



AGENDA
PLANNING COMMISSION
CITY OF PORT ORANGE

Meeting Date: Thursday, May 23, 2019

Time: 5:30 PM

Type of Meeting: Regular

Location: Council Chambers
City Hall, 1000 City Center Circle

A. CALL TO ORDER

1. Pledge of Allegiance
2. Silent Invocation
3. Roll Call

B. DISCUSSION/ACTION

4. Consideration of Minutes
5. Case No. 19-90000003
SUBDIVISION VARIANCE/KING'S LANDING SUBDIVISION
East side of Hensel Rd., between East Hensel Drive and Hills Blvd.

To be continued to a date certain of June 27, 2019.

Staff Contact: Tim Burman (386) 506-5675/tburman@port-orange.org

6. Case No. 19-20000001
SMALL-SCALE COMPREHENSIVE PLAN FUTURE LAND USE
AMENDMENT/SOUTHWEST CORNER OF TAYLOR RD. AND BOGGS FORD
RD.

(Continued from April 25, 2019 Planning Commission Meeting)

A request by the applicant to amend the Comprehensive Plan Future Land Use (FLU) Map designation of +/- 4.4 acres from *Office/Residential Transition* to *Commercial*.

Staff Contact: Penelope Cruz (386) 506-5671/pcruz@port-orange.org

7. Case No. 19-60000001

REZONING/SOUTHWEST CORNER OF TAYLOR RD. AND BOGGS FORD RD.

(Continued from April 25, 2019 Planning Commission Meeting)

A request by the applicant to rezone +/-4.4 acres from Professional Office (PO) to Community Commercial (CC).

Staff Contact: Penelope Cruz (386) 506-5671/pcruz@port-orange.org

C. OTHER BUSINESS

8. Commissioner Comments

9. Staff Comments

D. PUBLIC COMMENTS

E. ADJOURNMENT

ANY PERSON WHO DECIDES TO APPEAL ANY DECISION MADE BY THE **PLANNING COMMISSION** WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE HE OR SHE MAY NEED TO ENSURE AT HIS OR HER OWN EXPENSE FOR THE TAKING AND PREPARATION OF A VERBATIM RECORD OF ALL TESTIMONY AND EVIDENCE OF THE PROCEEDINGS UPON WHICH THE APPEAL IS TO BE BASED. NOTE: IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS AN ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOU ARE ENTITLED, AT NO COST TO YOU, TO THE PROVISION OF CERTAIN ASSISTANCE. PLEASE CONTACT THE CITY CLERK FOR THE CITY OF PORT ORANGE, 1000 CITY CENTER CIRCLE, PORT ORANGE, FLORIDA 32129, TELEPHONE NUMBER 386-506-5563, CITYCLERK@PORT-ORANGE.ORG, AS FAR IN ADVANCE AS POSSIBLE, BUT PREFERABLY WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE MEETING DATE. IF YOU ARE HEARING OR VOICE IMPAIRED, CONTACT THE RELAY OPERATOR AT 7-1-1 or 1-800-955-8771. UPON REQUEST BY A QUALIFIED INDIVIDUAL WITH A DISABILITY, THIS DOCUMENT WILL BE MADE AVAILABLE IN AN ALTERNATE FORMAT. IF YOU NEED TO REQUEST THIS DOCUMENT IN AN ALTERNATE FORMAT, PLEASE CONTACT THE CITY CLERK WHOSE CONTACT INFORMATION IS PROVIDED ABOVE.

REGULAR PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
PORT ORANGE, FLORIDA
APRIL 25, 2019

THE REGULAR PLANNING COMMISSION MEETING of the City of Port Orange was called to order by Chairman Jordan at 5:30pm.

Pledge of Allegiance

Silent Invocation

Roll Call

Present: Maria Mills-Benat
Darrel “Bo” Bofamy
Lance Green
Thomas Jordan, Chairman

Absent: Joe Fazzie
Newton White (excused)
John Junco (excused)

Also Present: Shannon Balmer, Assistant City Attorney
Shelby Field, Assistant City Clerk

B. DISCUSSION/ACTION

4. Consideration of Minutes

Motion to approve the meeting minutes from March 28, 2019 as presented was made by Commissioner Green and Seconded by Commissioner Bofamy. Motion carried unanimously by voice vote.

5. Case No. 19-20000001

SMALL-SCALE COMPREHENSIVE PLAN FUTURE LAND USE AMENDMENT/SOUTHWEST CORNER OF TAYLOR RD. AND BOGGS FORD RD.

A request by the applicant to amend the Comprehensive Plan Future Land Use (FLU) Map designation of +/- 4.4 acres from *Office/Residential Transition* to *Commercial*.

Staff Contact: Penelope Cruz, Planning Manager (386) 506-5671_pacruz@port-orange.org

Penelope Cruz, Planning Manager, stated that the applicant requested that this item be continued to the May 23, 2019 Planning Commission meeting.

6. Case No. 19-60000001

REZONING/SOUTHWEST CORNER OF TAYLOR RD. AND BOGGS FORD RD.

A request by the applicant to rezone +/-4.4 acres from Professional Office (PO) to Community Commercial (CC).

Staff Contact: Penelope Cruz, Planning Manager (386) 506-5671 pcruz@port-orange.org

Mrs. Cruz stated that the applicant requested that this item be continued to the May 23, 2019 Planning Commission meeting.

Motion to continue case 19-20000001 and case 19-60000001 to the May 23, 2019 meeting was made by Vice Chairman Mills-Benat and Seconded by Commissioner Bofamy. Motion passed unanimously by roll call vote.

7. Case No. 19-60000002

ADMINISTRATIVE REZONING/119 HOWES ST.

An administrative rezoning of +/- 0.34-acres from Volusia County (R5) to Neighborhood Preservation (NP).

Staff Contact: Gwen Perney, Senior Planner (386) 506-5673 gperney@port-orange.org

Gwen Perney, Community Development Planner, presented the staff report for the proposed rezoning and answered questions from the Commissioners.

Bob MacLaughlin, American Legion Post 270, spoke to the size of the current building and the desire to enlarge it to make it ADA compliant. He stated the setback would be maintained.

Motion to approve case 19-60000002 was made by Vice Chairman Mills-Benat and Seconded by Commissioner Green. Motion passed unanimously by roll call vote.

8. DISCUSSION ON PLANNING COMMISSIONER ATTENDANCE

Chairman Jordan reviewed the rules of procedure for the Planning Commission and Commissioner absences.

Motion was made by Commissioner Green to declare the seat vacant and Seconded by Vice Chairman Mills-Benat. Motion carried unanimously by roll call vote.

Motion was made by Commissioner Green to amend the motion to declare Commissioner Joe

*Fazzie's seat vacant and Seconded by Vice
Chairman Mills-Benat. Motion carried
unanimously by roll call vote.*

C. OTHER BUSINESS

9. Commissioner Comments

Commissioner Green inquired as to the activity with the church on Madeline and Williamson. Tim Burman, Community Development Director, informed the Commissioners that the site plans have been submitted and are under review along with the building permits. Commissioner Green is frustrated nothing is being done about the pink lights on Dunlawton. Mr. Burman explained that they are working with Public Works to fix them or take them down, but since a lot of the lights are connected to the electrical system on the adjacent private property they are working to gain access to the properties, so they can begin addressing the issues.

Commissioner Bofamy is glad to have a copy of the rules of regulation.

Chairman Jordan asked about the Church on Madeline and Williamson and If they are being cited for all the issues with the property. Mr. Burman replied that that is a code enforcement issue, and believes they are currently involved. Chairman Jordan also inquired about the Harbor Landings PUD along Ridgewood Avenue. Mr. Burman said they have a proposed residential development and it will come before the Planning Commission.

10. Staff Comments

There were none.

D. PUBLIC COMMENTS – there were none.

E. ADJOURNMENT – 5:52pm

Chairman Thomas Jordan

Case No. 19-90000003 - Variance/King's Landing Subdivision

This item is requested to be continued to the June 27, 2019 Planning Commission meeting.



STAFF REPORT

Small-Scale Comprehensive Plan Future Land Use Amendment/Southwest corner of Taylor Rd. and Boggs Ford Rd.
Case No. 19-20000001

REQUEST:	Change the Comprehensive Plan Future Land Use (FLU) designation for ± 4.4 acres from <i>Office/Residential Transition</i> to <i>Commercial</i> .
LOCATION:	Southwest corner of Taylor Rd. and Boggs Ford Rd. (Figure 1 - Location Map)
OWNERS:	Port Orange Christian Church, Inc. and N & T Enterprises, LLC
APPLICANT:	Storch Law Firm
STAFF CONTACT:	Penelope Cruz, Planning Manager (386) 506-5671
STAFF RECOMMENDATION:	Approval
PLANNING COMMISSION:	May 23, 2019

INTRODUCTION

The applicant is requesting to change the Future Land Use (FLU) designation for ± 4.4 -acres from *Office/Residential Transition* to *Commercial*. The 4.4-acre subject property includes the Port Orange Christian Church site (904 Taylor Rd.) and an adjacent vacant parcel (908 Taylor Rd.). According to the applicant, if the FLU amendment request is approved, the applicant intends to request the subject property be rezoned from Professional Office (PO) to Community Commercial (CC) (see Case No. 19-60000001).



Figure 1. Location Map

Map created by the City of Port Orange Community Development Department

According to the applicant, the Port Orange Christian Church is in the process of relocating to a new site, located at 1801 Taylor Road, across from the Forest Lakes Preserve subdivision and wants to sell their land to fund the new site. Together with the owner of the adjacent vacant parcel, N & T Enterprises, LLC, they have requested to amend the FLU of the subject property to expand the number of non-residential uses allowed to be developed on the subject property to facilitate redevelopment. The applicant also stated that the request is to put in place FLU designation and zoning that better reflects the development pattern surrounding Taylor Road/ Dunlawton Avenue/ I-95 commercial node.

The current *ORT* FLU designation allows for the mixture of uses to be developed at a higher intensity (square-footage) and/or residential density. The intent of the requested *Commercial* land use designation is to provide for the retail sale of items and services to the general public. In locating commercial areas on the Future Land Use Map, the City has maintained the policy of designating commercial nodes at intersections of roadways. In this case, the subject property is part of Regional Node located at the intersection of I-95 and Dunlawton Avenue. The node classification was determined based on the functional classification of the adjacent roadways and size of the surrounding neighborhoods. A Regional Node is intended to serve the needs of residents within a 4-mile radius of the node.

As documented in the staff report, changing the FLU designation for the subject property will reduce the theoretical maximum demand the subject property will have on water, potable water, sewer, recreation, schools, transportation network, stormwater, and solid waste.

DISCUSSION

The following discussion will examine the proposed amendment and the impacts of the proposed amendment.

PROPERTY OVERVIEW

The subject property currently includes the Port Orange Christian Church site and an adjacent undeveloped parcel. The surrounding existing land uses, Future Land Use designations, and Zoning classifications are identified in Table 1. The current adopted FLU designation for the subject property and adjacent properties is identified on Exhibit A. The proposed FLU designation for the subject property and the current FLU designation of the adjacent properties are identified on Exhibit B. The current zoning classification of the subject property and adjacent properties are identified on Exhibit C. The proposed zoning classification of the subject property and current zoning classification of adjacent properties are identified on Exhibit D.

All future development plans (site plan or subdivision) submitted will require detailed technical review by the Development Review Committee (SDRC) to determine all requirements in the Land Development Code (LDC) are met. As with all development, specific site development proposals for the subject property are subject to concurrency regulations at the time of development requiring transportation facilities to be provided or for the developer to enter into a mitigation agreement for their impacts.

Table 1. Surrounding Land Uses and Zoning

Direction	Existing Land Use	FLU Designation	Zoning District
North	Altamira Planned Commercial Development (PCD)	Commercial	Planned Commercial Development (PCD)
South	Single-family homes	Office/Residential Transition; Rural Transition (0-2 units/acre)	Professional Office; Agriculture
East	Boggs Ford Road right-of-way; single-family homes	Boggs Ford Road right-of-way; Rural Transition (0-2 units/acre)	Agriculture
West	Journey's End Planned Commercial Development (PCD)	Commercial	Planned Commercial Development (PCD); Interchange Commercial (ICD)

PROPOSED AMENDMENT

The proposed amendment is to change the FLU designation for ±4.4-acres from *Office/Residential Transition* to *Commercial*. The following tables identify the current adopted and proposed FLU designations by acreage (Table 2) and maximum allowable density/intensity and net change in density/intensity (Table 3).

The current *Office/Residential Transition* FLU designation is a mixed-use category that allows for a distribution of uses within the 4.4-acres, with the cumulative mixture of uses totaling 100%. In Table 3, the maximum allowable density/intensity and net change in density/intensity is based on two theoretical maximum scenarios currently allowed with the *Office/Residential Transition* FLU designation (Scenario #1: 25% Residential/75% Office; and Scenario #2: 25% commercial/75% office).

Table 2. Current & Proposed Future Land Uses – Acreage by Category

	Current FLU (acres)	Proposed FLU (acres)	Net Change in FLU (acres)
Office/Residential Transition	4.4	0	- 4.4
Commercial	0	4.4	+4.4
TOTAL ACREAGE	4.4	4.4	0

Table 3. Current & Proposed Future Land Uses – Maximum Density/Intensity by Category

	Current FLU	Proposed FLU	Net Change in FLU
	[Theoretical Maximum Density/Intensity]		
Office/Residential Transition Scenario #1 25% Residential (10 units/acre)/75% Office (1.5 FAR*)	44 dwelling units 215,622 sq.ft.	0	-44 dwelling units -215,622 sq.ft.
Office/Residential Transition Scenario #2 25% commercial (1.5 FAR)* /75% office (1.5 FAR)*	287,496 sq.ft.	0	-287,496 sq.ft.
Commercial (1.0 FAR)*	0	191,664 sq. ft.	191,664 sq. ft.
TOTAL	Scenario #1: 44 dwelling units 215,622 sq.ft.	191,664 sq. ft.	Scenario #1: -44 dwelling units - 23,958 sq.ft
	Scenario #2: 287,496 sq.ft.		Scenario #2: -95,832 sq.ft.

*The floor area ratio (FAR) is the total covered area on all floors of all buildings on a certain lot divided by the total area of the lot.

INFRASTRUCTURE IMPACT ASSESSMENT

In accordance with standard practice from the Florida Department of Economic Opportunity (DEO) and other review agencies, an impact comparison analysis of the proposed amendment has been completed based upon the theoretical maximum development potential under the currently adopted Future Land Use designation versus the proposed designation. The following seven public facilities and services were examined (Table 4).

- | | |
|-------------------|------------------------|
| 1. Transportation | 5. Stormwater Drainage |
| 2. Sanitary Sewer | 6. Recreation |
| 3. Potable Water | 7. Schools |
| 4. Solid Waste | |

Overall, the proposed amendment would result in a net decrease in impacts to all public infrastructure and services.

Table 4. Impact Analysis (Theoretical Max.)

DEVELOPMENT VARIABLE	CURRENT LAND USE		PROPOSED LAND USE	NET CHANGE	
	Scenario 1 (25% Residential/ 75% Office)	Scenario 2 (25% commercial/ 75% office)		Scenario 1	Scenario 2
Residential Units	44	0	0	-44	0
Non-residential Buildable Sq. Ft.	215,622	287,496	191,664	-23,958	-95,832
Population ¹	99	0	0	-99	0
PM Peak Hour Trips/Daily Trips ²	948/8,083	1,187/10,859	711/8,184	-237/-101	-476/-2,675
Sanitary Sewer (gallons/day) ³	28,602	28,750	19,166	-9,436	-9,584
Potable Water (gallons/day) ⁴	29,482	28,750	19,166	-10,316	-9,584
Solid Waste (lbs./person) ⁵	2,474	2,875	1,917	-557	-958
Stormwater Drainage ⁶	n/a	n/a	n/a	n/a	n/a
Recreation/Open Space ⁷ (acres)	0.69	0	0	-0.69	0

Table 4 Notes:

1. Population: 2.25 persons per household (per 2010 Census)
2. Transportation: Apartment (220) 0.62 PM Peak Hour, 6.65 Average Daily; Shopping Center (820) trips per 1000 sq.ft. - 3.71 PM Peak Hour; 42.70 Average Daily; Medical Office (720) trips per 1000 sq.ft. - 4.27 PM Peak Hour, 36.13 Average Daily; ITE Trip Generation Manual, 10th Edition
3. Sanitary Sewer: 160 gallons per day per Equivalent Residential Unit; 1/10 gallon per square foot per day of non-residential development
4. Potable Water: 180 gallons per day per Equivalent Residential Unit; 1/10 gallon per square foot per day of non-residential development
5. Solid Waste: 3.21 pounds per person per day; 10 lbs. per 1,000 square feet of non- residential development per day
6. Stormwater Drainage: LOS standard = 25-year, 24-hour event; Drainage system will be designed to meet the requirements of the Land Development Code.
7. Rec. & Open Space: 7 acres/1,000 persons (0.007 acres/person)

TRANSPORTATION

A transportation analysis has been prepared by traffic engineering firm, LTG, Inc., and reviewed by staff. A decrease in the number of daily trips and P.M. peak hour trips is expected to result from the proposed FLU amendment. Based on the Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition, the proposed *Commercial* FLU designation could generate 237 less P.M. peak hour trips and 101 less daily trips, based on the maximum allowed development for the current (Scenario #1) and proposed FLU designations. When compared to the current FLU designation under scenario #2, proposed *Commercial* FLU designation could generate 476 less P.M. peak hour trips and 2,675 less daily trips, based on the maximum allowed development for the current (Scenario #2) and proposed FLU designations.

The current FLU designation allows is a mixed-use designation that allows for mostly office, some commercial and multi-family residential uses. According to the ITE Trip Generation Manual, the medical and professional office and residential uses allowed under the current FLU designation generate more vehicular trips, especial during peak school traffic times, than the general commercial uses allowed under the proposed FLU designation. In addition, the uses allowed in the *Office/Residential Transition* FLU designation typically attract new trips to an area and while the *Commercial* FLU designation also attracts trips, there is typically a portion of trips that already exist on the adjacent roadways. Therefore, the *Commercial* FLU designation reduces the buildable area (square-footage) and supports uses that will attract a percentage of existing trips on the roadway network.

The analysis shows there will be deficiencies under the current land use in the long-term and the land use proposed in the amendment is expected to still add traffic to these roadway segments. However, due to the reduction in intensity and density through the proposed FLU amendment, the amount of traffic added is anticipated to be less.

As with all development, the specific site development proposals for the subject property will be subject to concurrency regulations at the time of development, requiring adequate transportation facilities to be provided or to mitigate their impacts.

SANITARY SEWER

The City has available capacity to accommodate the proposed amendment and future development of the subject property. The City's adopted LOS standard for sanitary sewer is 160 gallons per day per Equivalent Residential Unit (ERU), and 1/10 gallon per square foot per day of non-residential development. Using these standards, the proposed FLU designation would theoretically generate 19,166 gallons per day (gpd) of wastewater. This is a net decrease of over 9,000 gpd between the current and proposed FLU designations.

POTABLE WATER

The City has available well and Consumptive Use Permit (CUP) capacity to serve the proposed land use change. The City's adopted LOS standard for potable water is 180 gallons per day per Equivalent Residential Unit. Using this standard, the proposed FLU designation would demand 19,166 gallons of potable water per day based on the theoretical maximum development analysis, which is a net decrease of over 9,000 gallons per day.

SOLID WASTE COLLECTION

There is available capacity at the landfill to address the City's solid waste disposal needs. Solid waste generated within the City of Port Orange is delivered to the Volusia County landfill, a 3,000-acre Class I landfill with a projected life span to the year 2050. The City's adopted LOS standard for solid waste is 3.21 pounds per person per day and 10 lbs. per 1,000 square feet of non-residential development per day. Using this standard, the proposed FLU designation would generate 1,917 pounds per day of solid waste based on the theoretical maximum development analysis, which is a net decrease of over 500 pounds per day.

STORMWATER DRAINAGE

There is no anticipated impact to the City's drainage system from the proposed land use change. Stormwater management in the City of Port Orange deals with both quality and quantity. The City's adopted LOS standard for stormwater is the 25-year, 24-hour storm event. More specifically, the stormwater facilities must be capable of treating and conveying the runoff from such a storm without causing flooding of adjacent properties or polluting any receiving water bodies. In addition, the Comprehensive Plan and Land Development Code require that there be no net loss of stormwater retention function as a result of development. In other words, a given parcel must have the same ability to store and discharge water after development as it does before development occurs. Any future development of the property will be required to address stormwater retention on the property in accordance with these City standards.

RECREATION

The proposed FLU designation does not require additional parkland because it is a non-residential FLU designation that does not increase residential demand. According to the City's 2018 Concurrency Management Report, the City has an excess of 68 acres of parkland, so no additional parkland is needed.

SCHOOLS

Pursuant to the Volusia County School District criteria, the proposed FLU amendment and any future development of this property is exempt from School Concurrency review because the request is to change to a non-residential designation.

REVIEW CRITERIA AND STAFF FINDINGS

1. *Consistency with the City's Comprehensive Plan.*

Staff finding: The proposed FLU amendment is generally consistent with the pertinent Goals, Objectives, and Policies of the City's Comprehensive Plan. The proposed FLU designation is compatible with adjacent parcels. There are no new impacts to public facilities from the proposed amendment. Adequate capacity exists for portable water, sewer, schools, recreation, and stormwater, and solid waste. As for transportation, while the proposed amendment reduces the theoretical maximum number of PM Peak and daily trips, there are still failing road segments identified. As with all development, the specific site development proposals for the subject property will be subject to concurrency regulations requiring adequate public facilities to be provided to mitigate the impacts.

2. *Compatibility with land use designations for adjacent parcels and neighborhoods.*

Staff finding: The proposed FLU amendment is compatible with the adjacent properties. Compatibility is defined in the Comprehensive Plan as a condition in which dissimilar land uses can co-exist in relative proximity to one another in a stable fashion over time, such that neither use is negatively impacted by the other. The subject property is part of the I-95/Dunlawton regional commercial node and is primarily surrounded by properties with commercial or office FLU designations. Any future development will be required to comply with all LDC requirements, including those pertaining to buffers and screening (fence or wall) between non-residential and existing adjacent residential homes.

3. *Impacts on public facilities/infrastructure/services.*

Staff finding: The proposed amendment would result in an overall decrease in impacts to public facilities, infrastructure and services. The detailed use-specific concurrency analysis will be conducted as part of any future proposed development.

As with all development, a specific site plan or subdivision will be subject to concurrency regulations requiring adequate public facilities to be provided to mitigate impacts.

4. *Whether the amendment increases the clearance time for evacuation of the population in the Hurricane Vulnerability Zone above twelve hours.*

Staff finding: The subject property is not located within the Hurricane Vulnerability Zone and will not have any negative impact on the clearance time for evacuation of the population in the Hurricane Vulnerability Zone.

5. *Whether the amendment discourages the proliferation of urban sprawl.*

Staff finding: The proposed amendment will not encourage sprawl. The amendment area is surrounded by existing development, with access to existing infrastructure.

PUBLIC NOTICE

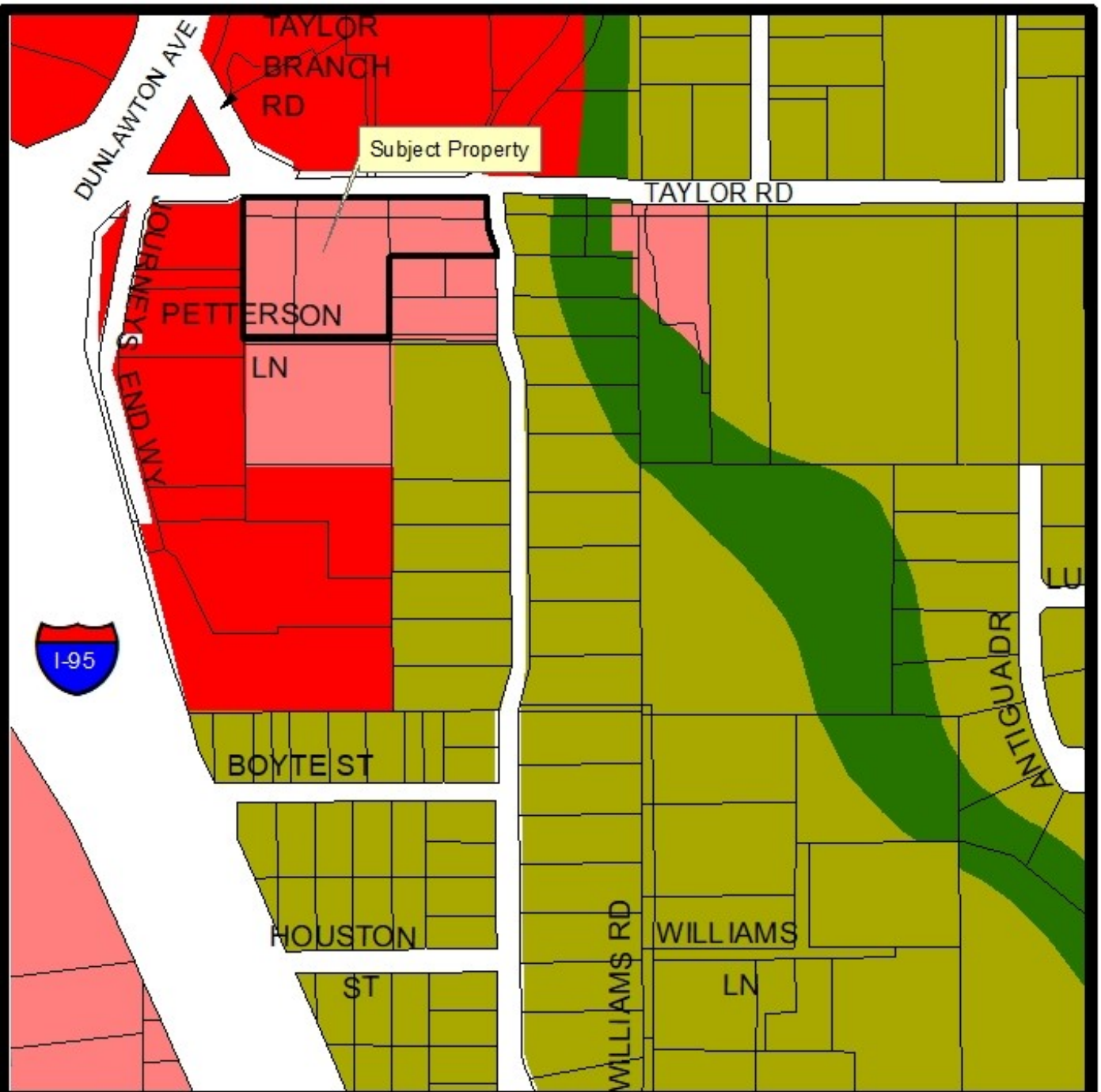
On April 5, 2019, staff posted the property notifying the public of the proposed amendment. The proposed amendment has also been advertised in the *News-Journal* pursuant to Florida Statutes.

STAFF RECOMMENDATION

Staff recommends approval of the request to change the FLU designation of ±4.4 acres from *Office/Residential Transition* to *Commercial*, and authorization for staff to send the amendment to the required review agencies.

ATTACHMENTS

Exhibit A – Current Future Land Use Map
Exhibit B – Proposed Future Land Use Map
Exhibit C – Current Zoning Map
Exhibit D – Proposed zoning Map



Future Land Use Designations

- | | |
|--|--|
| Commercial | Office/Residential Transition |
| Conservation | Rural Transition |

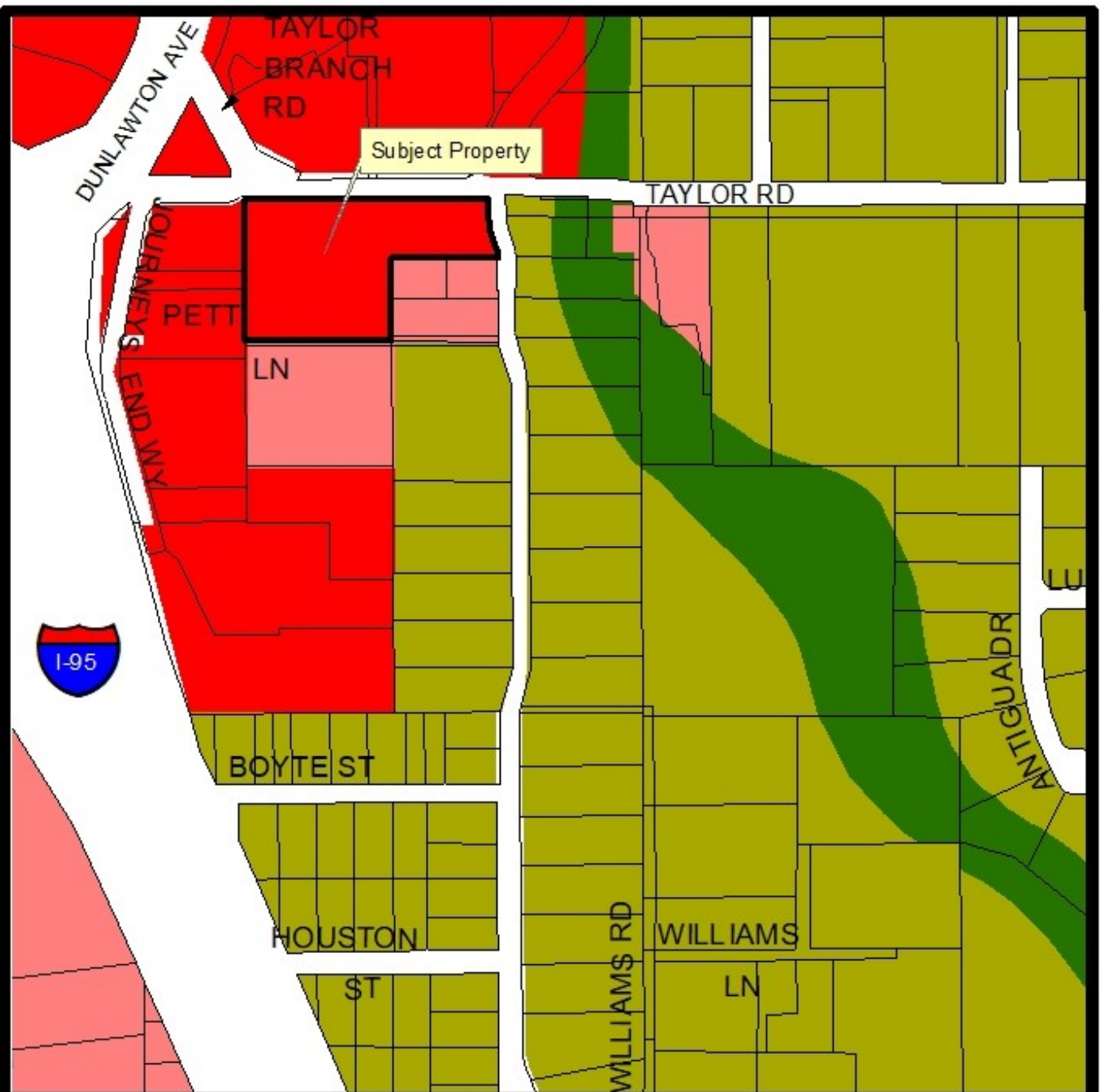


Exhibit A - Current Future Land Use Map

CITY OF PORT ORANGE

DEPARTMENT OF COMMUNITY DEVELOPMENT





Future Land Use Designations

- | | |
|--|--|
| Commercial | Office/Residential Transition |
| Conservation | Rural Transition |

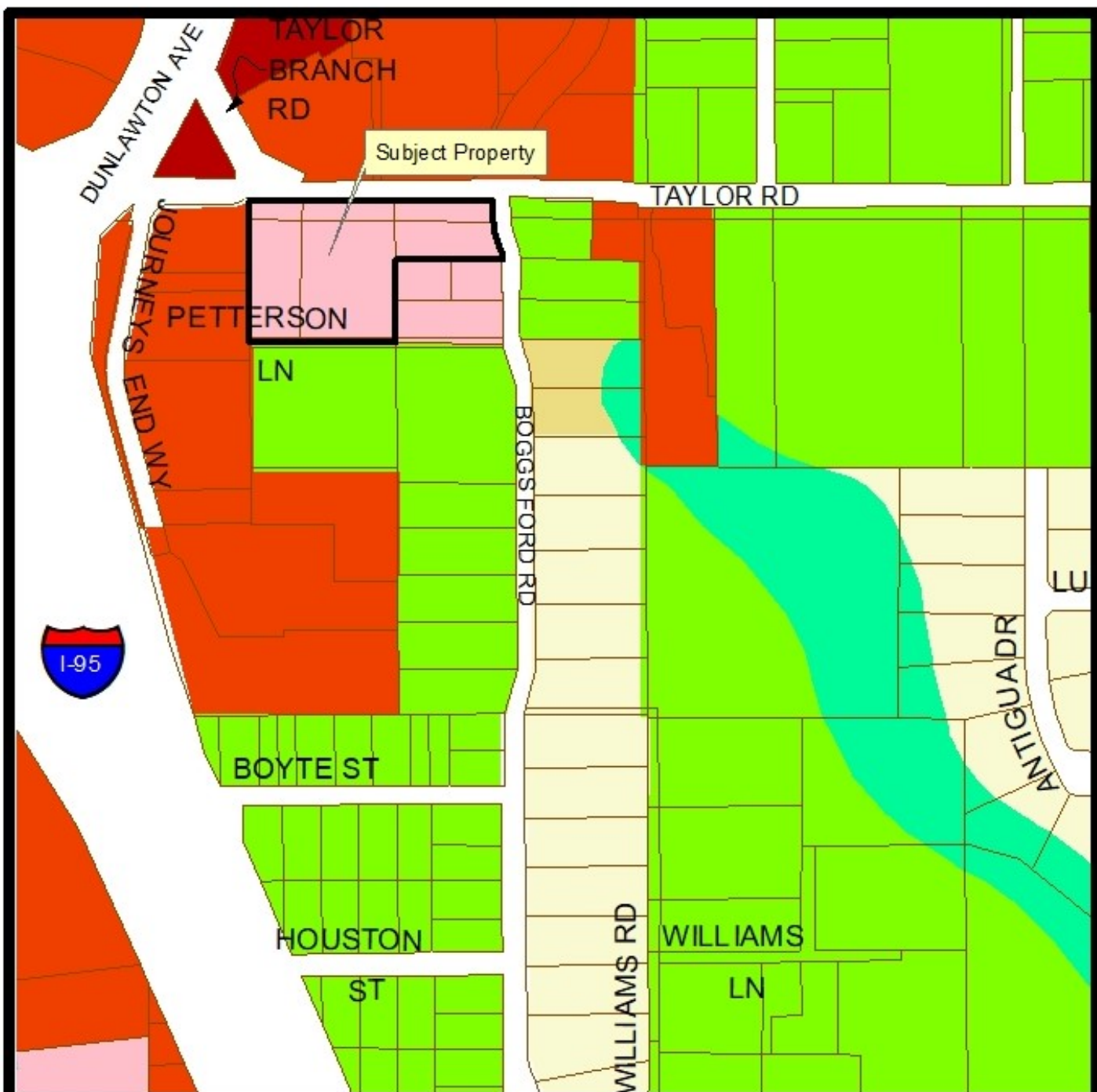


Exhibit B - Proposed Future Land Use Map

CITY OF PORT ORANGE

DEPARTMENT OF COMMUNITY DEVELOPMENT





Zoning Classifications

 Agriculture	 Interchange Commercial District	 R-20SF Single Family Residential
 Community Commercial	 Planned Commercial Development	 Rural Residential
 Flood Plain-Conservation	 Professional Office	

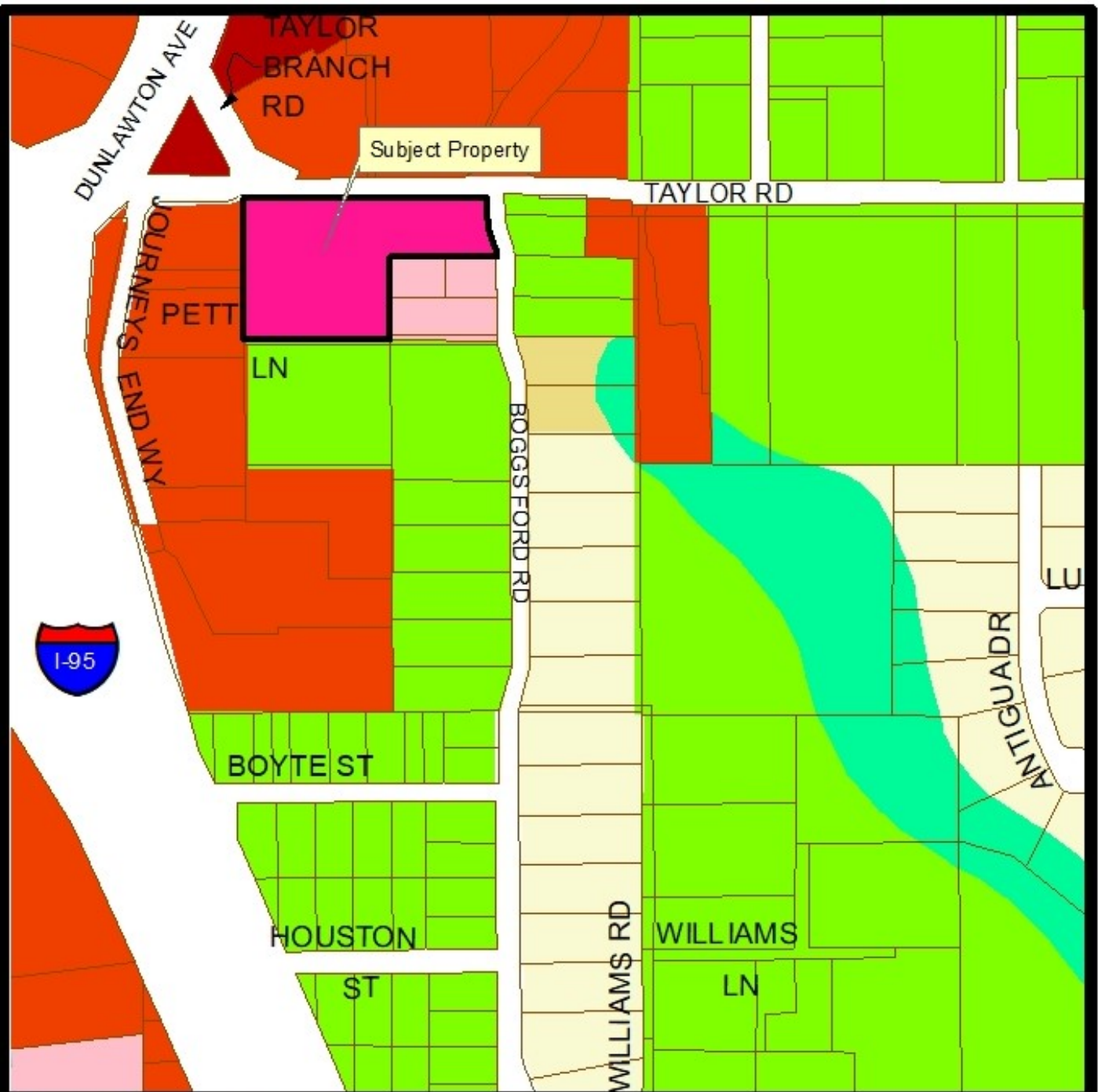


Exhibit C - Current Zoning Map

CITY OF PORT ORANGE

DEPARTMENT OF COMMUNITY DEVELOPMENT





Zoning Classifications

	Agriculture		Interchange Commercial District		R-20SF Single Family Residential
	Community Commercial		Planned Commercial Development		Rural Residential
	Flood Plain-Conservation		Professional Office		



Exhibit D - Proposed Zoning Map

CITY OF PORT ORANGE

DEPARTMENT OF COMMUNITY DEVELOPMENT





STAFF REPORT

Rezoning/Southwest corner of Taylor Rd. and
Boggs Ford Rd.
Case No. 19-60000001

REQUEST:	Rezone ±4.4 acres from Professional Office (PO) to Community Commercial (CC).
LOCATION:	Southwest corner of Taylor Rd. and Boggs Ford Rd. (Figure 1 - Location Map)
OWNERS:	Port Orange Christian Church, Inc. and N & T Enterprises, LLC
APPLICANT:	Storch Law Firm
STAFF CONTACT:	Penelope Cruz, Planning Manager (386) 506-5671
STAFF RECOMMENDATION:	Approval
PLANNING COMMISSION:	May 23, 2019

INTRODUCTION

The applicant is requesting to rezone ±4.4-acres from Professional Office (PO) to Community Commercial (CC). The 4.4-acre subject property consist of two sites: 904 and 908 Taylor Road. At this time, there is no pending development proposed on the subject property. The applicant is requesting the rezoning to expand the number of non-residential uses allowed to be developed on the subject property.



Figure 1. Location Map

Map created by the City of Port Orange Community Development Department

DISCUSSION

The subject property currently includes the Port Orange Christian Church site and an adjacent vacant parcel. The rezoning request was reviewed according to the criteria established in Chapter 3, Section 5 of the LDC in terms of consistency with the Comprehensive Plan and the surrounding land uses and zoning.

All future development plans (site plan or subdivision) submitted will require detailed technical review by the Development Review Committee (SDRC) to determine all requirements in the Land Development Code (LDC) are met. As with all development, specific site development proposals for the subject property are subject to concurrency regulations at the time of development requiring transportation facilities to be provided or for the developer to enter into a mitigation agreement for their impacts.

The City has planned for and designated commercial nodes at intersections of major roads in the Future Land Use Element of the Comprehensive Plan. In this case, the subject property is part of a Regional Commercial Node located around the intersection of Dunlawton Avenue and I-95. The node is intended to support the City with a mix of retail uses for the surrounding area within a ± 4 -mile radius of the I-95 interchange area.

Consistency with Comprehensive Plan

The proposed rezoning to the Community Commercial (CC) zoning district is consistent with the proposed Commercial FLU designation. The subject property is currently designated *Office/Residential Transition* (ORT), but the applicant has applied to change the Future Land Use (FLU) designation to *Commercial* (see Exhibit B and Case No. 19-20000001).

Compatibility with Surrounding Uses and Zoning

The requested zoning is consistent with the surrounding properties that are zone Planned Commercial Development (PCD) and compatible with other surrounding properties currently developed with single-family homes. Compatibility is defined in the Comprehensive Plan as a condition in which dissimilar land uses can co-exist in relative proximity to one another in a stable fashion over time, such that neither use is unduly negatively impacted by the other. Any future development will be required to comply with all Land Development Code requirements, including those pertaining to buffers between non-residential and existing adjacent residential homes.

The surrounding existing land uses, Future Land Use designations, and Zoning classifications are identified in Table 1. The current adopted FLU designation for the subject property and adjacent properties are identified on Exhibit A. The proposed FLU designation for the subject property and the current FLU designation of the adjacent properties are identified on Exhibit B. The current zoning classification of the subject property and adjacent properties are identified on Exhibit C. The proposed zoning classification of the subject property and current zoning classification of adjacent properties are identified on Exhibit D.

Table 1. Surrounding Land Uses and Zoning

Direction	Existing Land Use	FLU Designation	Zoning District
North	Altamira Planned Commercial Development (PCD)	Commercial	Planned Commercial Development (PCD)
South	Single-family homes	Office/Residential Transition; Rural Transition (0-2 units/acre)	Professional Office; Agriculture
East	Boggs Ford Road right-of-way; single-family homes	Boggs Ford Road right-of-way; Rural Transition (0-2 units/acre)	Agriculture
West	Journey's End Planned Commercial Development (PCD)	Commercial	Planned Commercial Development (PCD); Interchange Commercial (ICD)

PUBLIC NOTICE

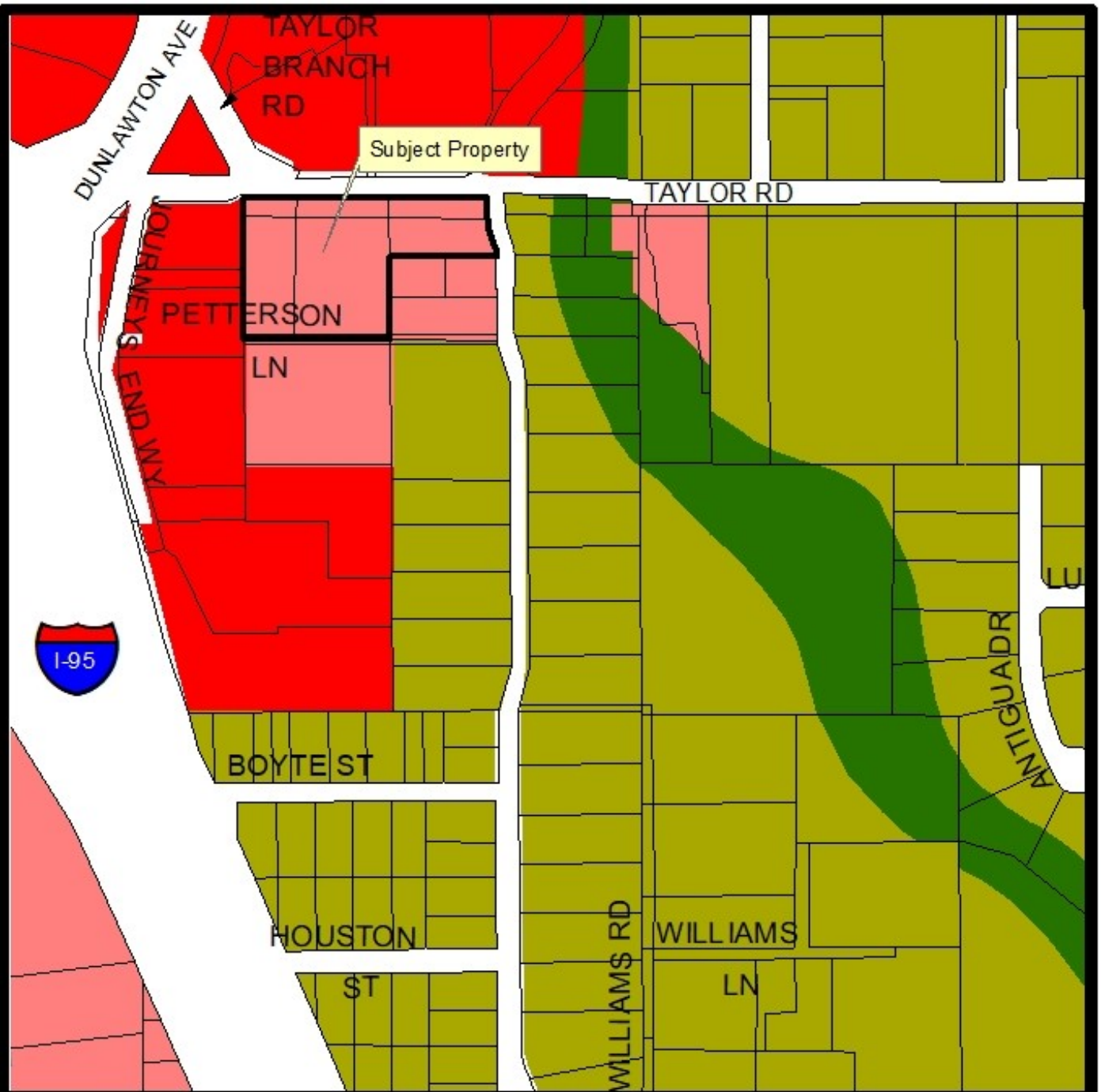
On April 5, 2019, staff posted the property notifying the public of the proposed amendment.

STAFF RECOMMENDATION

Staff recommends approval of the request to rezone ±4.4 acres from Professional Office (PO) to Community Commercial (CC).

ATTACHMENTS

- Exhibit A – Current Future Land Use Map
- Exhibit B – Proposed Future Land Use Map
- Exhibit C – Current Zoning Map
- Exhibit D – Proposed zoning Map
- Exhibit E – Community Commercial Zoning District Permitted Uses



Future Land Use Designations

- | | |
|--|--|
| Commercial | Office/Residential Transition |
| Conservation | Rural Transition |

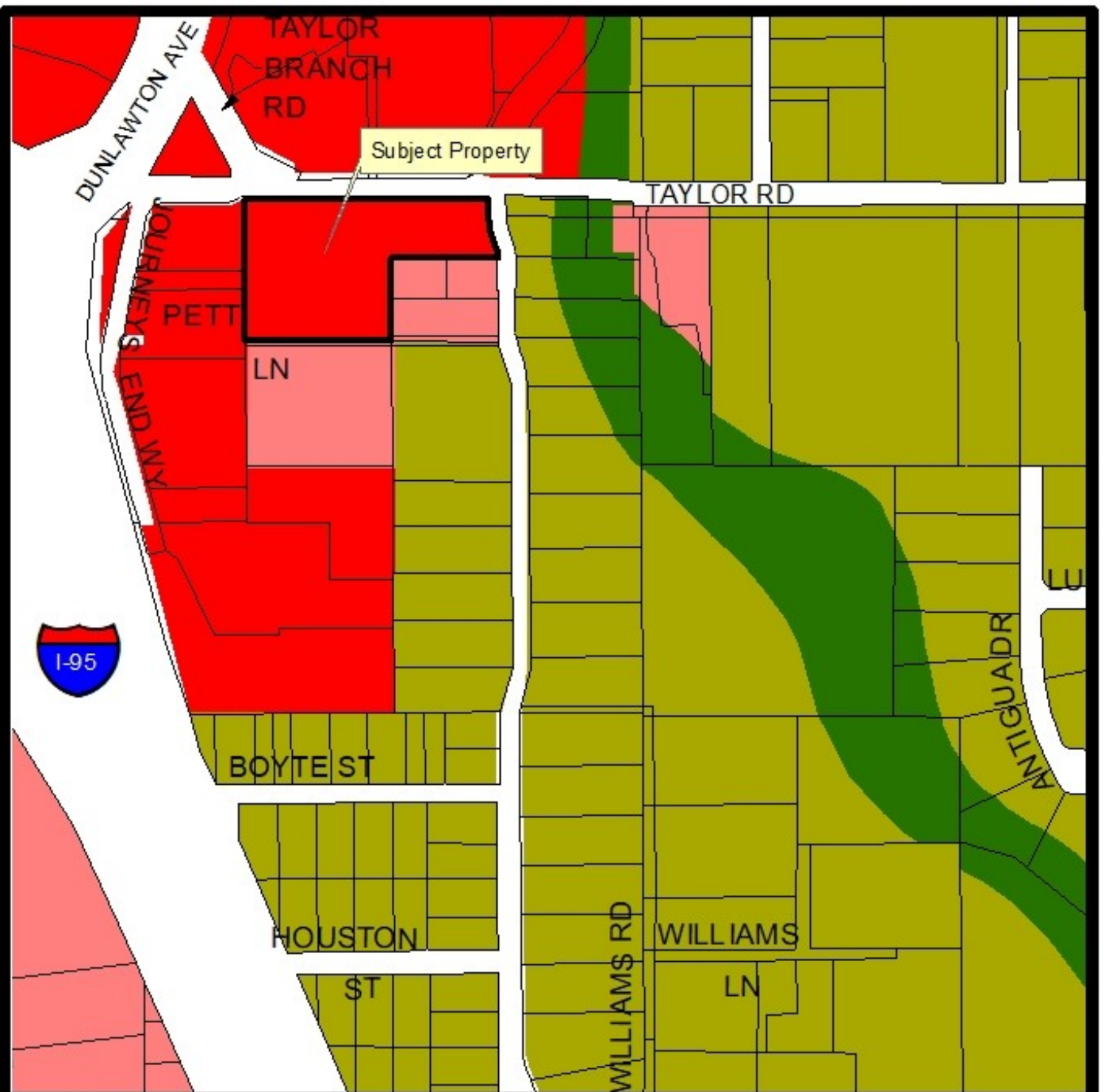


Exhibit A - Current Future Land Use Map

CITY OF PORT ORANGE

DEPARTMENT OF COMMUNITY DEVELOPMENT





Future Land Use Designations

- | | | | |
|---|--------------|---|-------------------------------|
|  | Commercial |  | Office/Residential Transition |
|  | Conservation |  | Rural Transition |

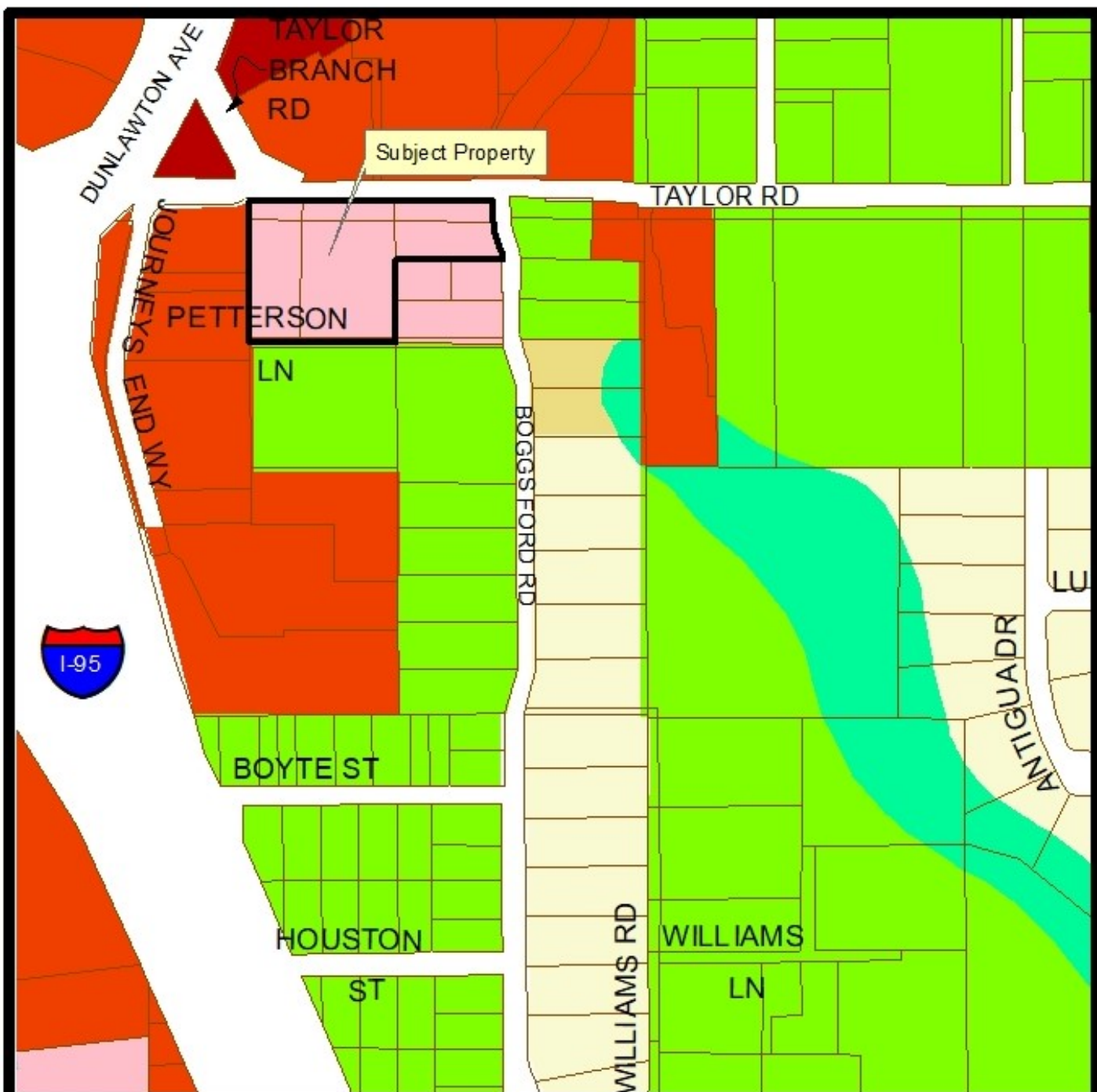


Exhibit B - Proposed Future Land Use Map

CITY OF PORT ORANGE

DEPARTMENT OF COMMUNITY DEVELOPMENT





Zoning Classifications

 Agriculture	 Interchange Commercial District	 R-20SF Single Family Residential
 Community Commercial	 Planned Commercial Development	 Rural Residential
 Flood Plain-Conservation	 Professional Office	

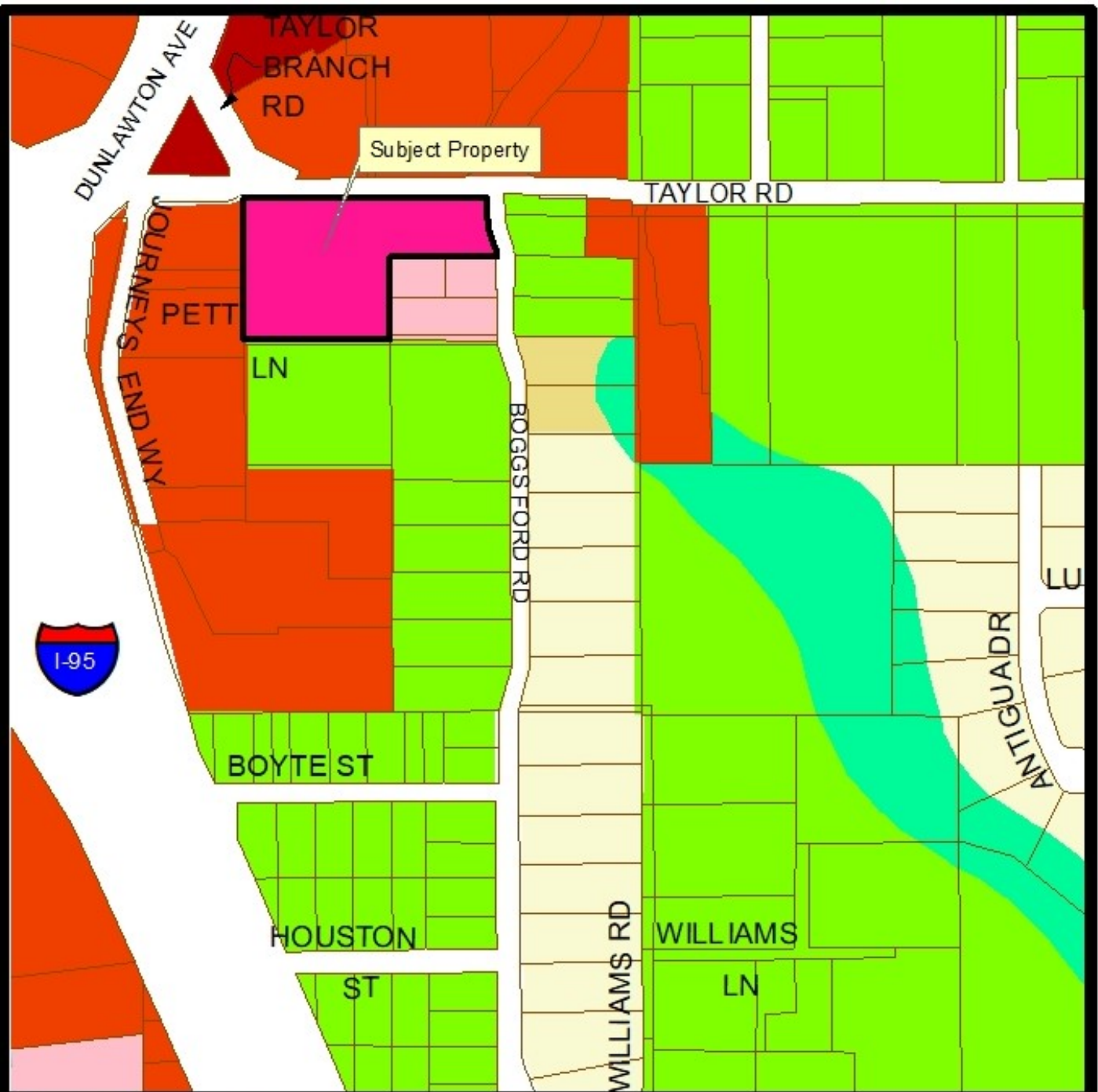


Exhibit C - Current Zoning Map

CITY OF PORT ORANGE

DEPARTMENT OF COMMUNITY DEVELOPMENT





Zoning Classifications

 Agriculture	 Interchange Commercial District	 R-20SF Single Family Residential
 Community Commercial	 Planned Commercial Development	 Rural Residential
 Flood Plain-Conservation	 Professional Office	



Exhibit D - Proposed Zoning Map

CITY OF PORT ORANGE

DEPARTMENT OF COMMUNITY DEVELOPMENT



Exhibit E

Land Development Code

Chapter 17 – Zoning

Section 21: - Community commercial (CC) district.

(a) Purpose and intent. The community commercial (CC) district is intended to provide for community scale businesses that customarily require freestanding buildings on individual sites.

(b) Permitted uses.

- (1) Adult/vocational education.
- (2) Appliance/electronic repair shops.
- (3) Banks.
- (4) Business services.
- (5) Clubs, lodges, and fraternal organizations.
- (6) Camouflaged and monopole communication towers.
- (7) Convenience stores with or without fuel operations.
- (8) Financial services.
- (9) Fleet-based services.
- (10) Funeral homes.
- (11) Furniture and appliance stores.
- (12) Health/exercise clubs.
- (13) Medical offices/clinics.
- (14) Motor vehicle service stations.
- (15) Offices.
- (16) Office supplies.
- (17) Personal services.
- (18) Restaurants.
- (19) Retail home building materials.
- (20) Retail nurseries and garden supplies.
- (21) Retail sales and services.
- (22) Veterinary clinics.

(bb) Permitted uses with special development requirements (chapter 18, section 4).

- (1) Athletic/sports facilities (subsection 2).
- (2) Brewery (subsection 3.7).
- (3) Child care centers (subsection 4).
- (4) Craft food and beverage producer (subsection 5.15).
- (5) Community gardens (subsection 5.1). (6) Microbrewery (subsection 9.57).
- (6) Theaters (subsection 17).

(c) Special exception uses (chapter 18, section 3).

- (1) Bars, lounges, and night clubs (subsection 3).
- (2) Fortune tellers, astrologers, and palm readers (subsection 6).
- (3) Game/recreation facilities (subsection 7).
- (4) Marina, recreational (subsection 9.6).
- (5) Mini-warehouses (subsection 10).
- (6) Motor vehicle and boat storage facilities (subsection 12).