

**DOWNTOWN REDEVELOPMENT BOARD  
MINUTES  
Tuesday, March 1, 2016**

A meeting of the Downtown Redevelopment Board was held Tuesday, March 1, 2016, at 12:00 p.m. in the Commission Chambers, 301 S. Ridgewood Avenue, Daytona Beach, Florida. The following people were present:

**Board Members Present**

Mr. Buddy Budiansky, Chair  
Mr. Robert Abraham  
Mr. Harold Goodemote  
Ms. Quanita May  
Dr. Kent Sharples  
Mr. Michael Shewmaker  
Ms. Cathy Washington (Planning Board representative)  
Mr. Jack White

**Staff Members Present**

Mr. Reed Berger, Redevelopment Director  
Mr. Jason Jeffries, Redevelopment Project Manager  
Ms. Carrie Avallone, Assistant City Attorney  
Ms. Becky Groom, Board Secretary

**1. Call to Order**

Mr. Budiansky called the meeting to order at 12:02 p.m.

**2. Roll Call**

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

**3. Approval of Minutes - Regular Meeting of February 2, 2016**

**Board Action:**

Mr. Abraham made a motion to approve the minutes of the Regular Meeting of February 2, 2016. Mr. Shewmaker seconded the motion and it was approved unanimously (7-0).

4. **DEV 2015-120, Comprehensive Plan Amendment, ISB Corridor TOD**

Mr. White stated he was aware that this item has been discussed with other Redevelopment Boards and asked if a workshop will be held with the other Boards to further discuss the TOD.

Mr. Berger stated a workshop is planned but is not scheduled to date. Mr. Berger stated the members of the Planning Board will also be included in the discussion of the Redevelopment Boards.

5. **DEV 2015-142, Planned Development, Marina Point PD-R**

Jason Jeffries, Redevelopment Project Manager, presented the staff report which is included as part of the packet.

Mr. Budiansky asked if the city has concerns about traffic stacking on Beach Street in order to enter the Chart House restaurant.

Mr. Jeffries stated the Traffic Division has reviewed the traffic plan and has no issues.

**Applicant's Presentation**

Joe Hopkins, Performance Group, 100 Marina Point Drive, spoke representing the applicant. Mr. Hopkins stated this plan was consistent with redevelopment plans and design standards that the Board was responsible to review. Mr. Hopkins stated the existing guard house was just past the entrance to the Chart House restaurant. Mr. Hopkins stated the guard house was proposed to be relocated in previous amendments. Mr. Hopkins stated the guard house was proposed to be 85 feet off the right of way line along Beach Street. He stated the guard will not stop vehicles before entering the property but will monitor the property through cameras. Mr. Hopkins stated the gate at the guard house will be opened by a key pad entry and residents may enter the property through a by-pass entrance.

Mr. White asked at what point the utilities will become public.

Mr. Hopkins stated once the utilities are constructed and inspected by the city, there will be a bill of sale to the city.

Mr. Budiansky asked if there are fire safety issues with the utilities as they exist.

Mr. Hopkins stated some of the hydrants do not perform up to par. He stated the utility construction that was proposed will correct that.

Mr. Hopkins stated if this project was constructed, Marina Point would be developed to capacity.

**Public Comments**

Daniel Webster, 444 Seabreeze Blvd., spoke representing the Marina Point Association for buildings 6 and 7. He stated the Association's primary concern was the guard house relocation. Mr. Webster stated currently, there was a manned guard house which checks every vehicle entering the condo site. Mr. Webster stated what was proposed was a guard that will not check vehicles and that was a substantial loss in security to the residents. Mr. Webster stated the guard house should be left where it was. Mr. Webster stated the homeowners association for buildings 6 and 7 requires a 75% unit owner approval for amendments to the project and that will not happen if the guard house was moved to the front of the site as proposed.

Mr. White asked if the security issue was resolved and a bypass lane was located in the front, will that be acceptable.

Mr. Webster stated that would be a huge help but he has been told there was not enough room.

Michael Sznajstajler, Cobb & Cole, 149 S. Ridgewood, Suite 700, spoke representing the Marina Point Harbor homeowners association for Building 5. He stated each homeowners association was being asked to sign the development agreement and each of the existing residents will have to incur costs. Mr. Sznajstajler asked that staff continue to work with the developer and residents in order to reach agreement on the details proposed.

Eleanor Bannerman, 761 Marina Point Drive, stated she was in favor of the development; however, the guard house at the front of the project was not viable. She stated she feels the developer believes there are only a few days when there was a traffic gridlock which was not true. She stated there was extensive traffic throughout the year. She stated she agrees with Mr. Webster's comments. She stated she has an issue with the architecture and feels the buildings look unfinished. She stated the proposed buildings do not look like Mediterranean buildings. She stated when you look at the townhouses, all you see are garage doors. She stated the proposed development will not blend in. She stated she has an issue with a proposed master homeowners association.

Dolores Kunz, 731 Marina Point Drive, stated she was concerned about the removal of the guard in the guard house and stated having a guard in the guard house 24/7 was important to her.

Dr. James Bannerman, 761 Marina Point Drive, stated he has served on many city boards and has served as president of the Marina Point master association board for the last 15 years. He stated the original master association was charged with paying the monthly utility bills; however, the proposed master association will own property. He stated in order for the change to be made to the master association, a 75% majority vote of the existing homeowners association will be required and that will be very difficult to achieve. Dr. Bannerman stated the guard house was not palatable to the residents. He stated he feels the proposed development was wonderful and supports it. He stated the issues are the guard house and the master association and the guard house issue will have to be resolved before the master association will support the project.

Mr. Budiansky asked if the issues about the guard house and master association have anything to do with the Board's review of what was proposed and the redevelopment plan.

Mr. Berger stated the Board can approve the project as proposed or note that the guard house was an issue that has to be resolved.

Ms. Avallone stated the Board can vote on the site plan as submitted or it could recommend an alternative to what was proposed for the guard house.

Mr. Hopkins stated he tried to create a bypass in the front of the street and there was no sufficient room. He stated the original plan was for the guard house to be at building 5 and that location did not provide a bypass. He stated currently there was not a bypass lane at the guard house.

Chris Bowler, 573 Marina Point Drive, stated the guard house issue was important. He stated he feels the master association was not defined in what was proposed. He stated the issue of the master association and determining the costs to the residents should have been resolved prior to the project being presented to the board. Mr. Bowler stated he supports the proposed development.

Mr. Webster stated the sense of security was important to the residents. He stated the property manager has met with the developer to determine the costs for the utilities; however, the main issue today was security and the guard house.

Mr. Sznajstajler stated in building 5 there was a phone system in place to let people into the building. He stated what was proposed would be a duplicate of what was already in place for building 5. Mr. Sznajstajler stated the residents do like having the security guard in place.

Mr. Shewmaker asked how many homeowners associations there currently are at the development.

Mr. Sznajstajler stated there was an association for building 6 and 7 and an association for building 5; he stated there was also a master association that pays the bills.

John Nicholson, 413 N. Grandview, stated the guard shack as proposed presents problems and noted that the city street in front of the city marina was 4 lanes; however, it was only 2 lanes at this entrance. He stated it will be very easy for someone to walk under the proposed gate and access the development if there was no longer a guard at the guard house to check the entrances. Mr. Nicholson expressed concern about delivery trucks that may park along Beach Street for loading and unloading. He stated the number of parking spaces was currently limited for the Chart House. Mr. Nicholson stated he was concerned about the buildings that are proposed and feels they are very bland. He stated he was concerned about submerged land.

Ken Gardner, 614 Marina Point Drive, stated there was an existing road to gain access to the Chart House and asked why that cannot continue to be used since the Chart House does not open until 4:30 p.m. He stated the existing residents have paid through the

years for the pool and other amenities and would hope the developer would take that into consideration.

Mr. Hopkins stated the relocation of the guard house was part of the agreements in 2001 and 2005; and what was proposed was an amended and restated PUD agreement. He stated one of the things that was not amended was the guard house; it was restated. He stated some of the residents signed off on the previous agreement and are here today to oppose it. He stated he will take another look at what was proposed and stated he does not feel there was total opposition to leaving the guard house where it was currently located. He stated the issue was when there are special events and cars are parked everywhere. Mr. Hopkins stated he will go back and take a look at it and feels we can come up with a mechanism to leave the guard house where it was. Mr. Hopkins stated he feels the issue can be resolved to the satisfaction of everyone. He stated he does not believe a 75% vote was required by the homeowners association.

Mr. Webster stated what he heard from Mr. Hopkins was a positive move; he stated, however, that the statement that this was a re-statement of what was adopted in 2001 and 2005 was a misnomer. He stated what was proposed was a complete new agreement and the removal of the guard from the guard house was new. Mr. Webster stated what he believes Mr. Hopkins was proposing was to leave the guard house where it was and to add a guard house at the entrance that could be manned for special events. He stated that would address many of the concerns. Mr. Webster asked that the project be approved, subject to the guard house remaining where it was with the option to also have a second guard house located at the front of the property.

David Fox, 645 S. Beach Street, asked if there are two guard houses which will be active during special events, how that will limit accessibility to the marina. He stated limiting access to the marina could harm his business. He asked about people walking from the city marina and asked if pedestrian access will be limited.

Mr. Hopkins stated Mr. Fox owns the marina and was the landlord for the Chart House restaurant. He stated the landlord/tenant issue of parking at the Chart House needs to be addressed. Mr. Hopkins stated managing the traffic during special events was something Mr. Fox was responsible to do. Mr. Hopkins stated the proposed project has provided for an integrated sidewalk to provide for pedestrian access.

Dr. Sharples asked what the density was that was proposed in the agreement in 2004.

Mr. Jeffries stated what was proposed was less density.

Mr. Budiansky asked if this was approved, does that mean the architectural drawings are final.

Mr. Jeffries stated no. He stated the Planning Board and City Commission will still have to review the project and the details will be finalized in the construction plans.

Mr. Budiansky asked about the requirement for buildings 6 and 7 requiring 75% approval.

Mr. Jeffries stated that deals with the master association.

Mr. Goodemote stated he likes the proposed project and feels it will be an attribute to the community. He stated the residents of Buildings 5, 6, and 7 will benefit from the utilities that will be installed.

Ms. May stated the project will be an asset and suggested the residents be contacted to get their comments on what was proposed.

Mr. Hopkins stated a solution to the guard house issue will be determined prior to the project being presented to the Planning Board.

**Board Action:**

A motion was made by Mr. White, seconded by Dr. Sharples, to approve DEV 2015-142, Planned Development, Marina Point PD-RD, subject to the homeowners associations and developer coming to agreement on the location of the guard house. The motion carried unanimously (7-0).

Tina Lee thanked the Board for the approval of the project and stated she will work with the residents to resolve the issues.

**6. Public Comments**

John Nicholson, 413 N. Grandview, talked about submerged land use. He stated the board should review ingress/egress of a project. He stated Ms. Bannerman brought up the issue of the appearance of the project and stated the new development may not match what currently exists.

**7. Board Comments**

Mr. White stated he would like to discuss at next month's meeting the redesign of Beach Street. He stated the bridge was being constructed under ISB.

**8. Adjournment**

There being no further business to come before the Board, the meeting was adjourned at 1:38 p.m.

  
Buddy Budiansky, Chair

  
Becky Groom, Recording Secretary

**Wall Graphic Approval  
Commodore Alley  
160 North Beach Street**

**Staff Report**

**TO:** Downtown Redevelopment Board Members

**FROM:** Jason Jeffries, Project Manager

**DATE:** March 31, 2016

**APPLICANT:** Jack White, Jack White Land Co.

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**INTRODUCTION:**

A request by Jack White, Jack White Land Co, on behalf of Burgoyne Properties, LTD, to install a wall graphic in the Commodore Alley on the south side of the building at 160 N. Beach Street.

**ANALYSIS:**

The subject property is located in the RDD-1 (Beach Street Retail) zoning district and is permitted a wall graphic upon approval of the Downtown Redevelopment Board. The Land Development Code (LDC) defines a wall graphic as a wall decoration that depicts a scene, picture, illustration, or design with no written message, word, insignia, arrow, or logo. Section 2.10.J.13.d (Wall Graphics and Architectural Embellishments) identifies the following standards for wall graphics:

- i. The wall graphic or architectural embellishment shall be applied to a prepared wall surface free of cracks, peeling paint, or stucco, and shall be covered with a protective coat to minimize deterioration.
- ii. Wall graphics and embellishments shall be for the aesthetic enhancement of the building. Scale, design, intensity, and character shall be consistent with the design of the building, and compatible with the building and surrounding structures.
- iii. No written messages, logos, arrows, or bare bulbs shall be part of the wall graphic or embellishment.
- iv. Wall graphics or embellishments shall be applied and constructed strictly in accordance with the approved application. Any deviation from the approved plan or rendering, in materials or style, shall require removal of the wall graphic or embellishment within five days of notice.

The proposed wall graphic design is attached. The applicant is proposing to place the wall graphic on the south side of the building adjacent to Commodore Alley. The wall graphic, along with other improvements (lighting and planters) to the alley, will be unveiled during the Art in the Alley event on April 8. The proposed wall graphic is intended feature abstract art.

The propose art will be applied to a wall free of cracks and peeling paint. The wall was recently painted. The wall graphic will be placed on a large wall face adjacent to the alley and will be consistent with the design of the building. The proposed wall graphic includes a written message (the phrase: "THIS IS YOUR DREAM") that does not meet the standards for wall graphics.

**RECOMMENDATION:**

Staff recommends that the Downtown Redevelopment **APPROVE** the wall graphic for Commodore Alley on the south side of the building at 160 North Beach Street, subject to the wall graphic being revised to remove the written message.

