REGULAR PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
PORT ORANGE, FLORIDA
DECEMBER 17, 2020

THE REGULAR PLANNING COMMISSION MEETING of the City of Port Orange was called to order by Chair Maria Mills-Benat at 5:30pm.

Pledge of Allegiance

Silent Invocation

Roll Call

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|---|---|
| Present: | Maria Mills-Benat<br>John Junco<br>Darrel "Bo" Bofamy<br>Lance Green<br>Stan Schmidt<br>Thomas Jordan<br>Newton White |
| Also Present: | Shannon Balmer, Assistant City Attorney<br>Shelby Field, Assistant City Clerk |

## B. DISCUSSION/ACTION

4. Consideration of Minutes

*Motion to approve the minutes as presented from November 19, 2020 was made by Commissioner Bofamy and Seconded by Commissioner Jordan. Motion carried unanimously by roll call vote.*

5. CASE NO. 20-90000004
Variance/L7101 SR 421 Owens
5311 S. Williamson Blvd.

A request by the applicant for a variance from Chapter 16, Section 9(c)(8), of the Land Development Code to allow a setback for a communication tower to be less than the required minimum distance of 110 percent of the fall radius for the tower.

STAFF CONTACT: Tim Burman, Community Development Director (386) 506-5675
tburman@port-orange.org

**(Continued from November 19, 2020 Planning Commission Meeting)**

*Tim Burman, Community Development Director, discussed details of the proposed variance and answered questions from Commissioners.*

*Mary Solik, Representative for the Applicant, responded to questions from Commissioners.*

*Motion to approve Case No. 20-90000004 was made by Commissioner Jordan and Seconded by Vice Chairman Junco.*

*Commissioner Green is against the location of the cell tower and believes it doesn't meet the criteria. Mr. Burman responded to concerns and clarified that this tower is not taking over part of the Thompson Pump property.*

*Motion passed 5-2 by roll call vote with Commissioner Green and Commission Bofamy voting no.*

6. CASE NO.: 20-20000004

Small-Scale Comprehensive Plan Future Land Use Map Amendment/5100, 5120, and 5128 Riverside Drive
5100, 5120, and 5128 Riverside Drive

A request by the applicant to Change the Future Land Use (FLU) designation for ±3.4 acres from Urban Medium Density Residential (4-8 units/acre) to Commercial.

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

*Chair Mills-Benat opened items #6 and #7 together.*

*Gwen Perney, Planner, discussed details of the proposed FLU amendments~~,~~ rezoning, and MDA Amendment and answered questions from Commissioners.*

*Penelope Cruz, Planning Manager, responded to questions from Commissioners.*

*Joseph Posey, Storch Law Firm, provided additional information and answered questions from Commissioners.*

*Motion to approve Case No. 20-20000004 was made by Vice Chairman Junco and Seconded by Commissioner Jordan. Motion passed unanimously by roll call vote.*

7. CASE NO.: 20-65000001

PCD Amendment/6th Amendment to the Clark Professional Center and Wedding Chapel Planned Commercial Development Master Development Agreement and Conceptual Development Plan
5100, 5120, and 5128 Riverside Drive

A request by the applicant to rezone three properties along Riverside Drive from Single-Family Residential (R-7SF) to Planned Commercial Development (PCD) and to approve the Sixth Amendment to the Clark Professional Center and Wedding Chapel PCD Master Development Agreement to incorporate the three properties into the existing wedding and event facility within the PCD.

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

*Motion to approve Case No. 20-65000001 with recommendation of approval on policy issues was made by Commissioner Schmidt and Seconded by Commissioner Jordan. Motion passed unanimously by roll call vote.*

8. CASE NO.: 20-60000006
Rezoning/Catholic Church of the Epiphany
304, 308, 312, 316, 320, and 324 Fleming Avenue

A request by the applicant to rezone ±1.1 acres from R-8SF Single-family Residential to Government/Public Use (GPU).

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

*Mrs. Cruz discussed details of the proposed rezoning and answered questions from Commissioners.*

*Jerry Finley, Engineer, addressed some concerns raised by Commissioners regarding future changes to the property.*

*Gina Hesch, Citizen, is concerned with the lack of information about what will happen to the property in the future.*

*Billy Gilmore, Citizen, believes if Fleming Ave was vacated the church could do whatever they want with the property and that is a concern of his. He believes the church has a plan but isn't disclosing it.*

*Mike Arminio, Citizen, stated the city is asking the church to do this to make everything consistent. He is in favor of the item.*

*Mrs. Cruz answered questions from Commissioners and clarified that staff stated they would need to rezone the properties in order to continue using them for non-residential uses only after finding out from the church at a pre-application meeting that the church has already been using the single-family homes for church offices and ministries.*

*Motion to approve Case No. 20-60000006 was made by Commissioner Jordan and Seconded by Commissioner Green. Motion passed 4-3 by roll call vote with Vice*

*Chairman Junco, Commissioner Jordan and Chair Mills-Benat voting no.*

9. CASE NO.: 20-30000002
Conditional Use/Thrive Community Church
6156 Williamson Boulevard

A request by the applicant for a Conditional Use to allow outdoor church services and activities/meetings.

STAFF CONTACT: Penelope Cruz, Planning Manager (386) 506-5671/pcruz@port-orange.org
Peter Keirstead, Pastor, Thrive Community Church

*Mrs. Cruz discussed details of the proposed rezoning and answered questions from Commissioners.*

*Andrew Giannini, Engineer, discussed the location of the future building on the property and answered questions from Commissioners.*

*Pete Keirstead, Applicant, answered questions from Commissioners.*

*Motion to approve Case No. 20-30000002 was made by Commissioner Jordan and Seconded by Vice Chairman Junco.*

*Motion to amend the motion to include a requirement to make the tent an earth tone was made by Commissioner White. Motion was withdrawn.*

*Motion passed 5-2 by roll call vote with Commissioner Jordan and Commissioner White voting no.*

**C. OTHER BUSINESS**

10. Commissioner Comments

Commissioners wished everyone Happy Holidays and thanked staff for their work.

11. Staff Comments

There were none.

**D. PUBLIC COMMENTS** – there were none.

**E. ADJOURNMENT** – 7:25 p.m.

Chair Mills-Benat