

MINUTES
REGULAR MEETING – PLANNING BOARD
September 25, 2014

Minutes for the Regular Planning Board Meeting for the City of Daytona Beach, Florida, held on Thursday, September 25, 2014 at 6:00 p.m. in the Commission Chambers, City Hall, 301 South Ridgewood Avenue, Daytona Beach, Florida.

Board Members Present:

Robert Hoitsma, Chair
Tony Barhoo
Tim Davis
Pat Drago
Ned Harper
Jeff Hurt
Larry Moore
James Neal
Cathy Washington

Staff Members Present:

Richard Walton, Planning Director
Dennis Mrozek, Principal Planner
Carrie Avallone, Assistant City Attorney
Becky Groom, Board Secretary
Marianne Pulaski, Planning Technician

1. **Call to Order**

Chairman Hoitsma called the meeting to order at 6:00 p.m.

2. **Roll Call**

Ms. Drago called the roll and noted members present as stated above.

3. **Approval of the Minutes** - August 28, 2014

Board Action:

A motion was made by Mr. Moore, seconded by Mr. Hurt, to approve the minutes of the August 28, 2014 Planning Board Meeting. The motion was approved unanimously (9-0).

4. **Rezoning, Planned Commercial Development – Embry-Riddle Aeronautical University PCD, DEV2014-070 (Quasi-Judicial Hearing)**

Dennis Mrozek, Senior Planner, presented the staff report which is included in the packet. Mr. Mrozek stated this is a request to rezone property to provide for a wind tunnel facility with ancillary classrooms, taxiway, and hangars. This site is the former location of the Volusia County school bus depot. Staff recommends approval.

Applicant Presentation:

Parker Mynchenberg, 1729 Ridgewood Avenue, stated the existing buildings have been demolished and he will be presenting the request for the proposed buildings at a later date.

Mr. Hoitsma asked about the trees proposed for the landscaping.

Mr. Mynchenberg stated 61 Oak trees and 56 Sabal Palms are proposed for the site.

Ms. Drago stated the project will be an improvement to the site and she is pleased to see the development.

Mr. Harper asked why the sign is proposed to be 25 feet high and asked if a precedent is being set.

Mr. Mynchenberg stated this is part of the Embry-Riddle sign program and the proposed sign will match the other two located along Clyde Morris and will provide continuity.

Mr. Walton stated in a Planned Development, the signs are negotiated and do not set a precedent.

Rob Merrell, Cobb & Cole, 149 S. Ridgewood, stated in recent months, the Planning Board unanimously approved the Embry-Riddle project across Clyde Morris. Mr. Merrell stated the identical sign was approved for that site. Mr. Merrell stated the sign will fit on this large piece of property.

Mr. Harper stated he is concerned that possibly the apartment complex south of this site may request a 25 foot sign when only a 20 feet sign is permitted by code. Mr. Harper stated he feels granting this request may be setting a precedent.

Mr. Merrell stated the Land Development Code states there is no such thing as precedent and each case must stand on its own.

Public Comments:

Chris Larsen, Larsen Motorsports, 800 S. Clyde Morris, stated his company has a lease on the property at 800 S. Clyde Morris and has been unable to resolve a relocation agreement with Embry-Riddle. Mr. Larsen stated at this point, he has been unable to terminate the agreement with Embry-Riddle.

Mr. Hurt stated the issue before the Planning Board is a zoning change and has nothing to do with the lease.

Board Motion:

A motion was made by Mr. Hurt, seconded by Ms. Washington, to approve Rezoning, Planned Commercial Development – Embry-Riddle Aeronautical University PCD, DEV2014-070, in accordance with the staff report as presented.

Board Action:

The motion carried unanimously (9-0).

5. **Restaurant District at Volusia Mall Planned Commercial Development (PCD) Rezoning: First Amendment – DEV2014-075**

Mr. Mrozek presented the staff report which is included in the packet. Mr. Mrozek stated staff recommends approval including the associated landscaping and parking improvements.

Mr. Barhoo asked if the location of this restaurant would take away available parking for the Volusia Mall.

Mr. Mrozek stated there will still be ample parking for the mall.

Ms. Drago asked if similar waivers were granted for the IHOP, Bahama Breeze and Olive Garden which are located on adjacent properties.

Mr. Mrozek stated similar waiver requests were granted for those sites.

Mr. Harper asked why faux windows were not used so the applicant would have reached the 15% requirement.

Mr. Mynchenberg stated Mr. Merrell would address that during his presentation.

Applicant Presentation:

Rob Merrell, Cobb & Cole, 149 S. Ridgewood, stated he provided to the Board large-scale plans for the buildings for their review. Mr. Merrell stated he did not know why the architect was unable to include the faux windows but stated he feels the building looks good as proposed.

Mr. Barhoo stated he is concerned about safety of pedestrians walking to the mall and car flow between the other restaurant sites and the mall.

Mr. Merrell stated he met with City staff and talked about vehicular circulation and staff believes the site is safe and well planned. Mr. Merrell stated the mall is over-parked and has more available parking than is needed.

Ms. Drago asked if there is a clearly-defined pedestrian path from this property to the mall.

Mr. Merrell stated there will be sidewalks but this property will be part of the restaurant district.

Mr. Walton stated there is no pathway specifically designated into the mall.

Mr. Mrozek stated the site was reviewed to make sure there is a good pedestrian connection so people can walk from one site to the other.

Public Comments:

There were no public comments.

Board Motion:

A motion was made by Mr. Hurt, seconded by Mr. Moore, to approve Restaurant District at Volusia Mall Planned Commercial Development (PCD) Rezoning: First Amendment, DEV2014-075, in accordance with the staff report as presented.

Board Action:

The motion carried unanimously (9-0).

6. **Other Business**

- a. Downtown/Balough Road Redevelopment Area Board Report

Ms. Washington stated the Board met on September 9, 2014, and one item was approved.

b. Midtown Redevelopment Area Board Report

Mr. Barhoo stated the Midtown Redevelopment Area Board did not meet in September.

c. Main Street/South Atlantic Redevelopment Area Board Report

Mr. Davis stated the Main Street/South Atlantic Redevelopment Area Board met and reviewed and approved a variance for signage for the vacant lot where the Hard Rock Hotel is proposed to be constructed.

d. Public Comments

There were no public comments.

e. Staff Comments

Mr. Walton stated the Board has been provided a copy of the 2015 meeting schedule for their information.

Mr. Walton stated there will be a retirement celebration for Paul McKitrick at the stadium on Friday night and encouraged the Board members to attend.

f. Board Comments:

Mr. Hurt thanked staff for their presentation at the September 18, 2014, meeting regarding the Land Development Code. Mr. Hurt stated staff provided information to the public that addressed their questions; and this was a perfect example of public-private discussion.

Mr. Hoitsma stated there are regulations in place and rules should be followed when possible. Mr. Hoitsma stated at some point, the Planning Board should discuss how far it wants to vary from the rules that are in place.

Mr. Hurt stated there will be a lot of rule changes in the new Land Development Code and noted every building will not adhere to the code.

Ms. Drago stated she recently visited another city and all of the large chain stores located there, including Home Depot and McDonald's, included the theme of the city in the building style, including the signage. She stated "cookie cutter" buildings can be changed.

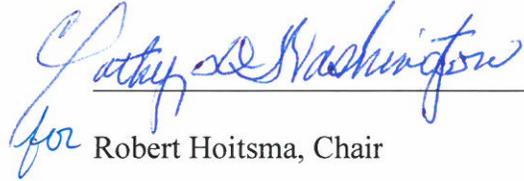
Mr. Harper stated when variances are requested, he would like staff to clarify why the variance is requested. Mr. Harper stated if that information is

included in the report, it would show that staff has already asked a question and would indicate why the variance is needed.

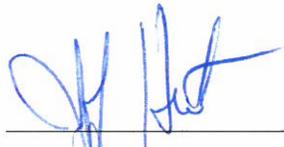
Mr. Hoitsma stated he would like to see the reports read north or south side of the project as opposed to reading front and rear.

Mr. Walton stated the primary consideration for a variance is public benefit.

Adjournment: The meeting adjourned at 6:45 p.m.


for Robert Hoitsma, Chair

ATTEST:


for Pat Drago, Secretary