

M I N U T E S
ORMOND BEACH PLANNING BOARD
Regular Meeting

September 13, 2012

7:00 PM

City Commission Chambers
22 South Beach Street
Ormond Beach, FL 32174

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE PLANNING BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THIS PUBLIC MEETING, THAT PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, SAID PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, INCLUDING THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

PERSONS WITH A DISABILITY, SUCH AS A VISION, HEARING OR SPEECH IMPAIRMENT, OR PERSONS NEEDING OTHER TYPES OF ASSISTANCE, AND WHO WISH TO ATTEND CITY COMMISSION MEETINGS OR ANY OTHER BOARD OR COMMITTEE MEETING MAY CONTACT THE CITY CLERK IN WRITING, OR MAY CALL 677-0311 FOR INFORMATION REGARDING AVAILABLE AIDS AND SERVICES.

I. ROLL CALL

Members Present

Al Jorzak
Harold Briley
Pat Behnke
Rita Press
Doug Thomas (Excused)
Doug Wigley (Excused)
Lewis Heaster (Excused)

Staff Present

Richard Goss, AICP, Planning Director
Steven Spraker, AICP, Senior Planner
Meggan Znorowski, Recording Technician

II. INVOCATION

Mr. Jorzak led the invocation.

III. PLEDGE OF ALLEGIANCE

IV. NOTICE REGARDING ADJOURNMENT

NEW ITEMS WILL NOT BE HEARD BY THE PLANNING BOARD AFTER 10:00 PM UNLESS AUTHORIZED BY A MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. ITEMS WHICH HAVE NOT BEEN HEARD BEFORE 10:00 PM MAY BE CONTINUED TO THE FOLLOWING THURSDAY OR TO THE NEXT REGULAR MEETING, AS DETERMINED BY AFFIRMATIVE VOTE OF THE MAJORITY OF THE BOARD MEMBERS PRESENT (PER PLANNING BOARD RULES OF PROCEDURE, SECTION 2.7).

V. PLANNING DIRECTOR'S REPORT

Richard Goss, Planning Director, City of Ormond Beach, stated October 1st will be the joint work session with the City Commission at the Senior Center at 7:00 PM and the Planning Board meeting on October 11th will have a full agenda. Mr. Goss encouraged all board members to clear their calendars for that meeting.

VI. PUBLIC HEARINGS

A. SE 12-130 1521 West Granada Boulevard- Wal-Mart Store: Special Exception for Outdoor Storage.

Steven Spraker, Senior Planner, City of Ormond Beach, stated this is a request for a special exception submitted by Wal-Mart Store, located at 1521 West Granada Boulevard. Mr. Spraker explained the location, orientation, characteristics, and history of the property. Mr. Spraker stated the subject property is zoned B-8 via a Planned Business Development which allows outdoor activity and storage through the special exception process. Mr. Spraker stated that the request is to allow ten seasonal storage trailers from November 1st through January 7th each year, which are proposed to be located by the automotive repair center. Mr. Spraker explained that the City's Fire Department has reviewed the layout and the access is acceptable. Mr. Spraker stated the trailers will not be higher than 8' so as to not be higher than the wall, as well as the landscape buffer, which will block the visibility of the trailers. Mr. Spraker concluded his presenting by stating staff is recommending approval with the conditions listed in the staff report.

Ms. Behnke stated there is confusion as to whether the wall is 8' or 10'.

Mr. Spraker responded that the wall is 8', but due to some grade differences at certain elevations the wall appears taller than 8'.

Mr. Briley stated his concern is the effect on parking spaces, especially around Christmas time, and asked if staff sees a parking issue.

Mr. Spraker responded that from a code analysis perspective, no; this special exception would not place the property below the code requirement for parking.

Mr. Briley asked what trigger would enforce the removal of the trailers by January 7th.

Mr. Spraker replied that Neighborhood Improvement would issue a warning, followed by a Notice of Violation if not rectified, followed by citation.

Ms. Press inquired as how 10 trailers was determined, if it was the maximum that could be requested.

Mr. Spraker answered that it was not the maximum, but it was a number from staff's review appeared to fit on this particular portion of the site without impacting the loading and/or emergency vehicles. Mr. Spraker explained that staff was not supportive of the trailers being placed on the Bermuda Estates side of the property.

Mr. Jorczak asked if the trailers would be sitting on a trailer or unloaded to sit directly on the ground and if they would be visible from I-95.

Mr. Spraker responded that the trailers would be on the ground; like a storage unit. Mr. Spraker continued that the trailers should not be visible from I-95 due to the surrounding wall and foliage.

Mr. Jorczak asked what the intended use of the trailers is.

Ms. Behnke asked if the applicant had until midnight on January 7th to remove the trailers.

Mr. Spraker replied yes, the January 7th date would be inclusive.

Tommy Fullington, Wal-Mart Store, 1521 West Granada Boulevard, stated that the merchandise being stored in the trailers would be for the day after Thanksgiving event they have every year as well as to store merchandise for lay-away. Mr. Fullington addressed the timeframe and stated their intent is as soon as the trailers are unloaded, they are to be picked up. Therefore, in his estimation, by the 20th of December the trailers should be picked up. Mr. Fullington continued that the trailers free up space with the high inventory during that time, and they want to be sure they do not violate the fire code.

Mr. Briley moved to approve SE 12-130 as submitted. Ms. Behnke seconded the motion. Vote was called, and the motion unanimously approved.

B. 12-132 LDC Amendment, Telecommunications Towers & Antennae.

Mr. Goss stated that this is part two of the amendment to the telecommunication tower section; a portion of this section was brought before the Board in May in order to add balloons, propagation study requirements, and to delete the setbacks from residential districts that did not permit camouflage towers, but what was omitted was to establish residential setbacks in the residential districts. Mr. Goss continued that it was thought to have existed because there were some residential districts that permitted them in 2007, but when it was drafted in 2007 residential setbacks were not established.

Mr. Goss explained there are four amendments: 1) a modification changing Bovary Streetscape Downtown Overlay to Downtown Overlay; 2) the removal of redundant areas in this section which are contained in other areas of the code to ensure internal consistency; 3) allowing staff, under the continuing services contract, to hire an Radio Frequency Engineer to review the propagation studies to help staff discern the studies; and 4) establishing a height to setback ratio of

1:2, for every 1' of tower height 2' setback is required (e.g. 150' tower would require a 300' setback in all directions for a 600'x 600' perimeter surrounding the tower), which would be a buffer from all residential structures and property lines.

Mr. Goss stated he had an item that he is not prepared to discuss at this meeting, but wanted to bring to the Board's attention for future discussion is to have a work session on the direction of the telecommunication industry. Mr. Goss stated the personal communication technology is what is driving the need for more towers. Mr. Goss continued that a work session to investigate the possibility of a provision in the code lowering the height of the towers in residential districts only.

Ms. Press expressed a concern that there should be other parameters with regards to landscaping from the vantage point of properties viewing the tower from a distance.

Mr. Goss responded that he did not have an answer, but staff could review that upon the Board's direction to do so.

Ms. Press asked if the outside consultants serviced the industry.

Mr. Goss replied no. Mr. Goss explained that the RF engineer could be hired via the proposed provision in the code, and the applicants would understand that one is being hired because they are providing staff with a study that staff cannot read and understand which will be charged back to them; therefore, it would not be a cost the City would incur.

Mr. Goss continued that the City requires co-location. Mr. Goss explained before applicants submit an application for a new tower they must provide to staff a list of the towers in the area; whether or not those towers have openings, and if there is an opening if it meets their coverage needs; and if it should meet their needs, they do not get a new tower; applicants would only receive a new tower if there was a gap in coverage.

Mr. Briley asked if the City would get to the point that it would limit towers.

Mr. Goss responded that he was unsure the towers could be limited by the Telecommunication Act, but there could be zoning standards that address the impacts of telecommunication towers. Mr. Goss stated that the iPhone came out in February, 2007, and everyone was wondering what impact that would have on service, but no new towers were applied for until 2 years later in 2010.

Mr. Briley inquired as to the placement of the antennae on top of tall building in lieu of towers.

Mr. Goss answered that is permitted everywhere, but there are not that many tall buildings. Mr. Goss stated that the tallest building was the hospital, which has been demolished.

Ms. Press asked if towers could be placed in wooded areas or does there have to a certain amount of clearance.

Mr. Goss replied that there has to be access to service the tower which would require at least .5 acre to house the area for the tower, a small building for the controls, an access path, and a fence surrounding it.

Mr. Jorzak inquired as to the actual footprint of the tower.

Mr. Goss responded that the City only permits monopine camouflaged towers, not triple guidewire towers.

Mr. Jorzak asked how many providers can utilize a given tower.

Mr. Goss responded that there are 6 arrays on each tower, which are independent frequency bands and can each accommodate a different service provider.

Mr. Jorzak asked if it was possible for staff to produce a report with the layout of the city with locations and capacity for coverage to see where gaps are. Mr. Jorzak stated it was his opinion that it would be good to know where the gaps are now in order to fill them.

Mr. Briley added it would be good to have a map of the different towers and companies.

Mr. Goss stated a communication plan could be developed, and that they have the map Mr. Briley referenced from the last tower application.

Mr. Goss stated he would consult with IT with regards to a long term communication strategy. Mr. Goss conveyed that he would include Ms. Press' concern with regards to buffers in his memoranda to the City Commission.

Mr. Briley moved to approve LDC 12-132 with comments. Ms. Press seconded the motion. Vote was called, and the motion unanimously approved.

VII. OTHER BUSINESS

None.

VIII. MEMBER COMMENTS

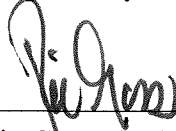
Ms. Press stated that the special exception process is very good; rather than make a ruling based on precedent, it is on an individual basis.

Mr. Jorzak added the process that staff went through with the details such as traffic and presentation drew a good picture of exactly what was involved and was helpful in making a determination.

IX. ADJOURNMENT

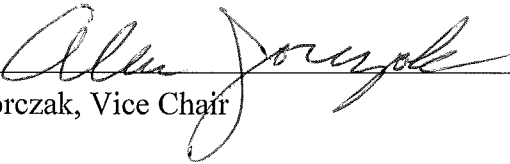
The meeting was adjourned at 7:51 p.m.

Respectfully submitted,



Ric Goss, AICP, Planning Director

ATTEST:



Al Jorczak, Vice Chair

Minutes transcribed by Meggan Znorowski.