

MINUTES
REGULAR MEETING – PLANNING BOARD
September 22, 2016

Minutes for the Regular Planning Board Meeting for the City of Daytona Beach, Florida, held on Thursday, September 22, 2016 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
Pat Drago
Jeff Hurt
James Neal
James Newman
Cathy Washington

Staff Members Present:

Richard Walton, Planning Director
Dennis Mrozek, Planning Manager
Rose Askew, Planner
Reed Berger, Redevelopment Director
Doug Gutierrez, Senior Planner
Carrie Avallone, Assistant City Attorney
Marianne Pulaski, Planning Technician

1. **Call to Order**

Mr. Hoitsma called the meeting to order at 6:35 p.m.

2. **Roll Call**

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

3. **Approval of the Minutes** - August 25, 2016

Board Action:

A motion was made by Mr. Hurt, seconded by Ms. Washington, to approve the minutes of the August 25, 2016 Planning Board Meeting as presented. The motion was approved unanimously (7-0).

4. **Small Scale Comprehensive Plan Amendment – Daytona Toyota, DEV2016-001**

Staff Presentation:

Dennis Mrozek, Planning Manager, presented the staff report which is included as part of the packet. Mr. Mrozek presented both Items 4, Small Scale Comprehensive Plan Amendment – Daytona Toyota, DEV2016-001, and 5, Rezoning to Planned Development – General (PD-G) – Daytona Toyota, DEV2016-002, at this time since the items are related. Mr. Mrozek stated the additional property will be used for additional parking area for the auto dealership. Mr. Mrozek stated stormwater will be placed underneath the property.

Applicant's Presentation:

Mark Dowst, 536 N. Halifax, spoke representing the applicant. Mr. Dowst stated stormwater will be placed underground. Mr. Dowst stated the project was presented to the Midtown Redevelopment Board and was unanimously approved.

Mr. Barhoo stated these two items were presented to the Midtown Redevelopment Board for approval and the Board's comments were regarding stormwater retention and flooding on Walker Street and employees speeding while driving cars on Walker Street.

Mr. Dowst stated during the neighborhood meeting, a comment was made that employees test drive cars along Walker Street and speeding is a concern. Mr. Dowst stated he has shared that concern with his client and all access to the car dealership will be through the dealership lot; there will be no access to Walker Street from the lot.

Public Comments:

There were no public comments.

Board Motion:

A motion was made by Mr. Hurt, seconded by Mr. Newman, to approve Small Scale Comprehensive Plan Amendment – Daytona Toyota, DEV2016-001, in accordance with the staff report as presented.

Board Action:

The motion carried unanimously (7-0).

5. **Rezoning to Planned Development – General (PD-G) – Daytona Toyota, DEV2016-002**

Staff Presentation:

Mr. Mrozek presented this item as part of Item 4, Small Scale Comprehensive Plan Amendment – Daytona Toyota, DEV2016-001.

Applicant’s Presentation:

Mr. Dowst addressed this item as part of Item 4.

Public Comments:

There were no public comments.

Board Motion:

A motion was made by Ms. Washington, seconded by Mr. Barhoo, to approve Rezoning to Planned Development – General (PD-G) – Daytona Toyota, DEV2016-002, in accordance with the staff report as presented.

Board Action:

The motion carried unanimously (7-0).

6. **Rezoning to Planned Development – General (PD-G) and Preliminary Plat – Orthopaedic Surgery Center, DEV2016-056 & 057**

Staff Presentation:

Dennis Mrozek, Planning Manager, presented the staff report which is included as part of the packet. Mr. Mrozek stated the property is off of LPGA Blvd. near Clyde Morris. He stated the purpose of the amendment is to allow for a larger building during Phase II of the construction process. Mr. Mrozek stated the 10 foot setback is only required at the southeast corner of the building due to the angular shape of the lot.

Applicant’s Presentation:

Mark Dowst, 536 N. Halifax, spoke on behalf of the applicant. Mr. Dowst stated the project was expanded in order to provide adequate stormwater storage; and at that time, the applicant considered expansion of the building. Mr. Dowst stated Phase I of the project will be completed by the end of the year.

Public Comments:

There were no public comments.

Board Motion:

A motion was made by Mr. Hurt, seconded by Mr. Neal, to approve Rezoning to Planned Development – General (PD-G) and Preliminary Plat – Orthopaedic Surgery Center, DEV2016-056 & 057, in accordance with the staff report as presented.

Board Action:

The motion carried unanimously (7-0).

7. **Small Scale Comprehensive Plan Amendment – 1673 Mason Avenue, DEV2016-051**

Staff Presentation:

Rose Askew, Planner, presented the staff report which is included as part of the packet. Ms. Askew stated Items 7, Small Scale Comprehensive Plan Amendment – 1673 Mason Avenue, DEV2016-051, and 8, Rezoning to Tourist/Office/Retail (T-4) – 1673 Mason Avenue, DEV2016-053, will be presented at this time since they are related. Ms. Askew stated the purpose of the SSCPA and the rezoning was to attain uniform land use and zoning designations for the expansion of the existing parking lot. She stated the expansion consisted of 68 additional standard parking spaces, 2 handicap spaces and 8 parallel spaces (78 spaces total), landscaping, and infrastructure improvements.

Applicant's Presentation:

Colleen Miles, Land Development Resource Group, 140 S. Beach Street, spoke representing the applicant. Ms. Miles stated the basis for the request was to address the lack of parking needed to accommodate current demands for the site.

Public Comments:

There were no public comments.

Board Motion:

A motion was made by Mr. Hurt, seconded by Ms. Washington, to approve Small Scale Comprehensive Plan Amendment – 1673 Mason Avenue, DEV2016-051, in accordance with the staff report as presented.

Board Action:

The motion carried unanimously (7-0).

8. **Rezoning to Tourist/Office/Retail (T-4) – 1673 Mason Avenue, DEV2016-053**

Staff Presentation:

Ms. Askew presented this item in conjunction with Item 7, Small Scale Comprehensive Plan Amendment – 1673 Mason Avenue, DEV2016-051

Public Comments:

There were no public comments.

Board Comments:

There were no Board comments.

Board Motion:

A motion was made by Mr. Newman, seconded by Ms. Washington, to approve Rezoning to Tourist/Office/Retail (T-4) – 1673 Mason Avenue, DEV2016-053, in accordance with the staff report as presented.

Board Action:

The motion carried unanimously (7-0).

9. **Rezoning to Planned Development – General (PD-G) Hilton Home 2, DEV2016-080**

Staff Presentation:

Rose Askew, Planner, presented the staff report which is included as part of the packet. Ms. Askew stated the rezoning is to allow for the construction of a 107 room hotel to be located at the corner of Fentress and Executive Drive.

Applicant's Presentation:

Joe Hopkins, Performance Group, 100 Marina Point Drive, stated he represented the applicant and is available to answer any questions the Board may have.

Public Comments:

There were no public comments.

Board Motion:

A motion was made by Mr. Hurt, seconded by Mr. Newman, to approve Rezoning to Planned Development – General (PD-G) Hilton Home 2, DEV2016-080, in accordance with the staff report as presented.

Board Action:

The motion carried unanimously (7-0).

10. **Rezoning to Planned Development – General (PD-G) – Madison Bay, DEV2016-064**

Staff Presentation:

Dennis Mrozek, Planning Manager, presented the staff report which is included as part of the packet. Mr. Mrozek stated the rezoning will allow the construction of an 84 unit apartment complex for 55+ residents. Mr. Mrozek stated the property is located at the northwest corner of North and Beach Streets. The project consists of a single building that is proposed to be 72 feet tall. Mr. Mrozek stated the project is designed to meet all stormwater requirements on site.

Applicant's Presentation:

Michael Sznajstajler, Cobb & Cole, 149 S. Ridgewood Avenue, spoke representing the applicant. Mr. Sznajstajler stated the project will consist of one and two bedroom units and the cost will be between \$500 to \$600 per month for a one bedroom and \$800 to \$850 per month for a two bedroom unit. Mr. Sznajstajler stated the project will require an update to the utility system which will help to improve the entire system in the area.

Mr. Hurt stated this project will encourage people to visit the downtown.

Mr. Hoitsma asked if this facility will turn into a long-term medical care facility.

Mr. Sznajstajler stated there are no medical facilities on site and there is no request for that type of use.

Mr. Newman stated he attended the neighborhood meeting and the reaction was positive.

Mr. Walton stated the Board has been provided with copies of an email from Jack Bailey who is opposed to this project and a letter from Harold Goodemote who supports the project.

Public Comments:

Gordon Russell, 200 North Street, stated he supports the project and feels this project is needed in this neighborhood.

Board Motion:

A motion was made by Mr. Hurt, seconded by Ms. Washington, to approve Rezoning to Planned Development – General (PD-G) – Madison Bay, DEV2016-064, in accordance with the staff report as presented.

Board Action:

The motion carried unanimously (7-0).

11. **Rezoning to Planned Development – General (PD-G) – Birchwood, DEV2016-022**

Staff Presentation:

Dennis Mrozek, Planning Manager, presented the staff report which is included as part of the project. Mr. Mrozek stated the property is a vacant undeveloped property adjacent to the City of Ormond Beach where 66 single family homes are planned. Mr. Mrozek outlined the modifications requested, including placement of sidewalks on the single side of the street which will be installed at the time the lots are developed. Mr. Mrozek stated utilities for this project may be provided by the City of Ormond Beach but that will be determined prior to the item being presented to the City Commission meeting.

Applicant's Presentation:

Rob Merrell, Cobb & Cole, 149 S. Ridgewood, spoke representing the applicant. Mr. Merrell stated the property currently has Volusia County zoning so this request is to change the zoning. Mr. Merrell stated the sidewalk request is based on the size of the project.

Mr. Hurt stated there are sidewalks on one side of the street in his development and it is not a problem.

Public Comments:

There were no public comments.

Board Motion:

A motion was made by Mr. Newman, seconded by Mr. Neal, to approve Rezoning to Planned Development – General (PD-G) – Birchwood, DEV2016-022, in accordance with the staff report as presented.

Board Action:

The motion carried unanimously (7-0).

12. **Small Scale Comprehensive Plan Amendment – Longboard, DEV2016-081**

Staff Presentation:

Reed Berger, Redevelopment Director, presented the staff report which is included as part of the packet. Mr. Berger stated this item will be presented along with Item 13, Rezoning to Planned Development – Redevelopment (PD-RD) - Longboard, DEV2016-074. Mr. Berger stated the site is south of International Speedway Blvd. and just north of the Beach Patrol headquarters. Mr. Berger stated the property will include the area from the road to the Mean Water Line. Mr. Berger outlined the proposed text amendment to the Comprehensive Plan which has been requested by the applicant to Policy 1.1.2 and is outlined in the staff report.

Mr. Berger stated the Small Scale Comprehensive Plan Amendment is consistent with the Comprehensive Plan, does not represent urban sprawl, and the city has available capacity to serve the increased demand on available water and sewer. Mr. Berger stated the Beachside Redevelopment Board reviewed this request and voted 6-0 to recommend approval.

Mr. Berger presented Item 13 which is the rezoning for this property. Mr. Berger stated what is proposed is a conceptual form-based plan, and submitting a conceptual plan is permitted by the new Land Development Code. Mr. Berger stated the applicant has removed the proposed use of bar/lounge from the approved list of uses. Mr. Berger stated the proposed maximum building height is 348 feet and the maximum number of rooms is 1,300. Mr. Berger stated the proposed density is 150 units per acre with maximum retail uses of 260,000 s.f. and maximum office uses of 500,000 s.f. Mr. Berger stated a parking demand study would be required and many items will be addressed during site plan review. Mr. Berger stated the Beachside Redevelopment Board reviewed this request and voted 6-0 to recommend approval.

Mr. Hoitsma asked if this project proceeds, will be it presented again to the Planning Board.

Mr. Berger stated under the current procedures for Site Plan approval, the Planning Board will not review this item again.

Ms. Drago asked if typically approval is given on property to the high water mark.

Ms. Avallone stated it depends but the property owner has presented a deed that shows they do own the property to the high water mark.

Applicant's Presentation:

Rob Merrell, Cobb & Cole, 149 S. Ridgewood Avenue, spoke representing the applicant. Mr. Merrell stated this is the first time Consolidated Tomoka has proposed a project beachside. Mr. Merrell stated what is being presented is a conceptual plan which is permitted by the new Land Development Code. Mr. Merrell stated the current zoning does not permit restaurants on this site and it is planned to have restaurants on site.

Robert Sponseller, John Hensley Architects, presented the proposed project. Mr. Sponseller stated the project intends to continue Goodall and Vermont extending through the site from the neighborhood to the west. Mr. Sponseller stated it is proposed that 100 feet of property will be set aside to provide an access route to the beach extending Goodall through the site. Mr. Sponseller stated there will be 3 types of open space along the ground plane. Mr. Sponseller stated a 35 foot wide zone along Atlantic Avenue will help to buffer the new plan from the neighborhood to the west and can be used for café seating, restaurants, or public events. Mr. Sponseller stated the frontage along that 35 foot area will be limited to 7 story height. Mr. Sponseller stated a one acre parcel will be set aside to turn into green space and access to the beach. Mr. Sponseller stated the beach frontage will consist of a 60 foot space along the beach. Mr. Sponseller stated parking and loading will be internal to the site. Mr. Sponseller stated the roof tops will have a courtyard for the residents and hotel guests.

Mr. Hurt stated the new Land Development Code provides the option to review this type of request for a Planned Development.

Mr. Merrell stated it sets the outline for placing a project within the approved parameters. Mr. Merrell stated if the PD agreement is approved and states that there will be a 100 foot open space access to the beach, it will have to be provided.

Ms. Drago stated if approved this evening, the Planning Board would be approving the Floor Area Ratio, specific uses, the commitment that the heights of the buildings will be staggered, and the setbacks shown on Exhibit C.

Public Comments:

Jim Cameron, Senior Vice President, the Daytona Regional Chamber, who resides at 335 Bucknell, stated the Chamber supports this project. Mr. Cameron stated the Chamber likes to see an investment from a local company and Consolidated Tomoka has previously brought quality projects. Mr. Cameron stated the project will expand the tax base and bring jobs to the area.

Anne Ruby, 137 Park Avenue, stated the proposed project gives the applicant the ability to adjust but hopes the Planning Board will require adjustments. Ms. Ruby said a concern is density and that should be adjusted. Ms. Ruby stated there is nothing in the agreement that prohibits the developer from selling the land once the PD is approved. Ms. Ruby stated a stipulation should be placed in the agreement that the local developer will not sell the property. Ms. Ruby stated if the project is developed as office space, there would be approximately 3,300 workers going beachside every day to go to the offices. She stated a hotel would draw 2,600 people if the hotel is full. Ms. Ruby expressed concern about traffic on the bridges and traffic will be a nightmare for the residents. Ms. Ruby stated it was implied at the Beachside Redevelopment Board meeting that a restaurant will be in place within 5 years; however, Section 11C of the development agreement states that all that must be done by the developer is to apply for building permits for Phase 1 within 5 years with substantial completion in 8 years with a total of 25 years to finish the project. She stated the proposal is too open ended and too long term. Ms. Ruby stated the staff report needs to be corrected to show that there is no definite end user identified at this time because it is a misrepresentation.

Ken Strickland, 1208 N. Halifax, stated it is a sad state of affairs that the FAA will regulate the height limit of construction. He stated 25 years is a long time for the development agreement. He asked if the developer will return requesting tax abatements, incentives, or CRA money. Mr. Strickland stated there are rules in place but the rules are always changed for the developer.

Linda Smiley, 357 Manhattan Avenue, stated she has a problem with the project being bulldozed through in less than a month. She said the concept plan is nice but there is no plan of what will be there. She stated it is troubling that Mr. Merrell helped to write this change in the LDC and here he is, first in line to benefit from it. She asked the Board to vote against the project.

Dan Harshaw, 115 Lenox, stated during the City Commission meeting last night, the Mayor stated that a lot of people are upset that the Hard Rock will not be coming to Daytona Beach and people had said they wanted responsible development. He stated what is presented tonight is not responsible. He stated the density is too high. He stated he did not feel 500,000 s.f. of office space will be located on the beach. He stated the Land Development Code should be adhered to.

Sandra Murphy, 136 Park Avenue, stated she agrees with the comments made by Mr. Harshaw. She asked the Board to vote against this project.

Mr. Merrell stated projects are measured to determine their impact on water, sewer, and transportation. He stated there will not be an increased impact on traffic. He stated there will not be impacts based on the pre and post condition.

Mr. Hurt stated an application is permitted to be processed based on the new regulations in the Land Development Code. Mr. Hurt stated he is pleased to see a local developer bringing this project to our area.

Ms. Drago stated she has a concern about the level of intensity but there are commitments for the setbacks, the green space, height limitations, and arrangement of buildings. She stated she likes having the area defined. She stated the project will make the whole area much more attractive and hopes it sets a standard for what is to come.

Mr. Barhoo stated he feels it is a wonderful project. He stated he is concerned about density.

Ms. Washington stated she was concerned about density but feels it will factor itself out. She thinks the project is awesome and is impressed.

Mr. Newman stated approving this project is not doing Consolidated Tomoka a favor; he stated it is recognizing their track record. He stated the view corridors and green spaces make the project attractive. He stated he sees this as a plus for the beachside and for the City at large.

Mr. Neal stated the project looks good. He stated he is equally impressed by the idea of allowing things to happen and inviting quality people in to do something different. He stated if it is good for the area, we should try to make it happen. He stated we keep passing up on opportunities.

Mr. Hoitsma stated he is concerned about the length of time of the agreement. He stated there is a possibility that nothing will come from this. He expressed concern about density. He stated the standards should be adhered to. He stated a precedent may be set.

Board Motion:

A motion was made by Mr. Hurt, seconded by Ms. Washington, to approve Small Scale Comprehensive Plan Amendment – Longboard, DEV2016-081, in accordance with the staff report as presented.

Board Action:

The motion carried 6-1 (Mr. Hoitsma voted no).

13. **Rezoning to Planned Development – Redevelopment (PD-RD) - Longboard, DEV2016-074**

Staff Presentation:

This item was presented as part of Item 12.

Board Motion:

A motion was made by Mr. Hurt, seconded by Ms. Washington, to approve Rezoning to Planned Development – Redevelopment (PD-RD) - Longboard, DEV2016-074, in accordance with the staff report as presented.

Board Action:

The motion carried 6-1 (Mr. Hoitsma voted no).

14. **Other Business**

a. Downtown Redevelopment Board Report

Ms. Washington stated the Downtown Redevelopment Board met on September 13 and heard a presentation from staff regarding Land Development Code text amendments.

b. Midtown Redevelopment Area Board Report

Mr. Barhoo stated the Midtown Redevelopment Board met on September 19 and reviewed the item presented this evening regarding Daytona Toyota.

c. Beachside Redevelopment Area Board Report

Mr. Newman stated the Beachside Redevelopment Board met today prior to the Planning Board meeting to review the Longboard project. Mr. Newman stated the neighborhood expressed concern about the vagueness of the proposed plan; however, the Board recommended approval of the project.

d. Public Comments

There were no public comments.

e. Staff Comments

Mr. Walton thanked the Board for enduring the long meeting this evening.

f. Board Comments

Mr. Newman stated the rewrite of the Land Development Code allows for flexibility and stated he does not have a problem with how things are presented.

Ms. Drago stated she shared Mr. Hoitsma's concerns about density but stated we have not been very successful in the last 20 years. She stated often times there is rigidity in development codes. She stated what was proposed does define buildable space. She stated right now, there is not much to attract people to our area and someone that has million of dollars to invest will want to build something that will make it attractive to the market. Ms. Drago stated we may continue to limit ourselves and she is concerned about our community.

Adjournment

There being no further business, the meeting adjourned.



Robert Hoitsma, Chair

ATTEST:



Pat Drago
Secretary