

MINUTES  
REGULAR MEETING – PLANNING BOARD  
June 25, 2015

Minutes for the Regular Planning Board Meeting for the City of Daytona Beach, Florida, held on Thursday, June 25, 2015 at 6:00 p.m. in the Commission Chambers, City Hall, 301 South Ridgewood Avenue, Daytona Beach, Florida.

Board Members Present:

Cathy Washington, Chair  
Tony Barhoo  
Pat Drago  
Robert Hoitsma, Vice Chair  
Jeff Hurt  
James Neal

Board Members Absent:

Ned Harper

Staff Members Present:

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

1. **Call to Order**

Ms. Washington 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** - May 28, 2015

**Board Action:**

A motion was made by Mr. Hurt, seconded by Mr. Neal, to approve the minutes of the May 28, 2015 Planning Board Meeting. The motion was approved unanimously (6-0).

4. **Rezoning, First Amendment to Planned District Agreement – Center Point Business Park, DEV2015-030**

**Staff Presentation:**

Rose Askew, Planner, presented the staff report which is included as part of the packet. Ms. Askew stated the proposed project is to allow a 68,000 sq. ft. addition to the existing site.

Ms. Drago asked what would be used to screen the mechanical system.

**Applicant's Presentation:**

Parker Mynchenberg, 1729 Ridgewood Avenue, spoke on behalf of the applicant, Cotton Enterprises. Mr. Mynchenberg stated hedges will be used to screen the additional air conditioning units. He stated most of the a/c units are already in place and are currently screened with landscaping.

Mr. Hoitsma asked how parking will be handled once the additional structure is in place.

Mr. Mynchenberg stated currently, there are a number of different tenants at this site; and those tenants will be relocated to other business parks and will free up those parking spaces. He stated the majority of the improvements will be for the warehouse facility.

Mr. Mynchenberg presented a hand-out to the Board that reflected revised square footage.

**Public Comments:**

There were no public comments.

**Board Motion:**

A motion was made by Mr. Hurt, seconded by Mr. Hoitsma, to approve Rezoning, First Amendment to Planned District Agreement – Centerpoint Business Park, DEV-2015-030, in accordance with the staff report as presented.

**Board Action:**

The motion carried unanimously (6-0).

5. **Rezoning, Third Amendment to Planned District Agreement – Golden Triangle, DEV2015-058**

**Staff Presentation:**

Dennis Mrozek, Principal Planner, presented the staff report which is included as part of the packet. Mr. Mrozek stated the current land use on the property is Retail. Mr. Mrozek stated the applicant is proposing an indoor gun range as the proposed use for the property along with food, beverage and alcohol. Mr. Mrozek stated the applicant is proposing to modify the alcohol license from SBX, which is associated with a bowling alley, to SRX, which would allow the restaurant to serve beer, wine, and alcohol.

Mr. Hoitsma asked if there are any regulations that would prohibit alcohol sales at a gun range.

Mr. Mrozek stated there are none that he is aware of. Mr. Mrozek stated a similar facility recently opened in Melbourne, Florida.

Ms. Drago asked if the gun range is denied, will the site be able to retain the existing liquor license.

Mr. Mrozek stated the site would have to operate as a bowling alley in order to retain the existing license.

**Applicant's Presentation:**

Parker Mynchenberg, 1729 Ridgewood Avenue, spoke representing the applicant and stated the gun range is proposed to be located on the former bowling alley site. Mr. Mynchenberg stated the proposed operation of the facility is when someone visits the restaurant, the customer's license will be scanned if alcohol is served; if the customer then wanted to visit the gun range, the license would be scanned again and the customer would not be permitted to shoot at the gun range if alcohol was served to the customer in the restaurant.

Dr. Ed Staudt, 944 Bridgewater, Port Orange, Florida, stated he envisions a 12 lane gun range. He stated no one that has been drinking in the restaurant will be able to shoot at the gun range. Dr. Staudt stated there are multiple similar facilities across the country.

Mr. Hurt stated there is an indoor gun range on Nova Road and there are restaurants in the area but not at the site. He stated that he feels someone who goes to a gun range is trying to learn how to use a gun safely.

Mr. Barhoo asked if there will be an age restriction.

Dr. Staudt stated someone could come in to be certified and the age would require parental consent.

Mr. Hoitsma asked if someone would bring their own gun to the gun range.

Dr. Staudt stated someone could bring in their own gun or rent one at the site.

Ms. Washington stated she is concerned about alcohol service in the same facility as a gun range.

Ms. Drago stated she is concerned about having alcohol service in the same facility as a gun range and is concerned about the proximity of uses.

Mr. Mynchenberg asked if a motion could be stated that reflects that the Board is not opposed to the project but has concerns about the combination of uses.

Ms. Avallone stated the motion could be to approve the gun range with restaurant and then do a second motion to approve the gun range with restaurant and alcohol.

Ron Perkinson spoke representing the applicant. He stated the first similar site was opened in Georgia seven years ago and there has not been any type of gun accident or any alcohol-related accident at the facility during that time. He stated there are similar sites in Oklahoma and Oregon and there have not been any incidents at either site. Mr. Perkinson stated he visited the Melbourne site and stated he did not see anyone drinking alcohol while he was there. Mr. Perkinson stated a firearm would never be allowed in the restaurant area. Mr. Perkinson stated safety courses will be offered for children. He also stated gun competitions could be held at the site.

**Public Comments:**

There were no public comments.

**Board Comments:**

Mr. Hoitsma stated he did not think the combination of alcohol and guns is good. He stated he is concerned about having children at the site.

Mr. Hurt stated many families go out for the day and shoot guns and there is no control. He stated this site will teach gun safety.

Ms. Drago stated she likes the controls that are suggested for the site. She stated it could be a very viable business but stated her vote will be for the two services and not the alcohol.

Ms. Washington stated she is concerned about the mixture of uses. She stated the restaurant and gun range would be an excellent business but has concerns about alcohol sales.

Mr. Neal stated he is concerned about the alcohol sale and gun mixture. He stated the controls that are suggested by the applicant are good.

**Board Action:**

A motion was made by Mr. Hurt, seconded by Mr. Neal to approve Rezoning, Third Amendment to Planned District Agreement – Golden Triangle, DEV2015-058, as presented in the staff report, without the permitted use of the sale of alcohol. The motion carried unanimously (6-0).

A motion was made by Mr. Hurt, seconded by Mr. Neal to approve Rezoning, Third Amendment to Planned District Agreement – Golden Triangle, DEV2015-058, as presented in the staff report, with the accessory use of alcohol sales to the restaurant. The motion failed, with Ms. Drago, Mr. Hoitsma, Mr. Barhoo, and Ms. Washington voting no (2-4).

6. **Small Scale Comprehensive Plan Amendment – Speedway Centre DEV2015-056**

**Staff Presentation:**

Elizabeth Matej, Senior Planner, presented the staff report which is included as part of the packet.

Ms. Drago asked what would be allowed at the site if the rezoning is approved.

Ms. Matej stated the Comprehensive Plan outlines what would be permitted in Low Intensity Commercial, which would include personal services, offices and restaurants.

Mr. Barhoo asked if the church that exists on the site will remain and will there be sufficient parking.

Ms. Matej stated the applicant will address those issues.

**Applicant's Presentation:**

Jim Morris, 750 Oak Heights Court, Port Orange, Florida, spoke representing the applicant, Paul Holub. Mr. Morris stated the request is for a Comprehensive Plan Amendment and the rezoning will be presented subsequent to this request. Mr. Morris stated the church that is on site is not being used at this time and is in a state of disrepair. He stated the Children's Advocacy Center which was housed at this site has also left the building. Mr. Morris stated the use of the property will be defined by the zoning. Mr. Morris stated Mr. Doran who owns the property across the street is concerned about the proposed use of this site. Mr. Morris stated Mr. Doran has asked if a convenience store could be located at this site and the answer is yes. Mr. Morris stated the parking will have to be provided as required by the Code and will be outlined in a PD agreement. Mr. Morris stated a neighborhood meeting was held and Mr. Doran was the only person that attended. Mr. Morris stated a resident who lived down the street called and asked for information on the proposed project and Mr. Morris provided that information to her.

Ms. Drago asked about the location of the proposed Vystar Credit Union project that the Planning Board recently approved.

Ms. Matej stated that site is across the street to the west of this site.

**Public Comments:**

Ted Doran, 1020 W. International Speedway Blvd., stated his office is located directly across the street from this site. Mr. Doran expressed concern about allowing an amendment to the Comprehensive Plan. Mr. Doran stated he is concerned about other developments that are occurring close to his property. He stated this section of ISB is the most scenic and beautiful of ISB. Mr. Doran stated the property as it sits could be used for something good, such as a bank or medical facility but changing the zoning will open the property to expanded commercial use. Mr. Doran stated the application is economically driven and the applicant is not thinking of the best interest of the city or the people that surround the area. He stated it is in the best interest of the city to deny this request.

Paul Holub, the applicant, spoke and stated he is the property owner and developer. He stated he is looking to develop the property, not re-sell it. He stated the existing building on the site cannot be repaired since there is structural damage to the foundation. Mr. Holub stated he has been marketing the property for a year and has not had one office-professional inquiry. Mr. Holub stated he has a number of office-professional properties that are currently vacant so he will not be constructing office space on this site. Mr. Holub stated he has received inquiries from retailers and restaurant developers. Mr. Holub stated the site needs to be developed with new architecture and new landscaping and does not believe it can be developed without having a retail designation.

Mr. Morris stated the Comp Plan is meant to be adjusted and adapted and the zoning will be presented once the Comp Plan amendment is processed.

Mr. Doran stated this section of ISB is the only one that does not have high intensity retail on it. Mr. Doran stated he does not feel this is the right place for a gas station.

**Board Comments:**

Mr. Hurt stated he has seen other projects that Mr. Holub has developed and they are always of high quality.

Ms. Drago stated she feels the current land use designation is appropriate and is reluctant to make a zoning designation change.

Ms. Washington stated the existing building is old and she looks forward to this property being developed.

**Board Motion:**

A motion was made by Mr. Hurt, seconded by Mr. Barhoo, to approve Small Scale Comprehensive Plan Amendment – Speedway Centre DEV2015-056, as presented in the staff report.

**Board Action:**

The motion passed (5-1 with Ms. Drago voting no).

7. **Small Scale Comprehensive Plan Amendment – 999 N. Atlantic Avenue, DEV2015-005**

**Staff Presentation:**

Ms. Matej presented the staff report which is included as part of the packet.

**Applicant's Presentation:**

Joe Hopkins, 100 Marina Point, stated a neighborhood meeting was held and he feels there is neighborhood support for the redevelopment project. Mr. Hopkins stated the plan is to renovate the existing buildings and bring the property into compliance.

**Public Comments:**

There were no public comments.

**Board Motion:**

A motion was made by Mr. Hurt, seconded by Mr. Barhoo, to approve Small Scale Comprehensive Plan Amendment – 999 N. Atlantic Avenue, DEV2015-005, as presented in the staff report.

**Board Action:**

The motion carried unanimously (6-0).

8. **Major Subdivision Preliminary Plat – RaceTrac Tomoka - DEV2015-054**

**Staff Presentation:**

Mr. Mrozek presented the staff report which is included as part of the packet.

Mr. Hurt stated this project is across the street from the proposed new hotel site and this will be a welcome addition to the community.

**Applicant's Presentation:**

Mikal Hale, 80 Spring Vista Drive, DeBary, Florida, stated he was available to answer any questions the Board members may have.

**Public Comments:**

There were no public comments.

**Board Motion:**

A motion was made by Mr. Hurt, seconded by Mr. Hoitsma, to approve Major Subdivision Preliminary Plat – RaceTrac Tomoka - DEV2015-054, as presented in the staff report.

**Board Action:**

The motion carried unanimously (6-0).

9. **Other Business**

a. Downtown/Balough Road Redevelopment Area Board Report

Ms. Washington stated she did not attend the Downtown/Balough Road Redevelopment Area Board meeting due to illness so she was unable to provide a report to the board.

b. Midtown Redevelopment Area Board Report

Mr. Barhoo stated the Midtown Redevelopment Area Board met and discussed the Code Enforcement and Compstat Reports. Mr. Barhoo stated the Board gave approval for renovation of the car wash site at the corner of Orange Avenue and Martin Luther King Blvd.

c. Beachside Redevelopment Area Board Report

Mr. Harper was not in attendance to provide a report.

d. Public Comments

There were no public comments.

e. Staff Comments

Mr. Walton reminded Board members that the State Financial Disclosure Forms are required to be completed by July 1.

f. Board Comments:

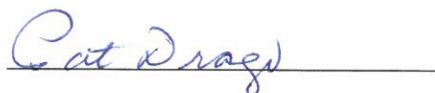
Ms. Drago welcomed two members of the Volusia League of Women Voters who were in attendance at the meeting, Ms. Tankey and Ms. Gadbaugh.

**Adjournment:** The meeting adjourned at 7:38 p.m.



Cathy Washington, Chair

ATTEST:



Pat Drago  
Secretary