

MINUTES
REGULAR MEETING – PLANNING BOARD
October 27, 2016

Minutes for the Regular Planning Board Meeting for the City of Daytona Beach, Florida, held on Thursday, October 27, 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
Jason Jeffries, Redevelopment Project Manager
Carrie Avallone, Assistant City Attorney
Marianne Pulaski, Planning Technician

1. **Call to Order**

Mr. 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** - September 22, 2016

Board Action:

A motion was made by Mr. Hurt, seconded by Mr. Newman, to approve the minutes of the September 22, 2016 Planning Board Meeting as presented. The motion was approved unanimously (7-0).

4. **Land Development Code Text Amendment – Article 4, DEV2016-076**

Staff Presentation:

Dennis Mrozek, Planning Manager, presented the staff report for both Items 4 and 5 at this time. Mr. Mrozek stated the property is located on the north side of Glenview between North Halifax and North Grandview. Mr. Mrozek stated the rezoning request is to rezone properties at 701 N. Peninsula, which is the existing law office, and 221 Glenview, which is the proposed additional office site. Mr. Mrozek stated the site has limited parking and the property will be reworked in order to allow parking to back out into the right of way. Mr. Mrozek stated the Historic Preservation Board has reviewed this item and recommends approval.

Applicant's Presentation:

James Morris, 750 Oak Heights Court, Port Orange, Florida, spoke on behalf of the applicant. Mr. Morris stated the building will not change in appearance but has been vacant for some time and the Chanfrau's have decided to purchase the property and incorporate it into their law office use. Mr. Morris stated a neighborhood meeting was held and the project was favorably received. Mr. Morris stated a small sign will be placed on the property so people know there is a law office at the site.

Public Comments:

There were no public comments.

Board Motion:

A motion was made by Mr. Hurt, seconded by Mr. Neal, to approve Land Development Code Text Amendment – Article 4, DEV2016-076, in accordance with the staff report as presented.

Board Action:

The motion carried unanimously (7-0).

5. **Rezoning to Planned Development – General (PD-G) – Chanfrau Law Office, DEV2016-015**

Staff Presentation:

Mr. Mrozek presented this item as part of Item 4, Land Development Code Text Amendment – DEV2016-076.

Applicant's Presentation:

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

Public Comments:

There were no public comments.

Board Motion:

A motion was made by Mr. Hurt, seconded by Ms. Washington, to approve Rezoning to Planned Development – General (PD-G) – Chanfrau Law Office, DEV2016-015, in accordance with the staff report as presented.

Board Action:

The motion carried unanimously (7-0).

6. **Land Development Code Text Amendment – Articles 4, 5, and 11, DEV2016-087**

Staff Presentation:

Jason Jeffries, Redevelopment Project Manager, presented the staff report which is included as part of the packet. Mr. Jeffries stated the rezoning requests relate to the Cosmo rezoning, which is north of the vacant car lots, and the Old Daytona rezoning. Mr. Jeffries stated one request relates to an indoor recreation/entertainment use and one request relates to a self storage use. Mr. Jeffries stated the text amendment is to ensure there are consistent uses in the new Land Development Code as were outlined in the 1993 Land Development Code. Mr. Jeffries stated the RDD-6 zoning is a new zoning district to provide a low intensity residential area with single family homes and is intended for the old Daytona district. Mr. Jeffries stated the Art and Cultural Center is a new use in the code and relates to the Art League which is in the neighborhood. Mr. Jeffries stated the Art League is a special use so if the Art League wanted to expand their site, they would have to go through a public hearing process. Mr. Jeffries stated the indoor recreation use relates to Item 7 on the Planning Board agenda which will be a special use with certain standards. Mr. Jeffries stated the self storage use would be a use permitted with interior bays in existing structures.

Ms. Drago questioned the 180 feet height limit for marina development and asked if it is for residential or boat stacking.

Mr. Jeffries stated the boat stacking currently exists in a one or two story structure.

Ms. Drago stated if a motion is made for approval, she will offer an amendment to exclude the mini-warehouses on Ridgewood since she said she does not feel it is appropriate on Ridgewood Avenue.

Mr. Hurt stated the storage site could be disc or document storage and the exterior structure of the building would remain.

Public Comments:

There were no public comments.

Board Motion:

A motion was made by Mr. Hurt, seconded by Ms. Washington, to approve , Land Development Code Text Amendment – Articles 4, 5, and 11, DEV2016-087, in accordance with the staff report as presented.

Ms. Drago stated she would like to amend the motion. Ms. Avallone stated since there is a motion on the floor, it will have to be voted on; but if the person making the motion wanted to withdraw their motion, Ms. Drago could make a new motion.

Mr. Hurt stated he would like to continue with his motion as presented.

Board Action:

The motion carried 5-2 with Ms. Drago and Mr. Newman voting no.

7. **Special Use Permit – Daytona Arcade Museum, DEV2016-093**

Staff Presentation:

Jason Jeffries, Redevelopment Project Manager, presented the staff report which is included as part of the packet. Mr. Jeffries stated this is a special use request for 176 N. Beach Street for an arcade museum. Mr. Jeffries stated a restaurant serving pizza and craft beer will be included in the site along with a portion for retail sales. Mr. Jeffries stated a meeting was held with the downtown merchants where this project was presented.

Mr. Barhoo asked if the site meets the parking requirements.

Mr. Jeffries stated there are no parking requirements since there are public parking lots in the area.

Applicant's Presentation:

Brian French, General Manager of the proposed site, stated the site will be a hands-on museum and 90% of the games will be playable. He stated customers will be able to learn the history of the machines and see the inner workings of the machines. Mr. French stated memorabilia will be on display as well.

Public Comments:

Anne Ruby, 137 Park Avenue, asked if there will be an age limit since it is a bar.

Mr. French stated the wine and beer will be contained in the bar area and will not be allowed outside the bar area.

Board Motion:

A motion was made by Ms. Washington, seconded by Mr. Barhoo, to approve Special Use Permit – Daytona Arcade Museum, DEV2016-093, in accordance with the staff report as presented.

Board Action:

The motion carried unanimously (7-0).

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

Staff Presentation:

Reed Berger, Redevelopment Director, presented the staff report which is included as part of the packet. He stated the City Commission reviewed this project and continued the item until the November 2, 2016 meeting. He stated the City Commission expressed concern about requests for this project that had not been reviewed by the Planning Board, specifically two waivers from the Land Development Code. Mr. Berger stated one of the requests is a waiver for Special Events, which has been withdrawn by the applicant and the second waiver relates to the 60 foot setback and the placement of structures in the setback. He stated the Development Services Department received an application for a site plan for two restaurants with outdoor seating that will extend into the setback. He stated this project will be built under the T-1 zoning standards and at this point placement of the view corridor is not required. Mr. Berger stated if the applicant pursues a hotel or condo that is in the planned development, at that point the view corridor will have to be put in place and it may require the removal of one of the restaurants.

Ms. Drago stated she was sold when the applicant made their presentation on how the parcel would be developed including the view corridors and setbacks. She stated now the size of the structures will change and the view corridor will not be in place. She stated the restaurants will be developed under a different set of standards, not what is outlined in the Planned Development Agreement what the Planning Board approved does not apply at this stage of the development since the City Commission has not approved the application and the Planning Board will not have an opportunity to review the view corridors when more intensive development is planned.

Applicant's Presentation:

Rob Merrell, Cobb & Cole, 149 S. Ridgewood, spoke representing the applicant. He distributed a handout and stated when the request was presented last month, it was presented that the project would be completed in two phases. He stated a site plan presented today for two restaurants that are intended to be interactive with the beach. Mr. Merrell stated the view corridor is part of the grand plan but this request will get something started on the beach.

Ms. Drago asked if the restaurants will be developed in accordance with the existing T-1 zoning.

Mr. Merrell stated yes.

Public Comments:

Anne Ruby, 137 Park Avenue, stated she is opposed to the open-ended use of this project. She stated she likes the fact that the restaurants will be in place soon but is concerned about traffic. Ms. Ruby stated Phase 2 of the project will have a significant effect on the neighborhood and is appalled that the Planning Board approved the original request. Ms. Ruby stated she does like the Phase 1 application.

Board Comments:

Mr. Hurt stated he thinks this is a good plan that will bring more people to the beach side. He stated the restaurants that are grouped in front the Volusia Mall are busy constantly.

Ms. Drago stated she enjoys visiting restaurants in other communities that are on the beach and looks forward to these restaurants coming to the area.

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 unanimously (7-0).

9. **Rezoning to Planned Development – General (PD-G) Bayberry Cove, DEV2016-065**

Staff Presentation:

Rose Askew, Planner, presented the staff report which is included as part of the packet. Ms. Askew stated the original request for the project was approved at the August 25, 2016, Planning Board meeting and the applicant has requested modifications that were not previously identified. Ms. Askew stated this request is to add townhomes to the list of permitted uses in the PD Agreement, to add lot development criteria for the town homes and to reduce the require minimum rear yard setback for both the single-family homes and town homes from 20 feet to 15 feet.

Applicant's Presentation:

Rob Merrell, Cobb & Cole, 149 S. Ridgewood, spoke representing the applicant. Mr. Merrell stated the property is owned by Consolidated Tomoka but is under contract with ICI. Mr. Merrell stated the plan is to stagger the homes by allowing some of the rear yard setbacks to be 15 feet and some to be 20 feet.

Mr. Barhoo stated the change will allow more buildings to be placed on less property and he was concerned about the smaller setbacks. He stated he feels the buildings are too close and should have a better setback.

Dick Smith, ICI Homes, stated there are very few homes that back up to each other and he would not do anything that would make the homes unmarketable.

Mr. Merrell stated most of the homes back up to woods.

Mr. Hurt stated some people move into townhomes because they want less home and property to maintain.

Mr. Newman asked about parking.

Mr. Merrell stated the parking does not change from what was originally approved.

Public Comments:

Eric Koziglski, 806 Lily Court, Deltona, Florida, spoke representing the Volusia County School District. He stated Champion Elementary School is located in this area and the Volusia County School District is concerned about the intersection of Tournament Drive and LPGA. He stated a signal is needed at that intersection and should be placed there today. Mr. Koziglski stated a transportation impact analysis shows this as a failing intersection and he would like to see a traffic signal in place before the development begins. He stated he understands the Minto Development is required to put a traffic signal at this intersection but does not feel signalization can wait until that time. He stated the traffic signal is needed now.

Janice Weil, 256 Thornberry Branch Lane, stated she drives LPGA daily and traffic is horrendous. Ms. Weil stated she is not opposed to development but is leery of townhomes that will have a lot of houses crammed in a short amount of space. Ms. Weil stated there is a continuing problem with snakes and other wildlife in the area. Ms. Weil stated the project should not shorten the setbacks. Ms. Weil stated if construction traffic was routed to another intersection it would ease some of the traffic at the Tournament Drive/LPGA intersection. Ms. Weil stated a traffic signal is needed at Tournament Drive and LPGA.

Mr. Merrell stated the comments do not have anything to do with this application. Mr. Merrell stated traffic is terrible when students are going to school or when school is letting out. Mr. Merrell stated the Minto project will have to adhere to concurrency but the Bayberry item is just a request for rezoning. Mr. Merrell stated this is an approved 1200 unit project and the amendment is to add acreage but not to increase the number of units.

Board Motion:

A motion was made by Mr. Hurt, seconded by Mr. Neal, to approve Rezoning to Planned Development – General (PD-G) Bayberry Cove, DEV2016-065, in accordance with the staff report as presented.

Board Action:

The motion carried 5-2 with Ms. Drago and Mr. Barhoo voting no.

10. **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 packet relating to Base Flood Elevation. Mr. Mrozek stated the City's Engineering Staff reviewed the project after the last Planning Board meeting and has requested that their comments be included in the Planned Development Agreement and sent to the City Commission for approval.

Applicant's Presentation:

Rob Merrell, Cobb & Cole, 149 S. Ridgewood, stated the request is part of the requirements of FEMA and need to be included in the agreement.

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) – Birchwood, DEV2016-022, in accordance with the staff report as presented.

Board Action:

The motion carried unanimously (7-0).

Assistant City Attorney Comments:

Ms. Avallone stated she incorrectly advised the Board on Item 6 regarding an amendment to the motion. Ms. Avallone stated Ms. Drago was correct in that she could have amended the motion so if someone from the prevailing side would like, a motion could be made to reconsider.

Ms. Drago stated she was fine with the action that was taken on the motion and appreciated the clarification.

11. **Other Business**

a. **Downtown Redevelopment Board Report**

Ms. Washington stated the Downtown Redevelopment Board met in October and reviewed two items that were on the Planning Board Agenda this evening,

the Land Development Code Text Amendments and the Daytona Arcade Museum.

b. Midtown Redevelopment Area Board Report

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

c. Beachside Redevelopment Area Board Report

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

d. Public Comments

There were no public comments.

e. Staff Comments

Mr. Walton stated the Planning Board meeting schedule for 2017 is included in the Board's packet.

f. Board Comments

There were no Board comments.

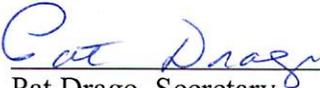
Adjournment

There being no further business, the meeting adjourned.



Robert Hoitsma, Chair

ATTEST:



Pat Drago, Secretary