break the grade. Also, for any C-2 zoning district use developed on-site, neighborhood  
22 compatibility would be paramount and there would be buffering, screening, and directional site  
23 lighting away from residences.

24  
25 Chairman McKnight reiterated to the Board that what they are considering here is an application  
26 to a rezone the site, and not an application of a gas station.

27  
28 Chairman McKnight opened the floor for a motion.

29  
30 **Motion by Member Olasimbo, seconded by Member Zischkau, to recommend that the City**  
31 **Commission approve, RZ13-009, Amendment to the Official Zoning Map (Ordinance No.**  
32 **04-2014).**

33  
34 **Motion passes unanimously.**

35  
36 **Amended motion by Member Olasimbo, seconded by Member Zischkau, to recommend that**  
37 **the City Commission send the Site Plan application back to the Board for review and**  
38 **recommendation.**

39  
40 **Amendment to the Motion passes with members voting as follows: Chairman McKnight,**  
41 **against; Member Burbank, for; Member Olasimbo, for; Member Ramos, against; Member**  
42 **Hickey, for; and Member Zischkau, for.**

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44 **7. DISCUSSION:**

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46 **A. By the Board: None.**

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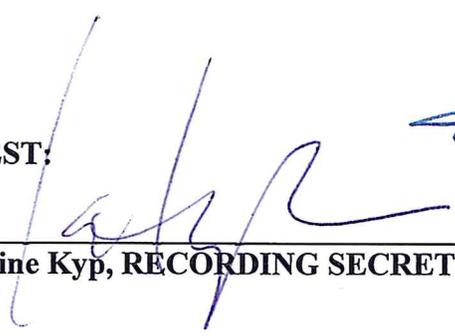
**B. By the City Attorney: None**

**C. By Planning & Development Staff: None**

**8. ADJOURNMENT:**

There being no further business, the meeting adjourned at 8:00 p.m.

**ATTEST:**

  
\_\_\_\_\_  
**Kathrine Kyp, RECORDING SECRETARY**

  
\_\_\_\_\_  
**David McKnight, CHAIRMAN**