DEVELOPMENT REVIEW COMMITTEE
Minutes of the Meeting
Wednesday, August 1, 2018

MEMBERS PRESENT

Clay Ervin, Director of Growth and Resource Management
John Angiulli, Public Works Director
Pedro Leon, Business Development Manager for
Rick Karl, Director of Aviation & Economic Resources

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STAFF PRESENT

Michael Rodriguez, Assistant County Attorney
Palmer M. Panton, Director, Planning and Development Services
Tadd Kasbeer, P.E., County Engineer
John G. Thomson, AICP, Land Development Manager
Scott Martin, P.E., Engineering Section Manager
Samantha J. West, DRC Secretary

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CALL TO ORDER

The meeting of the Volusia County Development Review Committee was called to order by Chair Clay Ervin, on Wednesday, August 1, 2018, at 9:03 a.m., at the Thomas C. Kelly Administration Building, in the DRC Conference Room, DeLand, Florida. Roll was called by Samantha J. West. All members were present or represented.

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APPROVAL OF MINUTES

Chair Ervin called for a motion to approve the minutes from the June 20, 2018, DRC meeting.

Member Pedro Leon MOVED for APPROVAL of the DRC minutes from June 20, 2018.

The MOTION was SECONDED by Member John Angiulli. The MOTION CARRIED unanimously.
Chair Ervin called for a motion to approve the minutes from the July 5, 2018, DRC meeting.

Member Angiulli MOVED for APPROVAL of the DRC minutes from July 5, 2018.

The MOTION was SECONDED by Member Leon. The MOTION CARRIED unanimously.

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OLD BUSINESS

9:05 A.M.

A. DeLand Circle K 2018-F-FSP-0010

Parcel #: 7011-11-10-0050

RSN #: 916864

Project Representative(s): Mr. Andrew Petersen, P.E., of Bowman Consulting Group
Ms. Nim Robinson, of Bowman Consulting Group
Mr. Mike Higgins, of Circle K Stores, Inc.

Interested Parties: None.

Request of approval of a Final Site Plan application for a 4,968-square-foot convenience store, including 20 fueling dispensing positions and a 1,501-square-foot accessory car wash, with the associated paved parking and stormwater improvements on a 4.19-acre site. The property is located at the northwest corner of State Road 44 (SR-44) and Kepler Road, in the DeLand area.

Mr. Thomson read the staff report. General discussion on the project followed.

Mr. Thomson presented the FDOT concept plan for the proposed roundabout at SR-44 and Kepler Road, showing significant impacts to the project site due to the potential right-of-way dedication. He further explained that staff is recommending approval with conditions since the concept plan for the roundabout is not finalized.

The project representatives stated that they had not seen this concept plan until today.
Chair Ervin acknowledged the FDOT concept plan, indicating that it is still in the beginning phases and could change with time. He stated that the government acquisition of land for right-of-way purposes resulted in a nonconforming situation and is considered a legal nonconforming lot within the county code. Chair Ervin further expressed that the DRC cannot require the applicant to delay the project due to a concept plan.

Mr. Kasbeer explained that Public Works staff is looking for direction from the DRC on the use of bollards. He stated that staff does not have a problem with their use because of the added accessibility of the site; however, the code does not allow them.

Chair Ervin agreed that this is an evolution of design, because of the liability resulting from trip hazards with the use of wheel stops or raised curbing hazard, as required by the county code and that it allows for enhanced ADA compliance.

Ms. Robinson added that based on historical data, wheel stops do not prevent a vehicle from running into a building as effectively as with the use of bollards.

Member Angiulli inquired how they were going to prohibit motorcycles from utilizing the sidewalk for parking. Ms. Robinson responded that Circle K should consider adding additional signage for motorcycles.

Mr. Kasbeer mentioned that Public Works staff is comfortable with the right-of-way dedication as shown on the current site plan. He expressed appreciation to the applicants' willingness to work with staff to identify the needed right-of-way.

Member Angiulli asked if FDOT was aware of the current site plan. Mr. Kasbeer responded in the affirmative. Chair Ervin also indicated that FDOT has been aware of the project since they came in for the BPUD rezoning.

Chair Ervin stated that the legal department informed him at a previous meeting that until staff receives confirmation from FDOT stating that they have a concrete plan in place for the roundabout, the county could not legally hold up the project.

Mr. Martin indicated that the FDOT concept plan depicts a swale, which requires more right-of-way dedication, especially at the corner of the intersection, whereas a curb and gutter stormwater system can be utilized to reduce the amount of right-of-way required.

Ms. Robinson clarified that summary comment number 16 of the consolidated staff report is not required due to the dedication of right-of-way for the corner clip instead of a right-of-way reservation easement. Mr. Thomson responded that the summary comments and attached staff review comments are based on the plan submitted that shows the right-of-way reservation easement.
Member Angiulli stated for the record that FDOT is not present at this meeting to provide comments.

Chair Ervin indicated that he understood Member Angiulli’s concern; however, the DRC is limited on what they can do.

Member Leon inquired if there is any impact with the minor amendment for the landscape buffer reduction. Chair Ervin responded in the negative.

Chair Ervin asked the committee if they had any issues with the use of bollards for the proposed project. Member Leon responded that the use of the bollards do not result in an increase of hazards as with the use of wheel stops and raised curbing. Member Angiulli concurred with this assessment, as long as Circle K adds signage to prohibit motorcycles from going through the bollards to park on the sidewalk or landscaping.

Member Leon MOVED to APPROVE the Final Site Plan application with the conditions stated in the consolidated report and the attached staff review comments, and the following modifications and waivers:

1. Approval for the minor amendment to the BPUD Development Agreement to address the encroachment of the right-of-way dedication, as confirmed by the applicant, in lieu of a right-of-way reservation easement, as shown, for the corner clip into the required 40-foot landscape buffer.

2. A modification to Section 72-618(a)(4), of the LDC, is approved to allow the use of bollards, as proposed in lieu of a raised curb or wheel stops, as required, for the parking spaces with curbing maintained adjacent to the landscaped islands and other adjacent landscaped areas, as depicted on the plans.

The MOTION was SECONDED by Member Angiulli. The MOTION CARRIED unanimously.

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NEW BUSINESS

9:38 A.M.

A. Seville RV Dealership 2018-F-FSP-0296

Parcel #: 3832-02-00-0041

RSN #: 918581

Project Representative(s): Mr. John Zemball, P.E., of Zahn Engineering, Inc.
Ms. Marina Summers, Owner (via telephone)

Interested Parties: None.

Request for approval of a Final Site Plan application for a proposed pre-owned recreational vehicle sales and repair dealership on a one-acre site. The property is located at the southeast corner of the intersection of North U.S. Highway 17 and Mayfield Road, in the Seville area.

Mr. Thomson read the staff report. General discussion on the project followed.

Chair Ervin inquired if there was sufficient room on the site for the maneuvering of large vehicles for the three recreational vehicle (RV) parking spaces on the east side of the site. Mr. Zemball explained that the plans use an auto-turn analysis to demonstrate that a 40-foot long RV has adequate maneuvering space for entering movements, but would need to be revised to add the exiting movements, as requested by Traffic Engineering staff.

Chair Ervin stated that he wants staff to be aware of the potential wear to the drive aisles due to the turning movements of the large vehicles. He further explained that since this area is not open to the public, the concern was minimal.

Chair Ervin asked if the widening of North U.S. Highway 17 in this area was within either the FDOT’s five-year or long-term plans. Mr. Thomson stated that he confirmed with Ms. Winsett, of Traffic Engineering, that it was not.

Member Angiulli asked for confirmation that access to Mayfield Road from the site would be prohibited since it is not improved to county standards. Mr. Kasbeer confirmed that is was not.

Mr. Zemball asked if the DRC could modify the landscape requirements, since the required tree replacement for the 36-inch laurel oak is imposing significant development costs on the developer. Chair Ervin explained that if the landscaping requirements are waived, more intensive uses of this site permitted within the B-4
zoning classification may impact the aesthetics of the surrounding area. Chair Ervin stated that he would not be comfortable with staff granting a full waiver; however, an acceptable solution, such as planting understory species could be discussed with staff.

Mr. Zemball asked if the existing fence within the Mayfield Road right-of-way could stay until improvements are made by the county. Chair Ervin responded that the fence must be removed from the right-of-way since it was prohibited by code and that it creates liability issues.

Member Angiulli inquired if the applicant was still working with the Florida Department of Health regarding the well and septic tank systems. Mr. Zemball responded in the affirmative and stated that distances between the two systems may be an issue and would require relocating the well.

Member Leon MOVED to APPROVE the Final Site Plan application with the conditions stated in the consolidated report and the attached staff review comments, and the following modifications and waivers:

1. Allow a 22-foot vehicular stacking reservoir from the right-of-way line to the first parking space, as a modification to the minimum 25-foot vehicular stacking reservoir, as required by Section 72-618(c)(1), of the LDC, with replacement addressed for the impacted tree.

The MOTION was SECONDED by Member Angiulli. The MOTION CARRIED unanimously.

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ADDITIONAL BUSINESS

None.

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DISCUSSION

10:06 A.M.

Mr. Kasbeer explained that the use of bollards is going to come up more frequently as the change in design evolves. He stated that the DRC would have to look at each situation until the code is changed.

Chair Ervin asked Mr. Rodriguez if this would need to go to county council for approval. Mr. Rodriguez responded in the affirmative.
Mr. Kasbeer indicated that he would like to get ahead of this situation, stating that wheel stops do not always stay in place or prevent vehicles from moving. He further explained that bollards or similar designs would promote a pedestrian friendly parking area.

Member Angiulli inquired if they would only be allowed for certain sites or for anywhere. Chair Ervin stated that it would have to be allowed anywhere with high pedestrian access.

Mr. Kasbeer clarified that staff does not want asphalt with no buffer along landscape areas and that those curbing requirements would stay in place.

Chair Ervin MOVED for the DRC to direct staff to work within the proposed changings that would be occurring with the Zoning and Land Development Code, to incorporate provisions for an alternative to wheel stops and curbs in high pedestrian access areas with the use of bollards or similar types of preventative measures; understanding that curbs would still be required around landscaping and other areas that are required to be protected.

The MOTION was SECONDED by Member Leon. The MOTION CARRIED unanimously.

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ADJOURNMENT

There being no further business or discussion, the meeting was adjourned at 10:20 a.m.

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