

MINUTES
REGULAR MEETING – PLANNING BOARD
December 17, 2015

Minutes for the Regular Planning Board Meeting for the City of Daytona Beach, Florida, held on Thursday, December 17, 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
Jeff Hurt
Robert Hoitsma
James Neal
James Newman

Staff Members Present:

Richard Walton, Planning Director
Dennis Mrozek, Principal Planner
Rose Askew, Planner
Ben Gross, 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** - November 19, 2015

Board Action:

A motion was made by Mr. Hoitsma, seconded by Mr. Newman, to approve the minutes of the November 19, 2015 Planning Board Meeting. The motion was approved unanimously (7-0).

4. **Rezoning to Planned Development-General, Grandview Avenue/A1A, DEV2015-100**

Staff Presentation:

Dennis Mrozek, Principal Planner, presented the staff report which is included as part of the packet. Mr. Mrozek stated the request is to rezone the property from Business Retail (BR-1) and Business Shopping Center (BR-2) to Planned Development-General (PD-G). Mr. Mrozek stated the applicant has requested several uses, including multi-family, restaurant, live/work units, boutique bar, brewpub, and bar/lounge. Mr. Mrozek stated the applicant has met with representatives from the neighborhood regarding the rezoning request and has modified their request to have a bar/lounge as a permitted use. Mr. Mrozek noted a special use permit would be required for the bar/lounge use. Mr. Mrozek stated a request for a bar/lounge would be required to be presented to the Planning Board and City Commission for approval. Mr. Mrozek stated all of the conditions associated with a bar/lounge use would have to be met for that location based on the Land Development Code, which could include separation requirements or restricted hours. Mr. Mrozek stated the City Commission recently had a discussion about bar/lounge use and those standards have not been finalized; however, he stated the applicant has stated they are willing to meet whatever requirements are established by the City Commission. Mr. Mrozek stated modifications requested are building setback for multi-family to zero feet along A1A, relief from the signage plan requirement, modified use schedule, and relief from Special Use Permit requirements for Boutique Bar and Brewpub use. Mr. Mrozek stated the applicant has provided a Conceptual Plan which outlines what can be done with the property, and the Planned Development will outline the items that are required in the Land Development Code. Mr. Mrozek stated the final project could be different than what is proposed in the Conceptual Plan.

Ms. Drago asked if a drive-thru restaurant could be permitted at this site and feels a deceleration lane would be required.

Mr. Mrozek stated it would be permitted with the Planned Development as presented.

Applicant's Presentation:

Rob Merrell, 149 S. Ridgewood Avenue, Daytona Beach, spoke representing the applicant. Mr. Merrell stated the request is to combine 5 parcels into one site. Mr. Merrell stated he met with the neighborhood association and significant changes were made to the plan prior to submitting the request to staff. Mr. Merrell stated the applicant has agreed to abide by whatever restrictions may be determined by the City Commission regarding bar/lounges in this area.

Public Comments:

There were no public comments.

Board Comments:

Ms. Drago stated she did not have a problem with the change in the setbacks but did have a concern about the drive-thru. She stated, however, this is an area where improvements are needed.

Board Motion:

A motion was made by Mr. Hurt, seconded by Mr. Neal, to approve Rezoning to Planned Development – General, Grandview Avenue/A1A, DEV2015-100, in accordance with the staff report as presented.

Board Action:

The motion carried unanimously (7-0)

5. **Site Plan – One Daytona Phase 1A, DEV2015-117**

Staff Presentation:

Dennis Mrozek, Principal Planner, presented the staff report which is included as part of the packet. Mr. Mrozek stated the project is for the construction of a multi-screen theater located in the One Daytona project. Mr. Mrozek stated all requirements of the Land Development Code are met for the proposed project except that the PD requires a buffer of 100 feet; and the buffer between the proposed theater site and Palm Terrace Elementary is between 65 feet to 75 feet. Mr. Mrozek stated the applicant is working with the Volusia County school district on the matter. Mr. Mrozek stated he has spoken with SaraLee Morrissey at the school district and she stated she is confident the issue can be resolved.

Applicant's Presentation:

Doug Balas, International Speedway Corporation, One Daytona Boulevard, stated this building will be the first one constructed as part of the project. Mr. Balas stated the Prime Group that is constructing the hotel will also be constructing the residences that are proposed for the site. Mr. Balas stated he hopes to return to the Planning Board within 2 to 3 months to present the rest of the project. Mr. Balas stated it is anticipated that construction on the theater will start in January.

Guy Austin, 9024 Gardens Glen, Palm Beach Gardens, Florida, spoke representing the applicant, Cobb Theaters. Mr. Austin stated this will be a luxury

theater with service at the customer's seat, scratch kitchen, full bar, and reclining seats.

Public Comments:

There were no public comments.

Board Motion:

A motion was made by Mr. Neal, seconded by Mr. Hurt, to approve Site Plan – One Daytona Phase 1A, DEV2015-117, in accordance with the staff report as presented.

Board Action:

The motion carried unanimously (7-0).

6. **Preliminary Plat – The L Squared, LLLP Business Park, DEV2015-099**

Staff Presentation:

Mr. Mrozek presented the staff report which is included as part of the packet. Mr. Mrozek stated the request is to remove the restrictive development setback for construction of a 25,000 s.f. warehouse with associated parking, stormwater, and utilities.

Applicant's Presentation:

Clay Ervin, Zev Cohen & Associates, 300 Interchange Blvd., Ormond Beach, Florida, spoke representing the applicant and stated all requirements will be met for buffering and landscaping.

Public Comments:

There were no public comments.

Board Motion:

A motion was made by Mr. Hurt, seconded by Mr. Newman, to approve Preliminary Plat – The L Squared, LLLP Business Park DEV2015-099, as presented in the staff report.

Board Action:

The motion carried unanimously (7-0).

6a. **Amendment to Agenda - Amendment to Land Development Code – DEV2015-122**

A motion was made by Mr. Hurt, seconded by Mr. Barhoo, to add Amendments to the Land Development Code, DEV2015-122 to the agenda. The motion carried unanimously (7-0).

Ben Gross, Assistant City Attorney, presented the staff report and stated this request is to amend the Land Development Code to add items that were inadvertently deleted in the new code. Mr. Gross stated he has worked with the Fire Chief to include language for a wildfire protection zone. Mr. Gross stated the area addressed is the land west of I-95 since it is heavily wooded; and after talking with the Fire Chief, it has been determined that one of the requirements could be that an area be set aside on proposed projects to allow for access by emergency vehicles. Mr. Gross stated a fire-wise landscaping plan could also be developed. Mr. Gross stated what is proposed will clarify the Land Development Code.

Board Action:

A motion was made by Mr. Hoitsma, seconded by Ms. Drago, to approve Land Development Code Text Amendments, DEV2015-122, in accordance with the staff report as presented. The motion carried unanimously (7-0).

7. **Other Business**

a. Downtown Redevelopment Board Report

Ms. Washington stated she had nothing to report since the Downtown Redevelopment Board did not meet in December.

b. Midtown Redevelopment Area Board Report

Mr. Barhoo stated the Board met on December 8. He stated the Compstat report was presented and the Board was pleased to see a decrease in crimes in certain areas. Mr. Barhoo stated the Police Department is doing an excellent job. Mr. Barhoo stated the Board reviewed one item, Village at Halifax II, and that was approved.

c. Beachside Redevelopment Area Board Report

Mr. Newman stated the Beachside Redevelopment Area Board did not meet in December.

d. Public Comments

There were no public comments.

e. Staff Comments

Mr. Walton presented a report to the Board that outlined projects that were approved during the years 2014 and 2015.

Mr. Walton stated the City Commission discussed alcohol beverage service rules and the discussion will continue at the next City Commission meeting. Mr. Walton stated representatives from the Seabreeze neighborhood area discussed the rules and after-hour permits.

f. Board Comments:

Ms. Washington encouraged Board members to attend Compstat meetings to learn about Police concerns throughout the city.

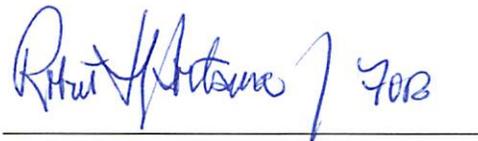
Mr. Hoitsma thanked staff for all of the work they did this year, including implementation of the new Land Development Code.

Mr. Hurt asked what is proposed for the property across from WalMart on Beville Road.

Mr. Mrozek stated a Site Plan application has been received for the location of an Aldi Supermarket at that site.

Adjournment

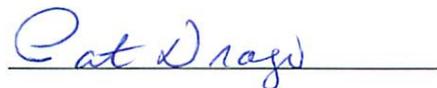
The meeting adjourned at 6:58 p.m.



A handwritten signature in blue ink, appearing to read "Cathy Washington", with the date "7/10/12" written to the right. The signature is positioned above a horizontal line.

Cathy Washington, Chair

ATTEST:



A handwritten signature in blue ink, appearing to read "Pat Drago", positioned above a horizontal line.

Pat Drago
Secretary