AGENDA
PLANNING COMMISSION
CITY OF PORT ORANGE

Meeting Date: Thursday, December 17, 2015 **Time:** 5:00 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. 15-70000002
   SPECIAL EXCEPTION USE/Flea/Farmers Market Use
   5001, 5005, and 5013 Ridgewood Avenue

   A request to approve a Special Exception to allow a flea/farmers market within the Ridgewood Development (RD) zoning district. If the Special Exception is approved, the property owner is proposing to expand the existing farmers/flea market to adjacent parcels. (This item is continued from the November 19, 2015 Planning Commission meeting.)

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

6. Case No. 15-90000003
   VARIANCE/930 Herbert Street

   A request for variances from the Land Development Code to reduce the Herbert Street right-of-way buffer, reduce the setback for an internal drive aisle from a right-of-way, reduce the width of a drive aisle, reduce the width of parking spaces, and reduce the amount of foundation plantings.

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

7. Case No. 15-90000004
   VARIANCE/988 Old Sugar Mill Road

   A request for variances from the Land Development Code to waive the requirement to have no adjoining lots, tracts, or parcels in the same ownership and reduce the minimum lot width requirement to allow a minor subdivision of the subject property.

   Staff Contact: Danalee Petyk (386) 506-5676/dpetyk@port-orange.org

8. Case No. 15-20000002
   16-1 LARGE-SCALE COMPREHENSIVE PLAN AMENDMENT/Martin Road

   A request to amend the Comprehensive Plan, Transportation Mobility Element to remove Martin Road as a planned collector road.

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

C. OTHER BUSINESS

9. Development Activity Report
10. Commissioner Comments
11. 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 ANY 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, 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 1-800-955-8771.

PLANNING COMMISSION MEETING MINUTES
CITY OF PORT ORANGE
1000 CITY CENTER CIRC LE
COUNCIL CHAMBERS
NOVEMBER 19, 2015

THE REGULAR MEETING OF THE PLANNING COMMISSION of the City of Port Orange was called to order by Vice Chairman Sonya Laney at 5:00 p.m.

Pledge of Allegiance

Silent Prayer

ROLL CALL: Present:

Chairman Frank Crooks
Vice Chairman Sonya Laney
Commissioner Michael Arminio
Commissioner John Junco
Commissioner Thomas Jordan
Commissioner Lance Green
Commissioner Newton White

Also Present:

Matthew Jones, Assistant City Attorney
Theresa Gutierrez, Deputy City Clerk
Tim Burman, Planner
Gwen Perney, Planner
Penny Cruz, Planner

B. DISCUSSION/ACTION

4. Consideration of Minutes

Motion made by Commissioner Green, seconded by Commissioner Junco, to approve the minutes of October 22, 2015. Motion carried 7 – 0 upon roll call vote.

B. DISCUSSION/ACTION

5. Case No. 15-25000005
LAND DEVELOPMENT CODE AMENDMENT/Chapters 17 and 18

A request to amend Land Development Code (LDC) Chapters 17 and 18. The proposed amendment would add farmers/flea market as a Special Exception Use in the Ridgewood Development (RD) zoning district and add special requirements for the farmers/flea markets Special Exception use.

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

Gwen Perney, Planner, said this is a request to amend Land Development Code (LDC) Chapters 17 and 18. The proposed amendment would add farmers/flea market as a Special Exception Use in the Ridgewood Development (RD) zoning district and add special requirements for the farmers/flea markets Special Exception Use.

Staff is recommending approval of the request to amend the LDC.

Commissioner Jordan asked how the sales area will be defined. Ms. Perney said the City is going with the square footage that is needed for the setup of the tables to display the goods. It is an accumulation of all of the tables that will be on site.

Commissioner White showed concern regarding the parking.

Motion made by Commissioner Jordan, seconded by Commissioner Laney, to approve case no. 15-250000005. Motion carried 7 – 0 upon roll call vote.

6. Case No. 15-70000002
SPECIAL EXCEPTION USE/Flea/Farmers Market Use
5005 Ridgewood Avenue

A request to approve a Special Exception to allow a flea/farmers market within the Ridgewood Development (RD) zoning district. If the Special Exception is approved, the property owner is proposing to expand the existing farmers/flea market to adjacent parcels.

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

Ms. Perney request for Case No. 15-70000002 be continued until the December 17, 2015 Planning Commission Meeting.

Motion made by Commissioner Jordan, seconded by Commissioner White, to continue Case No. 15-70000002 until the December 17, 2015 Planning Commission Meeting . Motion carried 7 – 0 upon roll call vote.

7. Case No. 15-70000001
SPECIAL EXCEPTION USE/Mini-Warehouse Use
5811 S. Williamson Boulevard

A request to approve a Special Exception to operate a mini-warehouse facility at 5811 S. Williamson Boulevard in the Interchange Community Development (ICD) zoning district.

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

Tim Burman, Planner, said this is a request to approve a Special Exception to operate a mini-warehouse facility at 5811 S. Williamson Blvd. in the Interchange Community Development (ICD) zoning district. Staff is recommending approval of the Special Exception to allow a mini-warehouse facility to be developed and operated at 5811 S.

Williamson Blvd., subject to approval of the LDC text amendment to allow mini-warehouse as a Special Exception Use in the ICD zoning district.

Commissioner White is pleased to see this project moving forward. Commissioner Jordan agreed.

Motion made by Commissioner White, seconded by Commissioner Junco, to approve case no. 15-70000001. Motion carried 6 – 1 upon roll call vote with Commissioner Green voting no.

8. Case No. 15-65000001
REZONING WITH MASTER DEVELOPMENT AGREEMENT AND CONCEPTUAL DEVELOPMENT PLAN/SERENITY HILLS PUD
East side of Hensel Road, between East Hensel Hill Drive and Hills Boulevard

A request to rezone +/- 82 acres from Rural Residential (RR) and Single-Family Residential (R-20SF) to Planned Unit Development (PUD) and approve the Serenity Hills Master Development Agreement (MDA) and Conceptual Development Plan (CDP). The applicant is proposing to develop a 108 single-family residential subdivision.

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

Mr. Burman said this is a request to rezone +/- 82 acres from Rural Residential (RR) and Single-Family Residential (R-20SF) to Planned Unit Development (PUD) and approve the Serenity Hills Master Development Agreement (MDA) and Conceptual Development Plan (CDP). The applicant is proposing to develop a 108 single-family residential subdivision. Mr. Burman reviewed the Staff report.

Staff recommends approval of the Rezoning to Planned Unit Development (PUD), the Master Development Agreement (MDA), and Conceptual Development Plan (CDP) for the Serenity Hills PUD subject to the following:

1. Policy direction on the roadway connections to existing road stub-outs;
2. Minor corrections to the MDA and CDP being addressed prior to this item being considered by City Council; and
3. Review and approval by the City Attorney's Office for legal form and content.

Commissioner Green asked if there is a code in place that lets the City establish how this is developed. Mr. Burman said the PUD provides the applicant the ability to propose a MDA with how the property would be established.

Commissioner Junco mentioned that he was at a meeting with Serenity Hills being the topic of discussion.

Chairman Crooks said that he had attended a meeting from the public concerning this matter as well.

Commissioner White mentioned the 50' foot landscape buffer easement around the perimeter. He showed concern regarding the restriction of future residents in use of their land and the access points proposed.

Glen Storch, representing Frank Costa, Liberty Group Realty, Inc. & Clay Ervin, Zev Cohen and Associates, Inc., introduced himself to the Commissioners. Mr. Storch presented a power point regarding the proposed PUD Rezoning/Serenity Hills MDA and CDP.

Clay Ervin, Sr. Planner/Project Manager for Zev Cohen & Associates, Inc., introduced himself to the Commissioners. Mr. Ervin explained the 50' foot buffer. The buffer is primarily used for landscaping.

Commissioner White said he is discouraged to see some of the lots shrinking to the size that they are.

Commissioner Arminio does not believe the proposed PUD is appealing because it will not look like the houses across the street. He does not understand the configuration proposed.

Commissioner Laney asked about the gates proposed and how the proposal or thought process will mitigate any traffic cutting through other people's neighborhoods. Mr. Storch said the gates are to prevent the migration through the neighborhood and to help prevent slamming onto a particular road.

Commissioner Junco does not like the ratio of one (1) acre lots to half acre lots. He believes the smaller lots should be a little larger.

Commissioner Green does not agree with the rezoning. He pictures this property to be very moderate. He does not envision the property connects to any of the other streets. A gated community is a value. He thinks they are creating too much.

Chairman Crooks asked about the average home value in Rolling Hills. Mr. Ervin said the area averages out to be $223,000.

Dennis Bayer, Land Use Attorney in Flagler Beach, introduced himself to the Commissioners. Mr. Bayer is representing some of the citizens within the Rolling Hills Community.

Thad Crow, Certified Planner, introduced himself to the Commissioners. Mr. Crow presented a power point regarding his findings of the proposed PUD Rezoning/Serenity Hills MDA and CDP.

Dennis Kennedy, citizen, introduced himself to the Commissioners. Mr. Kennedy showed concern regarding the one (1) acre lots. He sees what the City has given to the developer but does not see what the developer is giving to the City. He does not agree with the proposed lake.

Jake Godley, citizen, showed concern regarding the subdivision proposal. He does not think the project is compatible.

Steve Johnson, citizen, said Hensel Road is special to Port Orange. Mr. Johnson doesn't believe the proposed PUD fits. He showed concern regarding the density.

Barbara Kortbus, citizen, showed concern regarding the traffic. She asked the commissioners to be very detailed and complete testing on the proposal. The one major concern of hers is the traffic.

John Geuidubaldi, citizen, said he is very happy with the diversity in Rolling Hills. He does not agree with the proposed PUD. He showed concern regarding the amount of time it may take medical responders to respond due to the traffic problems.

Melony Landford, citizen, believes the developers are chipping away what makes Port Orange special. Ms. Landford showed concern regarding the critters in her backyard and does not want to see them ran off by developers.

Dexter Copp, citizen, showed concern regarding the traffic. He thinks it's a dangerous situation. Mr. Copp presented pictures illustrating some of the traffic issues.

Tom Spencer, citizen, showed concern regarding the proposed PUD of the developers. He would like to see the pond size smaller.

Eric Olson, citizen, believes the developer could have come at this in a different manner. He said compromise is extremely important to try and make the community happy. He would like to see the property developed.

Gaetano Trovato, citizen, showed concern regarding the proposed PUD that the developers are presenting.

Judith Bickel, citizen, believes the one (1) acre lots should stay. Serenity Hills will be developed at one time but she believes it needs to be kept at a high standard.

Maria Peterson, citizen, does not agree with the lake the developers are proposing.

Fara Canterberry, citizen, would like to see Serenity Hills be developed. The development would be comprised of its own market just like Rolling Hills. Ms. Canterberry said the development is not an eyesore. She believes the City of Port Orange is a very desirable area that should be developed on.

Marian Thompson, citizen, showed concern regarding the PUD for Serenity Hills.

Cindy Lee Harpor, citizen, would like to give support to the development of Serenity Hills. She believes that growth is good for the City of Port Orange and believes the project was well thought out.

Bobbie Brown, citizen, would like to see Serenity Hills be developed.

Buddy Jowers, citizen, does not agree with the proposal of the developers. He believes the proposed PUD was very poorly planned.

Theodore Selentino, citizen, does not agree with the proposed PUD.

William Lynch, citizen, showed concern regarding the traffic congestion that Serenity Hills may bring to the community.

Richard May, citizen, showed concern regarding traffic issues. He does not want to see more traffic.

Pamela Landy, citizen, showed concern regarding Hensel Road traffic. She does not think the proposed PUD makes any sense.

Dennis Peterson, citizen, does not agree with PUD due to the traffic off of Hensel Road.

Richard Straka, citizen, showed concern regarding the PUD of Serenity Hills.

Commissioner Junco commended both parties for their presentations.

Commissioner Laney understands the traffic concerns. She believes that the citizens of Rolling Hills might be stuck with something they don't like unless the two (2) parties come together.

Commissioner Arminio said there are so many different things that can be done at this property. He does not like the PUD for Serenity Hills. He believes there will be a lot of issues with the development.

Commissioner Jordan understands the traffic concerns. He said the City will always have traffic on those roads if Serenity Hills is developed or not.

Commissioner White would like to see a hydraulic study to see if the proposed lake would gather water as high it is above sea level. He thanked both parties for their presentation.

Chairman Crooks likes the PUD of Serenity Hills.

Motion made by Commissioner Jordan, seconded by Commissioner Laney, to approve case no. 15-65000001 subject to Staff recommendations. Motion failed 3 – 4 upon roll call vote with Commissioner Green, Commissioner Junco, Commissioner White, and Commissioner Arminio voting no.

9. 2015 CONCURRENCY MANAGEMENT REPORT

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

Penelope Cruz, Planner, reviewed the 2015 Concurrency Management Report.

Motion made by Commissioner Arminio, seconded by Commissioner White, to approve the 2015 Concurrency Management Report. Motion carried 7 – 0 upon roll call vote.

10. Case No. 15-27500001
COMPREHENSIVE PLAN CAPITAL IMPROVEMENTS ELEMENT/2015 Annual Update and amend the Comprehensive Plan Capital Improvements Element (CIE) in accordance with Florida Statutes.

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

Ms. Cruz reviewed the 2015 Annual Update and the Comprehensive Plan Capital Improvement Element (CIE) yearly updates in accordance with Florida Statutes.

Motion made by Commissioner Jordan, seconded by Commissioner Junco, to approve case no. 15-2750000001. Motion carried 7 – 0 upon roll call vote.

11. 2016 PROPOSED CRITICAL DATES CALENDAR

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

Motion made by Commissioner Junco, seconded by Commissioner Laney, to approve the 2016 Proposed Critical Dates Calendar. Motion carried 7 – 0 upon roll call vote.

C. OTHER BUSINESS

12. Development Activity Report

Tim Burman, Planner, reviewed the Development Activity Report.

13. Commissioner Comments

Commissioner White said he is going to urge the City to reach out to the school board regarding the traffic by Spruce Creek. He would like to see a better way to route the traffic with the release time of the High School.

14. Staff Comments

There were none.

D. ADJOURNMENT: 8:04 p.m.

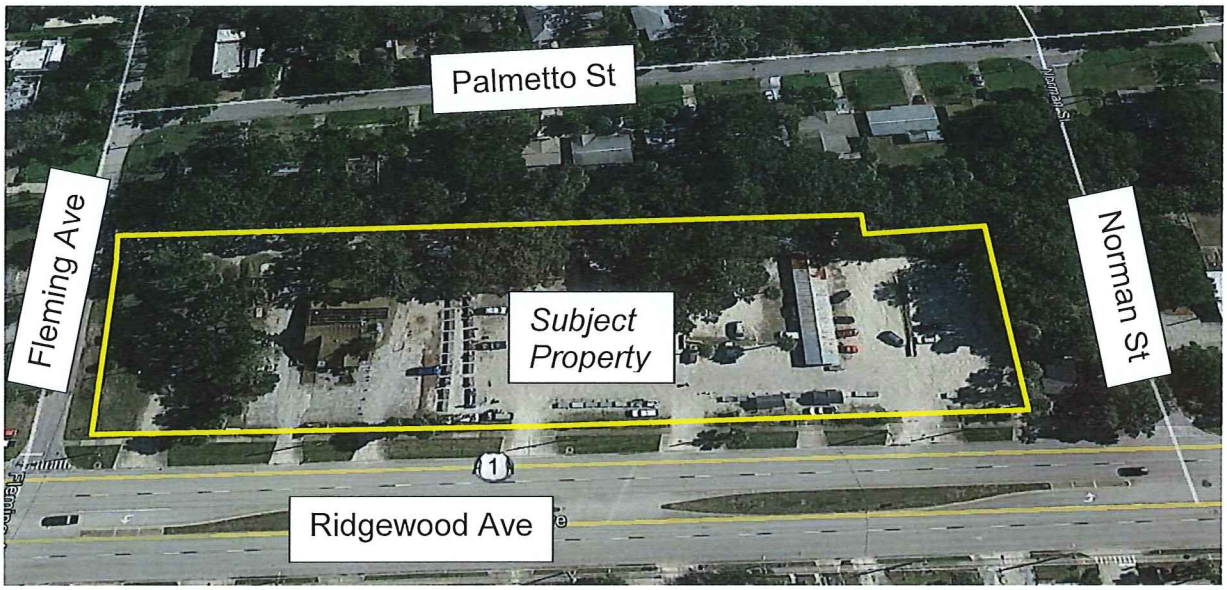
_____
Chairman Frank Crooks

STAFF REPORT

Special Exception for a Farmers/Flea Market in the Ridgewood Development (RD) Zoning District
Case No. 15-70000002

REQUEST:	To expand operations of an existing farmers/flea market in the RD Zoning District
PROPERTY OWNER:	D. Andrew Clark
LOCATION:	5001, 5005, & 5013 Ridgewood Ave. (Exhibit A)
STAFF RECOMMENDATION:	Approval
STAFF CONTACT:	Gwen Perney, Senior Planner (386) 506-5673
PLANNING COMMISSION:	December 17, 2015

CASE BACKGROUND:
Andrew Clark, property owner, has applied to expand the operations of a farmers/flea market within the Ridgewood Development (RD) zoning district. The property is located along Ridgewood Ave. between Fleming Ave. and Norman St. If the Special Exception request is approved, the applicant will be required to meet all architecture, site development and infrastructure requirements of the City's Land Development Code.



The applicant has proposed a Land Development Code (LDC) amendment to permit farmers/flea markets in the RD district by Special Exception. The code amendment is being proposed simultaneously with this Special Exception application and must

ultimately be approved by Council before this Special Exception request can be approved.

According to the LDC, "a special exception is a use that would not be appropriate without restriction, but which, if controlled as to number, area, location or relation to the surrounding area, would promote the public health, safety and general welfare". The LDC defines a famers/flea market as "an occasional or periodic sales activity held within a building, structure, or open area where groups of individual sellers offer goods, new and used, for sale to the public, not to include private garage sales or similar activities held by churches and other nonprofit organizations."

According to the applicant, the proposed farmers/flea market will be an expansion of the existing flea market located on Ridgewood (Exhibit A). The applicant is proposing to demolish the Whiskey River bar and expand the market with additional space for tables and potentially a food and beverage pavilion in the future (Exhibit B).

SPECIAL EXCEPTION STANDARDS IN THE RIDGEWOOD DEVELOPMENT (RD) ZONING DISTRICT:

All special exception uses are required to meet a uniform list of development standards, encompassing traffic generation, landscaping and buffering, and others [Ch 18, Sec 2(d)(2) of the LDC]. The following are the development standards and how they apply to the request:

Standard Special Exception Development Standards:

1. *Traffic generation and access for the proposed use shall not adversely impact adjoining properties and the general public safety.*

   According to the latest traffic counts for Ridgewood Avenue, there is capacity for the traffic estimated to be generated by the proposed development for this property (Table 1).

   Table 1.

Roadway Segment	Maximum Capacity Vehicles per Day*	Current Vehicles per Day*	Remaining Capacity Vehicles Per Day	Daily V/C Ratio**
Ridgewood Ave. from Dunlawton Ave. to Commonwealth Blvd.	39,800	20,500	19,300	0.52
Ridgewood Ave. from Commonwealth Blvd. to Nova Rd.	39,800	13,200	26,600	0.33

* Source: Volusia County Traffic Engineering, 2014
** V/C Ratio (Volume-Demand-to-Capacity Ratio) compares roadway demand (vehicle volumes) with roadway supply (carrying capacity). A V/C of 1.00 indicates the roadway facility is operating at its capacity

   The proposed farmers/flea market is estimated to generate approximately 218 daily trips, distributed along the adjacent roadway network (ITE trip generation manual, 9th edition).

The zoning for the subject property currently allows uses such as office, medical office, restaurant, retail, convenience store with gas, bank, appliance/electrical repair shops, pawn shops, health/exercise club, mobile home sales and motor vehicle sales. There is no trip generation rate listed in the ITE Trip Generation Manual, 9th edition for farmers/flea market. The traffic expected to be generated from a farmers/flea market is similar to uses currently allowed on the subject property.

Use	ITE Code	PM Peak Hour Trip Rate	Daily Trip Rate	Multiplier
Farmers/Flea Market	**826**	**5.02**	**44.32**	**Per 1,000 SF**
Medical/Dental Office	720	1.74	11.65	Per 1,000 SF
General Office	710	1.49	11.03	Per 1,000 SF
Restaurant - no Drive-Thru	934	18.49	127.15	Per 1,000 SF
Restaurant with Drive-Thru	933	47.3	496.12	Per 1,000 SF
Specialty Retail	826	5.02	44.32	Per 1,000 SF
Convenience Store	851	62.57	845.6	Per 1,000 SF
Bank	912	24.3	148.15	Per 1,000 SF
Health/Exercise Club	492	4.06	32.93	Per 1,000 SF
Automobile Sales	841	0.96	21.14	Per 1,000 SF

Source: ITE Trip Generation Manual, 9th Edition

Access will be at the existing driveways on site. There are currently eight driveways along Ridgewood Ave and one on Fleming Ave.

The site plan submittal for this property will be required to comply with the City's Concurrency Management requirements in the LDC. Detailed traffic analysis occurs at the site plan review stage to identify any improvements that might be required. Similar to other developments within the City, the developer may be required to enter into a Fair-Share Concurrency Agreement with the City to pay for part of the scheduled improvements for any impacted areas.

2. *Off-street parking, loading and service areas shall be provided and located such that there is no adverse impact on adjoining properties, beyond that generally experienced in the district.*

Parking will be provided as required by the LDC. The total number of parking spaces and design of the parking lot and spaces will be reviewed with the submittal of the site plan. The LDC requires one space per 200 square feet of sales area.

3. *Required yards, screening or buffering, and landscaping shall be consistent with the district in general and the specific needs of the abutting land uses.*

According to the LDC, a minimum 10' landscape buffer is required along Ridgewood Ave., Fleming Ave., and the east property line and a 5' buffer along the south property line. There is an existing buffer along most of Ridgewood and the south property line. The existing plant counts and plant health will need to be evaluated to ensure compliance with the code. A new 10' buffer will be required along Fleming Ave. and the undeveloped portion of property along Ridgewood Ave. if the market is expanded to this property.

There is a combination of existing fence and wall installed along the east property line from Fleming Ave. to the southeast corner of the site. There are a few existing large shade trees at the rear of the property, but no existing shrubs or understory trees that are required in a new landscaping buffer.

There is currently no irrigation on site and no reclaimed water available at this location. The property owner would need to install a well and new irrigation system for the site. Additionally, any portion of the fence/wall that is not currently 6 feet tall minimum would need to be replaced with a 6-foot fence/wall or modified to achieve 6 feet.

According to the applicant, he would prefer to not install new landscaping along the east property line due to the lack of an irrigation system and the amount of shade created from the mature trees along the rear of the lot. The lack of irrigation is also the reason the applicant would prefer to maintain the existing right-of-way buffers. There are plants that can grow under shady conditions and there may be enough existing material in the right-of-way buffers to count toward the buffer requirements.

4. *Architectural and signage treatments shall comply with the general provisions applicable to permitted uses in the district, to the greatest extent possible, and be sensitive to surrounding development.*

The architectural style of the buildings, accessory structures, wall/fence, and site furnishings will be designed with a common architectural theme and comply with the City's LDC. A formal review of the architectural design will occur with the site plan to verify compliance with the LDC. Any proposed signage will have to meet the regulations set forth by the LDC.

:

In addition to the standard development requirements for all special exceptions, a farmers/flea market in the RD zoning district must also comply with seven additional development requirements [Ch. 18, Sec 3(b) of the LDC]. The following are the additional development requirements for a farmers/flea market use and how they apply to the request.

Specific Farmers/Flea Market Development Requirements:

1. *The proposed site shall front on an arterial roadway.*

   The site fronts onto Ridgewood Avenue which is defined by the City's Comprehensive Plan as an urban principal arterial.

2. *A maximum of 20 percent of the site shall be devoted to sales area.*

   The applicant will be required to show the dimensions of the existing and proposed sales area. According to the applicant, ± 5,000 square feet will be designated as sales area, which is ± 4 percent of the 2.77 acre site.

3. *Required parking shall be provided at a ratio of one space for every 200 square feet of sales area.*

   Based on 5,000 square feet of sales area, 25 parking spaces will be required. There is currently sufficient parking on the site.

4. *Buffering shall be provided according to Chapter 13 of this code with a six-foot high opaque fence or wall required along property lines which abut any residential zone.*

   The site abuts single-family residential homes and in accordance with Chapter 13, LDC, a 10-foot buffer is required between the single-family properties and the farmers/flea market property. There is a combination of existing fence and wall installed along the east property line from Fleming Ave. to the southeast corner of the site. The height of the fence and wall varies from 4 to 6 feet in height. Any 4-foot tall fence will be required to be replaced with 6-foot fence or modified to meet the 6-foot minimum.

   According to the applicant, he would prefer to not install new landscaping along the east property line due to the lack of an irrigation system and the amount of shade created from the mature trees along the rear of the lot. The lack of irrigation is also the reason the applicant would prefer to maintain the existing right-of-way buffers. There are plants that can grow under shady conditions and there may be enough existing material in the right-of-way buffers to count toward the buffer requirements.

5. *All merchandise and refuse shall be removed from the site at the end of the day.*

   The property owner/business manager will be required to enforce the business hours of the market, to ensure regular garbage pick-up and be responsible for continued commercial property maintenance. This provision also includes the removal of pop-up tents, temporary tent structures, and any temporary signage at the end of each sales day.

6. *The proposed site shall be a minimum of 2.5 acres with a minimum of 200 feet of frontage.*

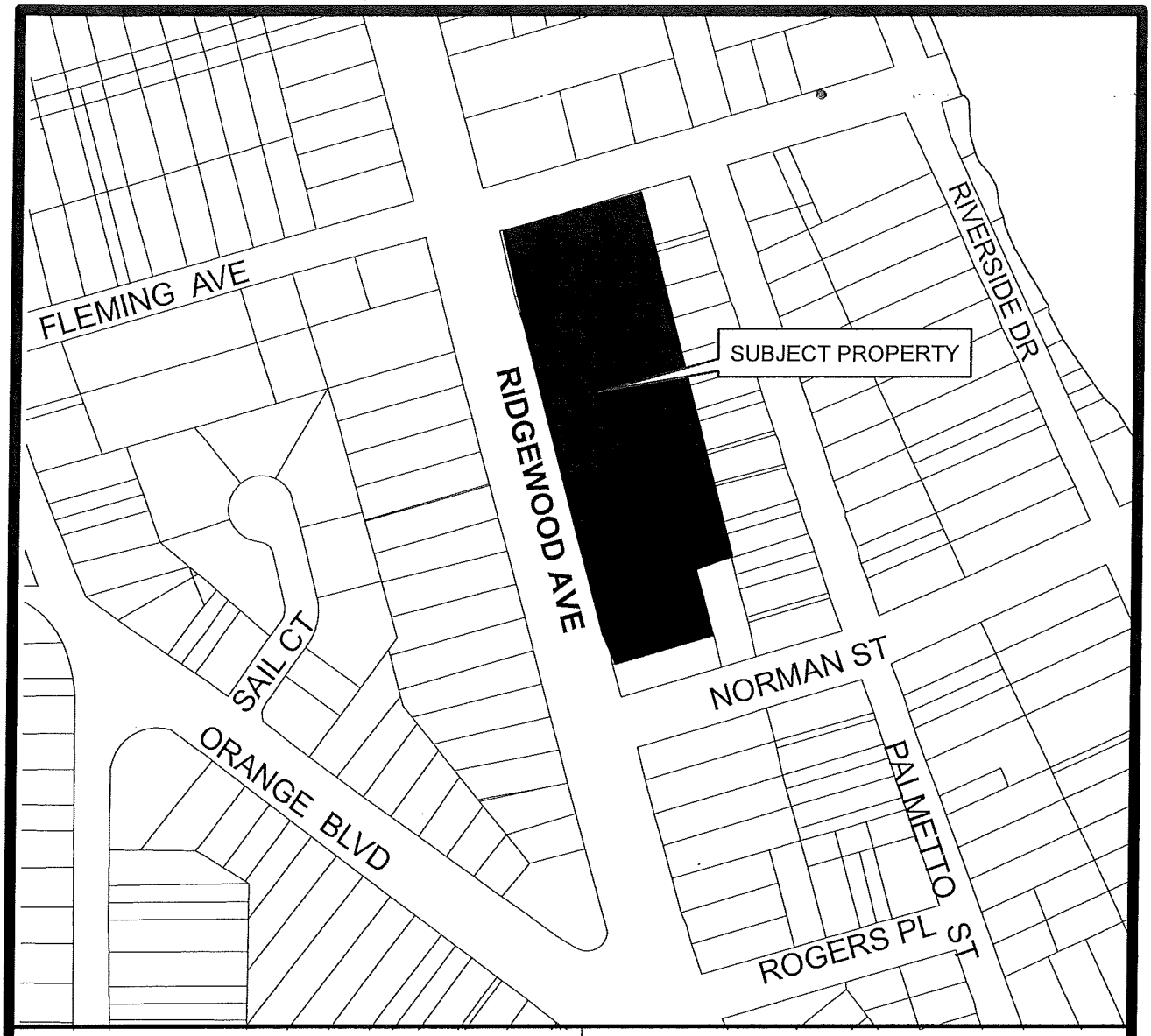
   The subject property is 2.77 acres with approximately 650 feet of frontage along Ridgewood Ave. The applicant intends to combine the individual parcels and develop the site with a farmers/flea market.

7. *The farmers/flea market shall only operate on the following days: Thursdays, Fridays, Saturdays, Sundays, and legal holidays which fall on Monday. Operation shall be restricted to daylight hours only, except that on one of the days of operation each month the farmers/flea market may operate until 9:00 p.m. Parking lots used after day shall be lighted in accordance with Chapter 12 of this code.*

   The market currently operates Thursdays through Sunday during daylight hours. One Thursday, Friday, Saturday, or Sunday per month the market will be permitted to operate until 9:00 p.m. There is existing parking lot lighting. The applicant will be required to provide additional lighting if parking areas are proposed to be expanded.

RECOMMENDATION:
Staff recommends **approval** of the Special Exception to allow a farmers/flea market at 5001, 5005, and 5013 Ridgewood Avenue, subject to approval of the LDC text amendment to allow farmers/flea market as a Special Exception use in the RD zoning district.

EXHIBIT "A"



Case No.: 15-70000002

Applicant/ Owner: D. Andrew Clark, applicant/owner

Location: 5001, 5005, 5009, 5013, 5023, 5025 Ridgewood Ave. & 120 Fleming Ave.

Requested Action:
A Special Exception to allow the expansion of an existing Farmers/Flea Market

LOCATION MAP

CITY OF PORT ORANGE

DEPARTMENT OF COMMUNITY DEVELOPMENT

N W E S

ALL ABOARD
PROPERTIES

RECEIVED
OCT 15 2015
CITY OF PORT ORANGE
Community Development

October 6, 2015

Tim Burman
City of Port Orange
Department of Community Development
1000 City Center Circle
Port Orange, FL 32119

Re: Port Orange Flea Market, tax parcels: 6310-12-05-0010 (5001 Ridgewood); 6310-12-05-0020 (5005 Ridgewood); 6310-12-05-0050 (5009 Ridgewood); 6310-12-05-0070 (5013 Ridgewood); 6310-12-05-0110 (5023 Ridgewood); 6310-12-05-0120 (5025 Ridgewood); 6310-12-05-0280 (120 Fleming)

Dear Tim:

I bought the above total 2.77-acre property in 2005.

A 1996 landscape as-built for the above property by Zev Cohen on file with the City of Port Orange clearly shows the 5005 Ridgewood parcel (Whiskey River Saloon) as part of the Flea Market parcels. I have always considered Whiskey River property to be an integral part of the Flea Market property. Both businesses need to work together for each to survive.

Over recent years there have been several code violations at the Whiskey River building. I have been improving the Flea market property over the past year. To continue my improvements to the property, I recently got a permit to tear off the back section of the Whiskey River building after the bar tenant moved out with the idea of making that building a food and beer pavilion for the Flea Market. After tearing off the back section of the building, it is evident that the whole building is in bad shape and needs to be torn down.

I would now like to put flea market tables and parking on the Whiskey River property. Someday I might want to put in a better food & drink pavilion on the site. I would like to use the existing Whiskey River pylon sign for the Flea Market. I would like to use the lot at 5001 Ridgewood for parking and possibly for flea market tables. I do not want to be required by the City to make any other improvements to the 5001/5005 Ridgewood or 120 Fleming properties since I am proposing to get rid of a code-violating eye-sore "biker" bar in the City's redevelopment area.

I would like to have the water meter removed at 5005 Ridgewood.

5111 S. Ridgewood Ave, Ste 201 | Port Orange, FL 32127 | www.GoAllAboard.com | o: 386.763.2280 | f: 386.763.2281

I also would like to have all City fees waived for amendments to the City's LDC, Special Exceptions, Site Plan applications, or rezonings that might be required by the City for this property.

I also request that no other flea markets be allowed on Ridgewood Ave. in Port Orange south of Dunlawton Ave.

Sincerely,

Andy Clark, manager
5005 Ridgewood, LLC (property owner for all the above parcels)

STAFF REPORT

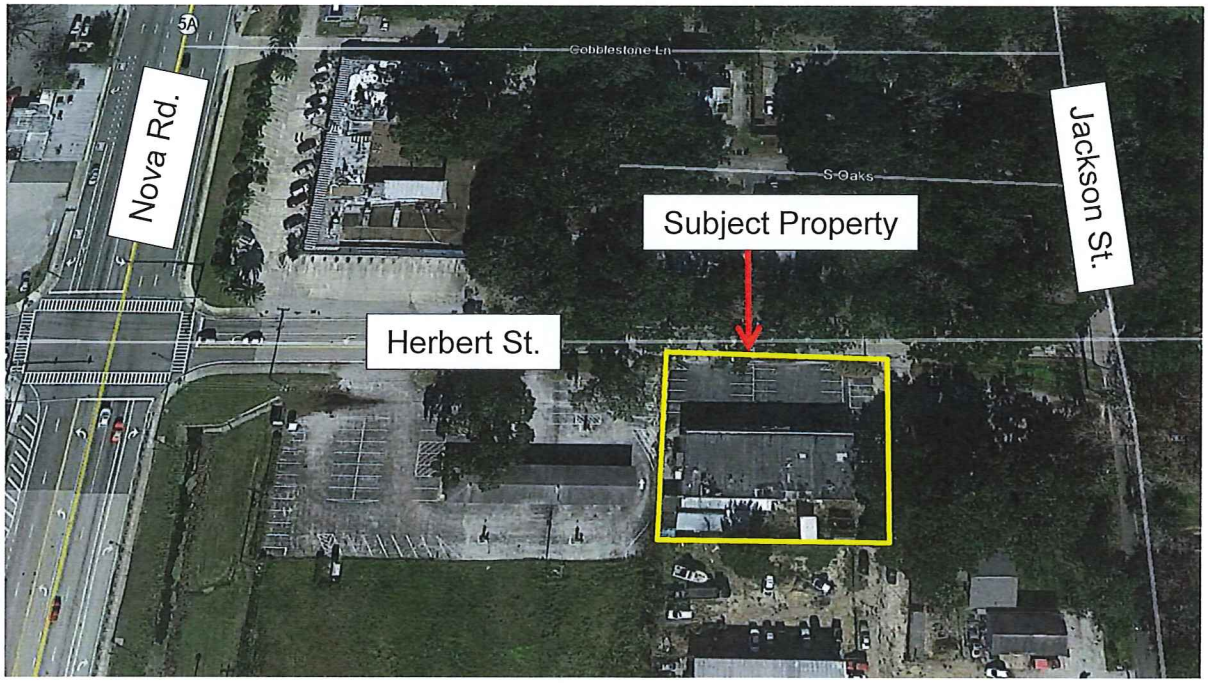
Variances from Chapter 13, Section 3(d)(1)(c), Chapter 12, Section 2(b)(3)(a), Chapter 12, Section 6(c)(2), Chapter 12, Section 6(b)(1), Chapter 13, Section 5(a)

Case No. 15-90000003

REQUEST:	Variances to reduce the Herbert Street right-of-way buffer, the setback for an internal drive aisle, the width of a drive aisle, the size of parking spaces, and amount of foundation plantings
LOCATION:	930 Herbert St. (Exhibit "A")
OWNER:	Herbert Street Plaza, LLC
APPLICANT:	Colleen Miles, Land Development Resource Group
STAFF RECOMMENDATION:	Denial
STAFF CONTACT:	Gwen Perney, Senior Planner (386) 506-5673
PLANNING COMMISSION:	December 17, 2015

BACKGROUND:

The subject property is +/- 0.5 acres (21,780 square-feet) and located on the south side of Herbert Street between Nova Road and Jackson Street. The site was previously the Port Hole Bar. The bar is no longer open and the site is currently abandoned.



The property owner is proposing to renovate the existing building into a multi-tenant building along with associated site improvements. The redevelopment of the site would improve the appearance of this property. One of the tenants is anticipated to be a bar, which is a permitted use in the Highway Commercial (HC) zoning district.

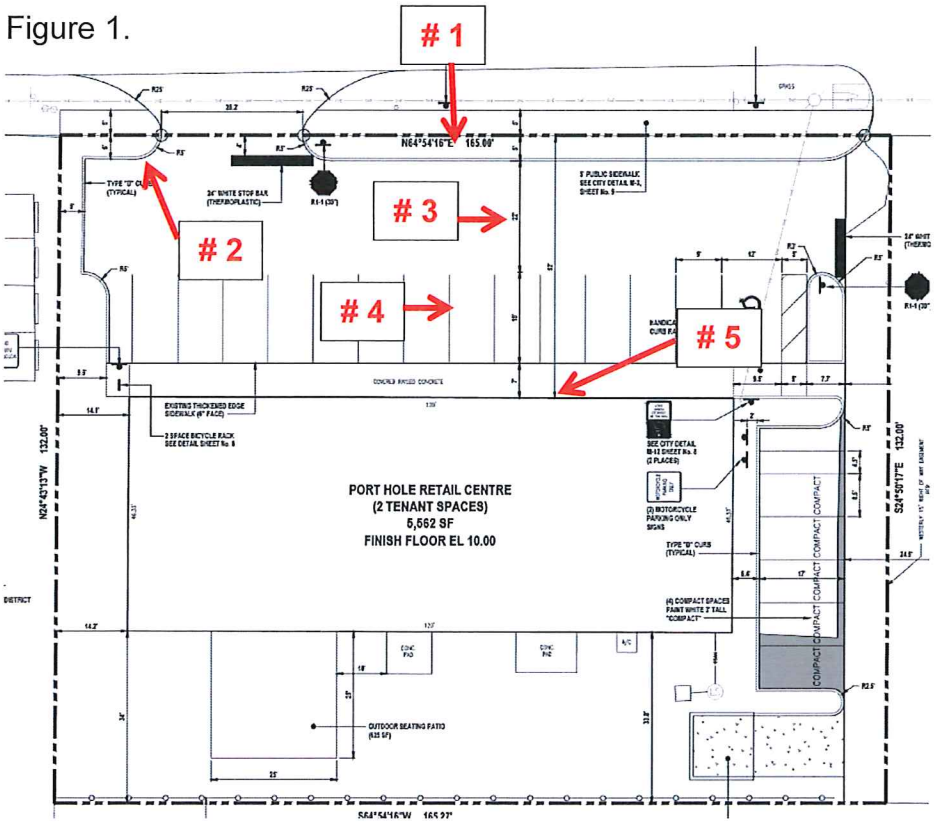
The Land Development Code (LDC) requires a site to be brought up to current code standards when it has been abandoned for more than 6 months. The subject property has been abandoned since March 2013. Site upgrades include, but are not limited to, paving and expanding the parking facilities, landscaping and buffers, irrigation, signage and architectural design. Staff has worked with the applicant on identifying the necessary site upgrades and minimizing the variances being requested.

DISCUSSION:

According to the proposed site plan submitted by the applicant, the redevelopment of the site requires five (5) variances. The variances being requested are listed below:

1. Reduce the Herbert Street right-of-way buffer from 10 feet to 5 feet [LDC, Ch. 13, Sec. 3(d)(1)(c)]
2. Reduce the setback for an internal drive aisle from 25 feet to 5 feet [LDC, Ch. 12, Sec. 2(b)(3)(a)]
3. Reduce the width of a drive aisle from 24 feet to 22 feet [LDC, Ch. 12, Sec. 6(c)(2)]
4. Reduce the size of parking spaces from 10' X 20' to 9' X 18' [LDC, Ch. 12, Sec. 6(b)(1)]
5. Reduction in foundation plantings [LDC, Ch. 13, Sec. 5(a)]

Figure 1.



Staff has met with the applicant and project engineer to discuss the proposed site plan. The main constraint is the existing 5,500 square foot building. The distance from the front of the building to the Herbert Street right-of-way line does not allow sufficient room for what is required by code for parking, buffering, and landscaping.

Currently, the entire front portion of the property between the building and Herbert Street is paved, creating unlimited access for traffic coming in and out of the site (Figure 2). The proposed plan includes installing a landscape buffer area that would create a division between the parking area and Herbert Street. and limit the access into the site at the existing drive on the west side of the property, and a defined driveway on the west side of the property. The parking spaces will be restriped to be parallel to the front of the building, allowing sufficient room to reverse from a stall and circulate through the parking lot back out onto Herbert Street. The current parking layout forces traffic to potentially reverse back out onto Herbert Street, if the parking lot was found to be full, after the car had already turned in to the site.

Other proposed improvements include the installation of a perimeter landscape buffer along the rear and west side of the building, paved parking stalls on the east side along the shared access drive, a dumpster enclosure, and improvements to the exterior of the building.

Figure 2.

DISCUSSION OF VARIANCES

Herbert Street Right-of-Way Landscape Buffer:
The LDC requires a 10-foot wide landscape buffer along the Herbert Street right-of-way line. The intent of the landscape buffer requirement is to ensure quality landscape design and maintain and enhance an attractive natural environment along the roadway. The landscape buffer proposed along Herbert Street would be 5' in lieu of the 10' required by the LDC. According to the applicant, the proposed landscape buffer will be an improvement to the existing conditions.

25-Foot Setback from a Right-of-Way for an Access Drive:
There is currently unlimited access along Herbert Street. Parking spaces directly abut the right-of-way and there is no access control for cars entering and exiting the parking lot. The proposed site plan has two two-way driveways which will promote a safer entry and exit to Herbert Street. The code requires a minimum of 25 feet from the right-of-way line to any parking space or internal drive aisle to allow room for stacking and maneuvering. The proposed site plan shows 17 feet from the drive to the edge of pavement for Herbert Street. According to the applicant, by locating the parking spaces as shown, the plan achieves the required number of spaces while still providing for safety on-site.

Driveway Aisle Width:
The LDC requires a two-way drive aisle to be 24 feet in width. The proposed site plan shows 22 feet. The reduced width is the result of trying to provide as wide of a right-of-way landscaping buffer as possible and parking spaces that meet the standard length allowed by code. The decreased width of 2 feet is not anticipated to cause any conflicts of traffic movement. According to the applicant, this reduction allows for on-site maneuverability and adequate parking space depth while still providing the safety required for vehicles and pedestrians.

Parking Space Width:
The LDC requires the width of a parking space be a minimum of 10 feet. The parking space width is proposed to be 9 feet. The reduced width helps provide the required number of parking spaces for the proposed uses. In the past, the Planning Commission has recommended approval of PCD amendments and variances to reduce the width for parking spaces to 9 feet. A 9-foot parking space width is common in this region. According to the applicant, the stalls will allow for adequate area to park and still provide for maneuvering for pedestrians to enter and exit their vehicles.

Reduction in Foundation Plantings:
The code requires the sides of a building visible from a right-of-way or otherwise visible to the public, to be landscaped with foundation plantings. Due to the limited space in front of the existing building, no foundation plantings are proposed along the front of the building. The required number of shrubs and understory trees for the perimeter of the building are proposed to be installed, but those materials that would be required across the front are proposed to be transferred to the sides and rear of the building where there is more room for the plants to be installed. According to the applicant, because the site and building are existing conditions, it is difficult to install foundation plantings in all locations. In areas where foundation plantings are able to be installed, the plan shows landscaping, and in other areas on-site, additional plantings have been installed wherever possible.

REVIEW OF VARIANCE CRITERIA:

Chapter 19, Section 1, LDC, lists the review criteria that are used to determine whether a variance request should be granted. These criteria, accompanied by staff's analysis, are as follows:

a) *Special conditions and circumstances exist which are peculiar to the land, structure, or building involved, and which are not applicable to other lands, structures or buildings in the same zoning district.*

There are no special conditions or circumstances that exist that are peculiar to the land and are not applicable to other lands in the same zoning district. However, the applicant states that the property is an existing legal non-conforming lot of record (i.e. smaller lot than required by the Land Development Code for the zoning district) and the dimensional requirements that are the subject of these requests are proportioned to work with lots that meet the current minimum lot size.

b) *The special conditions and circumstances are not a result of actions of the applicant.*

As noted, there are no special conditions and circumstances associated with the subject property.

c) *Literal interpretation and enforcement of the development code regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the development code, and would work unnecessary and undue hardship on the applicant.*

Literal interpretation of the LDC would not deprive the property owner of rights commonly enjoyed by other properties within the same zoning district. As part of the development approval process, all properties are required to be brought into compliance with the current development requirements of the LDC when the property has been abandoned for more than 6 months.

The intent of the landscape buffer requirement is to ensure quality landscape design and maintain and enhance an attractive natural environment along Herbert Street. According to the applicant, the proposed landscape buffer allows for safer traffic maneuvering, creates a separation between the road and parking area, enhances the site, and represents an improvement to the appearance of this part of the City. The same amount of material required for a 10' buffer is proposed to be planted within the 5' area. The applicant acknowledges that all landscape requirements are not met; however, this is due to the constraint of the site and every effort has been made to provide as much landscaping as possible to enhance this area.

The intent of the requirements for parking space width, driveway aisle width, and access drive setback from the right-of-way line is to ensure adequate parking spaces and safe and logical traffic patterns. According to the applicant, the

proposed reductions will still allow room for safe maneuverability for vehicles and pedestrians.

d) *The variances, if granted, are the minimum variance necessary to make possible the reasonable use of the land, building, or structure.*

The variances requested are not the minimum variances necessary to make possible reasonable use of the land. The site could be redeveloped to comply with the requirements of the LDC; however, this would require changes to the proposed site design and building.

Staff has worked with the applicant on the proposed site plan to reduce the overall number variances needed and to minimize the variances being requested. The applicant has stated that to redevelop the site the property owner needs to have a specific amount of square footage for the use to support the redevelopment. The variances requested are the minimum variances needed to redevelop the site as proposed.

e) *Granting the variances request will not confer on the applicant any special privilege that is denied by the development code to other lands, buildings, or structures in the same zoning district.*

All properties developed or redeveloped within the City are required to meet the development requirements of the LDC or secure variances from said requirements. According to the applicant, the site has been in a state of disrepair for some time and the new owners would like to refresh and re-establish the area.

f) *The granting of the variances will be in harmony with the general intent and purpose of this code, and will not be injurious to the surrounding properties or detrimental to the public welfare.*

The LDC is intended to implement the City's Comprehensive Plan, to protect the health, safety and general welfare of the citizens of the City, and to enhance the appearance, function and livability of the City, to the end of improving the overall quality of life within the community. However, the LDC is generally focused on regulating new "green field" development rather than infill redevelopment. Typically infill redevelopment projects require variances or flexibility in development regulations to allow underutilized properties to redevelop.

Overall, the proposed redevelopment will improve the existing conditions of the site and building. The variances, if granted, would enable the property to be redeveloped in a manner that would enhance the appearance of this part of the City, and would not be injurious to the surrounding properties or detrimental to the public welfare. According to the applicant, the variances being requested will allow for the site to be brought back to life and remove an eyesore from the neighborhood.

g) *The variances represents a reasonable disposition of a claim brought under the Bert J. Harris Private Property Rights Protection Act, chapter 95-181, Laws of Florida, that a development order of the city has unreasonably burdened the applicant's property, based upon the recommendations of the special master appointed in accordance with the act, or the order of a court as described in the act.*

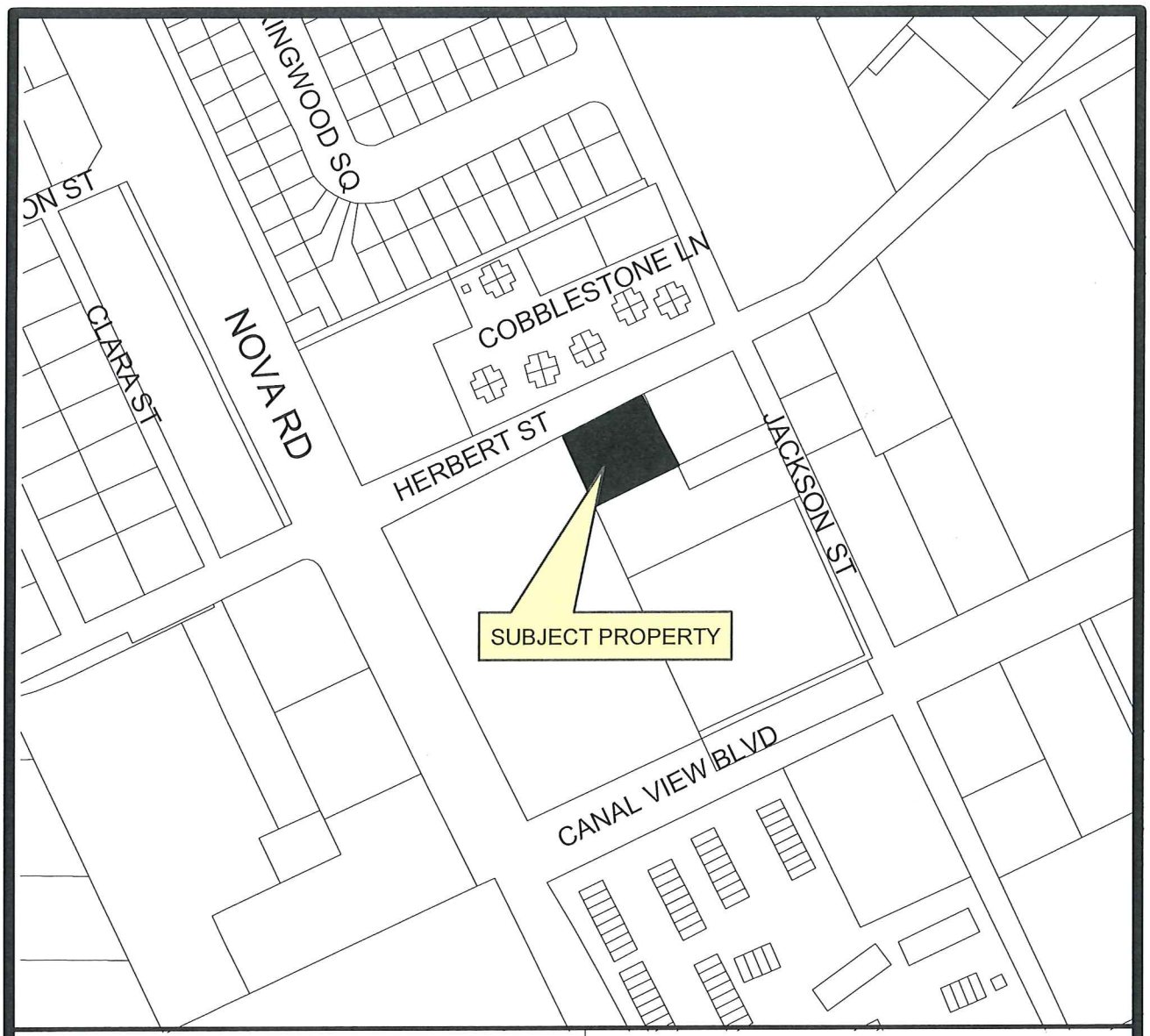
The variances requested are not based on a claim brought under the Bert J. Harris Private Property Rights Protection Act.

RECOMMENDATION:

Based on the findings of this report, Staff recommends denial of the variance requests. However, if the Planning Commission votes to grant the variances, Staff recommends the following conditions:

1. The variances are limited to site plan Case Number 15-80000010. If the site plan is not completed or the project otherwise abandoned, the variances will become void.
2. The variances are limited to the life of the structure.

EXHIBIT A



Case No.: 15-90000003

Applicant/ Owner: Colleen Miles, Applicant
Herbert Street Plaza LLC, Owner

Location: 930 Herbert St.

Requested Action:
Variances to allow a 5-foot right-of-way landscape buffer, a 5-foot setback for an internal drive aisle, a 22-foot wide drive aisle, 9-foot wide parking spaces, a reduction in internal parking lot landscaping, and a reduction in foundation plantings.

LOCATION MAP

CITY OF PORT ORANGE

DEPARTMENT OF COMMUNITY DEVELOPMENT

N W E S

EXHIBIT B

LAND DEVELOPMENT
RESOURCE GROUP

RECEIVED
NOV 12 2015
CITY OF PORT ORANGE
Community Development

November 12, 2015

Planning Commission
City of Port Orange
1000 City Center Circle
Port Orange, FL 32129

RE: The Port Hole Retail Center – Request for Variance
932 Herbert Street, Port Orange, FL

Dear Planning Commissioners:

Land Development Resource Group has the pleasure of representing The Port Hole Retail Center in their request for the above variance. In support of the above variance request, please find the following:

- One (1) executed Application
- One (1) check in the amount of $900.00
- One (1) copy of the Deed
- One (1) set of the Survey/Site Plans in 11" x 17"
- One (1) set of the Architectural Plans in 11" x 17"
- One (1) CD with the above in PDF format

The following are the requested variances and information to support each request:

1. **Herbert Street right-of-way landscaping buffer width reduced from 10' to 5'.** Although the request is to reduce the buffer from 10' to 5', the same amount of materials has been placed in the reduced area. The reduction is to allow for safer traffic maneuvering on the site.
2. **Parking spaces located within 25 feet of the right-of-way access.** If measured from the actual ROW line, then the 25' requirement is not met, however, the edge of pavement is 25'+/- from the parking spaces. By locating the parking spaces as shown, the plan achieves the required number of spaces while still providing for safety on-site.
3. **Reduce two-way access drive to 22 feet from 24 feet.** This reduction allows for on-site maneuverability and adequate parking space depth while still providing the safety required for vehicles and pedestrians.

140 South Beach Street, Suite 400 • Daytona Beach, Florida • 32114
386.212.1942 • colleen@LDRGdaytona.com • www.LDRGdaytona.com

4. **Reduce parking stall size from 10' x 20'to 9' x 18'.** The variance requested still provides sufficient parking area and is considered an acceptable dimension. The stalls will allow for adequate area to park and still provide for maneuvering for pedestrians to enter and exit the vehicles.

5. **10% internal parking lot landscaping.** Due to the existing site conditions and ensuring the required number of parking spaces is achieved, internal parking lot landscaping has been reduced in some areas. However, the areas that have been provided with internal landscaping have been planted with additional materials.

6. **Foundation plantings.** Because the site and building are existing conditions, it is difficult to install foundation plantings in all locations. In areas where foundation plantings are able to be installed, the plan shows landscaping and in other areas on-site, additional plantings have be installed wherever possible.

The site has been in a state of disrepair for quite some time and the new owners would like to refresh and re-establish the area.

They are proposing to remove and reduce the entranceways and to provide dimensioned parking and the ability to maneuver on-site as opposed to the previous method of the maneuvering within the City's right-of-way.

All encroachments that were formerly within the City's right-of-way have been relocated on to the site and a sidewalk will be installed along the property's frontage.

The variances being requested will allow for the site to be brought back to life and remove an eyesore from the neighborhood.

I appreciate your consideration in this matter.

Sincerely,

Colleen Miles

Colleen Miles
President

/cm

STAFF REPORT

VARIANCES/Chapter 5, Section 2(b)(3)(b) & Section 2(b)(3)(e) and Chapter 17, Section 27
CASE NO. 15-90000004

REQUEST:	Variances from the Land Development Code (LDC) to waive lot ownership and lot width requirement for a minor subdivision.
OWNER / APPLICANT:	Joseph & Beverly Hibbs
LOCATION:	988 Old Sugar Mill Road (Exhibit A)
STAFF RECOMMENDATION:	Denial
STAFF CONTACT:	Danalee Petyk, Planner (386) 506-5676
PLANNING COMMISSION DATE:	December 17, 2015

DISCUSSION:

The property owners/applicants, Joseph & Beverly Hibbs, are proposing to submit a minor subdivision application to subdivide the property located at 988 Old Sugar Mill Road into two lots. The property is approximately 2.56 acres with 50 feet of roadway frontage along Old Sugar Mill Road (Figure 1). The proposed lot configuration consists of Lot #1 fronting Old Sugar Mill Road and Lot #2 located East of Lot #1. Lot #2 is proposed without direct access to Old Sugar Mill Road but the applicants are prepared to provide a perpetual access easement from Old Sugar Mill Road through Lot #1 and to access Lot #2 with the minor subdivision request. There is currently a single-family home, a detached garage, and a barn located on the subject property and all three buildings are to remain. The single-family home will be located on Lot #2 and the detached garage and barn on Lot #1.

Figure 1. Location of Subject Property (988 Old Sugar Mill Road)

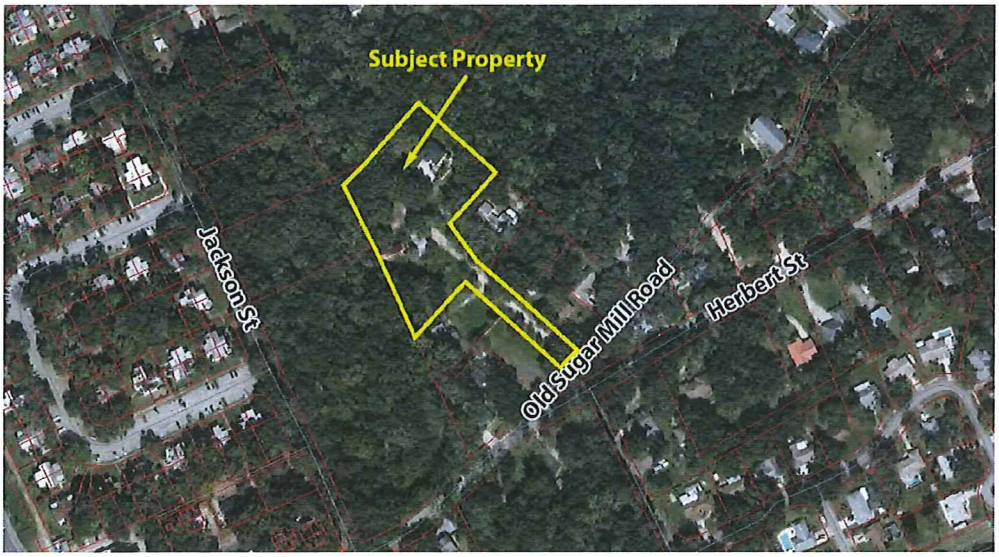


FIGURE 2 PROPOSED LAYOUT

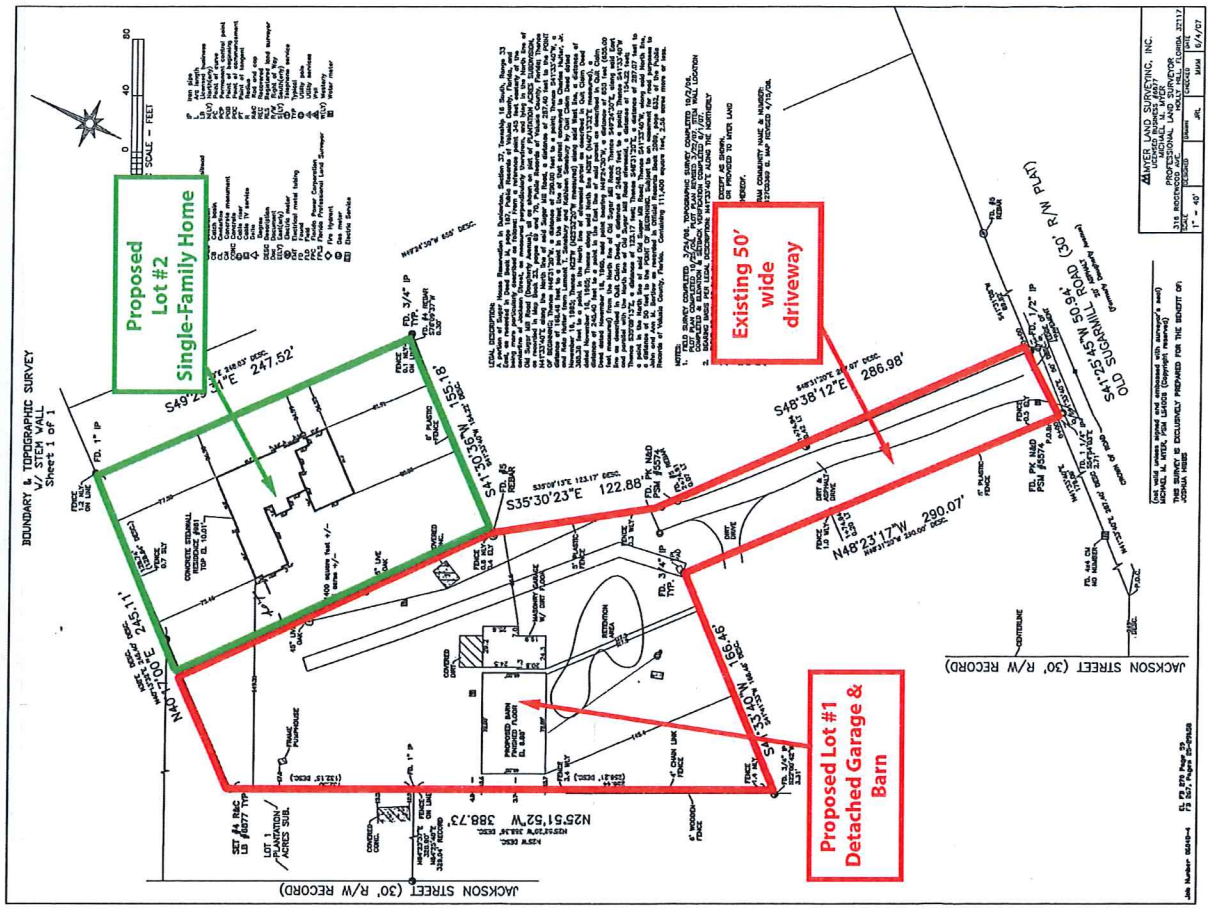
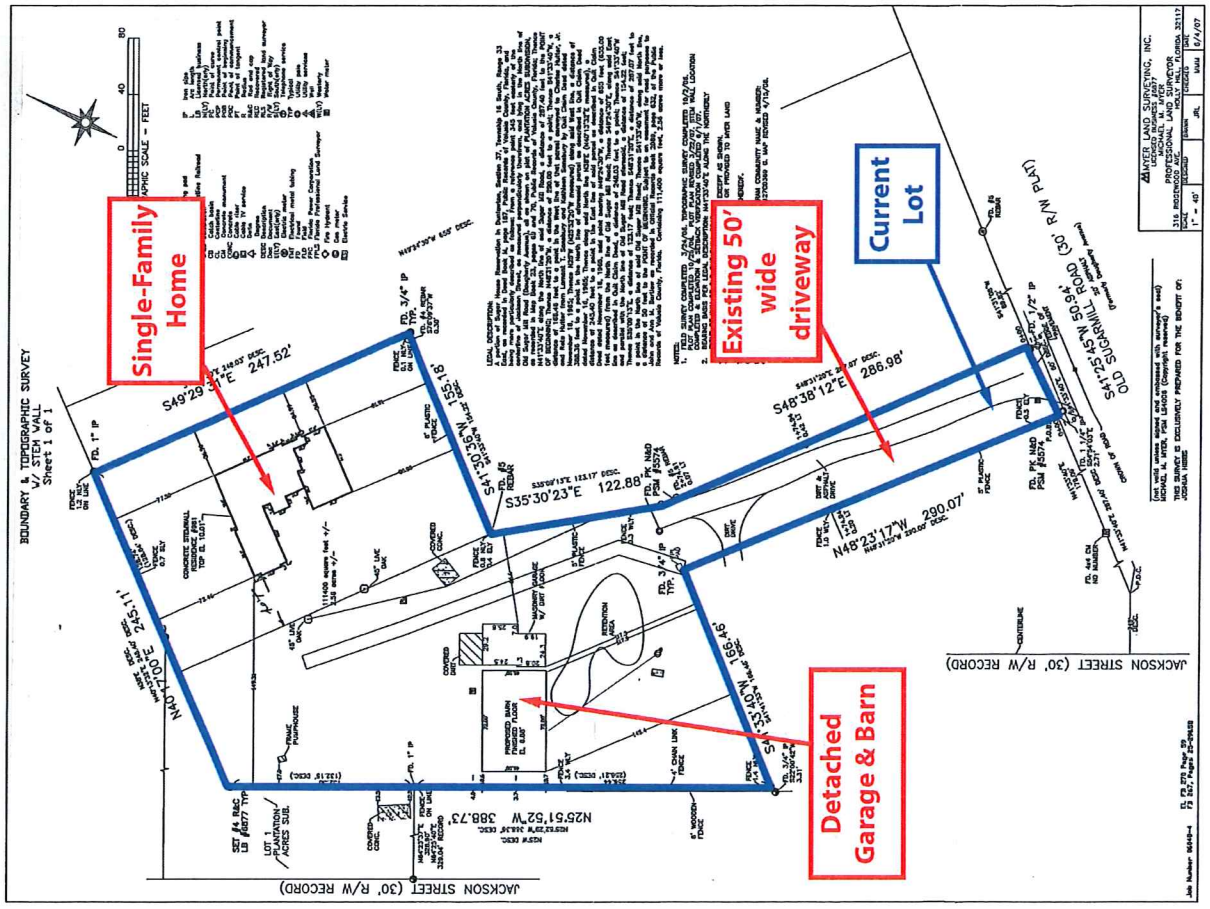


FIGURE 2 CURRENT LAYOUT



The proposed lots currently meet the standard code requirements for a minor subdivision with the exception of the following variances. Based on the existing conditions, the proposed minor subdivision will require two variances. If the requested variances are approved, the applicants intend to apply for a minor subdivision to formally split the property into two lots.

According to the applicants, the intent for subdividing the property is a recent court divorce adjudication requiring the existing single-family home and one-acre of the 2.56-acre subject property to be divided off as a separate lot. Lot #1 will have the detached garage and barn located on it, and Lot #2 will have the single-family home. The applicants indicated that a perpetual access easement through Lot #1 will be provided to access Lot #2. Lot #1 access will remain through the driveway on Lot #1. With the variances requested, no other alterations to the property are proposed. Attached is the applicants' letter or request for the variances (Exhibit B).

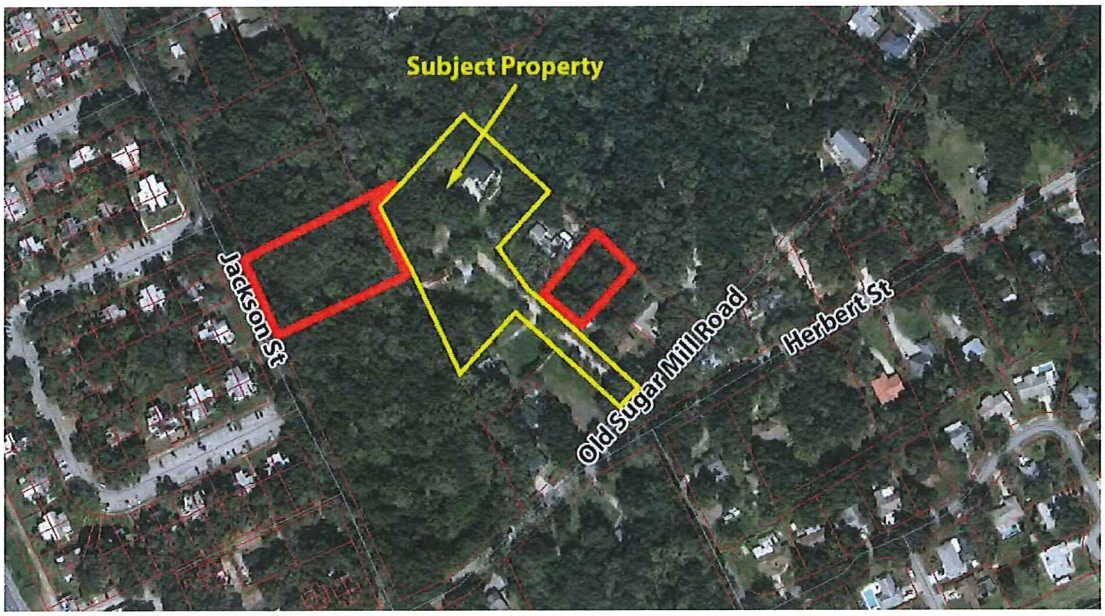
Based on the applicants' proposed lot configuration to subdivide the property, the following variances from the Land Development Code (LDC) are requested:

1. Allow the subdivision of property when adjoining lots, tracts, or parcels are in the same ownership [LDC, Chapter 5, Section 2(b)(3)(b)];
2. Allow a proposed lot to have a minimum width of 50 feet in lieu of the required 100 feet [LDC, Chapter 5, Section 2(b)(3)(e); Chapter 17, Section 27].

VARIANCE #1 - REVIEW OF VARIANCE CRITERIA FOR ADJOINING LOTS, TRACTS, OR PARCELS IN SAME OWNERSHIP:

A requirement to submit a minor subdivision application is that no adjoining lots, tracts, or parcels are in the same ownership. The property owners of the subject property have two adjoining parcels they owned (Figure 4). The applicants indicated that the adjoining parcels are not included in the proposed minor subdivision and are requesting a variance from this requirement.

Figure 4. Adjoining Parcels



Chapter 5, Section 9(b)(3), of the LDC, lists the review criteria that shall be used to determine whether a subdivision variance request should be granted. These criteria, accompanied by staff's response, are as follows:

a) *Required services are already available to the proposed lots without the construction of additional improvements.*

   The Public Utilities Department has indicated that these services are available and adequate to serve the proposed lots.

b) *Levels of service can be reasonably provided through the site development review process or residential site plan review process for individual lots.*

   The proposed subdivision would create one additional single-family lot. The subject property is surrounded by residential development currently being served by city facilities, infrastructure, and services, and levels of service are expected to be maintained.

c) *Other methods can be arranged to assure construction of improvements, eliminating the need for a formal subdivision approval.*

   No additional improvements to the property are needed for the proposed subdivision. The variance is not requested because of lack of improvements but because of the ownership of adjacent properties.

d) *The granting of the variance is consistent with the overall intent of this Code, and will not be injurious to surrounding properties or detrimental to the public welfare.*

   The variance would be consistent with the general intent of the LDC. The intent of the LDC is to allow minor subdivision exemptions when the minimum criterion is met. The criteria for not allowing adjoining lots to be in different ownership ensures that if a larger development is proposed it goes through the proper subdivision review and plat procedure. However, Chapter 5, Section 8(b)(3) of the LDC states a variance from the subdivision review process can be approved if the variance is would not be injurious to the surrounding properties.

   According to the applicants, they do not have any plans to further subdivide property. The only reason the minor subdivision is being requested is the court divorce adjudication.

VARIANCE #2 - REVIEW OF VARIANCE CRITERIA FOR LOT WIDTH REQUIREMENTS:

The minimum lot width requirement in the "R-10 SF" zoning district is 100 feet. The applicants are requesting a variance to allow the lot width for Lot #1 to be 50 feet. The proposed lots have been configured to otherwise meet the dimensional requirements of the R-10 SF zoning district. These lots were not plated so there is no plat to refer back to determine what criteria was used when establishing lots along the north side of Old Sugar Mill Road.

The lot width and lot area requirements for each of the city's zoning districts are to ensure that property is sufficient in size to support needed infrastructure for uses allowed in that zoning district and to maintain the number of lots and driveway connections on to a roadway. If the minor subdivision is approved, the proposed lots will exceed the lot area and building setback of the R10-SF zoning district. No additional driveway from Old Sugar Mill Road will be required to serve Lot #2, and sufficient lot infrastructure will be in place to serve both proposed lots.

Chapter 19, Section 1, of the LDC, lists the review criteria that shall be used to determine whether a variance request should be granted.

a) *Special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other lands, structure or buildings in the same zoning district.*

There are no evident special conditions or circumstances that exist which are peculiar to the subject property, which do not apply to other residentially zoned properties along Old Sugar Mill Road.

A special condition or circumstance would typically include the preservation of historic trees or wetlands, loss of property due to a right-of-way taking or other similar items. In this case, the variance requested is to allow the subject property to be subdivided into two lots with one lot not meeting the minimum lot width requirement.

According to the applicants, they believe the court divorce adjudication requiring the subject property to be subdivided as indicated is a special condition or circumstance that is not applicable to other lands in the same zoning district

b) *The special conditions and circumstances are not result of actions of the applicant.*

There are no special circumstances associated with the subject property.

c) *Literal interpretation and enforcement of the land development code regulation would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under terms of the development code, and would work unnecessary and undue hardship on the applicant.*

Literal interpretation of the LDC would not deprive the applicants of rights commonly enjoyed by other properties in the same zoning district. When a property goes through the minor subdivision review process, the property is generally required to be brought into compliance with the current development requirements of the LDC. The intent of the lot width requirement is to minimize the impact on adjoining property, and to maintain and enhance an attractive built and natural environment. The existing development on the site is not proposed to change, so the impacts to the adjoining property would remain the same.

In addition, any future improvements are proposed to the lots or buildings on either lot, the improvements will be required to comply with the requirements of the LDC.

If approved, the proposed minor subdivision would be two lots within the existing property boundary where there is now one and thus allow for two separate lots and property owners.

d) *The variance, if granted, is the minimum variance necessary to make possible the reasonable use of the land, building or structure.*

The variance requested is not needed to make reasonable use of the land, building, or structure. The property is already developed with a single-family home and accessory structures and has direct access to Old Sugar Mill Road. The property can continue to function in its current condition under single-ownership without the need for a variance. The variance requested is only necessary to accommodate the proposed minor subdivision of the property into two lots and maintain the existing structures.

According to the applicants, the variance is being requested to allow the 2.56-acre subject property to be subdivided into two lots to comply with court divorce adjudication. The lot width variance is necessary because there are no options to subdivide the property into two lots and meet the 100' lot width requirement.

The applicants acknowledge the width of Lot #1 is less than 100', but the overall square-feet of the lots exceed the lot area required by zoning. The R-10SF requires a minimum lot size of 10,000 square-feet and the proposed lots are 72,990 square-feet and 38,410 square-feet

e) *Granting of the variance requested will not confer on the applicant any special privilege that is denied by the development code to other lands, buildings or structures in the same zoning district.*

According to the applicant, allowing Lot #1 to have a minimum lot width less than 100' would not confer special privilege because there are other residential properties in the Old Sugar Mill Road area zoned R-10SF with lot widths less than 100'. The other properties located along the north side of Old Sugar Mill Road have lot widths ranging between 90 feet and 170 feet

The applicants also state that if the variance and minor subdivision is approved, the proposed lots will exceed the lot area requirement and comply with the building setback, building coverage, and open space requirements for the R-10 SF zoning district.

f) *The granting of the variances will be in harmony with the general intent and purpose of this code, and will not be injurious to the surrounding properties or detrimental to the public welfare.*

The LDC establishes lot width requirements to ensure necessary site improvements to support a use can be located on a lot and control amount of lots and driveways along roadways. If the lot width variance is granted, staff does not anticipate the lot width proposed for Lot #1 is damaging or detrimental to public welfare. The existing development would not change with the proposed minor subdivision and will continue to function as it currently has for the past three years, so the impacts to the adjoining property would remain the same. In the future, if these proposed lots would be further developed with new structures, all dimensional requirements (setbacks, building and open space coverage) would have to be met.

g) *The variance represents a reasonable disposition of a claim brought under the Bert J. Harris Private Property Rights Protection Act, chapter 95-181, Laws of Florida, that a development order of the city has unreasonably burdened the applicant's property, based upon the recommendations of the special master appointed in accordance with the act, or the order of a court as described in the act.*

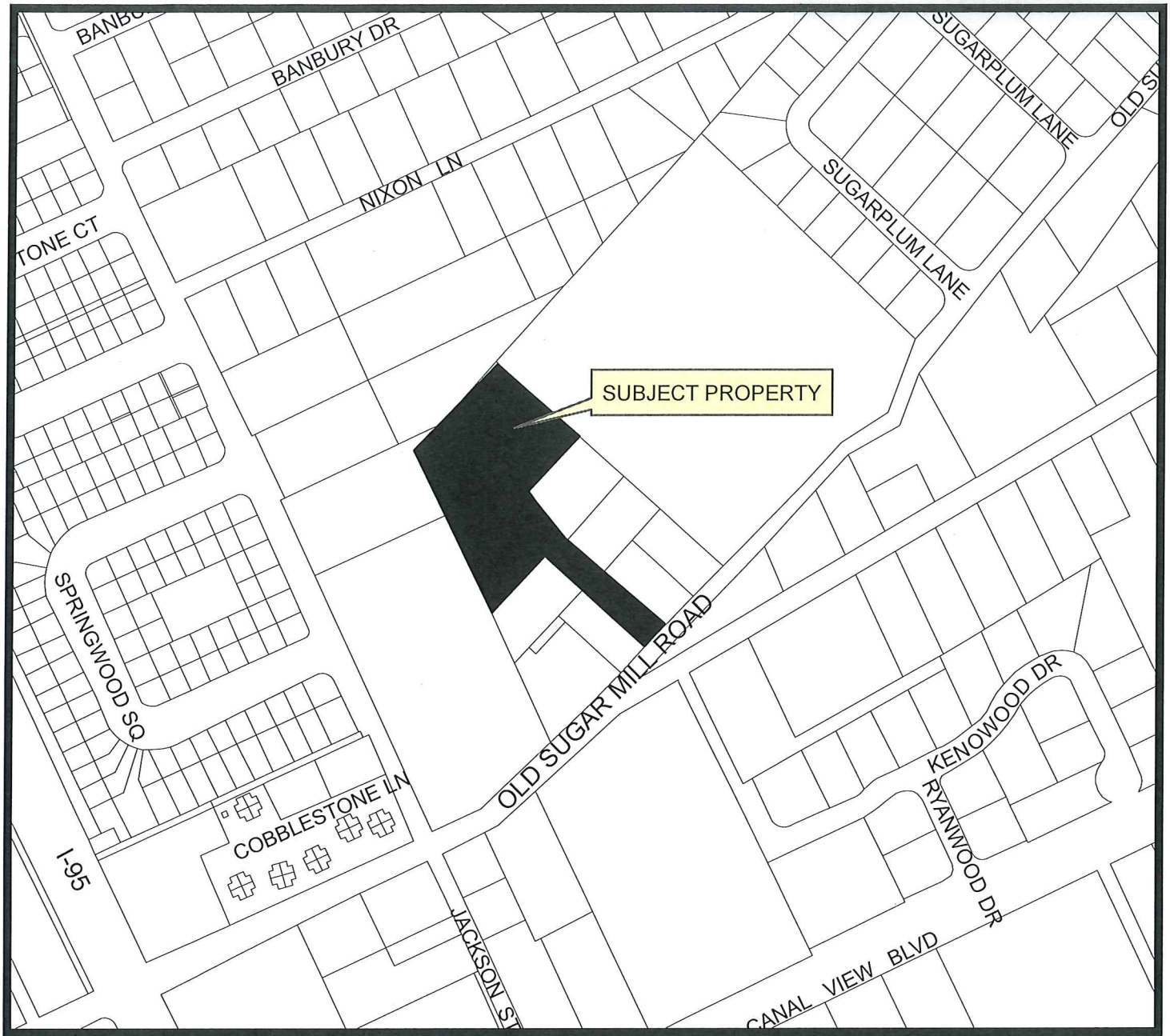
This variance request is not based upon a claim brought under the Bert J. Harris Private Property Rights Protection Act.

RECOMMENDATION:

Based upon the findings of this staff report, Staff recommends denial of the requested variances.

However, if the Planning Commission grants the variance for the lot width, staff recommends a perpetual access easement over the private driveway from Old Sugar Mill Road through Lot #1 into Lot #2 be recorded as part of the minor subdivision.

EXHIBIT A



Case No.: 15-90000004

Applicant/ Owner: Joseph & Beverly Hibbs

Property Location: 988 Old Sugar Mill Road

Requested Action:

To approve variances from Chapter 5, Section 2(b)(3)(b), Chapter 5, Section 3 (b)(3)(e), and Chapter 17, Section 27 of the LDC. If the variance is approved, Joseph & Beverly Hibbs are proposing to subdivide the subject property into two lots.

Location Map

CITY OF PORT ORANGE

DEPARTMENT OF COMMUNITY DEVELOPMENT

N W E S

EXHIBIT B

From: Joseph and Beverly Hibbs
734 Old Sugar Mill Road
Port Orange, FL 32129

Date: December 9, 2015

To: City of Port Orange

RE: public hearing request application

To Whom It May Concern:

We are requesting a variance on the property at 988 Old Sugar Mill Rd. based on the fact that it doesn't meet the following criteria:

(b) *No adjoining lots, tracts or parcels are in the same ownership.*—Two adjoining properties (see attached map) are listed under the same ownership as the parcel to be subdivided.

(e) *All proposed lots meet or exceed the dimensional requirement of this code, and required easements for utility, common drainage areas, conservation, or other purposes are delineated for transfer to the city as part of the development order.*—One of the lots to be split does not have any frontage along a right-of-way as defined by the code.

There is a driveway accessing the house/property that has been in place for years and it will continue to be used as access to the property being revised.

This variance is necessary due to the fact that there has been a divorce and the court stated that the existing house, along with one acre of the total parcel, be divided off, sold and proceeds from the sale divided.

Thank you for your attention to this matter.

Sincerely,
Joseph and Beverly Hibbs

STAFF REPORT

16-1 Large-Scale Comprehensive Plan Amendment/ Martin Road
CASE NO. 15-20000002

REQUEST:	Amend the Comprehensive Plan, Transportation Mobility Element, Policy 3.2.5, Tables 1 and 3, and Figures 2-2, 2-4, 2-8, and 2-10, to remove Martin Road as a planned collector road.
OWNER:	CC Woodhaven, LLC
APPLICANT:	Lassiter Transportation Group
STAFF RECOMMENDATION:	Approval
STAFF CONTACT:	Penelope Cruz, Principal Planner (386)506-5671
PLANNING COMMISSION DATE:	December 17, 2015

INTRODUCTION

The Applicant is requesting to amend the Comprehensive Plan to remove Martin Road from the Comprehensive Plan. Martin Road is proposed as a 2-lane collector road and is currently shown intersecting Williamson Boulevard north of the Pinnacle subdivision and south of the Ashton Point Apartments, traversing through the Woodhaven Planned Unit Development (PUD) (see Figure 1).

Figure 1

Recently, the developer of the Woodhaven PUD began planning the northern residential area and based on the neighborhood layout, the developer is requesting to replace Martin Road with a local residential street. The developer is concerned with the potential of through traffic that could use Martin Road to bypass the Airport Road/Williamson Boulevard intersection and have a negative impact on the northern neighborhood area. The removal of Martin Road as a collector road would keep through traffic on Williamson Boulevard and only allow residential traffic within the northern residential area. According to the developer, if the amendment is approved, the northern residential area will have the main access point south of the Ashton Point Apartments but will not have any connection to Williamson Boulevard north of the Pinnacle subdivision.

The Applicant is proposing the following amendments to the Comprehensive Plan:

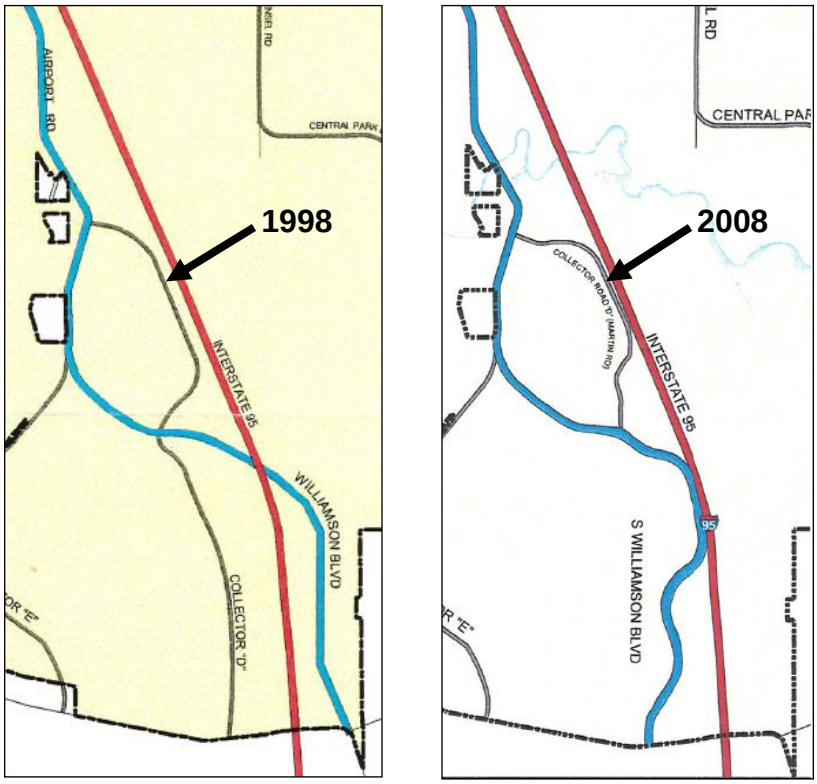
1) Amend Transportation Mobility Element, Policy 3.2.5 to remove the obligation to construct the Martin Road as an improvement associated with the Woodhaven Planned Unit Development (PUD).
2) Amend Transportation Mobility Element Tables 1 and 3 to remove Martin Road as a future transportation improvement.
3) Amend Transportation Mobility Element Figures (Maps) 2-2, 2-4, 2-8, and 2-10, to remove Martin Road as a planned collector road.

CASE BACKGROUND

In the City's 1998 Comprehensive Plan, Martin Road or Collector "D" was initially planned as a collector road that ran parallel along the west of I-95 to the intersection with Pioneer Trail, and Williamson Boulevard was planned as an arterial road that would cross I-95 just southeast of the current terminus, with an interchange planned at that point, then continue east through what is now the Doris Leeper Spruce Creek Preserve, and finally bend south towards the intersection with Pioneer Trail.

In 2003, the Volusia County Council re-aligned Williamson Boulevard to its current location, lying west of I-95, to protect the lower Spruce Creek area east of I-95. In 2008, the City's Comprehensive Plan was amended to reflect the new alignment of Williamson Boulevard and the modified alignment of Martin Road. With Williamson Boulevard lying west of I-95, it was determined not necessary for Martin Road to also extend to Pioneer Trail.

Figure 2. Excerpt of Comprehensive Plan, Transportation Element, Future Functional Classification Map (1998, 2008)



In 2010, the City amended the Comprehensive Plan to prohibit new single-family, duplex or triplex lots from having direct driveway access to an arterial or collector roadway. The Woodhaven PUD was amended in 2013 to bring the PUD into compliance with the Comprehensive Plan and the various changes that occurred with the planned roadway network since the original adoption of the PUD in 1997. The 2013 Woodhaven PUD amendment recognized Martin Road as a collector road. The PUD amendment was approved with a provision that allows half of the extension frontage of Martin Road to contain direct driveway access to single-family residential lots and traffic calming measures.

PROPOSED AMENDMENTS

The proposed amendments would remove the requirement for the developer of the Woodhaven project to construct Martin Road and removes Martin Road from Tables and Figures (maps) in the Comprehensive Plan. The proposed amendments do not result in an increase in residential density or intensity of non-residential square-footage.

DISCUSSION

The following discussion will examine the proposed amendments and the impacts of the proposed amendments, and the existing environmental conditions.

Initial plans had residential streets with single-family lots feeding into Martin Road, similar to Village Trail and Swallow Trail. However, in 2013, the Woodhaven PUD was amended to allow residential driveways to have direct driveway access along half of the frontage of Martin Road along with appropriate traffic calming measures. According to the applicant, the combination of these design elements for Martin Road result in it functioning more like a local residential street and not a collector road as originally planned in the late 1990's.

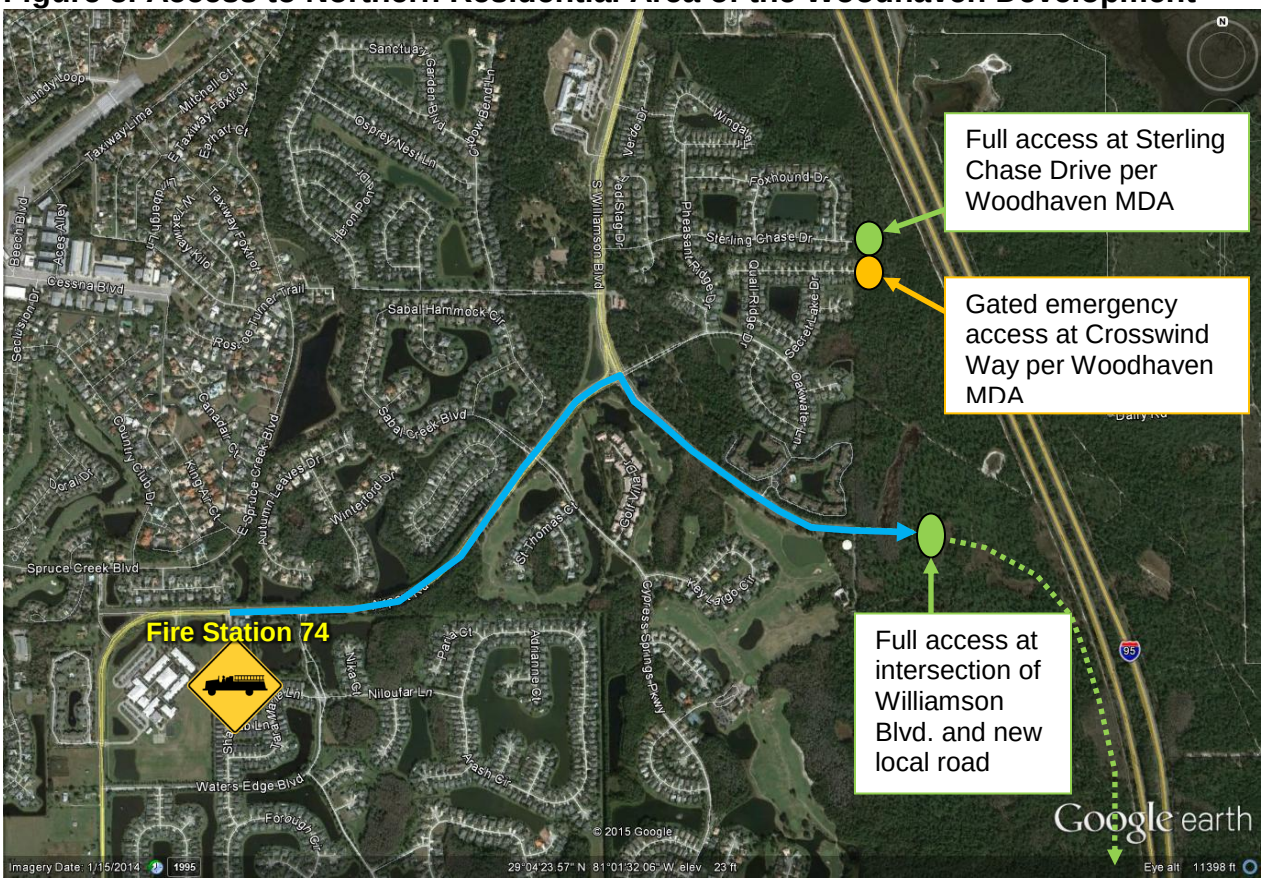
The applicant, Lassiter Transportation Group (LTG), prepared a study to assess the impact on the surrounding roadway network if Martin Road was not constructed as currently planned. According to the applicant, all vehicles that would travel on Martin Road have been accounted for and already included in the traffic volume projections for the northern and southern segments of Williamson Boulevard. In addition, the removal of Martin Road does not reduce the roadway capacity for Williamson Boulevard.

Transportation Planning staff has reviewed the proposal and does not anticipate that removing Martin Road and allowing the northern residential area of the Woodhaven development to be developed with a local road, would create a significant operational impact to the road network.

Both the Fire and Police departments reviewed the proposed amendment and do not anticipate any negative impacts on providing services to the northern residential area with the removal of Martin Road. If the proposed amendment were approved, emergency services would be able to access the northern residential area at the access point off Williamson Boulevard, south of Ashton Point Apartments and through future emergency crash gates located within the Ashton Lake and Sanctuary Subdivisions. The study prepared by Lassiter Transportation Group also evaluated the removal of

Martin Road on emergency services and concluded no negative impacts are anticipated.

Figure 3. Access to Northern Residential Area of the Woodhaven Development



REVIEW CRITERIA AND STAFF FINDINGS

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

   Staff finding: The proposed amendment is generally consistent with the Goals, Objectives, and Policies of the City's Comprehensive Plan. All public facilities have adequate capacity to accommodate the proposed amendment. The proposed amendment is compatible with adjacent land uses and protects natural resources by not requiring the extension of a collector road through an environmental sensitive area.

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

   Staff finding: The proposed amendment is compatible with the adjacent properties and the land use pattern of the area. The proposed amendment is to remove the requirement to construct a collector road (Martin Road) and does not change the density or intensity of any property.

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

   Staff finding: All public facilities have adequate capacity to accommodate the proposed amendment and therefore, there are no negative impacts anticipated on infrastructure. The proposed amendment does not result in an increase in volume of vehicles on Williamson Boulevard; therefore, there are no new impacts to infrastructure that have not already been planned for.

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

   Staff finding: The proposed amendment is not anticipated to negatively impact the clearance time for population living in the Hurricane Vulnerability Zone (HVZ). Williamson Boulevard is the route that the population in the general area of Martin Road would use during an evacuation. Removing Martin Road is not anticipated to negatively impact Williamson Boulevard during an evacuation. Martin Road is not identified as a Hurricane Evacuation Route.

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

   Staff finding: The proposed amendment will not encourage sprawl. The proposed amendment is to remove a collector roadway (Martin Road) running through a planned residential development. The developer intends to construct a roadway network within the planned residential development consisting of local roads. The residential area where Martin Road is proposed is accounted for in the City's Utility and Master Plan and the City's Water Supply Work Plan.

RECOMMENDATION

Staff recommends approval of the requested amendment to the City's Comprehensive Plan, Transportation Mobility Element, Policy 3.2.5, Tables 1 and 3, and Figures 2-2, 2-4, 2-8, and 2-10, to remove Martin Road as a planned collector road.

ATTACHMENTS

Exhibit A - Text Amendments to Comprehensive Plan, Transportation Mobility Element, Policy 3.2.5, and Tables 1 and 3

Exhibit B - Current Comprehensive Plan, Transportation Mobility Element, Figures 2-2, 2-4, 2-8, and 2-10

Exhibit C - Proposed Comprehensive Plan, Transportation Mobility Element, Figures 2-2, 2-4, 2-8, and 2-10

Exhibit A

Deletions are strikethroughs (~~strikethroughs)~~ and additions are underlined.

Transportation Mobility Element

Policy 3.2.5: As a condition of PUD approval, Developers will construct the following transportation improvements as generally illustrated on Figure 2-4 of the Transportation Element:

(i) Williamson Boulevard extension from its current terminus, 0.60 miles south of the intersection of Airport Road and Williamson Boulevard, to Pioneer Trail west of I-95; and

(ii) Transportation improvements along Pioneer Trail centered at, but not limited to, the intersection with Williamson Boulevard to accommodate turning vehicles accessing the PUD property.~~; and~~

~~(iii) Martin Road.~~

TABLE 1
NEEDED TRANSPORTATION IMPROVEMENTS (2025)

ROADWAY	SEGMENT		PROJECTED VOLUME	VOL./CAP RATIO	IMPROVEMENTS NEEDED	NEW CAPACITY	NEW VOL./ CAP. RATIO
	FROM	TO					
ADDITIONAL CAPACITY							
Transit Transfer Station	Dunlawton Ave. /Nova Area		N/A	N/A	New central bus transfer Station	N/A	N/A
City-wide Bus Stops			N/A	N/A	Bus stop enhancements (5)	N/A	N/A
City-wide sidewalks			N/A	N/A	Sidewalk enhancements	N/A	N/A
Clyde Morris Blvd.	Herbert St.	Willow Run Blvd.	3,289	102%	TSM/TDM	N/A	N/A
Dunlawton Ave.	Clyde Morris Blvd.	Taylor Rd.	5,361	110%	TSM/TDM or 8-lane divided	N/A or 6,880	N/A or 78%
I-95	Beville Road (SR 400)	Dunlawton Ave.	7,457	136%	6-lane divided	8,320	90%
	Dunlawton Ave.	Pioneer Trail	5,679	103%	6-lane divided	8,320	68%
Taylor Rd.	Clyde Morris Blvd.	Yorktowne Blvd.	1,830	121%	TSM/TDM	N/A	N/A
	Taylor Branch Rd.	I-95	5,957	122%	TSM/TDM or 8-lane divided	6,530	91%
	I-95	Williamson Blvd.	4,454	110%	7-lane divided	6,260	71%
Williamson Blvd.	N. City Limits	Town West Blvd.	3,191	150%	4-lane divided	3,204	100%
	Taylor Rd.	Airport Rd.	4,283	134%	TDM	N/A	*134%
Yorktowne Blvd.	Dunlawton Ave.	Hidden Lakes Dr.	1,686	122%	4-lane divided	3,204	53%
DEVELOPMENT ACCESS & OTHER NEEDS							
Coraci Blvd.	Madeline Ave.	Road "D"	484	N/A	New 2-lane	1,656	29%
	Town West Blvd	Taylor Rd.	845	N/A	New 2-lane	1,656	51%
McGinnis Blvd.	Madeline Ave.	Williamson Blvd.	1,821	N/A	New 4-lane divided	3,204	57%
Madeline Ave.	Ridgewood Ave.	McDonald Rd.	1,197	N/A	New 2-lane	1,656	72%
	Williamson Blvd.	Tomoka Farms Rd.	1,069	N/A	New 2-lane	1,656	64%
~~Martin Rd.~~	~~Williamson Blvd. N~~	~~Williamson Blvd. S~~	~~229~~	~~N/A~~	~~New 2-lane~~	~~1,656~~	~~14%~~
Ridgewood Ave.	N. City Limits	Dunlawton Ave.	3,488	N/A	TSM/TDM	N/A	N/A
	Herbert St.	Dunlawton Ave.	3,488	N/A	TSM/intersections	N/A	N/A
Spruce Creek Rd.	Canal View Blvd.	Herbert St.	316	N/A	New 2-lane	1,440	22%
Williamson Blvd.	Airport Rd.	Pioneer Tr.	2,287	N/A	New 4-lane divided	3,204	71%
Willow Run Blvd.	Williamson Blvd.	Madeline Ave. ext.	294	N/A	New 2-lane	1,656	18%
Yorktowne Blvd.	Taylor Rd.	Dunlawton Ave.	1,062	N/A	New 4-lane divided	3,204	33%
	Hidden Lakes Dr.	Willow Run Blvd.	1,494	N/A	New 4-lane divided	3,204	47%

* Although volume may be higher, VMTs are expected to drop substantially, by approximately 38%, once development of new commercial nodes planned in the area occurs.
Note: "Needed" refers to those improvements needed to maintain the City's adopted LOS standard or to provide access.
Note: TSM/TDM improvements are proposed for designated constrained facilities on which capacity improvements are not feasible.

TABLE 3
PROGRAMMED TRANSPORTATION IMPROVEMENTS
FISCAL YEARS 2010-2015

TRANSPORTATION FACILITY	SEGMENT		CONSTRUCTION IMPROVEMENT	COST	FUNDING SOURCE
	FROM	TO			
BIKE/PED PROJECTS					
Clyde Morris Blvd.	Dunlawton Ave.	W. Pines Plaza Driveway	Sidewalk	$70,800	City/TPO
Cross-Town Trail	City Center Dr.	Nova Rd.	Trail	$568,618	City/TPO
Halifax Dr.	Dunlawton Ave.	Ocean Ave.	Bike-ped facility	$100,000	City/CRA
Herbert St.	Carriage Gate Dr.	Nova Rd.	Sidewalk & trail	$483,617	City/TPO XU
Herbert St.	Nova Rd.	Jackson St.	Sidewalk/bike lanes	$30,589	City/TPO XU
Peninsula Dr.	Dunlawton Ave.	Demotte Ave.	Sidewalk	$43,400	City /TPO XU
Ridgewood Ave.	N. City Limits	Dunlawton Ave.	Streetscape improvements	$3,982,500	FDOT/CRA
Spruce Creek Rd.	Dunlawton Ave.	Herbert St.	Trail	$250,000	City/TPO
	Taylor Rd.	Central Park Blvd.	Trail	$226,600	City/TPO
Taylor Rd.	Williamson Blvd.	Taylor Branch Rd.	Pedestrian improvements	$300,000	City/FDOT/ Developer
TRANSPORTATION SYSTEMS MANAGEMENT PROJECTS					
Clyde Morris Blvd.	At Pines Plaza/Wal-Mart driveway		Install traffic signal	$345,000	City/Developer
Dunlawton Ave.	Ridgewood Ave	I-95	Fiber optic addition	$250,000	FDOT
	At Spruce Creek Rd.		Intersection improvement	$750,000	CRA
	At Village Trail		Turn lane	$175,500	City/TPO
Halifax Ave.	Ocean Ave.	Dunlawton Ave.	New roadway alignment	$2,351,250	CRA
Ocean Ave.	Halifax Ave.	Ridgewood Ave.	New roadway alignment	$2,351,250	CRA
Pioneer Tr.	At Turnbull Bay Rd.		Intersection Improvement	$1,550,000	VCO
Ridgewood Ave.	At Herbert St. and Dunlawton Ave.		Intersection improvements	$2,050,000	FDOT
Taylor Rd.	At Devon Street		New traffic signal	$247,217	City/FDOT
	At Dunlawton Ave.		Traffic signal modification	$200,000	Developer
	At I-95 Interchange		WB left turn lane ext.	$200,000	City/FDOT/Developer
Williamson Blvd.	At Town West Blvd.		New traffic signal	$273,000	Developer
	At Pioneer Trail		Intersection improvements	$490,000	Developer
Willow Run Blvd.	At Clyde Morris Blvd.		Turn lane	$130,000	City/TPO
ROADWAY WIDENING PROJECTS					
Coraci Blvd.	Town West Blvd.	¼ mile south	New 2-lane divided	$850,000	Developer
	¼ mile south of Town West	Carmody Lakes Dr.	New 2-lane	$1,300,000	City/Developer
ROADWAY WIDENING PROJECTS CONTINUED					
~~Martin Rd.~~	~~Williamson Blvd. N~~	~~Williamson Blvd. S~~	~~New 2-lane road~~	~~$4,382,560~~	~~Developer~~

Exhibit B

Current Comprehensive Plan

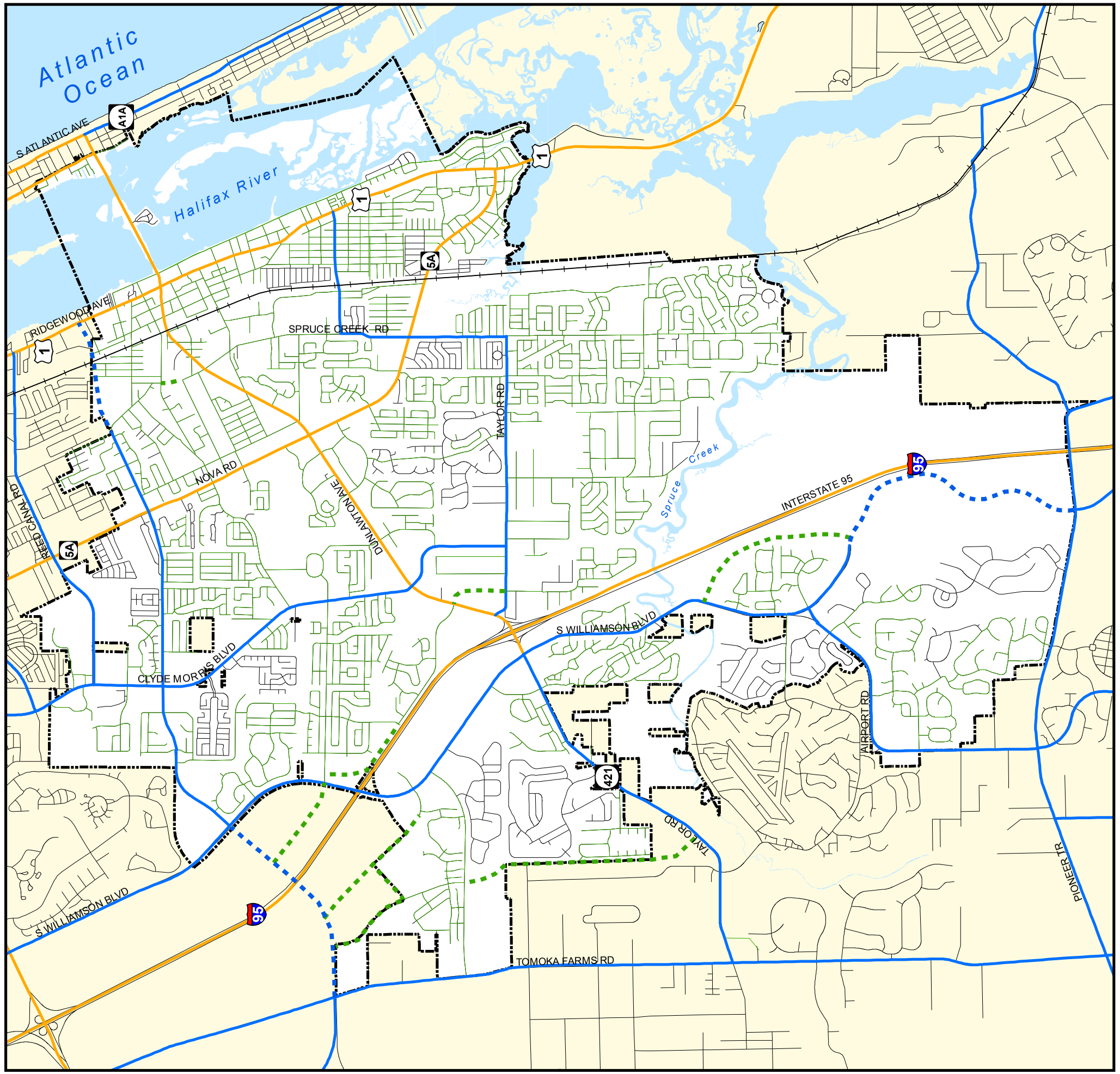
Transportation Mobility Element

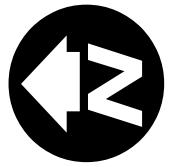
Figures 2-2, 2-4, 2-8, and 2-10

FIGURE 2 - 2

Roadway Maintenance

Existing (2009) & Proposed (2025)





Legend

- State Maintained
- County Maintained
- Proposed County Maintained
- City Maintained
- Proposed City Maintained
- FEC Railroad
- City Boundary

0 4,000 8,000 Feet

1 inch equals 4,000 feet

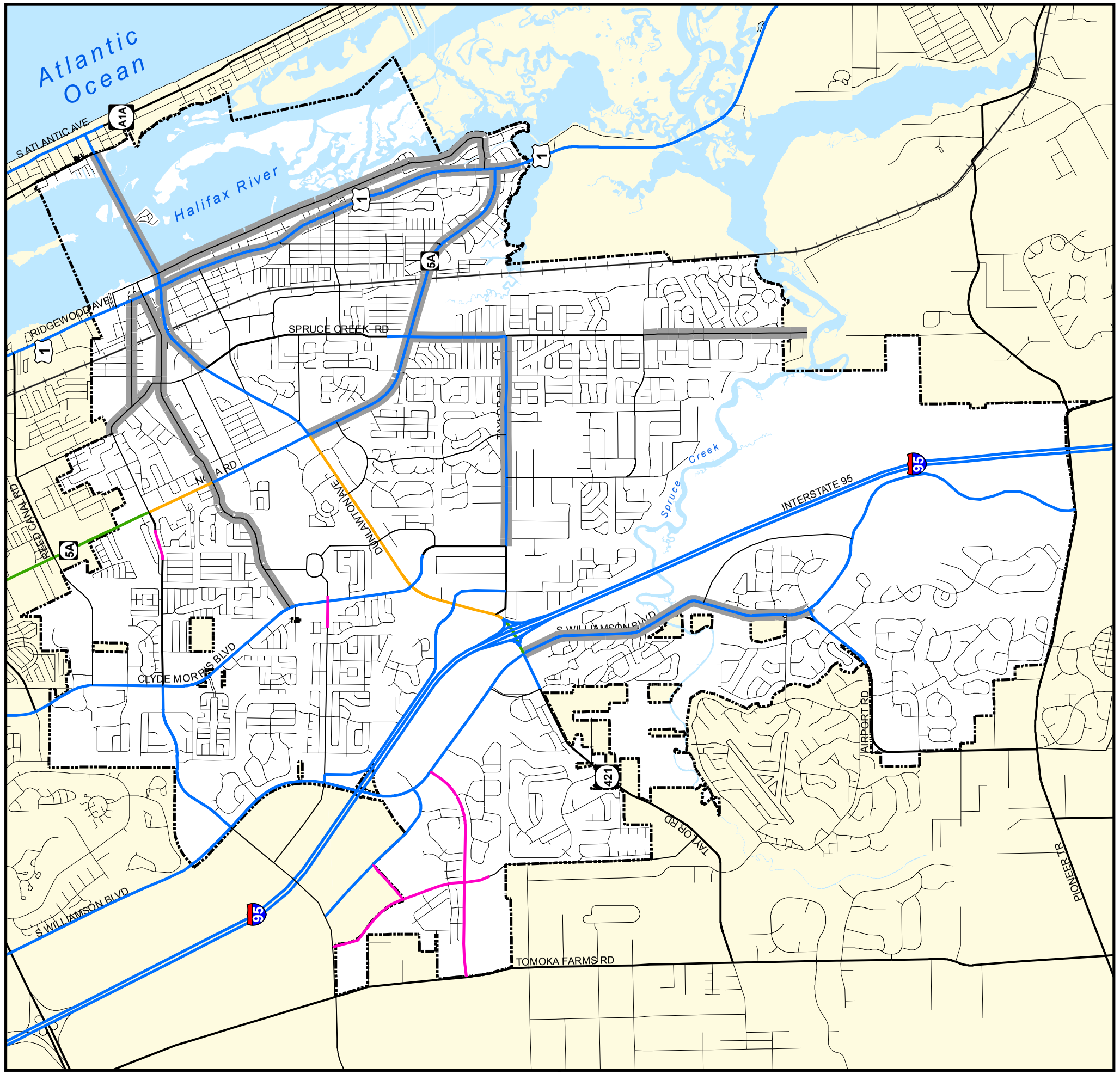
City of Port Orange

COMPREHENSIVE PLAN UPDATE 2010

SOURCE: City of Port Orange Community Development
July 2010

FIGURE 2 - 4

Roadway Number of Lanes (2025)



Legend

- 6-Lane Divided
- 5-Lane Divided
- 4-Lane Divided
- 2-Lane Divided
- 2-Lane
- Constrained Roadway
- FEC Rail Road
- City Boundary

0 4,000 8,000 Feet

1 inch equals 4,000 feet

City of Port Orange

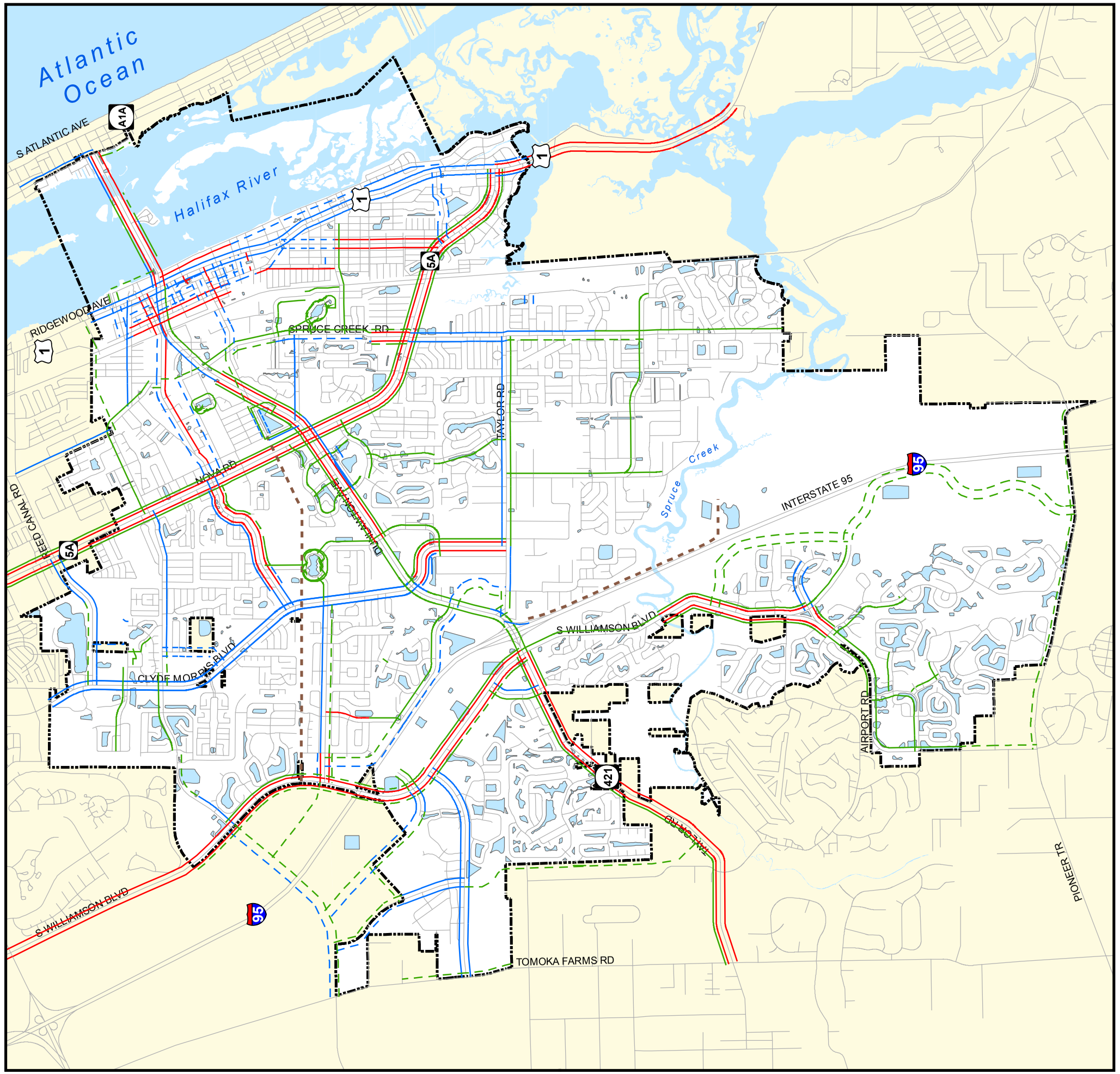
COMPREHENSIVE PLAN UPDATE 2010

SOURCE: City of Port Orange Community Development
July 2010

FIGURE 2 - 8

Significant Bikeways & Pedestrian Sidewalks

Existing (2009) & Proposed (2025)



Legend

- Existing 8' Bikeway or Paved Shoulder
- Proposed 8' Bikeway or Paved Shoulder
- Exisiting 8' Bikeway/Sidewalk
- Proposed 8' Bikeway/Sidewalk
- Existing 5' Bikeway/Sidewalk
- Proposed 5' Bikeway/Sidewalk
- Proposed 12' Multi-Use Trail
- City Boundary

0 4,000 8,000 Feet

1 inch equals 4,000 feet

City of Port Orange

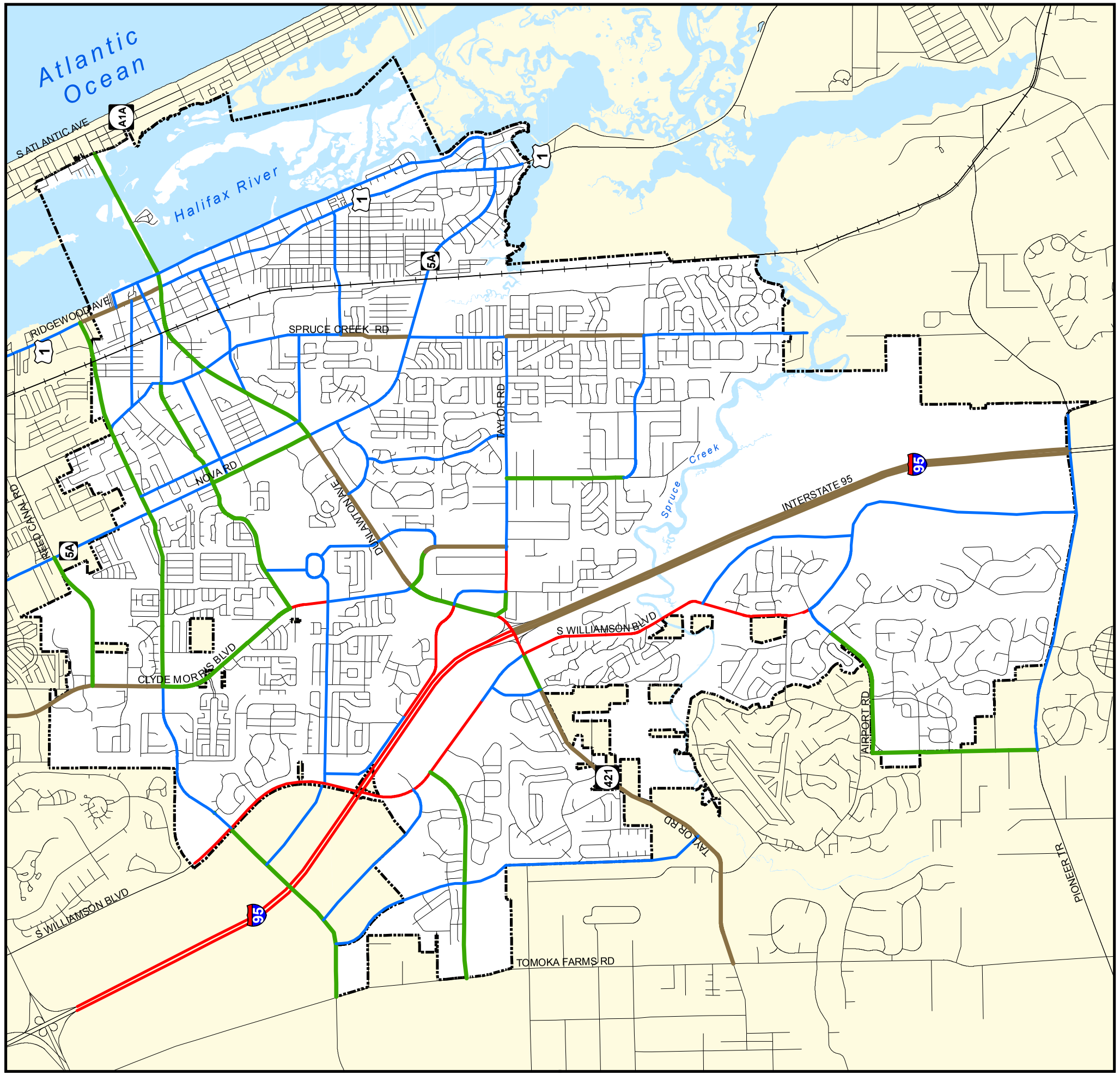
COMPREHENSIVE PLAN UPDATE 2010

SOURCE: City of Port Orange Community Development

July 2010

FIGURE 2 - 10

Roadway Level of Service (2025)



Legend

Level of Service

- LOS A
- LOS B
- LOS C
- LOS D
- LOS E
- LOS F

0 4,000 8,000 Feet

1 inch equals 4,000 feet

City of Port Orange

COMPREHENSIVE PLAN UPDATE 2010

SOURCE: City of Port Orange Community Development
July 2010

Exhibit C

Proposed Comprehensive Plan

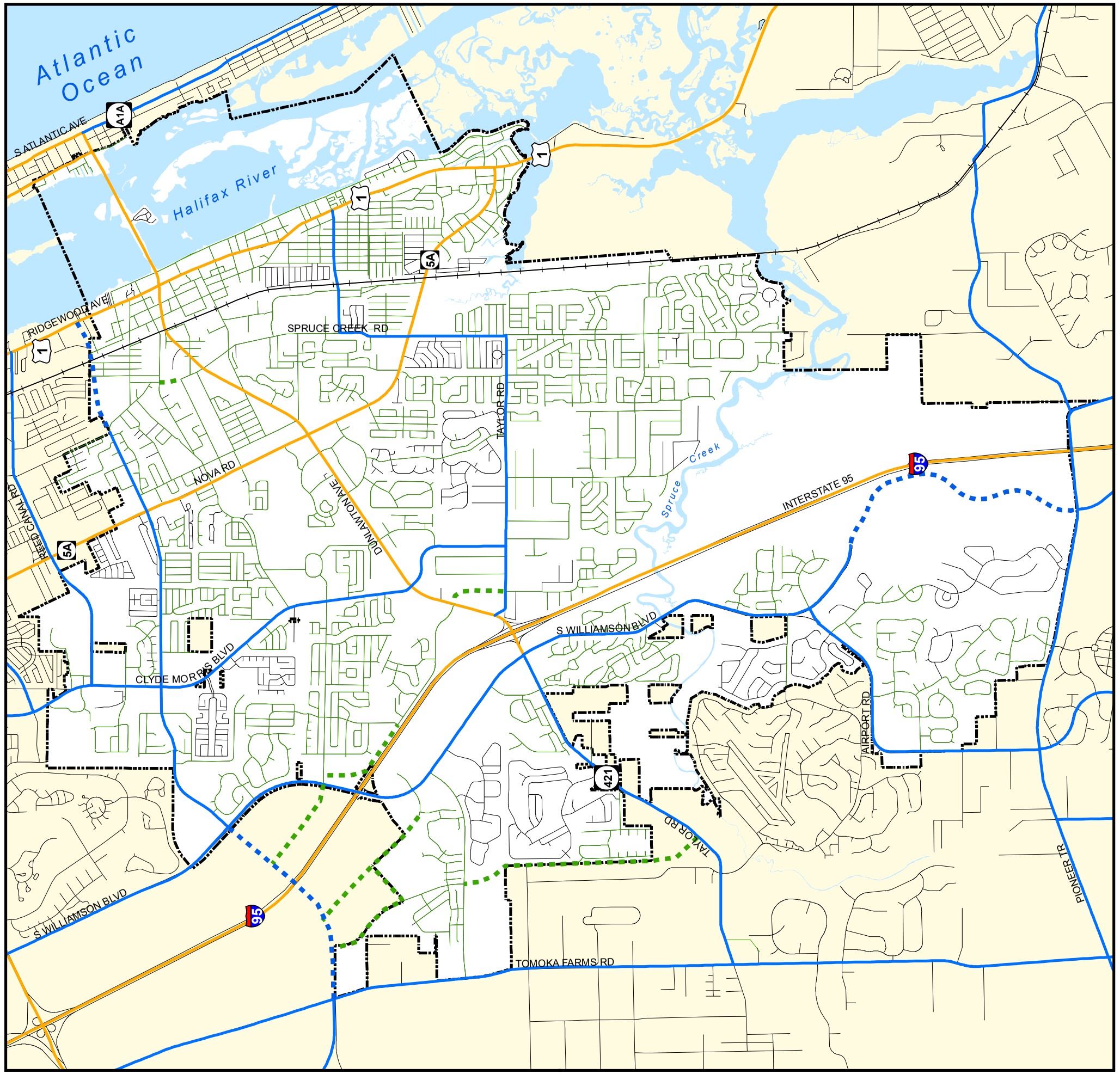
Transportation Mobility Element

Figures 2-2, 2-4, 2-8, and 2-10

FIGURE 2 - 2

Roadway Maintenance

Existing (2009) & Proposed (2025)



Legend

- State Maintained
- County Maintained
- Proposed County Maintained
- City Maintained
- Proposed City Maintained
- FEC Railroad
- City Boundary

0 4,000 8,000 Feet

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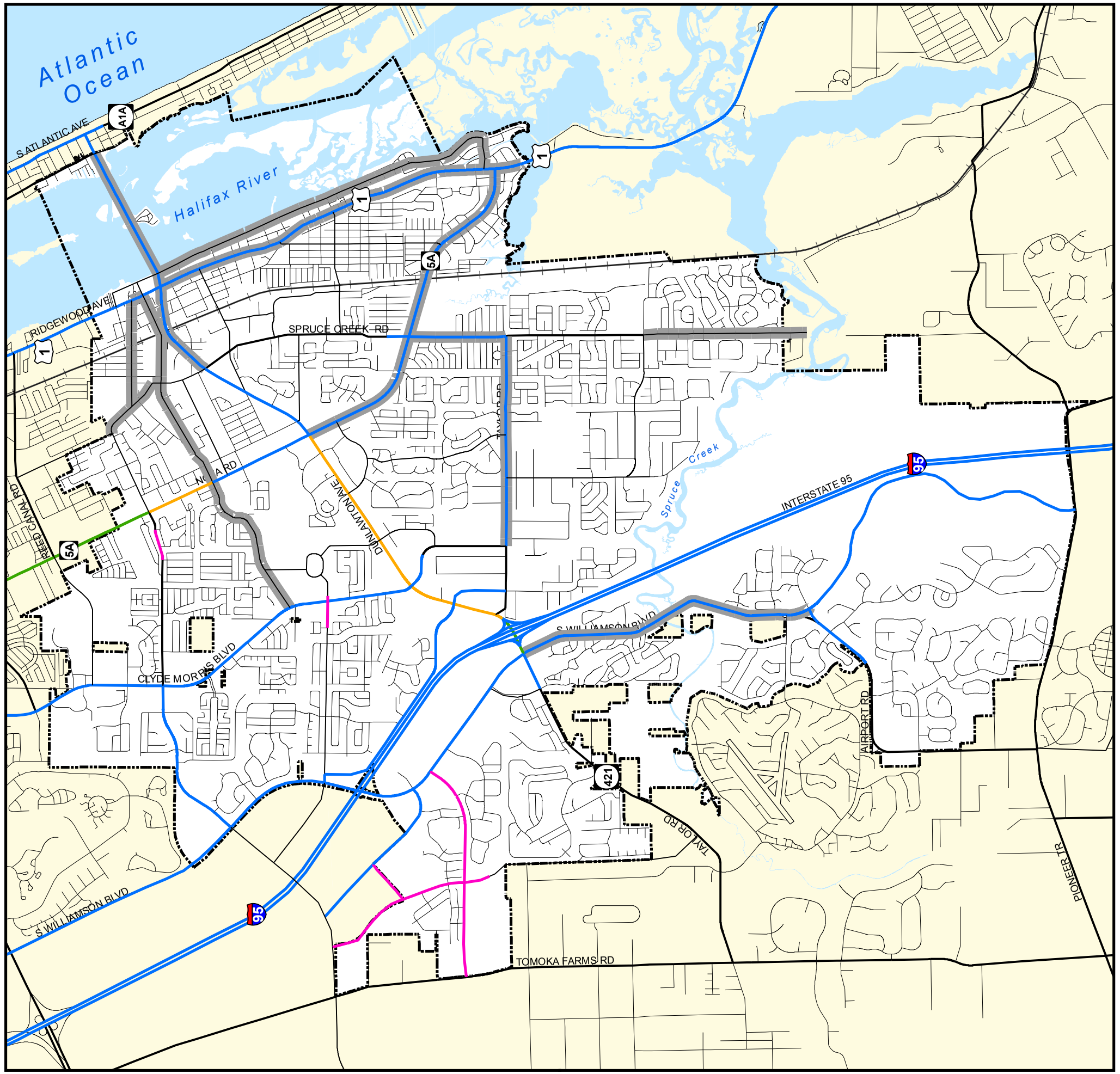
City of Port Orange

COMPREHENSIVE PLAN UPDATE 2010

SOURCE: City of Port Orange Community Development
December 2015

FIGURE 2 - 4

Roadway Number of Lanes (2025)



Legend

- 6-Lane Divided
- 5-Lane Divided
- 4-Lane Divided
- 2-Lane Divided
- 2-Lane
- Constrained Roadway
- FEC Rail Road
- City Boundary

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City of Port Orange

COMPREHENSIVE PLAN UPDATE 2010

SOURCE: City of Port Orange Community Development
December 2015

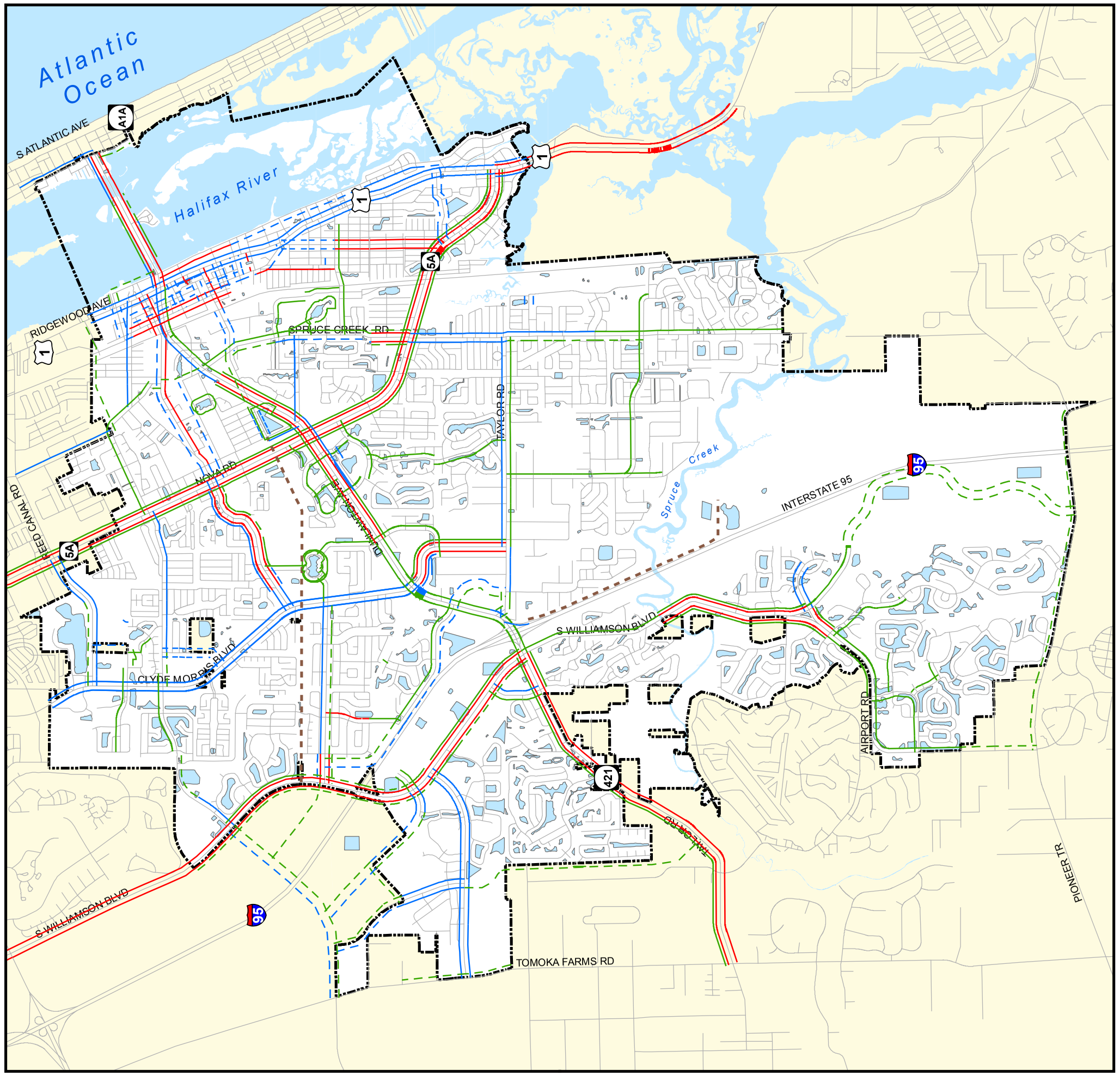

FIGURE 2 - 8

Significant Bikeways & Pedestrian Sidewalks

Existing (2009) & Proposed (2025)

Legend

- Existing 8' Bikeway or Paved Shoulder
- Proposed 8' Bikeway or Paved Shoulder
- Exisiting 8' Bikeway/Sidewalk
- Proposed 8' Bikeway/Sidewalk
- Existing 5' Bikeway/Sidewalk
- Proposed 5' Bikeway/Sidewalk
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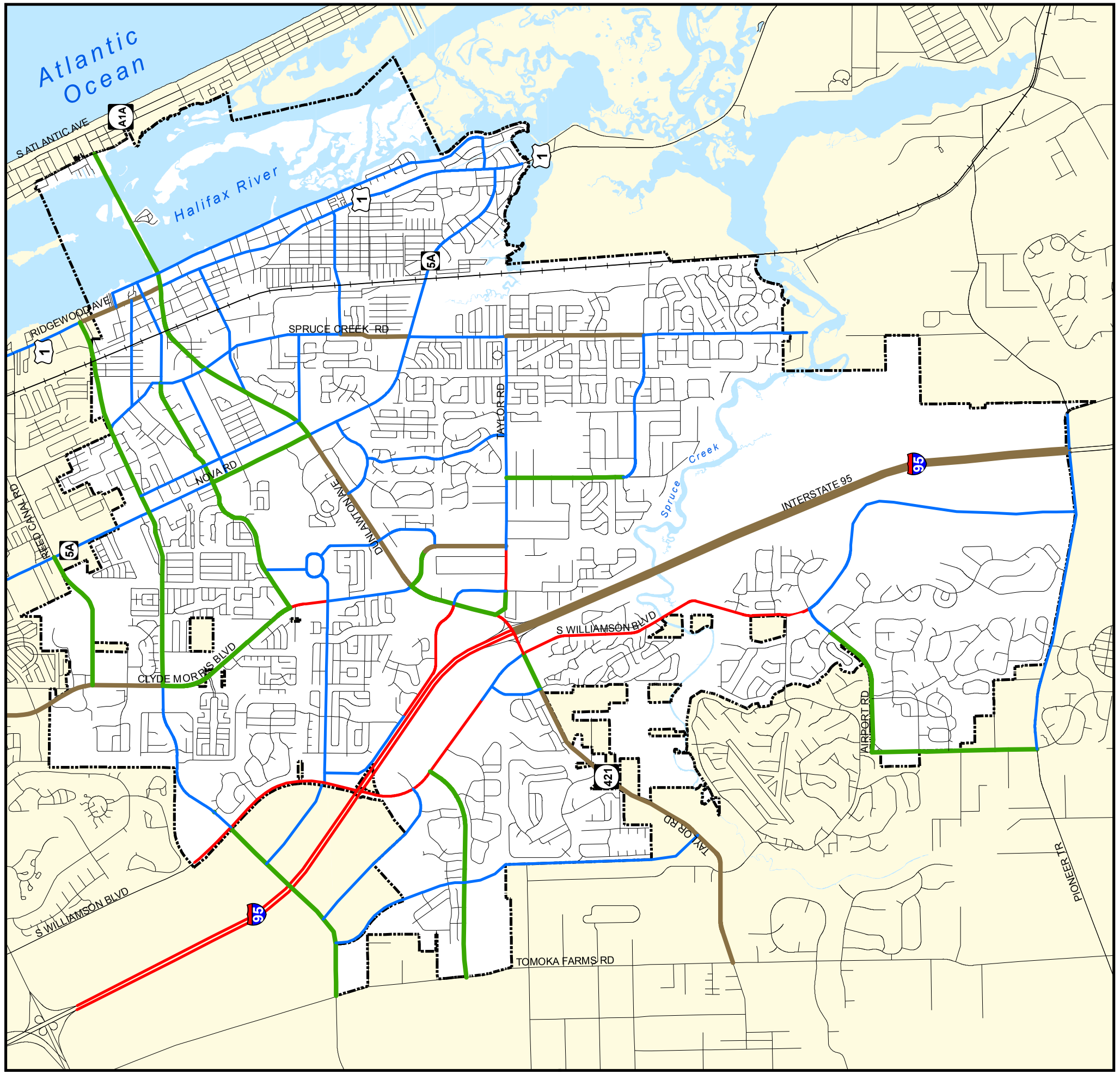
SOURCE: City of Port Orange Community Development
December 2015

FIGURE 2 - 10

Roadway Level of Service (2025)



Legend

Level of Service

- LOS A
- LOS B
- LOS C
- LOS D
- LOS E
- LOS F

0 4,000 8,000 Feet

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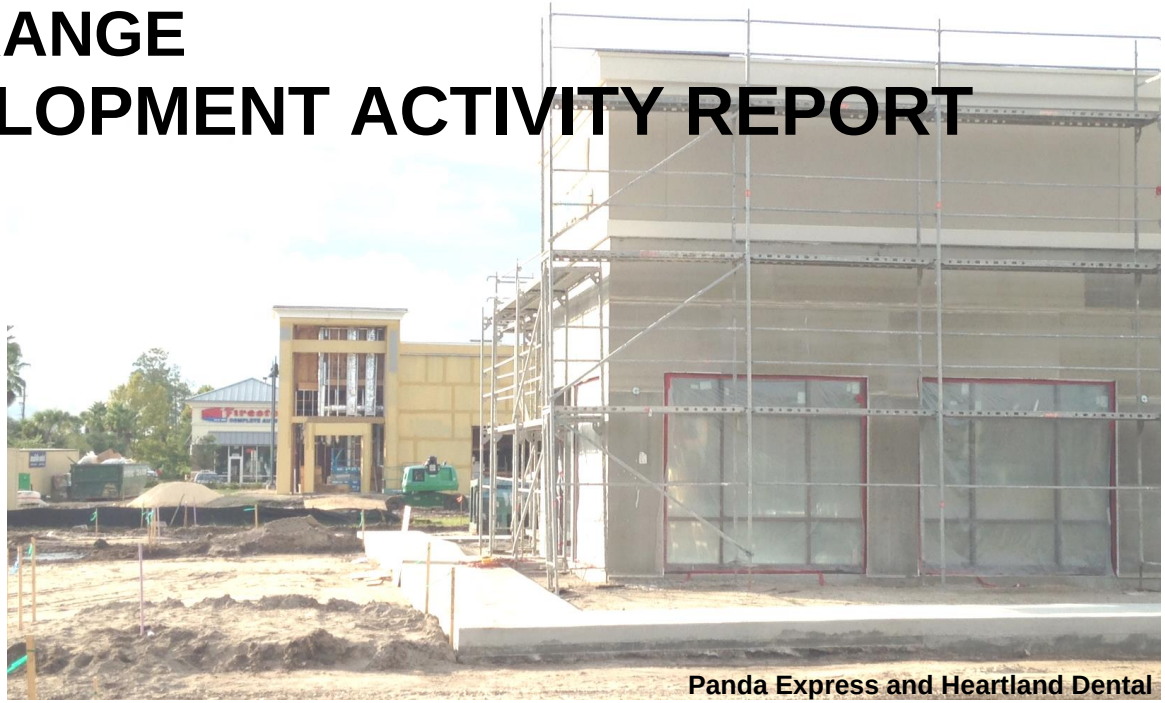
City of Port Orange

COMPREHENSIVE PLAN UPDATE 2010

SOURCE: City of Port Orange Community Development
December 2015

CITY OF PORT ORANGE
MONTHLY DEVELOPMENT ACTIVITY REPORT

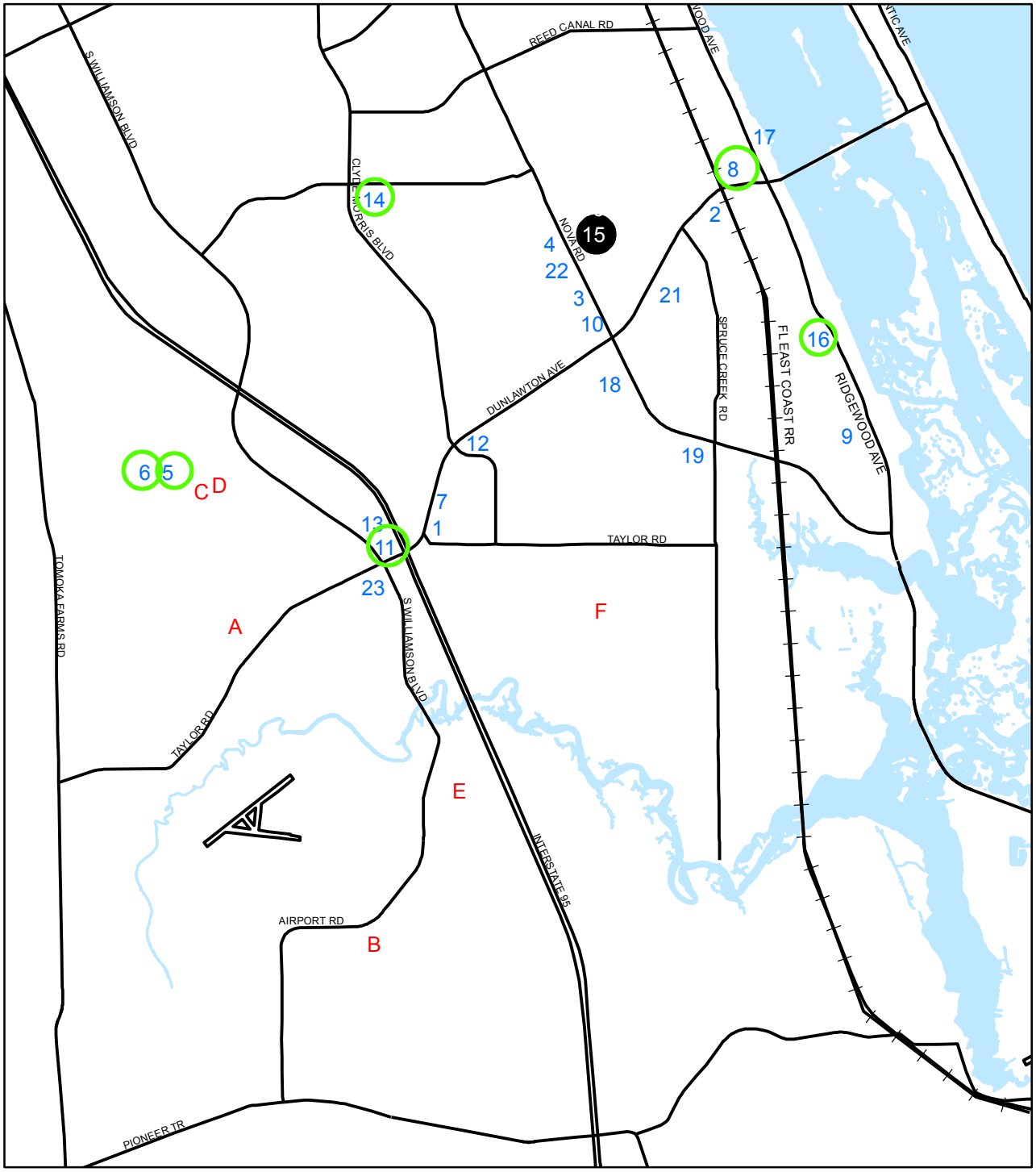


Panda Express and Heartland Dental

CITY COUNCIL
allen green, mayor
drew bastian, vice mayor
bob ford, councilman
donald burnette, councilman
scott stiltner, councilman
jake johansson, city manager

PLANNING COMMISSION
frank crooks, chairperson
sonya laney, vice chairperson
michael arminio, commissioner
lance green, commissioner
thomas jordan, commissioner
john junco, commissioner
newton white, commissioner

NOVEMBER 2015



RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENT PROJECTS

NOVEMBER 2015

Residential

A Crane Lakes PUD
B Golf Homes at Cypress Head
C Hawks Preserve, Phase I
D Hawks Preserve, Phase II
E The Pinnacle PUD, Phase II
F Serenity Hills PUD

Non-Residential

1 Altamira Shopping Village
2 Atlantic Marine
3 Autozone
4 Circle K #8088 (Herbert/Nova)
5 Coraci Sports Park, Phase 2
6 Coraci Sports Park - Pop Warner Field
7 Dunlawton Commons
8 First United Methodist Church
9 Florida Truck Sales
10 The Half Wall
11 Heartland Dental
12 Murphy Oil
13 Panda Express
14 Palmetto Pointe Marketplace PCD
Walmart Neighborhood Market grocery store
15 Port Hole Retail Center
16 Port Orange Auto Pawn
17 Riverwalk Park, Phases 1A & 1B
18 Rossi Side Street Cafe
19 Spruce Creek Center
20 Virginia Industrial Park
21 Vystar Credit Union
22 Waffle House - Nova Rd.
23 Waffle House - Taylor Rd.

New Project

Change In Status

RESIDENTIAL DEVELOPMENT PROJECTS

November 2015

= addition to the development activity report

= change of status to a particular project

MAP ID	Project	Location	Description	Status: Under staff review	Status: D. O. issued	Status: Pre-con held	Status: ABC completed	Status: Const. Permit issued	Status: Under construction	Status: Final inspection	Status: C.O. issued	Comments	Case No./ Planner
A	Crane Lakes PUD	1780 Taylor Rd.	Annexation, FLU Amendment, and MDA amendment to develop 8 new mobile home lots, second driveway, service area, storage area, and recreation area	X								Tentatively scheduled for 2nd Reading at the 1/19/16 CC meeting	15-10000001 15-20000001 15-40000001 PGC
B	Golf Homes at Cypress Head / site plan	S. side of Airport Rd. between Cypress Head and Waters Edge	52 townhomes on ±6.62 acres	X								Awaiting 2nd resubmittal	15-80000009 GKP
C	Hawks Preserve, Phase I / subdivision (fka Port Orange Plantation, Phase IV A & B)	E. side of Coraci Blvd, N. of Town West Blvd.	119 single-family lots on ±57 acres	X	X							DO issued 8/17/15	14-50000006 PGC
D	Hawks Preserve, Phase II, subdivision (fka Port Orange Plantation, Phase IV D & E)	E. side of Coraci Blvd, N. of Town West Blvd.	75 single-family lots on ±23 acres	X	X							DO issued 8/17/15	14-50000007 PGC
E	The Pinnacle PUD, Phase II / D.O. modification	E. side of Airport Rd. / W. of I-95, S. of Martin Dairy Rd.	64 single-family lots on ±29.72 acres	X	X							DO issued 11/06/15	15-52000001 DP
F	Serenity Hills PUD / rezoning, MDA and CDP	E. side of Hensel Rd. between Taylor Rd. and Central Park Blvd.	108 single-family lots on ±82 acres	X								Rezoning tentatively scheduled for CC 1/05/16	15-65000001 TPB

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1	Altamira Shopping Village	Commercial Subdivision Replat	1790 Dunlawton Ave.	5-lot commercial subdivision replat of +/- 27 acres	X								On hold	14-50000001 TPB
		Crosby Property / site plan	1736 Dunlawton Ave.	4,500 SF retail building on 1.24 acres with associated site improvements	X								On hold	14-80000014 TPB
2	Atlantic Marine / site plan		619, 621, 627, & 631 Lemon St. 630 & 632 Ruth St.	16,910 SF building for boat sales and boat repair and areas for outdoor boat storage for Atlantic Marine along with associated site and off-site improvements	X	X							DO Issued 3/26/15	14-80000006 TPB
3	Autozone / new construction		3750 Nova Rd.	8,000 SF building addition along with associated site improvements on 3.14 acres	X	X	X	X	X	X	X	X	Awaiting close-out documents	14-80000003 BP #14-3196 PGC
4	Circle K #8088 / new construction		3664 Nova Rd.	Demolition of existing gas station and construction of a new 4,400 SF convenience store and 16 fueling station positions under a canopy with associated site improvements on 1.99 acres	X	X	X	X	X	X			Under construction	15-80000003 BP #15-2369 GKP
5	Coraci Sports Park, Phase 2 (multi-purpose field) / site plan modification		5200 Coraci Blvd.	Development of a 2nd multi-purpose recreation field including modification of a stormwater retention pond on ±2 acres	X	X	X	X	X	X	X	X	Complete	14-82000004 GKP
6	Coraci Sports Park, Pop Warner field / site plan modification		5200 Coraci Blvd.	Modifications to an existing football field including the construction of permanent grandstands with press box, storage facilities, restrooms, shelter pavilions, and associated site improvements	X	X	X	X	X	X			Under construction	15-82000002 BP #15-2549 GKP
7	Dunlawton Commons / site plan		1760 Dunlawton Ave.	10,123 SF multi-tenant building with associated site improvements on 1.52 acres	X	X	X	X	X	X			Under construction	14-80000012 BP #15-2937 GKP
8	First United Methodist Church / site plan modification		305 Dunlawton Ave.	Paving of an existing grass parking lot and associated landscaping and stormwater retention improvements	X	X	X	X	X	X	X		Final inspection held 12/02/15	15-82000001 TPB
9	Florida Truck Sales / redevelopment		5536 Ridgewood Ave.	Redevelopment of a 0.68 acre commercial property into a car/truck sales lot with associated site improvements	X	X	X	X	X	X			Under construction	15-80000006 PGC
10	The Half Wall / new construction		3770 Nova Rd.	7,090 SF stand-alone restaurant with associated site improvements on 0.78 acres	X	X	X	X	X	X			Under construction	15-80000004 BP #15-1834 GKP
11	Heartland Dental / new construction		5445 S. Williamson Blvd.	3,215 SF dental office with associated site improvements on 1.08 acres	X	X	X	X	X	X	X		Final inspection held 12/03/15	14-80000015 BP #15-0291 PGC

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12	Murphy Oil / new construction		1596 Dunlawton Ave.	1,200 SF gas station with 12 fueling stations and associated site improvements on 0.97 acres	X	X	X	X	X	X			Under construction	14-80000008 BP #15-0505 PGC
13	Panda Express / new construction		5441 S. Williamson Blvd.	2,691 SF restaurant with drive-thru with associated site improvements on 1.07 acres	X	X	X	X	X	X			Under construction	15-80000002 BP #15-0518 PGC
14	Palmetto Pointe Marketplace subdivision and Walmart Neighborhood Market grocery store / new construction	Subdivision Plat & Plans	Southeast corner of Clyde Morris Blvd. & Madeline Ave.	Subdivision of ±17.7 acres into 6 lots and 5 tracts	X	X	X	X	X	X			Under construction	14-50000003 TPB
		Site Plan	3811 Clyde Morris Blvd.	42,000 square foot grocery store and 9,600 square foot commercial multi-tenant building with associated site and off-site improvements on 17.7 acres	X	X	X	X	X	X			Under construction; Building permit under review	14-80000007 BP #15-4343 TPB
15	The Port Hole Retail Center		930 Herbert St.	Redevelopment of an existing 5,562 SF bar/retail store with associated site improvements on 0.50 acres	X								DRC held 12/09/15	15-80000010 GKP
16	Port Orange Auto Pawn / site plan modification		5114 Ridgewood Ave.	Modification of parking area to increase motor vehicle display area with associated site improvements	X	X							DO issued 12/02/15	15-82000004 GKP
17	Riverwalk Park / new construction	Phase 1A	3431 Ridgewood Ave.	Kayak/canoe launch, trail, over-water boardwalk, restroom/trailhead and bridge, along with associated site improvements	X	X	X	X	X	X			Under construction	15-80000001 PGC
		Phase 1B	3459 Ridgewood Ave.	Playground, splash park, picnic facilities, pavilions, shade structures, additional restrooms, concession building, portion of the boardwalk, event lawn, parking, and the southern portion of the 12' wide trailway, along with associated site improvements	X								Under review	15-80000005 PGC
18	Rossi Side Street Café / new construction		910 Village Tr.	2,450 SF restaurant with associated site improvements on 0.73 acres	X	X	X	X	X	X			Under construction	14-80000013 BP #14-4852 DP
19	Spruce Creek Center / site plan modification		4020 Nova Rd.	Modifications to a parking lot for an existing shopping center with associated site improvements on 3.99 acres	X	X	X	X					Site clearing underway	14-82000008 GKP
20	Virginia Industrial Park / new construction		515 Virginia Ave.	5 building office/warehouse complex with associated site improvements	X	X	X	X	X	X			Building permits issued for 531 & 535 Virginia Ave.	01-80000019 TPB
21	Vystar Credit Union / new construction		750 Dunlawton Ave	4,000 SF bank with 5 drive-thru lanes on 2.5 acres with associated on-site and off-site improvements	X	X							DO for site plan modification issued 10/13/15	14-80000010 15-82000003 DP

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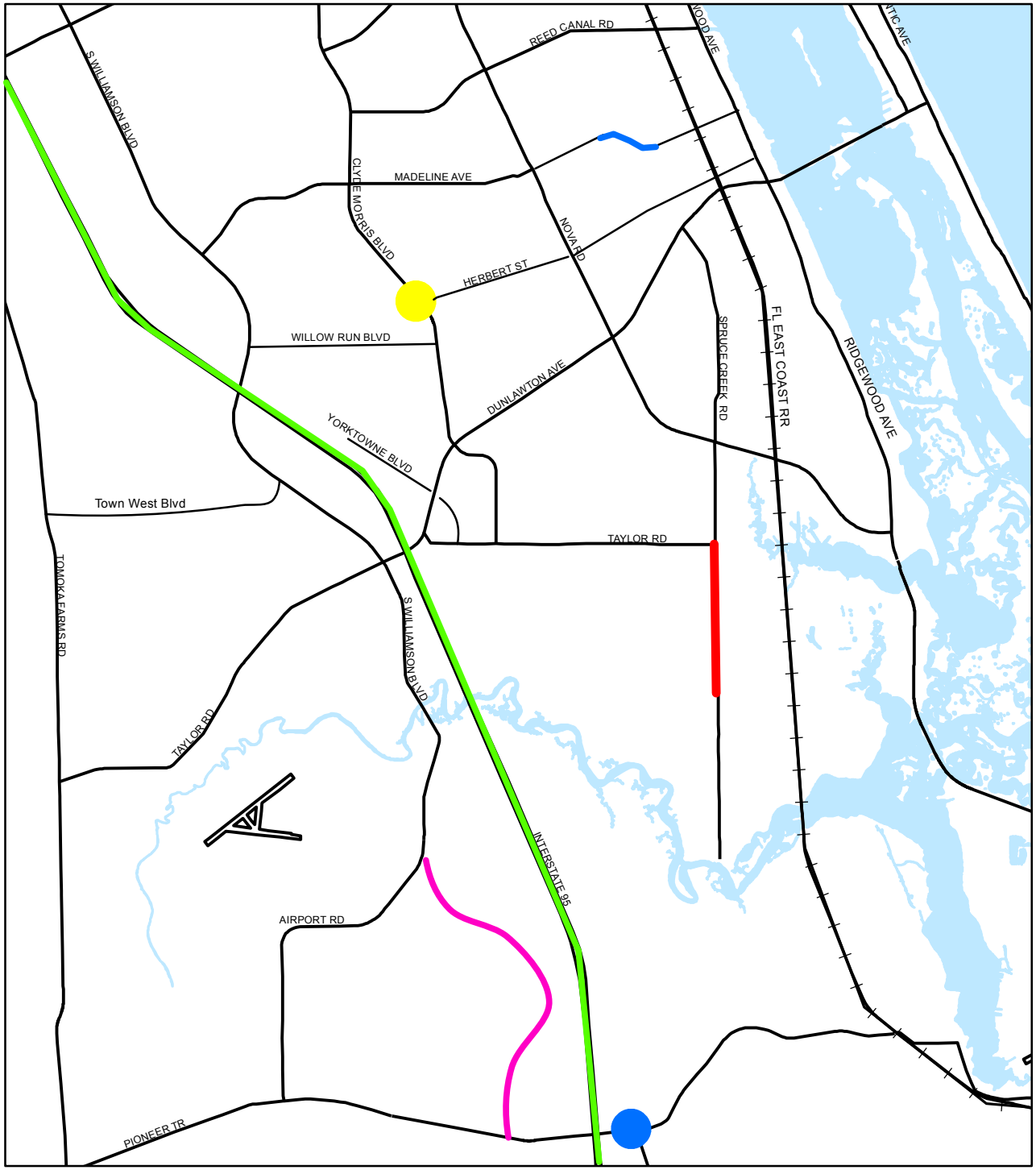
22	Waffle House Nova Rd. / new construction	3740 Nova Rd.	1,875 SF restaurant with associated site improvements on 0.80 acres	X	X							DO pending approval of the minor subdivision	15-80000007 GKP
23	Waffle House Taylor Rd. / new construction	1633 A Taylor Rd.	1,875 SF restaurant with associated site improvements on 0.92 acres	X	X							DO issued 10/28/15	15-80000008 GKP



ROADWAY DEVELOPMENT PROJECTS

NOVEMBER 2015

- Herbert Street Turn Lane
- I-95 Widening
- McDonald Road Sidewalk
- Pioneer Trail at Turnbull Bay Road
- Spruce Creek Road Sidewalk
- S. Williamson Blvd. Extension

Project	Description	Jurisdiction	Status
Herbert Street Turn Lane	Add right turn lane WB at Clyde Morris Blvd.	City/TPO	Substantially complete
I-95 Widening	Construction to widen I-95 from SR44 to I-4/SR400 from 4 lanes to 6 lanes	FDOT	Under construction
McDonald Road Sidewalk	Construct an 5'-wide sidewalk on the south side of Madeline Ave., the west side of McDonald Rd., and the south side of Charles St. from Sugar House Dr. to 6th St.	City/TPO	Design underway
Pioneer Trail at Turnbull Bay Road	Intersection improvement	Volusia County/TPO	Under construction / Est. completion 09/2016
Spruce Creek Road Sidewalk	Construct an 8'-wide sidewalk on the west side of Spruce Creek Rd. from Taylor Rd. to Central Park Blvd.	City/TPO	Complete
S. Willamson Blvd. Extension	Extension of Williamson Blvd. as a 4-lane divided roadway from Airport Rd. to Pioneer Trail	Developer/ Volusia County	Under construction